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SIXTY-SEVENTH DAY'S PROCEEDINGS
SENATE CHAMBER
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

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Little Rock, Arkansas

March 15, 2007

The Senate was called to order at 11:00 a.m. o'clock 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On motion of Senator Broadway, Senate Bill No. 843 was withdrawn from the Committee on EDUCATION, and placed back on second reading for purpose of Amendment No. 1.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. 843

Amend Senate Bill No. 843 as originally introduced:

Page 1, line 14, delete "KINDERGARTEN AND"

AND

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code Title 6, Chapter 13, Subchapter 8 is amended to add an additional section to read as follows:

6-13-808. The Arkansas Traveling Teacher Program.

(a) The Arkansas Traveling Teacher Program is hereby established and shall be administered by the Department of Education with the assistance of public school districts and education service cooperatives.

(b)(1) Pursuant to the provisions of this section, and to the extent sufficient funding is available, the following persons and public school districts may enter into an agreement to provide traveling teacher services for one (1) or more receiving school districts for one (1) or more courses required by the Arkansas standards for accreditation and any advanced placement courses required by § 6-16-1204:

(A) A traveling teacher who is appropriately licensed in Arkansas as a teacher and employed on a full-time equivalent basis by a host school district;

(B) A host school district that is an Arkansas public school district with a student population of eight thousand (8,000) students or fewer and that desires to provide traveling teacher services to a receiving school district; and

(C) A receiving school district that is a public school district other than the host school district and that desires to receive traveling teacher services.

(2) The parties shall enter into a written agreement, in the form established by the Department of Education, that shall include without limitation the following:

(A) The traveling teacher is to provide professional teaching services to the receiving school district for one (1) or more required courses;

(B) The amount of the bonus to be provided to the traveling teacher under subdivision (c)(1)(A) of this section;

(C) For each course to be taught under the agreement:

(i) A description of the course;

(ii) The time and day for teaching each course; and

(iii) The exact location where the course will be taught;

(D)(i) Whether the agreement is for a school semester or a school year.

(ii) No agreement shall be for a time period longer than a school year or shorter than a school semester;

(E)(i) The receiving school district will reimburse the host school district for the time the traveling teacher is not working in the host school district.

(ii) The reimbursement shall be the receiving school district's pro rata share of the traveling teacher's time based on the hourly rate of the traveling teacher's contract with the host school district;

(F) At all times during the period of the agreement, the traveling teacher is an employee of the host school district and is subject to the personnel policies and contractual obligations of the host school district; and

(G)(i) That sufficient time will be allowed for the traveling teacher to travel to and from the host school district and the receiving school district.

(ii) The Department of Education shall not approve an agreement under this section unless the agreement requires the traveling teacher to be physically present in the receiving school district while the traveling teacher is teaching any course specified in the agreement; and

(3) The agreement shall be reviewed and approved by the Department of Education under subsection (f) of this section.

(c) To the extent the agreement is approved by the Department of Education:

(1)(A) Upon completion of the traveling teacher services provided under the agreement and under the terms of the agreement, the host school district shall pay the traveling teacher, in addition to the amount required by the teacher's annual teacher's contract with the host school district a bonus of either:

(i) Two thousand dollars ($2,000) for a semester agreement; or

(ii) Four thousand dollars ($4,000) for a full school year agreement.

(B) The Department of Education shall reimburse the host school district for the amount of bonus paid to the traveling teacher; and

(2)(A) The host school district shall reimburse the traveling teacher for expenses related to travel to and from a receiving school district at the appropriate state rate of reimbursement in existence and approved by the Department of Finance and Administration for the school year in which the traveling teacher's services are provided.

(B) The Department of Education shall reimburse the host school district for the amount of travel reimbursement paid by the host school district to the traveling teacher.

(d) Neither the Department of Education nor the State of Arkansas shall be obligated or liable to reimburse any bonus or travel expenses incurred under an agreement for traveling teacher services under this section if the Department of Education has not reviewed and approved the entire agreement.

(e) The Department of Education may, if feasible and if funding is available, establish an online registry of public school teachers willing to enter into an agreement for traveling teacher services under this section with information concerning the teacher's employing school district and any course the teacher is qualified to teach.

(f)(1) All proposed agreements among a host school district, a receiving school district, and a traveling teacher shall be submitted to the Department of Education by a date certain for review and approval by the Department of Education.

(2) The Department of Education shall review each agreement with all requisite authority to approve or deny the agreement based on the provisions of law, rule, availability of funding, and discretionary determination as to the best use of state resources and funding.

(3) The Department of Education shall endeavor to consider approval of an agreement to:

(A) Place a traveling teacher with a receiving school district to maximize the efficiency of the traveling teacher's service to both the host and receiving school districts; and

(B) Minimize the extent and duration of any travel required.

(g)(1) The Department of Education shall establish any rules and agreement forms necessary for the administration of the Arkansas Traveling Teacher Program.

(2) In establishing the rules, the Department of Education shall:

(A) Prioritize the approval of agreements for traveling teacher services based on subject-area course needs;

(B) Establish appropriate travel limitations;

(C) Develop a method of equitable distribution of traveling teachers among the area's education service cooperatives; and

(D) Provide a means by which education service cooperatives may assist in facilitating traveling teachers.

(h) No provision of this section is intended or should be interpreted to waive any immunity or defense of the State of Arkansas or its various agencies, boards or commissions and no person shall be deemed to have any legal entitlement, recourse or cause of action against the State of Arkansas or its various agencies, boards or commissions based on the terms, conditions, or provisions of this section.

(i) An agreement for traveling teacher services under this section is not governed by or subject to the provisions of The Teacher Fair Dismissal Act of 1983, § 6-17-1501 et seq."

(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. 843 was ordered engrossed.

On motion of Senator Broadway, Senate Bill No. 807 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. 807

Amend Senate Bill No. 807 as originally introduced:

Delete everything after the enacting clause and substitute the following:

"SECTION 1. FINDINGS. The General Assembly finds that:

(1) The General Assembly has examined the document titled "Arkansas Department of Education, Percent Change in Three-Quarter Average ADMs Over 2 Years -- 2005-2006 Required Debt Mills", dated February 28, 2007, and determined that thirty-two (32) of two hundred forty-five (245) school districts are now at or above ten (10) mills of debt service. This would seem to be well within range of school districts in Arkansas needing academic facilities improvements;

(2) No evidence was presented during the 2006 Act 57 hearings of any school district suffering from a problem related to its inability to raise sufficient mills for academic facilities improvements;

(3) However, the General Assembly should support a loan program for the next biennium to assist districts that raise ten (10) mills for academic facilities and also have a four percent (4%) increase in growth over the previous two (2) years that is maintained in the present year; and

(4) This short term loan program will enable the General Assembly to examine the success of this number of mills and the increase in students to resolve the unproven idea that there are school districts that are unable to construct facilities because there is a limit on the number of mills they can raise or should be required to feasibly raise and that growth is the cause.

SECTION 2. Arkansas Code § 6-20-2511 is amended to read as follows:

6-20-2511. High-growth school districts.

~~(a) The Division of Public School Academic Facilities and Transportation shall develop a program to provide state financial participation in the form of emergency loans to eligible high-growth school districts for assistance with excess debt service requirements. The amount of an emergency loan shall be based on:~~

~~(1) Growth trends in the district;~~

~~(2) The application of space utilization standards in the district;~~

~~(3) The academic facilities wealth index of the school district; and~~

~~(4) The prudent and resourceful expenditure of state funds with regard to public school academic facilities.~~

~~(b) The division shall report to the General Assembly by January 15, 2007, on the development of the program and obtain formal legislative approval and funding before implementing the program.~~

(a) As used in this section:

(1) "High-growth school district" means a public school district in which the average daily membership for the public school district in the present school year is four percent (4%) higher than the school year that is two (2) years prior to the present school year; and

(2) "Maximum expected millage" means ten (10) mills, representing the maximum number of mills that a public school district is expected to raise to service its bonded indebtedness incurred for academic facilities.

(b) There is established the Academic Facilities High-Growth School District Loan Program under which the Department of Education shall provide an interest-free loan to a high-growth school district in which the mills required to service the bonded indebtedness incurred for academic facilities exceeds the maximum expected millage for the high-growth school district.

(c)(1) A high-growth school district may apply for an interest-free loan when the high-growth school district has raised the maximum expected millage and the revenue generated from the maximum expected millage is less than the amount required to service the bonded indebtedness incurred for academic facilities.

(2) The amount of the loan shall be the amount of moneys required for academic facilities less the sum of:

(A) The revenues generated by the maximum expected millage; and

(B) The state revenue received by the high-growth school district under the Academic Facilities Partnership Program.

(3) The high-growth school district shall apply for the loan under from the Revolving Loan Fund, subject to §§ 6-20-801 - 6-20-816.

(d)(1) When the revenue required to service the bonded indebtedness incurred for the high-growth school district's academic facilities is less than the revenue generated by maximum expected millage, the high-growth school district shall repay the loan.

(2)(A) The high-growth school district shall make annual payments to the state in the amount of:

(i) The revenue generated by the high-growth school district's millage up to the amount of the revenues generated from the maximum expected millage for the year; less

(ii) The revenue required to service the high-growth school district's bonded indebtedness for academic facilities.

(B) The payments under this subdivision (d) shall continue until the loan is paid in full.

(3)(A) During the time that the loan to the high-growth school district is in repayment, the high-growth school district:

(i) Shall use all revenues generated below the maximum expected millage to repay the loan;

(ii) Shall not issue refunding bonds or refunding certificates, as provided under § 6-20-815; and

(iii) Shall not otherwise change the amount of revenues available to repay the loan without the prior approval of the department.

(e) Within a reasonable time after its receipt, each application under subsection (c) of this section shall be examined by the department in accordance with rules established by the State Board of Education as to the accuracy of the answers contained therein.

(f)(1) After considering the merits of each application, the department may, in its discretion, approve the application for the full amount of the proposed loan, approve the application for a loan of a lesser amount than the amount requested, or disapprove the application.

(2) Prior to approving the application, the department shall make a determination that the total space available in the high-growth school district is less than the amount needed to accommodate the growth of students.

(g) The Commission for Arkansas Public School Facilities and Transportation shall adopt rules to implement the program established by this section.

SECTION 3. NOT TO BE CODIFIED. The document attached hereto titled "Arkansas Department of Education, Percent Change in Three-Quarter Average ADMs Over 2 Years -- 2005-2006 Required Debt Mills", dated February 28, 2007, is specifically adopted by the House Education Committee and the Senate Education Committee and recommended to the General Assembly and shall be filed in the journals of the House and Senate."

(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. 807 was ordered engrossed.

On motion of Senator Broadway, Senate Bill No. 809 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. 809

Amend Senate Bill No. 809 as originally introduced:

Delete everything after the enacting clause and substitute the following:

SECTION 1. FINDINGS. The General Assembly finds that:

(1) The General Assembly adopted Acts 34 and 35 of the First Extraordinary Session of 2006 to determine whether school districts were unable to contribute local resources necessary to qualify for participation in state-funded facilities programs;

(2) School districts with insufficient bonding capacity were accommodated by the passage of Acts 22 and 23 of the First Extraordinary Session of 2006, which removed the bonded debt ratio, thus removing the cap on bond issuance;

(3) School districts with declining enrollment were addressed by Act 2206 of 2005 by allowing a three-year average to be used in determining the school district's facilities wealth index and by Act 21 of the First Extraordinary Session of 2006, which provided additional funding for declining enrollment based on the previous two (2) years' average daily membership. No evidence was presented during the hearings held in 2006 pursuant to Act 57 of any school district suffering from a problem related to this;

(4) The General Assembly researched a school district with a low assessed property valuation and a low facilities wealth index and determined that it is treated the same as a school district with high property valuation and a high facilities wealth index. The research indicated, for example, that Poyen is required to use the same amount of mills to build facilities for ten percent (10%) of its students as Bryant, which is in the middle, and as Bentonville, which is on top. No evidence was presented during the hearings held in 2006 pursuant to Act 57 of any school district suffering from a problem related to this; and

(5) School districts at or above the 95th percentile are addressed through SB962 of the 86th General Assembly. It provides that every school district at 100% of the facilities wealth index or above is adjusted to the same amount as the first district below one hundred percent (100%) on the facilities wealth index, unless that would exceed five thousandths (.005). In that case, the amount is capped at five thousandths (.005). No evidence was presented during the hearings held in 2006 pursuant to Act 57 of any school district suffering from a problem related to this.

SECTION 2. Arkansas Code § 6-21-811 is amended to read as follows:

6-21-811. Academic Facilities Distress Program.

(a) As used in this section, "safe, dry, and healthy" means improvements that are required for a public school academic facility to:

(i) Be in good and acceptable condition;

(ii) Provide a safe and comfortable environment for the public school academic facility's inhabitants; and

(iii) Maintain the integrity of the academic facility envelope.

~~(a)~~(b) The Division of Public School Academic Facilities and Transportation shall identify a public school or school district as being in academic facilities distress if the division determines that the public school or school district has engaged in actions or inactions that result in any of the following:

(1) Any act or violation determined by the division to jeopardize any academic facility used by a public school or school district, including, but not limited to:

(A) Material failure to properly maintain academic facilities in accordance with this subchapter and rules adopted by the Commission for Arkansas Public School Academic Facilities and Transportation;

(B) Material violation of local, state, or federal fire, health, or safety code provisions or laws;

(C) Material violation of applicable building code provisions or law;

(D) Material failure to provide timely and accurate facilities master plans to the division;

(E) Material failure to comply with state law governing purchasing or bid requirements in relation to academic facilities projects; ~~or~~

(F) Material default on any school district debt obligation; or

(G) Material failure to progress according to the school district's facilities master plan; and

(2) Any other condition of an academic facility or facilities in a public school or school district that is determined by the division to have a detrimental impact on educational services provided by that public school or school district.

(c)(1) Every two (2) years beginning February 1, 2008, the division shall determine whether the progress of each school district complies with the school district's facilities master plan and shall notify the school district of any noncompliance.

(2) The division shall annually review the applications made for the Academic Facilities Partnership Program established under § 6-20-2507, to identify any school district that did not apply for state funding for necessary facilities to meet adequacy requirements of safe, dry, and healthy, suitability, and growth and shall notify the school district of any deficiencies.

(3) Within thirty (30) days of receiving the notice provided under subdivision (c)(1) or (2) of this section, the school district shall submit a facilities improvement plan to the division for its review and approval that states how the school district will address the noncompliance issues contained in the notice.

(4) If the division does not approve the facilities improvement plan submitted by the school district, it shall identify the school district as being in facilities distress.

(5) A school district may appeal the decision of the division under this subsection (c) to the commission pursuant to the procedures established by the commission;

(d)(1)(A) Within ten (10) days of a school district's failure to pass a millage required to fulfill its obligations under the school district's facilities master plan, the division shall provide written notice to the school district of the date, time, and place for a conference with the school district at which the division will:

(i) Determine whether as a result of the failed millage there are facilities issues relating to:

(a) Safe, dry, and healthy public school academic facilities;

(b) The presence and number of suitability needs of public school academic facilities; or

(c) Immediate need for academic facilities to meet student growth; and

(ii) Thoroughly discuss and explain the sanctions and requirements that are available to the commission if the school district is identified as being in facilities distress under this section and § 6-21-812.

(B) The written notice shall be provided via certified mail to the president of the school board and the superintendent of the school district.

(C) The commission shall establish rules for the implementation of this subdivision (d)(1).

(2)(A) If the commission determines that there are safe, dry, and healthy, growth, or suitability issues, the commission may direct the school district to conduct a special election to vote on a millage increase.

(B)(i) The division and the school district shall agree upon the issues to be submitted for a vote in the special election.

(ii) The special election may not include any issues other than the issues that are mutually agreed upon.

(C) The special election shall be held on a date that is:

(i) Mutually agreed upon by the division and the school district; and

(ii) Not later than seven (7) months from the date of the election at which the millage failed, unless it is necessary to extend the date beyond seven (7) months because of restrictions on the number of elections that may be held within a calendar year.

(D) If within ninety (90) days from the notice provided to the school district under subdivision (d)(1)(A) the school district has not set an election date, the division shall identify the school district as being in facilities distress.

(E)(i) If the school district is able to finance the safe, dry, and healthy, growth, and suitability improvements without the necessity of a special election on increasing its millage, the school district may enter into an agreement with the division to fund its safe, dry, and healthy, growth, and suitability improvements separately.

(ii) The division shall identify the school district as being in facilities distress for failure to implement the agreed upon plan for safe, dry, and healthy, growth, and suitability improvements.

~~(b)~~(e) The division shall provide written notice, via certified mail, return receipt requested, to the president of the school board and the superintendent of the public school or school district identified as being in facilities distress.

~~(c)(1)~~(f)(1) A public school or school district identified as being in facilities distress shall develop a facilities improvement plan within thirty (30) days from the date of receipt of the notice and promptly submit the facilities improvement plan to the division for review and approval.

(2) A public school or school district shall review and revise its facilities improvement plan on a periodic basis as determined by the division and submit the updated facilities improvement plan to the division in order for the division to determine whether the public school or school district is correcting its deficient areas of practice regarding academic facilities.

(3) A school district shall use facilities improvement plans as necessary to supplement and update its facilities master plan.

~~(d)~~(g) When a school district is identified by the division to be in facilities distress, the division may:

(1)(A) Provide on-site technical evaluation and assistance and make recommendations to the district superintendent regarding the care and maintenance of any academic facility in the district.

(B) Any school district identified as being in facilities distress status shall accept on-site technical evaluation and assistance from the division.

(C) The recommendations of the division are binding on the district, the superintendent, and the school board;

(2) Require the superintendent to relinquish all administrative authority with respect to the school district;

(3)(A) Appoint an individual in place of the superintendent to administratively operate the school district under the supervision and approval of the Director of the Division of Public School Academic Facilities and Transportation.

(B) The division may direct the school district to compensate from school district funds the individual appointed to operate the school district;

(4) Suspend or remove all members of the current board of directors and call for the election of a new school board for the school district, in which case the school district shall reimburse the county board of election commissioners for election costs as otherwise required by law;

(5) Require the school district to operate without a local school board under the supervision of the local superintendent or an individual or panel appointed by the director;

(6) Return the administration of the school district to the former board or place the administration of the school district in a newly elected school board;

(7) Require school district staff and employees to attend training in areas of concern for the public school or school district;

(8)(A) Require a school district to cease immediately all expenditures related to activities not described as part of an adequate education in § 6-20-2302 and place money that would have been spent on the activities into an academic facilities escrow account to be released only upon approval by the division for use in conjunction with a local academic facilities project.

(B) School districts shall include a clause addressing this contingency in all contracts with personnel who are involved with activities not described as part of an adequate education;

(9) Notify the public school or school district in writing that the deficiencies regarding academic facilities shall be corrected within a time period designated by the division;

(10)(A) Petition the ~~state board~~ State Board of Education at any time for the consolidation, annexation, or reconstitution of a school district in facilities distress or take other appropriate action as allowed by this subchapter in order to secure and protect the best interest of the educational resources of the state or to provide for the best interest of students in the school district.

(B) The state board may approve the petition or take other appropriate action as allowed by this subchapter.

(C)~~(i)~~ The state board shall consolidate, annex, or reconstitute any school district that fails to remove itself from the classification of a school district in facilities distress within two (2) consecutive school years of receipt of notice of identification of facilities distress status by the division~~.~~;

~~(ii)(a) A school district may appeal the action of the state board to the Commission for Public School Academic Facilities and Transportation in accordance with procedures developed by the state board.~~

~~(b) The commission may reverse the action of the state board if the commission finds that the school district could not remove itself from facilities distress due to impossibility caused by external forces beyond the school district's control; and~~

(11) Correct the failure of a school district to complete its agreed plan or to pass the millage in the special election under subdivision (d)(2) of this section by contracting for and completing the necessary improvements under the agreed plan;

(12)(A) If the division recommends and the commission concurs that the academic facilities in the public school district in facilities distress are inadequate to provide an adequate education, the state board may dissolve the district and transfer students to public schools in other public school districts.

(B) The state board shall determine the division of the public school district's territory and the division of its debt;
and

~~(11)~~(13) Take any other action allowed by law that is deemed necessary to assist a public school or school district in removing criteria of facilities distress.

~~(e)~~(h) No school district identified by the division as being in facilities distress may incur any debt without the prior written approval of the commission.

~~(f)~~(i) A public school or school district in facilities distress may petition the commission for removal from facilities distress status only after the division has certified in writing that the public school or school district has corrected all criteria for being classified as in facilities distress and has complied with all division recommendations and requirements for removal from facilities distress.

~~(g)~~(j) The division shall submit a written evaluation on the status of each school district in facilities distress to the commission and the state board at least one (1) time every six (6) months.

(k)(1)(A) If a school district is identified as being in facilities distress and has safe, dry, and healthy, growth, or suitability improvement issues, the division, in addition to any other remedy under this section and § 6-21-812, may provide a loan to the school district to be repaid from any funds available that are not required to provide an adequate education.

(B) Funds available that are not required to provide an adequate education include:

(i)(a) Fund balances and any cash on hand that are not part of foundation funding or categorical funding under § 6-20-2305 and are not otherwise required to provide an adequate education for students in the public school district; and

(b) Revenues that are not obligated on bonds;

(ii) Funds remaining after the annual payment on a bond obligation are included in funds that are not required to provide an adequate education.

(2) The public school district shall repay the loan on the schedule determined by the division.

SECTION 3. NOT TO BE CODIFIED. The document attached hereto titled "Arkansas Department of Education, Analysis of the Academic Facilities Wealth Index for Providing Facilities for 10% of a District's ADM", dated March 8, 2007, is specifically adopted by the House Education Committee and the Senate Education Committee and recommended to the General Assembly and shall be filed in the journals of the House and Senate.

SECTION 4. NOT TO BE CODIFIED. The Commission for Arkansas Public School Academic Facilities and Transportation is requested to reexamine the role and function of the State Facility Assessment of 2004 and report its findings to the House Interim Committee on Education and Senate Interim Committee on Education by May 1, 2008."

(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. 809 was ordered engrossed.

On motion of Senator Wilkins, Senate Bill No. 795 was withdrawn from the Committee on REVENUE & TAXATION, 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. 795

Amend Senate Bill No. 795 as engrossed, S3/5/07:

Add Senator Altes as a cosponsor

AND

Delete everything following the enacting clause and substitute the following:

"SECTION 1. Arkansas Code Title 3, Chapter 7 is amended to add a new subchapter as follows:

3-7-601. Title.

This subchapter shall be known and may be cited as the "Arkansas Substance Abuse Programs Act".

3-7-602. Definitions.

As used in this subchapter:

(1) "Alcoholic beverage" means a beverage suitable for human consumption that contains an intoxicating liquor of any sort, including without limitation malt liquor, beer, or wine;

(2) "Beer" shall have the meaning set forth in § 3-5-202;

(3) "Consumer" means any person that receives or that in any way comes into the possession of an alcoholic beverage for the purpose of consuming it, giving it away, or distributing it in any other way other than by sale, barter, or exchange;

(4) "Distributor, manufacturer, or wholesale dealer" means any person that receives, stores, manufactures, bottles, or sells alcoholic beverages to a retail dealer, other distributor, manufacturer, or wholesale dealer for resale purposes;

(5) "Malt" shall have the meaning set forth in § 3-1-102(a)(3)(A);

(6) "On-premises" means at the licensed retailer's place of business;

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

(8) “Person” means an individual, trust, estate, fiduciary, partnership, limited liability company, limited liability partnership, corporation, or any other legal entity;

(9) "Retailer" means any person other than a consumer or a distributor, manufacturer, or wholesale dealer, that receives, stores, mixes, compounds, or manufactures any alcoholic beverage and sells or otherwise dispenses the alcoholic beverage to the ultimate consumer;

(10) "Sale" means the transfer of title or possession for a valuable consideration of tangible personal property regardless of the manner by which the transfer is accomplished; and

(11) "Wine" means any fermented alcoholic liquor made from grapes, berries, fruits, honey, or vegetables and shall include any other mixture containing the fermented juices of grapes, berries, fruits, honey, or vegetables, or any other wine, the alcoholic content of which is more than one-half of one percent (0.5%) of alcohol by weight and which does not exceed twenty-one percent (21%) of alcohol by weight, regardless of whether the wine is manufactured within or without the State of Arkansas.

3-7-603. Tax imposed.

(a) There is levied an excise tax of five percent (5%) upon all retail receipts or proceeds derived from the sale of an alcoholic beverage for on-premises or off-premises consumption.

(b) The excise tax imposed under subsection (a) of this section shall be and is in addition to all other taxes now imposed and cumulative to the Arkansas Gross Receipts Act of 1941, § 26-52-101 et seq., and the Arkansas Compensating Tax Act of 1949, § 26-53-101 et seq.

(c) The excise tax imposed under subsection (a) of this section is on all retail sales to consumers including without limitation:

(1) An alcoholic beverage sold by a liquor store, grocery store, or other retail outlet; and

(2) An alcoholic beverage sold by a restaurant, bar, club, brewery, pub, lodge, tourist attraction, hotel, or sporting or special event.

3-7-604. Duty to collect and report.

(a) It shall be the duty of every retailer in this state to collect the tax from the consumer in addition to the established retail price of the alcoholic beverage and to file a return and remittance with the Director of the Department of Finance and Administration on or before the twentieth day of each calendar month for the preceding month.

(b) Failure to file the return and remittance on the due date shall be cause for the director to enter an assessment for the return and remittance and add as a penalty ten percent (10%) of the amount of tax found to be due.

(c) The return and remittance shall be filed upon forms prescribed by the director in accordance with such rules as the director may promulgate under § 3-7-606(b).

3-7-605. Border city tax.

If a retailer located in a city or incorporated town which is subject to the border city tax rate provided in § 26-52-303 sells an alcoholic beverage to a consumer, then the excise tax levied in this subchapter shall be at the same rate as imposed by the adjoining state, not to exceed the rate imposed by this subchapter.

3-7-606. Administration.

(a) This subchapter is to be administered in all respects and in accordance with the Arkansas Tax Procedure Act, § 26-18-101 et seq., unless otherwise provided.

(b) The Director of the Department of Finance and Administration shall promulgate rules to implement this subchapter.

3-7-607. Disposition of tax, interest, and penalties.

(a) The tax, interest, fees, and penalties derived and collected from the excise tax levied by this subchapter shall be classified as special revenues and shall be deposited in the State Treasury.

(b) The State Treasurer shall transfer the special revenues received under subsection (a) of this section on the last business day of each month as follows:

(1) Sixty-nine percent (69%) to the Drug Abuse Prevention and Treatment Fund administered through the Office of Alcohol and Drug Abuse Prevention, Division of Behavioral Health of the Department of Health and Human Services, and utilized as follows:

(A) Twenty-eight percent (28%) for specialized women services;

(B) Sixteen percent (16%) for adolescent treatment services;

(C) Nineteen percent (19%) for adult treatment services;

(D) Five percent (5%) for prevention services; and

(E) One percent (1%) for the Arkansas Office of Drug Abuse Administration;

(2) Sixteen percent (16%) to the Domestic Peace Fund;

(3)(A) Five percent (5%) to the Medical Services Fund Account, Department of Health and Human Services, Division of Medical Services, to be used in the event that any future State of Arkansas Medicaid plan, federal or state legislation, or Medicaid waiver allows for substance abuse services to be billed to Medicaid.

(B) In such event, the Division of Medical Services shall develop a plan to redistribute the funding formula in such a manner as deemed appropriate and that would include payment for co-occurring substance abuse or mental health disorders;

(4) Five percent (5%) to the Department of Arkansas State Police Fund for use by the Crimes Against Children Division; and

(5)(A) Five percent (5%) to the State Drug Crime Enforcement and Prosecution Grant Fund.

(B) The State Drug Crime Enforcement and Prosecution Grant Fund shall be established as a special revenue on the books of the Treasurer of State, the Auditor of State, and the Chief Fiscal Officer of the State to fund multi-jurisdictional drug task forces.

(C)(i) The Department of Finance and Administration shall develop and promulgate grant applications under state law and upon the recommendations of the Arkansas Alcohol and Drug Abuse Coordinating Council.

(ii) The department shall administer all grant awards and expenditures by the drug crime task forces under applicable state and federal law.

(D) The Arkansas Alcohol and Drug Abuse Coordinating Council shall:

(i) Develop and promulgate by rule the criteria for the grant applications and awards process;

(ii) Review all grant applications;

(iii) Determine which applicants should receive grant awards; and

(iv) Retain oversight of all grant expenditures.

SECTION 2. EMERGENCY CLAUSE. It is hereby found and determined by the General Assembly of the State of Arkansas that there is a serious need to provide treatment services for the abuse of alcohol and drugs; that the use of alcohol and drugs is on the rise; that the effects of drug and alcohol abuse on the citizens of this state is far reaching; that less than thirty percent (30%) of treatment funding currently goes to women; and that additional revenues are necessary to provide adequate funding for these essential services and to prevent irreparable harm to those affected by the abuse of alcohol and drugs. 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 June 1, 2007."

(SIGNED) SENATOR WILKINS

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 795 was ordered engrossed.

On motion of Senator Bryles, Senate Bill No. 990 was withdrawn from the Committee on REVENUE & TAXATION, 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. 990

Amend Senate Bill No. 990 as originally introduced:

Page 1, delete lines 28 through 30 in their entirety and substitute

"SECTION 1. Arkansas Code § 26-51-1302 is amended to read as follows:

26-51-1302. Definition.

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

(1) ~~"winnings"~~ "Racing winnings" means winnings from live dog racing or horse racing based on the amount paid with respect to the wager less the amount of the wager; and

(2) "Gaming winnings" means winnings from electronic games of skill based on the amount paid with respect to the wager without reduction for the amount of the wager.

SECTION 2. Arkansas Code § 26-51-1303 is amended to read as follows:

26-51-1303. Amount deducted and withheld - Credit.

(a) Every holder of a franchise to conduct dog racing or horse racing in this state making any single payment of racing winnings on a single wagering transaction of more than one thousand dollars ($1,000), if the amount of the winnings is at least three hundred (300) times as large as the amount wagered, shall deduct and withhold an amount equal to seven percent (7%) from the racing winnings.

(b) The amount deducted and withheld from any person receiving racing winnings during the income year shall be credited against the tax liability of that person under the Arkansas Income Tax Act, § 26-51-101 et seq.

SECTION 3. Arkansas Code § 26-51-1305 is amended to read as follows:

26-51-1305. Liability of franchise holders.

Every ~~franchise~~ holder of a franchise to conduct dog racing, horse racing, or electronic games of skill shall be liable for amounts required to be deducted and withheld by this subchapter regardless of whether the amounts were in fact deducted and withheld.

SECTION 4. Arkansas Code § 26-51-1306 is amended to read as follows:

26-51-1306. Withholding return and payment.

Every franchise holder required to deduct and withhold income tax from racing winnings under this subchapter shall file, within sixty (60) days after the termination of its racing season, a withholding return as prescribed by the Director of the Department of Finance and Administration and pay over to the director the full amount required to be deducted and withheld from the racing winnings by the franchise holder for the income year.

SECTION 5. Arkansas Code § 26-51-1307 is amended to read as follows:

26-51-1307. Annual statement of withholding.

(a) Every franchise holder required to deduct and withhold income tax from racing winnings under this subchapter shall file an annual statement of withholding for each person receiving racing winnings subject to withholding under this subchapter.

(b)(1) The annual statement shall be in the form prescribed by the director and shall be filed with the director.

(2) Two (2) copies of the statement shall be furnished to each person who had received racing winnings during the income year before January 31 following the close of the income year.

(c) The statement shall show:

(1) The name and withholding account number of the franchise holder;

(2) The name and address of the person who had received the racing winnings and his taxpayer identification number;

(3) The total amount of the racing winnings subject to withholding paid by the franchise holder to the recipient of the winnings;

(4) The total amount withheld from the recipient's racing winnings by the franchise holder pursuant to this subchapter for the income year; and

(5) Such other information as the director shall require by rule or regulation.

SECTION 6. Arkansas Code § 26-51-1308 is amended to read as follows:

(a) Every ~~franchise~~ holder of a franchise to conduct dog racing, horse racing, or electronic games of skill who fails to withhold or pay to the director any sums required by this subchapter to be withheld and paid shall be personally and individually liable therefor. Any sum or sums withheld in accordance with the provisions of this subchapter shall be deemed to be held in trust for the State of Arkansas and shall be recorded by the franchise holder in a ledger account so as to clearly indicate the amount of tax withheld and that the amount is the property of the State of Arkansas.

(b) Every person who is to receive a payment of racing winnings or gaming winnings which are subject to this subchapter shall furnish the person making the payment a statement, made under penalties of perjury, containing the name, address, and taxpayer identification number of the person receiving the payment and of each person entitled to any portion of the payment.

SECTION 7. Arkansas Code Title 26, Chapter 51, Subchapter 13 is amended to add an additional section to read as follows:

26-51-1309. Gaming winnings tax levied on winnings paid by electronic games of skill.

(a) There is levied, assessed, and shall be collected a gaming winnings tax of three percent (3%) on any single payment of winnings from electronic games of skill of one thousand two hundred dollars ($1,200) or more paid on a single electronic game of skill wager.

(b) The holder of a franchise to conduct electronic games of skill shall:

(1) Deduct and withhold the tax from winnings from electronic games of skill upon which the tax is levied by subsection (a) of this section; and

(2) Remit the tax to the Director of the Department of Finance and Administration as provided in § 26-51-1310 and as prescribed by rules promulgated by the director.

SECTION 8. Arkansas Code Title 26, Chapter 51, Subchapter 13 is amended to add an additional section to read as follows:

26-51-1310. Withholding return, reporting and payment - Electronic games of skill.

(a) The holder of a franchise to conduct electronic games of skill in this state shall register to withhold the gaming winnings tax under § 26-51-1309 from winnings from electronic games of skill in the manner prescribed by the Director of the Department of Finance and Administration.

(b) The withholding account used to report and remit the withholding on wages shall not be used to report withholding on winnings from electronic games of skill.

(c) A separate account for withholding on winnings from electronic games of skill shall be obtained from the Revenue Division of the Department of Finance and Administration.

(d) Each holder of a franchise to conduct electronic games of skill shall file a monthly return and remit the tax withheld from winnings from electronic games of skill on or before the fifteenth day of the month following the month in which the tax was withheld.

(e) The holder of a franchise to conduct electronic games of skill shall keep the following records and information for three (3) years after the date the tax becomes due or is paid, whichever is later:

(1) The total gaming winnings paid;

(2) The amount of gaming winnings tax withheld and remitted;

(3) The name, address, and social security number or taxpayer identification number of the party in receipt of gaming winnings; and

(4) The name, address, and Arkansas identification number of the holder of a franchise to conduct electronic games of skill.

(f)(1) Gaming winnings are not includable as income on the payee's regular Arkansas income tax return.

(2) The amount of tax paid or withheld on gaming winnings under § 26-51-1309 shall not be claimed under the Income Tax Act of 1929, § 26-51-101 et seq., on an Arkansas income tax return to:

(A) Offset a tax liability;

(B) Create a refund; or

(C) Generate any other type of credit or offset for income tax purposes.

(3) Losses sustained from electronic games of skill wagers are not deductible under the Income Tax Act of 1929, § 26-51-101 et seq., on Arkansas income tax returns.

SECTION 9. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that state revenues will be lost; that irreparable harm will result since those lost revenues cannot be recouped; and that this act is immediately necessary because the revenues collected under this act are necessary to fund vital state needs. 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 May 1, 2007.

(SIGNED) SENATOR BRYLES

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 990 was ordered engrossed.

On motion of Senator Luker, Senate Bill No. 482 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. 482

Amend Senate Bill No. 482 as originally introduced:

By adding Senators Critcher, Bookout, Crumbly, Bryles and Thompson as Co-sponsors;

By adding Representatives Flowers, Dunn, Petrus, Cash, Blount, Dickinson, Thyer, Wagner, Sumpter, Davis, Baker, Hall, J.Brown, and Cornwell as Co-sponsors.

(SIGNED) SENATOR LUKER

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 482 was ordered engrossed.

On motion of Senator Baker, Senate Bill No. 911 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. 911

Amend Senate Bill No. 911 as originally introduced:

Delete everything after the ENACTING clause and substitute the following:

"SECTION 1. Arkansas Code Title 20, Chapter 27, Subchapter 1 is amended to add an additional section to read as follows:

20-7-136. Reduction of mercury in childhood vaccines.

(a) The General Assembly finds that:

(1) Mercury is a toxic substance that can cause damage to nerve and brain tissue;

(2) A mercury derived preservative known as thimerosal has been used in the vaccine manufacturing process since the late 1920s, predating the creation of the federal Food and Drug Administration;

(3) Since the late 1980s, the number of vaccines given to American children has expanded while the age at which vaccinations are administered has been lowered;

(4) The American Academy of Pediatrics and the United States Public Health Service recommended in 1999 that mercury be removed as soon as possible from all vaccines because of the potential for neurological damage posed by mercury;

(5) Most vaccines recommended for use in children are now mercury-free, with the exception of the flu shot;

(6) Administering the standard flu shot to a child three (3) years of age or younger results in mercury exposure levels far in excess of maximum adult exposure limits set the federal Food and Drug Administration;

(7) Public concern about the presence of mercury in vaccines is undermining the effectiveness of immunization programs that protect the public health; and

(8) Eliminating the mercury in vaccines would minimize public fear, increase public confidence in the safety of the vaccine supply and serve to protect children from the potential negative impacts of mercury exposure.

(b) After the effective date of this act, no person who is eight (8) years of age or younger shall be vaccinated in this state with a vaccine containing more than five-tenths microgram (0.5 mg) of mercury in any form per five-tenths milliliter (0.5 ml) dose of vaccine.

(c)(1) The Division of Health of the Department of Health and Human Services shall promulgate rules to implement the requirements of this section.

(2) The rules may include exceptions for potential bioterrorist incidents or for actual or potential public health emergencies."

(SIGNED) SENATOR BAKER

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 911 was ordered engrossed.

On motion of Senator Crumbly, Senate Bill No. 952 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. 952

Amend Senate Bill No. 952 as originally introduced:

Delete everything following the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 6-20-2305(b)(4)(C)(i)(b), concerning public school funding for national school lunch students, is amended to read as follows:

"(b)(1) ~~Through June 30, 2007, the~~ The State Board of Education shall approve the use of funds by a school district to supplement salaries for classroom teachers only under the following conditions:

~~(1)~~(A) The school district meets the minimum teacher salary schedule in § 6-17-2403 without using funds provided under this subdivision (b)(4); and

~~(2)~~(B) The school district is permitted to use funds provided under this subdivision (b)(4) to supplement salaries for classroom teachers only to the extent the school district was using funds provided under this subdivision (b)(4) to supplement salaries for classroom teachers as of January 1, 2006.

(2) The state board may promulgate rules necessary for the implementation of subdivision (b)(4)(C)(i)(b) of this section.

SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that many school districts in this state, in reliance on previous acts of the General Assembly and rules of the State Board of Education, have increased their salary schedules with national school lunch student funding; and if these school districts are not permitted to continue to use these funds for that purpose the school districts will face a serious financial threat. 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 CRUMBLY

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 952 was ordered engrossed.

On motion of Senator Horn, Senate Bill No. 798 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. 798

Amend Senate Bill No. 798 as originally introduced:

Amend Senate Bill No. 798 as originally introduced:

Page 1, line 9, delete "UNIFORM" and substitute "ARKANSAS"

AND

Page 1, line 10, delete "UNIFORM"

AND

Delete the subtitle in its entirety and substitute:

"AN ACT TO CREATE THE REVISED ARKANSAS ANATOMICAL GIFT ACT TO PROVIDE A PROGRAM FOR POST-MORTEM DONATIONS OF ALL OR PART OF A HUMAN BODY."

AND

Page 1, line 27, delete "Uniform" and substitute "Arkansas"

AND

Page 17, delete lines 33 through 36 and substitute the following:
"(d) If an anatomical gift has been or might be made of a part of a decedent whose body is under the jurisdiction of the coroner or after a post-mortem examination the coroner determines that no autopsy is required, or , if the decedent has been referred to the state medical examiner for post-mortem examination under § 12-12-318 and the state medical examiner determines that an autopsy is required, after consultation with the prosecuting attorney and the coroner, and it is determined that the recovery of the parts that are the subject of an anatomical gift will not interfere with the autopsy, the coroner, state medical examiner, and procurement organization shall cooperate in the timely removal of the part from the decedent for the purpose of transplantation, therapy, research, or education."

AND

Page 18, delete lines 1 through 4

AND

Page 18, delete lines 7 through 9 and substitute the following:
"be made, and after consultation with the coroner and prosecuting attorney, the state medical examiner believes the recovery of the part could interfere with determination of the decedent's cause and manner of death, the state medical examiner shall consult with the"

AND

Page 18, delete lines 14 through 15 and substitute the following:
"manner of the decedent's death. After consultation with the prosecuting attorney and coroner, the state medical examiner may allow the recovery."

AND

Page 18, delete line 16 and substitute the following:
"(f) The coroner, prosecuting attorney, medical examiner, and a procurement organization"

AND

Page 18, delete line 24 and substitute the following:
"The coroner, prosecuting attorney, medical examiner, and the procurement organization shall"

AND

Page 19, delete lines 29 through 32

AND

Page 19, line 34, delete "20-17-1224." and substitute "20-17-1223."

AND

Page 19, line 36, delete "uniform"

AND

Page 20, line 14, delete "Uniform" and substitute "Arkansas"

AND

Page 21, line 14, delete "Uniform" and substitute "Arkansas"

AND

Page 31, line 17, delete "Uniform" and substitute "Arkansas"

AND

Page 31, delete lines 20 through 25 and substitute the following:

"SECTION 9. Arkansas Code § 27-16-801 is amended to read as follows:

27-16-801. Licenses generally - Validity periods - Contents - Fees - Disposition of moneys.

(a)(1) In a manner prescribed by the Commissioner of Motor Vehicles, the Office of Motor Vehicle shall issue:

(A) A Class D license or a Class M license to each applicant qualified therefor, for a period of four (4) years, upon payment of twelve dollars ($12.00);

(B) A Class MD license to each applicant qualified therefor, for a period of not more than two (2) years, upon payment of two dollars ($2.00);

(C) Every applicant for a Class D, Class M, or Class MD license under §§ 27-16-704, 27-16-807, or 27-20-108 shall pay an examination fee of five dollars ($5.00) for the first examination and a fee of five dollars ($5.00) for each subsequent examination, except that for each examination after the third examination there shall be no charge if the applicant produces receipts for having paid the fees for the previous examinations. The examination fee shall be remitted in a manner prescribed by the commissioner.

(2) Each license shall include:

(A) A distinguishing number assigned to the licensee;

(B)(i) Except as provided under subdivision (a)(2)(B)(ii) of this section, the name, residence address, date of birth, and a brief description of the licensee.

(ii) The following exceptions to providing a residence address and instead providing a post office box address shall be allowed at the option of the licensee:

(a) If the licensee is a law enforcement officer; or

(b) If the licensee is a victim of domestic violence or the dependent of a victim of domestic violence as provided under § 27-16-811; and

(C) A space upon which the licensee may affix his or her signature.

(3) The licensee shall affix his signature in ink in a space provided, and no license shall be valid until it shall have been so signed by the licensee.

(4) At the time of initial issuance or at the time of renewal of a license, the distinguishing number assigned to the licensee for his or her license shall be a nine-digit number assigned to the specific licensee by the commissioner.

(b)(1)(A) All licenses, as described in subsection (a) of this section, shall include a color photograph of the licensee, and such photograph shall be made a part of the license at the time of application. If the licensee is under eighteen years of age at the time the license is issued, the license shall state that the licensee was under eighteen years of age at the time of issuance. If the licensee was at least eighteen years of age but under twenty-one years of age at the time the license is issued, the license shall state that the licensee was under twenty-one years of age at the time the license was issued.

(B) [Repealed.]

(2) A license may be valid without a photograph of the licensee when the commissioner is advised that the requirement of the photograph is either objectionable on the grounds of religious belief or the licensee is unavailable to have the photograph made.

(c)(1) In addition to the license fee prescribed by subsection (a) of this section, the office shall collect a penalty equal to fifty percent (50%) of the amount thereof from each driver, otherwise qualified, who shall operate a motor vehicle over the highways of this state without a valid license.

(2) Such penalty shall be in addition to any other penalty which may be prescribed by law.

(d) All license fees collected under subsection (a) of this section shall be deposited in the State Treasury as special revenues, and the net amount thereof shall be credited to the Department of Arkansas State Police Fund, to be used for the operation, maintenance, and improvement of the Department of Arkansas State Police.

(e)(1) The office shall not charge an additional fee for the color photograph provided for in subsection (b) of this section for those applicants making a renewal application for the first time.

(2) In addition to the regular license fee, a fee of one dollar ($1.00) shall be charged for all subsequent renewals.

(3) All persons applying for an Arkansas license for the first time and all persons who are required to take the driver's written examination as provided for in this act shall be charged the additional fee of one dollar ($1.00).

(4) All persons who are required to have their eyesight tested prior to initial licensing or upon subsequent license renewal as provided for in this act shall be charged an additional fee of one dollar ($1.00) upon issuance of the license.

~~(f) The office shall provide on the reverse side of the driver's license issued a statement and space whereby the licensee may certify willingness to make an anatomical gift under the provisions of § 20-17-601 et seq.~~

~~(g)~~(f) Moneys collected from the penalty fee provided in subsection (c) of this section and the fees provided in subsection (e) of this section shall be deposited in the State Treasury into the Constitutional Officers Fund and the State Central Services Fund, and the net amount shall be credited to the Department of Finance and Administration to be used to help defray the cost of the driver license program which shall be payable therefrom.

~~(h)~~(g) Such fees as are collected under subsection (a) of this section shall be remitted to the State Treasury, there to be deposited as special revenues to the credit of the Department of Arkansas State Police Fund, to be used for the operation, maintenance, and improvement of the Department of Arkansas State Police.

~~(i)~~(h) In addition to the license fees imposed in subsections (a) and (e) of this section, a fee of six dollars ($6.00) shall be charged for the issuance or renewal of any Class D, M, or MD license. The fees collected under this subsection shall be remitted to the State Treasury, there to be deposited as special revenues to the credit of the Department of Arkansas State Police Fund, to be used for the payment of health insurance premiums for uniformed employees of the Department of Arkansas State Police."

(SIGNED) SENATOR HORN

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 798 was ordered engrossed.

On motion of Senator Critcher, Senate Bill No. 703 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. 703

Amend Senate Bill No. 703 as originally introduced:

By adding Senators Altes, Baker, Broadway, Crumbly, Glover, Johnson, Laverty, Salmon, Steele, Wilkins, Wilkinson, and Womack as co-sponsors;

By replacing Representative sponsor "J.Brown" with "E.Brown";

By adding Representatives Allen, Baker, Blount, Chesterfield, Garner, Green, Kenney, Kidd, Norton, Rosenbaum, Sumpter and Wills as co-sponsors.

(SIGNED) SENATOR CRITCHER

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 703 was ordered engrossed.

On motion of Senator J. Jeffress, Senate Bill No. 54 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. 54

Amend Senate Bill No. 54 as engrossed, S3/8/07:

Page 2, delete line 1 and substitute the following:
"qualified teachers, and professional development exceeding state minimums.

(4) "Teacher" means:

(A) Any person who is:

(i) Required to hold a teaching license from the Arkansas Department of Education; and

(ii) Is engaged directly in instruction with students in a classroom setting for more than seventy percent (70%) of the individual's contracted time;

(B) A guidance counselor; or

(C) A librarian."

AND

Page 2, delete lines 7 and 8 and substitute

"(2) Every eligible certified employee or classified employee may participate in the program;"

AND

Page 2, line 10, delete "between" and substitute "among"

AND

Page 2, line 11, delete "the community" and substitute "parents with children attending the school district"

AND

Page 2, delete lines 15 and 16 and substitute the following:

"(C)(i) Each of the above groups shall be represented on a committee that will design, implement and evaluate the program.

(ii) Each group shall select its own representatives, and the committee shall be composed of at least fifty percent (50%) classroom teachers."

AND

Page 2, line 17, delete "program's personnel policies" and substitute "program is a personnel policy and"

AND

Page 2, line 27, delete "and flexible"

AND

Page 3, line 4, delete "(a)(3)(B)" and substitute "(b)(3)(B)"

AND

Page 3, delete line 9 and substitute the following:
"teachers.

(10)(A) The program respects the right of any teacher or classified employee to elect not to participate in the program.

(B) However, if more than thirty percent (30%) of an employee group chooses not to participate, the program shall not be implemented for that group."

AND

Page 3, delete line 11 and substitute the following:
"necessary for the proper implementation of this act.

(d) This act is not intended to apply to any other program or plan."

(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. 54 was ordered engrossed.

On motion of Senator Faris, Senate Concurrent Resolution No. 23 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 CONCURRENT RESOLUTION NO. 23

Amend Senate Concurrent Resolution No. 23 as originally introduced:

Page 1, delete lines 9 through 13 and substitute the following:
"ENCOURAGING THE ARKANSAS GAME AND FISH COMMISSION TO ADOPT CERTAIN USES OF REVENUE GENERATED BY THE FAYETTEVILLE SHALE PLAY."

AND

Page 1, delete lines 16 through 21 and substitute the following:
"ENCOURAGING THE ARKANSAS GAME AND FISH COMMISSION TO ADOPT CERTAIN USES OF REVENUE GENERATED BY THE FAYETTEVILLE SHALE PLAY."

AND

Page 1, delete lines 24 through 31 and substitute the following:
"WHEREAS, the Arkansas Game and Fish Commission will benefit financially from oil, gas, and other minerals under lands owned by the commission which are part of the Fayetteville shale play; and

WHEREAS, these funds will enable the commission to take new approaches towards accomplishing the purposes of the commission,

NOW THEREFORE,
BE IT RESOLVED BY THE SENATE OF THE EIGHTY-SIXTH GENERAL ASSEMBLY, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

THAT the Arkansas Game and Fish Commission is encouraged to use revenues generated by the Fayetteville shale play to increase hunting accessibility for handicapped Arkansans, to teach safe hunting practices to children, and to assist local governments with infrastructure growth, especially those local governments in areas with immediate needs resulting from high volumes of heavy traffic and population increases due to the Fayetteville shale play."

(SIGNED) SENATOR FARIS

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Concurrent Resolution No. 23 was ordered engrossed.

On motion of Senator Bryles, Senate Bill No. 937 was withdrawn from the Committee on AGRICULTURE, ECONOMIC & INDUSTRIAL DEVELOPMENT, and placed back on second reading for purpose of Amendment No. 2 and No. 3.

Withdraw Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 2 to SENATE BILL NO. 937

Amend Senate Bill No. 937 as originally introduced:

Add the following Senators as cosponsors:
"Argue, Bisbee, Broadway, Capps, Hill, G. Jeffress, J. Jeffress, Laverty, Madison, Malone, Miller, Salmon, T. Smith, Wilkins, Wilkinson"

AND

Add the following Representatives as cosponsors:
"Sullivan, Allen, Berry, Bond, Cooper, Davenport, L. Evans, Everett, Gaskill, George, Kenney, Pace, Petrus, Pierce, S. Prater, Ragland, Reep, Thyer, Walters, Wills"

AND

Delete everything after the enacting clause and substitute the following:

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

SUBCHAPTER 3 – RESEARCH AND PROMOTION ASSESSMENTS

2-15-301. Crop assessments for biofuel incentives.

(a)(1) There is assessed a fee on certain crops grown within the state at the rate of:

(A) Two cents (2¢) per bushel on all corn and grain sorghum;

(B) Three cents (3¢) per bushel on soybeans;

(C) One cent (1¢) per bushel on wheat;

(D) One cent (1¢) per bushel on rice; and

(E) Fifty cents (50¢) per ton on cottonseed.

(2) This assessment on each kind of crop shall be collected unless the Secretary of the Arkansas Agriculture Department certifies to the Director of the Department of Finance and Administration that the price paid to farmers for the crop is less than the United States Department of Agriculture Commodity Credit Corporation loan price on the crop, if applicable.

(b) The assessment shall be collected by the Director of the Department of Finance and Administration from the buyer of the crop at the first point of sale or when the crop enters the United States Department of Agriculture loan program.

(c)(1) There is created on the books of the Treasurer of State, the Auditor of State, and the Chief Fiscal Officer of the State a special revenue fund to be known as the "Crop Assessment Fund".

(2)(A) All assessments collected under this section shall be deposited into the State Treasury to the credit of the fund as special revenues.

(B) The fund shall also consist of any other revenues as may be authorized by law.

(3)(A) The fund shall be used by the Arkansas Agriculture Department for biofuel incentives.

(B) However, the Secretary of the Arkansas Agriculture Department shall distribute the first two million dollars ($2,000,000) received each fiscal year from the assessments on rice and wheat to the University of Arkansas Division of Agriculture for biofuel research dedicated primarily to rice and wheat."

(SIGNED) SENATOR BRYLES

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. 3 to SENATE BILL NO. 937

Amend Senate Bill No. 937 as originally introduced:
By adding Representative L. Smith as a cosponsor of the bill

(SIGNED) SENATOR BRYLES

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 937 was ordered engrossed.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 15, 2007

Mr. President:

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

SENATE CONCURRENT RESOLUTION BILL NO. 23,
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 Concurrent Resolution No. 23 was ordered re-referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 15, 2007

Mr. President:

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

SENATE BILL NO. 54, BY SENATOR J. JEFFRESS,
SENATE BILL NO. 807, BY SENATOR BROADWAY,
SENATE BILL NO. 809, BY SENATOR BROADWAY,
SENATE BILL NO. 843, BY SENATOR BROADWAY, et al,
SENATE BILL NO. 952, BY SENATOR CRUMBLY,

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. 54 was ordered re-referred to the Committee on EDUCATION.

On motion of Senator Broadway, Senate Bill No. 807 was ordered re-referred to the Committee on EDUCATION.

On motion of Senator Broadway, Senate Bill No. 809 was ordered re-referred to the Committee on EDUCATION.

On motion of Senator Broadway, Senate Bill No. 843 was ordered re-referred to the Committee on EDUCATION.

On motion of Senator Broadway, Senate Bill No. 952 was ordered re-referred to the Committee on EDUCATION.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 15, 2007

Mr. President:

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

SENATE BILL NO. 482, BY SENATOR LUKER,
SENATE BILL NO. 703, BY SENATOR CRITCHER,

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 Luker, Senate Bill No. 482 was ordered re-referred to the Committee on JOINT BUDGET.

On motion of Senator Critcher, Senate Bill No. 703 was ordered re-referred to the Committee on JOINT BUDGET.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 15, 2007

Mr. President:

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

SENATE BILL NO. 795, BY SENATOR WILKINS, et al,
SENATE BILL NO. 990, BY SENATOR BRYLES,

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 Wilkins, Senate Bill No. 795 was ordered re-referred to the Committee on REVENUE & TAXATION.

On motion of Senator Bryles, Senate Bill No. 990 was ordered re-referred to the Committee on REVENUE & TAXATION.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 15, 2007

Mr. President:

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

SENATE BILL NO. 798, BY SENATOR HORN,
SENATE BILL NO. 911, BY SENATOR BAKER,

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 Horn, Senate Bill No. 798 was ordered re-referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

On motion of Senator Baker, Senate Bill No. 911 was ordered re-referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 15, 2007

Mr. President:

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

SENATE BILL NO. 937, BY SENATOR BRYLES,

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 Bryles, Senate Bill No. 937 was ordered re-referred to the Committee on AGRICULTURE, ECONOMIC & INDUSTRIAL DEVELOPMENT.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 15, 2007

Mr. President:

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

SENATE BILL NO. 827, 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

March 15, 2007

Mr. President:

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

HOUSE BILL NO. 1671, BY REPRESENTATIVE L. SMITH,
HOUSE BILL NO. 1782, BY REPRESENTATIVE KING,

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 LUKER
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 15, 2007

Mr. President:

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

SENATE BILL NO. 28, BY SENATOR MADISON,
SENATE BILL NO. 29, 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 and No. 3.

Respectfully submitted,

(SIGNED) SENATOR PAUL MILLER
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 15, 2007

Mr. President:

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

HOUSE BILL NO. 1657, BY REPRESENTATIVE ROSENBAUM,
HOUSE BILL NO. 2225, BY REPRESENTATIVE ROGERS,

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

March 15, 2007

Mr. President:

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

SENATE CONCURRENT RESOLUTION NO. 22 ,
BY SENATOR WILKINS,

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

March 15, 2007

Mr. President:

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

HOUSE BILL NO. 1506, BY REPRESENTATIVE JEFFREY,
HOUSE BILL NO. 2583, BY REPRESENTATIVE SAMPLE,
HOUSE BILL NO. 2585, BY REPRESENTATIVE HARDWICK,
HOUSE BILL NO. 2397, BY REPRESENTATIVE MOORE,
HOUSE BILL NO. 2604, BY REPRESENTATIVE MOORE,

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

March 15, 2007

Mr. President:

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

HOUSE BILL NO. 1651, 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 as amended No. 1 and No. 2.

Respectfully submitted,

(SIGNED) SENATOR STEVE FARIS
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 15, 2007

Mr. President:

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

SENATE BILL NO. 812, BY SENATOR HORN,
SENATE BILL NO. 872, BY SENATOR MILLER,
SENATE BILL NO. 972, BY SENATOR STEELE,

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

March 15, 2007

Mr. President:

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

HOUSE BILL NO. 1586, BY REPRESENTATIVE KING,

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 IRMA HUNTER BROWN
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 15, 2007

Mr. President:

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

HOUSE BILL NO. 1299, BY REPRESENTATIVE HARRELSON,

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 IRMA HUNTER BROWN
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 15, 2007

Mr. President:

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

SENATE CONCURRENT RESOLUTION NO. 8,
BY SENATOR CRITCHER, et al,
SENATE BILL NO. 298, BY SENATOR BISBEE,
SENATE BILL NO. 652, BY SENATOR BISBEE,
SENATE BILL NO. 655, BY SENATOR BISBEE,
SENATE BILL NO. 659, BY SENATOR BISBEE,
SENATE BILL NO. 857, BY SENATOR LUKER,
SENATE BILL NO. 905, BY SENATOR THOMPSON,
SENATE BILL NO. 906, BY SENATOR THOMPSON,

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 10:07 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. 8

SENATE BILL NO. 298

SENATE BILL NO. 652

SENATE BILL NO. 655

SENATE BILL NO. 659

SENATE BILL NO. 857

SENATE BILL NO. 905

SENATE BILL NO. 906

RECEIVED the above papers from the Secretary of the Senate this 15th day of March, 2005 at 10:07 a.m..

(SIGNED) MIKE BEEBE
Governor

(SIGNED) Sara Agee
Secretary

On motion of Senator Hill, the Senate resolved itself into the Committee of the Whole for the purpose of Commending Troy Buck.

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

On motion of Senator Hill, Senate Resolution No. 17 was called up for third reading and final disposition.

SENATE RESOLUTION NO. 17
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS HILL, FARIS & MALONE

SENATE RESOLUTION TO COMMEND TROY BUCK ON HIS INDUCTION INTO THE ARKANSAS AGRICULTURAL HALL OF FAME.

Senate Resolution No. 17 was read the third time and adopted unanimously.

(SIGNED) ANN CORNWELL, SECRETARY

On motion of Senator Argue, the rules were suspended in considering House Concurrent Resolution No. 1019 at this time.

On motion of Senator Argue, House Concurrent Resolution No. 1019 was called up for third reading and final disposition.

HOUSE CONCURRENT RESOLUTION NO. 1019
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE PICKETT

HOUSE CONCURRENT RESOLUTION REQUESTING THAT IN CONCORDANCE WITH THE 2006 ACT 57 ADEQUACY STUDY, THE HOUSE AND SENATE INTERIM COMMITTEES ON EDUCATION CONDUCT A STUDY ON REQUIRING PARITY IN STIPENDS AND SUPPLEMENTAL PAY AMONG CERTIFIED PUBLIC SCHOOL EMPLOYEES.

House Concurrent Resolution No. 1019 was read the third time and concurred in.

(SIGNED) ANN CORNWELL, SECRETARY

House Concurrent Resolution No. 1019 was ordered immediately returned to the House as concurred in.

On motion of Senator Argue, the rules were suspended in considering House Concurrent Resolution No. 1020 at this time.

On motion of Senator Argue, House Concurrent Resolution No. 1020 was called up for third reading and final disposition.

HOUSE CONCURRENT RESOLUTION NO. 1020
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE WALTERS

HOUSE CONCURRENT RESOLUTION REQUESTING THAT IN CONCORDANCE WITH THE 2006 ACT 57 ADEQUACY STUDY, THE HOUSE AND SENATE INTERIM COMMITTEES ON EDUCATION CONDUCT A STUDY TO DETERMINE WHETHER THERE ARE SUFFICIENT NUMBERS OF CERTIFIED TEACHERS AVAILABLE IN THE JOB MARKET TO MEET SCHOOL DISTRICT NEEDS FOR SUBSTITUTE TEACHERS.

House Concurrent Resolution No. 1020 was read the third time and concurred in by the House.

(SIGNED) ANN CORNWELL, SECRETARY

House Concurrent Resolution No. 1020 was ordered immediately returned to the House.

On motion of Senator Argue, the rules were suspended in considering House Concurrent Resolution Bill No. 1023 at this time.

On motion of Senator Argue, House Concurrent Resolution No. 1023 was called up for third reading and final disposition.

HOUSE CONCURRENT RESOLUTION NO. 1023
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE KENNEY

HOUSE CONCURRENT RESOLUTION REQUESTING THAT IN CONCORDANCE WITH THE 2006 ACT 57 ADEQUACY STUDY, THE HOUSE AND SENATE INTERIM COMMITTEES ON EDUCATION REVIEW ISSUES ASSOCIATED WITH POSSIBLE CHANGES IN THE ALLOWABLE USES OF EDUCATIONAL EXCELLENCE TRUST FUND PROCEEDS.

House Concurrent Resolution No. 1023 was read the third time and concurred in.

(SIGNED) ANN CORNWELL, SECRETARY

House Concurrent Resolution No. 1023 was ordered immediately returned to the House as concurred in.

On motion of Senator Argue, the rules were suspended in considering House Concurrent Resolution Bill No. 1024 at this time.

On motion of Senator Argue, House Concurrent Resolution No. 1024 was called up for third reading and final disposition.

HOUSE CONCURRENT RESOLUTION NO. 1024
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE KENNEY
BY: SENATORS ARGUE, BISBEE, BAKER, J. JEFFRESS, BRYLES, HENDREN, BROADWAY & G. JEFFRESS

HOUSE CONCURRENT RESOLUTION REQUESTING THAT IN CONCORDANCE WITH THE 2006 ACT 57 ADEQUACY STUDY, THE HOUSE AND SENATE INTERIM COMMITTEES ON EDUCATION CONDUCT A STUDY TO DETERMINE THE EXTENT OF THE NEED FOR STATE FOUNDATION FUNDING FOR A SCHOOL DISTRICT'S GROWTH IN AVERAGE DAILY MEMBERSHIP, WHAT LEVEL OF FUNDING MAY BE NEEDED, AND ON WHAT BASIS THE STATE SHOULD PROVIDE THE FUNDING.

House Concurrent Resolution No. 1024 was read the third time and concurred in.

(SIGNED) ANN CORNWELL, SECRETARY

House Concurrent Resolution No. 1024 was ordered immediately returned to the House as concurred in.

On motion of Senator Argue, the rules were suspended in considering House Concurrent Resolution Bill No. 1025 at this time.

On motion of Senator Argue, House Concurrent Resolution No. 1025 was called up for third reading and final disposition.

HOUSE CONCURRENT RESOLUTION NO. 1025
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE KENNEY
BY: SENATORS ARGUE, BISBEE, BAKER, J. JEFFRESS, BRYLES, HENDREN, BROADWAY & G. JEFFRESS

HOUSE CONCURRENT RESOLUTION REQUESTING THAT IN CONCORDANCE WITH THE 2006 ACT 57 ADEQUACY STUDY, THE HOUSE AND SENATE INTERIM COMMITTEES ON EDUCATION CONDUCT A STUDY IN COOPERATION WITH THE DEPARTMENT OF EDUCATION TO DEVELOP MORE DETAILED, UNIFORM REPORTING REQUIREMENTS FOR FUND BALANCES AND FUND BALANCES FOR CATEGORICAL FUNDING.

House Concurrent Resolution No. 1025 was read the third time and concurred in.

(SIGNED) ANN CORNWELL, SECRETARY

House Concurrent Resolution No. 1025 was ordered immediately returned to the House as concurred in.

On motion of Senator Argue, the rules were suspended in considering House Concurrent Resolution Bill No. 1026 at this time.

On motion of Senator Argue, House Concurrent Resolution No. 1026 was called up for third reading and final disposition.

HOUSE CONCURRENT RESOLUTION NO. 1026
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE KENNEY
BY: SENATORS ARGUE, BISBEE, BAKER, J. JEFFRESS, BRYLES, HENDREN, BROADWAY & G. JEFFRESS

HOUSE CONCURRENT RESOLUTION REQUESTING THAT IN CONCORDANCE WITH THE 2006 ACT 57 ADEQUACY STUDY, THE HOUSE AND SENATE INTERIM COMMITTEES ON EDUCATION CONDUCT A STUDY TO DETERMINE WHETHER FUNDING FOR INSTRUCTIONAL FACILITATORS SHOULD BE REMOVED FROM FOUNDATION FUNDING AND INSTRUCTIONAL FACILITATORS FUNDED SEPARATELY THROUGH CATEGORICAL FUNDING.

House Concurrent Resolution No. 1026 was read the third time and concurred in.

(SIGNED) ANN CORNWELL, SECRETARY

House Concurrent Resolution No. 1026 was ordered immediately returned to the House as concurred in.

On motion of Senator Argue, the rules were suspended in considering House Concurrent Resolution Bill No. 1027 at this time.

On motion of Senator Argue, House Concurrent Resolution No. 1027 was called up for third reading and final disposition.

HOUSE CONCURRENT RESOLUTION NO. 1027
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE KENNEY
BY: SENATORS BISBEE, ARGUE, BAKER, J. JEFFRESS, BRYLES, HENDREN, BROADWAY & G. JEFFRESS

HOUSE CONCURRENT RESOLUTION REQUESTING THAT IN CONCORDANCE WITH THE 2006 ACT 57 ADEQUACY STUDY, THE HOUSE AND SENATE INTERIM COMMITTEES ON EDUCATION CONDUCT A STUDY TO IDENTIFY BEST PRACTICES AMONG ALTERNATIVE LEARNING ENVIRONMENTS IN ARKANSAS AND TO MAKE RECOMMENDATIONS FOR IMPLEMENTING THOSE BEST PRACTICES STATEWIDE.

House Concurrent Resolution No. 1027 was read the third time and concurred in.

(SIGNED) ANN CORNWELL, SECRETARY

House Concurrent Resolution No. 1027 was ordered immediately returned to the House as concurred in.

On motion of Senator Argue, the rules were suspended in considering House Concurrent Resolution Bill No. 1028 at this time.

On motion of Senator Argue, House Concurrent Resolution No. 1028 was called up for third reading and final disposition.

HOUSE CONCURRENT RESOLUTION NO. 1028
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE KENNEY
BY: SENATORS ARGUE, BISBEE, BAKER, J. JEFFRESS, BRYLES, HENDREN, BROADWAY & G. JEFFRESS

HOUSE CONCURRENT RESOLUTION REQUESTING THAT IN CONCORDANCE WITH THE 2006 ACT 57 ADEQUACY STUDY, THE HOUSE AND SENATE INTERIM COMMITTEES ON EDUCATION STUDY THE IMPACT OF REMOVING PUBLIC SCHOOL EMPLOYEE HEALTH INSURANCE FUNDING FROM FOUNDATION FUNDING AND TRANSFERRING THAT OBLIGATION TO THE STATE OF ARKANSAS.

House Concurrent Resolution No. 1028 was read the third time and concurred in by the House.

(SIGNED) ANN CORNWELL, SECRETARY

House Concurrent Resolution No. 1028 was ordered immediately returned to the House.

On motion of Senator Malone, Senate Bill No. 303 was ordered re-referred to the Committee on JUDICIARY.

* * * * * * * * * RECEDE* * * * * * * * *

On motion of Senator Womack, Senate Bill No. 944 was placed back on second reading for purpose of Amendment No. 1, No. 2 and No. 3.

ARKANSAS SENATE

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

Amendment No. 1 to SENATE BILL NO. 944

Amend Senate Bill No. 944 as originally introduced:

Page 7, delete lines 11 through 14 and substitute the following:

"(d) The Department shall maintain records which indicate the number of patients placed for treatment in a psychiatric residential treatment facility outside the borders of the state and shall separately note all such placements in which the facility is located more than fifty (50) miles from the patient's residence."

(SIGNED) SENATOR WOMACK

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 SENATE BILL NO. 944

Amend Senate Bill No. 944 as originally introduced:

Page 5, delete lines 9 through 36

AND

Page 6, delete lines 1 through 10 and substitute the following:

"20-77-1806. Qualification for treatment in a psychiatric residential treatment facility.

(a) As used in this section, "medical necessity" means:

(1) The patient experiences significant impairment in psychological, emotional, or behavioral functioning that causes distress or disruption for the individual, family, educational personnel or immediate others;

(2) A condition that warrants an Axis I diagnosis from the Diagnostic and Statistical Manual of Mental Illness, as it existed on January 1, 2007, and

(3) A condition that has not been or cannot be ameliorated with less restrictive interventions."

(b) Prior authorization for admission into an in-state qualified psychiatric residential treatment services provider shall require:

(1) A finding that medical necessity criteria are met; and

(2)(A) That the child should have been engaged in at least one (1) month of outpatient counseling with a therapist who provided a written or verbal assurance to the admitting facility that his or her client needed residential treatment; or

(B) A finding that the child will be endangered in the absence of residential treatment admission.

(c) Continuing care authorization in an in-state qualified psychiatric residential treatment services provider shall require:

(1) A finding that services are medically necessary and

(2)(A) That the child's current level of functioning will continue to disrupt normal activities of daily living for the individual, family, educational personnel, or immediate others; or

(B) The patient will regress in a less restrictive setting.

(d) A participant in the Medicaid program is entitled to receive services from any willing in-state provider who is approved to participate in the program of indigent medical care for mental health services.

(e) A child who meets the definition of medical necessity shall not be denied prior or continuing care authorization if there is:"

AND

Page 6, delete lines 27 through 29 and insert the following:

"(f) If a juvenile is ordered by a court to receive psychiatric residential treatment, a program provider may make a request for prior and continuing care authorization for treatment in the following manner:"

AND

Page 7, delete lines 11 through 28 and insert the following:

(g) Only the director or the deputy director may approve in writing the placement of a patient for treatment outside the borders of the state if the out-of-state psychiatric residential treatment facility is more than fifty (50) miles from the patient's home.

20-77-1807. Conflict resolution.

In the event that any provision of this subchapter conflicts with any portion of the Arkansas Medicaid State Plan or any waivers approved by the federal government, the affected state agencies shall immediately seek to resolve the conflict by amending the Medicaid State Plan or by seeking federal approval for a change in any conflicting agreement to prevent or minimize any loss of federal funding as a result of the conflict.

20-77-1808. Construction of subchapter.
Nothing in this subchapter shall be construed to prevent the sale, merger, or transfer of stock or control of a company operating an outpatient mental health care program, or limit its right to continuously contract with Medicaid without interruption."

(SIGNED) SENATOR WOMACK

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. 3 to SENATE BILL NO. 944

Amend Senate Bill No. 944 as originally introduced:

Page 4, line 26, delete "and" and substitute "or"

(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. 944 was ordered engrossed.

* * * * * * * * * RECEDE* * * * * * * * *

The record pertaining to the adoption of Amendment No. 1, No. 2 and No. 3 to Senate Bill No. 944 was receded from, in accordance with a prevailing motion on March 15, 2007, 2007.

On motion of Senator Madison, Senate Bill No. 369 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. 369

Amend Senate Bill No. 369 as engrossed, S2/28/07:

Page 1, delete lines 20 through 36.

AND

Page 2, delete lines 1 through 36.

AND

Page 3, delete lines 1 through 8.

AND

Page 4, delete lines 4 through 6 and substitute:

"(iii) Forcing listening to a phone sex line; or"

AND

Page 4, delete lines 30 through 36.

AND

Page 5, delete lines 1 through 6.

AND

Page 8, delete lines 7 through 10 and substitute:

“shall not be disclosed other than for administration of adoption, foster care, or children’s protective services programs.”

AND

Page 11, delete line 27 and substitute:

“(23) A school official;”

AND

Page 13, delete lines 35 through 36 entirely

AND

Page 14, delete lines 1 through 4

AND

Page 17, line 31, delete “(h)” and substitute “(h)(1)”

AND

Page 17, delete line 33 and substitute:

“any national crime information database, on any subject of the report.

(2) The results of the criminal background check shall not be disclosed outside of the department except as permitted under § 12-12-506.”

AND

Page 20, delete line 5 and substitute:

“hearing and the potential consequences to the person as a result of the person’s name being placed on the central registry;”

AND

Renumber the sections of the bill in consecutive order

(SIGNED) SENATOR MADISON

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 369 was ordered engrossed.

On motion of Senator Madison, Senate Bill No. 370 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. 370

Amend Senate Bill No. 370 as engrossed, S3/5/07:

Page 6, delete lines 10 through 36.

AND

Page 7, delete lines 1 through 17.

AND

Page 8, delete lines 22 through 24 and substitute:

"(iii) Forcing listening to a phone sex line; or"

AND

Page 19, delete lines 19 through 36.

AND

Page 20, delete lines 1 through 6.

AND

Renumber the sections of the bill in consecutive order

(SIGNED) SENATOR MADISON

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 370 was ordered engrossed.

On motion of Senator Madison, Senate Bill No. 777 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. 777

Amend Senate Bill No. 777 as originally introduced:

Add Representatives D. Johnson and Rosenbaum as cosponsors

AND

Add Senator Argue as a cosponsor

AND

Page 3, delete line 12 and substitute:

"(3) Providing professional veterinary care as a licensed veterinarian or his or her agent as defined by the Arkansas Veterinary Medical Practices Act, § 17-101-101 et seq.;"

AND

Page 3, line 28, delete "or" entirely

AND

Page 3, delete line 33 and substitute:

"as much as reasonably possible under the circumstances; or
(8) Performing accepted animal husbandry practices on a horse."

AND

Page 3, line 34, delete "(g)(1)" and substitute "(g)"

AND

Page 3, delete line 36 entirely

AND

Page 4, delete line 1 entirely

AND

Page 4, line 5, delete "(a)" and substitute "(a)(1)"

AND

Page 4, delete line 11 and substitute:

"~~5-62-112, and §§ 5-62-114 — 5-62-119~~ subchapter.

(2) When serving a warrant issued pursuant to this subchapter for a felony offense under § 5-62-102, the certified animal cruelty investigator shall be accompanied by a certified law enforcement officer, the warrant shall be served by the certified law enforcement officer, and any arrest made for a felony offense under § 5-62-102 shall be made by the certified law enforcement officer."

(SIGNED) SENATOR MADISON

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 777 was ordered engrossed.

On motion of Senator Pritchard, Senate Bill No. 18 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. 18

Amend Senate Bill No. 18 as engrossed, S2/22/07:

Delete Representative S. Prater as a cosponsor of the bill

AND

Page 7, line 6, delete "adjudged guilty" and substitute "adjudicated delinquent"

AND

Page 12, delete lines 34 through 36, and substitute the following:
"Speaker of the House of Representatives;

(11) The Arkansas Drug Director or the Arkansas Drug Director's designee; and

(12) The Chair of the Board of Corrections or the chair's designee."

(SIGNED) SENATOR B. PRITCHARD

The Amendment was read 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 Steele, Senate Bill No. 996 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. 996

Amend Senate Bill No. 996 as originally introduced:

Add Representative Prater as a cosponsor of the bill

AND

Page 14, delete line 16 and substitute the following:
"(4)(A) Four (4) members to be appointed by the Governor.

(B) One (1) member appointed under subdivision (b)(4)(A) of this section shall be a current or former recipient of transitional employment assistance or Aid to Families with Dependent Children;"

AND

Page 15, delete lines 23 and 24 and substitute the following:
"Program services, Arkansas Work Pays Program services, and services offered in local workforce offices."

AND

Page 18, line 17, delete "Oversight"

AND

Page 28, line 17, delete "and" and substitute "~~and~~"

AND

Page 28, delete line 20 and substitute the following:
"efficient to exclude or which must be excluded due to federal or state law~~.~~; and

(9) Any investment earmarked for retirement or education, such as a retirement plan authorized by section 401(k) or section 529 of the Internal Revenue Code, as it existed on January 1, 2007."

AND

Page 32, delete lines 21 through 25 and substitute the following:
"(c)~~(1)~~ Each state agency and each entity that contracts to provide services for a state agency shall establish recruitment and hiring goals which shall target ten percent (10%) of all jobs requiring a high school diploma or less to be filled with transitional employment assistance or food stamp recipients."

AND

Page 33, delete line 24 and substitute the following:
"(3) The ~~Arkansas Employment Security Department~~ Department of Workforce Security shall establish"

AND

Page 40, delete lines 31 through 36

AND

Page 41, delete lines 1 and 2 and substitute the following:
"(D) Contract with other state agencies or other providers"

AND

Page 44, delete lines 11 through 33 and substitute the following:
"SECTION 21. Arkansas Code § 20-76-444(a)-(d), concerning eligibility for cash assistance under the Arkansas Work Pays Program, are amended to read as follows:
(a)(1) There is created the Arkansas Work Pays Program.
(2)(A) The Arkansas Work Pays Program shall be administered by the Department of Workforce Services.
(B) The administration of the Arkansas Work Pays Program shall focus on promoting the transitional employment assistance outcomes specified in § 20-76-105(1).

(3) Eligible applicants to the Arkansas Work Pays Program shall receive one (1) or more of the following:

(A) Cash assistance;

(B) Support services;

(C) Medical assistance; and

(D) Employment assistance.

(b)(1) Eligibility for assistance under the Arkansas Work Pays Program is limited to applicants or participants who:

~~(1)~~(A) Have care and custody of a related minor child;

~~(2)~~(B) Reside in the State of Arkansas at the time of application for assistance and during the period of assistance;

~~(3)~~(C) Apply for program assistance within six (6) months of leaving the Transitional Employment Assistance Program after at least three (3) months of Transitional Employment Assistance Program assistance;

~~(4)~~(D) Have not received more than twenty-four (24) months of Arkansas Work Pays Program benefits;

~~(5)~~(E) Were engaged:

~~(A)~~(i) In paid work activities for a minimum of twenty-four (24) hours per week and met the federal work participation requirement for the past month;

~~(B)~~(ii) In the case of continuing eligibility, in paid work activities for a minimum of twenty-four (24) hours per week and met the federal work participation requirement for one (1) of the past three (3) months and for at least three (3) of the past six (6) months;

~~(6)~~(F) Are:

~~(A)~~(i) Citizens of the United States;

~~(B)~~(ii) Qualified aliens lawfully present in the United States before August 22, 1996;

~~(C)~~(iii) Qualified aliens who physically entered the United States on or after August 22, 1996, and have been in qualified immigrant status for at least five (5) years; or

~~(D)~~(iv) Aliens to whom benefits under Temporary Assistance for Needy Families must be provided under federal law;

~~(7)~~(G) Have income below one hundred fifty percent (150%) of the federal poverty level; and

~~(8)~~(H) Sign and comply with a personal responsibility agreement.

