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**TWENTY FIFTH DAY'S PROCEEDINGS
SENATE CHAMBER
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION**

Little Rock, Arkansas

February 1, 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, ARGUE, BAKER, BISBEE, BOOKOUT,
BROADWAY, 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.

The Senate was led in prayer by Senator Crumbly.

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On motion of Senator J. Jeffress, **Senate Bill No. 45** was withdrawn from the Committee on EDUCATION, and placed back on second reading for purpose of Amendment No. 1.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. 45

Amend **Senate Bill No. 45** as originally introduced:

Page 1, line 26, delete “(2)” and substitute “(2)(A)”

Page 1, delete line 28 and substitute the following:
“amount awarded per day to substitute teachers.”

(B) Payment to a retiring teacher for unused sick leave shall not exceed seven thousand five hundred dollars (\$7,500).”

(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. 45 was ordered engrossed.

On motion of Senator Faris, **Senate Bill No. 225** was withdrawn from the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS, and placed back on second reading for purpose of Amendment No. 1.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. 225

Amend **Senate Bill No. 225** as originally introduced:

Page 42, delete lines 29 through 35 and substitute the following:

“SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that this act calls for the continuation and abolishment of various state agencies and that allowing the provisions of the act to become effective immediately will promote the efficient and effective operation of the agencies affected by the act. 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.”

(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. 225 was ordered engrossed.

On motion of Senator Hill, **Senate Bill No. 201** was withdrawn from the Committee on AGRICULTURE, ECONOMIC & INDUSTRIAL DEVELOPMENT, 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. 201

Amend **Senate Bill No. 201** as originally introduced:

Add Representative Sullivan as a cosponsor of the bill

(SIGNED) SENATOR HILL

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 201 was ordered engrossed.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 1, 2007

Mr. President:

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

SENATE BILL NO. 45, 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. 45** was ordered re-referred to the Committee on EDUCATION.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 1, 2007

Mr. President:

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

SENATE BILL NO. 201, BY SENATOR HILL,

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 Hill, **Senate Bill No. 201** was ordered re-referred to the Committee on AGRICULTURE, ECONOMIC & INDUSTRIAL DEVELOPMENT.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 1, 2007

Mr. President:

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

SENATE BILL NO. 225, BY SENATOR FARIS,

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 Faris, **Senate Bill No. 225** was ordered re-referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION 2007

February 1, 2007

Mr. President:

We, your Committee on JOINT BUDGET, to whom was referred:

SENATE BILL NO. 134, BY JOINT BUDGET COMMITTEE,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that it do pass as amended No. 1.

Respectfully submitted,

(SIGNED) SENATOR SHAWN WOMACK
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 1, 2007

Mr. President:

We, your Committee on CITY, COUNTY & LOCAL AFFAIRS, to whom was referred:

SENATE BILL NO. 204, BY SENATOR ALTES,
SENATE BILL NO. 211, BY SENATOR BROWN,
SENATE BILL NO. 212, BY SENATOR BROWN,

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 IRMA HUNTER BROWN
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 1, 2007

Mr. President:

We, your Committee on CITY, COUNTY & LOCAL AFFAIRS, to whom was referred:

HOUSE BILL NO. 1022, BY REPRESENTATIVE SAMPLE,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that it do pass as amended No. 1.

Respectfully submitted,

(SIGNED) SENATOR IRMA HUNTER BROWN
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 1, 2007

Mr. President:

We, your Committee on CITY, COUNTY & LOCAL AFFAIRS, to whom was referred:

HOUSE BILL NO. 1179, BY REPRESENTATIVE OVERBEY,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that it do pass as amended No. 1.

Respectfully submitted,

(SIGNED) SENATOR IRMA BROWN HUNTER
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 1, 2007

Mr. President:

We, your Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS,
to whom was referred:

SENATE BILL NO. 190, BY SENATOR J. TAYLOR,
SENATE BILL NO. 198, BY SENATOR FARIS,
SENATE BILL NO. 202, BY SENATOR FARIS,
SENATE BILL NO. 209, BY SENATOR FARIS,
SENATE BILL NO. 224, BY SENATOR STEVE FARIS,

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 STEVE FARIS
CHAIRMAN

SENATE BILL NO. 229
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR FARIS

A Bill for an Act to be Entitled: AN ACT TO AMEND VARIOUS ARKANSAS
LAWS PERTAINING TO THE STATE BOARD OF COSMETOLOGY; AND FOR
OTHER PURPOSES.

Senate Bill No. 229 was read the first time, rules suspended, read the second
time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL
AFFAIRS.

SENATE BILL NO. 230
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR FARIS

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS LAW CONCERNING PROVISIONAL VOTING PROCEDURES; AND FOR OTHER PURPOSES.

Senate Bill No. 230 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

SENATE BILL NO. 231
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS LAVERTY, BOOKOUT, BROADWAY, BRYLES, CRITCHER,
FARIS, GLOVER, G. JEFFRESS. B. JOHNSON, LUKER & R. THOMPSON
BY: REPRESENTATIVES DAVENPORT, COOPER, EVERETT, OVERBEY &
RAGLAND

A Bill for an Act to be Entitled: AN ACT TO AMEND THE PUBLIC SCHOOL FUNDING ACT OF 2003 TO EQUALIZE THE FUNDING PROVIDED FOR A DISTRICT WITH A GROWING OR DECLINING ENROLLMENT; AND FOR OTHER PURPOSES.

Senate Bill No. 231 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

SENATE BILL NO. 232
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE ADMINISTRATIVE OFFICE OF THE COURTS FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Senate Bill No. 232 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 233
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR CAPITAL PROJECTS, ACQUISITION OF LAND AND CONSERVATION EASEMENTS FOR THE ARKANSAS STATE GAME AND FISH COMMISSION FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Senate Bill No. 233 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 234
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS STATE GAME AND FISH COMMISSION FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Senate Bill No. 234 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 235
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR WOMACK
BY: REPRESENTATIVES HARRELSON, JEFFREY, LOWERY, KEY & NORTON

A Bill for an Act to be Entitled: AN ACT TO CREATE THE DISTRICT COURT RESOURCE ASSESSMENT BOARD; TO CREATE A PILOT PROGRAM OF FULL-TIME DISTRICT COURT JUDGES THAT ARE EMPLOYEES OF THE STATE OF ARKANSAS; TO CONSOLIDATE CITY COURTS WITH DISTRICT COURTS; AND FOR OTHER PURPOSES.

Senate Bill No. 235 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

SENATE BILL NO. 236
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MADISON
BY: REPRESENTATIVE EDWARDS

A Bill for an Act to be Entitled: AN ACT TO AMEND THE ARKANSAS PUBLIC SAFETY COMMUNICATIONS ACT OF 1985 TO ADD DEFINITIONS; TO LEVY ADDITIONAL SERVICE CHARGES; TO CHANGE THE CMRS EMERGENCY TELEPHONE SERVICES BOARD'S NAME; TO CLARIFY THE BOARD'S DUTIES CONCERNING THE FUNDS COLLECTED FROM LEVIES; AND FOR OTHER PURPOSES.

Senate Bill No. 236 was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE & COMMERCE.

SENATE BILL NO. 237
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

BY: SENATORS R. THOMPSON, J. JEFFRESS, G. JEFFRESS & BROADWAY
BY: REPRESENTATIVES SULLIVAN, THYER, PETRUS, WELLS, ABERNATHY,
ALLEN, BERRY, BLOUNT, COOPER, CORNWELL, L. COWLING, DICKINSON,
DUNN, L. EVANS, EVERETT, GARNER, GASKILL, KENNEY, KIDD, LOVELL,
LOWERY, MAXWELL, MEDLEY, PETTERSON, RAGLAND & SAUNDERS

A Bill for an Act to be Entitled: AN ACT TO DEVELOP THE ALTERNATIVE FUELS INDUSTRY IN ARKANSAS BY ESTABLISHING GOALS FOR THE PRODUCTION OF ALTERNATIVE FUELS, STANDARDS FOR THE PERCENTAGE OF ALTERNATIVE FUELS IN THE DIESEL FUEL USED IN MOTOR VEHICLES, AND STANDARDS FOR QUALITY OF ALTERNATIVE FUELS; AND FOR OTHER PURPOSES.

Senate Bill No. 237 was read the first time, rules suspended, read the second time and referred to the Committee on AGRICULTURE, ECONOMIC & INDUSTRIAL DEVELOPMENT.

SENATE BILL NO. 238
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR J. JEFFRESS

A Bill for an Act to be Entitled: AN ACT CONCERNING FILING FOR REELECTION BY INCUMBENT CANDIDATES; AND FOR OTHER PURPOSES.

Senate Bill No. 238 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

SENATE BILL NO. 239
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR LUKER
BY: REPRESENTATIVES D. JOHNSON, BOND, E. BROWN,
HARRELSON, PATE, WILLS & WOOD

A Bill for an Act to be Entitled: AN ACT TO RECOGNIZE, HONOR, AND PROTECT ARKANSAS CITIZENS WHO ARE SUMMONED TO SERVE AS JURORS IN ARKANSAS STATE COURTS; TO INCREASE THE RATE OF JUROR COMPENSATION; TO REIMBURSE COUNTIES FOR THE COSTS OF JURIES; AND FOR OTHER PURPOSES.

Senate Bill No. 239 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

SENATE BILL NO. 240
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR LUKER AND R. THOMPSON
BY: REPRESENTATIVES D. JOHNSON, BOND, E. BROWN,
HARRELSON, THYER & WILLS

A Bill for an Act to be Entitled: AN ACT TO REDUCE THE MAXIMUM AMOUNT OF TIME THAT PETIT JURORS ARE REQUIRED TO SERVE; AND FOR OTHERS PURPOSES.

Senate Bill No. 240 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

SENATE BILL NO. 241
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS LUKER AND R. THOMPSON
BY: REPRESENTATIVES D. JOHNSON, BOND, E. BROWN,
HARRELSON, PATE, THYER, WILLS & WOOD

A Bill for an Act to be Entitled: AN ACT TO REQUIRE THAT THE ENHANCED PROSPECTIVE JUROR LIST BE USED IN THE SELECTION OF ALL PROSPECTIVE JURORS IN ALL CIRCUIT COURT DIVISIONS; AND FOR OTHER PURPOSES.

Senate Bill No. 241 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

SENATE BILL NO. 242
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS LUKER AND R. THOMPSON
BY: REPRESENTATIVES D. JOHNSON, BOND & E. BROWN

A Bill for an Act to be Entitled: AN ACT REGARDING THE RETENTION AND CONFIDENTIALITY OF CERTAIN COURT RECORDS; AND FOR OTHER PURPOSES.

Senate Bill No. 242 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

SENATE BILL NO. 243
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS LUKER, R. THOMPSON & WOMACK
BY: REPRESENTATIVES D. JOHNSON, BOND, PATE & WOOD

A Bill for an Act to be Entitled: AN ACT TO ESTABLISH OATHS FOR COURT BAILIFFS; AND FOR OTHER PURPOSES.

Senate Bill No. 243 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

SENATE BILL NO. 244
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE STATE CRIME LABORATORY FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Senate Bill No. 244 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 245
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS LAVERTY, J. JEFFRESS & MILLER

A Bill for an Act to be Entitled: AN ACT TO CREATE THE STATE ASSESSMENT COMMISSION OF AD VALOREM TAXATION; AND FOR OTHER PURPOSES.

Senate Bill No. 245 was read the first time, rules suspended, read the second time and referred to the Committee on REVENUE & TAXATION.

On motion of Senator Faris, **Senate Bill No. 199** was withdrawn from the Committee on JUDICIARY, and placed on the Calendar.

Without objection, **Senate Bill No. 199** was withdrawn by the author, Senator Faris.

On motion of Senator Faris, **Senate Concurrent Resolution No. 5**, was called up for third reading and final disposition.

**SENATE CONCURRENT RESOLUTION NO. 5
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS FARIS AND STEELE
BY: REPRESENTATIVE DAVIS**

SENATE CONCURRENT RESOLUTION A RESOLUTION HONORING THE CENTENNIAL OF UNITED PARCEL SERVICE OF AMERICA, INC., (UPS) AND RECOGNIZING THE CONTRIBUTIONS OF THE COMPANY TO THE CITIZENS OF ARKANSAS.

Senate Concurrent Resolution No. 5 was read the third time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Concurrent Resolution No. 5 was ordered immediately transmitted to the House.

On motion of Senator Wilkinson, **Senate Concurrent Resolution No. 6**, was called up for third reading and final disposition.

**SENATE CONCURRENT RESOLUTION NO. 6
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR WILKINSON
BY: REPRESENTATIVES BREEDLOVE AND WALTERS**

SENATE CONCURRENT RESOLUTION CONGRATULATING THE GREENWOOD BULLDOGS ON THEIR 2006 CLASS AAAAA STATE FOOTBALL CHAMPIONSHIP.

Senate Concurrent Resolution No. 6 was read the third time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Concurrent Resolution No. 6 was ordered immediately transmitted to the House.

On motion of Senator Wilkinson, **House Concurrent Resolution No. 1005**, was called up for third reading and final disposition.

HOUSE CONCURRENT RESOLUTION NO. 1005

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES OVERBEY, GEORGE, LAMOUREUX, BERRY,

WELLS, PYLE & BREEDLOVE

BY: SENATORS WILKINSON, LAVERTY, TRUSTY, B. JOHNSON & WHITAKER

HOUSE CONCURRENT RESOLUTION COMMENDING JUDGE JOHN S. PATTERSON UPON HIS RETIREMENT FROM THE BENCH FOR HIS LONG AND DISTINGUISHED SERVICE TO FRANKLIN, JOHNSON, AND POPE COUNTIES.

House Concurrent Resolution No. 1005 was read the third time and concurred in by the Senate.

(SIGNED) ANN CORNWELL, SECRETARY

House Concurrent Resolution No. 1005 was ordered immediately returned to the House.

On motion of Senator Altes, **Senate Bill No. 20** was placed back on second reading for purpose of Amendment No. 3. Withdraw Amendment No. 2.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 3 to SENATE BILL NO. 20

Amend **Senate Bill No. 20** as engrossed, S1-16-07:

Page 4, delete lines 18 and 19 and substitute the following:
"Department of Health and Human Services shall be confidential in accordance with the Health Insurance Portability and Accountability Act of 1996, 42 U.S.C. § 201."

AND

Page 6, delete lines 13 and 14 and substitute the following:
"accordance with the National All Schedules Prescription Electronic Reporting Act of 2005, Pub. L. No. 109-60."

(SIGNED) SENATOR ALTES

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 20 was ordered engrossed.

On motion of Senator Faris, **Senate Concurrent Resolution No. 4** 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 CONCURRENT RESOLUTION NO. 4

Amend **Senate Concurrent Resolution No. 4** as originally introduced:

Add Senators Lavery and Pritchard as co-sponsors of the resolution

(SIGNED) SENATOR FARIS

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Concurrent Resolution No. 4 was ordered engrossed.

On motion of Senator Bisbee, **House Bill No. 1072** 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. 1072

Amend **House Bill No. 1072** as engrossed as engrossed, H1/19/07:

Page 1, line 33, delete "cyberbullyies" and substitute "cyberbullies".

AND

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 6-18-514(a) and (b)(1) and (2) regarding public school district antibullying policies, are amended to read as follows:

(a)(1) The General Assembly finds that every public school student in this state has the right to receive his or her public education in a public school educational environment that is reasonably free from substantial intimidation, harassment, or harm or threat of harm by another student.

(2) The school board of directors in every public school district shall adopt policies to prevent pupil harassment, also known as bullying.

(3) As used in this subchapter:

(A) "Bullying" means the intentional harassment, intimidation, humiliation, ridicule, defamation, or threat or incitement of violence by a student against another student or public school employee by a written, verbal, electronic, or physical act that causes or creates a clear and present danger of:

(i) Physical harm to a public school employee or student or damage to the public school employee's or student's property;

(ii) Substantial interference with a student's education or with a public school employee's role in education;

(iii) A hostile educational environment for one (1) or more students or public school employees due to the severity, persistence, or pervasiveness of the act; or

(iv) Substantial disruption of the orderly operation of the school or educational environment;

(B) "Electronic act" means without limitation a communication or image transmitted by means of an electronic device, including without limitation a telephone, wireless phone or other wireless communications device, computer, or pager;

(C) "Harassment" means a pattern of unwelcome verbal or physical conduct relating to another person's constitutionally or statutorily protected status that causes, or reasonably should be expected to cause, substantial interference with the other's performance in the school environment; and

(D) "Substantial disruption" means without limitation that any one or more of the following occur as a result of the bullying:

(i) Necessary cessation of instruction or educational activities;

(ii) Inability of students or educational staff to focus on learning or function as an educational unit because of a hostile environment;

(iii) Severe or repetitive disciplinary measures are needed in the classroom or during educational activities; or

(iv) Exhibition of other behaviors by students or educational staff that substantially interfere with the learning environment.

(b) The policies shall:

(1)(A) Clearly define conduct that constitutes bullying.

(B) The definition shall include without limitation the definition contained in subsection (a) of this section;

(2) Prohibit bullying:

(A) while While in school, on school equipment or property, in school vehicles, on school buses, at designated school bus stops, at school-sponsored activities, or at school-sanctioned events; or

(B)(1) By an electronic act that results in the substantial disruption of the orderly operation of the school or educational environment.

(2) This section shall apply to an electronic act whether or not the electronic act originated on school property or with school equipment, if the electronic act is directed specifically at students or school personnel and maliciously intended for the purpose of disrupting school, and has a high likelihood of succeeding in that purpose;

SECTION. 2. Separability. The provisions of this Act are hereby declared to be separable and if any section or provision of this Act is determined to be invalid, such determination shall not affect the validity of any remaining section or provision of this Act."

(SIGNED) SENATOR BISBEE

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

(SIGNED) ANN CORNWELL, SECRETARY

Amend **House Bill No. 1072** as engrossed.

On motion of Senator Faris, **House Bill No. 1131** was placed back on second reading for purpose of Amendment No. 1 and No. 2.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to HOUSE BILL NO. 1131

Amend **House Bill No. 1131** as engrossed, H1/24/07:

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

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 2 to HOUSE BILL NO. 1131

Amend **House Bill No. 1131** as engrossed as engrossed, H1/24/07:

Page 1, line 12, delete "COMMISSION" and substitute "TASK FORCE"

AND

Page 1, line 17, delete "COMMISSION" and substitute "TASK FORCE"

AND

Page 1, line 35, delete "Commission" and substitute "Task Force"

AND

Page 1, line 36, delete "Commission" and substitute "Task Force"

AND

Page 2, delete line 5 and substitute the following:

"(B) Two (2) members of the Senate Interim Committee on"

AND

Page 3, delete line 28 and substitute the following:

"(b) The task force shall:"

AND

Page 3, line 34, delete "commission" and substitute "task force"

AND

Page 3, line 35, delete "commission" and substitute "task force"

AND

Page 4, line 1, delete "commission" and substitute "task force"

AND

Page 4, line 4, delete "commission" and substitute "task force"

AND

Page 4, line 5, delete "commission" and substitute "task force"

AND

Page 4, line 8, delete "Commission" and substitute "Task force"

AND

Page 4, line 9, delete "commission" and substitute "task force"

(SIGNED) SENATOR MALONE

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

(SIGNED) ANN CORNWELL, SECRETARY

Amend **House Bill No. 1131** as engrossed.

The President declared the morning hour to have expired.

On motion of Senator Womack, **Senate Bill No. 125** was withdrawn from the Committee on JOINT BUDGET, 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. 125

Amend **Senate Bill No. 125** as originally introduced:

Page 5, line 6, delete "6,161,574 6,261,574" and substitute "6,801,985
6,943,196"

And

Page 5, line 7, delete "7,000 7,000" and substitute "15,000 15,000"

And

Page 5, line 13, delete "363,157 363,157" and substitute "367,157 363,157"

And

Page 5, line 14, delete "\$ 9,493,340 \$ 9,637,325" and substitute
"\$ 10,145,751 \$ 10,326,947"

(SIGNED) JOINT BUDGET COMMITTEE

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 125 was ordered engrossed.

SENATE BILL NO. 246
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR WILKINSON
BY: REPRESENTATIVES PATE AND WELLS

A Bill for an Act to be Entitled: AN ACT TO CLARIFY THE DEFINITION OF "IMMINENT DANGER TO HEALTH OR SAFETY" IN THE ADULT MALTREATMENT CUSTODY ACT; AND FOR OTHER PURPOSES.

Senate Bill No. 246 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 1, 2007

Mr. President:

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

SENATE CONCURRENT RESOLUTION NO. 4, BY SENATOR FARIS,
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

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 1, 2007

Mr. President:

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

SENATE BILL NO. 20, BY SENATOR ALTES,

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

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 1, 2007

Mr. President:

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

SENATE BILL NO. 125, BY JOINT BUDGET COMMITTEE,

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. 125** was ordered re-referred to the Committee on JOINT BUDGET.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 1, 2007

Mr. President:

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

HOUSE BILL NO. 1072, BY REPRESENTATIVE WALTERS, 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

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 1, 2007

Mr. President:

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

HOUSE BILL NO. 1131, BY REPRESENTATIVE S. PRATER, 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

SENATE BILL NO. 247
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MADISON

A Bill for an Act to be Entitled: AN ACT TO ALLOW THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO APPOINT A SIGNEE SO THAT A CHILD IN STATE CUSTODY MAY OBTAIN AN INSTRUCTION PERMIT, A LEARNER'S LICENSE, OR AN INTERMEDIATE DRIVER'S LICENSE; AND FOR OTHER PURPOSES.

Senate Bill No. 247 was read the first time, rules suspended, read the second time and referred to the Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS.

SENATE BILL NO. 248
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MADISON

A Bill for an Act to be Entitled: AN ACT TO ESTABLISH REGULAR AND UNIFORM PAY PERIODS FOR ARKANSAS EMPLOYERS AND EMPLOYEES; INCREASING THE WAYS IN WHICH EMPLOYERS MAY PAY WAGES TO THEIR EMPLOYEES; ESTABLISHING THE TIME AND METHOD OF PAYING EMPLOYEES' WAGES FOLLOWING TERMINATION OF EMPLOYMENT; ESTABLISHING REMEDIES FOR VIOLATIONS; ADJUSTING THE AMOUNT IN CONTROVERSY FOR WAGE DISPUTES TO BE DECIDED BY THE DIRECTOR OF THE DEPARTMENT OF LABOR; REPEALING ARKANSAS CODE §§ 11-4-403 AND 11-4-404; AND FOR OTHER PURPOSES.

Senate Bill No. 248 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

HOUSE BILL NO. 1180
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES T. BAKER AND OVERBEY

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE § 8-6-412 TO GIVE CODE ENFORCEMENT OFFICERS THE POWER TO ENFORCE LAWS GOVERNING DISCARDED ITEMS ON PUBLIC AND PRIVATE PROPERTY; AND FOR OTHER PURPOSES.

House Bill No. 1180 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

HOUSE BILL NO. 1182
As Engrossed: H1/30/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES T. BAKER, OVERBEY, *BLOUNT, DAVIS, DUNN, GASKILL, RAINEY & REEP*

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE § 27-50-1205 TO GIVE CODE ENFORCEMENT OFFICERS THE POWER TO TAG VEHICLES; AND FOR OTHER PURPOSES.

House Bill No. 1182 was read the first time, rules suspended, read the second time and referred to the Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS.

HOUSE BILL NO. 1183
 EIGHTY-SIXTH GENERAL ASSEMBLY
 REGULAR SESSION
 BY: REPRESENTATIVES T. BAKER AND OVERBEY

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE § 14-43-506 TO APPLY TO A CITY CLERK, CITY CLERK-TREASURER, OR CITY TREASURER, AS THE CASE MAY BE, IN ORDER TO LESSEN THE LIKELIHOOD OF DUPLICATION AND CONFUSION; AND FOR OTHER PURPOSES.

House Bill No. 1183 was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY & LOCAL AFFAIRS.

HOUSE BILL NO. 1202
As Engrossed: H1/25/07
 EIGHTY-SIXTH GENERAL ASSEMBLY
 REGULAR SESSION

BY: REPRESENTATIVES THYER, PETRUS, SULLIVAN, WELLS, WALTERS, J. BROWN, L. COWLING, L. EVANS, HALL, KENNEY, KIDD, NORTON, PIERCE, REEP, R. GREEN, PACE, RAGLAND, MALOCH, PATTERSON, HOYT, STEWART, PATE, REYNOLDS, ABERNATHY, ROGERS, GARNER, E. BROWN, LOWERY, DUNN, SAUNDERS, S. DOBBINS, GEORGE, HARDWICK, CORNWELL, T. BAKER, MEDLEY, PENNARTZ, CASH, ANDERSON, J. ROEBUCK, MOORE, D. EVANS, J. JOHNSON, COOK & COOPER
 BY: SENATORS MALONE, R. THOMPSON & BOOKOUT

A Bill for an Act to be Entitled: AN ACT TO EXEMPT DYED DISTILLATE SPECIAL FUEL FROM THE SALES AND USE TAX; TO IMPOSE A GALLONAGE TAX ON DYED DISTILLATE SPECIAL FUEL; TO EXCLUDE BIODIESEL FUEL FROM THE GALLONAGE TAX AND THE SALES AND USE TAX; AND FOR OTHER PURPOSES.

House Bill No. 1202 was read the first time, rules suspended, read the second time and referred to the Committee on REVENUE & TAXATION.

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 VOLUNTARY HEALTH CARE SERVICES AT FREE OR LOW-COST HEALTH CARE CLINICS; AND FOR OTHER PURPOSES.*

House Bill No. 1282 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

HOUSE BILL NO. 1302

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE ABERNATHY

A Bill for an Act to be Entitled: *AN ACT TO AMEND ARKANSAS CODE § 14-24-204 TO ALLOW COUNTIES TO ISSUE CHECKS IN DUPLICATE FORM; AND FOR OTHER PURPOSES.*

House Bill No. 1302 was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY & LOCAL AFFAIRS.

HOUSE BILL NO. 1303
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE WELLS
BY: SENATOR HORN

A Bill for an Act to be Entitled: AN ACT TO AMEND SELECT LAWS FOR FARMERS' MUTUAL AID ASSOCIATIONS OR COMPANIES; TO PERMIT THE INSURANCE COMMISSIONER TO EXTEND THE TIME LIMIT FOR THE ASSOCIATION OR COMPANY TO MEET STATUTORY MINIMUM MEMBERSHIP REQUIREMENTS; TO CLARIFY THAT INDEMNITY REINSURANCE FOR FARMERS' MUTUAL AID ASSOCIATIONS AND COMPANIES SHALL BE PURCHASED AS NECESSARY BASED ON SURPLUS AND RISK LEVELS; AND FOR OTHER PURPOSES.

House Bill No. 1303 was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE & COMMERCE.

HOUSE BILL NO. 1307
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES PIERCE, ROSENBAUM, STEWART, ADCOCK,
BURKES, GASKILL, HALL, LOVELL, MOORE, S. PRATER, SAUNDERS,
WEBB & WOOD

A Bill for an Act to be Entitled: AN ACT TO PROVIDE THAT AN EX-PRISONER OF WAR, A PEARL HARBOR SURVIVOR, OR A MEDAL OF HONOR RECIPIENT MAY RECEIVE AN ADDITIONAL SPECIAL LICENSE PLATE FOR A NOMINAL FEE; AND FOR OTHER PURPOSES.

House Bill No. 1307 was read the first time, rules suspended, read the second time and referred to the Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS.

HOUSE BILL NO. 1310

As Engrossed: H1/31/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES D. CREEKMORE AND ADCOCK

BY: SENATOR SALMON

A Bill for an Act to be Entitled: AN ACT TO PROVIDE GUIDELINES FOR LAW ENFORCEMENT OFFICERS TO USE IN DETERMINING THE PREDOMINANT AGGRESSOR IN CASES OF DOMESTIC ABUSE FOR THE PURPOSE OF ARREST; AND FOR OTHER PURPOSES.

House Bill No. 1310 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

HOUSE BILL NO. 1318

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES SULLIVAN, PETRUS & THYER

A Bill for an Act to be Entitled: AN ACT TO CREATE THE SURPLUS POULTRY LITTER REMOVAL INCENTIVES ACT; TO PROVIDE ECONOMIC DEVELOPMENT INCENTIVES FOR POULTRY LITTER REMOVAL; AND FOR OTHER PURPOSES.

House Bill No. 1318 was read the first time, rules suspended, read the second time and referred to the Committee on REVENUE & TAXATION.

HOUSE BILL NO. 1320
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE RAGLAND

A Bill for an Act to be Entitled: AN ACT TO MODERNIZE THE PROCEDURE FOR APPOINTMENT OF A DEPUTY TREASURER; AND FOR OTHER PURPOSES.

House Bill No. 1320 was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY & LOCAL AFFAIRS.

HOUSE BILL NO. 1321
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES HARDY, HAWKINS & MALOCH

A Bill for an Act to be Entitled: AN ACT TO CLARIFY AN INSURANCE PRODUCER'S RESPONSIBILITY TO REPORT TO THE INSURANCE COMMISSIONER A CRIMINAL ACTION BROUGHT AGAINST THE PRODUCER; AND FOR OTHER PURPOSES.

House Bill No. 1321 was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE & COMMERCE.

HOUSE BILL NO. 1322
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

BY: REPRESENTATIVES HARDY, BLOUNT, GARNER & MALOCH

A Bill for an Act to be Entitled: AN ACT TO PROHIBIT AN INSURANCE PRODUCER FROM PERMITTING AN UNLICENSED PERSON TO ENGAGE IN THE BUSINESS OF INSURANCE ON BEHALF OF THE INSURANCE PRODUCER; AND FOR OTHER PURPOSES.

House Bill No. 1322 was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE & COMMERCE.

HOUSE BILL NO. 1328
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR INVESTMENTS OF CERTAIN TREASURY BALANCES, DEBT SERVICES, AND PREMIUMS AND DISCOUNTS BY THE STATE BOARD OF FINANCE FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

House Bill No. 1328 was read the first time, rules suspended, read the second time and placed on the Calendar.

Senate Bill No. 38 was returned from the House as passed and ordered enrolled.

Senate Bill No. 44 was returned from the House as passed and ordered enrolled.

Senate Concurrent Resolution No. 2 was returned from the House as concurred in and ordered enrolled.

* * * * *

SENATE CONCURRENT RESOLUTION TRANSMITTED
TO THE HOUSE AS ADOPTED

SENATE CONCURRENT RESOLUTION NO. 5
SENATE CONCURRENT RESOLUTION NO. 6

HOUSE CONCURRENT RESOLUTION RETURNED
TO THE HOUSE AS CONCURRED IN

HOUSE CONCURRENT RESOLUTION NO. 1005

SENATE BILLS RETURNED FROM THE HOUSE
AS PASSED

SENATE BILL NO. 38
SENATE BILL NO. 44

SENATE CONCURRENT RESOLUTION RETURNED FROM THE HOUSE
AS CONCURRED IN

SENATE CONCURRENT RESOLUTION NO. 2

HOUSE BILLS TRANSMITTED TO THE SENATE
AS PASSED

HOUSE BILL NO. 1180
HOUSE BILL NO. 1182
HOUSE BILL NO. 1183
HOUSE BILL NO. 1202
HOUSE BILL NO. 1282
HOUSE BILL NO. 1302
HOUSE BILL NO. 1303
HOUSE BILL NO. 1307
HOUSE BILL NO. 1310
HOUSE BILL NO. 1318
HOUSE BILL NO. 1320
HOUSE BILL NO. 1321
HOUSE BILL NO. 1322
HOUSE BILL NO. 1328

On motion of Senator Whitaker, the Senate adjourned until 1:30 p.m., Monday, February 5, 2007.

PRESIDENT OF THE SENATE

SECRETARY OF THE SENATE

--ooOoo--

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

Little Rock, Arkansas

February 5, 2007

The Senate was called to order at 1:30 o'clock p.m. by the President.

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

ALTES, ARGUE, 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 for Senator Broadway granted.

The Senate was led in prayer by Senator Jimmy Jeffress.

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 Whitaker, **Senate Bill No. 69** 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. 69

Amend **Senate Bill No. 69** as originally introduced:

Page 2, delete line 10, and substitute the following:

"proceeding.
(4) Neither payment of the deposited amount by the condemning entity nor access to the deposit by the affected property owner or owners shall constitute a waiver of any claims or defenses."

AND

Page 3, line 21, delete "electric or natural gas" and substitute "electric, natural gas, or telephone"

AND

Immediately following section 2, add an additional section to read as follows:

"SECTION 3. This act shall not apply to businesses that receive economic development benefits under the Consolidated Incentive Act of 2003, § 15-4-2701 et seq., or the Nonprofit Incentive Act of 2005, § 15-4-3101."

(SIGNED) SENATOR RUTH WHITAKER

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 69 was ordered engrossed.

On motion of Senator Taylor, **Senate Bill No. 2** was withdrawn from the Committee on JUDICIARY, 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. 2

Amend **Senate Bill No. 2** as originally introduced:

Add Senators Altes, Baker, Critcher, Faris, Hendren, Laverty, T. Smith, R. Thompson, Whitaker, and Wilkinson as cosponsors of the bill

AND

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 5-2-607 is amended to read as follows:
 5-2-607. Use of deadly physical force in defense of a person.

(a) A person is justified in using deadly physical force upon another person if the person reasonably believes that the other person is:

- (1) Committing or about to commit a felony involving force or violence;
- (2) Using or about to use unlawful deadly physical force; or
- (3)(A) Imminently endangering the person's life or imminently about to victimize the person as described in § 9-15-103 from the continuation of a pattern of domestic abuse.

(B) As used in this section, "domestic abuse" means the same as defined in § 9-15-103.

(b) A person may not use deadly physical force in self-defense if he or she knows that he or she can avoid the necessity of using deadly physical force with complete safety:

- (1)(A) By retreating.
- (B) However, a person is not required to retreat if the person is:
 - (i) In the person's dwelling or on the curtilage surrounding the person's dwelling and was not the original aggressor; or
 - (ii) A law enforcement officer or a person assisting at the direction of a law enforcement officer; or
- (2) By surrendering possession of property to a person claiming a lawful right to possession of the property.

(c) As used in this section, "curtilage" means the land adjoining a dwelling that is convenient for family purposes and habitually used for family purposes, but not necessarily enclosed, and includes an outbuilding that is directly and intimately connected with the dwelling and in close proximity to the dwelling.

(SIGNED) SENATOR J. TAYLOR

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 2 was ordered engrossed.

On motion of Senator Faris, **Senate Bill No. 59** was withdrawn from the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS, 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. 59

Amend **Senate Bill No. 59** as engrossed, S1/24/07:

Add Representatives Saunders, Harrelson, Evans, Greenberg, Maloch, Moore, Powers, Reep, Thyer, and Wood as cosponsors of the bill

AND

Page 20, delete line 23 and substitute the following:
"made, and the date the expenditure was made; and,

(2) The information required in subdivision (d)(1)(C)-(F) of this section may be provided in the form of schedules attached to the report."

AND

Page 20, line 25, delete "(2)" and substitute "~~(2)~~(3)"

AND

Page 20, line 29, delete "(3)" and substitute "~~(3)~~(4)"

(SIGNED) SENATOR STEVE FARIS

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 59 was ordered engrossed.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 5, 2007

Mr. President:

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

SENATE BILL NO. 2, BY SENATOR J. TAYLOR, 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 Taylor, **Senate Bill No. 2** was ordered re-referred to the Committee on JUDICIARY.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 5, 2007

Mr. President:

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

SENATE BILL NO. 59, BY SENATOR FARIS, 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 Faris, et al, **Senate Bill No. 59** was ordered re-referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 5, 2007

Mr. President:

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

SENATE BILL NO. 69, BY SENATOR WHITAKER, 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 Whitaker, **Senate Bill No. 69** was ordered re-referred to the Committee on CITY, COUNTY & LOCAL AFFAIRS.

SENATE BILL NO. 249
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MADISON

A Bill for an Act to be Entitled: AN ACT TO MAKE THE COMMON LAW DOCTRINE OF NECESSARIES GENDER NEUTRAL BETWEEN A HUSBAND AND A WIFE; TO MAKE A HUSBAND AND A WIFE EQUALLY LIABLE FOR DEBTS ARISING FROM THE COMMON NECESSITIES OF LIFE; AND FOR OTHER PURPOSES.

Senate Bill No. 249 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

SENATE BILL NO. 250
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE OFFICE OF THE GOVERNOR FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Senate Bill No. 250 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 251
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION OF FUNDS TO ALLEVIATE CONDITIONS ARISING IN PUBLIC EMERGENCIES FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Senate Bill No. 251 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 252
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE TITLE 19, CHAPTER 6, SUBCHAPTERS 2, 3, 4 AND 8 – THE REVENUE CLASSIFICATION LAW OF ARKANSAS; AND FOR OTHER PURPOSES.

Senate Bill No. 252 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 253
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR THE PAYMENT OF A PORTION OF FULL-TIME JUVENILE PROBATION AND INTAKE OFFICERS' SALARIES FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Senate Bill No. 253 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 254
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES, SUBSTITUTE EXPENSES, AND EXPENSE ALLOWANCE OF THE TRIAL COURT ADMINISTRATIVE ASSISTANTS OF THE CIRCUIT COURTS FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Senate Bill No. 254 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 255
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE DEPUTY PROSECUTING ATTORNEYS FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Senate Bill No. 255 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 256
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE OFFICIAL COURT REPORTERS OF THE CIRCUIT COURTS FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Senate Bill No. 256 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 257
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR MAINTAINING AND OPERATING A CONTINUING EDUCATION PROGRAM FOR THE COUNTY AND CIRCUIT CLERKS, COUNTY TREASURERS, AND COUNTY COLLECTORS FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Senate Bill No. 257 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 258
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR ALLOCATION OF THE FEDERAL BANKHEAD-JONES GRANTS AND FEDERAL TURNBACK FOR ROADS BY THE AUDITOR OF STATE FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Senate Bill No. 258 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 259
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE AUDITOR OF STATE OPERATIONS AND UNCLAIMED PROPERTY PROGRAM FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Senate Bill No. 259 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

HOUSE BILL NO. 1018
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE ANDERSON

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE §19-5-107, CONCERNING CASH FUND APPROPRIATIONS FOR AGENCIES; AND FOR OTHER PURPOSES.

House Bill No. 1018 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1056
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF ARKANSAS STATE POLICE FOR OPERATING EXPENSES WHICH SHALL BE SUPPLEMENTAL AND IN ADDITION TO THOSE FUNDS APPROPRIATED BY ACT 2031 OF 2005; AND FOR OTHER PURPOSES.

House Bill No. 1056 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1293
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE PICKETT

A Bill for an Act to be Entitled: AN ACT TO ALLOW A CIRCUIT COURT TO EXTEND THE DURATION OF AN ORDER OF PROTECTION; AND FOR OTHER PURPOSES.

House Bill No. 1293 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

HOUSE BILL NO. 1304
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE WELLS

A Bill for an Act to be Entitled: AN ACT TO UPDATE THE DUTIES OF THE BUREAU OF LEGISLATIVE RESEARCH WITH REGARD TO LIBRARY SERVICES TO RECOGNIZE THAT MANY MATERIALS ARE NOW AVAILABLE AS DIGITAL MEDIA AND THROUGH THE INTERNET; AND FOR OTHER PURPOSES.

House Bill No. 1304 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

HOUSE BILL NO. 1309
As Engrossed H2/1/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

BY: REPRESENTATIVES D. CREEKMORE, *BOND, T. BRADFORD, E. BROWN, J. BROWN, BURKES, CASH, CHEATHAM, COOK, COOPER, CORNWELL, DAVENPORT, ET AL*

BY: SENATORS R. THOMPSON, *BROADWAY & CAPPS*

A Bill for an Act to be Entitled: AN ACT TO ENHANCE THE PENALTY FOR FINANCIAL IDENTITY FRAUD UNDER CERTAIN CIRCUMSTANCES; TO CREATE THE OFFENSE OF NONFINANCIAL IDENTITY FRAUD; TO AMEND ARKANSAS CODE § 5-37-227 TO INCLUDE PROVISIONS CONCERNING RESTITUTION AND VENUE; AND FOR OTHER PURPOSES.

House Bill No. 1309 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

HOUSE BILL NO. 1334
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE D. JOHNSON

A Bill for an Act to be Entitled: AN ACT TO INCREASE THE PENALTY CLASSIFICATION FOR OBSTRUCTING GOVERNMENTAL OPERATIONS UNDER CERTAIN CIRCUMSTANCES; AND FOR OTHER PURPOSES.

House Bill No. 1334 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

HOUSE BILL NO. 1340
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE LOVELL

A Bill for an Act to be Entitled: AN ACT TO AMEND § 25-29-103 TO AUTHORIZE ASSESSMENTS ON COMMERCIAL MOBILE RADIO SERVICE; TO DEFINE COMMERCIAL MOBILE RADIO SERVICE; TO ALLOW CHANGES TO ASSESSMENTS QUARTERLY; AND FOR OTHER PURPOSES.

House Bill No. 1340 was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE & COMMERCE.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 5, 2007

Mr. President:

We, your Committee on JOINT RETIREMENT AND SOCIAL SECURITY, to whom was referred:

SENATE BILL NO. 80, BY SENATOR J. JEFFRESS,
SENATE BILL NO. 166, BY SENATOR J. JEFFRESS,

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 J. JEFFRESS
CO-CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 5, 2007

Mr. President:

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

SENATE CONCURRENT RESOLUTION NO. 2, BY SENATOR CRITCHER,
SENATE BILL NO. 38, BY SENATOR J. JEFFRESS,
SENATE BILL NO. 44, BY SENATOR J. JEFFRESS,

beg leave to report that we have carefully compared the enrolled copies with the original and we find the same correctly enrolled and have at 9:25 a.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. 2
SENATE BILL NO. 38
SENATE BILL NO. 44

RECEIVED the above papers from the Secretary of the Senate this 5th day of February, 2007.

(SIGNED) MIKE BEEBE
Governor

(SIGNED) Angela Tollette
Secretary

SENATE RESOLUTION NO. 6
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR FARIS

A Bill for an Act to be Entitled: FOR THE CONFIRMATION OF MR. BILL ABERNATHY OF MENA, ARKANSAS, AS A MEMBER OF THE BOARD OF DIRECTORS OF THE ARKANSAS RURAL ENDOWMENT FUND, INC.

Senate Bill No. 6 was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE JOINT RESOLUTION NO. 4
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR FARIS

A Bill for an Act to be Entitled: AN ACT TO AMEND VARIOUS PROVISIONS OF THE ARKANSAS CONSTITUTION CONCERNING VOTING AND ELECTIONS; PROVIDING THAT ALL PERSONS MAY VOTE WHO ARE CITIZENS OF THE UNITED STATES, RESIDENTS OF THE STATE OF ARKANSAS, AT LEAST EIGHTEEN (18) YEARS OF AGE, AND LAWFULLY REGISTERED TO VOTE; TO REPEAL THE REQUIREMENT THAT THE RIGHT TO VOTE SHALL NOT BE MADE TO DEPEND ON ANY PREVIOUS REGISTRATION OF AN ELECTOR'S NAME; REPEALING ARTICLE 3, SECTION 5 OF THE ARKANSAS CONSTITUTION PROVIDING THAT NO IDIOT OR INSANE PERSON SHALL BE ENTITLED TO THE PRIVILEGES OF AN ELECTOR; AND PERMITTING THE GENERAL ASSEMBLY TO ESTABLISH THE DATE AND TIME OF ELECTIONS AND THE QUALIFICATIONS OF ELECTION OFFICERS.

Senate Joint Resolution No. 4 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

On motion of Senator Faris, **Senate Concurrent Resolution No. 4** was called up for third reading.

SENATE CONCURRENT RESOLUTION NO. 4

As Engrossed: S2/1/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

**BY: SENATORS FARIS, HORN, BOOKOUT, BROADWAY, CRUMBLY, B.
JOHNSON, STEELE, J. TAYLOR, LAVERTY & PRITCHARD**

**BY: REPRESENTATIVES COOPER, KEY, BURRIS, COOK, D. CREEKMORE, S.
DOBBINS, EVERETT, FLOWERS, S. PRATER, NORTON, REEP. SAUNDERS,
SUMPTER, L. SMITH, J. ROEBUCK, WEBB, BLOUNT, BERRY, HARDY,
ADCOCK, DAVIS, EDWARDS, W. LEWELLEN, RAGLAND, E. BROWN,
CHESTERFIELD, GEORGE, GASKILL, MALOCH & R. GREEN**

A Bill for an Act to be Entitled: **CONCERNING THE REAUTHORIZATION OF
THE STATE CHILDREN'S HEALTH INSURANCE PROGRAM.**

Senate Concurrent Resolution No. 4 was read the third time and adopted.

Senate Concurrent Resolution No. 4 was ordered immediately transmitted to
the House.

On motion of Senator Smith, **House Bill No. 1022** 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. 1022

Amend **House Bill No. 1022** as engrossed, H1/19/07:

Page 2, line 10, delete "(3)(A)" and substitute "(3)"

AND

Page 2, delete lines 15 through 19

(SIGNED) SENATOR T. SMITH

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1022 was ordered engrossed.

On motion of Senator Madison, **House Bill No. 1037** was withdrawn from the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS, and placed back on second reading for purpose of Amendment No. 3. Withdraw Amendment No. 2.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 3 to HOUSE BILL NO. 1037

Amend **House Bill No. 1037** as engrossed, S1/22/07:

Page 1, delete lines 31 through 33 entirely

AND

Page 3, line 5, delete "attending physician" and substitute "licensed medical professional"

AND

Page 3, delete lines 7 through 11 and substitute:

"(b) A pregnant inmate may be shackled by only one (1) wrist or only one (1) ankle if the shackles are reasonably necessary for the safety and security of any one (1) or more of the following:

(1) The pregnant inmate;

(2) The medical staff;

(3) The newborn; or

(4) The public."

AND

Page 3, delete lines 14 through 17 and substitute:

"(a)(1) Except as provided under subsection (c) of this section, following childbirth and before discharge, an inmate who is in the hospital or birthing center shall be given a reasonable opportunity to hold her child and follow the orders of the attending physician in regard to mobility.

(2) As used in this section, "reasonable opportunity" means no less than twenty-four (24) hours post-delivery."

AND

Page 3, delete lines 21 through 26 and substitute:

"(c) Following childbirth and before discharge, a pregnant inmate may be shackled by only one (1) wrist or only one (1) ankle if the shackles are reasonably necessary for the safety and security of any one (1) or more of the following:

- (1) The pregnant inmate;
- (2) The medical staff;
- (3) The newborn; or
- (4) The public."

(SIGNED) SENATOR SUE MADISON

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1037 was ordered engrossed.

The President declared the morning hour to have expired.

On motion of Senator Thompson, **Senate Bill No. 16** was called up for third reading and final disposition.

SENATE BILL NO. 16
As Engrossed S1/24/07 S1/29/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS R. THOMPSON, BAKER & WILKINSON
BY: REPRESENTATIVE THYER

A Bill for an Act to be Entitled: AN ACT CONCERNING REGISTRATION AS A LOBBYIST BY A FORMER MEMBER OF THE GENERAL ASSEMBLY; AND FOR OTHER PURPOSES.

Senator Baker spoke for the bill.

Senate Bill No. 16 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, Argue, Baker, Bookout, Brown, Capps, Crumbly, Faris, Glover, G. Jeffress, J. Jeffress, B. Johnson, Madison, Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkins, Wilkinson, Womack.

Total26

NEGATIVE: Hendren, Hill.

Total2

ABSENT OR NOT VOTING: Bisbee, Broadway, Bryles, Critcher, Horn, Lavery, Luker.

Total7

VOTING PRESENT:

Total0

Total number of votes cast.....28

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senator Thompson moved that the vote by which **Senate Bill No. 16** passed be reconsidered and that motion be laid upon the table, which motion prevailed and the motion to reconsider was laid on the table.

Senate Bill No. 16 was ordered immediately transmitted to the House as passed.

On motion of Senator Gene Jeffress, the Senate resolved itself into the Committee of the Whole for the purpose of commending Murphy Oil Corp.

Without objection, the Committee of the Whole was dissolved, and the Senate took up its regular order of business.

On motion of Senator Gene Jeffress, **Senate Resolution No. 5** was called up for third reading and final disposition.

SENATE RESOLUTION NO. 5
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR G. JEFFRESS

SENATE RESOLUTION COMMENDING THE MURPHY OIL CORPORATION ON THE EL DORADO PROMISE, A FIFTY MILLION DOLLAR (\$50,000,000) PLAN TO SEND EL DORADO PUBLIC SCHOOL STUDENTS TO COLLEGE.

Senate Resolution No. 5 was read the third time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

On motion of Senator Malone, the rules were suspended in considering **Senate Bill No. 189** at this time.

On motion of Senator Malone, **Senate Bill No. 189** 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. 189

Amend **Senate Bill No. 189** as originally introduced:

Add the following Senators as cosponsors of the bill: Crumbly, Hill, Capps, G. Jeffress, J. Jeffress, Thompson, Bryles, Broadway, Argue, Hendren, Trusty, Miller, Pritchard, Critcher, Luker, Salmon, Madison, Wilkinson, Steele, Glover, Brown, Horn, Lavery, Wilkins, Bookout

AND

Add the following Representatives as cosponsors of the bill: J. Roebuck, Saunders, Maloch, Rainey, Reep, Davis, Allen, Bradford, Burris, Cash, Cheatham, Cornwell, Creekmore, Dickinson, Edwards, Everett, Green, Hall, Harris, Hutchinson, Hyde, Jeffrey, J. Johnson, Kidd, Lowery, Pierce, Powers, Prater, Sample, Shelby, Stewart, Thyer, Wagner, Webb, Wyatt

(SIGNED) SENATOR PERCY MALONE

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

(SIGNED) ANN CORNWELL, SECRETARY

On motion of Senator Malone, and without objection, the rules were suspended pertaining to passage of Amendment and Bill on the same day.

On motion of Senator Malone, **Senate Bill No. 189** was called up for third reading and final disposition.

**SENATE BILL NO. 189
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MALONE**

A Bill for an Act to be Entitled: AN ACT TO AMEND THE ARKANSAS INTERNET PRESCRIPTION CONSUMER PROTECTION ACT TO PROHIBIT INTERNET SALES INTO ARKANSAS OF PRESCRIPTION DRUGS IF THE PATIENT HAS NOT ACTUALLY CONSULTED A PRESCRIBING PRACTITIONER, AND FOR OTHER PURPOSES.

Senate Bill No. 189 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, Argue, Baker, Bookout, Bryles, Capps, Critcher, Faris, Glover, Hendren, B. Johnson, Luker, Madison, Malone, Miller, Salmon, T. Smith, Steele, R. Thompson, Trusty, Whitaker, Wilkinson, Womack.

Total23

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Bisbee, Broadway, Brown, Crumbly, Hill, Horn, G. Jeffress, J. Jeffress, Laverty, B. Pritchard, J. Taylor, Wilkins.

Total12

VOTING PRESENT:

Total0

Total number of votes cast23

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

* * * * * **EXPUNGED** * * * * *

There being an emergency clause attached to **Senate Bill No. 189**, 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, Argue, Baker, Bookout, Bryles, Capps, Critcher, Faris, Glover, Hendren, B. Johnson, Luker, Madison, Malone, Miller, Salmon, T. Smith, Steele, R. Thompson, Trusty, Whitaker, Wilkinson, Womack.

Total23

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Bisbee, Broadway, Brown, Crumbly, Hill, Horn, G. Jeffress, J. Jeffress, Laverty, B. Pritchard, J. Taylor, Wilkins.

Total12

VOTING PRESENT:

Total0

Total number of votes cast.....23

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause failed of adoption.

(SIGNED) ANN CORNWELL, SECRETARY

* * * * * **EXPUNGED** * * * * *

The record pertaining to the vote by which **Senate Bill No. 189** failed to pass was expunged, in accordance with a prevailing motion on 02/05/07.

Senator Malone moved that the record pertaining to the vote by which the emergency clause to **Senate Bill No. 189** failed of adoption be expunged, and the motion was duly seconded and prevailed.

Senator Malone moved for immediate consideration on the adoption of the emergency clause to **Senate Bill No. 189**.

There being an emergency clause attached to **Senate Bill No. 189**, 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, Argue, Baker, Bookout, Bryles, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Hill, G. Jeffress, J. Jeffress, B. Johnson, Luker, Madison, Malone, B. Pritchard, Salmon, T. Smith, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkinson, Womack.

Total27

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Bisbee, Broadway, Brown, Horn, Laverty, Miller, Steele, Wilkins.

Total8

VOTING PRESENT:

Total0

Total number of votes cast27

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 189 was ordered engrossed.

On motion of Senator Madison, **Senate Bill No. 27** was called up for third reading and final disposition.

SENATE BILL NO. 27
As Engrossed: S1/24/07 S1/31/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS MADISON AND SALMON
BY: REPRESENTATIVES HARRELSON AND BURRIS

A Bill for an Act to be Entitled: *AN ACT TO REGULATE STATE-SUPPORTED INSTITUTION OF HIGHER EDUCATION TEXTBOOK SALES; TO PROHIBIT INDUCEMENTS TO REQUIRE SPECIFIC TEXTBOOKS; AND FOR OTHER PURPOSES.*

Senate Bill No. 27 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, Argue, 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	34
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Broadway	
Total	1
VOTING PRESENT:	
Total	0
Total number of votes cast	34
Necessary to the passage of the bill	18

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. 27**, 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, Argue, 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.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Broadway

Total1

VOTING PRESENT:

Total0

Total number of votes cast.....34

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 27 was ordered immediately transmitted to the House.

On motion of Senator Faris, **Senate Bill No. 198** was called up for third reading and final disposition.

SENATE BILL NO. 198
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS FARIS AND BROADWAY

A Bill for an Act to be Entitled: AN ACT TO RENAME THE ARKANSAS GEOLOGICAL COMMISSION; AND FOR OTHER PURPOSES.

Senate Bill No. 198 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, Argue, 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	34
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Broadway	
Total	1
VOTING PRESENT:	
Total	0
Total number of votes cast.....	34
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. 198 was ordered immediately transmitted to the House as passed.

On motion of Senator Faris, **Senate Bill No. 209** was called up for third reading and final disposition.

**SENATE BILL NO. 209
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS FARIS AND BROADWAY**

A Bill for an Act to be Entitled: AN ACT TO UPDATE EMERGENCY MANAGEMENT SERVICES; AND FOR OTHER PURPOSES.

Senate Bill No. 209 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, Argue, 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.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Broadway

Total1

VOTING PRESENT:

Total0

Total number of votes cast34

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. 209 was ordered immediately transmitted to the House as passed.

On motion of Senator Taylor, **Senate Bill No. 190** was called up for third reading and final disposition.

SENATE BILL NO. 190
As Engrossed: S1/30/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR J. TAYLOR
BY: REPRESENTATIVE PYLE

A Bill for an Act to be Entitled: AN ACT TO PROVIDE A FOUR-YEAR TERM FOR THE STATE SURVEYOR; TO LIMIT THE STATE SURVEYOR TO A TOTAL OF EIGHT (8) YEARS OF SERVICE; AND FOR OTHER PURPOSES.

Senate Bill No. 190 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, Argue, 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.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Broadway

Total1

VOTING PRESENT:

Total0

Total number of votes cast34

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. 190 was ordered immediately transmitted to the House as passed.

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 S2/01/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR ALTES
BY: REPRESENTATIVES MEDLEY, WALTERS & WELLS

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

House Bill No. 20 was pulled down at this time.

On motion of Senator Altes **House Bill No. 20** was re-referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

On motion of Senator Altes, **Senate Bill No. 204** was called up for third reading and final disposition.

SENATE BILL NO. 204
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR ALTES

A Bill for an Act to be Entitled: AN ACT CONCERNING ELECTIONS FOR DIRECTOR AND MAYOR IN MUNICIPALITIES WITH A CITY ADMINISTRATOR FORM OF GOVERNMENT; AND FOR OTHER PURPOSES.

Senate Bill No. 204 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, Argue, 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	34
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Broadway	
Total	1
VOTING PRESENT:	
Total	0
Total number of votes cast.....	34
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. 204 was ordered immediately transmitted to the House as passed.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 5, 2007

Mr. President:

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

SENATE BILL NO. 189, BY SENATOR MALONE,

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

Senate Bill No. 189 was ordered immediately transmitted to the House.

On motion of Senator Brown, **Senate Bill No. 211** was called up for third reading and final disposition.

SENATE BILL NO. 211
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR BROWN

A Bill for an Act to be Entitled: AN ACT TO CLARIFY THE LANGUAGE OF ARKANSAS CODE §§ 14-88-404 AND 14-89-1001; AND FOR OTHER PURPOSES.

Senate Bill No. 211 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, Argue, 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	34
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Broadway	
Total	1
VOTING PRESENT:	
Total	0
Total number of votes cast.....	34
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. 211 was ordered immediately transmitted to the House as passed.

On motion of Senator Brown, **Senate Bill No. 212** was called up for third reading and final disposition.

**SENATE BILL NO. 212
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR BROWN**

A Bill for an Act to be Entitled: AN ACT TO REQUIRE QUARTERLY FINANCIAL REPORTS BY MUNICIPAL IMPROVEMENT DISTRICTS; AND FOR OTHER PURPOSES.

Senate Bill No. 212 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, Argue, 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.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Broadway

Total1

VOTING PRESENT:

Total0

Total number of votes cast34

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. 212 was ordered immediately transmitted to the House as passed.

On motion of Senator Brown, **House Bill No. 1103** was called up for third reading and final disposition.

HOUSE BILL NO. 1103
As Engrossed: H1/16/07 H1/19/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE E. BROWN

A Bill for an Act to be Entitled: AN ACT TO CLARIFY THAT CRIMINAL HISTORY INFORMATION SHALL NOT BE DISSEMINATED FOR NONCRIMINAL JUSTICE PURPOSES UNDER CERTAIN CIRCUMSTANCES; AND FOR OTHER PURPOSES.

House Bill No. 1103 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, Argue, 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.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Broadway

Total1

VOTING PRESENT:

Total0

Total number of votes cast34

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. 1103 was ordered immediately returned to the House as passed.

On motion of Senator Brown, **House Bill No. 1134** was called up for third reading and final disposition.

**HOUSE BILL NO. 1134
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE E. BROWN**

A Bill for an Act to be Entitled: AN ACT TO CLARIFY THE LAW ON CHILD SUPPORT ARREARAGES OWED BY A NONBIOLOGICAL FATHER; AND FOR OTHER PURPOSES.

House Bill No. 1134 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, Bookout, Brown, Capps, Crumbly, Faris, Glover, Hill, B. Johnson, Luker, Miller, Salmon, T. Smith, Steele, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkins, Wilkinson.

Total21

NEGATIVE: Hendren.

Total1

ABSENT OR NOT VOTING: Argue, Bisbee, Broadway, Bryles, Critcher, Horn, G. Jeffress, J. Jeffress, Lavery, Madison, Malone, B. Pritchard, Womack.

Total13

VOTING PRESENT:

Total0

Total number of votes cast22

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. 1134 was ordered immediately returned to the House as passed.

On motion of Senator Salmon, **House Bill No. 1025** was called up for third reading and final disposition.

HOUSE BILL NO. 1025
As Engrossed: H1/18/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES D. CREEKMORE, ABERNATHY, ADCOCK, ET AL
BY: SENATORS SALMON AND BROADWAY

A Bill for an Act to be Entitled: AN ACT TO PROHIBIT AN AWARD OF CHILD CUSTODY OR VISITATION TO A SEX OFFENDER EXCEPT UNDER LIMITED CIRCUMSTANCES; AND FOR OTHER PURPOSES.

House Bill No. 1025 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, Argue, 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	34
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	1
VOTING PRESENT:	
Total	0
Total number of votes cast.....	34
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. 1025 was returned to the House as passed.

On motion of Senator Wilkins, **House Bill No. 1104** was called up for third reading and final disposition.

HOUSE BILL NO. 1104
As Engrossed: S1/31/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES THYER, SULLIVAN & WELLS

A Bill for an Act to be Entitled: AN ACT CONCERNING AUTHORIZATION FOR THE LEGISLATIVE COUNCIL AND ITS SUBCOMMITTEES TO MEET AND TRANSACT BUSINESS DURING A SESSION OF THE GENERAL ASSEMBLY; CONCERNING THE EXECUTIVE SUBCOMMITTEE OF LEGISLATIVE COUNCIL; AND FOR OTHER PURPOSES.

House Bill No. 1104 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, Bookout, Brown, Critcher, Crumbly, Faris, Glover, Horn, B. Johnson, Laverty, Miller, B. Pritchard, T. Smith, Steele, J. Taylor, R. Thompson, Trusty, Wilkins, Wilkinson, Womack.

Total21

NEGATIVE: Argue, Hendren, J. Jeffress, Madison, Salmon, Whitaker.

Total6

ABSENT OR NOT VOTING: Bisbee, Broadway, Bryles, Capps, Hill, G. Jeffress, Luker, Malone.

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

* * * * * **EXPUNGED** * * * * *

There being an emergency clause attached to **House Bill No. 1104**, 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, Bookout, Brown, Critcher, Crumbly, Faris, Glover, Horn, B. Johnson, Lavery, Miller, B. Pritchard, T. Smith, Steele, J. Taylor, R. Thompson, Trusty, Wilkins, Wilkinson, Womack.

Total21

NEGATIVE: Argue, Hendren, J. Jeffress, Madison, Salmon, Whitaker.

Total6

ABSENT OR NOT VOTING: Bisbee, Broadway, Bryles, Capps, Hill, G. Jeffress, Luker, Malone.

Total8

VOTING PRESENT:

Total0

Total number of votes cast.....27

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause failed of adoption.

(SIGNED) ANN CORNWELL, SECRETARY

* * * * * **EXPUNGED** * * * * *

The record pertaining to the vote by which **House Bill No. 1104** failed to pass was expunged, in accordance with a prevailing motion on February 5, 2007.

Senator Wilkins moved that the record pertaining to the vote by which the emergency clause to **House Bill No. 1104** failed of adoption be expunged and the motion was duly seconded and prevailed.

There being an emergency clause attached to **House Bill No. 1104**, 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, Bookout, Brown, Critcher, Crumbly, Faris, Glover, Hendren, Horn, B. Johnson, Lavery, Miller, B. Pritchard, T. Smith, Steele, J. Taylor, R. Thompson, Trusty, Wilkins, Wilkinson, Womack.

Total22

NEGATIVE: Argue, J. Jeffress, Madison, Malone, Salmon, Whitaker.

Total6

ABSENT OR NOT VOTING: Bisbee, Broadway, Bryles, Capps, Hill, G. Jeffress, Luker.

Total7

VOTING PRESENT:

Total0

Total number of votes cast28

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause failed of adoption.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1104 was held in Chamber on motion of Senator Wilkins.

On motion of Senator Womack, **House Bill No. 1019** was called up for third reading and final disposition.

**HOUSE BILL NO. 1019
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE M. MARTIN**

A Bill for an Act to be Entitled: AN ACT TO REVISE THE BOUNDARIES FOR WASHINGTON COUNTY DISTRICT COURTS; AND FOR OTHER PURPOSES.

House Bill No. 1019 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, Argue, 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	34
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Broadway	
Total	1
VOTING PRESENT:	
Total	0
Total number of votes cast	34
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. 1019 was ordered immediately returned to the House as passed.

On motion of Senator Madison, **House Bill No. 1175** was called up for third reading and final disposition.

**HOUSE BILL NO. 1175
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION**

BY: REPRESENTATIVES EDWARDS, PATE, PATTERSON, BERRY, ET AL

BY: SENATOR MADISON

A Bill for an Act to be Entitled: AN ACT TO INCREASE THE DOLLAR AMOUNT NECESSARY TO TRIGGER THE COMPETITIVE BIDDING PROCESS FOR RURAL FIRE PROTECTION DISTRICTS; AND FOR OTHER PURPOSES.

House Bill No. 1175 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, Argue, 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.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Broadway

Total1

VOTING PRESENT:

Total0

Total number of votes cast34

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. 1175 was ordered immediately returned to the House as passed.

On motion of Senator J. Jeffress, **House Bill No. 1011** was called up for third reading and final disposition.

**HOUSE BILL NO. 1011
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE PYLE**

A Bill for an Act to be Entitled: AN ACT CONCERNING THE REDACTION OF SCHOOL DISTRICT EMPLOYEE ADDRESSES FROM CONTRACTS PUBLISHED ON THE INTERNET; AND FOR OTHER PURPOSES.

House Bill No. 1011 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, Argue, 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	34
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Broadway	
Total	1
VOTING PRESENT:	
Total	0
Total number of votes cast	34
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. 1011 was ordered immediately returned to the House as passed.

On motion of Senator J. Jeffress, **House Bill No. 1032** was called up for third reading and final disposition.

**HOUSE BILL NO. 1032
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES WALTERS AND R. GREEN
BY: SENATORS J. JEFFRESS AND WILKINSON**

A Bill for an Act to be Entitled: AN ACT CONCERNING SUBSTITUTE TEACHER QUALIFICATIONS; AND FOR OTHER PURPOSES.

House Bill No. 1032 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, Argue, 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.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Broadway

Total1

VOTING PRESENT:

Total0

Total number of votes cast34

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. 1032 was ordered immediately returned to the House as passed.

On motion of Senator Trusty, **House Bill No. 1177** was called up for third reading and final disposition.

HOUSE BILL NO. 1177
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES PYLE, OVERBEY & T. BAKER

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE § 14-44-116 TO ADD TREASURER AND RECORDER-TREASURER TO CLARIFY THE PROCEDURE FOR FILLING A VACANCY IN THE OFFICE IN A CITY OF THE SECOND CLASS; AND FOR OTHER PURPOSES.

House Bill No. 1177 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, Argue, 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	34
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Broadway	
Total	1
VOTING PRESENT:	
Total	0
Total number of votes cast.....	34
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. 1177 was ordered immediately returned to the House as passed.

On motion of Senator Trusty, **House Bill No. 1178** was called up for third reading and final disposition.

**HOUSE BILL NO. 1178
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION**

BY: REPRESENTATIVES PYLE, OVERBEY & T. BAKER

A Bill for an Act to be Entitled: AN ACT TO REPEAL ARKANSAS CODE § 14-54-1303 TO GIVE MUNICIPALITIES ANOTHER MECHANISM TO BETTER FUND AND FURNISH PLAYGROUNDS AND RECREATIONAL FACILITIES; AND FOR OTHER PURPOSES.

House Bill No. 1178 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, Argue, 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.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Broadway

Total1

VOTING PRESENT:

Total0

Total number of votes cast34

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. 1178 was ordered immediately returned to the House as passed.

On motion of Senator Womack, **Senate Bill No. 52** was withdrawn from the Committee on JOINT BUDGET, 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. 52

Amend **Senate Bill No. 52** as originally introduced:

Page 2, Line 30, delete "590,509 590,509" and substitute "690,509 690,509"

And

Page 2, Line 34, delete "12,000 12,000" and substitute "24,000 24,000"

And

Page 2, Line 36, delete "\$ 2,225,566 \$ 2,253,769" and substitute "\$ 2,337,566 \$ 2,365,769"

(SIGNED) SENATOR SHAWN A. WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 52 was ordered engrossed.

On motion of Senator Womack, **Senate Bill No. 134** 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. 134

Amend **Senate Bill No. 134** as originally introduced:

Page 2, line 33, between "Council" and "." insert "or Joint Budget Committee"
1

(SIGNED) SENATOR SHAWN A. WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

On motion of Senator Womack, the Senate resolved itself into the Committee of the Whole for the purpose of Joint Budget Bills.

Without objection, the Committee of the Whole was dissolved, and the Senate took up its regular order of business.

On motion of Senator Womack, and without objection, the rules were suspended pertaining to passage of Amendment and Bill on the same day.

On motion of Senator Womack, **Senate Bill No. 134** was called up for third reading and final disposition.

SENATE BILL NO. 134
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE OFFICE OF THE GOVERNOR WHICH SHALL BE SUPPLEMENTAL AND IN ADDITION TO THOSE FUNDS APPROPRIATED BY ACT 1030 OF 2005; AND FOR OTHER PURPOSES.

Senate Bill No. 134 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, Argue, 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	34
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Broadway	
Total	1

VOTING PRESENT:

Total	0
Total number of votes cast	34
Necessary to the passage of the bill	27

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. 134**, 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, Argue, 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.

Total	34
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NEGATIVE:

Total	0
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ABSENT OR NOT VOTING: Broadway

Total	1
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VOTING PRESENT:

Total	0
Total number of votes cast	34
Necessary to the adoption of the Emergency Clause	24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 134 was ordered engrossed.

On motion of Senator Womack, the rules were suspended in considering **House Bill No. 1054** at this time.

On motion of Senator Womack, **House Bill No. 1054** was called up for third reading and final disposition.

HOUSE BILL NO. 1054
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR THE DEPARTMENT OF CORRECTION - MEDICAL RISK POOL FUND WHICH SHALL BE SUPPLEMENTAL AND IN ADDITION TO THOSE FUNDS APPROPRIATED BY ACT 2035 OF 2005; AND FOR OTHER PURPOSES.

House Bill No. 1054 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, Argue, 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	34
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Broadway	
Total	1
VOTING PRESENT:	
Total	0
Total number of votes cast.....	34
Necessary to the passage of the bill	27

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. 1054**, 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, Argue, 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.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Broadway

Total1

VOTING PRESENT:

Total0

Total number of votes cast34

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1054 was ordered immediately returned to the House as passed.

On motion of Senator Womack, the rules were suspended in considering **House Bill No. 1328** at this time.

On motion of Senator Womack, **House Bill No. 1328** was called up for third reading and final disposition.

HOUSE BILL NO. 1328
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR INVESTMENTS OF CERTAIN TREASURY BALANCES, DEBT SERVICES, AND PREMIUMS AND DISCOUNTS BY THE STATE BOARD OF FINANCE FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

House Bill No. 1328 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, Argue, 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	34
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Broadway	
Total	1
VOTING PRESENT:	
Total	0
Total number of votes cast.....	34
Necessary to the passage of the bill	27

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. 1328**, 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, Argue, 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.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Broadway

Total1

VOTING PRESENT:

Total0

Total number of votes cast34

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1328 was ordered immediately returned to the House as passed.

On motion of Senator Womack, the rules were suspended in considering **House Bill No. 1290** at this time.

On motion of Senator Womack, **House Bill No. 1290** was called up for third reading and final disposition.

HOUSE BILL NO. 1290
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR OPERATING EXPENSES FOR THE ARKANSAS GOVERNOR'S MANSION COMMISSION WHICH SHALL BE SUPPLEMENTAL AND IN ADDITION TO THOSE FUNDS APPROPRIATED BY ACT 173 OF 2005; AND FOR OTHER PURPOSES.

House Bill No. 1290 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, Argue, 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.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Broadway

Total1

VOTING PRESENT:

Total0

Total number of votes cast.....34

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 **House Bill No. 1290**, 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, Argue, 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.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Broadway

Total1

VOTING PRESENT:

Total0

Total number of votes cast.....34

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1290 was ordered immediately returned to the House as passed.

Senate Bill No. 85 was returned from the House as passed and ordered enrolled.

Senate Bill No. 120 was returned from the House as passed and ordered enrolled.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 5, 2007

Mr. President:

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

HOUSE BILL NO. 1022 BY REPRESENTATIVE SAMPLE, 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

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 5, 2007

Mr. President:

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

House BILL NO. 1037, BY REPRESENTATIVE S. DOBBINS, 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 Madison, House Bill No. 1037 was ordered referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

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 read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

HOUSE BILL NO. 1336
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

BY: REPRESENTATIVES KEY, PETRUS, ANDERSON, THYER, GARNER,
HARRIS, D. HUTCHINSON, JEFFREY, KING, LOVELL, NORTON, RAGLAND,
REYNOLDS, ROSENBAUM, SAMPLE, SAUNDERS & SULLIVAN
BY: SENATORS WOMACK, CRITCHER, ALTES, BAKER, BROADWAY,
HENDREN, HORN, B. JOHNSON & TRUSTY

A Bill for an Act to be Entitled: AN ACT TO INCREASE THE AMOUNT OF THE RETIREMENT OR DISABILITY BENEFITS INCOME TAX EXEMPTION; AND FOR OTHER PURPOSES.

House Bill No. 1336 was read the first time, rules suspended, read the second time and referred to the Committee on REVENUE & TAXATION.

HOUSE BILL NO. 1337
As Engrossed: H2/2/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

BY: REPRESENTATIVES ANDERSON, SULLIVAN, DUNN, PATTERSON,
ADCOCK, ALLEN, ET AL

A Bill for an Act to be Entitled: AN ACT TO PROVIDE AN INCOME TAX CREDIT FOR LOW-INCOME TAXPAYERS IN ORDER TO PROVIDE GROCERY TAX RELIEF; AND FOR OTHER PURPOSES.