(2) Families who leave the Arkansas Work Pays Program due to insufficient work hours may re-enter the Arkansas Work Pays Program once they establish that they were paid work activities for a minimum of twenty-four (24) hours per week and met the federal work participation requirement for the past month.

(c)(1) Families participating in the Arkansas Work Pays Program with earnings less than the federal poverty level shall receive monthly cash assistance equal to the maximum monthly Transitional Employment Assistance Program benefit for a family of three (3) with no earned income.

(2) The department may set payment levels for families earning above the federal poverty level by rule to allow for a gradual reduction in payments as earnings rise toward one hundred fifty percent (150%) of the federal poverty level.

(d)(1) Enrollment in Arkansas Work Pays Program cash assistance ~~is~~ may be limited to three thousand (3,000) participants.

(2) If the Arkansas Transitional Employment Board certifies to the Governor and the Chief Fiscal Officer of the State and notifies the Legislative Council, the Senate Public Health, Welfare, and Labor Committee, and the House Public Health, Welfare, and Labor Committee that the action is necessary to avoid the number of families receiving Arkansas Work Pays Program cash assistance going over three thousand (3,000), it may authorize a reduction of the months for which families may receive cash assistance or other supportive services.

(3) The number of months for which families are eligible for cash assistance may be reduced in three-month increments from the statutory provision of twenty-four (24) months.

(4) Families who lose eligibility for cash assistance due to the reduction in the number of months of eligibility shall qualify for financial incentives offered to families leaving the Arkansas Work Pays Program.

(5) The Arkansas Transitional Employment Board shall withdraw its reduction of the months for which families are eligible for cash assistance if the reduction is no longer necessary to maintain enrollments below three thousand (3,000) families."

AND

Page 45, line 25, delete "(b)(1)" and substitute "(b)(1)(A)"

AND

Page 45, delete line 28 and substitute the following:
"Initiative.

(B) The plan shall be updated annually."

AND

Page 48, line 24, add the following:

"SECTION 25. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that the state fiscal year begins July 1, 2007; that the state agencies responsible for the programs under this act require time to prepare for the program changes created in this act; that families in need of temporary assistance may not receive the needed assistance if this act does not become effective immediately; and that any delay in the effective date of this act could work irreparable harm on families in need of temporary assistance. 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 STEELE

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 996 was ordered engrossed.

On motion of Senator Steele, Senate Bill No. 819 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. 819

Amend Senate Bill No. 819 as originally introduced:

Page 5, line 5, delete "(a)" and substitute "(a)(1)"

AND

Page 5, delete line 9 and substitute the following:
"Centers for Medicare and Medicaid Services, or both.

(2) When recoupment is permitted, the department shall not recoup until there is a final determination identifying the funds to be recouped as overpayments."

AND

Page 6, line 10, delete "exact" and substitute "~~exact~~"

AND

Page 6, delete lines 30 and 31, and substitute the following:
"difference between the amount previously paid and the amount that would be payable for the care deemed to be medically necessary."

AND

Page 7, delete lines 6 through 9, and substitute the following:
"~~condition met prior to the claim denial shall not be reimposed.~~ No physician referral shall be required as a condition of payment for care that is determined to be medically necessary upon a review conducted under this section."

AND

Page 8, delete lines 8 through 10, and substitute the following:

"(3)(A) No physician referral shall be required as a condition of payment for care that is determined to be medically necessary upon a review conducted under this section."

AND

Page 9, delete lines 14 through 19 and substitute the following:

"SECTION 5. Arkansas Code § 20-77-1711 is amended to read as follows:

20-77-1711. Copies

(a) ~~Providers shall be required to supply records at their own cost to the Department of Health and Human Services no more than one (1) time.~~ Except as provided in subsection (b), providers must supply records to the Department of Health and Human Services at their own cost.

(b) If the provider has supplied records to the Department of Health and Human Services and the provider identifies to whom the records were supplied, the provider is not required to provide a second copy of the records at its own cost."

AND

Page 9, delete lines 35 and 36

AND

Page 10, delete lines 1 through 6, and substitute the following:
"amended to add an additional section to read as follows:

20-77-1716. Regulations."

(SIGNED) SENATOR CRITCHER

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 819 was ordered engrossed.

On motion of Senator Crumbly, House Bill No. 2333 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. 2333

Amend House Bill No. 2333 as originally introduced:

Page 4, line 15, delete "each even-numbered year" and substitute "each year"

(SIGNED) SENATOR CRUMBLY

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2333 was ordered engrossed.

On motion of Senator Bryles, Senate Bill No. 928 was placed back on second reading for purpose of Amendment No. 2.

Amendment No. 1 was withdrawn.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 2 to SENATE BILL NO. 928

Amend Senate Bill No. 928 as originally introduced:

Page 2, delete lines 7 through 10 and substitute the following:

"electrician or journeyman electrician for regularly scheduled or emergency maintenance work or"

(SIGNED) SENATOR BRYLES

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

(SIGNED) ANN CORNWELL, SECRETARY

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

On motion of Senator Bryles, Senate Bill No. 928 was called up for third reading and final disposition.

SENATE BILL NO. 928
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR BRYLES

A Bill for an Act to be Entitled: AN ACT TO EXTEND THE TEMPORARY LICENSING OF ELECTRICIANS FOR WORK ON INDUSTRY PROJECTS; TO PROVIDE FOR THE REGISTRATION OF ELECTRICAL APPRENTICES FOLLOWING COMPLETION OF APPRENTICESHIP TRAINING; AND FOR OTHER PURPOSES.

Senate Bill No. 928 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. 928, 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. 928 was ordered engrossed.

On motion of Senator Womack, House Bill No. 1485 was placed back on second reading for purpose of amendment.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to HOUSE BILL NO. 1485

Amend House Bill No. 1485 as engrossed, H2/26/07:

Add Senator Womack as a cosponsor

AND

Page 1, delete line 26 and substitute:

"petition, the notice of hearing, or in the decree of adoption.

SECTION 2. Arkansas Code § 9-9-205, regarding the jurisdiction and venue for adoptions and the petition for adoption, is amended to add an additional subsection to read as follows:

(f) In the event the child dies during the time that the child is placed in the home of an adoptive parent or parents for the purpose of adoption, the court has the authority to enter a final decree of adoption after the child's death upon the request of the adoptive parent."

AND

Renumber the remaining sections of the bill in consecutive order

(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. 1485 was ordered engrossed.

On motion of Senator Madison, House Bill No. 2323 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 HOUSE BILL NO. 2323

Amend House Bill No. 2323 as originally introduced:

Page 1, line 24, delete "~~the~~" and substitute "the"

AND

Page 1, line 25, delete "a fund to be known as the" and substitute "county clerk's cost fund as special revenue as provided under § 21-6-413(e)(2)"

AND

Page 1, line 26, delete "county clerk special revenue fund"

(SIGNED) SENATOR MADISON

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2323 was ordered engrossed.

On motion of Senator Miller, Senate Bill No. 295 was called up for the purpose of considering Amendment No. 1 and No. 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. 295

Amend Senate Bill No. 295 as originally introduced:

Page 2, delete line 33 and substitute the following:
"(2)(A) If a motor vehicle becomes a salvage vehicle and an insurer indemnifies under the insurance policy, but the"

AND

Page 4, line 23, delete ""previous ~~damage~~ salvage"" and substitute ""~~previous damage~~ rebuilt""

(SIGNED) REPRESENTATIVE WOOD

Amendment No. 1 to Senate Bill No. 295, 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. 295

Amend Senate Bill No. 295 as engrossed, H3/2/07:

Page 3, delete lines 12 through 17 and substitute the following:
"(4)(A) If a person other than an insurer acquires ownership of a salvage vehicle after the time it becomes a salvage vehicle but prior to the issuance of a salvage title, and a good faith estimate of the repair cost is over seventy percent (70%) of its average retail value at the time the vehicle is acquired, the owner shall

surrender the certificate of title to the salvage vehicle to the office within thirty (30) days following the date of acquisition of the certificate of title to the salvage vehicle. If the vehicle has no resale value except as a source for parts or scrap, the owner may request that the office issue the vehicle a "parts only" title and the vehicle shall be dismantled for parts or scrap and shall be titled as such in the State of Arkansas.

(B) Subdivision (a)(4)(A) of this section shall become effective on January 1, 2008."

AND

Page 3, line 30, delete ""junk"," and substitute ""junk", "parts only","

AND

Page 3, delete line 33 and substitute the following:
"parts or scrap and shall not be ~~titled~~ registered in the State of Arkansas, but may receive a "parts only" title.

AND

Page 5, line 1, delete "junk" and substitute ""parts only""

(SIGNED) REPRESENTATIVE WOOD

Amendment No. 2 to Senate Bill No. 295, 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 Miller, and without objection, the rules were suspended pertaining to passage of Amendment and Bill on the same day.

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.

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, 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: Altes.

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. 295 was ordered enrolled.

The President declared the morning hour to have expired.

On motion of Senator Critcher the Senate recessed until 12:15 p.m.

The Senate reconvened after recess. The Secretary called the roll, and a quorum was present.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 15, 2007

Mr. President:

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

SENATE BILL NO. 91, 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 SHAWN WOMACK
CHAIRMAN

On motion of Senator Glover, Senate Bill No. 855 was called up for third reading and final disposition.

SENATE BILL NO. 855

As Engrossed: S3/14/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATOR GLOVER

BY: REPRESENTATIVES E. BROWN AND HARRELSON

A Bill for an Act to be Entitled: AN ACT AMENDING ARKANSAS LAW CONCERNING PROCEDURES AND DEADLINES FOR ELECTIONS; AND FOR OTHER PURPOSES.

Senate Bill No. 855 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. 855 was ordered immediately transmitted to the House as passed.

On motion of Senator Bookout, Senate Bill No. 267 was called up for third reading and final disposition.

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

On motion of Senator Trusty, Senate Bill No. 810 was called up for third reading and final disposition.

SENATE BILL NO. 810

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATOR TRUSTY

A Bill for an Act to be Entitled: AN ACT TO INCLUDE EITHER PARENT'S ABILITY TO PROVIDE HEALTH INSURANCE AS A MATERIAL CHANGE OF CIRCUMSTANCES FOR CHILD SUPPORT MODIFICATION PURPOSES; TO REQUIRE THE PAYOR OF LUMP-SUM PAYMENTS OWED TO A PARENT WHO OWES PAST DUE CHILD SUPPORT TO DEDUCT AN AMOUNT TO BE APPLIED TO ACCRUED ARREARAGES; AND FOR OTHER PURPOSES.

Senate Bill No. 810 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. 810 was ordered immediately transmitted to the House as passed.

On motion of Senator Trusty, Senate Bill No. 811 was called up for third reading and final disposition.

SENATE BILL NO. 811
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR TRUSTY

A Bill for an Act to be Entitled: AN ACT TO REQUIRE REFERRALS FOR THE CRIMINAL PROSECUTION OF CERTAIN CASES OF NONPAYMENT OF CHILD SUPPORT; AND FOR OTHER PURPOSES.

Senate Bill No. 811 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. 811 was ordered immediately transmitted to the House as passed.

Senator Womack moved the Senate recede its previous action in the adoption of Amendment No. 1, No. 2 and No. 3 to Senate Bill No. 944.

(SIGNED) ANN CORNWELL, SECRETARY

On motion of Senator Argue, Senate Bill No. 837 was called up for third reading and final disposition.

SENATE BILL NO. 837
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS ARGUE AND BAKER
BY: REPRESENTATIVE KENNEY

A Bill for an Act to be Entitled: AN ACT TO PROVIDE UP TO TWO HUNDRED SEVENTY-FIVE (275) ARKANSAS GOVERNOR'S DISTINGUISHED SCHOLARSHIPS; AND FOR OTHER PURPOSES.

Senate Bill No. 837 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. 837, 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. 837 was ordered immediately transmitted to the House.

On motion of Senator Argue, Senate Bill No. 838 was called up for third reading and final disposition.

SENATE BILL NO. 838
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS ARGUE AND BAKER
BY: REPRESENTATIVE KENNEY

A Bill for an Act to be Entitled: AN ACT TO PROVIDE FREE TUITION AT STATE-SUPPORTED INSTITUTIONS OF HIGHER EDUCATION FOR CHILDREN OF DISABLED VETERANS; AND FOR OTHER PURPOSES.

Senate Bill No. 838 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. 838 was ordered immediately transmitted to the House as passed.

On motion of Senator Argue, Senate Bill No. 839 was called up for third reading and final disposition.

SENATE BILL NO. 839
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS ARGUE AND BAKER
BY: REPRESENTATIVE KENNEY

A Bill for an Act to be Entitled: AN ACT TO AMEND THE ELIGIBILITY REQUIREMENTS FOR THE ARKANSAS ACADEMIC CHALLENGE SCHOLARSHIP PROGRAM; AND FOR OTHER PURPOSES.

Senate Bill No. 839 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. 839, 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. 839 was ordered immediately transmitted to the House as passed.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 15, 2007

Mr. President:

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

SENATE BILL NO. 928, BY SENATOR BRYLES,

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. 928 was ordered immediately transmitted to the House.

On motion of Senator Faris, Senate Bill No. 963 was called up for third reading and final disposition.

SENATE BILL NO. 963

As Engrossed: S3/14/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATOR FARIS

A Bill for an Act to be Entitled: AN ACT TO REQUIRE THE OFFICE OF PERSONNEL MANAGEMENT OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO CONDUCT A STUDY TO REVISE THE CLASSIFICATION AND COMPENSATION PLAN; AND FOR OTHER PURPOSES.

Senate Bill No. 963 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. 963 was ordered immediately transmitted to the House as passed.

On motion of Senator Luker, Senate Bill No. 796 was called up for third reading and final disposition.

SENATE BILL NO. 796
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR LUKER
BY: REPRESENTATIVE BOND

A Bill for an Act to be Entitled: AN ACT CONCERNING COMMUNITY CORRECTION TRANSFER ELIGIBILITY FOR OFFENDERS TRANSFERRED BACK TO THE DEPARTMENT OF CORRECTION FOR ADMINISTRATIVE REASONS; AND FOR OTHER PURPOSES.

Senate Bill No. 796 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. 796 was ordered immediately transmitted to the House as passed.

On motion of Senator Luker, Senate Bill No. 859 was called up for third reading and final disposition.

SENATE BILL NO. 859
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR LUKER

A Bill for an Act to be Entitled: AN ACT CONCERNING PROPERTY SUBJECT TO FORFEITURE UNDER THE UNIFORM CONTROLLED SUBSTANCES ACT; AND FOR OTHER PURPOSES.

Senate Bill No. 859 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, Brown, Bryles, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Hill, G. Jeffress, J. Jeffress, Laverty, Luker, Madison, Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, R. Thompson, Trusty, Whitaker.

Total 27

NEGATIVE:

Total 0

ABSENT OR NOT VOTING: Bookout, Broadway, Horn, B. Johnson, J. Taylor, Wilkins, Wilkinson, Womack.

Total 8

VOTING PRESENT:

Total 0

Total number of votes cast.....27

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

On motion of Senator Baker, Senate Bill No. 822 was called up for third reading and final disposition.

SENATE BILL NO. 822

As Engrossed: S3/12/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATORS BAKER, ARGUE, BRYLES & *BROADWAY*

BY: REPRESENTAITIVES KENNEY, KEY, ET AL

A Bill for an Act to be Entitled: AN ACT TO AUTHORIZE THE SECTION 529 PLAN REVIEW COMMITTEE TO CREATE A PILOT PROGRAM TO BE KNOWN AS THE "ASPIRING SCHOLARS MATCHING GRANT PROGRAM" TO MATCH THE CONTRIBUTION MADE INTO AN ACCOUNT FOR A DESIGNATED BENEFICIARY ESTABLISHED UNDER THE ARKANSAS TAX-DEFERRED TUITION SAVINGS PROGRAM; AND FOR OTHER PURPOSES.

Senate Bill No. 822 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. 822 was ordered immediately transmitted to the House as passed.

On motion of Senator Miller, Senate Bill No. 791 was called up for third reading and final disposition.

SENATE BILL NO. 791

As Engrossed: S3/6/07 S3/14/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATORS MILLER, J. JEFFRESS, G. JEFFRESS, T. SMITH, LAVERTY

BRYLES & HILL

BY: REPRESENTATIVE SAUNDERS

A Bill for an Act to be Entitled: AN ACT TO AMEND THE FUNDING FORMULA MODEL FOR TWO-YEAR COLLEGES; AND FOR OTHER PURPOSES.

Senate Bill No. 791 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, Baker, Broadway, Brown, Bryles, Capps, Critcher, Crumbly, Faris, Glover, Hill, Horn, G. Jeffress, J. Jeffress, B. Johnson, Laverty, Luker, Malone, Miller, Salmon, T. Smith, Steele, R. Thompson, Trusty, Whitaker, Wilkins.

Total 26

NEGATIVE: Bisbee, Hendren, B. Pritchard.

Total 3

ABSENT OR NOT VOTING: Altes, Bookout, Madison, J. Taylor, Wilkinson, Womack.

Total 6

VOTING PRESENT:

Total 0

Total number of votes cast 29

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. 791, 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: Argue, Baker, Broadway, Brown, Bryles, Capps, Critcher, Crumbly, Faris, Glover, Hill, Horn, G. Jeffress, J. Jeffress, B. Johnson, Laverty, Luker, Malone, Miller, Salmon, T. Smith, Steele, R. Thompson, Trusty, Whitaker, Wilkins.

Total 26

NEGATIVE: Bisbee, Hendren, B. Pritchard.

Total 3

ABSENT OR NOT VOTING: Altes, Bookout, Madison, J. Taylor, Wilkinson, Womack.

Total 6

VOTING PRESENT:

Total 0

Total number of votes cast 29

Necessary to the adoption of the Emergency Clause 24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 791 was ordered immediately transmitted to the House.

On motion of Senator J. Jeffress, Senate Bill No. 196 was called up for third reading and final disposition.

SENATE BILL NO. 196

As Engrossed: S1/31/07 S2/6/07 S2/15/07 S3/1/07 S3/13/07 S3/14/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATOR J. JEFFRESS

A Bill for an Act to be Entitled: AN ACT TO IMPROVE THE SAFETY OF ROADS AND HIGHWAYS IN THE STATE BY ADDRESSING ISSUES RELATED TO THE LICENSING OF BEGINNING OR YOUTHFUL DRIVERS; TO AMEND THE LAW REGARDING RESTRICTED DRIVER'S LICENSES, LEARNER'S LICENSES, AND INTERMEDIATE LICENSES; AND FOR OTHER PURPOSES.

Senate Bill No. 196 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, Baker, Bisbee, Broadway, Brown, Bryles, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Hill, Horn, G. Jeffress, J. Jeffress, Luker, Madison, Malone, Miller, Salmon, T. Smith, R. Thompson, Trusty, Whitaker, Womack.

Total 26

NEGATIVE: Altes, Laverty, B. Pritchard, Steele.

Total 4

ABSENT OR NOT VOTING: Bookout, B. Johnson, J. Taylor, Wilkins, Wilkinson.

Total 5

VOTING PRESENT:

Total 0

Total number of votes cast.....30

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

On motion of Senator Womack, the rules were suspended in considering Senate Bill No. 944 at this time.

On motion of Senator Womack, Senate Bill No. 944 was placed back on second reading for purpose of Amendment No. 4.

ARKANSAS SENATE

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

Amendment No. 4 to SENATE BILL NO. 944

Amend Senate Bill No. 944 as originally introduced:

Amend Senate Bill No. 944 as originally introduced:

Page 4, line 26, delete "and" and substitute "or"

AND

Page 5, delete lines 9 through 36

AND

Page 6, delete lines 1 through 10 and substitute the following:

"20-77-1806. Qualification for treatment in a psychiatric residential treatment facility.

(a) As used in this section, "medical necessity" means:

(1) The patient experiences significant impairment in psychological, emotional, or behavioral functioning that causes distress or disruption for the individual, family, educational personnel or immediate others;

(2) A condition that warrants an Axis I diagnosis from the Diagnostic and Statistical Manual of Mental Illness, as it existed on January 1, 2007, and

(3) A condition that has not been or cannot be ameliorated with less restrictive interventions."

(b) Prior authorization for admission into an in-state qualified psychiatric residential treatment services provider shall require:

(1) A finding that medical necessity criteria are met; and

(2)(A) That the child should have been engaged in at least one (1) month of outpatient counseling with a therapist who provided a written or verbal assurance to the admitting facility that his or her client needed residential treatment; or

(B) A finding that the child will be endangered in the absence of residential treatment admission.

(c) Continuing care authorization in an in-state qualified psychiatric residential treatment services provider shall require:

(1) A finding that services are medically necessary and

(2)(A) That the child's current level of functioning will continue to disrupt normal activities of daily living for the individual, family, educational personnel, or immediate others; or

(B) The patient will regress in a less restrictive setting.

(d) A participant in the Medicaid program is entitled to receive services from any willing in-state provider who is approved to participate in the program of indigent medical care for mental health services.

(e) A child who meets the definition of medical necessity shall not be denied prior or continuing care authorization if there is:"

AND

Page 6, delete lines 27 through 29 and insert the following:

"(f) If a juvenile is ordered by a court to receive psychiatric residential treatment, a program provider may make a request for prior and continuing care authorization for treatment in the following manner:"

AND

Page 7, delete lines 11 through 28 and insert the following:

"(g) The department shall maintain records which indicate the number of patients placed for treatment in a psychiatric residential treatment facility outside the borders of the state and shall separately note all such placements in which the facility is located more than fifty (50) miles from the patient's residence.

20-77-1807. Conflict resolution.

In the event that any provision of this subchapter conflicts with any portion of the Arkansas Medicaid State Plan or any waivers approved by the federal government, the affected state agencies shall immediately seek to resolve the conflict by amending the Medicaid State Plan or by seeking federal approval for a change in any conflicting agreement to prevent or minimize any loss of federal funding as a result of the conflict.

20-77-1808. Construction of subchapter.

Nothing in this subchapter shall be construed to prevent the sale, merger, or transfer of stock or control of a company operating an outpatient mental health care program, or limit its right to continuously contract with Medicaid without interruption."

(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. 944 was ordered engrossed.

On motion of Senator Malone, Senate Bill No. 333 was called up for third reading and final disposition.

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

On motion of Senator Malone, Senate Bill No. 909 was called up for third reading and final disposition.

SENATE BILL NO. 909
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MALONE
BY: REPRESENTATIVE MALOCH

A Bill for an Act to be Entitled: AN ACT TO CHANGE THE NINTH JUDICIAL DISTRICT-EAST FROM A DIVISION A TO A DIVISION B JUDICIAL DISTRICT; AND FOR OTHER PURPOSES.

Senate Bill No. 909 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. 909 was ordered immediately transmitted to the House as passed.

On motion of Senator Luker, House Bill No. 2276 was called up for third reading and final disposition.

HOUSE BILL NO. 2276
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE J. BROWN

A Bill for an Act to be Entitled: AN ACT TO CREATE THE SEPARATE OFFICES OF SHERIFF AND TAX COLLECTOR IN CROSS COUNTY; AND FOR OTHER PURPOSES.

House Bill No. 2276 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. 2276 was ordered immediately returned to the House as passed.

On motion of Senator Laverty, House Bill No. 1397 was called up for third reading and final disposition.

HOUSE BILL NO. 1397

As Engrossed: H2/14/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES HOYT, *BREEDLOVE, BOND, ET AL*

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 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. 1397 was ordered immediately returned to the House as passed.

On motion of Senator Capps, House Bill No. 1829 was called up for third reading and final disposition.

HOUSE BILL NO. 1829
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE BOND

A Bill for an Act to be Entitled: AN ACT TO ENSURE EFFICIENCY AND ACCOUNTABILITY FOR SCHOOL DISTRICTS INVOLVED IN DESEGREGATION LITIGATION; AND FOR OTHER PURPOSES.

House Bill No. 1829 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. 1829 was ordered immediately returned to the House as passed.

On motion of Senator Salmon, House Bill No. 1567 was called up for third reading and final disposition.

HOUSE BILL NO. 1567
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE S. PRATER

A Bill for an Act to be Entitled: AN ACT TO PROVIDE ENHANCED PENALTIES FOR PERSONS SELLING A CONTROLLED SUBSTANCE AT OR NEAR SCHOOL BUS STOPS; AND FOR OTHER PURPOSES.

House Bill No. 1567 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. 1567 was ordered immediately returned to the House as passed.

On motion of Senator Horn, House Bill No. 1700 was called up for third reading and final disposition.

HOUSE BILL NO. 1700

As Engrossed: S3/14/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE DUNN

A Bill for an Act to be Entitled: AN ACT TO GIVE A *SOLE PROPRIETOR, PARTNER*, PROFESSIONAL ASSOCIATION MEMBER, OR LIMITED LIABILITY COMPANY MEMBER THE SAME RIGHT TO WAIVE WORKERS' COMPENSATION COVERAGE AS A SOLE PROPRIETOR AND A CORPORATE OFFICER; AND FOR OTHER PURPOSES.

House Bill No. 1700 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. 1700 was ordered immediately returned to the House as passed as amended.

On motion of Senator Trusty, House Bill No. 1180 was called up for third reading and final disposition.

HOUSE BILL NO. 1180

As Engrossed: S3/14/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES T. BAKER, OVERBEY, ET AL

BY: SENATOR TRUSTY

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 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. 1180 was ordered immediately returned to the House as passed as amended.

On motion of Senator Luker, House Bill No. 1493 was called up for third reading and final disposition.

HOUSE BILL NO. 1493

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE MALOCH

BY: SENATOR LUKER

A Bill for an Act to be Entitled: AN ACT TO ADOPT REVISED ARTICLE 7 OF THE UNIFORM COMMERCIAL CODE CONCERNING DOCUMENTS OF TITLE; TO MAKE CONFORMING CHANGES TO EXISTING LAW; AND FOR OTHER PURPOSES.

House Bill No. 1493 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. 1493 was ordered immediately returned to the House as passed.

On motion of Senator Luker, House Bill No. 1715 was called up for third reading and final disposition.

HOUSE BILL NO. 1715
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE PATE

A Bill for an Act to be Entitled: AN ACT TO INCREASE THE FILING FEE IN CERTAIN ACTIONS FILED IN THE SUPREME COURT OR THE COURT OF APPEALS; AND FOR OTHER PURPOSES.

House Bill No. 1715 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, Baker, Bisbee, Bookout, Broadway, Brown, Bryles, Capps, Crumbly, Glover, Hill, Horn, G. Jeffress, J. Jeffress, B. Johnson, Luker, Madison, Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkins, Wilkinson, Womack.

Total 30

NEGATIVE: Altes, Critcher, Faris, Hendren, Laverty.

Total 5

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

House Bill No. 1715 was ordered immediately returned to the House as passed.

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

On motion of Senator Luker, House Bill No. 1373 was called up for third reading and final disposition.

HOUSE BILL NO. 1373
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE BOND
BY: SENATOR LUKER

A Bill for an Act to be Entitled: AN ACT TO AMEND PROVISIONS OF THE ARKANSAS CODE TO RECONCILE INCONSISTENCIES REGARDING THE MINIMUM AGE TO MARRY; AND FOR OTHER PURPOSES.

House Bill No. 1373 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, Brown, Capps, Crumbly, Glover, Hill, G. Jeffress, J. Jeffress, Luker, Madison, Malone, Salmon, T. Smith, R. Thompson, Trusty.

Total 17

NEGATIVE: Altes, Faris, Hendren, B. Johnson, Laverty, Miller.

Total 6

ABSENT OR NOT VOTING: Argue, Broadway, Bryles, Critcher, Horn, B. Pritchard, Steele, J. Taylor, Whitaker, Wilkins, Wilkinson, Womack.

Total 12

VOTING PRESENT:

Total 0

Total number of votes cast 23

Necessary to the passage of the bill 18

So the bill failed.

(SIGNED) ANN CORNWELL, SECRETARY

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

The record pertaining to the vote by which House Bill No. 1373 failed was expunged, in accordance with a prevailing motion on March 15, 2007

Senator Luker moved that the record pertaining to the vote by which House Bill No. 1373 failed be expunged, the motion was duly seconded and prevailed.

On motion of Senator Pritchard, House Bill No. 1570 was called up for third reading and final disposition.

HOUSE BILL NO. 1570

As Engrossed: H3/5/07 S3/14/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTAIVES HALL AND *E. BROWN*

A Bill for an Act to be Entitled: AN ACT AMENDING ARKANSAS ELECTION LAW CONCERNING BALLOT BEARERS, AUTHORIZED AGENTS, AND ADMINISTRATORS; AND FOR OTHER PURPOSES.

House Bill No. 1570 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. 1570 was ordered immediately returned to the House as passed as amended.

On motion of Senator Laverty, House Bill No. 1318 was called up for third reading and final disposition.

HOUSE BILL NO. 1318

As Engrossed: S2/26/07 S3/8/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES SULLIVAN, PETRUS, THYER & *GEORGE*

BY: SENATOR LAVERTY

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 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 House Bill No. 1318, 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. 1318 was ordered immediately returned to the House as passed as amended.

On motion of Senator Baker, House Bill No. 1563 was called up for third reading and final disposition.

HOUSE BILL NO. 1563

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE PICKETT

A Bill for an Act to be Entitled: AN ACT TO AMEND § 6-11-101 TO CLARIFY THE COMPOSITION OF THE STATE BOARD OF EDUCATION; AND FOR OTHER PURPOSES.

House Bill No. 1563 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. 1563 was ordered immediately returned to the House as passed.

On motion of Senator Baker, House Bill No. 1731 was called up for third reading and final disposition.

HOUSE BILL NO. 1731

As Engrossed: S3/8/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE ABERNATHY

BY: SENATOR FARIS

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE § 21-4-505 ALLOWING TWO-YEAR COLLEGES TO COMPENSATE ALL EMPLOYEES FOR UNUSED SICK LEAVE AT RETIREMENT; AND FOR OTHER PURPOSES.

House Bill No. 1731 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 House Bill No. 1731, 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. 1731 was ordered immediately returned to the House as passed as amended.

On motion of Senator Brown, House Bill No. 1487 was called up for third reading and final disposition.

HOUSE BILL NO. 1487
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES BLOUNT, E. BROWN, CASH, ET AL
BY: SENATOR BROWN

A Bill for an Act to be Entitled: AN ACT TO INCREASE THE EARLY LITERACY SKILLS OF ARKANSAS CHILDREN BY CREATING A LITERACY SKILLS COMPONENT TO THE ARKANSAS ACADEMIC CHALLENGE SCHOLARSHIP PROGRAM; AND FOR OTHER PURPOSES.

House Bill No. 1487 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. 1487 was ordered immediately returned to the House as passed.

On motion of Senator Taylor, House Bill No. 2240 was called up for third reading and final disposition.

HOUSE BILL NO. 2240
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES PIERCE, T. BAKER, BREEDLOVE, ET AL

A Bill for an Act to be Entitled: AN ACT TO REPEAL ARKANSAS LAW THAT ALLOWS THE ISSUANCE OF A NONRESIDENT COMMERCIAL DRIVER LICENSE TO A NONRESIDENT OF THE UNITED STATES; AND FOR OTHER PURPOSES.

House Bill No. 2240 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. 2240 was ordered immediately returned to the House as passed.

On motion of Senator G. Jeffress, House Bill No. 1909 was called up for third reading and final disposition.

HOUSE BILL NO. 1909
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE J. JOHNSON

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE § 6-18-203 TO FURTHER DEFINE SCHOOL CHOICE FOR CHILDREN OF DEPARTMENT OF CORRECTION EMPLOYEES; AND FOR OTHER PURPOSES.

House Bill No. 1909 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. 1909 was ordered immediately returned to the House as passed.

On motion of Senator Critcher, Senate Bill No. 942 was called up for third reading and final disposition.

SENATE BILL NO. 942

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATOR CRITCHER

A Bill for an Act to be Entitled: AN ACT TO INCREASE THE MEMBERSHIP OF THE TASK FORCE ON SUBSTANCE ABUSE TREATMENT SERVICES; AND FOR OTHER PURPOSES.

Senate Bill No. 942 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. 942 was ordered immediately transmitted to the House.

On motion of Senator J. Jeffress, House Bill No. 1408 was called up for third reading and final disposition.

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 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

House Bill No. 1408 was ordered immediately returned to the House as passed.

On motion of Senator Critcher, Senate Bill No. 975 was called up for third reading and final disposition.

SENATE BILL NO. 975

As Engrossed: S3/8/07 S3/14/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATOR CRITCHER

A Bill for an Act to be Entitled: AN ACT TO REALLOCATE A PORTION OF THE BAIL BOND FEES UNDER ARKANSAS CODE § 17-19-101 ET SEQ.; AND FOR OTHER PURPOSES.

Senate Bill No. 975 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. 975 was ordered immediately transmitted to the House.

On motion of Senator Whitaker, House Bill No. 2286 was called up for third reading and final disposition.

HOUSE BILL NO. 2286
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES PENNARTZ, D. CREEKMORE & R. GREEN

A Bill for an Act to be Entitled: AN ACT TO CREATE AN OFFENSE PROHIBITING REGISTERED SEX OFFENDERS FROM OBTAINING OR POSSESSING IDENTIFICATION CARDS OR DRIVER'S LICENSES WITH INCORRECT PHYSICAL ADDRESSES; AND FOR OTHER PURPOSES.

House Bill No. 2286 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 House Bill No. 2286, 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. 2286 was ordered immediately returned to the House as passed.

On motion of Senator Critcher, House Bill No. 2237 was called up for third reading and final disposition.

HOUSE BILL NO. 2237
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE D. EVANS

A Bill for an Act to be Entitled: AN ACT TO FASTTRACK ADOPTIONS OF CHILDREN WHO ARE VICTIMS OF ABUSE OR NEGLECT; AND FOR OTHER PURPOSES.

House Bill No. 2237 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. 2237 was ordered immediately returned to the House as passed.

On motion of Senator Womack, House Bill No. 1453 was called up for third reading and final disposition.

HOUSE BILL NO. 1453
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE KEY

A Bill for an Act to be Entitled: AN ACT TO TRANSFER THE STREET ROD SPECIAL LICENSE PLATE LAW TO THE SPECIAL LICENSE PLATE ACT OF 2005; TO MODIFY THE LAW AS NECESSARY BECAUSE OF INDUSTRY ADVANCEMENTS AND THE GROWING POPULARITY OF STREET RODS AND CUSTOM VEHICLES; TO REPEAL THE LAW REGARDING STREET RODS UNDER ARKANSAS CODE § 27-15-4003; AND FOR OTHER PURPOSES.

House Bill No. 1453 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. 1453 was ordered immediately returned to the House as passed.

On motion of Senator Salmon, House Bill No. 2401 was called up for third reading and final disposition.

HOUSE BILL NO. 2401

As Engrossed: H3/6/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES PENNARTZ, STEWART *& WOOD*

A Bill for an Act to be Entitled: AN ACT TO ALLOW RETIRED MEMBERS OF THE UNITED STATES ARMED FORCES TO OBTAIN A SPECIAL LICENSE PLATE FOR THE FEE REQUIRED BY LAW FOR THE REGISTRATION AND LICENSING OF A MOTOR VEHICLE; AND FOR OTHER PURPOSES.

House Bill No. 2401 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. 2401 was ordered immediately returned to the House as passed.

HOUSE CONCURRENT RESOLUTION NO. 1032
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE WOOD

HOUSE CONCURRENT RESOLUTION ENCOURAGING EACH AND EVERY CITIZEN OF THE STATE TO DONATE MONEY TO THE ARKANSAS RESERVE COMPONENTS EMERGENCY RELIEF FUND WHICH PROVIDES FINANCIAL ASSISTANCE TO AID THE FAMILIES OF MOBILIZED AND DEPLOYED MEMBERS OF THE ARKANSAS NATIONAL GUARD AND RESERVES.

House Concurrent Resolution No. 1032 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1120
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 TEACHER HOUSING DEVELOPMENT FOUNDATION FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

House Bill No. 1120 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1393
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 MAKING PAYMENTS FOR CITY-COUNTY TOURIST FACILITIES AS REQUIRED BY THE CITY-COUNTY TOURIST MEETING AND ENTERTAINMENT FACILITIES ASSISTANCE LAW BY THE OFFICE OF THE TREASURER OF STATE FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

House Bill No. 1393 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1412
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 DIVISION OF LEGISLATIVE AUDIT OF THE LEGISLATIVE JOINT AUDITING COMMITTEE FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

House Bill No. 1412 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 2222
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE HARDWICK

A Bill for an Act to be Entitled: AN ACT TO ESTABLISH A “GROWTH POOL” OF POSITIONS FOR STATE-SUPPORTED FOUR-YEAR INSTITUTIONS OF HIGHER EDUCATION IN ARKANSAS; AND FOR OTHER PURPOSES.

House Bill No. 2222 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

HOUSE BILL NO. 2223
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE HARDWICK

A Bill for an Act to be Entitled: AN ACT TO ESTABLISH A "GROWTH POOL" OF POSITIONS FOR STATE-SUPPORTED TWO-YEAR INSTITUTIONS OF HIGHER EDUCATION; AND FOR OTHER PURPOSES.

House Bill No. 2223 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

HOUSE BILL NO. 2278

As Engrossed: H3/12/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES MOORE, *BLOUNT, ET AL*

BY: SENATORS J. JEFFRESS AND J. TAYLOR

A Bill for an Act to be Entitled: AN ACT TO CREATE AN INCOME TAX CREDIT FOR GEOTOURISM INVESTMENT IN THE LOWER MISSISSIPPI RIVER DELTA; AND FOR OTHER PURPOSES.

House Bill No. 2278 was read the first time, rules suspended, read the second time and referred to the Committee on REVENUE & TAXATION.

HOUSE BILL NO. 2590

As Engrossed: H3/7/07 H3/14/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES WILLS, *GLIDEWELL, L. EVANS, ET AL*

A Bill for an Act to be Entitled: AN ACT TO CREATE THE ARKANSAS HIGHWAY FINANCING ACT OF 2007; TO ENSURE THE ECONOMIC DEVELOPMENT OF THE STATE BY PROVIDING FOR BOND ISSUANCE FOR THE ESSENTIAL INFRASTRUCTURE OF *INTERSTATES*; TO AUTHORIZE THAT THE REPAYMENT OF THE BONDS BE GUARANTEED BY THE FULL FAITH AND CREDIT OF THE STATE; AND FOR OTHER PURPOSES.

House Bill No. 2590 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. 2731

As Engrossed: H3/14/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE MEDLEY

A Bill for an Act to be Entitled: *AN ACT TO AUTHORIZE THE UNIVERSITY OF ARKANSAS SYSTEM CRIMINAL JUSTICE INSTITUTE TO TRAIN AND INSTRUCT LAW ENFORCEMENT OFFICIALS,* INCLUDING JAIL PERSONNEL, ON THE HANDLING OF PERSONS WITH MENTAL ILLNESS; AND FOR OTHER PURPOSES.

House Bill No. 2731 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

HOUSE BILL NO. 2733

As Engrossed: H3/7/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE MEDLEY

BY: SENATOR LAVERTY

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE § 5-73-302 TO MAKE LICENSES TO CARRY CONCEALED HANDGUNS VALID FOR SIX (6) YEARS; AND FOR OTHER PURPOSES.

House Bill No. 2733 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

HOUSE BILL NO. 2345

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE WILLS

A Bill for an Act to be Entitled: AN ACT TO AMEND THE ARKANSAS MOTOR VEHICLE COMMISSION ACT, § 23-112-101 ET SEQ.; AND FOR OTHER PURPOSES.

House Bill No. 2345 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. 2296

As Engrossed: H3/14/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE PATE, *E. BROWN, ET AL*

BY: SENATOR R. THOMPSON

A Bill for an Act to be Entitled: AN ACT TO CLARIFY THE APPLICABILITY OF VARIOUS PROVISIONS OF THE ARKANSAS CODE REGARDING EXPUNGEMENT AND SEALING OF RECORDS OF CRIMINAL CONVICTIONS; AND FOR OTHER PURPOSES.

House Bill No. 2296 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

HOUSE BILL NO. 2374
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE ROGERS

A Bill for an Act to be Entitled: AN ACT TO DISQUALIFY FROM UNEMPLOYMENT BENEFITS AN INDIVIDUAL WHO TESTS POSITIVE FOR DRUGS WHEN APPLYING FOR NEW EMPLOYMENT; AND FOR OTHER PURPOSES.

House Bill No. 2374 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

HOUSE BILL NO. 2382
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE REEP

A Bill for an Act to be Entitled: AN ACT TO SIMPLIFY THE PROCESS FOR OPERATING COUNTY HOSPITALS; AND FOR OTHER PURPOSES.

House Bill No. 2382 was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY & LOCAL AFFAIRS.

HOUSE BILL NO. 2463
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE J. JOHNSON

A Bill for an Act to be Entitled: AN ACT TO AMEND THE OPERATIONS OF THE LEGISLATIVE HEALTH ADEQUACY COMMITTEE; AND FOR OTHER PURPOSES.

House Bill No. 2463 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

HOUSE BILL NO. 2492
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE DUNN

A Bill for an Act to be Entitled: AN ACT TO AMEND THE MUNICIPALITIES AND COUNTIES INDUSTRIAL DEVELOPMENT REVENUE BOND LAW, TITLE 14, CHAPTER 164, SUBCHAPTER 2, OF THE ARKANSAS CODE TO STANDARDIZE THE PROCEDURE FOR AUTHORIZING INDUSTRIAL REVENUE BOND ISSUED BY MUNICIPALITIES AND COUNTIES; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

House Bill No. 2492 was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY & LOCAL AFFAIRS.

HOUSE BILL NO. 2545
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE WOOD

A Bill for an Act to be Entitled: AN ACT TO AUTHORIZE THE ARKANSAS PUBLIC SERVICE COMMISSION TO REQUIRE AN ELECTRIC PUBLIC UTILITY TO WITHDRAW FROM CENTRALIZED SYSTEM WIDE RESOURCE PLANNING; AND FOR OTHER PURPOSES.

House Bill No. 2545 was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE & COMMERCE.

HOUSE BILL NO. 2628
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES R. GREEN AND PYLE

A Bill for an Act to be Entitled: AN ACT TO TRANSFER THE DIVISION OF LAND SURVEYS IN THE OFFICE OF COMMISSIONER OF STATE LANDS TO THE ARKANSAS AGRICULTURE DEPARTMENT; AND FOR OTHER PURPOSES.

House Bill No. 2628 was read the first time, rules suspended, read the second time and referred to the Committee on AGRICULTURE, ECONOMIC & INDUSTRIAL DEVELOPMENT.

HOUSE BILL NO. 2697

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE WYATT

A Bill for an Act to be Entitled: AN ACT TO PREVENT FEDERAL PREEMPTION OF STATE LAW BY REQUIRING A CERTIFICATE OF ENVIRONMENTAL COMPATABILITY AND PUBLIC NEED BEFORE CONSTRUCTING A MAJOR ELECTRIC TRANSMISSION FACILITY IN A NATIONAL INTEREST ELECTRIC TRANSMISSION CORRIDOR; TO REQUIRE AN ADDITIONAL REQUIREMENT TO THE APPLICATION FOR A MAJOR UTILITY FACILITY; TO INCREASE THE AMOUNT OF TIME ALLOWED FOR THE ARKANSAS PUBLIC SERVICE COMMISSION TO STUDY AN APPLICATION FOR MAJOR UTILITY FACILITY BEFORE THE COMMENCEMT OF THE REQUIRED PUBLIC HEARING; TO REQUIRE ADDITIONAL FINDINGS BEFORE GRANTING A CERTIFICATE; AND FOR OTHER PURPOSES.

House Bill No. 2697 was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE & COMMERCE.

HOUSE BILL NO. 2701
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE NORTON

A Bill for an Act to be Entitled: AN ACT TO ENSURE THAT PHYSICIANS RECEIVE FULL REIMBURSEMENT FOR HEALTH CARE SERVICES PERFORMED BY A PHYSICIAN ASSISTANT UNDER THE PHYSICIAN'S SUPERVISION; AND FOR OTHER PURPOSES.

House Bill No. 2701 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

HOUSE BILL NO. 2702
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE SAUNDERS

A Bill for an Act to be Entitled: AN ACT TO AMEND THE ARKANSAS NONPROFIT CORPORATION ACT OF 1993 TO REQUIRE AN ANNUAL DISCLOSURE OF CORPORATE INFORMATION; AND FOR OTHER PURPOSES.

House Bill No. 2702 was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE & COMMERCE.

HOUSE BILL NO. 1595
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 HEALTH AND HUMAN SERVICES; AND FOR OTHER PURPOSES.

House Bill No. 1595 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 2355
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE J. JOHNSON

A Bill for an Act to be Entitled: AN ACT CREATING THE LEGISLATIVE TASK FORCE ON ATHLETIC TRAINERS; AND FOR OTHER PURPOSES.

House Bill No. 2355 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

HOUSE BILL NO. 2625
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE SUMPTER

A Bill for an Act to be Entitled: AN ACT TO AMEND VARIOUS PROVISIONS OF THE ARKANSAS CODE CONCERNING VOTING MACHINES; AND FOR OTHER PURPOSES.

House Bill No. 2625 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 Womack, Senate Bill No. 234 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. 234

JBC 03/13/07 (1)

Amend Senate Bill No. 234 as originally introduced:

Page 2, line 6 delete "$82,662 $84,315" and substitute "$84,284 $85,969"

AND

Page 2, line 20 delete “13” and substitute “14”

AND

Page 2, line 28 delete “98” and substitute “99”

AND

Page 3, line 5 delete in its entirety

AND

Appropriately renumber the Item No.’s

AND

Page 3, Lines 26-27 delete in their entirety and substitute the following:

"(59)	B114	G&F TECHNICIAN III	75	GRADE 17
(60)	G027	BLDG PLANT MAINTENANCE SUPV I	5	GRADE 16"

AND

Add a new section immediately following Section 3 of the bill 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. ESTABLISHMENT OF A “GROWTH POOL”. To address needs emerging from federal, state, and local initiatives or needs affecting the role and scope of Arkansas Game and Fish Commission programs and adequate staffing levels, the Arkansas Game and Fish Commission shall establish and maintain for the 2007-2009 biennium a pool of ten (10) classified positions, payable from funds generated from salary savings or other sources and appropriated herein for such purposes. These positions are to be used by the Arkansas Game and Fish Commission in the absence of regularly authorized classified positions to fulfill this need. The Arkansas Game and Fish Commission shall provide justification to the Department of Finance and Administration’s Office of Personnel Management (OPM) for the need to allocate titles from this “growth pool”. No classifications will be assigned to the pool until such time as specific positions are requested by the Arkansas Game and Fish Commission, recommended by OPM and reviewed by the Arkansas Legislative Council or Joint Budget Committee.

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

AND

Renumber the subsequent sections of the bill.

(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. 234 was ordered engrossed.

On motion of Senator Womack, Senate Bill No. 310 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. 310

JBC 03/07/07 (1)

Amend Senate Bill No. 310 as originally introduced:

Page 2, delete lines 4 through page 8, line 20 and insert therefor:

" TWELVE MONTH EDUCATIONAL AND GENERAL ADMINISTRATIVE POSITIONS

(1)	Chancellor, U of A at Pine Bluff	1	$149,569	$152,560
(2)	Vice-Chancellor for Academic Affairs	1	$119,174	$121,557
(3)	Vice-Chancellor for Finance & Admin.	1	$115,041	$117,342
(4)	Vice-Chancellor for Student Affairs	1	$111,586	$113,818
(5)	Vice-Chancellor of Development	1	$111,586	$113,818
(6)	Dean of Schools	7	$102,961	$105,020
(7)	Dir of Research & Sponsored Prgrms	1	$102,695	$104,749
(8)	Director of Counseling	1	$91,646	$93,479
(9)	Director of Computer Services	1	$86,181	$87,905
(10)	Director of Corporate Giving	1	$85,410	$87,118
(11)	Director of Facilities Planning	1	$84,594	$86,286
(12)	Dir. of University Relations	1	$84,592	$86,284
(13)	Director of Physical Plant	1	$84,493	$86,183
(14)	Assistant to the Chancellor	2	$84,065	$85,746
(15)	Associate Vice Chancellor	3	$84,065	$85,746
(16)	Business Affairs Administrator	1	$84,065	$85,746
(17)	Director of Graduate Studies	1	$84,065	$85,746
(18)	Director of Int'l Programs	1	$84,065	$85,746
(19)	Controller	1	$81,883	$83,521
(20)	Project/Program Administrator	10		
	Project/Program Director		$80,365	$81,972
	Project/Program Manager		$72,829	$74,286
	Project/Program Specialist		$62,836	$64,093

(21)	Director of Annual Giving/Alumni	1	$79,084	$80,666
(22)	Director of Institutional Research	1	$78,489	$80,059
(23)	Registrar	1	$76,471	$78,000
(24)	Director of Admissions	1	$74,727	$76,222
(25)	Director of Student Financial Aid	1	$74,727	$76,222
(26)	Assoc. Dean of Academic Studies	1	$74,181	$75,665
(27)	Director of Cooperative Education	1	$73,432	$74,901
(28)	Director of University Police	1	$71,532	$72,963
(29)	Dean of Student Life	2	$70,969	$72,388
(30)	Director of Admin. Services	1	$68,836	$70,213
(31)	Assoc. Dean of Students	2	$67,139	$68,482
(32)	Director of Recruitment	1	$63,192	$64,456
(33)	Dir. of Educational Assessment	1	$63,192	$64,456
(34)	Dir. of Health Services	1	$63,192	$64,456
(35)	Student Development Specialist	2	$59,589	$60,781
(36)	Director of Disability Services	1	$58,414	$59,582
(37)	Associate for Administration	1	$55,616	$56,728
(38)	Director of Publications	1	$55,616	$56,728
(39)	Asst. Dir. of Continuing Educ.	2	$53,362	$54,429
(40)	Asst. Dir. of Coop. Education	2	$53,362	$54,429
(41)	Director of Materials Management	1	$53,362	$54,429
(42)	Academic Advisor	1	$45,694	$46,608

TWELVE MONTH EDUCATIONAL AND GENERAL
CLASSIFIED POSITIONS

(43)	Assistant Controller	1	GRADE 23
(44)	Asst Dir Comp Svcs I - Inst	2	GRADE 23
(45)	HE Public Safety Commander II	1	GRADE 23
(46)	Career Plng & Placement Coord	1	GRADE 22
(47)	DP Network Manager II - Inst.	2	GRADE 22
(48)	Systems Analyst II - Inst	1	GRADE 22
(49)	Systems Programmer II - Inst	1	GRADE 22
(50)	Accounting Supervisor II	2	GRADE 21
(51)	HE Public Safety Commander I	1	GRADE 21
(52)	Institution Personnel Svcs Mgr	2	GRADE 21
(53)	UAPB Asst Dir of Physical Plant	2	GRADE 21
(54)	UAPB Dir of Information	1	GRADE 21
(55)	UAPB Program Director	2	GRADE 21
(56)	Accounting Supervisor I	3	GRADE 20
(57)	Asst Dir of Financial Aid	1	GRADE 20

(58)	Computer Supp Specialist II - Inst	1	GRADE 20
(59)	Counselor II	6	GRADE 20
(60)	DP Network Tech II - Inst	3	GRADE 20
(61)	HE Public Safety Supervisor	1	GRADE 20
(62)	Institution Personnel Analyst	1	GRADE 20
(63)	Occupational Safety Coordinator	1	GRADE 20
(64)	Print Shop Manager	1	GRADE 20
(65)	Program Coordinator	1	GRADE 20
(66)	Research Technologist II	1	GRADE 20
(67)	UAPB Payroll Services Manager	1	GRADE 20
(68)	Applications Prog II - Inst	4	GRADE 19
(69)	Budget Specialist	1	GRADE 19
(70)	Radio Program Director	1	GRADE 19
(71)	Research Project Analyst	3	GRADE 19
(72)	Accountant	5	GRADE 18
(73)	Assistant Registrar	3	GRADE 18
(74)	Computer Supp Specialist I-Inst	2	GRADE 18
(75)	DP Network Tech I-Inst.	5	GRADE 18
(76)	Financial Aid Officer II	3	GRADE 18
(77)	HE Public Safety Officer II	6	GRADE 18
(78)	Management Project Analyst I	3	GRADE 18
(79)	Payroll Services Specialist	1	GRADE 18
(80)	Personnel Assistant II - Inst	2	GRADE 18
(81)	Plant Warehouse Foreman	1	GRADE 18
(82)	Printing Estimator/Planner	1	GRADE 18
(83)	Research Technologist I	2	GRADE 18
(84)	Skilled Trades Supervisor	5	GRADE 18
(85)	Administrative Assistant II	7	GRADE 17
(86)	Applications Prog I - Inst	1	GRADE 17
(87)	Farm Foreman - Institutional	1	GRADE 17
(88)	Inventory Control Manager	1	GRADE 17
(89)	Landscape Supervisor II	1	GRADE 17
(90)	Multi Media Specialist	2	GRADE 17
(91)	Printer III	1	GRADE 17
(92)	Program Advisor	1	GRADE 17
(93)	Skilled Trades Worker	17	GRADE 17
(94)	Stationary Engineer	1	GRADE 17
(95)	Athletic Facility Supervisor	1	GRADE 16
(96)	Computer Technician II - Inst	1	GRADE 16
(97)	Coordinator of Housekeeping	1	GRADE 16
(98)	Day Care Teacher	2	GRADE 16
(99)	Financial Aid Officer I	3	GRADE 16
(100)	Food Production Supervisor	1	GRADE 16
(101)	HE Public Safety Officer I	9	GRADE 16
(102)	Information Specialist	1	GRADE 16
(103)	Multimedia Tech Controller II	4	GRADE 16
(104)	Printer II	1	GRADE 16
(105)	Accounting Technician II	5	GRADE 15
(106)	Administrative Assistant I	8	GRADE 15
(107)	Administrative Office Supervisor	1	GRADE 15
(108)	Asst Purchasing Agent	2	GRADE 15
(109)	Computer Lab Tech II-Inst	1	GRADE 15
(110)	Landscape Supervisor I	1	GRADE 15
(111)	Payroll Officer	1	GRADE 15
(112)	Research Assistant	4	GRADE 15
(113)	Store Supervisor	1	GRADE 15
(114)	Administrative Secretary	13	GRADE 14

(115)	Library Academic Tech III	4	GRADE 14	
(116)	Personnel Asst I - Inst	2	GRADE 14	
(117)	Upholsterer	1	GRADE 14	
(118)	Boiler Operator	4	GRADE 13	
(119)	Data Entry Operator Supv	1	GRADE 13	
(120)	Printer I	1	GRADE 13	
(121)	Research Technician II	2	GRADE 13	
(122)	Veterans Aide Assistant	1	GRADE 13	
(123)	Secretary II	37	GRADE 13	
(124)	Accounting Technician I	3	GRADE 12	
(125)	Cashier II	2	GRADE 12	
(126)	Document Examiner II	2	GRADE 12	
(127)	HE Public Safety Dispatcher	1	GRADE 12	
(128)	Library Academic Tech II	4	GRADE 12	
(129)	Parking Control Supervisor	1	GRADE 12	
(130)	Registrar's Assistant	2	GRADE 12	
(131)	Apprentice Tradesman	1	GRADE 11	
(132)	Custodial Services Shift Supv	1	GRADE 11	
(133)	Heavy Equipment Operator	3	GRADE 11	
(134)	Laboratory Assistant II	3	GRADE 11	
(135)	Nursing Assistant II	1	GRADE 11	
(136)	Secretary I	19	GRADE 11	
(137)	Shipping & Receiving Clerk	3	GRADE 11	
(138)	Clerical Assistant	2	GRADE 10	
(139)	Data Entry Specialist	2	GRADE 10	
(140)	Inventory Control Clerk	2	GRADE 10	
(141)	Library Academic Tech I	5	GRADE 10	
(142)	Academic Lab Assistant	1	GRADE 09	
(143)	Custodial Supervisor II	4	GRADE 08	
(144)	Farm Worker	4	GRADE 08	
(145)	Maint Worker Supervisor	1	GRADE 07	
(146)	Custodial Supervisor I	1	GRADE 06	
(147)	Maintenance Worker II	9	GRADE 05	
(148)	Seamstress II	1	GRADE 05	
(149)	Custodial Worker II	13	GRADE 04	
(150)	Maintenance Worker I	12	GRADE 04	
(151)	Custodial Worker I	20	GRADE 03	

	TWELVE MONTH EDUCATIONAL ACADEMIC POSITIONS	AND GENERAL		
(152)	Department Chairperson	15	$94,802	$96,698
(153)	Faculty	39		
	Professor		$90,679	$92,493
	Assoc. Professor		$80,367	$81,974
	Asst. Professor		$74,181	$75,665
	Instructor		$61,800	$63,036
(154)	Director of Library	1	$80,367	$81,974
(155)	Research Associate	2	$78,991	$80,571
(156)	Assoc. Director of Library	1	$76,954	$78,493
(157)	Assoc. Librarian	5	$65,168	$66,471
(158)	Special Instructor	1	$61,800	$63,036
(159)	Asst. Librarian	2	$57,274	$58,419
(160)	Graduate Assistant	3	$20,434	$20,843

	NINE MONTH EDUCATIONAL AND GENERAL ACADEMIC POSITIONS			
(161)	Faculty	133		
	Distinguished Professor		$95,806	$97,722
	Professor		$88,618	$90,390
	Assoc. Professor		$78,301	$79,867
	Asst. Professor		$72,115	$73,557
	Instructor		$59,739	$60,934
(162)	Special Instructor	2	$59,739	$60,934
(163)	Lecturer	5	$44,563	$45,454
(164)	Laboratory Assistant	8	$23,777	$24,253
(165)	Part-Time Faculty	53	$33,180	$33,844
	TWELVE MONTH AUXILIARY ENTERPRISES NON-CLASSIFIED POSITIONS			
(166)	Head Coach	7	$115,914	$118,232
(167)	Director of Athletics	1	$94,632	$96,525
(168)	Director of Auxiliary Enterprises	1	$74,327	$75,814
(169)	Senior Women's Sports Admin	1	$72,378	$73,826
(170)	Asst. Dir. of Athletics	1	$72,378	$73,826
(171)	Coach	10	$72,369	$73,816
(172)	Assistant Coach	1	$67,968	$69,327
(173)	Business Manager	1	$59,082	$60,264
(174)	Athletic Facility Manager	1	$57,176	$58,320
	TWELVE MONTH AUXILIARY ENTERPRISES CLASSIFIED POSITIONS			
(175)	UAPB Dir of Housing	1	GRADE 21	
(176)	Program Coordinator	2	GRADE 20	
(177)	Student Hlth Services Nurse II	1	GRADE 20	
(178)	UAPB Dir of Student Union	1	GRADE 20	
(179)	Asst Dir Student Union	1	GRADE 18	
(180)	Counselor I	3	GRADE 18	
(181)	Recreation Coordinator	1	GRADE 17	
(182)	Sports Information Specialist	1	GRADE 17	
(183)	Resident Program Coordinator	12	GRADE 16	
(184)	Administrative Assistant I	2	GRADE 15	
(185)	Athletic Trainer	2	GRADE 15	
(186)	Campus Postmaster	1	GRADE 15	
(187)	LPN II	1	GRADE 15	
(188)	LPN I	1	GRADE 14	
(189)	Athletic Equipment Supervisor	1	GRADE 12	
(190)	Cashier II	1	GRADE 12	
(191)	Resident Hall Manager I	3	GRADE 12	
(192)	Secretary I	2	GRADE 11	
(193)	Mail Officer	2	GRADE 09	
(194)	Nursing Assistant I	2	GRADE 08	
(195)	Maintenance Worker Supervisor	1	GRADE 07	
(196)	Custodial Supervisor I	1	GRADE 06	
(197)	Maintenance Worker II	4	GRADE 05	
(198)	Maintenance Worker I	4	GRADE 04	
(199)	Custodial Worker I	14	GRADE 03	

AGRICULTURAL EXPERIMENT STATION
TWELVE MONTH EDUCATIONAL & GENERAL
ADMINISTRATIVE POSITIONS

(200)	Dir. of UAPB Agri Experiment Station	1	$102,961	$105,020
(201)	Project Director	2	$80,367	$81,974
(202)	Resident Director	1	$62,529	$63,780

AGRICULTURAL EXPERIMENT STATION
TWELVE MONTH EDUCATIONAL AND GENERAL
CLASSIFIED POSITIONS

(203)	Administrative Assistant II	1	GRADE 17
(204)	Research Assistant	7	GRADE 15
(205)	Administrative Secretary	1	GRADE 14
(206)	Secretary II	4	GRADE 13
(207)	Accounting Technician I	1	GRADE 12
(208)	Secretary I	3	GRADE 11
(209)	Agricultural Farm Technician	5	GRADE 10
(210)	Maintenance Worker II	1	GRADE 05

AGRICULTURAL EXPERIMENT STATION
TWELVE MONTH EDUCATIONAL & GENERAL
ACADEMIC POSITIONS

(211)	Faculty	43		
	Distinguished Professor		$95,806	$97,722
	Professor		$90,680	$92,494
	Associate Professor		$80,367	$81,974
	Assistant Professor		$74,181	$75,665
	Instructor		$61,800	$63,036
(212)	Research Associate	10	$78,991	$80,571
(213)	Research Specialist	8	$62,831	$64,088
(214)	Research Assistant	18	$59,739	$60,934
(215)	Graduate Assistant	33	$33,970	$34,649

UAPB 1890 EXTENSION PROGRAM
TWELVE MONTH EDUCATIONAL & GENERAL
ADMINISTRATIVE POSITIONS

(216)	UAPB 1890 Extension Administrator	1	$102,961	$105,020

UAPB 1890 EXTENSION PROGRAM
TWELVE MONTH EDUCATIONAL AND GENERAL
CLASSIFIED POSITIONS

(217)	Secretary II	2	GRADE 13
(218)	Secretary I	5	GRADE 11

UAPB 1890 EXTENSION PROGRAM
TWELVE MONTH EDUCATIONAL AND GENERAL
ACADEMIC POSITIONS

(219)	Extension Faculty	19		
	Extension Specialist V		$143, 487	$146, 357
	Extension Specialist IV		$132, 546	$135, 197
	Extension Specialist III		$113, 095	$115, 357
	Extension Specialist II		$107, 015	$109,155
	Extension Specialist I		$76, 240	$77, 765
	Extension Asst. Specialist		$67,167	$68, 510
(220)	Extension Associate	12	$59, 743	$60, 938
(221)	Multi-County Ext. Agent	7	$34, 997	$35, 697
(222)	Extension Program Aide	8	$33, 299	$33, 965
	MAX. NO. OF EMPLOYEES	975		

Page 8, line 25 replace "one" with "nine";

Page 8, line 26 replace "ten (110)" with "twenty four (924)";

Page 9, line 4 replace "698,900 698,900" with "749,990 794,764";

Page 9, line 13 replace "$ 26,090,663 $ 26,408,571" with "$ 26,141,753 $ 26,504,435";

Page 9, line 26 replace "4,900,000 4,900,000" with "4,000,000 4,000,000";

Page 10, line 4 replace "$ 94,252,000 $ 94,611,040" with "$ 93,352,000 $ 93,711,040".

(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. 310 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. 1124 at this time.

On motion of Senator Womack, Senate Bill No. 1124 was called up for third reading and final disposition.

SENATE BILL NO. 1124
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 ELECTION COMMISSIONERS FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Senate Bill No. 1124 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. 1124, 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. 1124 was returned to the House as passed.

On motion of Senator Womack, the rules were suspended in considering House Bill No. 1152 at this time.

On motion of Senator Womack, the rules were suspended in considering House Bill No. 1152 at this time.

On motion of Senator Womack, House Bill No. 1152 was called up for third reading and final disposition.

HOUSE BILL NO. 1152
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 HEALTH SERVICES PERMIT AGENCY FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

House Bill No. 1152 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. 1152, 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. 1152 was ordered immediately returned to the House as passed.

On motion of Senator Womack, the rules were suspended in considering House Bill No. 1166 at this time.

On motion of Senator Womack, House Bill No. 1166 was called up for third reading and final disposition.

HOUSE BILL NO. 1166
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 WAR MEMORIAL STADIUM COMMISSION FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

House Bill No. 1166 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. 1166, 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. 1166 was ordered immediately returned to the House as passed.

On motion of Senator Womack, the rules were suspended in considering House Bill No. 1167 at this time.

On motion of Senator Womack, House Bill No. 1167 was called up for third reading and final disposition.

HOUSE BILL NO. 1167
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 ATHLETIC COMMISSION FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

House Bill No. 1167 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. 1167, 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. 1167 was ordered immediately returned to the House as passed.

On motion of Senator Womack, the rules were suspended in considering House Bill No. 1169 at this time.

On motion of Senator Womack, House Bill No. 1169 was called up for third reading and final disposition.

HOUSE BILL NO. 1169
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 OIL AND GAS COMMISSION FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

House Bill No. 1169 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. 1169, 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. 1169 was ordered immediately returned to the House as passed.

On motion of Senator Womack, the rules were suspended in considering House Bill No. 1170 at this time.

On motion of Senator Womack, House Bill No. 1170 was called up for third reading and final disposition.

HOUSE BILL NO. 1170
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 - ARKANSAS SCHOOL FOR THE BLIND FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

House Bill No. 1170 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. 1170, 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. 1170 was ordered immediately returned to the House as passed.

On motion of Senator Womack, the rules were suspended in considering House Bill No. 1171 at this time.

On motion of Senator Womack, House Bill No. 1171 was called up for third reading and final disposition.

HOUSE BILL NO. 1171
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 DEPARTMENT FOR SOCIAL SECURITY ADMINISTRATION DISABILITY DETERMINATION FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

House Bill No. 1171 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. 1171, 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. 1171 was ordered immediately returned to the House as passed.

On motion of Senator Womack, the rules were suspended in considering House Bill No. 1192 at this time.

On motion of Senator Womack, House Bill No. 1192 was called up for third reading and final disposition.

HOUSE BILL NO. 1192
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 - ARKANSAS SCHOOL FOR THE DEAF FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

House Bill No. 1192 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. 1192, 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. 1192 was ordered immediately returned to the House as passed.

On motion of Senator Womack, the rules were suspended in considering House Bill No. 1193 at this time.

On motion of Senator Womack, House Bill No. 1193 was called up for third reading and final disposition.

HOUSE BILL NO. 1193
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 - ARKANSAS STATE LIBRARY FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

House Bill No. 1193 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. 1193, 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. 1193 was ordered immediately returned to the House as passed.

On motion of Senator Womack, the rules were suspended in considering House Bill No. 1326 at this time.

On motion of Senator Womack, House Bill No. 1326 was called up for third reading and final disposition.

HOUSE BILL NO. 1326
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 INSURANCE DEPARTMENT FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

House Bill No. 1326 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. 1326, 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. 1326 was ordered immediately returned to the House as passed.

On motion of Senator Womack, the rules were suspended in considering House Bill No. 1329 at this time.

On motion of Senator Womack, House Bill No. 1329 was called up for third reading and final disposition.

HOUSE BILL NO. 1329
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 FINANCE FOR THE PURPOSE OF MANAGING AND INVESTING THE TOBACCO SETTLEMENT PROCEEDS FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

House Bill No. 1329 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. 1329, 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. 1329 was ordered immediately returned to the House as passed.

On motion of Senator Womack, the rules were suspended in considering House Bill No. 1348 at this time.

On motion of Senator Womack, House Bill No. 1348 was called up for third reading and final disposition.

HOUSE BILL NO. 1348
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, BENEFITS, REFUNDS AND EXPENSES FOR THE ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT - ARKANSAS STATE HIGHWAY EMPLOYEES' RETIREMENT SYSTEM FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

House Bill No. 1348 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. 1348, 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. 1348 was ordered immediately returned to the House as passed.

On motion of Senator Womack, the rules were suspended in considering House Bill No. 1390 at this time.

On motion of Senator Womack, House Bill No. 1390 was called up for third reading and final disposition.

HOUSE BILL NO. 1390
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 ASSISTANCE TO LOCAL LAW ENFORCEMENT AND EMERGENCY MEDICAL BY THE OFFICE OF THE TREASURER OF STATE FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

House Bill No. 1390 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. 1390, 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. 1390 was ordered immediately returned to the House as passed.

On motion of Senator Womack, the rules were suspended in considering House Bill No. 1391 at this time.

On motion of Senator Womack, House Bill No. 1391 was called up for third reading and final disposition.

HOUSE BILL NO. 1391
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 PAYMENT OF THE MATURING BONDS AND INTEREST OF THE COLLEGE SAVINGS GENERAL OBLIGATION BONDS AND THE STATE WATER, WASTE DISPOSAL, AND POLLUTION ABATEMENT GENERAL OBLIGATION BONDS BY THE OFFICE OF THE TREASURER OF STATE FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

House Bill No. 1391 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. 1391, 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. 1391 was ordered immediately returned to the House as passed.

On motion of Senator Womack, the rules were suspended in considering House Bill No. 1593 at this time.

On motion of Senator Womack, House Bill No. 1593 was called up for third reading and final disposition.

HOUSE BILL NO. 1593
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 INFORMATION SYSTEMS; AND FOR OTHER PURPOSES.

House Bill No. 1593 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. 1593, 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. 1593 was ordered immediately returned to the House as passed.

On motion of Senator Womack, the rules were suspended in considering House Bill No. 1594 at this time.

On motion of Senator Womack, House Bill No. 1594 was called up for third reading and final disposition.

HOUSE BILL NO. 1594
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 FINANCE AND ADMINISTRATION - DISBURSING OFFICER; AND FOR OTHER PURPOSES.

House Bill No. 1594 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. 1594, 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. 1594 was ordered immediately returned to the House as passed.

On motion of Senator Womack, the rules were suspended in considering House Bill No. 1596 at this time.

On motion of Senator Womack, House Bill No. 1596 was called up for third reading and final disposition.

HOUSE BILL NO. 1596
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 DEPARTMENT OF EMERGENCY MANAGEMENT; AND FOR OTHER PURPOSES.

House Bill No. 1596 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. 1596, 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. 1596 was ordered immediately returned to the House as passed.

On motion of Senator Womack, the rules were suspended in considering House Bill No. 1598 at this time.

On motion of Senator Womack, House Bill No. 1598 was called up for third reading and final disposition.

HOUSE BILL NO. 1598
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 WAR MEMORIAL STADIUM COMMISSION; AND FOR OTHER PURPOSES.

House Bill No. 1598 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. 1598, 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. 1598 was ordered immediately returned to the House as passed.

On motion of Senator Womack, the rules were suspended in considering House Bill No. 1600 at this time.

On motion of Senator Womack, House Bill No. 1600 was called up for third reading and final disposition.

HOUSE BILL NO. 1600
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 MILITARY DEPARTMENT; AND FOR OTHER PURPOSES.

House Bill No. 1600 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. 1600, 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. 1600 was ordered immediately returned to the House as passed.

On motion of Senator Womack, the rules were suspended in considering House Bill No. 1601 at this time.

On motion of Senator Womack, House Bill No. 1601 was called up for third reading and final disposition.

HOUSE BILL NO. 1601
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 BOARD OF FINANCE FOR RURAL MEDICAL CLINICS; AND FOR OTHER PURPOSES.

House Bill No. 1601 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. 1601, 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. 1601 was ordered immediately returned to the House as passed.

On motion of Senator Womack, the rules were suspended in considering House Bill No. 1602 at this time.

On motion of Senator Womack, House Bill No. 1602 was called up for third reading and final disposition.

HOUSE BILL NO. 1602
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 ATTORNEY GENERAL FOR EXPENSES OF THE CRIMINAL CODE REVISION COMMISSION; AND FOR OTHER PURPOSES.

House Bill No. 1602 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. 1602, 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 Claluse.....24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1602 was ordered immediately returned to the House as passed.

On motion of Senator Womack, the rules were suspended in considering House Bill No. 1603 at this time.

On motion of Senator Womack, House Bill No. 1603 was called up for third reading and final disposition.

HOUSE BILL NO. 1603
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 LAND DEPARTMENT; AND FOR OTHER PURPOSES.

House Bill No. 1603 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. 1603, 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. 1603 was ordered immediately returned to the House as passed.

On motion of Senator Womack, the rules were suspended in considering House Bill No. 1605 at this time.

On motion of Senator Womack, House Bill No. 1605 was called up for third reading and final disposition.

HOUSE BILL NO. 1605
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 EDUCATION - AND ITS VARIOUS DIVISIONS; AND FOR OTHER PURPOSES.

House Bill No. 1605 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. 1605, 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. 1605 was ordered immediately returned to the House as passed.

On motion of Senator Womack, the rules were suspended in considering House Bill No. 1606 at this time.

On motion of Senator Womack, House Bill No. 1606 was called up for third reading and final disposition.

HOUSE BILL NO. 1606
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 CROWLEY'S RIDGE TECHNICAL INSTITUTE; AND FOR OTHER PURPOSES.

House Bill No. 1606 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. 1606, 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. 1606 was ordered immediately returned to the House as passed.

On motion of Senator Womack, the rules were suspended in considering House Bill No. 1773 at this time.

On motion of Senator Womack, House Bill No. 1773 was called up for third reading and final disposition.

HOUSE BILL NO. 1773
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 FINANCE AND ADMINISTRATION - MANAGEMENT SERVICES DIVISION; AND FOR OTHER PURPOSES.

House Bill No. 1773 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. 1773, 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. 1773 was ordered immediately returned to the House as passed.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 18, 2007

Mr. President:

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

SENATE BILL NO. 18, BY SENATOR PRITCHARD, et al,
SENATE BILL NO. 369, BY SENATOR MADISON, et al,
SENATE BILL NO. 370, BY SENATOR MADISON, et al,
SENATE BILL NO. 777, BY SENATOR MADISON, et al,
SENATE BILL NO. 819, BY SENATOR CRITCHER, et al,
SENATE BILL NO. 944, BY SENATOR WOMACK, et al,
SENATE BILL NO. 996, BY SENATOR STEELE,

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

March 15, 2007

Mr. President:

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

HOUSE BILL NO. 1485, BY REPRESENTATIVE KEY,
HOUSE BILL NO. 2333, BY REPRESENTATIVE ALLEN,

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

March 15, 2007

Mr. President:

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

HOUSE BILL NO. 2323, BY REPRESENTATIVE EDWARDS,

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. 2323 was ordered re-referred to the Committee on CITY, COUNTY AND LOCAL AFFAIRS.

On motion of Senator Horn, Senate Bill No. 361 was ordered re-referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 15, 2007

Mr. President:

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

SENATE BILL NO. 234, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 310, 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. 234 was ordered re-referred to the Committee on JOINT BUDGET.

On motion of Senator Womack, Senate Bill No. 310 was ordered re-referred to the Committee on JOINT BUDGET.

Senate Bill No. 79 was returned from the House as passed and ordered enrolled.

Senate Bill No. 100 was returned from the House as passed and ordered enrolled.

Senate Bill No. 142 was returned from the House as passed and ordered enrolled.

Senate Bill No. 149 was returned from the House as passed and ordered enrolled.

Senate Bill No. 404 was returned from the House as passed and ordered enrolled.

Senate Bill No. 680 was returned from the House as passed and ordered enrolled.

Senate Bill No. 765 was returned from the House as passed and ordered enrolled.

Senate Bill No. 206 was returned from the House as passed as amended.

On motion of Senator G. Jeffress, Senate Bill No. 206 was ordered re-referred to the Committee on AGRICULTURE, ECONOMIC & INDUSTRIAL DEVELOPMENT.

Senate Bill No. 128 was returned from the House as passed and ordered enrolled.

Senate Bill No. 132 was returned from the House as passed and ordered enrolled.

Senate Bill No. 197 was returned from the House as passed and ordered enrolled.

Senate Bill No. 251 was returned from the House as passed and ordered enrolled.

Senate Bill No. 253 was returned from the House as passed and ordered enrolled.

Senate Bill No. 265 was returned from the House as passed and ordered enrolled.

Senate Bill No. 339 was returned from the House as passed and ordered enrolled.

Senate Bill No. 340 was returned from the House as passed and ordered enrolled.

Senate Bill No. 341 was returned from the House as passed and ordered enrolled.

Senate Bill No. 342 was returned from the House as passed and ordered enrolled.

Senate Bill No. 343 was returned from the House as passed and ordered enrolled.

Senate Bill No. 344 was returned from the House as passed and ordered enrolled.

Senate Bill No. 345 was returned from the House as passed and ordered enrolled.

Senate Bill No. 347 was returned from the House as passed and ordered enrolled.

Senate Bill No. 348 was returned from the House as passed and ordered enrolled.

Senate Bill No. 349 was returned from the House as passed and ordered enrolled.

Senate Bill No. 351 was returned from the House as passed and ordered enrolled.

Senate Bill No. 352 was returned from the House as passed and ordered enrolled.

Senate Bill No. 353 was returned from the House as passed and ordered enrolled.

Senate Bill No. 368 was returned from the House as passed and ordered enrolled.

Senate Bill No. 381 was returned from the House as passed and ordered enrolled.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 15, 2007

Mr. President:

We, your Committee on EDUCATION, to whom was referred:

SENATE BILL NO. 217, BY SENATOR G. JEFFRESS,
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 they do pass, Concur in House Amendments No. 1, No. 2 & No. 3.