House Bill No. 1337 was read the first time, rules suspended, read the second time and referred to the Committee on REVENUE & TAXATION.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 5, 2007

Mr. President:

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

SENATE BILL NO. 52, BY JOINT BUDGET COMMITTEE,

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. 52 was ordered re-referred to the Committee on JOINT BUDGET.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 5, 2007

Mr. President:

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

SENATE BILL NO. 134, BY JOINT BUDGET COMMITTEE,

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

Senate Bill No. 134 was ordered immediately transmitted to the House.

* * * * *

SENATE BILLS TRANSMITTED TO THE HOUSE
AS PASSED

SENATE BILL NO. 16
SENATE BILL NO. 27
SENATE BILL NO. 134
SENATE BILL NO. 189
SENATE BILL NO. 190
SENATE BILL NO. 198
SENATE BILL NO. 204
SENATE BILL NO. 209
SENATE BILL NO. 211
SENATE BILL NO. 212

SENATE CONCURRENT RESOLUTION TRANSMITTED
TO THE HOUSE AS ADOPTED

SENATE CONCURRENT RESOLUTION NO. 4

HOUSE BILLS RETURNED TO THE HOUSE
AS PASSED

HOUSE BILL NO. 1011
HOUSE BILL NO. 1019
HOUSE BILL NO. 1025
HOUSE BILL NO. 1032
HOUSE BILL NO. 1054
HOUSE BILL NO. 1103

HOUSE BILL NO. 1134
HOUSE BILL NO. 1175
HOUSE BILL NO. 1177
HOUSE BILL NO. 1178
HOUSE BILL NO. 1290
HOUSE BILL NO. 1328

SENATE BILLS RETURNED FROM THE HOUSE

AS PASSED

SENATE BILL NO. 85
SENATE BILL NO. 120

HOUSE BILLS TRANSMITTED TO THE SENATE

AS PASSED

HOUSE BILL NO. 1018
HOUSE BILL NO. 1056
HOUSE BILL NO. 1293
HOUSE BILL NO. 1304
HOUSE BILL NO. 1305
HOUSE BILL NO. 1309
HOUSE BILL NO. 1334
HOUSE BILL NO. 1336
HOUSE BILL NO. 1337
HOUSE BILL NO. 1340

On motion of Senator Whitaker, the Senate adjourned until 1:30 p.m. Tuesday, February 6, 2007.

PRESIDENT OF THE SENATE

SECRETARY OF THE SENATE

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

Little Rock, Arkansas

February 6, 2007

The Senate was called to order at 1:30 o'clock p.m. by the President.

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

ALTES, ARGUE, BAKER, BISBEE, BOOKOUT,
BROADWAY, 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.

The Senate was led in prayer by Senator Whitaker.

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. 196** was withdrawn from the Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS, 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. 196

Amend **Senate Bill No. 196** as engrossed:

Page 3, delete lines 25 through 33 and substitute:

"(6) A driver with an intermediate driver's license shall not operate a motor vehicle on public streets or highways with more than one (1) passenger in the motor vehicle unless:

(A) The driver is accompanied by a parent, guardian, or other person who:

(i) Is twenty-one (21) years of age or older;

(ii) Holds a valid driver's license issued under this

chapter; and

(iii) Is actually occupying the vehicle; or

following:

(B)(i) The minor passenger or passengers are any of the

(a) Siblings of the driver;

(b) Step-siblings of the driver;

(c) Adopted or foster children who reside in the

same household as the driver; and

(ii) The driver possesses a letter from the driver's parent or guardian that authorizes the passengers to be in the motor vehicle for the sole purpose of going to or from school."

AND

Page 5, delete lines 32 through 36 and substitute:

"(9) An acknowledgement signed by the applicant for an intermediate driver's license that the applicant shall not operate a motor vehicle on public streets or highways with more than one (1) passenger in the motor vehicle unless:

(A) The applicant is accompanied by a parent, guardian, or other person who:

(i) Is twenty-one (21) years of age or older;

(ii) Holds a valid driver's license issued under this

chapter; and

(iii) Is actually occupying the vehicle; or

following:

(B)(i) The minor passenger or passengers are any of the

(a) Siblings of the applicant;

(b) Step-siblings of the applicant;

(c) Adopted or foster children who reside in the

same household as the applicant; and

(ii) The applicant possesses a letter from the applicant's parent or guardian that authorizes the passengers to be in the motor vehicle for the sole purpose of going to or from school."

AND

Page 6, delete lines 1 through 6 entirely

(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.

On motion of Senator J. Jeffress, **Senate Bill No. 195** was withdrawn from the Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE 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. 195

Amend **Senate Bill No. 195** as originally introduced:

Page 1, delete lines 10 through 12 and substitute:
"CREATING THE "LIMITATION ON USE OF RADIO FREQUENCY IDENTIFICATION TAGS ACT" THAT PROHIBITS RFID TAGS FROM BEING USED FOR THE PURPOSE OF GATHERING OR DISSEMINATING INFORMATION RELATED TO THE DEMOGRAPHICS OF THE PURCHASER AFTER SALE;"

AND

Delete the subtitle in its entirety and substitute:

"TO PROTECT THE CONSUMERS IN THE STATE BY CREATING THE "LIMITATION ON USE OF RADIO FREQUENCY IDENTIFICATION TAGS ACT" THAT PROHIBITS RFID TAGS FROM BEING USED AFTER SALE."

AND

Page 1, delete lines 28 through 29 and substitute:

"This subchapter shall be known and may be cited as the "Limitation on Use of Radio Frequency Identification Tags Act"."

AND

Page 2, delete lines 3 through 8 and substitute:

"4-110-203. Use after sale prohibited.

An RFID tag shall not be used for the purpose of gathering or disseminating information related to the demographics of the purchaser of a product by any person or entity after the product is:

(1) Sold at the retail level; and

(2) Removed from the premises of the retail establishment that is the site of the sale."

(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. 195 was ordered engrossed.

On motion of Senator Smith, **Senate Bill No. 156** 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. 156

Amend **Senate Bill No. 156** as originally introduced:

Page 1, delete lines 19 through 33 and substitute the following:

“SECTION 1. Arkansas Code § 24-11-212(d), concerning the distribution of future supplement funds to local police and fire pension and relief funds, is amended to read as follows:

(d)(1) In each regular session, the General Assembly shall decide the method and amount to be distributed from the future supplement funds.

(2)(A) Beginning June 30, 2003, and June 30 of each following year, the future supplement funds are authorized to distribute ~~ninety percent (90%)~~ one hundred percent (100%) of the amount added to the future supplement funds the previous June 30.

(B) The amount shall be distributed to the local police and fire pension and relief funds to be paid to members who are retired, beneficiaries, or members on the deferred retirement option plan.

(C) For the purposes of distribution, a volunteer member shall receive an amount equal to one-fifth (1/5) of the amount distributed to a paid member.

(D) The distribution shall be calculated and approved by the board.”

AND

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

“SECTION 3. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that this act modifies the payment of supplement funds to certain pensions funds and that the most effective time to make changes in the payment of supplement funds 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 the public peace, health, and safety shall become effective on July 1, 2007.”

(SIGNED) SENATOR T. SMITH

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 156 was ordered engrossed.

On motion of Senator J. Jeffress, Senate Bill No. 136 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. 136

Amend Senate Bill No. 136 as originally introduced:

Delete everything following the enacting clause and substitute the following:

“SECTION 1. Arkansas Code § 24-4-101 is amended to read as follows:

24-4-101. Definitions.

As used in this act:

(1) "Accumulated contributions" means the sum of all amounts deducted from the compensations of a member and credited to his or her individual account in the member's deposit account, together with regular interest as may have been credited thereon;

(2) "Actual service" means service credited at the rate of one (1) month for each month of service;

(3) "Actuarial equivalent" means a benefit of equal reserve value when "reserve" means the present value of all payments to be made on account of any benefit based upon such reasonable rates of interest and tables of experience as a plan shall adopt from time to time;

(4) "Actuary" means a qualified actuary with experience in retirement plan financing. Membership in the American Academy of Actuaries shall be sufficient for a person to be deemed a qualified actuary;

(5) "Age" means age on last birthday;

(6)(A) "Annuity" means a monthly amount payable from funds of the Arkansas Public Employees' Retirement System throughout the life of a person.

(B) All annuities shall be paid in equal monthly installments;

(7) "Annuity reserve" means the present value of an annuity computed upon the basis of mortality and other such tables of experience and regular interest, as the Board of Trustees of the Arkansas Public Employees' Retirement System shall adopt;

(8) "Beneficiary" means any person except a retirant who is receiving or is designated by a member to receive a plan benefit;

(9) "Benefit program" means a schedule of benefits or benefit formulas from which the amounts of benefits can be determined;

(10) "Board" means the Board of Trustees of the Arkansas Public Employees' Retirement System, as created in this act;

(11)(A) "Compensation" means the recurring remuneration paid a member by public employers for personal services rendered by a member in a position covered by an employer participating in the Arkansas Public Employees' Retirement System.

(B) In case a member's compensation includes either lodging or meals, or both, exclusive of travel expense, the cash value of the lodging and meals shall be fixed by the board, not to exceed the amount the employee is required to report for federal income tax purposes;

(12) "Contributory member" means:

(A) A person who was a member of the Arkansas Public Employees' Retirement System prior to January 1, 1978, and who continues to contribute six percent (6%) of his or her compensation to the system. However, the rate will be five percent (5%) on and after July 1, 2005; or

(B) A member first hired on or after July 1, 2005, or a noncontributory member who elects to become a contributory member under § 24-4-1101 et seq. within six (6) months from July 1, 2005;

(13) "County" means any county in the state and includes all agencies, offices, departments, boards, commissions, and county-supported institutions that are duly constituted agencies of the county;

(14)(A) "County employees" means all employees whose compensations are payable, either directly or indirectly, by county participating public employers and includes employees of the Association of Arkansas Counties.

(B) In any case of doubt as to who is a county employee within the meaning of this act, the board shall have the final power to decide the question;

(15)(A) "Credited service" means the sum of the prior service and current service to the extent credited a member by the board, in accordance with the provisions of § 24-4-521.

(B) Any member first hired on or after July 1, 2005, to a covered position whose service is credited at a rate other than that defined in § 24-4-101(2) shall accrue that credit on no more than ten (10) actual years of service;

(16)(A) "Current service" means service rendered to a public employer by a member from and after the date he or she became a member.

(B) In the case of a nonstate employee, service rendered by the employee to a public employer in the period from June 30, 1957, to the date his or her employer became a participating public employer, which period is called interim current service, shall be included as current service, but only if the employee satisfies the conditions set forth in Acts 1965, No. 153, § 10 [repealed];

(17)(A)(i)(a) "Employees" means all officers and employees of any office, agency, board, commission, including the Department of Higher Education, or department of a public employer whose compensations were or are payable from funds appropriated by the public employer and all otherwise eligible employees whose compensations were or are payable in whole or part from federal funds, as well as the official court reporters and stenographers of the circuit and chancery courts of the state and all of the prosecuting attorneys of the judicial districts of Arkansas.

(b) In addition, effective July 1, 1983, the term "employees" shall include those persons who are eligible for benefits from the Teachers Insurance and Annuity Association but who are otherwise eligible for participation in the Arkansas Public Employees' Retirement System due to employment with a public employer.

(ii) Any person who has previously been denied coverage under the Arkansas Public Employees' Retirement System because the person was or is paid from a grant instead of funds appropriated by the public employer shall from July 1, 1991, become a member of the system if in an otherwise eligible position due to being an employee of a public employer, and a member may at his or her option receive credit for service rendered before that date as an employee paid from a grant, subject to the following conditions:

(a) The member is a participating employee covered under the Arkansas Public Employees' Retirement System at the time of the purchase;

(b) The member furnishes proof in a form required by the Arkansas Public Employees' Retirement System of the service and compensation received;

(c) The member pays or causes to be paid all employee contributions at the rate and on the compensation that would have been paid had he or she been a member during that time, all employer contributions based on the employer normal cost from the most recently completed regular annual actuarial valuation and the compensation that would have been paid had he or she been a member during that time, and regular interest on the employee and employer contributions. The interest shall be computed from the date the service was rendered to the date the payment is received by the Arkansas Public Employees' Retirement System. The member may purchase all of the service or any portion thereof in multiples of one (1) year;

(d) The payment of funds shall be made in one (1) lump sum; and

(e) Any person who, prior to the effectiveness of this provision, has been removed from membership in the Arkansas Public Employees' Retirement System because of eligibility for membership in a local firemen's pension fund as a volunteer firefighter may restore the refunded service and establish subsequent service by paying or causing to be paid to the Arkansas Public Employees' Retirement System the refunded contributions and the legally required contributions for subsequent service.

(B) Excepting members of the General Assembly and those persons participating in a local firemen's pension fund because of their status as volunteer firefighters and those persons who have dual full-time employment in separate positions covered by the Arkansas Public Employees' Retirement System and the Arkansas Local Police and Fire Retirement System respectively, the term "employees" shall not include persons who are members of any other retirement system, excepting federal Social Security, which retirement system is supported by state funds or is authorized by the laws of the state. In addition, the term "employees" specifically shall not include the following:

(i) Persons in the employ of the Department of Arkansas State Police who are members of the State Police Retirement System;

(ii) Persons in the employ of the Department of Education or the Arkansas Teacher Retirement System, except as otherwise provided by law;

(iii) Persons in the employ of the University of Arkansas or any other state-supported institution of higher learning, except as otherwise provided by law;

(iv) Justices of the Supreme Court, judges of circuit courts, or judges of chancery courts;

(v) Persons in the employ of the General Assembly who are employed on a less than full-time regular annual salary basis, except that any person who has served or who shall serve during at least six (6) legislative sessions as Chief Clerk of the House of Representatives and who has served in the employ of the General Assembly during at least twelve (12) previous legislative sessions shall be eligible to receive credited service in the Arkansas Public Employees' Retirement System for any period of employment with the General Assembly since July 1, 1957, but only if the employee is, or was, an active member of the system with at least ten (10) years of credited service and only if the employee pays or causes to be paid all employee contributions at the rate and on the compensation that would have been paid had he or she been a member of the system during those periods of time, all employer contributions based on the employer normal cost from the most recently completed regular annual actuarial valuation and the compensation that would have been paid had he or she been a member during those periods of time, and regular interest on the employee and employer contributions computed from the date of service to the date the payment is received by the system;

(vi) Persons who are in the employ of the Arkansas State Highway and Transportation Department;

(vii) Persons employed with the intent of working less than ninety (90) calendar days;

(viii) Persons who are employed for a period of more than ninety (90) consecutive calendar days but who do not qualify as full-time employees shall be excluded from membership. A person shall be considered a full-time employee if that person works at least eighty (80) hours per month during a period of ninety (90) consecutive calendar days;

(ix) Persons whose rate of pay does not constitute employment that is substantially gainful shall be excluded from membership. A rate of pay less than the federal minimum wage for the year shall not be considered employment that is substantially gainful;

(x) Persons who are first employed or those who are reemployed as participants on or after July 1, 1979, under the Comprehensive Employment and Training Act. However, those persons participating in the program prior to July 1, 1979, shall continue to be members of the Arkansas Public Employees' Retirement System while employed by a participating public employer;

(xi) Any person previously denied coverage by the Arkansas Public Employees' Retirement System because that person was eligible for membership in but did not participate in another retirement system that is supported by state funds or that is authorized by the laws of the state, shall become a member of the Arkansas Public Employees' Retirement System from the date of July 1, 1999, if in an otherwise eligible position due to employment with a participating employer. Any person previously denied coverage by the Arkansas Public Employees' Retirement System because that person was eligible for or receiving benefits from another retirement system supported by state funds or that is authorized by the laws of the state shall become a member of the Arkansas Public Employees' Retirement System from the date of July 1, 1999, if in an otherwise eligible position due to employment with a participating employer. That person may receive, at the employee's option, credit for service rendered to a participating public employer before that date, subject to the following conditions:

(a) The member is a participating employee covered under the Arkansas Public Employees' Retirement System at the time of the purchase;

(b) The member furnishes proof in a form required by the Arkansas Public Employees' Retirement System of the service and compensation received;

(c) The member pays or causes to be paid all employee contributions at the rate and on the compensation that would have been paid had he or she been a member during that time, all employer contributions based on the employer normal cost from the most recently completed regular annual actuarial valuation and the compensation that would have been paid had he or she been a member during that time, and regular interest on the employee and employer contributions. The interest shall be computed from the date the service was rendered to the date the payment is received by the Arkansas Public Employees' Retirement System. The member may purchase all of the service or any portion thereof in multiples of one (1) year; and

(d) The payment of funds shall be made in one (1) lump sum;

(xii) The surviving spouse of any person deemed erroneously enrolled due to receipt of a benefit from another retirement system supported by state funds or that is authorized by the laws of the state but whose service had not been refunded at or before the date of death shall be eligible to receive a benefit under the provisions of § 24-4-608, provided that the person was an employee of the participating employer on the date of death. The monthly annuity shall be payable on the first day of the month following the month of application and shall be retroactive to the date the benefit would have been otherwise payable as provided for in § 24-4-608; and

(xiii) Any person previously denied coverage by the Arkansas Public Employees' Retirement System because that person was employed in dual full-time positions covered by the Arkansas Public Employees' Retirement System and the Arkansas Local Police and Fire Retirement System, respectively, shall become a member of both systems from and after the date of July 1, 2001, if in otherwise eligible positions with participating employers. The person may receive at the employee's option credit for service rendered to a participating public employer before that date, subject to the following conditions:

(a) The member is a participating employee covered under the Arkansas Public Employees' Retirement System at the time of the purchase;

(b) The member furnishes proof in a form required by the Arkansas Public Employees' Retirement System of the service and compensation received;

(c) The member pays or causes to be paid all employee contributions at the rate and on the compensation that would have been paid had the person been a member during that time, all employer contributions based on the employer normal cost from the most recently completed regular annual actuarial valuation and the compensation that would have been paid had the person been a member during that time, and regular interest on the employee and employer contributions. The interest shall be computed from the date the service was rendered to the date the payment is received by the Arkansas Public Employees' Retirement System. The member may purchase all of the service or any portion thereof in multiples of one (1) year; and

(d) The payment of funds shall be made in one (1) lump sum.

(C) In any case of doubt as to who is an employee within the meaning of this act, the board shall have the final power to decide the question;

(18)(A)(i) "Final average compensation" means the average of the highest annual compensations paid a member during any period of three (3) years of credited service with a public employer.

(ii) The three-year average shall be the greatest of the following:

(a) One-third (1/3) of the following: The total of the highest compensations paid during the two (2) completed fiscal years when added to the total third highest compensation paid during the completed fiscal year; or

(b) One-third (1/3) of the following: The total of the highest compensations paid during the two (2) completed fiscal years added to the total of the compensation paid for the months of credited service within the incomplete fiscal year in which the member retires, provided there are some, and the total third highest compensation paid during the completed fiscal year which has been multiplied by the number of months remaining in the fiscal year in which retirement occurs and divided by twelve (12).

(iii) Should the member have less than the minimum three (3) years of credited service, "average compensation" means the annual average compensations to the member during his or her total years of actual service.

(B) Any other provision to the contrary notwithstanding:

(i) If a member's rate of pay is set by Arkansas Constitution, Amendment 70, § 1, then the member's "average compensation" shall not be less than the member's rate of pay at the time of separation from covered employment;

(ii) If a member's rate of pay is set by Arkansas Constitution, Amendment 70, § 1, then the member's "average compensation" shall not be less than the member's highest rate of such pay; or

(iii) If a member served at any time in an office whose rate of pay is set by Arkansas Constitution, Amendment 70, § 1, and that member was a member of the General Assembly on December 31, 1978, then the member's "average compensation" shall not be less than the rate of pay currently set for the highest legislative office the member held;

(19) "General Assembly" means the General Assembly of the state;

(20) "Intergovernmental Juvenile Detention Council" means the Intergovernmental Juvenile Detention Council of the Tenth Judicial District created by uncodified Act 899 of 1995, which has chosen by a majority vote of the council to participate in the Arkansas Public Employees' Retirement System;

(21) "Joint county and municipal sanitation authority" means any sanitation authority created under the Joint County and Municipal Solid Waste Disposal Act, § 14-233-101 et seq., which has chosen by a majority vote of its full-time employees to participate in the Arkansas Public Employees' Retirement System;

(22) "Local units of government" means those entities participating in the Arkansas Public Employees' Retirement System under the provisions of § 24-4-746;

(23) "Member" means any person who is included in the membership of the Arkansas Public Employees' Retirement System;

(24)(A) "Municipal employees" means all employees whose compensations are payable, either directly or indirectly, by participating municipal public employers and includes employees of the Arkansas Municipal League, employees of the water and sewer system of any city divided by a state line, and employees of the Arkansas Local Police and Fire Retirement System.

(B) "Municipal employees" shall not include members of a municipal firemen's or policemen's pension fund while the member is accruing credited service in that system, excepting those members of a municipal firemen's pension fund who are members solely because of their status as volunteer firefighters.

(C) In any case of doubt as to who is a municipal employee within the meaning of this act, the board shall have the final power to decide the question;

(25) "Municipality" means any incorporated city or town in the state and includes all agencies, offices, departments, and commissions of the city or town;

(26) "Noncontributory member" means a person who does not contribute a portion of his or her compensation to the Arkansas Public Employees' Retirement System;

(27) "Nonstate employees" means county employees, municipal employees, rural waterworks facilities board employees, regional airport authority employees, public facilities board employees, regional solid waste management board employees, joint county and municipal sanitation authority employees, regional water distribution board employees, school employees, and the employees of the Intergovernmental Juvenile Detention Council;

(28) "Normal retirement age" means, for a member, the youngest of the following ages:

(A) Age sixty (60) and with twenty (20) or more years of actual service for a contributory member; or

(B) Age sixty-five (65) with five (5) or more years of actual service, except for a member of the General Assembly who must have ten (10) or more years of actual service if he or she only has service as a member of the General Assembly;

(C) If the provisions of § 24-4-521 are used to determine any portion of total credited service, then the age upon completion of thirty-five (35) years of credited service, but in no event to an age younger than fifty-five (55);

(D) For a noncontributory member with credited service for employment as a public safety employee or as a sheriff, age sixty-five (65) reduced by one (1) month for each two (2) months of such credited service, but in no event to an age younger than fifty-five (55), except in the case of a sheriff who has a minimum of ten (10) years of actual service as a sheriff or who has eight (8) years of actual service as a sheriff and a minimum of two (2) years of service in another state-supported retirement system, for whom the minimum retirement age shall be

fifty-two (52);

(E) The age upon completion of twenty-eight (28) years of credited service, if the provisions of § 24-4-521 are not used to determine any portion of the credited service;

(F) For a member of the General Assembly with twelve (12) years of actual service, ten (10) of which must be as a member of the General Assembly, at age fifty-five (55). A member of the General Assembly who was either serving in the General Assembly on July 1, 1979, or held an elected office on July 1, 1979, shall be eligible to retire with seventeen and one-half (17 1/2) years of actual service regardless of age;

(G) An elected state constitutional officer shall be eligible to retire with twenty-eight (28) years of credited service at age fifty-five (55); and

(H) Notwithstanding subdivision (28)(C) of this section, in the case of a deputy sheriff who has a minimum of twenty-five (25) years of actual service as a deputy sheriff, the minimum retirement age shall be fifty-two (52);

(29) "Participating public employer" means:

(A) Any county, municipality, rural waterworks facilities board, regional airport authority, public facilities board, regional solid waste management board, joint county and municipal sanitation authority, or regional water distribution board in the state whose employees are included in the membership of the Arkansas Public Employees' Retirement System;

(B) The employees of the Intergovernmental Juvenile Detention Council of the Tenth Judicial District who are included in the membership of the Arkansas Public Employees' Retirement System; or

(C) A public rehabilitative services corporation or local unit of government as provided for in § 24-4-746;

(30)(A) "Prior service", in the case of a state or municipal employee, means personal service rendered by the employee to a public employer prior to July 1, 1957.

(B) The term "prior service", in the case of a county employee, means personal service rendered by the employee to a public employer prior to July 1, 1959;

(31) "Public employer" means the State of Arkansas or any participating public employer;

(32) "Public facilities board" means any public facilities board created under the Public Facilities Boards Act, § 14-137-101 et seq., which has chosen by a majority vote of the full-time employees to participate in the Arkansas Public Employees' Retirement System;

(33) "Public Rehabilitation Services Corporations" means those entities participating in the Arkansas Public Employees' Retirement System under the provisions of § 24-4-746;

(34)(A) "Public safety member" means a noncontributory member whose covered employment is for personal services as a police officer or firefighter and his or her employment commenced prior to July 1, 1997.

(B)(i) "Police officer" means any regular or permanent employee whose primary duty is law enforcement of a municipal police department, a county sheriff's office, or the Department of Arkansas State Police, including probationary police officers, and shall also include wildlife officers of the Arkansas State Game and Fish Commission and all officers and the Director of the State Capitol Police within the office of the Secretary of State.

(ii) An officer who, although assigned to administrative duties, is still subject to call for service at patrol duty or duty in the field or is subject to call for duties in emergency situations requiring the officer to be armed with a firearm shall be considered to have the primary duty of law enforcement for the purpose of this subdivision (34)(B).

(iii) The term "police officer" shall not include any civilian employee of a police department or any person temporarily employed as a police officer during an emergency.

(C)(i) "Firefighter" means any regular employee of a fire department whose primary duty is fire fighting, including probationary firefighters.

(ii) "Firefighter" shall not include any civilian employee of a fire department or any person temporarily employed as a firefighter during an emergency.

(D) "Public safety member" shall not include a member whose employment as a police officer or firefighter commenced on or after July 1, 1997.

(E) A public safety member who receives or has received credited service at one and one-half (1 1/2) times the regular rate for crediting service may change employers and continue to receive credited service at one and one-half (1 1/2) times the regular rate for crediting service, provided:

(i) The person is employed as a public safety officer within six (6) months of termination from employment as a public safety member; and

(ii) The employer provides public safety officers credited service at one and one-half (1 1/2) times the regular rate for crediting service;

(35) "Public safety officer" means:

(A) A person classified as a public safety member under subdivision (34) of this section; or

(B) A warden or correctional officer of the Department of Correction as designated by the Director of the Department of Correction.

~~(35)~~(36) "Regional airport authority" means any regional airport authority created under the Regional Airport Act, § 14-362-101 et seq., which was formed after January 1, 1990, and which has chosen to participate in the Arkansas Public Employees' Retirement System;

~~(36)~~(37) "Regional solid waste management board" means any regional solid waste management board defined under § 8-6-701 et seq. which has chosen by a majority vote of the full-time employees to participate in the Arkansas Public Employees' Retirement System;

~~(37)~~(38) "Regional water distribution board" means any regional water distribution board created under the Regional Water Distribution District Act, § 14-116-101 et seq., which has chosen by a majority vote of the full-time employees to participate in the Arkansas Public Employees' Retirement System;

~~(38)~~(39)(A) "Regular interest" means such rates of interest per annum, compounded annually, as the board shall prescribe from time to time.

(B) However, for circumstances entered into July 1, 1985, or later, when payments are payable to the Arkansas Public Employees' Retirement System by a member together with regular interest thereon, the rate of interest shall be the same for all circumstances and shall be six percent (6%) per annum unless changed by the board;

~~(39)~~(40) "Retirant" means a person receiving a plan annuity by reason of having been a member of the Arkansas Public Employees' Retirement System;

~~(40)~~(41) "Retirement" means a member's withdrawal from the service of a public employer, with an annuity payable from funds of the Arkansas Public Employees' Retirement System;

~~(41)~~(42) "Rural waterworks facilities board" means a rural waterworks facilities board created under the Rural Waterworks Facilities Boards Act, § 14-238-101 et seq.;

~~(42)~~(43) "Social Security" means the federal Social Security old age, survivors', and disability insurance program;

~~(43)~~(44) "State" means the State of Arkansas and includes all agencies, offices, departments, boards, commissions, and state-supported institutions that are duly constituted agencies of the state;

~~(44)~~(45)(A) "State employees" means all otherwise eligible employees whose compensations were, or are, payable from funds appropriated by the state and includes all employees whose compensations were, or are, payable in whole or in part from federal funds.

(B) In any case of doubt as to who is a state employee within the meaning of this act, the board shall have the final power to decide the question; and

~~(45)~~(46) "System" means the Arkansas Public Employees' Retirement System.

SECTION 2. Arkansas Code Title 24, Chapter 4, Subchapter 7 is amended to add an additional section to read as follows:

24-4-750. Multiplier for public safety officers who became system members beginning July 1, 1997.

The multiplier used to calculate an annuity for a public safety officer who became a member of the Arkansas Public Employees' Retirement System beginning July 1, 1997, shall be as follows:

(1) For a noncontributory member of the system, two and twenty-one hundredths percent (2.21%); and

(2) For a contributory member of the system, two and one half percent (2.5%).

SECTION 3. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that this act affects the retirement benefits of members of the Arkansas Public Employees' Retirement System classified as public safety officers and the ideal time to revise benefit provisions of the system 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 the public peace, health, and safety shall become effective on July 1, 2007."

(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. 136 was ordered engrossed.

On motion of Senator Madison, **Senate Bill No. 22** was withdrawn from the Committee on INSURANCE & COMMERCE, 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. 22

Amend **Senate Bill No. 22** as originally introduced:

Add Senator Salmon as cosponsor of the bill

AND

Delete the title of the bill and substitute the following:

"AN ACT TO REGULATE THE SELECTION AND USE OF TEXTBOOKS AND COURSE MATERIALS AT STATE-SUPPORTED INSTITUTIONS OF HIGHER EDUCATION; TO MINIMIZE THE COST OF TEXTBOOKS AND COURSE MATERIALS; AND FOR OTHER PURPOSES."

AND

Delete the subtitle of the bill and substitute the following:

"TO REGULATE THE SELECTION AND USE OF TEXTBOOKS AND COURSE MATERIALS AND TO MINIMIZE THE COST OF TEXTBOOKS AND COURSE MATERIALS AT STATE-SUPPORTED INSTITUTIONS OF HIGHER EDUCATION."

AND

Page 1, line 32, delete "college or university" and substitute "institution of higher education"

AND

Page 2, line 14, delete "bookstore's"

AND

Page 2, delete lines 18 and 19 and substitute the following:

"(c)(1) As used in this section, "bundled package" means any combination of one (1) or more reusable textbooks and one (1) or more non-reusable textbooks, workbooks, CD-ROMs, floppy disks, passwords,"

AND

Page 2, delete lines 20 through 26, and substitute "interactive hand-held remote devices, flash drives, or any other memory-storing device as a package for sale."

AND

Page 2, line 27, delete "college or university" and substitute "institution of higher education"

AND

Page 2, delete line 28, and substitute the following:

"select or use for instruction a bundled package if:

(A) Any component of the package is not offered for sale individually; and

(B) The cost of purchasing the items packaged together as one (1) purchase equals or exceeds the cost of purchasing the items individually."

AND

Page 3, delete lines 1 through 7 and substitute the following:

"state-supported institution of higher education to the:

(A) Chief academic officer of the institution;

(B) Chief legal counsel of the institution; and

(C) Legislative Council; and"

(SIGNED) SENATOR MADISON

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 22 was ordered engrossed.

On motion of Senator Madison, **Senate Bill No. 24** was withdrawn from the Committee on INSURANCE & COMMERCE, 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. 24

Amend **Senate Bill No. 24** as engrossed, S1/25/07:

Page 2, line 9, delete "(c)(1)" and substitute "(c)"

AND

Page 2, line 12, delete "(A)" and substitute "(1)"

AND

Page 2, line 13, delete "dean" and substitute "dean or division head"

AND

Page 2, delete line 14 and substitute the following:

"(2) The dean or division head of the college forwards to the chief academic officer of"

AND

Page 2, line 17, delete "(i)" and substitute "(A)"

AND

Page 2, line 18, delete "(ii)" and substitute "(B)"

AND

Page 2, line 20, delete "(iii)" and substitute "(C)"

AND

Page 2, delete lines 22 through 26.

(SIGNED) SENATOR MADISON

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 24 was ordered engrossed.

On motion of Senator Madison, **Senate Bill No. 25** was withdrawn from the Committee on INSURANCE & COMMERCE, 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. 25

Amend **Senate Bill No. 25** as engrossed, S1/31/07:

Page 2, delete line 20 and substitute the following:

"(B) The dean or division head of the college forwards to the chief academic officer of"

(SIGNED) SENATOR MADISON

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 25 was ordered engrossed.

On motion of Senator Madison, **Senate Bill No. 31** was withdrawn from the Committee on INSURANCE & COMMERCE, 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. 31

Amend **Senate Bill No. 31** as engrossed, S1/30/07:

Page 2, line 13 delete "or suspected violation"

AND

Page 2, delete lines 18 through 21.

(SIGNED) SENATOR MADISON

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 31 was ordered engrossed.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 6, 2007

Mr. President:

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

SENATE BILL NO. 85, BY SENATOR T. SMITH,
SENATE BILL NO. 120, BY SENATOR T. SMITH,

beg leave to report that we have carefully compared the enrolled copies with the original and we find the same correctly enrolled and have at 9:08 a.m. delivered them to the Governor for his approval.

Respectfully submitted,

(SIGNED) HENRY "HANK" WILKINS, IV
CHAIRMAN

GOVERNOR'S BILL RECEIPTS

SENATE BILL NO. 85
SENATE BILL NO. 120

RECEIVED the above papers from the Secretary of the Senate this 6th day of February, 2007 at 9:08 a.m..

(SIGNED) MIKE BEEBE
Governor

(SIGNED) Angela Tollette
Secretary

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 6, 2007

Mr. President:

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

SENATE BILL NO. 22, BY SENATOR MADISON,
SENATE BILL NO. 24, BY SENATOR MADISON,
SENATE BILL NO. 25, BY SENATOR MADISON,
SENATE BILL NO. 31, BY SENATOR MADISON,

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 Madison, **Senate Bill No. 22** were ordered re-referred to the Committee on INSURANCE & COMMERCE.

On motion of Senator Madison, **Senate Bill No. 24** was ordered re-referred to the Committee on INSURANCE & COMMERCE.

On motion of Senator Madison, **Senate Bill No. 25** was ordered re-referred to the Committee on INSURANCE & COMMERCE.

On motion of Senator Madison, **Senate Bill No. 31** was ordered re-referred to the Committee on INSURANCE & COMMERCE.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 6, 2007

Mr. President:

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

SENATE BILL NO. 136, BY SENATOR J. JEFFRESS,
SENATE BILL NO. 156, BY SENATOR SMITH,

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 J. Jeffress, **Senate Bill No. 136 and 156** were ordered referred to the Committee on JOINT RETIREMENT AND SOCIAL SECURITY.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 6, 2007

Mr. President:

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

SENATE BILL NO. 195, BY SENATOR J. JEFFRESS,
SENATE BILL NO. 196, 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 J. Jeffress, **Senate Bill No. 195 and 196** were ordered re-referred to the Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS.

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 6, 2007

Mr. President:

We, your Committee on AGRICULTURE, ECONOMIC & INDUSTRIAL DEVELOPMENT, to whom was referred:

SENATE BILL NO. 201, BY SENATOR HILL,

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

Respectfully submitted,

(SIGNED) SENATOR JIM LUKER
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 6, 2007

Mr. President:

We, your Committee on CITY, COUNTY & LOCAL AFFAIRS, to whom was referred:

SENATE BILL NO. 187, BY SENATOR T. SMITH,
SENATE BILL NO. 188, BY SENATOR MILLER,

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 IRMA HUNTER BROWN
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 6, 2007

Mr. President:

We, your Committee on CITY, COUNTY & LOCAL AFFAIRS, to whom was referred:

HOUSE BILL NO. 1183, BY REPRESENTATIVE T. BAKER,
HOUSE BILL NO. 1302, BY REPRESENTATIVE ABERNATHY,

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 IRMA HUNTER BROWN
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 6, 2007

Mr. President:

We, your Committee on CITY, COUNTY & LOCAL AFFAIRS, to whom was referred:

HOUSE BILL NO. 1176, BY REPRESENTATIVE PYLE,
HOUSE BILL NO. 1320, BY REPRESENTATIVE RAGLAND,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that they do pass as amended No. 1.

Respectfully submitted,

(SIGNED) SENATOR IRMA HUNTER BROWN
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 2, 2007

Mr. President:

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

HOUSE BILL NO. 1303, BY REPRESENTATIVE WELLS,

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

Respectfully submitted,

(SIGNED) SENATOR PAUL MILLER
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 6, 2007

Mr. President:

We, your Committee on JOINT BUDGET, to whom was referred:

SENATE BILL NO. 48, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 49, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 51, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 56, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 61, BY JOINT BUDGET COMMITTEE,

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 SHAWN WOMACK
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 6, 2007

Mr. President:

We, your Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS,
to whom was referred:

SENATE BILL NO. 55, BY SENATOR ALTES,
SENATE BILL NO. 225, BY SENATOR FARIS,
SENATE BILL NO. 230, BY SENATOR FARIS,

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 STEVE FARIS
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 6, 2007

Mr. President:

We, your Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS,
to whom was referred:

HOUSE BILL NO. 1007, BY REPRESENTATIVE THYER,
HOUSE BILL NO. 1287, BY REPRESENTATIVE REYNOLDS,

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 STEVE FARIS
CHAIRMAN

SENATE JOINT RESOLUTION NO. 5
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR J. JEFFRESS

AMENDING PROVISIONS OF THE ARKANSAS CONSTITUTION CONCERNING VOTING AND ELECTIONS; PROVIDING THAT ALL PERSONS MAY VOTE WHO ARE CITIZENS OF THE UNITED STATES, RESIDENTS OF THE STATE OF ARKANSAS, AT LEAST EIGHTEEN (18) YEARS OF AGE, AND LAWFULLY REGISTERED TO VOTE; PROVIDING THAT ANY PERSON WHO WILL HAVE ATTAINED THE AGE OF EIGHTEEN (18) YEARS ON OR BEFORE THE DATE OF THE NEXT GENERAL ELECTION IS ENTITLED TO VOTE AT THE PRIMARY ELECTION; TO REPEAL THE REQUIREMENT THAT THE RIGHT TO VOTE SHALL NOT BE MADE TO DEPEND ON ANY PREVIOUS REGISTRATION OF AN ELECTOR'S NAME; REPEALING ARTICLE 3, SECTION 5 OF THE ARKANSAS CONSTITUTION PROVIDING THAT NO IDIOT OR INSANE PERSON SHALL BE ENTITLED TO THE PRIVILEGES OF AN ELECTOR; AND PERMITTING THE GENERAL ASSEMBLY TO ESTABLISH THE DATE AND TIME OF ELECTIONS AND THE QUALIFICATIONS OF ELECTION OFFICERS.

BE IT RESOLVED BY THE SENATE OF THE EIGHTY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ARKANSAS AND BY THE HOUSE OF REPRESENTATIVES, A MAJORITY OF ALL MEMBERS ELECTED TO EACH HOUSE AGREEING THERETO:

That the following is proposed as an amendment to the Constitution of the State of Arkansas, and upon being submitted to the electors of the state for approval or rejection at the next general election for Senators and Representatives, if a majority of the electors voting thereon at the election adopt the amendment, the amendment shall become a part of the Constitution of the State of Arkansas, to wit:

SECTION 1. Section 1 of Article 3 of the Arkansas Constitution is amended to read as follows:

§ 1. Qualifications of electors ~~-Equal suffrage - Poll tax.~~

~~Every citizen of the United States of the age of twenty-one years, who has resided in the State twelve months, in the county six months, and in the precinct, town or ward one month, next preceding any election at which they may propose to vote, except such persons as may for the commission of some felony be deprived of the right to vote by law passed by the General Assembly, and who shall exhibit a poll tax receipt or other evidence that they have paid their poll tax at the time of collecting taxes next preceding such election, shall be allowed to vote at any election in the State of Arkansas, provided, that persons who make satisfactory proof that~~

they have attained the age of twenty-one years since the time of assessing taxes next preceding said election and possess the other necessary qualifications, shall be permitted to vote; and, provided, further, that the said tax receipt shall be so marked by dated stamp or written endorsement by the judges of election to whom it may be first presented as to prevent the holder thereof from voting more than once at any election. It is declared to be the purpose of this amendment to deny the right of suffrage to aliens and it is declared to be the purpose of this amendment to confer suffrage equally upon both men and women, without regard to sex; provided, that women shall not be compelled to serve on juries. [As amended by Const. Amend. 8.] Except as otherwise provided by this Constitution, any person may vote in an election in this state who is:

(1) A citizen of the United States;

(2) A resident of the State of Arkansas;

(3)(A) Except as provided in subdivision (3)(B) of this section, at least eighteen (18) years of age.

(B) At a primary election, any person who will have attained the age of eighteen (18) years on or before the date of the next general election is entitled to vote at the primary election; and

(4) Lawfully registered to vote in the election.

SECTION 2. Section 2 of Article 3 of the Arkansas Constitution is amended to read as follows:

§ 2. Right of suffrage.

Elections shall be free and equal. No power, civil or military, shall ever interfere to prevent the free exercise of the right of suffrage; nor shall any law be enacted, whereby the right to vote at any election shall be made to depend upon any previous registration of the elector's name; or whereby such right shall be impaired or forfeited, except for the commission of a felony at common law, upon lawful conviction thereof.

SECTION 3. Section 5 of Article 3 is repealed.

§ 5. Idiots and insane persons

No idiot or insane person shall be entitled to the privileges of an elector

SECTION 4. Section 8 of Article 3 of the Arkansas Constitution is amended to read as follows:

§ 8. Time of holding elections.

The general elections shall be held biennially, on the first Monday of September; but the General Assembly may, by law, fix a different time the days and at times fixed by the General Assembly.

SECTION 5. Section 10 of Article 3 of the Arkansas Constitution is amended to read as follows:

§ 10. Election officers.

~~No person shall be qualified to serve as an election officer who shall hold, at the time of the election, any office, appointment, or employment in or under the government of the United States, or of this State, or in any city or county or any municipal board, commission or trust in any city, save only the justices of the peace, and aldermen, notaries public and persons in the militia service of the State. Nor shall any election officer be eligible to any civil office to be filled at an election at which he shall serve save only to such subordinate municipal or local offices, below the grade of city or county officers, as shall be designated by general law~~ The General Assembly shall determine the qualifications of an election officer.

Senate Joint Resolution No. 5 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

SENATE BILL NO. 260
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR ALTES
BY: REPRESENTATIVE GLIDEWELL

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE § 18-15-401; AND FOR OTHER PURPOSES.

Senate Bill No. 260 was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY & LOCAL AFFAIRS.

SENATE BILL NO. 261
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR GRANTS AND AID TO LOCAL SCHOOL DISTRICTS AND SPECIAL PROGRAMS FOR THE DEPARTMENT OF EDUCATION FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Senate Bill No. 261 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 262
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE DEPARTMENT OF EDUCATION FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Senate Bill No. 262 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

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

SENATE JOINT RESOLUTION NO. 6
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR FARIS

A Bill for an Act to be Entitled: AN AMENDMENT TO THE ARKANSAS CONSTITUTION TO PROVIDE THAT FEES, MONEYS, OR FUNDS RELATED TO OIL, GAS, OR OTHER MINERALS IN AND UNDER LANDS OWNED BY THE ARKANSAS STATE GAME AND FISH COMMISSION SHALL BE REMITTED TO THE TREASURER OF STATE TO BE CREDITED TO THE STATE GENERAL REVENUES.

BE IT RESOLVED BY THE SENATE OF THE EIGHTY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ARKANSAS AND BY THE HOUSE OF REPRESENTATIVES, A MAJORITY OF ALL MEMBERS ELECTED TO EACH HOUSE AGREEING THERETO:

That the following is proposed as an amendment to the Constitution of the State of Arkansas, and upon being submitted to the electors of the state for approval or rejection at the next general election for Senators and Representatives, if a majority of the electors voting thereon at the election adopt the amendment, the amendment shall become a part of the Constitution of the State of Arkansas, to wit:

SECTION 1. Section 8 of Amendment 35 of the Arkansas Constitution is amended to read as follows:

§ 8. Nepotism prohibited - Powers of arrest - Funds - Use - Purposes - Game Protection Fund - Audit of accounts - Resident hunting and fishing licenses - Powers of commission.

(a)(1) No person shall be employed by the Commission who shall be related to any of the Commissioners or any other State officers within the third degree of relationship by blood or marriage.

(2) All employed personnel may make arrests for violation of the game and fish laws.

(b)(1)(A) ~~The~~ Except as provided in subdivision (b)(2) of this section, fees, monies, or funds arising from all sources by the operation and transaction of the said Commission and from the application and administration of the laws and regulations pertaining to birds, game, fish and wildlife resources of the State and the sale of property used for said purposes shall be expended by the Commission for the control, management, restoration, conservation and regulation of the birds, fish and wildlife resources of the State, including the purchases or other acquisitions of property for said purposes and for the administration of the laws pertaining thereto and for no other purposes.

(B) All monies described in subdivision (b)(1)(A) of this section shall be deposited in the Game Protection Fund with the ~~State~~ Treasurer of State and such monies as are necessary, including an emergency fund, shall be appropriated by the ~~Legislature~~ General Assembly at each legislative session for the use of the ~~Game and Fish~~ Commission as hereto set forth.

(C) No monies described in subdivision (b)(1)(A) of this section other than those credited to the Game Protection Fund can be appropriated.

(2) Fees, moneys, or funds related to oil, gas, or other minerals in and under lands owned by the Commission shall be remitted to the Treasurer of State to be credited to the state general revenues and may be appropriated by the General Assembly for any purpose for which state general revenues may be used.

(c) All money to the credit of or that should be credited to the present Game Protection Fund shall be credited to the new Game Protection Fund and any appropriation made by the ~~Legislature~~ General Assembly out of the Game Protection Fund shall be construed to be for the use of the new Commission and out of the new Game Protection Fund.

(d) The books, accounts and financial affairs of the Commission shall be audited by the ~~State Comptroller~~ Chief Fiscal Officer of the State as that department deems necessary, but at least once a year.

(e) Resident hunting and fishing license, each, shall be One and 50/100 Dollars annually, and shall not exceed this amount unless a higher license fee is authorized by an Act of Legislature the General Assembly.

(f)(1) The Commission shall have the exclusive power and authority to issue licenses and permits, to regulate bag limits and the manner of taking game and fish and furbearing animals, and shall have the authority to divide the State into zones, and regulate seasons and manner of taking game, and fish and furbearing animals therein, and fix penalties for violations.

(2) No rule or regulations shall apply to less than a complete zone, except temporarily in case of extreme emergency.

(g)(1) Said Commission shall have the power to acquire by purchase, gifts, eminent domain, or otherwise, all property necessary, useful or convenient for the use of the Commission in the exercise of any of its duties, and in the event the right of eminent domain is exercised, it shall be exercised in the same manner as now or hereafter provided for the exercise of eminent domain by the State Highway Commission.

(2) All laws now in effect shall continue in force until changed by the Commission.

(3) All contracts and agreements now in effect shall remain in force until the date of their expiration.

(h) This amendment shall not repeal, alter or modify the provisions of any existing special laws under the terms of which a County Game Commission has been created:

(i) The Commission shall be empowered to spend such monies as are necessary to match Federal grants under the Pittman-Robertson or similar acts for the propagation, conservation and restoration of game and fish.

(j) This amendment shall become effective July 1, 1945.

SECTION 2. This amendment shall become effective on January 1, 2009.

Senate Joint Resolution No. 6 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

SENATE BILL NO. 264
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR WILKINS

A Bill for an Act to be Entitled: AN ACT TO CREATE THE OFFENSE OF HATE CRIME; TO ESTABLISH PENALTIES FOR A HATE CRIME; AND FOR OTHER PURPOSES.

Senate Bill No. 264 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

SENATE BILL NO. 265
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO REPEAL SECTION 4 OF ACT 2315 OF 2005; AND FOR OTHER PURPOSES.

Senate Bill No. 265 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 266
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR SALMON

A Bill for an Act to be Entitled: AN ACT TO AMEND THE ADULT AND LONG-TERM CARE FACILITY RESIDENT MALTREATMENT ACT; TO FURTHER PROTECT ENDANGERED SENIOR CITIZENS BY PROVIDING THE DEPARTMENT OF HEALTH AND HUMAN SERVICES WITH EXPANDED INVESTIGATIVE AUTHORITY; TO PROVIDE COURT PROCEDURES FOR OVERSEEING THE NEW INVESTIGATIVE AUTHORITY; AND FOR OTHER PURPOSES.

Senate Bill No. 266 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

SENATE BILL NO. 267
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR BOOKOUT

A Bill for an Act to be Entitled: AN ACT TO REQUIRE A FACT OF DEATH RECORD TO BE FILED WITH THE DIVISION OF VITAL RECORDS OF THE DIVISION OF HEALTH OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES; TO ENSURE THE TIMELY RECEIPT OF DEATH INFORMATION; TO ALLOW FAMILY MEMBERS PROMPT ACCESS TO BENEFITS; TO ASSIST IN THE PREVENTION OF FRAUD AND IDENTITY THEFT INVOLVING SOCIAL SECURITY NUMBERS; AND FOR OTHER PURPOSES.

Senate Bill No. 267 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

On motion of Senator Faris, **Senate Resolution No. 6** was called up for third reading and final disposition.

**SENATE RESOLUTION NO. 6
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR FARIS**

SENATE RESOLUTION FOR THE CONFIRMATION OF MR. BILL ABERNATHY OF MENA, ARKANSAS, AS A MEMBER OF THE BOARD OF DIRECTORS OF THE ARKANSAS RURAL ENDOWMENT FUND, INC.

Senate Resolution No. 6 was read the third time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

On motion of Senator J. Jeffress, **House Bill No. 1101** was withdrawn from the Committee on PUBLIC HEALTH, WELFARE & LABOR, and 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. 1101

Amend **House Bill No. 1101** as engrossed: H1/26/07

Page 1, delete line 34 and substitute the following:
"regulations for hospitals ~~and related institutions~~ in Arkansas."

AND

Page 2, delete lines 2 and 3 and substitute the following:
"and practices as governed by the current rules and regulations of hospitals ~~and related institutions~~;"

(SIGNED) SENATOR J. JEFFRESS

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1101 was ordered engrossed.

The President declared the morning hour to have expired.

On motion of Senator Faris, Amendment No. 1 to **Senate Bill No. 202** was withdrawn.

On motion of Senator Faris, **Senate Bill No. 202** was called up for third reading and final disposition.

SENATE BILL NO. 202
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR FARIS

A Bill for an Act to be Entitled: AN ACT CLARIFYING ARKANSAS LAWS CONCERNING BALLOT BEARERS, AUTHORIZED AGENTS, AND ADMINISTRATORS; AND FOR OTHER PURPOSES.

Senate Bill No. 202 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
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. 202 was ordered immediately transmitted to the House as passed.

On motion of Senator Faris, Amendment No. 1 to **Senate Bill No. 224** was withdrawn.

On motion of Senator Faris, **Senate Bill No. 224** was called up for third reading and final disposition.

**SENATE BILL NO. 224
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR FARIS**

A Bill for an Act to be Entitled: AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE ELECTION LAWS OF THE STATE OF ARKANSAS; AND FOR OTHER PURPOSES.

Senate Bill No. 224 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, Argue, Baker, Bisbee, Bookout, Broadway, 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	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
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. 224 was ordered immediately transmitted to the House as passed.

On motion of Senator Bisbee, **House Bill No. 1072** was called up for third reading and final disposition.

HOUSE BILL NO. 1072
As Engrossed: H1/9/07 S2/1/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES WALTERS, ABERNATHY, COOK, & R. GREEN
BY: SENATORS WILKINSON AND ALTES

A Bill for an Act to be Entitled: AN ACT TO DEFINE BULLYING; TO INCLUDE CYBERBULLYING IN PUBLIC SCHOOL DISTRICT ANTIBULLYING POLICIES; AND FOR OTHER PURPOSES.

Senator Jimmy Jeffress spoke against the Bill.

Senator Wilkinson spoke for the Bill.

Senator Bisbee closed for the Bill.

House Bill No. 1072 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, Argue, Baker, Bisbee, Bookout, Broadway, Brown, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Hill, Horn, G. Jeffress, B. Johnson, Madison, Malone, Miller, B. Pritchard, T. Smith, Steele, J. Taylor, R. Thompson, Trusty, Wilkins, Wilkinson, Womack.

Total29

NEGATIVE: J. Jeffress.

Total1

ABSENT OR NOT VOTING: Bryles, Lavery, Luker, Salmon.

Total4

VOTING PRESENT: Whitaker.

Total1

Total number of votes cast31
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. 1072 was ordered immediately returned to the House as passed as amended.

On motion of Senator Faris, House Bill No. 1131 was called up for third reading and final disposition.

HOUSE BILL NO. 1131

As Engrossed: H1/18/07 H1/24/07 S2/1/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES S. PRATER, ADCOCK, ROSENBAUM, GEORGE,
WOOD, BURRIS, D. CREEKMORE, S. DOBBINS, R. GREEN, HARDY,
HARRELSON, MEDLEY, RAGLAND, REEP, J. ROEBUCK & WEBB

BY: SENATORS FARIS, WHITAKER, J. JEFFRESS, BROADWAY & SALMON

A Bill for an Act to be Entitled: AN ACT TO ESTABLISH THE ARKANSAS LEGISLATIVE TASK FORCE ON TRAUMATIC BRAIN INJURY; AND FOR OTHER PURPOSES.

House Bill No. 1131 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, Argue, Baker, Bisbee, Bookout, Broadway, 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	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
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. 1131 was ordered immediately returned to the House as passed as amended.

On motion of Senator Smith, **House Bill No. 1022** was called up for third reading and final disposition.

HOUSE BILL NO. 1022
As Engrossed: H1/19/07 S2/5/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

**BY: REPRESENTATIVES SAMPLE, DUNN, HALL, SAUNDERS, SHELBY,
ALLEN, ET AL**
BY: SENATOR T. SMITH

A Bill for an Act to be Entitled: AN ACT TO IMPOSE A BOOKING AND ADMINISTRATION FEE IN CERTAIN CASES FOR THE SUPPORT OF COUNTY JAILS OR REGIONAL DETENTION FACILITIES; AND FOR OTHER PURPOSES.

House Bill No. 1022 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, Argue, Baker, Bisbee, Bookout, Broadway, 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	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
Necessary to the passage of the bill	27

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. 1022**, 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, Argue, Baker, Bisbee, Bookout, Broadway, 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	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
Necessary to the adoption of the Emergency Clause	24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1022 was ordered immediately returned to the House as passed as amended.

On motion of Senator Faris, **Senate Bill No. 230** was ordered re-referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

Senator Wilkins moved that the record by which the Emergency Clause to **House Bill No. 1104** was failed of adoption be expunged.

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

AFFIRMATIVE: Altes, Baker, Bookout, Brown, Bryles, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Horn, B. Johnson, Miller, T. Smith, Steele, R. Thompson, Trusty, Whitaker, Wilkins, Wilkinson, Womack.

Total22

NEGATIVE: Argue, Bisbee, Hill, J. Jeffress, Luker, Salmon.

Total6

ABSENT OR NOT VOTING: Broadway, G. Jeffress, Lavery, Madison, Malone, B. Pritchard, J. Taylor.

Total7

VOTING PRESENT:

Total0

Total number of votes cast.....28

Necessary to passage of the motion24

So the motion to expunge the failure of the Emergency Clause to **House Bill No. 1104** failed.

(SIGNED) ANN CORNWELL, SECRETARY

On motion of Senator Baker, **House Bill No. 1241** was called up for third reading and final disposition.

HOUSE BILL NO. 1241
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES WEBB, ADCOCK, ALLEN, T. BAKER,
BLOUNT, BOND, ET AL
BY: SENATOR BAKER

A Bill for an Act to be Entitled: AN ACT TO ESTABLISH THE ARKANSAS INFORMATION READING SERVICES FOR THE BLIND WITHIN THE DIVISION OF STATE SERVICES FOR THE BLIND OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES; AND FOR OTHER PURPOSES.

House Bill No. 1241 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
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. 1241 was ordered immediately returned to the House as passed.

On motion of Senator Womack, the Senate resolved itself into the Committee of the Whole for the purpose of JOINT BUDGET Bills on the Calendar.

Without objection, the Committee of the Whole was dissolved, and the Senate took up its regular order of business.

On motion of Senator Womack, the rules were suspended in considering House Bill No. 1018 at this time.

On motion of Senator Womack, House Bill No. 1018 was called up for third reading and final disposition.

HOUSE BILL NO. 1018
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE ANDERSON

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE §19-5-107, CONCERNING CASH FUND APPROPRIATIONS FOR AGENCIES; AND FOR OTHER PURPOSES.

House Bill No. 1018 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total	0
Total number of votes cast.....	35
Necessary to the passage of the bill	27

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1018 was ordered immediately returned to the House as passed.

On motion of Senator Womack, the rules were suspended in considering House Bill No. 1056 at this time.

On motion of Senator Womack, House Bill No. 1056 was called up for third reading and final disposition.

HOUSE BILL NO. 1056
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF ARKANSAS STATE POLICE FOR OPERATING EXPENSES WHICH SHALL BE SUPPLEMENTAL AND IN ADDITION TO THOSE FUNDS APPROPRIATED BY ACT 2031 OF 2005; AND FOR OTHER PURPOSES.

House Bill No. 1056 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35

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 **House Bill No. 1056**, 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0
Total number of votes cast.....35
Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1056 was ordered immediately returned to the House as passed.

On motion of Senator J. Jeffress, the Senate resolved itself into the Committee of the Whole for the purpose of JOINT RETIREMENT AND SOCIAL SECURITY Bills on the Calendar.

Without objection, the Committee of the Whole was dissolved, and the Senate took up its regular order of business

On motion of Senator J. Jeffress, the rules were suspended in considering Senate Bill No. 80 at this time.

On motion of Senator J. Jeffress, Senate Bill No. 80 was called up for third reading and final disposition.

SENATE BILL NO. 80
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR J. JEFFRESS
BY: REPRESENTATIVE NORTON

A Bill for an Act to be Entitled: AN ACT CONCERNING CONTRIBUTORY AND NONCONTRIBUTORY STATUS IN THE ARKANSAS TEACHER RETIREMENT SYSTEM; AND FOR OTHER PURPOSES.

Senate Bill No. 80 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, Argue, Baker, Bisbee, Bookout, Broadway, 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	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
Necessary to the passage of the bill	27

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. 80**, 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
Necessary to the adoption of the Emergency Clause	24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 80 was ordered immediately transmitted to the House.

On motion of Senator J. Jeffress, the rules were suspended in considering Senate Bill No. 166 at this time.

On motion of Senator J. Jeffress, Senate Bill No. 166 was called up for third reading and final disposition.

SENATE BILL NO. 166
As Engrossed: S1/31/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR J. JEFFRESS

A Bill for an Act to be Entitled: AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE ARKANSAS TEACHER RETIREMENT SYSTEM; AND FOR OTHER PURPOSES.

Senate Bill No. 166 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, Argue, Baker, Bisbee, Bookout, Broadway, 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	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0

Total number of votes cast.....35
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. 166**, 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35
Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 166 was ordered immediately transmitted to the House.

On motion of Senator J. Jeffress, the rules were suspended in considering **House Bill No. 1026** at this time.

On motion of Senator J. Jeffress, **House Bill No. 1026** was called up for third reading and final disposition.

HOUSE BILL NO. 1026

As Engrossed: H1/26/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES HARDY, S. PRATER, BLOUNT, DAVENPORT, DAVIS, GARNER, J. JOHNSON, MOORE, OVERBEY & RAINEY

BY: SENATORS FARIS AND J. JEFFRESS

A Bill for an Act to be Entitled: AN ACT TO PROTECT THE FAMILIES OF FIREFIGHTERS AND POLICE OFFICERS; TO ENSURE THAT FIREFIGHTERS AND POLICE OFFICERS WHO LOSE THEIR LIVES AS THE RESULT OF THEIR DUTIES RECEIVE BENEFITS UNDER FEDERAL LAW; AND FOR OTHER PURPOSES.

House Bill No. 1026 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35
 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. 1026**, 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35
 Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1026 was ordered immediately returned to the House as passed.

On motion of Senator J. Jeffress, the rules were suspended in considering House Bill No. 1234 at this time.

On motion of Senator J. Jeffress, House Bill No. 1234 was called up for third reading and final disposition.

HOUSE BILL NO. 1234
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE HARRIS

A Bill for an Act to be Entitled: AN ACT CONCERNING THE OPERATION OF THE ARKANSAS FIRE AND POLICE PENSION REVIEW BOARD TO PROVIDE TECHNICAL CORRECTIONS; AND FOR OTHER PURPOSES.

House Bill No. 1234 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35
 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. 1234 was ordered immediately returned to the House as passed.

ARKANSAS SENATE
 EIGHTY-SIXTH GENERAL ASSEMBLY
 REGULAR SESSION

February 6, 2007

Mr. President:

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

HOUSE BILL NO. 1101, BY REPRESENTATIVE REEP,

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, House Bill No. 1101 was ordered re-referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

SENATE CONCURRENT MEMORIAL RESOLUTION NO. 1
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

BY: SENATORS STEELE, BROWN, CRUMBLY & WILKINS

BY: REPRESENTATIVES BLOUNT, E. BROWN, CHESTERFIELD, DAVIS, ET AL

SENATE CONCURRENT MEMORIAL RESOLUTION IN RESPECTFUL MEMORY OF DR. JERRY DONAL JEWELL AND IN RECOGNITION OF HIS MANY CONTRIBUTIONS TO THE STATE OF ARKANSAS AND HIS LOCAL COMMUNITY.

Senate Concurrent Memorial Resolution No. 1 was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE JOINT RESOLUTION NO. 7
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR FARIS

A Bill for an Act to be Entitled: AMENDING THE ARKANSAS CONSTITUTION TO CREATE A CONSTITUTIONAL RIGHT TO HUNT, FISH, TRAP, AND HARVEST GAME.

BE IT RESOLVED BY THE SENATE OF THE EIGHTY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ARKANSAS AND BY THE HOUSE OF REPRESENTATIVES, A MAJORITY OF ALL MEMBERS ELECTED TO EACH HOUSE AGREEING THERETO:

That the following is proposed as an amendment to the Constitution of the State of Arkansas, and upon being submitted to the electors of the state for approval or rejection at the next general election for Senators and Representatives, if a majority of the electors voting thereon at the election adopt the amendment, the amendment shall become a part of the Constitution of the State of Arkansas, to wit:

SECTION 1. (a) The people of the State of Arkansas have a right to hunt, fish, trap, and harvest game, subject to reasonable regulation prescribed by the General Assembly and the Arkansas State Game and Fish Commission.

(b) Consistent with the public trust to conserve birds, fish, game, and wildlife as stated in Amendment 35 to the Arkansas Constitution, traditional methods may be used to take species traditionally pursued.

(c) Public hunting, fishing, and trapping shall be a preferred means of controlling invasive or overpopulated species.

Senate Joint Resolution No. 7 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

SENATE JOINT RESOLUTION NO. 8
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR BROADWAY

A Bill for an Act to be Entitled: AMENDING PROVISIONS OF THE ARKANSAS CONSTITUTION RELATING TO PUBLIC SCHOOL DISTRICT FINANCING; AMENDING THE ARKANSAS CONSTITUTION TO PERMIT A PUBLIC SCHOOL DISTRICT TO COMBINE REVENUES DERIVED FROM AN ANNUAL PROPERTY TAX ON THE ASSESSED VALUE OF TAXABLE REAL, PERSONAL, AND UTILITY PROPERTY WITH TAX REVENUES OF NO MORE THAN THREE (3) OTHER SCHOOL DISTRICTS TO SUPPORT A TECHNICAL SCHOOL.

BE IT RESOLVED BY THE SENATE OF THE EIGHTY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ARKANSAS AND BY THE HOUSE OF REPRESENTATIVES, A MAJORITY OF ALL MEMBERS ELECTED TO EACH HOUSE AGREEING THERETO:

That the following is proposed as an amendment to the Constitution of the State of Arkansas, and upon being submitted to the electors of the state for approval or rejection at the next general election for Senators and Representatives, if a majority of the electors voting thereon at the election adopt the amendment, the amendment shall become a part of the Constitution of the State of Arkansas, to wit:

SECTION 1. Section 3 of Article 14 of the Arkansas Constitution is amended to read as follows:

3. School tax - Budget - Approval of tax rate (Const., Art. 14, § 3, as amended by Const. Amend. 11, Const. Amend. 40, amended, and Const. Amend. 74).

(a) The General Assembly shall provide for the support of common schools by general law. In order to provide quality education, it is the goal of this state to provide a fair system for the distribution of funds. It is recognized that, in providing such a system, some funding variations may be necessary. The primary reason for allowing such variations is to allow school districts, to the extent permissible, to raise additional funds to enhance the educational system within the school district. It is further recognized that funding variations or restrictions thereon may be necessary in order to comply with, or due to, other provisions of this Constitution, the United States Constitution, state or federal laws, or court orders.

(b)(1) There is established a uniform rate of ad valorem property tax of twenty-five (25) mills to be levied on the assessed value of all taxable real, personal, and utility property in the state to be used solely for maintenance and operation of the schools.

(2) Except as provided in this subsection the uniform rate of tax shall not be an additional levy for maintenance and operation of the schools but shall replace a portion of the existing rate of tax levied by each school district available for maintenance and operation of schools in the school district. The rate of tax available for maintenance and operation levied by each school district on the effective date of this amendment shall be reduced to reflect the levy of the uniform rate of tax. If the rate of tax available for maintenance and operation levied by a school district on the effective date of this amendment exceeds the uniform rate of tax, the excess rate of tax shall continue to be levied by the school district until changed as provided in subsection (c)(1). If the rate of tax available for maintenance and operation levied by a school district on the effective date of this amendment is less than the uniform rate of tax, the uniform rate of tax shall nevertheless be levied in the district.

(3) The uniform rate of tax shall be assessed and collected in the same manner as other school property taxes, but the net revenues from the uniform rate of tax shall be remitted to the State Treasurer and distributed by the state to the school districts as provided by law. No portion of the revenues from the uniform rate of tax shall be retained by the state. The revenues so distributed shall be used by the school districts solely for maintenance and operation of schools.

(4) The General Assembly may by law propose an increase or decrease in the uniform rate of tax and submit the question to the electors of the state at the next general election. If a majority of the electors of the state voting on the issue vote For the proposed increase or decrease in the uniform rate of tax, the uniform rate of tax shall be increased or decreased as approved. If a majority of the electors of the state voting on the issue vote Against the proposed increase or decrease in the uniform rate of tax, the uniform rate of tax shall continue to be levied at the rate for the year in which the election is held.

(c)(1) In addition to the uniform rate of tax provided in subsection (b), school districts are authorized to levy, by a vote of the qualified electors respectively thereof, an annual ad valorem property tax on the assessed value of taxable real, personal, and utility property for the maintenance and operation of schools and the retirement of indebtedness. The Board of Directors of each school district shall prepare, approve and make public not less than sixty (60) days in advance of the annual school election a proposed budget of expenditures deemed necessary to provide for the foregoing purposes, together with a rate of tax levy sufficient to provide the funds therefor, including the rate under any continuing levy for the retirement of indebtedness. The Board of Directors shall submit the tax at the annual school election or at such other time as may be provided by law. If a majority of the qualified voters in the school district voting in the school election approve the rate of tax proposed by the Board of Directors, then the tax at the rate approved shall be collected as provided by law. In the event a majority of the qualified electors voting in the school election disapprove the proposed rate of tax, then the tax shall be collected at the rate approved in the last preceding school election. However, if the rate last approved has been modified pursuant to subsection (b) or (c)(2) of this

section, then the tax shall be collected at the modified rate until another rate is approved.

(2) The tax levied by a school district pursuant to subsection (c)(1) of this section may be reduced pursuant to procedures provided by law if the tax would cause the state or district to be out of compliance with any other provision of this Constitution, the United States Constitution, state or federal law, or court order.

(3) ~~No~~ Except as provided in subsection (e) of this section, no tax levied pursuant to under subsection (c)(1) of this section shall be appropriated to any other district than that for which it is levied.

(d) For the purposes of this section, "maintenance and operation" means such expenses for the general maintenance and operation of schools as may be defined by law. [As amended by Const. Amends 11, 40 and 74.]

(e) A school district may expend revenues from a tax levied under subdivision (c)(1) of this section in combination with the revenues of a tax levied pursuant to subdivision (c)(1) of this section of no more than three (3) other school districts for the purpose of supporting a technical school.

SECTION 2. This amendment shall become effective on January 1, 2009.

Senate Joint Resolution No. 8 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

SENATE BILL NO. 268

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATORS FARIS AND WILKINSON

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 read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

SENATE BILL NO. 269
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR J. JEFFRESS

A Bill for an Act to be Entitled: AN ACT TO PROTECT PROGRAMS DESIGNED TO ASSIST PERSONS SUFFERING FROM MENTAL ILLNESS; TO SUSTAIN THE AUTONOMY OF REHABILITATIVE SERVICES FOR PERSONS WITH MENTAL ILLNESS; AND FOR OTHER PURPOSES.

Senate Bill No. 269 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

SENATE BILL NO. 270
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MALONE

A Bill for an Act to be Entitled: AN ACT TO AMEND § 16-123-107 TO ADD DISCRIMINATION BECAUSE OF PUBLIC ASSISTANCE STATUS AS AN OFFENSE; AND FOR OTHER PURPOSES.

Senate Bill No. 270 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

SENATE BILL NO. 271
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MALONE

A Bill for an Act to be Entitled: AN ACT TO AMEND § 17-38-302 TO ADD AN EXEMPTION FOR MINOR REPLACEMENTS AND AN EXEMPTION FOR REPAIRS AND REPLACEMENTS TO RENTAL PROPERTY BY A RENTAL OPERATOR; AND FOR OTHER PURPOSES.

Senate Bill No. 271 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

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SENATE BILLS TRANSMITTED TO THE HOUSE
AS PASSED

- SENATE BILL NO. 80
- SENATE BILL NO. 166
- SENATE BILL NO. 202
- SENATE BILL NO. 224

HOUSE BILLS RETURNED TO THE HOUSE
AS PASSED

HOUSE BILL NO. 1018

HOUSE BILL NO. 1026

HOUSE BILL NO. 1056

HOUSE BILL NO. 1234

HOUSE BILL NO. 1241

HOUSE BILLS RETURNED TO THE HOUSE
AS PASSED AS AMENDED

HOUSE BILL NO. 1022 AS AMENDED NO. 1 & 2

HOUSE BILL NO. 1072 AS AMENDED NO. 1

HOUSE BILL NO. 1131 AS AMENDED NO. 1 & 2

On motion of Senator Whitaker, the Senate adjourned until 1:30 p.m.,
Wednesday, February 7, 2007.

PRESIDENT OF THE SENATE

SECRETARY OF THE SENATE

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

Little Rock, Arkansas

February 7, 2007

The Senate was called to order at 1:30 o'clock p.m. by the President.

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

ALTES, ARGUE, BAKER, BISBEE, BOOKOUT,
BROADWAY, 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.

The Senate was led in prayer by Senator Argue.

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 Wilkins, **Senate Bill No. 146** was withdrawn from the Committee on PUBLIC HEALTH, WELFARE & LABOR, and placed back on second reading for purpose of Amendment No. 3.

Amendment No. 2 was withdrawn by author.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 3 to SENATE BILL NO. 146

Amend **Senate Bill No. 146** as engrossed, S1/29/07 :

Page 2, delete line 35 and substitute the following:

"human beings without ~~the use of~~ administering drugs or surgery."

AND

Page 3, line 15, delete "17-102-102." and substitute "17-102-102; and"

AND

Page 3, delete lines 16 through 17 entirely

(SIGNED) SENATOR HENRY "HANK" WILKINS

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 146 was ordered engrossed.

On motion of Senator Faris, [Senate Joint Resolution No. 4](#) was withdrawn from the Committee on STATE AGENCIES & GOVERNMENTAL 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 JOINT RESOLUTION NO. 4](#)

Amend [Senate Joint Resolution No. 4](#) as originally introduced:

Page 1, line 9, delete "AN ACT TO AMEND" and substitute "AMENDING"

AND

Page 1, line 26, delete "AN ACT TO AMEND" and substitute "AMENDING"

(SIGNED) SENATOR FARIS

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

(SIGNED) ANN CORNWELL, SECRETARY

[Senate Joint Resolution No. 4](#) was ordered engrossed.