Respectfully submitted,

(SIGNED) SENATOR JIM ARGUE
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 15, 2007

Mr. President:

We, your Committee on EDUCATION, to whom was referred:

HOUSE BILL NO. 1477, BY REPRESENTATIVE PICKETT,
HOUSE BILL NO. 1508, BY REPRESENTATIVE SAUNDERS,
HOUSE BILL NO. 2251, BY REPRESENTATIVE J. JOHNSON,
HOUSE BILL NO. 2327, BY REPRESENTATIVE BLOUNT,
HOUSE BILL NO. 2398, 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 JIM ARGUE
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 15, 2007

Mr. President:

We, your Committee on EDUCATION, to whom was referred:

HOUSE BILL NO. 2234, BY REPRESENTATIVE NORTON,

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 ARGUE
CHAIRMAN

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SENATE BILLS TRANSMITTED TO THE HOUSE
AS PASSED

SENATE BILL NO. 196
SENATE BILL NO. 267
SENATE BILL NO. 333
SENATE BILL NO. 791
SENATE BILL NO. 796
SENATE BILL NO. 810
SENATE BILL NO. 811
SENATE BILL NO. 822
SENATE BILL NO. 837
SENATE BILL NO. 838
SENATE BILL NO. 839
SENATE BILL NO. 855
SENATE BILL NO. 859
SENATE BILL NO. 909
SENATE BILL NO. 928
SENATE BILL NO. 942
SENATE BILL NO. 963
SENATE BILL NO. 975

HOUSE BILLS RETURNED TO THE HOUSE
AS PASSED

HOUSE BILL NO. 1124
HOUSE BILL NO. 1152
HOUSE BILL NO. 1166
HOUSE BILL NO. 1167
HOUSE BILL NO. 1169

HOUSE BILL NO. 1170
HOUSE BILL NO. 1171
HOUSE BILL NO. 1192
HOUSE BILL NO. 1193
HOUSE BILL NO. 1326
HOUSE BILL NO. 1329
HOUSE BILL NO. 1348
HOUSE BILL NO. 1390
HOUSE BILL NO. 1391
HOUSE BILL NO. 1397
HOUSE BILL NO. 1408
HOUSE BILL NO. 1453
HOUSE BILL NO. 1487
HOUSE BILL NO. 1493
HOUSE BILL NO. 1563
HOUSE BILL NO. 1567
HOUSE BILL NO. 1593
HOUSE BILL NO. 1594
HOUSE BILL NO. 1596
HOUSE BILL NO. 1598
HOUSE BILL NO. 1600
HOUSE BILL NO. 1601
HOUSE BILL NO. 1602
HOUSE BILL NO. 1603
HOUSE BILL NO. 1605
HOUSE BILL NO. 1606
HOUSE BILL NO. 1715
HOUSE BILL NO. 1773
HOUSE BILL NO. 1829
HOUSE BILL NO. 1909
HOUSE BILL NO. 2237
HOUSE BILL NO. 2240
HOUSE BILL NO. 2276
HOUSE BILL NO. 2286
HOUSE BILL NO. 2401

HOUSE BILLS RETURNED TO THE HOUSE
AS PASSED AS AMENDED

HOUSE BILL NO. 1180 AS AMENDED NO. 1
HOUSE BILL NO. 1318 AS AMENDED NO. 1, NO. 2
HOUSE BILL NO. 1570 AS AMENDED NO. 1
HOUSE BILL NO. 1700 AS AMENDED NO. 1
HOUSE BILL NO. 1731 AS AMENDED NO. 1

HOUSE CONCURRENT RESOLUTION RETURNED
TO THE HOUSE AS CONCURRED IN

HOUSE CONCURRENT RESOLUTION NO. 1019
HOUSE CONCURRENT RESOLUTION NO. 1020
HOUSE CONCURRENT RESOLUTION NO. 1023
HOUSE CONCURRENT RESOLUTION NO. 1024
HOUSE CONCURRENT RESOLUTION NO. 1025
HOUSE CONCURRENT RESOLUTION NO. 1026
HOUSE CONCURRENT RESOLUTION NO. 1027
HOUSE CONCURRENT RESOLUTION NO. 1028

SENATE BILLS RETURNED FROM THE HOUSE
AS PASSED

SENATE BILL NO. 79
SENATE BILL NO. 100
SENATE BILL NO. 128
SENATE BILL NO. 132
SENATE BILL NO. 142
SENATE BILL NO. 149
SENATE BILL NO. 197
SENATE BILL NO. 251
SENATE BILL NO. 253

SENATE BILL NO. 265
SENATE BILL NO. 339
SENATE BILL NO. 340
SENATE BILL NO. 341
SENATE BILL NO. 342
SENATE BILL NO. 343
SENATE BILL NO. 344
SENATE BILL NO. 345
SENATE BILL NO. 347
SENATE BILL NO. 348
SENATE BILL NO. 349
SENATE BILL NO. 351
SENATE BILL NO. 352
SENATE BILL NO. 353
SENATE BILL NO. 368
SENATE BILL NO. 381
SENATE BILL NO. 404
SENATE BILL NO. 680
SENATE BILL NO. 765

SENATE BILLS RETURNED FROM THE HOUSE
AS PASSED AS AMENDED

SENATE BILL NO. 206 AS AMENDED NO. 1

HOUSE BILLS TRANSMITTED TO THE SENATE
AS PASSED

HOUSE BILL NO. 1120
HOUSE BILL NO. 1393
HOUSE BILL NO. 1412
HOUSE BILL NO. 1595
HOUSE BILL NO. 2222
HOUSE BILL NO. 2223
HOUSE BILL NO. 2278
HOUSE BILL NO. 2296
HOUSE BILL NO. 2345
HOUSE BILL NO. 2355
HOUSE BILL NO. 2374
HOUSE BILL NO. 2382
HOUSE BILL NO. 2463
HOUSE BILL NO. 2492
HOUSE BILL NO. 2545
HOUSE BILL NO. 2590
HOUSE BILL NO. 2625
HOUSE BILL NO. 2628
HOUSE BILL NO. 2697
HOUSE BILL NO. 2701
HOUSE BILL NO. 2702
HOUSE BILL NO. 2731
HOUSE BILL NO. 2733

HOUSE CONCURRENT RESOLUTION TRANSMITTED
TO THE SENATE AS ADOPTED

HOUSE CONCURRENT RESOLUTION NO. 1032

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

PRESIDENT OF THE SENATE

SECRETARY OF THE SENATE

3140

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SEVENTY-FIRST DAY'S PROCEEDINGS

SENATE CHAMBER

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

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Little Rock, Arkansas

March 19, 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 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 Faris, Senate Joint Resolution No. 7 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 JOINT RESOLTION NO. 7

Amend Senate Joint Resolution No. 7 as engrossed, S3/8/07:

Add Senators Baker, Wilkinson, Laverty, and Womack as cosponsors of the bill

AND

Add Representative Reynolds as a cosponsor of the bill

AND

Page 1, delete lines 30 through 36 and substitute the following:

"SECTION 1. (a) The people have a right to hunt, fish, trap, and harvest game, subject only to reasonable regulations prescribed by the Arkansas State Game and Fish Commission.

(b) Consistent with the public trust to conserve birds, game, fish, and wildlife, traditional methods may be used to take nonthreatened species traditionally pursued.

(c) Public hunting, fishing, and trapping shall be a preferred means of managing and controlling nonthreatened wildlife.

(d) Nothing in this amendment shall be construed to modify:

(1) Any provision of Amendment 35 to the Arkansas Constitution;

(2) Any common law or statutes relating to trespass, eminent domain, or any other property rights; or

(3) The sovereign immunity of the State of Arkansas."

AND

Page 2, delete lines 1 through 5

(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. 7 was ordered engrossed.

On motion of Senator Malone, Senate Bill No. 1004 was withdrawn from the Committee on REVENUE & TAXATION, 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. 1004

Amend Senate Bill No. 1004 as originally introduced:

Page 1, delete lines 18 and 19, and substitute the following:

"SECTION 1. Arkansas Code § 3-7-201, concerning the retail tax on beer, is amended to add a new subsection to read as follows:

(f)(1) Beginning July 1, 2007, there is levied a special alcoholic beverage excise tax of one percent (1%) upon all retail receipts or proceeds derived from the sale of beer.

(2) The revenues derived from the excise tax on beer levied under subdivision (f)(1) of this section shall be deposited into the General Revenue Fund Account of the State Apportionment Fund to be distributed as general revenue.

SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that the current excise tax on beer expires on June 30, 2007 and that in order to maintain continuity with the state fiscal year this act must become effective on July 1, 2007. 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 MALONE

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 1004 was ordered engrossed.

On motion of Senator Critcher, Senate Bill No. 703 was withdrawn from the Committee on JOINT BUDGET, 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 SENATE BILL NO. 703

Amend Senate Bill No. 703 as engrossed, S3/15/07:

Section 1, delete subsection (A) in its entirety and insert therefor:

"(A) For implementation, operating, and personal services costs of a tuition forgiveness program for qualified Arkansas residents securing jobs in the trucking, transportation and logistics fields, the sum of.....$9,000,000.";

AND

Following Section 1, insert these sections:

" SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

ADMINISTRATION. (a) The Arkansas Department of Workforce Services will serve as the fiscal agent and coordinator of the Transportation Workforce Economic Development Program in consultation and cooperation with the Arkansas Department of Economic Development, the Department of Workforce Education, the Arkansas Department of Higher Education, and the Arkansas Workforce Investment Board.

(b) The Arkansas Department of Workforce Services shall adopt rules to administer the program, develop and certify eligibility requirements for a tuition forgiveness program as defined herein, monitor all residents after they have secured jobs in the trucking and transportation industry to encourage that they remain employed and to determine tuition forgiveness eligibility, and consult with industry for program recommendations. The Department of Workforce Services may contract with, or provide grants to, experienced third parties as required to promote, recruit, qualify, and enroll eligible residents.

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

AND

" SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EDUCATIONAL FACILITIES/EXPENDITURES. (a) Expenditures to institutions of higher education may be through grants or contracts and shall provide for tuition costs, housing, meals, travel and related equipment expenses necessary to train qualified Arkansas residents for careers in the trucking or transportation industries at Mid-South Community College, Arkansas State University — Newport, Arkansas State University - Mountain Home, Cossatot Community College - U of A, University of Arkansas—Fort Smith, North Arkansas College, Northwest Arkansas Community College, Phillips Community College - U of A, Pulaski Technical College, South Arkansas Community College, and U of A Community College - Hope. The participating institutions shall receive prior approval from the Department of Workforce Services for the curriculums applicable under this Act.

(b) Expenditures by the Department of Workforce Services for administration, contracting and implementation shall not exceed eight hundred fifty thousand dollars ($850,000) in either fiscal year of the biennium; expenditures by institutions for equipment and infrastructure shall occur only in the fiscal year ending June 30, 2008 and shall not exceed one million dollars ($1,000,000).

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

AND

" SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TUITION FORGIVENESS PROGRAM. (a) Students must meet the following eligibility requirements to qualify for tuition forgiveness:

(A) Are residents of the State of Arkansas and citizens of the United States;

(B) Meet all federal and state eligibility requirements to qualify for a commercial driver license;

(C) Complete all training requirements and examinations necessary at a designated public institution of higher education identified herein to be a professional truck driver, technician, or an occupation in trucking and transportation for which courses are offered at the institutions of higher education identified herein and are determined for eligibility by the Arkansas Department of Workforce Services;

(D) Become employed in a job occupation for which they were trained within ninety days of graduation;

(E) Remain employed in their trained occupation for twelve months from the date of their original employment.

(b) If a resident completes all eligibility requirements as defined and is employed in the same job occupation for one year, the Arkansas Department of Workforce Services shall forgive the tuition and related expenses for training in an amount not to exceed $3,500.

(c) Residents who do not graduate from the program or who do not work full-time in the job for which they were trained for one-year shall repay the tuition in accordance with the resident's agreement upon acceptance in the Transportation Workforce Economic Development Program as promulgated in rules by the Arkansas Department of Workforce Services.

(d) Any person participating in the Tuition Forgiveness Program pursuant to this Act shall be liable to repay any sum paid to or on his/her behalf, to the Department of Workforce Services, if such student fails to meet all requirements of the Tuition Forgiveness Program.

(A) The Director of the Department of Workforce Services shall have authority to institute and prosecute in his name, as such, all suits and proceedings necessary for the collection of any sums paid on behalf of any person(s) receiving payments under the Tuition Forgiveness Program and subsequently failing to meet all requirements of the Program.

(B) Any person liable to repay tuition assistance received, as provided herein, shall be subject to having any state income tax refund to which he/she may be entitled intercepted pursuant to A.C.A. 26-36-301 et seq. as administered by the Revenue Division of the Department of Finance and Administration.

(C) All sums recovered by the Department of Workforce Services shall be credited to the fund account out of which such assistance was first paid, or to an appropriate training fund administered by the Department of Workforce Services.

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

And renumber the sections following the above insertions.

(SIGNED) SENATOR CRITCHER

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 703 was ordered engrossed.

On motion of Senator Broadway, Senate Bill No. 453 was withdrawn from the Committee on JOINT BUDGET, 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. 453

Amend Senate Bill No. 453 as originally introduced:

Page 1, line 9 delete "OFFICE OF"

AND

Page 1, line 10, delete "INFORMATION TECHNOLOGY" and substitute "DEPARTMENT OF INFORMATION SYSTEMS"

AND

Page 1, line 18, delete "OFFICE OF INFORMATION" and substitute "DEPARTMENT OF INFORMATION SYSTEMS"

AND

Page 1, line 19, delete "TECHNOLOGY"

AND

Page 1, line 28, delete "Office of" and substitute "Department of Information Systems"

AND

Page 1, line 29, delete "Information Technology"

(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. 453 was ordered engrossed.

On motion of Senator Broadway, Senate Bill No. 501 was withdrawn from the Committee on JOINT BUDGET, 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. 501

Amend Senate Bill No. 501 as engrossed, S3/6/07:

Page 1, line 9, delete "OFFICE OF" and substitute "DEPARTMENT OF INFORMATION SYSTEMS"

AND

Page 1, line 10, delete "INFORMATION TECHNOLOGY"

AND

Page 1, line 16, delete "OFFICE OF INFORMATION" and substitute "DEPARTMENT OF INFORMATION SYSTEMS"

AND

Page 1, line 17, delete "TECHNOLOGY"

AND

Page 1, line 25, delete "Office of Information" and substitute "Department of Information Systems"

AND'

Page 1, line 26, delete "Technology"

(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. 501 was ordered engrossed.

On motion of Senator Baker, Senate Bill No. 911 was withdrawn from the Committee on PUBLIC HEALTH, WELFARE & LABOR, 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. 911

Amend Senate Bill No. 911 as engrossed, S3/15/07:

Delete everything after the ENACTING clause and substitute the following:

"SECTION 1. Arkansas Code Title 20, Chapter 27, Subchapter 1 is amended to add an additional section to read as follows:

20-7-136. Reduction of mercury in childhood vaccines.

(a) The General Assembly finds that:

(1) Mercury is a toxic substance that can cause damage to nerve and brain tissue;

(2) A mercury derived preservative known as thimerosal has been used in the vaccine manufacturing process since the late 1920s, predating the creation of the federal Food and Drug Administration;

(3) Since the late 1980s, the number of vaccines given to American children has expanded while the age at which vaccinations are administered has been lowered;

(4) The American Academy of Pediatrics and the United States Public Health Service recommended in 1999 that mercury be removed as soon as possible from all vaccines because of the potential for neurological damage posed by mercury;

(5) Most vaccines recommended for use in children are now mercury-free, with the exception of the flu shot;

(6) Administering the standard flu shot to a child three (3) years of age or younger results in mercury exposure levels far in excess of maximum adult exposure limits set the federal Food and Drug Administration;

(7) Public concern about the presence of mercury in vaccines is undermining the effectiveness of immunization programs that protect the public health; and

(8) Eliminating the mercury in vaccines would minimize public fear, increase public confidence in the safety of the vaccine supply and serve to protect children from the potential negative impacts of mercury exposure.

(b) After the effective date of this act, no person who is eight (8) years of age or younger shall be vaccinated in this state with a vaccine containing more than five-tenths microgram (0.5 µg) of mercury in any form per five-tenths milliliter (0.5 ml) dose of vaccine.

(c)(1) The Division of Health of the Department of Health and Human Services shall promulgate rules to implement the requirements of this section.

(2) The rules may include exceptions for potential bioterrorist incidents or for actual or potential public health emergencies."

(SIGNED) SENATOR BAKER

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 911 was ordered engrossed.

On motion of Senator Taylor, Senate Bill No. 109 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. 109

Amend Senate Bill No. 109 as originally introduced:

Delete SECTION 1 in its entirety

AND

Appropriately renumber subsequent SECTION numbers

AND

Page 2, delete lines 15 and 16 in their entirety and substitute the following:
"(01) PROF. FEES $ 57,600 $ 60,480"

AND

Page 2, line 17, delete “(03)” and substitute “(02)”

(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. 109 was ordered engrossed.

On motion of Senator Hendren, Senate Bill No. 851 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. 851

Amend Senate Bill No. 851 as originally introduced:

Page 1, delete lines 23 through 36 entirely

AND

Page 2, delete lines 1 through 36 entirely

AND

Page 3, line 1, delete "SECTION 2." and substitute "SECTION 1."

AND

Page 3, delete line 13 and substitute the following:

"information to ~~a~~ the local prosecuting attorney.

SECTION 2. Arkansas Code § 6-19-110, regarding the duties of bus drivers, is amended to add additional subsections to read as follows:

(e)(1) The prosecuting attorney who is provided a report under this section shall provide written notice to the superintendent regarding the outcome of the report.

(2) The superintendent shall provide information regarding the outcome of the report to the driver of the school bus who initiated the report.

(f) Nothing in this section shall limit a person who observes an operator of a motor vehicle violating § 27-51-1004 or § 27-51-1005 from reporting the incident to the local prosecuting attorney."

(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. 851 was ordered engrossed.

On motion of Senator Bryles, Senate Bill No. 988 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. 988

Amend Senate Bill No. 988 as originally introduced:

Delete the Title and substitute the following:
“AN ACT TO ESTABLISH CRITERIA FOR PERSONS ENGAGED IN THE VOLUNTARY EMBEDDING OF IDENTIFICATION CHIPS FOR EQUINE MONITORING; AND FOR OTHER PURPOSES.”

AND

Delete the subtitle in its entirety and substitute:

"AN ACT TO ESTABLISH CRITERIA FOR PERSONS ENGAGED IN THE VOLUNTARY EMBEDDING OF IDENTIFICATION CHIPS FOR EQUINE MONITORING."

AND

Delete everything after the enacting clause and substitute the following:

“SECTION 1. Arkansas Code Title 2, Chapter 32, is amended to add an additional subchapter to read as follows:

Subchapter 3. Equine monitoring

2-32-301. Equine monitoring by identification chips.

(a)(1) It is found and determined by the General Assembly that:

(A) The Arkansas Livestock and Poultry Commission has been authorized by the United States Department of Agriculture to develop and administer a voluntary equine identification system; and

(B) Embedding a chip for the purpose of identifying an animal can endanger the animal if not properly injected and placed.

(2) Therefore, it is the purpose of this section to establish criteria for persons engaged in the voluntary embedding of chips for equine identification.

(b) The Arkansas Livestock and Poultry Commission shall promulgate rules setting forth training requirements for the voluntary embedding or injecting a chip for purpose of animal identification.

(c) The commission shall administer training and provide certification upon satisfactory completion.

(d) The commission shall establish a fine for failure to obtain proper certification prior to embedding or injecting a chip for the purpose of equine animal identification."

(SIGNED) SENATOR BRYLES

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 988 was ordered engrossed.

On motion of Senator Broadway, Senate Bill No. 782 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. 782

Amend Senate Bill No. 782 as engrossed, S3/14/07:

Page, 3 delete line 22 and substitute the following:
"tax plus ~~seventy-five percent (75%) of~~ the average miscellaneous funds"

AND

Delete SECTION 13 in its entirety and substitute the following:

"SECTION 13. Arkansas Code § 6-20-2508(e), concerning the academic facilities catastrophic program, is amended to read as follows:

(e)(1)(A) If a school district qualifies for state financial participation under this section, the division shall certify the amount of state financial participation to the Commission for Arkansas Public School Academic Facilities and Transportation ~~for oversight purposes~~.

(B) The amount of state financial participation under this section shall not exceed the amount resulting from the application of the academic facilities wealth index to the cost necessary to bring the academic facility into compliance with the Arkansas Public School Academic Facility Manual, less any withholding or reduction imposed by the commission under § 6-21-114(d) for a school district's failure to comply with the commission's insurance requirements, including without limitation, the failure to carry replacement cost coverage, if applicable, on all buildings and facilities.

~~(B)~~(2)(A) The commission shall certify the amount to the Department of Education for payment.

~~(2)~~(B) For tracking purposes, the school district shall account for the funds received as a state financial participation under this section as restricted funds and shall account for the funds in accordance with provisions of law, including, without limitation, the Arkansas Educational Financial Accounting and Reporting Act of 2004, § 6-20-2201 et seq., and rules established by the State Board of Education and the commission."

(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. 782 was ordered engrossed.

On motion of Senator Smith, Senate Bill No. 586 was withdrawn from the Committee on REVENUE & TAXATION, 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. 586

Amend Senate Bill No. 586 as originally introduced:

Page 1, delete lines 10 through 15 and substitute the following:
"AN ACT TO ADJUST THE AMOUNT OF TAX CREDIT UNDER THE "ARKANSAS TOURISM DEVELOPMENT ACT";"

AND

Page 1, delete lines 19 through 24 and substitute the following:
"AN ACT TO ADJUST THE AMOUNT OF TAX CREDIT UNDER THE "ARKANSAS TOURISM DEVELOPMENT ACT"."

AND

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code §15-11-505 is amended to read as follows:

15-11-505. Standards for preliminary and final approval of companies and projects.

(a) The Director of the Department of Economic Development shall establish standards for final approval of eligible companies and their projects by the promulgation of administrative regulations in accordance with the Arkansas Administrative Procedure Act, § 25-15-201 et seq.

(b) The Director of the Department of Economic Development shall obtain the review and advice of the Director of the Department of Parks and Tourism prior to designating an entity as an approved company eligible for the tourism incentive.

~~(b)~~(c) The director may give approval by designating an eligible company as an approved company and authorizing the undertaking of the tourism attraction project.

~~(c)~~(d) The director shall review the information that has been made available to the director in order to determine whether the tourism attraction project will further the purposes of this subchapter.

~~(d)~~(e) The criteria for final approval of eligible companies and tourism attraction projects shall include, but shall not be limited to, the criteria set forth in § 15-11-504(c).

~~(e)~~(f) After a review of the relevant materials, other information made available to the director, ~~and~~ the completion of other inquiries, and the review and advice of the Director of the Department of Parks and Tourism, the director may give final approval to the eligible company's application for a tourism attraction project and may grant the approval to the eligible company in the form of a financial incentive agreement.

SECTION 2. Arkansas Code §15-11-510(a), concerning special rules for certain lodging facilities, is amended to read as follows:

(a) A lodging facility may qualify as a tourism attraction project, as defined in § 15-11-503, entitled to the benefits of this subchapter even though the lodging costs represent one hundred percent (100%) of the total project costs, provided:

(1) ~~the~~ The approved costs for the lodging facility exceed five million dollars ($5,000,000)~~,~~; and~~:~~

~~(1)~~(2) The lodging facility is attached to a convention center containing a minimum of seventy-five thousand square feet (75,000 sq. ft.)~~; or~~.

~~(2) The lodging facility contains a minimum of twelve thousand square feet (12,000 sq. ft.) of meeting or exhibit space.~~

SECTION 3. Arkansas Code § 15-11-511, concerning special rules for qualified amusement parks, is amended to add an additional subsection to read as follows:

(d)(1) Notwithstanding the other provisions of this subchapter, a qualified amusement park that on or after January 1, 2006, enters into an agreement that provides that the qualified amusement park shall expend approved costs of more than one million dollars ($1,000,000) shall be entitled to a sales tax credit if the qualified amusement park certifies to the Director of the Department of Finance and Administration that it has expended at least one million dollars ($1,000,000) in approved costs and the Director of the Department of Economic Development certifies that the qualified amusement park is in compliance with this subchapter.

(2) The Director of the Department of Finance and Administration shall then issue a sales tax credit memorandum to the qualified amusement park equal to twenty-five percent (25%) of the approved costs. The sales tax credit memorandum may be used to offset the liability of the qualified amusement park for:

(A) Gross receipts tax levied under the Arkansas Gross Receipts Act of 1941, § 26-52-101 et seq.; and

(B) Tourism gross receipts tax levied under § 26-52-1001 et seq.

(3) The Director of the Department of Finance and Administration may require proof of expenditures.

(4) Additional credit memoranda may be issued as the qualified amusement park certifies additional expenditures of approved costs.

(5)(A) No sales tax credit memorandum shall be issued for any approved costs expended after the expiration of two (2) years from the date the agreement was signed by the Director of the Department of Economic Development and the qualified amusement park.

(B) However, the Director of the Department of Economic Development, with the advice and consent of the Director of the Department of Finance and Administration, may authorize sales tax credits for approved costs expended up to four (4) years from the date the agreement was signed if the Director of the Department of Economic Development determines that the failure to complete the tourism attraction project within two (2) years resulted from:

(i) Unanticipated and unavoidable delay in the construction of the tourism attraction project;

(ii) The tourism attraction project, as originally planned, will require more than two (2) years to complete; or

(iii) A change in business ownership or business structure resulting from a merger or acquisition.

(6) The credit memorandum issued pursuant to subdivision (d)(2) of this section may be used to offset one hundred percent (100%) of the reported state tax liability as provided in subdivision (d)(2) of this section of the qualified amusement park for all sales tax reporting periods following the issuance of the credit memorandum, subject to the following limitations:

(A) Unused credits may be carried forward for a period of nine (9) years; and

(B) All issued credit memoranda shall expire at the end of the month following the expiration of the agreement as provided in § 15-11-506.

(7) The approved company shall have no obligation to refund or otherwise return any amount of this credit to the person from whom the sales tax was collected.

(8) By April 1 of each year, the Director of the Department of Finance and Administration shall certify to the Director of the Department of Economic Development the state sales tax liability of the qualified amusement parks receiving inducements under this section and the amount of state sales tax credits taken during the preceding calendar year.

SECTION 4. Effective date. Section 3 of this act shall apply retroactively to July 1, 2006."

(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. 586 was ordered engrossed.

On motion of Senator Madison, Senate Bill No. 587 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. 587

Amend Senate Bill No. 587 as originally introduced:

Add the following Representatives as cosponsors of the bill: Breedlove, Walters

AND

Page 1, line 13, delete “THE” and substitute “OR RENOVATE THE”

AND

Page 1, line 14, delete “; AND FOR” and substitute ", THE NORTHWEST ARKANSAS REGIONAL JUVENILE PROGRAMS, AND OTHER REGIONAL JUVENILE PROGRAMS; AND FOR"

AND

Page 1, line 21, delete “VARIOUS EXPENSES TO REPLACE”

AND

Page 1, line 22, delete “THE ALEXANDER JUVENILE CORRECTIONAL”

AND

Page 1, line 23, delete “FACILITY” and substitute “JUVENILE AND REGIONAL PROGRAMS”

AND

Page 1, line 29, delete “ALEXANDER JUVENILE CORRECTIONAL FACILITY” and substitute "JUVENILE AND REGIONAL PROGRAMS"

AND

Page 1, line 34, delete “the Alexander Juvenile” and substitute “or renovate the Alexander Juvenile”

AND

Page 1, line 36, insert a new subsection to read as follows:

" (B) For construction, renovation, acquisition, purchase of equipment, maintenance, and other operating expenses to replace or renovate the Northwest Arkansas Regional Juvenile Programs and other Regional Juvenile Programs, the sum of.....$6,900,000.".

(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. 587 was ordered engrossed.

On motion of Senator Bryles, Senate Bill No. 937 was withdrawn from the Committee on AGRICULTURE, ECONOMIC & INDUSTRIAL DEVELOPMENT, and placed back on second reading for purpose of Amendment No. 4.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 4 to SENATE BILL NO. 937

Amend Senate Bill No. 937 as engrossed, S3/15/07:

Page 2, delete line 25 and substitute the following:
"primarily to rice and wheat.
(d) This section shall expire on June 30, 2011."

(SIGNED) SENATOR BRYLES

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 937 was ordered engrossed.

On motion of Senator Bryles, Senate Bill No. 274 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. 274

Amend Senate Bill No. 274 as originally introduced:

Add Senator Broadway as a cosponsor of the bill

AND

Delete everything following the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 6-11-129 is amended to read as follows:

6-11-129. Data to be accessible on ~~Department of Education~~ website.

~~(a) The Department of Education shall make the following information and data available and easily accessible on the department's website by including a direct link to the websites of all Arkansas school districts on the department's website:~~

(a) Each school district shall make the following information and data easily identified on its website:

(1) Current comprehensive financial data reports for school districts, including:

(A) Local and state revenue sources;

(B) Administrator and teacher salary and benefit data;

(C) District balances, including legal balances and building fund balances;

(D) Any additional financial data;

(E) Administrative salary and benefit expenditures; and

(F) Teacher salary expenditures;

(2) Each school district's personnel policies required under § 6-17-201 et seq.;

(3)(A) ~~Links to the local district's website containing information~~ Information from the school district's contracts with school district employees and district salary schedules.

(B) Each school district or the district's educational cooperative, if the cooperative maintains the district's website, shall publish on the district's website:

(i) The school district's ~~contracts~~ contract information with all school district employees, except that social security numbers, phone numbers, or personal addresses shall not be published; and

(ii) The district salary schedules, including the salary schedules for regular ~~certified~~ licensed employees, supplemental and extended contract schedules, and classified employee schedules;

(4) The annual budget of each school district; and

(5) Information and data required to be made available and easily accessible on the ~~department's~~ school district's website under ~~subdivisions (a)(1)(A)-(C), (E), and (F) and subdivisions (a)(2) and (3) of~~ this section shall be the actual data for the two (2) previous school years and the projected budgeted information for the current school year.

(b) By December 31 of each year, the ~~department~~ Department of Education shall provide a written report to the House Interim Committee on Education and the Senate Interim Committee on Education listing those school districts that are not in compliance with this section.

(c) The department shall make the information and data required by this section available and easily accessible on the department's website by including direct links to the websites of all Arkansas school districts on the department's website.

SECTION 2. Arkansas Code § 6-15-102(f)(2), concerning the Division of Public School Accountability, is amended to read as follows:

(2) To coordinate the analysis, dissemination, and reporting of all augmented criterion-referenced and norm-referenced testing information;

SECTION 3. Arkansas Code § 6-15-404(d)-(g), concerning implementation of the Arkansas Comprehensive Testing, Assessment, and Accountability Program, is amended to read as follows:

(d) The state board shall establish a clear, concise system of reporting the academic performance of each school on the state-mandated augmented criterion-referenced exam which conforms with the requirements of the No Child Left Behind Act of 2001.

(e)(1) The state board shall develop and the department shall implement a developmentally appropriate uniform school readiness screening to validate a child's school readiness as part of a comprehensive evaluation design.

(2) Beginning with the 2004-2005 school year, the department shall require that all school districts administer the uniform school readiness screening to each kindergarten student in the district school system upon the student's entry into kindergarten.

(3) Children who enter public school for the first time in first grade must be administered the uniform school readiness screening developed for use in the first grade.

(f)(1) The department shall select a developmentally appropriate assessment to be administered to all students in first grade and second grade in reading and mathematics.

(2) Professional development activities shall be tied to the comprehensive school improvement plan and designed to increase student learning and achievement.

(3) Longitudinal and trend data collection shall be maintained for the purposes of improving student and school performance.

(4) A public school or public school district classified as in "school improvement" shall develop and file with the department a comprehensive school improvement plan designed to ensure that all students demonstrate proficiency on all portions of state-mandated augmented criterion-referenced assessment. The comprehensive school improvement plan shall include strategies to address the achievement gap existing for any identifiable group or subgroup as identified in the Arkansas Comprehensive Testing, Assessment, and Accountability Program and the gap of that subgroup from the academic standard.

(g)(1) By July 1, 2006, the department shall develop and implement a augmented criterion-referenced testing program which is valid, reliable, externally linked to a national norm, and vertically scaled for public school students in grades three through eight (3-8) which measures application of knowledge and skills in reading and writing literacy and mathematics. Science, civics, and government shall be measured on a schedule as determined by the state board.

SECTION 4. Arkansas Code § 6-15-419 is amended to read as follows:

6-15-419. Definitions.

The following definitions shall apply in this subchapter and in §§ 6-15-2001 et seq., 6-15-2101 et seq., 6-18-227, 6-15-2201, 6-15-2301, and 6-15-2401:

(1) "Academic content standards" means standards which are approved by the State Board of Education and which set the skills to be taught and mastery level for each grade and content area;

(2)(A) "Academic improvement plan" means a plan detailing supplemental or intervention and remedial instruction, or both, in deficient academic areas for any student who is not proficient on a portion or portions of the state-mandated Arkansas Comprehensive Assessment Program.

(B)(i) Such a plan shall be created and implemented by appropriate teachers, counselors, and any other pertinent school personnel.

(ii) All academic improvement plans shall be annually reviewed and revised to ensure an opportunity for student demonstration of proficiency in the targeted academic areas on the next state-mandated Arkansas Comprehensive Assessment Program.

(iii) A cumulative review of all academic improvement plans shall be part of the data used by the school in creating and revising its comprehensive school improvement plan.

(iv) All academic improvement plans shall be subject to review by the Department of Education.

(C) In any instance in which a student with disabilities identified under the Individuals with Disabilities Education Act has an individualized education program that already addresses any academic area or areas in which the student is not proficient on state-mandated augmented criterion-referenced assessments, the individualized education program shall serve to meet the requirement of an academic improvement plan;

(3) "Adequate yearly progress" means that level of academic improvement required of public schools or school districts on the state-mandated augmented criterion-referenced ~~examinations~~ assessments and other indicators as required in the Arkansas Comprehensive Testing, Assessment, and Accountability Program, which shall comply with The Elementary and Secondary Education Act as reauthorized in the No Child Left Behind Act of 2001;

(4) "Annexation" means the joining of an affected school district or part of the school district with a receiving district under § 6-13-1401 et seq.;

(5) "Annual improvement gains" or "student learning gains" means calculating a student's academic progress from one (1) year to the next, based on a same series nationally normed assessment given in the same time frame from one (1) year to the next, used as a pre-post measure of learning for the content areas tested;

(6) "Annual performance" means that level of academic achievement required of public schools or school districts on the state-mandated augmented criterion-referenced ~~examinations~~ assessments;

(7) "Arkansas Comprehensive Assessment Program" means the testing component of the Arkansas Comprehensive Testing, Assessment, and Accountability Program, which shall consist of:

(A) Developmentally appropriate assessments for kindergarten through grade two (K-2);

(B) National norm-referenced tests in grades three through nine (3-9);

(C) Any other assessments as required by the state board;

(D) ~~Criterion-referenced tests~~ Augmented criterion-referenced assesments for grades three through eight (3-8);

(E) Other assessments that are based on researched best practices as determined by qualified experts which would be in compliance with federal and state law; and

(F) End-of-course examinations for designated grades and content areas;

(8) "Arkansas Comprehensive Testing, Assessment, and Accountability Program" means a comprehensive system that focuses on high academic standards, professional development, student assessment, and accountability for schools;

(9) "Comprehensive school improvement plan" means the individual school's comprehensive plan based on priorities indicated by assessment and other pertinent data and designed to provide an opportunity for all students to demonstrate proficiency on all portions of the state-mandated Arkansas Comprehensive Assessment Program;

(10) "Consolidation" means the joining of two (2) or more school districts or parts of the school districts to create a new single school district under § 6-13-1401 et seq.;

~~(11) "Department" means the Department of Education;~~

~~(12)(A)~~(11)(A) "District improvement plan" means a districtwide plan coordinating the actions of the various comprehensive school improvement plans within a district.

(B) The main focus of the district improvement plan shall be to ensure that all students demonstrate proficiency on all portions of the state-mandated Arkansas Comprehensive Assessment Program;

~~(13)(A)~~(12)(A) "Early intervention" means short-term, intensive, focused, individualized instruction developed from ongoing, daily, systematic diagnosis that occurs while a child is in the initial, kindergarten through grade one (K-1), stages of learning early reading, writing, and mathematical strategies to ensure acquisition of the basic skills and to prevent the child from developing poor problem-solving habits which become difficult to change.

(B) The goal is to maintain a student's ability to function proficiently at grade level;

~~(14)~~(13) "End of course" means an examination taken at the completion of a course of study to determine whether a student demonstrates attainment of the knowledge and skills necessary to mastery of that subject;

~~(15)~~(14) "Grade inflation rate" means the statistical gap between actual grades assigned for core classes at the secondary level and student performance on corresponding subjects on nationally normed college entrance exams such as the American College Test;

~~(16)~~(15) "Grade level" means performing at the proficient or advanced level on state-mandated Arkansas Comprehensive Assessment Program tests;

~~(17)~~(16) "High school" means grades nine through twelve (9-12);

~~(18)~~(17) "Longitudinal tracking" means tracking individual student yearly academic achievement gains based on scheduled and annual assessments;

~~(19)~~(18) "Middle level" means grades five through eight (5-8);

~~(20)~~(19) "No Child Left Behind Act" means the No Child Left Behind Act of 2001 signed into federal law on January 8, 2002;

~~(21)~~(20) "Parent" means:

(A) A parent, parents, legal guardian, a person standing in loco parentis, or legal representative, as appropriate, of a student; or

(B) The student if the student is eighteen (18) years of age or older;

~~(22)~~(21) "Point-in-time intervention and remediation" means intervention and remediation applied during the academic year upon the discovery that a student is not performing at grade level;

~~(23)~~(22) "Primary" means kindergarten through grade four (K-4);

~~(24)~~(23) "Public school" means those schools or school districts created pursuant to title 6 of the Arkansas Code and subject to the Arkansas Comprehensive Testing, Assessment, and Accountability Program except specifically excluding those schools or educational programs created by or receiving authority to exist pursuant to § 6-15-501, § 9-28-205, § 12-29-301 et seq., or other provisions of Arkansas law;

~~(25)~~(24) "Public school in school improvement" or "school in school in need of immediate improvement" means any public school or public school district identified as failing to meet certain established levels of academic achievement on the state-mandated augmented criterion-referenced and norm-referenced ~~tests~~ assessments as required by the state board in the program;

~~(26)~~(25) "Reconstitution" means a reorganization intervention in the administrative unit or governing body of a public school district, including, but not limited to, the suspension, reassignment, replacement, or removal of a current superintendent or the suspension, removal, or replacement of some or all of the current school board members, or both;

~~(27)(A)(i)~~(26)(A)(i) "Remediation" means a process of using diagnostic instruments to provide corrective, specialized, supplemental instruction to help a student in grades two through four (2-4) overcome academic deficiencies.

(ii) For students in grades five through twelve (5-12), remediation shall be a detailed, sequential set of instructional strategies implemented to remedy any academic deficiencies indicated by below-basic or basic performance on the state-mandated augmented criterion-referenced assessments.

(B) Remediation shall not interfere with or inhibit student mastery of current grade level academic learning expectations;

~~(28)~~(27) "School district in academic distress" means any public school district failing to meet the minimum level of academic achievement on the state-mandated augmented criterion-referenced ~~examinations~~ assessments as required by the state board in the program;

~~(29)~~(28) "School improvement plan" means the individual school's comprehensive plan based on priorities indicated by assessment and other pertinent data and designed to ensure that all students demonstrate proficiency on all portions of the state-mandated Arkansas Comprehensive Assessment Program examinations;

~~(30)~~(29) "Social promotion" means the passage or promotion from one (1) grade to the next of a student who has not demonstrated knowledge or skills required for grade-level academic proficiency;

~~(31) "State board" means the State Board of Education;~~

~~(32)~~(30) "Uniform school readiness screening" means uniform, objective evaluation procedures which are geared to either kindergarten or first grade, as appropriate, and developed by the state board and specifically formulated for children entering public school for the first time; and

~~(33)~~(31) "Value-added computations of student gains" means the statistical analyses of the educational impact of the school's instructional delivery system on individual student learning, using a comparison of previous and posttest student achievement gains against a national cohort.

SECTION 5. Arkansas Code § 6-15-420(c) and (d), concerning remediation and intervention following state-mandated assessments, is amended to read as follows:

(c)(1) Upon completion of the intervention and remediation plans in subdivisions (b)(1) and (2) of this section, those schools that fail to achieve expected levels of student performance at the primary level on augmented criterion-referenced ~~tests~~ assessments, as defined in this subchapter, shall participate in a comprehensive school improvement plan accepted by the department.

(2)(A) This plan shall be part of each school's long-range comprehensive school improvement plan and shall be reported to the public.

(B) Progress on improved achievement shall be included as part of the school and school district's annual report to the public.

(d)(1) As part of the comprehensive testing, assessment, and accountability program, the department shall ensure that each school and school district establishes a plan to assess whether children in the middle-level and high school grades are performing at proficient levels in reading and writing literacy, mathematics, and, as funds are available, other core academic subjects.

(2) Each school and school district shall use multiple assessment measures, which shall include, but not be limited to, state-mandated augmented criterion-referenced ~~tests~~ assessments.

SECTION 6. Arkansas Code § 6-15-421(c), concerning awards and sanctions for state-mandated assessments, is amended to read as follows:

(c) The State Board of Education shall develop a clear, concise system of reporting the academic performance of each public school on the state-mandated augmented criterion-referenced ~~tests~~ assessments, developmentally appropriate assessments for grades kindergarten through two (K-2), benchmark examinations, and end-of-course examinations, which conforms with current state and federal law.

SECTION 7. Arkansas Code § 6-15-424 is amended to read as follows:

6-15-424. Rules and regulations.

The State Board of Education shall ~~promulgate~~ establish rules ~~and regulations~~ as may be necessary to require the Department of Education to implement a program for identifying, evaluating, assisting, and addressing public schools or public school districts failing to meet established levels of academic achievement on the state-mandated augmented criterion-referenced ~~tests~~ assessments as required in the Arkansas Comprehensive Testing, Assessment, and Accountability Program.

SECTION 8. Arkansas Code § 6-15-426(e), concerning school improvement, is amended to read as follows:

(e)(1) Any public school or school district classified as in school improvement shall develop and file with the department a revised comprehensive school improvement plan which shall be reviewed by the department and shall be designed to ensure that all students have an opportunity to demonstrate proficiency on all portions of the state-mandated augmented criterion-referenced ~~tests~~ assessments.

(2) The comprehensive school improvement plan shall include strategies to address the achievement gap existing for any identifiable group or subgroup as identified in the program and the gap of that subgroup from the academic standard.

SECTION 9. Arkansas Code § 6-15-433(b)(3)(A)(ii)(a), concerning the statewide assessment program, is amended to read as follows:

(ii)(a) Norm-referenced tests using nationally normed metrics in grades three through nine (3-9), and augmented criterion-referenced ~~tests~~ assessments, as defined in § 6-15-404(g)(1), known as the benchmark exams, in grades three through eight (3-8); or

SECTION 10. Arkansas Code § 6-15-433(c)(2)(A), concerning the statewide assessment program, is amended to read as follows:

(2)(A) The testing program, as determined by the state board, shall consist of norm-referenced and augmented criterion-referenced ~~testing~~ assessments or other assessments as defined in § 6-15-433(b)(3)(A)(ii)(b).

SECTION 11. Arkansas Code § 6-15-438(b), concerning the violation of the security or confidentiality of a state-mandated test or assessment, is amended to read as follows:

(b)(1) The State Board of Education shall sanction a person who engages in conduct prohibited by this section~~, as provided under § 6-17-405 [repealed], and following the Process for Certificate Invalidation as approved by the state board~~.

(2) Additionally, the state board may sanction a school district or school, or both, in which conduct prohibited in this section occurs.

(3) Sanctions imposed by the state board may include without limitation one (1) or more of the following:

(A) Revocation, suspension, or probation of an individual's license;

(B) Issuance of a letter of reprimand to a licensed individual to be placed in his or her state personnel file;

(C) Additional training or professional development to be completed by a licensed individual within the time specified;

(D) Additional professional development to be administered by the school district to all licensed school district personnel involved in test administration within the time specified;

(E) Issuance of a letter of warning to the school district; and

(F) Establishment of a school district plan containing strict test security guidelines that will implement procedures to ensure the security and confidential integrity of all assessment instruments.

(4) Professional development required pursuant to subsection (b)(3) of this section as a result of violating test security or confidentiality may be in addition to professional development required for licensure.

SECTION 12. Arkansas Code § 6-15-1402(b)(2)(A)(iii), concerning school performance report, is amended to read as follows:

(iii) ~~Criterion-referenced test~~ Augmented criterion-referenced assessment results;

SECTION 13. Arkansas Code § 6-15-1402(b)(3)(A)(iii), concerning school performance report, is amended to read as follows:

(iii) ~~Criterion-referenced test~~ Augmented criterion-referenced assessment results;

SECTION 14. Arkansas Code § 6-15-2009(b)(2), concerning the end-of-course assessment program for public schools, is amended to read as follows:

(2) If a student with disabilities identified under the Individuals with Disabilities Education Act, 20 U.S.C. 1400 et seq., has an individualized education program that addresses any academic area or areas in which the student is not proficient on state-mandated augmented criterion-referenced assessments, the individualized education program meets the requirements of an academic improvement plan under this section.

SECTION 15. Arkansas Code § 6-15-2009(f)(1)(A), concerning the end-of-course assessment program for public schools, is amended to read as follows:

(f)(1)(A) The state board shall establish the ~~transition process from the current end-of-course assessment program to the~~ end-of-course assessment program required beginning in the 2009-2010 school year.

SECTION 16. Arkansas Code § 6-15-2101(c), concerning public school annual reports, is amended to read as follows:

(c) The annual report shall designate two (2) category levels for each school:

(1) One (1) for the school's improvement gains, tracked longitudinally and using value-added calculations on the augmented criterion-referenced ~~test~~ assessment as defined in § 6-15-404(g)(1), in the latest available test results, known as the annual improvement category level; and

(2)(A) One (1) based on performance from the prior year on the criterion-referenced test as defined in § 6-15-404(g)(1) and end-of-course examinations, hereafter referred to as annual performance pursuant to § 6-15-2103.

(B) If the augmented criterion-referenced ~~test~~ assessment is not in compliance with § 6-15-404(g)(1), then the department shall rely on other assessments as defined in § 6-15-404(g)(1) for the calculation of the improvement level.

SECTION 17. Arkansas Code § 6-15-2102 is amended to read as follows:

6-15-2102. School rating system - Annual improvement category levels.

(a) For the designation determined by annual improvement, annual improvement gains on augmented criterion-referenced ~~tests~~ assessments, as defined in § 6-15-404(g)(1), shall identify schools as being in one (1) of the following category levels defined according to rules of the State Board of Education:

(1) "Level 5", schools of excellence for improvement;

(2) "Level 4", schools exceeding improvement standards;

(3) "Level 3", schools meeting improvement standards;

(4) "Level 2", schools on alert; or

(5) "Level 1", schools in need of immediate improvement.

(b) The base year for improvement gains shall be established in the 2006-2007 school year, with annual improvement category levels assigned in the 2007-2008 school year and each school year thereafter.

(c) School annual improvement category level designations shall be based on the following:

(1) A combination of student achievement scores as measured by annual academic gain scores on augmented criterion-referenced ~~tests~~ assessments, as defined in § 6-15-404(g)(1), or assessments in grades kindergarten through twelve (K-12); and

(2) Student assessment data used to determine annual improvement category levels shall include the aggregate scores of the combined population.

(d) The state board shall adopt appropriate criteria for each school improvement category level.

(e) Schools that receive an annual improvement category level of level 5 or level 4 are eligible for school recognition awards and performance-based funding pursuant to § 6-15-2109.

SECTION 18. Arkansas Code § 6-15-2103 is amended to read as follows:

6-15-2103. School rating system — Annual performance goals — School annual performance category levels.

(a) The annual report shall identify schools as being in one (1) of the following category levels, based on the augmented criterion-referenced benchmark exams~~, as defined in § 6-15-404(g)(1),~~ and defined according to rules of the State Board of Education:

(1) "Level 5", schools of excellence;

(2) "Level 4", schools exceeding standards;

(3) "Level 3", schools meeting standards;

(4) "Level 2", schools on alert; or

(5) "Level 1", schools in need of immediate improvement.

(b)(1) For the 2004-2005 through 2008-2009 school years, schools will not be assigned annual performance category levels unless an annual performance category level is requested by the school.

(2) For schools that receive an improvement category level of level 5 or level 4 in the 2009-2010 and 2010-2011 school years, the performance category level may be waived.

(c)(1) For all schools that have received an annual performance category level of level 1 for two (2) consecutive years, the students in these schools shall be offered the opportunity public school choice option with transportation provided pursuant to § 6-18-227 et seq.

(2) In addition, the school district board shall provide supplemental educational services, approved by the state board, to affected students.

(d) The state board shall adopt appropriate criteria for each school performance category level.

(e) Schools that receive an annual performance category level of level 5 or level 4 are eligible for school recognition awards and performance-based funding pursuant to § 6-15-2107.

SECTION 19. Arkansas Code § 6-15-2201 is amended to read as follows:

6-15-2201. Implementation of state system of school improvement and education accountability.

(a) The Department of Education is responsible for implementing and maintaining a system of intensive school improvement and education accountability that shall include policies and programs to implement the following:

(1)(A) A system of data collection and analysis that will improve information about the educational success of individual students and schools.

(B) The information and analyses shall be capable of identifying educational programs or activities in need of improvement, and reports prepared pursuant to this section shall be distributed to the appropriate district school boards prior to distribution to the general public.

(C) No disclosure shall be made that is in violation of applicable federal or state law;

(2) A program of school improvement that will analyze information to identify schools' educational programs or educational activities in need of improvement;

(3) A method of delivering services to assist school districts and schools to improve; and

(4) A method of coordinating the state educational goals and school improvement plans with any other state program that creates incentives for school improvement.

(b)(1) The department shall be responsible for the implementation and maintenance of the system of school improvement and education accountability outlined in this section.

(2) There shall be an annual determination of whether each school is progressing toward implementing and maintaining a system of school improvement.

(c)(1) If progress is not being made, the local school district shall prepare and implement a revised school improvement plan.

(2) The department and the State Board of Education shall monitor the development and implementation of the revised school improvement plan.

~~(d)(1)(A) The department shall report to the Legislative Council and recommend changes in state policy necessary to foster school improvement and education accountability.~~

~~(B) Included in the report shall be a list of the schools for which district school boards have developed assistance and intervention plans and an analysis of the various strategies used by the school boards.~~

~~(2) School reports shall be distributed pursuant to this subsection and § 6-15-2101 and according to rules adopted by the state board.~~

~~(e)~~(d)(1)(A) The department shall implement a training program to develop among state and district educators a cadre of facilitators of school improvement.

(B) These facilitators shall assist schools and districts to conduct needs assessments and develop and implement school improvement plans to meet state goals.

(2)(A)~~(i)~~ Upon request, the department shall provide technical assistance and training to any school, school district, or district school board for conducting needs assessments, developing and implementing school improvement plans, developing and implementing assistance and intervention plans, or implementing other components of school improvement and accountability.

~~(ii)~~(B) Priority for these services shall be given to schools designated as school districts in academic distress or schools in need of school improvement under state or federal law.

~~(B)(i) No less than semiannually, the department shall provide a report to the House Interim Committee on Education and the Senate Interim Committee on Education setting forth the districts requesting assistance, the state of each request, and the dates and actions taken.~~

~~(ii) The department shall further report the results of the actions taken or assistance provided.~~

(3) The department shall provide technical assistance to each school that is designated as a level 1 school or a level 2 school under § 6-15-2103 to develop a revised school improvement plan.

~~(f)~~(e) As a part of the system of educational accountability, the department shall:

(1) Develop minimum performance standards for various grades and subject areas, as required in §§ 6-15-404 and 6-15-433;

(2) Administer the statewide assessment testing program created by § 6-15-433;

(3) Conduct or contract with a provider to conduct the program assessments required by § 6-15-403;

(4) Conduct or contract with any provider for implementation for any part or portion of this act; and

(5) Perform any other functions that may be involved in educational planning, research, and evaluation or that may be required by the state board rules and regulations or federal or state law.

SECTION 20. Arkansas Code § 6-15-2401 is amended to read as follows:

6-15-2401. Review of Arkansas Placement Status Reports - Reports of students needing remediation.

(a)(1) Representatives from the Department of Higher Education and the Department of Education ~~will~~ shall meet with the ~~chair~~ respective Chairs of the Senate Education Committee and the House Education Committee or their designees along with the selected superintendents, high school principals, and high school counselors ~~once~~ one (1) time every biennium to review the Arkansas Placement Status Reports to determine whether any revisions in the format of the reports, the information that is reported, or the reporting process need to be made.

(2) Agreed-upon changes would be reported to the Arkansas Higher Education Coordinating Board, State Board of Education, Senate Education Committee, and House Education Committee.

~~(b)(1) No later than November 30 of each year, the Department of Education shall report by high school to the state board and the General Assembly on the number of prior-year Arkansas high school graduates who enrolled for the first time in public postsecondary education in this state during the previous summer, fall, or spring term.~~

~~(2) The report will indicate the number of students whose scores on the common placement test indicated the need for remediation through college-preparatory instruction, provided such disclosure is not in conflict with applicable federal or state law.~~

~~(c) The Department of Education shall organize school summary reports and student-level records by school district and high school in which the postsecondary education students were enrolled and report the information to each school district no later than January 31 of each year, provided such information is not in conflict with federal or state law.~~

~~(d)~~(b) As a part of the school improvement plan pursuant to § 6-15-2201, the state board shall ensure that each school district and high school develops strategies to improve student readiness for the public postsecondary level based on annual analysis of the feedback report data.

~~(e) The Department of Education shall biennially recommend to the General Assembly statutory changes to reduce the incidence of postsecondary remediation in mathematics, reading, and writing for first-time-enrolled recent high school graduates.~~

SECTION 21. Arkansas Code § 6-17-309(a), concerning teachers licensed in subject areas, is amended to read as follows:

(a)(1) No class of students shall be under the instruction of a teacher who is not ~~certified~~ licensed to teach the grade level or subject matter of the class for more than thirty (30) consecutive school days in the same class during a school year.

(2) This provision shall not apply to:

(A) Nondegreed vocational-technical teachers;

(B) Those persons approved by the Department of Education to teach the grade level or subject matter of the class in the Department of Education's distance learning program;

(C) Those persons teaching concurrent credit courses or advanced placement courses who:

(i) Are employed by a postsecondary institution;

(ii) Meet the qualification requirements of that institution or the Department of Workforce Education; and

(iii) Are teaching in a course in which credit is offered by an institution of higher education or a technical institute;

(D) Licensed teachers teaching in the following settings:

(i) An alternative learning environment, provided that the teacher is highly qualified in all core areas that the teacher is teaching;

(ii) A juvenile detention facility;

(iii) A residential and day alcohol, drug, and psychiatric facility program;

(iv) An emergency youth shelter;

(v) A facility of the Division of Youth Services of the Department of Health and Human Services; or

(vi) A facility of the Division of Developmental Disabilities Services of the Department of Health and Human Services; and

(E) A licensed special education teacher teaching two (2) or more core academic subjects exclusively to children with disabilities.

SECTION 22. Arkansas Code § 6-17-410(c)-(j), concerning teacher licensure, is amended to read as follows:

(c) The state board shall not issue a first-time license nor renew an existing license and shall revoke any existing license not up for renewal of any person who has pleaded guilty or nolo contendere to or has been found guilty of any of the following offenses by any court in the State of Arkansas or of any similar offense by a court in another state or of any similar offense by a federal court ~~but only after an opportunity for a hearing before the board upon reasonable notice in writing~~:

(1) Capital murder as prohibited in § 5-10-101;

(2) Murder in the first degree as prohibited in § 5-10-102 and murder in the second degree as prohibited in § 5-10-103;

(3) Manslaughter as prohibited in § 5-10-104;

(4) Battery in the first degree as prohibited in § 5-13-201 and battery in the second degree as prohibited in § 5-13-202;

(5) Aggravated assault as prohibited in § 5-13-204;

(6) Terroristic threatening in the first degree as prohibited in § 5-13-301;

(7) Kidnapping as prohibited in § 5-11-102;

(8) Rape as prohibited in § 5-14-103;

(9) Sexual assault in the first degree, second degree, third degree, and fourth degree as prohibited in §§ 5-14-124 - 5-14-127;

(10) Incest as prohibited in § 5-26-202;

(11) Engaging children in sexually explicit conduct for use in visual or print media, transportation of minors for prohibited sexual conduct, employing or consenting to the use of a child in a sexual performance, or producing, directing, or promoting a sexual performance by a child as prohibited in §§ 5-27-303, 5-27-305, 5-27-402, and 5-27-403;

(12) Distribution to minors as prohibited in § 5-64-406;

(13) Any felony in violation of the Uniform Controlled Substances Act, § 5-64-101 et seq.;

(14) Sexual indecency with a child as prohibited in § 5-14-110;

(15) Endangering the welfare of a minor in the first degree as prohibited in § 5-27-205;

(16) Pandering or possessing visual or print medium depicting sexually explicit conduct involving a child as prohibited by § 5-27-304;

(17) False imprisonment in the first degree as prohibited in § 5-11-103;

(18) Permanent detention or restraint as prohibited in § 5-11-106;

(19) Permitting abuse of a child as prohibited in § 5-27-221(a)(1) and (3);

(20) Negligent homicide as prohibited by § 5-10-105(a);
(21) Assault in the first degree as prohibited by § 5-13-205;
(22) Coercion as prohibited by § 5-13-208;
(23) Public sexual indecency as prohibited by § 5-14-111;
(24) Indecent exposure as prohibited by § 5-14-112;
(25) Endangering the welfare of a minor in the second degree as prohibited by § 5-27-206;
(26) Criminal attempt, criminal solicitation, or criminal conspiracy as prohibited in §§ 5-3-201, 5-3-202, 5-3-301, and 5-3-401, to commit any of the offenses listed in this subsection;
(27) Computer child pornography as prohibited in § 5-27-603; ~~and~~
(28) Computer exploitation of a child in the first degree as prohibited in § 5-27-605.~~.~~;
(29) Felony theft as prohibited in §§ 5-36-103 – 5-36-106, and 5-36-203;
(30) Robbery as prohibited by §§ 5-12-102 and 5-12-103;
(31) Breaking or entering as prohibited by § 5-39-202;
(32) Burglary as prohibited by § 5-39-201;
(33) Forgery as prohibited by § 5-37-201;
(34) Any felony not listed in this subsection (c) and involving physical or sexual injury, mistreatment, or abuse against another; and
(35) Any sexual offense as defined by § 6-17-116.

~~(d)(1) The revocation provisions of subsection (c) of this section may be waived or a license may be suspended or placed on probation by the state board upon request by:~~
~~(A) The board of a local school district;~~
~~(B) An affected applicant for licensure; or~~
~~(C) The person holding a license subject to revocation.~~
~~(2) Circumstances for which a waiver may be granted shall include, but not be limited to, the following:~~
~~(A) The age at which the crime was committed;~~
~~(B) The circumstances surrounding the crime;~~
~~(C) The length of time since the crime;~~
~~(D) Subsequent work history;~~
~~(E) Employment references;~~
~~(F) Character references; and~~
~~(G) Other evidence demonstrating that the applicant does not pose a threat to the health or safety of school children or school personnel.~~

(d)(1) For the purposes of this subsection (d):
(A) "Cause" means any of the following:
(i) Holding a license obtained by fraudulent means;
(ii) Revocation of a license in another state;
(iii) Intentionally compromising the validity or security of any student test or testing program administered by or required by the state board or the Department of Education;
(iv) Having the completed examination test score of any testing program required by the state board for teacher licensure declared invalid by the testing program company and so reported to the Department of Education by the testing company;
(v) Having an expunged or a pardoned conviction for any sexual or physical abuse offense committed against a child or any offense in subsection (c) of this section;
(vi) Failing to establish or maintain the necessary requirements and standards set forth in Arkansas law or state board rules and regulations for teacher licensure;

(vii) Knowingly submitting or providing false or misleading information or knowingly failing to submit or provide information requested or required by law to the Department of Education, the state board, or the Division of Legislative Audit; or

(viii) Knowingly falsifying or directing another to falsify any grade given to a student, whether the grade was given for an individual assignment or examination or at the conclusion of a regular grading period; and

(B) "Child" means a person under twenty-one (21) years of age or enrolled in the public schools of the State of Arkansas.

(2) For cause as stated in subsection (e) of this section, the state board is authorized to:

(A) Revoke a license permanently;

(B) Suspend a license for a terminable period of time or indefinitely; or

(C) Place a person on probationary status for a terminable period of time with the license to be revoked or suspended if the probationary period is not successfully completed.

(e)(1) Before taking an action under subsections (c) or (d) of this section, the state board shall provide a written notice of the reason for the action and shall afford the person against whom the action is being considered the opportunity to request a hearing.

(2) A written request for a hearing must be received by the state board no more than thirty (30) days after the notice of the denial, nonrenewal, or revocation of the license is received by the person who is the subject of the proposed action.

(3) Upon written notice that a revocation, suspension, or probation is being sought by the state board for a cause set forth, a person may:

(A) Decline to answer the notice, in which case a hearing shall be held before the state board to establish by a preponderance of the evidence that cause for the proposed action exists;

(B)(i) Contest the complaint and request a hearing in writing, in which case the person shall be given an evidentiary hearing before the state board if one is requested.

(ii) If the person requesting the hearing fails to appear at the hearing, the hearing shall proceed in the manner described in subdivision (e)(3)(A) of this section;

(C) Admit the allegations of fact and request a hearing before the state board in mitigation of any penalty that may be assessed; or

(D) Stipulate or reach a negotiated agreement, which must be approved by the state board.

~~(e)(1) For cause as set forth in subdivision (e)(2) of this section, the state board may revoke, suspend, or place on probation the license of any person but only after an opportunity for a hearing before the state board upon reasonable written notice of the cause to be considered and only if a written request for a hearing is received by the state board no less than thirty (30) days after the notice of the cause is received by the person holding the license.~~

~~(2) For the purposes of this subsection, "cause" means any of the following:~~

~~(A) Pleading guilty or nolo contendere to or having been found guilty of a felony not listed in subsection (c) of this section in any court in this state or of a similar felony in a court in another state or in a federal court;~~

~~(B) Pleading guilty or nolo contendere to or having been found guilty in a court:~~

~~(i) In this state of a nonfelony negligent homicide or a misdemeanor not listed in subsection (c) of this section and involving physical injury, mistreatment, or abuse against a child or against a household member of the licensee; or~~

~~(ii) In another state or in federal court of a crime similar to a nonfelony negligent homicide or a misdemeanor not listed in subsection (c) of this section and involving physical injury, mistreatment, or abuse against a child or against a household member of the licensee;~~

~~(C) Holding a license obtained by fraudulent means;~~

~~(D) Revocation of a license in another state;~~

~~(E) Intentionally compromising the validity or security of any student test or testing program administered by or required by the state board or the Department of Education;~~

~~(F) Having the completed examination test score of any testing program required by the state board for teacher licensure declared invalid by the testing program company and so reported to the Department of Education by the testing company;~~

~~(G) Having an expunged or a pardoned conviction for any sexual or physical abuse offense committed against a child;~~

~~(H) Failing to establish or maintain the necessary requirements and standards set forth in Arkansas law or state board rules and regulations for teacher licensure;~~

~~(I) Knowingly submitting or providing false or misleading information or knowingly failing to submit or provide information requested or required by law to the Department of Education, the state board, or the Division of Legislative Audit; or~~

~~(J) Knowingly falsifying or directing another to falsify any grade given to a student, whether the grade was given for an individual assignment or examination or at the conclusion of a regular grading period.~~

~~(3) For purposes of this subsection, "child" means a person enrolled in the public schools of the State of Arkansas.~~

(f)(1) The revocation provisions of subsection (c) of this section may be waived or a license may be suspended or placed on probation by the state board upon request by:

(A) The board of a local school district;

(B) An affected applicant for licensure; or

(C) The person holding a license subject to revocation.

(2) Circumstances for which a waiver may be granted shall include, but not be limited to, the following:

(A) The age at which the crime was committed;

(B) The circumstances surrounding the crime;

(C) The length of time since the crime;

(D) Subsequent work history;

(E) Employment references;

(F) Character references; and

(G) Other evidence demonstrating that the applicant does not pose a threat to the health or safety of school children or school personnel.

~~(f)(1)~~(g)(1) The superintendent of each school district shall report to the state board the name of any person holding a license issued by the state board and currently employed or employed during the two (2) previous school years by the local school district who:

(A) Has pleaded guilty or nolo contendere to or has been found guilty of a felony or any misdemeanor listed in ~~[nc69]~~subsection (c) of this section;

(B) Holds a license obtained by fraudulent means;

(C) Has had a similar license revoked in another state;

(D) Has intentionally compromised the validity or security of any student test or testing program administered or required by the Department of Education;

(E) Has knowingly submitted falsified information or failed to submit information requested or required by law to the Department of Education, the state board, or the division; or

(F) Has failed to establish or maintain the necessary requirements and standards set forth in Arkansas law or Department of Education rules ~~and regulations~~ for teacher licensure.

(2) Failure of a superintendent to report information as required by this subsection may result in sanctions imposed by the state board.

~~(g) For cause as stated in subsection (e) of this section, the state board is authorized to:~~

~~(1) Revoke a license permanently;~~

~~(2) Suspend a license for a terminable period of time or indefinitely; or~~

~~(3) Place a person on probationary status for a terminable period of time with the license to be revoked or suspended if the probationary period is not successfully completed.~~

~~(h) Upon notice in writing that a revocation, suspension, or probation is being sought by the state board for a cause set forth, a person may:~~

~~(1) Decline to answer the notice, in which case a hearing will be held before the state board to establish by a preponderance of the evidence that cause for the proposed action exists;~~

~~(2) Contest the complaint, in which case the person shall be given an evidentiary hearing before the state board if one is requested;~~

~~(3) Admit the allegations of fact and request a hearing before the state board in mitigation of any penalty which may be assessed; or~~

~~(4) Stipulate or reach a negotiated agreement which must be approved by the state board.~~

~~(i)~~(1)(h)(1) Any information received by the Department of Education from the Identification Bureau of the Department of Arkansas State Police pursuant to subsection (a) of this section shall not be available for examination except by the affected applicant for licensure or his or her duly authorized representative, and no record, file, or document shall be removed from the custody of the Department of Education.

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

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

~~(j)~~(i) The state board shall adopt the necessary rules ~~and regulations~~ to fully implement the provisions of this section.

SECTION 23. Arkansas Code § 6-17-414 is amended to read as follows:

6-17-414. Criminal records check as a condition for initial employment of nonlicensed personnel.

(a)(1)(A)(i) Except as provided in subdivision (a)(1)(C) of this section, the board of directors of a local school district or an education service cooperative shall require as a condition for initial employment or re-employment in a ~~noncertified~~ nonlicensed staff position any person making application to apply to the Identification Bureau of the Department of Arkansas State Police for statewide and nationwide criminal records checks, the latter to be conducted by the Federal Bureau of Investigation.

(ii) The checks shall conform to the applicable federal standards and shall include the taking of fingerprints.

(iii) The Identification Bureau of the Department of Arkansas State Police may maintain these fingerprints in the automated fingerprint identification system.

(iv) The Federal Bureau of Investigation shall promptly destroy the fingerprint card of the applicant.

(B) The person shall sign a release of information to the Department of Education. Unless the employing school district board of directors has taken action to pay for the cost of criminal background checks required by this section, the employment applicant shall be responsible for the payment of any fee associated with the criminal records checks.

(C)(i) The board of directors of a local school district created by consolidation, annexation, or detachment may waive the requirements under subdivisions (a)(1)(A) and (B) of this section for personnel who were employed by the affected district immediately prior to the annexation, consolidation, or detachment and who had complete criminal background checks conducted as a condition of the person's most recent employment with the affected district as required under this section.

(ii) As used in this section, "affected district" means a school district that loses territory or students as a result of annexation, consolidation, or detachment.

(2) Upon completion of the criminal records check, the Identification Bureau of the Department of Arkansas State Police shall forward all releasable information obtained concerning the person to the Department of Education, which shall promptly inform the board of directors of the local school district or education service cooperative whether or not the applicant is eligible for employment as provided by subdivision (b)(1) of this section.

(b) A person shall not be eligible for employment by a local school district or education service cooperative in a ~~noncertified~~ nonlicensed staff position if that person has pleaded guilty or nolo contendere to or has been found guilty of any of the following offenses by any court in the State of Arkansas or of any similar offense by a court in another state or of any similar offense by a federal court:

(1) Capital murder as prohibited in § 5-10-101;

(2) Murder in the first degree as prohibited in § 5-10-102 and murder in the second degree as prohibited in § 5-10-103;

(3) Manslaughter as prohibited in § 5-10-104;

(4) Battery in the first degree as prohibited in § 5-13-201 and battery in the second degree as prohibited in § 5-13-202;

(5) Aggravated assault as prohibited in § 5-13-204;

(6) Terroristic threatening in the first degree as prohibited in § 5-13-301;

(7) Kidnapping as prohibited in § 5-11-102;

(8) Rape as prohibited in § 5-14-103;

(9) Sexual assault in the first degree, second degree, third degree, and fourth degree, as prohibited in §§ 5-14-124 - 5-14-127;

(10) Incest as prohibited in § 5-26-202;

(11) Engaging children in sexually explicit conduct for use in visual or print media, transportation of minors for prohibited sexual conduct, employing or consenting to the use of a child in a sexual performance, or producing, directing, or promoting a sexual performance by a child as prohibited in §§ 5-27-303, 5-27-305, 5-27-402, and 5-27-403;

(12) Distribution to minors as prohibited in § 5-64-406;

(13) Any felony in violation of the Uniform Controlled Substances Act, § 5-64-101 et seq.;

(14) Criminal attempt, criminal solicitation, or criminal conspiracy as prohibited in §§ 5-3-201, 5-3-202, 5-3-301, and 5-3-401, to commit any of the offenses listed in this subsection;

(15) Sexual indecency with a child as prohibited in § 5-14-110;

(16) Endangering the welfare of a minor in the first degree as prohibited in § 5-27-205;

(17) Pandering or possessing visual or print medium depicting sexually explicit conduct involving a child as prohibited by § 5-27-304;

(18) False imprisonment in the first degree as prohibited in § 5-11-103;

(19) Permanent detention or restraint as prohibited in § 5-11-106;

(20) Permitting abuse of a child as prohibited in § 5-27-221(a)(1) and (3);

(21) Negligent homicide as prohibited by § 5-10-105(a);

(22) Assault in the first degree as prohibited by § 5-13-205;

(23) Coercion as prohibited by § 5-13-208;

(24) Public sexual indecency as prohibited by § 5-14-111;

(25) Indecent exposure as prohibited by § 5-14-112;

(26) Endangering the welfare of a minor in the second degree as prohibited by § 5-27-206;

(27) Computer child pornography as prohibited in § 5-27-603; ~~and~~

(28) Computer exploitation of a child in the first degree as prohibited in § 5-27-605~~.~~;

(29) Felony theft as prohibited in §§ 5-36-103 – 5-36-106, and 5-36-203;

(30) Robbery as prohibited by §§ 5-12-102 and 5-12-103;

(31) Breaking or entering as prohibited by § 5-39-202;

(32) Burglary as prohibited by § 5-39-201;

(33) Forgery as prohibited by § 5-37-201;

(34) Any felony not listed in this subsection (c) and involving physical or sexual injury, mistreatment, or abuse against another; and

(35) Any sexual offense as defined by § 6-17-116.

(c) However, the board of directors of a local school district or education service cooperative is authorized to offer provisional employment to an applicant pending receipt of eligibility information from the Department of Education.

(d)(1) Any information received by the Department of Education from the Identification Bureau of the Department of Arkansas State Police pursuant to this section shall not be available for examination except by the affected applicant for employment or his or her duly authorized representative, and no record, file, or document shall be removed from the custody of the Department of Education.

(2) Any information made available to the affected applicant for employment shall be information pertaining to that applicant only.

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

~~(e) As used in this section, "noncertified staff position" means any job that does not require the person to hold a license issued by the State Board of Education and is either a full-time job or a permanent part-time job or is a job as a substitute teacher for thirty (30) days or more during a school year.~~

~~(f)(1) The employment eligibility provisions of subdivision (b)(1) of this section may be waived by the state board upon request by:~~

~~(A) The board of a local school district; or~~

~~(B) An affected applicant for employment.~~

~~(2) Circumstances for which a waiver may be granted shall include, but not be limited to, the following:~~

~~(A) The age at which the crime was committed;~~

~~(B) The circumstances surrounding the crime;~~

~~(C) The length of time since the crime;~~

~~(D) Subsequent work history;~~

~~(E) Employment references;~~

~~(F) Character references; and~~

~~(G) Other evidence demonstrating that the applicant does not pose a threat to the health or safety of school children or school personnel~~.

~~(3) No waiver shall be granted if the state board determines that the offense was a violent, physical, or sexual offense.~~

~~(g)~~(e) The state board ~~may~~ shall determine that an applicant for employment with a school district in a ~~noncertified~~ nonlicensed staff position is ineligible for employment if the applicant:

~~(1) Has pleaded guilty or nolo contendere to or has been found guilty of a felony not listed in subsection (b) of this section;~~

~~(2) Pleads guilty or nolo contendere to or has been found guilty in a court:~~

~~(A) In this state of a nonfelony negligent homicide or a misdemeanor not listed in subsection (b) of this section and involving physical injury, mistreatment, or abuse against a child or against a household member of the licensee; or~~

~~(B) In another state or in federal court of a crime similar to a nonfelony negligent homicide or a misdemeanor not listed in subsection (b) of this section and involving physical injury, mistreatment, or abuse against a child or against a household member of the licensee;~~

~~(3)~~(1) Is required to pass an examination as a requirement of his or her position and the applicant's completed examination test score was declared invalid because of the applicant's improper conduct;

~~(4)~~(2) Has an expunged or a pardoned conviction for any sexual or physical abuse offense committed against a child or any offense listed in subsection (b) of this section;

~~(5)~~(3) Knowingly submits or provides false or misleading information or knowingly fails to submit or provide information requested or required by law to the Department of Education, the state board, or the Division of Legislative Audit; or

~~(6)~~(4) Knowingly falsifies or directs another to falsify any grade given to a student, whether the grade was given for an individual assignment or examination or at the conclusion of a regular grading period.

(f)(1) The superintendent of each school district shall report to the state board the name of any person currently employed by the local school district who:

(A) Has pleaded guilty or nolo contendere to or has been found guilty of a felony or any misdemeanor listed in subsection (b) of this section;

(B) Has intentionally compromised the validity or security of any student test or testing program administered or required by the Department of Education; or

(C) Has knowingly submitted falsified information or failed to submit information requested or required by law to the Department of Education, the state board, or the division.

(2) Failure of a superintendent to report information as required by this subsection may result in sanctions imposed by the state board.

SECTION 24. Arkansas Code § 6-17-416 is amended to read as follows:

6-17-416. Criminal records check of employees of more than one district.

Employees, whether new or existing, who have a contract with or work for more than one (1) school district in one (1) year shall be required to have ~~only one (1)~~ a new criminal background check for each school district to satisfy the requirements of all employing school districts for that year.

SECTION 25. Arkansas Code § 6-18-901(d)(1), concerning the transfer of permanent student records, is amended to read as follows:

(d)(1)(A) A copy of the permanent student record shall be provided to the receiving school district upon the transfer of a student to another district.

(B) The school district shall provide the copy of the student's permanent student record to the receiving school district within ten (10) school days after the date a request from the receiving school district is received.

(C) The school district shall not fail or refuse to provide a copy of the student's permanent student record to the receiving school district because the student owes money to the school district for school-related charges, including without limitation charges for:

(i) Food services;

(ii) Unreturned library books; or

(iii) Fees.

SECTION 26. Arkansas Code § 6-18-1005(a)(1)(F), concerning student services programs, is amended to read as follows:

(F) Interpretation of augmented criterion-referenced and norm-referenced testing and dissemination of results to the school, students, parents, and community;

SECTION 27. Arkansas Code § 6-18-1005(a)(1)(L), concerning student services programs, is amended to read as follows:

(L) Classroom guidance, which shall be limited to ~~thirty-minute~~ forty-minute class sessions, not to exceed three (3) per day or ten (10) per week; and

SECTION 28. Arkansas Code § 6-20-603(b)-(e), concerning isolated schools funding, is amended to read as follows:

(b) ~~Beginning with the 2004-2005 school year and each~~ Each school year ~~thereafter~~, state financial aid in the form of isolated funding shall be provided to school districts containing an isolated school area in an amount equal to the prior ~~year~~ year's ~~three (3) quarter~~ three-quarter average daily membership of the isolated school area multiplied by the per student isolated funding amount for the isolated school areas as set forth under column "C" of subsection (a) of this section.

(c) ~~No~~ A school district may not receive isolated funding under this section for an isolated school area if the prior ~~year~~ year's ~~three (3) quarter~~ three-quarter average daily membership of the isolated school area exceeds three hundred fifty (350).

(d) A school district receiving isolated funding for an isolated school area shall expend the funds solely for the operation, maintenance, and support of the isolated school area.

(e) ~~No~~ A school district or isolated school area which may qualify under other law to receive additional state aid because its average daily membership is less than three hundred fifty (350) shall not be eligible to receive funding under this section except that a district qualifying under other law for such aid and qualifying for funds under this section may elect to receive funds under this section in lieu of aid under the other law.

SECTION 29. Arkansas Code § 6-20-603, concerning isolated schools funding, is amended to add an additional subsection to read as follows:

(i)(1) A school district eligible to receive isolated funding under this section shall continue to receive partial funding even if all or part of an isolated school is closed.

(2) If all or part of an isolated school in a school district is closed, the school district shall receive funding based on the prior year's three-quarter average daily membership of the isolated school, or the part of the isolated school that remains open.

(3) The school district shall not receive funding under this subsection (i) if the closure is directed by the school district board of directors.

~~(i)~~(j) The State Board of Education may promulgate rules as necessary for the proper implementation of this section.

SECTION 30. Arkansas Code § 6-20-604(a), concerning additional funding for isolated schools, is amended to read as follows:

~~(a)(1) The new requirements under the Standards for Accreditation of Arkansas Public Schools adopted by the State Board of Education have disproportionately increased the cost of operations for school districts that contain isolated schools.~~

~~(2)~~(a) The General Assembly ~~further~~ finds that school districts ~~which~~ that contain isolated schools need additional funding to provide an adequate education for students attending schools in those districts.

SECTION 31. Arkansas Code § 6-20-604(h)-(i), concerning additional funding for isolated schools, is amended to read as follows:

~~(h)(1) A school district eligible to receive isolated funding under § 6-20-603 shall continue to receive partial funding under § 6-20-603 even if part of the isolated schools are closed, but a school district shall not receive funding under § 6-20-603 for any isolated schools or parts thereof that have been closed by the local board of directors.~~

~~(2) If part of the isolated schools in a district are closed, the school district shall receive funding under § 6-20-603 based on the three-quarter average daily membership of the isolated schools or parts thereof that remain open in the district.~~

~~(i)~~(h) ~~The provisions of this~~ This section ~~are~~ is contingent on the appropriation and availability of funding for its purposes.

SECTION 32. Arkansas Code § 6-20-1406 is repealed.

~~6-20-1406. Standards for school construction.~~

~~(a) The State Board of Education shall establish reasonable minimum standards for schoolhouse construction, and standards may be revised from time to time as educational problems and methods of procedure develop and change.~~

~~(b) The standards shall include review and approval by all appropriate and applicable state agencies, boards, and local officials for, including, but not limited to, the following:~~

~~(1) Plumbing Code, § 17-38-101 et seq., and Heating, Ventilation, Air Conditioning, and Refrigeration (HVACR) Code, § 17-33-101 et seq., compliance;~~

~~(2) Fire Prevention Act, § 12-13-101 et seq., and Seismic Code, § 12-80-101 et seq., compliance;~~

~~(3) Arkansas Building Authority-adopted Americans with Disabilities Act Accessibility Guidelines, 28 C.F.R. Part 36, Appx. A, compliance; and~~

~~(4) Arkansas Architectural Act, § 17-15-101 et seq., Professional Engineers, § 17-30-101 et seq., and Public Works, § 22-9-101 et seq., compliance.~~

~~(c) As used in this section and in § 6-20-1407, "schoolhouse" means any elementary or secondary school district facility that will be used for administrative, educational, or physical education purposes.~~

~~(d) This section shall be repealed as of the effective date of the Public School Academic Facility Manual as adopted by the Commission for Public School Academic Facilities and Transportation.~~

SECTION 33. Arkansas Code § 6-20-1407 is amended to read as follows:

6-20-1407. Approval of building plans.

(a) ~~No~~ A new schoolhouse shall not be built except in accordance with the plan finally approved by the Commission for Arkansas Public School Academic Facilities and Transportation for all projects where the commission requires its approval.

(b) ~~When so required by the commission, a~~ A copy of approved plans and specifications of all new schoolhouses or additions shall be filed with and approved by the commission before construction ~~shall be commenced~~ is begun.

(c) The approval process established by the commission shall include review and approval by all appropriate and applicable state agencies, boards, and local officials necessary to meet the standards contained in the Arkansas School Facility Manual;

~~(c)~~(d)(1) A copy of final construction documents shall be submitted to the ~~Architectural~~ Design Review Section of the Arkansas Building Authority for review in regard to compliance with the Arkansas-adopted Accessibility Guidelines (ADAAG-Americans with Disabilities Act Accessibility Guidelines).

(2) All review comments received from the authority shall be in writing.

(3) Corrected construction documents shall be received and approved by the authority.

(4) ~~No~~ A project shall not be released for bidding or construction until the requirements of ~~§ 6-20-1406 and~~ this section are met.

~~(d)~~(e) Review and approval of plans under this section or otherwise shall not be a guarantee of state financial participation in any public school academic facilities project.

SECTION 34. Arkansas Code § 6-20-2503, concerning bonded debt assistance for public school districts, is amended to add an additional subsection to read as follows:

(g)(1) A school district shall qualify to receive any appropriate supplemental millage incentive funds otherwise available in the public school fund if:

(A) The school district voluntarily raised its maintenance and operation mills only during the 2004-2005 school year in order to have a total millage beyond the twenty-five (25) mills required by the Arkansas Constitution, Amendment 74; and

(B) The school district's property assessment per student is below the state average per student.

(2) The supplemental millage incentive funds shall be available without regard to any other qualifications in law, including without limitation any requirement that a school district must have previously received a debt service funding supplement.

SECTION 35. Arkansas Code § 6-41-202 is amended to read as follows:

6-41-202. ~~Policy and purposes~~ Purposes and applicability.

(a)(1) It ~~shall be~~ is the policy of this state to provide and to require school districts to provide, as an integral part of the public schools, a free appropriate public education for students with disabilities.

(2) The State Board of Education is ~~therefor~~ expressly authorized to assign responsibility for providing free appropriate public education of any child with a disability to an appropriate school district.

~~(b)(1) One of the purposes of this subchapter is to cooperate in any reasonable way with programs now in operation for children with disabilities in any state institution or treatment facility.~~

~~(2) It shall be a primary purpose of this subchapter to cooperate with the institutions and treatment facilities to the end that the educational interests of children with disabilities shall be served.~~

(b) The provisions of this section shall apply to all political subdivisions of the state that are involved in the education of children with disabilities, including without limitation the state educational agency, local educational agencies, educational service agencies, public charter schools that are not otherwise included as local educational agencies or educational service agencies and are not a school of a local educational agency or educational service agency, other state agencies and schools, including without limitation the Department of Mental Health and Welfare and state schools for children with deafness or children with blindness, and state and local juvenile and adult correction facilities.

(c) The provisions of this section shall be binding on each public agency in the state that provides special education and related services to children with disabilities, regardless of whether that agency is receiving funds under Part B of the Individuals with Disabilities Education Act.

(d) Each public agency in the state is responsible for ensuring that the rights and protections under Part B of the Individuals with Disabilities Education Act are given to children with disabilities referred to or placed in private schools and facilities by that public agency or placed in private schools by their parents under the Individuals with Disabilities Education Act.

(e) The state educational agency is responsible for ensuring that the requirements of this section are carried out and that each educational program for children with disabilities administered within the state, including without limitation each program administered by any other state or local agency, is under the general supervision of the persons responsible for educational programs for children with disabilities in the state educational agency and meets the educational standards of the state educational agency, including without limitation the requirements of the Individuals with Disabilities Education Act.

SECTION 36. Arkansas Code § 6-41-203 is amended to read as follows:

6-41-203. Definitions.

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

(1) "A child with ~~disabilities~~ a disability" means a person between ~~the ages of~~ three (3) and twenty-one (21) years of age~~, because of mental, physical, emotional, or learning disabilities, requires special education services as defined by the federal Individuals with Disabilities Education Act. This term is to be specifically interpreted to mean but not to be wholly limited to a child with mental retardation, hearing impairments (including deafness), speech or language impairments, visual impairments, (including blindness), serious emotional disturbance (hereinafter referred to as "emotional disturbance"), orthopedic impairments, autism, traumatic brain injury, other health impairments, or specific learning disabilities who, by reason thereof, needs special education and related services:~~
evaluated in accordance with the Individuals with Disabilities Education Act as having mental retardation, a hearing impairment including without limitation deafness, a speech or language impairment, a visual impairment including without limitation blindness, a serious emotional disturbance, an orthopedic impairment, autism, traumatic brain injury, other health impairments, a specific learning disability, deaf-blindness, or multiple disabilities and who, by reason thereof, needs special education and related services;

(2) "Board" means the State Board of Education; and

(3) "Special education" means ~~classroom, home, hospital, or other instruction to meet the needs of children with disabilities and includes transportation and corrective and supporting services required to assist children with disabilities in taking advantage of or responding to educational programs and opportunities~~ specially designed instruction at no cost to the parents to meet the unique needs of a child with a disability, including instruction conducted in the classroom, in the home, in hospitals and institutions, in other settings, and instruction in physical education.

(B) Special education includes each of the following, if the services otherwise meet the requirements of this definition:

(i) Speech-language pathology services, or any other related service, if the service is considered special education rather than a related service under state standards;

(ii) Travel training; and

(iii) Vocational education.

SECTION 37. Arkansas Code § 6-41-204 is amended to read as follows:

6-41-204. ~~Separate schooling~~ Least restrictive environment.

~~(a)(1) To the maximum extent practicable, children with disabilities shall be educated along with children who do not have disabilities and shall attend regular classes.~~

~~(2) Impediments to learning and to the normal functioning of children with disabilities in the regular school environment shall be overcome, when possible, by the provision of special aids and services rather than by separate schooling for children with disabilities.~~

(a) Each public agency shall ensure that:

(1) To the maximum extent appropriate, a child with a disability, including a child in a public or private institution or other care facility, is educated with children who are nondisabled; and

(2) Special classes, separate schooling, or other removal of a child with a disability from the regular educational environment may occur only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

~~(b) Separate schooling or other removal of children with disabilities from the regular educational environment shall occur only when, and to the extent that, the nature or severity of the disability is such that education in regular classes, even with the use of supplementary aids and services, cannot be accomplished satisfactorily~~.

(b) The state funding mechanism shall not:

(1) Result in placements that violate the requirements of subsection (a) of this section; or

(2) Distribute funds on the basis of the type of setting in which a child is served in a manner that results in the failure to provide a child with a disability free appropriate public education according to the unique needs of the child, as described in the child's individualized education program.

SECTION 38. Arkansas Code § 6-41-206(c), concerning school district responsibility to provide free and appropriate public education for children with disabilities, is repealed.

~~(c) The provisions of this subchapter shall provide, foremost, for the welfare and well-being of the children of this state, and the responsibility to provide the appropriate services is not reduced by the objection of a parent or guardian to an evaluation of the child's educational needs or to the child's participation in beneficial services designed to promote the well-being of the child, unless the objection is such that it may, itself, constitute a serious obstacle acting to the detriment of the child.~~

SECTION 39. Arkansas Code § 6-41-214(b) and (c) is repealed.

~~(b) Eligibility for services and provisions of this subchapter shall be limited to those students enrolled in the public schools or approved treatment institutions in the state.~~

~~(c) The public school board or governing board of an approved treatment institution shall be responsible for the initial determination of eligibility, but the final determination, in the event of controversy, shall rest with the board or its designated representative.~~

SECTION 40. Arkansas Code § 6-41-220(b) and (c)(1), concerning the efforts and expenditures of school districts for educating children with disabilities, are amended to read as follows:

~~(b)(1) For the purpose of determining the responsibility for expenditure of equal effort, the residence of a child with disabilities shall be deemed to be the school district in which the parent or legal guardian of the child resides.~~

~~(2) In the case of a child with disabilities whose parents do not reside in the same school district, the residence of the child shall be the district in which the parent having legal custody of the child resides.~~

~~(c)(1)~~(b)(1) Two (2) or more school districts may join together to establish special classes for children with disabilities.

SECTION 41. Arkansas Code § 6-47-404(c)(1), concerning the establishment and implementation of the Arkansas Distance Learning Development Program, is amended to read as follows:

(c)(1)~~(A)~~ The funding necessary to carry out the provisions of this subchapter may be derived from donations, grants, or legislative appropriation.

~~(B) The program shall receive from the Public School Fund an amount equal to one-sixth (1/6) of the previous year's state foundation funding per student enrolled in a course at the secondary level or for each subject at the elementary level.~~

SECTION 42. Arkansas Code § 6-80-107 is amended to read as follows:

6-80-107. Transcripts.

(a)(1) By May 1, 2007, the Department of Higher Education, in cooperation with the Department of Education, shall prescribe a uniform method of formatting and transmitting transcripts that shall be used by all ~~grade~~ grades nine through twelve (9-12) public high schools and institutions of higher education in the state.

(2) The uniform transcripts shall be transmitted electronically:

(A) ~~to~~ To the Department of Higher Education as necessary to process state financial aid applications for both high school students and higher education students; and

(B) Between public high schools to correctly enroll and place students transferring between public high schools and school districts.

(b) After implementation of the uniform method prescribed under subsection (a) of this section, ~~no~~ an institution of higher education shall not be eligible to receive state financial aid on behalf of students unless the institution provides uniform, electronic transcripts as prescribed by the Department of Higher Education under this section.

(c)(1) The Department of Education shall prescribe a uniform method of formatting and electronically transmitting transcripts which shall be used by all kindergarten through grade eight (K-8) public elementary or middle schools in this state.

(2) The uniform transcripts shall be transmitted electronically between public schools as necessary to correctly enroll and place students transferring between schools and school districts.

SECTION 43. Arkansas Code § 6-11-109 is repealed.

~~6-11-109. Petition for approval.~~

~~(a) Any school district, local board of directors, or other person seeking prior written approval from the State Board of Education or the Commissioner of Education under § 6-17-301(c) or (d), § 6-13-620(b) or (c), or § 6-20-1201(b) shall send a written petition to the commissioner, no fewer than fifteen (15) days prior to the next regularly scheduled state board meeting, requesting that the matter be placed on the agenda of the state board at the next regularly scheduled state board meeting and include in the petition:~~

~~(1) The names and addresses of the requestor and of all parties to the contract;~~

~~(2) A statement explaining the purpose of the contract or project;~~

~~(3) The total expected contract price or project amount; and~~

~~(4) A copy of the proposed contract or project proposal.~~

~~(b)(1) The state board shall hear all petitions filed under subsection (a) of this section and, based on the state board's determination of whether the petition would be in the best interest of the state's system of education, shall:~~

~~(A)(i) Approve the petition, in whole or any part thereof;~~

~~(ii) Deny the petition, in whole or any part thereof; or~~

~~(iii) Request additional information with respect to any part of the petition or additional time to consider the petition; and~~

~~(B) Send a written notice of the action to the requestor no fewer than five (5) days following the meeting.~~

~~(2) The state board may deny any petition because of the failure to provide sufficient information as requested by the state board or required under subsection (a) of this section.~~

~~(c) When and if a school district superintendent declares in a written petition to the commissioner that a school district must take immediate action to address a need of the district and that the necessary action is of a nature and circumstance that the local school district would be unduly harmed to wait until the next regularly scheduled state board meeting for approval, the commissioner may, in his or her sole discretion, declare that an emergency exists and approve in whole or in part the requested contract, obligation, expenditure, or project as necessary to remedy the emergency condition of the school district.~~

~~(d) For the purposes of this section, "project" means any contract or combined contractual obligations related to a specific purchase, sale, construction, improvement, or repair of equipment, facilities, motor vehicles, buildings, or real property sites.~~

SECTION 44. Arkansas Code § 6-11-118 is repealed.

~~6-11-118. Office of Rural Services.~~

~~(a) This section shall be known as the "Rural Services Act of 1981".~~

~~(b) The General Assembly recognizes that Arkansas Constitution, Article 14, requires the state to provide a general, suitable, and efficient system of free public schools and that the Department of Education is legislatively created to help provide these schools. The General Assembly further recognizes the need for effective aid and assistance to the smaller rural school districts of the state and that under the present structure of the department such aid and assistance is not adequate.~~

~~(c)(1) There is created the Office of Rural Services in the department.~~

~~(2) The Commissioner of Education shall establish a coordinator in the office.~~

~~(3) The duties of this office shall be to:~~

~~(A) Direct programs to improve the quality of the rural schools of the state by helping to deliver comprehensive technical assistance services such as curriculum development, teaching methods evaluations, program development, planning, needs assessments, etc.;~~

~~(B) Help develop teacher training programs that fit the needs of rural students;~~

~~(C) Develop and conduct in-service education programs for rural teachers and administrators;~~

~~(D) Act as liaison between rural education and rural development activities;~~

~~(E) Assist rural districts in developing rural resource cooperatives in order that rural schools can share a pool of specialized human, material, and technical resources;~~

~~(F) Assist rural schools in construction and renovation programs;~~

~~(G) Identify and create an awareness of promising practices of rural schools throughout the state and nation;~~

~~(H) Serve as liaison between the department and the small schools; and~~

~~(I) Coordinate all other activities especially for small schools and collect such data as are needed by the General Assembly in order that rural schools may be properly financed.~~

~~(4) The office shall answer directly to the commissioner.~~

~~(d) For the purpose of this section, the term "rural school" shall be interchangeable with the term "small high school" and shall include those schools with enrollments of five hundred (500) or fewer in kindergarten through grade twelve (K-12). Schools with enrollments of five hundred (500) to seven hundred fifty (750) shall also be served by this office if they are in unincorporated areas and if the superintendent requests that the school become a part of the area for which this office is responsible.~~

SECTION 45. Arkansas Code Title 6-13-106 is repealed.

~~6-13-106. Districts where no high school is maintained.~~

~~(a) Any school district in this state wherein high school facilities are not maintained may contract with another school district for the furnishing of high school facilities for the pupils of that district upon such terms and conditions as to the respective board of directors may appear reasonable and proper.~~

~~(b) These districts are authorized to pay, for the facilities, the tuition of such pupils out of the school fund apportioned to the districts from the Public School Fund of the State of Arkansas.~~

~~(c) These school districts may also contract and provide for the transportation of pupils.~~

SECTION 46. Arkansas Code § 6-13-620(b)-(d) is repealed.

~~(b) Beginning on July 16, 2003, through July 1, 2004, notwithstanding any other provision of law, no school board of any public school or any governing body of a charter school or an educational cooperative shall enter into any contractual or project obligation exceeding seventy-five thousand dollars ($75,000) or one percent of the district's total state and local revenues for additional base funding, as defined on lines 15 and 16 of the Department of Education's May 16, 2002 State Aid Notice, whichever is greater, for the purchase, sale, construction, improvement, or repair of equipment, facilities, motor vehicles, buildings, or real property sites without the prior written approval of the state board or the Commissioner of Education as allowed in emergency situations.~~

~~(c) Beginning on July 16, 2003, through July 1, 2004, notwithstanding any other provision of law, no school board of any public school district or charter school shall enter into any personal, professional, or other service contract on behalf of the school district for a time period greater than one (1) year without prior written approval of the state board.~~

~~(d) Subsections (b) and (c) of this section shall not apply to:~~

~~(1) Currently binding contractual obligations;~~

~~(2) Enforceable court-ordered mandates;~~

~~(3) Contracts entered into in connection with a bond issuance or a project financed with an issuance of bonds previously approved by the state board as required by law; or~~

~~(4) Regularly scheduled maintenance projects.~~

SECTION 47. Arkansas Code Title 6, Chapter 15, Subchapter 8 is repealed.

~~SUBCHAPTER 8 -- ACCOUNTABILITY SECTION~~

~~6-15-801. [Repealed.]~~

~~6-15-802. Legislative intent.~~

~~In order to enhance the public's access to public school performance indicators and to better measure the dividends paid on the increasing public investment in Arkansas' schools, the General Assembly finds that a section of accountability should be established within the Department of Education. The foremost obligation of this section shall be to set future performance goals for each school or school district and report academic progress.~~

~~6-15-803. Creation - Appropriate staff.~~

~~(a) There is created an accountability section within the Department of Education.~~

~~(b) The Commissioner of Education shall establish an upper-level management position and appropriate staff for the section.~~

~~6-15-804. [Repealed.]~~

~~6-15-805. [Expired.]~~

~~6-15-806. [Repealed.]~~

~~6-15-807. Duties.~~

~~The accountability section shall be responsible for the following:~~

~~(1) Development of longitudinal student and school reporting for accurate and fair comparative analysis for purposes of school improvement;~~

~~(2) Development of methods to determine attitudes toward educational matters;~~

~~(3) Establishment of schedules for publication of information to keep the public and media informed on a regular and timely basis; and~~

~~(4) Working with program approval and certification sections of the Department of Education, the Department of Higher Education, and the individual colleges to provide information that will contribute to reasonable, equitable, and excellent preparation of certified personnel in the institutions, both public and private, of higher education.~~

~~6-15-808. Furnishing of information and assistance.~~

~~(a) The Office of Accountability shall make available to the Joint Interim Oversight Subcommittee on Educational Reform, the House Interim Committee on Education, and the Senate Interim Committee on Education, the reports the office submits to the Commissioner of Education.~~

~~(b) Under the direction of the commissioner, the staff of the office shall work cooperatively with and provide any necessary assistance to the subcommittee and the committees.~~

~~(c) The office shall furnish information to appropriate legislative committees upon request.~~

~~6-15-809. [Repealed.]~~

SECTION 48. Arkansas Code Title 6, Chapter 18, Subchapter 6 is repealed.
~~SUBCHAPTER 6 -- FRATERNITIES, SORORITIES, ETC.~~

~~6-18-601. Definition.~~

~~As used in this subchapter, unless the context otherwise requires, "public school fraternity, sorority, or other secret organization or society" means any type of organization or society which fosters undemocratic practices and seeks to perpetuate itself by taking in additional members from the pupils enrolled in that school or local school system on the basis of the decision of its membership rather than upon the free choice of any pupil in the school who is qualified by the rules of the school to fill the special aims of the organization or society.~~

~~6-18-602. Penalty.~~

~~Any person, firm, or corporation violating any of the provisions of this subchapter shall be guilty of a violation and upon conviction shall be fined not less than twenty-five dollars ($25.00) nor more than one hundred dollars ($100) for each and every offense.~~

~~6-18-603. Unlawful organizations.~~

~~Any public school fraternity, sorority, or secret society or organization as defined in this subchapter is declared to be inimical to public free schools and therefore unlawful.~~

~~6-18-604. Exclusions.~~

~~The provisions of this subchapter shall not apply to:~~

~~(1) Fraternities, sororities, or secret societies of the University of Arkansas, any state teachers' college, or other state-supported institutions of junior college rank, or rank above junior college, or senior high school students of national fraternities or sororities, nor to students of these institutions in their relation to such societies or organizations in these institutions;~~

~~(2) Any nonsecret society or organization authorized and sponsored by the public school authorities.~~

~~6-18-605. Suspension or expulsion of members.~~

~~It shall be the duty of school directors and boards of education, school inspectors, and other corporate authority managing and controlling any of the public schools of the state to suspend or expel from the schools under their control any pupil who shall:~~

~~(1) Be or remain a member, promise to join, become a member, or solicit other persons to join, promise to join, or pledge to become a member of any such public school fraternity, sorority, or secret society or organization;~~

~~(2) Wear or display any insignia of such fraternity, sorority, or secret society or organization while in and attending public schools.~~

~~6-18-606. Soliciting pledges.~~

~~It shall be unlawful from and after the passage of this act for any person not enrolled in a public school of this state to solicit any pupil enrolled in a public school of this state to join or pledge himself or herself to become a member of a public school fraternity, sorority, or secret society or organization, or to solicit any such pupil to attend a meeting thereof or any meeting where the joining of any public school fraternity, sorority, or secret organization shall be encouraged.~~

~~6-18-607. Reference to unlawful organizations in publications.~~

~~It shall be unlawful for any public newspaper, periodical, or other publication to designate in its columns high school fraternity, sorority, or secret society or organization as defined in § 6-18-601, or refer to such fraternity, sorority, or secret society or organization in any published reference as a high school fraternity, sorority, or secret society or organization.~~

SECTION 49. Arkansas Code §6-20-413 is repealed.

~~6-20-413. Fiscal distress.~~

~~The State Board of Education is hereby authorized to develop indicators of fiscal distress in school districts and to promulgate the necessary rules and regulations so that the Director of the Department of Education shall provide technical assistance to school districts determined by the director to be in fiscal distress and shall ensure, to the extent possible, that a fiscal crisis will not interrupt the educational services provided to the students of a school district.~~

SECTION 50. Arkansas Code § 6-11-129(b), concerning written reports of compliance with certain provisions of Arkansas law, is repealed.

~~(b) By December 31 of each year, the department shall provide a written report to the House Interim Committee on Education and the Senate Interim Committee on Education listing those school districts that are not in compliance with this section.~~

SECTION 51. Arkansas Code § 6-13-1606 is repealed.

~~6-13-1606. Development of plan to track student progress.~~

~~(a) Following the annexation or consolidation under §§ 6-13-1601 - 6-13-1605 effective prior to December 1, 2004, and prior to any consolidation, annexation, detachment, approval of a conversion charter, or any other type of reclassification or reorganization of a school district after December 1, 2004, each receiving or resulting school district and the Department of Education shall develop a plan to track the educational progress of all students from the affected district and the following subgroups of those students:~~

~~(1) Students who have been placed at risk of academic failure as required under § 6-15-1602;~~

~~(2) Economically disadvantaged students;~~

~~(3) Students from major racial and ethnic groups; and~~

~~(4) Specific population groups as identified by the State Board of Education, the department, or the affected or receiving district as target groups for closing the achievement gaps.~~

~~(b) The receiving or resulting school district shall obtain and retain all student records from the affected school district for the five (5) years immediately preceding the annexation or consolidation, specifically including, but not limited to:~~

~~(1) Individual student records;~~

~~(2) Attendance records;~~

~~(3) Enrollment records;~~

~~(4) Assessment records for assessments required under the Arkansas Comprehensive Testing, Assessment, and Accountability Program Act, § 6-15-401 et seq., specifically including benchmark assessments and end-of-course assessments; and~~

~~(5) American College Test and Standardized Aptitude Test results and records.~~

~~(c) The school district shall report to the department information determined by the department as necessary to track the educational progress of all students from the affected district as a subgroup and the following subgroups of those transferred students:~~

~~(1) Students who have been placed at risk of academic failure as required under § 6-15-1602;~~

~~(2) Economically disadvantaged students; and~~

~~(3) Students from major racial and ethnic groups.~~

~~(d) By November 1, 2005, and by November 1 each year thereafter, the department shall file a written report with the Governor, the chair of the House Interim Committee on Education, the chair of the Senate Interim Committee on Education, and the secretary of the Legislative Council assessing the educational progress of all students from the affected district as a subgroup and the following subgroups of those transferred students:~~

~~(1) Students who have been placed at risk of academic failure as required under § 6-15-1602;~~

~~(2) Economically disadvantaged students; and~~

~~(3) Students from major racial and ethnic groups.~~

SECTION 52. Arkansas Code § 6-15-423 is repealed.

~~6-15-423. Comparing grade point averages with national test scores.~~

~~(a) The Department of Education shall develop specific criteria, based on generally accepted statistical procedures, for evaluating the association of high school grade point averages and standardized test scores for all students participating in the American College Test and the Arkansas Comprehensive Testing, Assessment, and Accountability Program's end-of-course algebra, geometry, and literacy exams.~~

~~(b) Any school identified by the department as having statistically significant variance between grade point average and students' performance on the aforementioned exams shall be notified in writing no later than thirty (30) calendar days after the determination.~~

~~(c)(1) The report shall be reviewed as a regular agenda item by the local school district board of directors no later than the second regularly scheduled meeting following receipt of the report by the school.~~

~~(2)(A) The superintendent of the school district shall file with the local school board a written explanation with proposed actions to remedy the situation.~~

~~(B) Copies of the superintendent's written explanation shall also be filed with the House and Senate Interim Committees on Education and the department.~~

~~(3) The department shall, to the extent practicable, send a representative to appear in person at the board meeting to explain the report.~~

~~(d) A copy of all reports sent to a school shall be filed with the committees no later than ninety (90) calendar days after the school has been notified.~~

SECTION 53. Arkansas Code § 6-15-1604 is repealed.

~~6-15-1604. Reporting dropout rates, suspensions, expulsions, and alternative placements.~~

~~(a) The State Board of Education shall report annually to the Joint Interim Oversight Committee on Educational Reform and the Commission on Closing the Achievement Gap in Arkansas on the numbers of students who have dropped out of school or who have been suspended, expelled, or placed in an alternative program.~~

~~(b) The data shall be reported in a disaggregated manner and be readily available to the public.~~

~~(c) The state board shall not include students that have been expelled from school when calculating the dropout rate.~~

~~(d) The state board shall maintain a separate record of the number of students who are expelled from school.~~

SECTION 54. Arkansas Code § 6-16-123 is repealed.

~~6-16-123. Arkansas laws.~~

~~(a) The Commissioner of Education shall develop materials or units for teaching current Arkansas laws of particular relevance to students in grades seven through twelve (7-12) in target courses.~~

~~(b)(1) The target courses shall include, but not be limited to, ninth grade civics and twelfth grade American Government.~~

~~(2) Current Arkansas laws that are the subject of the materials or units shall include, but not be limited to, those dealing with:~~

~~(A) School attendance;~~

~~(B) Penalties for truancy;~~

~~(C) Requirements for obtaining a driver's license and grounds for license revocation;~~

~~(D) Penalties that may affect juveniles who engage in criminal activities; and~~

~~(E) Those that authorize local ordinances such as curfews.~~

~~(c) The director shall ensure that these materials or units are reproduced and sent to all school districts in the state and are updated after each regular session of the General Assembly.~~

~~(d) During each biennium, the director shall provide a progress report on the implementation of this section to the House and Senate Interim Committees on Education.~~

SECTION 55. Arkansas Code § 6-16-124(c), concerning required social studies courses, is repealed.

~~(c)(1) Each public school superintendent in this state shall certify to the Department of Education no later than June 1, 1998, and annually thereafter whether the school is in compliance with this section, § 6-17-418, and § 6-17-703.~~

~~(2) The Director of the Department of Education shall report no later than July 1 of each year to the committees the identity of the schools which have reported compliance with this section, § 6-17-418, and § 6-17-703, the identity of the schools which have reported noncompliance, and the identity of the schools which have failed to report.~~

SECTION 56. Arkansas Code § 6-16-125 is repealed.

~~6-16-125. Character and citizenship - Education programs information clearinghouse.~~

~~(a) The General Assembly finds and acknowledges that, while character and citizenship is primarily a parental responsibility, it must not remain isolated there. The General Assembly further finds that character and citizenship education must be strengthened in public schools to prepare young people for positive dealings with the social order of today.~~

~~(b)(1) The Commissioner of Education shall provide a clearinghouse for information on nonsectarian practices in character and citizenship education programs within Arkansas and across the nation in order to assist local schools in strengthening character and citizenship education as a local option for school district curricula in kindergarten through grade twelve (K-12).~~

~~(2) The commissioner shall ensure that information on nonsectarian practices and models is disseminated to all school districts in the state by no later than August 1, 1998, and is updated after each regular session of the General Assembly.~~

~~(3) During each interim of the biennium, the commissioner shall provide a progress report on the implementation and effectiveness of this section to the members of the House and Senate Interim Committees on Education.~~

SECTION 57. Arkansas Code § 6-16-132(f), concerning reports to the Department of Education on physical education, is repealed.

~~(f) Each school district shall report to the Department of Education by October 15 of each school year by sending a letter of assurance that the district has in a timely manner complied with the requirements of this section.~~

SECTION 58. Arkansas Code §6-16-138 is repealed.

~~6-16-138. Academic credit for student mentoring.~~

~~(a) Beginning in the 2005-2006 school year, the Department of Education shall conduct a study to develop a student mentor program by which qualified students in grades nine through twelve (9-12) may be eligible to receive one (1) elective credit that may be applied toward graduation.~~

~~(b) The study shall be submitted to the State Board of Education, the House Interim Committee on Education, and the Senate Interim Committee on Education by October 1, 2006.~~

SECTION 59. Arkansas Code § 6-16-604(h), concerning optional summer programs, is repealed.

~~(h)(1) The Department of Education and the Department of Higher Education are authorized to collect information as may be necessary for the evaluation of each program, including student identification data, student test scores, college placement status, and student grades in first-year college courses.~~

~~(2) This information shall be provided to the departments by public schools, colleges, and universities and shall be used to evaluate and improve the programs authorized by this subchapter.~~

SECTION 60. Arkansas Code § 6-17-310(f), concerning annual reports on improvements in teacher recruitment, is repealed.

~~(f) By June 30, 2004, and annually thereafter, the Department of Education shall provide a report to the Governor, the House Interim Committee on Education, and the Senate Interim Committee on Education regarding the activities of the office and the progress made in improving teacher recruitment.~~

SECTION 61. Arkansas Code § 6-18-1105 is repealed.

~~6-18-1105. Certification.~~

~~(a) A school which utilizes and coordinates fund-raising programs shall certify to the district school superintendent each year that the requirements in § 6-18-1104 have been met.~~

~~(b) Each school district shall certify to the Department of Education, no later than June 15 of each year, a list of district schools and fund-raising companies in violation of this subchapter.~~

~~(c) The department shall certify to the House and Senate Interim Committees on Education, no later than August 15 of each year, a list of district schools and fund-raising companies in violation of this subchapter.~~

~~(d) A one-page form for certification shall be developed by the department in cooperation with school administrators and the Arkansas Congress of Parents and Teachers Associations.~~

SECTION 62. Arkansas Code § 6-18-1505 is repealed.

~~6-18-1505. Reporting.~~

~~(a) Each public school and charter school shall de-identify eye and vision screening results as necessary to comply with privacy laws and report the results by grade to the Department of Education and the Arkansas Commission on Eye and Vision Care of School Age Children.~~

~~(b) The reports shall include the following information:~~

~~(1) The number of children screened;~~

~~(2) The number of children rescreened;~~

~~(3) The number of children who did not receive an eye and vision screening;~~

~~(4) The number of children referred for a comprehensive eye examination;~~

~~(5) The number of children who failed the eye and vision screening who did not receive a comprehensive eye examination; and~~

~~(6) The results of comprehensive eye examinations.~~

SECTION 63. Arkansas Code § 6-20-605 is repealed.

~~6-20-605. Excessive transportation time.~~

~~The Department of Education shall conduct a study of isolated schools to determine the most efficient method of providing opportunities for an adequate and substantially equal education for students without excessive transportation time.~~

SECTION 64. Arkansas Code § 6-21-303 is amended to read as follows:

6-21-303. Rules ~~and regulations~~.

(a) The board of directors of each school district shall prescribe the method of soliciting bids ~~by regulation~~ and may adopt other rules ~~and regulations~~ governing the procurement of commodities.

(b)(1)(A) Each school district, according to its established reimbursement policy, shall provide to each prekindergarten through sixth-grade teacher in each fiscal year for use by that teacher in his or her classroom or for class activities:

(i) The greater of twenty dollars ($20.00) per student enrolled in the teacher's class for more than fifty percent (50%) of the school day at the end of the first three (3) months of the school year; or

(ii) Five hundred dollars ($500) for the teacher to apply toward the purchase of related commodities.

(B) The teacher ~~must~~ shall provide to the school district ~~receipts~~ a receipt documenting any purchase.

~~(C) Each fiscal year, the superintendent of each school district shall:~~

~~(i) Provide a statement to the State Board of Education attesting to the district's compliance with this section; and~~

~~(ii) Attach any supporting documents that the state board may require by regulation.~~

(2) The board of directors of each school district shall adopt reasonable procedures for teachers to draw from or be reimbursed from the discretionary fund pursuant to this subsection.

(c) The Department of Education ~~shall have the authority to~~ may grant a waiver of the requirements of subsection (b) of this section if a school district requests a waiver and the school district is in fiscal distress.

SECTION 65. Arkansas Code § 6-23-207 is repealed.

~~6-23-207. State Board of Education status report.~~

~~The State Board of Education shall report on the status of the charter school program to the General Assembly each biennium and to the House and Senate Interim Committees on Education during the interim between sessions of the General Assembly.~~

SECTION 66. Arkansas Code § 6-82-104 is repealed.

~~6-82-104. Annual report.~~

~~(a) The Department of Education and the Department of Higher Education shall jointly prepare an annual report for the General Assembly that shall assess the impact of scholarship programs administered by the Department of Higher Education that were enacted or amended in the Eighty-third regular session of the General Assembly.~~

~~(b) The report shall include:~~

~~(1) The number of persons who have participated in each of the funded programs each year;~~

~~(2) The participants' race, gender, and age;~~

~~(3) The number of persons who have participated in the critical teacher shortage forgivable loan programs who have rendered service as teachers in critical teacher shortage areas each year by school districts;~~

~~(4) The retention and graduation rates of participants in the program; and~~

~~(5) Other information as may be useful for policy-making decisions by the General Assembly.~~

~~(c) The report shall be submitted to the Legislative Council by December 1 of each year beginning in 2002.~~

~~(d) Any private or public institution of higher education or student receiving funds from state-supported scholarship programs shall report to the Department of Higher Education or the Department of Education information as may be requested by the Department of Higher Education or the Department of Education to comply with reporting requirements established by the General Assembly.~~

SECTION 67. Uncodified Section 26 of Act 2126 of 2005 is repealed.

~~The Department of Education shall authorize and fund a feasibility study costing up to two hundred fifty thousand dollars ($250,000). The purpose of the study shall be to evaluate and determine whether the Pulaski County Special School District should continue in existence by specifically addressing and evaluating the following: 1) the elimination of the Pulaski County Special School District and redrawing of school district boundaries in Pulaski County to form one school district north of the Arkansas River and one district south of the Arkansas River; 2) the elimination of the Pulaski County Special School District and redrawing of school district boundaries in Pulaski County to form three districts including a Little Rock District south of the Arkansas River, a North Little Rock District north of the Arkansas River and a Jacksonville School District north of the Arkansas River; 3) whether the elimination of the Pulaski County Special School District under either option would further desegregation efforts of the districts and help all districts in gaining unitary status and in ending the desegregation case; and, 4) to study and propose a plan to pursue the end of desegregation litigation in Pulaski County.~~

~~A contract shall be signed no later than October 31, 2005 and the feasibility study completed no later than June 30, 2006.~~

~~The provisions of this section shall be in effect only from July 1, 2005 through June 30, 2007.~~

SECTION 68. Uncodified Section 1 of Act 326 of 1997 is amended to read as follows:

(a)(1) The ~~Director of the General Education Division of the Arkansas Department~~ Commissioner of Education shall establish a task force to select instructional resource materials appropriate for teaching African-American history in all grade clusters in kindergarten through grade twelve (K-12) in the public schools.

(2) Such task force shall be known as the Black History Task Force, consisting of seven (7) members appointed by the chairman of the Arkansas Black History Advisory Committee of the Arkansas History Commission, and shall further advise the director in the selection of:

(A) Training components for using the instructional resource materials; and

(B) Training components for assisting teachers and administrators in developing a greater awareness of ethnic and racial differences, improving interpersonal skills, and enhancing racial harmony.

(b)(1) The director shall ensure that selection of instructional resource materials and training components is completed during the 1997-98 school year and that all materials are provided to the school districts and all training concluded by no later than August 1, 1999.

(2) All training shall be delivered through the statewide system of education service cooperatives and the three (3) Pulaski County school districts.

~~(c) The director shall report annually to the Black History Advisory Committee of the Arkansas History Commission regarding implementation of this act.~~

~~(d)~~(c) The Department of Education is authorized to promulgate regulations to carry out the provisions of this act and shall distribute to each local school district a copy of such regulations.

~~(e)~~(d) Dissemination of materials and all training required under this act shall be contingent upon the availability of funds appropriated for such purposes.

SECTION 69. Uncodified Section 11 of Act 1361 of 1997 is amended to read as follows:

The funds appropriated for At-Risk shall be used to provide K-3 summer school, college preparatory enrichment programs, and K-3 programs during the regular school year. The Department of Education may expend up to $500,000 each fiscal year to monitor and assess or enter into a Professional/Consultant Services contract for the purpose of monitoring and assessing the various programs under the purview of the Department of Education. ~~Further, the Department of Education shall report the findings of such monitoring and assessment to the Joint Interim Committee on Education each fiscal year.~~

SECTION 70. Uncodified Section 12 of Act 35 of the Second Extraordinary Session of 2003 is repealed.

~~SECTION 12. Comprehensive Financial Impact Study.~~

~~The Department of Education shall conduct a comprehensive financial impact study of the cost of implementing the requirements of this act. The results of the study shall be presented to the House Committee on Education and the Senate Committee on Education by February 1, 2005. If necessary, the department shall supplement or modify its initial report . Any such supplemental report shall be completed and presented to the committees by February 1, 2007.~~"

(SIGNED) SENATOR BRYLES

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 274 was ordered engrossed.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 19, 2007

Mr. President:

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

SENATE JOINT RESOLUTION BILL NO. 7, 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. 7 was ordered re-referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 19, 2007

Mr. President:

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

SENATE BILL NO. 109, BY SENATOR TAYLOR,
SENATE BILL NO. 453, BY SENATOR BROADWAY,
SENATE BILL NO. 501, BY SENATOR BROADWAY,
SENATE BILL NO. 587, BY SENATOR MADISON,
SENATE BILL NO. 703, BY SENATOR CRITCHER, 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. 109 was ordered re-referred to the Committee on JOINT BUDGET.

On motion of Senator Broadway, Senate Bill No. 453 was ordered re-referred to the Committee on JOINT BUDGET.

On motion of Senator Broadway, Senate Bill No. 501 was ordered re-referred to the Committee on JOINT BUDGET.

On motion of Senator Madison, Senate Bill No. 587 was ordered re-referred to the Committee on JOINT BUDGET.

On motion of Senator Critcher, Senate Bill No. 703 was ordered re-referred to the Committee on JOINT BUDGET.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 19, 2007

Mr. President:

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

SENATE BILL NO. 274, BY SENATOR BRYLES,
SENATE BILL NO. 782, BY SENATOR BROADWAY,

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 Bryles, Senate Bill No. 274 was ordered re-referred to the Committee on EDUCATION.

On motion of Senator Broadway, Senate Bill No. 782 was ordered re-referred to the Committee on EDUCATION.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 19, 2007

Mr. President:

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

SENATE BILL NO. 586, BY SENATOR T. SMITH, et al,
SENATE BILL NO. 1004, BY SENATOR MALONE,

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 Smith, Senate Bill No. 586 was ordered re-referred to the Committee on REVENUE & TAXATION.

On motion of Senator Malone, Senate Bill No. 1004 was ordered re-referred to the Committee on REVENUE & TAXATION.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 19, 2007

Mr. President:

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

SENATE BILL NO. 851, BY SENATOR HENDREN,

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 Hendren, Senate Bill No. 851 was ordered re-referred to the Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 19, 2007

Mr. President:

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

SENATE BILL NO. 911, BY SENATOR BAKER,

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, Senate Bill No. 911 was ordered re-referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 19, 2007

Mr. President:

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

SENATE BILL NO. 937, BY SENATOR BRYLES, et al,
SENATE BILL NO. 988, SENATOR BRYLES,

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 Bryles, Senate Bill No. 937 was ordered re-referred to the Committee on AGRICULTURE, ECONOMIC & INDUSTRIAL DEVELOPMENT.

On motion of Senator Bryles, Senate Bill No. 988 was ordered re-referred to the Committee on AGRICULTURE, ECONOMIC & INDUSTRIAL DEVELOPMENT.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 19, 2007

Mr. President:

We, your Committee on PUBLIC HEALTH, WELFARE & LABOR, to whom was referred:

SENATE CONCURRENT RESOLUTION NO. 21,
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 JACK CRITCHER
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 19, 2007

Mr. President:

We, your Committee on PUBLIC HEALTH, WELFARE & LABOR, to whom was referred:

SENATE BILL NO. 271, BY SENATOR MALONE,
SENATE BILL NO. 798, BY SENATOR HORN,
SENATE BILL NO. 957, 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 JACK CRITCHER
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 19, 2007

Mr. President:

We, your Committee on PUBLIC HEALTH, WELFARE & LABOR, to whom was referred:

SENATE BILL NO. 293, BY SENATOR MALONE,
SENATE BILL NO. 361, BY SENATOR HORN,
SENATE BILL NO. 861, BY SENATOR B. PRITCHARD,
SENATE BILL NO. 895, BY SENATOR HORN,
SENATE BILL NO. 945, 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, No. 2 and No. 3.

Respectfully submitted,

(SIGNED) SENATOR JACK CRITCHER
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 19, 2007

Mr. President:

We, your Committee on PUBLIC HEALTH, WELFARE & LABOR, to whom was referred:

HOUSE BILL NO. 2244, BY REPRESENTATIVE L. SMITH,
HOUSE BILL NO. 2305, BY REPRESENTATIVE PACE,
HOUSE BILL NO. 2374, BY REPRESENTATIVE ROGERS,
HOUSE BILL NO. 2463, BY REPRESENTATIVE J. JOHNSON,
HOUSE BILL NO. 2701, BY REPRESENTATIVE NORTON,
HOUSE BILL NO. 2731, 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 JACK CRITCHER
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 19, 2007

Mr. President:

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

SENATE CONCURRENT RESOLUTION NO. 20,
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 JIMMY JEFFRESS
CO- CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 19, 2007

Mr. President:

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

SENATE BILL NO. 139, BY SENATOR ARGUE,

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

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 19, 2007

Mr. President:

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

SENATE BILL NO. 117, BY SENATOR FARIS,
SENATE BILL NO. 144, BY SENATOR T. SMITH,
SENATE BILL NO. 155, 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 as amended No. 1 and No. 2.

Respectfully submitted,

(SIGNED) SENATOR JIMMY JEFFRESS
CO-CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 19, 2007

Mr. President:

We, your Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS, to whom was referred:

SENATE BILL NO. 1001, BY SENATOR MALONE,

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 "HANK" WILKINS, IV
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 19, 2007

Mr. President:

We, your Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS, to whom was referred:

HOUSE BILL NO. 2351, BY REPRESENTATIVE WYATT,
HOUSE BILL NO. 2386, BY REPRESENTATIVE REEP,

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

March 19, 2007

Mr. President:

We, your Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS, to whom was referred:

HOUSE BILL NO. 2346, 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 as amended No. 1.

Respectfully submitted,

(SIGNED) SENATOR HENRY "HANK" WILKINS, IV
CHAIRMAN

SENATE CONCURRENT RESOLUTION NO. 26

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATOR BROADWAY

BY: REPRESENTATIVES DUNN AND PETRUS

SENATE CONCURRENT RESOLUTION TO SUSPEND JOINT RULE (16)(A) OF THE SENATE AND THE HOUSE OF REPRESENTATIVES TO ALLOW REPRESENTATIVE CHRIS THYER TO INTRODUCE A BILL CONCERNING SCHOOL ACADEMIC FACILITIES BONDS.

Senate Concurrent Resolution No. 26 was read the first time, rules suspended, read the second time and placed on the Calendar.

STATE OF ARKANSAS

OFFICE OF THE GOVERNOR

STATE CAPITOL
LITTLE ROCK, ARKANSAS

MIKE BEEBE
Governor

March 14, 2007

TO THE PRESIDENT OF THE SENATE

Dear Mr. President:

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

Senate Bill 031 -- ACT 277
Senate Bill 170 -- ACT 278
Senate Bill 216 -- ACT 279
Senate Bill 263 -- ACT 280
Senate Bill 284 -- ACT 281
Senate Bill 285 -- ACT 282
Senate Bill 300 -- ACT 283
Senate Bill 331 -- ACT 284
Senate Bill 382 -- ACT 285
Senate Bill 609 -- ACT 286
Senate Bill 767 -- ACT 287
Senate Bill 785 -- ACT 288
Senate Bill 788 -- ACT 289

Sincerely,

(SIGNED) MIKE BEEBE
Governor

SENATE RESOLUTION NO. 21

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATORS STEELE, BROWN, CRUMBLY, WILKINS & ARGUE

SENATE RESOLUTION COMMEMORATING THE 50TH ANNIVERSARY OF THE HISTORIC INTEGRATION OF CENTRAL HIGH SCHOOL.

Senate Resolution No. 21 was read the first time, rules suspended, read the second time and placed on the Calendar.

STATE OF ARKANSAS

OFFICE OF THE GOVERNOR

STATE CAPITOL
LITTLE ROCK, ARKANSAS

MIKE BEEBE
Governor

March 19, 2007

TO THE PRESIDENT OF THE SENATE

Dear Mr. President:

This is to inform you that on March 19, 2007, I approved the following measures from the Regular Session of the Eighty-sixth General Assembly:

Senate Concurrent Memorial Resolution 5
Senate Concurrent Resolution 8

Senate Bill 298 -- ACT 310
Senate Bill 652 -- ACT 311
Senate Bill 655 -- ACT 312
Senate Bill 659 -- ACT 313
Senate Bill 857 -- ACT 314
Senate Bill 905 -- ACT 315
Senate Bill 906 -- ACT 316

Senate Bill 191 -- ACT 384
Senate Bill 780 -- ACT 385
Senate Bill 787 -- ACT 386

Sincerely,

(SIGNED) MIKE BEEBE
Governor

Senator Horn was recognized for presentation of citation.

SENATE CITATION

WHEREAS, *The 2005-06 Foreman Lady Gator Softball Team completed a Highly successful season with a 28-6 win-loss record and defeated Benton Harmony Grove 8-0 at the U of A Lady Razorback Field in Fayetteville on May 13, 2006 to win the 2A State Championship for the first time in the school's history; and*

WHEREAS, *Through their exceptional talent, sportsmanship, dedication and desire, team members have brought great pride to their school, fans, and community and their accomplishments are a tribute to the skills of the coaching staff; and*

WHEREAS, *Team members are Christian Beasley, LaShanda Johnson, Elaine Robertson, Kayla Woods, Kristian Foster, Kayleigh Cody, Jennifer Woods, Ashley Haywood, Brandi Halter, Sarah Hinton, Ashley Gibson, Kori Moore and Shelby Adcock; and*

WHEREAS, *The members of the Arkansas Senate wish to join Senator Barbara Horn in congratulating Coach Josh Nation, Asst. Coach Mitch Beasley, Managers Kimmy Beasley, Emily and Amy Halter and members of the 2005-06 Lady Gators on a special season culminating with the State 2A Championship.*

Now therefore, pursuant to the motion of

Senator Barbara Horn

the Arkansas Senate directs that this Citation be Presented on this 19th Day of March 2007.

_____
PRESIDENT PRO TEMPORE OF THE SENATE

_____
SENATOR BARBARA HORN

On motion of Senator Laverty, the rules were suspended in considering the presentation of citation and Senator Laverty was recognized for presentation of citation.

SENATE CITATION

WHEREAS, *The Huntsville Boys Basketball Team defeated Hamburg 56-52 in Summit Arena in Hot Springs on March 8, 2007 and brought home the AAAA State Championship --- the first in the school's history; and*

WHEREAS, *The Eagles enjoyed a phenomenal regular season with a 33-1 win/loss record and earned titles of 1AAAA Undefeated Conference Champions, 1AAAA Conference Tournament Runners Up, AAAA North Regional Champions, Green Forest Holiday Tournament Champions and Greenwood Bulldog Classic Champions; and*

WHEREAS, *Through their exceptional talent, sportsmanship, dedication and desire, the Huntsville Eagles have brought great pride to their school, their fans, and their community and their accomplishments are a tribute to the outstanding skills of the coaching staff; and*

WHEREAS, *The members of the Arkansas Senate wish to join Senator Randy Laverty in congratulating Coach Jim Stafford and members of the 2006-07 Huntsville Boys Basketball Team on a very special season culminating with the AAAA State Championship.*

Now therefore, pursuant to the motion of

Senator Randy Laverty

the Arkansas Senate directs that this Citation be Presented on this 19th Day of March 2007.

_____
PRESIDENT PRO TEMPORE OF THE SENATE

_____
SECRETARY OF THE SENATE

_____
SENATOR

On motion of Senator Whitaker, Senate Concurrent Resolution No. 22 was called up for third reading and final disposition.

SENATE CONCURRENT RESOLUTION NO. 22

As Engrossed: S3/7/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATOR WILKINS

BY: REPRESENTATIVE PACE

SENATE CONCURRENT RESOLUTION TO URGE CONGRESS AND THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY TO ADD CRITICAL PRIVACY AND CIVIL LIBERTY SAFEGUARDS TO THE REAL ID ACT OF 2005 AND TO FULLY FUND OR SUSPEND IMPLEMENTATION OF THE REAL ID ACT.

Senate Concurrent Resolution No. 22 was read the third time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Concurrent Resolution No. 22 was ordered immediately transmitted to the House.

On motion of Senator Smith, Senate Memorial Resolution No. 3 was called up for third reading and final disposition.

SENATE MEMORIAL RESOLUTION NO. 3

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATORS T. SMITH AND FARIS

SENATE MEMORIAL 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 third time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

On motion of Senator Madison, Senate Bill No. 28 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. 28

Amend Senate Bill No. 28 as originally introduced:

Add Senator Salmon as a cosponsor of the bill

AND

Page 1, delete lines 10 and 11 and substitute:
"AN ACT TO REGULATE STATE-SUPPORTED INSTITUTION OF HIGHER EDUCATION TEXTBOOK SALES; TO REQUIRE COURSE"

AND

Page 1, line 17, delete "COLLEGE AND UNIVERSITY" and substitute "INSTITUTION OF HIGHER EDUCATION"

AND

Page 1, delete lines 31 through 35 and substitute the following:
"(A) Is not affiliated with a state-supported institution of higher education;
(B) Is located within the service area of the state-supported institution of higher education; and
(C) Primarily offers textbooks and course materials for sale to students of one (1) or more institutions of higher education; and"

AND

Page 2, line 1, delete "college or" and substitute "institution of higher education"

AND

Page 2, delete lines 4 through 36 and substitute the following:
"(b) A state-supported institution of higher education in this state shall offer for sale at its cost of production to a competing private bookstore each course supplement required for use in taking a particular class or course of instruction:
(1) No later than two (2) weeks prior to the start of the class; and
(2) In a quantity not to exceed one-third (1/3) of the course enrollment.

(c) All supplements sold to a competing private bookstore shall be returnable for a full refund at the on-campus bookstore within the time permitted by the on-campus bookstore's return policy."

AND

Page 3, delete lines 1 through 5

(SIGNED) SENATOR MADISON

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 28 was ordered engrossed.

On motion of Senator Madison, Senate Bill No. 29 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. 29

Amend Senate Bill No. 29 as engrossed, S2/14/07:

Page 1, delete lines 27 through 36 and substitute the following:

"6-60-601. Campus bookstore advertising.

(a)(1) If any state-supported institution of higher education advertises or allows an on-campus bookstore to submit advertising for inclusion in orientation packets or through the electronic media services of the state-supported institution of higher education, or as part of a presentation to any student group, then the state-supported institution of higher education shall allow a private local textbook vendor access to distribute the private local textbook vendor's advertising by the same distribution method, if requested in writing by the private local textbook vendor.

(2) The state-supported institution of higher education:

(A) Shall distribute the advertising of a private local textbook vendor contemporaneously with the advertising of the on-campus bookstore;

(B) May request a modification of the advertising of the on-campus bookstore or a private local textbook vendor if the advertising does not reflect the public interests of the State of Arkansas; and

(C) Is under no obligation to accept advertising from the on-campus bookstore or a private local textbook vendor.

(3) An on-campus bookstore and a private local textbook vendor shall be responsible for the costs related to the preparation and production of all advertising material.”

AND

Page 2, delete lines 1 through 11

AND

Page 2, delete line 15 and substitute "textbooks or course materials; and"

AND

Page 2, delete lines 16 through 23

AND

Page 2, line 24, delete "(3)" and substitute "(2)"

(SIGNED) SENATOR MADISON

The Amendment was read 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 Steele, House Bill No. 1299 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. 1299

Amend House Bill No. 1299 as originally introduced:

Page 1, delete line 36 and substitute "not to exceed three hundred dollars ($300) shall be charged; and"

(SIGNED) SENATOR 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. 1299

Amend House Bill No. 1299 as originally introduced:

Page 2, delete line 29 and substitute the following:

"direction of the recorder.

(3) Appropriated moneys shall be placed into line items within the recorder's budget as approved by the quorum court."

AND

Page 3, delete line 3 and substitute the following:

"may be transferred to the county general fund.

(C) Any funds in excess of one million dollars ($1,000,000) held at any time in the county recorder's cost fund shall be transferred to the county general fund.

SECTION 2. Arkansas Code § 14-20-107 is amended to read as follows:

14-20-107. Appropriations for Association of Arkansas Counties.

(a)(1) The quorum courts of each county in this state may provide for the participation of their county in the services and activities of the Association of Arkansas Counties, a domestic corporation organized and existing under the provisions of the Arkansas Nonprofit Corporation Act, §§ 4-28-201 - 4-28-206 and 4-28-209 - ~~4-28-223~~ 4-28-224.

(2) If the quorum court of a county authorizes the participation of the county in this association, then the quorum court shall annually appropriate from county general funds an amount which shall be equal to one percent (1%) of the general revenues received by that county from the County Aid Fund in the State Treasury during the preceding fiscal year.

(3) Participation by each county in this association shall be optional with the quorum court of each of the respective counties as provided in this section.

(b)(1) The funds so received by the association shall be used exclusively by it to finance the object of its existence, namely, to aid in the improvement of county government in the State of Arkansas.

(2) All funds so received by the association shall be subject to audit by the State of Arkansas, and this association shall make available to the auditors, at all reasonable times, all books, files, and records concerning such funds.

(c) Moneys appropriated by the court as the county's contribution to this association shall be paid to the association during the month of July for the fiscal year commencing on July 1 and ending on June 30 next following.

(d) This association is recognized as the official agency of the counties of this state to receive funds and use them for making a continuing study of ways and means to improve county government in Arkansas.

(e)(1) There is created on the books of the Association of Arkansas Counties a trust fund to be known as the “Automated Records Systems Fund”.

(2)(A) The Automated Records Systems Fund shall be funded by counties in Class 6 and Class 7 in the State of Arkansas.

(B) The county recorder of the Class 6 and Class 7 counties shall remit one dollar ($1.00) for each document recorded in the county recorder’s office directly to the Automated Records Systems Fund on a monthly basis.

(3)(A) The Automated Records Systems Fund shall be administered by a committee comprised of the county recorders of the counties in Class 6 and Class 7 to be known as the "Automated Records Systems Fund Committee”.

(B) The Automated Records Systems Fund Committee shall meet biannually to review grant applications made by county recorders in Class 1 through Class 5 solely for purposes directly related to office automation.

(C) The committee shall not disburse any moneys from the Automated Records Systems Fund to counties in Class 6 and Class 7.

(D) The committee shall expend substantially all of the money from the fund on an annual basis."

(SIGNED) SENATOR STEELE

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1299 was ordered engrossed.

On motion of Senator Whitaker, House Bill No. 1651 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. 1651

Amend House Bill No. 1651 as engrossed, H3/1/07:

Page 2, delete lines 28 and 29 and substitute the following:

"(ii) Fairs and food and wine festivals, with the permission and the consent of the management of the events. A sales and use tax permit is also required;"

AND

Page 3, line 2, delete "§ 3-5-1606(3)" and substitute "§ 3-5-1605(3)"

AND

Page 3, delete lines 8 through 11

AND

Page 3, line 13, delete "3-5-1604." and substitute "3-5-1603."

AND

Page 3, line 14, delete "and"

AND

Page 3, line 25, delete "3-5-1605." and substitute "3-5-1604."

AND

Page 3, line 27, delete "January 1, 2007," and substitute "the effective date of this subchapter"

AND

Page 3, line 30, delete "January 1, of 2007" and substitute "the effective date of this subchapter"

AND

Page 3, line 30, delete "Alcohol and" and substitute "Alcoholic"

AND

Page 4, line 2, delete "3-5-1606." and substitute "3-5-1605."

AND

Page 4, line 18 delete the semicolon and substitute ". This subdivision (a)(3) applies to all retail licenses for grocery stores, convenience stores, liquor stores, and package stores that sell malt beverages and wine;"

AND

Page 4, delete line 32 and substitute the following:

"(7) Existing licenses.

(A) A person that holds a license for the sale of native wine issued under this chapter before the effective date of this subchapter may conduct business as a small farm winery wholesaler or retailer until the native wine license expires.

(B) Upon the expiration of a native wine license issued under this chapter on or before the effective date of this subchapter, the Alcoholic Beverage Control Board may issue a new license as part of the renewal process if the wholesaler or retailer:

(i) Meets the criteria under this section; and

(ii) Is in good standing.

(b) Tax on wine shall be based on the amount sold."

AND

Page 4, line 34, delete "3-5-1607." and substitute "3-5-1606."

AND

Page 4, line 35, delete "and"

AND

Page 5, line 2, delete "3-5-1608." and substitute "3-5-1607."

AND

Page 5, line 7, delete "3-5-1609." and substitute "3-5-1608."

AND

Page 5, line 14, delete "3-5-1610." and substitute "3-5-1609."

(SIGNED) SENATOR WHITAKER

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. 1651

Amend House Bill No. 1651 as engrossed, H3/1/07:

Page 2, line 32, delete "holders:" and substitute "holders. To exercise the privileges of this subdivision (c)(1)(E), the small farm winery must obtain a wine wholesale permit:"

AND

Immediately following SECTION 3 of the bill, add a new section to read as follows:

"SECTION 4. NOT TO BE CODIFIED. In the event that this act, or any part thereof, is determined by a court to be unconstitutional, this act shall become void and all wines, including native wines, distributed for sale in the State of Arkansas shall be distributed under § 3-2-401 et seq. and sold by licensed retailers under § 3-4-201 et seq."

AND

By appropriately renumbering the following sections of the bill

(SIGNED) SENATOR WHITAKER

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1651 was ordered engrossed.

On motion of Senator Thompson, Senate Bill No. 184 was called up for the purpose of considering Amendment No. 1 thereto, adopted by the House.

HALL OF THE HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

Amendment No. 1 to SENATE BILL NO. 184

Amend Senate Bill No. 184 as originally introduced:

Delete SECTION 1 in its entirety and substitute the following:

"SECTION 1. Arkansas Code § 5-2-310(b), concerning the procedures required within a reasonable period of time after the commitment of a defendant pursuant to the determination of a court that the defendant lacks fitness to proceed, is amended to read as follows:

(b)(1) Within a reasonable period of time, but in any case within ten (10) months of a commitment pursuant to subsection (a) of this section, the director or his or her designee shall file with the committing court a written report indicating whether the defendant is fit to proceed, or, if not, whether:

(A) The defendant's mental disease or defect is of a nature precluding restoration of fitness to proceed; and

(B) The defendant presents a danger to himself or herself or to the person or property of another.

(2)(A) The court shall make a determination within one (1) year of a commitment pursuant to subsection (a) of this section.

(B) Pursuant to the report of the director or his or her designee or as a result of a hearing on the report, if the court determines that the defendant is fit to proceed, prosecution in ordinary course may commence.

(C) If the defendant lacks fitness to proceed but does not present a danger to himself or herself or to the person or property of another, the court may release the defendant on conditions the court determines to be proper.

(D) If the defendant lacks fitness to proceed and presents a danger to himself or herself or the person or property of another, the court shall order the director to petition for an involuntary admission.

(E) Upon filing of an order finding that the defendant lacks fitness to proceed issued under subdivision (b)(2)(A) of this section with a circuit clerk or a probate clerk, the circuit clerk or the probate clerk shall submit a copy of the order to the Arkansas Crime Information Center.

SECTION 2. Arkansas Code § 5-2-314(b), concerning on acquittal on the grounds of mental disease or defect, is amended to read as follows:

(b)(1) If the circuit court enters a determination based on subdivision (a)(1) or (3) of this section, the circuit court shall order the defendant committed to the custody of the Director of the Department of Health and Human Services for an examination by a psychiatrist or a licensed psychologist.

(2) Upon filing of an order of commitment under subdivision (b)(1) of this section with a circuit clerk, the circuit clerk shall submit a copy of the order to the Arkansas Crime Information Center."

AND

Page 2, line 6, delete "SECTION 2." and substitute "SECTION 3."

AND

Page 2, delete lines 12 and 13, and substitute the following:

"(2) Upon filing of an order under § 5-2-310(b) or an order of commitment entered pursuant to §§ 5-2-314(b), 20-47-214, or 20-47-215 with a circuit"

AND

Page 2, line 25, delete "SECTION 3." and substitute "SECTION 4."

AND

Page 2, line 33, delete "SECTION 4." and substitute "SECTION 5."

AND

Page 3, delete lines 5 through 24

AND

Page 3, line 26, delete "SECTION 7." and substitute "SECTION 6."

(SIGNED) REPRESENTATIVE JOHNSON

Amendment No. 1 to Senate Bill No. 184, 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 Thompson, and without objection, the rules were suspended pertaining to passage of Amendment and Bill on the same day.

On motion of Senator Thompson, Senate Bill No. 184 was called up for third reading and final disposition.

SENATE BILL NO. 184

As Engrossed: H2/23/07

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.

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. 184 was ordered enrolled.

On motion of Senator G. Jeffress, Senate Bill No. 217 was called up for the purpose of considering Amendment No. 2 and No. 3 thereto, adopted by the House.

HALL OF THE HOUSE OF REPRESENTATIVES
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 2 to SENATE BILL NO. 217

Amend Senate Bill No. 217 as engrossed, S2/13/07:

Add Representatives Cook, Lamoureux, Medley as cosponsors of the bill

AND

Page 1, line 9, delete "LOWER" and substitute "RAISE"

AND

Page 1, line 14, delete "LOWER" and Substitute "RAISE"

AND

Page 1, line 25, delete "September 1, 2007" and substitute "September 1, 2009"

AND

Page 1, line 28, delete "August 15, 2008" and substitute "August 15, 2010"

(SIGNED) REPRESENTATIVE COOK

Amendment No. 2 to Senate Bill No. 217, 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. 3 to SENATE BILL NO. 217

Amend Senate Bill No. 217 as engrossed, H3/5/07:

Page 1, line 24, delete "2008-2009" and substitute "2009-2010"

AND

Page 1, line 27, delete "2009-2010" and substitute "2010-2011"

AND

Page 1, line 30, delete "2010-2011" and substitute "2011-2012"

(SIGNED) REPRESENTATIVE COOK

Amendment No. 3 to Senate Bill No. 217, 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 G. Jeffress, and without objection, the rules were suspended pertaining to passage of Amendment and Bill on the same day.

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

SENATE BILL NO. 217

As Engrossed: S2/13/07 H3/5/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATOR G. JEFFRESS

BY: REPRESENTATIVES COOK, LAMOUREUX & MEDLEY

A Bill for an Act to be Entitled: AN ACT TO AMEND § 6-18-207 TO *RAISE* 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: Baker, Bisbee, Brown, Bryles, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Hill, Horn, G. Jeffress, J. Jeffress, B. Johnson, Laverty, Luker, Madison, Malone, Miller, Salmon, T. Smith, Steele, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkins, Wilkinson, Womack.

Total 30

NEGATIVE: Altes, Argue, Bookout, Broadway, B. Pritchard.

Total 5

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. 217 was ordered enrolled.

On motion of Senator Laverty, Senate Bill No. 231 was called up for the purpose of considering Amendment No. 1 and No. 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. 231

Amend Senate Bill No. 231 as engrossed, S2/26/07:

Page 1, delete lines 27 through 36 and substitute the following:

"(19)(A) "Student growth funding" means the amount of state financial aid provided to each school district from funds made available for ~~that purpose~~ the growth in the average daily membership for the school district.

~~(B) For school years 2005-2006 and 2006-2007, student growth funding is calculated as five thousand four hundred dollars ($5,400) multiplied by the increase, if any, in the school district's two-quarter average of the average daily membership of the current school year over the local school district's two-quarter average of the average daily membership for the previous school year, excluding any increase resulting solely from consolidation or annexation with another school district;~~"

AND

Page 2, delete lines 1 and 2

AND

Page 2, immediately following SECTION 2, insert the following new section:

"SECTION 3. Arkansas Code § 6-20-2305(c), concerning isolated funding, student growth funding, and special education-catastrophic occurrences funding, is amended to read as follows:

(c) Isolated funding under § 6-20-601, student growth funding, and special education-catastrophic occurrences funding shall be funded as follows:

(1) Isolated funding and special education-catastrophic occurrences funding shall be allocated and funded to school districts in a line item appropriation within the Public School Fund pursuant to law or rules promulgated by the State Board of Education~~.~~; and

(2)(A) Student growth funding is calculated as the sum of the following amounts:

(i) One quarter (1/4) of the per student foundation funding for the school district under § 6-20-2305(a)(2) multiplied by the increase, if any, of each of the following:

(a) The school district's quarterly average daily membership for the first quarter of the current school year over average daily membership of the previous school year;

(b) The school district's quarterly average daily membership for the second quarter of the current year over the average daily membership of the previous school year;

(c) The school district's quarterly average daily membership for the third quarter of the current school year over the average daily membership of the previous school year; and

(d) The school district's quarterly average daily membership for the fourth quarter of the current school year over the average daily membership of the previous school year; and

(ii) ~~excluding~~ Excluding any increase resulting solely from consolidation or annexation with another school district.

(B)(i) The State Board of Education shall establish by rule the timing of distributions of student growth funding and the mechanism for determining the quarterly average daily membership to be used in calculating student growth funding under this subsection (c).

(ii)(a) As the fourth quarter average daily membership count will not be available until the following school fiscal year, the final distribution for each school year shall include one half (1/2) of the per student foundation funding for the school district under § 6-20-2305(a)(2) multiplied by the increase, if any, of the school district's quarterly average daily membership for the third quarter of the current school year over the average daily membership of the previous school year.

(b) As a result of calculating the distribution in subdivision (c)(2)(B)(ii)(a) of this section, either an adjustment shall be made in the initial distribution of growth funding for the district in the following school year to be based on the actual fourth quarter growth determined in subdivision (c)(2)(A)(i)(d) or the school district shall refund the overpayment in growth funding."

(SIGNED) REPRESENTATIVE DAVENPORT

Amendment No. 1 to Senate Bill No. 231, 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. 231

Amend Senate Bill No. 231 as engrossed, H3/5/07:

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 6-20-2303(19), concerning school district growth funding, is amended to read as follows:

(19)(A) "Student growth funding" means the amount of state financial aid provided to each school district from funds made available for ~~that purpose~~ the growth in the average daily membership for the school district.

~~(B) For school years 2005-2006 and 2006-2007, student growth funding is calculated as five thousand four hundred dollars ($5,400) multiplied by the increase, if any, in the school district's two-quarter average of the average daily membership of the current school year over the local school district's two-quarter average of the average daily membership for the previous school year, excluding any increase resulting solely from consolidation or annexation with another school district;~~

SECTION 2. Arkansas Code § 6-20-2305(a)(3), concerning funding for districts with declining enrollment, is amended to read as follows:

(3)(A) ~~During the 2006-2007, school year, a~~ A school district ~~with an~~ that has experienced a decline in average daily membership over the two (2) immediately preceding school years ~~that is less than the school district's previous year's average daily membership~~ shall receive:

(i) Declining enrollment funding equal to the difference between the average of the two (2) immediately preceding years' average daily memberships and the average daily membership for the previous school year multiplied by ~~five thousand six hundred twenty dollars ($5,620)~~ the amount of foundation funding set forth in subdivision (a)(2) of this section; or

(ii) Special needs isolated funding under § 6-20-604.

(B) Any funding appropriated and available for declining enrollment funding under subdivision (a)(3)(A)(i) of this section or special needs isolated funding under § 6-20-604 that is not distributed under subdivision (a)(3)(A) of this section shall be prorated and distributed equally per average lost student to school districts that meet the qualifications for both declining enrollment funding under subsection (a)(3)(A)(i) of this section and special needs isolated funding under § 6-20-604.

(C) No school district shall receive both declining enrollment funding under subdivision (a)(3)(A)(i) of this section and student growth funding under § 6-20-2305(c).

SECTION 3. Arkansas Code § 6-20-2305(c), concerning isolated funding, student growth funding, and special education-catastrophic occurrences funding, is amended to read as follows:

(c) Isolated funding under § 6-20-601, student growth funding, and special education-catastrophic occurrences funding shall be funded as follows:

(1) Isolated funding and special education-catastrophic occurrences funding shall be allocated and funded to school districts in a line item appropriation within the Public School Fund pursuant to law or rules promulgated by the State Board of Education.; and

(2)(A) Student growth funding is calculated as the sum of the following amounts:

(i) One quarter (1/4) of the per student foundation funding for the school district under § 6-20-2305(a)(2) multiplied by the increase, if any, of each of the following:

(a) The school district's quarterly average daily membership for the first quarter of the current school year over average daily membership of the previous school year;

(b) The school district's quarterly average daily membership for the second quarter of the current year over the average daily membership of the previous school year;

(c) The school district's quarterly average daily membership for the third quarter of the current school year over the average daily membership of the previous school year; and

(d) The school district's quarterly average daily membership for the fourth quarter of the current school year over the average daily membership of the previous school year; and

(ii) ~~excluding~~ Excluding any increase resulting solely from consolidation or annexation with another school district.

(B)(i) The State Board of Education shall establish by rule the timing of distributions of student growth funding and the mechanism for determining the quarterly average daily membership to be used in calculating student growth funding under this subsection (c).

(ii)(a) As the fourth quarter average daily membership count will not be available until the following school fiscal year, the final distribution for each school year shall include one half (1/2) of the per student foundation funding for the school district under § 6-20-2305(a)(2) multiplied by the increase, if any, of the school district's quarterly average daily membership for the third quarter of the current school year over the average daily membership of the previous school year.

(b) As a result of calculating the distribution in subdivision (c)(2)(B)(ii)(a) of this section, either an adjustment shall be made in the initial distribution of growth funding for the district in the following school year to be based on the actual fourth quarter growth determined in subdivision (c)(2)(A)(i)(d) or the school district shall refund the overpayment in growth funding."

(SIGNED) REPRESENTATIVE DAVENPORT

Amendment No. 2 to Senate Bill No. 231, 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 Laverty, and without objection, the rules were suspended pertaining to passage of Amendment and Bill on the same day.

On motion of Senator Laverty, Senate Bill No. 231 was called up for third reading and final disposition.

SENATE BILL NO. 231

As Engrossed: S2/26/07 H3/5/07 H3/12/07

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, ET AL

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 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. 231 was ordered enrolled.

The President declared the morning hour to have expired.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 19, 2007

Mr. President:

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

SENATE BILL NO. 79, BY SENATORS BISBEE, PRITCHARD,
REPRESENTATIVE ANDERSON,
SENATE BILL NO. 100, BY SENATOR J. JEFFRESS,
SENATE BILL NO. 128, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 132, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 142, BY SENATOR J. JEFFRESS,
SENATE BILL NO. 149, BY SENATOR FARIS,
SENATE BILL NO. 197, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 251, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 253, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 265, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 295, BY SENATOR MILLER,
SENATE BILL NO. 339, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 340, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 341, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 342, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 343, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 344, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 345, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 347, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 348, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 349, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 351, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 352, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 353, BY JOINT BUDGET COMMITTEE,

SENATE BILL NO. 368, BY SENATORS WILKINSON, BAKER, SALMON,
REPRESENTATIVE THYER, et al,
SENATE BILL NO. 381, BY SENATORS BOOKOUT, BROWN, et al,
REPRESENTATIVE COOPER, et, al,
SENATE BILL NO. 404, BY SENATOR BOOKOUT,
REPRESENTATIVE HARDWICK,
SENATE BILL NO. 680, BY SENATOR STEELE,
SENATE BILL NO. 765, BY SENATOR 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 1:25 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. 79
SENATE BILL NO. 100
SENATE BILL NO. 128
SENATE BILL NO. 132
SENATE BILL NO. 142
SENATE BILL NO. 149
SENATE BILL NO. 197
SENATE BILL NO. 251
SENATE BILL NO. 253
SENATE BILL NO. 265
SENATE BILL NO. 295
SENATE BILL NO. 339
SENATE BILL NO. 340
SENATE BILL NO. 341

SENATE BILL NO. 342
SENATE BILL NO. 343
SENATE BILL NO. 344
SENATE BILL NO. 345
SENATE BILL NO. 347
SENATE BILL NO. 348
SENATE BILL NO. 349
SENATE BILL NO. 351
SENATE BILL NO. 352
SENATE BILL NO. 353
SENATE BILL NO. 368
SENATE BILL NO. 381
SENATE BILL NO. 404
SENATE BILL NO. 680
SENATE BILL NO.765

RECEIVED the above papers from the Secretary of the Senate this 19th day of March, 2005 at 1:25 p.m.

(SIGNED) MIKE BEEBE
Governor

(SIGNED) Kristi Hattenhauer
Secretary

On motion of Senator Broadway, the rules were suspended in considering Senate Concurrent Resolution No. 26 at this time.

On motion of Senator Broadway, Senate Concurrent Resolution No. 26 was called up for third reading and final disposition.

SENATE CONCURRENT RESOLUTION NO. 26
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR BROADWAY
BY: REPRESENTATIVES DUNN AND PETRUS

SENATE CONCURRENT RESOLUTION TO SUSPEND JOINT RULE (16)(A) OF THE SENATE AND THE HOUSE OF REPRESENTATIVES TO ALLOW REPRESENTATIVE CHRIS THYER TO INTRODUCE A BILL CONCERNING SCHOOL ACADEMIC FACILITIES BONDS.

Senate Concurrent Resolution No. 26 was read the third time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Concurrent Resolution No. 26 was ordered immediately transmitted to the House.

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, 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. 182 was ordered immediately transmitted to the House.

On motion of Senator Womack, the rules were suspended in considering Senate Bill No. 959 at this time.

Senator Womack moved that the record pertaining to the vote by which the Emergency Clause to Senate Bill No. 959 failed be expunged, the motion was duly seconded and prevailed.

The Chair could not determine the vote so a roll call was requested.

Motion to expunge the vote by which the Emergency Clause failed.

There being an emergency clause attached to Senate Bill No. 959, 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, Critcher, Faris, Glover, Hendren, Horn, G. Jeffress, J. Jeffress, B. Johnson, Laverty, Miller, B. Pritchard, T. Smith, J. Taylor, Trusty, Wilkinson, Womack.

Total 21

NEGATIVE: Argue, Bryles, Crumbly, Hill, Madison, Salmon, Steele.

Total 7

ABSENT OR NOT VOTING: Broadway, Capps, Luker, Malone, R. Thompson, Whitaker, Wilkins.

Total 7

VOTING PRESENT:

Total 0

Total number of votes cast.....28

Necessary to the adoption of the Emergency Clause 24

So the motion failed.

(SIGNED) ANN CORNWELL, SECRETARY

On motion of Senator Hill, Senate Bill No. 827 was called up for third reading and final disposition.

SENATE BILL NO. 827

As Engrossed: S3/14/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATOR HILL

A Bill for an Act to be Entitled: AN ACT TO AMEND PORTIONS OF THE REGIONAL WATER DISTRIBUTION DISTRICT ACT, ACT 114 OF 1957, § 14-116-101 ET SEQ.; TO PROVIDE ECONOMIC DEVELOPMENT; AND FOR OTHER PURPOSES.

Senate Bill No. 827 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. 827 was ordered immediately transmitted to the House.

On motion of Senator Horn, Senate Bill No. 812 was called up for third reading and final disposition.

SENATE BILL NO. 812
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR HORN

A Bill for an Act to be Entitled: AN ACT TO AMEND § 14-233-108 TO INCREASE THE PER DIEM ALLOWANCE FOR A DIRECTOR OF THE BOARD OF A SANITATION AUTHORITY; AND FOR OTHER PURPOSES.

Senate Bill No. 812 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. 812 was ordered immediately transmitted to the House.

On motion of Senator Miller, Senate Bill No. 872 was called up for third reading and final disposition.

SENATE BILL NO. 872
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MILLER
BY: REPRESENTATIVE COOPER

A Bill for an Act to be Entitled: AN ACT CONCERNING THE ADMINISTRATION OF AN ALDERMAN'S OATH OF OFFICE BY A MAYOR; AND FOR OTHER PURPOSES.

Senate Bill No. 872 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. 872 was ordered immediately transmitted to the House.

On motion of Senator Madison, Senate Bill No. 369 was called up for third reading and final disposition.

SENATE BILL NO. 369

As Engrossed: S2/28/07 S3/15/07

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

Total 28

NEGATIVE:

Total 0

ABSENT OR NOT VOTING: Altes, Broadway, Critcher, B. Johnson, Laverty, Wilkins, Womack.

Total 7

VOTING PRESENT:

Total 0

Total number of votes cast.....28

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. 369 was ordered immediately transmitted to the House.

On motion of Senator Madison, Senate Bill No. 370 was called up for third reading and final disposition.

SENATE BILL NO. 370

As Engrossed: S3/5/07 S3/15/07

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 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, 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: Altes.

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

On motion of Senator Pritchard, Senate Bill No. 18 was called up for third reading and final disposition.