On motion of Senator Steele, **Senate Bill No. 191** was withdrawn from the Committee on PUBLIC HEALTH, WELFARE & LABOR, 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. 191

Amend **Senate Bill No. 191** as originally introduced:

Add Senator Faris as a cosponsor of the bill.

(SIGNED) SENATOR TRACY STEELE

The Amendment was read for 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 Faris, **Senate Bill No. 230** was withdrawn from the Committee on STATE AGENCIES & GOVERNMENTAL 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. 230

Amend **Senate Bill No. 230** as originally introduced:

Page 17, line 25, delete "voter" and substitute "ballot"

(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. 230 was ordered engrossed.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 7, 2007

Mr. President:

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

SENATE JOINT RESOLUTION NO. 4, BY SENATOR FARIS,

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 Faris, *Senate Joint Resolution No. 4* was ordered referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 7, 2007

Mr. President:

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

SENATE BILL NO. 146, BY SENATOR WILKINS,
SENATE BILL NO. 191, BY SENATOR STEELE,

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 Wilkins, **Senate Bill No. 146** was ordered re-referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

On motion of Senator Steele, **Senate Bill No. 191** was ordered re-referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 7, 2007

Mr. President:

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

SENATE BILL NO. 230, BY SENATOR FARIS,

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 Faris, **Senate Bill No. 230** was ordered re-referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 7, 2007

Mr. President:

We, your Committee on JOINT BUDGET, to whom was referred:

SENATE BILL NO. 258, BY JOINT BUDGET COMMITTEE,

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

Respectfully submitted,

(SIGNED) SENATOR SHAWN WOMACK
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 7, 2007

Mr. President:

We, your Committee on JUDICIARY, to whom was referred:

SENATE BILL NO. 2, BY SENATOR J. TAYLOR,
SENATE BILL NO. 182, BY SENATOR ALTES,
SENATE BILL NO. 184, BY SENATOR R. THOMPSON,
SENATE BILL NO. 213, BY SENATOR HILL,
SENATE BILL NO. 215, BY SENATOR T. SMITH,
SENATE BILL NO. 246, BY SENATOR WILKINSON,

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 ED WILKINSON
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 7, 2007

Mr. President:

We, your Committee on JUDICIARY, to whom was referred:

HOUSE BILL NO. 1235, BY REPRESENTATIVE MEDLEY,
HOUSE BILL NO. 1309, BY REPRESENTATIVE D. CREEKMORE,

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 ED WILKINSON
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 7, 2007

Mr. President:

We, your Committee on PUBLIC HEALTH, WELFARE & LABOR, to whom was referred:

HOUSE BILL NO. 1069, BY REPRESENTATIVE BOND,
HOUSE BILL NO. 1101, BY REPRESENTATIVE REEP,
HOUSE BILL NO. 1282, BY REPRESENTATIVE GEORGE,

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 JACK CRITCHER
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 7, 2007

Mr. President:

We, your Committee on PUBLIC HEALTH, WELFARE & LABOR, to whom was referred:

HOUSE BILL NO. 1196, BY REPRESENTATIVE PRATER,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that it do pass as amended No. 1.

Respectfully submitted,

(SIGNED) SENATOR JACK CRITCHER
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 7, 2007

Mr. President:

We, your Committee on REVENUE & TAXATION, to whom was referred:

SENATE BILL NO. 119, BY SENATOR HORN,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that it do pass as amended No. 3.

Respectfully submitted,

(SIGNED) SENATOR JIM HILL
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 7, 2007

Mr. President:

We, your Committee on REVENUE & TAXATION, to whom was referred:

HOUSE BILL NO. 1300, BY REPRESENTATIVE WYATT,

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

Respectfully submitted,

(SIGNED) SENATOR JIM HILL
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 7, 2007

Mr. President:

We, your Committee on REVENUE & TAXATION, to whom was referred:

HOUSE BILL NO. 1030, BY REPRESENTATIVE SULLIVAN,
HOUSE BILL NO. 1202, BY REPRESENTATIVE THYER,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that they do pass as amended No. 1.

Respectfully submitted,

(SIGNED) SENATOR JIM HILL
CHAIRMAN

STATE OF ARKANSAS
OFFICE OF THE GOVERNOR

STATE CAPITOL
LITTLE ROCK, ARKANSAS

MIKE BEEBE
Governor

February 6, 2007

TO THE PRESIDENT OF THE SENATE

Dear Mr. President:

This is to inform you that on February 6, 2007, I approved the following measures from the Regular Session of the Eighty-sixth General Assembly:

Senate Concurrent Resolution 2

Senate Bill 38 - ACT 50
Senate Bill 44 - ACT 51

Senate Bill 85 - ACT 52
Senate Bill 120 - ACT 53

Sincerely,

(SIGNED) MIKE BEEBE
Governor

SENATE JOINT RESOLUTION NO. 9
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR GLOVER

A Bill for an Act to be Entitled: AMENDING THE ARKANSAS CONSTITUTION CONCERNING SERVICE IN ELECTED POSITIONS; PROPOSING AN AMENDMENT TO THE ARKANSAS CONSTITUTION CONCERNING THE RECALL OF PERSONS ELECTED TO CONSTITUTIONAL OFFICES, MEMBERS OF THE SENATE, MEMBERS OF THE HOUSE OF REPRESENTATIVES, DISTRICT JUDGES, CIRCUIT JUDGES, JUDGES OF THE COURT OF APPEALS, JUSTICES OF THE SUPREME COURT, CIRCUIT CLERKS, COUNTY CLERKS, COUNTY JUDGES, COUNTY SHERIFFS, COUNTY ASSESSORS, COUNTY CORONERS, COUNTY TREASURERS, OR COUNTY SURVEYORS BY QUALIFIED ELECTORS OF THE STATE OF ARKANSAS; SPECIFYING THE PROCEDURE FOR REQUESTING AND CONDUCTING A RECALL ELECTION; PROPOSING AN AMENDMENT TO THE ARKANSAS CONSTITUTION CONCERNING INCREASING THE LENGTH OF TERMS OF CIRCUIT CLERKS, COUNTY CLERKS, COUNTY JUDGES, COUNTY SHERIFFS, COUNTY ASSESSORS, COUNTY CORONERS, COUNTY TREASURERS, COUNTY SURVEYORS, AND JUSTICES OF THE PEACE FROM TWO (2) YEARS TO FOUR (4) YEARS; AMENDING AMENDMENT 55 OF THE ARKANSAS CONSTITUTION CONCERNING THE QUALIFICATIONS TO SERVE AS A JUSTICE OF THE PEACE AND THE COMMISSION RECEIVED BY A JUSTICE OF THE PEACE; REPEALING OBSOLETE LANGUAGE; PROVIDING THAT PERSONS ELECTED TO THE HOUSE OF REPRESENTATIVES MAY SERVE SIX (6) TWO-YEAR TERMS; PROVIDING THAT PERSONS ELECTED TO THE SENATE MAY SERVE THREE (3) FOUR- YEAR TERMS; AND PROVIDING THAT JUDGES OF THE SUPREME COURT AND COURT OF APPEALS MAY SERVE NO MORE THAN TWO (2) EIGHT-YEAR TERMS.

Subtitle

AMENDING THE ARKANSAS CONSTITUTION
CONCERNING SERVICE IN ELECTED POSITIONS.

BE IT RESOLVED BY THE SENATE OF THE EIGHTY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ARKANSAS AND BY THE HOUSE OF REPRESENTATIVES, A MAJORITY OF ALL MEMBERS ELECTED TO EACH HOUSE AGREEING THERETO:

That the following is proposed as an amendment to the Constitution of the State of Arkansas, and upon being submitted to the electors of the state for approval or rejection at the next general election for Senators and Representatives, if a majority of the electors voting thereon at the election adopt the amendment, the amendment shall become a part of the Constitution of the State of Arkansas, to wit:

SECTION 1. Definitions.

As used in this amendment:

(1) "Elected county official" means a person elected to the position of circuit clerk, county clerk, county judge, county sheriff, county assessor, county coroner, county treasurer, or county surveyor;

(2) "Elected judicial office" means the office of district judge, circuit judge, judge of the Court of Appeals, and justice of the Supreme Court;

(3) "Elected official" means any person elected to a state constitutional office, the Senate, the House of Representatives, or an elected judicial office;

(4) "Recall" means the voting by the electors of the state or the electors of a district to ascertain whether or not it is the desire of the majority of the electors to allow an elected official to remain in that capacity for the duration of his or her elected term; and

(5) "Recall petition" means a petition demanding the recall of an elected official.

Petition.

(a) The qualified electors of the state, district, or county may petition for the recall of an elected official by filing a recall petition demanding the recall of the elected official.

(b)(1)(A) The recall petition for the recall of an elected official elected statewide shall be signed by qualified electors of the state in a number of at least fifteen percent (15%) of the votes cast for Governor at the last general election at which a Governor was elected.

(B) The recall petition shall include signatures of qualified electors from at least thirty-five (35) counties in the state.

(C) No more than one-half (1/2) of the total number of signatures may be from any one (1) county.

(2)(A) The recall petition for an elected official elected by a district shall be signed by qualified electors of the district in which the elected official is serving in a number of at least thirty percent (30%) of the registered voters in the district.

(B) However, in a district that encompasses at least two (2) whole counties, no more than one-half (1/2) of the total number of signatures may be from any one (1) county.

(3) The recall petition for an elected county official shall be signed by qualified electors of the county in which the elected county official is serving in a number of at least fifty-one percent (51%) of the votes cast for Governor in the county at the last general election in which a Governor was elected.

Recall of officers elected statewide and members of the General Assembly.

(a)(1)(A) The recall of a member of the General Assembly or an elected official elected statewide shall be initiated by filing a notice of intent to circulate a recall petition with the Secretary of State.

(B) The notice of intent shall not be filed during the first six (6) months of a term of office.

(2) No recall petition shall be circulated before the notice of intent is filed.

(3) The notice of intent to circulate a recall petition shall state the reason the member of the General Assembly or elected official elected statewide should be recalled.

(4) The filer of the notice of intent to circulate a recall petition shall within five (5) calendar days after filing the notice of intent notify the member of the General Assembly or elected official elected statewide who will be the subject of a recall petition by certified mail with return receipt requested.

(b) A separate recall petition shall be used for each county and recall petitions from each county shall be kept separate to facilitate voter identification.

(c) The recall petitions shall be filed with the Secretary of State not less than sixty (60) calendar days nor more than eighty (80) calendar days after the filing of the notice of intent to circulate a recall petition.

(d) Within thirty (30) calendar days after the recall petition is filed, the Secretary of State shall determine whether the recall petition is sufficient and if sufficient, shall state the sufficiency in a certificate attached to the recall petition.

(e)(1) If the recall petition is found to be insufficient, the certificate shall state the reasons creating the insufficiency.

(2) The recall petition may be amended to correct any insufficiency within thirty (30) calendar days after the filing of the original certificate by the Secretary of State.

(3) Within fifteen (15) calendar days after filing the amended recall petition, the Secretary of State shall examine the recall petition again to determine sufficiency and shall attach a certificate stating the findings to the recall petition.

(f)(1)(A) Immediately upon finding an original or amended recall petition sufficient, the Secretary of State shall notify the Governor who shall immediately call a special election for the purpose of submitting the recall proposal to the electors.

(B) However, if the Governor is the subject of the recall petition, then the special election shall be called by the Lieutenant Governor.

(2)(A) The special election for the purpose of submitting the recall proposal to the electors shall be held within sixty (60) calendar days after the call for a special election.

(B) However, if the general election is to be held within ninety (90) calendar days, the recall proposal shall be held and submitted at the general election.

Recall petitions for statewide elected officers and members of the General Assembly.

(a) The recall petition of an elected official who is elected statewide or the recall of a member of the General Assembly shall be in substantially the following form:

"PETITION FOR RECALL

To the Secretary of State:

We, the undersigned legal voters of

(Arkansas or District)

respectfully order that

(Name of Elected Official)

be referred to the people of

(Arkansas or District)

to the end that the elected official may be approved or rejected by the vote of the legal voters at an election to be held for this purpose; and each of us for himself or herself says: I have personally signed this petition; I am a legal voter of [Arkansas or district], and my printed name, date of birth, residence, city or town of residence, and date of signing this petition are correctly written after my signature."

(b) Each sheet of each recall petition containing the signatures shall be verified in substantially the following form by the person who circulated the sheet of the recall petition by his or her affidavit attached to the recall petition. The affidavit shall be in substantially the following form:

"STATE OF ARKANSAS)

COUNTY)

I, _____ under oath, state that the above-listed persons signed this sheet, and each of them signed his or her name on this sheet in my

presence. I believe that each has correctly stated his or her name, date of birth, residence, city or town of residence, and date of signing the petition.

Signature _____

Address _____

Subscribed and sworn to before me this the _____ day of _____, _____.

Signature _____

Notary Public

My Commission Expires: _____ "

(c) The forms provided in this section are not mandatory, and if substantially followed in any recall petition it shall be sufficient, disregarding clerical and technical errors.

Recall of elected official other than a statewide officer or member of the General Assembly.

(a)(1) The recall of an elected official other than an elected official elected statewide or a member of the General Assembly, including an elected county official, shall be initiated by filing a notice of intent to circulate a recall petition.

(2) No recall petition shall be circulated before the notice of intent is filed.

(3) The notice of intent to circulate a recall petition shall state the reason the elected official or elected county official should be recalled.

(4) The notice of intent to circulate a recall petition seeking the recall of the elected official or elected county official shall be filed with the county clerk of the county of residence of the elected official or elected county official.

(5) The filer of the notice of intent to circulate a recall position shall within five (5) calendar days notify the elected official or elected county official who will be the subject of a recall petition by certified mail with return receipt requested.

(b) A separate recall petition shall be used for each county and recall petitions from each county shall be kept separate to facilitate voter identification.

(c) The recall petition shall be filed with the county clerk of the county of residence of the elected official or elected county official not less than sixty (60) calendar days nor more than eighty (80) calendar days after the filing of the notice of intent to circulate a recall petition.

(d)(1) Within thirty (30) calendar days after the recall petition is filed, the county clerk shall determine whether the petition is sufficient and, if sufficient, shall state the sufficiency in a certificate attached to the recall petition.

(2) If the district from which the elected official was elected includes all or a part of more than one (1) county the county clerks of the other counties shall assist the county clerk of the county in which the petition was filed to determine the validity of the names of legal voters on parts of the recall petition with signatures from their respective counties.

(e)(1) If the petition is found to be insufficient, the county clerk shall attach a certificate to the recall petition that states the reasons creating the insufficiency.

(2) The recall petition may be amended to correct any insufficiency within thirty (30) calendar days following the filing of the original certificate by the county clerk.

(3) Within fifteen (15) calendar days after filing the amended recall petition, the county clerk shall examine the recall petition again to determine whether it is sufficient and shall attach a certificate stating his or her findings regarding sufficiency.

(f)(1) Immediately upon finding an original recall petition or amended recall petition sufficient, the county clerk of the county in which the elected official or elected county official resides shall notify the county board of election commissioners of the county in which the elected official or elected county official resides and the board shall immediately call a special election for the purpose of submitting the recall proposal to the electors.

(2) The special election shall be held within sixty (60) calendar days after the call for a special election.

(3) However, if the general election is to be held within ninety (90) calendar days, the recall proposal shall be held and submitted at the general election.

Recall petitions for elected official other than a statewide officer or member of the General Assembly.

(a) The recall petition of an elected official other than an elected official who is elected statewide or a member of the General Assembly, including an elected county official, shall be in substantially the following form:

"PETITION FOR RECALL

To the County Clerk of _____ County:

We, the undersigned legal voters of

(District) respectfully order that

(Name of Elected Official or Elected County Official)

be referred to the people of

(District or County)

to the end that the elected official or elected county official may be approved or rejected by the vote of the legal voters at an election to be held for this purpose; and each of us for himself or herself says: I have personally signed this petition; I am a legal voter of the district or county, and my printed name, date of birth, residence, city or town of residence, and date of signing this petition are correctly written after my signature."

(b) Each sheet of each recall petition containing the signatures shall be verified in substantially the following form by the person who circulated the sheet of the recall petition by his or her affidavit attached to the petition. The affidavit shall be in substantially the following form:

"STATE OF ARKANSAS)
COUNTY)

I, _____ under oath, state that the above-listed persons signed this sheet, and each of them signed his or her name on this sheet in my presence. I believe that each has correctly stated his or her name, date of birth, residence, city or town of residence, and date of signing the petition.

Signature _____

Address _____

Subscribed and sworn to before me this the _____ day of _____, _____

Signature _____

Notary Public

My Commission Expires: _____ "

(c) The forms provided in this section are not mandatory, and if substantially followed in any recall petition it shall be sufficient, disregarding clerical and technical errors.

Ballot.

(a) At the election the recall proposal shall be printed on the ballot in substantially the following form:

Name: _____ Office: _____

"For Permitting _____ to continue to serve the term of office for which elected / /

Name: _____ Office: _____

Against Permitting _____ to continue to serve the term of office for which elected / /"

(b)(1) If at the election a majority of the qualified electors voting on the recall proposal vote against permitting the elected official or elected county official to serve the term of office to which he or she was elected, an immediate vacancy shall exist in the office, and the vacancy shall be filled in the manner prescribed by law.

(2) If at the election a majority of the qualified electors voting on the recall proposal vote for permitting the elected official or elected county official to continue to serve the term of office for which he or she elected, the elected official or elected county official shall serve the full term for which he or she was elected.

Frequency of recall.

After one (1) recall petition and election, no further recall petition shall be filed against the same elected official or elected county official during the same term of office.

Recall expenses.

All expenses of an election for the recall of an elected official or elected county official shall be paid for in the same manner and from the same source as provided by applicable law for election expenses.

Ballot question.

(a) Any recall issue shall be considered a ballot question for purposes of applicable laws on measures referred to voters.

(b) An elected official, an elected county official, any person or entity acting on behalf of the elected official or elected county official, or any other person or entity who receives contributions or makes expenditures for the purpose of attempting to influence the qualification, passage, or defeat of a recall petition or recall proposal shall be considered a ballot question committee and shall comply with applicable laws on measures referred to voters.

SECTION 2. Section 19 of Article 7 of the Arkansas Constitution is amended to read as follows:

§ 19. Circuit clerks - Election - Term of office - Ex-officio duties — County clerks elected in certain counties.

The clerks of the circuit courts shall be elected by the qualified electors of the several counties for the term of ~~two~~ four (4) years, and shall be ex-officio clerks of the county and probate courts and recorder; provided, that ~~in any county having a population exceeding fifteen thousand inhabitants, as shown by the last Federal census, there shall be elected~~ may elect a county clerk, in like manner as the clerk of the circuit court, for the term of four (4) years, and in such case the county clerk shall be ex-officio clerk of the probate court of such county until otherwise provided by the General Assembly.

SECTION 3. Section 29 of Article 7 of the Arkansas Constitution is 20 amended to read as follows:

§ 29. County judge - Election - Term - Qualifications.

The Judge of the County Court shall be elected by the qualified electors of the county for the term of ~~two~~ four (4) years. He or she shall be at least twenty-five (25) years of age, a citizen of the United States, a ~~man~~ person of upright character, of good business education, and a resident of the State for two (2) years before his or her election; and a resident of the county at the time of his or her election, and during his or her continuance in office.

SECTION 4. Section 38 of Article 7 of the Arkansas Constitution is repealed.

~~§ 38. Justices of the peace - Election - Term - Oath.~~

~~The qualified electors of each township shall elect the Justices of the Peace for the term of two years; who shall be commissioned by the Governor, and their official oath shall be indorsed on the commission."~~

SECTION 5. Section 41 of Article 7 of the Arkansas Constitution is repealed.

~~§ 41. Qualifications of justice of peace.~~

~~A Justice of the Peace shall be a qualified elector and a resident of the township for which he is elected.~~

SECTION 6. Section 46 of Article 7 of the Arkansas Constitution is amended to read as follows:

§ 46. County executive officers - Compensation of county assessor. The qualified electors of each county shall elect one (1) Sheriff, who shall be ex-officio collector of taxes, unless otherwise provided by law; one (1) Assessor, one (1) Coroner, one (1) Treasurer, who shall be ex-officio treasurer of the common school fund of the county, and one (1) County Surveyor; for the term of ~~two~~ four (4) years, with such duties as are now or may be prescribed by law: Provided, that no per centum shall ever be paid to assessors upon the valuation or assessment of property by them.

SECTION 7. Amendment 41 of the Arkansas Constitution is amended to read as follows:

Election of county clerk.

The provisions for the election of a County Clerk upon a population basis are hereby abolished and there may be elected a County Clerk in like manner as a Circuit Clerk, for the term of four (4) years, and in such cases, the County Clerk may be ex officio Clerk of the Probate Court of such county until otherwise provided by the General Assembly.

SECTION 8. Section 2 of Amendment 55 of the Arkansas Constitution is amended to read as follows:

§ 2. Composition of quorum court - Power over elective offices.

(a)(1) No county's Quorum Court shall be comprised of fewer than nine (9) justices of the peace, nor comprised of more than fifteen (15) justices of the peace.

(2) A justice of the peace shall be elected for a term of four (4) years, except that the term prior to an apportionment shall be a two-year term.

(3) A justice of the peace shall be a qualified elector and a resident of the district for which he or she is elected.

(4) A justice of the peace shall be commissioned by the Governor, and his or her official oath shall be indorsed on the commission.

(5) The number of justices of the peace that comprise a county's Quorum Court shall be determined by law.

(6) The county's Election Commission shall, after each decennial census, divide the county into convenient and single member districts so that the Quorum Court shall be based upon the inhabitants of the county with each member representing, as nearly as practicable, an equal number thereof.

(b) The Quorum Court may create, consolidate, separate, revise, or abandon any elective county office or offices except during the term thereof; provided, however, that a majority of those voting on the question at a general election have approved said action.

SECTION 9. Section 2 of Amendment 73 of the Constitution of the State of Arkansas is amended to read as follows:

§ 2. Legislative Branch.

(a)(1) The Arkansas House of Representatives shall consist of members to be chosen every second year by the qualified electors of the several counties.

(2) No member of the Arkansas House of Representatives may serve more than three six (6) such two-year two-year terms.

(3) For purposes of this section, terms served in the House of Representatives prior to January 1, 1993, the effective date of Amendment 73, shall not be counted in calculating the number of terms served.

(b)(1) The Arkansas Senate shall consist of members to be chosen every four (4) years by the qualified electors of the several districts.

(2) No member of the Arkansas Senate may serve more than two three (3) such four year terms.

(3) For purposes of this section, terms served in the Arkansas Senate prior to January 1, 1993, the effective date of Amendment 73, shall not be counted in calculating the number of terms served.

SECTION 10. Subdivision (A) of Section 16 of Amendment 80 to the Arkansas Constitution, concerning Justices of the Supreme Court and Judges of the Court of Appeals, is amended to read as follows:

(A) Justices of the Supreme Court and Judges of the Court of Appeals shall have been licensed attorneys of this state for at least eight (8) years immediately preceding the date of assuming office. They shall serve eight-year terms. They shall serve no more than two (2) terms.

SECTION 11. This amendment becomes effective on January 1, 2009.

Senate Joint Resolution No. 9 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

SENATE JOINT RESOLUTION NO. 10
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR BOOKOUT
BY: REPRESENTATIVES SUMPTER AND THYER

A Bill for an Act to be Entitled: PROPOSING A CONSTITUTIONAL AMENDMENT TO CHANGE SESSIONS OF THE GENERAL ASSEMBLY FROM BIENNIAL TO ANNUAL SESSIONS; AND TO ESTABLISH THE LENGTH OF THE SESSIONS.

Subtitle

PROPOSING A CONSTITUTIONAL AMENDMENT TO
CHANGE SESSIONS OF THE GENERAL ASSEMBLY
FROM BIENNIAL TO ANNUAL SESSIONS AND TO
ESTABLISH THE LENGTH OF THE SESSIONS.

BE IT RESOLVED BY THE SENATE OF THE EIGHTY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ARKANSAS AND BY THE HOUSE OF REPRESENTATIVES, A MAJORITY OF ALL MEMBERS ELECTED TO EACH HOUSE AGREEING THERETO:

That the following is proposed as an amendment to the Constitution of the State of Arkansas, and upon being submitted to the electors of the state for approval or rejection at the next general election for Senators and Representatives, if a majority of the electors voting thereon at the election adopt the amendment, the amendment shall become a part of the Constitution of the State of Arkansas, to wit:

SECTION 1. Section 5 of Article 5 of the Arkansas Constitution is amended to read as follows:

§ 5. Time of meeting.

The General Assembly shall meet at the seat of government ~~every two years on the first Tuesday after the second Monday in November until said~~ each year on the second Monday in January until the time be altered by law.

SECTION 2. Section 17 of Article 5 of the Constitution of the State of Arkansas is amended to read as follows:

§ 17. Duration of sessions.

The regular ~~biennial~~ annual sessions shall not exceed sixty days in duration, unless by a vote of two-thirds of the members elected to each house of ~~said the~~ General Assembly. This section shall not apply ~~to the first session of the General Assembly under this Constitution, or when impeachments are pending.~~

SECTION 3. Section 29 of Article 5, of the Arkansas Constitution is amended to read as follows:

29. Appropriations.

(a) No money shall be drawn from the treasury except in pursuance of specific appropriation made by law, the purpose of which shall be distinctly stated in the bill, and the maximum amount which may be drawn shall be specified in dollars and cents; and no appropriations shall be for a longer period than two years. An appropriation bill enacted in a regular session of the General Assembly in an even-numbered year shall not extend beyond the biennial period in which the bill is enacted.

(b) As used in this constitution, "biennial period" means July 1 of an odd-numbered year through June 30 of the next odd-numbered year.

SECTION 4. Section 40 of Article 5 of the Arkansas Constitution is amended to read as follows:

40. General appropriation bill - Enactment.

§-4. (a) In making appropriations for any biennial period, the General Assembly shall first pass the General Appropriation Bill provided for in Section 30 of Article 5 of the Constitution, and no other appropriation bill may be enacted before that shall have been done.

(b)(1) If the General Appropriation Bill enacted during a regular session held in an odd-numbered year is effective for both fiscal years of the biennium, then in the regular session held in an even-numbered year, the General Assembly is not required to enact a General Appropriation Bill before other appropriation bills may be enacted for the second year of the biennium.

(2) If the General Appropriation Bill enacted during a regular session held in an odd-numbered year is effective only for the first fiscal year of the biennium, then during a regular session held in the subsequent even-numbered year, the General Appropriation Bill for the second year of the biennium must be enacted before any other appropriation bill may be enacted.

SECTION 5. This amendment becomes effective January 1, 2009.

Senate Joint Resolution No. 10 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

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 read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

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

On motion of Senator Steele, **Senate Concurrent Memorial Resolution No. 1** was called up for third reading.

SENATE CONCURRENT MEMORIAL RESOLUTION NO. 1
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS STEELE, BROWN, CRUMBLY & WILKINS
BY: REPRESENTATIVES BLOUNT, E. BROWN, CHESTERFIELD, DAVIS,
ALLEN, T. BAKER, S. DOBBINS, FLOWERS, HARDY, W. LEWELLEN & RAINEY

A Bill for an Act to be Entitled: IN RESPECTFUL MEMORY OF DR. JERRY DONAL JEWELL AND IN RECOGNITION OF HIS MANY CONTRIBUTIONS TO THE STATE OF ARKANSAS AND HIS LOCAL COMMUNITY.

Senator Hendren spoke for the resolution.

Senate Concurrent Memorial Resolution No. 1 was read the third time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Concurrent Memorial Resolution No. 1 was ordered immediately transmitted to the House.

On motion of Senator Bisbee, House Bill No. 1179 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. 1179

Amend House Bill No. 1179 as engrossed H1/23/07:

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

"incorporated town shall lie within five (5) miles ~~from the corporate limits~~ of an existing municipal corporation and within the area in which that existing municipal corporation is exercising its planning territorial jurisdiction, unless the governing body of the municipal"

(SIGNED) SENATOR DAVID BISBEE

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1179 was ordered engrossed.

On motion of Senator Madison, **House Bill No. 1320** 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. 1320

Amend **House Bill No. 1320** as originally introduced:

Page 1, delete lines 30 and 31, and substitute the following:

"~~(e)~~(b) A deputy treasurer shall possess all the powers of as authorized by the county treasurer."

(SIGNED) SENATOR SUE MADISON

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1320 was ordered engrossed.

On motion of Senator Horn, the rules were suspended in considering **Senate Bill No. 119** at this time.

On motion of Senator Horn, **Senate Bill No. 119** was placed back on second reading for purpose of Amendment No. 3.

Amendment No 2 was withdrawn by the author.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 3 to SENATE BILL NO. 119

Amend **Senate Bill No. 119** as engrossed, S1/25/07:

Page 1, delete lines 13 and 14, and substitute the following:

“STATE BY REDUCING THE STATE SALES AND USE TAX ON NATURAL GAS AND ELECTRICITY USED OR CONSUMED IN”

AND

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

“TO PROMOTE ECONOMIC DEVELOPMENT WITHIN THE STATE BY REDUCING THE STATE SALES AND USE TAX ON NATURAL GAS AND ELECTRICITY USED OR CONSUMED IN MANUFACTURING.”

AND

Delete everything after the ENACTING CLAUSE and substitute the following:

“SECTION 1. Arkansas Code Title 26, Chapter 52, Subchapter 3 is amended to add an additional section to read as follows:

26-52-319. Gas and electricity used in manufacturing.

(a)(1) Beginning July 1, 2007, in lieu of the gross receipts or gross proceeds tax levied in § 26-52-301 and § 26-52-302(a), (b), (c), and (d), there is levied an excise tax on the gross receipts or gross proceeds derived from the sale of natural gas and electricity to a manufacturer for use directly in the actual manufacturing process at the rate of four and three-eighths percent (4.375%).

(2) Beginning July 1, 2008, the tax rate imposed in subdivision (a)(1) of this section shall be imposed at the rate of three and seven-eighths percent (3.875%).

(3) The taxes levied in subsection (a) of this section shall be distributed as follows:

(A) Seventy-six and six-tenths percent (76.6%) of the tax, interest, penalties, and costs received by the Director of the Department of Finance and Administration shall be deposited as general revenues;

(B) Eight and one-half percent (8.5%) of the tax, interest, penalties, and costs received by the director shall be deposited into the Property Tax Relief Trust Fund; and

(C) Fourteen and nine-tenths percent (14.9%) of the tax, interest, penalties, and costs received by the director shall be deposited into the Educational Adequacy Fund.

(4)(A) The excise tax levied in this section shall apply only to natural gas and electricity sold for use directly in the actual manufacturing process.

(B) Natural gas and electricity sold for any other purpose shall be subject to the full gross receipts or gross proceeds tax levied under § 26-52-301 and § 26-52-302(a), (b), (c), and (d).

(5) The excise tax levied in this section shall be collected, reported, and paid in the same manner and at the same time as is prescribed by law for the collection, reporting, and payment of all other Arkansas gross receipts taxes.

(b) For purposes of this section, the term "manufacturer" shall mean a manufacturer classified within sectors 31 through 33 of the North American Industrial Classification System, as in effect on January 1, 2007.

(c) Natural gas and electricity subject to the reduced tax rate levied in this section shall be separately metered from natural gas and electricity used for any other purpose by the manufacturer.

(d) Prior to the sale of natural gas or electricity at the reduced excise tax rate provided in this section, the director may require any seller of natural gas or electricity to obtain a certificate from the consumer, in the form prescribed by the director, certifying that the manufacturer is eligible to purchase natural gas and electricity at the reduced excise tax rate.

(e) The director shall have and be invested with full power and authority to promulgate rules for the proper administration of this section.

(f) The gross receipts or gross proceeds derived from the sale of natural gas and electricity to manufacturers shall continue to be subject to:

- (1) The excise tax levied under the Arkansas Constitution, Amendment 75, § 2; and
- (2) All municipal and county gross receipts taxes.

SECTION 2. Arkansas Code Title 26, Chapter 53, Subchapter 1 is amended to add an additional section to read as follows:

26-53-148. Gas and electricity used in manufacturing.

(a)(1) Beginning July 1, 2007, in lieu of the tax levied in § 26-53-106 and § 26-53-107 (a), (b), (c), and (d), there is levied an excise tax on the sales price of natural gas and electricity purchased by a manufacturer for use directly in the actual manufacturing process at the rate of four and three-eighths percent (4.375%).

(2) Beginning July 1, 2008, the tax rate imposed in subdivision (a)(1) of this section shall be imposed at the rate of three and seven-eighths percent (3.875%).

(3) The taxes levied in subsection (a) of this section shall be distributed as follows:

(A) Seventy-six and six-tenths percent (76.6%) of the tax, interest, penalties, and costs received by the Director of the Department of Finance and Administration shall be deposited as general revenues;

(B) Eight and one-half percent (8.5%) of the tax, interest, penalties, and costs received by the director shall be deposited into the Property Tax Relief Trust Fund; and

(C) Fourteen and nine-tenths percent (14.9%) of the tax, interest, penalties, and costs received by the director shall be deposited into the Educational Adequacy Fund.

(4)(A) The excise tax levied in this section shall apply only to natural gas and electricity purchased for use directly in the actual manufacturing process.

(B) Natural gas and electricity purchased for any other purpose shall be subject to the full compensating use tax levied under § 26-53-106 and § 26-53-107 (a), (b), (c), and (d).

(5) The excise tax levied in this section shall be collected, reported, and paid in the same manner and at the same time as is prescribed by law for the collection, reporting, and payment of all other Arkansas compensating use taxes.

(b) For purposes of this section, the term "manufacturer" shall mean a manufacturer classified within sectors 31 through 33 of the North American Industrial Classification System, as in effect on January 1, 2007.

(c) Natural gas and electricity subject to the reduced tax rate levied in this section shall be separately metered from natural gas and electricity used for any other purpose by the manufacturer.

(d) Prior to purchasing any natural gas or electricity at the reduced excise tax rate provided in this section, the director may require any seller of natural gas or electricity to obtain a certificate from the consumer, in the form prescribed by the director, certifying that the manufacturer is eligible to purchase natural gas and electricity at the reduced excise tax rate.

(e) The director shall have and be invested with full power and authority to promulgate rules for the proper administration of this section.

(f) The purchase of natural gas and electricity by manufacturers shall continue to be subject to:

(1) The excise tax levied under the Arkansas Constitution, Amendment 75, § 2; and

(2) All municipal and county compensating use taxes.

SECTION 3. All existing exemptions from 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., for natural gas and electricity used in manufacturing or other purposes that are otherwise provided by law shall continue in full force and effect.

SECTION 4. EMERGENCY CLAUSE. It is found and determined by the General Assembly that the current sales and use tax on utilities consumed by manufacturers located within this state creates a competitive disadvantage, that this bill is intended to address that problem by providing a reduced tax rate on utilities consumed by manufacturers located in this state, and that this act is immediately necessary to prevent the loss of manufacturing jobs to other states that provide lower taxes on utilities consumed in manufacturing. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate 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.”

(SIGNED) SENATOR BARBARA HORN

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 119 was ordered engrossed.

The President declared the morning hour to have expired.

On motion of Senator Miller, **Senate Bill No. 188** was called up for third reading and final disposition.

SENATE BILL NO. 188
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MILLER
BY: REPRESENTATIVES COOPER AND EVERETT

A Bill for an Act to be Entitled: AN ACT TO GIVE MUNICIPAL RECREATION IMPROVEMENT DISTRICTS THE OPTION OF INSTITUTING A FORECLOSURE ACTION TO ATTEMPT TO COLLECT DELINQUENT ASSESSMENTS; AND FOR OTHER PURPOSES.

Senate Bill No. 188 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, Argue, Baker, Bisbee, Bookout, Bryles, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Hill, Horn, G. Jeffress, J. Jeffress, Laverty, Luker, Madison, Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkins, Womack.

Total31

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Broadway, Brown, B. Johnson, Wilkinson.

Total4

VOTING PRESENT:

Total0

Total number of votes cast.....31

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. 188 was ordered immediately transmitted to the House as passed.

On motion of Senator Smith, **Senate Bill No. 187** was called up for third reading and final disposition.

**SENATE BILL NO. 187
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR T. SMITH
BY: REPRESENTATIVE SAMPLE**

A Bill for an Act to be Entitled: AN ACT TO GIVE QUORUM COURTS THE ABILITY TO PASS ORDINANCES CONCERNING PRIVATE COMMUNITIES; AND FOR OTHER PURPOSES.

Senate Bill No. 187 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, Argue, Baker, Bisbee, Bookout, Broadway, 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	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
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. 187 was ordered immediately transmitted to the House as passed.

On motion of Senator Faris, **Senate Bill No. 225** was called up for third reading and final disposition.

SENATE BILL NO. 225
As Engrossed: S2/01/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR FARIS

A Bill for an Act to be Entitled: AN ACT TO CONTINUE CERTAIN STATE AGENCIES SCHEDULED TO BE ABOLISHED ON JUNE 30, 2007; TO ABOLISH CERTAIN AGENCIES; TO REPEAL CHAPTER 39 OF TITLE 25 OF THE ARKANSAS CODE; AND FOR OTHER PURPOSES.

Senate Bill No. 225 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, Argue, Baker, Bisbee, Bookout, Broadway, 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	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
Necessary to the adoption of the Emergency Clause	18

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. 225**, 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 225 was ordered immediately transmitted to the House.

On motion of Senator Hill, **Senate Bill No. 201** was called up for third reading and final disposition.

SENATE BILL NO. 201
As Engrossed: S2/1/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR HILL
BY: REPRESENTATIVE SULLIVAN

A Bill for an Act to be Entitled: AN ACT TO AMEND THE LEASE BETWEEN THE STATE OF ARKANSAS AND THE ARKANSAS LIVESTOCK SHOW ASSOCIATION; TO CLARIFY LEASED PROPERTY BETWEEN THE ARKANSAS LIVESTOCK SHOW ASSOCIATION AND THE ARKANSAS BUILDING AUTHORITY; AND FOR OTHER PURPOSES.

Senate Bill No. 201 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
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. 201 was ordered immediately transmitted to the House as passed.

On motion of Senator Altes, **Senate Bill No. 55** was called up for third reading and final disposition.

SENATE BILL NO. 55
As Engrossed: S1/18/07, S1/31/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR ALTES

By: REPRESENTATIVES NORTON, MEDLEY, E. BROWN, GLIDEWELL, KEY, M. MARTIN, SCHULTE, WALTERS, WELLS, REYNOLDS, HOYT, MAXWELL, ROSENBAUM & GARNER

A Bill for an Act to be Entitled: AN ACT CONCERNING ADMINISTRATIVE RULES THAT IMPACT SMALL BUSINESS; AND FOR OTHER PURPOSES.

Senate Bill No. 55 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, Bookout, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Horn, Laverty, B. Pritchard, T. Smith, Steele, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkins, Wilkinson, Womack.

Total21

NEGATIVE: Argue, Bryles, Luker, Madison.

Total4

ABSENT OR NOT VOTING: Bisbee, Broadway, Brown, Hill, G. Jeffress, J. Jeffress, B. Johnson, Malone, Miller, Salmon.

Total10

VOTING PRESENT:

Total0

Total number of votes cast25

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

* * * * * **EXPUNGED** * * * * *

There being an emergency clause attached to **Senate Bill No. 55**, 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, Bookout, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Horn, Lavery, B. Pritchard, T. Smith, Steele, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkins, Wilkinson, Womack.

Total21

NEGATIVE: Argue, Bryles, Luker, Madison.

Total4

ABSENT OR NOT VOTING: Bisbee, Broadway, Brown, Hill, G. Jeffress, J. Jeffress, B. Johnson, Malone, Miller, Salmon.

Total10

VOTING PRESENT:

Total0

Total number of votes cast.....25

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause failed to be adopted.

(SIGNED) ANN CORNWELL, SECRETARY

* * * * * **EXPUNGED** * * * * *

The record pertaining to the vote by which Emergency Clause on **Senate Bill No. 55** failed to pass was expunged, in accordance with a prevailing motion on February 7, 2007.

Senator Altes moved that the record pertaining to the vote by which Emergency Clause to **Senate Bill No. 55** failed to pass be expunged.

There being an emergency clause attached to **Senate Bill No. 55**, 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, Broadway, Brown, Capps, Crumbly, Faris, Glover, Hendren, Horn, G. Jeffress, Lavery, Malone, Miller, T. Smith, Steele, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkins, Wilkinson, Womack.

Total25

NEGATIVE: Argue, Luker, Madison.

Total3

ABSENT OR NOT VOTING: Bryles, Critcher, Hill, J. Jeffress, B. Johnson, B. Pritchard, Salmon.

Total7

VOTING PRESENT:

Total0

Total number of votes cast28

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 55 was ordered immediately transmitted to the House.

On motion of Senator Lavery, **House Bill No. 1216** was called up for third reading and final disposition.

**HOUSE BILL NO. 1216
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES S. PRATER, BERRY & KIDD**

A Bill for an Act to be Entitled: AN ACT TO CLARIFY THE PROCESS FOR REVIEWING COMPLAINTS CONCERNING SCOPE OF PRACTICE THAT INVOLVE MORE THAN ONE (1) BOARD OF THE HEALING ARTS; AND FOR OTHER PURPOSES.

House Bill No. 1216 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
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. 1216 was ordered immediately returned to the House as passed.

On motion of Senator Horn, **House Bill No. 1303** was called up for third reading and final disposition.

**HOUSE BILL NO. 1303
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE WELLS
BY: SENATOR HORN**

A Bill for an Act to be Entitled: AN ACT TO AMEND SELECT LAWS FOR FARMERS' MUTUAL AID ASSOCIATIONS OR COMPANIES; TO PERMIT THE INSURANCE COMMISSIONER TO EXTEND THE TIME LIMIT FOR THE ASSOCIATION OR COMPANY TO MEET STATUTORY MINIMUM MEMBERSHIP REQUIREMENTS; TO CLARIFY THAT INDEMNITY REINSURANCE FOR FARMERS' MUTUAL AID ASSOCIATIONS AND COMPANIES SHALL BE PURCHASED AS NECESSARY BASED ON SURPLUS AND RISK LEVELS; AND FOR OTHER PURPOSES.

House Bill No. 1303 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35
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. 1303 was ordered immediately returned to the House as passed.

On motion of Senator Faris, House Bill No. 1007 was called up for third reading and final disposition.

HOUSE BILL NO. 1007
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE THYER

A Bill for an Act to be Entitled: AN ACT CONCERNING STIPENDS AWARDED TO MEMBERS OF CERTAIN STATE BOARDS; AND FOR OTHER PURPOSES.

House Bill No. 1007 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total	0
Total number of votes cast	35
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. 1007 was ordered immediately returned to the House as passed.

On motion of Senator Thompson, House Bill No. 1183 was called up for third reading and final disposition.

HOUSE BILL NO. 1183
 EIGHTY-SIXTH GENERAL ASSEMBLY
 REGULAR SESSION
 BY: REPRESENTATIVES T. BAKER AND OVERBEY

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE § 14-43-506 TO APPLY TO A CITY CLERK, CITY CLERK-TREASURER, OR CITY TREASURER, AS THE CASE MAY BE, IN ORDER TO LESSEN THE LIKELIHOOD OF DUPLICATION AND CONFUSION; AND FOR OTHER PURPOSES.

House Bill No. 1183 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, Argue, Baker, Bisbee, Bookout, Broadway, 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	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
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. 1183 was ordered immediately returned to the House as passed.

On motion of Senator Taylor, House Bill No. 1302 was called up for third reading and final disposition.

HOUSE BILL NO. 1302
 EIGHTY-SIXTH GENERAL ASSEMBLY
 REGULAR SESSION
 BY: REPRESENTATIVE ABERNATHY

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE § 14-24-204 TO ALLOW COUNTIES TO ISSUE CHECKS IN DUPLICATE FORM; AND FOR OTHER PURPOSES.

House Bill No. 1302 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, Argue, Baker, Bisbee, Bookout, Broadway, 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	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
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. 1302 was ordered immediately returned to the House as passed.

On motion of Senator Malone, the rules were suspended in considering House Bill No. 1202 at this time.

On motion of Senator Malone, House Bill No. 1202 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. 1202

Amend House Bill No. 1202 as engrossed, H1/25/07:

Add Senators Capps, Faris, Hill and Glover as co-sponsors of the bill

(SIGNED) SENATOR PERCY MALONE

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1202 was ordered engrossed.

On motion of Senator Womack, **Senate Bill No. 126** was withdrawn from the Committee on JOINT BUDGET, 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. 126

Amend **Senate Bill No. 126** as originally introduced:

Page 2, Line 2 Delete "PPTB - BOARD CHAIRMAN" and substitute "PB - BOARD CHAIRMAN"

AND

Page 2, Line 3 Delete "PPTB - BOARD MEMBER" and substitute "PB - BOARD MEMBER"

AND

Page 2, Line 4 Delete "PPTB - HEARING EXAMINER" and substitute "PB - HEARING EXAMINER"

(SIGNED) SENATOR SHAWN A. WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 126 was ordered engrossed.

On motion of Senator Womack, the Senate resolved itself into the Committee of the Whole for the purpose of JOINT BUDGET Bills.

Without objection, the Committee of the Whole was dissolved, and the Senate took up its regular order of business.

On motion of Senator Womack, the rules were suspended in considering Senate Bill No. 48 at this time.

On motion of Senator Womack, Senate Bill No. 48 was called up for third reading and final disposition.

SENATE BILL NO. 48
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS SOCIAL WORK LICENSING BOARD FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Senate Bill No. 48 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total	0
Total number of votes cast.....	35
Necessary to the passage of the bill	27

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. 48**, 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total	35
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NEGATIVE:

Total	0
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ABSENT OR NOT VOTING:

Total	0
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VOTING PRESENT:

Total	0
Total number of votes cast.....	35
Necessary to the adoption of the Emergency Clause	24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 48 was ordered immediately transmitted to the House.

On motion of Senator Womack, the rules were suspended in considering Senate Bill No. 49 at this time.

On motion of Senator Womack, Senate Bill No. 49 was called up for third reading and final disposition.

SENATE BILL NO. 49
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS STATE BOARD OF PHYSICAL THERAPY FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Senate Bill No. 49 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, Argue, Baker, Bisbee, Bookout, Broadway, 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	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
Necessary to the passage of the bill	27

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. 49**, 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
Necessary to the adoption of the Emergency Clause	24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 49 was ordered immediately transmitted to the House.

On motion of Senator Womack, the rules were suspended in considering Senate Bill No. 51 at this time.

On motion of Senator Womack, Senate Bill No. 51 was called up for third reading and final disposition.

SENATE BILL NO. 51
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS STATE BOARD OF MASSAGE THERAPY FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Senate Bill No. 51 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, Argue, Baker, Bisbee, Bookout, Broadway, 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	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0

Total number of votes cast.....35
 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. 51**, 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35
 Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 51 was ordered immediately transmitted to the House.

On motion of Senator Womack, the rules were suspended in considering Senate Bill No. 56 at this time.

On motion of Senator Womack, Senate Bill No. 56 was called up for third reading and final disposition.

SENATE BILL NO. 56
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS STATE BOARD OF DENTAL EXAMINERS FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Senate Bill No. 56 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, Argue, Baker, Bisbee, Bookout, Broadway, 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	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
Necessary to the passage of the bill	27

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. 56**, 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
Necessary to the adoption of the Emergency Clause	24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 56 was ordered immediately transmitted to the House.

On motion of Senator Womack, the rules were suspended in considering Senate Bill No. 61 at this time.

On motion of Senator Womack, Senate Bill No. 61 was called up for third reading and final disposition.

SENATE BILL NO. 61
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS PSYCHOLOGY BOARD FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Senate Bill No. 61 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, Argue, Baker, Bisbee, Bookout, Broadway, 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	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
Necessary to the passage of the bill	27

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. 61**, 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, Argue, Baker, Bisbee, Bookout, Broadway, 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	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
Necessary to the adoption of the Emergency Clause	24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 61 was ordered immediately transmitted to the House.

SENATE CONCURRENT MEMORIAL RESOLUTION NO. 2
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS WILKINSON AND LAVERTY
BY: REPRESENTATIVE OVERBEY

SENATE CONCURRENT MEMORIAL RESOLUTION IN RESPECTFUL MEMORY OF MR. DENNIS DUANE STEELE AND IN RECOGNITION OF HIS CONTRIBUTIONS TO HIS LOCAL COMMUNITY.

Senate Concurrent Memorial Resolution No. 2 was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 274
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR BRYLES

A Bill for an Act to be Entitled: AN ACT TO AMEND VARIOUS PROVISIONS OF ARKANSAS CODE TITLE 6 CONCERNING PUBLIC EDUCATION; AND FOR OTHER PURPOSES.

Senate Bill No. 274 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

HOUSE CONCURRENT RESOLUTION NO. 1007
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE SAMPLE
BY: SENATOR T. SMITH

HOUSE CONCURRENT RESOLUTION NO. 1007 CONGRATULATING THE JESSIEVILLE LIONS ON THEIR 2006 CLASS AA STATE FOOTBALL CHAMPIONSHIP.

House Concurrent Resolution No. 1007 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE CONCURRENT MEMORIAL RESOLUTION NO. 1001
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES BLOUNT, E. BROWN, CHESTERFIELD, DAVIS,
ALLEN, T. BAKER, S. DOBBINS, FLOWERS. HARDY, W. LEWELLEN & RAINEY
BY: SENATORS STEELE, BROWN, CRUMBLY & WILKINS

A Bill for an Act to be Entitled: IN RESPECTFUL MEMORY OF MR. JOHN A. EASON AND IN RECOGNITION OF HIS CONTRIBUTION TO THE STATE OF ARKANSAS.

House Concurrent Memorial Resolution No. 1001 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1128
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE ROSENBAUM

A Bill for an Act to be Entitled: AN ACT TO PROVIDE THAT A PURPLE HEART RECIPIENT MAY RECEIVE AN ADDITIONAL SPECIAL LICENSE PLATE FOR A NOMINAL FEE; AND FOR OTHER PURPOSES.

House Bill No. 1128 was read the first time, rules suspended, read the second time and referred to the Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS.

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

HOUSE BILL NO. 1363
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE KEY

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE §§ 20-10-1402 AND 20-10-1403 TO ENHANCE THE QUALITY OF CARE OF LONG-TERM CARE FACILITY RESIDENTS BY CREATING STAFFING STANDARDS FOR THOSE NURSING FACILITIES DESIGNATED OR CERTIFIED AS EDEN ALTERNATIVE OR GREEN HOUSE PROJECT NURSING FACILITIES; AND FOR OTHER PURPOSES.

House Bill No. 1363 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

HOUSE BILL NO. 1364
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE KEY

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE §§ 20-10-209 TO PROVIDE FUNDING FOR PROGRAMS TO ENHANCE THE QUALITY OF LIFE OF LONG-TERM CARE FACILITY RESIDENTS; AND FOR OTHER PURPOSES.

House Bill No. 1364 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

HOUSE BILL NO. 1383
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES WOOD AND WALTERS

A Bill for an Act to be Entitled: AN ACT TO ENSURE THAT VETERANS OF OPERATION ENDURING FREEDOM ARE ELIGIBLE FOR A SPECIAL LICENSE PLATE AND RENEWAL FOR A NOMINAL FEE LIKE OTHER VETERANS; TO INCORPORATE THE LAW REGARDING OPERATION ENDURING FREEDOM AND OPERATION IRAQI FREEDOM INTO THE SPECIAL LICENSE PLATE ACT OF 2005, § 27-24-101 ET SEQ.; TO ALLOW A PERSON WHO PAID THE FEE FOR THE OPERATION ENDURING FREEDOM SPECIAL LICENSE PLATE TO BE REFUNDED THAT FEE; AND FOR OTHER PURPOSES.

House Bill No. 1383 was read the first time, rules suspended, read the second time and referred to the Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 7, 2007

Mr. President:

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

SENATE BILL NO. 119, BY SENATOR HORN, 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

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 7, 2007

Mr. President:

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

HOUSE BILL NO. 1179, BY SENATOR OVERBEY, et al,
HOUSE BILL NO. 1202, BY REPRESENTATIVE THYER, et al,
HOUSE BILL NO. 1320, BY REPRESENTATIVE RAGLAND,

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 7, 2007

Mr. President:

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

SENATE BILL NO. 126, BY JOINT BUDGET COMMITTEE,

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. 126** was ordered re-referred to the Committee on JOINT BUDGET.

HOUSE BILL NO. 1077
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS BOARD OF HEARING INSTRUMENT DISPENSERS FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

House Bill No. 1077 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1105
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS DIETETICS LICENSING BOARD FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

House Bill No. 1105 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1116
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE VETERINARY MEDICAL EXAMINING BOARD FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

House Bill No. 1116 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1117
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS STATE BOARD OF CHIROPRACTIC EXAMINERS FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

House Bill No. 1117 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1119
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS MANUFACTURED HOME COMMISSION FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

House Bill No. 1119 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1149
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE AUCTIONEERS LICENSING BOARD FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

House Bill No. 1149 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1371
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR OPERATING EXPENSES FOR THE OIL AND GAS COMMISSION WHICH SHALL BE SUPPLEMENTAL AND IN ADDITION TO THOSE FUNDS APPROPRIATED BY ACT 910 OF 2005; AND FOR OTHER PURPOSES.

House Bill No. 1371 was read the first time, rules suspended, read the second time and placed on the Calendar.

Senate Concurrent Resolution No. 3 was returned from the House as concurred in and ordered enrolled.

Senate Bill No. 176 was returned from the House as passed and ordered enrolled.

SENATE JOINT RESOLUTION NO. 11
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR ALTES

A Bill for an Act to be Entitled: AMENDING THE ARKANSAS CONSTITUTION CONCERNING RESIDENCY REQUIREMENTS FOR PUBLIC OFFICIALS; AMENDING THE ARKANSAS CONSTITUTION TO PROVIDE THAT A PERSON IS A RESIDENT OF THE STATE OR A DISTRICT, COUNTY, OR MUNICIPALITY IF HE OR SHE OWNS OR RENTS A RESIDENCE WITHIN THE STATE, DISTRICT, COUNTY, OR MUNICIPALITY FOR AT LEAST ONE (1) YEAR BEFORE FILING AS A CANDIDATE AND SLEEPS AT THE RESIDENCE AT LEAST THREE (3) NIGHTS PER WEEK FOR AT LEAST FORTY (40) OF THE FIFTY-TWO (52) WEEKS PRECEDING HIS OR HER FILING AS A CANDIDATE; AND PROVIDING THAT A VACANCY SHALL EXIST IF A PERSON ELECTED TO A STATE, DISTRICT, COUNTY, OR MUNICIPAL OFFICE CEASES TO BE A RESIDENT OF THE STATE, DISTRICT, COUNTY, OR MUNICIPALITY DURING HIS OR HER TERM OF OFFICE.

Subtitle

AMENDING THE ARKANSAS CONSTITUTION CONCERNING RESIDENCY REQUIREMENTS FOR PUBLIC OFFICIALS.

BE IT RESOLVED BY THE SENATE OF THE EIGHTY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ARKANSAS AND BY THE HOUSE OF REPRESENTATIVES, A MAJORITY OF ALL MEMBERS ELECTED TO EACH HOUSE AGREEING THERETO:

That the following is proposed as an amendment to the Constitution of the State of Arkansas, and upon being submitted to the electors of the state for approval or rejection at the next general election for Senators and Representatives, if a majority of the electors voting thereon at the election adopt the amendment, the amendment shall become a part of the Constitution of the State of Arkansas, to wit:

SECTION 1. Article 19 of the Arkansas Constitution is amended to add an additional section to read as follows:

§ 28. Residency for purpose of election and service in office.

(a) A candidate for election to a state, district, county, or municipal office created by this constitution or by Arkansas law shall be considered a resident for the purposes of existing Arkansas law of the state, district, county, or municipality to which he or she seeks election if he or she:

(1) For at least one (1) year before filing as a candidate, owns or rents a residence in the respective state, district, county, or municipality that he or she seeks to be elected to serve; and

(2) Sleeps at the residence at least three (3) nights per week for at least forty (40) of the fifty-two (52) weeks preceding his or her filing as a candidate.

(b) If a person elected to a state, district, county, or municipal office fails to satisfy the residency criteria under subsection (a) of this section at any point during his or her term of office, the office shall be considered vacant and shall be filled by the method specified in this constitution or Arkansas law for vacancies in the respective office.

SECTION 2. This amendment becomes effective January 1, 2009.

Senate Joint Resolution No. 11 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

SENATE JOINT RESOLUTION NO. 12
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR WOMACK

A Bill for an Act to be Entitled: TO PROPOSE A CONSTITUTIONAL AMENDMENT TO REVISE THE DUTIES, LIMITATIONS, AND PRIVILEGES OF THE LEGISLATIVE BRANCH BY AMENDING OR REPEALING VARIOUS SECTIONS OF ARTICLE 5 OF THE ARKANSAS CONSTITUTION AND RELATED AMENDMENTS TO THE ARKANSAS CONSTITUTION; TO REQUIRE THE GENERAL ASSEMBLY TO MEET IN REGULAR SESSION DURING ODD-NUMBERED YEARS AND IN A LIMITED FISCAL SESSION DURING EVEN-NUMBERED YEARS TO CONSIDER APPROPRIATION BILLS; TO SPECIFY THE VOTE REQUIRED TO EXTEND A REGULAR SESSION OR A FISCAL SESSION OF THE GENERAL ASSEMBLY; TO ALLOW THE GENERAL ASSEMBLY TO CALL ITSELF INTO SPECIAL SESSION; TO ESTABLISH THE LENGTH OF SESSIONS; TO REDUCE THE PERIOD FOR WHICH APPROPRIATION BILLS ARE VALID FROM TWO (2) YEARS TO ONE (1) FISCAL YEAR; TO REVISE THE RESTRICTIONS CONCERNING MEMBERS OF THE GENERAL ASSEMBLY BEING APPOINTED OR ELECTED TO A CIVIL OFFICE; TO IMPOSE A NEW RESTRICTION ON THE GENERAL ASSEMBLY'S ABILITY TO INCREASE GROSS RECEIPTS TAXES OR GROSS PROCEEDS TAXES OR COMPENSATING USE TAXES; TO AUTHORIZE THE GENERAL ASSEMBLY TO PASS SPECIAL OR LOCAL APPROPRIATION ACTS IF THE APPROPRIATION FURTHERS A STATE INTEREST AND THE APPROPRIATION IS APPROVED BY A VOTE OF THREE-FOURTHS (3/4) OF THE MEMBERS ELECTED TO EACH HOUSE OF THE GENERAL ASSEMBLY; TO REPEAL ARTICLE 5, § 26 OF THE ARKANSAS CONSTITUTION, WHICH IS OBSOLETE AND WAS SUPERSEDED BY AMENDMENT 14 IN 1926; AND TO MAKE CONFORMING AMENDMENTS TO REFLECT THE CHANGES PROPOSED IN THIS AMENDMENT.

Subtitle

TO PROPOSE A CONSTITUTIONAL AMENDMENT TO REVISE THE DUTIES, LIMITATIONS, AND PRIVILEGES OF THE LEGISLATIVE BRANCH.

BE IT RESOLVED BY THE SENATE OF THE EIGHTY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ARKANSAS AND BY THE HOUSE OF REPRESENTATIVES, A MAJORITY OF ALL MEMBERS ELECTED TO EACH HOUSE AGREEING THERETO:

That the following is proposed as an amendment to the Constitution of the State of Arkansas, and upon being submitted to the electors of the state for approval or rejection at the next general election for Senators and Representatives, if a majority of the electors voting thereon at the election adopt the amendment, the amendment shall become a part of the Constitution of the State of Arkansas, to wit:

SECTION 1. Section 5 of Article 5 of the Arkansas Constitution is amended to read as follows:

§ 5. ~~Time of meeting~~ Regular, fiscal, and special sessions.

(a) ~~The General Assembly shall meet at the seat of government every two years, on the first Tuesday after the second Monday in November, until said time be altered by law~~ year.

(b) The General Assembly shall meet in regular session on the second Monday in January of each odd-numbered year to consider any bill or resolution. The General Assembly may alter the time at which the regular session begins.

(c)(1) Beginning in 2010, the General Assembly shall meet in fiscal session on the second Monday in February of each even-numbered year to consider only appropriation bills. The General Assembly may alter the time at which the fiscal session begins.

(2) A bill other than an appropriation bill may be considered in a fiscal session if two-thirds (2/3) of the members of each house of the General Assembly approve consideration of the bill.

(d) The General Assembly may call itself into special session upon a petition by at least two-thirds (2/3) of the members of each House. Upon receiving a petition from the members of their House, the President Pro Tempore of the Senate and the Speaker of the House of Representatives shall call the General Assembly into special session by a joint proclamation. A special session called by the General Assembly shall not exceed fifteen (15) calendar days.

SECTION 2. Section 10 of Article 5 of the Arkansas Constitution is amended to read as follows:

§ 10. Members ineligible to civil office.

No Senator or Representative shall, during the term for which he or she shall have been elected, be appointed or elected to any civil office under this State, unless:

(1) He or she resigns as a Senator or Representative prior to assuming the duties of the civil office; or

(2) The Senator or Representative does not accept a salary or stipend for service in the civil office, and the civil office is a part-time elective office of a city, county, or school district.

SECTION 3. Section 17 of Article 5 of the Arkansas Constitution is amended to read as follows:

§ 17. Duration of sessions.

~~The regular biennial sessions, shall not exceed sixty days in duration; unless by a vote of two-thirds of the members elected to each house of said General Assembly.~~

(a) A regular biennial session shall not exceed sixty (60) calendar days in duration, unless extended by a vote of two-thirds (2/3) of the members elected to each house of the General Assembly. The regular biennial session shall not exceed seventy-five (75) calendar days in duration, unless extended by a vote of three-fourths (3/4) of the members elected to each house of the General Assembly.

(b) A fiscal session shall not exceed thirty (30) calendar days in duration, except that by a vote of three-fourths (3/4) of the members elected to each house of the General Assembly. A fiscal session may be extended one (1) time by no more than fifteen (15) calendar days.

~~(c) Provided, that this section shall not apply to the first session of the General Assembly under this Constitution, or when impeachments are pending.~~

SECTION 4. Section 26 of Article 5 of the Arkansas Constitution, which was superseded by Amendment 14, is repealed.

~~§ 26. Notice of local or special bills.~~

~~No local or special bill shall be passed, unless notice of the intention to apply therefor shall have been published, in the locality where the matter or the thing to be affected may be situated; which notice shall be, at least, thirty days prior to the introduction into the General Assembly of such bill, and in the manner to be provided~~

~~by law. The evidence of such notice having been published, shall be exhibited in the General Assembly before such act shall be passed.~~

SECTION 5. Section 29 of Article 5 of the Arkansas Constitution is amended to read as follows:

§ 29. Appropriations.

No money shall be drawn from the treasury except in pursuance of specific appropriation made by law, the purpose of which shall be distinctly stated in the bill, and the maximum amount which may be drawn shall be specified in dollars and cents; and no appropriations made by the General Assembly after December 31, 2008, shall be for a longer period than ~~two years~~ one (1) fiscal year.

SECTION 6. Section 34 of Article 5 of the Arkansas Constitution is amended to read as follows:

§ 34. Introduction of bills - Time limit.

No new bill shall be introduced into either house during the last three (3) days of the a regular session or a fiscal session.

SECTION 7. Section 38 of Article 5 of the Arkansas Constitution is amended to read as follows:

§ 38. Taxes - Increase - Approval by electors.

§ 2. (a) None of the rates for property, excise, privilege or personal taxes, now levied shall be increased by the General Assembly except after the approval of the qualified electors voting thereon at an election, or in case of emergency, by the votes of three-fourths (3/4) of the members elected to each House of the General Assembly.

(b) The General Assembly shall not increase the rate of any gross receipts tax or gross proceeds tax or compensating use tax levied by the state, except after the approval of the qualified electors voting thereon at an election, or in case of emergency, by the votes of three-fourths (3/4) of the members elected to each house of the General Assembly.

SECTION 8. Section 39 of Article 5 of the Arkansas Constitution is amended to read as follows:

§ 39. State expenses - Limitation - Exceptions.

§ 3. Excepting monies raised or collected for educational purposes, highway purposes, to pay Confederate pensions and the just debts of the State, the General Assembly is hereby prohibited from appropriating or expending more than the sum

of Two and One-Half Million Dollars for all purposes, for any ~~biennial period~~ fiscal year; provided the limit herein fixed may be exceeded by the votes of three-fourths of the members elected to each House of the General Assembly. [As added to Art. 5 by Const. Amend. 19.]

SECTION 9. Section 40 of Article 5 of the Arkansas Constitution is amended to read as follows:

§ 40. General appropriation bill - Enactment.

§ 4. In making appropriations for any ~~biennial period~~ fiscal year, the General Assembly shall first pass the General Appropriation Bill provided for in Section 30 of Article 5 of the Constitution, and no other appropriation bill may be enacted before that shall have been done. [As added to Art. 5 by Const. Amend. 19.]

SECTION 10. Amendment 14 to the Arkansas Constitution is amended to read as follows:

Local or special acts prohibited — Rights to repeal acts by legislature.

(a) The General Assembly shall not pass any local or special act, except as provided by this amendment.

(b) The General Assembly may pass special acts or local appropriation acts if the General Assembly determines that the appropriation furthers a state interest and the appropriation is approved by a vote of three-fourths (3/4) of the members elected to each House of the General Assembly.

(c) This amendment shall not prohibit the repeal of local or special acts.

SECTION 11. Section 7 of Amendment 35 to the Arkansas Constitution, concerning the Arkansas State Game and Fish Commission, is amended to read as follows:

§ 7. Executive secretary and other personnel - Selection - Salaries and expenditures.

The Commission shall elect an Executive Secretary, whose salary shall not exceed that of limitations placed on other constitutional departments; and other executive officers, supervisor, personnel, office assistants, wardens, game refuge keepers, and hatchery employees, whose salaries and expenditures must be submitted to the Legislature and approved by an Act covering specific items in the ~~biennial~~ appropriation as covered by Article XVI Section 4 of the Constitution.

SECTION 12. This amendment shall become effective on January 1, 2009.

Senate Joint Resolution No. 12 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 7, 2007

Mr. President:

We, your Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS, to whom was referred:

HOUSE BILL NO. 1182, BY REPRESENTATIVE T. BAKER,
HOUSE BILL NO. 1307, BY REPRESENTATIVE PIERCE,

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 HENRY "HANK" WILKINS IV
CHAIRMAN

SENATE JOINT RESOLUTION BILL NO. 13
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR BRYLES

A Bill for and Act to be Entitled: PROPOSING AN AMENDMENT TO SUBSECTION (a) OF SECTION 2 OF AMENDMENT 73 TO THE ARKANSAS CONSTITUTION CONCERNING TERM LIMITS FOR MEMBERS OF THE HOUSE OF REPRESENTATIVES.

Subtitle

PROPOSING AN AMENDMENT TO SUBSECTION (a) OF SECTION 2 OF AMENDMENT 73 TO THE ARKANSAS CONSTITUTION CONCERNING TERM LIMITS FOR MEMBERS OF THE HOUSE OF REPRESENTATIVES.

BE IT RESOLVED BY THE SENATE OF THE EIGHTY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ARKANSAS AND BY THE HOUSE OF REPRESENTATIVES, A MAJORITY OF ALL MEMBERS ELECTED TO EACH HOUSE AGREEING THERETO:

That the following is proposed as an amendment to the Constitution of the State of Arkansas, and upon being submitted to the electors of the state for approval or rejection at the next general election for Senators and Representatives, if a majority of the electors voting thereon at the election adopt the amendment, the amendment shall become a part of the Constitution of the State of Arkansas, to wit:

SECTION 1. Subsection (a) of Section 2 of Amendment 73 to the Arkansas Constitution is amended to read as follows:

(a)(1) The Arkansas House of Representatives shall consist of members to be chosen every second year by the qualified electors of the several counties.

(2)(A) No member of the Arkansas House of Representatives may serve more than three such two year terms. This provision applies through December 31, 2012.

(B) Beginning January 1, 2013, no member of the Arkansas House of Representatives may serve more than five such two year terms.

Senate Joint Resolution No. 13 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

SENATE JOINT RESOLUTION NO. 14
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR HENDREN

SENATE JOINT RESOLUTION NO. 14 PROPOSING AN AMENDMENT TO AMENDMENT 14 OF THE ARKANSAS CONSTITUTION AUTHORIZING THE GENERAL ASSEMBLY TO PASS SPECIAL OR LOCAL APPROPRIATION ACTS, IF THE APPROPRIATION FURTHERS A STATE INTEREST AND THE APPROPRIATION IS APPROVED BY A VOTE OF THREE-FOURTHS (3/4) OF THE MEMBERS ELECTED TO EACH HOUSE OF THE GENERAL ASSEMBLY; AND REPEALING ARTICLE 5, § 26 OF THE ARKANSAS CONSTITUTION, WHICH IS OBSOLETE AND WAS SUPERSEDED BY AMENDMENT 14 IN 1926.

Subtitle

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF ARKANSAS AUTHORIZING THE GENERAL ASSEMBLY TO PASS SPECIAL OR LOCAL APPROPRIATION ACTS THAT FURTHER A STATE INTEREST; AND TO REPEAL OBSOLETE LANGUAGE.

BE IT RESOLVED BY THE SENATE OF THE EIGHTY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ARKANSAS AND BY THE HOUSE OF REPRESENTATIVES, A MAJORITY OF ALL MEMBERS ELECTED TO EACH HOUSE AGREEING THERETO:

That the following is proposed as an amendment to the Constitution of the State of Arkansas, and upon being submitted to the electors of the state for approval or rejection at the next general election for Senators and Representatives, if a majority of the electors voting thereon at the election adopt the amendment, the amendment shall become a part of the Constitution of the State of Arkansas, to wit:

SECTION 1. Amendment 14 to the Arkansas Constitution is amended to read as follows:

(a) The General Assembly shall not pass any local or special act, ~~except as provided by this amendment.~~

(b) The General Assembly may pass special or local appropriation acts, if the General Assembly determines that the appropriation furthers a state interest and the appropriation is approved by a vote of three-fourths (3/4) of the members elected to each House of the General Assembly.

(c) This amendment shall not prohibit the repeal of local or special acts.

SECTION 2. Article 5, § 26 of the Arkansas Constitution, which was superseded by Amendment 14, is repealed.

~~§ 26. Notice of local or special bills.~~

~~No local or special bill shall be passed, unless notice of the intention to apply therefor shall have been published, in the locality where the matter or the thing to be affected may be situated; which notice shall be, at least, thirty days prior to the introduction into the General Assembly of such bill, and in the manner to be provided by law. The evidence of such notice having been published, shall be exhibited in the General Assembly before such act shall be passed.~~

SECTION 3. This amendment shall become effective on January 1, 2009.

Senate Joint Resolution No. 14 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

* * * * *

SENATE BILLS TRANSMITTED TO THE HOUSE
AS PASSED

- SENATE BILL NO. 48
- SENATE BILL NO. 49
- SENATE BILL NO. 51
- SENATE BILL NO. 55
- SENATE BILL NO. 56
- SENATE BILL NO. 61
- SENATE BILL NO. 187
- SENATE BILL NO. 188
- SENATE BILL NO. 201
- SENATE BILL NO. 225

SENATE CONCURRENT MEMORIAL RESOLUTION TRANSMITTED
TO THE HOUSE AS ADOPTED

SENATE CONCURRENT MEMORIAL RESOLUTION 1

HOUSE BILLS RETURNED TO THE HOUSE
AS PASSED

- HOUSE BILL NO. 1007
- HOUSE BILL NO. 1183
- HOUSE BILL NO. 1216
- HOUSE BILL NO. 1302
- HOUSE BILL NO. 1303

SENATE BILLS RETURNED FROM THE HOUSE
AS PASSED

SENATE BILL NO. 176

SENATE CONCURRENT RESOLUTION RETURNED FROM THE HOUSE
AS CONCURRED IN

SENATE CONCURRENT RESOLUTION 3

HOUSE BILLS TRANSMITTED TO THE SENATE
AS PASSED

HOUSE BILL NO. 1077
HOUSE BILL NO. 1105
HOUSE BILL NO. 1116
HOUSE BILL NO. 1117
HOUSE BILL NO. 1119
HOUSE BILL NO. 1128
HOUSE BILL NO. 1149
HOUSE BILL NO. 1323
HOUSE BILL NO. 1363
HOUSE BILL NO. 1364
HOUSE BILL NO. 1371
HOUSE BILL NO. 1383

HOUSE CONCURRENT RESOLUTION TRANSMITTED
TO THE SENATE AS ADOPTED

HOUSE CONCURRENT RESOLUTION NO. 1007

HOUSE CONCURRENT MEMORIAL RESOLUTION TRANSMITTED
TO THE SENATE AS ADOPTED

HOUSE CONCURRENT MEMORIAL RESOLUTION NO. 1001

On motion of Senator Whitaker, the Senate adjourned until 11:00 a.m.,
Thursday, February 8, 2007.