SENATE BILL NO. 18

As Engrossed: S2/22/07 S3/15/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATORS B. PRITCHARD, *LAVERTY, ALTES, MADISON, T. SMITH, R. THOMPSON, TRUSTY, WHITAKER, WILKINSON*

BY: REPRESENTATIVES KEY, BERRY, BURKES, ET AL

A Bill for an Act to be Entitled: AN ACT TO EXPAND DRUG COURT PROGRAMS; TO CREATE A DIVISION OF DRUG COURT PROGRAMS WITHIN THE *ADMINISTRATIVE OFFICE OF THE COURTS; TO CREATE THE DRUG COURT ADVISORY COMMITTEE; AND FOR* OTHER PURPOSES.

Senator Luker spoke against the Bill.

Senator Madison spoke for the Bill.

Senator Pritchard closed for the Bill

Senate Bill No. 18 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, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Horn, J. Jeffress, B. Johnson, Laverty, Madison, Miller, B. Pritchard, T. Smith, Steele, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkinson, Womack.

Total 25

NEGATIVE: Luker.

Total 1

ABSENT OR NOT VOTING: Argue, Broadway, Brown, Bryles, Hill, G. Jeffress, Malone, Salmon, Wilkins.

Total 9

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

There being an emergency clause attached to Senate Bill No. 18, 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, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Horn, J. Jeffress, B. Johnson, Laverty, Madison, Miller, B. Pritchard, T. Smith, Steele, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkinson, Womack.

Total 25

NEGATIVE: Luker.

Total 1

ABSENT OR NOT VOTING: Argue, Broadway, Brown, Bryles, Hill, G. Jeffress, Malone, Salmon, Wilkins.

Total 9

VOTING PRESENT:

Total 0

Total number of votes cast.....26

Necessary to the adoption of the Emergency Clause 24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 18 was ordered immediately transmitted to the House.

On motion of Senator Steele, Senate Bill No. 996 was called up for third reading and final disposition.

SENATE BILL NO. 996

As Engrossed: S3/15/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATOR STEELE

BY: REPRESENTATIVE S. PRATER

A Bill for an Act to be Entitled: AN ACT TO CREATE THE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES OVERSIGHT BOARD; TO AMEND THE LAW REGARDING PUBLIC ASSISTANCE; AND FOR OTHER PURPOSES.

Senate Bill No. 996 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, 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: Altes.

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. 996, 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: 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 34

NEGATIVE:

Total 0

ABSENT OR NOT VOTING: Altes.

Total 1

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. 996 was ordered immediately transmitted to the House.

On motion of Senator Whitaker, Senate Bill No. 781 was called up for third reading and final disposition.

SENATE BILL NO. 781

As Engrossed: S3/8/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATOR WILKINS

A Bill for an Act to be Entitled: AN ACT TO PROVIDE CONSISTENCY IN THE STATUTORY LANGUAGE REGARDING PRIOR ALCOHOL-RELATED OFFENSES TO CONSIDER WHEN SUSPENDING OR REVOKING DRIVING PRIVILEGES; TO TREAT CONVICTIONS FOR ALCOHOL-RELATED OFFENSES IN OTHER STATES THAT ARE REPORTED UNDER THE RECIPROCAL SYSTEM AS IF THE OFFENSE HAD HAPPENED IN ARKANSAS; AND FOR OTHER PURPOSES.

Senate Bill No. 781 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. 781 was ordered immediately transmitted to the House as passed.

On motion of Senator G. Jeffress, Senate Bill No. 789 was called up for third reading and final disposition.

SENATE BILL NO. 789
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR G. JEFFRESS

A Bill for an Act to be Entitled: AN ACT TO AMEND THE SPECIAL LICENSE PLATE ACT OF 2005 TO DISTINGUISH PROFESSIONAL FIREFIGHTERS WITH A DISTINCTIVE SPECIAL LICENSE PLATE; AND FOR OTHER PURPOSES.

Senate Bill No. 789 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. 789 was ordered immediately transmitted to the House as passed.

On motion of Senator Capps, Senate Bill No. 924 was called up for third reading and final disposition.

SENATE BILL NO. 924
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR CAPPS

A Bill for an Act to be Entitled: AN ACT TO PROVIDE FOR THE CREATION AND OPERATION OF THE CONNECT ARKANSAS NONPROFIT ORGANIZATION TO PROMOTE BROADBAND EDUCATION AND DEPLOYMENT IN ARKANSAS; AND FOR OTHER PURPOSES.

Senate Bill No. 924 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. 924 was ordered immediately transmitted to the House as passed.

On motion of Senator Womack, Senate Bill No. 944 was called up for third reading and final disposition.

SENATE BILL NO. 944

As Engrossed: S3/15/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATORS WOMACK, CRITCHER, CRUMBLY, HORN, WILKINS & ALTES

REPRESENTATIVES R. GREEN, KEY, ET AL

A Bill for an Act to be Entitled: AN ACT TO PROVIDE FOR THE QUALIFICATIONS AND REIMBURSEMENT OF PROVIDERS OF MENTAL HEALTH CARE ASSISTANCE TO INDIGENT PERSONS; TO ESTABLISH CRITERIA FOR THE ADMISSION OF INDIGENT PERSONS TO MENTAL HEALTH CARE PROGRAMS; TO ENSURE NONDISCRIMINATION AND CHOICE; AND FOR OTHER PURPOSES.

Senate Bill No. 944 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, Horn, B. Johnson, Laverty, Luker, Miller, T. Smith, Steele, R. Thompson, Trusty, Whitaker, Wilkins, Wilkinson, Womack.

Total 26

NEGATIVE: J. Jeffress, Malone.

Total 2

ABSENT OR NOT VOTING: Bryles, Hill, G. Jeffress, Madison, B. Pritchard, Salmon, J. Taylor.

Total 7

VOTING PRESENT:

Total 0

Total number of votes cast.....28

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. 944, 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, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Horn, B. Johnson, Laverty, Luker, Miller, T. Smith, Steele, R. Thompson, Trusty, Whitaker, Wilkins, Wilkinson, Womack.

Total 26

NEGATIVE: J. Jeffress, Malone.

Total 2

ABSENT OR NOT VOTING: Bryles, Hill, G. Jeffress, Madison, B. Pritchard, Salmon, J. Taylor.

Total 7

VOTING PRESENT:

Total 0

Total number of votes cast 28

Necessary to the adoption of the Emergency Clause 24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 944 was ordered immediately transmitted to the House.

On motion of Senator Broadway, Senate Bill No. 823 was called up for third reading and final disposition.

SENATE BILL NO. 823
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR BROADWAY

A Bill for an Act to be Entitled: AN ACT TO CHANGE THE MAILING PROCEDURES FOR CERTAIN NOTICES FROM SUBURBAN IMPROVEMENT DISTRICTS; AND FOR OTHER PURPOSES.

Senate Bill No. 823 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. 823 was ordered immediately transmitted to the House as passed.

On motion of Senator Broadway, House Bill No. 2221 was called up for third reading and final disposition.

HOUSE BILL NO. 2221

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES CORNWELL, ALLEN, T. BAKER, ET AL

BY: SENATORS BROADWAY, BAKER, BOOKOUT, BRYLES, CRUMBLY, HENDREN, LUKER, SALMON, STEELE, & R. THOMPSON

A Bill for an Act to be Entitled: AN ACT TO AMEND THE UTILITY FACILITY ENVIRONMENTAL AND ECONOMIC PROTECTION ACT; TO AMEND THE ARKANSAS MUNICIPAL ELECTRIC UTILITY INTERLOCAL COOPERATION ACT OF 2003; AND FOR OTHER PURPOSES.

House Bill No. 2221 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. 2221 was ordered immediately returned to the House as passed.

On motion of Senator Critcher, House Bill No. 1759 was called up for third reading and final disposition.

HOUSE BILL NO. 1759
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE WYATT

A Bill for an Act to be Entitled: AN ACT TO EXEMPT A STATE-SUPPORTED INSTITUTION OF HIGHER EDUCATION FROM THE SHIELDED OUTDOOR LIGHTING ACT; AND FOR OTHER PURPOSES.

House Bill No. 1759 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. 1759 was ordered immediately returned to the House as passed.

On motion of Senator J. Jeffress, House Bill No. 1581 was called up for third reading and final disposition.

HOUSE BILL NO. 1581
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE MOORE

A Bill for an Act to be Entitled: AN ACT TO ADDRESS COUNTY PROBLEMS WITH BURN BANS; TO AMEND THE SECTION CONCERNING DECLARATION OF A LOCAL DISASTER EMERGENCY; AND FOR OTHER PURPOSES.

House Bill No. 1581 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. 1581 was ordered immediately returned to the House as passed.

On motion of Senator Laverty, House Bill No. 1586 was called up for third reading and final disposition.

HOUSE BILL NO. 1586
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE KING

A Bill for an Act to be Entitled: AN ACT TO MODIFY PROVISIONS RELATED TO THE ADVERTISING AND PROMOTION TAXES LEVIED BY CITIES OF THE FIRST CLASS WITH A POPULATION OF FEWER THAN FIVE THOUSAND (5,000) TO ENSURE THAT THE TAXES ARE LEVIED AND COLLECTED ON ALL ENTITIES THAT PROVIDE LODGING AND TO PROVIDE ADEQUATE REPRESENTATION AND PROCEDURES FOR FILLING THE VACANCIES THAT OCCUR ON THESE CITIES' ADVERTISING AND PROMOTIONS COMMISSION; AND FOR OTHER PURPOSES.

House Bill No. 1586 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. 1586 was ordered immediately returned to the House as passed.

On motion of Senator Crumbly, House Bill No. 2333 was called up for third reading and final disposition.

HOUSE BILL NO. 2333

As Engrossed: S/15/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE ALLEN

A Bill for an Act to be Entitled: AN ACT TO CREATE THE TASK FORCE ON SUBSTANCE ABUSE PREVENTION; AND FOR OTHER PURPOSES.

House Bill No. 2333 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. 2333 was ordered immediately returned to the House as passed as amended.

On motion of Senator Laverty, House Bill No. 1456 was called up for third reading and final disposition.

HOUSE BILL NO. 1456
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES HOYT, REYNOLDS, BURRIS, ET AL
BY: 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 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, Madison, Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkins, Wilkinson, Womack.

Total 33

NEGATIVE: Broadway, Luker.

Total 2

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. 1456, 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, Madison, Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkins, Wilkinson, Womack.

Total 33

NEGATIVE: Broadway, Luker.

Total 2

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. 1456 was ordered immediately returned to the House as passed.

On motion of Senator Madison, House Bill No. 1485 was called up for third reading and final disposition.

HOUSE BILL NO. 1485

As Engrossed: H2/26/07 S3/15/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE KEY

BY: SENATOR WOMACK

A Bill for an Act to be Entitled: AN ACT TO AMEND THE "REVISED UNIFORM ADOPTION ACT", ARKANSAS CODE § 9-9-201 ET SEQ.; TO AMEND PROVISIONS OF THE "STREAMLINE ADOPTION ACT", ARKANSAS CODE § 9-9-701; AND FOR OTHER PURPOSES.

House Bill No. 1485 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. 1485 was ordered immediately returned to the House as passed as amended.

On motion of Senator Horn, House Bill No. 2583 was called up for third reading and final disposition.

HOUSE BILL NO. 2583

As Engrossed: S3/14/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE SAMPLE

BY: SENATOR HORN

A Bill for an Act to be Entitled: AN ACT TO MAKE VARIOUS REVISIONS TO THE PROCUREMENT LAWS OF THE STATE OF ARKANSAS; AND FOR OTHER PURPOSES.

House Bill No. 2583 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, 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: Altes.

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

House Bill No. 2583 was ordered immediately returned to the House as passed as amended.

On motion of Senator Smith, House Bill No. 2245 was called up for third reading and final disposition.

HOUSE BILL NO. 2245
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES FLOWERS AND E. BROWN

A Bill for an Act to be Entitled: AN ACT TO PROVIDE ARKANSAS HIGH SCHOOL STUDENTS WITH COMPREHENSIVE INFORMATION CONCERNING COLLEGE SCHOLARSHIPS AND STATE-FUNDED PROGRAMS FOR DEVELOPING TECHNICAL JOB SKILLS; AND FOR OTHER PURPOSES.

House Bill No. 2245 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. 2245 was ordered immediately returned to the House as passed.

On motion of Senator Smith, House Bill No. 1250 was called up for third reading and final disposition.

HOUSE BILL NO. 1250

As Engrossed: H1/24/07 H2/27/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES *MEDLEY*, WELLS, WALTERS, ET AL

A Bill for an Act to be Entitled: AN ACT TO AUTHORIZE INDEPENDENT PRACTICE OF PSYCHOLOGY BY QUALIFIED PERSONS AT THE MASTER'S LEVEL; AND FOR OTHER PURPOSES.

House Bill No. 1250 was pulled down.

On motion of Senator G. Jeffress, House Bill No. 1782 was called up for third reading and final disposition.

HOUSE BILL NO. 1782

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE KING

A Bill for an Act to be Entitled: AN ACT TO ADD A REPRESENTATIVE OF THE ARKANSAS YOUNG AND BEGINNING FARMER ADVISORY BOARD TO THE ARKANSAS AGRICULTURE BOARD; AND FOR OTHER PURPOSES.

House Bill No. 1782 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. 1782 was ordered immediately returned to the House as passed.

On motion of Senator Baker, House Bill No. 2585 was called up for third reading and final disposition.

HOUSE BILL NO. 2585
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE HARDWICK

A Bill for an Act to be Entitled: AN ACT TO AMEND PROVISIONS OF ARKANSAS LAW PERTAINING TO STATE CAPITAL IMPROVEMENT PROJECTS; AND FOR OTHER PURPOSES.

House Bill No. 2585 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. 2585 was ordered immediately returned to the House as passed.

On motion of Senator Smith, House Bill No. 1367 was called up for third reading and final disposition.

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 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, 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: Argue.

Total 1

ABSENT OR NOT VOTING: Altes.

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. 1367 was ordered immediately returned to the House as passed.

On motion of Senator Salmon, House Bill No. 1671 was called up for third reading and final disposition.

HOUSE BILL NO. 1671
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE L. SMITH

A Bill for an Act to be Entitled: AN ACT TO AMEND THE "ARKANSAS WETLANDS MITIGATION BANK ACT" TO INCLUDE AQUATIC RESOURCES, STREAMS, AND DEEP WATER AQUATIC HABITATS; AND FOR OTHER PURPOSES.

House Bill No. 1671 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, Baker, Bookout, Broadway, Brown, Bryles, Capps, Faris, Glover, J. Jeffress, Luker, Madison, Malone, Miller, Salmon, J. Taylor, R. Thompson, Wilkinson.

Total 18

NEGATIVE: Altes, Bisbee, Hendren, Laverty, B. Pritchard.

Total 5

ABSENT OR NOT VOTING: Critcher, Crumbly, Hill, Horn, G. Jeffress, B. Johnson, T. Smith, Steele, Trusty, Whitaker, Wilkins, Womack.

Total 12

VOTING PRESENT:

Total 0

Total number of votes cast 23

Necessary to the passage of the bill 18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senator Salmon moved that the vote by which House Bill No. 1671 passed be reconsidered and that motion be laid upon the table, which motion prevailed and the motion to reconsider was laid on the table.

House Bill No. 1671 was ordered immediately returned to the House as passed.

On motion of Senator Salmon, House Bill No. 1446 was called up for third reading and final disposition.

HOUSE BILL NO. 1446
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES REYNOLDS, HAWKINS, HOYT, ET AL

A Bill for an Act to be Entitled: AN ACT TO PROVIDE NOTICE TO TAXPAYERS REGARDING RIGHTS TO LOWER ASSESSMENTS ON THE TAXPAYER'S HOMESTEAD USED AS A PRINCIPAL PLACE OF RESIDENCE AS CONTAINED IN THE ARKANSAS CONSTITUTION; AND FOR OTHER PURPOSES.

House Bill No. 1446 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. 1446 was ordered immediately returned to the House as passed.

On motion of Senator Salmon, House Bill No. 2283 was called up for third reading and final disposition.

HOUSE BILL NO. 2283
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE REYNOLDS

A Bill for an Act to be Entitled: AN ACT TO CLARIFY ARKANSAS CODE §§ 14-20-112(a), 26-75-602(c)(2), AND 26-75-701(a) TO APPLY TO HOTELS, MOTELS, RESTAURANTS, OR SIMILAR ESTABLISHMENTS; AND FOR OTHER PURPOSES.

House Bill No. 2283 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 House Bill No. 2283, 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. 2283 was ordered immediately returned to the House as passed.

On motion of Senator Bookout, House Bill No. 1657 was called up for third reading and final disposition.

HOUSE BILL NO. 1657
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES ROSENBAUM AND ANDERSON
BY: SENATOR BOOKOUT

A Bill for an Act to be Entitled: AN ACT TO AUTHORIZE CITIES AND TOWNS TO COLLECT AN ADDITIONAL FRANCHISE FEE FROM TELEPHONE COMPANIES; AND FOR OTHER PURPOSES.

House Bill No. 1657 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. 1657 was ordered immediately returned to the House as passed.

On motion of Senator J. Jeffress, House Bill No. 2398 was called up for third reading and final disposition.

HOUSE BILL NO. 2398
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE BURRIS

A Bill for an Act to be Entitled: AN ACT TO REQUIRE EACH STUDENT AT A PUBLIC INSTITUTION OF HIGHER EDUCATION TO BE INFORMED AT REGISTRATION IF A COURSE WILL TRANSFER TO ANOTHER PUBLIC INSTITUTION OF HIGHER EDUCATION; TO REQUIRE THE EIGHT-SEMESTER COURSE OF STUDY TO INCLUDE TRANSFERABILITY INFORMATION; AND FOR OTHER PURPOSES.

House Bill No. 2398 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. 2398 was ordered immediately returned to the House as passed.

On motion of Senator Womack, Senate Bill No. 78 was withdrawn from the Committee on Joint Budget, 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. 78

JBC 03/15/07 (2)

Amend Senate Bill No. 78 as engrossed S/3/8/07:

Page 2, line 3, delete "$135,955 $138,674" and substitute "$150,000 $153,000"

(SIGNED) SENATOR SHAWN WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 78 was ordered engrossed.

On motion of Senator Womack, Senate Bill No. 138 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. 138

JBC 03/15/07 (1)

Amend Senate Bill No. 138 as originally introduced:

Page 5, delete lines 24 and 25 in their entirety and substitute the following:
"which remains at the close of the fiscal year ending June 30, ~~2006~~ 2008 shall"

AND

Page 5, delete lines 30 and 31 in their entirety and substitute the following:
"the Bureau of Legislative Research of the Legislative Council shall certify the"

AND

Page 6, delete lines 5, 6 and 7 in their entirety and substitute the following:
"PROVISION - LINE ITEMS. The Director of the Bureau of Legislative Research is hereby authorized to direct the Chief Fiscal Officer of the"

AND

Page 7, delete lines 9, 10 and 11 in their entirety and substitute the following:
“at the discretion of the Director of the Bureau. Salary payments shall not be restricted to maximum amounts authorized by law, if the salary adjustments exceed the maximum line item amount authorized by law for a position, the amount shall be paid to the employee as a lump-sum payment. The provisions of this section shall be in effect only from July 1, ~~2005~~ 2007 through June 30, ~~2007~~ 2009.”

(SIGNED) SENATOR SHAWN WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 138 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. 2.

ARKANSAS SENATE

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

Amendment No. 2 to SENATE BILL NO. 175

JBC 03/15/07 (1)

Amend Senate Bill No. 175 as engrossed, S2/19/07:

Page 13, insert a line between lines 11 and 12

AND

Page 13, line 17 delete "At such time as any of the foreign offices are"

AND

Page 13, delete lines 18, 19 and 20 in their entirety

AND

Page 13, line 21, delete "corporation, individual or organization."

(SIGNED) SENATOR SHAWN WOMCAK

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. 192 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. 192

JBC 03/15/07 (2)

Amend Senate Bill No. 192 as originally:

Delete SECTION 1 in its entirety and substitute the following:

" SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established for the Department of Parks and Tourism for the 2007-2009 biennium, the following maximum number of regular employees whose salaries shall be governed by the provisions of the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws amendatory thereto. Provided, however, that any position to which a specific maximum annual salary is set out herein in dollars, shall be exempt from the provisions of said Uniform Classification and Compensation Act. All persons occupying positions authorized herein are hereby governed by the provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its successor.

Item	Class		Maximum No. of Employees	Salary Rate Fiscal Years 2007-2008	2008-2009
(1)	9975	PRK&TRSM DIR PARKS REC & TRAVEL	1	$103,807	$105,883
(2)	9704	PRKS&TRSM STATE PARKS DIV DIR	1	$93,235	$95,099
(3)	9703	PRKS&TRSM CENTRAL ADMIN DIV DIR	1	$92,121	$93,963
(4)	9705	PRKS&TRSM TOURISM DIVISION DIR	1	$80,806	$82,422
(5)	9706	PRKS & TRSM/TRSM ADMIN DIRECTOR	1	$69,686	$71,079
(6)	561Z	PRKS & TRSM PARKS OPERATIONS MGR	1	GRADE 26	
(7)	563Z	PRKS & TRSM PARKS PLNG & DEV MGR	1	GRADE 26	
(8)	559Z	PRKS & TRSM PARKS ADMIN MANAGER	1	GRADE 25	
(9)	997Z	MUSEUM SERVICES DIRECTOR	1	GRADE 25	
(10)	A046	AGENCY CONTROLLER - LARGE/COMPLEX A	1	GRADE 25	
(11)	P306	PRKS & TRSM REGIONAL PARK SUPV	4	GRADE 25	
(12)	R328	PRKS & TRSM DIR RESEARCH & INFO SVC	1	GRADE 25	
(13)	R078	PRKS & TRSM MRKTING & PROMOTION DIR	1	GRADE 24	
(14)	R287	OUTDOOR REC GRANTS PRGM DIR	1	GRADE 24	
(15)	X339	ENGINEER SUPERVISOR	1	GRADE 24	
(16)	A049	PRKS & TRSM REV OPERATIONS MANAGER	1	GRADE 24	
(17)	557Z	PRKS & TRSM FOLK CENTER MANAGER	1	GRADE 24	
(18)	D130	INFORMATION SYSTEMS ADMINISTRATOR	1	GRADE 24	
(19)	P301	PRKS & TRSM PROGRAM SVC ADMR	1	GRADE 24	
(20)	P302	PARK SUPERINTENDENT V	3	GRADE 24	
(21)	P326	LODGE MANAGER	4	GRADE 24	
(22)	P303	PARK SUPERINTENDENT IV	10	GRADE 23	
(23)	N330	LICENSED ARCHITECT	1	GRADE 23	
(24)	N297	PRKS & TRSM TOURISM EDITOR	1	GRADE 23	
(25)	D080	APPLICATIONS & SYSTEMS MANAGER	1	GRADE 23	
(26)	564Z	PRKS & TRSM PERSONNEL MANAGER	1	GRADE 23	
(27)	P324	FOOD & BEVERAGE DIRECTOR	1	GRADE 23	
(28)	909Z	PROGRAM SUPPORT MANAGER	2	GRADE 22	
(29)	A032	AGENCY FISCAL MANAGER	1	GRADE 22	
(30)	A264	PARKS AND TOURISM ACCOUNTING SUPERV	3	GRADE 22	
(31)	X338	ENGINEER, PE	2	GRADE 22	
(32)	P332	PARK SUPERINTENDENT III	18	GRADE 22	
(33)	P323	ASSISTANT LODGE MANAGER	4	GRADE 22	
(34)	P331	PARK SUPERINTENDENT II	37	GRADE 21	
(35)	R120	PARK PLANNER	4	GRADE 21	
(36)	R121	PRKS & TRSM ASST PERSONNEL MGR	1	GRADE 21	
(37)	V007	REAL ESTATE OFFICER	1	GRADE 21	
(38)	V012	PURCHASING MANAGER	1	GRADE 21	
(39)	Y012	PARK PROJECT MANAGER	1	GRADE 21	
(40)	X341	ENGINEER II	1	GRADE 21	
(41)	R298	AGENCY PROGRAM COORDINATOR	2	GRADE 21	
(42)	N312	MUSEUM ARCHIVIST CONSERVATOR	1	GRADE 21	
(43)	D010	DATA BASE ANALYST	1	GRADE 21	
(44)	D123	APPLICATIONS & SYSTEMS ANALYST	2	GRADE 21	
(45)	A008	ACCOUNTING SUPERVISOR II	1	GRADE 21	
(46)	P322	RESTAURANT MANAGER	5	GRADE 21	
(47)	A056	INTERNAL AUDITOR	1	GRADE 20	
(48)	D121	USER SUPPORT ANALYST	4	GRADE 20	
(49)	G104	CONSTRUCTION/MAINTENANCE COORD	1	GRADE 20	
(50)	E114	STAFF DEVELOPMENT COORDINATOR	1	GRADE 20	
(51)	N295	FOLKLIFE DIR OZARK FOLK CENTER	1	GRADE 20	
(52)	N318	CURATOR	4	GRADE 20	
(53)	N282	EXHIBITS SPECIALIST	2	GRADE 20	
(54)	X398	SURVEYOR	1	GRADE 20	

(55) R266	MANAGEMENT PROJECT ANALYST II	11	GRADE 20
(56) X337	ENGINEER	1	GRADE 20
(57) V060	CENTRAL WAREHOUSE SUPERVISOR	1	GRADE 19
(58) T017	PARK RANGER II	22	GRADE 19
(59) R150	RESEARCH PROJECT ANALYST	1	GRADE 19
(60) P329	PARK SUPERINTENDENT I	11	GRADE 19
(61) N285	TOURIST INFORMATION CENTER MGR II	5	GRADE 19
(62) N347	TOURISM CONSULTANT	2	GRADE 19
(63) E138	PRKS & TRSM DIR ED & PUB PRGMS	1	GRADE 19
(64) E014	DIRECTOR MULTI-MEDIA SERVICES	3	GRADE 19
(65) A110	ACCOUNTANT II	4	GRADE 19
(66) P321	LODGE SALES DIRECTO	3	GRADE 19
(67) A111	ACCOUNTANT	3	GRADE 18
(68) E050	STAFF DEVELOPMENT SPECIALIST II	1	GRADE 18
(69) G028	BLDG PLANT MAINTENANCE SUPV II	8	GRADE 18
(70) N346	MUSIC PROGRAM & PROMOTIONAL COORD	2	GRADE 18
(71) N380	CHIEF PHOTOGRAPHER	1	GRADE 18
(72) N314	MUSEUM INTERPRETIVE SPECIALIST	1	GRADE 18
(73) N288	HISTORICAL RESEARCHER	1	GRADE 18
(74) N280	TRAVEL INFORMATION WRITER II	3	GRADE 18
(75) H032	FOOD PRODUCTION MANAGER	2	GRADE 18
(76) P325	PARK INTERPRETER	43	GRADE 18
(77) R195	PERSONNEL ANALYST	1	GRADE 18
(78) V040	PURCHASE AGENT II/PURCHASE AGENT	2	GRADE 18
(79) X372	PARK CONSTRUCTION INSPECTOR	4	GRADE 18
(80) Y017	CARPENTER SUPERVISOR	4	GRADE 18
(81) Y027	ELECTRICIAN SUPERVISOR	3	GRADE 18
(82) Y041	HEATING & A/C MECHANIC SUPERVISOR	3	GRADE 18
(83) Y081	PLUMBER SUPERVISOR	1	GRADE 18
(84) Y087	PRINTER SUPERVISOR	1	GRADE 18
(85) P319	ASSISTANT RESTAURANT MANAGER	5	GRADE 18
(86) P320	LODGE HOUSEKEEPING SUPERVISOR	4	GRADE 18
(87) P318	FRONT DESK SUPERVISOR	3	GRADE 18
(88) Y053	JOURNEYMAN CARPENTER	11	GRADE 17
(89) Y039	HEATING & A/C MECHANIC	3	GRADE 17
(90) T021	PARK RANGER	1	GRADE 17
(91) R010	ADMINISTRATIVE ASSISTANT II	19	GRADE 17
(92) R190	PERSONNEL OFFICER II	2	GRADE 17
(93) P317	TOURIST INFORMATION CENTER MANAGER	7	GRADE 17
(94) N290	COMMERCIAL ARTIST II/GRAPHIC ART II	2	GRADE 17
(95) N299	MUSEUM REGISTRAR	2	GRADE 17
(96) N343	MUSEUM EXHIBIT SPECIALIST	1	GRADE 17
(97) P316	ASSISTANT LODGE SALES DIRECTOR	2	GRADE 16
(98) M110	VOLUNTEER SERVICES COORDINATOR	1	GRADE 16
(99) K008	PRKS & TRSM ADMIN SUPPORT COORD	45	GRADE 16
(100) P310	FACILITY MANAGER III	4	GRADE 16
(101) P308	PARK TECHNICIAN III	75	GRADE 16
(102) X395	SURVEY CREW CHIEF	1	GRADE 16
(103) X333	ENGINEER TECHNICIAN	1	GRADE 16
(104) Y085	PRINTER II	1	GRADE 16
(105) R009	ADMINISTRATIVE ASSISTANT I	1	GRADE 15
(106) N316	MUSEUM PROGRAM ASSISTANT	5	GRADE 15
(107) G043	EQUIPMENT MECHANIC	1	GRADE 15
(108) D005	COMPUTER OPERATOR II	1	GRADE 15
(109) A063	PAYROLL OFFICER	1	GRADE 15
(110) A108	ACCOUNTING TECHNICIAN II	15	GRADE 15
(111) P315	LODGE COOK	14	GRADE 15

(112) N377 AUDIOVISUAL COORD/PHOTOGRAPHER	1	GRADE 14
(113) P367 PARK TECH II	46	GRADE 14
(114) P309 FACILITY MANAGER II	13	GRADE 14
(115) P313 DESK CLERK	12	GRADE 13
(116) P314 LODGE HOUSEKEEPER	4	GRADE 13
(117) R125 PERSONNEL OFFICER	1	GRADE 13
(118) K153 SECRETARY II	14	GRADE 13
(119) K145 CASHIER/CASHIER II	10	GRADE 12
(120) K039 DOCUMENT EXAMINER II	1	GRADE 12
(121) K181 MAILROOM SUPERVISOR	1	GRADE 12
(122) T045 SECURITY OFFICER II	2	GRADE 12
(123) P307 FACILITY MANAGER I	18	GRADE 12
(124) P365 PARK TECH I	44	GRADE 12
(125) P345 TRAVEL CONSULTANT II	30	GRADE 12
(126) P311 DISHWASHER/BUSSER	1	GRADE 12
(127) V043 SHIPPING & RECEIVING CLERK	1	GRADE 11
(128) K155 SECRETARY I	2	GRADE 11
(129) N308 MUSEUM GUIDE II	6	GRADE 11
(130) K037 DOCUMENT EXAMINER I	6	GRADE 10
(131) H027 COOK II	4	GRADE 10
(132) P363 PARK AIDE II	3	GRADE 09
(133) P361 PARK AIDE I	1	GRADE 07
(134) H051 WAITRESS/WAITER	11	GRADE 03
MAX. NO. OF EMPLOYEES	756	

(SIGNED) SENATOR SHAWN WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 192 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. 3.

ARKANSAS SENATE

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

Amendment No. 3 to SENATE BILL NO. 194

JBC 03/15/07 (1)

Amend Senate Bill No. 194 as engrossed, S3/12/07:

Following Section 14, insert four sections:

"SECTION 15. SPECIAL LANGUAGE. Arkansas Code Annotated 6-63-310, concerning Reorganization and consolidation of administrative functions, is repealed:

~~(a) Upon determination by the President of the University of Arkansas that a reallocation of resources for purposes of reorganization or consolidation of administrative functions within the University of Arkansas is necessary for efficient and effective operations of the university, the president, with approval of the Board of Trustees of the University of Arkansas, may have the authority to transfer positions and related funds between campuses, divisions, and other budgetary units of the university.~~

~~(b)(1) The transfers of positions, programs, or activities shall be used for those purposes for which the appropriations were approved by the General Assembly.~~

~~(2) The reallocation of resources through consolidation or reorganization may include the Graduate Institute of Technology, provided that the appropriated funds or positions for this program shall not be transferred from the central Arkansas area.~~

~~(3) The transfers, consolidation, or reorganization which involve academic programs shall be reviewed by the Department of Higher Education and the Legislative Council.~~";

AND

"SECTION 16. SPECIAL LANGUAGE. Arkansas Code Annotated 6-65-225, concerning Consolidation of administrative functions, is repealed:

~~(a) Upon determination by the President of Arkansas State University that a reallocation of resources for purposes of reorganization or consolidation of administrative functions within the university is necessary for efficient and effective operations of the university, the president, with approval of the Board of Trustees of Arkansas State University, may have the authority to transfer positions, appropriations, and related funds between campuses, divisions, branches, and other budgetary units of the university.~~

~~(b) The transfers of positions, programs, or activities shall be used for those purposes for which the appropriations were approved by the General Assembly.~~

~~(c) The transfers, consolidation, or reorganization which involve academic programs shall be reviewed by the Department of Higher Education and the Legislative Council.~~";

AND

"SECTION 17. SPECIAL LANGUAGE. Arkansas Code Annotated 6-62-309, concerning Bonds or notes – Liability, is amended by adding a subsection:

(c) Upon a determination of the board of trustees that a reallocation of resources is necessary for the purposes of preventing a default on its indebtedness, the board of trustees has specific authority to transfer funds between and among campuses, divisions and other budgetary units of its institution of higher education. Upon exercising the authority to reallocate resources as provided by this section, the board of trustees shall report the reasons for, and the details of, such reallocations to the Legislative Council or Joint Budget Committee immediately thereafter.";

AND

"SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EMERGENCY GRANTS & EXTRA HELP POOL. An Institution of higher education that suffers an emergency/disaster event resulting in all or a significant portion of campus operations being interrupted, may request disaster assistance through the Arkansas Department of Higher Education. Upon the declaration of an emergency by the Governor, the institution may request, subject to the recommendation of the Director of the Department of Higher Education and approval of the Governor, a grant from the Disaster Relief Fund to assist in returning that campus to operation and/or to a sister campus providing services to the students from the affected campus. Certified law enforcement officers employed by an institution of higher education may be granted jurisdiction at the sister institution, upon agreement of both institutions.

The Department of Higher Education is authorized a pool of 500 extra help positions for use in such emergency situations. These positions may be assigned to the campus suffering the disaster event or to a sister campus providing services to the students from the affected campus. The Governor may waive the 1500 hour limit of ACA 6-63-314 on these assigned extra help pool positions.

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

And renumber the sections following the above insertions.

(SIGNED) SENATOR SHAWN 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. 218 was withdrawn from the Committee on Joint Budget, 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. 218

JBC 03/15/07 (1)

Amend Senate Bill No. 218 as engrossed, S3/5/07:

Insert an additional section immediately following SECTION 31 to read as follows:
" SECTION 32. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ACUTE MENTAL HEALTH SERVICES EMERGENCY RESERVE FUND. Of the total amount appropriated each fiscal year in Section 9 of this Act for Acute Mental Health Services - Per Capita, two hundred fifty thousand dollars ($250,000) each fiscal year shall first be placed in an Acute Care Emergency Reserve Fund, administered by the Division of Behavioral Health Services, distributed only to community mental health centers for the payment to community-based hospitals for bed days in instances when the community mental health centers have exhausted their regular appropriation of acute care funds during the fiscal year. The remaining five million five hundred ninety-seven thousand seven hundred and fifty dollars ($5,597,750) appropriated for fiscal year 2008 and the remaining five million six hundred ninety-seven thousand one hundred sixty-two dollars ($5,697,162) appropriated for fiscal year 2009 shall be allocated and made available to the community mental health centers within community-based settings on a per-capita basis. The Division of Behavioral Health Services shall report its plan for the administration of the Acute Care Emergency Reserve Fund to the Arkansas Legislative Council prior to the beginning of the state fiscal year in which the funds are distributed.

The Division of Behavioral Health Services shall work with community mental health centers to secure additional funds to be dedicated to the Acute Care Emergency Reserve Fund. The Division of Behavioral Health Services shall report to the Arkansas Legislative Council the amount and source of any such additional funds secured."

AND

Appropriately renumber the SECTION numbers of the bill.

(SIGNED) SHAWN WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 218 was ordered engrossed.

On motion of Senator Womack, Senate Bill No. 244 was withdrawn from the Committee on Joint Budget, 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. 244

JBC 03/15/07 (1)

Amend Senate Bill No. 244 as originally introduced:

Page 3, line 25 delete "$ 6,204,189 $ 6,328,161" and substitute "$ 6,298,704 $ 6,424,565"

AND

Page 3, line 26 delete "1,867,045 1,893,174" and substitute "1,899,284 1,925,807"

AND

Page 3, line 28 delete "1,738,822 1,738,822" and substitute "1,820,095 1,820,095"

AND

Page 3, line 29 delete "68,100 68,100" and substitute "70,600 70,600"

AND

Page 3, line 33 delete "$ 10,191,871 $ 10,341,972" and substitute "$ 10,402,398 $ 10,554,782"

AND

Delete SECTION 6 in its entirety

AND

Delete SECTION 8 in its entirety

AND

Delete SECTION 9 in its entirety

AND

Delete SECTION 10 in its entirety

AND

Appropriately renumber all sections

(SIGNED) SHAWN WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 244 was ordered engrossed.

On motion of Senator Womack, Senate Bill No. 262 was withdrawn from the Committee on Joint Budget, 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. 262

JBC 03/15/07 (1)

Amend Senate Bill No. 262 as engrossed, S3/5/07:

Add new sections immediately following SECTION 27 to read as follows:

"SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS/STRIVE PROGRAM TRANSFER. The Chief Fiscal Officer of the State shall transfer on his books and those of the State

Treasurer and the State Auditor, the sum of two hundred thousand dollars ($200,000) during each fiscal year~~,~~ of the biennium from the Department of Education Public School Fund Account to the University of Arkansas at Little Rock Fund, specifically to provide funding for the Arkansas/STRIVE Program. The total amount of funds transferred each fiscal year pursuant to this section shall not be subject to any indirect costs by the University of Arkansas at Little Rock.

The provisions of this section shall be in effect only from July 1, ~~2005~~ 2007 through June 30, ~~2007~~ 2009.

SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL, AND TEMPORARY LAW.

FUNDING TRANSFERS.

(a) On July 1, 2007 the Chief Fiscal Officer of the State shall transfer on his books and those of the State Treasurer and the State Auditor, twenty-one million seven hundred three thousand seven hundred ninety dollars ($21,703,790) from the General Revenue Allotment Reserve Fund to the Department of Education Public School Fund Account for the purpose of funding the Ninety-eight Percent (98%) Uniform Rate of Tax (URT) Actual Collection Adjustment for fiscal year 2007-08 and fiscal year 2008-09 as appropriated herein.

(b) The Department of Education shall create a sub-fund within the Department of Education Public School Fund Account to receive this transfer of twenty-one million seven hundred three thousand seven hundred ninety dollars ($21,703,790) from the General Revenue Allotment Reserve Fund, and shall use these funds exclusively for the payment of the 98% URT Actual Collection Adjustment and the study of the implementation of the 98% URT Actual Collection Adjustment.

(c) The legislature is totally committed to insuring each school district receives the amount of foundation funding provided for in Arkansas Code §6-20-2305(a)(2)(A) and (B), regardless of the amount of revenue collected by the counties. However, there is a genuine question concerning the efficiency and effectiveness in the county collection process. House Bill 1632 of 2007 contains a provision requiring the Division of Legislative Audit to investigate and report proposed changes to the county collection process. Based on these proposed efficiencies, the Legislature intends to provide full general revenue funding for the 98% URT Actual Collection Adjustment in the next biennium. The use of the General Revenue Allotment Reserve Fund is a "bridge" providing full funding subject to a final decision on collection improvements.

(d) Subsection (c) above shall also apply to the "Funding Transfers" section of Special Language in Act 229 of 2007.

SECTION 30. Arkansas Code § 6-17-1117(b), concerning Department of Education contributions to health insurance premiums for public school employees, is amended to read as follows:

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

(B) The Department of Education shall make the total contributions under subdivision (b)(1)(A) of this section by transferring thirty-five million dollars ($35,000,000) to the division in eleven (11) equal monthly installments.

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

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

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

(C) If funding and appropriation are provided and exceed the amount needed to make the minimum contribution under subdivision (b)(1)(A), the department shall pay a proportional share of the excess on behalf of each participant.

~~(B)~~(4) Notwithstanding the special language provision in the department's appropriation act granting transfer authority or any other law to the contrary, appropriation and funding provided for the purposes of this section shall not be transferred by the department for any other purpose.

SECTION 31. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. The Special Language regarding "Health Insurance" as authorized in SECTION 23 of Act 229 of 2007 is amended to read as follows:

SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE

ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY

LAW. HEALTH INSURANCE. Beginning with the 1996-97 school year, Local School Districts shall pay no less than the health insurance contribution rate established by Arkansas Code 6-17-1117 for each eligible employee electing to participate in the Public School Employee Health Insurance Program. The appropriation contained herein for Public School Employee Insurance each fiscal year shall be used to provide the state contribution for insurance premiums for employees of the Cooperative Education Services Areas, Vocational Centers, and the school operated by the Department of Correction who participate in the Arkansas Public School Life and Health Insurance Program.

In addition, the Department of Education shall pay the Employee Benefits Division of the Department of Finance and Administration a minimum of sixty-one dollars ($61) per month for each eligible employee electing to participate in the public school employee health insurance program.

The provisions of this section shall be in effect only from July 1, ~~2005~~ 2007 through June 30, ~~2007~~ 2009."

And

Appropriately renumber subsequent sections of the bill.

(SIGNED) SENATOR SHAWN WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 262 was ordered engrossed.

On motion of Senator Womack, Senate Bill No. 449 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. 449

JBC 03/15/07 (1)

Amend Senate Bill No. 449 as originally introduced:

Page 6, insert a new SECTION immediately following SECTION 9 to read as follows:

" SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LIABILITY INSURANCE APPROPRIATION RESTRICTION. In no event shall the Department of Veterans Affairs expend or transfer any appropriation or funds for the purchase of malpractice liability insurance for the benefit of a non-governmental entity."

And

Appropriately renumber the subsequent SECTIONS of the bill.

(SIGNED) SENATOR SHAWN WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 449 was ordered engrossed.

On motion of Senator Womack, Senate Bill No. 473 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. 473

JBC 03/15/07 (20)

Amend Senate Bill No. 473 as originally introduced:

Page 1, line 29, delete “$847,200” and substitute “$925,200”

And

Page 1, insert an additional SECTION immediately following SECTION 1, to read as follows:

" SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPERATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PROCEDURES. As soon as it is feasible after the effective date of this Act, the Arkansas Agriculture Department - Livestock and Poultry Commission shall notify the various district and county livestock show associations to file applications with the Commission for grant funds appropriated in Section 1, to make needed improvements at the various livestock shows. Each County Livestock Association shall receive a maximum of eight thousand two hundred dollars ($8,200). Provided, that any county having two county seats or two county livestock shows shall be considered a single county for the purposes of this Act and the funds allocated to any such county shall be divided equally between the two county livestock associations. Provided further, that any county having a county livestock show in a county seat other than the district of the county in which a district livestock show is located and which has heretofore received state aid, shall be considered a separate county. Each District Livestock Association and the 4 States Fair Association shall be entitled to receive a maximum of forty nine thousand dollars ($49,000).

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

And

Appropriately renumber the subsequent SECTIONS of the bill.

(SIGNED) SENATOR SHAWN WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 473 was ordered engrossed.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 19, 2007

Mr. President:

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

SENATE BILL NO. 28, 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

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 19, 2007

Mr. President:

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

HOUSE BILL NO. 1299, BY REPRESENTATIVE HARRELSON, et al,
HOUSE BILL NO. 1651, BY REPRESENTATIVE WELLS, 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 CONCURRENT RESOLUTION NO. 1036
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES BLOUNT AND DUNN
BY: SENATOR CRUMBLY

HOUSE CONCURRENT RESOLUTION CONGRATULATING THE FORREST CITY MUSTANGS ON WINNING THE 6A EAST CONFERENCE BASKETBALL CHAMPIONSHIP.

House Concurrent Resolution No. 1036 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE CONCURRENT MEMORIAL RESOLUTION NO. 1002
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE OVERBEY
BY: SENATORS WILKINSON AND LAVERTY

HOUSE CONCURRENT MEMORIAL RESOLUTION IN RESPECTFUL MEMORY OF MR. JACK DOLAN CECIL AND IN RECOGNITION OF HIS CONTRIBUTIONS TO THE STATE OF ARKANSAS AND HIS LOCAL COMMUNITY.

House Concurrent Memorial Resolution No. 1002 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1163

As Engrossed: H2/13/07 H3/1/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES BURRIS, STEWART, ET AL

A Bill for an Act to be Entitled: AN ACT TO AMEND PROVISIONS OF THE ARKANSAS CODE CONCERNING THE ADMINISTRATION OF CONCEALED HANDGUN LICENSING BY THE DEPARTMENT OF ARKANSAS STATE POLICE; TO REQUIRE A CONCEALED HANDGUN LICENSE TO BEAR A DIGITAL PHOTOGRAPH OF THE LICENSEE UNDER CERTAIN CIRCUMSTANCES; AND FOR OTHER PURPOSES.

House Bill No. 1163 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

HOUSE BILL NO. 1471

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE MOORE

A Bill for an Act to be Entitled: AN ACT TO ENSURE THAT THIRD PARTIES THAT ARE LIABLE FOR MEDICAID COSTS PROVIDE REIMBURSEMENT TO THE MEDICAID PROGRAM; AND FOR OTHER PURPOSES.

House Bill No. 1471 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

HOUSE BILL NO. 1531
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE HARRELSON

A Bill for an Act to be Entitled: AN ACT TO CREATE THE "ARKANSAS RETIREMENT COMMUNITY PROGRAM ACT"; AND FOR OTHER PURPOSES.

House Bill No. 1531 was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY & LOCAL AFFAIRS.

HOUSE BILL NO. 1599
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; AND FOR OTHER PURPOSES.

House Bill No. 1599 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1631
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE WILLS

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE § 18-44-101 ET SEQ. CONCERNING THE PERFECTION, FILING, AND ENFORCEMENT OF MECHANIC'S AND MATERIALMEN'S LIENS; AND FOR OTHER PURPOSES

House Bill No. 1631 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

HOUSE BILL NO. 1636
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENATIVE BOND

A Bill for an Act to be Entitled: AN ACT TO VEST THE ARKANSAS PUBLIC SERVICE COMMISSION WITH JURISDICTION OVER POLE ATTACHMENT AGREEMENTS AND DISPUTES AMONG UTILITIES REGARDING POLE ATTACHMENTS; AND FOR OTHER PURPOSES.

House Bill No. 1636 was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE AND COMMERCE.

HOUSE BILL NO. 1730

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES ABERNATHY, ANDERSON, T. BAKER, ET AL

BY: SENATORS BAKER, HENDREN, G. JEFFRESS & J. JEFFRESS.

A Bill for an Act to be Entitled: AN ACT TO DEVELOP GUIDELINES FOR ENDORSED CONCURRENT ENROLLMENT COURSES THAT MAY BE TAUGHT ALONG WITH ADVANCED PLACEMENT COURSES IN HIGH SCHOOLS; TO REPEAL THE CONCURRENT ENROLLMENT COURSE APPROVAL PANEL; AND FOR OTHER PURPOSES.

House Bill No. 1730 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

HOUSE BILL NO. 1746

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES J. JOHNSON AND CASH

BY: SENATOR BROADWAY

A Bill for an Act to be Entitled: AN ACT TO REPEAL ARKANSAS CODE §§ 26-52-318 AND 26-53-147; TO REQUIRE THAT A DECAL BE AFFIXED TO EACH PIECE OF HEAVY EQUIPMENT AS PROOF THE TAX HAS BEEN PAID ON THE HEAVY EQUIPMENT; AND FOR OTHER PURPOSES.

House Bill No. 1746 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

HOUSE BILL NO. 1751

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE PICKETT

A Bill for an Act to be Entitled: AN ACT TO MAKE TECHNICAL CORRECTIONS IN THE ARKANSAS CODE TO USE THE CORRECT TERM FOR EDUCATION SERVICE AGENCY; AND FOR OTHER PURPOSES.

House Bill No. 1751 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

HOUSE BILL NO. 1753

As Engrossed: H3/12/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE HOUSE

BY: SENATOR MADISON

A Bill for an Act to be Entitled: AN ACT TO AMEND THE ARKANSAS SEWAGE DISPOSAL SYSTEMS ACT; AND FOR OTHER PURPOSES.

House Bill No. 1753 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

HOUSE BILL NO. 1828
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE HARRELSON

A Bill for an Act to be Entitled: AN ACT TO EXEMPT FROM SALES AND USE TAX THE NATURAL GAS AND ELECTRICITY USED IN THE MANUFACTURING OF TIRES; AND FOR OTHER PURPOSES.

House Bill No. 1828 was read the first time, rules suspended, read the second time and referred to the Committee on REVENUE AND TAXATION.

HOUSE BILL NO. 1866
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE RAGLAND

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR THE ARKANSAS STATE GAME AND FISH COMMISSION FOR LAND AND CONSERVATION EASEMENTS ACQUISITION WHICH SHALL BE SUPPLEMENTAL AND IN ADDITION TO THOSE FUNDS APPROPRIATED BY ACT 1154 OF 2005; AND FOR OTHER PURPOSES.

House Bill No. 1866 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 2249
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE S. PRATER

A Bill for an Act to be Entitled: AN ACT TO REVISE AND MODERNIZE THE ACCESS TO PARKING FOR PERSONS WITH DISABILITIES ACT, § 27-15-301 ET SEQ.; TO ENSURE THAT DRIVER EDUCATION PROGRAMS AND THE DRIVER'S INSTRUCTION MANUAL INCLUDE INFORMATION ABOUT PARKING FOR PERSONS WITH A DISABILITY; AND FOR OTHER PURPOSES.

House Bill No. 2249 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. 2266
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES KEY, HOUSE, D. CREEKMORE, ET AL
BY: SENATOR WOMACK

A Bill for an Act to be Entitled: AN ACT TO PROHIBIT CERTAIN SEX OFFENDERS FROM RESIDING NEAR PUBLIC PARKS OR YOUTH CENTERS; AND FOR OTHER PURPOSES.

House Bill No. 2266 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

HOUSE BILL NO. 2269
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE COOK

A Bill for an Act to be Entitled: AN ACT TO MAKE VARIOUS AMENDMENTS TO THE ARKANSAS PUBLIC SCHOOL ACADEMIC FACILITIES PROGRAM; AND FOR OTHER PURPOSES.

House Bill No. 2269 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

HOUSE BILL NO. 2271
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE KING

A Bill for an Act to be Entitled: AN ACT TO RECONCILE THE PROVISIONS REGARDING THE AMOUNT OF AN UNSATISFIED JUDGMENT REQUIRED TO BE REPORTED FOR PURPOSES OF SUSPENSION OF LICENSE AND REGISTRATION; AND FOR OTHER PURPOSES.

House Bill No. 2271 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

HOUSE BILL NO. 2272
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES COOK, ROSENBAUM & HYDE
BY: SENATOR BROADWAY

A Bill for an Act to be Entitled: AN ACT TO AUTHORIZE THE ESTABLISHMENT OF INSURANCE REQUIREMENTS FOR PUBLIC SCHOOL FACILITIES; AND FOR OTHER PURPOSES.

House Bill No. 2272 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

HOUSE BILL NO. 2302
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE PACE

A Bill for an Act to be Entitled: AN ACT TO AMEND § 12-12-211 TO ALLOW THE ARKANSAS CRIME INFORMATION CENTER TO GIVE INFORMATION TO A CONSTABLE WHO HAS MET CERTAIN REQUIREMENTS; TO REQUIRE A CONSTABLE TO WEAR UNIFORM CLOTHING AND IDENTIFICATION; TO REQUIRE THE ARKANSAS COMMISSION ON LAW ENFORCEMENT STANDARDS AND TRAINING TO DEVELOP A COURSE FOR CONSTABLES; AND FOR OTHER PURPOSES.

House Bill No. 2302 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

HOUSE BILL NO. 2320
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE MOORE

A Bill for an Act to be Entitled: AN ACT TO COMPLY WITH STOP VIOLENCE AGAINST WOMEN FORMULA GRANT PROGRAM AND DEPARTMENT OF JUSTICE REAUTHORIZATION ACT OF 2005 FUNDING REQUIREMENTS; AND FOR OTHER PURPOSES.

House Bill No. 2320 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 2334
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE L. SMITH
BY: SENATOR BROADWAY

A Bill for an Act to be Entitled: AN ACT TO AMEND § 23-18-603 TO ADD CERTAIN DEFINITIONS; TO AMEND § 23-18-604 TO CLARIFY THE AUTHORITY OF THE ARKANSAS PUBLIC SERVICE COMMISSION UNDER THE ARKANSAS RENEWABLE ENERGY DEVELOPMENT ACT OF 2001; AND FOR OTHER PURPOSES.

House Bill No. 2334 was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE & COMMERCE.

HOUSE BILL NO. 2340
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE LAMOUREUX

A Bill for an Act to be Entitled: AN ACT TO AMEND THE PENALTY PROVISIONS RELATING TO DELIVERY OF WORTHLESS CHECKS; AND FOR OTHER PURPOSES.

House Bill No. 2340 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

HOUSE BILL NO. 2347
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE DICKINSON

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.

House Bill No. 2347 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

HOUSE BILL NO. 2353
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES GREENBERG AND E. BROWN

A Bill for an Act to be Entitled: AN ACT CONCERNING PETITION REQUIREMENTS FOR NEW POLITICAL PARTIES; AND FOR OTHER PURPOSES.

House Bill No. 2353 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

HOUSE BILL NO. 2357
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES STEWART AND BURKES

A Bill for an Act to be Entitled: AN ACT TO AMEND THE "CHILD WELFARE AGENCY LICENSING ACT"; AND FOR OTHER PURPOSES.

House Bill No. 2357 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

HOUSE BILL NO. 2361
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE REYNOLDS

A Bill for an Act to be Entitled: AN ACT TO CLASSIFY THEFT OF BUILDING MATERIAL FROM A PERMITTED CONSTRUCTION SITE AS A CLASS B FELONY; AND FOR OTHER PURPOSES.

House Bill No. 2361 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

HOUSE BILL NO. 2364
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE GREENBEG

A Bill for an Act to be Entitled: AN ACT TO AMEND PROVISIONS OF THE ARKANSAS CODE REGARDING THE ARKANSAS MOTOR VEHICLE COMMISSION ACT, § 23-112-101 ET SEQ., FOR CLARITY, FOR SCOPE, AND TO BETTER PROTECT CONSUMERS; AND FOR OTHER PURPOSES.

House Bill No. 2364 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. 2371

As Engrossed: H3/15/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES KING AND *E. BROWN*

A Bill for an Act to be Entitled: AN ACT CONCERNING THE FIXING OF POLLING SITES BY THE COUNTY BOARD OF ELECTION COMMISSIONERS; AND FOR OTHER PURPOSES.

House Bill No. 2371 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

HOUSE BILL NO. 2390

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES HOYT, REYNOLDS, HAWKINS, ET AL

A Bill for an Act to be Entitled: AN ACT TO CREATE THE ARKANSAS MILK STABILIZATION BOARD; AND FOR OTHER PURPOSES.

House Bill No. 2390 was read the first time, rules suspended, read the second time and referred to the Committee on AGRICULTURE, ECONOMIC & INDUSTRIAL DEVELOPMENT.

HOUSE BILL NO. 2392
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE D. JOHNSON

A Bill for an Act to be Entitled: AN ACT TO ENACT THE MODEL REGISTERED AGENTS ACT; TO MAKE VARIOUS AMENDMENTS TO SIMPLIFY REGISTERED AGENTS REQUIREMENTS; AND FOR OTHER PURPOSES.

House Bill No. 2392 was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE & COMMERCE.

HOUSE BILL NO. 2416
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES WOODS, BOND, E. BROWN, ET AL

A Bill for an Act to be Entitled: AN ACT TO CREATE THE NEWBORN UMBILICAL CORD BLOOD BANK FOR POSTNATAL TISSUE AND FLUID; TO PROVIDE FOR THE ARKANSAS COMMISSION FOR THE NEWBORN UMBILICAL CORD BLOOD INITIATIVE; TO PROVIDE FOR CERTAIN FUNDING MECHANISMS; TO PROVIDE AN INCOME TAX CHECKOFF; AND FOR OTHER PURPOSES.

House Bill No. 2416 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

HOUSE BILL NO. 2417

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE PATTERSON

A Bill for an Act to be Entitled: AN ACT TO REGULATE THE INSPECTION OR INSTALLATION OF ELECTRICITY IN RESIDENTIAL BUILDINGS; AND FOR OTHER PURPOSES.

House Bill No. 2417 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

HOUSE BILL NO. 2420

As Engrossed: H3/14/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES PETRUS AND LOVELL

By: SENATOR GLOVER

A Bill for an Act to be Entitled: AN ACT TO IMPROVE THE VALUATION PROCESS FOR AGRICULTURAL LAND, PASTURE LAND, AND TIMBER LAND IN ORDER TO MORE ACCURATELY REFLECT PROPERTY VALUE AND TO PRODUCE ADDITIONAL REVENUES FOR PUBLIC SCHOOL DISTRICTS AND COUNTIES; AND FOR OTHER PURPOSES.

House Bill No. 2420 was read the first time, rules suspended, read the second time and referred to the Committee on REVENUE AND TAXATIN.

HOUSE BILL NO. 2425
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE COOK

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE TITLE 6 CONCERNING THE ACADEMIC FACILITIES NEEDS OF HIGH-GROWTH SCHOOL DISTRICTS; AND FOR OTHER PURPOSES.

House Bill No. 2425 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

HOUSE BILL NO. 2426
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE COOK

A Bill for an Act to be Entitled: AN ACT TO ACCELERATE THE PROCESS OF ENSURING THAT PUBLIC SCHOOL DISTRICT ACADEMIC FACILITIES ARE ADEQUATE; AND FOR OTHER PURPOSES.

House Bill No. 2426 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

HOUSE BILL NO. 2434

As Engrossed: H3/7/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES MALOCH, *PETRUS, & WELLS*

A Bill for an Act to be Entitled: AN ACT TO DESIGNATE RICE AS THE OFFICIAL GRAIN OF THE STATE OF ARKANSAS; AND FOR OTHER PURPOSES.

House Bill No. 2434 was read the first time, rules suspended, read the second time and referred to the Committee on AGRICULTURE, ECONOMIC & INDUSTRIAL DEVELOPMENT.

HOUSE BILL NO. 2441

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE MALOCH

A Bill for an Act to be Entitled: AN ACT TO CREATE THE ARKANSAS MOTORCYCLE LEMON LAW ACT TO APPLY TO THE SALE OF NEW STREET READY MOTORCYCLES WITH TWO HUNDRED FIFTY CUBIC CENTIMETERS (250 CC) OF ENGINE DISPLACEMENT OR MORE; AND FOR OTHER PURPOSES.

House Bill No. 2441 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. 2442

As Endgrossed: H3/16/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES MALOCH, *REEP & LOWERY*

BY: SENATORS MALONE, G. JEFFRESS & J. JEFFRESS

A Bill for an Act to be Entitled: AN ACT TO DEVELOP AN ENERGY UTILIZATION STRATEGY FOR LIGNITE PRODUCTION AND USE; TO CREATE THE ARKANSAS LIGNITE RESOURCES PILOT PROGRAM; TO REDUCE OUR DEPENDENCY ON FOREIGN OIL FOR THE CREATION OF ELECTRICITY AND OTHER ENERGY SOURCES; AND FOR OTHER PURPOSES.

House Bill No. 2442 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 2448

As Engrossed: H3/15/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES HARRIS, WOODS

BY: SENATOR B. PRITCHARD

A Bill for an Act to be Entitled: *AN ACT AMENDING ARKANSAS CODE § 3-9-202 CONCERNING ADVERTISING AT LARGE ATTENDANCE FACILITIES; AND FOR OTHER PURPOSES.*

House Bill No. 2448 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

HOUSE BILL NO. 2487

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE BOND

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE § 23-79-210 TO DEEM ALL FUNDS SET ASIDE FOR INDEMNIFICATION OF A MEDICAL CARE PROVIDER'S LIABILITY TO BE "LIABILITY INSURANCE"; AND FOR OTHER PURPOSES.

House Bill No. 2487 was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE & COMMERCE.

HOUSE BILL NO. 2490

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE J. JOHNSON

A Bill for an Act to be Entitled: AN ACT IS TO REQUEST THAT THE HOUSE INTERIM COMMITTEE ON AGING, CHILDREN AND YOUTH, LEGISLATIVE AND MILITARY AFFAIRS AND THE SENATE INTERIM COMMITTEE ON CHILDREN AND YOUTH STUDY THE JUVENILE JUSTICE SYSTEM REGARDING JUVENILES WHO HAVE BEEN COMMITTED TO THE DIVISION OF YOUTH SERVICES OR WHO ARE OTHERWISE BEING DETAINED IN JUVENILE DETENTION CENTERS; AND FOR OTHER PURPOSES.

House Bill No. 2490 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

HOUSE BILL NO. 2543
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE WOOD

A Bill for an Act to be Entitled: AN ACT TO ENHANCE THE ABILITY OF THE ARKANSAS PUBLIC SERVICE COMMISSION TO PROTECT RATEPAYERS IN PROCEEDINGS BEFORE THE FEDERAL ENERGY REGULATORY COMMISSION, OTHER FEDERAL AGENCIES, AND FEDERAL COURTS; AND FOR OTHER PURPOSES.

House Bill No. 2543 was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE & COMMERCE.

HOUSE BILL NO. 2548
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE ROSENBAUM

A Bill for an Act to be Entitled: AN ACT TO PERMIT NEGATIVE EQUITY FINANCING IN THE SALE OF MOTOR VEHICLES; AND FOR OTHER PURPOSES.

House Bill No. 2548 was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE & COMMERCE.

HOUSE BILL NO. 2551
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE D. JOHNSON

A Bill for an Act to be Entitled: AN ACT CONCERNING THE USE OF HIGH EFFICIENCY LIGHTING BY STATE AGENCIES; AND FOR OTHER PURPOSES.

House Bill No. 2551 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

HOUSE BILL NO. 2553
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES D. JOHNSON AND PATE

A Bill for an Act to be Entitled: AN ACT TO EXPAND DRUG COURT PROGRAMS; TO CREATE A DIVISION OF DRUG COURT PROGRAMS WITHIN THE ADMINISTRATIVE OFFICE OF THE COURTS; AND FOR OTHER PURPOSES.

House Bill No. 2553 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

HOUSE BILL NO. 2555
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE D. JOHNSON

A Bill for an Act to be Entitled: AN ACT REQUIRING INSTITUTIONS OF HIGHER EDUCATION TO NOTIFY NEW EMPLOYEES CONCERNING THEIR RETIREMENT PLAN OPTIONS; AND FOR OTHER PURPOSES.

House Bill No. 2555 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

HOUSE BILL NO. 2562
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE KEY
BY: SENATOR WOMACK

A Bill for an Act to be Entitled: AN ACT TO AMEND THE ARKANSAS PUBLIC SAFETY COMMUNICATIONS ACT OF 1985 TO REQUIRE PUBLIC SAFETY COMMUNICATIONS PERSONNEL TO RESPOND TO A SUBPOENA ISSUED IN A CRIMINAL INVESTIGATION OR CRIMINAL PROSECUTION; TO PROVIDE CIVIL IMMUNITY TO PUBLIC SAFETY COMMUNICATIONS PERSONNEL FOR COMPLYING WITH THE SUBPOENA; AND FOR OTHER PURPOSES.

House Bill No. 2562 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

HOUSE BILL NO. 2586

As Engrossed: H3/16/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES PACE, *BERRY, BLOUNT, ET AL*

A Bill for an Act to be Entitled: AN ACT TO DISSOLVE AND TRANSFER THE DUTIES AND RESPONSIBILITIES OF THE EXECUTIVE CHIEF INFORMATION OFFICER, CHIEF INFORMATION OFFICER, AND OFFICE OF INFORMATION TECHNOLOGY; AND FOR OTHER PURPOSES.

House Bill No. 2586 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. 2612

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE GREENBERG

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE § 17-95-101 CONCERNING CIVIL IMMUNITY OF PERSONS RENDERING EMERGENCY MEDICAL SERVICES UNDER THE "GOOD SAMARITAN" LAW; AND FOR OTHER PURPOSES.

House Bill No. 2612 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. 2619
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE WALTERS

A Bill for an Act to be Entitled: AN ACT TO PROVIDE TEACHERS CREDIT ON THE COMPENSATION SCHEDULE FOR TEACHING AT A JUVENILE DETENTION FACILITY; AND FOR OTHER PURPOSES.

House Bill No. 2619 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

HOUSE BILL NO. 2621
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE ROGERS

A Bill for an Act to be Entitled: AN ACT TO EXPAND THE TYPES OF ELECTRONIC TECHNOLOGIES AVAILABLE FOR COMPUTER-ASSISTED MASS APPRAISAL SYSTEMS; AND FOR OTHER PURPOSES.

House Bill No. 2621 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. 2626
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE SAMPLE

A Bill for an Act to be Entitled: AN ACT TO ESTABLISH AN ARKANSAS PHARMACY AUDIT BILL OF RIGHTS; AND FOR OTHER PURPOSES.

House Bill No. 2626 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

HOUSE BILL NO. 2632
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE WALTERS

A Bill for an Act to be Entitled: AN ACT TO INCREASE THE RELIEF AVAILABLE FOR THE FAILURE TO PAY BONA FIDE LOSS CLAIMS; AND FOR OTHER PURPOSES.

House Bill No. 2632 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

HOUSE BILL NO. 2645
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE ADCOCK

A Bill for an Act to be Entitled: AN ACT TO AMEND THE TASK FORCE ON SUBSTANCE ABUSE TREATMENT SERVICES; AND FOR OTHER PURPOSES.

House Bill No. 2645 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

HOUSE BILL NO. 2646
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE ADCOCK

A Bill for an Act to be Entitled: AN ACT TO ESTABLISH THE ARKANSAS REHABILITATION SERVICES FORGIVENESS OF STUDENT LOAN PROGRAM FOR COUNSELORS EMPLOYED BY ARKANSAS REHABILITATION SERVICES; AND FOR OTHER PURPOSES.

House Bill No. 2646 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

HOUSE BILL NO. 2657

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE D. JOHNSON

A Bill for an Act to be Entitled: AN ACT TO CLARIFY THAT CIVIL IMMUNITY IS EXTENDED TO STUDENTS OF HEALTH CARE PROFESSIONAL PROGRAMS WHO RENDER VOLUNTARY HEALTH CARE SERVICES AT FREE OR LOW-COST HEALTH CARE CLINICS UNDER THE SUPERVISION OF LICENSED PERSONNEL; AND FOR OTHER PURPOSES.

House Bill No. 2657 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

HOUSE BILL NO. 2658

As Engrossed: H3/13/07 H3/16/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES D. JOHNSON, *ALLEN, CHESTERFIELD, ET AL*

BY: SENATOR STEELE

A Bill for an Act to be Entitled: AN ACT TO AUTHORIZE AN ELECTION IN A MUNICIPALITY WITH A CITY MANAGER FORM OF GOVERNMENT TO INCREASE THE AUTHORITY OF THE MAYOR; AND FOR OTHER PURPOSES.

House Bill No. 2658 was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY & LOCAL AFFAIRS.

HOUSE BILL NO. 2665

As Engrossed: H3/14/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES GARNER, *ALLEN, ANDERSON, ET AL*

BY: SENATORS ALTES, BAKER, HENDREN & B. PRITCHARD

A Bill for an Act to be Entitled: *AN ACT TO IMPROVE OPPORTUNITY FOR ALL ARKANSANS TO SECURE HIGHER PAYING JOBS BY INCREASING THE RETENTION OF CAPITAL WITHIN THE STATE AND TO ATTRACT NEW INVESTMENT TO THE STATE; TO REDUCE THE INCOME TAX RATES OF THE STATE OF ARKANSAS WHEN NET GENERAL REVENUES ARE SUFFICIENT; TO REDUCE INCOME TAX LEVELS BASED ON A FORMULA RELATED TO INFLATION-ADJUSTED MARGIN OF GROWTH; AND FOR OTHER PURPOSES.*

House Bill No. 2665 was read the first time, rules suspended, read the second time and referred to the Committee on REVENUE & TAXATION.

HOUSE BILL NO. 2684

As Engrossed: H3/14/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE T. BRADFORD

A Bill for an Act to be Entitled: *AN ACT AMEND ARKANSAS CODE § 12-41-505 TO* PROVIDE FOR COLLECTION OF POST-CONVICTION EXPENSES OF INCARCERATION FOR MISDEMEANORS AND VIOLATIONS; AND FOR OTHER PURPOSES.

House Bill No. 2684 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

HOUSE BILL NO. 2693
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE BOND

A Bill for an Act to be Entitled: AN ACT TO REQUIRE THE SECRETARY OF STATE TO PROVIDE NOTICE TO REGISTRANTS OF CORPORATE, FICTITIOUS, OR ASSUMED NAMES THAT THE REGISTRATION DOES NOT GRANT THE REGISTRANT THE RIGHT TO USE THE NAME IN VIOLATION OF A THIRD PARTY'S TRADEMARK RIGHTS.

House Bill No. 2693 was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE & COMMERCE.

HOUSE BILL NO. 2705
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE SAUNDERS

A Bill for an Act to be Entitled: AN ACT TO AMEND THE ARKANSAS MANUFACTURED HOMES STANDARDS ACT TO COMPLY WITH FEDERAL GUIDELINES; AND FOR OTHER PURPOSES.

House Bill No. 2705 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

HOUSE BILL NO. 2742

As Engrossed: H3/13/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES BREEDLOVE, WALTERS, WELLS, ET AL

A Bill for an Act to be Entitled: AN ACT TO CREATE A PRESUMPTION OF DIMINISHED UTILITY OF THE SURFACE ESTATE IF SEPARATE FROM THE MINERAL ESTATE ON WHICH A WELL IS DRILLED; TO ALLOW FOR A REDUCTION IN THE ASSESSMENT VALUE; AND FOR OTHER PURPOSES.

House Bill No. 2742 was read the first time, rules suspended, read the second time and referred to the Committee on AGRICULTURE, ECONOMIC & INDUSTRIAL DEVELOPMENT.

HOUSE BILL NO. 2763

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE SAUNDERS

A Bill for an Act to be Entitled: AN ACT TO AMEND VARIOUS SECTIONS OF THE ARKANSAS CODE PERTAINING TO ELECTIONS; AND FOR OTHER PURPOSES.

House Bill No. 2763 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

HOUSE BILL NO. 2793

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE E. BROWN

A Bill for an Act to be Entitled: AN ACT TO ALLOW CITIES TO DISPOSE OF OBSOLETE PROPERTY IN CERTAIN SITUATIONS; AND FOR OTHER PURPOSES.

House Bill No. 2793 was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY & LOCAL AFFAIRS.

HOUSE BILL NO. 2811

As Engrossed: H3/13/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE HARRELSON

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE § 16-46-106 CONCERNING THE COST OF EACH PHOTOCOPY OF MEDICAL *RECORDS; TO AMEND ARKANSAS CODE § 16-46-301, § 16-46-302, § 16-46-305, AND § 16-46-308 TO INCLUDE MEDICAL RECORDS FROM PHYSICIAN OFFICES AS SELF-AUTHENTICATING UNDER THE HOSPITAL RECORDS ACT, § 16-46-301 ET SEQ.; TO PROVIDE A REASONABLE FEE FOR COPYING MEDICAL RECORDS; AND FOR OTHER PURPOSES.*

House Bill No. 2811 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

HOUSE BILL NO. 2812

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES SULLIVAN, ALLEN, BERRY, ET AL

BY: SENATORS R. THOMPSON, G. JEFFRESS & J. JEFFRESS

A Bill for an Act to be Entitled: AN ACT TO CREATE THE ARKANSAS CLEAN ENERGY DEVELOPMENT ACT; AND FOR OTHER PURPOSES.

House Bill No. 2812 was read the first time, rules suspended, read the second time and referred to the Committee on AGRICULTURE, ECONOMIC & INDUSTRIAL DEVELOPMENT.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 19, 2007

Mr. President:

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

SENATE BILL NO. 78, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 138, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 175, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 192, 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. 78 was ordered re-referred to the Committee on Joint Budget.

On motion of Senator Womack, Senate Bill No. 138 was ordered re-referred to the Committee on Joint Budget.

On motion of Senator Womack, Senate Bill No. 175 was ordered re-referred to the Committee on Joint Budget.

On motion of Senator Womack, Senate Bill No. 192 was ordered re-referred to the Committee on Joint Budget.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 19, 2007

Mr. President:

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

SENATE BILL NO. 194, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 218, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 244, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 262, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 449, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 473, 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. 194 was ordered re-referred to the Committee on Joint Budget .

On motion of Senator Womack, Senate Bill No. 218 was ordered re-referred to the Committee on Joint Budget

On motion of Senator Womack, Senate Bill No. 244 as ordered re-referred to the Committee on Joint Budget

On motion of Senator Womack, Senate Bill No. 262 was ordered re-referred to the Committee on Joint Budget

On motion of Senator Womack, Senate Bill No. 449 was ordered re-referred to the Committee on Joint Budget

On motion of Senator Womack, Senate Bill No. 473 was ordered re-referred to the Committee on Joint Budget

Senate Concurrent Memorial Resolution No. 1 was returned from the House as concurred in and ordered enrolled.

Senate Concurrent Memorial Resolution No. 4 was returned from the House as concurred in and ordered enrolled.

Senate Concurrent Resolution No. 13 was returned from the House as concurred in and ordered enrolled.

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SENATE BILLS TRANSMITTED TO THE HOUSE
AS PASSED

SENATE BILL NO. 18
SENATE BILL NO. 182
SENATE BILL NO. 369
SENATE BILL NO. 370
SENATE BILL NO. 781
SENATE BILL NO. 789
SENATE BILL NO. 812
SENATE BILL NO. 823
SENATE BILL NO. 827
SENATE BILL NO. 872
SENATE BILL NO. 924
SENATE BILL NO. 944
SENATE BILL NO. 996

SENATE CONCURRENT RESOLUTION TRANSMITTED
TO THE HOUSE AS ADOPTED

SENATE CONCURRENT RESOLUTIONS NO. 22
SENATE CONCURRENT RESOLUTIONS NO. 26

HOUSE BILLS RETURNED TO THE HOUSE
AS PASSED

HOUSE BILL NO. 1367
HOUSE BILL NO. 1446
HOUSE BILL NO. 1456
HOUSE BILL NO. 1581
HOUSE BILL NO. 1586
HOUSE BILL NO. 1657
HOUSE BILL NO. 1671
HOUSE BILL NO. 1759
HOUSE BILL NO. 1782
HOUSE BILL NO. 2221
HOUSE BILL NO. 2245
HOUSE BILL NO. 2283
HOUSE BILL NO. 2398
HOUSE BILL NO. 2585

HOUSE BILLS RETURNED TO THE HOUSE
AS PASSED AS AMENDED

HOUSE BILL NO. 1485 AS AMENDED NO. 1
HOUSE BILL NO. 2333 AS AMENDED NO. 1
HOUSE BILL NO. 2583 AS AMENDED NO. 1

SENATE CONCURRENT RESOLUTION RETURNED FROM THE HOUSE
AS CONCURRED IN

SENATE CONCURRENT MEMORIAL RESOLUTION NO. 1
SENATE CONCURRENT MEMORIAL RESOLUTION NO. 4

SENATE CONCURRENT RESOLUTION RETURNED FROM THE HOUSE
AS CONCURRED IN

SENATE CONCURRENT RESOLUTION NO. 13

HOUSE BILLS TRANSMITTED TO THE SENATE
AS PASSED

HOUSE BILL NO. 1163
HOUSE BILL NO. 1471
HOUSE BILL NO. 1531
HOUSE BILL NO. 1599
HOUSE BILL NO. 1631
HOUSE BILL NO. 1636
HOUSE BILL NO. 1730
HOUSE BILL NO. 1746
HOUSE BILL NO. 1751
HOUSE BILL NO. 1753
HOUSE BILL NO. 1828
HOUSE BILL NO. 1866
HOUSE BILL NO. 2249
HOUSE BILL NO. 2266

HOUSE BILL NO. 2269
HOUSE BILL NO. 2271
HOUSE BILL NO. 2272
HOUSE BILL NO. 2302
HOUSE BILL NO. 2320
HOUSE BILL NO. 2334
HOUSE BILL NO. 2340
HOUSE BILL NO. 2347
HOUSE BILL NO. 2353
HOUSE BILL NO. 2357
HOUSE BILL NO. 2361
HOUSE BILL NO. 2364
HOUSE BILL NO. 2371
HOUSE BILL NO. 2390
HOUSE BILL NO. 2392
HOUSE BILL NO. 2416
HOUSE BILL NO. 2417
HOUSE BILL NO. 2420
HOUSE BILL NO. 2425
HOUSE BILL NO. 2426
HOUSE BILL NO. 2434
HOUSE BILL NO. 2441
HOUSE BILL NO. 2442
HOUSE BILL NO. 2448
HOUSE BILL NO. 2487
HOUSE BILL NO. 2490
HOUSE BILL NO. 2543
HOUSE BILL NO. 2548
HOUSE BILL NO. 2551
HOUSE BILL NO. 2553
HOUSE BILL NO. 2555
HOUSE BILL NO. 2562
HOUSE BILL NO. 2586

HOUSE BILL NO. 2612
HOUSE BILL NO. 2619
HOUSE BILL NO. 2621
HOUSE BILL NO. 2626
HOUSE BILL NO. 2632
HOUSE BILL NO. 2645
HOUSE BILL NO. 2646
HOUSE BILL NO. 2657
HOUSE BILL NO. 2658
HOUSE BILL NO. 2665
HOUSE BILL NO. 2684
HOUSE BILL NO. 2693
HOUSE BILL NO. 2705
HOUSE BILL NO. 2742
HOUSE BILL NO. 2763
HOUSE BILL NO. 2793
HOUSE BILL NO. 2811
HOUSE BILL NO. 2812

HOUSE CONCURRENT MEMORIAL RESOLUTION TRANSMITTED
TO THE SENATE AS ADOPTED

HOUSE CONCURRENT MEMORIAL RESOLUTION NO. 1002

HOUSE CONCURRENT RESOLUTION TRANSMITTED
TO THE SENATE AS ADOPTED

HOUSE CONCURRENT RESOLUTION NO. 1036

On motion of Senator Whitaker, the Senate adjourned until 1:30 p.m., Tuesday, March 20, 2007.

PRESIDENT OF THE SENATE

SECRETARY OF THE SENATE

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SEVENTY-SECOND DAY'S PROCEEDINGS

SENATE CHAMBER

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

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Little Rock, Arkansas

March 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 Senator Tracy Steele.

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 Bryles, Senate Bill No. 933 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. 933

Amend Senate Bill No. 933 as originally introduced:

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 6-21-108(c) and (d), concerning the authority of school districts to donate real property for educational purposes, are amended to read as follows:

(c)(1) A school district may donate to the state all or part of its interest in real property for the purpose of constructing a facility operated by a state-funded prekindergarten program.

(2) A school district that desires to donate real property for the purposes of this subsection (c) shall submit to the Department of Education its proposal for constructing the facility and describing the real property to be donated.

(3) The department, in conjunction with the Division of Public School Academic Facilities and Transportation, shall review each proposal.

(4) If the department approves the proposal, the school district may convey to the state the fee simple title and absolute interest in the real property, free of restrictions and reservations.

(5) Each state-funded prekindergarten program operating in a facility acquired and constructed under this subsection (c) shall be operated by the education service cooperative for the school district that donated the real property.

(6)(A) The state shall provide all funding for the construction and the school district shall contract for the construction of the improvements to real property donated under this subsection (c).

(B) Funding for the construction of the facility shall be distributed by the department under rules established by the State Board of Education.

(C) The department may expend up to two percent (2%) of funds made available for purposes of this subsection (c) to:

(i) Administer the program; and

(ii) Monitor school district compliance with applicable law, regulations, ordinances, and standards for the construction of improvements to the real property.

(7) The state board shall establish rules for the implementation of this subsection (c).

~~(c)~~(d) The execution of all contracts and conveyances and lease contracts shall be performed by the president and confirmed by the secretary of the school board when authorized by a resolution in writing and approved by a majority vote of the school board.

~~(d)(1)~~(e)(1) If the school district donates real property ~~to an entity~~ under this section, then the school district shall have the right of first refusal to reacquire the real property if the ~~entity~~ grantee decides to sell or otherwise dispose of the real property.

(2) The school district shall not be required to compensate the ~~entity~~ grantee for any improvements to real property reacquired under this subsection."

(SIGNED) SENATOR BRYLES

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 933 was ordered engrossed.

On motion of Senator Malone, Senate Bill No. 303 was withdrawn from the Committee on JUDICIARY, and placed back on second reading for purpose of Amendment No. 3. Withdraw Amendments No. 1 and No. 2.

ARKANSAS SENATE

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

Amendment No. 3 to SENATE BILL NO. 303

Amend Senate Bill No. 303 as originally introduced:

Add Senators Madison, Hill, Capps, Salmon, J. Jeffress, G. Jeffress, Broadway, Horn, Critcher, Bookout, Wilkins, Glover, Bryles as cosponsors of the bill

AND

Page 1, line 12, delete "REQUIRE THE DESTRUCTION OF" and substitute "ENHANCE THE CONFIDENTIALITY OF"

AND

Page 1, delete lines 17 through 21 and substitute the following:
"MALTREATMENT; TO CREATE CHILD SAFETY CENTERS; TO"

AND

Page 2, delete lines 9 through 19 and substitute the following:

"(4) Visual, print, or electronic medium that contains a sexual performance of a child prohibited under § 5-27-403;

(5) Item the possession of which is prohibited by § 5-27-602;

(6) Item the production of which is prohibited by § 5-27-603;

(7) Item the production of which is prohibited by § 5-27-605; or

~~(3)~~(8) Other article designated "contraband" by law, but shall not include a visual, a print, or an electronic medium created, obtained, or possessed by licensed medical personnel or a regulated medical facility for the purpose of treatment or documentation of injuries to a child."

AND

Page 2, delete lines 31 through 36

AND

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

"(3) Contraband described in subdivisions (b)(3)-(8) of this section and having no lawful use shall not be retained.

SECTION 3. Arkansas Code Title 6, Chapter 61, Subtitle 1 is amended to add an additional section to read as follows:

6-21-131. Training for mandatory reporters.

For each degree program at an institution of higher learning in this state that is a prerequisite for licensure or certification in a profession in which the professional is a child maltreatment mandated reporter under the Child Maltreatment Act, § 12-1-2-501 et seq., the Department of Higher Education shall coordinate with all the higher education institutions to ensure that before receiving a degree each graduate receives, including without limitation, training in:

(1) Recognizing the signs and symptoms of child abuse and neglect;

(2) The legal requirements of the Child Maltreatment Act, § 12-1-2-501 et seq., and the duties of mandated reporters under the act; and

(3) Methods for managing disclosures regarding child victims."

AND

Page 3, delete line 14 and substitute the following:
"for Medical Sciences collaborate with each education service cooperative, community health agencies, school"

AND

Page 3, delete line 16 and substitute the following:
"supported, child abuse prevention curriculum to the children of Arkansas in the public schools."

AND

Page 3, delete lines 18 through 36

AND

Page 4, delete lines 1 through 16 and substitute the following:
"SECTION 5. Arkansas Code Title 9, Chapter 5 is amended to add an additional chapter to read as follows:

9-5-101. Title.

This chapter shall be known and may be cited as the "Arkansas Child Safety Center Act".

9-5-102. Statewide purpose.

The statewide purpose of this chapter is to establish a program that provides a comprehensive, multidisciplinary, nonprofit, and coordinated response to the investigation of sexual abuse of children and serious physical abuse of children in a child-focused and child-friendly facility known as a child safety center.

9-5-103. Definitions."

AND

Page 4, delete lines 18 through 31 and substitute the following:
"(1) "Child safety center" means a not for profit child friendly facility that provides a location for forensic interviews and forensic medical examinations and forensic mental health examinations during the course of a child maltreatment investigation; and

(2) "Commission" means the Arkansas Child Abuse/Rape/Domestic Violence Commission."

AND

Page 4, delete lines 32 through 36

AND

Page 5, delete lines 1 through 13

AND

Page 5, line 21, delete "children's advocacy" and substitute "child safety"

AND

Page 5, delete lines 24 through 34 and substitute the following:
"(2) Promulgate rules and procedures to implement this subchapter and forms for the evaluation of each child safety center;
(3) Adopt a uniform system of recordkeeping and reporting to ensure the proper handling of funds by child safety centers and to ensure uniformity and accountability by child safety centers; and
(4) Provide training and technical assistance to child safety centers to ensure best practice standards for forensic interviews and forensic medical examinations."

AND

Page 5, line 35, delete "(b)(1)" and substitute "(b)"

AND

Page 6, delete lines 1 through 5

AND

Page 6, line 21, delete "children's advocacy" and substitute "child safety"

AND

Page 6, delete lines 29 through 31 and substitute the following:
"review, and consultation to medical service examiners and mental health service examiners qualified under this section for children interviewed and examined at the child safety centers."

AND

Page 6, delete line 32 and substitute the following:
“(2) A medical entity selected shall have physicians who:”

AND

Page 7, line 3, delete "of abused" and substitute "of allegedly abused"

AND

Page 7, delete line 7 and substitute the following:
"(C) Hold a teaching position or a faculty position at a college of medicine and provide"

AND

Page 7, line 12, delete "of sexually" and substitute "of allegedly sexually"

AND

Page 7, delete line 13 and substitute the following:
"(F) Regularly testify in cases of alleged child sexual abuse."

AND

Page 7, delete lines 20 and 21 and substitute the following:
"(C) Provide assessment and treatment of allegedly abused children and adolescents;"

AND

Page 7, delete line 23 and substitute the following:
"and multidisciplinary teams;"

AND

Page 7, line 28, delete "of sexually" and substitute "of allegedly sexually"

AND

Page 7, delete line 29 and substitute the following:
"(H) Regularly testify in cases of alleged child sexual abuse."

AND

Page 7, line 32, delete "children's advocacy" and substitute "child safety"

AND

Page 7, delete line 36

AND

Page 8, delete lines 1 through 3 and substitute the following:
"(2) Be a part of a multidisciplinary team;"

AND

Page 8, line 5, delete "basic sound" and substitute "best"

AND

Page 8, line 13, delete "children's advocacy" and substitute "child safety"

AND

Page 8, delete lines 14 through 21 and substitute the following:
"(7) Provide team discussion and information sharing regarding"

AND

Page 8, line 22, delete "status, and services" and substitute "and status"

AND

Page 8, line 24, delete "(11)" and substitute "(8)"

AND

Page 8, delete line 25 and substitute the following:
"and tracking case outcomes."

AND

Page 8, line 27 delete "evaluations" and substitute "examinations"

AND

Page 8, delete lines 28 through 30 and substitute the following:
"examinations.

(a) The child safety centers shall provide or provide access to specialized medical examinations and psychological examinations for their"

AND

Page 8, line 32, delete "(2)" and substitute "(b)"

AND

Page 8, delete line 36 and substitute the following:
"of sexual abuse or sexual assault including photo documentation of examination findings"

AND

Page 9 line 1, delete "and photo documentation"

AND

Page 9, line 3, delete "and" from the end of the line

AND

Page 9, delete lines 4 through 34 and substitute the following:

"(D) Evaluation for sexually transmitted diseases, pregnancy, and other related sexual abuse and assault;

(E) Performance of tests and treatment as appropriate; and

(F) Testimony in court as to the findings.

9-5-109. Eligibility for contracts.

(a) A public entity or a nonprofit entity is eligible for a contract"

AND

Page 10, delete lines 3 through 10 and substitute the following:

"(3) Participates on a multidisciplinary team of persons involved in the investigation or prosecution of child abuse cases;

(4) Has developed a method of statistical information gathering on children receiving services through the child safety center and"

AND

Page 10, delete lines 14 and 15 and substitute the following:
"(5) Has a volunteer program;
(6) Employs an executive director who is answerable to the board"

AND

Page 10, delete lines 17 and 18 and substitute the following:
"salaried employee of any public agency partner;
(7) Provides for ongoing training for child safety center staff to provide best practices in forensic interviewing and medical and mental examinations to children who are examined at child safety centers; and
(8) Operates under a working protocol that includes, at a"

AND

Page 10, line 20, delete "children's advocacy" and substitute "child safety"

AND

Page 10, line 22, delete "children's"

AND

Page 10, line 23, delete "advocacy" and substitute "child safety"

AND

Page 10, line 24, delete "children's advocacy" and substitute "child safety"

AND

Page 10, line 27, delete "children's advocacy" and substitute "child safety"

AND

Page 10, delete lines 29 and 30 and substitute the following:
"(b)(1) The commission may waive the requirements specified in subsection (a) of this section if the commission determines"

AND

Page 10, delete lines 34 and 35 and substitute the following:
"section shall be identified in the written contract with the child safety center.
(c) Funds shall be withheld from an established child safety center that no longer meet the standards for funding."

AND

Page 11, line 2, delete "children's advocacy" and substitute "child safety"

AND

Page 11, delete lines 3 through 15 and substitute the following:
"chapter, a memorandum of understanding regarding the agreement on the levels of participation of each entity shall be executed among:

(1) The Division of Children and Family Services of the Department of Health and Human Services;

(2) The Crimes Against Children Division of the Department of Arkansas State Police;

(3) Representatives of county and municipal law enforcement agencies that investigate child abuse in the area to be served by the child safety center; and

(4) The prosecuting attorney."

AND

Page 11, line 17 and substitute the following:
"include the agreement on the levels of each entity's participation and cooperation in:"

AND

Page 11, delete line 25 and substitute the following:
"provides best practices in child abuse investigations."

AND

Page 11 line 28, delete "children's"

AND

Page 11, line 29, delete "advocacy" and substitute "child safety"

AND

Page 11, line 32, delete "children's advocacy" and substitute "child safety"

AND

Page 12, line 4, delete "children's advocacy" and substitute "child safety"

AND

Page 12, delete lines 11 and 12 and substitute the following:

"(A) The type of investigative services and the number of children served by each type of investigative service provided by the child safety centers;

(B) The number, race, age, and gender of the children served each year; and

(C) The outcomes of services to children provided by the child safety centers, including without limitation:

(i) The number of founded maltreatment reports; and

(ii) The number of unfounded maltreatment reports and the ratio between founded and unfounded reports for each year."

AND

Page 12, delete lines 16 through 18 and substitute the following:
"designee may enter the premises of a child safety center at any time to ensure compliance with this chapter and the rules promulgated by the commission under this chapter."

AND

Page 12, line 27 delete "children's advocacy" and substitute "child safety"

AND

Page 12, delete lines 29 through 36

AND

Delete Page 13 in its entirety

AND

Page 14, delete lines 1 through 6 and substitute the following:
"receive funding from the commission or its designee under this chapter;

(3) The number of children receiving investigative services by the child safety centers that receive funding from the commission or its designee under this chapter; and

(4) Outcome data provided by the child safety centers.

9-5-115. Admissibility of statements by an alleged child victim

Nothing in this subchapter precludes the admissibility of statements by an alleged child victim outside the scope of the forensic interview conducted at a child safety center provided sufficient safeguards are present to satisfy the admissibility requirements set forth in the Arkansas Rules of Evidence, relevant case law and constitutional requirements.

9-5-116. Immunity from civil liability."

AND

Page 14, line 8, delete "employees, and its designees" and substitute "employees in their official capacities"

AND

Page 14, delete lines 11 through 36 entirely

AND

Delete pages 15 through 20 entirely

AND

Page 21, delete lines 1 through 18 and substitute the following:

"SECTION 6. Arkansas Code Title 9, Chapter 28, Subchapter 4 is amended to add an additional section to read as follows:

9-28-412. Smoking in the presence of foster children.

The Department of Health and Human Services shall not place or permit a child to remain in a foster home if the foster parent or any other member of the family or household smokes or allows an individual to smoke in the presence of a foster child unless it is in the child's best interests to be placed in or to remain in the foster home.

SECTION 7. Arkansas Code § 12-8-502(b), concerning the two sections of the Crimes Against Children Division, is amended to read as follows:"

AND

Page 21, delete lines 30 and 31 and substitute the following:

"investigation of all cases assigned to the Investigation Section and refer the case to a local law enforcement agency or a prosecuting attorney for"

AND

Page 22, line 2, delete "SECTION 11." and substitute "SECTION 8."

AND

Page 22, delete line 32 and substitute the following:

"of this section shall be made within forty-eight (48) hours excluding weekends and holidays after a mandatory"

AND

Page 22, delete line 36

AND

Delete pages 23 through 25 entirely

AND

Page 26, delete lines 1 through 3 and substitute the following:

"SECTION 9. Arkansas Code § 12-12-507(b), concerning reports of suspected abuse or neglect, is amended to read as follows:

~~(b) When any of the following has reasonable cause to suspect that a child has been subjected to child maltreatment or has died as a result of child maltreatment or observes a child being subjected to conditions or circumstances that would reasonably result in child maltreatment, he or she shall immediately notify the child abuse hotline:~~

(b)(1) When any individual listed in subdivision (b)(4) of this section has reasonable cause to suspect that a child has been subjected to child maltreatment or has died as a result of child maltreatment or observes a child being subjected to conditions or circumstances that would reasonably result in child maltreatment, he or she shall immediately notify the child abuse hotline by telephone call, facsimile transmission, or online reporting.

(2) The Child Abuse Hotline shall review the information received under subdivision (b)(1) of this section to determine if the information rises to the minimum standards for investigation under this subchapter.

(3)(A) Facsimile transmission and online reporting may be used in non-emergency situations by an identified reporter who provides the following contact information:

(i) Name and phone number; and

(ii) In the case of online reporting, the email address of the identified reporter.

(B) The hotline shall provide confirmation of the receipt of a facsimile transmission via a return facsimile transmission or via online receipt.

(C) A mandated reporter who wishes to remain anonymous shall make the report through the child abuse hot line toll-free telephone system.

(4) The following individuals are mandated reporters under this subsection:

~~(1)~~(A) Any child care worker or foster care worker;"

AND

Page 26, line 4, delete "(2)" and substitute "~~(2)~~(B)"

AND

Page 26, line 5, delete "(3)" and substitute "~~(3)~~(C)"

AND

Page 26, line 6, delete "(4)" and substitute "~~(4)~~(D)"

AND

Page 26, line 7, delete "(5)" and substitute "~~(5)~~(E)"

AND

Page 26, line 8, delete "(6)" and substitute "~~(6)~~(F)"

AND

Page 26, line 9, delete "(7)" and substitute "~~(7)~~(G)"

AND

Page 26, line 10, delete "(8)" and substitute "~~(8)~~(H)"

AND

Page 26, line 11, delete "(9)" and substitute "~~(9)~~(I)"

AND

Page 26, line 12, delete "(10)" and substitute "~~(10)~~(J)"

AND

Page 26, line 14, delete "(11)" and substitute "~~(11)~~(K)"

AND

Page 26, line 15, delete "(12)" and substitute "~~(12)~~(L)"

AND

Page 26, line 16, delete "(13)" and substitute "~~(13)~~(M)"

AND

Page 26, line 17, delete "(14)" and substitute "~~(14)~~(N)"

AND

Page 26, line 18, delete "(15)" and substitute "~~(15)~~(O)"

AND

Page 26, line 20, delete "(16)" and substitute "~~(16)~~(P)"

AND

Page 26, line 21, delete "(17)" and substitute "~~(17)~~(Q)"

AND

Page 26, line 22, delete "(18)" and substitute "~~(18)~~(R)"

AND

Page 26, line 23, delete "(19)" and substitute "~~(19)~~(S)"

AND

Page 26, line 24, delete "(20)" and substitute "~~(20)~~(T)"

AND

Page 26, line 25, delete "(21)" and substitute "~~(21)~~(U)"

AND

Page 26, line 26, delete "(22)" and substitute "~~(22)~~(V)"

AND

Page 26, line 27, delete "(23)" and substitute "~~(23)~~(W)"

AND

Page 26, line 28, delete "(24)" and substitute "~~(24)~~(X)"

AND

Page 26, line 29, delete "(25)" and substitute "~~(25)~~(Y)"

AND

Page 26, line 30, delete "(26)" and substitute "~~(26)~~(Z)"

AND

Page 26, line 31, delete "(27)" and substitute "~~(27)~~(AA)"

AND

Page 26, line 33, delete "(28)" and substitute "~~(28)~~(BB)"

AND

Page 26, line 34, delete "(29)" and substitute "~~(29)~~(CC)"

AND

Page 27, line 2, delete "(A)" and substitute "~~(A)~~(i)"

AND

Page 27, line 5, delete "(B)" and substitute "~~(B)~~(ii)"

AND

Page 27, line 8, delete "SECTION 14." and substitute "SECTION 10."

AND

Page 27, line 21, delete "SECTION 15." and substitute "SECTION 11."

AND

Page 27, lines 31 through 36

AND

Delete pages 28 through 33

AND

Page 34, delete lines 1 through 20 and substitute the following:

"SECTION 12. Arkansas Code § 12-12-516(a), regarding child protective custody, is amended to add an additional subdivision to read as follows:

(3) A sheriff or chief of police may place a child in a Department of Health and Human Services foster home if:

(A) The sheriff or chief of police contacts the on-call worker for the Department of Health and Human Services and does not get a return phone call within thirty (30) minutes;

(B) The sheriff or chief of police contacts the Department of Health and Human Services Emergency Notification Line and does not get a return phone call within fifteen (15) minutes;

(C) The foster parent is personally well-known to the sheriff or the chief of police;

(D) The sheriff or chief of police has:

(i) Determined that the foster parent's home is safe and provides adequate accommodations for the child; and

(ii) Performed a criminal record and child maltreatment check on the foster parent as required under § 9-28-409; and

(E) On the next business day, the sheriff or chief of police immediately notifies the Department of Health and Human Services of the time and date that the child was placed in the foster parent's home.

SECTION 13. Arkansas Code Title 16, Chapter 10, Subchapter 1 is amended to add an additional section to read as follows:

16-10-138. Mandatory reporter training.

(a) The Administrative Office of the Courts shall develop a web based curriculum concerning mandatory reporter training that will include without limitation:

(1) The signs and symptoms of abuse;

(2) Training on the specifics that are required to be reported under law and rules; and

(3) The managing of disclosures.

(b) The Department of Health and Human Services shall serve as the host for the web based curriculum developed by the Administrative Office of the Courts.

SECTION 15. Arkansas Code Title 16, Chapter 43 is amended to add an additional subchapter to read as follows:

16-43-1201. Title.

This subchapter shall be known and may be cited as "Safeguards for Abused and Neglected Children Act".

16-43-1202. Safeguards for child victims testifying in judicial and administrative proceedings.

In order to facilitate testimony that is fair and accurate, the following safeguards should be followed:

(1) The prosecuting attorney, victim-witness coordinator, attorney ad litem, or Office of the Chief Counsel attorney shall inform the child about the nature of the judicial proceeding or administrative proceeding;

(2) The prosecuting attorney, victim-witness coordinator, attorney ad litem, or Office of Chief Counsel attorney shall explain:

(A) The oath that will be administered to the child; and

(B) That the judge will determine whether the child is competent to testify;

(3) The prosecuting attorney, victim-witness coordinator, attorney ad litem, or Office of Chief Counsel attorney shall explain to the child that if, the child does not understand a question while testifying in the judicial proceeding or administrative proceeding, the child has a right to say that he or she does not understand the question;

(4) The prosecuting attorney, attorney ad litem, or Office of Chief Counsel attorney may file a motion to have the child testify at a time of day when the child is most alert and best able to understand questions posed in court;

(5) If it is in the child's best interests, the prosecuting attorney, attorney ad litem, or Office of Chief Counsel attorney may file a motion for the child to have a comfort item when testifying in a judicial or administrative proceeding;

(6) If it is in the child's best interests, the prosecuting attorney, attorney ad litem, or Office of Chief Counsel attorney may file a motion for the child to have a support person present when the child testifies in a judicial proceeding or administrative proceeding; and

(7) The prosecuting attorney, attorney ad litem, or Office of Chief Counsel attorney shall consider the effect upon the child when the child is subjected to argumentative or harassing questions and shall make the proper objections when appropriate to ensure the child is not subjected to argumentative or harassing questioning.

SECTION 16. Arkansas Code Title 17, Chapter 1 is amended to add an"

AND

Page 34, delete line 26 and substitute the following:
"under § 6-13-1027."

AND

Page 34, delete lines 28 and 29 and substitute the following:
"SECTION 17. Arkansas Code § 20-82-208. is amended to read as follows:
20-82-208. Community Grants for ~~Advocacy~~ Safety Centers Program.
(a) Findings and Purpose. (1) The General Assembly finds and determines that:
(A) Abused children often have to describe their sexual or physical abuse several times to different professionals at different locations;
(B) Many child abuse investigations are conducted with little collaboration between the agencies involved in the cases;
(C) Each agency's child abuse professionals are housed in different facilities and, as a result, interface during the investigation and management of cases is limited;
(D) Sexual and physical abuse medical examinations are commonly performed in hospital emergency rooms and other sites that are frightening to children, lack the proper equipment, and often are staffed by physicians uncomfortable with these exams; and
(E) Child ~~advocacy~~ safety centers provide:
(i) A more child-friendly atmosphere;
(ii) Reduced trauma to the children and families;
(iii) Improved investigations and management;
(iv) More effective utilization of multiagency information;
(v) Greater protection of children;
(vi) Increased prosecution of perpetrators; and
(vii) Less unnecessary family intervention.
(2) The purpose of this section is to encourage the use of existing child ~~advocacy~~ safety centers and the development of new centers providing the benefits under one (1) roof.
(b) Establishment and Authority. (1) There is established the Community Grants for Child ~~Advocacy~~ Safety Centers Program.
(2) The Arkansas Child Abuse/Rape/Domestic Violence Commission shall advise the Child Abuse/Rape/Domestic Violence Section within the office of the Chancellor of the University of Arkansas for Medical Sciences on the administration and monitoring of this grant program for the operation of existing child ~~advocacy~~ safety centers and the development of new centers in the State of Arkansas.

SECTION 18. Arkansas Code Title 20, Chapter 82, Subchapter 2 is amended to add two additional sections to read as follows:"

AND

Page 35, delete line 3 and substitute the following:
"services of child abuse."

AND

Page 35, line 7, delete "children's advocacy" and substitute "child safety"

AND

Page 35, delete lines 14 through 31 and substitute the following:
"approval.

20-82-210. Subcommittee on Child Safety Centers — Members — Duty to oversee child safety centers.

(a) The Arkansas Child Abuse/Rape/Domestic Violence Commission shall establish a Subcommittee on Child Safety Centers.

(b) The committee shall consist of seven (7) members appointed as follows:

(1) Three (3) members appointed by the commission; and

(2) Four (4) members appointed by the Arkansas Legislative Task Force on Abused and Neglected Children.

(c) The subcommittee shall oversee the operations of the child safety centers with regard to child abuse."

(SIGNED) SENATOR MALONE

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 303 was ordered engrossed.

On motion of Senator J. JEFFRESS, Senate Bill No. 992 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. 992

Amend Senate Bill No. 992 as originally introduced:

Delete everything following the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 7-5-418(b)(1)(A), concerning additional polling sites for early voting, is amended to read as follows:

(b)(1)(A)(i) The county board of election commissioners may decide to hold early voting at additional polling sites outside the offices of the county clerk and to include the additional voting locations for a maximum of fifteen (15) days on any of the days and times provided for in subsection (a) of this section, if it so chooses.

(ii) If a county contains an incorporated town with a population of more than three thousand (3,000) and the incorporated town is more than twelve (12) miles from the office of the county clerk by way of state or federal highway, the county board of election commissioners shall place an early voting polling site in the incorporated town."

(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. 992 was ordered engrossed.

On motion of Senator Critcher, Senate Bill No. 978 was withdrawn from the Committee on Revenue and Taxation, 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. 978

Amend Senate Bill No. 978 as engrossed, S3/12/07:

Page 1, line 26, delete "(g)" and substitute "(g)(1)"

AND

Page 1, delete line 30, and substitute the following:
"forth in this section and deposited as provided in § 26-56-222.

(2) The excise taxes levied by subdivision (g)(1) of this section shall not apply to distillate special fuels sold for consumption by:

(A) Vessels, barges, and other commercial watercraft;
(B) Railroads;
(C) Municipal buses as described in § 26-52-417; or
(D) To fuel sold to the United States Government."

(SIGNED) SENATOR CRITCHER

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 978 was ordered engrossed.

On motion of Senator Madison, Senate Bill No. 955 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. 955

Amend Senate Bill No. 955 as originally introduced:

Page 2, delete line 6 and substitute the following:
"(1) Treated by the Division of Children and"

AND

Page 2, delete lines 11 and 12 and substitute the following:
"(2) Considered to be an integral member of the professional team caring for children in foster care;"

AND

Page 2, delete line 13 and substitute the following:
"(3) Confidentiality regarding personal issues as"

AND

Page 2, delete line 17 and substitute the following:
"(4)(A) Receive training that will enhance the"

AND

Page 2, delete lines 22 and 23 and substitute the following:
"(i) To meet mutually assessed needs of the children in foster care;"

AND

Page 2, delete line 27 and substitute the following:
"with family loss and separation when a child in foster care is placed, as well as"

AND

Page 3, line 3, delete "To" and substitute "Have"

AND

Page 3, line 6, delete "To" and substitute "Have"

AND

Page 4, delete line 7 and substitute the following:
"(i) The opportunity to discuss the plan of the child in"

(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. 955 was ordered engrossed.

On motion of Senator Luker, Senate Bill No. 986 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. 986

Amend Senate Bill No. 986 as originally introduced:

Delete Senator Luker as the sponsor of the bill

AND

Add Senator Wilkins as the sponsor of the bill

AND

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 6-17-1506(b)(2)(B), concerning notice requirements under the Teacher Fair Dismissal Act, is amended to read as follows:

(B)(i) The notice of recommended nonrenewal of a ~~teacher~~ teacher's contract shall include a simple but complete statement of ~~the reasons~~ each reason for the recommendation, setting forth the reasons in separately numbered paragraphs and identifying applicable dates, times, places, and events, so that a reasonable teacher ~~can prepare a defense~~ will know what the specific charges are without looking beyond the notice.

(ii) An objective standard shall be used to determine whether the notice complies with the law."

(SIGNED) SENATOR LUKER

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 986 was ordered engrossed.

On motion of Senator Wilkins, Senate Bill No. 147 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. 147

Amend Senate Bill No. 147 as engrossed, S3/1/07:

Page 1, delete lines 10 and 11 and substitute the following:
“ARKANSAS JUDICIAL RETIREMENT SYSTEM FOR SERVICE IN”

AND

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

"AN ACT CONCERNING CREDITED SERVICE IN THE ARKANSAS JUDICIAL RETIREMENT SYSTEM FOR SERVICE IN CERTAIN POSITIONS."

AND

Delete SECTION 2 of the bill in its entirety

(SIGNED) SENATOR WILKINS

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 147 was ordered engrossed.

On motion of Senator Wilkins, Senate Bill No. 764 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. 764

Amend Senate Bill No. 764 as originally introduced:

Page 1, delete lines 30 and 31 and substitute the following:

"cooperative's applicable general ledger database no later than September 30, 2007, for the 2006-2007 school year and September 15 for each school year thereafter. The Arkansas Public School Computer Network shall ensure that"

(SIGNED) SENATOR WILKINS

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 764 was ordered engrossed.

On motion of Senator Argue, Senate Bill No. 920 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. 920

Amend Senate Bill No. 920 as originally introduced:

Page 2, delete lines 18 through 36 and substitute the following:

"(2) The department shall:

(A) Create security plans, policies, procedures;

(B) Monitor the mechanism for the network's end-to-end, enterprise-wide financial and student information systems;

(C) Create and maintain a process for documenting and monitoring the quality of data from its source of entry into the network to any educational data repository in the department; and

(D) Establish standards and monitor compliance with standards for all software and data testing in the network."

AND

Page 3, delete lines 1 through 3

(SIGNED) SENATOR ARGUE

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 920 was ordered engrossed.

On motion of Senator Argue, Senate Bill No. 922 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. 922

Amend Senate Bill No. 922 as originally introduced:

Page 1, line 29, delete "earlier" and substitute "later"

(SIGNED) SENATOR ARGUE

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 922 was ordered engrossed.

On motion of Senator Bryles, Senate Bill No. 930 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. 930

Amend Senate Bill No. 930 as originally introduced:

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 6-18-206 is amended to read as follows:

6-18-206. Public school choice.

(a)(1) This section may be referred to and cited as the "Arkansas Public School Choice Act of ~~1989~~ 2007".

(2) The General Assembly finds that the students in Arkansas' public schools and their parents will become more informed about and involved in the public educational system if students and their parents or guardians are provided greater freedom to determine the most effective school for meeting their individual educational needs. There is no right school for every student, and permitting students to choose from among different schools with differing assets will increase the likelihood that some marginal students will stay in school and that other, more motivated students will find their full academic potential.

(3)(A) The General Assembly further finds that there are compelling educational benefits associated with promoting diversity in Arkansas's public schools, including without limitation, racial and ethnic diversity in the student body and ensuring access to educational opportunities.

(B) Diversity and access can be promoted by a properly administered public school choice policy.

~~(3)~~(4) The General Assembly further finds that giving more options to parents and students with respect to where the students attend public school will increase the responsiveness and effectiveness of the state's schools since teachers, administrators, and school board members will have added incentive to satisfy the educational needs of the students who reside in the district.

~~(4)~~(5) The General Assembly therefore finds that these related benefits of enhanced quality, diversity, access, and effectiveness in our public schools justify permitting a student to ~~apply for admission~~ request a transfer to a school in any district beyond the one in which the student resides, provided that the transfer ~~by this student would not adversely affect the desegregation of either district~~ is based on legitimate educational justifications and not based on inappropriate stereotypes.

~~(5)~~(6) A public school choice program is hereby established to enable any student to attend a school in a district in which the student does not reside, subject to the restrictions contained in this section.

(b)(1)(A) Before a student may attend a school in a nonresident district, the student's parent or guardian must submit ~~an application~~ a transfer request on a form ~~approved~~ developed by the Department of Education to the nonresident district by submitting the ~~application~~ transfer request to the superintendent of the school district. This application must be postmarked not later than July 1 of the year in which the student would begin the fall semester at the nonresident district.

(B)(i) Within thirty (30) days of the receipt of ~~an application~~ a transfer request from a nonresident student seeking admission under the terms of this section, the superintendent of the nonresident district shall notify the parent or guardian and the resident district in writing as to whether the student's ~~application~~ transfer request has been ~~accepted~~ approved or ~~rejected~~ denied.

(ii) If the ~~application~~ transfer request is ~~rejected~~ denied, the superintendent of the nonresident district must state in the notification letter the reason for rejection.

(iii) If the ~~application~~ transfer request is ~~accepted~~ approved, the superintendent of the nonresident district shall state in the notification letter:

(a) An absolute deadline for the student to enroll in the district, or the ~~acceptance~~ approval notification is null; and

(b) Any instructions for the renewal procedures established by the district.

(2)(A)(i) The school board of directors of every public school district must adopt by resolution ~~specific standards~~ a policy for ~~acceptance~~ approval and ~~rejection~~ denial of applications based on standards and procedures established by the department. ~~Standards may include the capacity of a program, class, grade level, or school building.~~

(ii) The standards and procedures shall be designed to ensure that any transfer request is based on sound educational justifications that are consistent with the findings under subsection (a) of this section and take into consideration a range of factors in the following areas:

(a) The capacity of the nonresident school, grade, or class;

(b) The relative strength of the nonresident school's educational program, including the nature of the program and the relative school improvement status; and

(c) The impact on the educational benefits of diversity and access to educational opportunity.

(B)(i) Nothing in this section shall permit the establishment of unlawful quotas.

(ii) Nothing in this section requires a school district to add teachers, staff, or classrooms or in any way to exceed the requirements and standards established by existing law.

(iii) Standards shall include a statement that priority will be given to applications from siblings or stepsiblings residing in the same residence or household of students already attending the district by choice.

(iv) Standards may not include an applicant's previous academic achievement, athletic or other extracurricular ability, handicapping conditions, English proficiency level, or previous disciplinary proceedings except that an expulsion from another district may be included pursuant to § 6-18-510.

(C)(i) In evaluating a transfer request, the nonresident district shall conduct an individualized review of the applicant to determine whether the request is based on legitimate educational justification under subdivision (b)(2)(A) of this section.

(ii) School districts shall approve a transfer request if there is sufficient capacity and the transfer request is justified based on the relative strength of the education program or the impact on diversity and access to educational opportunity.

(iii) If capacity is not sufficient to honor all transfer requests, school districts shall approve transfers to applicants who demonstrate the greatest educational justification based on the relative strength of the education program and the impact on diversity and access to educational opportunity.

(D) A resident district that believes that a transfer request or group of transfer requests is not based on legitimate educational justification but on inappropriate stereotypes may deny the transfer request or transfer requests.

~~(B)(i)~~(E)(i) Any student who applies for a transfer under this section and is denied a transfer by the nonresident district may request a hearing before the State Board of Education to reconsider the transfer.

(ii) A request for a hearing before the state board shall be in writing and shall be postmarked no later than ten (10) days after notice of ~~rejection of the application~~ denial of the transfer request under subdivision (b)(1)(B) of this section is received by the student.

(3) Each school district shall participate in public school choice consistent with this section.

(c) The responsibility for transportation of a student from the student's resident school district to a nonresident school district shall be borne by the student or the student's parents. The nonresident school district may enter into a written agreement with the student, the student's parents, or the resident school district to provide transportation to or from any place in the resident district to the nonresident district, or both.

(d)(1) A nonresident district shall accept credits toward graduation that were awarded by another district.

(2) The nonresident district shall award a diploma to a nonresident student if the student meets the nonresident district's graduation requirements.

(e) For purposes of determining a school district's state ~~equalization~~ foundation funding aid under § 6-20-2305(a) and funding for additional education categories under § 6-20-2305(b), the nonresident student shall be counted as a part of the average daily membership of the district to which the student has transferred.

~~(f) The provisions of this section and all student choice options created in this section are subject to the following limitations:~~

~~(1) No student may transfer to a nonresident district where the percentage of enrollment for the student's race exceeds that percentage in the student's resident district except in the circumstances set forth in subdivisions (2) and (3) of this subsection;~~

~~(2)(A) A transfer to a district is exempt from the restriction set forth in subdivision (f)(1) of this section if the transfer is between two (2) districts within a county and if the minority percentage in the student's race and majority percentages of school enrollment in both the resident and nonresident district remain within an acceptable range of the county's overall minority percentage in the student's race and majority percentages of school population as set forth by the department.~~

~~(B)(i) By the filing deadline each year, the department shall compute the minority percentage in the student's race and majority percentages of each county's public school population from the October Annual School Report and shall then compute the acceptable range of variance from those percentages for school districts within each county.~~

~~(ii)(a) In establishing the acceptable range of variance, the department is directed to use the remedial guideline established in Little Rock School District v. Pulaski County Special School District of allowing an overrepresentation or underrepresentation of black or white students of one-fourth (1/4) or twenty-five percent (25%) of the county's racial balance.~~

~~(b) In establishing the acceptable range of variance for school choice, the department is directed to use the remedial guideline of allowing an overrepresentation or underrepresentation of minority or majority students of one-fourth (1/4) or twenty-five percent (25%) of the county's racial balance;~~

~~(3) A transfer is exempt from the restriction set forth in subdivision (f)(1) of this section if each school district within the county does not have a critical mass of minority percentage in the student's race of more than ten percent (10%) of any single race;~~

~~(4)~~(f)(1) In any instance ~~where~~ in which the provisions of this ~~subsection~~ section would result in a conflict with a desegregation court order or a district's court-approved desegregation plan, the terms of the order or plan shall govern~~;~~.

~~(5)~~(2) The department shall adopt appropriate rules and regulations to implement the provisions of this section~~; and~~.

~~(6)~~(3) The department shall monitor school districts for compliance with this section.

(g) The state board shall be authorized to resolve disputes arising under subsections ~~(b)-(f)~~ (b)-(e) of this section.

(h)(1) The superintendent of ~~the~~ each district shall ~~cause public announcements to be made over the broadcast media and in the print media~~ provide effective notice at such times and in such a manner as to inform parents or guardians of students in adjoining districts of the availability of the public school choice program, the application deadline, and the requirements and procedure for nonresident students to participate in the program.

(2) The notice shall be provided consistent with standards established by the department that are designed to best promote the findings established under subsection (a) of this section.

(i)(1) All superintendents of school districts shall report to the Equity Assistance Center on an annual basis the race, gender, and other pertinent information needed to properly monitor compliance with the provisions of this section.

(2) The reports may be on those forms that are prescribed by the department, or the data may be submitted electronically by the district using a format authorized by the department.

(3) The department may withhold state aid from any school district that fails to file its report each year or fails to file any other information with a published deadline requested from school districts by the center so long as thirty (30) calendar days are given between the request for the information and the published deadline except when the request comes from a member or committee of the General Assembly.

(4) A copy of the report shall be provided to the Joint Interim Oversight Committee on Educational Reform.

~~(j)(1) The department shall develop a proposed set of rules as it determines is necessary or desirable to amend the provisions of this section.~~

~~(2) The department shall present the proposed rules in written form to the House Interim Committee on Education and the Senate Interim Committee on Education by October 1, 2006, for review and consideration by the committees for possible amendments to this section and to the Arkansas Public School Choice Program by the Eighty-sixth General Assembly.~~"

(SIGNED) SENATOR BRYLES

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 930 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. 3. Withdraw Amendment No. 2.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 3 to SENATE BILL NO. 156

Amend Senate Bill No. 156 as engrossed, S2/6/07:

Page 2, delete SECTION 2 of the bill in its entirety

AND

Appropriately renumber the remaining sections of the bill

(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. 953 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. 953

Amend Senate Bill No. 953 as originally introduced:

Page 1, line 11, delete “AN ADMINISTRATOR” and substitute “ADMINISTRATORS AND SCHOOL EMPLOYEES”

AND

Page 1, line 12, delete “ABSENT” and substitute “USING PERSONAL LEAVE OR ABSENT”

AND

Page 1, delete lines 16 through 20 and substitute the following:

“AN ACT TO HELP ENSURE THE PROPER ADMINISTRATION OF SCHOOL DISTRICTS BY REQUIRING THE PRESENCE OF ADMINISTRATORS AND SCHOOL EMPLOYEES AT SCHOOL FACILITIES UNLESS USING PERSONAL LEAVE OR ABSENT ON SCHOOL BUSINESS.”

Delete everything following the enacting clause and substitute the following:

“SECTION 1. Arkansas Code Title 6, Chapter 17, Subchapter 2 is amended to add an additional section to read as follows:

6-17-211. Use of personal leave when administrator or school employee is absent from campus.

(a) As used in this section:

(1) “Personal leave” means absence for illness, annual leave, or other personal leave as defined by the personnel policies of a school district or an education service cooperative; and

(2) “School functions” means:

(A) Athletic or academic events related to a public school district; and

(B) Meetings and conferences related to education.

(b) Each school district and education service cooperative shall establish in its personnel policies guidelines requiring an administrator or an employee of a public school district to use personal leave or leave without pay when away from the school premises for reasons other than attendance at school functions that occur away from the school premises."

(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. 953 was ordered engrossed.

On motion of Senator Wilkins, Senate Bill No. 264 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. 264

Amend Senate Bill No. 264 as originally introduced:

Page 1, delete lines 9 and 10, and substitute the following:
"AN ACT TO ENHANCE THE PENALTIES FOR CERTAIN OFFENSES UNDER CERTAIN CIRCUMSTANCES; AND FOR"

AND

Page 1, delete lines 14 and 15, and substitute the following:
"TO ENHANCE THE PENALTIES FOR CERTAIN OFFENSES UNDER CERTAIN CIRCUMSTANCES."

AND

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 5-38-203 is amended to read as follows:

5-38-203. Criminal mischief in the first degree.

(a) A person commits the offense of criminal mischief in the first degree if he or she purposely and without legal justification destroys or causes damage to any:

(1) Property of another; or

(2) Property, whether his or her own or property of another, for the purpose of collecting any insurance for the property.

(b) Criminal mischief in the first degree is a:

(1) Class C felony if:

(A) ~~the~~ The amount of actual damage is five hundred dollars ($500) or more; or

(B) The evidence demonstrates beyond a reasonable doubt that the offense was committed against the victim because of a prejudice against the victim and that the prejudice was based on the victim's behavior or characteristics that could be identified by the perpetrator of the offense at the time the offense was committed; or

(2) Class A misdemeanor if otherwise committed.

(c) In an action under this section involving cutting and removing timber from the property of another person:

(1) The following create a presumption of a purpose to commit the offense of criminal mischief in the first degree:

(A) The failure to obtain the survey as required by § 15-32-101; or

(B) The purposeful misrepresentation of the ownership or origin of the timber; and

(2)(A) There is imposed in addition to a penalty in subsection (b) of this section a fine of not more than two (2) times the value of the timber destroyed or damaged.

(B) However, in addition to subdivision (c)(2)(A) of this section, the court may require the defendant to make restitution to the owner of the timber.

SECTION 2. Arkansas Code § 5-39-203 is amended to read as follows:

5-39-203. Criminal trespass.

(a) A person commits criminal trespass if he or she purposely enters or remains unlawfully in or upon:

(1) A vehicle; or

(2) The premises of another person.

(b) Criminal trespass is a:

(1) Class B misdemeanor if:

(A) ~~the~~ The vehicle or premises involved is an occupiable structure; or

(B) The evidence demonstrates beyond a reasonable doubt that the offense was committed against the victim because of a prejudice against the victim and that the prejudice was based on the victim's behavior or characteristics that could be identified by the perpetrator of the offense at the time the offense was committed; or

(2) Class C misdemeanor if otherwise committed.

SECTION 3. Arkansas Code § 5-71-208 is amended to read as follows:

5-71-208. Harassment.

(a) A person commits the offense of harassment if, with purpose to harass, annoy, or alarm another person, without good cause, he or she:

(1) Strikes, shoves, kicks, or otherwise touches a person, subjects that person to offensive physical contact or attempts or threatens to do so;

(2) In a public place, directs obscene language or makes an obscene gesture to or at another person in a manner likely to provoke a violent or disorderly response;

(3) Follows a person in or about a public place;

(4) In a public place repeatedly insults, taunts, or challenges another person in a manner likely to provoke a violent or disorderly response;

(5) Engages in conduct or repeatedly commits an act that alarms or seriously annoys another person and that serves no legitimate purpose; or

(6) Places a person under surveillance by remaining present outside that person's school, place of employment, vehicle, other place occupied by that person, or residence, other than the residence of the defendant, for no purpose other than to harass, alarm, or annoy.

(b)(1) ~~Harassment~~ Except as provided in subdivision (b)(2) of this section, harassment is a Class A misdemeanor.

(2) Harassment is a Class D felony if the evidence demonstrates beyond a reasonable doubt that the offense was committed against the victim because of a prejudice against the victim and that the prejudice was based on the victim's behavior or characteristics that could be identified by the perpetrator of the offense at the time the offense was committed.

(c) It is an affirmative defense to prosecution under this section if the actor is a law enforcement officer, licensed private investigator, attorney, process server, licensed bail bondsman, or a store detective acting within the reasonable scope of his or her duty while conducting surveillance on an official work assignment.

(d)(1) Upon pretrial release of the defendant, a judicial officer shall enter a no contact order in writing consistent with Rules 9.3 and 9.4 of the Arkansas Rules of Criminal Procedure and shall give notice to the defendant of penalties contained in Rule 9.5 of the Arkansas Rules of Criminal Procedure.

(2) This no contact order remains in effect during the pendency of any appeal of a conviction under this section.

(3) The judicial officer or prosecuting attorney shall provide a copy of this no contact order to the victim and arresting agency without unnecessary delay.

(e) If the judicial officer has reason to believe that mental disease or defect of the defendant will or has become an issue in the cause, the judicial officer shall enter such orders as are consistent with § 5-2-305.

SECTION 4. Arkansas Code § 5-71-209 is amended to read as follows:

5-71-209. Harassing communications.

(a) A person commits the offense of harassing communications if, with the purpose to harass, annoy, or alarm another person, the person:

(1) Communicates with a person, anonymously or otherwise, by telephone, telegraph, mail, or any other form of written communication, in a manner likely to harass, annoy, or cause alarm;

(2) Makes a telephone call or causes a telephone to ring repeatedly, with no purpose of legitimate communication, regardless of whether a conversation ensues; or

(3) Knowingly permits any telephone under his or her control to be used for any purpose prohibited by this section.

(b) An offense involving use of a telephone may be prosecuted in the county where the defendant was located when he or she used a telephone, or in the county where the telephone made to ring by the defendant was located.

(c)(1) ~~Harassing~~ Except as provided in subdivision (c)(2) of this section, harassing communications is a Class A misdemeanor.

(2) Harassing communications is a Class D felony if the evidence demonstrates beyond a reasonable doubt that the offense was committed against the victim because of a prejudice against the victim and that the prejudice was based on the victim's behavior or characteristics that could be identified by the perpetrator of the offense at the time the offense was committed.

(d)(1) Upon the pretrial release of the defendant, a judicial officer shall enter a no contact order in writing consistent with Rules 9.3 and 9.4 of the Arkansas Rules of Criminal Procedure and shall give notice to the defendant of penalties contained in Rule 9.5 of the Arkansas Rules of Criminal Procedure.

(2) This no contact order remains in effect during the pendency of any appeal of a conviction under this section.

(3) The judicial officer or prosecuting attorney shall provide a copy of this no contact order to the victim and arresting agency without unnecessary delay.

(e) If the judicial officer has reason to believe that mental disease or defect of the defendant will or has become an issue in the cause, the judicial officer shall enter such orders as are consistent with § 5-2-305."

(SIGNED) SENATOR WILKINS

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 264 was ordered engrossed.

On motion of Senator Argue, Senate Bill No. 885 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. 885

Amend Senate Bill No. 885 as originally introduced:

Page 1, delete line 20 and substitute:

"SECTION 1. Arkansas Code Title 6, Chapter 81, Subchapter 15 is amended to read as follows:

6-81-1501. Title."

AND

Page 2, line 3, delete "and" and substitute "~~and~~"

AND

Page 2, delete line 6 and substitute:

"introduce students to the profession of teaching;

(5) "Freshman" means any first-time full-time student with acceptance at an approved institution of higher education;

(6) "Sophomore" means any full-time student with a minimum of thirty (30) accumulated semester hours at time of receiving this grant;

(7) "Junior" means any full-time student with a minimum of sixty (60) accumulated semester hours at time of receiving this forgivable loan; and

(8) "Senior" means any full-time student with a minimum of ninety (90) accumulated semester hours at time of receiving this forgivable loan."

AND

Page 2, delete line 18 and substitute:

"administered by the Department of Higher Education.

(b) The department shall adopt standards for awarding the grants to ensure that students in their freshman and sophomore years who are actively pursuing a degree in teaching will receive the grant."

AND

Page 2, line 19, delete “(b)” and substitute “~~(b)~~(c)”

AND

Page 2, line 20, delete “sophomore, junior, or” and substitute “~~sophomore, junior, or~~ junior and”

AND

Page 2, line 24, delete “(c)” and substitute “~~(c)~~(d)”

AND

Page 2, line 27, delete “(d)” and substitute “~~(d)~~(e)”

AND

Page 2, line 32, delete “(e)” and substitute “~~(e)~~(f)”

AND

Page 3, delete line 14 and substitute:

“(a) A student entering his or her freshman or sophomore year and admitted to an approved institution of higher education as determined by the Department of Higher Education shall be eligible to receive a grant under the State Teacher Assistance Resource Program if:

(1) The student earns a cumulative grade point average of 2.75 or above on a 4.0 scale at an approved high school or higher education institution;

(2) The student agrees to pursue a degree within the teaching profession; and

(3) The student meets any other continuing eligibility criteria established by the Department of Higher Education.

(b) A student entering his or her ~~sophomore,~~ junior~~,~~ or senior year and”

AND

Page 3, delete line 27 and substitute:

“provide:

(A) A one-year grant in the amount of one thousand dollars ($1,000) for a freshman who:

(i) Is enrolled in an institution of higher education in the state; and

(ii) Who commits to teach in a public school located in a geographical area of the state designated as having a critical shortage of teachers or in a subject matter area designated as having a critical shortage of teachers;

(B) A one-year grant in the amount of one thousand five hundred dollars ($1,500) for a sophomore who:

(i) Is actively pursuing a degree in teaching at an institution of higher education in the state; and

(ii) Who commits to teach in a public school located in a geographical area of the state designated as having a critical shortage of teachers or in a subject matter area designated as having a critical shortage of teachers;"

AND

Page 3, line 28, delete "(A)" and substitute "~~(A)~~(C)"

AND

Page 3, line 35, delete "(B)" and substitute "~~(B)~~(D)"

AND

Page 4, line 7, delete "(C)" and substitute "~~(C)~~(E)"

AND

Page 4, line 11, delete "~~or~~" and substitute "or"

AND

Page 4, line 12, delete "(D)" and substitute "~~(D)~~(F)"

AND

Page 4, line 17, delete "teachers;" and substitute "teachers."

AND

Page 4, delete lines 18 through 33 entirely

(SIGNED) SENATOR ARGUE

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 885 was ordered engrossed.

On motion of Senator Baker, Senate Bill No. 405 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. 405

Amend Senate Bill No. 405 as originally introduced:

Page 1, line 13 following "DEVELOPMENT" insert ", AND CLAIMS PAYMENT";

Page 1, line 21 following "DEVELOPMENT" insert ", AND CLAIMS PAYMENT";

Page 1, line 33 following "Development," insert " and for payment of claims,";
Page 1, line 34 replace "$2,000,000" with "$4,000,000".

(SIGNED) SENATOR BAKER

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 405 was ordered engrossed.

On motion of Senator Whitaker, Senate Bill No. 776 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. 776

Amend Senate Bill No. 776 as orignally introduced:

Page 2, line 15, delete "131" and substitute "131"

AND

Page 2, line 17, delete "55" and substitute "55"

AND

Page 4, line 4, delete "10" and substitute "10"

AND

Page 4, line 24, delete "28" and substitute "28"

AND

Page 4, line 36, delete "12" and substitute "12"

AND

Page 5, line 6, delete "20" and substitute "20"

AND

Page 5, line 8, delete "3" and substitute "3"

AND

Page 5, line 10, delete "22" and substitute "22"

AND

Page 5, line 11, delete "13" and substitute "15"

AND

Page 5, line 25, delete "594" and substitute "594"

AND

Page 5, line 28, delete "75" and substitute "75"

AND

Page 5, line 29, delete "94" and substitute "94"

AND

Page 5, line 30, delete "100" and substitute "100"

AND

Page 6, line 2, delete "20" and substitute "20"

AND

Page 6, line 4, delete "13" and substitute "13"

AND

Page 6, line 12, delete "10" and substitute "10"

AND

Page 6, line 15, delete "20" and substitute "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. 776 was ordered engrossed.

On motion of Senator Trusty, Senate Bill No. 946 was withdrawn from the Committee on Revenue and Taxation, 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. 946

Amend Senate Bill No. 946 as originally introduced:

Immediately following the Enacting Clause, add an additional section to read as follows:

"SECTION 1. The General Assembly has determined that:

(a) Prior to the enactment of Act 785 of 1993 a taxpayer could claim a refund of any overpayment of state tax within a specified number of years or "as long as the statute of limitations for assessment is still open to the director";

(b) Section 1 of Act 785 of 1993 inadvertently deleted the language that arguably allowed a taxpayer that filed a return the same statute of limitations as the state and thereby gave the state an unfair advantage over a taxpayer that filed a return by permitting the state to retain an overpayment of tax that should have been refunded to the taxpayer that filed the return;

(c) Section 1 of Act 785 of 1993 was intended to apply only to a taxpayer that had not filed a return or that had underreported the taxpayer's income by twenty-five percent (25%) or more;

(d) Fundamental fairness dictates that the statute of limitations should be the same for the state and the taxpayer that filed a return;

(e) While the state law should be designed to fairly collect taxes it should not give the state the upper hand to retain an overpayment from a taxpayer that filed a return; and

(f) This act will clarify the intent of the General Assembly to provide equal treatment between taxpayers that filed a return and the state."

AND

Immediately following SECTION 4, add an additional section to read as follows:

"SECTION 6. Sections 1 - 5 of this act shall be effective retroactive to tax year 1993 and all succeeding tax years."

AND

Appropriately renumber the sections of the bill.

(SIGNED) SENATOR TRUSTY

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 946 was ordered engrossed.

On motion of Senator Altes, Senate Bill No. 969 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. 969

Amend Senate Bill No. 969 as originally introduced:

Page 1, delete lines 20 through 22 in their entirety and substitute

"SECTION 1. Arkansas Code § 27-50-1202 (10), concerning the definition of "unattended", is amended to read as follows:

(10) "Unattended" means any vehicle left on public property without the consent of an authority in charge of the property or on or near a public way without some person, gratuitous bailee, or bailee for hire in possession of the vehicle~~;~~ and which:

(A) ~~Which vehicle is~~ Is located within a distance of three feet (3') of the traveled surface of the public way;

(B) ~~Which vehicle is~~ Is located on or near a public way at a distance of three feet (3') or more of the traveled surface of the public way for a period of twenty-four (24) hours or more;

(C) ~~Which vehicle is~~ Is not located on or near a public way but is left for a period of forty-eight (48) hours or more;

(D) ~~Which vehicle remains~~ Remains Does not remain in the custody of some responsible person following an accident where the operator has been removed to a hospital or is otherwise unable to make personal arrangements for the vehicle's care;

(E) ~~Which vehicle was~~ Was operated to a place of apprehension by law enforcement under police power and the operator thereof removed from the vehicle and taken into police custody;

(F) ~~Which vehicle is~~ Is located upon any public right of way and, due to geographic location, traffic density, or climatic conditions, ~~creates a~~ is creating an immediate and substantial hazard to the motoring public~~, as determined by a law enforcement officer~~; or

(G) ~~Which vehicle, whether on public property on or near a public way or otherwise, is~~ Is subject to seizure by law enforcement under either a statute, the Arkansas Rules of Criminal Procedure, or ~~pursuant to~~ a lawful court order.

SECTION 2. Arkansas Code § 27-50-1203(e) — (g), concerning the board's authority to promulgate rules for the towing industry, are amended to read as follows:

(e)(1) The board shall promulgate rules and regulations to carry out the intent of this subchapter and shall regulate the towing industry, including:

(A) Establishing reasonable licensing, insurance, and ~~safety~~ equipment requirements for any person engaging in ~~nonconsent~~ towing and related services for safety purposes under this subchapter;

(B) Establishing reasonable tow truck safety requirements for any tow vehicle as defined in this subchapter;

(C) Establishing a procedure to accept and investigate complaints from a consumer who claims that he or she has been overcharged for ~~consent or~~ nonconsent towing, recovery or storage fees;

(D) Determining and sanctioning excessive or unnecessary non-consent towing fees, recovery, and storage charged to consumers;

(E) Requiring all entities permitted, licensed, or regulated under this subchapter to provide itemized billing for towing or storage fees that explains how the charges were calculated; and

(F) Requiring all entities permitted, licensed, or regulated under this subchapter to maintain a copy of their current maximum rate schedule posted in a conspicuous place and readily accessible to the public.

(2) The promulgation and adoption of rules and regulations shall in all respects be in the manner provided by the Arkansas Administrative Procedure Act, § 25-15-201 et seq.

(3) After the promulgation and adoption of rules or regulations, any proposed change to add to, amend, repeal, or change any of the rules or regulations shall not have effect until reviewed and approved by the Subcommittee on Administrative Rules and Regulations of the Legislative Council subsequent to the time that the General Assembly next meets in regular session unless a finding exists that imminent peril to the public health, safety, or welfare requires immediate adoption, amendment, or repeal of the rules or regulations.

(f)(1) The board shall have the authority to levy applicable towing business license fees not to exceed one hundred dollars ($100) per license, and the board shall have the authority to levy an applicable tow vehicle safety permit fee not to exceed ~~twenty-five~~ fifty dollars ~~($25.00)~~ ($50.00) per tow vehicle safety permit.

(2) Furthermore, the board shall also have the authority to impose late filing fees in an amount not to exceed the original amount of the license fee or safety permit fee.

(g)(1) The board shall have the authority to employ and discharge any personnel as may be necessary to administer and enforce the provisions of this subchapter and the rules and regulations promulgated hereunder.

(2) The board shall employ ~~an investigator~~ investigators to investigate consumer complaints related to overcharging for ~~consent or~~ nonconsent towing, recovery, or storage fees, violations of § 27-50-1101, this subchapter, and violations of the rules promulgated by the board under this subchapter.

SECTION 3. Arkansas Code § 27-50-1204(a), concerning penalties, is amended to read as follows:

(a)(1) The owner of a vehicle ~~or~~ and the person who left the vehicle unattended or abandoned or any owner or operator waiving an owner's preference shall be liable for all reasonable costs of towing, recovery, storage, and other incidental costs related to such a removal.

(2) If the vehicle is sold by foreclosure under § 27-50-1209, the owner or operator shall be liable for such costs in excess of the net proceeds of the sale of the vehicle.

SECTION 4. Arkansas Code § 27-50-1204(d), concerning penalties, is amended to read as follows:

(d) Any person, excluding law enforcement officers, who is determined by the board, after reasonable notice and opportunity for a fair and impartial hearing held in accordance with the Arkansas Administrative Procedure Act, § 25-15-201 et seq., to have committed an act that is in violation of this subchapter or any rules and regulations promulgated under this subchapter, is subject to civil penalties prescribed by the board, including monetary penalties not to exceed ~~five hundred dollars ($500)~~ five thousand dollars ($5000) or suspension or revocation of any towing license or permit, or both.

SECTION 5. Arkansas Code § 27-50-1204, concerning penalties, is amended to add a subdivision to read as follows:

(f)(1) A penalty assessed by the board shall be paid no later than fifteen (15) days after the conclusion of the appeallte process under the Arkansas Administrative Procedures Act, § 25-15-201 et seq.

(2) If not paid timely, a license or permit may be suspended until the penalty is paid.

SECTION 6. Arkansas Code § 27-50-1205(1), concerning tagging by a law enforcement official, is amended to read as follows:

(1)(A) Order immediate removal of any unattended, abandoned, disabled, or inoperative vehicle:

(i) ~~located~~ Located within three feet (3') of the traveled surface of a public way; or

(ii) ~~which vehicle~~ That appears to create an immediate and substantial hazard to the public; and

(B) ~~shall~~ Shall log the removal order accordingly; or

SECTION 7. Arkansas Code § 27-50-1206(a) and (b), concerning the notice provided by a law enforcement officer to a licensed towing and storage firm, is amended to add an additional subdivision to read as follows:

(a)(1) Any order issued by a law enforcement officer to a licensed towing and storage firm to remove and store an unattended or abandoned vehicle shall provide information supplied from the records of the Office of Motor Vehicle, Arkansas Crime Information Center records, or the motor vehicle records of any other state indicating the name and address of the last registered owner, the name and address of the holder of any recorded lien on the vehicle, and the vehicle identification or serial number of the vehicle.

(2) If there is evidence in the vehicle indicating that the vehicle is registered in another state, the information shall be supplied from the motor vehicle records of that state.

(3)(A) If a law enforcement officer or other official issues a hold against the release of the vehicle, the law enforcement officer's order to remove and store the vehicle shall include a written explanation for the issuance of the hold.

(B) Whenever the vehicle is released, the law enforcement officer or other official who issued the hold shall provide written notice of the release to the towing and storage firm.

(b)(1) In the event that readily available records fail to disclose the name of the owner or any lienholder of record, the law enforcement officer or his or her agency shall notify in writing the towing and storage firm~~,~~ which after receiving the notice shall perform a good faith search to locate documents or other evidence of ownership and lienholder information on or within the unattended or abandoned vehicle.

(2) For purposes of this subsection, a "good faith search" means that the towing and storage firm checks the unattended or abandoned property for any type of license plate, license plate record, temporary permit, inspection sticker, decal, or other evidence which may indicate a possible state of registration and title.

(3) The towing and storage firm shall provide in writing to the law enforcement officer or agency the results of the search and, if appropriate, certify that a physical search of the unattended or abandoned vehicle disclosed that no ownership documents were found and that a good faith search was conducted.

SECTION 8. Arkansas Code § 27-50-1207(a)(2)(B), concerning owner preference rights, is amended to an additional subdivision to read as follows:

(B)(1) If a law enforcement officer fails to provide an owner of a vehicle with an owner preference in a nonemergency situation, then the owner may file a complaint with the law enforcement agency that employs the law enforcement officer, the Arkansas Towing and Recovery Board, or both.

(2) Nothing in this subsection precludes a person who has been denied the right of owner preference from seeking any other legal or equitable remedy.

SECTION 9. Arkansas Code § 27-50-1207(c), concerning the recommendation of a towing and storage firm by a law enforcement officer, is amended to read as follows:

(c) No law enforcement officer shall:

(1) ~~suggest~~ Suggest or recommend any particular towing and storage firm to the owner, ~~to~~ his or her agent, or ~~to~~ any competent occupant of any disabled or inoperative vehicle ~~except in strict compliance with his or her agency's vehicle removal policy, nor shall law enforcement officers~~; or

(2) ~~accept~~ Accept gifts or special consideration from the owner of a towing business or anyone acting on the owner's behalf in relation to removal of vehicles as provided by this subchapter.

SECTION 10. Arkansas Code § 27-50-1207(e) and (f), concerning an owner's rights, is amended to read as follows:

(e)(1) Should the owner or lienholder of a vehicle removed pursuant to this subchapter consider that the removal of the vehicle was not legally justified or properly subject to a law enforcement hold, the owner or lienholder may within ~~twenty (20)~~ thirty (30) days after removal or within ~~twenty (20)~~ thirty (30) days after the receipt of notification of any law enforcement hold from the towing and storage firm, whichever is later, seek a review to determine whether the unattended or abandoned property was wrongfully removed or withheld from the owner through the following procedures:

(A) In the case of a vehicle removed by or at the direction of a state agency, by filing a petition with the Arkansas State Claims Commission;

(B) In the case of a vehicle removed by or at the direction of a county or city agency and when the county or city has established an administrative review process, by filing a petition according to the established administrative review process; and

(C) In all other cases, including when the county or city has failed to establish an administrative review process, by filing a petition in the circuit court in the county where the unattended or abandoned vehicle is stored.

(2) In the case of a final decision reached through a county or city administrative review, the owner or lienholder may appeal an adverse ruling to the circuit court in the county where the unattended or abandoned vehicle is stored.

(3) The petition shall name the state agency ordering the tow as a respondent and when filed in circuit court shall also name the towing company among the respondents if the towing company still possesses the vehicle. In the case of removal originated by an agency of a political subdivision of the state, the petition shall name the county, city, or town as a respondent.

(4)(A) If the vehicle and its contents are subject to impoundment or seizure by law enforcement pursuant to the Arkansas Rules of Criminal Procedure or pursuant to an order by any court, Arkansas Rule of Criminal Procedure 15 shall exclusively govern the release of the vehicle and its contents to the extent applicable.

(B) Nothing in this section shall operate to defeat the lien held by the towing company under § 27-50-1208.

(f)(1) Upon the filing of the petition, the owner or lienholder may have the unattended or abandoned vehicle and contents released upon posting with the commission, with the court, or with the city or county clerk or other person designated by a political subdivision, as the case may be, a cash or surety bond equal to the amount of the charges for the towing and storage to ensure the payment of such charges in the event that he or she does not prevail.

(2)(A) Upon the posting of the bond and the payment of the applicable fees, the administrative decision maker, commission, or court, as the case may be, shall issue an order notifying the towing company and the respondent agency of the posting of the bond.

(B) Upon service of receipt of the order, the towing company shall release the stored property.

(3) At the time of release, after reasonable inspection, the owner or the lienholder shall give a receipt to the towing and storage firm reciting any claim for known loss or damage to the unattended or abandoned property or the contents thereof.

SECTION 11. Arkansas Code § 27-50-1208 is amended to read as follows:

27-50-1208. Possessory lien and notice to owners and lienholders.

(a)(1) The towing and storage firm shall have a first priority possessory lien on the vehicle and its contents for all reasonable charges for towing, recovery, and storage for which the owner is liable.

(2)(A) The lien created under subdivision (a)(1) of this section attaches to the vehicle and its contents and to any trailer attached to the vehicle and the trailer's contents, including a motor vehicle or boat.

(B) The lien created under subdivision (a)(1) of this section does not apply to contents consisting of personal documents, medications, child restraint seating, wallets or purses and their contents, prescription eye glasses, prosthetics, cellular telephones, photographs, or books.

(3) The towing and storage firm shall release without charge to the owner of the vehicle or his or her authorized representative the items described in subdivision (a)(2)(B) of this section.

(b) The lien shall be perfected by:

(1) Maintaining possession;

(2) Mailing notice to the owner or owners and lienholders as shown on the data provided by the law enforcement agency involved as prescribed by this subchapter; or

(3) In the case of a vehicle removed pursuant to § 27-50-1101, giving notice to the last known registered owner or owners and lienholders as provided from the records of the:

(A) Office of Motor Vehicle;

(B) Arkansas Crime Information Center; or

(C) Motor vehicle records of any other state where the vehicle's registration indicates the name and address of the last registered owner and the name and address of the holder of any recorded lien, if any, on the vehicle.

(c)(1) The notice shall be mandatory and by certified mail, return receipt requested.

(2) The notice shall be posted not sooner than two (2) business days but within eight (8) business days after the date that the towing and storage firm receives the vehicle.

(d)(1) If within forty-eight (48) hours the ownership and lienholder information has not been received from the law enforcement agency requesting the removal of a vehicle pursuant to this subchapter, the towing and storage firm shall obtain information concerning the last known registered owner or owners and lienholders as provided from the records of the:

(A) ~~office~~ Office of Motor Vehicle;

(B) Arkansas Crime Information Center; or

(C) Motor vehicle records of any other state where the vehicle's registration indicates the name and address of the last registered owner and the name and address of the holder of any recorded lien, if any, on the vehicle.

(2)(A) For the purpose of notices required by this section, if the data records of the ~~office~~ Office of Motor Vehicle or the office of motor vehicles for the state where the vehicle is registered, if known, do not contain any information as to the last known registered owner or owners and lienholders, notice by publication one (1) time in one (1) newspaper of general circulation in the county where the vehicle was found unattended, abandoned, or improperly parked is sufficient notice under this section.

(B) The notice by publication may contain multiple listings of vehicles, shall be published within the time requirements prescribed for notice by certified mail, and shall have the same contents required for a notice by certified mail.

(e) The notice shall contain the following information:

(1) The year, make, model, and vehicle identification number of the vehicle towed;

(2) The name, address, and telephone number of the storage facility;

(3) That the vehicle is in the possession of that towing and storage firm under police order, describing the general circumstances of any law enforcement or other official hold on the vehicle;

(4) That towing, storage, and administrative costs are accruing as a legal liability of the owner;

(5) That the towing and storage firm claims a first priority possessory lien on the vehicle and its contents for all such charges;

(6) That unless claimed within forty-five (45) days, the vehicle and its contents will be dismantled, destroyed, or sold at public sale to the highest bidder;

(7) That the failure to exercise their right to reclaim the vehicle and its contents within the time prescribed by this section constitutes a waiver by the owners and lienholders of all right, title, and interest in the vehicle and its contents and constitutes their consent to the sale, dismantling, or destruction of the vehicle and its contents;

(8) That the owner or lienholder may retake possession at any time during business hours by appearing, proving ownership, and releasing the law enforcement or other official hold, if any, and by paying all charges or by other written arrangement between the owner or lienholder and the towing and storage firm;

(9) That should the owner consider that the original taking was not legally justified, he or she has a right for ~~twenty~~ thirty ~~(20)~~ thirty (30) days to contest the original taking as defined by § 27-50-1207; ~~and~~

(10) That the owner or operator or his or her authorized representative may recover without charge possession of any item described in subdivision (a)(2)(B) of this section by providing within forty-five (45) days to the towing and storage firm proof that the claimant is the registered owner of the vehicle or has been authorized by the registered owner of the vehicle to take possession of the items; and

(11) Notices to owners of vehicles deemed abandoned on the premises of automobile repair facilities pursuant to § 27-50-1101 shall also advise that the automobile repair person holds an absolute lien on the vehicle pursuant to § 18-45-201 et seq.

(f) Nothing in this section is to preclude the owner~~, lienholder,~~ or his or her agent from making alternative arrangements within the two-day to eight-day time period with the towing and storage firm~~,~~ or waiving ~~his or her rights to~~ the notice requirements under this section.

(g) When any vehicle reclaimed from the towing and storage firm by a lienholder contains contents not subject to the lienholder's interest, the lienholder shall be accountable to the owner of the contents in the same manner as the lienholder would in any other case of repossession of a vehicle, and the towing and recovery firm releasing the vehicle and its contents shall be relieved from all responsibility for the contents.

(h)(1) Any towing and storage firm that in good faith follows the procedures of this subchapter or the provisions of § 27-50-1101 shall not be subject to claims of unlawful detainer or conversion for vehicles or their contents for ~~merely~~ maintaining property pursuant to the possessory lien as provided by this subchapter.

(2) Any challenge to the removal and holding of an unattended or abandoned vehicle as provided by this subchapter shall be controlled exclusively by the provisions of § 27-50-1207.

(3) Nothing in this section shall be construed to limit liability of the towing and storage firm for any other act or omission otherwise actionable under statutory or common law.

SECTION 12. Arkansas Code § 27-50-1209 is amended to read as follows:

27-50-1209. Foreclosure of liens.

(a)(1) The failure of the owner or lienholder to exercise his, her, or its right to reclaim the vehicle and its contents by appearing, proving ownership, and releasing any law enforcement hold or other official hold and paying all charges or making other written arrangement between the owner or lienholder and the towing and storage firm within ~~the time provided in this subchapter~~ forty-five (45) days of the posting or publication of notice to owners and lienholders constitutes a waiver by the owner or lienholder of all right, title, and interest in the vehicle and its contents.

(2) If a law enforcement official or other official refuses to release any hold on the vehicle or its contents, the owner or lienholder has an additional twenty (20) days to reclaim the vehicle and its contents after the date when the hold is released.

(3)(A) The owner or lienholder may challenge any law enforcement official hold or other official hold under the procedures in § 27-50-1207(e).

(B) However, the provisions of § 27-50-1207(f) pertaining to release of the vehicle do not apply when the owner or lienholder challenges a law enforcement official hold or other official hold.

(b)(1) Except as provided in subsection (c) of this section, the towing and storage firm, municipality, or county that holds a perfected possessory lien on any vehicle and its contents not redeemed by its owner or security lienholder within the ~~forty-five (45) days~~ time frame provided by this ~~subchapter~~ section shall sell the vehicle and its contents at a nonjudicial public sale for cash.

(2) The sale shall not occur later than ninety (90) days after perfection of the lien or forty-five (45) days after the release of any law enforcement hold or other official hold, whichever is later.

(c) A vehicle that is held by a municipality or county on a storage lot owned and operated by the municipality or county may defer the public sale and make use of the vehicle for law enforcement purposes if:

(1) The municipality or county complies with the notice provisions of § 27-50-1208;

(2) ~~Forty-five (45) days have expired~~ The time frame as provided under ~~subdivision (b)(1)~~ subsection (a) of this section has expired; and

(3) The municipality or county enacts an ordinance that:

(A) Declares the municipality's or the county's policy regarding the deferral for law enforcement purposes;

(B) Charges a specific municipal or county official with the responsibilities of:

(i) Identifying the vehicles to be used by the municipality or county; and

(ii)(a) Declaring a future date to publicly sell the vehicle pursuant to § 27-50-1210.

(b) The date of the sale shall be a maximum of six (6) months ~~from~~ following the passage of the ~~forty-five (45) days required~~ time frame for an owner or lienholder to reclaim a vehicle under ~~subdivision (b)(1)~~ subsection (a) of this section or as soon as is practicable if circumstances arise that prevent the sale on the declared sale date; and

(C) Requires that the official ensure that the public sale proceed on the sale date declared in the ordinance.

(d)(1) The towing and storage firm, municipality, or county shall obtain written verification that the Arkansas Crime Information Center records do not list the vehicle as having been reported stolen.

(2) The verification shall be on a form prescribed by the center, the Office of Motor Vehicle, a municipal police department, a county sheriff's department, or the Department of Arkansas State Police.

(3) When the verification provided by this subsection is sought directly from the center by the towing and storage firm, the center may charge a fee, not to exceed ten dollars ($10.00) per vehicle verification.

(e)(1) Notice of the sale shall be sent at least fifteen (15) days before the date of the sale by certified mail, no return receipt requested, to the registered owner and lienholder, if any.

(2) If the data records of the Office of Motor Vehicle or the office of motor vehicles for the state where the vehicle is registered do not contain any information as to the last known registered owner or owners or lienholders, the notice required under subdivision (e)(1) of this section is not required.

(3) Nothing in this subsection removes the requirement of notice of sale by publication under subsection (f) of this section.

(f) In addition to the notice by mail, notice of the sale shall be published in a newspaper of general circulation in the county at least one (1) time at least ten (10) days prior to the sale.

SECTION 13. Arkansas Code § 27-50-1210(b)(1), concerning a nonjudicial sale, is amended to read as follows:

(b) Should the sale produce the same or less than the sum of all charges:

(1) ~~Ownership~~ At the election of the possessory lienholder, the sale of the vehicle may be cancelled and ownership of the vehicle and its contents shall thereupon vest in the possessory lienholder as purchaser free of all liens of any nature; and

(2) The possessory lienholder shall have a valid claim against the owner for the full amount of the charges, including the costs of the sale and including a reasonable charge for processing the paperwork, less the sale price of the vehicle and its contents.

SECTION 14. Arkansas Code § 27-50-1213 is amended to read as follows:

27-50-1213. Limitation on removing from the state.

(a) A towing or wrecker service licensed in a state other than Arkansas shall only remove a vehicle that was involved in a motor vehicle accident ~~collision~~ in the State of Arkansas from the site of the ~~collision~~ accident to another state if the state in which the towing or wrecker service is licensed extends the same privilege to a towing or wrecker service that is licensed in Arkansas and operating in the other state.

(b) For the purpose of determining whether a state permits Arkansas-licensed wreckers and Arkansas-licensed towing vehicles to remove a vehicle that was involved in an accident in that state, any limitation imposed by a county, parish, city, or other political subdivision of that state is deemed an action of that state.

(c)(1) This section applies only to the initial removal of a vehicle from the site of an accident to a point of storage or repair.

(2) This section does not apply to the secondary towing of a vehicle after an investigation of a motor vehicle accident is completed.

(d) When towing a vehicle in this state, a towing or wrecker service licensed in a state other than Arkansas must comply with the provisions of this subchapter and § 27-35-112."

(SIGNED) SENATOR ALTES

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 969 was ordered engrossed.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 20, 2007

Mr. President:

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

SENATE BILL NO. 147, BY SENATOR WILKINS,
SENATE BILL NO. 156, BY SENATOR T. 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 Wilkins, Senate Bill No. 147 was ordered re-referred to the Committee on JOINT RETIREMENT AND SOCIAL SECURITY.

On motion of Senator Smith, Senate Bill No. 156 was ordered re-referred to the Committee on JOINT RETIREMENT AND SOCIAL SECURITY.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 20, 2007

Mr. President:

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

SENATE BILL NO. 264, BY SENATOR WILKINS,
SENATE BILL NO. 303 B SENATOR MALONE

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 Wilkins, Senate Bill No. 264 was ordered re-referred to the Committee on Judiciary.

On motion of Senator Malone, Senate Bill No. 303 was ordered re-referred to the Committee on Judiciary.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 20, 2007

Mr. President:

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

SENATE BILL NO. 405, BY SENATOR BAKER,

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, Senate Bill No. 405 was ordered re-referred to the Committee on Joint Budget.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 20, 2007

Mr. President:

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

SENATE BILL NO. 764, BY SENATOR WILKINS,
SENATE BILL NO. 776, BY SENATOR WHITAKER,
SENATE BILL NO. 885, BY SENATOR ARGUE, et al,
SENATE BILL NO. 920, BY SENATOR ARGUE, et al,
SENATE BILL NO. 922, BY SENATOR ARGUE et al,
SENATE BILL NO. 930, BY SENATOR BRYLES,
SENATE BILL NO. 933, BY SENATOR BRYLES,
SENATE BILL NO. 953, BY SENATOR J. JEFFRESS,
SENATE BILL NO. 986, BY SENATOR LUKER,

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 Wilkins, Senate Bill No. 764 was ordered re-referred to the Committee on Education.

On motion of Senator Whitaker, Senate Bill No. 776 was ordered re-referred to the Committee on Education.

On motion of Senator Argue, Senate Bill No. 885 was ordered re-referred to the Committee on Education.

On motion of Senator Argue, Senate Bill No. 920 was ordered re-referred to the Committee on Education.

On motion of Senator Argue, Senate Bill No. 922 was ordered re-referred to the Committee on Education.

On motion of Senator Bryles, Senate Bill No. 930 was ordered re-referred to the Committee on Education.