PRESIDENT OF THE SENATE

SECRETARY OF THE SENATE

--ooOoo--

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

Little Rock, Arkansas

February 8, 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, ARGUE, BAKER, BISBEE, BOOKOUT,
BROADWAY, 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.

The Senate was led in prayer by Senator Gene Jeffress.

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 Thompson, **Senate Bill No. 237** was withdrawn from the Committee on AGRICULTURE, ECONOMIC & INDUSTRIAL DEVELOPMENT, and placed back on second reading for purpose of Amendment No. 2.

Withdraw Amendment No. 1

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 2 to SENATE BILL NO. 237

Amend **Senate Bill No. 237** as originally introduced:

Add Representative L. Smith as a cosponsor

AND

Page 2, line 2, delete "biodiesel fuel" and substitute "biofuels"

AND

Page 2, delete lines 3 through 12 and substitute:

"(2)(A) "Biofuel" means a renewable, biodegradable, combustible liquid fuel derived from biomass that can be used as transportation fuel, combustion fuel, or refinery feedstock and that meets the American Society for Testing and Materials Specification and federal quality requirements as in effect on February 1, 2007, for each category or grade of fuel.

(B) "Biofuel" includes without limitation:

(i) Biodiesel or renewable diesel;

(ii) Renewable gasoline;

(iii) Renewable jet fuel;

(iv) Renewable naphtha;

(v) Biocrude; and

(vi) Other renewable, biodegradable, mono alkyl ester combustible fuel derived from biomass.

(3)(A) "Biomass" means any matter derived from plants or animals that is used for the production of alternative fuels.

(B) "Biomass" includes residues or byproducts from:

(i) Agricultural production;

(ii) Agricultural processing;

(iii) Forest or wood resources;

(iv) Forestry or wood production; or

(v) Forestry or wood processing.

(C) "Biomass" includes plant material from crops that are produced for use in the production of alternative fuels and cellulosic biomass.

(D) "Biomass" does not include recycled petroleum oil;

(4) "Ethanol" means ethyl alcohol derived from biomass that:"

AND

Page 2, delete line 29 and substitute:
“15-13-104. Biofuel standard.”

AND

Page 2, delete lines 30 through 31 and substitute:
“(a) A distributor licensed under the Special Motor Fuels Tax Law, § 26-56-101 et seq., shall provide evidence to the Secretary of the Arkansas Agriculture”

AND

Page 2, line 33, delete “biodiesel” and substitute “biofuel”

AND

Page 2, delete line 34 and substitute:
“by volume that is compatible with diesel beginning on July 1, 2008, and subject to:”

AND

Page 3, line 2, delete “Secretary of the Department of Agriculture” and substitute
“secretary”

AND

Page 3, delete lines 4 through 5 and substitute:
“(b) A distributor licensed under the Special Motor Fuels Tax Law, § 26-56-101 et seq., shall provide evidence to the Secretary of the Arkansas Agriculture Department”

AND

Page 3, line 6, delete “Agriculture”

AND

Page 3, line 12, delete “Secretary of the Department of Agriculture” and substitute
“secretary”

AND

Page 3, line 15, delete “biodiesel fuel” and substitute “biofuel”

AND

Page 3, line 17, delete “biodiesel fuel” and substitute “biofuel”

AND

Page 3, line 19, delete “biodiesel fuel” and substitute “biofuel”

AND

Page 3, line 24, delete “biodiesel fuel” and substitute “biofuel”
 AND

Page 3, line 34, delete “biodiesel fuel” and substitute “biofuel”

AND

Page 4, line 11, delete "biodiesel fuel" and substitute "biofuel"

(SIGNED) SENATOR R. THOMPSON

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 237 was ordered engrossed.

On motion of Senator Salmon, **Senate Bill No. 266** was withdrawn from the Committee on JUDICIARY, 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. 266

Amend **Senate Bill No. 266** as originally introduced:

Add Representatives Prater and Hardwick as cosponsors of the bill

(SIGNED) SENATOR SALMON

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 266 was ordered engrossed.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 8, 2007

Mr. President:

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

SENATE BILL NO. 237, BY SENATOR R. THOMPSON, 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 Thompson, **Senate Bill No. 237** was ordered re-referred to the Committee on AGRICULTURE, ECONOMIC & INDUSTRIAL DEVELOPMENT.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 8, 2007

Mr. President:

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

Senate BILL NO. 266, BY SENATOR SALMON,

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 Salmon, Senate Bill No. 266 was ordered re-referred to the Committee on JUDICIARY.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 8, 2007

Mr. President:

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

SENATE CONCURRENT RESOLUTION NO. 3, BY SENATOR CRITCHER,
SENATE BILL NO. 176, BY SENATOR G. JEFFRESS,

beg leave to report that we have carefully compared the enrolled copies with the original and we find the same correctly enrolled and have at 10:00 a.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. 3
SENATE BILL NO. 176

RECEIVED the above papers from the Secretary of the Senate this 8th day of February , 2007 at 10:00 a.m.

(SIGNED) MIKE BEEBE
Governor

(SIGNED) Sarah Agee
Secretary

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 8, 2007

Mr. President:

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

HOUSE BILL NO. 1340, BY REPRESENTATIVE LOVELL,

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

Respectfully submitted,

(SIGNED) SENATOR PAUL MILLER
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 8, 2007

Mr. President:

We, your Committee on JOINT BUDGET, to whom was referred:

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 had the same under consideration, and herewith return the same with the recommendation that they do pass.

Respectfully submitted,

(SIGNED) SENATOR SHAWN A. WOMACK
CHAIRMAN

SENATE BILL NO. 275
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR BOOKOUT

A Bill for an Act to be Entitled: AN ACT AMENDING THE DOCUMENTS AND INFORMATION REQUIRED TO BE FILED WITH THE BURIAL ASSOCIATION BOARD WHEN APPLYING FOR A CERTIFICATE OF AUTHORITY; AND FOR OTHER PURPOSES.

Senate Bill No. 275 was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE & COMMERCE.

SENATE BILL NO. 276
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR T. SMITH

A Bill for an Act to be Entitled: AN ACT AMENDING PROVISIONS OF ARKANSAS LAW CONCERNING BODY ART; AND FOR OTHER PURPOSES.

Senate Bill No. 276 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

SENATE BILL NO. 277
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR WOMACK
BY: REPRESENTATIVE MALOCH

A Bill for an Act to be Entitled: AN ACT TO STANDARDIZE THE TIME PERIODS FOR FILING CLAIMS AGAINST AN ESTATE; AND FOR OTHER PURPOSES.

Senate Bill No. 277 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

SENATE BILL NO. 278
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR GLOVER

A Bill for an Act to be Entitled: AN ACT TO IMPLEMENT THE FEDERAL UNIFIED CARRIER REGISTRATION ACT OF 2005 PERTAINING TO THE REGISTRATION OF MOTOR CARRIERS ENGAGED IN INTERSTATE COMMERCE; AND FOR OTHER PURPOSES.

Senate Bill No. 278 was read the first time, rules suspended, read the second time and referred to the Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 8, 2007

Mr. President:

We, your Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS,
to whom was referred:

SENATE BILL NO. 230, BY SENATOR FARIS,

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

Respectfully submitted,

(SIGNED) SENATOR STEVE FARIS
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 8, 2007

Mr. President:

We, your Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS,
to whom was referred:

HOUSE BILL NO. 1304, BY REPRESENTATIVE WELLS,

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

Respectfully submitted,

(SIGNED) SENATOR STEVE FARIS
CHAIRMAN

On motion of Senator Steele, **House Bill No. 1196** 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. 1196

Amend **House Bill No. 1196** as engrossed, H1/26/07:

Page 2, delete line 22 and substitute the following:

"revenues authorized by law.

(iii) Within thirty (30) days after the effective date of this subchapter, the Arkansas Commission on Eye and Vision Care of School Age

(iv)

(v)

Children shall transfer all funds currently held to the School-Age Children Eye and Vision Care Fund."

(SIGNED) SENATOR TRACY STEELE

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

(SIGNED) ANN CORNWELL, SECRETARY

Amend **House Bill No. 1196** as engrossed.

On motion of Senator Trusty, **House Bill No. 1176** 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. 1176

Amend **House Bill No. 1176** as originally introduced:

Page 1, line 10, delete "MUNICIPAL PERSONNEL" and substitute "MUNICIPAL POLICE DEPARTMENT PERSONNEL"

AND

Page 1, line 15, delete "MUNICIPAL PERSONNEL" and substitute "MUNICIPAL POLICE DEPARTMENT PERSONNEL"

AND

Page 1, line 24, delete "(b) Cities" and substitute "(b) ~~Cities~~ Municipal police departments of cities"

AND

Page 1, line 26, delete "the commission, and" and substitute "~~the commission~~ Arkansas Commission on Law Enforcement Standards and Training, and"

(SIGNED) SENATOR TRUSTY

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

(SIGNED) ANN CORNWELL, SECRETARY

Amend **House Bill No. 1176** as engrossed.

On motion of Senator Altes, **Senate Bill No. 182** was called up for third reading and final disposition.

SENATE BILL NO. 182
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
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. AN ACT TO REQUIRE MATERIAL HARMFUL TO MINORS TO BE KEPT BEHIND BLINDER RACKS; AND FOR OTHER PURPOSES.

Senate Bill No. 182 was pulled down at this time by Senator Altes.

The President declared the morning hour to have expired.

On motion of Senator Smith, **Senate Bill No. 215** was called up for third reading and final disposition.

SENATE BILL NO. 215
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR T. SMITH
BY: REPRESENTATIVE SAMPLE

A Bill for an Act to be Entitled: AN ACT CONCERNING THE CERTIFICATION OF RETIRED LAW ENFORCEMENT OFFICERS TO CARRY A CONCEALED HANDGUN; AND FOR OTHER PURPOSES.

Senate Bill No. 215 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, Argue, Baker, Bisbee, Bookout, Broadway, 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	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
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. 215 was ordered immediately transmitted to the House.

On motion of Senator Taylor, **Senate Bill No. 2** was called up for third reading and final disposition.

SENATE BILL NO. 2
As Engrossed: S2/5/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

BY: SENATORS J. TAYLOR, MILLER, ALTES, BAKER, CRITCHER, FARIS, HENDREN, LAVERTY, T. SMITH, R. THOMPSON, WHITAKER & WILKINSON
BY: REPRESENTATIVE WALTERS

A Bill for an Act to be Entitled: AN ACT TO REMOVE THE DUTY TO RETREAT PRIOR TO THE USE OF DEADLY PHYSICAL FORCE UNDER CERTAIN CIRCUMSTANCES; AND FOR OTHER PURPOSES.

Senate Bill No. 2 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, Broadway, Brown, 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: Argue, Bryles.

Total2

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

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. 2 was ordered immediately transmitted to the House.

On motion of Senator Horn, **Senate Bill No. 119** was called up for third reading and final disposition.

SENATE BILL NO. 119
As Engrossed: S1/25/07 S2/7/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS HORN, J. JEFFRESS, G. JEFFRESS, ALTES, T. SMITH, J. TAYLOR, TRUSTY, B. PRITCHARD & BAKER
BY: REPRESENTATIVES ANDERSON, MAXWELL, KEY, RAGLAND, ET AL

A Bill for an Act to be Entitled: AN ACT TO PROMOTE ECONOMIC DEVELOPMENT WITHIN THE STATE BY REDUCING THE STATE SALES AND USE TAX ON NATURAL GAS AND ELECTRICITY USED OR CONSUMED IN MANUFACTURING; AND FOR OTHER PURPOSES.

Senate Bill No. 119 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
Necessary to the passage of the bill	27

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. 119**, 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, Argue, Baker, Bisbee, Bookout, Broadway, 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	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
Necessary to the adoption of the Emergency Clause	24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 119 was ordered immediately transmitted to the House.

On motion of Senator Thompson, **Senate Bill No. 184** was called up for third reading and final disposition.

**SENATE BILL NO. 184
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS R. THOMPSON AND BROADWAY**

A Bill for an Act to be Entitled: AN ACT TO REQUIRE A COPY OF CERTAIN ORDERS REGARDING COMMITMENT TO BE SUBMITTED TO THE ARKANSAS CRIME INFORMATION CENTER; AND FOR OTHER PURPOSES.

Senate Bill No. 184 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, Argue, Baker, Bisbee, Bookout, Broadway, 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	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
Necessary to the passage of the bill	18

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. 184**, 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 184 was ordered immediately transmitted to the House.

On motion of Senator Wilkinson, **Senate Bill No. 246** was called up for third reading and final disposition.

**SENATE BILL NO. 246
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR WILKINSON
BY: REPRESENTATIVES PATE AND WELLS**

A Bill for an Act to be Entitled: AN ACT TO CLARIFY THE DEFINITION OF "IMMINENT DANGER TO HEALTH OR SAFETY" IN THE ADULT MALTREATMENT CUSTODY ACT; AND FOR OTHER PURPOSES.

Senate Bill No. 246 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
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. 246 was ordered immediately transmitted to the House.

On motion of Senator Baker, **House Bill No. 1287** was called up for third reading and final disposition.

HOUSE BILL NO. 1287
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES REYNOLDS, GARNER, ET AL,
BY: SENATOR BAKER

A Bill for an Act to be Entitled: AN ACT TO PROVIDE A MAXIMUM OF THREE (3) THREE-YEAR TERMS FOR MEMBERS OF THE RESIDENTIAL BUILDING CONTRACTORS COMMITTEE; AND FOR OTHER PURPOSES.

House Bill No. 1287 was pulled down at this time by Senator Baker.

On motion of Senator Taylor, **House Bill No. 1235** was called up for third reading and final disposition.

HOUSE BILL NO. 1235
As Engrossed: H1/26/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES MEDLEY, JEFFREY, PACE, BLOUNT, T. BRADFORD,
BURKES, COOPER, CORNWELL, GLIDEWELL, KING, RAGLAND, ROSENBAUM,
WALTERS, WOOD, E. BROWN, D. JOHNSON, THYER & WELLS
BY: SENATORS J. TAYLOR AND ALTES

A Bill for an Act to be Entitled: AN ACT TO REPEAL ARKANSAS CODE § 5-73-121 CONCERNING THE OFFENSE OF CARRYING A KNIFE AS A WEAPON; AND FOR OTHER PURPOSES.

House Bill No. 1235 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, Argue, Baker, Bisbee, Bookout, Broadway, 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	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
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. 1235 was ordered immediately returned to the House as passed.

On motion of Senator J.Jeffress, **House Bill No. 1101** was called up for third reading and final disposition.

HOUSE BILL NO. 1101
As Engrossed: H1/26/07 S2/6/-7
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE REEP

A Bill for an Act to be Entitled: AN ACT TO DEFINE THE ACCREDITING ORGANIZATION FOR HOSPITALS; AND FOR OTHER PURPOSES.

House Bill No. 1101 was pulled down at this time By Senator J. Jeffress.

On motion of Senator Baker, **House Bill No. 1287** was called up for third reading and final disposition.

HOUSE BILL NO. 1287
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES REYNOLDS, GARNER, HAWKINS, HOYT, HYDE,
KIDD, RAGLAND, ROSENBAUM & WILLS
BY: SENATOR BAKER

A Bill for an Act to be Entitled: AN ACT TO PROVIDE A MAXIMUM OF THREE (3) THREE-YEAR TERMS FOR MEMBERS OF THE RESIDENTIAL BUILDING CONTRACTORS COMMITTEE; AND FOR OTHER PURPOSES.

House Bill No. 1287 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35

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. 1287 was ordered immediately returned to the House as passed.

On motion of Senator Bisbee, **House Bill No. 1179** was called up for third reading and final disposition.

HOUSE BILL NO. 1179
As Engrossed: H1/23/07 S2/7/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

BY: REPRESENTATIVES OVERBEY AND T. BAKER

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE § 14-38-101 TO REMOVE REFERENCES TO MAN-MADE STRUCTURES; TO CLARIFY THE MEANING OF NATURAL BARRIER; AND FOR OTHER PURPOSES.

House Bill No. 1179 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, Argue, Baker, Bisbee, Bookout, Broadway, 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	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
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. 1179 was ordered immediately returned to the House as passed as amended.

On motion of Senator Madison, **House Bill No. 1320** was called up for third reading and final disposition.

HOUSE BILL NO. 1320
As Engrossed: S2/7/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE RAGLAND

A Bill for an Act to be Entitled: AN ACT TO MODERNIZE THE PROCEDURE FOR APPOINTMENT OF A DEPUTY TREASURER; AND FOR OTHER PURPOSES.

House Bill No. 1320 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
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. 1320 was ordered immediately returned to the House as passed as amended.

On motion of Senator Thompson, **House Bill No. 1309** was called up for third reading and final disposition.

HOUSE BILL NO. 1309

As Engrossed: H2/1/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES D. CREEKMORE, BOND, T. BRADFORD, ET AL

BY: SENATORS R. THOMPSON, BROADWAY & CAPPS

A Bill for an Act to be Entitled: AN ACT TO ENHANCE THE PENALTY FOR FINANCIAL IDENTITY FRAUD UNDER CERTAIN CIRCUMSTANCES; TO CREATE THE OFFENSE OF NONFINANCIAL IDENTITY FRAUD; TO AMEND ARKANSAS CODE § 5-37-227 TO INCLUDE PROVISIONS CONCERNING RESTITUTION AND VENUE; AND FOR OTHER PURPOSES.

House Bill No. 1309 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, Argue, Baker, Bisbee, Bookout, Broadway, 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	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
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. 1309 was ordered immediately returned to the House as passed.

On motion of Senator Malone, **House Bill No. 1202** was called up for third reading and final disposition.

HOUSE BILL NO. 1202
As Engrossed: H1/25/07 S2/7/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

BY: REPRESENTATIVES THYER, PETRUS, SULLIVAN, WELLS, ET AL
BY: SENATORS MALONE, R. THOMPSON, BOOKOUT, CAPPS, FARIS, HILL & GLOVER

A Bill for an Act to be Entitled: *AN ACT TO EXEMPT DYED DISTILLATE SPECIAL FUEL FROM THE SALES AND USE TAX; TO IMPOSE A GALLONAGE TAX ON DYED DISTILLATE SPECIAL FUEL; TO EXCLUDE BIODIESEL FUEL FROM THE GALLONAGE TAX AND THE SALES AND USE TAX; AND FOR OTHER PURPOSES.*

House Bill No. 1202 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, Argue, Baker, Bisbee, Bookout, Broadway, Brown, Bryles, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Hill, Horn, G. Jeffress, J. Jeffress, Luker, Madison, Malone, Miller, B. Pritchard, Salmon, Steele, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkinson, Womack.

Total	31
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: B. Johnson, Laverty, T. Smith, Wilkins.	
Total	4
VOTING PRESENT:	
Total	0
Total number of votes cast.....	31
Necessary to the passage of the bill	27

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. 1202**, 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, Argue, Baker, Bisbee, Bookout, Broadway, Brown, Bryles, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Hill, Horn, G. Jeffress, J. Jeffress, Luker, Madison, Malone, Miller, B. Pritchard, Salmon, Steele, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkinson, Womack.

Total31

NEGATIVE:

Total0

ABSENT OR NOT VOTING: B. Johnson, Lavery, T. Smith, Wilkins.

Total4

VOTING PRESENT:

Total0

Total number of votes cast31

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1202 was ordered immediately returned to the House as passed as amended.

* * * * * **EXPUNGED** * * * * *

On motion of Senator Altes, **Senate Bill No. 182** was called up for third reading and final disposition.

SENATE BILL NO. 182
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
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.

Senate Bill No. 182 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, Broadway, 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	34
NEGATIVE: Argue.	
Total	1
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
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. 182 was ordered immediately transmitted to the House.

* * * * * **EXPUNGED** * * * * *

The record pertaining to the vote by which **Senate Bill No. 182** passed was expunged, in accordance with a prevailing motion on February 28, 2007.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 8, 2007

Mr. President:

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

HOUSE BILL NO. 1176, BY REPRESENTATIVE PYLE, et al,
HOUSE BILL NO. 1196, BY REPRESENTATIVE S. PRATER, 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

House Bill No. 1104 was returned to the House as passed, emergency clause having failed as amended.

On motion of Senator Womack, the Senate resolved itself into the Committee of the Whole for the purpose of JOINT BUDGET Bills.

Without objection, the Committee of the Whole was dissolved, and the Senate took up its regular order of business.

On motion of Senator Womack, the rules were suspended in considering **Senate Bill No. 258** at this time.

On motion of Senator Womack, **Senate Bill No. 258** was called up for third reading and final disposition.

SENATE BILL NO. 258
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR ALLOCATION OF THE FEDERAL BANKHEAD-JONES GRANTS AND FEDERAL TURNBACK FOR ROADS BY THE AUDITOR OF STATE FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Senate Bill No. 258 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total	0
Total number of votes cast	35
Necessary to the passage of the bill	27

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. 258**, 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, Argue, Baker, Bisbee, Bookout, Broadway, 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	35
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NEGATIVE:

Total	0
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ABSENT OR NOT VOTING:

Total	0
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VOTING PRESENT:

Total	0
Total number of votes cast	35
Necessary to the adoption of the Emergency Clause	24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 258 was ordered immediately transmitted to the House.

On motion of Senator Womack, the rules were suspended in considering House Bill No. 1077 at this time.

On motion of Senator Womack, House Bill No. 1077 was called up for third reading and final disposition.

HOUSE BILL NO. 1077
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS BOARD OF HEARING INSTRUMENT DISPENSERS FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

House Bill No. 1077 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
Necessary to the passage of the bill	27

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. 1077**, 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1077 was ordered immediately returned to the House as passed.

On motion of Senator Womack, the rules were suspended in considering House Bill No. 1105 at this time.

On motion of Senator Womack, House Bill No. 1105 was called up for third reading and final disposition.

HOUSE BILL NO. 1105
 EIGHTY-SIXTH GENERAL ASSEMBLY
 REGULAR SESSION
 BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS DIETETICS LICENSING BOARD FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

House Bill No. 1105 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
Necessary to the passage of the bill	27

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. 1105**, 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1105 was ordered immediately returned to the House as passed.

On motion of Senator Womack, the rules were suspended in considering House Bill No. 1116 at this time.

On motion of Senator Womack, House Bill No. 1116 was called up for third reading and final disposition.

HOUSE BILL NO. 1116
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE VETERINARY MEDICAL EXAMINING BOARD FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

House Bill No. 1116 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
Necessary to the passage of the bill	27

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. 1116**, 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, Argue, Baker, Bisbee, Bookout, Broadway, 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	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
Necessary to the adoption of the Emergency Clause	24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1116 was ordered immediately returned to the House as passed.

On motion of Senator Womack, the rules were suspended in considering House Bill No. 1117 at this time.

On motion of Senator Womack, House Bill No. 1117 was called up for third reading and final disposition.

HOUSE BILL NO. 1117
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS STATE BOARD OF CHIROPRACTIC EXAMINERS FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

House Bill No. 1117 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
Necessary to the passage of the bill	27

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. 1117**, 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1117 was ordered immediately returned to the House as passed.

On motion of Senator Womack, the rules were suspended in considering **House Bill No. 1119** at this time.

On motion of Senator Womack, **House Bill No. 1119** was called up for third reading and final disposition.

**HOUSE BILL NO. 1119
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE**

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS MANUFACTURED HOME COMMISSION FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

House Bill No. 1119 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
Necessary to the passage of the bill	27

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. 1119**, 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1119 was ordered immediately returned to the House as passed.

On motion of Senator Womack, the rules were suspended in considering House Bill No. 1149 at this time.

On motion of Senator Womack, House Bill No. 1149 was called up for third reading and final disposition.

HOUSE BILL NO. 1149
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE AUCTIONEERS LICENSING BOARD FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

House Bill No. 1149 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

	Total	35
NEGATIVE:		
	Total	0
ABSENT OR NOT VOTING:		
	Total	0
VOTING PRESENT:		
	Total	0
	Total number of votes cast.....	35
	Necessary to the passage of the bill	27

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. 1149**, 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1149 was ordered immediately returned to the House as passed.

On motion of Senator Womack, the rules were suspended in considering House Bill No. 1371 at this time.

On motion of Senator Womack, House Bill No. 1371 was called up for third reading and final disposition.

HOUSE BILL NO. 1371
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR OPERATING EXPENSES FOR THE OIL AND GAS COMMISSION WHICH SHALL BE SUPPLEMENTAL AND IN ADDITION TO THOSE FUNDS APPROPRIATED BY ACT 910 OF 2005; AND FOR OTHER PURPOSES.

House Bill No. 1371 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
Necessary to the passage of the bill	27

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. 1371**, 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1371 was ordered immediately returned to the House as passed.

SENATE BILL NO. 279
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 read the first time, rules suspended, read the second time and referred to the Committee on REVENUE & TAXATION.

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

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

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

SENATE BILL NO. 283
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS AGRICULTURE DEPARTMENT FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Senate Bill No. 283 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 284
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR BROADWAY

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PARENT COUNSEL REIMBURSEMENTS FOR THE ADMINISTRATIVE OFFICE OF THE COURTS - DIVISION OF DEPENDENCY-NEGLECT REPRESENTATION WHICH SHALL BE SUPPLEMENTAL AND IN ADDITION TO THOSE FUNDS APPROPRIATED BY ACT 2096 OF 2005; AND FOR OTHER PURPOSES.

Senate Bill No. 284 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE MEMORIAL RESOLUTION NO. 1
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR SALMON

SENATE MEMORIAL RESOLUTION IN HONOR OF THE LATE HARRY L. OSWALD, WHO HELPED BRING ELECTRICITY TO RURAL ARKANSAS THROUGH HIS TIRELESS PROMOTION OF THE ELECTRIC COOPERATIVE PROGRAM AND WHO DEVOTED HIS LIFE TO THE BETTERMENT OF HIS BELOVED STATE.

Senate Memorial Resolution No. 1 was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 285
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS HORN, BOOKOUT, BROWN, BRYLES, CRITCHER, CRUMBLY,
MALONE, STEELE & WILKINS
BY: REPRESENTATIVES PACE, ADCOCK, ALLEN, T. BAKER, ET AL

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

Senate Bill No. 80 was returned from the House as passed and ordered enrolled.

SENATE BILL NO. 286
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MADISON
BY: REPRESENTATIVE EDWARDS

A Bill for an Act to be Entitled: AN ACT CLARIFYING THE USE OF SPECIAL ABSENTEE BALLOTS BY MILITARY VOTERS; AND FOR OTHER PURPOSES.

Senate Bill No. 286 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

SENATE BILL NO. 287
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MADISON
BY: REPRESENTATIVE EDWARDS

A Bill for an Act to be Entitled: AN ACT TO CLARIFY THE CALLING OF SPECIAL ELECTIONS FOR MAYOR OR DIRECTOR VACANCIES IN MUNICIPALITIES WITH A CITY ADMINISTRATOR FORM OF GOVERNMENT; AND FOR OTHER PURPOSES.

Senate Bill No. 287 was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY & LOCAL AFFAIRS.

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 first time, rules suspended, read the second time and referred to the Committee on AGRICULTURE, ECONOMIC & INDUSTRIAL DEVELOPMENT.

HOUSE BILL NO. 1036

As Engrossed: H1/22/07 H1/30/07 H2/6/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES D. JOHNSON, BURRIS, COOK, CORNWELL,
DICKINSON, ET AL

BY: SENATORS WOMACK, WHITAKER & GLOVER

A Bill for an Act to be Entitled: AN ACT TO CREATE THE OFFENSE OF UNLAWFUL CONSUMER LOANS; TO ENFORCE THE PROVISIONS OF ARKANSAS CONSTITUTION, ARTICLE 19, § 13; AND FOR OTHER PURPOSES.

House Bill No. 1036 was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE & COMMERCE.

HOUSE BILL NO. 1039

As Engrossed: H1/25/07 H2/2/07 H2/6/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES WELLS, ABERNATHY, NORTON, T. BRADFORD,
 CHEATHAM, EVERETT, GEORGE, HAWKINS, LAMOUREUX, M. MARTIN,
 OVERBEY, J. ROEBUCK & STEWART

A Bill for an Act to be Entitled: AN ACT TO INCREASE ACADEMIC INSTRUCTION TIME IN PUBLIC SCHOOLS; TO LIMIT PHYSICAL ACTIVITY REQUIREMENTS FOR PUBLIC SCHOOL STUDENTS; AND FOR OTHER PURPOSES.

House Bill No. 1039 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

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 read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

HOUSE BILL NO. 1377
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

BY: REPRESENTATIVES D. HUTCHINSON, PACE, HOUSE, ANDERSON,
BURKES, EDWARDS, HARDWICK, HARRIS, KENNEY, KING, M. MARTIN, L.
SMITH, WAGNER & WOODS

BY: SENATORS HENDREN AND MADISON

A Bill for an Act to be Entitled: AN ACT TO PROVIDE THAT ALL REAL PROPERTY ACQUIRED BY A REGIONAL AIRPORT AUTHORITY IN FEE SIMPLE TITLE FOR AVIATION PURPOSES IS EXEMPT FROM ANNEXATION AND MUNICIPAL REGULATION; AND FOR OTHER PURPOSES.

House Bill No. 1377 was read the first time, rules suspended, read the second time and referred to the Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS.

HOUSE BILL NO. 1388
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR THE REFUND OF LOCAL SALES AND USE TAXES BY THE OFFICE OF THE TREASURER OF STATE FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

House Bill No. 1388 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1389
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR DISTRIBUTION OF AMENDMENT 74 FUNDS TO COUNTIES BY THE OFFICE OF THE TREASURER OF STATE FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

House Bill No. 1389 was read the first time, rules suspended, read the second time and placed on the Calendar.

Senate Bill No. 48 was returned from the House as passed and ordered enrolled.

Senate Bill No. 49 was returned from the House as passed and ordered enrolled.

Senate Bill No. 51 was returned from the House as passed and ordered enrolled.

Senate Bill No. 56 was returned from the House as passed and ordered enrolled.

Senate Bill No. 61 was returned from the House as passed and ordered enrolled.

Senate Bill No. 134 was returned from the House as passed and ordered enrolled.

* * * * *

SENATE BILLS TRANSMITTED TO THE HOUSE

AS PASSED

SENATE BILL NO. 2
SENATE BILL NO. 119
SENATE BILL NO. 182
SENATE BILL NO. 184
SENATE BILL NO. 215
SENATE BILL NO. 246
SENATE BILL NO. 258

HOUSE BILLS RETURNED TO THE HOUSE

AS PASSED

HOUSE BILL NO. 1077
HOUSE BILL NO. 1105
HOUSE BILL NO. 1116
HOUSE BILL NO. 1117
HOUSE BILL NO. 1119
HOUSE BILL NO. 1149
HOUSE BILL NO. 1235
HOUSE BILL NO. 1287
HOUSE BILL NO. 1309
HOUSE BILL NO. 1371

HOUSE BILLS RETURNED TO THE HOUSE

AS PASSED AS AMENDED, EMERGENCY CLAUSE HAVING FAILED

HOUSE BILL NO. 1104 AS AMENDED
EMERGENCY CLAUSE FAILED OF ADOPTION

HOUSE BILLS RETURNED TO THE HOUSE
AS PASSED AS AMENDED

HOUSE BILL NO. 1179 AS AMENDED NO. 1
HOUSE BILL NO. 1202 AS AMENDED NO. 1
HOUSE BILL NO. 1320 AS AMENDED NO. 1

SENATE BILLS RETURNED FROM THE HOUSE
AS PASSED

SENATE BILL NO. 48
SENATE BILL NO. 49
SENATE BILL NO. 51
SENATE BILL NO. 56
SENATE BILL NO. 61
SENATE BILL NO. 80
SENATE BILL NO. 134

HOUSE BILLS TRANSMITTED TO THE SENATE
AS PASSED

HOUSE BILL NO. 1036
HOUSE BILL NO. 1039
HOUSE BILL NO. 1224
HOUSE BILL NO. 1377
HOUSE BILL NO. 1388
HOUSE BILL NO. 1389

HOUSE CONCURRENT RESOLUTION TRANSMITTED
TO THE SENATE AS ADOPTED

HOUSE CONCURRENT RESOLUTION NO. 1006

On motion of Senator Whitaker, the Senate adjourned until 1:30 p.m., Monday, February 12, 2007.

PRESIDENT OF THE SENATE

SECRETARY OF THE SENATE

--ooOoo--

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

Little Rock, Arkansas

February 8, 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, ARGUE, BAKER, BISBEE, BOOKOUT,
BROADWAY, 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.

The Senate was led in prayer by Senator Gene Jeffress.

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 Thompson, **Senate Bill No. 237** was withdrawn from the Committee on AGRICULTURE, ECONOMIC & INDUSTRIAL DEVELOPMENT, and placed back on second reading for purpose of Amendment No. 2.

Withdraw Amendment No. 1

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 2 to SENATE BILL NO. 237

Amend **Senate Bill No. 237** as originally introduced:

Add Representative L. Smith as a cosponsor

AND

Page 2, line 2, delete "biodiesel fuel" and substitute "biofuels"

AND

Page 2, delete lines 3 through 12 and substitute:

"(2)(A) "Biofuel" means a renewable, biodegradable, combustible liquid fuel derived from biomass that can be used as transportation fuel, combustion fuel, or refinery feedstock and that meets the American Society for Testing and Materials Specification and federal quality requirements as in effect on February 1, 2007, for each category or grade of fuel.

(B) "Biofuel" includes without limitation:

(i) Biodiesel or renewable diesel;

(ii) Renewable gasoline;

(iii) Renewable jet fuel;

(iv) Renewable naphtha;

(v) Biocrude; and

(vi) Other renewable, biodegradable, mono alkyl ester combustible fuel derived from biomass.

(3)(A) "Biomass" means any matter derived from plants or animals that is used for the production of alternative fuels.

(B) "Biomass" includes residues or byproducts from:

(i) Agricultural production;

(ii) Agricultural processing;

(iii) Forest or wood resources;

(iv) Forestry or wood production; or

(v) Forestry or wood processing.

(C) "Biomass" includes plant material from crops that are produced for use in the production of alternative fuels and cellulosic biomass.

(D) "Biomass" does not include recycled petroleum oil;

(4) "Ethanol" means ethyl alcohol derived from biomass that:"

AND

Page 2, delete line 29 and substitute:
“15-13-104. Biofuel standard.”

AND

Page 2, delete lines 30 through 31 and substitute:
“(a) A distributor licensed under the Special Motor Fuels Tax Law, § 26-56-101 et seq., shall provide evidence to the Secretary of the Arkansas Agriculture”

AND

Page 2, line 33, delete “biodiesel” and substitute “biofuel”

AND

Page 2, delete line 34 and substitute:
“by volume that is compatible with diesel beginning on July 1, 2008, and subject to:”

AND

Page 3, line 2, delete “Secretary of the Department of Agriculture” and substitute
“secretary”

AND

Page 3, delete lines 4 through 5 and substitute:
“(b) A distributor licensed under the Special Motor Fuels Tax Law, § 26-56-101 et seq., shall provide evidence to the Secretary of the Arkansas Agriculture Department”

AND

Page 3, line 6, delete “Agriculture”

AND

Page 3, line 12, delete “Secretary of the Department of Agriculture” and substitute
“secretary”

AND

Page 3, line 15, delete “biodiesel fuel” and substitute “biofuel”

AND

Page 3, line 17, delete “biodiesel fuel” and substitute “biofuel”

AND

Page 3, line 19, delete “biodiesel fuel” and substitute “biofuel”

AND

Page 3, line 24, delete “biodiesel fuel” and substitute “biofuel”
 AND

Page 3, line 34, delete “biodiesel fuel” and substitute “biofuel”

AND

Page 4, line 11, delete "biodiesel fuel" and substitute "biofuel"

(SIGNED) SENATOR R. THOMPSON

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 237 was ordered engrossed.

On motion of Senator Salmon, Senate Bill No. 266 was withdrawn from the Committee on JUDICIARY, 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. 266

Amend Senate Bill No. 266 as originally introduced:

Add Representatives Prater and Hardwick as cosponsors of the bill

(SIGNED) SENATOR SALMON

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 266 was ordered engrossed.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 8, 2007

Mr. President:

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

SENATE BILL NO. 237, BY SENATOR R. THOMPSON, 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 Thompson, **Senate Bill No. 237** was ordered re-referred to the Committee on AGRICULTURE, ECONOMIC & INDUSTRIAL DEVELOPMENT.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 8, 2007

Mr. President:

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

Senate BILL NO. 266, BY SENATOR SALMON,

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 Salmon, Senate Bill No. 266 was ordered re-referred to the Committee on JUDICIARY.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 8, 2007

Mr. President:

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

SENATE CONCURRENT RESOLUTION NO. 3, BY SENATOR CRITCHER,
SENATE BILL NO. 176, BY SENATOR G. JEFFRESS,

beg leave to report that we have carefully compared the enrolled copies with the original and we find the same correctly enrolled and have at 10:00 a.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. 3
SENATE BILL NO. 176

RECEIVED the above papers from the Secretary of the Senate this 8th day of February , 2007 at 10:00 a.m.

(SIGNED) MIKE BEEBE
Governor

(SIGNED) Sarah Agee
Secretary

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 8, 2007

Mr. President:

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

HOUSE BILL NO. 1340, BY REPRESENTATIVE LOVELL,

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

Respectfully submitted,

(SIGNED) SENATOR PAUL MILLER
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 8, 2007

Mr. President:

We, your Committee on JOINT BUDGET, to whom was referred:

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 had the same under consideration, and herewith return the same with the recommendation that they do pass.

Respectfully submitted,

(SIGNED) SENATOR SHAWN A. WOMACK
CHAIRMAN

SENATE BILL NO. 275
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR BOOKOUT

A Bill for an Act to be Entitled: AN ACT AMENDING THE DOCUMENTS AND INFORMATION REQUIRED TO BE FILED WITH THE BURIAL ASSOCIATION BOARD WHEN APPLYING FOR A CERTIFICATE OF AUTHORITY; AND FOR OTHER PURPOSES.

Senate Bill No. 275 was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE & COMMERCE.

SENATE BILL NO. 276
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR T. SMITH

A Bill for an Act to be Entitled: AN ACT AMENDING PROVISIONS OF ARKANSAS LAW CONCERNING BODY ART; AND FOR OTHER PURPOSES.

Senate Bill No. 276 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

SENATE BILL NO. 277
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR WOMACK
BY: REPRESENTATIVE MALOCH

A Bill for an Act to be Entitled: AN ACT TO STANDARDIZE THE TIME PERIODS FOR FILING CLAIMS AGAINST AN ESTATE; AND FOR OTHER PURPOSES.

Senate Bill No. 277 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

SENATE BILL NO. 278
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR GLOVER

A Bill for an Act to be Entitled: AN ACT TO IMPLEMENT THE FEDERAL UNIFIED CARRIER REGISTRATION ACT OF 2005 PERTAINING TO THE REGISTRATION OF MOTOR CARRIERS ENGAGED IN INTERSTATE COMMERCE; AND FOR OTHER PURPOSES.

Senate Bill No. 278 was read the first time, rules suspended, read the second time and referred to the Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 8, 2007

Mr. President:

We, your Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS,
to whom was referred:

SENATE BILL NO. 230, BY SENATOR FARIS,

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

Respectfully submitted,

(SIGNED) SENATOR STEVE FARIS
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 8, 2007

Mr. President:

We, your Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS,
to whom was referred:

HOUSE BILL NO. 1304, BY REPRESENTATIVE WELLS,

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

Respectfully submitted,

(SIGNED) SENATOR STEVE FARIS
CHAIRMAN

On motion of Senator Steele, **House Bill No. 1196** 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. 1196

Amend **House Bill No. 1196** as engrossed, H1/26/07:

Page 2, delete line 22 and substitute the following:

"revenues authorized by law.

(iii) Within thirty (30) days after the effective date of this subchapter, the Arkansas Commission on Eye and Vision Care of School Age

(iv)

(v)

Children shall transfer all funds currently held to the School-Age Children Eye and Vision Care Fund."

(SIGNED) SENATOR TRACY STEELE

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

(SIGNED) ANN CORNWELL, SECRETARY

Amend **House Bill No. 1196** as engrossed.

On motion of Senator Trusty, **House Bill No. 1176** 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. 1176

Amend **House Bill No. 1176** as originally introduced:

Page 1, line 10, delete "MUNICIPAL PERSONNEL" and substitute "MUNICIPAL POLICE DEPARTMENT PERSONNEL"

AND

Page 1, line 15, delete "MUNICIPAL PERSONNEL" and substitute "MUNICIPAL POLICE DEPARTMENT PERSONNEL"

AND

Page 1, line 24, delete "(b) Cities" and substitute "(b) ~~Cities~~ Municipal police departments of cities"

AND

Page 1, line 26, delete "the commission, and" and substitute "~~the commission~~ Arkansas Commission on Law Enforcement Standards and Training, and"

(SIGNED) SENATOR TRUSTY

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

(SIGNED) ANN CORNWELL, SECRETARY

Amend **House Bill No. 1176** as engrossed.

On motion of Senator Altes, **Senate Bill No. 182** was called up for third reading and final disposition.

SENATE BILL NO. 182
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
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. AN ACT TO REQUIRE MATERIAL HARMFUL TO MINORS TO BE KEPT BEHIND BLINDER RACKS; AND FOR OTHER PURPOSES.

Senate Bill No. 182 was pulled down at this time by Senator Altes.

The President declared the morning hour to have expired.

On motion of Senator Smith, **Senate Bill No. 215** was called up for third reading and final disposition.

SENATE BILL NO. 215
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR T. SMITH
BY: REPRESENTATIVE SAMPLE

A Bill for an Act to be Entitled: AN ACT CONCERNING THE CERTIFICATION OF RETIRED LAW ENFORCEMENT OFFICERS TO CARRY A CONCEALED HANDGUN; AND FOR OTHER PURPOSES.

Senate Bill No. 215 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35

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. 215 was ordered immediately transmitted to the House.

On motion of Senator Taylor, **Senate Bill No. 2** was called up for third reading and final disposition.

SENATE BILL NO. 2
As Engrossed: S2/5/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

**BY: SENATORS J. TAYLOR, MILLER, ALTES, BAKER, CRITCHER, FARIS,
HENDREN, LAVERTY, T. SMITH, R. THOMPSON, WHITAKER & WILKINSON**
BY: REPRESENTATIVE WALTERS

A Bill for an Act to be Entitled: AN ACT TO REMOVE THE DUTY TO RETREAT PRIOR TO THE USE OF DEADLY PHYSICAL FORCE UNDER CERTAIN CIRCUMSTANCES; AND FOR OTHER PURPOSES.

Senate Bill No. 2 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, Broadway, Brown, 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: Argue, Bryles.

Total2

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

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. 2 was ordered immediately transmitted to the House.

On motion of Senator Horn, **Senate Bill No. 119** was called up for third reading and final disposition.

SENATE BILL NO. 119
As Engrossed: S1/25/07 S2/7/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS HORN, J. JEFFRESS, G. JEFFRESS, ALTES, T. SMITH, J. TAYLOR, TRUSTY, B. PRITCHARD & BAKER
BY: REPRESENTATIVES ANDERSON, MAXWELL, KEY, RAGLAND, ET AL

A Bill for an Act to be Entitled: AN ACT TO PROMOTE ECONOMIC DEVELOPMENT WITHIN THE STATE BY REDUCING THE STATE SALES AND USE TAX ON NATURAL GAS AND ELECTRICITY USED OR CONSUMED IN MANUFACTURING; AND FOR OTHER PURPOSES.

Senate Bill No. 119 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
Necessary to the passage of the bill	27

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. 119**, 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, Argue, Baker, Bisbee, Bookout, Broadway, 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	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
Necessary to the adoption of the Emergency Clause	24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 119 was ordered immediately transmitted to the House.

On motion of Senator Thompson, **Senate Bill No. 184** was called up for third reading and final disposition.

**SENATE BILL NO. 184
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS R. THOMPSON AND BROADWAY**

A Bill for an Act to be Entitled: AN ACT TO REQUIRE A COPY OF CERTAIN ORDERS REGARDING COMMITMENT TO BE SUBMITTED TO THE ARKANSAS CRIME INFORMATION CENTER; AND FOR OTHER PURPOSES.

Senate Bill No. 184 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, Argue, Baker, Bisbee, Bookout, Broadway, 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	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
Necessary to the passage of the bill	18

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. 184**, 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 184 was ordered immediately transmitted to the House.

On motion of Senator Wilkinson, **Senate Bill No. 246** was called up for third reading and final disposition.

**SENATE BILL NO. 246
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR WILKINSON
BY: REPRESENTATIVES PATE AND WELLS**

A Bill for an Act to be Entitled: AN ACT TO CLARIFY THE DEFINITION OF "IMMINENT DANGER TO HEALTH OR SAFETY" IN THE ADULT MALTREATMENT CUSTODY ACT; AND FOR OTHER PURPOSES.

Senate Bill No. 246 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
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. 246 was ordered immediately transmitted to the House.

On motion of Senator Baker, **House Bill No. 1287** was called up for third reading and final disposition.

HOUSE BILL NO. 1287
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES REYNOLDS, GARNER, ET AL,
BY: SENATOR BAKER

A Bill for an Act to be Entitled: AN ACT TO PROVIDE A MAXIMUM OF THREE (3) THREE-YEAR TERMS FOR MEMBERS OF THE RESIDENTIAL BUILDING CONTRACTORS COMMITTEE; AND FOR OTHER PURPOSES.

House Bill No. 1287 was pulled down at this time by Senator Baker.

On motion of Senator Taylor, **House Bill No. 1235** was called up for third reading and final disposition.

HOUSE BILL NO. 1235
As Engrossed: H1/26/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES MEDLEY, JEFFREY, PACE, BLOUNT, T. BRADFORD,
BURKES, COOPER, CORNWELL, GLIDEWELL, KING, RAGLAND, ROSENBAUM,
WALTERS, WOOD, E. BROWN, D. JOHNSON, THYER & WELLS
BY: SENATORS J. TAYLOR AND ALTES

A Bill for an Act to be Entitled: *AN ACT TO REPEAL ARKANSAS CODE § 5-73-121 CONCERNING THE OFFENSE OF CARRYING A KNIFE AS A WEAPON; AND FOR OTHER PURPOSES.*

House Bill No. 1235 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, Argue, Baker, Bisbee, Bookout, Broadway, 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	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
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. 1235 was ordered immediately returned to the House as passed.

On motion of Senator J.Jeffress, **House Bill No. 1101** was called up for third reading and final disposition.

HOUSE BILL NO. 1101
As Engrossed: H1/26/07 S2/6/-7
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE REEP

A Bill for an Act to be Entitled: AN ACT TO DEFINE THE ACCREDITING ORGANIZATION FOR HOSPITALS; AND FOR OTHER PURPOSES.

House Bill No. 1101 was pulled down at this time By Senator J. Jeffress.

On motion of Senator Baker, **House Bill No. 1287** was called up for third reading and final disposition.

HOUSE BILL NO. 1287
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES REYNOLDS, GARNER, HAWKINS, HOYT, HYDE,
KIDD, RAGLAND, ROSENBAUM & WILLS
BY: SENATOR BAKER

A Bill for an Act to be Entitled: AN ACT TO PROVIDE A MAXIMUM OF THREE (3) THREE-YEAR TERMS FOR MEMBERS OF THE RESIDENTIAL BUILDING CONTRACTORS COMMITTEE; AND FOR OTHER PURPOSES.

House Bill No. 1287 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35

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. 1287 was ordered immediately returned to the House as passed.

On motion of Senator Bisbee, **House Bill No. 1179** was called up for third reading and final disposition.

HOUSE BILL NO. 1179
As Engrossed: H1/23/07 S2/7/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

BY: REPRESENTATIVES OVERBEY AND T. BAKER

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE § 14-38-101 TO REMOVE REFERENCES TO MAN-MADE STRUCTURES; TO CLARIFY THE MEANING OF NATURAL BARRIER; AND FOR OTHER PURPOSES.

House Bill No. 1179 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, Argue, Baker, Bisbee, Bookout, Broadway, 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	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
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. 1179 was ordered immediately returned to the House as passed as amended.

On motion of Senator Madison, **House Bill No. 1320** was called up for third reading and final disposition.

HOUSE BILL NO. 1320
As Engrossed: S2/7/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE RAGLAND

A Bill for an Act to be Entitled: AN ACT TO MODERNIZE THE PROCEDURE FOR APPOINTMENT OF A DEPUTY TREASURER; AND FOR OTHER PURPOSES.

House Bill No. 1320 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
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. 1320 was ordered immediately returned to the House as passed as amended.

On motion of Senator Thompson, **House Bill No. 1309** was called up for third reading and final disposition.

HOUSE BILL NO. 1309

As Engrossed: H2/1/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES D. CREEKMORE, BOND, T. BRADFORD, ET AL

BY: SENATORS R. THOMPSON, BROADWAY & CAPPS

A Bill for an Act to be Entitled: AN ACT TO ENHANCE THE PENALTY FOR FINANCIAL IDENTITY FRAUD UNDER CERTAIN CIRCUMSTANCES; TO CREATE THE OFFENSE OF NONFINANCIAL IDENTITY FRAUD; TO AMEND ARKANSAS CODE § 5-37-227 TO INCLUDE PROVISIONS CONCERNING RESTITUTION AND VENUE; AND FOR OTHER PURPOSES.

House Bill No. 1309 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, Argue, Baker, Bisbee, Bookout, Broadway, 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	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
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. 1309 was ordered immediately returned to the House as passed.

On motion of Senator Malone, **House Bill No. 1202** was called up for third reading and final disposition.

HOUSE BILL NO. 1202
As Engrossed: H1/25/07 S2/7/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

BY: REPRESENTATIVES THYER, PETRUS, SULLIVAN, WELLS, ET AL
BY: SENATORS MALONE, R. THOMPSON, BOOKOUT, CAPPs, FARIS, HILL & GLOVER

A Bill for an Act to be Entitled: *AN ACT TO EXEMPT DYED DISTILLATE SPECIAL FUEL FROM THE SALES AND USE TAX; TO IMPOSE A GALLONAGE TAX ON DYED DISTILLATE SPECIAL FUEL; TO EXCLUDE BIODIESEL FUEL FROM THE GALLONAGE TAX AND THE SALES AND USE TAX; AND FOR OTHER PURPOSES.*

House Bill No. 1202 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, Argue, Baker, Bisbee, Bookout, Broadway, Brown, Bryles, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Hill, Horn, G. Jeffress, J. Jeffress, Luker, Madison, Malone, Miller, B. Pritchard, Salmon, Steele, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkinson, Womack.

Total	31
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: B. Johnson, Laverty, T. Smith, Wilkins.	
Total	4
VOTING PRESENT:	
Total	0
Total number of votes cast	31
Necessary to the passage of the bill	27

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. 1202**, 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, Argue, Baker, Bisbee, Bookout, Broadway, Brown, Bryles, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Hill, Horn, G. Jeffress, J. Jeffress, Luker, Madison, Malone, Miller, B. Pritchard, Salmon, Steele, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkinson, Womack.

Total31

NEGATIVE:

Total0

ABSENT OR NOT VOTING: B. Johnson, Lavery, T. Smith, Wilkins.

Total4

VOTING PRESENT:

Total0

Total number of votes cast31

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1202 was ordered immediately returned to the House as passed as amended.

* * * * * **EXPUNGED** * * * * *

On motion of Senator Altes, **Senate Bill No. 182** was called up for third reading and final disposition.

SENATE BILL NO. 182
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
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.

Senate Bill No. 182 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, Broadway, 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	34
NEGATIVE: Argue.	
Total	1
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
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. 182 was ordered immediately transmitted to the House.

* * * * * **EXPUNGED** * * * * *

The record pertaining to the vote by which **Senate Bill No. 182** passed was expunged, in accordance with a prevailing motion on February 28, 2007.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 8, 2007

Mr. President:

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

HOUSE BILL NO. 1176, BY REPRESENTATIVE PYLE, et al,
HOUSE BILL NO. 1196, BY REPRESENTATIVE S. PRATER, 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

House Bill No. 1104 was returned to the House as passed, emergency clause having failed as amended.

On motion of Senator Womack, the Senate resolved itself into the Committee of the Whole for the purpose of JOINT BUDGET Bills.

Without objection, the Committee of the Whole was dissolved, and the Senate took up its regular order of business.

On motion of Senator Womack, the rules were suspended in considering **Senate Bill No. 258** at this time.

On motion of Senator Womack, **Senate Bill No. 258** was called up for third reading and final disposition.

SENATE BILL NO. 258
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR ALLOCATION OF THE FEDERAL BANKHEAD-JONES GRANTS AND FEDERAL TURNBACK FOR ROADS BY THE AUDITOR OF STATE FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Senate Bill No. 258 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total	0
Total number of votes cast	35
Necessary to the passage of the bill	27

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. 258**, 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, Argue, Baker, Bisbee, Bookout, Broadway, 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	35
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NEGATIVE:

Total	0
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ABSENT OR NOT VOTING:

Total	0
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VOTING PRESENT:

Total	0
Total number of votes cast	35
Necessary to the adoption of the Emergency Clause	24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 258 was ordered immediately transmitted to the House.

On motion of Senator Womack, the rules were suspended in considering **House Bill No. 1077** at this time.

On motion of Senator Womack, **House Bill No. 1077** was called up for third reading and final disposition.

HOUSE BILL NO. 1077
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS BOARD OF HEARING INSTRUMENT DISPENSERS FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

House Bill No. 1077 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
Necessary to the passage of the bill	27

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. 1077**, 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1077 was ordered immediately returned to the House as passed.

On motion of Senator Womack, the rules were suspended in considering House Bill No. 1105 at this time.

On motion of Senator Womack, House Bill No. 1105 was called up for third reading and final disposition.

HOUSE BILL NO. 1105
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS DIETETICS LICENSING BOARD FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

House Bill No. 1105 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
Necessary to the passage of the bill	27

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. 1105**, 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1105 was ordered immediately returned to the House as passed.

On motion of Senator Womack, the rules were suspended in considering House Bill No. 1116 at this time.

On motion of Senator Womack, House Bill No. 1116 was called up for third reading and final disposition.

HOUSE BILL NO. 1116
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE VETERINARY MEDICAL EXAMINING BOARD FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

House Bill No. 1116 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
Necessary to the passage of the bill	27

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. 1116**, 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, Argue, Baker, Bisbee, Bookout, Broadway, 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	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
Necessary to the adoption of the Emergency Clause	24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1116 was ordered immediately returned to the House as passed.

On motion of Senator Womack, the rules were suspended in considering **House Bill No. 1117** at this time.

On motion of Senator Womack, **House Bill No. 1117** was called up for third reading and final disposition.

**HOUSE BILL NO. 1117
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE**

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS STATE BOARD OF CHIROPRACTIC EXAMINERS FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

House Bill No. 1117 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
Necessary to the passage of the bill	27

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. 1117**, 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1117 was ordered immediately returned to the House as passed.

On motion of Senator Womack, the rules were suspended in considering **House Bill No. 1119** at this time.

On motion of Senator Womack, **House Bill No. 1119** was called up for third reading and final disposition.

**HOUSE BILL NO. 1119
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE**

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS MANUFACTURED HOME COMMISSION FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

House Bill No. 1119 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
Necessary to the passage of the bill	27

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. 1119**, 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1119 was ordered immediately returned to the House as passed.

On motion of Senator Womack, the rules were suspended in considering House Bill No. 1149 at this time.

On motion of Senator Womack, House Bill No. 1149 was called up for third reading and final disposition.

HOUSE BILL NO. 1149
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE AUCTIONEERS LICENSING BOARD FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

House Bill No. 1149 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
Necessary to the passage of the bill	27

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. 1149**, 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1149 was ordered immediately returned to the House as passed.

On motion of Senator Womack, the rules were suspended in considering House Bill No. 1371 at this time.

On motion of Senator Womack, House Bill No. 1371 was called up for third reading and final disposition.

HOUSE BILL NO. 1371
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR OPERATING EXPENSES FOR THE OIL AND GAS COMMISSION WHICH SHALL BE SUPPLEMENTAL AND IN ADDITION TO THOSE FUNDS APPROPRIATED BY ACT 910 OF 2005; AND FOR OTHER PURPOSES.

House Bill No. 1371 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
Necessary to the passage of the bill	27

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. 1371**, 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1371 was ordered immediately returned to the House as passed.

SENATE BILL NO. 279
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 read the first time, rules suspended, read the second time and referred to the Committee on REVENUE & TAXATION.

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

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

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

SENATE BILL NO. 283
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS AGRICULTURE DEPARTMENT FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Senate Bill No. 283 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 284
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR BROADWAY

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PARENT COUNSEL REIMBURSEMENTS FOR THE ADMINISTRATIVE OFFICE OF THE COURTS - DIVISION OF DEPENDENCY-NEGLECT REPRESENTATION WHICH SHALL BE SUPPLEMENTAL AND IN ADDITION TO THOSE FUNDS APPROPRIATED BY ACT 2096 OF 2005; AND FOR OTHER PURPOSES.

Senate Bill No. 284 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE MEMORIAL RESOLUTION NO. 1
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR SALMON

SENATE MEMORIAL RESOLUTION IN HONOR OF THE LATE HARRY L. OSWALD, WHO HELPED BRING ELECTRICITY TO RURAL ARKANSAS THROUGH HIS TIRELESS PROMOTION OF THE ELECTRIC COOPERATIVE PROGRAM AND WHO DEVOTED HIS LIFE TO THE BETTERMENT OF HIS BELOVED STATE.

Senate Memorial Resolution No. 1 was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 285
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS HORN, BOOKOUT, BROWN, BRYLES, CRITCHER, CRUMBLY,
MALONE, STEELE & WILKINS
BY: REPRESENTATIVES PACE, ADCOCK, ALLEN, T. BAKER, ET AL

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

Senate Bill No. 80 was returned from the House as passed and ordered enrolled.

SENATE BILL NO. 286
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MADISON
BY: REPRESENTATIVE EDWARDS

A Bill for an Act to be Entitled: AN ACT CLARIFYING THE USE OF SPECIAL ABSENTEE BALLOTS BY MILITARY VOTERS; AND FOR OTHER PURPOSES.

Senate Bill No. 286 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

SENATE BILL NO. 287
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MADISON
BY: REPRESENTATIVE EDWARDS

A Bill for an Act to be Entitled: AN ACT TO CLARIFY THE CALLING OF SPECIAL ELECTIONS FOR MAYOR OR DIRECTOR VACANCIES IN MUNICIPALITIES WITH A CITY ADMINISTRATOR FORM OF GOVERNMENT; AND FOR OTHER PURPOSES.

Senate Bill No. 287 was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY & LOCAL AFFAIRS.

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 first time, rules suspended, read the second time and referred to the Committee on AGRICULTURE, ECONOMIC & INDUSTRIAL DEVELOPMENT.

HOUSE BILL NO. 1036

As Engrossed: H1/22/07 H1/30/07 H2/6/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES D. JOHNSON, BURRIS, COOK, CORNWELL,
DICKINSON, ET AL

BY: SENATORS WOMACK, WHITAKER & GLOVER

A Bill for an Act to be Entitled: AN ACT TO CREATE THE OFFENSE OF UNLAWFUL CONSUMER LOANS; TO ENFORCE THE PROVISIONS OF ARKANSAS CONSTITUTION, ARTICLE 19, § 13; AND FOR OTHER PURPOSES.

House Bill No. 1036 was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE & COMMERCE.

HOUSE BILL NO. 1039

As Engrossed: H1/25/07 H2/2/07 H2/6/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES WELLS, ABERNATHY, NORTON, T. BRADFORD,
 CHEATHAM, EVERETT, GEORGE, HAWKINS, LAMOUREUX, M. MARTIN,
 OVERBEY, J. ROEBUCK & STEWART

A Bill for an Act to be Entitled: AN ACT TO INCREASE ACADEMIC INSTRUCTION TIME IN PUBLIC SCHOOLS; TO LIMIT PHYSICAL ACTIVITY REQUIREMENTS FOR PUBLIC SCHOOL STUDENTS; AND FOR OTHER PURPOSES.

House Bill No. 1039 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

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 read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

HOUSE BILL NO. 1377
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

BY: REPRESENTATIVES D. HUTCHINSON, PACE, HOUSE, ANDERSON,
BURKES, EDWARDS, HARDWICK, HARRIS, KENNEY, KING, M. MARTIN, L.
SMITH, WAGNER & WOODS

BY: SENATORS HENDREN AND MADISON

A Bill for an Act to be Entitled: AN ACT TO PROVIDE THAT ALL REAL PROPERTY ACQUIRED BY A REGIONAL AIRPORT AUTHORITY IN FEE SIMPLE TITLE FOR AVIATION PURPOSES IS EXEMPT FROM ANNEXATION AND MUNICIPAL REGULATION; AND FOR OTHER PURPOSES.

House Bill No. 1377 was read the first time, rules suspended, read the second time and referred to the Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS.

HOUSE BILL NO. 1388
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR THE REFUND OF LOCAL SALES AND USE TAXES BY THE OFFICE OF THE TREASURER OF STATE FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

House Bill No. 1388 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1389
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR DISTRIBUTION OF AMENDMENT 74 FUNDS TO COUNTIES BY THE OFFICE OF THE TREASURER OF STATE FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

House Bill No. 1389 was read the first time, rules suspended, read the second time and placed on the Calendar.

Senate Bill No. 48 was returned from the House as passed and ordered enrolled.

Senate Bill No. 49 was returned from the House as passed and ordered enrolled.

Senate Bill No. 51 was returned from the House as passed and ordered enrolled.

Senate Bill No. 56 was returned from the House as passed and ordered enrolled.

Senate Bill No. 61 was returned from the House as passed and ordered enrolled.

Senate Bill No. 134 was returned from the House as passed and ordered enrolled.

* * * * *

SENATE BILLS TRANSMITTED TO THE HOUSE

AS PASSED

SENATE BILL NO. 2
SENATE BILL NO. 119
SENATE BILL NO. 182
SENATE BILL NO. 184
SENATE BILL NO. 215
SENATE BILL NO. 246
SENATE BILL NO. 258

HOUSE BILLS RETURNED TO THE HOUSE

AS PASSED

HOUSE BILL NO. 1077
HOUSE BILL NO. 1105
HOUSE BILL NO. 1116
HOUSE BILL NO. 1117
HOUSE BILL NO. 1119
HOUSE BILL NO. 1149
HOUSE BILL NO. 1235
HOUSE BILL NO. 1287
HOUSE BILL NO. 1309
HOUSE BILL NO. 1371

HOUSE BILLS RETURNED TO THE HOUSE

AS PASSED AS AMENDED, EMERGENCY CLAUSE HAVING FAILED

HOUSE BILL NO. 1104 AS AMENDED
EMERGENCY CLAUSE FAILED OF ADOPTION

HOUSE BILLS RETURNED TO THE HOUSE
AS PASSED AS AMENDED

HOUSE BILL NO. 1179 AS AMENDED NO. 1
HOUSE BILL NO. 1202 AS AMENDED NO. 1
HOUSE BILL NO. 1320 AS AMENDED NO. 1

SENATE BILLS RETURNED FROM THE HOUSE
AS PASSED

SENATE BILL NO. 48
SENATE BILL NO. 49
SENATE BILL NO. 51
SENATE BILL NO. 56
SENATE BILL NO. 61
SENATE BILL NO. 80
SENATE BILL NO. 134

HOUSE BILLS TRANSMITTED TO THE SENATE
AS PASSED

HOUSE BILL NO. 1036
HOUSE BILL NO. 1039
HOUSE BILL NO. 1224
HOUSE BILL NO. 1377
HOUSE BILL NO. 1388
HOUSE BILL NO. 1389

HOUSE CONCURRENT RESOLUTION TRANSMITTED
TO THE SENATE AS ADOPTED

HOUSE CONCURRENT RESOLUTION NO. 1006

On motion of Senator Whitaker, the Senate adjourned until 1:30 p.m., Monday, February 12, 2007.

PRESIDENT OF THE SENATE

SECRETARY OF THE SENATE

--ooOoo--

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

Little Rock, Arkansas

February 13, 2007

The Senate was called to order at 1:30 o'clock p.m. by the President.

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

ALTES, ARGUE, BAKER, BISBEE, BOOKOUT,
BROADWAY, 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.

The Senate was led in prayer by Pastor Ed Heflin, Russellville Missionary Baptist Church .

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 Faris, **Senate Bill No. 229** was withdrawn from the Committee on STATE AGENCIES AND GOVERNMENTAL 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. 229

Amend **Senate Bill No. 229** as originally introduced:

Page 11, delete line 20, and substitute the following:

"(a) The State Board of Cosmetology inspectors or a private testing entity shall ~~hold~~"

AND

Page 11, delete lines 25 through 27, and substitute the following:

"necessary licensing examinations for eligible applicants on a monthly basis.

(b) Any ~~No~~ member of the board ~~who owns a school of cosmetology~~ shall be"

AND

Page 11, line 28, delete "in and have" and substitute "in ~~and~~ or have"

AND

Page 11, line 29, delete "examinations and shall" and substitute "examinations ~~and~~ nor shall"

AND

Page 11, delete lines 30 through 32, and substitute the following:

~~"the examinations of applicants for registration and licensing, provided that the applicant has not attended a school of cosmetology in this state that is in the same city or town as the member's school."~~

AND

Page 15, delete lines 15 through 17, and substitute the following:

~~"(d) In the conduct of examinations, practical demonstrations shall prevail over written tests. A greater number of credits shall be allowed on practical demonstration than on written tests."~~

AND

Page 21, delete lines 2 and 3, and substitute the following:

"notify the ~~secretary~~ State Board of Cosmetology administrative office of his or her new place of business. Upon receipt of the notification, the ~~secretary office~~"

AND

Page 29, line 23, delete "(b) All" and substitute "(b) ~~All~~"

AND

Page 29, delete lines 25 through 28, and substitute the following:

~~"reregister with the board."~~

(b) A student who has completed the registration process and whose"

AND

Page 30, delete lines 18 and 19, and substitute the following:

"branches of cosmetology taught in the school upon a ~~patron~~ client who is paying for service or materials;"

AND

Page 30, delete lines 22 and 23, and substitute the following:

"in work connected with manicuring taught in the school upon a ~~patron~~ client who is paying for service or materials;"

AND

Page 30, delete lines 26 and 27, and substitute the following:

"connected with aesthetics taught in the school upon a ~~patron~~ client who is paying for service or materials; and"

AND

Page 30, delete lines 30 and 31, and substitute the following:

"connected with electrology taught in the school upon a ~~patron~~ client who is paying for service or materials."

AND

Page 30, delete lines 32 and 33, and substitute the following:

"(b) No student may engage in any work upon a ~~patron~~ client who is paying for service or materials until he or she has had the required number of"

(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. 229 was ordered engrossed.

On motion of Senator G. Jeffress, **Senate Bill No. 200** was withdrawn from the Committee on PUBLIC HEALTH, WELFARE AND LABOR, 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. 200

Amend **Senate Bill No. 200** as originally introduced:

Delete Senator G. Jeffress as sponsor of the bill

AND

Add Senator J. Jeffress as sponsor of the bill

(SIGNED) SENATOR G. JEFFRESS

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 200 was ordered engrossed.

On motion of Senator G. Jeffress, **Senate Bill No. 206** was withdrawn from the Committee on AGRICULTURE FORESTRY AND ECONOMIC DEVELOPMENT, 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. 206

Amend **Senate Bill No. 206** as originally introduced:

Delete SECTION 1 in its entirety and substitute the following:

"SECTION 1. Arkansas Code Title 15, Chapter 72, Subchapter 2 is amended to add an additional section to read as follows:

15-72-219. Compensation of surface owners and surface tenants for damages — Restoration of land.

(a) A surface owner or surface tenant is entitled to reasonable compensation not to exceed three (3) times the value of the damaged land from the operator of an oil or gas well where a spill has occurred and has caused:

(1) Damages to growing crops, trees, shrubs, fences, roads, structures, improvements, or livestock; or

(2) Measurable damage to the productive capacity of the soil.

(b) In addition to any compensation or damages paid by the operator under subsection (a) of this section, the operator shall restore the damaged land in accordance with all applicable rules and regulations of the:

- (1) Arkansas Department of Environmental Quality; and
- (2) Oil and Gas Commission.”

(SIGNED) SENATOR G. JEFFRESS

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 206 was ordered engrossed.

On motion of Senator Faris, Senate Bill No. 268 was withdrawn from the Committee on STATE AGENCIES AND GOVERNMENTAL 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. 268

Amend Senate Bill No. 268 as originally introduced:

Add Senators Lavery, Glover, and Pritchard as cosponsors of the bill

(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. 268 was ordered engrossed.

On motion of Senator J. Jeffress, [Senate Bill No. 115](#) 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. 115

Amend [Senate Bill No. 115](#) as originally introduced:

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

“SECTION 1. NOT TO BE CODIFIED. Legislative findings.
The General Assembly finds:

(1) The State of Arkansas suffers from a shortage of qualified classroom teachers;

(2) Many retired classroom teachers would return to the classroom but for an earnings limitation that makes their return cost prohibitive; and

(3) Adjustment to the earnings limitation is necessary to increase the pool of highly qualified teachers available to public school districts throughout the state.

SECTION 2. Arkansas Code § 24-7-708 is amended to read as follows:
24-7-708. Conditions subjecting annuities to limitations.

(a)(1) If a retirant with less than twenty-eight (28) years of service is an employee of a public employer whose employees are covered by the Arkansas Teacher Retirement System, then for each twelve-month period ending June 30 the amount of his or her system annuity shall be subject to the limitations equivalent to twice the limitations imposed by the social security retirement test.

(2) For each year ending June 30, the social security retirement test to be considered shall be the test in effect for the calendar year beginning the January 1 immediately preceding June 30. The retirant's earnings shall be his or her remuneration for the employment for the year ending June 30.

~~(a)(b)(1) Except for a waiver as provided for in subsection (f) of this section, if~~
If a retirant with at least twenty-eight (28) years of service is an employee of a public employer whose employees are covered by the Arkansas Teacher Retirement System, then, for each twelve-month period ending June 30, the amount of his or her system annuity shall not be subject to the limitations equivalent to twice the limitations imposed by the social security retirement test.

(2) A retirant employed under subsection (b)(1) of this section may be employed by the same public employer for two (2) or more successive employment periods.

(3) The salary of any retirant employed under subsection (b)(1) of this section shall not exceed that of the highest-paid certified classroom teacher in the employing school district.

(4)(A) For any retired member employed under subsection (b)(1) of this section, the employer and employee contribution rate to the system on behalf of the member shall recommence at the rate in effect at the time of the employment.

(B)(i) Except as provided in subdivision (b)(4)(B)(ii) of this section, the employer contribution shall be remitted by the employer and the employee contribution shall be remitted by the employee.

(ii) The employer may elect to remit both the employer and employee contribution.

(c) A retirant employed by the following shall be exempt from the provisions of this section:

(1) The Department of Education; or

(2) Any one (1) of the state-supported universities, colleges, or junior colleges within the State of Arkansas if the employees of the state-supported university, college, or junior college are covered by the Arkansas Teacher Retirement System.

~~(b) For each year ending June 30, the social security retirement test to be considered shall be the test in effect for the calendar year beginning the January 1 immediately preceding June 30. The retirant's earnings shall be his or her remuneration for the employment for the year ending June 30.~~

~~(e)(d) The Board of Trustees of the Arkansas Teacher Retirement System shall establish equivalent limitations by appropriate rules and regulations.~~

~~(d)(e) Receiving remuneration as an employee from any private employer or as a member of the General Assembly shall not affect payment of an annuity.~~

~~(e)(f) During any period of employment in a position covered by the system, a retirant shall not accrue additional credited service.~~

~~(f)(1) In accordance with rules and regulations adopted by the State Board of Education, the Department of Education may request of the board of trustees or its designee a waiver of the conditions subjecting annuities to limitations. If approved by the board of trustees or its designee, the waiver shall be effective for a one-year period, with the option to renew annually for up to a total of three (3) years as requested by the department.~~

~~(2) A waiver of the conditions subjecting annuities to limitations may be requested if the retirant is hired by a public school district due to a shortage of certified teachers in a critical academic area in which the retirant is certified.~~

~~(3) The critical academic areas in which there is a shortage of certified teachers shall be determined annually by the State Board of Education.~~

~~(4) School districts shall maintain audit files identifying personnel granted a waiver and documenting the reasons for the waiver.~~

~~(5) Beginning July 1, 2005, for any retired member employed in a position covered by the system pursuant to a waiver, the employer and employee contribution rate to the system on behalf of the member shall recommence at the rate in effect at the time of the employment and shall be remitted by the employer.~~

(g) The Teacher Fair Dismissal Act of 1983, § 6-17-1501 et seq., shall not apply to a retirant returning to work for a public employer under this section."

(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. 115 was ordered engrossed.

On motion of Senator Madison, **Senate Bill No. 22** was withdrawn from the Committee on INSURANCE AND COMMERCE, 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. 22

Amend **Senate Bill No. 22** as engrossed, S2/6/07:

Page 2, delete lines 35 and 36

AND

Page 3, delete lines 1 through 6

(SIGNED) SENATOR MADISON

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 22 was ordered engrossed.

On motion of Senator Senator Madison, **Senate Bill No. 25** was withdrawn from the Committee on INSURANCE AND COMMERCE, 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. 25

Amend **Senate Bill No. 25** as engrossed, S2/6/07:

Page 2, line 16, delete "(c)(1)" and substitute "(c)"

AND

Page 2, line 18, delete "(A)" and substitute "(1)"

AND

Page 2, line 20, delete "(B)" and substitute "(2)"

AND

Page 2, line 23, delete "(i)" and substitute "(A)"

AND

Page 2, line 24, delete "(ii)" and substitute "(B)"

AND

Page 2, line 26, delete "(iii)" and substitute "(C)"

AND

Page 2, delete lines 28 through 32.

(SIGNED) SENATOR MADISON

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 25 was ordered engrossed.

On motion of Senator Madison, **Senate Bill No. 26** was withdrawn from the Committee on INSURANCE AND COMMERCE, 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. 26

Amend **Senate Bill No. 26** as originally introduced:

Add Senator Salmon as a cosponsor of the bill

AND

Page 1, line 11, delete "COLLEGE AND UNIVERSITY" and substitute "INSTITUTION OF HIGHER EDUCATION"

AND

Page 1, line 16, delete "COLLEGE AND UNIVERSITY" and substitute "INSTITUTION OF HIGHER EDUCATION"

AND

Page 1, line 25, delete "college and university" and substitute "~~college~~ institution of higher education"

AND

Page 1, line 27, delete "college and university" and substitute "~~college~~ institution of higher education"

AND

Page 2, delete lines 27 through 33 and substitute the following:

"(b) All financial assistance and scholarship moneys, including student loans and grants, whether from public or private sources shall:

(1) Be distributed to the recipient as soon as possible; and

(2) Be available for use at any local textbook retailer if the financial assistance or scholarship moneys include funds that may be used for textbooks."

(SIGNED) SENATOR MADISON

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 26 was ordered engrossed.

On motion of Senator Madison, **Senate Bill No. 29** was withdrawn from the Committee on INSURANCE AND COMMERCE, 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. 29

Amend **Senate Bill No. 29** as originally introduced:

Add Senator Salmon as a cosponsor of the bill

AND

Page 1, delete line 11 and substitute "HIGHER EDUCATION TO PERMIT LOCAL PRIVATE RETAILERS"

AND

Page 1, delete line 16 and substitute "OF HIGHER EDUCATION TO PERMIT LOCAL PRIVATE"

AND

Page 1, line 26, delete "learning sells or" and substitute "education"

AND

Page 1, line 29, delete "private" and substitute "local private"

AND

Page 1, line 30, delete "the same or similar goods" and substitute "textbooks or course materials"

AND

Page 1, line 32, delete "learning" and substitute "education"

AND

Page 1, line 33, delete "advertises" and substitute "advertises textbooks, course materials, or school supplies"

AND

Page 1, delete line 35 and substitute "institution in electronic mail form by a local private retailer of textbooks or course materials"

AND

Page 1, line 36, delete "similar goods"
AND

Page 2, line 1, delete "learning" and substitute "education"

AND

Page 2, delete lines 3 through 6 and substitute the following:
"supplies in a presentation, handout, or packet of information to students, the institution shall notify any local private retailer of textbooks or course materials that the institution will include the similar promotional material of the local private retailer in an upcoming presentation, handout, or packet of information."

AND

Page 2, line 22, delete "learning" and substitute "education"

AND

Page 2, delete lines 25 through 34 and substitute the following:

"(c) A violation of subsection (a) of this section:

(1) Shall be reported with ten (10) business days by the state-supported institution of higher education to the:

(A) Chief fiscal officer of the institution;

(B) Chief legal counsel of the institution; and

(C) Legislative Council; and

(2) May be reported to the parties identified in"

AND

Page 2, delete line 36

AND

Page 3, delete lines 1 through 7

AND

Page 3, line 11, delete "college and university" and substitute "institution of higher education"

(SIGNED) SENATOR MADISON

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 29 was ordered engrossed.

On motion of Senator Wilkins, and without objection, the House was requested to return **House Bill No. 1104** for further consideration.



STATE OF ARKANSAS
Arkansas Senate

GENERAL ASSEMBLY
LITTLE ROCK, ARKANSAS

Ann Cornwell
Secretary of the Senate
Senate Fiscal Officer
State Capitol, Room 320
Little Rock, Arkansas 72201

ANN CORNWELL
Secretary of the Senate
Senate Fiscal Officer
State Capitol, Room 320
Little Rock, Arkansas 72201

February 12, 2007

The Honorable Jo Renshaw
Speaker of the House
House of Representatives
State Capitol
Little Rock, AR

Dear Mr. Speaker:

The Senate respectfully requests the return to the Senate **House Bill No. 1104** .

Respectfully submitted,

(SIGNED) ANN CORNWELL
Secretary of the Senate

AC:as

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 12, 2007

Mr. President:

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

SENATE BILL NO. 22, BY SENATOR MADISON, et al,
SENATE BILL NO. 25, BY SENATOR MADISON, et al,
SENATE BILL NO. 26, BY SENATOR MADISON, et al,
SENATE BILL NO. 29, BY SENATOR MADISON, 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

On motion of Senator Madison, **Senate Bill No. 22** was ordered re-referred to the Committee on INSURANCE AND COMMERCE.

On motion of Senator Madison, **Senate Bill No. 25** was ordered re-referred to the Committee on INSURANCE AND COMMERCE.

On motion of Senator Madison, **Senate Bill No. 26** was ordered re-referred to the Committee on INSURANCE AND COMMERCE.

On motion of Senator Madison, **Senate Bill No. 29** was ordered re-referred to the Committee on INSURANCE AND COMMERCE.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 12, 2007

Mr. President:

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

SENATE BILL NO. 115, 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. 115** was ordered re-referred to the Committee on JOINT RETIREMENT AND SOCIAL SECURITY.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 12, 2007

Mr. President:

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

SENATE BILL NO. 200, BY G. 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 G. Jeffress, **Senate Bill No. 200** was ordered re-referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 12, 2007

Mr. President:

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

SENATE BILL NO. 206, BY G. 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 G. Jeffress, **Senate Bill No. 206** was ordered re-referred to the Committee on AGRICULTURE, FORESTRY.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 12, 2007

Mr. President:

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

SENATE BILL NO. 229, BY SENATOR FARIS,

SENATE BILL NO. 268, BY SENATORS FARIS & WILKINSON, 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

On motion of Senator Faris, **Senate Bill No. 229** was ordered re-referred to the Committee on STATE AGENCIES AND GOVERNMENTAL AFFAIRS.

On motion of Senator Faris, **Senate Bill No. 268** was ordered re-referred to the Committee on STATE AGENCIES AND GOVERNMENTAL AFFAIRS.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 12, 2007

Mr. President:

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

SENATE BILL NO. 48, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 49, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 51, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 56, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 61, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 80, BY SENATOR J. JEFFRESS,
SENATE BILL NO. 134, BY JOINT BUDGET COMMITTEE,

beg leave to report that we have carefully compared the enrolled copies with the original and we find the same correctly enrolled and have at 11:10 a.m. delivered them to the Governor for his approval.

Respectfully submitted,

(SIGNED) HENRY "HANK" WILKINS, IV
CHAIRMAN

GOVERNOR'S BILL RECEIPTS

SENATE BILL NO. 48,
 SENATE BILL NO. 49,
 SENATE BILL NO. 51,
 SENATE BILL NO. 56,
 SENATE BILL NO. 61,
 SENATE BILL NO. 80,
 SENATE BILL NO. 134,

RECEIVED the above papers from the Secretary of the Senate this February 12,
 2007 day of February, 2005 at 11:10 a.m..

(SIGNED) MIKE BEEBE
 Governor

(SIGNED) Angela Tollette
 Secretary

ARKANSAS SENATE
 EIGHTY-SIXTH GENERAL ASSEMBLY
 REGULAR SESSION

February 12, 2007

Mr. President:

We, your Committee on TRANSPORTATION, TECHNOLOGY &
 LEGISLATIVE AFFAIRS, to whom was referred:

HOUSE BILL NO. 1383, BY REPRESENTATIVE WOOD,

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

Respectfully submitted,

(SIGNED) SENATOR HANK WILKINS, IV
 CHAIRMAN

SENATE BILL NO. 288
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR BROADWAY

A Bill for an Act to be Entitled: AN ACT TO CLARIFY THAT A HABITUAL OFFENDER MAY BE SENTENCED TO PAY ANY FINE AUTHORIZED BY LAW; AND FOR OTHER PURPOSES.

Senate Bill No. 288 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

SENATE BILL NO. 289
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR BROADWAY

A Bill for an Act to be Entitled: AN ACT TO CONTINUE THE TASK FORCE ON SUSTAINABLE BUILDING DESIGN AND PRACTICES; AND FOR OTHER PURPOSES.

Senate Bill No. 289 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

HOUSE CONCURRENT RESOLUTION NO. 1008
 EIGHTY-SIXTH GENERAL ASSEMBLY
 REGULAR SESSION
 BY: REPRESENTATIVE CHESTERFIELD
 BY: SENATOR BROWN

HOUSE CONCURRENT RESOLUTION TO RECOGNIZE DELTA SIGMA THETA, INC., A PRIVATE ORGANIZATION THAT PROVIDES SERVICES TO PROMOTE HUMAN WELFARE.

House Concurrent Resolution No. 1008 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE CONCURRENT RESOLUTION NO. 1009
 EIGHTY-SIXTH GENERAL ASSEMBLY
 REGULAR SESSION

BY: REPRESENTATIVES WILLS, GLIDEWELL, ALLEN, L. COWLING,
 DAVENPORT, DAVIS, DUNN, L. EVANS, GEORGE, GREENBERG, HALL,
 HOUSE, HOYT, D. HUTCHINSON, HYDE, D. JOHNSON, KIDD, KING, OVERBEY,
 PIERCE, REYNOLDS, J. ROEBUCK, SHELBY, L. SMITH, STEWARD, WEBB,
 WELLS & WYATT

HOUSE CONCURRENT RESOLUTION RECOMMENDING THAT THE CONGRESS OF THE UNITED STATES ENSURE THAT THE FINAL FEDERAL FISCAL YEAR 2007 JOINT RESOLUTION PROVIDES THE FEDERAL FISCAL YEAR 2007 FEDERAL HIGHWAY, TRANSIT, AND HIGHWAY SAFETY FUNDING LEVELS GUARANTEED IN THE SAFE, ACCOUNTABLE, FLEXIBLE, EFFICIENT TRANSPORTATION EQUITY ACT: A LEGACY FOR USERS (SAFETEA-LU).

House Concurrent Resolution No. 1009 was read the first time, rules suspended, read the second time and referred to the Committee on TRANSPORTATION AND TECHNOLOGY AND LEGISLATIVE AFFAIRS.

HOUSE BILL NO. 1068
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE RAGLAND

A Bill for an Act to be Entitled: AN ACT TO PROTECT ARCHEOLOGICAL SITES; TO INCREASE THE PENALTIES FOR DISTURBING ARCHEOLOGICAL SITES; AND FOR OTHER PURPOSES.

House Bill No. 1068 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

HOUSE BILL NO. 1106
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS BOARD OF DISPENSING OPTICIANS FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

House Bill No. 1106 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1164
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE PROFESSIONAL BAIL BONDSMAN LICENSING BOARD FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

House Bill No. 1164 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1333
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES D. JOHNSON, HARRELSON, L. SMITH & WEBB
BY: SENATORS BAKER AND SALMON

A Bill for an Act to be Entitled: AN ACT TO CREATE THE OFFENSES OF INTERFERENCE WITH EMERGENCY COMMUNICATION IN THE FIRST DEGREE AND INTERFERENCE WITH EMERGENCY COMMUNICATION IN THE SECOND DEGREE; AND FOR OTHER PURPOSES.

House Bill No. 1333 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

HOUSE BILL NO. 1357
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE OVERBEY

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS LAW PERTAINING TO THE SALES TAX EXEMPTION FOR ADAPTIVE MEDICAL EQUIPMENT AND DURABLE MEDICAL EQUIPMENT AS IT APPLIES TO WHEELCHAIR LIFTS AND AUTOMOBILE HAND CONTROLS; AND FOR OTHER PURPOSES.

House Bill No. 1357 was read the first time, rules suspended, read the second time and referred to the Committee on REVENUE AND TAXATION.

HOUSE BILL NO. 1360
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES WILLS AND MALOCH

A Bill for an Act to be Entitled: AN ACT TO ADOPT THE UNIFORM ESTATE TAX APPORTIONMENT ACT; AND FOR OTHER PURPOSES.

House Bill No. 1360 was read the first time, rules suspended, read the second time and referred to the Committee on REVENUE AND TAXATION.

HOUSE BILL NO. 1362
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES HARRELSON AND WALTERS

A Bill for an Act to be Entitled: AN ACT TO CLARIFY THE LAW REGARDING BENEFICIARY DEEDS; TO PROVIDE FOR THE RECOVERY OR DISCLAIMER OF REIMBURSEMENT OF BENEFITS BY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES; AND FOR OTHER PURPOSES.

House Bill No. 1362 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

HOUSE BILL NO. 1369
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE RAGLAND

A Bill for an Act to be Entitled: AN ACT TO INCREASE FEES COLLECTED BY THE STATE REGISTRAR OF VITAL RECORDS; TO CLARIFY THE FEES TO BE COLLECTED BY THE STATE REGISTRAR OF VITAL RECORDS; TO ENSURE THE CONTINUED FINANCIAL VIABILITY OF THE VITAL RECORDS PROGRAM; AND FOR OTHER PURPOSES.

House Bill No. 1369 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

HOUSE BILL NO. 1384
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE LAMOUREUX

A Bill for an Act to be Entitled: AN ACT TO PERMIT CONCURRENT JURISDICTION OF EVICTION PROCEEDINGS IN DISTRICT COURT; AND FOR OTHER PURPOSES.

House Bill No. 1384 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

HOUSE BILL NO. 1401
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE ROSENBAUM

A Bill for an Act to be Entitled: AN ACT TO INCREASE THE PENALTY CLASSIFICATION FOR AND TO CLARIFY THE OFFENSE OF TRANSPORTATION OF MINORS FOR PROHIBITED SEXUAL CONDUCT; AND FOR OTHER PURPOSES.

House Bill No. 1401 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

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

HOUSE BILL NO. 1405
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

BY: REPRESENTATIVE BURRIS

A Bill for an Act to be Entitled: AN ACT TO PROVIDE THAT A DISABLED VETERAN MAY RECEIVE AN ADDITIONAL SPECIAL LICENSE PLATE FOR A NOMINAL FEE; AND FOR OTHER PURPOSES.

House Bill No. 1405 was read the first time, rules suspended, read the second time and referred to the Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS.

SENATE BILL NO. 290
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR GLOVER

A Bill for an Act to be Entitled: AN ACT TO INCREASE TITLE AND REPLACEMENT TITLE FEES TO FUND THE FLEET OPERATIONS OF THE DEPARTMENT OF ARKANSAS STATE POLICE; AND FOR OTHER PURPOSES.

Senate Bill No. 290 was read the first time, rules suspended, read the second time and referred to the Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS.

SENATE BILL NO. 291
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR GLOVER

A Bill for an Act to be Entitled: AN ACT TO CLARIFY THE RESTRICTIONS ON DEFERRING THE SENTENCE FOR PERSONS CHARGED WITH A TRAFFIC VIOLATION AND HOLDING A COMMERCIAL DRIVER LICENSE; AND FOR OTHER PURPOSES.

Senate Bill No. 291 was read the first time, rules suspended, read the second time and referred to the Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS.

SENATE BILL NO. 292
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MADISON
BY: REPRESENTATIVE EDWARDS

A Bill for an Act to be Entitled: AN ACT TO PROVIDE AN EXEMPTION FOR SPECIAL MOTORCYCLE EVENTS TO ALLOW MOTOR VEHICLE DEALERS TO DISPLAY AND SELL MOTORCYCLES AT SPECIAL EVENTS THAT HAVE A SIGNIFICANT POSITIVE ECONOMIC IMPACT ON AN AREA; AND FOR OTHER PURPOSES.

Senate Bill No. 292 was read the first time, rules suspended, read the second time and referred to the Committee on AGRICULTURE, FORESTRY AND ECONOMIC DEVELOPMENT.

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

MIKE BEEBE
Governor

February 8, 2007

TO THE PRESIDENT OF THE SENATE

Dear Mr. President:

This is to inform your Honorable Body that on, February 8, 2007, I approved the following measures from the Regular Session of the Eighty-sixth General Assembly:

Senate Concurrent Resolution 3,
Senate Bill No. 176,--Act 66

Sincerely,

(SIGNED) MIKE BEEBE
Governor

Senate Bill No. 185 was returned from the House as passed as amended.

Senate Bill No. 107 was returned from the House as passed and ordered enrolled.

Senate Bill No. 166 was returned from the House as passed and ordered enrolled.

Senate Bill No. 258 was returned from the House as passed and ordered enrolled.

On motion of Senator T. Smith, House Concurrent Resolution No. 1007 was called up for third reading and final disposition.

HOUSE CONCURRENT RESOLUTION NO. 1007
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE SAMPLE
BY: SENATOR T. SMITH

HOUSE CONCURRENT RESOLUTION CONGRATULATING THE
JESSIEVILLE LIONS ON THEIR 2006 CLASS AA STATE FOOTBALL
CHAMPIONSHIP.

House Concurrent Resolution No. 1007 was read the third time and concurred in by the Senate.

(SIGNED) ANN CORNWELL, SECRETARY

House Concurrent Resolution No. 1007 was ordered immediately returned to the House, as concurred in.

The President declared the morning hour to have expired.

On motion of Senator Faris, **Senate Bill No. 230** was called up for third reading and final disposition.

SENATE BILL NO. 230
As Engrossed: S2/7/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR FARIS

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS LAW CONCERNING PROVISIONAL VOTING PROCEDURES; AND FOR OTHER PURPOSES.

Senate Bill No. 230 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, Argue, Baker, Bisbee, Bookout, Broadway, 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	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
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. 230 was ordered immediately transmitted to the House as passed.

On motion of Senator Hill, **Senate Bill No. 213** was called up for third reading and final disposition.

**SENATE BILL NO. 213
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR HILL**

A Bill for an Act to be Entitled: AN ACT CONCERNING SUBMISSION OF FUNDS OR REPORTS TO THE ADMINISTRATION OF JUSTICE FUND; AND FOR OTHER PURPOSES.

Senate Bill No. 213 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, Argue, Baker, Bisbee, Bookout, Broadway, 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	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
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. 213 was ordered immediately transmitted to the House as passed.

On motion of Senator J. Jeffress, **House Bill No. 1101** was called up for third reading and final disposition.

HOUSE BILL NO. 1101
As Engrossed: H1/26/07 S2/6/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE REEP

A Bill for an Act to be Entitled: AN ACT TO DEFINE THE ACCREDITING ORGANIZATION FOR HOSPITALS; AND FOR OTHER PURPOSES.

House Bill No. 1101 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, Argue, Baker, Bisbee, Bookout, Broadway, 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	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
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. 1101 was returned to the House as passed as amended.

On motion of Senator Smith, **House Bill No. 1340** was called up for third reading and final disposition.

HOUSE BILL NO. 1340
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE LOVELL

A Bill for an Act to be Entitled: AN ACT TO AMEND § 25-29-103 TO AUTHORIZE ASSESSMENTS ON COMMERCIAL MOBILE RADIO SERVICE; TO DEFINE COMMERCIAL MOBILE RADIO SERVICE; TO ALLOW CHANGES TO ASSESSMENTS QUARTERLY; AND FOR OTHER PURPOSES.

House Bill No. 1340 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, Argue, Baker, Bisbee, Bookout, Broadway, 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	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
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. 1340 was ordered immediately returned to the House as passed.

On motion of Senator Trusty, **House Bill No. 1182** was called up for third reading and final disposition.

HOUSE BILL NO. 1182
As Engrossed: H1/30/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES T. BAKER, OVERBEY, BLOUNT, DAVIS, DUNN,
GASKILL, RAINEY, & REEP

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE § 27-50-1205 TO GIVE CODE ENFORCEMENT OFFICERS THE POWER TO TAG VEHICLES; AND FOR OTHER PURPOSES.

House Bill No. 1182 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, Argue, Baker, Bisbee, Bookout, Broadway, 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	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
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. 1182 was ordered immediately returned to the House as passed.

On motion of Senator Steele, **House Bill No. 1196** was called up for third reading and final disposition.

HOUSE BILL NO. 1196
As Engrossed: H1/26/07 S2/8/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES S. PRATER, ABERNATHY, T. BRADFORD,
CHEATHAM, COOK, DICKINSON, EVERETT, HARDY, J. JOHNSON,
LAMOUREUS, M. MARTIN, RAINEY, REYNOLDS ROSENBAUM,
SAUNDERS & WOOD

A Bill for an Act to be Entitled: AN ACT TO CONTINUE THE ARKANSAS COMMISSION ON EYE AND VISION CARE OF SCHOOL AGE CHILDREN; TO CREATE THE SCHOOL-AGE CHILDREN EYE AND VISION CARE FUND; AND FOR OTHER PURPOSES.

House Bill No. 1196 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
Necessary to the passage of the bill	18

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. 1196**, 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the adoption of the Emergency Clause.....24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1196 was returned to the House as passed as amended.

On motion of Senator Taylor, **House Bill No. 1307** was called up for third reading and final disposition.

HOUSE BILL NO. 1307
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES PIERCE, ROSENBAUM, STEWART, ADCOCK,
BURKES, GASKILL, HALL, LOVELL, MOORE, S. PRATER, ET AL

A Bill for an Act to be Entitled: AN ACT TO PROVIDE THAT AN EX-PRISONER OF WAR, A PEARL HARBOR SURVIVOR, OR A MEDAL OF HONOR RECIPIENT MAY RECEIVE AN ADDITIONAL SPECIAL LICENSE PLATE FOR A NOMINAL FEE; AND FOR OTHER PURPOSES.

House Bill No. 1307 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
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. 1307 was ordered immediately returned to the House as passed.

On motion of Senator Capps, **House Bill No. 1069** was called up for third reading and final disposition.

**HOUSE BILL NO. 1069
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES BOND AND S. PRATER**

A Bill for an Act to be Entitled: AN ACT TO ESTABLISH THE ARKANSAS LONG-TERM CARE PARTNERSHIP PROGRAM; AND FOR OTHER PURPOSES.

House Bill No. 1069 was placed on third reading and final disposition, the question being: Shall the Bill pass?

The Secretary called the roll, the following members voted:

AFFIRMATIVE: Altes, Argue, Baker, Bisbee, Bookout, Broadway, 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	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
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. 1069 was ordered immediately returned to the House as passed.

On motion of Senator Womack, **Senate Bill No. 130** was withdrawn from the Committee on JOINT BUDGET, 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. 130

Amend **Senate Bill No. 130** as originally introduced:

Page 2, line 24, delete " _____0 _____0" and replace with " 0 0"

And

Page 2, delete line 25 in its entirety and substitute the following:

" (04) PROMOTIONAL ITEMS _____0 _____0
TOTAL AMOUNT APPROPRIATED \$ 181,207 \$ 184,523"

And

Insert an additional section immediately following Section 3 to read as follows:

"SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PROMOTIONAL ITEMS. The Chief Fiscal Officer of the State shall establish upon request for the Minority Health Commission a special Promotional Items appropriation to be used in the acquisition of promotional items. When the Minority Health Commission wishes to transfer from its operating expenses appropriation and funds to the promotional items line, the request shall be forwarded by the Minority Health Commission to the Chief Fiscal Officer of the State for processing and for prior approval by the Arkansas Legislative Council or Joint Budget Committee. Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. This is usually accomplished by delineating such maximums in the appropriation act(s) for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization law. Further, the General Assembly has determined that the Minority Health Commission may operate more efficiently if some flexibility is provided to the Minority Health Commission authorizing broad powers under this Section. Therefore, it is both necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative Council or Joint Budget Committee as provided by this section. The requirement of approval by the Legislative Council or Joint Budget Committee is not a severable part of this section. If the requirement of approval by the Legislative Council or Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this entire section is void.

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

And appropriately renumber the subsequent sections.

(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. 130 was ordered engrossed.

On motion of Senator Womack, Senate Bill No. 131 was withdrawn from the Committee on JOINT BUDGET, 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. 131

Amend Senate Bill No. 131 as originally introduced:

Page 2, line 29, delete " 421,888 421,888" and replace with " 421,888 421,888"

And

Page 2, delete line 30 in its entirety and substitute the following:

" (05) PROMOTIONAL ITEMS 0 0
TOTAL AMOUNT APPROPRIATED \$ 1,447,937 \$ 1,451,329"

And

Insert an additional section immediately following Section 2 to read as follows:
 "SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PROMOTIONAL ITEMS. The Chief Fiscal Officer of the State shall establish upon request for the Minority Health Commission a special Promotional Items appropriation to be used in the acquisition of promotional items. When the Minority Health Commission wishes to transfer from its operating expenses and/or Screening, Monitoring, Treating & Outreach appropriation and funds to the promotional items line, the request shall be forwarded by the Minority Health Commission to the Chief Fiscal Officer of the State for processing and for prior approval by the Arkansas Legislative Council or Joint Budget Committee. Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. This is usually accomplished by delineating such maximums in the appropriation act(s) for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization law. Further, the General Assembly has determined that the Minority Health Commission may operate more efficiently if some flexibility is provided to the Minority Health Commission authorizing broad powers under this Section. Therefore, it is both necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative Council or Joint Budget Committee as provided by this section. The requirement of approval by the Legislative Council or Joint Budget Committee is not a severable part of this section. If the requirement of approval by the Legislative Council or Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this entire section is void.

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

And appropriately renumber the subsequent sections.

(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. 131 was ordered engrossed.

On motion of Senator Womack, the Senate resolved itself into the Committee of the Whole for the purpose of JOINT BUDGET bills.

Without objection, the Committee of the Whole was dissolved, and the Senate took up its regular order of business.

On motion of Senator Womack, the rules were suspended in considering Senate Bill No. 50 at this time.

On motion of Senator Womack, Senate Bill No. 50 was called up for third reading and final disposition.

SENATE BILL NO. 50
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE STATE BOARD OF OPTOMETRY FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Senate Bill No. 50 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0
 Total number of votes cast.....35
 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. 50**, 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0
 Total number of votes cast.....35
 Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 50 was ordered immediately transmitted to the House.

On motion of Senator Womack, the rules were suspended in considering Senate Bill No. 67 at this time.

On motion of Senator Womack, Senate Bill No. 67 was called up for third reading and final disposition.

SENATE BILL NO. 67
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS APPRAISER LICENSING AND CERTIFICATION BOARD FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Senate Bill No. 67 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, Argue, Baker, Bisbee, Bookout, Broadway, 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	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
Necessary to the passage of the bill	27

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. 67**, 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
Necessary to the adoption of the Emergency Clause	24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 67 was ordered immediately transmitted to the House.

On motion of Senator Womack, the rules were suspended in considering Senate Bill No. 70 at this time.

On motion of Senator Womack, Senate Bill No. 70 was called up for third reading and final disposition.

SENATE BILL NO. 70
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS BOARD OF EXAMINERS IN COUNSELING FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Senate Bill No. 70 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, Argue, Baker, Bisbee, Bookout, Broadway, 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	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
Necessary to the passage of the bill	27

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. 70**, 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
Necessary to the adoption of the Emergency Clause	24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 70 was ordered immediately transmitted to the House.

On motion of Senator Womack, the rules were suspended in considering House Bill No. 1388 at this time.

On motion of Senator Womack, House Bill No. 1388 was called up for third reading and final disposition.

HOUSE BILL NO. 1388
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR THE REFUND OF LOCAL SALES AND USE TAXES BY THE OFFICE OF THE TREASURER OF STATE FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

House Bill No. 1388 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, Argue, Baker, Bisbee, Bookout, Broadway, 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	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
Necessary to the passage of the bill	27

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. 1388**, 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
Necessary to the adoption of the Emergency Clause	24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1388 was ordered immediately returned to the House as passed.

On motion of Senator Womack, the rules were suspended in considering House Bill No. 1389 at this time.

On motion of Senator Womack, House Bill No. 1389 was called up for third reading and final disposition.

HOUSE BILL NO. 1389
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR DISTRIBUTION OF AMENDMENT 74 FUNDS TO COUNTIES BY THE OFFICE OF THE TREASURER OF STATE FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

House Bill No. 1389 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, Argue, Baker, Bisbee, Bookout, Broadway, 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	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
Necessary to the passage of the bill	27

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. 1389**, 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, Argue, Baker, Bisbee, Bookout, Broadway, 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	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
Necessary to the adoption of the Emergency Clause	24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1389 was ordered immediately returned to the House as passed.

SENATE BILL NO. 293
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MALONE

A Bill for an Act to be Entitled: AN ACT TO AMEND THE ARKANSAS LEGISLATIVE TASK FORCE ON ABUSED AND NEGLECTED CHILDREN REGARDING THE MEMBERSHIP, ORGANIZATION, AND EXPENSES; AND FOR OTHER PURPOSES.

Senate Bill No. 293 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

SENATE BILL NO. 294
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS B. PRITCHARD, ALTES & MADISON
BY: REPRESENTATIVES BERRY, EDWARDS, GLIDEWELL, HARDWICK,
HARRIS, HOUSE, RAGLAND, SCHULTE & WALTERS

A Bill for an Act to be Entitled: AN ACT TO EXEMPT LIFE CARE FACILITIES FROM THE STATE'S QUALITY ASSURANCE FEE; AND FOR OTHER PURPOSES.

Senate Bill No. 294 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

SENATE BILL NO. 295
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MILLER

A Bill for an Act to be Entitled: AN ACT TO AMEND PORTIONS OF ARKANSAS LAW RELATED TO DAMAGED MOTOR VEHICLES; AND FOR OTHER PURPOSES.

Senate Bill No. 295 was read the first time, rules suspended, read the second time and referred to the Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 12, 2007

Mr. President:

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

SENATE BILL NO. 130, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 131, BY JOINT BUDGET COMMITTEE,

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 Womack, **Senate Bill No. 130** was ordered re-referred to the Committee on JOINT BUDGET.

On motion of Senator Womack, **Senate Bill No. 131** was ordered re-referred to the Committee on JOINT BUDGET.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 12, 2007

Mr. President:

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

SENATE BILL NO. 107, BY SENATORS BISBEE, FARIS,
SENATE BILL NO. 166, BY SENATOR J. JEFFRESS,
SENATE BILL NO. 258, 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 2:30 p.m. delivered them to the Governor for his approval.

Respectfully submitted,

(SIGNED) HENRY "HANK" WILKINS, IV
CHAIRMAN

GOVERNOR'S BILL RECEIPTS

SENATE BILL NO. 107

SENATE BILL NO. 166

SENATE BILL NO. 258

RECEIVED the above papers from the Secretary of the Senate this 12th day of February, 2007 at 2:30 p.m.

(SIGNED) MIKE BEEBE
Governor

(SIGNED) Angela Tollette
Secretary

House bills returned to the Senate as requested:

HOUSE BILL NO. 1104

Senate Bills returned from the House as passed and ordered enrolled:

SENATE BILL NO.172

SENATE CONCURRENT RESOLUTION NO. 7

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATORS J. JEFFRESS, G. JEFFRESS, SALMON & BAKER

BY: REPRESENTATIVES LOVELL AND WALTERS

SENATE CONCURRENT RESOLUTION TO PROCLAIM FEBRUARY 2007 AS CHORAL MUSIC MONTH IN RECOGNITION OF THE FORTIETH ANNIVERSARY OF THE ARKANSAS CHORAL DIRECTOR'S ASSOCIATION.

Senate Concurrent Resolution No. 7 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1005

As Engrossed: H2/2/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES WELLS, GEORGE, REYNOLDS, SAMPLE,

SAUNDERS, PETRUS & WILLS

BY: SENATORS WILKINSON AND TRUSTY

A Bill for an Act to be Entitled: AN ACT TO DESIGNATE THE DIANA FRITILLARY BUTTERFLY AS THE OFFICIAL BUTTERFLY OF THE STATE OF ARKANSAS; AND FOR OTHER PURPOSES.

House Bill No. 1005 was read the first time, rules suspended, read the second time and referred to the Committee on AGRICULTURE, FORESTRY AND ECONOMIC DEVELOPMENT.

HOUSE BILL NO. 1298
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES HARRELSON, D. JOHNSON & THYER
BY: SENATORS STEELE AND BROADWAY

A Bill for an Act to be Entitled: AN ACT TO ADOPT THE UNIFORM REAL PROPERTY ELECTRONIC RECORDING ACT; AND FOR OTHER PURPOSES.

House Bill No. 1298 was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY AND LOCAL AFFAIRS.

HOUSE BILL NO. 1299
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES HARRELSON, LOWERY & D. JOHNSON
BY: SENATORS STEELE AND BROADWAY

A Bill for an Act to be Entitled: AN ACT TO INCREASE THE RECORDING FEES CHARGED BY COUNTY RECORDERS FOR CERTAIN WRITTEN INSTRUMENTS; AND FOR OTHER PURPOSES.

House Bill No. 1299 was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY AND LOCAL AFFAIRS.

HOUSE BILL NO. 1368
 EIGHTY-SIXTH GENERAL ASSEMBLY
 REGULAR SESSION
 BY: REPRESENTATIVE DUNN
 BY: SENATOR FARIS

A Bill for an Act to be Entitled: AN ACT TO CHANGE THE COMPOSITION AND REQUIREMENTS OF THE STATE BOARD OF COSMETOLOGY; AND FOR OTHER PURPOSES.

House Bill No. 1368 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES AND GOVERNMENTAL AFFAIRS.

HOUSE BILL NO. 1379
As Engrossed: H2/8/07
 EIGHTY-SIXTH GENERAL ASSEMBLY
 REGULAR SESSION
 BY: REPRESENTATIVES PETRUS, SULLIVAN, THYER, STEWART, ET AL
 BY: SENATORS R. THOMPSON, BROADWAY, G. JEFFRESS,
 J. JEFFRESS & STEELE

A Bill for an Act to be Entitled: AN ACT TO CREATE THE ARKANSAS ALTERNATIVE FUELS DEVELOPMENT PROGRAM; TO CREATE THE ARKANSAS ALTERNATIVE FUELS DEVELOPMENT FUND; TO REPEAL OBSOLETE SECTIONS OF THE ARKANSAS CODE RELATED TO ALTERNATIVE FUELS INCLUDING THE ALTERNATIVE FUELS COMMISSION, THE ALTERNATIVE FUELS FUND, THE ARKANSAS WEATHERIZATION ASSISTANCE FUND, AND SECTIONS RELATED TO WEATHERIZATION; AND FOR OTHER PURPOSES.

House Bill No. 1379 was read the first time, rules suspended, read the second time and referred to the Committee on AGRICULTURE, FORESTRY AND ECONOMIC DEVELOPMENT.

HOUSE BILL NO. 1416
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE MALOCH

A Bill for an Act to be Entitled: AN ACT TO AMEND PROVISIONS OF THE ARKANSAS DEVELOPMENT FINANCE AUTHORITY ACT TO CONFORM THE PRIVATE ACTIVITY BOND VOLUME CAP CARRY FORWARD PROVISIONS TO REQUIREMENTS OF THE FEDERAL TAX CODE; TO CLARIFY OTHER MATTERS PERTAINING TO PRIVATE ACTIVITY BOND VOLUME CAP ALLOCATION; AND FOR OTHER PURPOSES.

House Bill No. 1416 was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE AND COMMERCE.

HOUSE BILL NO. 1432
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE MALOCH
BY: SENATOR BOOKOUT

A Bill for an Act to be Entitled: AN ACT TO REGULATE BANK MERGER TRANSACTIONS; TO REQUIRE THE PLAN OF MERGER TO PROVIDE THE TERMS OF THE MERGER AND THE DISPOSITION OF EACH BANK'S ASSETS AND LIABILITIES; AND FOR OTHER PURPOSES.

House Bill No. 1432 was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE AND COMMERCE.

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SENATE BILLS TRANSMITTED TO THE HOUSE

AS PASSED

SENATE BILL NO. 50

SENATE BILL NO. 67

SENATE BILL NO. 70

SENATE BILL NO. 213

SENATE BILL NO. 230

HOUSE BILLS RETURNED TO THE HOUSE

AS PASSED

HOUSE BILL NO. 1069

HOUSE BILL NO. 1182

HOUSE BILL NO. 1307

HOUSE BILL NO. 1340

HOUSE BILL NO. 1388

HOUSE BILL NO. 1389

HOUSE BILLS RETURNED TO THE HOUSE

AS PASSED AS AMENDED

HOUSE BILL NO. 1101 AS AMENDED NO. 1

HOUSE BILL NO. 1196 AS AMENDED NO. 1

HOUSE CONCURRENT RESOLUTION RETURNED

TO THE HOUSE AS CONCURRED IN

HOUSE CONCURRENT RESOLUTION NO. 1007

SENATE BILLS RETURNED FROM THE HOUSE
AS PASSED

SENATE BILL NO. 107

SENATE BILL NO. 166

SENATE BILL NO. 172

SENATE BILL NO. 258

SENATE BILLS RETURNED FROM THE HOUSE
AS PASSED AS AMENDED

SENATE BILL NO. 185 AS AMENDED NO. 1, 2

HOUSE BILLS TRANSMITTED TO THE SENATE
AS PASSED

HOUSE BILL NO. 1005

HOUSE BILL NO. 1068

HOUSE BILL NO. 1106

HOUSE BILL NO. 1164

HOUSE BILL NO. 1298

HOUSE BILL NO. 1299

HOUSE BILL NO. 1333

HOUSE BILL NO. 1357

HOUSE BILL NO. 1360

HOUSE BILL NO. 1362

HOUSE BILL NO. 1368

HOUSE BILL NO. 1369

HOUSE BILL NO. 1379

HOUSE BILL NO. 1384

HOUSE BILL NO. 1401

HOUSE BILL NO. 1402

HOUSE BILL NO. 1405

HOUSE BILL NO. 1416

HOUSE BILL NO. 1432

HOUSE CONCURRENT RESOLUTION TRANSMITTED

TO THE SENATE AS ADOPTED

HOUSE CONCURRENT RESOLUTION NO. 1008

HOUSE CONCURRENT RESOLUTION NO. 1009

HOUSE BILLS RECEIVED FROM THE HOUSE

AS REQUESTED

HOUSE BILL NO. 1104

On motion of Senator Whitaker, the Senate adjourned until 1:30 p.m., Tuesday, February 13, 2007.

PRESIDENT OF THE SENATE

SECRETARY OF THE SENATE

--ooOoo--

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

Little Rock, Arkansas

February 13, 2007

The Senate was called to order at 1:30 o'clock p.m. by the President.

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

ALTES, ARGUE, BAKER, BISBEE, BOOKOUT,
BROADWAY, 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.

The Senate was led in prayer by Senator Wilkinson.

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 Hendren, **Senate Bill No. 216** was withdrawn from the Committee on JUDICIARY, 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. 216

Amend **Senate Bill No. 216** as originally introduced:

Page 1, delete lines 27 through 36, and substitute the following:

"16-90-122. Post-conviction release of nonviolent offenders.

(a) ~~Any~~ Except as provided in subsection (b) of this section, any circuit judge may authorize the temporary release of an offender in the sheriff's custody who has:

(1) Been found guilty of or pleaded guilty or nolo contendere to a nonviolent felony offense in circuit court, ~~except nonviolent Class Y felony offenses listed in § 16-93-611;~~ and

(2) Been sentenced to a term of imprisonment and committed to the Department of Correction or the Department of Community Correction and is awaiting transfer to the Department of Correction or the Department of Community Correction.

(b) A circuit judge shall not authorize the temporary release of an offender under subsection (a) of this section if the offender has been found guilty of or pleaded guilty or nolo contendere to a:

(1) Class Y felony offense listed in § 16-93-611; or

(2) Felony sex offense listed in the definition of "sex offense" in § 12-12-903.

~~(b)(1)(c)(1)~~ (1) The circuit judge may authorize the release under the terms and conditions which he or she determines are necessary to protect the public and to ensure the offender's return to custody upon notice that bed space is available at the Department of Correction or the Department of Community Correction.

(2) The circuit judge may require a cash or professional bond to be posted in an amount suitable to ensure the offender's return to custody."

AND

Page 2, delete lines 1 through 9

(SIGNED) SENATOR HENDREN

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 216 was ordered engrossed.

On motion of Senator G. Jeffress, **Senate Bill No. 217** was withdrawn from the Committee on EDUCATION, 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. 217

Amend **Senate Bill No. 217** as originally introduced:

Page 1, line 23, delete "2007-2008" and substitute "2008-2009"

AND

Page 1, line 26, delete "2008-2009" and substitute "2009-2010"

AND

Page 1, line 29 "2009-2010" and substitute "2010-2011"

(SIGNED) SENATOR G. JEFFRESS

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 217 was ordered engrossed.

On motion of Senator Faris, **Senate Bill No. 59** was withdrawn from the Committee on STATE AGENCIES & GOVERNMENTAL 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. 59

Amend **Senate Bill No. 59** as engrossed, S2/5/07:

Page 19, line 1, delete "or"

AND

Page 19, delete line 3 and substitute the following:

"registered with the Federal Election Commission;

(iii) Funds which a subordinate committee of the national committee of any political party that is registered with the Federal Election Commission transfers to the federal account of an organized political party as defined under § 7-1-101; or

(iv) Funds which a political action committee that is registered with the Federal Election Commission transfers to the federal account of an organized political party as defined under § 7-1-101."

AND

Page 19, line 21, delete "expenditures" and substitute "expenditures within this state"

(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. 59 was ordered engrossed.

On motion of Senator Whitaker, **Senate Bill No. 69** was withdrawn from the Committee on CITY, COUNTY & LOCAL AFFAIRS, 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. 69

Amend **Senate Bill No. 69** as engrossed, S2/5/07:

Page 2, delete lines 19 through 21

AND

Page 4, delete lines 18 through 20

(SIGNED) SENATOR WHITAKER

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 69 was ordered engrossed.

On motion of Senator Taylor, **Senate Bill No. 89** was withdrawn from the Committee on JUDICIARY, 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. 89

Amend **Senate Bill No. 89** as originally introduced:

Page 5, delete lines 9 through 16, and substitute the following:

"16-10-1006. Court security grant program.

(a) The Administrative Office of the Courts shall administer a"

(SIGNED) SENATOR J. TAYLOR

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 89 was ordered engrossed.

On motion of Senator Broadway, **Senate Bill No. 289** was withdrawn from the Committee on PUBLIC HEALTH, WELFARE & LABOR, 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. 289

Amend **Senate Bill No. 289** as originally introduced:

Add Representative Webb as cosponsor of the bill

(SIGNED) SENATOR BROADWAY

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 289 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. 1.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 235

Amend **Senate Bill No. 235** as originally introduced:

Add the following Senators as cosponsors of the bill: Altes, Bisbee, Bryles, Broadway, Critcher, Faris, Hendren, Horn, G. Jeffress, Miller, Thompson, and Wilkinson

AND

Add the following Representatives as cosponsors of the bill: Cash, Cornwell, Gaskill, Green, Greenberg, Johnson, Pennartz and Wyatt

AND

Page 14, delete line 36 in its entirety and substitute the following:

"(A) Benton County shall have the following district courts and judges:
(i) Rogers shall have one (1) district court and one (1) district judge;
(ii) Bentonville shall have one (1) district court and one (1) district judge;
(iii) Siloam Springs shall have one (1) district court and one (1) district judge; and
(iv) Benton County West shall have one (1) district court and one (1) district judge; and
(B)(i) Benton County shall have the following departments:"

AND

Page 15, delete lines 1 through 8 and substitute the following:

"(a) One (1) located in Bethel Heights;
(b) One (1) located in Cave Springs;
(c) One (1) located in Centerton;
(d) One (1) located in Gravette;
(e) One (1) located in Little Flock;
(f) One (1) located in Lowell;
(g) One (1) located in Pea Ridge; and
(h) One (1) located in Sulphur Springs."

AND

Page 15, line 9, delete "(B)" and substitute "(ii)"

AND

Page 15, line 10, delete "(a)(2)(A)" and substitute "(a)(2)(B)"

AND

Page 16, line 26, delete "five (5)" and substitute "six (6)"

AND

Page 40, line 10, delete "and one-half (1/2) of the operational"

AND

Page 40, line 11, delete "expenses"

AND

Page 40, line 16, delete "salaries and operational"

AND

Page 40, line 24, delete "One-half (1/2) of the" and substitute "The"

AND

Page 40, line 26, after "et seq." add "unless otherwise agreed to by the political subdivisions which contribute to the expenses of the district court."

AND

Page 49, delete lines 31 through 36 in their entirety and substitute
"(A) One (1) district court; and
(B) One (1) judge."

AND

Page 50, delete line 1 in its entirety

AND

Page 50, line 3, delete "; and" and substitute "with four (4) departments:
(i) One (1) located in Bearden;
(ii) One (1) located in Chidester;
(iii) One (1) located in East Camden; and
(iv) One (1) located in Stephens."

AND

Page 50, delete line 4 in its entirety and substitute

"(B) All four (4) departments are to be served by one (1) judge."

(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.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 13, 2007

Mr. President:

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

SENATE BILL NO. 59, BY SENATOR FARIS, 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 Faris, Senate Bill No. 59 was ordered re-referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 13, 2007

Mr. President:

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

SENATE BILL NO. 69, BY SENATOR WHITAKER, 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 Whitaker, **Senate Bill No. 69** was ordered re-referred to the Committee on CITY, COUNTY & LOCAL AFFAIRS.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 13, 2007

Mr. President:

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

SENATE BILL NO. 89, BY SENATOR J. TAYLOR, et al,
SENATE BILL NO. 216, BY SENATOR HENDREN,
SENATE BILL NO. 235, BY SENATOR WOMACK, 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

On motion of Senator Taylor, **Senate Bill No. 89** was ordered re-referred to the Committee on JUDICIARY.

On motion of Senator Hendren, **Senate Bill No. 216** was ordered re-referred to the Committee on JUDICIARY.

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 13, 2007

Mr. President:

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

SENATE BILL NO. 217, BY SENATOR G. 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 G. Jeffress, **Senate Bill No. 217** was ordered re-referred to the Committee on EDUCATION.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 13, 2007

Mr. President:

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

SENATE BILL NO. 289, BY SENATOR BROADWAY,

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 Broadway, **Senate Bill No. 289** was ordered re-referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 13, 2007

Mr. President:

We, your Committee on AGRICULTURE, ECONOMIC & INDUSTRIAL DEVELOPMENT, to whom was referred:

HOUSE BILL NO. 1197, BY REPRESENTATIVE COOK,

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

Respectfully submitted,

(SIGNED) SENATOR JIM LUKER
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 13, 2007

Mr. President:

We, your Committee on AGRICULTURE, ECONOMIC & INDUSTRIAL DEVELOPMENT, to whom was referred:

HOUSE CONCURRENT RESOLUTION NO. 1006, BY REPRESENTATIVE
LOVELL,

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

Respectfully submitted,

(SIGNED) SENATOR JIM LUKER
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 13, 2007

Mr. President:

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

SENATE BILL NO. 22, BY SENATOR MADISON,
SENATE BILL NO. 23, BY SENATOR MADISON,
SENATE BILL NO. 24, BY SENATOR MADISON,
SENATE BILL NO. 25, BY SENATOR MADISON,
SENATE BILL NO. 79, BY SENATOR BISBEE,

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

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 13, 2007

Mr. President:

We, your Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS,
to whom was referred:

SENATE BILL NO. 229, BY SENATOR FARIS,
SENATE BILL NO. 268, BY SENATOR FARIS,

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 STEVE FARIS
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 13, 2007

Mr. President:

We, your Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS,
to whom was referred:

HOUSE BILL NO. 1024, BY REPRESENTATIVE R. GREEN,

beg leave to report that we have had the same under consideration, and herewith
return the same with the recommendation that it do pass, as amended No. 2.

Respectfully submitted,

(SIGNED) SENATOR STEVE FARIS
CHAIRMAN

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

MIKE BEEBE
Governor

February 12, 2007

TO THE PRESIDENT OF THE SENATE

Dear Mr. President:

This is to inform your Honorable Body that on February 12, 2007, I approved the following measure:

Senate Bill 48 -- ACT 88
Senate Bill 49 -- ACT 89
Senate Bill 51 -- ACT 90
Senate Bill 56 -- ACT 91

Senate Bill 61 -- ACT 92
Senate Bill 80 -- ACT 93
Senate Bill 134 -- ACT 94
Senate Bill 258 -- ACT 95

Sincerely,

(SIGNED) MIKE BEEBE
Governor

SENATE RESOLUTION NO. 7
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS BOOKOUT, GLOVER, BROADWAY & WOMACK

SENATE RESOLUTION NO. 7 REQUESTING A SUBCOMMITTEE OF THE LEGISLATIVE COUNCIL TO REVIEW THE DISTRIBUTION OF FUNDS AMONG INSTITUTIONS OF HIGHER EDUCATION.

Senate Resolution No. 7 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

SENATE BILL NO. 296
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

BY: SENATORS WILKINS, MALONE, B. PRITCHARD, SALMON, CAPPS, T. SMITH, GLOVER, BOOKOUT, BROADWAY, CRITCHER, G. JEFFRESS. LAVERTY, MADISON, MILLER, STEELE, TRUSTY, WILKINSON AND WOMACK
BY: REPRESENTATIVES DAVENPORT, HOYT, REYNOLDS, HAWKINS, WELLS, PACE, WEBB, ABERNATHY, ADCOCK, BERRY, BLOUNT, T. BRADFORD, BREEDLOVE, BURRIS, CASH, CHEATHAM, COOPER, CORNWELL, D. CREEKMORE, DICKINSON, S. DOBBINS, DUNN, EDWARDS, D. EVANS, EVERETT, FLOWERS, GEORGE, GLIDEWELL, R. GREEN, HARDY, HARRELSON, HARRIS, D. HUTCHINSON, J. JOHNSON, KENNEY, KEY, KIDD, LOVELL, MALOCH, M. MARTIN, MAXWELL, NORTON, OVERBEY, PATTERSON, PENNARTZ, PIERCE, POWERS, S. PRATER, RAGLAND, RAINEY, J. ROEBUCK, ROGERS, SAUNDERS, SHELBY, STEWART, SULLIVAN, SUMPTER, THYER, WAGNER, WALTERS, WILLS, WOOD & WYATT

A Bill for an Act to be Entitled: AN ACT TO PROVIDE FOR A REAL-TIME ELECTRONIC LOGBOOK FOR A PHARMACY TO RECORD PURCHASES OF EPHEDRINE, PSEUDOEPHEDRINE, AND PHENYLPROPANOLAMINE; TO REQUIRE A PHARMACY TO ENTER CERTAIN TRANSACTIONS INTO THE ELECTRONIC LOGBOOK; TO REQUIRE THE ARKANSAS CRIME INFORMATION CENTER TO MAINTAIN AND CONTROL ACCESS TO THE ELECTRONIC LOGBOOK; TO PROVIDE PENALTIES FOR UNAUTHORIZED DISCLOSURE AND ACCESS; AND FOR OTHER PURPOSES.

Senate Bill No. 296 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

SENATE BILL NO. 297
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR ALTES

A Bill for an Act to be Entitled: AN ACT TO AMEND PROVISIONS OF ARKANSAS LAW CONCERNING ALTERNATIVE NEGOTIATED PURCHASING FOR MUNICIPALITIES; AND FOR OTHER PURPOSES.

Senate Bill No. 297 was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY & LOCAL AFFAIRS.

SENATE BILL NO. 298
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR BISBEE
BY: REPRESENTATIVES ANDERSON AND MEDLEY

A Bill for an Act to be Entitled: AN ACT TO CLARIFY THE EXEMPTIONS TO THE DEFINITION OF "DEVELOPMENT IMPACT FEE"; TO PROVIDE FOR A REFUND OF CERTAIN FEES; AND FOR OTHER PURPOSES.

Senate Bill No. 298 was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY & LOCAL AFFAIRS.

On motion of Senator Wilkinson, **Senate Concurrent Memorial Resolution No. 2** was called up for a third reading.

**SENATE CONCURRENT MEMORIAL RESOLUTION NO. 2
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS WILKINSON AND LAVERTY
BY: REPRESENTATIVE OVERBEY**

SENATE CONCURRENT MEMORIAL RESOLUTION IN RESPECTFUL MEMORY OF MR. DENNIS DUANE STEELE AND IN RECOGNITION OF HIS CONTRIBUTIONS TO HIS LOCAL COMMUNITY.

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Concurrent Memorial Resolution No. 2 was ordered immediately transmitted to the House.

On motion of Senator J. Jeffress, **Senate Concurrent Resolution No. 7** was called up for a third reading.

SENATE CONCURRENT RESOLUTION NO. 7

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATORS J. JEFFRESS, G. JEFFRESS, SALMON & BAKER

BY: REPRESENTATIVES LOVELL AND WALTERS

SENATE CONCURRENT RESOLUTION TO PROCLAIM FEBRUARY 2007 AS CHORAL MUSIC MONTH IN RECOGNITION OF THE FORTIETH ANNIVERSARY OF THE ARKANSAS CHORAL DIRECTOR'S ASSOCIATION.

Senate Concurrent Resolution No. 7 was read the third time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Concurrent Resolution No. 7 was ordered immediately transmitted to the House.

On motion of Senator Lavery, **House Bill No. 1030** 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. 1030

Amend **House Bill No. 1030** as originally introduced:

Add Senators Faris, Glover, Trusty, Hill, Capps, and Miller as co-sponsors of the bill

(SIGNED) SENATOR RANDY LAVERTY

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1030 was ordered engrossed.

The President declared the morning hour to have expired.

On motion of Senator Glover, the rules were suspended in considering **Senate Bill No. 185** at this time.

On motion of Senator Glover, **Senate Bill No. 185** was called up for a second reading for the purpose of considering **House Amendments No. 1 and 2** thereto, adopted by the House.

HALL OF THE HOUSE OF REPRESENTATIVES
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 185

Amend **Senate Bill No. 185** as engrossed, S1/29/07 :

Add Representatives Breedlove, E. Brown, Burkes, Cowling, Everett, Greenberg, Kidd, Lamoureux, W. Lewellen, Lovell, Maloch, M. Martin, Moore, Pyle, Ragland, Stewart, Sumpter, Wills, and Woods as cosponsors of the bill

(SIGNED) REPRESENTATIVE D. EVANS

Amendment No. 1 to Senate Bill No. 185, adopted by the House, was read the first time, rules suspended, read the second time and concurred in, by the Senate.

(SIGNED) ANN CORNWELL, SECRETARY

HALL OF THE HOUSE OF REPRESENTATIVES
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

Amendment No. 2 to SENATE BILL NO. 185

Amend **Senate Bill No. 185** as engrossed, H2/6/07:

Add Representatives Abernathy, Anderson, Berry, T. Bradford, Chesterfield, Cooper, Dickinson, S. Dobbins, Dunn, L. Evans, Flowers, Garner, Gaskill, George, Hall, Harris, Hyde, Jeffrey, Kenney, King, Maxwell, Norton, Overbey, Pace, Patterson, Petrus, Rogers, Rosenbaum, Sample, Schulte, Sullivan, Thyer, Wells, Wood, Wyatt as cosponsors of the bill.

(SIGNED) REPRESENTATIVE D. EVANS

Amendment No. 2 to Senate Bill No. 185, adopted by the House, was read the first time, rules suspended, read the second time and concurred in, by the Senate.

(SIGNED) ANN CORNWELL, SECRETARY

On motion of Senator Glover, and without objection, the rules were suspended pertaining to passage of Amendment and Bill on the same day.

On motion of Senator Glover, **Senate Bill No. 185** was called up for third reading and final disposition.

SENATE BILL NO. 185
As Engrossed: S1/29/07 H2/6/07 H2/7/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

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

BY: REPRESENTATIVES D. EVANS, ALLEN, T. BAKER, BLOUNT, ET AL

A Bill for an Act to be Entitled: AN ACT TO AMEND THE STATE SALES AND USE TAX RATE ON FOOD AND FOOD INGREDIENTS; TO CONTINUE THE IMPOSITION OF LOCAL SALES AND USE TAX ON FOOD AND FOOD INGREDIENTS; AND FOR OTHER PURPOSES.

Senate Bill No. 185 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35
 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. 185**, 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35
 Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 185 was ordered enrolled.

On motion of Senator Trusty, **House Bill No. 1176** was called up for third reading and final disposition.

HOUSE BILL NO. 1176
As Engrossed: S2/8/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

BY: REPRESENTATIVES PYLE, OVERBEY & T. BAKER

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE § 12-9-110 TO ALLOW *MUNICIPAL POLICE DEPARTMENT PERSONNEL* TO ISSUE CITATIONS AT AN ACCIDENT SCENE; AND FOR OTHER PURPOSES.

House Bill No. 1176 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, Argue, Baker, Bisbee, Bookout, Broadway, 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	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
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. 1176 was ordered immediately returned to the House as passed as amended.

On motion of Senator Wilkinson, **House Bill No. 1383** was called up for third reading and final disposition.

**HOUSE BILL NO. 1383
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES WOOD AND WALTERS**

A Bill for an Act to be Entitled: AN ACT TO ENSURE THAT VETERANS OF OPERATION ENDURING FREEDOM ARE ELIGIBLE FOR A SPECIAL LICENSE PLATE AND RENEWAL FOR A NOMINAL FEE LIKE OTHER VETERANS; TO INCORPORATE THE LAW REGARDING OPERATION ENDURING FREEDOM AND OPERATION IRAQI FREEDOM INTO THE SPECIAL LICENSE PLATE ACT OF 2005, § 27-24-101 ET SEQ.; TO ALLOW A PERSON WHO PAID THE FEE FOR THE OPERATION ENDURING FREEDOM SPECIAL LICENSE PLATE TO BE REFUNDED THAT FEE; AND FOR OTHER PURPOSES.

House Bill No. 1383 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast	35
Necessary to the passage of the bill	18

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. 1383**, 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, Argue, Baker, Bisbee, Bookout, Broadway, 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	35
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NEGATIVE:

Total	0
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ABSENT OR NOT VOTING:

Total	0
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VOTING PRESENT:

Total	0
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Total number of votes cast	35
Necessary to the adoption of the Emergency Clause	24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1383 was ordered immediately returned to the House as passed.

On motion of Senator Womack, the Senate resolved itself into the Committee of the Whole for the purpose of JOINT BUDGET Bills.

Without objection, the Committee of the Whole was dissolved, and the Senate took up its regular order of business.

On motion of Senator Womack, the rules were suspended in considering **House Bill No. 1106** at this time.

On motion of Senator Womack, **House Bill No. 1106** was called up for third reading and final disposition.

**HOUSE BILL NO. 1106
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE**

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS BOARD OF DISPENSING OPTICIANS FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

House Bill No. 1106 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total	0
Total number of votes cast	35
Necessary to the passage of the bill	27

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. 1106**, 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, Argue, Baker, Bisbee, Bookout, Broadway, 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	35
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NEGATIVE:

Total	0
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ABSENT OR NOT VOTING:

Total	0
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VOTING PRESENT:

Total	0
Total number of votes cast	35
Necessary to the adoption of the Emergency Clause	24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1106 was ordered immediately returned to the House as passed.

On motion of Senator Womack, the rules were suspended in considering House Bill No. 1164 at this time.

On motion of Senator Womack, House Bill No. 1164 was called up for third reading and final disposition.

HOUSE BILL NO. 1164
 EIGHTY-SIXTH GENERAL ASSEMBLY
 REGULAR SESSION
 BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE PROFESSIONAL BAIL BONDSMAN LICENSING BOARD FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

House Bill No. 1164 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, Argue, Baker, Bisbee, Bookout, Broadway, 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	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0

Total number of votes cast	35
Necessary to the passage of the bill	27

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. 1164**, 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total	35
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NEGATIVE:

Total	0
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ABSENT OR NOT VOTING:

Total	0
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VOTING PRESENT:

Total	0
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Total number of votes cast	35
Necessary to the adoption of the Emergency Clause	24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1164 was ordered immediately returned to the House as passed.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 13, 2007

Mr. President:

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

HOUSE BILL NO. 1030, BY REPRESENTATIVE SULLIVAN, 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

Senate Bill No. 27 was returned from the House as passed and ordered enrolled.

Senate Bill No. 30 was returned from the House as passed and ordered enrolled.

SENATE BILL NO. 299
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

BY: SENATORS BAKER, BOOKOUT, BROADWAY, HENDREN, LUKER,
SALMON, STEELE & R. THOMPSON

BY: REPRESENTATIVES PICKETT, WILLS, T. BAKER, CORNWELL,
DAVENPORT, DAVIS, GASKILL, HAWKINS, HARDWICK, HYDE, J. JOHNSON,
KIDD, OVERBEY, POWERS, S. PRATER, SUMPTER & WAGNER

A Bill for an Act to be Entitled: AN ACT TO AMEND SECTIONS OF THE
JOINT MUNICIPAL ELECTRIC POWER GENERATION ACT; AND FOR OTHER
PURPOSES.

Senate Bill No. 299 was read the first time, rules suspended, read the second
time and referred to the Committee on INSURANCE & COMMERCE.

HOUSE BILL NO. 1084
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

BY: REPRESENTATIVE OVERBEY

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE §§
24-12-121 AND 24-12-127 TO PROVIDE DEATH BENEFITS TO A SPOUSE UPON
THE DEATH OF ANY CITY CLERK, CITY-TREASURER, RECORDER-
TREASURER, OR TREASURER IN CITIES OF THE FIRST CLASS AND CITIES
OF THE SECOND CLASS AT THE OPTION OF THE MUNICIPALITY'S
GOVERNING BODY; AND FOR OTHER PURPOSES.

House Bill No. 1084 was read the first time, rules suspended, read the
second time and placed on the Calendar.

HOUSE BILL NO. 1421

As Engrossed: H2/12/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES SUMPTER, D. CREEKMORE & PENNARTZ

A Bill for an Act to be Entitled: AN ACT TO CREATE THE ARKANSAS LEGISLATIVE TASK FORCE FOR REVIEW OF SEX OFFENSES INVOLVING MINORS; TO PROVIDE FOR THE APPOINTMENT OF ITS MEMBERS; TO DESCRIBE ITS MISSION AND RESPONSIBILITIES; AND FOR OTHER PURPOSES.

House Bill No. 1421 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

HOUSE BILL NO. 1423

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE KEY

A Bill for an Act to be Entitled: AN ACT TO TRANSFER THE FAMILY SAVINGS INITIATIVE FROM THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO THE DEPARTMENT OF WORKFORCE SERVICES; AND FOR OTHER PURPOSES.

House Bill No. 1423 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 13, 2007

Mr. President:

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

SENATE BILL NO. 172, BY SENATOR MADISON,
SENATE BILL NO. 185, BY SENATOR GLOVER, et al,

beg leave to report that we have carefully compared the enrolled copies with the original and we find the same correctly enrolled and have at 2:15 p.m. delivered them to the Governor for his approval.

Respectfully submitted,

(SIGNED) HENRY "HANK" WILKINS, IV
CHAIRMAN

GOVERNOR'S BILL RECEIPTS

SENATE BILL NO. 172
SENATE BILL NO. 185

RECEIVED the above papers from the Secretary of the Senate this 13th day of February , 2007 at 2:15 p.m..

(SIGNED) MIKE BEEBE
Governor

(SIGNED) J. Marc Harrison
Secretary

* * * * *

SENATE CONCURRENT RESOLUTION TRANSMITTED
TO THE HOUSE AS ADOPTED

SENATE CONCURRENT RESOLUTION NO. 7

SENATE CONCURRENT MEMORIAL RESOLUTION TRANSMITTED
TO THE HOUSE AS ADOPTED

SENATE CONCURRENT MEMORIAL RESOLUTION NO. 2

HOUSE BILLS RETURNED TO THE HOUSE
AS PASSED

HOUSE BILL NO. 1106

HOUSE BILL NO. 1164

HOUSE BILL NO. 1383

HOUSE BILLS RETURNED TO THE HOUSE
AS PASSED AS AMENDED

HOUSE BILL NO. 1176 AS AMENDED NO. 1

HOUSE BILLS TRANSMITTED TO THE SENATE

AS PASSED

HOUSE BILL NO. 1084

HOUSE BILL NO. 1421

HOUSE BILL NO. 1423

SENATE BILLS RETURNED FROM THE HOUSE

AS PASSED

SENATE BILL NO. 27

SENATE BILL NO. 30

On motion of Senator Whitaker, the Senate adjourned until 1:30 p.m.,
Wednesday, February 14, 2007.

PRESIDENT OF THE SENATE

SECRETARY OF THE SENATE

--ooOoo--

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

Little Rock, Arkansas

February 14, 2007

The Senate was called to order at 1:30 o'clock p.m. by the President.

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

ALTES, ARGUE, BAKER, BISBEE, BOOKOUT,
BROADWAY, BROWN, BRYLES, CAPPES, 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.

The Senate was led in prayer by Reverend Stephen Davis, First Baptist Church,
Russellville, Arkansas.

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 Madison, **Senate Bill No. 29** was withdrawn from the Committee on INSURANCE AND COMMERCE, 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. 29

Amend **Senate Bill No. 29** as engrossed, S2/12/07:

Page 1, line 30, delete "supplies," and substitute "supplies other than the advertisement of a promotional item or special sale item within its own bookstore,"

AND

Page 2, line 9, delete "an upcoming" and substitute "the"

AND

Page 2, delete lines 18 through 21 and substitute "orientation; and"

AND

Page 2, line 22, delete "(C)" and substitute "(B)"

(SIGNED) SENATOR MADISON

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 29 was ordered engrossed.

On motion of Senator Taylor, **Senate Bill No. 228** was withdrawn from the Committee on AGRICULTURE, FORESTRY AND ECONOMIC DEVELOPMENT, 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. 228

Amend **Senate Bill No. 228** as originally introduced:

Page 2, delete line 20 and substitute the following:
"mineral interest with the circuit clerk for the county in which the mineral lands,"

AND

Page 2, delete line 29 and substitute the following:
"(3) If known by the owner, a description of the ownership interest or degree of"

AND

Page 3, line 26, delete "county"

AND

Page 3, delete line 27 and substitute the following:
"circuit clerk for the county in which the severed mineral interest is located, the"

(SIGNED) SENATOR TAYLOR

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 228 was ordered engrossed.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 14, 2007

Mr. President:

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

SENATE BILL NO. 29, BY SENATOR MADISON, 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 Madison, **Senate Bill No. 29** was ordered re-referred to the Committee on INSURANCE AND COMMERCE.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 14, 2007

Mr. President:

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

SENATE BILL NO. 228, BY SENATOR J. TAYLOR, 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 Taylor, **Senate Bill No. 228** was ordered re-referred to the Committee on AGRICULTURE, FORESTRY AND ECONOMIC DEVELOPMENT.

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

MIKE BEEBE
Governor

February 13, 2007

TO THE PRESIDENT OF THE SENATE

Dear Mr. President:

This is to inform you that on February 13, 2007, I approved the following measures from the Regular Session of the Eighty-sixth General Assembly:

Senate Bill --107, Act 96
Senate Bill --166, Act 97
Senate Bill --172, Act 98

Sincerely,

(SIGNED) MIKE BEEBE
Governor

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 14, 2007

Mr. President:

We, your Committee on EDUCATION, to whom was referred:

SENATE BILL NO. 217, BY SENATOR G. JEFFRESS,

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

Respectfully submitted,

(SIGNED) SENATOR JIM ARGUE
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 14, 2007

Mr. President:

We, your Committee on EDUCATION, to whom was referred:

SENATE BILL NO. 11, BY SENATOR MILLER,
SENATE BILL NO. 203, BY SENATOR MADISON,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that they do pass as amended No. 1.

Respectfully submitted,

(SIGNED) SENATOR J. ARGUE
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 14, 2007

Mr. President:

We, your Committee on EDUCATION, to whom was referred:

HOUSE BILL NO. 1145, BY REPRESENTATIVE D. EVANS,
HOUSE BILL NO. 1274, BY REPRESENTATIVE D. CREEKMORE,

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 JIM ARGUE
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 14, 207

Mr. President:

We, your Committee on JUDICIARY, to whom was referred:

SENATE BILL NO. 272, BY SENATOR T. SMITH,

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

Respectfully submitted,

(SIGNED) ED WILKINSON
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 14, 2007

Mr. President:

We, your Committee on JUDICIARY, to whom was referred:

HOUSE BILL NO. 1224, BY REPRESENTATIVE EDWARDS,
HOUSE BILL NO. 1305, BY REPRESENTATIVE WEBB,

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 ED WILKINSON
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 14, 2007

Mr. President:

We, your Committee on JUDICIARY, to whom was referred:

HOUSE BILL NO. 1230, BY REPRESENTATIVE PATTERSON,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that it do pass as amended No. 2 and No. 3.

Respectfully submitted,

(SIGNED) SENATOR ED WILKINSON
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 14, 2007

Mr. President:

We, your Committee on JUDICIARY, to whom was referred:

HOUSE BILL NO. 1293, BY REPRESENTATIVE PICKET,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that they do pass as amended No. 1.

Respectfully submitted,

(SIGNED) SENATOR ED WILKINSON
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 14, 2007

Mr. President:

We, your Committee on PUBLIC HEALTH, WELFARE AND LABOR, to whom was referred:

SENATE BILL NO. 20, BY SENATOR ALTES,
SENATE BILL NO. 263, BY SENATOR HORN,
SENATE BILL NO. 285, BY SENATOR HORN,

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 J. CRITCHER
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 14, 2007

Mr. President:

We, your Committee on PUBLIC HEALTH, WELFARE AND LABOR, to whom was referred:

SENATE BILL NO. 191, BY SENATOR STEELE,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that it do pass as amended No. 2.

Respectfully submitted,

(SIGNED) SENATOR J. CRITCHER
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 14, 2007

Mr. President:

We, your Committee on PUBLIC HEALTH, WELFARE AND LABOR, to whom was referred:

SENATE BILL NO. 294, BY SENATOR PRITCHARD,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that it do pass as amended No. 1.

Respectfully submitted,

(SIGNED) SENATOR J. CRITCHER
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 14, 2007

Mr. President:

We, your Committee on PUBLIC HEALTH, WELFARE AND LABOR, to whom
was referred:

HOUSE BILL NO. 1323, BY REPRESENTATIVE D. JOHNSON,
HOUSE BILL NO. 1402, BY REPRESENTATIVE WYATT,

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 J. CRITCHER
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 14, 2007

Mr. President:

We, your Committee on REVENUE AND TAXATION, to whom was referred:

SENATE BILL NO. 5, BY SENATOR R. THOMPSON,
SENATE BILL NO. 273, BY SENATOR T. SMITH,
SENATE BILL NO. 280, BY SENATOR HILL,
SENATE BILL NO. 281, BY SENATOR HILL,
SENATE BILL NO. 282, BY SENATOR HILL,

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 JIM HILL
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 14, 2007

Mr. President:

We, your Committee on REVENUE AND TAXATION, to whom was referred:

SENATE BILL NO. 279, BY SENATOR HILL,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that it do pass as amended No. 1.

Respectfully submitted,

(SIGNED) SENATOR HILL
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 14, 2007

Mr. President:

We, your Committee on REVENUE AND TAXATION, to whom was referred:

HOUSE BILL NO. 1360, BY REPRESENTATIVE WILLS,

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

Respectfully submitted,

(SIGNED) SENATOR JIM HILL
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 14, 2007

Mr. President:

We, your Committee on REVENUE AND TAXATION, to whom was referred:

HOUSE BILL NO. 1357, BY REPRESENTATIVE OVERBEY,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that it do pass as amended No. 1.

Respectfully submitted,

(SIGNED) SENATOR JIM HILL
CHAIRMAN

SENATE RESOLUTION NO. 8
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR STEELE

A Bill for an Act to be Entitled: AN ACT TO COMMEMORATE DAISY GATSON BATES ON MONDAY, FEBRUARY 19, 2007.