On motion of Senator Bryles, Senate Bill No. 933 was ordered re-referred to the Committee on Education.

On motion of Senator J. Jeffress, Senate Bill No. 953 was ordered re-referred to the Committee on Education.

On motion of Senator Luker, Senate Bill No. 986 was ordered re-referred to the Committee on Education.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 20, 2007

Mr. President:

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

SENATE BILL NO. 946, BY SENATOR TRUSTY,
SENATE BILL NO. 978, BY SENATOR CRITCHER,

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 Trusty, Senate Bill No. 946 was ordered re-referred to the Committee on Revenue and Taxation.

On motion of Senator Critcher, Senate Bill No. 978 was ordered re-referred to the Committee on Revenue and Taxation.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 20, 2007

Mr. President:

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

SENATE BILL NO. 955, BY SENATOR MADISON,

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. 955 was ordered re-referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 20, 2007

Mr. President:

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

SENATE BILL NO. 969, 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

On motion of Senator Altes, Senate Bill No. 969 was ordered re-referred to the Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 20, 2007

Mr. President:

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

SENATE BILL NO. 992, 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. 992 was ordered re-referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 20, 2007

Mr. President:

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

SENATE BILL NO. 988 , BY SENATOR BRYLES,

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

March 20, 2007

Mr. President:

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

SENATE BILL NO. 998, BY SENATOR ALTES,
SENATE BILL NO. 1000, BY SENATOR ALTES,

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 JIM LUKER
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 20, 2007

Mr. President:

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

SENATE BILL NO. 206, 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 concur on House Amendment No. 1.

Respectfully submitted,

(SIGNED) SENATOR JIM LUKER
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 20, 2007

Mr. President:

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

HOUSE BILL NO. 1319, BY REPRESENTATIVE L. EVANS,
HOUSE BILL NO. 2290, BY REPRESENTATIVE LOWERY,
HOUSE BILL NO. 2414, BY REPRESENTATIVE DICKINSON,
HOUSE BILL NO. 2413, BY REPRESENTATIVE DICKINSON,
HOUSE BILL NO. 2536, 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 HOUSE BILL NO. 2290.

Respectfully submitted,

(SIGNED) REPRESENTATIVE LOWERY
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 20, 2007

Mr. President:

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

SENATE BILL NO. 69, BY SENATOR WHITAKER,

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 IRMA HUNTER BROWN
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 20, 2007

Mr. President:

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

HOUSE BILL NO. 1186, BY REPRESENTATIVE SHELBY,
HOUSE BILL NO. 1298, BY REPRESENTATIVE HARRELSON,
HOUSE BILL NO. 2246, BY REPRESENTATIVE L. SMITH,
HOUSE BILL NO. 2267, BY REPRESENTATIVE S. PRATER,
HOUSE BILL NO. 2322, BY REPRESENTATIVE EDWARDS,
HOUSE BILL NO. 2323, BY REPRESENTATIVE EDWARDS,
HOUSE BILL NO. 2382, BY REPRESENTATIVE REEP,
HOUSE BILL NO. 2452, BY REPRESENTATIVE HOUSE,
HOUSE BILL NO. 2492, BY REPRESENTATIVE DUNN,

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

March 20, 2007

Mr. President:

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

HOUSE BILL NO. 2285, BY REPRESENTATIVE HYDE,

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

March 20, 2007

Mr. President:

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

SENATE BILL NO. 22, BY SENATOR MADISON,
SENATE BILL NO. 25, 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 to concur in House Amendment No. 1.

Respectfully submitted,

(SIGNED) SENATOR PAUL MILLER
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 20, 2007

Mr. President:

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

HOUSE BILL NO. 2702, BY REPRESENTATIVE SAUNDERS,

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

March 20, 2007

Mr. President:

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

SENATE BILL NO. 129, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 130, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 138, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 173, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 254, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 256, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 418, 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 IRMA HUNTER BROWN
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 20, 2007

Mr. President:

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

SENATE BILL NO. 506, BY SENATOR 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) SENATOR SHAWN WOMACK
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 20, 2007

Mr. President:

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

SENATE BILL NO. 131, 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. 2.

Respectfully submitted,

(SIGNED) SENATOR IRMA HUNTER BROWN
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 20, 2007

Mr. President:

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

SENATE BILL NO. 402, BY SENATOR G. JEFFRESS,
SENATE BILL NO. 779, BY SENATOR T. SMITH,
SENATE BILL NO. 900, BY SENATOR J. TAYLOR,
SENATE BILL NO. 973, BY SENATOR WILKINS,

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

March 20, 2007

Mr. President:

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

SENATE BILL NO. 947, 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 STEVE FARIS
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 20, 2007

Mr. President:

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

SENATE BILL NO. 390 , BY SENATOR J. TAYLOR,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that it so pass to concur in House Amendment No. 1.

Respectfully submitted,

(SIGNED) SENATOR STEVE FARIS
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 20, 2007

Mr. President:

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

HOUSE BILL NO. 2312, BY REPRESENTATIVE E. BROWN,
HOUSE BILL NO. 2359, BY REPRESENTATIVE E. BROWN,
HOUSE BILL NO. 2360, BY REPRESENTATIVE E. BROWN,
HOUSE BILL NO. 2500, BY REPRESENTATIVE REYNOLDS,
HOUSE BILL NO. 2601, BY REPRESENTATIVE S. PRATER,
HOUSE BILL NO. 2662, BY REPRESENTATIVE ROSENBAUM,
HOUSE BILL NO. 2756, BY REPRESENTATIVE E. 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 STEVE FARIS
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 20, 2007

Mr. President:

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

HOUSE BILL NO. 1500, BY REPRESENTATIVE W. LEWELLEN,

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

March 20, 2007

Mr. President:

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

SENATE CONCURRENT MEMORIAL RESOLUTION NO. 1,
BY SENATOR STEELE,
SENATE CONCURRENT RESOLUTION NO. 13,
BY SENATOR WILKINSON,
SENATE CONCURRENT MEMORIAL RESOLUTION NO. 4,
BY: SENATORS BISBEE, HENDREN,
SENATE BILL NO. 184, BY SENATORS THOMPSON, BROADWAY
SENATE BILL NO. 217, BY SENATOR G. JEFFRESS,
SENATE BILL NO. 231, BY SENATOR LAVERTY, 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 9:40 a.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. 1
SENATE CONCURRENT MEMORIAL RESOLUTION NO. 4
SENATE CONCURRENT RESOLUTION NO. 13
SENATE BILL NO. 184
SENATE BILL NO. 217
SENATE BILL NO. 231

RECEIVED the above papers from the Secretary of the Senate this 20th day of March, 2007 at 9:41 a.m.

(SIGNED) MIKE BEEBE
Governor

(SIGNED) Angela Tollette
Secretary

Senator Gene Jeffress was recognized for a citation.

SENATE CITATION

WHEREAS, *The Camden Fairview Lady Cardinals and the Morrilton Lady Devil Dogs met in Summit Arena in Hot Springs on March 9, 2007 to decide the State 5A Championship and the Lady Cardinals came away with a 57-43 victory and their first ever girls state championship; and*

WHEREAS, *The Lady Cardinals, under the direction of first-year coach Ronald Rogers, have enjoyed a "Cinderella" season with a 31-0 record, wins in three invitational Tournaments as well as the 5A Southwest Conference title; And*

WHEREAS, *The outstanding accomplishments of the 2006-07 Camden Fairview Lady Cardinals have brought great pride to their school, their fans and their community and their successes are a result of their outstanding talents, sportsmanship and teamwork; and*

WHEREAS, *The members of the Arkansas Senate wish to join Senator Gene Jeffress in congratulating Coach Ronald Rogers and the Camden Fairview Lady Cardinals on an outstanding season culminating with the Sate 5A Championship.*

Now therefore, pursuant to the motion of

Senator Gene Jeffress

the Arkansas Senate directs that this Citation be Presented on this 20th Day of March 2007.

Jack Critcher
PRESIDENT PRO TEMPORE OF THE SENATE

SECRETARY OF THE SENATE

SENATOR

SENATE RESOLUTION NO. 22
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS STEELE, BROWN, CRUMBLY, WILKINS & ARGUE

SENATE RESOLUTION COMMEMORATING THE 50TH ANNIVERSARY OF THE HISTORIC INTEGRATION OF CENTRAL HIGH SCHOOL.

Senate Resolution No. 22 was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE CONCURRENT RESOLUTION NO. 27
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR CRITCHER

SENATE RESOLUTION TO PROVIDE FOR RECESS OF THE EIGHTY-SIXTH GENERAL ASSEMBLY AT THE CLOSE OF BUSINESS ON APRIL 7, 2007; TO PROVIDE FOR AN EXTENSION OF THE REGULAR SESSION OF THE EIGHTY-SIXTH GENERAL ASSEMBLY UNTIL 12:00 NOON, MAY 4, 2007; TO AUTHORIZE THE PRESIDENT PRO TEMPORE OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, BY JOINT PROCLAMATION, TO RECONVENE THE GENERAL ASSEMBLY AT ANY TIME BEFORE 12:00 NOON, MAY 4, 2007, FOR THE PURPOSE OF CONSIDERING VETOES, CORRECTING ERRORS OR OVERSIGHTS, COMPLETING ITS WORK ON PROPOSED CONSTITUTIONAL AMENDMENTS, AND CONSIDERING THE NEED FOR FURTHER EXTENSION OF THE REGULAR SESSION OR TO ADJOURN THE EIGHTY-SIXTH GENERAL ASSEMBLY AT ANY TIME BEFORE THAT DATE IF THEY DETERMINE THAT THERE IS NO NEED TO RECONVENE; TO PROVIDE THAT IF THE GENERAL ASSEMBLY IS NOT RECONVENED OR ADJOURNED BEFORE 12:00 NOON, MAY 4, 2007, THE REGULAR SESSION OF THE EIGHTY-SIXTH GENERAL ASSEMBLY IS ADJOURNED SINE DIE ON THAT DATE.

Senate Concurrent Resolution No. 27 was read the first time, rules suspended, read the second time and placed on the Calendar.

On motion of Senator Madison, Senate Concurrent No. 21 was called up for third reading and final disposition.

SENATE CONCURRENT RESOLUTION NO. 21
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MADISON

SENATE CONCURRENT RESOLUTION REQUESTING THE DIVISION OF HEALTH OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO PROVIDE FOR THE CONTINUATION OF THE UNWED BIRTH PREVENTION STEERING COMMITTEE AND THE STEERING COMMITTEE ON ABSTINENCE EDUCATION.

Senate Concurrent Resolution No. 21 was read the third time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Concurrent Resolution No. 21 was ordered immediately transmitted to the House.

On motion of Senator Laverty, the rules were suspended in considering Committee of the Whole at this time.

On motion of Senator Laverty, the Senate resolved itself into the Committee of the Whole for the purpose of recognizing Mr. Charles Robinson.

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

On motion of Senator Laverty, Senate Concurrent Resolution No. 24 was called up for third reading and final disposition.

SENATE CONCURRENT RESOLUTION NO. 24
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR LAVERTY

SENATE CONCURRENT RESOLUTION COMMENDING MR. CHARLES L. ROBINSON AND IN RECOGNITION OF HIS CONTRIBUTIONS TO THE STATE OF ARKANSAS AND THE DIVISION OF LEGISLATIVE AUDIT.

Senate Concurrent Resolution No. 24 was read the third time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Concurrent Resolution No. 24 was ordered immediately transmitted to the House.

On motion of Senator J. Jeffress, House Concurrent Resolution No. 1030 was called up for third reading and final disposition.

HOUSE CONCURRENT RESOLUTION NO. 1030
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTAIVES RAINEY, POWERS, ADCOCK, ET AL
BY: SENATORS J. JEFFRESS, J. TAYLOR & WILKINS

HOUSE CONCURRENT RESOLUTION ENCOURAGING THE DEPARTMENT OF HOMELAND SECURITY TO ASSIST THE PEOPLE OF DUMAS, ARKANSAS.

House Concurrent Resolution No. 1030 was read the third time and concurred in by the House.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Concurrent Resolution No. 1030 was ordered immediately returned to the House as concurred in.

On motion of Senator Horn, Senate Bill No. 895 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. 895

Amend Senate Bill No. 895 as originally introduced:

Page 1, delete lines 10 through 14 and substitute the following:
"AN ACT TO STUDY THE CREATION OF THE ARKANSAS PATIENT CHOICE ACT; TO STUDY METHODS FOR PROVIDING ARKANSAS PATIENTS MORE CHOICE IN THEIR PRESCRIPTION DRUG BUYING PURCHASES BY REGULATING THE DISPENSING OF PRESCRIPTION DRUGS BY CERTAIN MEDICAL PROFESSIONALS; AND FOR OTHER PURPOSES."

AND

Page 1, delete lines 17 through 22 and substitute the following:
"AN ACT TO STUDY THE CREATION OF THE ARKANSAS PATIENT CHOICE ACT; AND TO PROVIDE ARKANSAS PATIENTS MORE CHOICE IN THEIR PRESCRIPTION DRUG PURCHASES."

AND

Delete everything after the ENACTING clause and substitute the following:

"Section 1. Purpose.

The purposes of this act are to:

(1) Study the practice of the dispensing of prescription drugs by physicians and dentists including without limitation:

(A) The regulatory schemes in other states;

(B) The practices of Arkansas dentists who currently dispense prescription drugs;

(C) The practices of companies that provide prepackaged drugs; and

(D) A system of support for physicians and dentists within a framework of safety and accountability;

(2) Develop an effective regulatory scheme that would protect the public safety and ensure accountability in the drug distribution system; and

(3) Study the parameters set forth in federal law in the Robinson-Patman Act that would limit the use of pharmacy permits by non-profit, tax exempt, or governmentally funded hospitals in Arkansas.

Section 2. Legislative Task Force on Patient Choice — Creation — Membership — Duties.

(a) The Legislative Task Force on Patient Choice is created to be composed of the following members:

(1)(A) Two (2) members of the Senate Interim Committee on Public Health, Welfare, and Labor appointed by the chair of the of the Senate Interim Committee on Public Health, Welfare, and Labor.

(B) The chair of the Senate Interim Committee on Public Health, Welfare, and Labor shall select one (1) of the two (2) members as the Senate cochair;

(2)(A) Two (2) members of the House Interim Committee on Public Health, Welfare, and Labor appointed by the chair of the committee.

(B) The chair shall select one (1) of the two (2) members as the House cochair;

(3) One (1) member as a representative of the Arkansas Dental Association;

(4) One (1) member as a representative of the Arkansas Medical Society;

(5) One (1) member as a representative of the Arkansas Pharmacy Association;

(6) One (1) member from a non-profit hospital as a representative of the Arkansas Hospital Association;

(7) One (1) member who represents a company that provides prepackaged prescription drugs for dispensing by doctors appointed by the President Pro Tempore of the Senate;

(8) One (1) consumer member appointed by the Speaker of the House of Representatives; and

(9) One (1) consumer member appointed by the Governor.

(b) The task force shall:

(1) Be appointed no later than July 1, 2007;

(2) Receive staff and clerical support from the Legislative Council; and

(3) Report its findings and regulatory plan to the Legislative Council by November 1, 2008.

(c) The task force shall be co-chaired by members selected as co-chairs by the chairs of the Senate and House Interim Committees on Public Health, Welfare and Labor.

(d)(1) A majority of the membership of the task force shall constitute a quorum.

(2) A majority vote of the members present shall be required for any action of the task force.

(e) Vacancies on the task force due to death, resignation, or other causes shall be filled in the same manner as is provided in this act for initial appointments.

(f) Task force meetings shall be held at the State Capitol and at other locations as designated by the task force chairs.

(g) Legislative members shall be entitled to reimbursement for expenses and per diem at the same rate and from the same source as provided by law for members of the General Assembly attending meetings of interim committees.

SECTION 3. The task force shall expire on January 1, 2009."

(SIGNED) SENATOR HORN

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 895 was ordered engrossed.

On motion of Senator Pritchard, Senate Bill No. 861 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. 861

Amend Senate Bill No. 861 as originally introduced:

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code §§ 20-7-133 and 20-7-134 are amended to read as follows:

20-7-133. Child Health Advisory Committee - Creation.

(a) There is created a Child Health Advisory Committee to consist of ~~fifteen (15)~~ twenty (20) members.

(b)(1) The Director of the Division of Health of the Department of Health and Human Services shall appoint:

(A) One (1) member to represent the Division of Health of the Department of Health and Human Services;

(B) One (1) member to represent the Arkansas Dietetic Association;

(C) One (1) member to represent the Arkansas Academy of Pediatrics;

(D) One (1) member to represent the Arkansas Academy of Family Practice;

(E) One (1) member to represent the Arkansas Association for Health, Physical Education, Recreation and Dance;

(F) One (1) member to represent jointly the Arkansas Heart Association, the American Cancer Society, and the American Lung Association;

(G) One (1) member to represent the College of Public Health of the University of Arkansas for Medical Sciences;

(H) One (1) member to represent the Arkansas Center for Health Improvement;

(I) One (1) member to represent the Arkansas Advocates for Children and Families; ~~and~~

(J) One (1) member to represent the University of Arkansas Cooperative Extension Service; and

(K) One (1) member to represent the Office of Minority Health and Health Disparities of the Division of Health of the Department of Health and Human Services.

(2) The Commissioner of Education shall appoint:

(A) One (1) member to represent the Department of Education;

(B) One (1) member to represent the Arkansas School Food Service Association;

(C) One (1) member to represent the Arkansas School Nurses Association;

(D) One (1) member to represent the Arkansas Association of Educational Administrators; ~~and~~

(E) One (1) member to represent the Arkansas Parent Teacher Association;

(F) One (1) member to represent the Arkansas School Boards Association;

(G) One (1) member to represent the Arkansas Association of School Business Officials;

(H) One (1) member to represent the Arkansas Association for Supervision and Curriculum Development; and

(I) One (1) member who is a classroom teacher.

(c) Terms of committee members shall be three (3) years except for the initial members, whose terms shall be determined by lot so as to stagger terms to equalize as nearly as possible the number of members to be appointed each year.

(d) If a vacancy occurs, the officer who made the original appointment shall appoint a person who represents the same constituency as the member being replaced.

(e) The committee shall elect one (1) of its members to act as chair for a term of one (1) year.

(f) A majority of the members shall constitute a quorum for the transaction of business.

(g) The committee shall meet at least monthly.

(h) The division shall provide office space and staff for the committee.

(i) Members of the committee shall serve without pay but may receive expense reimbursement in accordance with § 25-16-902 if funds are available.

20-7-134. Powers and duties.

(a) The Child Health Advisory Committee shall meet at least one (1) time per month and make recommendations to the State Board of Education and the State Board of Health consistent with the intent and purpose of this section, § 20-7-133, and § 20-7-135.

(b) The committee shall develop nutrition and physical activity standards and policy recommendations with consideration of the following:

(1) Foods sold individually in school cafeterias but outside the regulated National School Lunch Program;

(2) Competitive foods as defined by the United States Department of Agriculture as the definition is in existence on January 1, 2003, and offered at schools typically through vending machines, student stores, school fundraisers, food carts, or food concessions;

(3) The continuing professional development of food service staff;

(4) The expenditure of funds derived from competitive food and beverage contracts;

(5) Physical education and activity;

(6) Systems to ensure the implementation of nutrition and physical activity standards; and

(7) The monitoring and evaluating of results and reporting of outcomes.

(c) The committee shall examine the progress of the Arkansas Coordinated School Health Program and make recommendations to the Department of Education and the Division of Health of the Department of Health and Human Services concerning the implementation of the Arkansas Coordinated School Health Program."

(SIGNED) SENATOR PRITCHARD

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 861 was ordered engrossed.

On motion of Senator Madison, Senate Bill No. 293 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. 293

Amend Senate Bill No. 293 as originally introduced:

Add Senator Madison as cosponsor of the bill

AND

Page 3, delete line 9 and substitute the following:
"(23) Two (2) members to be appointed by the lead sponsor of Senate Bill 293 of the Eighty-Sixth General Assembly;
(24) Chief Counsel of the Department of Health and Human"

AND

Page 3, line 11, delete "(24)" and substitute "(25)"

(SIGNED) SENATOR MALONE

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

(SIGNED) ANN CORNWELL, SECRETARY

On motion of Senator Madison, Senate Bill No. 293 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. 293

Amend Senate Bill No. 293 as originally introduced:

Page 3, delete lines 21 and 22 and substitute the following:
“County at the State Capitol.”

AND

Page 3, delete lines 30 and 31 and substitute the following:
“without compensation~~, but may receive expense reimbursement according to § 25-16-902~~.”

AND

Page 3, line 36 delete “shall” and substitute “may”

AND

Page 4, delete lines 1 through 3 and substitute the following:
"calling of expert witnesses to testify, if the expenditure is approved by the Legislative Council. If the expenditure is approved, payment shall be made by the Bureau of Legislative Research from the appropriation for interim committee study expenses."

AND

Page 4, line 8 add the following:
(i) The task force shall submit its final report to the House Interim Committee on Public Health, Welfare and Labor, the Senate Interim Committee on Public Health, Welfare and Labor, the House Interim Committee on Aging, Children and Youth, Legislative and Military Affairs, and the Senate Interim Committee on Children and Youth. The final report shall be submitted no later than November 30, 2008.
(j) The task force shall cease to exist on December 31, 2008, and this section shall expire on December 31, 2008."

(SIGNED) SENATOR CRITCHER

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 293 was ordered engrossed.

On motion of Senator Horn, Senate Bill No. 361 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. 361

Amend Senate Bill No. 361 as engrossed, S3/1/07:

Page 1, delete lines 23 and 24 in their entirety and substitute the following:

"(a) Every employer of an employee engaged in any occupation in which gratuities"

AND

Page 1, delete line 28 and 29 in their entirety and substitute the following:

“amount ~~not to exceed fifty-eight percent (58%) of the minimum wage established by § 11-4-210~~ of no less than three dollars and sixty-two cents ($3.62) per hour, provided that the employee actually received that”

AND

Page 1, delete lines 32 through 34 in their entirety and substitute the following:

“employees, including full-time students subject to the provisions of § 11-4-210, of no less than ~~forty-two percent (42%) of the minimum wage prescribed by § 11-4-210~~ two dollars and sixty-three cents ($2.63) per hour."

AND

Page 1, delete lines 35 and 36 in their entirety

AND

Page 2, delete lines 1 through 5 in their entirety

(SIGNED) SENATOR HORN

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 361 was ordered engrossed.

On motion of Senator Malone, Senate Bill No. 1001 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. 1001

Amend Senate Bill No. 1001 as originally introduced:

Page 1, delete lines 21 through 22 and substitute:

"SECTION 1. Arkansas Code § 27-65-107(a), concerning the powers vested

in the State Highway Commission, is amended to add an additional subdivision to read as follows:

(16) To restrict certain trucks when traveling on freeways with six (6) or more lanes from traveling in the furthest-most left lane of the highways, and to post signs compliant with the manual and specifications adopted pursuant to Arkansas Code § 27-52-104 to notify motorists of the restrictions under this subdivision."

(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. 1001 was ordered engrossed.

On motion of Senator Whitaker, Senate Bill No. 945 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 SENATE BILL NO. 945

Amend Senate Bill No. 945 as originally introduced:

Page 2, delete lines 27 and 28 and insert the following:

"(b) The psychiatric residential treatment facility provider per diem rate shall be a prospective rate with no cost settlement that shall include all costs related to the operation of the facility except educational services, prescription medicines, and transportation."

AND

Page 3, delete lines 7 through 17 and insert the following:

"(A) Is a medical doctor or a psychologist; or

(B) Initiates the certification process no later than the effective date of this section and receives full accreditation by July 1, 2008.

(2) Accreditation is not required of a site owned or leased by an outpatient mental health provider if patients are not treated at that site.

(3) Accreditation is not required of a site where patients are treated if the outpatient mental health provider does not own or lease that site."

AND

Page 3, delete lines 30 through 36 and insert the following:

"20-46-708. Conflicts.

In the event that any provision of §§ 20-46-701 – 20-46-707 conflict with any portion of the Arkansas Medicaid State Plan or any waivers approved by the federal government, the affected state agencies shall seek immediate resolution of the conflict by amending the Medicaid State Plan or by seeking federal approval for a change in the conflicting agreements in a manner that prevents or minimizes any loss of federal funding."

(SIGNED) SENATOR WOMACK

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 SENATE BILL NO. 945

Amend Senate Bill No. 945 as originally introduced:

Page 2, delete lines 25 and 26 and substitute the following:

"(2) The per diem rate for psychiatric residential treatment facilities shall be not less than the rate in existence on the effective date of this section and not more than four hundred five dollars ($405) per day. This subdivision (a)(2) shall apply only if:

(A) The rate is approved by the Centers for Medicare and Medicaid Services; and

(B) Additional appropriation and funding for this purpose of at least three million dollars ($3,000,000) per fiscal year have been made in addition to the amount appropriated and available for this purpose in the 2006-2007 fiscal year."

(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. 945 was ordered engrossed.

On motion of Senator Hill, House Bill No. 1535 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. 1535

Amend House Bill No. 1535 as engrossed, H2/21/07:

Add Senator Broadway as a cosponsor of the bill.

(SIGNED) SENATOR BROADWAY

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1535 was ordered engrossed.

On motion of Senator Hill, House Bill No. 2705 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 HOUSE BILL NO. 2705

Amend House Bill No. 2705 as originally introduced:

Page 1, line 25, delete "approved" and substitute "approved, certified,"

AND

Page 2, line 28, delete "~~(8)~~(12)" and substitute "~~(8)~~(10)"

AND

Page 4, line 27, delete "sale, installation," and substitute "sale~~, installation,~~"

AND

Page 4, line 28, delete "anchoring, and servicing" and substitute "~~anchoring, and servicing~~"

(SIGNED) SENATOR BROADWAY

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2705 was ordered engrossed.

On motion of Senator Laverty, House Bill No. 2733 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. 2733

Amend House Bill No. 2733 as engrossed, H3/14/07:

Page 1, delete line 12 of the TITLE and substitute:
"FIVE (5) YEARS UPON RENEWAL; AND FOR OTHER PURPOSES."

AND

Page 1, delete the SUBTITLE and substitute:
"TO MAKE LICENSES TO CARRY CONCEALED HANDGUNS VALID FOR FIVE (5) YEARS UPON RENEWAL."

(SIGNED) SENATOR LAVERTY

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2733 was ordered engrossed.

On motion of Senator Salmon, House Bill No. 2270 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. 2270

Amend House Bill No. 2270 as originally introduced:

Add Senator Salmon as a cosponsor of the bill

AND

Page 1, delete line 9 through 13 and substitute the following:

"AN ACT TO AMEND ARKANSAS CODE §§ 9-9-209(b) AND 9-9-220(b) TO PROVIDE A PARENT WITH AN OPTION TO WAIVE THE NUMBER OF DAYS FROM TEN (10) TO FIVE (5) TO WITHDRAW CONSENT OR RELINQUISHMENT OF PARENTAL RIGHTS FOR AN ADOPTION; AND FOR OTHER PURPOSES."

AND

Page 1, delete line 16 through 21 and substitute the following:

"AN ACT TO AMEND ARKANSAS CODE §§ 9-9-209(b) AND 9-9-220(b) TO PROVIDE A PARENT WITH AN OPTION TO WAIVE THE NUMBER OF DAYS FROM TEN (10) TO FIVE (5) TO WITHDRAW CONSENT OR RELINQUISHMENT OF PARENTAL RIGHTS FOR AN ADOPTION."

AND

Delete everything after the ENACTING CLAUSE and substitute the following:

"SECTION 1. Arkansas Code § 9-9-209(b), concerning the number of days to withdraw consent for an adoption, is amended to read as follows:

(b)(1) A consent to adopt may be withdrawn within ten (10) calendar days, or, if a waiver of the ten-day period is elected under subdivision (b)(3) of this section, five (5) calendar days after it is signed or the child is born, whichever is later, by filing an affidavit with the ~~probate~~ clerk of the circuit court in the county designated by the consent as the county in which the guardianship petition will be filed, if there is a guardianship, or where the petition for adoption will be filed, if there is no guardianship. If the ten-day period, or, if a waiver of the ten-day period is elected under subdivision (b)(3) of this section, the five-day period ends on a weekend or a legal holiday, the person may file the affidavit the next working day. No fee shall be charged for the filing of the affidavit. The court may waive the ten-day period for filing a withdrawal of consent for agencies as defined by § 9-9-202(5), minors over ten (10) years of age who consented to the adoption, or biological parents if a step-parent is adopting.

(2) The consent shall state that the person has the right of withdrawal of consent and shall provide the address of the ~~probate~~ clerk of the circuit court of the county in which the guardianship will be filed, if there is a guardianship, or where the petition for adoption will be filed, if there is no guardianship.

(3) The consent shall state that the person has the right to waive the ten-day period for the withdrawal of consent for an adoption and to elect to limit the maximum time for the withdrawal of consent for an adoption to five (5) days.

SECTION 2. Arkansas Code § 9-9-220(b), concerning the number of days to withdraw relinquishment and termination of parental rights for an adoption, is amended to read as follows:

(b) All rights of a parent with reference to a child, including the right to receive notice of a hearing on a petition for adoption, may be relinquished and the relationship of parent and child terminated by a writing, signed by an adult parent, subject to the court's approval.

If the parent is a minor, the writing shall be signed by a guardian ad litem who is appointed to appear on behalf of the minor parent for the purpose of executing such a writing. The signing shall occur in the presence of a representative of an agency taking custody of the child, or in the presence of a notary public, whether the agency is within or without the state, or in the presence and with the approval of a judge of a court of record of this state or any other state in which the minor was present at the time it was signed. The relinquishment shall be executed in the same manner as for a consent to adopt under § 9-9-208.

(1)(A) The relinquishment may be withdrawn within ten (10) calendar days, or, if a waiver of the ten-day period is elected under § 9-9-220 (b)(3), five (5) calendar days after it is signed or the child is born, whichever is later.

(i) Notice of withdrawal shall be given by filing an affidavit with the ~~probate~~ clerk of the circuit court in the county designated by the writing as the county in which the guardianship petition will be filed if there is a guardianship, or where the petition for adoption will be filed, if there is no guardianship. If the ten-day period, or, if a waiver of the ten-day period is elected under subdivision (b)(3) of this section, the five-day period ends on a weekend or legal holiday, the person may file the affidavit the next working day.

(ii) No fee shall be charged for the filing of the affidavit.

(B) The relinquishment shall state that the parent has this right of withdrawal, and shall provide the address of the ~~probate~~ clerk of the circuit court in which the guardianship will be filed if there is a guardianship, or where the petition for adoption will be filed if there is no guardianship; or

(2) In any other situation, if notice of the adoption proceeding has been given to the parent and the court finds, after considering the circumstances of the relinquishment and the continued custody by the petitioner, that the best interest of the child requires the granting of the adoption.

(3) The relinquishment shall state that the person has the right to waive the ten-day period for the withdrawal of relinquishment for an adoption and to elect to limit the maximum time for the withdrawal of relinquishment for an adoption to five (5) days.

SECTION 3. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that it is in the best interest of a child to be determined to be legally free for adoption without undue delay. 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 SALMON

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2270 was ordered engrossed.

On motion of Senator Johnson, House Bill No. 1490 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. 1490

Amend House Bill No. 1490 as originally introduced:

Page 1, line 25, delete "shall" and substitute "may"

(SIGNED) SENATOR B. JOHNSON

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1490 was ordered engrossed.

On motion of Senator Hill, House Bill No. 2234 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. 2234

Amend House Bill No. 2234 as engrossed, H3/12/07:

Add Representatives Davenport, Abernathy, and Saunders as cosponsors of the bill

AND

Page 3, line 1, delete "February 1" and substitute "March 30"

(SIGNED) SENATOR BROADWAY

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2234 was ordered engrossed.

On motion of Senator Taylor, House Bill No. 2346 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. 2346

Amend House Bill No. 2346 as originally introduced:

Add Senator Taylor as a cosponsor

AND

Page 1, delete lines 22 through 26 and substitute:

"(a) After an operator of a railroad within the State of Arkansas has filed a notice of rail abandonment consistent with the Interstate Commerce Commission Termination Act of 1995 and notice of the proposed rail abandonment has been received by the Arkansas Economic Development Commission, the Arkansas Economic Development Commission shall be responsible for notifying appropriate entities of the proposed abandonment."

AND

Page 1, delete line 29 and substitute:

"Arkansas Economic Development Commission shall notify in writing:"

AND

Page 2, delete lines 5 through 6 and substitute:

"authorities shall notify the Arkansas Economic Development Commission within ten (10) working days of the receipt of notice of"

AND

Page 2, delete lines 12 through 13 and substitute:

"line abandonment shall notify the Arkansas Economic Development Commission within ten (10) working days of the receipt of notice of the"

AND

Page 2, delete line 27 and substitute:

"are allowed not more than one hundred twenty (120) days from the notice of"

AND

Page 2, delete line 34 and substitute:

“preservation of the abandoned rail line has been determined.”

AND

Page 3, delete lines 2 through 5 entirely

AND

Page 3, line 6, delete "(b)" and substitute "(a)"

AND

Page 3, line 10, delete "(c)" and substitute "(b)"

(SIGNED) SENATOR J. TAYLOR

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2346 was ordered engrossed.

The President declared the morning hour to have expired.

On motion of Senator Capps, the rules were suspended in considering House Bill No. 1589 at this time.

On motion of Senator Capps, House Bill No. 1589 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 HOUSE BILL NO. 1589

Amend House Bill No. 1589 as engrossed, S3/12/07:

Page 3, line 27, delete "Except" and substitute "(a) Except"

AND

Page 3, delete line 33 and substitute the following:
"broadband affiliate, or a broadband operator.

(b) Nothing in this subchapter shall interfere with the Arkansas Public Service Commission's authority to regulate public utilities pursuant to § 23-2-301 et seq."

(SIGNED) SENATOR CAPPS

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1589 was ordered engrossed.

On motion of Senator Madison, Senate Bill No. 777 was called up for third reading and final disposition.

SENATE BILL NO. 777

As Engrossed: S3/15/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATORS MADISON, J. JEFFRESS, SALMON, WHITAKER,

R. THOMPSON *& ARGUE*

BY: REPRESENTATIVES ADCOCK, WEBB, SAUNDERS, ET AL

A Bill for an Act to be Entitled: AN ACT CONCERNING AGGRAVATED CRUELTY TO DOGS, CATS, AND HORSES; AND FOR OTHER PURPOSES.

Senate Bill No. 777 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, Broadway, Brown, Bryles, Capps, Critcher, Crumbly, Glover, Hill, J. Jeffress, Laverty, Luker, Madison, Miller, Salmon, T. Smith, Steele, R. Thompson, Whitaker, Wilkins, Womack.

Total 21

NEGATIVE: Altes, Bisbee, Hendren, Malone, J. Taylor.

Total 5

ABSENT OR NOT VOTING: Baker, Bookout, Faris, Horn, G. Jeffress, B. Johnson, B. Pritchard, Trusty, Wilkinson.

Total 9

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

Senator Madison moved that the vote by which Senate Bill No. 777 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. 777 was ordered immediately transmitted to the House.

On motion of Senator Madison, Senate Bill No. 957 was called up for third reading and final disposition.

SENATE BILL NO. 957
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MADISON

A Bill for an Act to be Entitled: AN ACT TO PROVIDE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES WITH THE POWER TO OBTAIN INFORMATION FOR ADMINISTRATIVE PURPOSES; AND FOR OTHER PURPOSES.

Senate Bill No. 957 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. 957 was ordered immediately transmitted to the House.

On motion of Senator Horn, Senate Bill No. 798 was called up for third reading and final disposition.

SENATE BILL NO. 798

As Engrossed: S3/15/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATOR HORN

A Bill for an Act to be Entitled: AN ACT TO CREATE THE REVISED *ARKANSAS* ANATOMICAL GIFT ACT TO PROVIDE A PROGRAM FOR POST-MORTEM DONATIONS OF ALL OR PART OF A HUMAN BODY; AND FOR OTHER PURPOSES.

Senate Bill No. 798 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. 798, 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. 798 was ordered immediately transmitted to the House.

On motion of Senator Madison, Senate Bill No. 28 was called up for third reading and final disposition.

SENATE BILL NO. 28

As Engrossed: S3/19/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATORS MADISON *AND SALMON*

BY: REPRESENTAIVES HARRELSON AND BURRIS

A Bill for an Act to be Entitled: *AN ACT TO REGULATE STATE-SUPPORTED INSTITUTION OF HIGHER EDUCATION TEXTBOOK SALES; TO REQUIRE COURSE* SUPPLEMENTS BE SOLD TO COMPETING BOOKSTORES AT COST; AND FOR OTHER PURPOSES.

Senate Bill No. 28 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. 28 was ordered immediately transmitted to the House.

On motion of Senator Madison, Senate Bill No. 29 was called up for third reading and final disposition.

SENATE BILL NO. 29

As Engrossed: S2/12/07 S2/14/07 S3/19/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATORS MADISON, CAPPS *&* *SALMON*

BY: REPRESENTATIVES HARRELSON, GREENBERG *&* BURRIS

A Bill for an Act to be Entitled: AN ACT TO REQUIRE STATE-SUPPORTED INSTITUTIONS OF *HIGHER EDUCATION TO PERMIT LOCAL PRIVATE RETAILERS* ACCESS TO STUDENT SALES; AND FOR OTHER PURPOSES.

Senate Bill No. 29 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. 29, 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. 29 was ordered immediately transmitted to the House.

On motion of Senator Wilkins, House Bill No. 1250 was called up for third reading and final disposition.

HOUSE BILL NO. 1250

As Engrossed: H1/24/07 H2/27/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES *MEDLEY,* WELLS, WALTERS, ET AL

A Bill for an Act to be Entitled: AN ACT TO AUTHORIZE INDEPENDENT PRACTICE OF PSYCHOLOGY BY QUALIFIED PERSONS AT THE MASTER'S LEVEL; AND FOR OTHER PURPOSES.

House Bill No. 1250 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. 1250 was ordered immediately returned to the House as passed.

On motion of Senator Miller, House Bill No. 2225 was called up for third reading and final disposition.

HOUSE BILL NO. 2225
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE ROGERS

A Bill for an Act to be Entitled: AN ACT TO REPEAL THE REQUIREMENT THAT A LICENSEE WHOSE AMUSEMENT DEVICES ARE LOCATED ONLY AT CARNIVALS AND COUNTY, DISTRICT, AND STATE FAIRS POST A SURETY BOND; AND FOR OTHER PURPOSES.

House Bill No. 2225 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. 2225 was ordered immediately returned to the House as passed.

On motion of Senator Steele, House Bill No. 1890 was called up for third reading and final disposition.

HOUSE BILL NO. 1890
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE MEDLEY
BY: SENATOR STEELE

A Bill for an Act to be Entitled: AN ACT TO REQUIRE AN ANNUAL PERFORMANCE EVALUATION FOR STATE EMPLOYEES; TO PROVIDE FOR THE REVIEW AND APPROVAL OF THE ANNUAL EVALUATION PROCESS FOR STATE EMPLOYEES BY THE OFFICE OF PERSONNEL MANAGEMENT OF THE DIVISION OF MANAGEMENT SERVICES OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION; AND FOR OTHER PURPOSES.

House Bill No. 1890 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. 1890 was ordered immediately returned to the House as passed.

On motion of Senator Glover, House Bill No. 2281 was called up for third reading and final disposition.

HOUSE BILL NO. 2281
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE PYLE
BY: SENATOR GLOVER

A Bill for an Act to be Entitled: AN ACT TO AMEND THE SPECIAL LICENSE PLATE ACT OF 2005 FOR THE PURPOSE OF CLARIFYING THE SPECIAL LICENSE PLATES FOR REALTORS®; AND FOR OTHER PURPOSES.

House Bill No. 2281 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. 2281 was ordered immediately returned to the House as passed.

On motion of Senator Pritchard, House Bill No. 2701 was called up for third reading and final disposition.

HOUSE BILL NO. 2701

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE NORTON

A Bill for an Act to be Entitled: AN ACT TO ENSURE THAT PHYSICIANS RECEIVE FULL REIMBURSEMENT FOR HEALTH CARE SERVICES PERFORMED BY A PHYSICIAN ASSISTANT UNDER THE PHYSICIAN'S SUPERVISION; AND FOR OTHER PURPOSES.

House Bill No. 2701 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. 2701 was ordered immediately returned to the House as passed.

On motion of Senator Critcher, House Bill No. 2374 was called up for third reading and final disposition.

HOUSE BILL NO. 2374

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE ROGERS

A Bill for an Act to be Entitled: AN ACT TO DISQUALIFY FROM UNEMPLOYMENT BENEFITS AN INDIVIDUAL WHO TESTS POSITIVE FOR DRUGS WHEN APPLYING FOR NEW EMPLOYMENT; AND FOR OTHER PURPOSES.

House Bill No. 2374 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

House Bill No. 2374 was ordered immediately returned to the House as passed.

On motion of Senator Critcher, Senate Bill No. 819 was called up for third reading and final disposition.

SENATE BILL NO. 819

As Engrossed: S3/15/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATOR CRITCHER

BY: REPRESENTATIVE COOPER

A Bill for an Act to be Entitled: AN ACT TO AMEND THE MEDICAID FAIRNESS ACT TO CLARIFY CERTAIN PROVISIONS; AND FOR OTHER PURPOSES.

Senate Bill No. 819 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. 819, 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. 819 was ordered immediately transmitted to the House.

On motion of Senator Critcher, House Bill No. 2351 was called up for third reading and final disposition.

HOUSE BILL NO. 2351

As Engrossed: H3/7/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE WYATT

A Bill for an Act to be Entitled: AN ACT TO CLARIFY STATUTES CONCERNING WEIGHT LIMITS POSTED ON *PUBLIC BRIDGES*; AND FOR OTHER PURPOSES.

House Bill No. 2351 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. 2351 was ordered immediately returned to the House as passed.

On motion of Senator Baker, House Bill No. 1577 was called up for third reading and final disposition.

HOUSE BILL NO. 1577
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE HAWKINS

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS LAW TO RECONCILE THE PROVISIONS REGARDING INFORMATION REQUIRED TO OBTAIN A DRIVER'S LICENSE; AND FOR OTHER PURPOSES.

House Bill No. 1577 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. 1577 was ordered immediately returned to the House as passed.

On motion of Senator J. Jeffress, House Bill No. 2397 was called up for third reading and final disposition.

HOUSE BILL NO. 2397
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE MOORE

A Bill for an Act to be Entitled: AN ACT TO ALLOW WINE, BEER, AND SPIRITS TASTING EVENTS; AND FOR OTHER PURPOSES.

House Bill No. 2397 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, 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: Hendren.

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

House Bill No. 2397 was ordered immediately returned to the House as passed.

On motion of Senator J. Jeffress, House Bill No. 2604 was called up for third reading and final disposition.

HOUSE BILL NO. 2604
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE MOORE

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS LAW CONCERNING PERMITS RESTRICTED TO PERMITTED PREMISES; AND FOR OTHER PURPOSES.

House Bill No. 2604 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. 2604 was ordered immediately returned to the House as passed.

On motion of Senator Laverty, House Bill No. 2463 was called up for third reading and final disposition.

HOUSE BILL NO. 2463
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE J. JOHNSON

A Bill for an Act to be Entitled: AN ACT TO AMEND THE OPERATIONS OF THE LEGISLATIVE HEALTH ADEQUACY COMMITTEE; AND FOR OTHER PURPOSES.

House Bill No. 2463 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. 2463 was ordered immediately returned to the House as passed.

On motion of Senator Steele, House Bill No. 2731 was ordered re-referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

On motion of Senator Horn, House Bill No. 2632 was withdrawn from the Committee on JUDICIARY, and placed on the Calendar.

On motion of Senator Horn, House Bill No. 2632 was ordered re-referred to the Committee on INSURANCE & COMMERCE.

On motion of Senator J. Jeffress, House Bill No. 2320 was ordered re-referred to the Committee on JUDICIARY.

On motion of Senator Pritchard, Senate Bill No. 131 was ordered re-referred to the Committee on JOINT BUDGET.

On motion of Senator Malone, Senate Bill No. 271 was ordered re-referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

On motion of Senator Steele, House Bill No. 1299 was called up for third reading and final disposition.

HOUSE BILL NO. 1299

As Engrossed: S3/19/07

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.

Senator Taylor spoke against the bill.

Senator Thompson spoke for the bill.

Senator Bisbee spoke for the bill.

House Bill No. 1299 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, Baker, Bisbee, Bookout, Broadway, Brown, Bryles, Capps, Crumbly, Faris, Glover, Hendren, Hill, Horn, G. Jeffress, J. Jeffress, Laverty, Luker, Madison, Malone, Miller, Salmon, T. Smith, Steele, R. Thompson, Trusty, Wilkins, Wilkinson.

Total 28

NEGATIVE: Altes, B. Pritchard, J. Taylor.

Total 3

ABSENT OR NOT VOTING: Critcher, B. Johnson, Whitaker, Womack.

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

House Bill No. 1299 was ordered immediately returned to the House as passed as amended.

On motion of Senator Malone, House Bill No. 2305 was called up for third reading and final disposition.

HOUSE BILL NO. 2305
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE PACE

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; TO PROVIDE FOR THE DISPOSAL OF ELECTRIC LIGHTING DEVICES THAT MAY NOT BE PLACED IN A LANDFILL; AND FOR OTHER PURPOSES.

House Bill No. 2305 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, 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, Steele, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkins, Wilkinson, Womack.

Total 33

NEGATIVE: Altes, T. Smith.

Total 2

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. 2305 was ordered immediately returned to the House as passed.

On motion of Senator Luker, House Bill No. 1373 was called up for third reading and final disposition.

HOUSE BILL NO. 1373

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE BOND

BY: SENATOR LUKER

A Bill for an Act to be Entitled: AN ACT TO AMEND PROVISIONS OF THE ARKANSAS CODE TO RECONCILE INCONSISTENCIES REGARDING THE MINIMUM AGE TO MARRY; AND FOR OTHER PURPOSES.

House Bill No. 1373 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, Baker, Bisbee, Bookout, Broadway, Brown, Bryles, Capps, Glover, Hendren, Hill, Horn, G. Jeffress, J. Jeffress, Luker, Madison, Malone, Salmon, T. Smith, Steele, J. Taylor, R. Thompson, Trusty, Wilkins, Wilkinson.

Total 25

NEGATIVE: Altes, Faris, B. Pritchard.

Total 3

ABSENT OR NOT VOTING: Critcher, Crumbly, B. Johnson, Laverty, Miller, Whitaker, Womack.

Total 7

VOTING PRESENT:

Total 0

Total number of votes cast.....28

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. 1373 was ordered immediately returned to the House as passed.

ARKANSAS SENATE

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

March 20, 2007

Mr. President:

We, your Committee on JUDICIARY, to whom was referred:

SENATE BILL NO. 303, BY SENATOR MALONE,

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

SENATOR THOMPSON
SENATOR LUKER
SENATOR BROWN
SENATOR MADISON
SENATOR SALMON

Senate Bill No. 89 was returned from the House as passed as amended.

On motion of Senator Taylor, Senate Bill No. 89 was ordered re-referred to the Committee on JUDICIARY.

Senate Concurrent Resolution No. 26 was returned from the House as concurred in and ordered enrolled.

Senate Bill No. 296 was returned from the House as passed and ordered enrolled.

Senate Bill No. 439 was returned from the House as passed and ordered enrolled.

Senate Bill No. 821 was returned from the House as passed and ordered enrolled.

Senate Bill No. 849 was returned from the House as passed and ordered enrolled.

Senate Bill No. 904 was returned from the House as passed and ordered enrolled.

On motion of Senator Brown, Senate Bill No. 311 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. 311

JBC 03/07/07 (1)

Amend Senate Bill No. 311 as originally introduced:

Page 2, delete lines 4 through page 6, line 1 and insert therefor:

" TWELVE MONTH EDUCATIONAL AND GENERAL ADMINISTRATIVE POSITIONS

(1)	Chancellor, U of A Monticello	1	$149,569	$152,560
(2)	V/C for Academic Affairs & Provost	1	$119,174	$121,557
(3)	Vice-Chanc. for Finance & Admin.	1	$115,041	$117,342
(4)	V/C Univ. Advanc. & Public Serv.	1	$111,586	$113,818
(5)	Vice Chanc. for Student Affairs	1	$111,586	$113,818
(6)	Dean of Schools	7	$102,961	$105,020
(7)	Treasurer	1	$87,719	$89,473
(8)	Director of Information Technology	1	$86,181	$87,905
(9)	Registrar	1	$84,592	$86,284
(10)	Director of Physical Plant	1	$84,493	$86,183
(11)	Assoc. Vice-Chanc. for Acad. Affairs	2	$84,065	$85,746
(12)	Asst. to the Chancellor	1	$84,065	$85,746
(13)	Director of University Relations	1	$78,488	$80,058
(14)	Director of Engineering Systems	1	$76,240	$77,765
(15)	Controller	1	$75,815	$77,331
(16)	Director of Adm. & Enrollment Mgmt.	1	$74,727	$76,222
(17)	Director of Student Financial Aid	1	$74,727	$76,222
(18)	Director of Media Services	1	$73,898	$75,376
(19)	Business Manager	1	$73,723	$75,197
(20)	Director of Fine Arts Center	1	$72,180	$73,624
(21)	Project Coordinator	4	$72,180	$73,624
(22)	Asst. V/C Student Affrs/Dean of Students	1	$70,965	$72,384
(23)	Budget Director	1	$70,315	$71,721
(24)	Director of Admin. Services	1	$68,836	$70,213
(25)	Dir. Of Recreation & Intramurals	1	$65,572	$66,883
(26)	Director of Career Services	1	$63,745	$65,020
(27)	Director of Distance Learning	1	$63,192	$64,456
(28)	Dir. of Recruitment & Orientation	1	$63,192	$64,456
(29)	Asst. Dir. Info. Tech. System Mgmt.	2	$63,192	$64,456
(30)	Data Base Administrator	1	$63,192	$64,456
(31)	Acad Computer Svcs. Coord.	1	$63,192	$64,456
(32)	Administrator of Grants & Contracts	1	$62,587	$63,839
(33)	Dir. of Student Prog & Activities	1	$59,737	$60,932
(34)	Dir. Of Academic Advising	1	$58,414	$59,582
(35)	Dir. Of Retention Services	1	$58,414	$59,582
(36)	Director of Disability Services	1	$58,414	$59,582
(37)	Academic Adviser	2	$45,694	$46,608

TWELVE MONTH EDUCATIONAL AND GENERAL CLASSIFIED POSITIONS

(38)	Assistant Controller	1	GRADE 23
(39)	Career Plng & Plac Coordinator	1	GRADE 22
(40)	Procurement Manager	1	GRADE 22
(41)	Systems Analyst II - Inst	1	GRADE 22
(42)	Systems Programmer II - Inst	1	GRADE 22
(43)	DP Network Manager II	1	GRADE 22
(44)	Accounting Supervisor II	1	GRADE 21
(45)	Institution Personnel Svcs. Manager	1	GRADE 21
(46)	Public Safety Administrator-UAM	1	GRADE 21
(47)	UAM Asst. Dir. Of Physical Plant	1	GRADE 21
(48)	Accounting Supervisor I	2	GRADE 20
(49)	Counselor II	1	GRADE 20
(50)	Computer Support Spec II - Inst	1	GRADE 20
(51)	DP Network Technician II - Inst	2	GRADE 20
(52)	Institution Personnel Analyst	1	GRADE 20
(53)	Plant Maintenance Coordinator	1	GRADE 20
(54)	UAM Coord Deseg & Affirm Action	1	GRADE 20
(55)	UAM Director of Alumni	1	GRADE 20
(56)	Accountant II	3	GRADE 19
(57)	Buyer	2	GRADE 19
(58)	UAM Director of Housekeeping	1	GRADE 19
(59)	Accountant	3	GRADE 18
(60)	Assistant Registrar	1	GRADE 18
(61)	Computer Support Spec I - Inst	1	GRADE 18
(62)	Financial Aid Officer II	3	GRADE 18
(63)	HE Public Safety Officer II	5	GRADE 18
(64)	Payroll Services Specialist	1	GRADE 18
(65)	Personnel Assistant II - Inst	2	GRADE 18
(66)	Plant Warehouse Foreman	1	GRADE 18
(67)	Pub & Student Recruit Spec II	2	GRADE 18
(68)	Skilled Trades Supervisor	2	GRADE 18
(69)	Administrative Assistant II	5	GRADE 17
(70)	Graphic Artist II	1	GRADE 17
(71)	Library Supervisor I	1	GRADE 17
(72)	Publicity & Information Spec	1	GRADE 17
(73)	Recreation Coordinator	1	GRADE 17
(74)	Skilled Trades Worker	16	GRADE 17
(75)	Special Events Coordinator	1	GRADE 17
(76)	Student Union Night Manager	1	GRADE 17
(77)	Coordinator of Housekeeping	1	GRADE 16
(78)	Computer Technician II - Inst	2	GRADE 16
(79)	HE Public Safety Officer I	2	GRADE 16
(80)	Accounting Technician II	4	GRADE 15
(81)	Administrative Assistant I	3	GRADE 15
(82)	Administrative Office Supervisor	1	GRADE 15
(83)	Central Supply Supervisor	1	GRADE 15
(84)	Administrative Secretary	10	GRADE 14
(85)	Computer Technician I - Inst	1	GRADE 14
(86)	Library Academic Tech III	4	GRADE 14
(87)	Personnel Assistant I-Inst	1	GRADE 14
(88)	Boiler Operator	4	GRADE 13
(89)	Secretary II	21	GRADE 13
(90)	Accounting Technician I	3	GRADE 12
(91)	HE Public Safety Dispatcher	1	GRADE 12
(92)	Registrar's Assistant	3	GRADE 12

(93) Cashier II	3	GRADE 12	
(94) Agri Lab Technician	1	GRADE 11	
(95) Apprentice Tradesman	3	GRADE 11	
(96) Custodial Svcs Shift Supervisor	1	GRADE 11	
(97) Heavy Equipment Operator	1	GRADE 11	
(98) Purchasing Assistant	1	GRADE 11	
(99) Secretary I	18	GRADE 11	
(100) Shipping & Receiving Clerk	1	GRADE 11	
(101) Clerical Assistant	4	GRADE 10	
(102) Cook II	4	GRADE 10	
(103) Data Entry Specialist	2	GRADE 10	
(104) Reproduction Equipment Operator	1	GRADE 10	
(105) Academic Lab Assistant	3	GRADE 09	
(106) Cashier I	2	GRADE 09	
(107) Switchboard Operator II	1	GRADE 09	
(108) Baker I	2	GRADE 08	
(109) Bldg/Equip Maint Repairman II	1	GRADE 08	
(110) Custodial Supervisor II	2	GRADE 08	
(111) Equipment Operator	4	GRADE 08	
(112) Maintenance Worker Supervisor	1	GRADE 07	
(113) Office Clerk	1	GRADE 07	
(114) Maintenance Worker II	10	GRADE 05	
(115) Custodial Worker II	7	GRADE 04	
(116) Maintenance Worker I	4	GRADE 04	
(117) Custodial Worker I	14	GRADE 03	
(118) Watchman	1	GRADE 03	
TWELVE MONTH EDUCATIONAL AND GENERAL ACADEMIC POSITIONS			
(119) Chair Agri. & Dir. SEREC	1	$135,388	$138,096
(120) Dean, Forest Resources/Dir. AFRC	1	$135,388	$138,096
(121) Department Chairperson	7	$94,802	$96,698
(122) Research Associate	5	$84,117	$85,799
(123) Director of Library	1	$80,367	$81,974
(124) Forest Manager	1	$72,374	$73,821
(125) Assoc. Librarian	1	$65,168	$66,471
(126) Asst. Librarian	4	$57,274	$58,419
(127) Learning Skills Specialist	3	$57,274	$58,419
(128) Research Assistant	15	$49,949	$50,948
NINE MONTH EDUCATIONAL AND GENERAL ACADEMIC POSITIONS			
(129) Distinguished Professor	1	$95,806	$97,722
(130) Faculty	130		
Professor		$88,618	$90,390
Assoc. Professor		$78,301	$79,867
Asst. Professor		$72,115	$73,557
Instructor		$59,739	$60,934
(131) Clinical Associate Professor	2	$78,301	$79,867
(132) Clinical Assistant Professor	3	$72,115	$73,557
(133) Clinical Instructor	3	$59,739	$60,934
(134) Lecturer	12	$37,056	$37,797
(135) Part-Time Faculty	50	$33,180	$33,844
(136) Graduate Assistant	35	$15,922	$16,240

TWELVE MONTH AUXILIARY ENTERPRISES
NON-CLASSIFIED POSITIONS

(137)	Director of Athletics	1	$94,632	$96,525
(138)	Head Coach	6	$86,463	$88,192
(139)	Asst. Coach	6	$67,968	$69,327
(140)	Head Athletic Trainer	1	$67,968	$69,327
(141)	Director of Food Service	1	$62,543	$63,794
(142)	Bookstore Manager	1	$62,098	$63,340

TWELVE MONTH AUXILIARY ENTERPRISES
CLASSIFIED POSITIONS

(143)	UAM Director of Housing	1	GRADE 21
(144)	Student Health Services Nurse II	1	GRADE 20
(145)	UAM Director of Student Union	1	GRADE 20
(146)	Student Health Services Nurse I	1	GRADE 18
(147)	Asst Bookstore Manager	1	GRADE 16
(148)	Resident Program Coordinator	4	GRADE 16
(149)	Resident Hall Manager I	2	GRADE 12
(150)	Clerical Assistant	2	GRADE 10
(151)	Office Clerk	4	GRADE 07
(152)	Custodial Worker II	5	GRADE 04
(153)	Custodial Worker I	10	GRADE 03

UAM-COLLEGE OF TECHNOLOGY - MCGEHEE
TWELVE MONTH EDUCATIONAL AND GENERAL
ADMINISTRATIVE POSITIONS

(154)	Vice-Chancellor - McGehee	1	$102,961	$105,020
(155)	Business Development Ctr Coord	1	$65,052	$66,353
(156)	Director of Vocational Counseling	1	$63,745	$65,020
(157)	Dir. of Student Programs & Activities	1	$59,737	$60,932
(158)	UAM Coll Tech Campus Info Tech Coord	1	$59,509	$60,699

UAM-COLLEGE OF TECHNOLOGY - MCGEHEE
TWELVE MONTH EDUCATIONAL AND GENERAL
CLASSIFIED POSITIONS

(159)	Child Care Director	1	GRADE 22
(160)	Personnel Assistant II - Inst	1	GRADE 18
(161)	Plant Maintenance Supervisor	1	GRADE 18
(162)	Accounting Technician II	2	GRADE 15
(163)	Administrative Secretary	1	GRADE 14
(164)	Secretary II	2	GRADE 13
(165)	Care Giver III	4	GRADE 12
(166)	Bldg/Equip Maint Repairman II	2	GRADE 08
(167)	Care Giver II	1	GRADE 08

UAM-COLLEGE OF TECHNOLOGY - MCGEHEE
TWELVE MONTH EDUCATIONAL AND GENERAL
ACADEMIC POSITIONS

(168)	Tech. Center Dir. Of Instructors	1	$87,033	$88,774
(169)	Workforce Ed Instructor	19	$66,080	$67,402
(170)	Workforce Ed Part-time Faculty	34	$31,642	$32,275

UAM-COLLEGE OF TECHNOLOGY - CROSSETT
TWELVE MONTH EDUCATIONAL AND GENERAL
ADMINISTRATIVE POSITIONS

(171)	Vice-Chancellor - Crossett	1	$102,961	$105,020
(172)	Project Coordinator	1	$72,180	$73,624
(173)	Director of Vocational Counseling	1	$63,745	$65,020
(174)	Dir. of Student Progs. & Activities	1	$59,737	$60,932
(175)	UAM Coll Tech Campus Info Tech Coord	1	$59,509	$60,699

UAM-COLLEGE OF TECHNOLOGY - CROSSETT			
TWELVE MONTH EDUCATIONAL AND GENERAL			
CLASSIFIED POSITIONS			
(176) Plant Maintenance Supervisor	1	GRADE 18	
(177) Administrative Assistant II	1	GRADE 17	
(178) Accounting Technician II	1	GRADE 15	
(179) Administrative Secretary	1	GRADE 14	
(180) Secretary II	1	GRADE 13	
(181) Custodial Worker II	2	GRADE 04	
UAM-COLLEGE OF TECHNOLOGY - CROSSETT			
TWELVE MONTH EDUCATIONAL AND GENERAL			
ACADEMIC POSITIONS			
(182) Tech. Center Dir. Of Instructors	1	$87,033	$88,774
(183) Workforce Ed Instructor	16	$66,080	$67,402
(184) Workforce Ed Part-time Faculty	34	$31,642	$32,275
ARKANSAS HEAVY EQUIPMENT OPERATOR			
TRAINING ACADEMY - WARREN CENTER			
ADMINISTRATIVE POSITIONS			
(185) Director, AHEOTA	1	$70,286	$71,692
TWELVE MONTH EDUCATIONAL AND GENERAL			
ACADEMIC POSITIONS			
(186) AHEOTA Coordinator/Recruiter	1	$53,554	$54,625
NINE MONTH EDUCATIONAL AND GENERAL			
ACADEMIC POSITIONS			
(187) Faculty	2	$40,038	$40,839
(188) Part-Time Faculty	1	$9,384	$9,572
TWELVE MONTH EDUCATIONAL AND GENERAL			
CLASSIFIED POSITIONS			
(189) Accountant	1	GRADE 18	
(190) Secretary I	1	GRADE 11	
(191) Custodial Worker I	1	GRADE 03	
MAX. NO. OF EMPLOYEES	746;		

Page 6, line 7 replace "five hundred eleven (511)" with "seven hundred ninety (790)";

Page 6, line 16 replace "seventeen (17)" with "thirty six (36)";

Page 6, line 25 replace "(30)" with "six (36)";

Page 7, line 22 replace "1,800,000 1,800,000" with "2,000,000 2,000,000";

Page 7, line 36 replace "$ 50,188,000 $ 50,379,760" with "$ 50,388,000 $ 50,579,760";

Page 8, line 10 replace "50,000 50,000" with "55,000 55,000";

Page 8, line 18 replace "$ 2,040,729 $ 2,064,297" with "$ 2,045,729 $ 2,069,297";

Page 9, line 14 replace "60,000 60,000" with "65,000 67,000";

Page 9, line 22 replace "$ 1,702,191 $ 1,721,009" with "$ 1,707,191 $ 1,728,009";
Page 9, line 34 replace "250,000 250,000" with "75,000 75,000";

Page 10, line 8 replace "$ 2,166,000 $ 2,182,320" with "$ 1,991,000 $ 2,007,320".

0

(SIGNED) SENATOR SHAWN WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 311 was ordered engrossed.

On motion of Senator Brown, Senate Bill No. 319 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. 319

JBC 03/07/07 (1)

Amend Senate Bill No. 319 as originally introduced:

Page 2, delete lines 4 through page 7, line 31 and insert therefor:

" TWELVE MONTH EDUCATIONAL AND GENERAL ADMINISTRATIVE POSITIONS

(1)	President, Univ. of Central Arkansas	1	$161,728	$164,963
(2)	Vice-President and Provost	1	$137,410	$140,158
(3)	Executive Vice-President	1	$137,410	$140,158
(4)	Executive Asst. to the President	1	$133,359	$136,026
(5)	Vice-Pres. for Academic Services	1	$133,359	$136,026
(6)	Vice-Pres. for Financial Services	1	$133,359	$136,026
(7)	Vice-Pres. for Admin. Services	1	$131,333	$133,960
(8)	Vice-Pres. for Student Services	1	$131,333	$133,960
(9)	Vice-Pres. for Development	1	$131,333	$133,960
(10)	Academic Dean	11	$127,282	$129,828

(11) Associate Provost	3	$119,916	$122,314
(12) Associate Vice-President	6	$115,420	$117,728
(13) Chief Technology Officer	1	$115,420	$117,728
(14) Director of Computer Services	1	$111,782	$114,018
(15) General Counsel	1	$103,366	$105,433
(16) Controller	1	$102,961	$105,020
(17) Director of International Programs	1	$102,695	$104,749
(18) Director of Development	1	$100,945	$102,964
(19) Director of Physical Plant	1	$96,915	$98,853
(20) Director of University Relations	1	$96,728	$98,663
(21) Assistant Provost	2	$96,728	$98,663
(22) Director of Governmental Relations	1	$96,683	$98,617
(23) Registrar	1	$92,629	$94,482
(24) Director of Counseling Center	1	$91,646	$93,479
(25) Director of Planned Giving	1	$91,646	$93,479
(26) Dir of Corp. & Foundation Relations	1	$91,646	$93,479
(27) Dir of Grants & Other Sponsored Prgm	1	$89,881	$91,679
(28) Director of Engineering Systems	1	$87,545	$89,296
(29) Continuing Education Coordinator	1	$86,828	$88,565
(30) Dean of Students	1	$86,828	$88,565
(31) Director of Public Service	1	$86,828	$88,565
(32) Director of Corporate Relations	1	$85,797	$87,513
(33) Assoc. Director of Computer Services	4	$85,584	$87,296
(34) Assoc. Director of Development	2	$84,888	$86,586
(35) Director of Institutional Research	1	$84,117	$85,799
(36) Director of Student Aid	1	$83,680	$85,354
(37) Director of Cooperative Education	1	$81,474	$83,103
(38) Project/Program Administrator	67		
Project/Program Director		$80,365	$81,972
Project/Program Manager		$72,829	$74,286
Project/Program Specialist		$62,836	$64,093
(39) Associate Controller	1	$78,367	$79,934
(40) Associate Dean	9	$78,029	$79,590
(41) Business Manager	1	$78,029	$79,590
(42) Dir. of Admissions	1	$77,923	$79,481
(43) Architect	1	$76,094	$77,616
(44) UCA Dir. of University Police	1	$75,953	$77,472
(45) Project Engineer	1	$75,767	$77,282
(46) Budget Officer	1	$74,727	$76,222
(47) Development Officer	12	$72,538	$73,989
(48) Director of Alumni	1	$67,289	$68,635
(49) Dir. of Publications & Creative Svcs	1	$66,962	$68,301
(50) Director of Internal Audits	1	$64,961	$66,260
(51) Director of Information	1	$64,778	$66,074
(52) Director of Developmental Skills	1	$64,369	$65,656
(53) Assistant Dean of Students	35	$63,114	$64,376
(54) Director of Disability Services	1	$63,114	$64,376
(55) Dir. Environ. Health & Safety Prgms.	1	$62,938	$64,197
(56) Coordinator of Intramural Activities	2	$61,215	$62,439
(57) Senior Internal Auditor	2	$58,663	$59,836
(58) Associate for Administration	3	$58,201	$59,365

TWELVE MONTH EDUCATIONAL AND GENERAL CLASSIFIED POSITIONS

(59)	DP Network Manager III - Inst	2	GRADE 24
(60)	HE Public Safety Commander III	3	GRADE 24
(61)	Systems Programmer III - Inst	4	GRADE 24
(62)	HE Public Safety Commander II	2	GRADE 23
(63)	Computer Sup Spec III - Inst	4	GRADE 22
(64)	DP Network Technician III - Inst	3	GRADE 22
(65)	Systems Analyst II - Inst	2	GRADE 22
(66)	Systems Programmer II - Inst	3	GRADE 22
(67)	UCA Asst Dir of Physical Plant	2	GRADE 22
(68)	Accounting Supervisor II	2	GRADE 21
(69)	HE Public Safety Commander I	3	GRADE 21
(70)	Accounting Supervisor I	3	GRADE 20
(71)	Computer Sup Spec II - Inst	6	GRADE 20
(72)	Counselor II	9	GRADE 20
(73)	DP Network Technician II - Inst	1	GRADE 20
(74)	Energy Conservation Coordinator	1	GRADE 20
(75)	HE Public Safety Supervisor	5	GRADE 20
(76)	Institution Personnel Analyst	4	GRADE 20
(77)	Plant Maintenance Coordinator	2	GRADE 20
(78)	Program Coordinator	20	GRADE 20
(79)	Systems Analyst I - Inst	1	GRADE 20
(80)	Systems Programmer I - Inst	3	GRADE 20
(81)	UCA Director of Housekeeping	1	GRADE 20
(82)	Appl Programmer II - Inst	5	GRADE 19
(83)	Buyer	1	GRADE 19
(84)	Library Supervisor II	5	GRADE 19
(85)	Skilled Trades Foreman	6	GRADE 19
(86)	Accountant	12	GRADE 18

(87)	Asst Registrar	2	GRADE 18
(88)	Computer Sup Spec I - Inst	5	GRADE 18
(89)	Constr & Maint Project Estimator	1	GRADE 18
(90)	Construction Inspector	2	GRADE 18
(91)	Counselor I	2	GRADE 18
(92)	Financial Aid Officer II	5	GRADE 18
(93)	HE Public Safety Officer II	11	GRADE 18
(94)	Payroll Services Specialist	2	GRADE 18
(95)	Personnel Assistant II	1	GRADE 18
(96)	Plant Maintenance Supv	5	GRADE 18
(97)	Public & Student Recruit Spec II	2	GRADE 18
(98)	Skilled Trades Supervisor	13	GRADE 18
(99)	Administrative Assistant II	15	GRADE 17
(100)	Applications Programmer I - Inst	4	GRADE 17
(101)	DP Operations Supv I - Inst	1	GRADE 17
(102)	Graphic Artist II	1	GRADE 17
(103)	Instrumentation Technician II	3	GRADE 17
(104)	Inventory Control Manager	1	GRADE 17
(105)	Landscape Supervisor II	2	GRADE 17
(106)	Library Supervisor I	3	GRADE 17
(107)	Program Advisor	3	GRADE 17
(108)	Publicity & Information Spec	3	GRADE 17
(109)	Skilled Trades Worker	32	GRADE 17
(110)	Computer Technician II - Inst	3	GRADE 16
(111)	Coordinator of Housekeeping	3	GRADE 16
(112)	Financial Aid Officer I	4	GRADE 16
(113)	HE Public Safety Officer I	8	GRADE 16
(114)	Public & Student Recruit Spec I	1	GRADE 16
(115)	Accounting Tech II	15	GRADE 15
(116)	Administrative Assistant I	15	GRADE 15
(117)	Administrative Office Supervisor	1	GRADE 15
(118)	Equipment Mechanic	1	GRADE 15
(119)	Inst Maint Work Plnr & Sched	3	GRADE 15
(120)	Laboratory Coordinator	2	GRADE 15
(121)	Landscape Supervisor I	2	GRADE 15
(122)	Reprod Equip Operator Supv	1	GRADE 15
(123)	Research Assistant	1	GRADE 15
(124)	Store Supervisor	2	GRADE 15
(125)	Administrative Secretary	20	GRADE 14
(126)	Collector	1	GRADE 14
(127)	Computer Technician I - Inst	4	GRADE 14
(128)	Greenhouse Technician	1	GRADE 14
(129)	HE Public Safety Security Off II	4	GRADE 14
(130)	Institutional Bus Driver	11	GRADE 14
(131)	Library Academic Tech III	9	GRADE 14
(132)	Cashier III	1	GRADE 13
(133)	Head Cashier	1	GRADE 13
(134)	Secretary II	75	GRADE 13
(135)	Accounting Tech I	6	GRADE 12
(136)	Cashier II	4	GRADE 12
(137)	Document Examiner II	4	GRADE 12
(138)	HE Public Safety Dispatcher	4	GRADE 12
(139)	HE Public Safety Security Off I	4	GRADE 12
(140)	Library Academic Tech II	11	GRADE 12
(141)	Registrar's Assistant	2	GRADE 12
(142)	Apprentice Tradesman	15	GRADE 11
(143)	Cust Service Shift Supv	4	GRADE 11

(144)	Heavy Equipment Operator	5	GRADE 11	
(145)	Secretary I	17	GRADE 11	
(146)	Shipping & Receiving Clerk	5	GRADE 11	
(147)	Clerical Assistant	2	GRADE 10	
(148)	Library Academic Tech I	1	GRADE 10	
(149)	Reproduction Equipment Operator	1	GRADE 10	
(150)	Work Maintenance Leader	4	GRADE 10	
(151)	Cashier I	1	GRADE 09	
(152)	Mail Officer	2	GRADE 09	
(153)	Switchboard Operator II	1	GRADE 09	
(154)	Custodial Supervisor II	7	GRADE 08	
(155)	Equipment Operator	15	GRADE 08	
(156)	Skilled Trades Helper	12	GRADE 08	
(157)	Maint Worker Supervisor	1	GRADE 07	
(158)	Switchboard Operator I	1	GRADE 07	
(159)	Custodial Supervisor I	4	GRADE 06	
(160)	Maint Worker II	5	GRADE 05	
(161)	Custodial Worker II	45	GRADE 04	
(162)	Maint Worker I	1	GRADE 04	
(163)	Custodial Worker I	13	GRADE 03	
	TWELVE MONTH EDUCATIONAL AND GENERAL ACADEMIC POSITIONS			
(164)	Department Chairperson	35	$119,175	$121,559
(165)	Director of Library	1	$113,434	$115,703
(166)	Research Associate	2	$86,750	$88,485
(167)	Archivist	1	$75,728	$77,243
(168)	Assoc. Librarian	2	$66,434	$67,763
(169)	Asst. Librarian	8	$63,012	$64,272
(170)	Dir. of Audiovisual Services	1	$62,337	$63,584
(171)	Research Assistant	2	$51,932	$52,971
(172)	Faculty	100		
	Professor		$117,149	$119,492
	Assoc. Professor		$109,041	$111,222
	Asst. Professor		$92,744	$94,599
	Instructor		$76,240	$77,765
	NINE MONTH EDUCATIONAL AND GENERAL ACADEMIC POSITIONS			
(173)	Faculty	500		
	Distinguished Professor		$131,224	$133,848
	Professor		$115,124	$117,426
	Assoc. Professor		$100,934	$102,953
	Asst. Professor		$84,492	$86,182
	Instructor		$65,927	$67,246
(174)	Lecturer	30	$53,270	$54,335
(175)	Part-Time Faculty	160	$33,180	$33,844
(176)	Graduate Assistant	210	$20,808	$21,224
	TWELVE MONTH AUXILIARY ENTERPRISES NON-CLASSIFIED POSITIONS			
(177)	Head Coach/Athletic Director	1	$131,294	$133,920
(178)	Head Football Coach	1	$114,798	$117,094
(179)	Dir. of Athletics	1	$109,883	$112,081
(180)	Physician	1	$97,382	$99,330
(181)	Assoc. Dir. of Athletics	1	$91,591	$93,423
(182)	Head Basketball Coach	2	$88,753	$90,528
(183)	Head Coach	11	$86,463	$88,192
(184)	Dir. of Auxiliary Enterprises	1	$83,058	$84,719

(185)	Project/Program Administrator	25		
	Project/Program Director		$80,365	$81,972
	Project/Program Manager		$72,829	$74,286
	Project/Program Specialist		$62,836	$64,093
(186)	Director of Major Gifts	1	$75,407	$76,915
(187)	Patient Care Supervisor	1	$74,067	$75,548
(188)	Compliance Coordinator	1	$71,422	$72,850
(189)	Director of Housing	1	$68,628	$70,001
(190)	Assistant Coach	25	$67,968	$69,327
(191)	Assistant Athletic Director	5	$67,968	$69,327
(192)	Athletic Trainer	1	$67,968	$69,327
(193)	Asst. Strength/Conditioning Coach	1	$67,968	$69,327
(194)	Registered Nurse Practitioner	2	$65,535	$66,846
(195)	Coordinator of Athletic Facilities	1	$57,176	$58,320

TWELVE MONTH AUXILIARY ENTERPRISES
CLASSIFIED POSITIONS

(196)	UCA Asst Dir of Physical Plant	1	GRADE 22
(197)	Program Coordinator	4	GRADE 20
(198)	Computer Support Spec II - Inst	1	GRADE 20
(199)	Applications Programmer II	2	GRADE 19
(200)	UCA Asst Director of Housing	6	GRADE 19
(201)	Accountant	2	GRADE 18
(202)	Food Production Manager	1	GRADE 18
(203)	Skilled Trades Supervisor	1	GRADE 18
(204)	Program Advisor	1	GRADE 17
(205)	Skilled Trades Worker	3	GRADE 17
(206)	Special Events Coordinator	1	GRADE 17
(207)	Asst Bookstore Manager	2	GRADE 16
(208)	Coordinator of Housekeeping	1	GRADE 16
(209)	LPN III/LPTN III	1	GRADE 16
(210)	Accounting Tech II	3	GRADE 15
(211)	Administrative Assistant I	3	GRADE 15
(212)	Campus Postmaster	1	GRADE 15
(213)	LPN II/LPTN II	1	GRADE 15
(214)	Bookstore Office Manager	1	GRADE 14
(215)	LPN I	1	GRADE 14
(216)	Resident Hall Manager II	1	GRADE 14
(217)	Secretary II	3	GRADE 13
(218)	Student Union Section Manager	1	GRADE 13
(219)	Supervisor of Cooking	5	GRADE 13
(220)	Accounting Tech I	2	GRADE 12
(221)	Secretary I	2	GRADE 11
(222)	Cook II	2	GRADE 10
(223)	Custodial Supervisor II	2	GRADE 08
(224)	Custodial Supervisor I	2	GRADE 06
(225)	Custodial Worker II	21	GRADE 04
(226)	Custodial Worker I	7	GRADE 03

CONTINGENCY POSITIONS - FOOD SERVICE
CLASSIFIED POSITIONS

(227)	Dietitian	1	GRADE 19
(228)	Food Production Supervisor	4	GRADE 16
(229)	Cook II	6	GRADE 10
(230)	Butcher I	2	GRADE 09
(231)	Baker I	2	GRADE 08
(232)	Cook I	4	GRADE 08
(233)	Food Service Worker II	22	GRADE 05
(234)	Food Service Worker I	7	GRADE 03

MAX. NO. OF EMPLOYEES 2,091";

Page 8, line 1 replace "five hundred (1,500)" with "six hundred (1,600)";

Page 8, line 15 replace "547,000 547,000" with "1,636,987 2,000,000";

Page 8, line 24 replace "$ 48,777,060 $ 49,395,369" with "$ 49,867,047 $ 50,848,369";

Page 8, line 35 replace "5,600,000 5,600,000" with "1,636,987 2,000,000";

Page 9, line 13 replace "$ 155,580,000 $ 156,171,600" with "$ 151,616,987 $ 152,571,600".

(SIGNED) SENATOR SHAWN WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 319 was ordered engrossed.