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

SENATE BILL NO. 300
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR SALMON
BY: REPRESENTATIVE S. PRATER

A Bill for an Act to be Entitled: AN ACT TO IMPROVE THE ENFORCEMENT OF ADULT MALTREATMENT PROTECTION LAWS BY AMENDING THE ADULT MALTREATMENT CUSTODY ACT REGARDING THE DEFINITION OF ABUSE AND PROVISIONS REGARD EMERGENCY CUSTODY, PROBABLE CAUSE HEARINGS, AND THE AVAILABILITY OF CUSTODY AND PROTECTIVE SERVICES RECORDS; TO AMEND THE ADULT AND LONG-TERM CARE FACILITY RESIDENT MALTREATMENT ACT; AND FOR OTHER PURPOSES.

Senate Bill No. 300 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

SENATE BILL NO. 301
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR SALMON

A Bill for an Act to be Entitled: AN ACT TO IMPROVE THE ENFORCEMENT OF ADULT MALTREATMENT PROTECTION LAWS BY AMENDING THE ADULT MALTREATMENT CUSTODY ACT REGARDING THE DEFINITION OF ABUSE AND PROVISIONS REGARD EMERGENCY CUSTODY, PROBABLE CAUSE HEARINGS, AND THE AVAILABILITY OF CUSTODY AND PROTECTIVE SERVICES RECORDS; TO AMEND THE ADULT AND LONG-TERM CARE FACILITY RESIDENT MALTREATMENT ACT; AND FOR OTHER PURPOSES.

Senate Bill No. 301 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

On motion of Senator Salmon, the Senate resolved itself into the Committee of the Whole for the purpose of honoring the late Harry L. Oswald.

Without objection, the Committee of the Whole was dissolved, and the Senate took up its regular order of business.

On motion of Senator Salmon **Senate Memorial Resolution No. 1** was called up for the third reading.

SENATE MEMORIAL RESOLUTION NO. 1
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR SALMON

SENATE MEMORIAL RESOLUTION IN HONOR OF THE LATE HARRY L. OSWALD, WHO HELPED BRING ELECTRICITY TO RURAL ARKANSAS THROUGH HIS TIRELESS PROMOTION OF THE ELECTRIC COOPERATIVE PROGRAM AND WHO DEVOTED HIS LIFE TO THE BETTERMENT OF HIS BELOVED STATE.

Senate Memorial Resolution No. 1 was read the third time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

On motion of Senator Brown, **House Concurrent Resolution No. 1008** was called up for third reading and final disposition.

HOUSE CONCURRENT RESOLUTION NO. 1008
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE CHESTERFIELD
BY: SENATOR BROWN

HOUSE CONCURRENT RESOLUTION TO RECOGNIZE DELTA SIGMA THETA, INC., A PRIVATE ORGANIZATION THAT PROVIDES SERVICES TO PROMOTE HUMAN WELFARE.

House Concurrent Resolution No. 1008 was read the third time and concurred in by the Senate.

(SIGNED) ANN CORNWELL, SECRETARY

House Concurrent Resolution No. 1008 was immediately returned to the House as concurred in.

On motion of Senator Womack, **House Bill No. 1024** 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. 1024

Amend **House Bill No. 1024** as engrossed , S1/31/07:

Page 3, delete line 18 and substitute the following:
"shall certify in a manner that does not violate federal law in existence on January 1, 2007, that the contractor, at the time of the certification, does not"

AND

Page 3, line 28 add the following

"(e)(1)(A) If a contractor uses a subcontractor at the time of certification, the subcontractor shall certify in a manner that does not violate federal law in existence on January 1, 2007, that the subcontractor, at that time of certification, does not employ or contract with an illegal immigrant.

(B) A subcontractor shall submit the certification required under subdivision(e)(1)(A) of this section within thirty (30) days after the execution of the subcontract.

(2) The contractor shall maintain on file the certification of the subcontractor throughout the duration of the term of the contract.

(3) If the contractor learns that a subcontractor is in violation of this section, the contractor may terminate the contract with the subcontractor and the termination of the contract for a violation of this section shall not be considered a breach of the contract by the contractor and subcontractor."

(SIGNED) SENATOR WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

Amend **House Bill No. 1024** as engrossed.

The President declared the morning hour to have expired.

On motion of Senator Hill, the rules were suspended in considering **Senate Bill No. 279** at this time.

On motion of Senator Hill, **Senate Bill No. 279** 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. 279

Amend **Senate Bill No. 279** as originally introduced:

Page 2, line 35, delete "purchase." and substitute "purchase or after six (6) months from the date of payment, if later."

(SIGNED) SENATOR JIM HILL

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 279 was ordered engrossed.

On motion of Senator Madison, **Senate Bill No. 22** was called up for third reading and final disposition.

SENATE BILL NO. 22
As Engrossed: S2/6/07 S2/12/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS MADISON AND SALMON
BY: REPRESENTATIVES HARRELSON, GREENBERG & BURRIS

A Bill for an Act to be Entitled: *AN ACT TO REGULATE THE SELECTION AND USE OF TEXTBOOKS AND COURSE MATERIALS AT STATE-SUPPORTED INSTITUTIONS OF HIGHER EDUCATION; TO MINIMIZE THE COST OF TEXTBOOKS AND COURSE MATERIALS; AND FOR OTHER PURPOSES.*

Senate Bill No. 22 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
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. 22 was ordered immediately transmitted to the House as passed.

On motion of Senator Madison, **Senate Bill No. 23** was called up for third reading and final disposition.

SENATE BILL NO. 23
As Engrossed: S1/25/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS MADISON AND SALMON
BY: REPRESENTATIVES HARRELSON AND BURRIS

A Bill for an Act to be Entitled: *AN ACT TO REGULATE THE SELECTION AND USE OF TEXTBOOKS AND COURSE MATERIALS AT STATE-SUPPORTED INSTITUTIONS OF HIGHER EDUCATION; TO PROHIBIT CERTAIN SINGLE-USE TEXTBOOKS AND COURSE MATERIALS; TO MINIMIZE THE COST OF TEXTBOOKS AND COURSE MATERIALS; AND FOR OTHER PURPOSES.*

Senate Bill No. 23 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, Argue, Baker, Bisbee, Bookout, Broadway, 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	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
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. 23 was ordered immediately transmitted to the House as passed.

On motion of Senator Madison, **Senate Bill No. 24** was called up for third reading and final disposition.

SENATE BILL NO. 24
As Engrossed: S1/25/07 S2/6/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS MADISON AND SALMON
BY: REPRESENTATIVES HARRELSON, GREENBERG & BURRIS

A Bill for an Act to be Entitled: *AN ACT TO REGULATE STATE-SUPPORTED INSTITUTION OF HIGHER EDUCATION TEXTBOOKS SALES; TO REQUIRE PROMPT NOTICE OF THE ADOPTION OF TEXTBOOKS AND COURSE MATERIALS; AND FOR OTHER PURPOSES.*

Senate Bill No. 24 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
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. 24 was ordered immediately transmitted to the House as passed.

On motion of Senator Madison, **Senate Bill No. 25** was called up for third reading and final disposition.

SENATE BILL NO. 25
As engrossed: S1/31/07 S2/6/07 S2/12/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS MADISON AND SALMON
BY: REPRESENTATIVES HARRELSON AND BURRIS

A Bill for an Act to be Entitled: *AN ACT TO REGULATE THE SELECTION AND USE OF TEXTBOOKS AND COURSE MATERIALS AT STATE-SUPPORTED INSTITUTIONS OF HIGHER EDUCATION; TO PROHIBIT CERTAIN CUSTOMIZED TEXTBOOKS AND COURSE MATERIALS; TO MINIMIZE THE COST OF TEXTBOOKS AND COURSE MATERIALS; AND FOR OTHER PURPOSES.*

Senate Bill No. 25 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, Argue, Baker, Bisbee, Bookout, Broadway, 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	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
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. 25 was ordered immediately transmitted to the House as passed.

On motion of Senator Faris, **Senate Bill No. 229** was called up for third reading and final disposition.

SENATE BILL NO. 229
As Engrossed: S2/12/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR FARIS

A Bill for an Act to be Entitled: AN ACT TO AMEND VARIOUS ARKANSAS LAWS PERTAINING TO THE STATE BOARD OF COSMETOLOGY; AND FOR OTHER PURPOSES.

Senate Bill No. 229 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, Argue, Baker, Bisbee, Bookout, Broadway, 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	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
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. 229 was ordered immediately transmitted to the House as passed.

On motion of Senator Bookout, **House Bill No. 1008** was called up for third reading and final disposition.

HOUSE BILL NO. 1008
As Engrossed: S1/31/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE THYER

A Bill for an Act to be Entitled: AN ACT TO IMPOSE A DUTY ON THE DRIVER OF A VEHICLE TO REMAIN AT THE SCENE OF AN ACCIDENT UNDER CERTAIN CIRCUMSTANCES; AND FOR OTHER PURPOSES.

House Bill No. 1008 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, Argue, Baker, Bisbee, Bookout, Broadway, 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	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
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. 1008 was returned to the House as passed as amended.

On motion of Senator Critcher, **House Bill No. 1300** was called up for third reading and final disposition.

HOUSE BILL NO. 1300
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE WYATT
BY: SENATOR CRITCHER

A Bill for an Act to be Entitled: AN ACT TO PROVIDE THAT ELECTIONS MAY BE CALLED WITH RESPECT TO CERTAIN LOCAL SALES AND USE TAXES UPON PETITION OF THE LEGAL VOTERS OF THE MUNICIPALITY; AND FOR OTHER PURPOSES.

House Bill No. 1300 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
Necessary to the passage of the bill	18

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. 1300**, 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1300 was ordered immediately returned to the House as passed.

On motion of Senator Womack, **Senate Bill No. 65** was withdrawn from the Committee on JOINT BUDGET, and placed on the second reading for Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 65

Amend **Senate Bill No. 65** as originally introduced:

Page 2, line 4, delete "\$31,756 \$32,391" and substitute
"\$34,247 \$34,932"

AND

Page 2, line 5, delete "\$22,047 \$22,487" and substitute
"\$23,776 \$24,251".

(SIGNED) SENATOR WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 65 was ordered engrossed.

On motion of Senator Womack, **Senate Bill No. 127** was withdrawn from the Committee on JOINT BUDGET, and placed on the second reading for Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 127

Amend **Senate Bill No. 127** as originally introduced:

Page 2, Line 4 Delete in its entirety and insert
"(2) 909Z PROGRAM SUPPORT MANAGER 1 GRADE 22"
(3) R298 AGENCY PROGRAM COORDINATOR 1 GRADE 21"

AND

Appropriately renumber the Item No's. in SECTION 1.

(SIGNED) SENATOR WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 127 was ordered engrossed.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 14, 2007

Mr. President:

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

SENATE BILL NO. 65, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 127, BY JOINT BUDGET COMMITTEE,

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 Womack, **Senate Bill No. 65** was ordered re-referred to the Committee on JOINT BUDGET

On motion of Senator Womack, **Senate Bill No. 127** was ordered re-referred to the Committee on JOINT BUDGET.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 14, 2007

Mr. President:

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

SENATE BILL NO. 279, BY SENATOR HILL,

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

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 14, 2007

Mr. President:

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

HOUSE BILL NO. 1024, BY REPRESENTATIVE R. GREEN, 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

Senate Concurrent Resolution No. 4 returned from the House as concurred in and ordered enrolled.

Senate Bill No. 2 was returned from the House as passed and ordered enrolled.

Senate Bill No. 50 was returned from the House as passed and ordered enrolled.

Senate Bill No. 67 was returned from the House as passed and ordered enrolled.

Senate Bill No. 70 was returned from the House as passed and ordered enrolled.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 14, 2007

Mr. President:

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

SENATE BILL NO. 27, BY SENATORS MADISON, SALMON,
SENATE BILL NO. 30, BY SENATORS MADISON, SALMON,

beg leave to report that we have carefully compared the enrolled copies with the original and we find the same correctly enrolled and have at 2:49 p.m. delivered them to the Governor for his approval.

Respectfully submitted,

(SIGNED) HENRY "HANK" WILKINS, IV
CHAIRMAN

GOVERNOR'S BILL RECEIPTS

SENATE BILL NO. 27
SENATE BILL NO. 30

RECEIVED the above papers from the Secretary of the Senate this 14th day of February, 2005 at 2:49 p.m..

(SIGNED) MIKE BEEBE
Governor

(SIGNED) Angela Tollette
Secretary

SENATE BILL NO. 302
 EIGHTY-SIXTH GENERAL ASSEMBLY
 REGULAR SESSION
 BY: SENATOR J. JEFFRESS

A Bill for an Act to be Entitled: AN ACT CONCERNING PROCEDURES OF THE JOINT COMMITTEE ON PUBLIC RETIREMENT AND SOCIAL SECURITY PROGRAMS WHEN CONSIDERING CERTAIN RETIREMENT BILLS; AND FOR OTHER PURPOSES.

Senate Bill No. 302 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT RETIREMENT AND SOCIAL SECURITY.

HOUSE BILL NO. 1031
As Engrossed: H1/17/07
 EIGHTY-SIXTH GENERAL ASSEMBLY
 REGULAR SESSION
 BY: REPRESENTATIVES GASKILL, PATTERSON, *REYNOLDS*, *HOYT*,
 & *J. ROEBUCK*
 BY: SENATOR R. THOMPSON

A Bill for an Act to be Entitled: AN ACT TO PROVIDE REDUCED COLLEGE TUITION TO STATE POLICE OFFICERS AND THEIR DEPENDENTS; AND FOR OTHER PURPOSES.

House Bill No. 1031 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

HOUSE BILL NO. 1184

As Engrossed: H1/24/07 H1/25/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES S. PRATER, WOOD, ADCOCK, ANDERSON, BOND, BREEDLOVE, E. BROWN, J. BROWN, BURRIS, CASH, COOK, CORNWELL, D. CREEKMORE, DICKINSON, DUNN, EDWARDS, D. EVANS, L. EVANS, GARNER, GASKILL, GEORGE, GLIDEWELL, R. GREEN, HALL, HARDWICK, HOYT, D. HUTCHINSON, HYDE, JEFFREY, KENNEY, KEY, KIDD, KING, LAMOUREUX, LOVELL, M. MARTIN, MAXWELL, MEDLEY, MOORE, NORTON, OVERBEY, PATE, PATTERSON, PENNARTZ, PIERCE, PYLE, RAGLAND, REEP, J. ROEBUCK, ROSENBAUM, SAMPLE, SAUNDERS, STEWART, SULLIVAN, THYER, WALTERS, WEBB, WELLS, WILLS, WOODS, WYATT, REYNOLDS, EVERETT, HARRIS, ALLEN, PACE, COOPER, CHESTERFIELD, T. BRADFORD, BERRY, S. DOBBINS, PETRUS, WAGNER, J. JOHNSON, HARRELSON, ROGERS, POWERS, HOUSE, CHEATHAM, DAVENPORT, LOWERY ABERNATHY, PICKETT, T. BAKER & SHELBY

BY: SENATORS HILL, ALTES, BAKER, J. JEFFRESS, SALMON, TRUSTY, J. TAYLOR, T. SMITH, WHITAKER, FARIS, CAPPS, MILLER & CRITCHER

A Bill for an Act to be Entitled: AN ACT TO ALLOW MILITARY OFFICERS OF THE ARMED SERVICES TO RECEIVE THE SAME INCOME TAX EXEMPTION AS ENLISTED PERSONNEL OF THE ARMED SERVICES; AND FOR OTHER PURPOSES.

House Bill No. 1184 was read the first time, rules suspended, read the second time and referred to the Committee on REVENUE AND TAXATION.

HOUSE BILL NO. 1376

As Engrossed: H2/12/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES HOUSE, PACE, ANDERSON, BURKES, EDWARDS,
HARDWICK, HARRIS, D. HUTCHINSON, KENNEY, KING,
M. MARTIN, WAGNER & WOODS

BY: SENATORS HENDREN AND MADISON

A Bill for an Act to be Entitled: AN ACT TO AMEND VARIOUS SECTIONS OF THE ARKANSAS CODE TO PROVIDE THAT CERTAIN CITY AND COUNTY TAXES ON AVIATION FUEL BE REMITTED DIRECTLY TO THE REGIONAL AIRPORT LOCATED IN THE TAXING COUNTY; AND FOR OTHER PURPOSES.

House Bill No. 1376 was read the first time, rules suspended, read the second time and referred to the Committee on REVENUE AND TAXATION.

HOUSE BILL NO. 1408

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE REEP

A Bill for an Act to be Entitled: AN ACT TO INCREASE THE FINE FOR FAILURE TO YIELD TO AN EMERGENCY VEHICLE; AND FOR OTHER PURPOSES.

House Bill No. 1408 was read the first time, rules suspended, read the second time and referred to the Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS.

HOUSE BILL NO. 1436
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE S. PRATER

A Bill for an Act to be Entitled: AN ACT TO REVISE THE PROCESS FOR DISCIPLINARY ACTIONS OF THE ARKANSAS STATE BOARD OF NURSING; AND FOR OTHER PURPOSES.

House Bill No. 1436 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH AND WELFARE.

HOUSE BILL NO. 1452
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES HARDY AND REEP
BY: SENATOR G. JEFFRESS

A Bill for an Act to be Entitled: AN ACT TO REPEAL ARKANSAS CODE § 6-65-405 regarding the SAU-Tech advisory committee; AND FOR OTHER PURPOSES.

House Bill No. 1452 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

SENATE RESOLUTION NO. 9
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS LUKER, BROADWAY, BRYLES, HILL, G. JEFFRESS,
J. JEFFRESS, SALMON & WHITAKER

SENATE RESOLUTION COMMENDING ARKANSAS FARMERS FOR THEIR VITAL CONTRIBUTIONS TO THE SECURITY AND ECONOMIC WELL-BEING OF THE STATE AND THE NATION, AND FOR PRODUCING THE FOOD AND FIBER THAT IS ESSENTIAL TO THE HEALTH AND SECURITY OF THE CITIZENS OF THIS STATE AND PEOPLE THROUGHOUT THE WORLD.

Senate Resolution No. 9 was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 303
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MALONE

A Bill for an Act to be Entitled: AN ACT TO IMPLEMENT THE FINDINGS OF THE ARKANSAS LEGISLATIVE TASK FORCE ON ABUSED AND NEGLECTED CHILDREN; TO PROTECT CHILD VICTIMS OF ABUSE AND NEGLECT; TO REQUIRE THE DESTRUCTION OF ITEMS THAT DEPICT THE SEXUAL EXPLOITATION OF A CHILD BY CLASSIFYING THEM AS CONTRABAND; TO REQUIRE THE DEPARTMENT OF ARKANSAS STATE POLICE TO INVESTIGATE ALL CASES OF SEVERE CHILD MALTREATMENT; TO REQUIRE UNIFORM TRAINING FOR FOSTER PARENTS; TO AMEND THE ARKANSAS LEGISLATIVE TASK FORCE ON ABUSED AND NEGLECTED CHILDREN REGARDING THE MEMBERSHIP, ORGANIZATION, AND EXPENSES TO CREATE CHILD ADVOCACY CENTERS; TO IMPROVE OPERATIONS OF THE ABUSE AND NEGLECT HOT LINE; TO IMPROVE ENFORCEMENT OF CHILD ABUSE AND NEGLECT LAWS; AND FOR OTHER PURPOSES.

Senate Bill No. 303 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

SENATE BILL NO. 304
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS T. SMITH, HORN & SALMON
BY: REPRESENTATIVES WOOD, SAMPLE, HARRELSON & SAUNDERS

A Bill for an Act to be Entitled: AN ACT TO TREAT NATIVE WINE MANUFACTURERS EQUALLY WITH OTHER MANUFACTURERS; TO PROTECT THE STATE'S TRADITIONAL THREE-TIER SYSTEM FOR THE CONTROL OF ALCOHOLIC BEVERAGES; AND FOR OTHER PURPOSES.

Senate Bill No. 304 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES AND GOVERNMENTAL AFFAIRS.

SENATE BILL NO. 305
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR BISBEE
BY: REPRESENTATIVE COOK

A Bill for an Act to be Entitled: AN ACT TO STREAMLINE THE PROCESS FOR ARKANSAS NONTRADITIONAL LICENSURE CERTIFICATION FOR TEACHERS; AND FOR OTHER PURPOSES.

Senate Bill No. 305 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 14, 2007

Mr. President:

We, your Committee on JOINT RETIREMENT AND SOCIAL SECURITY, to whom was referred:

SENATE BILL NO. 43, BY SENATOR J. JEFFRESS,

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

Respectfully submitted,

(SIGNED) JIMMY JEFFRESS
CHAIRMAN

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 Resolution No. 2 was read the first time, rules suspended, read the second time and placed on the Calendar.

* * * * *

SENATE BILLS TRANSMITTED TO THE HOUSE
AS PASSED

SENATE BILL NO. 22
SENATE BILL NO. 23
SENATE BILL NO. 24
SENATE BILL NO. 25
SENATE BILL NO. 229

HOUSE BILLS RETURNED TO THE HOUSE
AS PASSED

HOUSE BILL NO. 1300

HOUSE BILLS RETURNED TO THE HOUSE
AS PASSED AS AMENDED

HOUSE BILL NO. 1008 AS AMENDED NO. 1

HOUSE CONCURRENT RESOLUTION RETURNED
TO THE HOUSE AS CONCURRED IN

HOUSE CONCURRENT RESOLUTION NO. 1008

SENATE BILLS RETURNED FROM THE HOUSE
AS PASSED

SENATE BILL NO. 2

SENATE BILL NO. 50

SENATE BILL NO. 67

SENATE BILL NO. 70

SENATE CONCURRENT RESOLUTION RETURNED FROM THE HOUSE
AS CONCURRED IN

SENATE CONCURRENT RESOLUTION NO. 4

HOUSE BILLS TRANSMITTED TO THE SENATE
AS PASSED

HOUSE BILL NO. 1031

HOUSE BILL NO. 1184

HOUSE BILL NO. 1376

HOUSE BILL NO. 1408

HOUSE BILL NO. 1436

HOUSE BILL NO. 1452

On motion of Senator Whitaker, the Senate adjourned until 11:00 a.m.,
Thursday, February 15, 2007.

PRESIDENT OF THE SENATE

SECRETARY OF THE SENATE

--ooOoo--

**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.

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	27

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, 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. 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: SENATOR ALTES
BY: REPRESENTATIVES MEDLEY, WALTERS & WELLS

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

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, Laverty, 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.

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. 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.

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. 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.

* * * * *

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

--ooOoo--

**FORTY-THIRD DAY'S PROCEEDINGS
SENATE CHAMBER
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION**

Little Rock, Arkansas

February 19, 2007

The Senate was called to order at 1:30 p.m. o'clock by the President.

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

ALTES, ARGUE, 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 requested for Senators Baker and Broadway.

The Senate was led in prayer by Reverend Ricky Burke, First Baptist Church,
Melbourne, Arkansas.

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. 88** was withdrawn from the Committee on INSURANCE AND COMMERCE, 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. 88

Amend **Senate Bill No. 88** as engrossed, S1/31/07:

Page 2, delete lines 10 and 11 and substitute:

“(7) The designation "Excluded Driver(s)" if a person or persons are excluded from coverage under the insurance policy.”

AND

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

“(b)(1) The reports ~~may~~ shall include:

~~(1)(A) The name, date of birth, driver's license number of each insured owner or operator, and the address of the named insured;~~

~~(2)(B) The make, year, and vehicle identification number of each insured vehicle; and~~

~~(3)(C) The policy number, effective date, and expiration date of each policy, National Association of Insurance Carriers code number, and the name of each driver excluded from coverage.~~

(2) The reports may include:

(A) The date of birth of each insured owner or operator; and

(B) The driver's license number of each insured owner or

operator.”

AND

Delete SECTION 8 in its entirety and appropriately renumber the remaining sections of the bill

(SIGNED) SENATOR J. JEFFRESS

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

(SIGNED) ANN CORNWELL, SECRETARY

Amend **Senate Bill No. 88** was ordered engrossed.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

January 18, 2007

Mr. President:

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

SENATE BILL NO. 88, BY J. JEFFRESS, 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 J. Jeffress, **SENATE Bill No. 88** was ordered re-referred to the Committee on INSURANCE AND COMMERCE.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 19, 2007

Mr. President:

We, your Committee on JOINT RETIREMENT AND SOCIAL SECURITY, to whom was referred:

SENATE BILL NO. 39, BY SENATOR MILLER,
SENATE BILL NO. 90, BY SENATOR FARIS,
SENATE BILL NO. 302, BY SENATOR J. JEFFRESS,

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 J. JEFFRESS
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 19, 2007

Mr. President:

We, your Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS, to whom was referred:

SENATE BILL NO. 295, BY SENATOR MILLER,

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

Respectfully submitted,

(SIGNED) SENATOR SHARON TRUSTY
VICE CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 19, 2007

Mr. President:

We, your Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS, to whom was referred:

SENATE BILL NO. 278, BY SENATOR GLOVER,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that it do pass as amended No. 1.

Respectfully submitted,

(SIGNED) SENATOR SHARON TRUSTY
VICE CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 19, 2007

Mr. President:

We, your Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS, to whom was referred:

HOUSE BILL NO. 1128, BY REPRESENTATIVE ROSENBAUM,
HOUSE BILL NO. 1377, BY REPRESENTATIVE D. HUTCHINSON,
HOUSE BILL NO. 1405, BY REPRESENTATIVE BURRIS,

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 SHARON TRUSTY
VICE CHAIRMAN

STATE OF ARKANSAS
OFFICE OF THE GOVERNOR

STATE CAPITOL
LITTLE ROCK, ARKANSAS

MIKE BEEBE
Governor

February 16, 2007

TO THE PRESIDENT OF THE SENATE

Dear Mr. President:

This is to inform you that on February 16, 2007, I approved the following measures from the Regular Session of the Eighty-sixth General Assembly:

Senate Concurrent Resolution 004

Senate Bill 002 -- Act 111

Senate Bill 050 -- Act 112

Senate Bill 067 -- Act 113

Senate Bill 070 -- Act 114

Sincerely,

(SIGNED) MIKE BEEBE
Governor

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 19, 2007

Mr. President:

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

SENATE BILL NO. 108, BY SENATORS BISBEE, BAKER,
SENATE BILL NO. 143, BY SENATOR T. SMITH,
SENATE BILL NO. 182, BY SENATOR ALTES,
SENATE BILL NO. 189, BY SENATORS MALONE, CRUMBLY, et al,
SENATE BILL NO. 211, BY SENATOR BROWN,
SENATE BILL NO. 212, BY SENATOR BROWN,
SENATE BILL NO. 215, BY SENATOR T. SMITH AND
REPRESENTATIVE SAMPLE,

beg leave to report that we have carefully compared the enrolled copies with the original and we find the same correctly enrolled and have at 11:40 a.m. delivered them to the Governor for his approval.

Respectfully submitted,

(SIGNED) HENRY "HANK" WILKINS, IV
CHAIRMAN

GOVERNOR'S BILL RECEIPTS

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

RECEIVED the above papers from the Secretary of the Senate this 19th day of February, 2007 at 11:40 a.m..

(SIGNED) MIKE BEEBE
Governor

(SIGNED) Angela Tollette
Secretary

Senate Bill No. 110 was returned from the House as passed as amended.

On motion of Senator Miller, Senate Bill No. 110 was ordered re-referred to the Committee on INSURANCE & COMMERCE.

Senate Bill No. 198 was returned from the House as passed and ordered enrolled.

Senate Bill No. 213 was returned from the House as passed and ordered enrolled.

Senate Bill No. 201 was returned from the House as passed and ordered enrolled.

Senate Bill No. 246 was returned from the House as passed and ordered enrolled.

SENATE BILL NO. 307
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR BROADWAY

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE § 27-23-108(b) TO WAIVE THE COMMERCIAL DRIVER'S LICENSE SKILLS TEST FOR QUALIFIED DRIVERS OF MILITARY VEHICLES; AND FOR OTHER PURPOSES.

Senate Bill No. 307 was read the first time, rules suspended, read the second time and referred to the Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS.

SENATE BILL NO. 308
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR CRITCHER

A Bill for an Act to be Entitled: AN ACT TO AMEND § 26-3-306(a)(1)(B)(iii) TO REINSTATE THE HOMESTEAD AND PERSONAL PROPERTY TAX EXEMPTIONS AVAILABLE TO A DISABLED VETERAN'S SURVIVING SPOUSE WHOSE SUBSEQUENT MARRIAGE HAS TERMINATED; AND FOR OTHER PURPOSES.

Senate Bill No. 308 was read the first time, rules suspended, read the second time and referred to the Committee on REVENUE AND TAXATION.

SENATE BILL NO. 309
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR FARIS

A Bill for an Act to be Entitled: AN ACT TO AMEND PROVISIONS OF ARKANSAS LAW CONCERNING PAPER BALLOTS; AND FOR OTHER PURPOSES.

Senate Bill No. 309 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES AND GOVERNMENTAL AFFAIRS.

SENATE BILL NO. 310
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE UNIVERSITY OF ARKANSAS AT PINE BLUFF FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Senate Bill No. 310 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 311
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE UNIVERSITY OF ARKANSAS AT MONTICELLO FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Senate Bill No. 311 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 312
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT MORRILTON FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Senate Bill No. 312 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 313
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE SAU-TECH FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Senate Bill No. 313 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 314
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT BATESVILLE FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Senate Bill No. 314 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 315
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS STATE UNIVERSITY - NEWPORT FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Senate Bill No. 315 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 316
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE OUACHITA TECHNICAL COLLEGE FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Senate Bill No. 316 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 317
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS STATE UNIVERSITY - BEEBE FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Senate Bill No. 317 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 318
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE SOUTH ARKANSAS COMMUNITY COLLEGE FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Senate Bill No. 318 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 319
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE UNIVERSITY OF CENTRAL ARKANSAS FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Senate Bill No. 319 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 320
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE SOUTHEAST ARKANSAS COLLEGE FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Senate Bill No. 320 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 321
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE UNIVERSITY OF ARKANSAS FOR MEDICAL SCIENCES FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Senate Bill No. 321 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 322
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS STATE UNIVERSITY FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Senate Bill No. 322 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 323
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE UNIVERSITY OF ARKANSAS - ITS VARIOUS DIVISIONS AND THE ARKANSAS ARCHEOLOGICAL SURVEY FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Senate Bill No. 323 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 324
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR T. SMITH

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF WORKFORCE EDUCATION - ARKANSAS REHABILITATION SERVICES FOR CAPITAL IMPROVEMENTS AT THE HOT SPRINGS REHABILITATION CENTER; AND FOR OTHER PURPOSES.

Senate Bill No. 324 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 325
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR BOOKOUT

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE UNIVERSITY OF ARKANSAS FOR ASSOCIATED COSTS FOR A CRIMINAL JUSTICE INSTITUTE BUILDING; AND FOR OTHER PURPOSES.

Senate Bill No. 325 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

HOUSE BILL NO. 1341
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE S. PRATER

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE § 12-41-503 TO AUTHORIZE SHERIFFS TO USE ALTERNATIVE DETENTION RESOURCES FOR CONVICTED PERSONS SENTENCED TO COUNTY JAILS; AND FOR OTHER PURPOSES.

House Bill No. 1341 was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY AND LOCAL AFFAIRS .

HOUSE BILL NO. 1426
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES WALTERS, HALL, GREENBERG & PETRUS
BY: SENATORS FARIS AND BROADWAY

A Bill for an Act to be Entitled: AN ACT TO PROVIDE FOR CHARITABLE BINGO AND RAFFLES; AND FOR OTHER PURPOSES.

House Bill No. 1426 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES AND GOVERNMENTAL AFFAIRS.

HOUSE BILL NO. 1427
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES THYER AND PETRUS
BY: SENATORS WOMACK AND CRITCHER

A Bill for an Act to be Entitled: AN ACT TO ESTABLISH THE "ARKANSAS COMMUNITY ASSISTANCE ACT OF 2007"; TO CREATE THE ARKANSAS COMMUNITY ASSISTANCE COMMISSION; AND FOR OTHER PURPOSES.

House Bill No. 1427 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1431
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

BY: REPRESENTATIVES BLOUNT, ABERNATHY, CORNWELL, DAVIS,
GEORGE, HARDY, HARRELSON, KENNEY, MEDLEY, PATE, PICKETT, PYLE,
RAINEY, REEP, L. SMITH & WILLS
BY: SENATOR BROWN

A Bill for an Act to be Entitled: AN ACT TO AMEND THE TEACHER LICENSURE REQUIREMENTS BY CREATING THE LIFETIME TEACHING LICENSE FOR EDUCATORS MAINTAINING A VALID TEACHING LICENSE TO AGE 65; TO HONOR ARKANSAS TEACHERS WHO HAVE MADE LASTING AND SIGNIFICANT CONTRIBUTIONS TO THE FIELD OF EDUCATION; AND FOR OTHER PURPOSES.

House Bill No. 1431 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

HOUSE BILL NO. 1434
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE S. PRATER

A Bill for an Act to be Entitled: AN ACT TO MAKE CHANGES TO THE MEMBERS OF THE BOARD OF THE ARKANSAS STATE BOARD OF NURSING; AND FOR OTHER PURPOSES.

House Bill No. 1434 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

HOUSE BILL NO. 1442
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE SUMPTER

A Bill for an Act to be Entitled: AN ACT TO AMEND THE REGISTRATION REQUIREMENTS FOR BEER KEGS SOLD FOR OFF-PREMISES CONSUMPTION BY ALLOWING THE IDENTIFICATION LABEL TO BE COPIED RATHER THAN PRODUCED IN TRIPLICATE; TO REMOVE THE REQUIREMENT THAT THE DEALER COLLECT A REGISTRATION DEPOSIT ON EACH KEG OF BEER; AND FOR OTHER PURPOSES.

House Bill No. 1442 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES AND GOVERNMENTAL AFFAIRS.

HOUSE BILL NO. 1443
As Engrossed H2/14/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES ANDERSON, PETRUS, SULLIVAN, THYER ET AL
BY: SENATORS STEELE & BISBEE

A Bill for an Act to be Entitled: AN ACT TO PROVIDE INCOME TAX RELIEF FOR TAXPAYERS WITH INCOME BELOW THE FEDERAL POVERTY LEVEL; TO PROVIDE INCOME TAX RELIEF FOR OTHER LOW INCOME TAX RESIDENTS OF ARKANSAS; AND FOR OTHER PURPOSES.

House Bill No. 1443 was read the first time, rules suspended, read the second time and referred to the Committee on REVENUE AND TAXATION.

HOUSE BILL NO. 1449
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE REEP

A Bill for an Act to be Entitled: AN ACT TO REVISE THE AUTHORITY OF REGIONAL SOLID WASTE MANAGEMENT BOARDS; AND FOR OTHER PURPOSES.

House Bill No. 1449 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH AND WELFARE.

HOUSE BILL NO. 1455
As Engrossed H2/15/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES BOND, BREEDLOVE, CASH, CHEATHAM ET AL
BY: SENATOR BOOKOUT

A Bill for an Act to be Entitled: AN ACT TO REGULATE UNFAIR AND DECEPTIVE ACTS AND PRACTICES IN CONNECTION WITH GIFT CARDS; AND FOR OTHER PURPOSES.

House Bill No. 1455 was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE AND COMMERCE.

HOUSE BILL NO. 1457
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE HOUSE

A Bill for an Act to be Entitled: AN ACT TO REQUIRE A MOTOR VEHICLE OWNER TO SIGN THE FRONT SIDE OF A MOTOR VEHICLE CERTIFICATE OF TITLE UPON RECEIPT; TO ELIMINATE THE REQUIREMENT THAT AN OWNER SIGN THE REVERSE SIDE OF THE TITLE UPON RECEIPT; AND FOR OTHER PURPOSES.

House Bill No. 1457 was read the first time, rules suspended, read the second time and referred to the Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS.

HOUSE BILL NO. 1466
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE WOOD

A Bill for an Act to be Entitled: AN ACT TO CLARIFY THE LAW REGARDING THE ENTITLEMENT TO A SCHOLARSHIP FOR THE CHILDREN AND SPOUSE OF CERTAIN PUBLIC SERVICE EMPLOYEES IF THE PUBLIC SERVICE RESULTS IN DEATH OR PERMANENT AND TOTAL DISABILITY; AND FOR OTHER PURPOSES.

House Bill No. 1466 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

HOUSE BILL NO. 1472
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE DAVENPORT

A Bill for an Act to be Entitled: AN ACT TO AMEND CURRENT LAW TO LIMIT THE POSSESSORY LIEN OF A TOWING AND STORAGE FIRM TO THE VEHICLE ONLY; AND FOR OTHER PURPOSES.

House Bill No. 1472 was read the first time, rules suspended, read the second time and referred to the Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS.

HOUSE BILL NO. 1473
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES D. HUTCHINSON, ADCOCK, BLOUNT ET AL
BY: SENATORS MADISON & TRUSTY

A Bill for an Act to be Entitled: AN ACT TO FURTHER DEFINE THE CRIMINAL ACT OF VOYEURISM; AND FOR OTHER PURPOSES.

House Bill No. 1473 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

HOUSE BILL NO. 1475
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE POWERS

A Bill for an Act to be Entitled: AN ACT TO AMEND THE JURISDICTION OF JUVENILE COURTS TO ENSURE THAT A FELONY OR MISDEMEANOR THAT IS COMMITTED BY A JUVENILE BEFORE THE JUVENILE IS EIGHTEEN (18) YEARS OF AGE MAY BE PROSECUTED IN THE JUVENILE DIVISION OF CIRCUIT COURT WHEN THE JUVENILE IS EIGHTEEN (18) YEARS OF AGE OR OLDER; AND FOR OTHER PURPOSES.

House Bill No. 1475 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

HOUSE BILL NO. 1484
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE MALOCH

A Bill for an Act to be Entitled: AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE ARKANSAS INCOME TAX LAWS BY ADOPTING RECENT CHANGES TO THE INTERNAL REVENUE CODE; AND FOR OTHER PURPOSES.

House Bill No. 1484 was read the first time, rules suspended, read the second time and referred to the Committee on REVENUE AND TAXATION.

On motion of Senator G. Jeffress, **Senate Resolution No. 4** was called up for third reading and final disposition.

**SENATE RESOLUTION NO. 4
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: G. JEFFRESS**

SENATE RESOLUTION COMMENDING THE ARKANSAS AGING INITIATIVE FOR ITS STATEWIDE PROGRAM OF COMPREHENSIVE GERIATRIC HEALTH CARE AND EDUCATION FOR SENIOR CITIZENS LIVING IN RURAL ARKANSAS.

Senate Resolution No. 4 was read the third time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

On motion of Senator Steele, **Senate Resolution No. 8** was called up for third reading and final disposition.

**SENATE RESOLUTION NO. 8
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR STEELE**

SENATE RESOLUTION AN ACT TO COMMEMORATE DAISY GATSON BATES ON MONDAY, FEBRUARY 19, 2007.

Senate Resolution No. 8 was read the third time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

On motion of Senator Whitaker, **House Bill No. 1036** was withdrawn from the Committee on INSURANCE AND COMMERCE, and 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. 1036

Amend **House Bill No. 1036** as engrossed, H2/6/07:

Remove Senator Whitaker as a sponsor of the bill

(SIGNED) SENATOR RUTH WHITAKER

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1036 was ordered engrossed.

The President declared the morning hour to have expired.

On motion of Senator Bisbee, **Senate Bill No. 79** was called up for third reading and final disposition.

**SENATE BILL NO. 79
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS BISBEE & B. PRITCHARD
BY: REPRESENTATIVE ANDERSON**

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE § 17-25-514(b) CONCERNING THE REQUIREMENT THAT A RESIDENTIAL BUILDING CONTRACTOR SUBMIT PROOF OF CURRENT WORKERS' COMPENSATION COVERAGE BEFORE RENEWING A LICENSE; AND FOR OTHER PURPOSES.

Senate Bill No. 79 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, Argue, 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: Baker, 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

On Motion of Senator Bisbee, **Senate Bill 79** was held in the Senate.

On motion of Senator Miller, **Senate Bill No. 11** was called up for third reading and final disposition.

SENATE BILL NO. 11
As Engrossed: S2/15/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS MILLER & LAVERTY
BY: REPRESENTATIVES COOK, COOPER & WALTERS

A Bill for an Act to be Entitled: AN ACT CONCERNING THE TRANSFER OF STUDENTS ENROLLED IN COURSES REQUIRED TO BE TAUGHT BY THE STANDARDS FOR ACCREDITATION; AND FOR OTHER PURPOSES.

Senate Bill No. 11 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, 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, Whitaker, Wilkins, Wilkinson, Womack.

Total	31
NEGATIVE: Argue, Trusty.	
Total	2
ABSENT OR NOT VOTING:	
Total	2
VOTING PRESENT: Baker, Broadway.	
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. 11 was ordered immediately transmitted to the House as passed.

On motion of Senator Pritchard, **Senate Bill No. 294** was called up for third reading and final disposition.

SENATE BILL NO. 294
As Engrossed S2/15/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS B. PRITCHARD, ALTES & MADISON
BY: REPRESENTATIVES BERRY, EDWARDS, GLIDEWELL ET AL

A Bill for an Act to be Entitled: *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.*

Senate Bill No. 294 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, Argue, Bisbee, Bookout, Bryles, Capps, Crumbly, Faris, Glover, Hendren, Horn, G. Jeffress, J. Jeffress, Madison, Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, Trusty, Whitaker, Wilkins, Womack.

Total25

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Baker, Broadway, Brown, Critcher, Hill, B. Johnson, Lavery, Luker, R. Thompson, Wilkinson.

Total10

VOTING PRESENT:

Total0

Total number of votes cast25

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. 294 was ordered immediately transmitted to the House as passed.

On motion of Senator Malone, the rules were suspended in considering **Senate Bill No. 271** at this time.

On motion of Senator Malone, **Senate Bill No. 271** was withdrawn from the Committee on PUBLIC HEALTH, WELFARE & LABOR, 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. 271

Amend **Senate Bill No. 271** as originally introduced:

Page 2, delete lines 6 and 7 and substitute the following:

"(6) A property manager who repairs or provides service work on or replacement of existing plumbing fixtures and appliance connections installed in rental property, except for water heaters or gas heating appliances, in rental property that he or she operates."

(SIGNED) SENATOR MALONE

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 271 was ordered engrossed.

On motion of Senator Steele, **Senate Bill No. 191** was called up for third reading and final disposition.

SENATE BILL NO. 191
As Engrossed: S2/7/07 S2/15/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS STEELE AND FARIS

A Bill for an Act to be Entitled: AN ACT TO AUTHORIZE THE GOVERNOR TO CREATE THE DEPARTMENT OF HEALTH; TO AUTHORIZE THE GOVERNOR TO TRANSFER THE POWERS, DUTIES, APPROPRIATIONS, AND OPERATIONS OF THE DIVISION OF HEALTH OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO THE DEPARTMENT OF HEALTH; AND FOR OTHER PURPOSES.

Senator Miller spoke for the Bill.

Senate Bill No. 191 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: Bookout, Brown, Capps, Critcher, Crumbly, Faris, Glover, Horn, G. Jeffress, J. Jeffress, B. Johnson, Luker, Madison, Malone, Miller, Salmon, T. Smith, Steele, J. Taylor, R. Thompson, Whitaker, Wilkins.

Total22

NEGATIVE: Hendren, B. Pritchard, Trusty, Womack.

Total4

ABSENT OR NOT VOTING: Altes, Argue, Baker, Broadway, Bisbee, Bryles, Hill, Laverty, Wilkinson.

Total9

VOTING PRESENT:

Total0

Total number of votes cast.....26
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. 191 was ordered immediately transmitted to the House as passed.

On motion of Senator Madison, Senate Bill No. 203 was called up for third reading and final disposition.

SENATE BILL NO. 203

As Engrossed: S2/15/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATORS MADISON & BAKER

A Bill for an Act to be Entitled: AN ACT TO REPEAL THE REQUIREMENT THAT COLLEGE JUNIORS TAKE THE COLLEGIATE ASSESSMENT OF ACADEMIC PROFICIENCY EXAM, THE "RISING JUNIOR EXAM"; AND FOR OTHER PURPOSES.

Senate Bill No. 203 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: Argue, Bisbee, Bookout, Brown, Bryles, Capps, Crumbly, Faris, Glover, Hendren, Hill, Horn, G. Jeffress, J. Jeffress, Luker, Madison, Malone, Miller, B. Pritchard, Salmon, T. Smith, R. Thompson, Trusty, Whitaker.

Total24

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Altes, Critcher, Baker, Broadway, B. Johnson, Laverty, Steele, J. Taylor, Wilkins, Wilkinson, Womack.

Total11

VOTING PRESENT:

Total	0
Total number of votes cast	24
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. 203 was ordered immediately transmitted to the House as passed.

On motion of Senator Glover, House Bill No. 1416 was called up for third reading and final disposition.

HOUSE BILL NO. 1416
 EIGHTY-SIXTH GENERAL ASSEMBLY
 REGULAR SESSION
 BY: REPRESENTATIVE MALOCH

A Bill for an Act to be Entitled: AN ACT TO AMEND PROVISIONS OF THE ARKANSAS DEVELOPMENT FINANCE AUTHORITY ACT TO CONFORM THE PRIVATE ACTIVITY BOND VOLUME CAP CARRY FORWARD PROVISIONS TO REQUIREMENTS OF THE FEDERAL TAX CODE; TO CLARIFY OTHER MATTERS PERTAINING TO PRIVATE ACTIVITY BOND VOLUME CAP ALLOCATION; AND FOR OTHER PURPOSES.

Senator Miller spoke for the Bill.

House Bill No. 1416 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, Argue, 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: Baker, Broadway.

Total2

VOTING PRESENT:

Total0

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. 1416 was ordered immediately returned to the House as passed.

On motion of Senator Salmon, House Bill No. 1293 was called up for third reading and final disposition.

HOUSE BILL NO. 1293
As Engrossed: S2/15/07
 EIGHTY-SIXTH GENERAL ASSEMBLY
 REGULAR SESSION
 BY: REPRESENTATIVE PICKETT
BY: SENATOR SALMON

A Bill for an Act to be Entitled: AN ACT TO ALLOW A CIRCUIT COURT TO EXTEND THE DURATION OF AN ORDER OF PROTECTION; AND FOR OTHER PURPOSES.

House Bill No. 1293 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, Argue, 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: Baker, 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. 1293 was ordered immediately returned to the House as passed as amended.

On motion of Senator Glover, House Bill No. 1357 was called up for third reading and final disposition.

HOUSE BILL NO. 1357

As Engrossed: S2/15/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES OVERBEY AND ADCOCK

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS LAW PERTAINING TO THE SALES TAX EXEMPTION FOR ADAPTIVE MEDICAL EQUIPMENT AND DURABLE MEDICAL EQUIPMENT AS IT APPLIES TO WHEELCHAIR LIFTS AND AUTOMOBILE HAND CONTROLS; AND FOR OTHER PURPOSES.

House Bill No. 1357 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, Argue, 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:

Total2

VOTING PRESENT: Baker, Broadway.

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. 1357 was ordered immediately returned to the House as passed as amended.

On motion of Senator Womack, **Senate Bill No. 86** was withdrawn from the Committee on JOINT BUDGET, 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. 86

Amend **Senate Bill No. 86** as originally introduced:

Page 5, line 36, delete "county" and substitute "taxing unit"

(SIGNED) SENATOR SHAWN A. WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 86 was ordered engrossed.

On motion of Senator Womack, **Senate Bill No. 175** was withdrawn from the Committee on JOINT BUDGET, 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. 175

Amend **Senate Bill No. 175** as originally introduced:

Page 8, line 14, delete "SCHOLARSHIP"

And

Page 8, line 17, delete "for a scholarship for American students to study in" and insert "for expenses associated with international business recruitment and investment"

And

Page 8, line 18, delete "Japan"

And

Page 8, line 24, delete "SCHOLARSHIP"

And

Page 8, line 25, delete "EDUCATIONAL"

And

Page 9, line 3, delete "QUALITY MANAGEMENT TASK FORCE" and insert "EXISTING BUSINESS RESOURCE PROGRAM"

And

Page 9, line 6, delete "the Quality Management Task Force expenses" and insert "Existing Business Resource Program expenses"

And

Page 9, line 12, delete "Q M TASK FORCE EXPENSES" and insert "EXISTING BUSINESS RESOURCE EXPENSES"

And

Page 12, line 4, delete "Scholarship"

(SIGNED) SHAWN A. WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 175 was ordered engrossed.

On motion of Senator Womack, Senate Bill No. 194 was withdrawn from the Committee on JOINT BUDGET, 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. 194

Amend Senate Bill No. 194 as originally introduced:

Page 4, delete lines 30 and 31 in their entirety and substitute the following:

"(16) MINORITY MASTERS FELLOWS	280,000	280,000
(17) EDUCATION ENHANCEMENT GRANTS	<u>7,200,000</u>	<u>11,200,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 58,210,783</u>	<u>\$ 62,720,783</u>

(SIGNED) SHAWN A. WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 194 was ordered engrossed.

On motion of Senator Womack, **Senate Bill No. 220** was withdrawn from the Committee on JOINT BUDGET, 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. 220

Amend **Senate Bill No. 220** as originally introduced:

Delete SECTION 17 of the bill in its entirety and substitute the following:
 " SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL PROVISIONS FOR SHIFT DIFFERENTIAL AND WEEKEND PAY FOR PERSONNEL AT HUMAN DEVELOPMENT CENTERS. SHIFT DIFFERENTIAL. Personnel employed in areas providing critical support and care to Patient Units at the state operated human development centers during evening and night shifts shall be eligible to receive up to twenty percent (20%) of the hourly rate paid as a shift differential. Personnel required to provide critical and support care to client units during weekend hours shall be eligible to receive up to twenty percent (20%) of the hourly rate paid as weekend differential. When facilities use shifts other than traditional eight-hour shifts, shift differential may be paid for those shifts exceeding the normal day shift of the facility. When shift and weekend differentials are provided to employees as herein described, the total compensation may exceed the maximum annual rate for the assigned pay grade for those positions included in this Act.

The Agency shall identify the shift(s) and job classifications applicable for the differential and the shift differential percentage for which each classification is eligible within each shift. The shift schedule, job classification listing and the percentage of shift differential for which the job titles will be eligible shall be submitted to the Office of Personnel Management for approval by the Chief Fiscal Officer of the State. Subsequent changes to the shift schedule, job classifications and shift differential percentages on file with OPM must receive prior approval by the Chief Fiscal Officer of the State.

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

(SIGNED) SHAWN A. WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 220 was ordered engrossed.

On motion of Senator Womack, **Senate Bill No. 257** was withdrawn from the Committee on JOINT BUDGET, 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. 257

Amend **Senate Bill No. 257** as originally introduced:

Page 1, line 11, delete "AND" and substitute "CLERKS,"

AND

Page 1, line 25, delete "AND CIRCUIT"

AND

Page 1, line 28, delete "and Circuit"

AND

Page 1, line 30, delete "and circuit clerks by the County and" and substitute "clerks by the County"

AND

Page 1, line 31, delete "Circuit"

AND

Page 1, line 36, delete "(01) MAINTENANCE AND OPERATION OF" and substitute "(01) EXPENSES FOR COUNTY CLERKS"

AND

Immediately following SECTION 1, add an additional section to read as follows:
" SECTION 2. APPROPRIATION - CONTINUING EDUCATION - CIRCUIT CLERKS. There is hereby appropriated, to the Auditor of State, to be payable from the County and Circuit Clerks Continuing Education Fund, for the Circuit Clerks' Continuing Education Board in carrying out the responsibilities for maintaining and operating a continuing education program and certification program for circuit clerks by the Circuit Clerks' Continuing Education Board for the biennial period ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) EXPENSES FOR CIRCUIT CLERKS CONTINUING EDUCATION AND CERTIFICATION PROGRAMS	<u>\$ 60,000</u>	<u>\$ 60,000</u>

AND

Appropriately renumber the subsequent SECTIONS of the bill

AND

Page 2, line 15, delete "\$ 41,750 \$ 41,750" and substitute "\$ 60,000 \$ 60,000"

AND

Page 2, line 30, delete "\$ 35,047 \$ 35,047" and substitute "\$ 60,000 \$ 60,000".

(SIGNED) SHAWN A. WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 257 was ordered engrossed.

On motion of Senator Womack, **Senate Bill No. 261** was withdrawn from the Committee on JOINT BUDGET, 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. 261

Amend **Senate Bill No. 261** as originally introduced:

Page 10, lines 11 through 16 in their entirety and substitute the following:

"authorized by this Act, ~~one hundred thousand dollars (\$100,000)~~ eighty-two thousand three hundred eighty-eight dollars (\$82,388) each fiscal year for the annual expenses of the Quiz Bowl, ~~thirteen thousand five hundred dollars (\$13,500)~~ twenty-nine thousand six hundred twenty-six dollars (\$29,626) each fiscal year for ~~Odyssey of the Mind~~ Creativity in Arkansas, Inc. for grants up to \$1,000 each for students and chaperones, ~~thirteen thousand five hundred dollars (\$13,500)~~ ten thousand five hundred eighty-one dollars (\$10,581) each fiscal year for Destination Imagination, and ~~five thousand dollars (\$5,000)~~ nine thousand four hundred five dollars (\$9,405) each fiscal year for the State History Day"

And

Page 10, delete lines 20 and 21 in their entirety and substitute the following:

"Fund Account to support the annual expenses of the Quiz Bowl, the ~~Odyssey of the Mind~~ Creativity in Arkansas, Inc. for grants up to \$1,000 each for students and chaperones,"

And

Page 10, delete line 24 in its entirety and substitute the following:

"allocated for the Quiz Bowl, ~~Odyssey of the Mind~~ Creativity in Arkansas, Inc., Destination Imagination,"

(SIGNED) SHAWN A. WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 261 was ordered engrossed.

SENATE BILL NO. 326
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR BOOKOUT
BY: REPRESENTATIVES THYER, KIDD & CASH

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS STATE UNIVERSITY FOR REPLACEMENT OF A CLASSROOM BUILDING DUE TO SAFETY CONCERNS; AND FOR OTHER PURPOSES.

Senate Bill No. 326 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 327
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR BOOKOUT
BY: REPRESENTATIVES THYER, KIDD & CASH

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS STATE UNIVERSITY FOR NEW FACILITIES FOR THE DELTA CENTER FOR ECONOMIC DEVELOPMENT TO MATCH FEDERAL FUNDS; AND FOR OTHER PURPOSES.

Senate Bill No. 327 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 328
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

BY: SENATOR BOOKOUT
BY: REPRESENTATIVES THYER, KIDD & CASH

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS STATE UNIVERSITY FOR ARKANSAS BIOSCIENCES INSTITUTE TECHNOLOGY INCUBATOR CONSTRUCTING AND EQUIPPING; AND FOR OTHER PURPOSES.

Senate Bill No. 328 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 329
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

BY: SENATOR BOOKOUT
BY: REPRESENTATIVES THYER, KIDD & CASH

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS STATE UNIVERSITY FOR REPLACEMENT OF SEATING IN THE REGIONAL CONVOCATION CENTER; AND FOR OTHER PURPOSES.

Senate Bill No. 329 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 330
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR CAPPS
BY: REPRESENTATIVES D. EVANS AND PATE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS STATE UNIVERSITY - BEEBE - ASU - SEARCY FOR PLANNING, DEVELOPMENT AND OTHER COSTS OF THE TECHNICAL AND WORKFORCE CAMPUS; AND FOR OTHER PURPOSES.

Senate Bill No. 330 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

HOUSE BILL NO. 1378
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE MALOCH

A Bill for an Act to be Entitled: AN ACT CONCERNING COUNTY CONTINUING EDUCATION FUNDS; AND FOR OTHER PURPOSES.

House Bill No. 1378 was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY AND LOCAL AFFAIRS.

HOUSE BILL NO. 1387

As Engrossed H2/08/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES HYDE, ANDERSON, DUNN, GLIDEWELL &
ROSENBAUM

BY: SENATOR SALMON

A Bill for an Act to be Entitled: AN ACT TO PROMOTE INSURANCE COVERAGE FOR CONSTRUCTION CONTRACTS; TO PROTECT THE CONSTRUCTION INDUSTRY FROM INSURANCE POLICY LIMITATIONS; AND FOR OTHER PURPOSES.

House Bill No. 1387 was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE AND COMMERCE.

HOUSE BILL NO. 1429

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE LOVELL

BY: SENATOR FARIS

A Bill for an Act to be Entitled: AN ACT TO AMEND PORTIONS OF ARKANSAS LAW PERTAINING TO THE ARKANSAS BUILDING AUTHORITY; AND FOR OTHER PURPOSES.

House Bill No. 1429 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES AND GOVERNMENTAL AFFAIRS.

HOUSE BILL NO. 1435
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE S. PRATER

A Bill for an Act to be Entitled: AN ACT TO REVISE QUALIFICATIONS FOR MEDICATION ASSISTIVE PERSONS; TO REVISE PENALTIES FOR MEDICATION ASSISTIVE PERSONS; TO REVISE THE MEDICATION ASSISTIVE PERSON ADVISORY COMMITTEE; AND FOR OTHER PURPOSES.

House Bill No. 1435 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

HOUSE BILL NO. 1462
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE OVERBEY

A Bill for an Act to be Entitled: AN ACT TO AMEND THE ARKANSAS CODE TO CHANGE THE TERM "ALL-TERRAIN CYCLE" TO "ALL-TERRAIN VEHICLE"; TO AMEND REQUIREMENTS FOR REGISTRATION AND OPERATION OF ALL-TERRAIN VEHICLES; AND FOR OTHER PURPOSES.

House Bill No. 1462 was read the first time, rules suspended, read the second time and referred to the Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS.

HOUSE BILL NO. 1448
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE REEP

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE § 8-6-706(a)(1) TO CLARIFY THAT APPLICANTS FOR A SOLID WASTE LANDFILL PERMIT OR TRANSFER STATION PERMIT SHALL OBTAIN A CERTIFICATE OF NEED FROM THE APPROPRIATE SOLID WASTE MANAGEMENT BOARD; AND FOR OTHER PURPOSES.

House Bill No. 1448 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

HOUSE BILL NO. 1479
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE WAGNER

A Bill for an Act to be Entitled: AN ACT TO PROTECT THE HEALTH INSURANCE BENEFITS OF FULL-TIME EMPLOYEES OF PUBLIC SCHOOL DISTRICTS; AND FOR OTHER PURPOSES.

House Bill No. 1479 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

HOUSE BILL NO. 1492
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE MALOCH

A Bill for an Act to be Entitled: AN ACT TO AMEND THE LAW CONCERNING COUNTY ASSESSORS' CONTINUING EDUCATION; AND FOR OTHER PURPOSES.

House Bill No. 1492 was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY AND LOCAL AFFAIRS.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 19, 2007

Mr. President:

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

SENATE BILL NO. 271, BY SENATOR MALONE,

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 Malone, Senate Bill No. 271 was ordered re-referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

SENATE CONCURRENT RESOLUTION NO. 9
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR FARIS

A Bill for an Act to be Entitled: COMMENDING MR. FRED JACKSON OF MALVERN, ARKANSAS UPON HIS RETIREMENT.

Senate Concurrent Resolution No. 9 was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 331
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR R. THOMPSON
BY: REPRESENTATIVE E. BROWN

A Bill for an Act to be Entitled: AN ACT TO AMEND GARRETT'S LAW RELATING TO CHILD MALTREATMENT PREVENTION; AND FOR OTHER PURPOSES.

Senate Bill No. 331 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

SENATE BILL NO. 332
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MALONE

A Bill for an Act to be Entitled: AN ACT TO CLARIFY THE LAW REGARDING THE LICENSING OF SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS; AND FOR OTHER PURPOSES.

Senate Bill No. 332 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

SENATE BILL NO. 333
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MALONE

A Bill for an Act to be Entitled: AN ACT TO PROTECT THE HEALTH AND SAFETY OF ARKANSANS; TO LIST TRAMADOL AS A SCHEDULE IV CONTROLLED SUBSTANCE; AND FOR OTHER PURPOSES.

Senate Bill No. 333 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH WELFARE AND LABOR.

SENATE BILL NO. 334
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR STEELE

A Bill for an Act to be Entitled: AN ACT TO REQUIRE THAT OUT-OF-STATE TUITION PAID BY THE STATE OF ARKANSAS BE REPAID IF THE STUDENT DOES NOT RETURN TO THE STATE TO PRACTICE; AND FOR OTHER PURPOSES.

Senate Bill No. 334 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 19, 2007

Mr. President:

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

HOUSE BILL NO. 1036, BY SENATOR D. JOHNSON, 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 Whitaker, House Bill No. 1036 was ordered re-referred to the Committee on INSURANCE AND COMMERCE.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 19, 2007

Mr. President:

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

SENATE BILL NO. 86, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 175, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 194, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 220, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 257, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 261, BY JOINT BUDGET COMMITTEE,

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 Womack, **Senate Bill No. 86** was ordered re-referred to the Committee on JOINT BUDGET COMMITTEE.

On motion of Senator Womack, **Senate Bill No. 175** was ordered re-referred to the Committee on JOINT BUDGET COMMITTEE.

On motion of Senator Womack, **Senate Bill No. 194** was ordered re-referred to the Committee on JOINT BUDGET COMMITTEE.

On motion of Senator Womack, [Senate Bill No. 220](#) was ordered re-referred to the Committee on JOINT BUDGET COMMITTEE.

On motion of Senator Womack, [Senate Bill No. 257](#) was ordered re-referred to the Committee on JOINT BUDGET.

On motion of Senator Womack, [Senate Bill No. 261](#) was ordered re-referred to the Committee on JOINT BUDGET

* * * * *

SENATE BILLS TRANSMITTED TO THE HOUSE

AS PASSED

- SENATE BILL NO. 11
- SENATE BILL NO. 191
- SENATE BILL NO. 203
- SENATE BILL NO. 294

HOUSE BILLS RETURNED TO THE HOUSE

AS PASSED

- HOUSE BILL NO.1416

HOUSE BILLS RETURNED TO THE HOUSE

AS PASSED AS AMENDED

- HOUSE BILL NO. 1293, AS AMENDED NO. 1
- HOUSE BILL NO. 1357, AS AMENDED NO. 1

SENATE BILLS RETURNED FROM THE HOUSE
AS PASSED

SENATE BILL NO. 198

SENATE BILL NO. 201

SENATE BILL NO. 213

SENATE BILL NO. 246

SENATE BILLS RETURNED FROM THE HOUSE
AS PASSED AS AMENDED

SENATE BILL NO. 110, AS AMENDED NO. 1

HOUSE BILLS TRANSMITTED TO THE SENATE
AS PASSED

HOUSE BILL NO. 1341

HOUSE BILL NO. 1378

HOUSE BILL NO. 1387

HOUSE BILL NO. 1426

HOUSE BILL NO. 1427

HOUSE BILL NO. 1429

HOUSE BILL NO. 1431

HOUSE BILL NO. 1434

HOUSE BILL NO. 1435

HOUSE BILL NO. 1442

HOUSE BILL NO. 1443

HOUSE BILL NO. 1448

HOUSE BILL NO. 1449

HOUSE BILL NO. 1455

HOUSE BILL NO. 1457

HOUSE BILL NO. 1462

HOUSE BILL NO. 1466
HOUSE BILL NO. 1472
HOUSE BILL NO. 1473
HOUSE BILL NO. 1475
HOUSE BILL NO. 1479
HOUSE BILL NO. 1484
HOUSE BILL NO. 1492

On motion of Senator Whitaker, the Senate adjourned until 1:30 p.m., Tuesday, February 20, 2007.

PRESIDENT OF THE SENATE

SECRETARY OF THE SENATE

--ooOoo--

FORTY-FOURTH DAY'S PROCEEDINGS
SENATE CHAMBER
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

Little Rock, Arkansas

February 20, 2007

The Senate was called to order at 1:30 o'clock p.m. by the President.

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

ALTES, ARGUE, BAKER, BISBEE, BOOKOUT,
BROADWAY, 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.

The Senate was led in prayer by Pastor Darrel Kobs of St. John's
Lutheran Church of Russellville.

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 Wilkins, **Senate Bill No. 227** was withdrawn from the Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS, and placed back on second reading for purpose of Amendment No. 1 and No. 2.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 227

Amend **Senate Bill No. 227** as originally introduced:

Add Representatives Rosenbaum and Shelby as cosponsors to the bill

AND

Page 2, delete line 35 and substitute:
~~"wearing a seatbelt.~~

SECTION 4. This act is effective on January 1, 2008."

(SIGNED) SENATOR HENRY "HANK" WILKINS

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

(SIGNED) ANN CORNWELL, SECRETARY

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 2 to SENATE BILL NO. 227

Amend **Senate Bill No. 227** as originally introduced:

Page 2, delete line 35 and substitute:

~~"wearing a seat belt.~~

SECTION 4. Arkansas Code § 27-34-105 is amended to read as follows:
27-34-105. Exceptions to provisions.

The provisions of this chapter shall not apply when any one (1) of the following conditions exist:

(1) The motor vehicle is being used as an ambulance or other emergency vehicle;

(2) When an emergency exists that threatens:

(A) The life of any person operating a motor vehicle to whom this section otherwise would apply; or

(B) The life of any child who otherwise would be required to be restrained under this chapter; or

(3) If any child who would otherwise be required to be restrained under this chapter is physically unable because of medical reasons to use a child passenger safety seat system or seat safety belt, and the medical reasons are certified by a physician who states the nature of such medical conditions as well as the reason the use of a child passenger safety seat system or seat safety belt is inappropriate." ;

AND

appropriately renumber subsequent sections of the bill.

(SIGNED) SENATOR HENRY "HANK" WILKINS

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 227 was ordered engrossed.

On motion of Senator Salmon, **Senate Bill No. 266** 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. 266

Amend **Senate Bill No. 266** as engrossed, S2/8/07:

Page 10, delete lines 23 through 26 and substitute the following:

"(W) An employee or volunteer who enters the home of or has contact with an elderly person;"

AND

Page 10, line 27, delete "(Z)" and substitute "(X)"

AND

Page 10, line 29, delete "(AA)" and substitute "(Y)"

AND

Page 10, line 31, delete "(BB)" and substitute "(Z)"

(SIGNED) SENATOR SALMON

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 266 was ordered engrossed.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 20, 2007

Mr. President:

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

SENATE BILL NO. 227, BY SENATOR WILKINS,

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 Wilkins, **Senate Bill No. 227** was ordered re-referred to the Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 20, 2007

Mr. President:

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

SENATE BILL NO. 266, BY SENATOR SALMON, 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 Salmon, **Senate Bill No. 266** was ordered re-referred to the Committee on JUDICIARY.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 20, 2007

Mr. President:

We, your Committee on AGRICULTURE, ECONOMIC & INDUSTRIAL DEVELOPMENT, to whom was referred:

HOUSE BILL NO. 1005, BY REPRESENTATIVE WELLS,

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

Respectfully submitted,

(SIGNED) SENATOR JIM LUKER
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 20, 2007

Mr. President:

We, your Committee on CITY, COUNTY & LOCAL AFFAIRS, to whom was referred:

SENATE BILL NO. 287, BY SENATOR MADISON,
SENATE BILL NO. 298, BY SENATOR BISBEE,

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 IRMA HUNTER BROWN
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 20, 2007

Mr. President:

We, your Committee on CITY, COUNTY & LOCAL AFFAIRS, to whom was referred:

HOUSE BILL NO. 1359, BY REPRESENTATIVE EVERETT,
HOUSE BILL NO. 1447, BY REPRESENTATIVE OVERBEY,
HOUSE BILL NO. 1450, BY REPRESENTATIVE MEDLEY,

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 IRMA HUNTER BROWN
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 20, 2007

Mr. President:

We, your Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS,
to whom was referred:

SENATE BILL NO. 59, BY SENATOR FARIS,
SENATE BILL NO. 286, BY SENATOR MADISON,

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 STEVE FARIS
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 20, 2007

Mr. President:

We, your Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS,
to whom was referred:

HOUSE BILL NO. 1368, BY REPRESENTATIVE DUNN,

beg leave to report that we have had the same under consideration, and herewith
return the same with the recommendation that it do pass as amended No. 1
and No. 2.

Respectfully submitted,

(SIGNED) SENATOR STEVE FARIS
CHAIRMAN

SENATE BILL NO. 335
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR LAVERTY

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO
THE ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT
FOR THE PURCHASE OF REPLACEMENT VEHICLES FOR HUMAN SERVICE,
RURAL AND URBAN PUBLIC TRANSPORTATION PROVIDERS; AND FOR
OTHER PURPOSES.

Senate Bill No. 335 was read the first time, rules suspended, read the second
time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 336
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR WILKINS

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE UNIVERSITY OF ARKANSAS AT PINE BLUFF FOR THE DEVELOPMENT OF A STUDENT DIVERSITY CENTER; AND FOR OTHER PURPOSES.

Senate Bill No. 336 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 337
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR WILKINS

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE UNIVERSITY OF ARKANSAS AT PINE BLUFF FOR THE DEVELOPMENT OF PHASE I & II OF THE FIELD HOUSE/WELLNESS COMPLEX; AND FOR OTHER PURPOSES.

Senate Bill No. 337 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 338
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR BRYLES
BY: REPRESENTATIVES WAGNER AND T. BAKER

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS NORTHEASTERN COLLEGE FOR A CAMPUS TECHNOLOGY UPGRADE AND RENOVATION AT THE BURDETTE CENTER; AND FOR OTHER PURPOSES.

Senate Bill No. 338 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 339
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL IMPROVEMENT APPROPRIATIONS FOR THE DEPARTMENT OF CORRECTION; AND FOR OTHER PURPOSES.

Senate Bill No. 339 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 340
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL IMPROVEMENT APPROPRIATIONS FOR THE ARKANSAS COMMISSION ON LAW ENFORCEMENT STANDARDS AND TRAINING; AND FOR OTHER PURPOSES.

Senate Bill No. 340 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 341
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL IMPROVEMENT APPROPRIATIONS FOR THE DEPARTMENT OF ECONOMIC DEVELOPMENT; AND FOR OTHER PURPOSES.

Senate Bill No. 341 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 342
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL IMPROVEMENT APPROPRIATIONS FOR THE INSTITUTIONS OF HIGHER EDUCATION AND THE DEPARTMENT OF HIGHER EDUCATION; AND FOR OTHER PURPOSES.

Senate Bill No. 342 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 343
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL IMPROVEMENT APPROPRIATIONS FOR THE ARKANSAS GOVERNOR'S MANSION COMMISSION; AND FOR OTHER PURPOSES.

Senate Bill No. 343 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 344
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL IMPROVEMENT APPROPRIATIONS FOR THE SECRETARY OF STATE; AND FOR OTHER PURPOSES.

Senate Bill No. 344 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 345
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL IMPROVEMENT APPROPRIATIONS FOR THE ARKANSAS LIVESTOCK AND POULTRY COMMISSION; AND FOR OTHER PURPOSES.

Senate Bill No. 345 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 346
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL IMPROVEMENT APPROPRIATIONS FOR THE OFFICE OF INFORMATION TECHNOLOGY; AND FOR OTHER PURPOSES.

Senate Bill No. 346 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 347
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL IMPROVEMENT APPROPRIATIONS FOR THE ARKANSAS TEACHER RETIREMENT SYSTEM; AND FOR OTHER PURPOSES.

Senate Bill No. 347 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 348
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL IMPROVEMENT APPROPRIATIONS FOR THE DEPARTMENT OF PARKS AND TOURISM - ARKANSAS HISTORY COMMISSION; AND FOR OTHER PURPOSES.

Senate Bill No. 348 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 349
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL IMPROVEMENT APPROPRIATIONS FOR THE ARKANSAS BUILDING AUTHORITY; AND FOR OTHER PURPOSES.

Senate Bill No. 349 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 350
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL IMPROVEMENT APPROPRIATIONS FOR THE STATE CRIME LABORATORY; AND FOR OTHER PURPOSES.

Senate Bill No. 350 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 351
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL IMPROVEMENT APPROPRIATIONS FOR THE DEPARTMENT OF ARKANSAS STATE POLICE; AND FOR OTHER PURPOSES.

Senate Bill No. 351 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 352
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL IMPROVEMENT APPROPRIATIONS FOR THE DEPARTMENT OF WORKFORCE EDUCATION - ARKANSAS TECHNICAL CAREERS STUDENT LOAN FORGIVENESS PROGRAM; AND FOR OTHER PURPOSES.

Senate Bill No. 352 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 353
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL IMPROVEMENT APPROPRIATIONS FOR THE ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT; AND FOR OTHER PURPOSES.

Senate Bill No. 353 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 354
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR T. SMITH

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE UNIVERSITY OF ARKANSAS FOR THE ARKANSAS SCHOOL FOR MATHEMATICS, SCIENCES AND THE ARTS FOR IMPROVEMENTS; AND FOR OTHER PURPOSES.

Senate Bill No. 354 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

On motion of Senator Glover, Senate Bill No. 278 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. 278

Amend Senate Bill No. 278 as originally introduced:

Add Representative Overbey as a cosponsor

AND

Page 3, delete line 15 and substitute:

"L. No. 109-59, §§ 4301 et seq., as in effect on January 1, 2007."

AND

Page 3, delete line 29 and substitute:

"Carrier Registration Act of 2005, Pub. L. No. 109-59, §§ 4301 et seq., as in effect on January 1, 2007, and"

AND

Page 3, delete line 36 and substitute:

"(a) Any fees collected by the Director of the Department of Finance and Administration under this section shall be classified as special revenues and shall be deposited into the State Treasury.

(b) Upon receipt of the funds, and if not prohibited by the Unified Carrier Registration Act of 2005, Pub. L. No. 109-59, §§ 4301 et seq., as in effect on January 1, 2007, the Treasurer of State shall deduct three percent (3%) of the funds as a charge by the state for its services as specified in this section and shall credit the three percent (3%) to the Constitutional Officers Fund and the State Central Services Fund, as defined in the Revenue Classification Law of Arkansas, § 19-6-101 et seq., or to any successor State Treasury fund or funds established by law to replace the Constitutional Officers Fund and the State Central Services Fund.

(c) The net amount of the fees collected by the director under this section shall be transferred by the Treasurer of State on the last business day of each month to the State Highway and Transportation Department Fund and shall be distributed and expended in the manner directed by the Unified Carrier Registration Act of 2005, Pub. L. No. 109-59, as it existed on January 1, 2007, for the payment of expenses incurred by the Arkansas State Highway and Transportation Department for motor carrier law enforcement and safety operations."

AND

Page 4, delete lines 1 through 8.

AND

Page 4, delete line 12 and substitute:

"2005, Pub. L. No. 109-59, §§ 4301 et seq., as in effect on January 1, 2007, and who uses the highways of this"

(SIGNED) SENATOR GLOVER

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 278 was ordered engrossed.

On motion of Senator Whitaker, **Senate Bill No. 69** was withdrawn from the Committee on CITY, COUNTY & LOCAL 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. 69

Amend **Senate Bill No. 69** as engrossed, S2/13/07:

Page 1, line 28, delete "sole" and substitute "stated"

AND

Page 1, line 29, delete "(2)(A)" and substitute "(2)"

AND

Page 1, delete lines 32 through 36

AND

Page 2, delete line 1

AND

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

AND

Page 2, delete lines 14 through 18

AND

Page 2, delete lines 30 through 32

AND

Page 2, line 33, delete "(3)" and substitute "(2)"

AND

Page 2, delete line 35, and substitute the following:

"proceeding that a judge or jury find appropriate; and"

AND

Page 2, delete line 36

AND

Page 3, delete lines 1 through 6

AND

Page 3, line 7, delete "(4)" and substitute "(3)"

AND

Page 3, line 9, delete "compensation; and" and substitute "compensation."

AND

Page 3, delete lines 10 through 16

AND

Page 3, line 21, delete "natural gas, or" and substitute "natural gas, water, or"

(SIGNED) SENATOR RUTH WHITAKER

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 69 was ordered engrossed.

On motion of Senator Steele, **House Bill No. 1298** 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 HOUSE BILL NO. 1298

Amend **House Bill No. 1298** as originally introduced:

Page 4, delete lines 19 and 20 and substitute the following:
"14-2-308. [Reserved.]"

AND

Page 4, line 34, delete "(3) May" and substitute "(3)(A) May"

AND

Page 4, delete line 36 and substitute the following:
"301 et seq.

(B) Unless a county recorder has implemented the Uniform Real Property Electronic Recording Act, § 14-2-301 et seq., the transmission of an electronic document to the county recorder has no legal effect.

(C) A person that seeks to record an electronic document is solely responsible for determining if a county recorder has implemented the Uniform Real Property Electronic Recording Act, § 14-2-301 et seq."

(SIGNED) SENATOR TRACY STEELE

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1298 was ordered engrossed.

On motion of Senator Smith, the rules were suspended in considering **Senate Bill No. 304** at this time.

On motion of Senator Smith, **Senate Bill No. 304** was withdrawn from the Committee on STATE AGENCIES & GOVERNMENTAL 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. 304

Amend **Senate Bill No. 304** as originally introduced:

Page 5, delete line 8 and substitute the following:

"(1) The manufacturer may sell to the consumer at the winery; ~~in~~"

AND

Page 5, line 12, delete "~~(2)~~(1)" and substitute "(2)"

AND

Page 5, line 14, delete "~~(3)~~(2)" and substitute "(3)"

AND

Page 5, line 23, delete "~~(c)~~(1)" and substitute "(c)(1)"

AND

Page 5, delete lines 28 through 31 and substitute the following:

~~(2)(A)~~ An individual who purchases native Arkansas wine at the winery may transport the wine under this section, pursuant to § 3-5-504 or may have the purchase shipped to him or her at the individual's home by common carrier or appropriate parcel delivery service."

AND

Page 6, line 6, delete "~~or off-premises~~" and substitute "or off-premises"

AND

Page 6, line 10, delete "~~or off-premises~~" and substitute "or off-premises"

(SIGNED) SENATOR T. SMITH

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 304 was ordered engrossed.

The President declared the morning hour to have expired.

On motion of Senator Miller, **Senate Bill No. 295** was called up for third reading and final disposition.

**SENATE BILL NO. 295
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MILLER**

A Bill for an Act to be Entitled: AN ACT TO AMEND PORTIONS OF ARKANSAS LAW RELATED TO DAMAGED MOTOR VEHICLES; AND FOR OTHER PURPOSES.

Senator Altes spoke against the Bill.

Senator Miller closed for the Bill.

Senate Bill No. 295 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: Argue, Bisbee, Bookout, Brown, Bryles, Crumbly, Faris, Glover, Hendren, Hill, Horn, J. Jeffress, Laverty, Luker, Madison, Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, R. Thompson, Trusty, Wilkins, Wilkinson, Womack.

Total26

NEGATIVE: Altes.

Total1

ABSENT OR NOT VOTING: Baker, Broadway, Capps, Critcher, G. Jeffress, B. Johnson, J. Taylor, Whitaker.

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. 295 was ordered immediately transmitted to the House as passed.

On motion of Senator Pritchard, **House Bill No. 1230** was called up for third reading and final disposition.

HOUSE BILL NO. 1230

As Engrossed: S2/15/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES PATTERSON, ADCOCK, ALLEN, ET AL,

BY: SENATORS B. PRITCHARD, R. THOMPSON & TRUSTY

A Bill for an Act to be Entitled: AN ACT TO ESTABLISH A WAITING PERIOD OF SIX (6) YEARS AFTER THE DATE OF DENIAL OF AN APPLICATION FOR EXECUTIVE CLEMENCY FOR PERSONS SENTENCED TO LIFE IMPRISONMENT WITHOUT PAROLE FOR FILING A NEW APPLICATION FOR EXECUTIVE CLEMENCY; TO ALLOW THE PAROLE BOARD TO WAIVE THE WAITING PERIOD UNDER CERTAIN CIRCUMSTANCES; AND FOR OTHER PURPOSES.

Senator Luker spoke against the Bill.

Sentor Lavery spoke for the Bill.

Senator Wilkinson spoke for the Bill.

House Bill No. 1230 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, Crumbly, Faris, Glover, Hendren, Horn, G. Jeffress, J. Jeffress, B. Johnson, Lavery, Malone, Miller, B. Pritchard, T. Smith, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkinson, Womack.

Total23

NEGATIVE: Argue, Luker, Steele.

Total3

ABSENT OR NOT VOTING: Broadway, Brown, Bryles, Capps, Critcher, Hill, Madison, Salmon, Wilkins.

Total9

VOTING PRESENT:

Total0

Total number of votes cast26

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senator Pritchard gave notice that, within the time prescribed by the rules, he would move to reconsider the vote by which **House Bill No. 1230** passed, and motion be laid upon the table, motion prevailed, laid upon the table.

House Bill No. 1230 was ordered immediately returned to the House as passed as amended.

On motion of Senator Womack, the rules were suspended in considering **House Bill No. 1427** at this time.

On motion of Senator Womack, **House Bill No. 1427** 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. 1427

Amend **House Bill No. 1427** as engrossed H2/14/07:

Page 2, line 8, delete "eight (8)" and substitute "twelve (12)"

AND

Page 2, lines 9 and 10, delete “each be appointed for a term of two (2)” and substitute “be appointed for staggered terms of four (4)”

AND

Page 2, line 15, delete “and”

AND

Page 2, delete line 20 and substitute the following:

“(4) congressional districts of the state; and

(C)(i) Four (4) members shall be appointed by the Governor.

(ii) In making the appointments, the Governor shall appoint one (1) member from each of the four (4) congressional districts of the state.”

AND

Page 3, delete lines 33 and 34 and substitute the following:

“(b)(1) Grant applications shall be considered in three (3) cycles during a biennial period. One third (1/3) of the moneys appropriated and available to the commission for grants during the biennium should be awarded during each cycle.

(2)(A) Grant application deadlines shall be as follows:

(i) Cycle 1 grant applications shall be filed in odd numbered years by May 15, and the commission shall make cycle 1 grant awards by June 30;

(ii) Cycle 2 grant applications shall be filed in odd numbered years by September 15, and the commission shall make cycle 2 grant awards by October 31; and

(iii) Cycle 3 grant applications shall be filed in even numbered years by March 15, and the commission shall make cycle 3 grant awards by April 30.

(B) If a deadline occurs on a Saturday, Sunday, or legal holiday, the”

AND

Page 4, delete lines 30 through 33

AND

Page 4, line 34, delete “(c)” and substitute “(b)”

AND

Page 5, line 10, delete “(d)” and substitute “(c)”

AND

Page 6, delete lines 21 through 23 and substitute the following:

“(2) Determine their terms by lot, so that for the appointments made by each appointing officer:

(A) One (1) appointee serves for a term of one (1) year;

(B) One (1) appointee serves for a term of two (2) years;

(C) One (1) appointee serves for a term of three (3) years; and

(D) One (1) appointee serves for a term of four (4) years.

(3) Approve grant application forms and grant instructions; and

(4) Transact such other business as may be necessary to implement the grant program.”

(SIGNED) SENATOR WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1427 was ordered engrossed.

SENATE BILL NO. 355
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR SALMON

A Bill for an Act to be Entitled: AN ACT TO AMEND VARIOUS SECTIONS OF THE ARKANSAS CODE CONCERNING THE SALE OF TAX DELINQUENT LANDS; AND FOR OTHER PURPOSES.

Senate Bill No. 355 was read the first time, rules suspended, read the second time and referred to the Committee on REVENUE & TAXATION.

Senate Concurrent Memorial Resolution No. 2 was returned from the House as concurred in and ordered enrolled.

Senate Bill No. 55 was returned from the House as passed and ordered enrolled.

Senate Bill No. 187 was returned from the House as passed and ordered enrolled.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 20, 2007

Mr. President:

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

SENATE BILL NO. 69, BY SENATOR WHITAKER, 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 Whitaker, Senate Bill No. 69 was ordered re-referred to the Committee on CITY, COUNTY & LOCAL AFFAIRS.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 20, 2007

Mr. President:

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

SENATE BILL NO. 304, BY SENATOR T. SMITH, 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 Smith, **Senate Bill No. 304** was ordered re-referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 20, 2007

Mr. President:

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

SENATE BILL NO. 278, BY SENATOR GLOVER,

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

SENATE BILL NO. 356
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

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

BY: REPRESENTATIVES E. BROWN, FLOWERS, T. BRADFORD, CHEATHAM,
MAXWELL, REEP & MOORE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE SOUTHEAST ARKANSAS COLLEGE FOR THE SECONDARY CENTER OF EXCELLENCE TECHNOLOGIES COMPLEX; AND FOR OTHER PURPOSES.

Senate Bill No. 356 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 357
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR HORN

A Bill for an Act to be Entitled: AN ACT TO REDUCE THE AMOUNT OF TIME ALLOTTED FOR INDEPENDENT AUDITS UNDER THE SELF-INSURED FIDELITY BOND PROGRAM; AND FOR OTHER PURPOSES.

Senate Bill No. 357 was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE & COMMERCE.

HOUSE BILL NO. 1367
As Engrossed: H2/13/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE DUNN
BY: SENATOR T. SMITH

A Bill for an Act to be Entitled: AN ACT TO AMEND § 23-3-201 TO PROVIDE THAT A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY IS NOT REQUIRED FOR REPLACING OR EXPANDING AN EXISTING FACILITY OR TO INCREASE A FACILITY'S CAPACITY IF THE EXISTING RIGHT-OF-WAY IS NOT INCREASED; AND FOR OTHER PURPOSES.

House Bill No. 1367 was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE & COMMERCE.

HOUSE BILL NO. 1454
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES D. JOHNSON AND GARNER

A Bill for an Act to be Entitled: AN ACT TO DISCONTINUE THE ARKANSAS ADVISORY COMMISSION ON MANDATED HEALTH INSURANCE BENEFITS; AND FOR OTHER PURPOSES.

House Bill No. 1454 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 20, 2007

Mr. President:

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

HOUSE BILL NO. 1298, BY REPRESENTATIVE HARRELSON, 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 Steele, House Bill No. 1298 was ordered re-referred to the Committee on CITY, COUNTY & LOCAL AFFAIRS.

SENATE BILL NO. 358
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR GLOVER

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF RURAL SERVICES FOR LOCAL GRANTS; AND FOR OTHER PURPOSES.

Senate Bill No. 358 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 359
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR T. SMITH

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE NATIONAL PARK COMMUNITY COLLEGE FOR CLASSROOM AND INFRASTRUCTURE TECHNOLOGY IMPROVEMENTS; AND FOR OTHER PURPOSES.

Senate Bill No. 359 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 20, 2007

Mr. President:

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

SENATE BILL NO. 198, BY SENATOR FARIS, BROADWAY,
SENATE BILL NO. 201, BY SENATOR HILL,
REPRESENTATIVE SULLIVAN,
SENATE BILL NO. 213, BY SENATOR HILL,
SENATE BILL NO. 246, BY SENATOR WILKINSON,
REPRESENTATIVE PATE & WELLS,

beg leave to report that we have carefully compared the enrolled copies with the original and we find the same correctly enrolled and have at 2:40 p.m. delivered them to the Governor for his approval.

Respectfully submitted,

(SIGNED) HENRY "HANK" WILKINS, IV
CHAIRMAN

GOVERNOR'S BILL RECEIPTS

SENATE BILL NO. 198
SENATE BILL NO. 201
SENATE BILL NO. 213
SENATE BILL. NO. 246

RECEIVED the above papers from the Secretary of the Senate this 20th day of February 2007 at 2:40 p.m..

(SIGNED) MIKE BEEBE
Governor

(SIGNED) J. Marc Harrison
Secretary

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 20, 2007

Mr. President:

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

HOUSE BILL NO. 1427, BY REPRESENTATIVES THYER, 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, **House Bill No. 1427** was ordered re-referred to the Committee on JOINT BUDGET.

SENATE CONCURRENT RESOLUTION NO. 10
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR FARIS

SENATE CONCURRENT RESOLUTION ENCOURAGING THE COUNTRY
MUSIC HALL OF FAME TO ADD THE BROWNS TO ITS MEMBERSHIP.

Senate Concurrent Resolution No. 10 was read the first time, rules suspended,
read the second time and placed on the Calendar.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 20, 2007

Mr. President:

We, your Committee on JOINT COMMITTEE ON PUBLIC RETIREMENT AND SOCIAL SECURITY PROGRAMS, to whom was referred:

SENATE BILL NO. 57, BY SENATOR FARIS,

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

Respectfully submitted,

(SIGNED) SENATOR JIMMY JEFFRESS
CO-CHAIRMAN

SENATE BILL NO. 360
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR HORN

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE SAU-TECH FOR THE AIR POWER SCHOOL EXPENSES; AND FOR OTHER PURPOSES.

Senate Bill No. 360 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 361
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS HORN, CRUMBLY, MADISON, T. SMITH & TRUSTY
BY: REPRESENTATIVES KEY, BERRY, EDWARDS, ET AL

A Bill for an Act to be Entitled: AN ACT TO REVISE THE MINIMUM WAGE LAW ALLOWANCE FOR GRATUITIES; AND FOR OTHER PURPOSES.

Senate Bill No. 361 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

SENATE BILL NO. 362
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR CRUMBLY

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE UNIVERSITY OF ARKANSAS FOR MEDICAL SCIENCES FOR THE AREA HEALTH EDUCATION CENTER IN PHILLIPS COUNTY; AND FOR OTHER PURPOSES.

Senate Bill No. 362 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 363
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR HILL

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF EDUCATION - EDUCATIONAL TELEVISION DIVISION FOR HONORING ARKANSAS' WAR HEROES PROJECT; AND FOR OTHER PURPOSES.

Senate Bill No. 363 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 364
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR HILL

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION - DISBURSING OFFICER FOR THE ARKANSAS PROSTATE CANCER FOUNDATION; AND FOR OTHER PURPOSES.

Senate Bill No. 364 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 365
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR HILL

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS AGRICULTURE DEPARTMENT - LIVESTOCK AND POULTRY COMMISSION FOR STATE FAIRGROUNDS EXPENSES; AND FOR OTHER PURPOSES.

Senate Bill No. 365 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

* * * * *

SENATE BILLS TRANSMITTED TO THE HOUSE
AS PASSED

SENATE BILL NO. 295

HOUSE BILLS RETURNED TO THE HOUSE
AS PASSED AS AMENDED

HOUSE BILL NO. 1230 AS AMENDED NO. 2, NO. 3

SENATE BILLS RETURNED FROM THE HOUSE
AS PASSED

SENATE BILL NO. 55
SENATE BILL NO. 187

SENATE CONCURRENT MEMORIAL RESOLUTION RETURNED TO THE
SENATE AS CONCURRED IN

SENATE CONCURRENT MEMORIAL RESOLUTION NO. 2

HOUSE BILLS TRANSMITTED TO THE SENATE
AS PASSED

HOUSE BILL NO. 1367

HOUSE BILL NO. 1454

On motion of Senator Whitaker, the Senate adjourned until 1:30 p.m.,
Wednesday, February 21, 2007.

PRESIDENT OF THE SENATE

SECRETARY OF THE SENATE

--ooOoo--

**FORTY-FIFTH DAY'S PROCEEDINGS
SENATE CHAMBER
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION**

Little Rock, Arkansas

February 21, 2007

The Senate was called to order at 1:30 o'clock p.m. by the President.

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

ALTES, ARGUE, BAKER, BISBEE, BOOKOUT,
BROADWAY, 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.

The Senate was led in prayer by Senator Broadway.

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 Salmon, **Senate Bill No. 163** 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. 163

Amend **Senate Bill No. 163** as originally introduced:

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

"SECTION 1. Arkansas Code Title 24, Chapter 4, Subchapter 5 is amended to add an additional section to read as follows:

24-4-524. Credited service for police chiefs and fire chiefs.

A member of the Arkansas Public Employees' Retirement System shall receive credit for employment as a police chief or fire chief at two (2) times the regular rate for crediting service.

SECTION 2. Arkansas Code Title 24, Chapter 10, Subchapter 5 is amended to add an additional section to read as follows:

24-10-511. Credited service for police chiefs and fire chiefs.

A member of the Arkansas Local Police and Fire Retirement System shall receive credit for employment as a police chief or fire chief at two (2) times the regular rate for crediting service.

SECTION 3. Arkansas Code Title 24, Chapter 11, Subchapter 1 is amended to add an additional section to read as follows:

24-11-106. Credited service for police chiefs and fire chiefs.

The board of trustees of the local fire and police pension funds shall credit employment by a member as a police chief or fire chief at two (2) times the regular rate for crediting service."

(SIGNED) SENATOR SALMON

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 163 was ordered engrossed.

On motion of Senator J. Jeffress, **Senate Bill No. 45** was withdrawn from the Committee on EDUCATION, 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. 45

Amend **Senate Bill No. 45** as as engrossed, S2/1/07:

Page 1, line 26, delete "(2)(A)" and substitute "(2)"

AND

Page 1, delete lines 29 and 30

(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. 45 was ordered engrossed.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 21, 2007

Mr. President:

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

SENATE BILL NO. 45, 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. 45** was ordered re-referred to the Committee on EDUCATION.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 21, 2007

Mr. President:

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

SENTE BILL NO. 163, BY SENATOR SALMON,

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 Salmon, **Senate Bill No. 163** was ordered re-referred to the Committee on JOINT RETIREMENT AND SOCIAL SECURITY.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 21, 2007

Mr. President:

We, your Committee on EDUCATION, to whom was referred:

SENATE RESOLUTION NO. 7, BY SENATOR BOOKOUT,

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

Respectfully submitted,

(SIGNED) SENATOR J. ARGUE
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 21, 2007

Mr. President:

We, your Committee on EDUCATION, to whom was referred:

SENATE BILL NO. 231, BY SENATOR LAVERTY,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that it do pass as amended No. 1.

Respectfully submitted,

(SIGNED) SENATOR J. ARGUE
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 21, 2007

Mr. President:

We, your Committee on EDUCATION, to whom was referred:

HOUSE BILL NO. 1431, BY REPRESENTATIVE BLOUNT,
HOUSE BILL NO. 1466, BY REPRESENTATIVE WOOD,

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 J. ARGUE
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 21, 2007

Mr. President:

We, your Committee on JOINT BUDGET, to whom was referred:

HOUSE BILL NO. 1427, BY REPRESENTATIVE THYER,

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

Respectfully submitted,

(SIGNED) SENATOR SHAWN. WOMACK
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 21, 2007

Mr. President:

We, your Committee on JUDICIARY, to whom was referred:

SENATE BILL NO. 89, BY SENATOR J. TAYLOR,
SENATE BILL NO. 216, BY SENATOR HENDREN,
SENATE BILL NO. 235, BY SENATOR WOMACK,
SENATE BILL NO. 240, BY SENATOR LUKER,
SENATE BILL NO. 241, BY SENATOR LUKER,
SENATE BILL NO. 243, BY SENATOR LUKER,

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 ED WILKINSON
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 21, 2007

Mr. President:

We, your Committee on JUDICIARY, to whom was referred:

SENATE BILL NO. 239, BY SENATOR LUKER,
SENATE BILL NO. 242, BY SENATOR LUKER,
SENATE BILL NO. 277, BY SENATOR WOMACK,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that they do pass as amended No. 1.

Respectfully submitted,

(SIGNED) SENATOR ED WILKINSON
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 21, 2007

Mr. President:

We, your Committee on JUDICIARY, to whom was referred:

HOUSE BILL NO. 1288, BY REPRESENTATIVE E. BROWN,
HOUSE BILL NO. 1333, BY REPRESENTATIVE D. JOHNSON,
HOUSE BILL NO. 1334, BY REPRESENTATIVE D. JOHNSON,
HOUSE BILL NO. 1370, BY REPRESENTATIVE S. PRATER,
HOUSE BILL NO. 1473, BY REPRESENTATIVE D. HUTCHINSON,
HOUSE BILL NO. 1475, BY REPRESENTATIVE POWERS,

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 ED WILKINSON
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 21, 2007

Mr. President:

We, your Committee on JUDICIARY, to whom was referred:

HOUSE BILL NO. 1068, BY REPRESENTATIVE RAGLAND,
HOUSE BILL NO. 1400, BY REPRESENTATIVE WILLS

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that they do pass as amended No. 1.

Respectfully submitted,

(SIGNED) SENATOR ED WILKINSON
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 21, 2007

Mr. President:

We, your Committee on JUDICIARY, to whom was referred:

HOUSE BILL NO. 1310, BY REPRESENTATIVE CREEKMORE,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that they do pass as amended No. 2.

Respectfully submitted,

(SIGNED) SENATOR ED WILKINSON
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 21, 2007

Mr. President:

We, your Committee on PUBLIC HEALTH, WELFARE AND LABOR, to whom was referred:

SENATE BILL NO. 270, BY SENATOR MALONE,

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 BARBARA HORN
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 21, 2007

Mr. President:

We, your Committee on PUBLIC HEALTH, WELFARE AND LABOR, to whom was referred:

SENATE BILL NO. 276, BY SENATOR T. SMITH,

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 CRITCHER
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 21, 2007

Mr. President:

We, your Committee on PUBLIC HEALTH, WELFARE AND LABOR, to whom was referred:

HOUSE BILL NO. 1229, BY REPRESENTATIVE PACE,

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

Respectfully submitted,

(SIGNED) SENATOR BARBARA HORN
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 21, 2007

Mr. President:

We, your Committee on PUBLIC HEALTH, WELFARE AND LABOR, to whom was referred:

HOUSE BILL NO. 1173, BY REPRESENTATIVE ANDERSON,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that they do pass as amended No. 1 and No. 2.

Respectfully submitted,

(SIGNED) SENATOR BARBARA HORN
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 21, 2007

Mr. President:

We, your Committee on PUBLIC HEALTH, WELFARE AND LABOR
, to whom was referred:

HOUSE BILL NO. 1289, BY REPRESENTATIVE BURRIS,

beg leave to report that we have had the same under consideration, and herewith
return the same with the recommendation that they do pass as amended No. 1.

Respectfully submitted,

(SIGNED) SENATOR CRITCHER
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 21, 2007

Mr. President:

We, your Committee on PUBLIC HEALTH, WELFARE AND LABOR,
to whom was referred:

HOUSE BILL NO. 1363, BY REPRESENTATIVE KEY,
HOUSE BILL NO. 1364, BY REPRESENTATIVE KEY,

beg leave to report that we have had the same under consideration, and herewith
return the same with the recommendation that they do pass as amended No. 1.

Respectfully submitted,

(SIGNED) SENATOR BARBARA HORN
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 21, 2007

Mr. President:

We, your Committee on REVENUE AND TAXATION, to whom was referred:

SENATE BILL NO. 308, BY SENATOR CRITCHER,

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

Respectfully submitted,

(SIGNED) SENATOR JIM HILL
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 21, 2007

Mr. President:

We, your Committee on REVENUE AND TAXATION, to whom was referred:

HOUSE BILL NO. 1184, BY REPRESENTATIVE S. PRATER,
HOUSE BILL NO. 1376, BY REPRESENTATIVE HOUSE,
HOUSE BILL NO. 1420, BY REPRESENTATIVE MAXWELL,
HOUSE BILL NO. 1443, BY REPRESENTATIVE ANDERSON,

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 JIM HILL
CHAIRMAN

On motion of Senator Critcher, the Senate resolved itself into the Committee of the Whole for the purpose of honoring Charles O. Cranford, DDS, MPA.

Without objection, the Committee of the Whole was dissolved, and the Senate took up its regular order of business.

STATE OF ARKANSAS
OFFICE OF THE GOVERNOR

STATE CAPITOL
LITTLE ROCK, ARKANSAS

MIKE BEEBE
Governor

February 21, 2007

TO THE PRESIDENT OF THE SENATE

Dear Mr. President:

This is to inform you that on February 21, 2007, I approved the following measures from the Regular Session of the Eighty-sixth General Assembly:

Senate Bill 108--ACT 126,
Senate Bill 143--ACT 127,
Senate Bill 189--ACT 128,
Senate Bill 198--ACT 129,
Senate Bill 201--ACT 130,
Senate Bill 211--ACT 131,
Senate Bill 212--ACT 132,
Senate Bill 213--ACT 133,
Senate Bill 215--ACT 134,
Senate Bill 246--ACT 135,

Sincerely,

(SIGNED) MIKE BEEBE
Governor

SENATE BILL NO. 366
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR T. SMITH

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF ARKANSAS STATE POLICE FOR BUILDING CONSTRUCTION IN HOT SPRINGS; AND FOR OTHER PURPOSES.

Senate Bill No. 366 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

On motion of Senator Womack, **House Bill No. 1423** was withdrawn from the Committee on STATE AGENCIES AND GOVERNMENTAL 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 HOUSE BILL NO. 1423

Amend **House Bill No. 1423** as originally introduced:

Page 6, line 8 add the following:

"SECTION 6. Arkansas Code § 19-5-999(a), concerning the creation of the Individual Development Account Trust Fund, is amended to read as follows:

(a) There is hereby created on the books of the Treasurer of State, the Auditor of State, and the Chief Fiscal Officer of the State a trust fund for the ~~Department of Human Services~~ Department of Workforce Services to be designated the "Individual Development Account Trust Fund".

(SIGNED) SENATOR WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1423 was ordered engrossed.

On motion of Senator Faris, **House Bill No. 1368** was placed back on second reading for purpose of Amendment No. 1, 2.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to HOUSE BILL NO. 1368

Amend **House Bill No. 1368** as engrossed H2/8/07:

Page 2, delete lines 23 and 24, and substitute the following:

"(3) A member may serve two (2) non-consecutive terms."

AND

Page 2, line 29, delete "Six (6) members" and substitute "Four (4) members"

AND

Page 2, line 32, delete "electrologist" and substitute "nail technician"

AND

Page 2, delete lines 33 through 36, and substitute the following:

"(3) Two (2) members shall be owners of a licensed school of cosmetology;

(4) One (1) member shall be a director of cosmetology at a state-supported school who is also a licensed instructor; and

(5) One (1) member shall be a licensed aesthetician."

(SIGNED) SENATOR FARIS

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

(SIGNED) ANN CORNWELL, SECRETARY

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 2 to HOUSE BILL NO. 1368

Amend **House Bill No. 1368** as engrossed, H2/8/07:

Immediately following SECTION 1, add an additional section to read as follows:

"SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that because of issues and widespread problems that have arisen with the current composition and requirements of the State Board of Cosmetology, this act changes the composition and requirements of the board; that the public has spoken clearly on these needed changes; and that this act is necessary because deficiencies in the cosmetology industry require immediate redress. 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."

(SIGNED) SENATOR FARRIS

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1368 was ordered engrossed.

On motion of Senator Baker, the rules were suspended in considering **House Bill No. 1400** at this time.

On motion of Senator Baker, **House Bill No. 1400** 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. 1400

Amend **House Bill No. 1400** as engrossed, H2/14/07:
Page 1, line 14, delete "R. Thompson" as a co-sponsor of the bill.

(SIGNED) SENATOR R. THOMPSON

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1400 was ordered engrossed.

The President declared the morning hour to have expired.

On motion of Senator Madison, **Senate Bill No. 286** was called up for third reading and final disposition.

SENATE BILL NO. 286
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MADISON
BY: REPRESENTATIVE EDWARDS

A Bill for an Act to be Entitled: AN ACT CLARIFYING THE USE OF SPECIAL ABSENTEE BALLOTS BY MILITARY VOTERS; AND FOR OTHER PURPOSES.

Senate Bill No. 286 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
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. 286 was ordered immediately transmitted to the House as passed.

On motion of Senator Bisbee, **Senate Bill No. 298** was called up for third reading and final disposition.

SENATE BILL NO. 298
As Engrossed: S2/15/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR BISBEE
BY: REPRESENTATIVES ANDERSON AND MEDLEY

A Bill for an Act to be Entitled: AN ACT TO CLARIFY THE EXEMPTIONS TO THE DEFINITION OF “DEVELOPMENT IMPACT FEE”; TO PROVIDE FOR A REFUND OF CERTAIN FEES; AND FOR OTHER PURPOSES.

Senate Bill No. 298 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, Broadway, Brown, Bryles, Capps, Critcher, Crumbly, Faris, Hendren, Hill, Horn, G. Jeffress, J. Jeffress, B. Johnson, Lavery, Luker, Madison, Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, Trusty, Whitaker, Wilkins, Wilkinson, Womack.

Total32

NEGATIVE: Argue, Glover, R. Thompson.

Total3

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

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. 298 was ordered immediately transmitted to the House as passed.

On motion of Senator Glover, **Senate Bill No. 278** was called up for third reading and final disposition.

SENATE BILL NO. 278
As Engrossed: S2/20/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR GLOVER
BY: REPRESENTATIVE OVERBEY

A Bill for an Act to be Entitled: AN ACT TO IMPLEMENT THE FEDERAL UNIFIED CARRIER REGISTRATION ACT OF 2005 PERTAINING TO THE REGISTRATION OF MOTOR CARRIERS ENGAGED IN INTERSTATE COMMERCE; AND FOR OTHER PURPOSES.

Senate Bill No. 278 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, Argue, Baker, Bisbee, Bookout, Broadway, 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	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
Necessary to the passage of the bill	18

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. 278**, 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, Argue, Baker, Bisbee, Bookout, Broadway, 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	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
Necessary to the adoption of the Emergency Clause	24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 278 was ordered immediately transmitted to the House.

On motion of Senator Altes, **House Bill No. 1450** was called up for third reading and final disposition.

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 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, Argue, Baker, Bisbee, Bookout, Broadway, 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	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
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. 1450 was ordered immediately returned to the House as passed.

On motion of Senator Altes, **House Bill No. 1447** was called up for third reading and final disposition.

**HOUSE BILL NO. 1447
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION**

BY: REPRESENTATIVES OVERBEY, T. BAKER, BLOUNT ET AL

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 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, Argue, Baker, Bisbee, Bookout, Broadway, 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	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
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. 1447 was ordered immediately returned to the House as passed.

On motion of Senator Bookout, **House Bill No. 1274** was called up for third reading and final disposition.

**HOUSE BILL NO. 1274
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE CREEKMORE
BY: SENATOR BOOKOUT**

A Bill for an Act to be Entitled: AN ACT REGARDING DISCLOSURE OF INFORMATION REGARDING A SEX OFFENDER TO STUDENTS AT INSTITUTIONS OF HIGHER EDUCATION; AND FOR OTHER PURPOSES.

House Bill No. 1274 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, Argue, Baker, Bisbee, Bookout, Broadway, 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	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
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. 1274 was ordered immediately returned to the House as passed.

On motion of Senator J. Jeffress, **House Bill No. 1405** was called up for third reading and final disposition.

**HOUSE BILL NO. 1405
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE BURRIS**

A Bill for an Act to be Entitled: AN ACT TO PROVIDE THAT A DISABLED VETERAN MAY RECEIVE AN ADDITIONAL SPECIAL LICENSE PLATE FOR A NOMINAL FEE; AND FOR OTHER PURPOSES.

House Bill No. 1405 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, Argue, Baker, Bisbee, Bookout, Broadway, 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	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
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. 1405 was ordered immediately returned to the House as passed.

On motion of Senator Womack, **Senate Bill No. 64** was withdrawn from the Committee on JOINT BUDGET, 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. 64

Amend **Senate Bill No. 64** as originally introduced:

Page 2, line 23, delete "84,151 86,491" and substitute "89,735 92,567"

AND

Page 2, line 29, delete "\$ 587,961 \$ 597,647" and substitute "\$ 593,545 \$ 603,723".

(SIGNED) SENATOR SHAWN A WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 64 was ordered engrossed.

On motion of Senator Womack, the Senate resolved itself into the Committee of the Whole for the purpose of Joint Budget Bill.

Without objection, the Committee of the Whole was dissolved, and the Senate took up its regular order of business.

On motion of Senator Womack, **House Bill No. 1060** was called up for third reading and final disposition.

**HOUSE BILL NO. 1060
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE**

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR OPERATING EXPENSES FOR THE ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY WHICH SHALL BE SUPPLEMENTAL AND IN ADDITION TO THOSE FUNDS APPROPRIATED BY ACT 2022 OF 2005; AND FOR OTHER PURPOSES.

House Bill No. 1060 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35
 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 **House Bill No. 1060**, 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, Argue, Baker, Bisbee, Bookout, Broadway, 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.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1060 was ordered immediately returned to the House as passed.

SENATE BILL NO. 367
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS J. TAYLOR, J. JEFFRESS & WILKINS
BY: REPRESENTATIVES T. BRADFORD, E. BROWN ET AL

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS NATURAL RESOURCES COMMISSION FOR ARKANSAS RIVER REGIONAL INTERMODEL FACILITIES AUTHORITY; AND FOR OTHER PURPOSES.

Senate Bill No. 367 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 368
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS WILKINSON, BAKER & SALMON
BY: REPRESENTATIVES THYER, ROSENBAUM, ET AL

A Bill for an Act to be Entitled: AN ACT TO AUTHORIZE THE STATE BANK DEPARTMENT TO OWN, ACQUIRE, OR CONSTRUCT SUITABLE OFFICES; TO AUTHORIZE THE STATE BANK DEPARTMENT TO OBTAIN THE NECESSARY FUNDS FOR THE ACQUISITION OR CONSTRUCTION OF SUITABLE OFFICES; AND FOR OTHER PURPOSES.

Senate Bill No. 368 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES AND GOVERNMENTAL AFFAIRS.

SENATE BILL NO. 369
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MADISON
BY: REPRESENTATIVE WEBB

A Bill for an Act to be Entitled: AN ACT TO AMEND THE CHILD MALTREATMENT ACT; AND FOR OTHER PURPOSES.

Senate Bill No. 369 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

SENATE BILL NO. 370
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
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.

Senate Bill No. 370 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

SENATE BILL NO. 371
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MALONE
BY: REPRESENTATIVES MALOCH AND HARDY

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE SOUTHERN ARKANSAS UNIVERSITY FOR DESIGN AND CONSTRUCTION OF A UNIVERSITY SCIENCE CENTER BUILDING AND IMPROVEMENTS TO VARIOUS OTHER CAMPUS FACILITIES; AND FOR OTHER PURPOSES.

Senate Bill No. 371 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

Senate Bill No. 273 was returned from the House as passed and ordered enrolled.

Senate Concurrent Resolution No. 6 was returned from the House as concurred in and ordered enrolled.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 21, 2007

Mr. President:

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

SENATE BILL NO. 64, BY JOINT BUDGET COMMITTEE,

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. 64** was ordered re-referred to the Committee on JOINT BUDGET.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 21, 2007

Mr. President:

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

HOUSE BILL NO. 1400, BY REPRESENTATIVE WILLS, 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

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 21, 2007

Mr. President:

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

HOUSE BILL NO. 1368, BY REPRESENTATIVE DUNN, ET AL,
HOUSE BILL NO. 1423, BY REPRESENTATIVE KEY, 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

On motion of Senator Faris, **House Bill No. 1368** was ordered re-referred to the Committee on STATE AGENCIES AND GOVERNMENTAL AFFAIRS.

On motion of Senator Senator Womack, **House Bill No. 1423** was ordered re-referred to the Committee on STATE AGENCIES AND GOVERNMENTAL AFFAIRS.

SENATE MEMORIAL RESOLUTION NO. 3
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS T. SMITH AND FARIS

SENATE RESOLUTION IN HONOR OF THE LATE Q. BYRUM HURST SR.,
A HOT SPRINGS NATIVE AND ONE OF ARKANSAS' BEST KNOWN POLITICAL
FIGURES.

Senate Memorial Resolution No. 3 was read the first time, rules suspended,
read the second time and placed on the Calendar.

SENATE CONCURRENT RESOLUTION NO. 11
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR WHITAKER

SENATE RESOLUTION TO SUSPEND THE JOINT RULES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE TO EXTEND THE TIME FOR FILING APPROPRIATION BILLS.

Senate Concurrent Resolution No. 11 was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 372
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS BROWN, STEELE, MADISON, WILKINS & SALMON
BY: REPRESENTATIVES D. JOHNSON, ADCOCK, ET AL

A Bill for an Act to be Entitled: AN ACT TO GRANT CITIES AND TOWNS ADDITIONAL TOOLS TO DEAL WITH CRIMINAL, NUISANCE, AND VACANT PROPERTIES; AND FOR OTHER PURPOSES.

Senate Bill No. 372 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. 373
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

BY: SENATORS BROWN, STEELE, MADISON, WILKINS & SALMON
BY: REPRESENTATIVES D. JOHNSON, ADCOCK, ET AL

A Bill for an Act to be Entitled: AN ACT TO AMEND VARIOUS STATUTES PERTAINING TO TAX DELINQUENT PROPERTY; AND FOR OTHER PURPOSES.

Senate Bill No. 373 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. 374
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

BY: SENATORS BROWN, STEELE, MADISON, WILKINS & SALMON
BY: REPRESENTATIVES D. JOHNSON, ADCOCK, ET AL

A Bill for an Act to be Entitled: AN ACT TO AMEND UNCODIFIED SECTION 7 OF ACT 626 OF 1983, AS AMENDED, TO AUTHORIZE THE COMMISSIONER OF STATE LANDS TO NEGOTIATE SALES NO SOONER THAN THIRTY (30) DAYS AFTER THE FIRST ATTEMPT TO SELL AT PUBLIC AUCTION; AND FOR OTHER PURPOSES.

Senate Bill No. 374 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. 375
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

BY: SENATORS BROWN, STEELE, MADISON, WILKINS & SALMON
BY: REPRESENTATIVES D. JOHNSON, ADCOCK, ET AL

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE §§ 26-37-203 AND 26-37-209 TO MODIFY THE STATUTE OF LIMITATIONS FOR CHALLENGING CONVEYANCES BY THE COMMISSIONER OF STATE LANDS; AND FOR OTHER PURPOSES.

Senate Bill No. 375 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. 376
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

BY: SENATORS BROWN, STEELE, MADISON, WILKINS & SALMON
BY: REPRESENTATIVES D. JOHNSON, ADCOCK, ET AL

A Bill for an Act to be Entitled: THE ARKANSAS LAND BANK ACT.

Senate Bill No. 376 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. 377
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

BY: SENATORS BROWN, STEELE, MADISON, WILKINS & SALMON
BY: REPRESENTATIVES D. JOHNSON, ADCOCK, ET AL

A Bill for an Act to be Entitled: AN ACT TO AMEND VARIOUS QUIET TITLE STATUTES; AND FOR OTHER PURPOSES.

Senate Bill No. 377 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. 378
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR ALTES

A Bill for an Act to be Entitled: AN ACT CONCERNING THE CONSTRUCTION OF MOTOR VEHICLE RACING FACILITIES; AND FOR OTHER PURPOSES.

Senate Bill No. 378 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

HOUSE BILL NO. 1185
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES EVERETT, BERRY, COOPER, ET AL
BY: SENATOR MILLER

A Bill for an Act to be Entitled: AN ACT TO INCLUDE ECONOMIC DEVELOPMENT DISTRICT EMPLOYEES IN THE ARKANSAS PUBLIC EMPLOYEES' RETIREMENT SYSTEM; AND FOR OTHER PURPOSES.

House Bill No. 1185 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1242
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE GARNER

A Bill for an Act to be Entitled: AN ACT TO EXPAND THE DEFINITION OF "PARTICIPATING PUBLIC EMPLOYEE" UNDER THE ARKANSAS PUBLIC EMPLOYEES' RETIREMENT SYSTEM; AND FOR OTHER PURPOSES.

House Bill No. 1242 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1458
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE DUNN

A Bill for an Act to be Entitled: AN ACT TO AMEND THE DEFINITION OF SEX OFFENSE IN THE SEX OFFENDER REGISTRATION ACT OF 1997; AND FOR OTHER PURPOSES.

House Bill No. 1458 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

HOUSE BILL NO. 1456
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES HOYT, REYNOLDS, ET AL
SENATOR LAVERTY

A Bill for an Act to be Entitled: AN ACT TO ALLOW THE USE OF NEWER, MORE FLEXIBLE PLASTIC PIPE FOR WATER DISTRIBUTION PIPING UNDER CONCRETE SLABS; AND FOR OTHER PURPOSES.

House Bill No. 1456 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

HOUSE BILL NO. 1460
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE PICKETT

A Bill for an Act to be Entitled: AN ACT TO REVISE ACCOUNTABILITY AND REVIEW REQUIREMENTS CONCERNING ATHLETIC EXPENDITURES BY PUBLIC SCHOOLS; AND FOR OTHER PURPOSES.

House Bill No. 1460 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

HOUSE BILL NO. 1486
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE CORNWELL

A Bill for an Act to be Entitled: AN ACT TO AMEND THE PROVISIONS OF § 16-21-2701 CONCERNING THE APPOINTMENT OF INVESTIGATORS FOR THE TWENTY-SECOND JUDICIAL DISTRICT; AND FOR OTHER PURPOSES.

House Bill No. 1486 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

HOUSE BILL NO. 1489
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES COOPER, CHEATHAM, ET AL
SENATOR MILLER

A Bill for an Act to be Entitled: AN ACT TO CREATE THE OFFENSE OF UNLAWFUL DOG ATTACK; TO PROTECT THE HEALTH AND SAFETY OF THE GENERAL PUBLIC; AND FOR OTHER PURPOSES.

House Bill No. 1489 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

HOUSE BILL NO. 1498
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE OVERBEY

A Bill for an Act to be Entitled: AN ACT TO AMEND THE ARKANSAS TAX PROCEDURE ACT TO EXTEND THE TIME ALLOWED TO PROTEST AN ASSESSMENT OF TAX OR DENIAL OF A CLAIM FOR REFUND FROM 30 TO 60 DAYS; TO CLARIFY THE PERIOD OF TIME WITHIN WHICH THE TAXPAYER AND THE STATE MAY REQUEST THAT THE DIRECTOR OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION REVISE THE DECISION OF THE ADMINISTRATIVE HEARING OFFICER; AND FOR OTHER PURPOSES.

House Bill No. 1498 was read the first time, rules suspended, read the second time and referred to the Committee on REVENUE AND TAXATION.

HOUSE BILL NO. 1502
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES PYLE, BERRY, ET AL
SENATORS WHITAKER AND TRUSTY

A Bill for an Act to be Entitled: AN ACT CHANGING THE NAME OF ARKANSAS VALLEY TECHNICAL INSTITUTE OF ARKANSAS TECH UNIVERSITY TO ARKANSAS TECH UNIVERSITY – OZARK CAMPUS; AND FOR OTHER PURPOSES.

House Bill No. 1502 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

HOUSE BILL NO. 1507
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE OVERBEY

A Bill for an Act to be Entitled: AN ACT TO REPEAL ARKANSAS CODE §§ 16-12-102(c) AND 16-13-104 CONCERNING THE ELIGIBILITY OF AN APPOINTED COURT OF APPEALS JUDGE OR CIRCUIT JUDGE TO BE A CANDIDATE FOR ELECTION TO ANOTHER JUDGESHIP WHILE HOLDING OFFICE; AND FOR OTHER PURPOSES.

House Bill No. 1507 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

HOUSE BILL NO. 1510
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE DAVIS

A Bill for an Act to be Entitled: AN ACT TO REPEAL OBSOLETE STATUTORY PROVISIONS IN THE OMNIBUS DWI ACT; AND FOR OTHER PURPOSES.

House Bill No. 1510 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

HOUSE BILL NO. 1511
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR STATE EMPLOYEE CLAIMS FOR THE STATE INSURANCE DEPARTMENT WHICH SHALL BE SUPPLEMENTAL AND IN ADDITION TO THOSE FUNDS APPROPRIATED BY ACT 2036 OF 2005; AND FOR OTHER PURPOSES.

House Bill No. 1511 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1522
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES WALTERS, HARRIS, ET AL
BY: SENATOR J. JEFFRESS

A Bill for an Act to be Entitled: AN ACT TO PERMIT PUBLIC SCHOOLS TO DEVELOP A POLICY ALLOWING THE USE OF CANDY AND GUM IN THE CLASSROOM; AND FOR OTHER PURPOSES.

House Bill No. 1522 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

HOUSE BILL NO. 1525
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE EDWARDS

A Bill for an Act to be Entitled: AN ACT TO INCREASE THE NUMBER OF TIMES EACH MONTH THAT THE TREASURER OF STATE SHALL PROCESS DOCUMENTATION CONCERNING SCHOOL DISTRICT TAXES; AND FOR OTHER PURPOSES.

House Bill No. 1525 was read the first time, rules suspended, read the second time and referred to the Committee on REVENUE AND TAXATION.

HOUSE BILL NO. 1526
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE NORTON
BY: SENATOR WOMACK

A Bill for an Act to be Entitled: AN ACT TO CLARIFY THAT PROPERTY TAX PAYMENTS POSTMARKED BY OCTOBER 10 ARE TIMELY RECEIVED; AND FOR OTHER PURPOSES.

House Bill No. 1526 was read the first time, rules suspended, read the second time and referred to the Committee on REVENUE AND TAXATION.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 21, 2007

Mr. President:

We, your Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS, to whom was referred:

SENATE BILL NO. 247, BY SENATOR MADISON,

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

Respectfully submitted,

(SIGNED) SENATOR HENRY "HANK" WILKINS IV
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 21, 2007

Mr. President:

We, your Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS, to whom was referred:

HOUSE BILL NO. 1408, BY REPRESENTATIVE REEP,
HOUSE BILL NO. 1457, BY REPRESENTATIVE HOUSE,

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 HENRY "HANK" WILKINS IV
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 21, 2007

Mr. President:

We, your Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS, to whom was referred:

HOUSE BILL NO. 1206, BY REPRESENTATIVE DUNN,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that it do pass as Amended No. 1.

Respectfully submitted,
(SIGNED) SENATOR HENRY "HANDK" WILKINS IV
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 21, 2007

Mr. President:

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

SENATE CONCURRENT MEMORIAL RESOLUTION NO. 2,
BY SENATORS WILKINSON, LAVERTY,
SENATE BILL NO. 55, BY SENATOR ALTES,
SENATE BILL NO. 187, BY SENATOR SMITH,

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 3:05 p.m. delivered them to the Governor for his approval.

Respectfully submitted,

(SIGNED) HENRY "HANK" WILKINS, IV
CHAIRMAN

GOVERNOR'S BILL RECEIPTS

SENATE CONCURRENT MEMORIAL RESOLUTION NO. 2,
SENATE BILL NO. 55,
SENATE BILL NO. 187,

RECEIVED the above papers from the Secretary of the Senate this 21st day of February, 2005 at 3:05 p.m..

(SIGNED) MIKE BEEBE
Governor

(SIGNED) Angela Tollette
Secretary

SENATE BILL NO. 379
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS MILLER, ARGUE, BOOKOUT, CRITCHER, CRUMBLY, HORN, B.
JOHNSON & MALONE
BY: REPRESENTATIVE ROSENBAUM

A Bill for an Act to be Entitled: AN ACT TO ENACT THE STATE INSURANCE DEPARTMENT GENERAL OMNIBUS BILL; TO UPDATE AND MAKE TECHNICAL CORRECTIONS TO THE ARKANSAS INSURANCE CODE; TO CONFORM THE EXAMINATION OF INSURERS, REINSURANCE REGULATION, CUSTODIED SECURITIES, AND BROKER'S CAPITAL REQUIREMENTS TO CURRENT INSURANCE PRACTICES; TO PROVIDE FOR EMPLOYER STOP-LOSS COVERAGE, WRITTEN MANAGEMENT AND SERVICE AGREEMENTS, AND LOCAL GOVERNMENT CHARITABLE ANNUITY PROGRAMS; AND FOR OTHER PURPOSES.

Senate Bill No. 379 was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE AND COMMERCE.

SENATE BILL NO. 380
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR SALMON

A Bill for an Act to be Entitled: AN ACT CONCERNING TERMS OF SERVICE OF MEMBERS OF THE COUNTY BOARD OF ELECTION COMMISSIONERS; AND FOR OTHER PURPOSES.

Senate Bill No. 380 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES AND GOVERNMENTAL AFFAIRS.

SENATE BILL NO. 381
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

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

A Bill for an Act to be Entitled: AN ACT TO CREATE THE UAMS CANCER
RESEARCH CENTER MATCHING FUND; AND FOR OTHER PURPOSES.

Senate Bill No. 381 was read the first time, rules suspended, read the second
time and referred to the Committee on STATE AGENCIES AND GOVERNMENTAL
AFFAIRS.

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SENATE BILLS TRANSMITTED TO THE HOUSE

AS PASSED

SENATE BILL NO. 278
SENATE BILL NO. 286
SENATE BILL NO. 298

HOUSE BILLS RETURNED TO THE HOUSE

AS PASSED

HOUSE BILL NO. 1060
HOUSE BILL NO. 1274
HOUSE BILL NO. 1405
HOUSE BILL NO. 1447
HOUSE BILL NO. 1450

SENATE BILLS RETURNED FROM THE HOUSE

AS PASSED

SENATE BILL NO. 273

SENATE CONCURRENT RESOLUTION RETURNED FROM THE HOUSE

AS CONCURRED IN

SENATE CONCURRENT RESOLUTION NO. 6

HOUSE BILLS TRANSMITTED TO THE SENATE

AS PASSED

HOUSE BILL NO. 1185

HOUSE BILL NO. 1242

HOUSE BILL NO. 1456

HOUSE BILL NO. 1458

HOUSE BILL NO. 1460

HOUSE BILL NO. 1486

HOUSE BILL NO. 1489

HOUSE BILL NO. 1498

HOUSE BILL NO. 1502

HOUSE BILL NO. 1507

HOUSE BILL NO. 1510

HOUSE BILL NO. 1511

HOUSE BILL NO. 1522

HOUSE BILL NO. 1525

HOUSE BILL NO. 1526

On motion of Senator Whitaker, the Senate adjourned until 11:00 a.m.,
Thursday, February 21, 2007.

PRESIDENT OF THE SENATE

SECRETARY OF THE SENATE

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

Little Rock, Arkansas

February 22, 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, BROADWAY,
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 was granted for Senator Argue.

The Senate was led in prayer by Senator Wilkinson.

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 Pritchard, **Senate Bill No. 18** was withdrawn from the Committee on JUDICIARY, and placed back on second reading for purpose of Amendment No. 2., withdraw Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 2 to SENATE BILL NO. 18

Amend **Senate Bill No. 18** as originally introduced:

Add Senators Laverty, Altes, Madison, T. Smith, R. Thompson, Trusty, Whitaker, and Wilkinson as cosponsors of the bill

AND

Add Representatives Key, Berry, Burkes, Cornwell, Edwards, Gaskill, Glidewell, R. Green, Hardwick, Harris, Medley, Norton, Patterson, S. Prater, Ragland, Rosenbaum, L. Smith, Wells, and Woods as cosponsors of the bill

AND

Page 1, delete line 11, and substitute the following:
"ADMINISTRATIVE OFFICE OF THE COURTS; TO CREATE THE DRUG COURT ADVISORY COMMITTEE; AND FOR"

AND

Page 1, delete line 15, and substitute the following:
"TO EXPAND DRUG COURT PROGRAMS; TO"

AND

Page 1, delete line 18, and substitute the following:
"COURTS; AND TO CREATE THE DRUG COURT ADVISORY COMMITTEE."

AND

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 9-27-323(e), concerning diversion agreements in delinquency cases and family in need of services cases, is amended to read as follows:

(e) Diversion agreements shall be limited to providing for:

- (1) Nonjudicial probation under the supervision of the intake officer or probation officer for a period during which the juvenile may be required to comply with specified conditions concerning his or her conduct and activities; ~~and~~
- (2) Participation in a court-approved program of education, counseling, or treatment; ~~and~~
- (3) Participation in a court-approved teen court; and
- (4) Participation in a drug court program.

SECTION 2. Arkansas Code § 9-27-334 is amended to read as follows:
9-27-334. Disposition - Dependent-neglected - Generally.

(a) If a juvenile is found to be dependent-neglected, the circuit court may enter an order making any of the following dispositions:

(1) Order family services;

(2)(A) If it is in the best interest of the juvenile, transfer custody of the juvenile to the Department of Health and Human Services, to another licensed agency responsible for the care of juveniles, or to a relative or other individual.

(B) If the court grants custody of the juvenile to the department, the juvenile shall be placed in a licensed or approved foster home, shelter, or facility or an exempt child welfare agency as defined at § 9-28-402(12).

(C) All juveniles in shelters or awaiting foster care placement who are in the custody of the department are "homeless children and youth" as defined at 42 U.S.C. § 11434a(2), as in effect on February 1, 2005.

(D) If the court transfers custody of the juvenile to the department, the court shall issue orders regarding educational issues of the juvenile as follows:

(i) Determine if the parent or guardian shall have access to school records of the juvenile;

(ii) Determine if the parent or guardian who has access to school records of the juvenile is entitled to obtain information on the current placement of the juvenile, that is, the name and address of the foster parent or provider; and

(iii) Determine if the parent or guardian may participate in school conferences or similar activities at school.

(E) If the court transfers custody of the juvenile to the department, the court may appoint an individual to consent to an initial evaluation and serve as a surrogate parent pursuant to the Individuals with Disabilities Education Act, 20 U.S.C. § 1400 et seq., as in effect on February 1, 2005;

(3) If it is in the best interest of the juvenile, grant permanent custody to an individual upon proof that the parent or guardian from whom the juvenile has been removed has not complied with the orders of the court or upon proof that no reunification services should be required to reunite the juvenile with his or her parent or parents and that no further services or periodic reviews are required; or

(4)(A) Order that the parent, both parents, or the guardian of the juvenile;

(i) ~~attend~~ Attend a court-ordered parental responsibility training program, if available; or

(ii) Participate in a drug court program.

(B) The court may make reasonable orders requiring proof of completion of such a training program within a certain time period and payment of a fee covering the cost of the training program.

(b) Such an order of custody shall supersede an existing court order of custody and shall remain in full force and effect until a subsequent order of custody is entered by a court of competent jurisdiction.

(c) The court may provide that any violation of its orders shall subject the parent, both parents, the juvenile, the custodian, or the guardian to contempt sanctions.

SECTION 3. Arkansas Code § 16-98-302 is amended to read as follows:
16-98-302. ~~Definitions~~ Purpose and intent.

For purposes of this subchapter:

~~(1) "Drug court program" means a highly structured judicial intervention process for substance abuse treatment of eligible offenders which requires successful completion of the drug court program treatment in lieu of incarceration; and~~

~~(2) "Drug court team" means a circuit judge, a prosecuting attorney, a defense attorney, and one (1) or more addiction counselors.~~

(a) There is a critical need for judicial intervention and support for effective treatment programs that reduce the incidence of drug use, drug addiction, and family separation due to parental substance abuse and drug-related crimes. It is the intent of the General Assembly for this subchapter to enhance public safety by facilitating the creation, expansion, and coordination of drug court programs.

(b) The goals of the drug court programs in this state shall be consistent with the standards adopted by the United States Department of Justice and recommended by the National Association of Drug Court Professionals and shall include the following key components:

(1) Integration of substance abuse treatment with justice system case processing;

(2) Use of a nonadversarial approach in which prosecution and defense promote public safety while protecting the right of the accused to due process;

(3) Early identification of eligible participants and prompt placement of eligible participants;

(4) Access to a continuum of treatment, rehabilitation, and related services;

(5) Frequent testing for alcohol and illicit drugs;

(6) A coordinated strategy among the judge, prosecution, defense, and treatment providers to govern offender compliance;

(7) Ongoing judicial interaction with each participant;

(8) Monitoring and evaluation of the achievement of program goals and effectiveness;

(9) Continuing interdisciplinary education to promote effective planning, implementation, and operation; and

(10) Development of partnerships with public agencies and community-based organizations to generate local support and enhance drug court effectiveness.

(c)(1) Drug court programs are specialized court dockets within the existing structure of the Arkansas court system. Drug court programs offer judicial monitoring of intensive treatment and strict supervision of addicts in drug and drug-related cases.

(2) The creation of a drug court docket and the appointment of a circuit judge to that docket shall be approved by the administrative judge in each judicial circuit and made a part of the judicial circuit's administrative plan required by Arkansas Supreme Court Administrative Order Number 14.

SECTION 4. Arkansas Code § 16-98-303 is amended to read as follows:
16-98-303. Drug court programs authorized.

(a)(1) Each judicial district of this state is authorized to establish a drug court program under this subchapter, which

(2)(A) The structure, method, and operation of each drug court program may differ and should be based upon the specific needs of and resources available to the judicial district where the drug court program is located.

(B)(i) A drug court program may be preadjudication or postadjudication subject to the availability of funds for an adult offender.

(ii) A drug court program may be used in a delinquency case or a family in need of services case pursuant to a diversion agreement under § 9-27-323.

(iii) A drug court program may be used in a dependency-neglect case under § 9-27-334.

(3) Notwithstanding the authorization described in subdivision (a)(1) of this section, no judge of a circuit court, drug court, or juvenile court may order any services or treatment under subsection (b) of this section or § 16-98-305 unless:

(A) An administrative and programmatic appropriation has been made for those purposes;

(B) Administrative and programmatic funding is available for those purposes; and

(C) Administrative and programmatic positions have been authorized for those purposes.

(b)(1) A drug court program shall incorporate services from the Department of Community Correction, the Department of Health and Human Services, and the Administrative Office of the Courts.

(2) Subject to an appropriation, funding, and position authorization, both programmatic and administrative, the Department of Community Correction shall:

(A) Provide positions for persons to serve as probation officers, drug counselors, and administrative assistants;

(B) Provide for drug testing for drug court program participants;

(C) Provide for intensive outpatient treatment for drug court program participants; and

(D) Provide for intensive short-term and long-term residential treatment for drug court program participants.

(3) Subject to an appropriation, funding, and position authorization, both programmatic and administrative, the Department of Health and Human Services shall:

(A) Provide positions for persons to serve as drug counselors and administrative assistants in delinquency cases, dependency-neglect cases, and family in need of services cases;

(B) Provide for drug testing for drug court program participants in delinquency cases, dependency-neglect cases, and family in need of services cases;

(C) Provide for intensive outpatient treatment for drug court program participants in delinquency cases, dependency-neglect cases, and family in need of services cases;

(D) Provide for intensive short-term and long-term residential treatment for drug court program participants in delinquency cases, dependency-neglect cases, and family in need of services cases;

(E) Certify and license treatment providers and treatment facilities that serve drug court program participants;

(F) Provide and oversee residential beds for drug court programs;

(G) Oversee catchment area facilities for drug court programs;

(H) Act as a liaison between the courts and drug court program participants; and

(I) Oversee performance standards for residential and long-term facilities providing services to drug court programs.

(4) Subject to an appropriation, funding, and position authorization, both programmatic and administrative, the Administrative Office of the Courts shall:

(A) Provide state-level coordination and support for drug court judges and their programs;

(B) Administer funds for the maintenance and operation of local drug court programs;

(C) Provide training and education to drug court judges and other professionals involved in drug court programs; and

(D) Operate as a liaison between drug court judges and other state-level agencies providing services to drug court programs.

~~(b)(c)~~(1) A drug court program shall not be available to any defendant who:

(A) having Has a pending violent criminal charge against him or her;

(B) Has been convicted of a violent felony offense or adjudged guilty as a juvenile of a violent felony offense; or

(C)(i) Is required to register under the Sex Offender Registration Act of 1997, § 12-12-901 et seq.

(ii) The exclusion under subdivision (c)(1)(C)(i) of this section shall not apply to the offense of prostitution, § 5-70-102.

(2) Eligible offenses may be further restricted by the rules of a specific drug court program.

(3) Nothing in this subchapter shall require a drug court judge to consider or accept every offender with a treatable condition or addiction, regardless of the fact that the controlling offense is eligible for consideration in the program.

(4) Any ~~offender~~ defendant who is ~~determined not appropriate for the denied entry to a~~ drug court program shall be prosecuted as provided by law.

~~(e)(d)~~(1) Drug court programs may require a separate judicial processing system differing in practice and design from the traditional adversarial criminal prosecution and trial systems.

(2) A drug court team shall be designated by a circuit judge assigned to manage the drug court docket and may include ~~consisting of a circuit judge to administer the program, a prosecuting attorney, a public defender or private defense attorney, and one (1) or more addiction counselors, one (1) or more probation officers, one (1) or more private treatment provider representatives, who has appropriate understanding of the goals of the program and of the appropriate treatment methods for the various conditions and any other individual or individuals determined necessary by the drug court judge.~~

(3) The administrative judge of the judicial district ~~or an agreement of a majority of the circuit judges in the judicial district~~ shall designate one (1) or more circuit judges to administer the drug court program.

~~(d) All drug court programs shall be required to keep reliable data on:~~

~~(1) Recidivism;~~

~~(2) Relapses;~~

~~(3) Restarts;~~

~~(4) Sanctions imposed; and~~

~~(5) Incentives given.~~

(e) Each judicial district may develop a training and implementation manual for drug court programs with the assistance of the:

(1) Department of Health and Human Services;

(2) Department of Education;

(3) Department of Workforce Education;

~~(4) Department of Correction;~~

~~(5)~~(4) Department of Community Correction; and

~~(6)~~(5) Administrative Office of the Courts.

(f) A Division of Drug Court Programs is created within the Administrative Office of the Courts. The position of Drug Court Coordinator is created within the Division of Drug Court Programs and the Drug Court Coordinator shall:

(1) Provide assistance, counsel, and advice to the Drug Court Advisory Committee;

(2) Serve as a coordinator between drug court judges, the Department of Community Correction, the Bureau of Alcohol and Drug Abuse Prevention, private treatment provider representatives, and public health advocates;

(3) Establish, manage, and maintain a uniform statewide drug court information system to track information and data on drug court program participants to be approved by the Drug Court Advisory Committee;

(4) Train and educate drug court judges and drug court staff in those judicial districts maintaining a drug court program;

(5) Provide staff assistance to the Arkansas Association of Drug Court Professionals;

(6) Oversee the disbursement of funds appropriated to the Administrative Office of the Courts for the maintenance and operation of local drug court programs based on a formula developed by the Administrative Office of the Courts and approved by the Drug Court Advisory Committee; and

(7) Develop guidelines to be approved by the Drug Court Advisory Committee to serve as a framework for developing effective local drug court programs and to provide a structure for conducting research and evaluation for drug court program accountability.

SECTION 5. Arkansas Code Title 16, Chapter 98, Subchapter 3 is amended to add additional sections to read as follows:

16-98-305. Required resources.

Each drug court program established under this subchapter, subject to an appropriation, funding, and position authorization, both programmatic and administrative, shall be provided with the following resources:

(1) The Department of Community Correction shall:

(A)(i) Except as provided in subdivision (1)(A)(ii) of this section, provide a minimum of one (1) drug counselor position for every thirty (30) drug court participants.

(ii) If a drug court judge does not require the drug counselor position or positions described in subdivision (1)(A)(i) of this section, funding for a drug counselor or counselors shall be provided under subdivision (1)(E)(i) of this section:

(B) Provide a minimum of one (1) probation officer position for every forty (40) drug court participants;

(C) Provide a minimum of one (1) administrative assistant position for each drug court program;

(D) Provide for drug screens and testing as needed; and

(E)(i) Based upon a formula to be developed by the Administrative Office of the Courts and approved by the Drug Court Advisory Committee, provide for:

(a) Intensive outpatient treatment to be made available to drug court programs in each judicial district;

(b) Short-term and long-term inpatient treatment to be made available to drug court programs in each judicial district; and

(c) A drug court judge to contract with a local licensed treatment provider for counseling services for drug court participants so that each privately contracted addiction counselor does not have more than thirty (30) drug court participants in his or her caseload.

(ii) The Department of Community Correction shall enter into an inter-agency memorandum of understanding with the Administrative Office of the Courts in order to establish the process and procedures for the payment of treatment services ordered by a drug court judge and funded through the Department of Community Correction.

(iii) Expenditures of funds for treatment services allocated to each drug court program under the formula described in subdivision (1)(E)(i) of this section shall be at the direction of a drug court judge, except as limited by the procedures adopted in the memorandum of understanding described in subdivision (1)(E)(ii) of this section;

(2) The Department of Health and Human Services shall:

(A) Provide a minimum of one (1) drug counselor position for every thirty (30) drug court participants in delinquency cases, dependency-neglect cases, and family in need of services cases;

(B) Provide for drug screens and testing as needed in delinquency cases, dependency-neglect cases, and family in need of services cases; and

(C) Provide for intensive outpatient treatment and short-term and long-term inpatient treatment to be made available to drug court programs in each judicial district in delinquency cases, dependency-neglect cases, and family in need of services cases based upon a formula approved by the Drug Court Advisory Committee; and

(3) The Administrative Office of the Courts shall:

(A) Provide funding to be approved by the Drug Court Advisory Committee for additional ongoing maintenance and operation costs of local drug court programs not provided by the Department of Community Correction or the Department of Health and Human Services, including local drug court program supplies, education, travel, and related expenses;

(B) Provide direct support to the drug court judge and drug court program;

(C) Provide coordination between the multidisciplinary team and the drug court judge;

(D) Provide case management;

(E) Monitor compliance of drug court participants with drug court program requirements; and

(F) Provide drug court program evaluation and accountability.

16-98-306. Collection of data.

(a) A drug court program shall collect and provide data on drug court applicants, drug court participants, and the entire drug court program as required by the Division of Drug Court Programs within the Administrative Office of the Courts in accordance with the rules promulgated under § 16-98-307.

(b) The data collected for evaluation purposes under subsection (a) of this section shall:

(1) Include a minimum standard data set developed and specified by the Division of Drug Court Programs; and

(2) Be maintained in the court files or be otherwise accessible by the courts and the Division of Drug Court Programs.

(c)(1) As directed by the Division of Drug Court Programs, after an individual is discharged either upon completion or termination of a drug court program, the drug court program shall conduct, as much as practical, follow-up contacts with and reviews of former drug court participants for key outcome indicators of drug use, recidivism, and employment.

(2)(A) The follow-up contacts with and reviews of former drug court participants shall be conducted as frequently and for a period of time determined by the Division of Drug Court Programs based upon the nature of the drug court program and the nature of the participants.

(B) The follow-up contacts with and reviews of former drug court participants are not extensions of the drug court's jurisdiction over the drug court participants.

(d) For purposes of standardized measurement of success of drug court programs across the state, the Division of Drug Court Programs in consultation with other state agencies and subject to the approval of the Drug Court Advisory Committee shall adopt an operational definition of terms such as "recidivism", "retention", "relapses", "restarts", "sanctions imposed", and "incentives given" to be used in any evaluation and report of drug court programs.

(e) Each drug court program shall provide to the Division of Drug Court Programs all information requested by the Division of Drug Court Programs.

(f) The Division of Drug Court Programs, the Department of Community Correction, the Bureau of Alcohol and Drug Abuse Prevention, and the Arkansas Crime Information Center shall work together to share and make available data to provide a comprehensive data management system for the state's drug court programs.

(g)(1) The Administrative Office of the Courts shall:

(A) Develop a statewide evaluation model to be approved by the Drug Court Advisory Committee; and

(B) Conduct ongoing evaluations of the effectiveness and efficiency of all drug court programs.

(2) A report of the evaluations of the Administrative Office of the Courts shall be submitted to the General Assembly by July 1 of each year.

16-98-307. Drug Court Advisory Committee — Creation.

(a) There is created a Drug Court Advisory Committee.

(b) The Drug Court Advisory Committee shall consist of the following members:

(1) The Chief Justice of the Supreme Court or the Chief Justice's designee who shall serve as chair;

(2) The Director of the Administrative Office of the Courts or the director's designee;

(3) A judge to be appointed by the Arkansas Judicial Council;

(4) The Director of the Department of Community Correction or the director's designee;

(5) The Director of the Department of Health and Human Services or the director's designee;

(6) The Director of the Bureau of Alcohol and Drug Abuse Prevention or the director's designee;

(7) A prosecutor appointed by the Prosecutor Coordinator;

(8) A public defender appointed by the Executive Director of the Arkansas Public Defender Commission;

(9) A member of the Senate appointed by the President Pro Tempore of the Senate;

(10) A member of the House of Representatives appointed by the Speaker of the House of Representatives; and

(11) The Arkansas Drug Director or the Arkansas Drug Director's designee.

(c) The chair or the chair's designee shall promptly call the first meeting after the effective date of this section.

(d)(1) The committee shall conduct its meetings at the State Capitol or at any place designated by the chair or the chair's designee.

(2) Meetings shall be held at least one (1) time every three (3) months but may occur more often at the call of the chair.

(e) If any vacancy occurs on the committee, the vacancy shall be filled by the same process as the original appointment.

(f) The committee shall establish rules and procedures for conducting its business.

(g) Members of the committee shall serve without compensation.

(h) A majority of the members of the committee shall constitute a quorum for transacting any business of the committee.

(i)(1) The committee shall have the authority to approve rules to implement this subchapter, and the Department of Community Correction, the Department of Health and Human Services, and the Administrative Office of the Courts shall promulgate the rules by January 1, 2008.

(2) The rules described in subdivision (i)(1) of this section shall include at least the following:

(A) Provisions to identify data to be collected for evaluation;

(B) Provisions to ensure uniform data collection; and

(C) A formula for equitable funding of drug court programs

among the judicial districts based on the number of drug court participants.

SECTION 6. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that there is a critical need for judicial intervention and support for effective treatment programs that reduce the incidence of drug use, drug addiction, and family separation due to parental substance abuse and drug-related crimes; that this act expands drug court programs and creates the Drug Court Advisory Committee; and that this act is immediately necessary because any delay in the expansion of drug court programs or the creation of the Drug Court Advisory Committee will harm citizens of this state who will benefit from judicial monitoring of intensive treatment and strict supervision of addicts in drug and drug-related cases. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

(SIGNED) SENATOR B. PRITCHARD

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 18 was ordered engrossed.

On motion of Senator Faris, **Senate Bill No. 208** was withdrawn from the Committee on INSURANCE & COMMERCE, 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. 208

Amend **Senate Bill No. 208** as originally introduced:

Page 1, line 9, delete "REMOVE" and substitute "REVISE"

AND

Delete the subtitle in its entirety and substitute:

"AN ACT TO REVISE THE CAP ON REIMBURSEMENT TO VOLUNTEER FIRE DEPARTMENTS FOR SERVICES PROVIDED AND TO EXTEND THE TIME PERIOD REQUIRED FOR NOTICE TO BE GIVEN TO THE INSURANCE COMPANY."

AND

Page 2, delete lines 16 and 17 and substitute the following:
 "personal property shall be allowed only for personal property of nonmembers, and the claimed amount shall not exceed ~~three hundred dollars (\$300)~~ five hundred dollars (\$500)."

AND

Page 2, delete lines 26 and 27 and substitute the following:
 "allowed only for personal property of nonmembers, and the claimed amount shall not exceed ~~three hundred dollars (\$300)~~ five hundred dollars (\$500)."

(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. 208 was ordered engrossed.

On motion of Senator Faris, **Senate Concurrent Resolution No. 10** 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 CONCURRENT RESOLUTION NO. 10

Amend **Senate Concurrent Resolution No. 10** as originally introduced:

Add Senator Trusty as a cosponsor of the resolution

AND

Add Representative Lamoureux as a cosponsor of the resolution

(SIGNED) SENATOR FARIS

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Concurrent Resolution No. 10 was ordered engrossed.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 22, 2007

Mr. President:

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

SENATE CONCURRENT RESOLUTION NO. 10, BY SENATOR FARIS,

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

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 22, 2007

Mr. President:

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

SENATE BILL NO. 18, BY SENATOR PRITCHARD,

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 Pritchard, **Senate Bill No. 18** was ordered re-referred to the Committee on JUDICIARY.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 22, 2007

Mr. President:

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

SENATE BILL NO. 208, BY SENATOR FARIS,

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 Faris, **Senate Bill No. 208** was ordered re-referred to the Committee on INSURANCE & COMMERCE.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 22, 2007

Mr. President:

We, your Committee on AGRICULTURE, ECONOMIC & INDUSTRIAL DEVELOPMENT, to whom was referred:

SENATE BILL NO. 292, BY SENATOR MADISON,

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

Respectfully submitted,

(SIGNED) SENATOR JIM LUKER
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 22, 2007

Mr. President:

We, your Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS,
to whom was referred:

HOUSE BILL NO. 1423, BY REPRESENTATIVE KEY,
HOUSE BILL NO. 1429, BY REPRESENTATIVE LOVELL,

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 STEVE FARIS
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 22, 2007

Mr. President:

We, your Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS,
to whom was referred:

HOUSE BILL NO. 1368, BY REPRESENTATIVE DUNN,

beg leave to report that we have had the same under consideration, and herewith
return the same with the recommendation that it do pass as amended No. 4.

Respectfully submitted,

(SIGNED) SENATOR STEVE FARIS
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 22, 2007

Mr. President:

We, your Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS,
to whom was referred:

HOUSE BILL NO. 1442, BY REPRESENTATIVE SUMPTER,

beg leave to report that we have had the same under consideration, and herewith
return the same with the recommendation that it do pass as amended No. 1.

Respectfully submitted,

(SIGNED) SENATOR STEVE FARIS
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 22, 2007

Mr. President:

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

SENATE BILL NO. 299, BY SENATOR BAKER,

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

Respectfully submitted,

(SIGNED) SENATOR PAUL MILLER
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 22, 2007

Mr. President:

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

HOUSE BILL NO. 1367, BY REPRESENTATIVE DUNN,

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

Respectfully submitted,

(SIGNED) SENATOR PAUL MILLER
CHAIRMAN

SENATE BILL NO. 382
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR LUKER

A Bill for an Act to be Entitled: AN ACT TO AMEND § 26-57-1305 CONCERNING THE REPORTING OF INFORMATION AND ESCROW INSTALLMENTS UNDER THE TOBACCO MASTER SETTLEMENT AGREEMENT; AND FOR OTHER PURPOSES.

Senate Bill No. 382 was read the first time, rules suspended, read the second time and referred to the Committee on REVENUE & TAXATION.

SENATE BILL NO. 383
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR FARIS

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE UNIVERSITY OF ARKANSAS FOR THE GARVAN WOODLAND GARDENS; AND FOR OTHER PURPOSES.

Senate Bill No. 383 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 384
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR FARIS

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE UNIVERSITY OF ARKANSAS FOR IMPROVEMENTS TO THE ARKANSAS SCHOOL FOR MATHEMATICS, SCIENCES AND THE ARTS; AND FOR OTHER PURPOSES.

Senate Bill No. 384 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 385
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR FARIS

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE UNIVERSITY OF ARKANSAS FOR THE WINTHROP ROCKEFELLER INSTITUTE; AND FOR OTHER PURPOSES.

Senate Bill No. 385 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 386
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR FARIS

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION - DISBURSING OFFICER FOR ASSISTANCE TO THE RAYMOND PETTY CENTER; AND FOR OTHER PURPOSES.

Senate Bill No. 386 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 387
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR FARIS

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE UNIVERSITY OF ARKANSAS FOR MEDICAL SCIENCES - ARKANSAS UNIVERSITY CENTER FOR EXCELLENCE IN DEVELOPMENTAL DISABILITIES FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Senate Bill No. 387 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 388
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR FARIS

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES - DIVISION OF COUNTY OPERATIONS FOR MAINTENANCE AND OPERATING EXPENSES FOR COUNTY HEALTH OFFICES; AND FOR OTHER PURPOSES.

Senate Bill No. 388 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 389
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR FARIS

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR COUNTY ELECTION ASSISTANCE FOR THE SECRETARY OF STATE FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Senate Bill No. 389 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 390
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR J. TAYLOR

A Bill for an Act to be Entitled: AN ACT TO AMEND VARIOUS SECTIONS OF THE ARKANSAS CODE REGARDING THE POWERS AND DUTIES OF INSTITUTIONAL LAW ENFORCEMENT OFFICERS; AND FOR OTHER PURPOSES.

Senate Bill No. 390 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

SENATE BILL NO. 391
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR WOMACK
BY: REPRESENTATIVE KEY

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS STATE UNIVERSITY - MOUNTAIN HOME FOR CONSTRUCTION AND OTHER COSTS OF A MULTI-COUNTY COMMUNITY DEVELOPMENT CENTER; AND FOR OTHER PURPOSES.

Senate Bill No. 391 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 392
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR R. THOMPSON
BY: REPRESENTATIVE PATTERSON AND GASKILL

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE BLACK RIVER TECHNICAL COLLEGE - PARAGOULD INDUSTRIAL TRAINING CENTER FOR RENOVATING, EQUIPPING AND ASSOCIATED COSTS; AND FOR OTHER PURPOSES.

Senate Bill No. 392 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 393
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS R. THOMPSON AND BOOKOUT

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF ARKANSAS HERITAGE - ARTS COUNCIL FOR GENERAL OPERATING SUPPORT GRANTS; AND FOR OTHER PURPOSES.

Senate Bill No. 393 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 394
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS ALTES, TRUSTY, WHITAKER & WILKINSON
BY: REPRESENTATIVES GEORGE, GLIDEWELL, R. GREEN & ET AL

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PROPERTY ACQUISITION, NEW FACILITY DESIGN AND CONSTRUCTION FOR THE UNIVERSITY OF ARKANSAS - FORT SMITH FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Senate Bill No. 394 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 395
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR WOMACK
BY: REPRESENTATIVE KEY

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS STATE UNIVERSITY - MOUNTAIN HOME FOR CAMPUS SECURITY SUPPORT; AND FOR OTHER PURPOSES.

Senate Bill No. 395 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 396
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR OPERATING EXPENSES FOR THE VETERINARY MEDICAL EXAMINING BOARD WHICH SHALL BE SUPPLEMENTAL AND IN ADDITION TO THOSE FUNDS APPROPRIATED BY ACT 57 OF 2005; AND FOR OTHER PURPOSES.

Senate Bill No. 396 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 397
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION - DISBURSING OFFICER - SETTLEMENT PAYMENT; AND FOR OTHER PURPOSES.

Senate Bill No. 397 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

On motion of Senator Luker, **Senate Resolution No. 9** was called up for third reading and final disposition.

SENATE RESOLUTION NO. 9
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS LUKER, BROADWAY, BRYLES, HILL, G. JEFFRESS, J.
JEFFRESS, SALMON & WHITAKER

SENATE RESOLUTION COMMENDING ARKANSAS FARMERS FOR THEIR VITAL CONTRIBUTIONS TO THE SECURITY AND ECONOMIC WELL-BEING OF THE STATE AND THE NATION, AND FOR PRODUCING THE FOOD AND FIBER THAT IS ESSENTIAL TO THE HEALTH AND SECURITY OF THE CITIZENS OF THIS STATE AND PEOPLE THROUGHOUT THE WORLD.

Senate Resolution No. 9 was read the third time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

On motion of Senator Altes, and without objection, the Governor was requested to return **Senate Bill No. 182** for further consideration.



STATE OF ARKANSAS
Arkansas Senate

GENERAL ASSEMBLY
LITTLE ROCK, ARKANSAS

Ann Cornwell
Secretary of the Senate
Senate Fiscal Officer
State Capitol, Room 320
Little Rock, Arkansas 72201

February 22, 2007

The Honorable Mike Beebe
Governor of Arkansas
Executive Chambers
State Capitol
Little Rock, Arkansas

Dear Governor Beebe:

The Senate respectfully requests the return to the Senate, of Senate Bill 182.

Respectfully submitted,

(SIGNED) ANN CORNWELL
Secretary of Senate

AC:as

On motion of Senator Whitaker, **Senate Concurrent Resolution No. 11** was called up for third reading and final disposition.

SENATE CONCURRENT RESOLUTION NO. 11
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR WHITAKER

SENATE RESOLUTION TO SUSPEND THE JOINT RULES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE TO EXTEND THE TIME FOR FILING APPROPRIATION BILLS.

Senate Concurrent Resolution No. 11 was read the third time and adopted unanimously.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Concurrent Resolution No. 11 was ordered immediately transmitted to the House.

On motion of Senator Womack, **Senate Bill No. 277** 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. 277

Amend **Senate Bill No. 277** as originally introduced:

Page 1, delete lines 31 and 32, and substitute the following:
 "verified to the personal representative or filed with the court within ~~three (3) months~~
six (6) months after the date of the first publication of notice to creditors."

AND

Page 1, line 34, delete "~~six (6)~~ three (3)" and substitute "six (6)"

(SIGNED) SENATOR WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 277 was ordered engrossed.

On motion of Senator Luker, Senate Bill No. 239 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. 239

Amend Senate Bill No. 239 as originally introduced:

Delete SECTION 2 in its entirety and substitute the following:

"SECTION 2. Effective January 1, 2008, Arkansas Code § 16-34-103 is amended to read as follows:

16-34-103. Per diem fees compensation for jurors and prospective jurors.

(a) Persons Except as provided in subsection (b) of this section, persons whose names appear on any legal and authorized grand jury or petit jury list of the respective counties of Arkansas shall receive in addition to any other fees allowable by law the following per diem fees compensation:

- (1) When the person fails for any reason to attend court, none;
- (2) When the person attends court and is excused by the court for any reason from serving as a juror, a minimum of fifteen dollars (\$15.00); and
- (3) When the person has been sworn touching his or her qualifications to serve as a juror and has been accepted by the court as qualified, a minimum fee of thirty-five dollars (\$35.00).

(b)(1) Subject to an appropriation and adequate funding for the purpose of § 16-34-106, any person who receives official notice that he or she has been selected as a prospective juror or who is chosen as a juror is eligible to receive per diem compensation for service if:

(A) The person actually appears at the location to which the juror or prospective juror was summoned; and

(B) The person's appearance is duly noted by the circuit clerk.

(2) The per diem compensation payable to any person who is eligible for payment under this subsection (b) is forty dollars (\$40.00) per day."

AND

Delete SECTION 3 in its entirety and substitute the following:

"SECTION 3. Effective January 1, 2008, Arkansas Code § 16-34-104 is amended to read as follows:

16-34-104. Mileage of ~~unaccepted~~ reimbursement for jurors.

(a) Any Except as provided in subsection (b) of this section, any person who attends any court of record in the State of Arkansas as a juror in obedience to a summons, except such persons as are summoned among the bystanders at the court, and who for any cause is not accepted on the jury shall receive, in addition to the per diem compensation, a mileage reimbursement payment for mileage from and to his or her home by the most direct and practicable route at a rate to be prescribed by the quorum court of the county, but this rate is not to exceed the rate prescribed for state employees in state travel regulations.

(b) Subject to an appropriation and adequate funding for the purpose of § 16-34-106, any person who is eligible to receive per diem compensation under § 16-34-103(b) and whose primary place of residence is outside the city limits of the city where the court that summoned the juror or prospective juror is located shall receive, in addition to the per diem compensation, a mileage reimbursement payment for mileage from and to his or her home by the most direct and practicable route at the rate prescribed for state employees in state travel regulations."

AND

Page 3, delete line 23 and 24, and substitute the following:

"(a) Subject to an appropriation and to the extent that funding is available for reimbursement under subsection (b) of this section, the per diem compensation under § 16-34-103(b) and the mileage reimbursement under § 16-34-104(b) shall be paid promptly to each juror or"

(SIGNED) SENATOR LUKER

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 239 was ordered engrossed.

On motion of Senator Luker, **Senate Bill No. 242** 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. 242

Amend **Senate Bill No. 242** as originally introduced:

Page 3, delete line 19, and substitute the following:

"(b) Upon application by any person, and findings on the record for good cause, any juror information submitted to a circuit court or circuit"

(SIGNED) SENATOR LUKER

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 242 was ordered engrossed.

On motion of Senator Salmon, **House Bill No. 1310** was placed back on second reading for purpose of Amendment No. 2, withdraw Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 2 to HOUSE BILL NO. 1310

Amend **House Bill No. 1310** as engrossed, H1/31/07:

Page 2, delete lines 20 through 27, and substitute the following:

"domestic abuse acted in self-defense; or

(d) Prior complaints of domestic abuse if the history of prior complaints of domestic abuse can be reasonably ascertained by the law enforcement officer."

(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. 1310 was ordered engrossed.

On motion of Senator Womack, the rules were suspended in considering Senate Bill No. 235 at this time.

On motion of Senator Womack, Senate Bill No. 235 was 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. 235

Amend Senate Bill No. 235 as engrossed, S2/15/07:

Page 8, delete line 22 in its entirety and substitute
"Court, _____ Department".

(4) Shall continue to levy and collect the court costs applicable in city court under § 16-10-305."

AND

Page 68, line 4, delete "January 1, 2009" and substitute "January 1, 2012"

(SIGNED) SENATOR WOMACK

The Amendment was read 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 Baker, House Bill No. 1284 was withdrawn from the Committee on PUBLIC HEALTH, WELFARE & LABOR, and 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. 1284

Amend House Bill No. 1284 as originally introduced:

Page 2, line 26, delete "(1)" and substitute "(1)(A)"

AND

Page 3, delete line 1 and substitute the following:

"business of contracting in this state;:

(B) Subdivision (a)(1) of this section shall not apply to any demolition work or other work necessary to clean up a natural disaster within seventy-two (72) hours following the natural disaster;"

AND

Delete SECTION 3 in its entirety

AND

Delete SECTION 4 in its entirety

(SIGNED) SENATOR BAKER

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1284 was ordered engrossed.

On motion of Senator Horn, House Bill No. 1289 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. 1289

Amend House Bill No. 1289 as engrossed, H2/14/07:

Page 2, line 1, delete "seven" and substitute "five"

(SIGNED) SENATOR BARBARA HORN

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1289 was ordered engrossed.

On motion of Senator Horn, [House Bill No. 1363](#) 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. 1363](#)

Amend [House Bill No. 1363](#) as originally introduced:

Add Senators Horn and Altes as co-sponsors of the bill

AND

Add Representatives Edwards, Gildewell, Medley, and Pennartz as co-sponsors of the bill

(SIGNED) SENATOR BARBARA HORN

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

(SIGNED) ANN CORNWELL, SECRETARY

[House Bill No. 1363](#) was ordered engrossed.

On motion of Senator Horn, [House Bill No. 1364](#) 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. 1364](#)

Amend [House Bill No. 1364](#) as originally introduced:

Add Senators Horn and Altes as cosponsors of the bill

AND

Add Representatives Edwards, Gildewell, Medley, and Pennartz as cosponsors of the bill

(SIGNED) SENATOR HORN

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1364 was ordered engrossed.

On motion of Senator Thompson, House Bill No. 1130 was withdrawn from the Committee on JUDICIARY, and 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. 1130

Amend House Bill No. 1130 as originally introduced, H1/19/07:

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

"(e) The No rule against perpetuities shall not apply to property or funds set aside or trust created for the perpetual care of burial lots in cemeteries."

AND

Page 7, delete lines 2 and 3 and substitute the following:

"(c) The No rule against perpetuities shall not be applicable to funds as mentioned in this section."

AND

Page 7, line 4, delete "~~(d)(c)(1)~~" and substitute "(d)"

AND

Page 7, line 10, delete "~~(e)(d)~~" and substitute "(e)"

AND

Page 7, line 17, delete "~~(f)~~(e)" and substitute "(f)"

AND

Page 7, line 30, delete "period; or" and substitute "period;"

AND

Page 7, delete lines 31 through 33 and substitute the following:

"(3) the imposition of 120-hour requirement of survival would cause a nonvested property interest or a power of appointment to be invalid under ~~the Rule Against Perpetuities~~ any rule against perpetuities; or

AND

Page 7, line 34, delete "~~(4)~~(3)" and substitute "(4)"

AND

Page 7, delete line 36 and substitute the following:
"duplication of a disposition.

SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that the current extremely harsh remedy under the rule against perpetuities that renders a grantor's entire grant void if the grant violates the rule is outdated and should be replaced; that the common law rule fosters litigation at great cost to the citizens of this state because of its many complexities, with often devastating consequences to estates; and that the revision by this act of the common law remedy to permit the likely occurrence that a grant will vest or to permit a court to reform a grant that does not vest in the manner that most likely approximate the transferor's manifested plan is immediately necessary for the good of the citizens of this state. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto. "

(SIGNED) SENATOR R. THOMPSON

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1130 was ordered engrossed.

On motion of Senator Steele, **House Bill No. 1173** was placed back on second reading for purpose of Amendments No. 1 and No. 2.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to HOUSE BILL NO. 1173

Amend **House Bill No. 1173** as engrossed, H1/26/07:

Page 2, delete line 28 and substitute the following:

~~"(d) The Department of Education shall:~~

(3) Students in grades eleven through twelve (11-12) are exempt from any policy or requirement of a public school or the state for measuring or reporting body mass index.

(d) The Department of Education shall:"

(SIGNED) SENATOR TRACY STEELE

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

(SIGNED) ANN CORNWELL, SECRETARY

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 2 to HOUSE BILL NO. 1173

Amend **House Bill No. 1173** as engrossed, H1/26/07:

Page 1, delete line 32 and substitute the following:

"activity standards and body mass index for age assessment protocols are implemented to provide students with the skills,"

AND

Page 2, delete lines 10 and 11 and substitute the following:

"geographical areas of the state if funds are available; ~~and~~

- (4) Assign all community health nurses under its supervision to work with schools to assure that body mass index for age assessment protocols are followed by school employees or their designees who conduct body mass index for age assessments and other student health screenings; and
- (5) Not use more than five percent (5%) of the annual Division"

AND

Page 2, delete lines 14 through 25 and substitute the following:

"(c) Every school district shall:

- (1) Prohibit for elementary school students in-school access to vending machines offering food and beverages;
- (2) Require schools to include as part of the annual report to parents and the community the amounts and specific sources of funds received and expenditures made from competitive food and beverage contracts;
- (3) Beginning with kindergarten and then in even numbered grades, Require require schools to include as a part of a student health report to parents ~~an annual a~~ body mass index percentile by age for each student; and
- (4) ~~Require schools to annually provide parents with an explanation of the possible health effects of body mass index, nutrition, and physical activity~~ Permit any parent to refuse to have their child's body mass index percentile for age assessed and reported, by providing a written refusal to the school."

AND

Page 2, delete lines 26 and 27.

(SIGNED) SENATOR TRACY STEELE

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1173 was ordered engrossed.

On motion of Senator Madison, **House Bill No. 1068** 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. 1068

Amend **House Bill No. 1068** as engrossed, H2/8/07:

Page 4, delete lines 3 through 9 and substitute the following:

"(2) A violation of subdivision (b)(1) of this section is a Class C misdemeanor for the first offense and a Class B misdemeanor for a subsequent offense."

(SIGNED) SENATOR SUE MADISON

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1068 was ordered engrossed.

The President declared the morning hour to have expired.

SENATE BILL NO. 398
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR SALMON

A Bill for an Act to be Entitled: AN ACT TO AUTHORIZE THE DIVISION OF VITAL RECORDS OF THE DIVISION OF HEALTH OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ISSUE CERTIFICATES OF BIRTH RESULTING IN STILLBIRTH; AND FOR OTHER PURPOSES.

Senate Bill No. 398 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

SENATE CONCURRENT RESOLUTION NO. 12
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR BAKER

BY: REPRESENTATIVES WILLS, PICKETT, HAWKINS & S. PRATER

SENATE CONCURRENT RESOLUTION RECOGNIZING THE UNIVERSITY OF CENTRAL ARKANSAS ON THE OBSERVANCE OF ITS ONE HUNDREDTH ANNIVERSARY AND ITS OUTSTANDING LEADERSHIP IN EDUCATION.

Senate Concurrent Resolution No. 12 was read the first time, rules suspended, read the second time and placed on the Calendar.

On motion of Senator Faris, **Senate Bill No. 59** was called up for third reading and final disposition.

SENATE BILL NO. 59
As Engrossed: S1/24/07 S2/5/07 S2/13/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS FARIS, BAKER & GLOVER
BY: REPRESENTATIVES SAUNDERS, HARRELSON, D. EVANS, ET AL

A Bill for an Act to be Entitled: AN ACT TO AMEND VARIOUS PROVISIONS PERTAINING TO CAMPAIGN FINANCE PRACTICES; TO AMEND PORTIONS OF THE ARKANSAS CODE WHICH RESULTED FROM INITIATED ACT 1 OF 1990 AND INITIATED ACT 1 OF 1996; AND FOR OTHER PURPOSES.

Senate Bill No. 59 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, Broadway, Brown, Bryles, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Hill, Horn, G. Jeffress, J. Jeffress, B. Johnson, Lavery, Luker, Madison, Malone, Miller, B. Pritchard, Salmon, Steele, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkins, Wilkinson, Womack.

Total	33
NEGATIVE: T. Smith.	
Total	1
ABSENT OR NOT VOTING: Argue.	
Total	1
VOTING PRESENT:	
Total	0
Total number of votes cast	34
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. 59 was ordered immediately transmitted to the House.

On motion of Senator Hendren, **Senate Bill No. 216** was called up for third reading and final disposition.

SENATE BILL NO. 216
As Engrossed: S2/13/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR HENDREN

A Bill for an Act to be Entitled: AN ACT TO PROVIDE THAT NONVIOLENT FELONY SEX OFFENDERS AWAITING TRANSFER TO THE DEPARTMENT OF CORRECTION OR THE DEPARTMENT OF COMMUNITY CORRECTION SHALL NOT BE TEMPORARILY RELEASED FROM THE CUSTODY OF A SHERIFF; AND FOR OTHER PURPOSES.

Senate Bill No. 216 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, Broadway, 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.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Argue.

Total1

VOTING PRESENT:

Total0

Total number of votes cast34

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. 216 was ordered immediately transmitted to the House.

On motion of Senator Taylor, **Senate Bill No. 89** was called up for third reading and final disposition.

SENATE BILL NO. 89
As Engrossed: S2/13/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR J. TAYLOR
BY: REPRESENTATIVE HARRELSON

A Bill for an Act to be Entitled: AN ACT TO REQUIRE THE ADMINISTRATIVE OFFICE OF THE COURTS TO PROVIDE ASSISTANCE AND SUPPORT TO CITIES AND COUNTIES IN THE ADOPTION OF LOCAL COURT SECURITY PLANS AND THE PROVISION OF COURT SECURITY FOR CIRCUIT AND DISTRICT COURTS; TO PROVIDE FOR THE CERTIFICATION AND TRAINING OF COURT SECURITY OFFICERS; TO ESTABLISH A STATE COURT SECURITY GRANT PROGRAM; AND FOR OTHER PURPOSES.

Senate Bill No. 89 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, Broadway, 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.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Argue.

Total1

VOTING PRESENT:

Total0

Total number of votes cast34

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. 89 was ordered immediately transmitted to the House.

On motion of Senator Smith, Senate Bill No. 276 was called up for third reading and final disposition.

SENATE BILL NO. 276
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR T. SMITH

A Bill for an Act to be Entitled: AN ACT AMENDING PROVISIONS OF ARKANSAS LAW CONCERNING BODY ART; AND FOR OTHER PURPOSES.

Senate Bill No. 276 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, Broadway, 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.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Argue.

Total1

VOTING PRESENT:

Total0

Total number of votes cast.....34
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. 276 was ordered immediately transmitted to the House.

On motion of Senator Madison, Senate Bill No. 247 was called up for third reading and final disposition.

SENATE BILL NO. 247
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MADISON

A Bill for an Act to be Entitled: AN ACT TO ALLOW THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO APPOINT A SIGNEE SO THAT A CHILD IN STATE CUSTODY MAY OBTAIN AN INSTRUCTION PERMIT, A LEARNER'S LICENSE, OR AN INTERMEDIATE DRIVER'S LICENSE; AND FOR OTHER PURPOSES.

Senate Bill No. 247 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, Bisbee, Broadway, Brown, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Hill, Horn, G. Jeffress, J. Jeffress, Luker, Madison, Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, R. Thompson, Trusty, Wilkins, Wilkinson.

Total26

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Argue, Altes, Bookout, Bryles, B. Johnson, Laverty, J. Taylor, Whitaker, Womack.

Total9

VOTING PRESENT:

Total	0
Total number of votes cast	26
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. 247 was ordered immediately transmitted to the House.

* * * * * **EXPUNGED** * * * * *

On motion of Senator Malone, Senate Bill No. 270 was called up for third reading and final disposition.

SENATE BILL NO. 270
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MALONE

A Bill for an Act to be Entitled: AN ACT TO AMEND § 16-123-107 TO ADD DISCRIMINATION BECAUSE OF PUBLIC ASSISTANCE STATUS AS AN OFFENSE; AND FOR OTHER PURPOSES.

Senator Womack spoke against the Bill.

Senator Malone closed for the Bill.

Senate Bill No. 270 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: Bookout, Broadway, Brown, Bryles, Capps, Crumbly, Faris, Glover, Hill, Horn, G. Jeffress, J. Jeffress, B. Johnson, Madison, Malone, Miller, Salmon, T. Smith, Steele, R. Thompson, Wilkins.

Total21

NEGATIVE: Altes, Baker, Bisbee, Critcher, Hendren, B. Pritchard, Trusty,
Whitaker, Womack.

Total9

ABSENT OR NOT VOTING: Argue, Laverty, Luker, J. Taylor, Wilkinson.

Total5

VOTING PRESENT:

Total0

Total number of votes cast.....30

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

On motion of Senator Malone, **Senate Bill No. 270** was held in the Senate.

*** * * * * EXPUNGED * * * * ***

Senator Malone moved that the record pertaining to the vote by which **Senate Bill No. 270** passed be expunged, the motion was duly seconded and prevailed.

On motion of Senator Hendren, **House Bill No. 1377** was called up for third reading and final disposition.

HOUSE BILL NO. 1377
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES D. HUTCHINSON, PACE, HOUSE, ET AL
SENATORS HENDREN AND MADISON

A Bill for an Act to be Entitled: AN ACT TO PROVIDE THAT ALL REAL PROPERTY ACQUIRED BY A REGIONAL AIRPORT AUTHORITY IN FEE SIMPLE TITLE FOR AVIATION PURPOSES IS EXEMPT FROM ANNEXATION AND MUNICIPAL REGULATION; AND FOR OTHER PURPOSES.

House Bill No. 1377 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, Broadway, 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.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Argue.

Total1

VOTING PRESENT:

Total0

Total number of votes cast34

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. 1377 was ordered immediately returned to the House as passed.

On motion of Senator Hendren, **House Bill No. 1376** was called up for third reading and final disposition.

HOUSE BILL NO. 1376
As Engrossed: H2/12/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES HOUSE, PACE, ANDERSON & ET AL
BY: SENATORS HENDREN AND MADISON

A Bill for an Act to be Entitled: AN ACT TO AMEND VARIOUS SECTIONS OF THE ARKANSAS CODE TO PROVIDE THAT CERTAIN CITY AND COUNTY TAXES ON AVIATION FUEL BE REMITTED DIRECTLY TO THE REGIONAL AIRPORT LOCATED IN THE TAXING COUNTY; AND FOR OTHER PURPOSES.

House Bill No. 1376 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, Broadway, 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	34
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Argue.	
Total	1
VOTING PRESENT:	
Total	0
Total number of votes cast.....	34
Necessary to the passage of the bill	27

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. 1376**, 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, Broadway, 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.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Argue.

Total1

VOTING PRESENT:

Total0

Total number of votes cast.....34

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1376 was ordered immediately returned to the House as passed.

On motion of Senator Brown, **House Bill No. 1288** was called up for third reading and final disposition.

HOUSE BILL NO. 1288
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE E. BROWN

A Bill for an Act to be Entitled: AN ACT TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO PROVIDE NOTICE OF THE STATUS OF A COURT PROCEEDING RELATED TO A MALTREATMENT ADMINISTRATIVE HEARING; AND FOR OTHER PURPOSES.

House Bill No. 1288 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, Broadway, 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.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Argue.

Total1

VOTING PRESENT:

Total0

Total number of votes cast34

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. 1288 was ordered immediately returned to the House as passed.

On motion of Senator Salmon, **House Bill No. 1333** was called up for third reading and final disposition.

**HOUSE BILL NO. 1333
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION**

BY: REPRESENTATIVES D. JOHNSON, HARRELSON, L. SMITH & WEBB

BY: SENATORS BAKER AND SALMON

A Bill for an Act to be Entitled: AN ACT TO CREATE THE OFFENSES OF INTERFERENCE WITH EMERGENCY COMMUNICATION IN THE FIRST DEGREE AND INTERFERENCE WITH EMERGENCY COMMUNICATION IN THE SECOND DEGREE; AND FOR OTHER PURPOSES.

House Bill No. 1333 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, Broadway, 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.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Argue.

Total1

VOTING PRESENT:

Total0

Total number of votes cast34

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. 1333 was ordered immediately returned to the House as passed.

On motion of Senator Salmon, **House Bill No. 1334** was called up for third reading and final disposition.

**HOUSE BILL NO. 1334
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE D. JOHNSON**

A Bill for an Act to be Entitled: AN ACT TO INCREASE THE PENALTY CLASSIFICATION FOR OBSTRUCTING GOVERNMENTAL OPERATIONS UNDER CERTAIN CIRCUMSTANCES; AND FOR OTHER PURPOSES.

House Bill No. 1334 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, Broadway, 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	34
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Argue.	
Total	1
VOTING PRESENT:	
Total	0
Total number of votes cast.....	34
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. 1334 was ordered immediately returned to the House as passed.

On motion of Senator Salmon, **House Bill No. 1466** was called up for third reading and final disposition.

**HOUSE BILL NO. 1466
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE WOOD**

A Bill for an Act to be Entitled: AN ACT TO CLARIFY THE LAW REGARDING THE ENTITLEMENT TO A SCHOLARSHIP FOR THE CHILDREN AND SPOUSE OF CERTAIN PUBLIC SERVICE EMPLOYEES IF THE PUBLIC SERVICE RESULTS IN DEATH OR PERMANENT AND TOTAL DISABILITY; AND FOR OTHER PURPOSES.

House Bill No. 1466 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, Broadway, 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	34
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Argue.	
Total	1
VOTING PRESENT:	
Total	0
Total number of votes cast	34
Necessary to the passage of the bill	18

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. 1466**, 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, Broadway, 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.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Argue.

Total1

VOTING PRESENT:

Total0

Total number of votes cast.....34

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1466 was ordered immediately returned to the House as passed.

On motion of Senator Critcher, **Senate Bill No. 308** was called up for third reading and final disposition.

**SENATE BILL NO. 308
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR CRITCHER**

A Bill for an Act to be Entitled: AN ACT TO AMEND § 26-3-306(a)(1)(B)(iii) TO REINSTATE THE HOMESTEAD AND PERSONAL PROPERTY TAX EXEMPTIONS AVAILABLE TO A DISABLED VETERAN'S SURVIVING SPOUSE WHOSE SUBSEQUENT MARRIAGE HAS TERMINATED; AND FOR OTHER PURPOSES.

Senate Bill No. 308 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, Broadway, 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.

Total	34
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Argue.	
Total	1
VOTING PRESENT:	
Total	0
Total number of votes cast	34
Necessary to the passage of the bill	27

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 308 was ordered immediately transmitted to the House.

On motion of Senator Baker, **House Bill No. 1400** was called up for third reading and final disposition.

HOUSE BILL NO. 1400

As Engrossed: H2/14/07 S2/21/07

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 & 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 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, Broadway, 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, Trusty, Whitaker, Wilkins, Wilkinson, Womack.

Total	33
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Argue.	
Total	1
VOTING PRESENT: R. Thompson .	
Total	1
Total number of votes cast.....	34
Necessary to the passage of the bill	18

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. 1400**, 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, Broadway, 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, Trusty, Whitaker, Wilkins, Wilkinson, Womack.

Total33

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Argue.

Total1

VOTING PRESENT: R. Thompson.

Total1

Total number of votes cast34

Necessary to the passage of the bill24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1400 was ordered immediately returned to the House as passed as amended.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 22, 2007

Mr. President:

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

SENATE BILL NO. 235, BY SENATOR WOMACK,

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 22, 2007

Mr. President:

We, your Committee on JUDICIARY, to whom was referred:

SENATE BILL NO. 235, BY SENATOR WOMACK,

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

Respectfully submitted,

(SIGNED) SENATOR ED WILKINSON
CHAIRMAN

On motion of Senator Womack, and without objection, the rules were suspended pertaining to passage of Amendment and Bill on the same day.

On motion of Senator Womack, **Senate Bill No. 235** was called up for third reading and final disposition.

SENATE BILL NO. 235

As Engrossed: S2/13/07 S2/15/07 S2/22/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATORS WOMACK, ALTES, BISBEE, BRYLES, BROADWAY, CRITCHER, FARIS, HENDREN, HORN, G. JEFFRESS, MILLER, R. THOMPSON & WILKINSON

BY: REPRESENTATIVES HARRELSON, JEFFREY, LOWERY, ET AL

A Bill for an Act to be Entitled: AN ACT TO CREATE THE DISTRICT COURT RESOURCE ASSESSMENT BOARD; TO CREATE A PILOT PROGRAM OF FULL-TIME DISTRICT COURT JUDGES THAT ARE EMPLOYEES OF THE STATE OF ARKANSAS; TO CONSOLIDATE CITY COURTS WITH DISTRICT COURTS; AND FOR OTHER PURPOSES.

Senate Bill No. 235 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, Bisbee, Bookout, Broadway, Brown, Bryles, Critcher, Crumbly, Faris, Glover, Hendren, Horn, G. Jeffress, J. Jeffress, B. Johnson, Laverty, Madison, Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, R. Thompson, Trusty, Whitaker, Wilkins, Wilkinson, Womack.

Total29

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Argue, Altes, Capps, Hill, Luker, J. Taylor.

Total6

VOTING PRESENT:

Total0

Total number of votes cast.....29
 Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senator Womack moved that the vote by which **Senate Bill No. 235** passed be reconsidered and that motion be laid upon the table, which motion prevailed and the motion to reconsider was laid on the table.

Senate Bill No. 235 was ordered immediately transmitted to the House.

On motion of Senator Steele, **House Bill No. 1229** was called up for third reading and final disposition.

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 & ET AL

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 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, Broadway, 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.

Total	34
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Argue.	
Total	1
VOTING PRESENT:	
Total	0
Total number of votes cast	34
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. 1229 was ordered immediately returned to the House as passed.

On motion of Senator Capps, House Bill No. 1145 was called up for third reading and final disposition.

HOUSE BILL NO. 1145
 EIGHTY-SIXTH GENERAL ASSEMBLY
 REGULAR SESSION
 BY: REPRESENTATIVE D. EVANS

A Bill for an Act to be Entitled: AN ACT TO REQUIRE SCHOOLS TO NOTIFY PARENTS UPON A STUDENT'S SUSPENSION; AND FOR OTHER PURPOSES.

House Bill No. 1145 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, Broadway, 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.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Argue.

Total1

VOTING PRESENT:

Total0

Total number of votes cast.....34

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. 1145 was ordered immediately returned to the House as passed.

On motion of Senator Hill, House Bill No. 1184 was called up for third reading and final disposition.

HOUSE BILL NO. 1184

As Engrossed: H1/24/07 H1/25/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES S. PRATER, WOOD, ADCOCK & ET AL

BY: SENATORS HILL, ALTES, BAKER, J. JEFFRESS, SALMON, TRUSTY, J. TAYLOR, T. SMITH, WHITAKER, FARIS, CAPPS, MILLER & CRITCHER

A Bill for an Act to be Entitled: AN ACT TO ALLOW MILITARY OFFICERS OF THE ARMED SERVICES TO RECEIVE THE SAME INCOME TAX EXEMPTION AS ENLISTED PERSONNEL OF THE ARMED SERVICES; AND FOR OTHER PURPOSES.

House Bill No. 1184 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, Broadway, 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.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Argue.

Total1

VOTING PRESENT:

Total0

Total number of votes cast34

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. 1184 was ordered immediately returned to the House as passed.

On motion of Senator Brown, House Bill No. 1431 was called up for third reading and final disposition.

HOUSE BILL NO. 1431

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES BLOUNT, ABERNATHY, CORNWELL & ET AL

BY: SENATOR BROWN

A Bill for an Act to be Entitled: AN ACT TO AMEND THE TEACHER LICENSURE REQUIREMENTS BY CREATING THE LIFETIME TEACHING LICENSE FOR EDUCATORS MAINTAINING A VALID TEACHING LICENSE TO AGE 65; TO HONOR ARKANSAS TEACHERS WHO HAVE MADE LASTING AND SIGNIFICANT CONTRIBUTIONS TO THE FIELD OF EDUCATION; AND FOR OTHER PURPOSES.

House Bill No. 1431 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, Broadway, 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.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Argue.

Total1

VOTING PRESENT:

Total0

Total number of votes cast.....34

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. 1431 was ordered immediately returned to the House as passed.

On motion of Senator Madison, **House Bill No. 1457** was called up for third reading and final disposition.

**HOUSE BILL NO. 1457
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE HOUSE**

A Bill for an Act to be Entitled: AN ACT TO REQUIRE A MOTOR VEHICLE OWNER TO SIGN THE FRONT SIDE OF A MOTOR VEHICLE CERTIFICATE OF TITLE UPON RECEIPT; TO ELIMINATE THE REQUIREMENT THAT AN OWNER SIGN THE REVERSE SIDE OF THE TITLE UPON RECEIPT; AND FOR OTHER PURPOSES.

House Bill No. 1457 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, Broadway, 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.

Total	34
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Argue.	
Total	1
VOTING PRESENT:	
Total	0
Total number of votes cast	34
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. 1457 was ordered immediately returned to the House as passed.

On motion of Senator J. Jeffress, the Senate resolved itself into the Committee of the Whole for the purpose of Retirement Bills.

Without objection, the Committee of the Whole was dissolved, and the Senate took up its regular order of business.

On motion of Senator J. Jeffress, the rules were suspended in considering **Senate Bill No. 39** at this time.

On motion of Senator J. Jeffress, **Senate Bill No. 39** was called up for third reading and final disposition.

**SENATE BILL NO. 39
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MILLER
BY: REPRESENTATIVES COOPER AND WYATT**

A Bill for an Act to be Entitled: AN ACT TO EXTEND THE DURATION OF THE ARKANSAS PUBLIC EMPLOYEES' RETIREMENT SYSTEM DEFERRED RETIREMENT OPTION PLAN; AND FOR OTHER PURPOSES.

Senate Bill No. 39 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, Broadway, 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.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Argue.

Total1

VOTING PRESENT:

Total	0
Total number of votes cast	34
Necessary to the passage of the bill	18

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. 39**, 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, Broadway, 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.

Total	34
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NEGATIVE:

Total	0
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ABSENT OR NOT VOTING: Argue.

Total	1
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VOTING PRESENT:

Total	0
Total number of votes cast	34
Necessary to the adoption of the Emergency Clause	24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 39 was ordered immediately transmitted to the House.

On motion of Senator J. Jeffress, the rules were suspended in considering **Senate Bill No. 43** at this time.

On motion of Senator J. Jeffress, **Senate Bill No. 43** was called up for third reading and final disposition.

SENATE BILL NO. 43
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR J. JEFFRESS

A Bill for an Act to be Entitled: AN ACT CONCERNING BENEFIT PAYMENTS UNDER THE ARKANSAS PUBLIC EMPLOYEES' RETIREMENT SYSTEM; AND FOR OTHER PURPOSES.

Senate Bill No. 43 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, Broadway, 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.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Argue.

Total1

VOTING PRESENT:

Total0

Total number of votes cast.....34

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. 43 was ordered immediately transmitted to the House as passed.

On motion of Senator J. Jeffress, the rules were suspended in considering Senate Bill No. 90 at this time.

On motion of Senator J. Jeffress, Senate Bill No. 90 was called up for third reading and final disposition.

SENATE BILL NO. 90
As Engrossed: S1/30/07 S2/15/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR FARIS

A Bill for an Act to be Entitled: AN ACT TO TRANSFER THE ARKANSAS DISTRICT JUDGE RETIREMENT SYSTEM TO THE ARKANSAS PUBLIC EMPLOYEES' RETIREMENT SYSTEM; AND FOR OTHER PURPOSES.

Senate Bill No. 90 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, Broadway, 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.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Argue.

Total1

VOTING PRESENT:

Total0

Total number of votes cast.....34

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. 90**, 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, Broadway, 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.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Argue.

Total1

VOTING PRESENT:

Total0

Total number of votes cast.....34

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 90 was ordered immediately transmitted to the House.

On motion of Senator J. Jeffress, the rules were suspended in considering Senate Bill No. 302 at this time.

On motion of Senator J. Jeffress, Senate Bill No. 302 was called up for third reading and final disposition.

SENATE BILL NO. 302
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR J. JEFFRESS

A Bill for an Act to be Entitled: AN ACT CONCERNING PROCEDURES OF THE JOINT COMMITTEE ON PUBLIC RETIREMENT AND SOCIAL SECURITY PROGRAMS WHEN CONSIDERING CERTAIN RETIREMENT BILLS; AND FOR OTHER PURPOSES.

Senate Bill No. 302 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, Broadway, 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.

Total	34
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Argue.	
Total	1
VOTING PRESENT:	
Total	0
Total number of votes cast	34
Necessary to the passage of the bill	18

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. 302**, 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, Broadway, 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.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Argue.

Total1

VOTING PRESENT:

Total0

Total number of votes cast.....34

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 302 was ordered immediately transmitted to the House.

On motion of Senator J. Jeffress, the rules were suspended in considering **Senate Bill No. 57** at this time.

On motion of Senator J. Jeffress, **Senate Bill No. 57** was called up for third reading and final disposition.

SENATE BILL NO. 57
As Engrossed S1/30/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR FARIS

A Bill for an Act to be Entitled: AN ACT MAKING TECHNICAL CORRECTIONS TO THE PROVISIONS GOVERNING THE ARKANSAS PUBLIC EMPLOYEES' RETIREMENT SYSTEM; AND FOR OTHER PURPOSES.

Senate Bill No. 57 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, Broadway, 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.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Argue.

Total1

VOTING PRESENT:

Total0

Total number of votes cast34

Necessary to the passage of the bill24

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 57 was ordered immediately transmitted to the House as passed.

On motion of Senator J. Jeffress, the rules were suspended in considering **House Bill No. 1084** at this time.

On motion of Senator J. Jeffress, **House Bill No. 1084** was called up for third reading and final disposition.

**HOUSE BILL NO. 1084
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE OVERBEY**

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE §§ 24-12-121 AND 24-12-127 TO PROVIDE DEATH BENEFITS TO A SPOUSE UPON THE DEATH OF ANY CITY CLERK, CITY-TREASURER, RECORDER-TREASURER, OR TREASURER IN CITIES OF THE FIRST CLASS AND CITIES OF THE SECOND CLASS AT THE OPTION OF THE MUNICIPALITY'S GOVERNING BODY; AND FOR OTHER PURPOSES.

House Bill No. 1084 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, Broadway, 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.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Argue.

Total1

VOTING PRESENT:

Total0

Total number of votes cast.....34

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. 1084 was ordered immediately returned to the House as passed.

On motion of Senator Womack, **Senate Bill No. 68** was withdrawn from the Committee on JOINT BUDGET, 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. 68

Amend **Senate Bill No. 68** as originally introduced:

Page 2, line 4, delete "1" and substitute "2"

AND

Page 2, line 6, delete "3" and substitute "4"

AND

Page 2, line 24, delete "\$ 144,083 \$ 146,963" and substitute "\$ 189,382 \$ 193,167"

AND

Page 2, line 26, delete "47,123 47,793" and substitute "56,815 57,950"

AND

Page 2, line 33, delete "\$ 263,088 \$ 268,638" and substitute "\$ 318,079 \$ 324,999".

(SIGNED) SENATOR SHAWN A. WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 68 was ordered engrossed.

On motion of Senator Womack, **Senate Bill No. 259** was withdrawn from the Committee on JOINT BUDGET, 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. 259

Amend **Senate Bill No. 259** as originally introduced:

Page 2, line 11, delete "\$62,176 \$63,419" and substitute "\$63,326 \$64,592"

AND

Page 3, delete "lines 4-10" and substitute the following:

"(04) MAINT. & GEN. OPERATION

(A) OPER. EXPENSE	584,187	534,187
(B) CONF. & TRAVEL	30,000	30,000
(C) PROF. FEES	12,500	2,500
(D) CAP. OUTLAY	150,000	25,000
(E) DATA PROC	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	\$ <u>2,643,461</u>	\$ <u>2,501,390</u> ".

(SIGNED) SENATOR SHAWN A WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 259 was ordered engrossed.

On motion of Senator Womack, the Senate resolved itself into the Committee of the Whole for the purpose of Joint Budget Bills.

Without objection, the Committee of the Whole was dissolved, and the Senate took up its regular order of business.

On motion of Senator Womack, **House Bill No. 1511** was called up for third reading and final disposition.

**HOUSE BILL NO. 1511
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE**

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR STATE EMPLOYEE CLAIMS FOR THE STATE INSURANCE DEPARTMENT WHICH SHALL BE SUPPLEMENTAL AND IN ADDITION TO THOSE FUNDS APPROPRIATED BY ACT 2036 OF 2005; AND FOR OTHER PURPOSES.

House Bill No. 1511 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, Broadway, 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.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Argue.

Total1

VOTING PRESENT:

Total0

Total number of votes cast.....34
 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 **House Bill No. 1511**, 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, Broadway, 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.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Argue.

Total1

VOTING PRESENT:

Total0

Total number of votes cast.....34

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1511 was ordered immediately returned to the House as passed.

STATE OF ARKANSAS
OFFICE OF THE GOVERNOR
State Capitol
Little Rock 72201

February 22, 2007

TO THE SECRETARY OF THE SENATE

Dear Ms Cornwell:

This is to inform you that on February 22, 2007, my office is returning Senate Bill 182
To the Arkansas State Senate as requested.

Sincerely,

(SIGNED) MIKE BEEBE
Governor

On motion of Senator Altes, **Senate Bill No. 182** was ordered re-referred to the
Committee on JUDICIARY.

ROBERT THOMPSON
SENATOR
11TH DISTRICT
OFFICE: 870-239-9581
414 WEST COURT
PARAGOULD, ARKANSAS 72450-4293

THE SENATE
STATE OF ARKANSAS

February 21, 2007

ANN CORNWELL
Secretary of the Senate
Senate Fiscal Officer
State Capitol, Room 320
Little Rock, Arkansas 72201

Dear Mrs. Cornwell:

I am writing this letter with the request that you place it in the Senate Journal. It concerns HB1400, filed by Rep. Robbie Wills, which will create five new circuit judge positions in the State of Arkansas, including one new judge position in the Second Judicial Circuit, where I reside.

I am writing because Randy Philhours, my law partner at Branch, Thompson, Philhours & Warmath, recently announced that he is running for Circuit Judge in 2008. There are two judges in the Second Judicial Circuit retiring. HB1400 would create a third open position. Mr. Philhours had advised me that he does not know what open judicial position he will seek, and he has also advised that his decision to run for Circuit Judge will not be influenced by whether HB1400 is enacted.

I was concerned about potential conflicts with regard to my voting on HB1400. I could identify two sources of ethical regulations that might theoretically affect my voting on HB1400 - Ark. Code Ann. § 21-8-803, which requires the reporting of potential conflicts by legislators, and Senate Rule 24.07, which limits a senator's ability to participate in debate and vote on issues which might pose a conflict of interest to him. In reading this statute and this rule, I do not believe either applies to my situation. I have discussed the matter with Steve Cook, the Senate's counsel, and I believe he agrees with me. If Randy Philhours were to run for an open Circuit Judge position created by HB1400, it would be of no economic benefit to me or my firm, because he would by law have to resign his position at my firm upon assuming the position of Circuit Judge. I can identify no conflict; however, I wanted to note my review of this matter and my conclusions on it in the official record of the Senate.

Yours truly

Signed Robert Thompson,
State Senate District 11

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 22, 2007

Mr. President:

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

SENATE BILL NO. 242, BY SENATOR LUKER, 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

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 22, 2007

Mr. President:

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

HOUSE BILL NO. 1068, BY REPRESENTATIVE RAGLAND,
HOUSE BILL NO. 1173, BY REPRESENTATIVE ANDERSON, et al,
HOUSE BILL NO. 1289, BY REPRESENTATIVE BURRIS,
HOUSE BILL NO. 1310, BY REPRESENTATIVE CREEKMORE, et al,
HOUSE BILL NO. 1363, BY REPRESENTATIVE KEY,

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 22, 2007

Mr. President:

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

HOUSE BILL NO. 1130, BY REPRESENTATIVE HARRELSON, 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 Thompson, **House Bill No. 1130** was ordered re-referred to the Committee on JUDICIARY.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 22, 2007

Mr. President:

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

HOUSE BILL NO. 1284, BY REPRESENTATIVE WILLS, 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 Baker, **House Bill No. 1284** was ordered re-referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

SENATE RESOLUTION NO. 10
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR G. JEFFRESS

SENATE RESOLUTION COMMENDING THE SMACKOVER SCHOOL DISTRICT FOR THE ADDITIONAL NUMBER OF STUDENT INSTRUCTIONAL DAYS OFFERED.

Senate Resolution No. 10 was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 399
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR R. THOMPSON
BY: REPRESENTATIVES PATTERSON, ROGERS & GASKILL

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF RURAL SERVICES FOR LOCAL GRANTS; AND FOR OTHER PURPOSES.

Senate Bill No. 399 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 400
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR R. THOMPSON
BY: REPRESENTATIVES ROGERS, PATTERSON & GASKILL

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF ARKANSAS HERITAGE - HISTORIC PRESERVATION FOR RESTORATION GRANTS; AND FOR OTHER PURPOSES.

Senate Bill No. 400 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 401
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS R. THOMPSON AND BOOKOUT
BY: REPRESENTATIVE PATTERSON

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS STATE UNIVERSITY FOR LAND ACQUISITION FOR AGRICULTURAL EDUCATION AND RESEARCH; AND FOR OTHER PURPOSES.

Senate Bill No. 401 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 402
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR G. JEFFRESS

A Bill for an Act to be Entitled: AN ACT TO MODIFY THE MEMBERSHIP OF THE STATE FIRE PREVENTION COMMISSION; AND FOR OTHER PURPOSES.

Senate Bill No. 402 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES AND GOVERNMENTAL AFFAIRS.

SENATE BILL NO. 403
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR G. JEFFRESS

A Bill for an Act to be Entitled: AN ACT TO REQUIRE THE DEPARTMENT OF EDUCATION AND SCHOOL DISTRICTS TO PROVIDE REASONABLE ACCOMMODATIONS FOR STUDENTS WITH IRLLEN SYNDROME WHEN ADMINISTERING A STATE-MANDATED ASSESSMENT; AND FOR OTHER PURPOSES.

Senate Bill No. 403 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

SENATE BILL NO. 404
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR BOOKOUT
BY: REPRESENTATIVE HARDWICK

A Bill for an Act to be Entitled: AN ACT TO CLARIFY THE LICENSURE AND INTERNSHIP PROCESS FOR THE ARKANSAS BOARD OF HEARING INSTRUMENT DISPENSERS; TO INCREASE FEES FOR HEARING INSTRUMENT DISPENSER LICENSES; AND FOR OTHER PURPOSES.

Senate Bill No. 404 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

SENATE BILL NO. 405
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR BAKER

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE UNIVERSITY OF CENTRAL ARKANSAS TO PROVIDE GENERAL SUPPORT FOR EDUCATION EXCELLENCE THROUGH SCHOLARSHIPS, EQUIPMENT, TECHNOLOGY, COMMUNITY AND ECONOMIC DEVELOPMENT; AND FOR OTHER PURPOSES.

Senate Bill No. 405 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 406
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR SALMON

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE UNIVERSITY OF ARKANSAS AT LITTLE ROCK FOR NANOTECHNOLOGY CENTER OPERATIONS; AND FOR OTHER PURPOSES.

Senate Bill No. 406 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE CONCURRENT RESOLUTION NO. 13
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR WILKINSON
BY: REPRESENTATIVES BREEDLOVE AND WALTERS

SENATE CONCURRENT RESOLUTION COMMENDING THE CHARLES E. OSBORN AGENCY, INC., OF GREENWOOD, ARKANSAS, ON CELEBRATING ONE HUNDRED (100) YEARS IN THE INSURANCE BUSINESS.

Senate Concurrent Resolution No. 13 was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 407
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR WOMACK
BY: REPRESENTATIVE THYER

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF HIGHER EDUCATION FOR OPERATIONS OF THE ARKANSAS ASSOCIATION OF TWO YEAR COLLEGES WORKFORCE TRAINING CONSORTIUM; AND FOR OTHER PURPOSES.

Senate Bill No. 407 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 408
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS WOMACK AND LAVERTY
BY: REPRESENTATIVES DAVENPORT, KING, NORTON, RAGLAND

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE NORTH ARKANSAS COLLEGE FOR CONSTRUCTION AND/OR PURCHASE OF A MULTIPURPOSE BUILDING AND FURNISHINGS, EQUIPMENT AND ASSOCIATED COSTS; AND FOR OTHER PURPOSES.

Senate Bill No. 408 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 22, 2007

Mr. President:

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

SENATE BILL NO. 239, BY SENATOR LUKER, 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

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 22, 2007

Mr. President:

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

HOUSE BILL NO. 1364, BY REPRESENTATIVE KEY,

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

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 22, 2007

Mr. President:

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

SENATE BILL NO. 277, 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

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 22, 2007

Mr. President:

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

SENATE BILL NO. 68, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 259, BY JOINT BUDGET COMMITTEE,

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 Womack, **Senate Bill No. 68** was ordered re-referred to the Committee on JOINT BUDGET.

On motion of Senator Womack, **Senate Bill No. 259** was ordered re-referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 409
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR GLOVER

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS NATURAL RESOURCES COMMISSION FOR THE ARKANSAS WATER QUALITY LOAN PROGRAM; AND FOR OTHER PURPOSES.

Senate Bill No. 409 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 410
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR R. THOMPSON
BY: REPRESENTATIVE GASKILL

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS STATE UNIVERSITY FOR ASU PARAGOULD CENTER RENOVATION AND EQUIPMENT; AND FOR OTHER PURPOSES.

Senate Bill No. 410 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 411
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR CRITCHER
BY: REPRESENTATIVE DICKINSON

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS STATE UNIVERSITY - NEWPORT FOR COSTS ASSOCIATED WITH CONSTRUCTION OF A TRANSPORTATION TECHNOLOGY CENTER; AND FOR OTHER PURPOSES.

Senate Bill No. 411 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 412
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR CRITCHER

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT BATESVILLE FOR MAINTENANCE, OPERATING EXPENSES, CONSTRUCTION, RENOVATION AND VARIOUS EXPENSES; AND FOR OTHER PURPOSES.

Senate Bill No. 412 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

Senate Bill No. 209 was returned from the House as passed as amended.

On motion of Senator Faris, Senate Bill No. 209 was ordered re-referred to the Committee on STATE AGENCIES AND GOVERNMENTAL AFFAIRS.

Senate Bill No. 10 was returned from the House as passed and ordered enrolled.

Senate Bill No. 188 was returned from the House as passed and ordered enrolled.

Senate Bill No. 225 was returned from the House as passed and ordered enrolled.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 22, 2007

Mr. President:

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

SENATE CONCURRENT RESOLUTION NO. 6,
BY SENATOR WILKINSON,
REPRESENTATIVES BREEDLOVE,
WALTERS,
SENATE BILL NO. 273, BY SENATOR SMITH,

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 3:15 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. 6
SENATE BILL NO. 273

RECEIVED the above papers from the Secretary of the Senate this 22nd day of February, 2007, at 3:15 p.m..

(SIGNED) MIKE BEEBE
Governor

(SIGNED) Angela Tollette
Secretary

SENATE BILL NO. 413
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR FARIS

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF WORKFORCE EDUCATION FOR CAMP COUCHDALE FOR FACILITY IMPROVEMENTS AND BUILDING CONSTRUCTION; AND FOR OTHER PURPOSES.

Senate Bill No. 413 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 414
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR FARIS

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF RURAL SERVICES FOR LOCAL GRANTS; AND FOR OTHER PURPOSES.

Senate Bill No. 414 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 415
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MADISON

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR THE OPERATION AND IMPROVEMENT OF SERVICES FOR MALTREATED CHILDREN FOR THE DEPARTMENT OF HEALTH AND HUMAN SERVICES - DIVISION OF CHILDREN AND FAMILY SERVICES FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Senate Bill No. 415 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 416
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MADISON
BY: REPRESENTATIVE WEBB

A Bill for an Act to be Entitled: AN ACT TO ALLOW EXAMINATIONS OF ALLEGED OFFENDERS WHILE INVESTIGATING CHILD MALTREATMENT; AND FOR OTHER PURPOSES.

Senate Bill No. 416 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

SENATE BILL NO. 417
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR CRUMBLY
BY: REPRESENTATIVE HALL

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR OPERATING EXPENSES OF THE UNIVERSITY OF ARKANSAS FOR MEDICAL SCIENCES AREA HEALTH EDUCATION CENTER IN PHILLIPS COUNTY; AND FOR OTHER PURPOSES.

Senate Bill No. 417 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 418
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY - NON-HAZARDOUS SITE CLEAN UP; AND FOR OTHER PURPOSES.

Senate Bill No. 418 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 419
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR HORN

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE COSSATOT COMMUNITY COLLEGE OF THE UNIVERSITY OF ARKANSAS FOR CONSTRUCTION, OPERATING AND OTHER EXPENSES; AND FOR OTHER PURPOSES.

Senate Bill No. 419 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 420
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR HORN

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE UNIVERSITY OF ARKANSAS FOR THE WINTHROP ROCKEFELLER INSTITUTE; AND FOR OTHER PURPOSES.

Senate Bill No. 420 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 421
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR HORN
BY: REPRESENTATIVE HAWKINS

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE § 17-95-101 TO ENSURE IMMUNITY FROM LIABILITY TO HEALTH CARE PROFESSIONALS ACTING AS GOOD SAMARITANS; AND FOR OTHER PURPOSES.

Senate Bill No. 421 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

HOUSE CONCURRENT RESOLUTION NO. 1013
As Engrossed: 2/21/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES PENNARTZ, GLIDEWELL, ET AL
BY: SENATORS WILKINSON AND ALTES

HOUSE CONCURRENT RESOLUTION COMMENDING CIRCUIT JUDGE ROBERT NORMAN WILKINSON UPON HIS RETIREMENT FROM THE BENCH AND FOR HIS DEDICATED AND DISTINGUISHED SERVICE TO SEBASTIAN COUNTY.

House Concurrent Resolution No. 1013 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1070
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE REEP

A Bill for an Act to be Entitled: AN ACT TO ENSURE COMPLIANCE WITH THE FEDERAL SAFE DRINKING WATER ACT; TO INCREASE ANNUAL FEES FOR PUBLIC WATER SYSTEMS; AND FOR OTHER PURPOSES.

House Bill No. 1070 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

HOUSE BILL NO. 1437
As Engrossed: H2/20/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES SHELBY, *MEDLEY, ET AL*
BY: SENATOR SALMON

A Bill for an Act to be Entitled: AN ACT TO IMPROVE THE PROCEDURES CONCERNING CORONER'S DEATH INVESTIGATIONS; AND FOR OTHER PURPOSES.

House Bill No. 1437 was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY AND LOCAL AFFAIRS.

HOUSE BILL NO. 1439
As Engrossed: H2/15/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES W. LEWELLEN, ET AL

A Bill for an Act to be Entitled: AN ACT TO CREATE THE TASKFORCE FOR THE STUDY OF THE HOMELESS; AND FOR OTHER PURPOSES.

House Bill No. 1439 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES AND GOVERNMENTAL AFFAIRS.

HOUSE BILL NO. 1490
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE HARRIS

A Bill for an Act to be Entitled: AN ACT TO PROVIDE FOR AN INTERNET BROADCAST OF THE PROCEEDINGS OF THE HOUSE OF REPRESENTATIVES AND SENATE; AND FOR OTHER PURPOSES.

House Bill No. 1490 was read the first time, rules suspended, read the second time and referred to the Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS.

HOUSE BILL NO. 1499
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE D. EVANS

A Bill for an Act to be Entitled: AN ACT TO CHANGE THE MUNICIPAL POPULATION REQUIREMENT TO GIVE MORE CITIES THE AUTHORITY TO FILL VACANCIES IN CERTAIN ALDERMAN POSITIONS; AND FOR OTHER PURPOSES.

House Bill No. 1499 was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY AND LOCAL AFFAIRS.

HOUSE BILL NO. 1503
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE KEY

A Bill for an Act to be Entitled: AN ACT TO CLARIFY THE MEMBERSHIP OF THE INDIVIDUAL SEWAGE DISPOSAL SYSTEMS ADVISORY COMMITTEE; TO EMPOWER THE COMMITTEE TO ENFORCE RULES PERTAINING TO INDIVIDUAL SEWAGE DISPOSAL SYSTEMS; AND FOR OTHER PURPOSES.

House Bill No. 1503 was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY AND LOCAL AFFAIRS.

HOUSE BILL NO. 1509
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES HARDWICK AND WOOD
BY: SENATOR WILKINSON

A Bill for an Act to be Entitled: AN ACT EXTENDING INSTANT RUNOFF VOTING TO ALL OVERSEAS VOTERS; AND FOR OTHER PURPOSES.

House Bill No. 1509 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES AND GOVERNMENTAL AFFAIRS.

HOUSE BILL NO. 1514
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE WEBB

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE § 8-14-104 TO ESTABLISH MAXIMUM MERCURY LEVELS FOR ELECTRIC LIGHTING DEVICES THAT MAY BE PLACED IN A LANDFILL; AND FOR OTHER PURPOSES.

House Bill No. 1514 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

HOUSE BILL NO. 1523
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE WALTERS

A Bill for an Act to be Entitled: AN ACT TO PERMIT CITIES AND COUNTIES TO REQUIRE ELECTRONIC DATA TRANSFER OF PAWNSHOP RECORDS; AND FOR OTHER PURPOSES.

House Bill No. 1523 was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY & LOCAL AFFAIRS.

HOUSE BILL NO. 1524
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE EDWARDS

A Bill for an Act to be Entitled: AN ACT TO PROVIDE ADDITIONAL FUNDING FOR COUNTY PUBLIC DEFENDERS; AND FOR OTHER PURPOSES.

House Bill No. 1524 was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY & LOCAL AFFAIRS.

SENATE BILL NO. 422
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR BROWN

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE UNIVERSITY OF ARKANSAS AT PINE BLUFF FOR CONSTRUCTION, RENOVATION, MAINTENANCE AND OPERATING EXPENSES; AND FOR OTHER PURPOSES.

Senate Bill No. 422 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 423
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR BROWN

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF ARKANSAS HERITAGE - HISTORIC PRESERVATION FOR CONSTRUCTION AND VARIOUS OPERATING EXPENSES FOR THE MOSAIC TEMPLAR; AND FOR OTHER PURPOSES.

Senate Bill No. 423 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 424
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR BROWN

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE MARTIN LUTHER KING, JR. COMMISSION FOR MAINTENANCE AND OPERATING EXPENSES; AND FOR OTHER PURPOSES.

Senate Bill No. 424 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 425
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR BROWN

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION - DISBURSING OFFICER FOR A GRANT FOR A STATEWIDE COMPETITION IN POETRY, ESSAY AND VISUAL ARTS FOR THE CENTRAL HIGH SCHOOL 50TH ANNIVERSARY CELEBRATION COMMISSION; AND FOR OTHER PURPOSES.

Senate Bill No. 425 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 426
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR BROWN

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION - DISBURSING OFFICER FOR INNER-CITY FUTURE NET TO SUPPORT A CHILDREN'S GARDENING PROGRAM; AND FOR OTHER PURPOSES.

Senate Bill No. 426 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 427
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR BROWN

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION - DISBURSING OFFICER FOR SUPPORT OF A STATEWIDE LITERACY PROGRAM FOR ARKANSAS BAPTIST COLLEGE; AND FOR OTHER PURPOSES.

Senate Bill No. 427 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 428
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR BROWN

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION - DISBURSING OFFICER FOR THE MUSEUM OF DISCOVERY FOR TRAVELING EXHIBITS AND PROGRAM BUILDING; AND FOR OTHER PURPOSES.

Senate Bill No. 428 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 429
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR BROWN
BY: REPRESENTATIVE ADCOCK

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR STATE ASSISTANCE TO SERENITY HOUSE INC. FOR THE DEPARTMENT OF HEALTH AND HUMAN SERVICES - DIVISION OF BEHAVIORAL HEALTH - OFFICE OF ALCOHOL AND DRUG ABUSE PREVENTION FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Senate Bill No. 429 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 430
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR BROWN

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF ECONOMIC DEVELOPMENT FOR SMALL BUSINESS VENTURES; AND FOR OTHER PURPOSES.

Senate Bill No. 430 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 431
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR BROWN

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS AGRICULTURE DEPARTMENT - LIVESTOCK AND POULTRY COMMISSION FOR GRANTS; AND FOR OTHER PURPOSES.

Senate Bill No. 431 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 432
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR BROWN

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION - DISBURSING OFFICER FOR A GRANT TO THE FIRST TEE OF ARKANSAS PROGRAM; AND FOR OTHER PURPOSES.

Senate Bill No. 432 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 433
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MADISON

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS NATURAL RESOURCES COMMISSION FOR A GRANT TO THE CENTER FOR ADVANCED SPATIAL TECHNOLOGIES FOR DEVELOPMENT OF A STATEWIDE ARKANSAS AUTOMATED MAP SYSTEM; AND FOR OTHER PURPOSES.

Senate Bill No. 433 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 434
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR FARIS

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE UNIVERSITY OF ARKANSAS FOR MEDICAL SCIENCES - ARKANSAS UNIVERSITY CENTER FOR EXCELLENCE IN DEVELOPMENTAL DISABILITIES FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Senate Bill No. 434 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 435
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR LUKER

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES - DIVISION OF AGING AND ADULT SERVICES FOR GRANTS TO SENIOR CITIZEN CENTERS; AND FOR OTHER PURPOSES.

Senate Bill No. 435 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 436
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR LUKER

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF RURAL SERVICES FOR GRANT PROGRAMS; AND FOR OTHER PURPOSES.

Senate Bill No. 436 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 437
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR LUKER

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF PARKS AND TOURISM FOR OUTDOOR RECREATION FACILITIES AND PROJECTS; AND FOR OTHER PURPOSES.

Senate Bill No. 437 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 438
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR LUKER

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS NATURAL RESOURCES COMMISSION FOR WHITE RIVER LEVEE DISTRICT; AND FOR OTHER PURPOSES.

Senate Bill No. 438 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 439
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENTOR HORN

A Bill for an Act to be Entitled: AN ACT TO PERMIT WAIVERS OF THE THREE-YEARS' PRIOR SUCCESSFUL OPERATIONS IN THE DOMICILE STATE OR PORT OF ENTRY ("SEASONING") ADMISSION REQUIREMENT FOR FOREIGN INSURERS SEEKING TO DO BUSINESS IN ARKANSAS; TO APPLY THE CHANGE OF DOMICILE STATUTE TO HEALTH MAINTENANCE ORGANIZATIONS; TO ALLOW HEALTH MAINTENANCE ORGANIZATIONS DOMICILED IN THIS STATE TO ELECT TO BE COVERED BY THE INSURANCE HOLDING COMPANY REGULATORY ACT; AND FOR OTHER PURPOSES.

Senate Bill No. 439 was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE AND COMMERCE.

SENATE BILL NO. 440
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS HILL AND CAPPS
BY: REPRESENTATIVE MALOCH

A Bill for an Act to be Entitled: AN ACT TO CREATE THE ECONOMIC DEVELOPMENT INCENTIVE QUICK ACTION CLOSING FUND; AND FOR OTHER PURPOSES.

Senate Bill No. 440 was read the first time, rules suspended, read the second time and referred to the Committee on AGRICULTURE, ECONOMIC & INDUSTRIAL DEVELOPMENT.

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SENATE BILLS TRANSMITTED TO THE HOUSE

AS PASSED

SENATE BILL NO. 39
SENATE BILL NO. 43
SENATE BILL NO. 57
SENATE BILL NO. 59
SENATE BILL NO. 89
SENATE BILL NO. 90
SENATE BILL NO. 216
SENATE BILL NO. 235
SENATE BILL NO. 247
SENATE BILL NO. 276
SENATE BILL NO. 302
SENATE BILL NO. 308

SENATE CONCURRENT RESOLUTION TRANSMITTED
TO THE HOUSE AS ADOPTED

SENATE CONCURRENT RESOLUTION NO. 11

HOUSE BILLS RETURNED TO THE HOUSE
AS PASSED

HOUSE BILL NO. 1084
HOUSE BILL NO. 1145
HOUSE BILL NO. 1184
HOUSE BILL NO. 1229
HOUSE BILL NO. 1288
HOUSE BILL NO. 1333
HOUSE BILL NO. 1334
HOUSE BILL NO. 1376
HOUSE BILL NO. 1377
HOUSE BILL NO. 1431
HOUSE BILL NO. 1457
HOUSE BILL NO. 1466
HOUSE BILL NO. 1511

HOUSE BILLS RETURNED TO THE HOUSE
AS PASSED AS AMENDED

HOUSE BILL NO. 1400 AS AMENDED NO.1

SENATE BILLS RETURNED FROM THE HOUSE
AS PASSED

SENATE BILL NO. 10
SENATE BILL NO. 188
SENATE BILL NO. 225

SENATE BILLS RETURNED FROM THE HOUSE
AS PASSED AS AMENDED

SENATE BILL NO. 209 AS AMENDED NO. 1

HOUSE BILLS TRANSMITTED TO THE SENATE
AS PASSED

HOUSE BILL NO. 1437

HOUSE BILL NO. 1439

HOUSE BILL NO. 1490

HOUSE BILL NO. 1499

HOUSE BILL NO. 1503

HOUSE BILL NO. 1509

HOUSE BILL NO. 1514

HOUSE BILL NO. 1523

HOUSE BILL NO. 1524

HOUSE BILLS TRANSMITTED TO THE SENATE
AS PASSED EMERGENCY CLAUSE HAVING FAILED OF ADOPTION

HOUSE BILL NO. 1070

HOUSE CONCURRENT RESOLUTION TRANSMITTED
TO THE SENATE AS ADOPTED

HOUSE CONCURRENT RESOLUTION NO. 1013

On motion of Senator Whitaker, the Senate adjourned until 1:30 p.m., Monday, February 26, 2007.

PRESIDENT OF THE SENATE

SECRETARY OF THE SENATE