On motion of Senator Brown, Senate Bill No. 321 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. 321

JBC 03/07/07 (1)

Amend Senate Bill No. 321 as originally introduced:

Page 2, delete lines 4 through page 13, line 29 and insert therefor:

" TWELVE MONTH EDUCATIONAL AND GENERAL ADMINISTRATIVE POSITIONS

(1)	Vice-Chancellor for Clinical Program	1	$233,497	$238,167
(2)	Dean of Pharmacy	1	$190,022	$193,822
(3)	Dean of Health Professions	1	$190,022	$193,822
(4)	Dean of Nursing	1	$190,022	$193,822

(5)	Assoc. VC for Clinical Programs	1	$182,345	$185,992
(6)	Vice-Chanc. Admin. Fiscal Affairs	1	$182,345	$185,992
(7)	Chancellor, U of A for Med Sciences	1	$174,903	$178,401
(8)	Assoc. VC for Clinical Finance	1	$169,218	$172,602
(9)	Vice Chancellor for Information Svcs	1	$169,218	$172,602
(10)	Dean of Medicine	1	$167,699	$171,053
(11)	VCAA/Dean Grad. Ed. & Sponsor Res	1	$157,675	$160,829
(12)	ACRC Executive Director	1	$154,873	$157,970
(13)	Associate Dean of Medicine	4	$153,879	$156,957
(14)	Exec. Director of Campus Operations	1	$148,845	$151,822
(15)	Vice-Chanc. for University Develop.	1	$147,541	$150,492
(16)	Associate Dean	11	$145,027	$147,928
(17)	Dir. of Lab. Educational Research	1	$143,260	$146,125
(18)	Dir. of Research	2	$134,255	$136,940
(19)	Director of University Hospital	1	$132,315	$134,961
(20)	ACRC Chief Financial Officer	1	$131,532	$134,163
(21)	Assistant Dean	12	$131,532	$134,163
(22)	Associate V.C. for Finance	1	$131,532	$134,163
(23)	Med. Dir. Stdnt./Employee Hlth. Svcs	1	$131,459	$134,088
(24)	Director of Computer Services	1	$131,270	$133,895
(25)	Controller	1	$127,636	$130,189
(26)	Chief Pharmacist	1	$125,200	$127,704
(27)	Director of Campus Operations	1	$124,846	$127,343
(28)	Director of Library	1	$121,191	$123,615
(29)	Assistant Vice-Chancellor	4	$120,493	$122,903
(30)	Associate Director of Hospital	3	$119,450	$121,839
(31)	Director of Physical Plant	1	$118,470	$120,839
(32)	Director of University Relations	1	$118,179	$120,543
(33)	Dir. of Student Services Computing	1	$116,824	$119,160
(34)	Director of Academic Computing	1	$116,824	$119,160

(35)	Director of Financial Computing	1	$116,824	$119,160
(36)	Director of Hospital Computing	1	$116,824	$119,160
(37)	Director of Management Engineering	1	$115,454	$117,763
(38)	Director of Faculty/Student Services	1	$111,565	$113,796
(39)	Dir. of Educational Development	1	$110,027	$112,228
(40)	ACRC Financial Manager	1	$108,055	$110,216
(41)	Director Sponsored Research Admin.	1	$108,055	$110,216
(42)	Assistant Director of Hospital	3	$107,872	$110,029
(43)	Research Compliance Officer	1	$107,872	$110,029
(44)	Sponsored Program Fiscal Manager	1	$104,623	$106,715
(45)	Technical Services Director	1	$104,623	$106,715
(46)	Director of Educational Services	1	$100,728	$102,743
(47)	Administrative Support Pool	473		
	Sr. Project/Program Director		$99,093	$101,075
	Project/Program Director		$80,367	$81,974
	Project/Program Manager		$72,828	$74,285
	Project/Program Specialist		$62,836	$64,093
	Executive Assistant		$57,809	$58,965
(48)	Treasurer/Investment Manager	1	$98,206	$100,170
(49)	Dir. of Environmental Hlth. & Safety	1	$97,628	$99,581
(50)	Director of Admissions	1	$93,417	$95,285
(51)	Director of Advancement Resources	1	$93,417	$95,285
(52)	Director of Medical Records	1	$93,417	$95,285
(53)	Director of University Development	1	$93,417	$95,285
(54)	UAMS Director Public Safety	1	$90,017	$91,817
(55)	Hospital Financial Manager	2	$86,139	$87,862
(56)	Budget Director	1	$84,763	$86,458
(57)	Dir. of Rehabilitation Services	1	$82,093	$83,735
(58)	Patient and Student Educ. Director	1	$81,696	$83,330
(59)	Director of Campus Media Services	1	$80,251	$81,856
(60)	Director of Student Aid	1	$80,251	$81,856
(61)	Director of Minority Student Affairs	1	$79,040	$80,621
(62)	Research/Clinical Programs Manager	7	$76,362	$77,889
(63)	Dean of Students	1	$76,305	$77,831
(64)	Kids First / Headstart Pool	72		
	Social Services Consultant		$75,288	$76,794
	Pediatric Nutrition Consultant III		$75,288	$76,794
	Pediatric Nutrition Consultant II		$64,546	$65,837
	Early Childhood Spec Educator II		$64,501	$65,791
	Site Manager I		$62,836	$64,093
	Certified Classroom Teacher		$59,679	$60,873
	Pediatric Nutrition Consultant I		$58,910	$60,088
	Early Childhood Spec Educator I		$52,530	$53,581
	Family Enrichment Specialist I		$45,365	$46,272
(65)	Assistant Director of Development	2	$71,655	$73,088
(66)	Assoc. Director of Student Affairs	2	$71,582	$73,014
(67)	Minority Student Recruit Specialist	1	$68,684	$70,058
(68)	Manager Medical Ancillary Services	1	$64,019	$65,299
(69)	Web-based Instructional Designer	2	$63,194	$64,458
(70)	Biological Safety Officer	1	$62,938	$64,197
(71)	Clinical Interpreter	2	$62,938	$64,197
(72)	Bookstore Manager	1	$62,098	$63,340
(73)	Asst. Patient & Student Educ. Direct	1	$55,090	$56,192

TWELVE MONTH EDUCATIONAL AND GENERAL CLASSIFIED POSITIONS

(74)	Asst Dir Computer Svcs III-Inst	1	GRADE 25
(75)	UAMS Director Public Safety	1	GRADE 25
(76)	UAMS Purchasing Agent	1	GRADE 25
(77)	Systems Analyst III - Inst	26	GRADE 24
(78)	Systems Programmer III - Inst	3	GRADE 24
(79)	UAMS Accounting Manager	1	GRADE 24
(80)	UAMS Director Patient Relations	1	GRADE 24
(81)	Attorney	1	GRADE 24
(82)	Assistant Controller	1	GRADE 23
(83)	Asst Purchasing Administrator	1	GRADE 23
(84)	HE Public Safety Commander II	1	GRADE 23
(85)	UAMS Assoc Dir Physical Plant	1	GRADE 23
(86)	UAMS Construction Coordinator	1	GRADE 23
(87)	UAMS Dir Communications Svcs	1	GRADE 23
(88)	UAMS Director Social Services	1	GRADE 23
(89)	UAMS Instrumentation Engineer	3	GRADE 23
(90)	DP Production Mgr I - Inst	1	GRADE 23
(91)	Computer Sup Spec III - Inst	3	GRADE 22
(92)	DP Network Tech III - Inst	2	GRADE 22
(93)	DP Operations Supv III - Inst	1	GRADE 22
(94)	Medical Cost Accounting Supv	1	GRADE 22
(95)	Patient Business Services Mgr	10	GRADE 22
(96)	Procurement Manager	1	GRADE 22
(97)	Systems Analyst II - Inst	16	GRADE 22
(98)	System Programmer II - Inst	3	GRADE 22
(99)	UAMS Asst Dir Physical Plant	2	GRADE 22
(100)	UAMS Chief Medical Illustrator	1	GRADE 22
(101)	UAMS Payroll Services Manager	1	GRADE 22
(102)	Accounting Supervisor II	9	GRADE 21
(103)	Data Base Coord I - Inst	1	GRADE 21
(104)	HE Public Safety Commander I	2	GRADE 21
(105)	Inst Multimedia Svcs Dir	1	GRADE 21
(106)	UAMS Chief Photo Services	1	GRADE 21
(107)	UAMS Department Business Officer	25	GRADE 21
(108)	UAMS MCPG Manager	2	GRADE 21
(109)	Accounting Supervisor I	6	GRADE 20
(110)	Asst Director Financial Aid	1	GRADE 20
(111)	Computer Sup Spec II - Inst	2	GRADE 20
(112)	Clinical Dietician	6	GRADE 20
(113)	DP Network Tech II - Inst	1	GRADE 20
(114)	Energy Conservation Coordinator	1	GRADE 20
(115)	HE Public Safety Supervisor	4	GRADE 20
(116)	Instrumentation Engineer	1	GRADE 20
(117)	Medical Buyer	12	GRADE 20
(118)	Medical Cost Accountant	3	GRADE 20
(119)	Occupational Safety Coordinator	3	GRADE 20
(120)	Institutional Personnel Analyst	14	GRADE 20
(121)	Plant Maintenance Coordinator	6	GRADE 20
(122)	Print Shop Manager	1	GRADE 20
(123)	Research Technologist II	93	GRADE 20
(124)	Safety Training Officer	1	GRADE 20
(125)	Social Worker II	12	GRADE 20
(126)	Systems Analyst I - Inst	20	GRADE 20
(127)	UAMS Animal Res Facility Mgr	1	GRADE 20
(128)	UAMS Reimbursement Specialist	1	GRADE 20

(129)	Web Site Coordinator II	2	GRADE 20
(130)	Management Project Analyst II	24	GRADE 20
(131)	Applications Prog II - Inst	10	GRADE 19
(132)	Budget Specialist	2	GRADE 19
(133)	Buyer	5	GRADE 19
(134)	Chief Construction Inspector	1	GRADE 19
(135)	Chief TV Engineer	1	GRADE 19
(136)	Coordinator Information Services	1	GRADE 19
(137)	DP Operations Supv II - Inst	1	GRADE 19
(138)	Health Physics Technologist	3	GRADE 19
(139)	HMO Medical Contract Coordinator	1	GRADE 19
(140)	Library Supervisor II	1	GRADE 19
(141)	Medical Records Administrator	4	GRADE 19
(142)	Research Project Analyst	9	GRADE 19
(143)	Skilled Trades Foreman	8	GRADE 19
(144)	Social Worker I	14	GRADE 19
(145)	Accountant	45	GRADE 18
(146)	Asst. Admin. Professional Svcs	19	GRADE 18
(147)	Assistant Registrar	2	GRADE 18
(148)	Construction Inspector	2	GRADE 18
(149)	Const/Maint Project Estimator	1	GRADE 18
(150)	Coordinator Alumni Affairs	1	GRADE 18
(151)	Financial Aid Officer II	2	GRADE 18
(152)	HE Public Safety Officer II	14	GRADE 18
(153)	Management Project Analyst I	56	GRADE 18
(154)	Patient Business Services Supv	10	GRADE 18
(155)	Payroll Services Specialist	1	GRADE 18
(156)	Personnel Assistant II - Inst	7	GRADE 18
(157)	Plant Maintenance Supv	2	GRADE 18
(158)	Plant Warehouse Foreman	2	GRADE 18
(159)	Printer Estimator/Planner	1	GRADE 18
(160)	Printer Supervisor	2	GRADE 18
(161)	Research Technologist I	54	GRADE 18
(162)	Safety Supervisor	2	GRADE 18
(163)	Skilled Trades Supv	8	GRADE 18
(164)	Social Services Rep II	12	GRADE 18
(165)	Staff Development Specialist II	3	GRADE 18
(166)	Web Site Coordinator I	2	GRADE 18
(167)	Administrative Assistant II	134	GRADE 17
(168)	Patient Access Coordinator	22	GRADE 17
(169)	Applications Prog I - Inst	7	GRADE 17
(170)	Audiovisual Aids Supervisor	1	GRADE 17
(171)	Central Control System Supv	1	GRADE 17
(172)	DP Operations Supv I - Inst	9	GRADE 17
(173)	Graphic Artist II	8	GRADE 17
(174)	Instrumentation Technician II	8	GRADE 17
(175)	Inventory Control Manager	4	GRADE 17
(176)	Laboratory Animal Tech Supv	2	GRADE 17
(177)	Landscape Supervisor II	2	GRADE 17
(178)	Logistics Manager	5	GRADE 17
(179)	Medical Diagnostics Analyst	57	GRADE 17
(180)	Medical Photographer II	3	GRADE 17
(181)	Multimedia Specialist	8	GRADE 17
(182)	Printer III	3	GRADE 17
(183)	Skilled Trades Worker	126	GRADE 17
(184)	Social Services Worker	8	GRADE 17
(185)	Stationary Engineer	19	GRADE 17

(186)	Telecommunications Coordinator	2	GRADE 17
(187)	Telephone Technician	1	GRADE 17
(188)	TV Engineer	2	GRADE 17
(189)	Utilization Review Coordinator	2	GRADE 17
(190)	Collection Officer	10	GRADE 16
(191)	Computer Tape Librarian - Inst	1	GRADE 16
(192)	Computer Technician II - Inst	16	GRADE 16
(193)	Credit & Collections Supervisor	36	GRADE 16
(194)	Financial Aid Officer I	1	GRADE 16
(195)	Food Production Supervisor	12	GRADE 16
(196)	HE Public Safety Officer I	24	GRADE 16
(197)	Information Specialist	1	GRADE 16
(198)	Manager of Mailing Services	1	GRADE 16
(199)	Mental Health Assistant II	1	GRADE 16
(200)	Multimedia Tech Controller II	2	GRADE 16
(201)	Printer II	10	GRADE 16
(202)	TV Director	1	GRADE 16
(203)	Accounting Technician II	55	GRADE 15
(204)	Accounts Supervisor	12	GRADE 15
(205)	Administrative Assistant I	97	GRADE 15
(206)	Administrative Office Supervisor	15	GRADE 15
(207)	Admn Interviewer Supervisor	1	GRADE 15
(208)	Assistant Purchasing Agent	3	GRADE 15
(209)	Central Supply Supv	4	GRADE 15
(210)	Graphic Artist I	3	GRADE 15
(211)	Insurance Representative	2	GRADE 15
(212)	Inst Maint Work Plan/Scheduler	2	GRADE 15
(213)	Medical Records Technician	15	GRADE 15
(214)	Patient Accounts Specialist	54	GRADE 15
(215)	Payroll Officer	2	GRADE 15
(216)	Social Services Representative I	7	GRADE 15
(217)	Store Supervisor	8	GRADE 15
(218)	Administrative Secretary	65	GRADE 14
(219)	Claims Examiner	4	GRADE 14
(220)	Computer Technician I - Inst	3	GRADE 14
(221)	Dietetic Technician	6	GRADE 14
(222)	HE Public Safety Security Off I	1	GRADE 14
(223)	Library Academic Tech III	7	GRADE 14
(224)	Medical or Legal Secretary	96	GRADE 14
(225)	Medical Photographer I	2	GRADE 14
(226)	Patient Accounts Clerk II	21	GRADE 14
(227)	Data Entry Operator Supervisor	2	GRADE 13
(228)	Emergency Technician	9	GRADE 13
(229)	Financial Counselor	5	GRADE 13
(230)	Medical Transcriptionist	11	GRADE 13
(231)	Multimedia Tech Controller I	1	GRADE 13
(232)	Occupational Therapy Worker	1	GRADE 13
(233)	Photo Laboratory Technician	2	GRADE 13
(234)	Physical Therapy Worker	2	GRADE 13
(235)	Printer I	3	GRADE 13
(236)	Research Technician II	10	GRADE 13
(237)	Secretary II	45	GRADE 13
(238)	Social Service Aide II	1	GRADE 13
(239)	Accounting Technician I	14	GRADE 12
(240)	Cashier II	9	GRADE 12
(241)	Central Control System Operator	5	GRADE 12
(242)	Central Supply Tech Shift Supv	6	GRADE 12

(243)	Documents Examiner II	23	GRADE 12
(244)	HE Public Safety Dispatcher	6	GRADE 12
(245)	Library Academic Tech II	10	GRADE 12
(246)	Patient Accounts Clerk I	5	GRADE 12
(247)	Switchboard Operator Supervisor	1	GRADE 12
(248)	Apprentice Tradesman	7	GRADE 11
(249)	Asst. Laboratory Animal Tech	11	GRADE 11
(250)	Laboratory Assistant II	30	GRADE 11
(251)	Purchasing Assistant	1	GRADE 11
(252)	Research Technician I	5	GRADE 11
(253)	Secretary I	6	GRADE 11
(254)	Shipping & Receiving Clerk	16	GRADE 11
(255)	Baker II	2	GRADE 10
(256)	Clerical Assistant	2	GRADE 10
(257)	Cook II	16	GRADE 10
(258)	Data Entry Specialist	3	GRADE 10
(259)	Documents Examiner I	5	GRADE 10
(260)	Inventory Control Clerk	3	GRADE 10
(261)	Library Academic Tech I	3	GRADE 10
(262)	Receptionist	9	GRADE 10
(263)	Reproduction Equipment Operator	1	GRADE 10
(264)	Transit Bus Driver	1	GRADE 10
(265)	Cashier I	12	GRADE 09
(266)	Central Supply Technician	22	GRADE 09
(267)	Darkroom Technician	2	GRADE 09
(268)	Laboratory Assistant I	2	GRADE 09
(269)	Mail Officer	9	GRADE 09
(270)	Bldg./Equip. Maint Repairman II	3	GRADE 08
(271)	Clinical Housekeeper	20	GRADE 08
(272)	Cook I	12	GRADE 08
(273)	Custodial Supervisor II	3	GRADE 08
(274)	Skilled Trades Helper	6	GRADE 08
(275)	Maintenance Worker Supervisor	1	GRADE 07
(276)	Office Clerk	2	GRADE 07
(277)	Bldg./Equip. Maint Repairman I	2	GRADE 06
(278)	Courier II	1	GRADE 05
(279)	Food Service Worker II	20	GRADE 05
(280)	Laboratory Aide II	4	GRADE 05
(281)	Maintenance Worker II	4	GRADE 05
(282)	Seamstress II	1	GRADE 05
(283)	Stock Clerk II	1	GRADE 05
(284)	Custodial Worker II	64	GRADE 04
(285)	Maintenance Worker I	2	GRADE 04
(286)	Custodial Worker I	12	GRADE 03
(287)	Food Service Worker I	24	GRADE 03
(288)	Laboratory Aide I	2	GRADE 03
(289)	Messenger	1	GRADE 03

TWELVE MONTH EDUCATIONAL AND GENERAL ACADEMIC POSITIONS

(290)	Faculty	1,109		
	Distinguished Professor		$154,873	$157,970
	Professor		$144,168	$147,051
	Associate Professor		$133,038	$135,699
	Assistant Professor		$125,612	$128,124
	Assistant Professor-Coll. of Pharmac		$119,422	$121,810
	Psychologist		$119,422	$121,810
	Instructor		$100,934	$102,953

(291) Department Chairperson	30	$151,598	$154,630
(292) Educational Support Pool	155		
Instructional Dev Specialist II		$103,811	$105,887
Clinic Instructor		$88,767	$90,542
Instructional Dev Specialist I		$84,190	$85,874
Clinic Lecturer		$74,322	$75,808
Lecturer		$73,880	$75,358
Assistant Instructor		$72,358	$73,805
Educational Dev Specialist I		$66,917	$68,255
Clinic Assistant Instructor		$63,485	$64,755
(293) Director Dietary Intern	1	$95,460	$97,369
(294) Library Pool	34		
Librarian		$92,082	$93,924
Associate Librarian		$80,252	$81,857
Sr. Librarian Assistant		$80,252	$81,857
Assistant Librarian		$72,358	$73,805
(295) Research Support Pool	625		
Research Associate		$84,190	$85,874
Post Doctoral Fellow		$72,358	$73,805
Research Assistant		$68,253	$69,618
Biostatistician		$66,530	$67,861
Graduate Assistant		$33,970	$34,649
(296) Pharmacy Resident	6	$57,072	$58,213
(297) Trainee	6	$21,727	$22,162
UNIVERSITY HOSPITAL - PATIENT CARE			
NON-CLASSIFIED POSITIONS			
(298) Nursing Service	1,541		
Senior Nurse Anesthetist		$160,416	$163,624
Nurse Anesthetist		$107,070	$109,211
Physician Assistant		$107,070	$109,211
Advanced Practice Nurse		$104,573	$106,664
Clinical Nursing Specialist II		$86,001	$87,721
Head Nurse		$86,001	$87,721
Charge Nurse		$81,871	$83,508
Clinical Nursing Specialist I		$79,750	$81,345
Nurse In-Service Instructor - Hospit		$79,750	$81,345
Nurse Practitioner III		$79,750	$81,345
Nurse Practitioner II		$79,701	$81,295
Asst. Head Nurse		$75,288	$76,794
Registered Nurse II		$74,984	$76,484
Registered Nurse I		$70,852	$72,269
Nurse Practitioner I		$66,566	$67,897
LPN II		$53,781	$54,857
Nursing Unit Coordinator - Hospital		$49,238	$50,223
LPN I		$43,557	$44,428
Patient Services Associate		$38,621	$39,393
(299) Patient Care Administrator	1	$129,693	$132,287
(300) Clinical Laboratory Manager	1	$129,400	$131,988
(301) Director of Pharmacy	1	$129,025	$131,606
(302) Medical Ancillary Support	933		
Pharmacist III - Hospital		$120,305	$122,711
Pharmacist II - Hospital		$114,503	$116,793
Medical Imaging Electrical Engineer		$108,055	$110,216
Pharmacist I - Hospital		$99,436	$101,425
Certified Technologist III		$87,381	$89,129
Nutritionist		$85,702	$87,416
Clinical Laboratory Supv.		$80,020	$81,620

Clinical Technician III		$74,984	$76,484
Special Procedures Technician		$68,867	$70,244
Certified Technologist II		$66,566	$67,897
Certified Technologist I		$62,521	$63,771
Med Lab Technician - Hospital		$60,145	$61,348
Clinical Technician II		$58,550	$59,721
Lab Technician III - Hospital		$46,273	$47,198
Clinical Technician I		$45,624	$46,536
Point of Service Coordinator		$45,624	$46,536
Health Information Svs Analyst II		$31,689	$32,323
Health Information Svs Analyst I		$27,728	$28,283
(303) Medical Services Management	123		
Asst. Dir. of Pharmacy		$120,175	$122,579
Pharmacy Supervisor		$114,152	$116,435
Assoc. Adm. Patient Care		$106,763	$108,898
Asst. Adm. Patient Care		$92,978	$94,838
Patient Care Supv.-Hosp.		$84,812	$86,508
Medical Services Admin.		$78,177	$79,741
Medical Services Mgr.		$59,893	$61,091
Lab Mgr. Adm.		$55,306	$56,412
(304) Director of Clinic Nursing	1	$96,567	$98,498
(305) Rehabilitation Therapy Pool	75		
Dir. of Physical Therapy		$85,506	$87,216
Physical Therapist		$81,226	$82,851
Dir. of Occupational Therapy		$76,410	$77,938
Occupational Therapist		$75,288	$76,794
Speech Therapist		$75,288	$76,794

TWELVE MONTH - PATIENT CARE
CLASSIFIED POSITIONS

(306) Pharmacy Tech. Supv	1	GRADE 15
(307) Phlebotomist II	8	GRADE 14
(308) Surgical Technician	2	GRADE 13
(309) Phlebotomist I	9	GRADE 12
(310) Ward Coordinator	23	GRADE 12
(311) Dental Assistant	2	GRADE 11
(312) Nursing Assistant II	76	GRADE 11
(313) Pharmacy Technician	4	GRADE 11
(314) Pharmacy Asst.- Inst.	4	GRADE 10
(315) Nursing Assistant I	15	GRADE 08

TWELVE MONTH AUXILIARY SERVICES
CLASSIFIED POSITIONS

(316) Child Care Director	1	GRADE 22
(317) Day Care Teacher	3	GRADE 16
(318) Caregiver III	30	GRADE 12
(319) Clerical Assistant	1	GRADE 10
(320) Caregiver II	49	GRADE 08
(321) Caregiver I	30	GRADE 04

TWELVE MONTH - AHEC
ADMINISTRATIVE POSITIONS

(322) Vice-Chan. - Regional Prog.	1	$167,416	$170,764
(323) Area Director	6	$144,491	$147,381
(324) Associate Director for Programs	1	$115,432	$117,741
(325) Associate Dir. for Administration	1	$99,926	$101,925

TWELVE MONTH - AHEC
CLASSIFIED POSITIONS

(326)	UAMS AHEC Bus. Officer	6	GRADE 21	
(327)	Social Worker II	1	GRADE 20	
(328)	Medical Records Administrator	1	GRADE 19	
(329)	Accountant	1	GRADE 18	
(330)	Asst Admin Professional Svcs	1	GRADE 18	
(331)	Administrative Assistant II	1	GRADE 17	
(332)	Credit & Collection Supervisor	1	GRADE 16	
(333)	Staff Development Specialist I	1	GRADE 16	
(334)	Accounting Technician II	6	GRADE 15	
(335)	Accounts Supervisor	1	GRADE 15	
(336)	Administrative Assistant I	7	GRADE 15	
(337)	Medical Records Technician	4	GRADE 15	
(338)	Administrative Secretary	10	GRADE 14	
(339)	Claims Examiner	7	GRADE 14	
(340)	Collector	3	GRADE 14	
(341)	Computer Technician I - Inst	1	GRADE 14	
(342)	Library Academic Tech III	2	GRADE 14	
(343)	Medical/Legal Secretary	6	GRADE 14	
(344)	Financial Counselor	5	GRADE 13	
(345)	Lab Assistant III	3	GRADE 13	
(346)	Medical Transcriptionist	3	GRADE 13	
(347)	Secretary II	3	GRADE 13	
(348)	Document Examiner II	4	GRADE 12	
(349)	Library Academic Tech II	3	GRADE 12	
(350)	Patient Accounts Clerk I	1	GRADE 12	
(351)	Nursing Assistant II	2	GRADE 11	
(352)	Secretary I	9	GRADE 11	
(353)	Document Examiner I	1	GRADE 10	
(354)	Receptionist	1	GRADE 10	
(355)	Library Academic Tech I	3	GRADE 10	
(356)	Nursing Assistant I	2	GRADE 08	
(357)	Custodial Worker II	3	GRADE 04	

TWELVE MONTH - AHEC
ACADEMIC POSITIONS

(358)	AHEC Faculty	109		
	Professor		$144,168	$147,051
	Family Practice Coordinator		$140,673	$143,486
	Associate Family Practice Coord		$136,851	$139,588
	Associate Professor		$133,038	$135,699
	Assistant Family Practice Coord		$129,207	$131,791
	Instructor		$100,934	$102,953
(359)	Medical Ancillary Support/AHEC	22		
	Medical Technologist III		$86,713	$88,447
	X-Ray Technician III		$71,608	$73,040
	Medical Technologist II		$67,968	$69,327
	X-Ray Technician II		$63,770	$65,045
	Medical Technologist I		$62,027	$63,268
	X-Ray Technician I		$55,925	$57,044
(360)	AHEC Nurses	59		
	Head Nurse		$86,001	$87,721
	Nurse Practitioner II		$76,103	$77,625
	Registered Nurse II		$75,742	$77,257
	Registered Nurse I		$67,670	$69,023
	Nurse Practitioner I		$63,579	$64,851
	LPN II		$51,309	$52,335

	LPN I		$41,540	$42,371
(361)	Asst. Director for Administration	1	$82,631	$84,284
(362)	AHEC Librarian	8	$80,586	$82,198
(363)	Assistant Librarian	3	$72,358	$73,805
(364)	Research Assistant	9	$68,253	$69,618
(365)	Resident	125	$59,303	$60,489

UAMS COLLEGE OF PHARMACY - REGIONAL
POISON AND DRUG INFORMATION CENTER
ADMINISTRATIVE POSITIONS

(366)	Director Poison & Drug Information	1	$144,168	$147,051
(367)	Medical Director	1	$133,038	$135,699
(368)	Assistant Director	2	$125,612	$128,124
(369)	Poison Control Specialist	20	$99,436	$101,425
(370)	Project/Program Specialist	1	$62,836	$64,093

UAMS COLLEGE OF PHARMACY
TWELVE MONTH EDUCATIONAL AND GENERAL
ACADEMIC POSITIONS

(371)	Faculty	9		
	Distinguished Professor		$154,873	$157,970
	Professor		$144,168	$147,051
	Associate Professor		$133,038	$135,699
	Assistant Professor-Coll. Of Pharm.		$119,422	$121,810
	Psychologist		$119,422	$121,810
	Instructor		$100,934	$102,953

TWELVE MONTH EDUCATIONAL AND GENERAL
CLASSIFIED POSITIONS

(372)	Administrative Assistant II	1	GRADE 17
	MAX. NO. OF EMPLOYEES	8,253";	

Page 13, line 34 replace "five" with "six";

Page 13, line 35 replace "fifty eight (558)" with "twenty five (625)";

Page 16, line 5 replace "15,000,000 15,000,000" with "20,000,000 25,000,000";

Page 16, line 22 replace "$1,433,400,000 $1,446,762,000" with "$1,438,400,000 $1,456,762,000".

(SIGNED) SENATOR SHAWN WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 321 was ordered engrossed.

On motion of Senator Brown, Senate Bill No. 322 was withdrawn from the Committee on Joint Budget, 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. 322

JBC 03/07/07 (1)

Amend Senate Bill No. 322 as engrossed, S3/12/07:

Page 2, delete lines 3 through page 10, line 10 and insert therefor:

"

	ARKANSAS STATE UNIVERSITY-SYSTEM			
	TWELVE MONTH EDUCATIONAL AND GENERAL ADMINISTRATIVE POSITIONS			
(1)	President, Arkansas State University	1	$174,033	$177,514
(2)	Vice Pres. for Research & Academics	1	$161,729	$164,964
(3)	Vice Pres. for Finance & Admin.	1	$149,969	$152,968
(4)	Vice Pres. for University Relations	1	$138,419	$141,187
(5)	Vice Pres. for Univ. Advancement	1	$138,419	$141,187
(6)	General Counsel	1	$124,701	$127,195
(7)	Assoc. Vice Pres.	2	$122,902	$125,360
(8)	Director of Planning & Resource Svcs	1	$116,763	$119,098
(9)	Exec. Asst. to President	1	$96,853	$98,790
(10)	Dir. for Internal Audit	1	$78,228	$79,793
	TWELVE MONTH EDUCATIONAL AND GENERAL CLASSIFIED POSITIONS			
(11)	Accountant	2	GRADE 18	
(12)	Administrative Assistant II	2	GRADE 17	
(13)	Secretary II	2	GRADE 13	
	ARKANSAS STATE UNIV-JONESBORO			
	TWELVE MONTH EDUCATIONAL AND GENERAL ADMINISTRATIVE POSITIONS			
(14)	Chancellor, ASU-Jonesboro	1	$161,728	$164,963
(15)	Vice Chancellor for Academic Affairs	1	$137,410	$140,158
(16)	Vice Chancellor for Finance & Admin	1	$133,359	$136,026
(17)	Vice Chancellor for Univ Advancement	1	$131,333	$133,960
(18)	Vice Chancellor for Student Affairs	1	$131,333	$133,960
(19)	Dean of Graduate School	1	$127,282	$129,828
(20)	Dean of Schools	12	$127,282	$129,828
(21)	Assoc Vice Chancellor Acad. Affairs	2	$119,916	$122,314
(22)	Associate Vice Chancellor	4	$115,420	$117,728
(23)	Executive Asst. to the Chancellor	1	$115,420	$117,728
(24)	Dir. of Delta Heritage Initiative	1	$113,434	$115,703
(25)	Dean of Libraries	1	$113,434	$115,703
(26)	Asst Vice Chancellor for Info/Tech	1	$111,782	$114,018
(27)	Coord. of Organized Research	1	$109,939	$112,138
(28)	Director of Prof. Educ. Programs	1	$109,939	$112,138

(29)	Controller	1	$102,961	$105,020
(30)	Director of International Programs	1	$102,695	$104,749
(31)	Assoc. Dean of Schools	7	$102,005	$104,045
(32)	Director of Development	1	$100,945	$102,964
(33)	Director of Agricultural Research	1	$97,880	$99,838
(34)	Asst. Vice Chancellor for Facilities	1	$96,914	$98,852
(35)	Asst. Vice Chancellor for Admin.	1	$93,856	$95,733
(36)	Asst. Vice Chancellor for Business	1	$93,856	$95,733
(37)	Asst. Vice Chanc for Student Affairs	1	$93,856	$95,733
(38)	Registrar	1	$92,629	$94,482
(39)	Director of Planned Giving	1	$91,646	$93,479
(40)	Dir of Corp & Foundation Relations	1	$91,646	$93,479
(41)	Director of Counseling	1	$91,646	$93,479
(42)	Director of Museum & Ed. Ctr.	1	$86,828	$88,565
(43)	Archivist	2	$86,828	$88,565
(44)	Director of Museum	1	$86,828	$88,565
(45)	Dean of Student Affairs	1	$86,828	$88,565
(46)	Dean of Student Affairs-Enrollment	1	$86,828	$88,565
(47)	Coord. Off-Campus Courses	1	$86,828	$88,565
(48)	Coord. of Non-Credit Activity	1	$86,828	$88,565
(49)	Coordinator of Delta Studies Act/Pro	1	$86,828	$88,565
(50)	Director of First Years Studies	1	$85,584	$87,296
(51)	Dir. of Academic Technology & Comp.	1	$85,584	$87,296
(52)	Assoc Director - Info & Tech Svcs	2	$85,584	$87,296
(53)	Exec. Director of Delta Economic Dev	1	$85,584	$87,296
(54)	Assoc. Dir. of Development	1	$84,888	$86,586
(55)	Director of Alumni	1	$84,888	$86,586
(56)	Director of Inst Research & Planning	1	$84,117	$85,799
(57)	Director of Student Aid	1	$83,680	$85,354
(58)	Director of Univ. Communications	1	$80,891	$82,509
(59)	Director of Student Health Services	1	$80,514	$82,124
(60)	Project/Program Administrator	32		
	Project/Program Director		$80,365	$81,972
	Project/Program Manager		$72,829	$74,286
	Project/Program Specialist		$62,836	$64,093
(61)	Business Manager	1	$78,367	$79,934
(62)	Treasurer	1	$78,367	$79,934
(63)	Associate Controller	1	$78,367	$79,934
(64)	Dir., Grants & Other Sponsored Progs	1	$78,367	$79,934
(65)	Annual Fund Coordinator	1	$77,942	$79,501
(66)	Director of Admissions	1	$77,923	$79,481
(67)	Assoc. Dean of Student Affairs	5	$77,923	$79,481
(68)	Computer Network Coordinator	1	$76,240	$77,765
(69)	Architect	1	$76,094	$77,616
(70)	Dir.of UPD,CS,Traffic & Parking	1	$75,953	$77,472
(71)	Asst. to VP Student Affairs	1	$75,813	$77,329
(72)	Asst. to the VP of Academic Affairs	1	$75,813	$77,329
(73)	Project Engineer	1	$75,767	$77,282
(74)	Counselor	4	$75,486	$76,996
(75)	Director of Budget	1	$74,727	$76,222
(76)	Development Officer	11	$72,538	$73,989
(77)	Director of University Relations	1	$72,113	$73,555
(78)	Director of Equine Center	1	$71,741	$73,176
(79)	Communications Specialist	1	$71,741	$73,176
(80)	Director of Testing	1	$70,862	$72,279
(81)	Research Compliance Coordinator	1	$69,920	$71,318
(82)	Director of Career Services	1	$68,255	$69,620

(83)	Director of Upward Bound	1	$67,160	$68,503
(84)	Project Architect	1	$67,124	$68,466
(85)	Dir. of Pub. & Creative Svcs	1	$66,962	$68,301
(86)	Art Gallery Director	1	$66,962	$68,301
(87)	Director of Printing	1	$66,962	$68,301
(88)	Director of Assessment	1	$66,928	$68,267
(89)	Senior Internal Auditor	1	$64,961	$66,260
(90)	Dir. of Student Activities	1	$64,793	$66,089
(91)	Dir of Off of Int'l Student Svcs	1	$63,862	$65,139
(92)	Director of Distance Learning	1	$63,193	$64,457
(93)	Asst. Dean of Students	7	$63,114	$64,376
(94)	Director of Academic Advising	1	$63,114	$64,376
(95)	Director of Disability Services	1	$63,114	$64,376
(96)	Dir. of Environ. Health & Safety	1	$62,938	$64,197
(97)	Asst. Dir. Records	1	$62,938	$64,197
(98)	Asst. Dir. of Admissions	1	$62,938	$64,197
(99)	Dir. of Recreation & Intramurals	1	$58,860	$60,037
(100)	Assoc. Dir. of Student Aid	1	$58,860	$60,037
(101)	Coord. of ASU Comm. Coll. Deg. Cntrs	5	$58,860	$60,037
(102)	Research Analyst	3	$58,833	$60,010
(103)	Assoc. for Administration	1	$58,201	$59,365
(104)	Asst. Dir. Student Health Center	1	$57,176	$58,320
(105)	Assistant Director of Publications	1	$56,207	$57,331
(106)	Technical Director	1	$52,058	$53,099
(107)	Conservator	1	$52,058	$53,099
(108)	Academic Adviser	8	$51,375	$52,403
(109)	Asst. Dir. of Small Bus. Dvlpmnt. Cn	1	$51,043	$52,064
(110)	Assistant Director of Museum	1	$51,043	$52,064

TWELVE MONTH EDUCATIONAL AND GENERAL CLASSIFIED POSITIONS

(111)	Asst Dir of Comp Svcs III - Inst	3	GRADE 25
(112)	DP Production Manager II - Inst	1	GRADE 25
(113)	DP Network Manager III - Inst	1	GRADE 24
(114)	Systems Analyst III - Inst	5	GRADE 24
(115)	Systems Programmer III - Inst	1	GRADE 24
(116)	Asst Controller	2	GRADE 23
(117)	ASU Assoc Dir of Physical Plant	1	GRADE 23
(118)	ASU Construction Coordinator	1	GRADE 23
(119)	ASU Engineer Comm Facilities Dir	1	GRADE 23
(120)	ASU Purchasing Agent	1	GRADE 23
(121)	Data Base Coordinator II - Inst	2	GRADE 23
(122)	DP Production Manager I - Inst	1	GRADE 23
(123)	ASU Asst Dir of Physical Plant	3	GRADE 22
(124)	ASU Dir of Farming	1	GRADE 22
(125)	ASU Engineer/Design Specialist	1	GRADE 22
(126)	Career Plng & Plac Coordinator	1	GRADE 22
(127)	Computer Support Spec III-Inst	4	GRADE 22
(128)	DP Network Manager II - Inst	5	GRADE 22
(129)	DP Network Tech III - Inst	1	GRADE 22
(130)	DP Operations Supv III - Inst	1	GRADE 22
(131)	Systems Analyst II - Inst	3	GRADE 22
(132)	Systems Programmer II - Inst	1	GRADE 22
(133)	Accounting Supervisor II	3	GRADE 21
(134)	Development Specialist	1	GRADE 21
(135)	HE Public Safety Commander I	1	GRADE 21
(136)	Inst Personnel Services Manager	1	GRADE 21
(137)	Accounting Supervisor I	6	GRADE 20

(138)	Asst Dir of Financial Aid	1	GRADE 20
(139)	ASU Asst Director of Farming	1	GRADE 20
(140)	ASU Dir of Housekeeping	1	GRADE 20
(141)	ASU Payroll Services Manager	1	GRADE 20
(142)	ASU Student Accounts Officer	2	GRADE 20
(143)	Computer Support Spec II - Inst	5	GRADE 20
(144)	Counselor II	2	GRADE 20
(145)	Curator	1	GRADE 20
(146)	DP Network Tech II - Inst	2	GRADE 20
(147)	HE Public Safety Supervisor	3	GRADE 20
(148)	Plant Maintenance Coordinator	1	GRADE 20
(149)	Program Coordinator	16	GRADE 20
(150)	Systems Analyst I - Inst	2	GRADE 20
(151)	Systems Programmer I - Inst	1	GRADE 20
(152)	Institutional Personnel Analyst	4	GRADE 20
(153)	Applications Programmer II-Inst	8	GRADE 19
(154)	Budget Specialist	1	GRADE 19
(155)	Buyer	5	GRADE 19
(156)	Career Planning & Plac Advisor	1	GRADE 19
(157)	Coord of Information Services	1	GRADE 19
(158)	DP Operations Supv II - Inst	2	GRADE 19
(159)	Radio Program Director	1	GRADE 19
(160)	Skilled Trades Foreman	4	GRADE 19
(161)	Accountant	6	GRADE 18
(162)	Assistant Business Manager	1	GRADE 18
(163)	Assistant Registrar	4	GRADE 18
(164)	Computer Support Spec I - Inst	11	GRADE 18
(165)	Constr & Maint Project Estimator	1	GRADE 18
(166)	Construction Inspector	1	GRADE 18
(167)	Coordinator of Alumni Affairs	1	GRADE 18
(168)	Counselor II	1	GRADE 18
(169)	Financial Aid Officer II	5	GRADE 18
(170)	HE Public Safety Officer II	7	GRADE 18
(171)	Management Project Analyst I	8	GRADE 18
(172)	Payroll Services Specialist	2	GRADE 18
(173)	Personnel Assistant II - Inst	3	GRADE 18
(174)	Plant Warehouse Foreman	1	GRADE 18
(175)	Radio Production Engineer	1	GRADE 18
(176)	Safety Supervisor	1	GRADE 18
(177)	Skilled Trades Supervisor	10	GRADE 18
(178)	Web Site Coordinator I	1	GRADE 18
(179)	Administrative Assistant II	8	GRADE 17
(180)	Applications Prog I - Inst	2	GRADE 17
(181)	Director of Transit & Parking	1	GRADE 17
(182)	DP Operations Supervisor I-Inst	2	GRADE 17
(183)	Farm Foreman - Institutional	2	GRADE 17
(184)	Graphic Artist II	3	GRADE 17
(185)	Instrumentation Technician II	2	GRADE 17
(186)	Landscape Supervisor II	2	GRADE 17
(187)	Library Supervisor I	3	GRADE 17
(188)	Multi-media Specialist	1	GRADE 17
(189)	Museum Exhibit Specialist	1	GRADE 17
(190)	Museum Registrar	1	GRADE 17
(191)	Pest Control Tech Supv	1	GRADE 17
(192)	Publicity & Information Specialist	2	GRADE 17
(193)	Radio News Director	1	GRADE 17
(194)	Skilled Trades Worker	62	GRADE 17

(195)	Telecommunication Coordinator	1	GRADE 17
(196)	Telephone Technician	3	GRADE 17
(197)	TV Engineer	3	GRADE 17
(198)	Admissions Analyst Supervisor	1	GRADE 16
(199)	Computer Technician II - Inst	10	GRADE 16
(200)	Coordinator of Housekeeping	4	GRADE 16
(201)	HE Public Safety Officer I	10	GRADE 16
(202)	Photographer II-Inst	2	GRADE 16
(203)	Plant Warehouse Asst Foreman	1	GRADE 16
(204)	Accounting Tech II	16	GRADE 15
(205)	Accounts Supervisor	2	GRADE 15
(206)	Admin Office Supv	3	GRADE 15
(207)	Administrative Assistant I	10	GRADE 15
(208)	Asst Purchasing Agent	3	GRADE 15
(209)	Computer Lab Tech II - Inst	3	GRADE 15
(210)	Farm Maint Mechanic	1	GRADE 15
(211)	Graphic Artist I	2	GRADE 15
(212)	Laboratory Coordinator	2	GRADE 15
(213)	Instrumentation Technician I	1	GRADE 15
(214)	Landscape Supervisor I	3	GRADE 15
(215)	Payroll Officer	2	GRADE 15
(216)	Pest Control Tech	2	GRADE 15
(217)	Research Assistant	2	GRADE 15
(218)	Store Supervisor	1	GRADE 15
(219)	Inst Maint Work Plan/Scheduler	1	GRADE 15
(220)	Administrative Secretary	26	GRADE 14
(221)	Admissions Analyst II	2	GRADE 14
(222)	Architectural Draftsman	2	GRADE 14
(223)	Computer Technician I - Inst	7	GRADE 14
(224)	Library Academic Tech III	7	GRADE 14
(225)	Personnel Assistant I - Inst	1	GRADE 14
(226)	Radio Announcer	3	GRADE 14
(227)	Greenhouse Technician	1	GRADE 14
(228)	Boiler Operator	1	GRADE 13
(229)	Data Entry Operator Supervisor	1	GRADE 13
(230)	Head Cashier	2	GRADE 13
(231)	Secretary II	68	GRADE 13
(232)	Accounting Tech I	5	GRADE 12
(233)	Athletic Equipment Supervisor	2	GRADE 12
(234)	Computer Tech Trainee - Inst	1	GRADE 12
(235)	Documents Examiner II	1	GRADE 12
(236)	HE Public Safety Dispatcher	4	GRADE 12
(237)	Library Academic Tech II	8	GRADE 12
(238)	Registrar's Assistant	6	GRADE 12
(239)	Cashier II	3	GRADE 12
(240)	Fire Equipment Service Inspector	1	GRADE 12
(241)	Agricultural Lab Technician	2	GRADE 11
(242)	Apprentice Tradesman	23	GRADE 11
(243)	Audio-Visual Lab Assistant	1	GRADE 11
(244)	Heavy Equipment Operator	8	GRADE 11
(245)	Purchasing Assistant	2	GRADE 11
(246)	Secretary I	45	GRADE 11
(247)	Shipping & Receiving Clerk	2	GRADE 11
(248)	Special Events Worker	1	GRADE 11
(249)	Custodial Service Shift Supv	2	GRADE 11
(250)	Clerical Assistant	8	GRADE 10
(251)	Data Entry Specialist	2	GRADE 10

(252)	Inventory Control Clerk	2	GRADE 10	
(253)	Library Academic Tech I	4	GRADE 10	
(254)	Receptionist	3	GRADE 10	
(255)	Bookkeeper Assistant	1	GRADE 09	
(256)	Laboratory Assistant I	1	GRADE 09	
(257)	Bldg/Equip Maint Repairman II	3	GRADE 08	
(258)	Custodial Supervisor II	7	GRADE 08	
(259)	Equipment Operator	11	GRADE 08	
(260)	Farm Worker	2	GRADE 08	
(261)	Maint Worker Supervisor	1	GRADE 07	
(262)	Office Clerk	2	GRADE 07	
(263)	Bldg/Equip Maint Repairman I	2	GRADE 06	
(264)	Custodial Supervisor I	3	GRADE 06	
(265)	Maint Worker II	2	GRADE 05	
(266)	Custodial Worker II	18	GRADE 04	
(267)	Maint Worker I	6	GRADE 04	
(268)	Custodial Worker I	66	GRADE 03	
	TWELVE MONTH EDUCATIONAL AND GENERAL ACADEMIC POSITIONS			
(269)	Nurse Anesthesia Clinical Coord.	2	$159,005	$162,185
(270)	Department Chairperson	26	$119,175	$121,559
(271)	Faculty	65		
	Professor		$117,149	$119,492
	Assoc. Professor		$109,041	$111,222
	Asst. Professor		$92,744	$94,599
	Instructor		$76,240	$77,765
(272)	Research Associate	5	$86,750	$88,485
(273)	Asst. Library Director	2	$66,434	$67,763
(274)	Librarian	14	$66,434	$67,763
(275)	Research Assistant	20	$51,932	$52,971
	NINE MONTH EDUCATIONAL AND GENERAL ACADEMIC POSITIONS			
(276)	Faculty	420		
	Distinguished Professor		$131,224	$133,848
	Professor		$115,124	$117,426
	Assoc. Professor		$100,934	$102,953
	Asst. Professor		$84,492	$86,182
	Instructor		$65,927	$67,246
(277)	Part-Time Faculty	130	$33,180	$33,844
(278)	Graduate Assistant	240	$20,808	$21,224
	TWELVE MONTH AUXILIARY ENTERPRISES NON-CLASSIFIED POSITIONS			
(279)	ASU Head Football Coach	1	$140,151	$142,954
(280)	Dir. of Athletics	1	$121,663	$124,096
(281)	Head Men's Basketball Coach	1	$121,663	$124,096
(282)	ASU Off. Coordinator-Football	1	$111,557	$113,788
(283)	ASU Def. Coordinator-Football	1	$111,557	$113,788
(284)	Assoc. Dir of Athletics	3	$102,695	$104,749
(285)	ASU Asst. Head Football Coach	1	$98,546	$100,517
(286)	Assistant Football Coach	6	$98,546	$100,517
(287)	Head Coach	9	$86,463	$88,192
(288)	ASU Dir. of Auxiliary Enterprises	1	$83,058	$84,719
(289)	Dir. of Convocation Center	1	$80,514	$82,124
(290)	Head Athletic Trainer	1	$77,218	$78,762
(291)	Asst. Dir. Athletics	6	$77,218	$78,762
(292)	Pharmacist	1	$74,483	$75,973
(293)	College Physician	2	$71,670	$73,103

(294)	Assistant Coach	15	$65,610	$66,922
(295)	Dir of Strength & Conditioning	2	$65,610	$66,922
(296)	Facilities and Equipment Manager	1	$59,082	$60,264
(297)	Asst. Dir. of Convocation Center	1	$57,176	$58,320
(298)	Asst Dir of Development	1	$51,986	$53,026
(299)	Asst Dir of Media Relations	2	$51,986	$53,026
(300)	Director of Marketing	1	$49,823	$50,819
(301)	Ticket Manager/Convocation Center	1	$48,333	$49,300
(302)	Concession Events Coordinator	1	$41,197	$42,021
(303)	Assistant Athletic Trainer	2	$29,333	$29,920
(304)	Intern Coach	6	$19,253	$19,638

TWELVE MONTH AUXILIARY ENTERPRISES
CLASSIFIED POSITIONS

(305)	ASU Dir of Housing	1	GRADE 23
(306)	ASU Director of Student Union	1	GRADE 22
(307)	Asst Dir of Printing	1	GRADE 21
(308)	Student Health Svcs Nurse II	1	GRADE 20
(309)	ASU Asst Dir of Housing	2	GRADE 19
(310)	ASU Asst Dir of Information	2	GRADE 19
(311)	Skilled Trades Foreman	1	GRADE 19
(312)	Special Events Manager	1	GRADE 19
(313)	Accountant	1	GRADE 18
(314)	Asst Dir of Student Union	2	GRADE 18
(315)	Plant Maintenance Supervisor	1	GRADE 18
(316)	Printer Supervisor	1	GRADE 18
(317)	Skilled Trades Supervisor	1	GRADE 18
(318)	Printer III	6	GRADE 17
(319)	Skilled Trades Worker	13	GRADE 17
(320)	Special Events Coordinator	4	GRADE 17
(321)	Sports Information Specialist	1	GRADE 17
(322)	Student Union Night Manager	1	GRADE 17
(323)	Assistant Bookstore Manager	1	GRADE 16
(324)	Athletic Facility Supervisor	2	GRADE 16
(325)	Coordinator of Housekeeping	2	GRADE 16
(326)	Multi-Media Tech Cont II	1	GRADE 16
(327)	Printer II	2	GRADE 16
(328)	Resident Program Coordinator	5	GRADE 16
(329)	Accounting Tech II	2	GRADE 15
(330)	Administrative Secretary	6	GRADE 14
(331)	Resident Hall Manager II	3	GRADE 14
(332)	Secretary II	11	GRADE 13
(333)	Student Union Sec Mgr	2	GRADE 13
(334)	Cashier II	1	GRADE 12
(335)	Parking Control Supervisor	1	GRADE 12
(336)	Apprentice Tradesman	2	GRADE 11
(337)	Custodial Svcs Shift Supervisor	2	GRADE 11
(338)	Secretary I	10	GRADE 11
(339)	Pharmacy Tech	1	GRADE 10
(340)	Clerical Assistant	2	GRADE 10
(341)	Cashier I	1	GRADE 09
(342)	Farm Worker	3	GRADE 08
(343)	Bldg/Equip Maint Repairman II	4	GRADE 08
(344)	Custodial Supervisor II	2	GRADE 08
(345)	Bldg/Equip Maint Repairman I	2	GRADE 06
(346)	Custodial Supervisor I	2	GRADE 06
(347)	Maint Worker II	4	GRADE 06
(348)	Custodial Worker II	20	GRADE 04

(349)	Maint Worker I	2	GRADE 04	
(350)	Custodial Worker I	16	GRADE 03	
	ASU TECHNICAL CENTER-MARKED TREE			
	NON-CLASSIFIED POSITIONS			
(351)	Asst Vice Chancellor Tech Center	1	$93,856	$95,733
(352)	Vo Tech Technician II	1	$68,309	$69,675
(353)	Director	4	$63,745	$65,020
(354)	Workforce Ed Faculty	40	$58,092	$59,254
(355)	Workforce Ed Part Time Faculty	18	$20,103	$20,505
	CLASSIFIED POSITIONS			
(356)	Accountant	1	GRADE 18	
(357)	Administrative Assistant II	3	GRADE 17	
(358)	Bldg Plant Maintenance Supv I	1	GRADE 16	
(359)	Landscape Supervisor I	1	GRADE 15	
(360)	Accounting Technician II	1	GRADE 15	
(361)	Administrative Secretary	1	GRADE 14	
(362)	Secretary II	3	GRADE 13	
(363)	Library Academic Tech II	1	GRADE 12	
(364)	Secretary I	1	GRADE 11	
(365)	Maintenance Worker Supervisor	2	GRADE 07	
(366)	Watchman	1	GRADE 03	
	MAX. NO. OF EMPLOYEES	2,179";		

Page 10, line 15 replace "five hundred" with "two thousand";

Page 10, line 16 replace "seventy four (574)" with "sixty four (2,064)";

Page 10, line 29 replace "118,456 118,456" with "120,825 123,242";

Page 11, line 2 replace "$ 60,604,779 $ 61,416,661" with "$ 60,607,148 $ 61,421,447";

Page 11, line 27 replace "13,172,775 13,172,775" with "13,567,958 13,567,958";

Page 12, line 5 replace "$ 245,981,839 $ 246,779,500" with "$ 246,377,022 $ 247,174,683".

(SIGNED) SENATOR SHAWN WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 322 was ordered engrossed.

On motion of Senator Brown, Senate Bill No. 323 was withdrawn from the Committee on Joint Budget, 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. 323

JBC 03/07/07 (1)

Amend Senate Bill No. 323 as engrossed, S3/5/07:

Page 2, delete lines 7 through page 21, line 6 and insert therefor:

" SYSTEM ADMINISTRATION
TWELVE MONTH EDUCATIONAL AND GENERAL
ADMINISTRATIVE POSITIONS

(1)	President, University of Arkansas	1	$190,763	$194,578
(2)	Vice-Pres for Agriculture/Chancellor	1	$166,451	$169,780
(3)	Vice-Pres. for Academic Affairs	1	$161,729	$164,964
(4)	Vice-Pres. for Fin. & Admin.	1	$157,675	$160,829
(5)	Vice-Pres. for Univ. Rel. & Pub. Ser	1	$145,514	$148,424
(6)	Vice-Pres. for Planning & Dev.	1	$145,514	$148,424
(7)	General Counsel	1	$145,514	$148,424
(8)	Assoc. Vice President	5	$129,305	$131,891
(9)	Dir. of Employee Benefits	1	$129,305	$131,891
(10)	Dir. of Internal Audits	1	$122,755	$125,210
(11)	Dir. of Plan. & Resource Services	1	$122,722	$125,176
(12)	Assoc. Dir. of Plng. & Res. Svcs.	2	$110,833	$113,050
(13)	Senior Assoc. General Counsel	1	$101,982	$104,022
(14)	Assoc. General Counsel	4	$99,917	$101,915
(15)	Asst. Dir. of Plng. & Res. Svcs	1	$98,210	$100,174
(16)	Asst. to the President	1	$96,853	$98,790
(17)	Research Associate	3	$94,449	$96,338
(18)	Regional Audit Manager	4	$93,625	$95,498
(19)	Dir. of Administrative Services	2	$92,744	$94,599
(20)	Contract Manager	1	$90,680	$92,494
(21)	Dir. of Computing Services	1	$85,584	$87,296
(22)	Director of Distance Learning	1	$84,399	$86,087
(23)	Telecomm. Operation Mgr.	1	$84,399	$86,087
(24)	Architect	1	$82,429	$84,078
(25)	Assoc. Director of Internal Audits	4	$78,228	$79,793
(26)	Associate Director	2	$69,022	$70,402
(27)	Dir. of University Information	1	$69,022	$70,402
(28)	Senior Internal Auditor	4	$64,962	$66,261
(29)	Assoc. for Administration	5	$62,836	$64,093

TWELVE MONTH EDUCATIONAL AND GENERAL
CLASSIFIED POSITIONS

(30)	Management Project Analyst II	1	GRADE 20
(31)	Plant Maintenance Supervisor	1	GRADE 18
(32)	Administrative Assistant II	5	GRADE 17
(33)	Administrative Assistant I	3	GRADE 15
(34)	Legal Assistant	1	GRADE 15
(35)	Administrative Secretary	8	GRADE 14
(36)	Secretary II	2	GRADE 13
(37)	Maintenance Worker Supervisor	1	GRADE 07
(38)	Custodial Supervisor I	1	GRADE 06
(39)	Maintenance Worker II	1	GRADE 05
(40)	Custodial Worker II	1	GRADE 04

U of A FAYETTEVILLE
TWELVE MONTH EDUCATIONAL AND GENERAL
ADMIN POSITIONS

(41)	Dean of Business Administration	1	$220,169	$224,572
(42)	Assoc Dean, Walton Coll. of Business	2	$200,071	$204,072
(43)	Chancellor, UA-Fayetteville	1	$175,911	$179,429
(44)	Vice Chancellor/Provost	1	$173,633	$177,106
(45)	Dean of Law	1	$155,650	$158,763
(46)	Vice-Chanc. for Finance & Admin.	1	$155,650	$158,763
(47)	Dean of Engineering	1	$153,995	$157,075
(48)	Vice-Chanc. for Student Affairs	1	$151,598	$154,630
(49)	Assoc. Vice-Chanc. for Advancement	3	$149,825	$152,822
(50)	Dean	8	$149,569	$152,560
(51)	Vice-Chan for Govt & Comm Rel	1	$145,514	$148,424
(52)	Vice-Chan for Univ Advancement	1	$145,514	$148,424
(53)	Assoc. Vice Chancellor	6	$139,345	$142,132
(54)	Vice-Provost	2	$139,345	$142,132
(55)	Associate Dean	13	$138,647	$141,420
(56)	Dir of Community Design Ctr	1	$132,546	$135,197
(57)	Dir. of Computing Services	1	$129,916	$132,514
(58)	Assoc. Vice-Provost For Research	2	$129,092	$131,674
(59)	Director of University Press	1	$126,270	$128,795
(60)	Sr. Asst. Dean of Business	1	$124,701	$127,195
(61)	Sr. Major Gift Development Officer	1	$124,701	$127,195
(62)	Director of Deferred Giving	1	$124,701	$127,195
(63)	Dir. of Corp & Foundations Relations	1	$124,701	$127,195
(64)	Dir of Research Support & Spons Prog	1	$123,222	$125,686
(65)	Asst. V-C for Advancement	2	$112,095	$114,337
(66)	Assoc. Vice-Chanc. for Finance	1	$111,069	$113,290
(67)	Director of Outreach	2	$109,628	$111,821
(68)	Major Gift Development Officer	37	$109,628	$111,821
(69)	Assoc. Vice-Chanc. for Admin.	1	$109,042	$111,223
(70)	Dir. of Institutional Research	1	$108,027	$110,188
(71)	Assoc. Dir. of Computing Services	7	$107,378	$109,526
(72)	Asst. to the Chancellor	2	$106,740	$108,875
(73)	Assistant Dean	9	$104,987	$107,087
(74)	Asst. Vice-Provost for Research	1	$104,987	$107,087
(75)	Associate Dir. of Development	1	$103,772	$105,847
(76)	Dir. of Alumni	1	$103,772	$105,847
(77)	Director of Executive Education	1	$103,439	$105,508
(78)	Assoc. Vice-Chanc. for Business	1	$102,961	$105,020
(79)	Financial Systems Coord.	1	$102,961	$105,020
(80)	Assoc Dir, Resrch Suppt & Spon Prog	1	$100,985	$103,005

(81)	Director of Museum	1	$98,900	$100,878
(82)	Director of Technology	2	$98,339	$100,306
(83)	Asst. Vice-Chancellor	4	$96,914	$98,852
(84)	Controller	1	$96,853	$98,790
(85)	Director of Financial Aid	1	$96,853	$98,790
(86)	Director of Special Events	1	$96,853	$98,790
(87)	Director of Engineering Systems	6	$94,801	$96,697
(88)	Assoc. Vice-Chanc. for Student Affai	2	$94,388	$96,276
(89)	Dir. of Business Career Development	1	$93,010	$94,870
(90)	Director of Career Services	1	$92,744	$94,599
(91)	Investment Manager	1	$92,744	$94,599
(92)	Dir. of Financial & Mgmt. Analysis	1	$91,916	$93,754
(93)	Director of Affirmative Action	1	$91,655	$93,488
(94)	Development/Advancement Admin.	45		
	Development/Advancement Director		$91,608	$93,440
	Development/Advancement Manager		$72,829	$74,286
	Development/Advancement Specialist		$62,836	$64,093
(95)	Asst. Dir. Of Res. Support & Spons.	1	$91,300	$93,126
(96)	Director of Admissions	1	$89,703	$91,497
(97)	Dir. of Student Development	1	$89,030	$90,811
(98)	Business Manager	1	$87,996	$89,756
(99)	Dir. Business and Economic Research	1	$87,739	$89,494
(100)	Project/Program Administrators	240		
	Sr. Project/Program Director		$87,342	$89,089
	Project/Program Director		$80,365	$81,972
	Project/Program Manager		$72,829	$74,286
	Project/Program Specialist		$62,836	$64,093
(101)	Registrar	1	$86,407	$88,135
(102)	Assoc. Controller	1	$85,944	$87,663
(103)	Annual Fund Coordinator	1	$84,763	$86,458
(104)	Budget Director	1	$84,763	$86,458
(105)	Director of Distance Learning	2	$84,399	$86,087
(106)	Dir. of Technology Mediated Learning	1	$84,399	$86,087
(107)	Director of University Police	1	$83,757	$85,432
(108)	Architect	2	$82,429	$84,078
(109)	Dir. of General Adult Education	1	$80,364	$81,971
(110)	Associate Dir of Technology	3	$79,528	$81,119
(111)	Assoc. Dir. Of Executive Education	2	$76,947	$78,486
(112)	Dir. of Credit Studies	1	$76,655	$78,188
(113)	Landscape Architect	1	$74,877	$76,375
(114)	Master Scientific Research Tech.	13	$72,829	$74,286
(115)	Dir. of University Relations	1	$72,113	$73,555
(116)	Academic Counselor	28	$71,430	$72,859
(117)	Student Development Specialist	9	$68,598	$69,970
(118)	Administrative Data Manager	1	$68,402	$69,770
(119)	Assist Dir of Affirm Action	1	$66,161	$67,484
(120)	Coord. of Academic Space	1	$65,927	$67,246
(121)	Assoc. Dir. Of Enhanced Learning Ctr	1	$64,097	$65,379
(122)	Assoc. Dir. of Financial Aid	1	$64,007	$65,287
(123)	Associate Director of Admissions	1	$64,007	$65,287
(124)	Instructional Designer	14	$63,193	$64,457
(125)	Associate for Administration	1	$62,836	$64,093
(126)	Conference Coordinator	6	$61,801	$63,037
(127)	Scientific Research Technologist	13	$60,232	$61,437
(128)	Assistant to the Dean	10	$57,264	$58,409
(129)	Licensing Administrator	1	$51,793	$52,829

TWELVE MONTH EDUCATIONAL AND GENERAL
CLASSIFIED POSITIONS

(130)	DP Production Mgr II - Inst	1	GRADE 25
(131)	HE Public Safety Commander III	1	GRADE 24
(132)	Security Analyst II	2	GRADE 24
(133)	Systems Analyst III - Inst	13	GRADE 24
(134)	Systems Programmer III - Inst	7	GRADE 24
(135)	UAF Assoc Dir of Physical Plant	1	GRADE 24
(136)	Asst Dir Computer Svcs I - Inst	1	GRADE 23
(137)	DP Production Manager I - Inst	2	GRADE 23
(138)	UAF Associate Registrar	4	GRADE 23
(139)	UAF Assistant Controller	1	GRADE 23
(140)	UAF Construction Coordinator	7	GRADE 23
(141)	UAF Energy Cons & Mgmt Engineer	1	GRADE 23
(142)	UAF Engineering Manager	1	GRADE 23
(143)	Computer Support Spec III - Inst	14	GRADE 22
(144)	DP Network Technician III - Inst	3	GRADE 22
(145)	DP Operations Supv III - Inst	2	GRADE 22
(146)	Security Analyst I	2	GRADE 22
(147)	Systems Analyst II - Inst	18	GRADE 22
(148)	Systems Programmer II - Inst	4	GRADE 22
(149)	UAF Plant Maintenance Engineer	1	GRADE 22
(150)	Accounting Supervisor II	6	GRADE 21
(151)	Database Coordinator I	2	GRADE 21
(152)	HE Public Safety Commander I	4	GRADE 21
(153)	Inst Personnel Services Manager	1	GRADE 21
(154)	UAF Director of Housekeeping	1	GRADE 21
(155)	University Press Production Mgr	1	GRADE 21
(156)	Accounting Supervisor I	7	GRADE 20
(157)	Buyer Supervisor	2	GRADE 20
(158)	Computer Support Spec II - Inst	33	GRADE 20
(159)	DP Network Technician II - Inst	5	GRADE 20
(160)	Editor	5	GRADE 20
(161)	HE Public Safety Supervisor	6	GRADE 20
(162)	Health Physicist	1	GRADE 20
(163)	Institution Personnel Analyst	1	GRADE 20
(164)	Management Project Analyst II	6	GRADE 20
(165)	Media Specialist	1	GRADE 20
(166)	Occupational Safety Coordinator	4	GRADE 20
(167)	Program Coordinator	32	GRADE 20
(168)	Research Technologist II	1	GRADE 20
(169)	Systems Analyst I - Inst	10	GRADE 20
(170)	Systems Programmer I - Inst	3	GRADE 20
(171)	UAF Asst Director of Information	2	GRADE 20
(172)	UAF Plant Maint Coordinator	3	GRADE 20
(173)	Web Site Coordinator II	2	GRADE 20
(174)	Accountant II	6	GRADE 19
(175)	Applications Programmer II - Inst	7	GRADE 19
(176)	Buyer	6	GRADE 19
(177)	Coordinator of Information Svcs	1	GRADE 19
(178)	Health Physics Technologist	1	GRADE 19
(179)	Library Supervisor II	5	GRADE 19
(180)	Radio Program Director	1	GRADE 19
(181)	Research Project Analyst	1	GRADE 19
(182)	Skilled Trades Foreman	12	GRADE 19
(183)	Accountant	37	GRADE 18
(184)	Assistant Registrar	1	GRADE 18

(185)	Computer Support Spec I - Inst	26	GRADE 18
(186)	Const & Maint Proj Estimator	1	GRADE 18
(187)	DP Network Technician I - Inst	5	GRADE 18
(188)	Fabrication Shop Manager	1	GRADE 18
(189)	Financial Aid Officer II	8	GRADE 18
(190)	HE Public Safety Officer II	25	GRADE 18
(191)	Management Project Analyst I	14	GRADE 18
(192)	Payroll Services Specialist	2	GRADE 18
(193)	Personnel Assistant II - Inst	5	GRADE 18
(194)	Plant Maintenance Supervisor	4	GRADE 18
(195)	Plant Warehouse Foreman	3	GRADE 18
(196)	Recycling/Solid Waste Mgmt Coord	1	GRADE 18
(197)	Safety Supervisor	2	GRADE 18
(198)	Skilled Trades Supervisor	12	GRADE 18
(199)	Staff Development Specialist II	1	GRADE 18
(200)	Web Site Coordinator I	2	GRADE 18
(201)	Administrative Assistant II	60	GRADE 17
(202)	Applications Programmer I - Inst	7	GRADE 17
(203)	Audiovisual Aids Supervisor	1	GRADE 17
(204)	Graphic Artist II	3	GRADE 17
(205)	Instrumentation Tech II	3	GRADE 17
(206)	Inventory Control Manager	4	GRADE 17
(207)	Landscape Supervisor II	2	GRADE 17
(208)	Library Supervisor I	16	GRADE 17
(209)	Logistics Manager	2	GRADE 17
(210)	Multimedia Specialist	5	GRADE 17
(211)	Pest Control Technician Supv	1	GRADE 17
(212)	Proof Editor	1	GRADE 17
(213)	Publicity & Information Spec	6	GRADE 17
(214)	Skilled Trades Worker	104	GRADE 17
(215)	Stationary Engineer	12	GRADE 17
(216)	Telephone Technician	1	GRADE 17
(217)	Admissions Analyst Supervisor	3	GRADE 16
(218)	Alumni Affairs Specialist	1	GRADE 16
(219)	Athletic Facility Supervisor	4	GRADE 16
(220)	Computer Tape Librarian - Inst	1	GRADE 16
(221)	Computer Technician II - Inst	7	GRADE 16
(222)	Coordinator of Housekeeping	10	GRADE 16
(223)	Financial Aid Officer I	3	GRADE 16
(224)	HE Public Safety Officer I	4	GRADE 16
(225)	Manager of Mailing Services	1	GRADE 16
(226)	Photographer II - Inst	1	GRADE 16
(227)	Plant Warehouse Asst Foreman	1	GRADE 16
(228)	Staff Development Specialist I	1	GRADE 16
(229)	Accounting Technician II	49	GRADE 15
(230)	Accounts Supervisor	1	GRADE 15
(231)	Administrative Assistant I	58	GRADE 15
(232)	Administrative Office Supervisor	12	GRADE 15
(233)	Central Supply Supervisor	1	GRADE 15
(234)	Computer Lab Technician II - Inst	5	GRADE 15
(235)	Equipment Mechanic	1	GRADE 15
(236)	Graphic Artist I	1	GRADE 15
(237)	Payroll Officer	2	GRADE 15
(238)	Pest Control Technician	1	GRADE 15
(239)	Research Assistant	3	GRADE 15
(240)	Store Supervisor	2	GRADE 15
(241)	Administrative Secretary	46	GRADE 14

(242)	Admissions Analyst II	15	GRADE 14
(243)	Architectural Draftsman	3	GRADE 14
(244)	Audiovisual Technician	1	GRADE 14
(245)	Collector	4	GRADE 14
(246)	Computer Technician I - Inst	13	GRADE 14
(247)	Library Academic Technician III	26	GRADE 14
(248)	Medical/Legal Secretary	3	GRADE 14
(249)	Personnel Asst I - Inst	2	GRADE 14
(250)	Computer Lab Technician I	7	GRADE 13
(251)	Data Entry Operator Supervisor	1	GRADE 13
(252)	Head Cashier	1	GRADE 13
(253)	Multimedia Tech Controller I	1	GRADE 13
(254)	Photographer I -Inst	1	GRADE 13
(255)	Secretary II	78	GRADE 13
(256)	Accounting Technician I	16	GRADE 12
(257)	Admissions Analyst I	1	GRADE 12
(258)	Athletic Equipment Supervisor	2	GRADE 12
(259)	Cashier II	6	GRADE 12
(260)	Dispatch Operator	2	GRADE 12
(261)	Document Examiner II	13	GRADE 12
(262)	Fire Equipment Svcs Inspector	1	GRADE 12
(263)	HE Public Safety Dispatcher	6	GRADE 12
(264)	HE Pub Safety Security Officer I	1	GRADE 12
(265)	Library Academic Technician II	24	GRADE 12
(266)	Mailroom Supervisor	2	GRADE 12
(267)	Registrar's Assistant	14	GRADE 12
(268)	Apprentice Tradesman	27	GRADE 11
(269)	Audiovisual Lab Assistant	1	GRADE 11
(270)	Heavy Equipment Operator	7	GRADE 11
(271)	Laboratory Assistant II	1	GRADE 11
(272)	Purchasing Assistant	2	GRADE 11
(273)	Secretary I	38	GRADE 11
(274)	Shipping and Receiving Clerk	3	GRADE 11
(275)	Clerical Assistant	2	GRADE 10
(276)	Data Entry Specialist	11	GRADE 10
(277)	Document Examiner I	4	GRADE 10
(278)	Inventory Control Clerk	6	GRADE 10
(279)	Library Academic Technician I	11	GRADE 10
(280)	Receptionist	4	GRADE 10
(281)	Laboratory Assistant I	1	GRADE 09
(282)	Mail Officer	7	GRADE 09
(283)	Switchboard Operator II	2	GRADE 09
(284)	Equipment Operator	7	GRADE 08
(285)	Skilled Trades Helper	25	GRADE 08
(286)	Maintenance Worker Supervisor	6	GRADE 07
(287)	Office Clerk	2	GRADE 07
(288)	Switchboard Operator I	3	GRADE 07
(289)	Maintenance Worker II	39	GRADE 05
(290)	Stock Clerk II	3	GRADE 05
(291)	Custodial Worker II	166	GRADE 04
(292)	Maintenance Worker I	2	GRADE 04
(293)	Stock Clerk I	1	GRADE 04

TWELVE MONTH EDUCATIONAL AND GENERAL ACADEMIC POSITIONS			
(294) Faculty	199		
Distinguished Professor		$162,030	$165,271
University Professor		$150,105	$153,107
Professor - Law		$142,172	$145,015
Professor		$138,647	$141,420
Assoc. Professor - Law		$128,880	$131,458
Assoc. Professor		$118,273	$120,638
Assistant Professor		$111,906	$114,144
Instructor		$79,756	$81,351
(295) Department Chairperson	40	$141,622	$144,454
(296) Library Faculty	48		
Librarian		$95,419	$97,327
Associate Librarian		$87,793	$89,549
Assistant Librarian		$72,839	$74,296
(297) Curator Faculty	2		
Curator		$94,448	$96,337
Assoc. Curator		$89,442	$91,231
Asst. Curator		$72,839	$74,296
(298) Research Associate	40	$94,448	$96,337
(299) Senior Graduate Assistant	57	$81,417	$83,045
(300) Post Doctoral Fellow	6	$74,622	$76,114
(301) Research Assistant	44	$59,739	$60,934
(302) Teaching Associate	1	$59,739	$60,934
(303) Senior Library Assistant	15	$57,274	$58,419
(304) Graduate Assistant	80	$44,853	$45,750
(305) Teaching Assistant	3	$44,692	$45,586
NINE MONTH EDUCATIONAL AND GENERAL ACADEMIC POSITIONS			
(306) Walton College of Business Faculty	32		
Professor		$174,947	$178,446
Assoc. Professor		$149,825	$152,822
Asst. Professor		$134,750	$137,445
(307) Faculty	792		
Distinguished Professor - Law		$149,519	$152,509
Professor - Law		$139,708	$142,502
Distinguished Professor		$139,498	$142,288
University Professor		$136,315	$139,041
Professor		$131,006	$133,626
Assoc. Professor - Law		$120,401	$122,809
Assoc. Professor		$111,906	$114,144
Asst. Professor - Law		$111,906	$114,144
Asst. Professor		$108,477	$110,647
Instructor		$72,111	$73,553
Lecturer		$63,866	$65,143
(308) Senior Graduate Assistant	95	$81,417	$83,045
(309) Research Associate	2	$70,625	$72,038
(310) Graduate Assistant	460	$44,853	$45,750
AGRICULTURAL EXPERIMENT STATION TWELVE MONTH EDUCATIONAL AND GENERAL ADMINISTRATIVE POSITIONS			
(311) Assoc. V.P. - Exp. Sta./Dean	1	$146,631	$149,564
(312) Assoc. Dir. of Agri. Exper. Station	2	$143,289	$146,155
(313) Director of Development	2	$125,380	$127,888
(314) Asst. Dir. of Agri. Exper. Station	1	$107,014	$109,154
(315) Asst. to the Assoc. VP-Exper Station	1	$97,003	$98,943

(316)	Fiscal Operations Manager	1	$97,003	$98,943
(317)	Resident Director in Charge	7	$93,155	$95,018
(318)	Director of Distance Learning	1	$84,399	$86,087
(319)	Project/Program Administrators	67		
	Project/Program Director		$80,365	$81,972
	Project/Program Manager		$72,829	$74,286
	Project/Program Specialist		$62,836	$64,093

AGRICULTURAL EXPERIMENT STATION
TWELVE MONTH EDUCATIONAL AND GENERAL
CLASSIFIED POSITIONS

(320)	Computer Support Spec III - Inst	2	GRADE 22
(321)	Accounting Supervisor II	1	GRADE 21
(322)	Accounting Supervisor I	4	GRADE 20
(323)	Computer Support Spec II - Inst	1	GRADE 20
(324)	DP Network Technician II - Inst	2	GRADE 20
(325)	Program Coordinator	6	GRADE 20
(326)	Research Technologist II	7	GRADE 20
(327)	Systems Analyst I -Inst	2	GRADE 20
(328)	Accountant	14	GRADE 18
(329)	Computer Support Spec I - Inst	1	GRADE 18
(330)	DP Network Technician I - Inst	3	GRADE 18
(331)	Personnel Assistant II - Inst	1	GRADE 18
(332)	Plant Maintenance Supervisor	1	GRADE 18
(333)	Research Technologist I	8	GRADE 18
(334)	Administrative Assistant II	10	GRADE 17
(335)	Auto/Diesel Mechanic	1	GRADE 17
(336)	Farm Foreman -Inst	15	GRADE 17
(337)	Skilled Trades Worker	12	GRADE 17
(338)	Computer Tech II - Inst	2	GRADE 16
(339)	Accounting Technician II	16	GRADE 15
(340)	Administrative Assistant I	11	GRADE 15
(341)	Administrative Office Supervisor	8	GRADE 15
(342)	Computer Lab Technician II - Inst	1	GRADE 15
(343)	Farm Maintenance Mechanic	14	GRADE 15
(344)	Inst Maint Work Pln & Scheduler	1	GRADE 15
(345)	Research Assistant	5	GRADE 15
(346)	Administrative Secretary	4	GRADE 14
(347)	Greenhouse Technician	3	GRADE 14
(348)	Personnel Assistant I - Inst	1	GRADE 14
(349)	Research Field Technician	6	GRADE 14
(350)	Laboratory Assistant III	10	GRADE 13
(351)	Research Technician II	11	GRADE 13
(352)	Secretary II	33	GRADE 13
(353)	Accounting Technician I	3	GRADE 12
(354)	Agriculture Lab Technician	65	GRADE 11
(355)	Heavy Equipment Operator	2	GRADE 11
(356)	Secretary I	9	GRADE 11
(357)	Agriculture Farm Technician	52	GRADE 10
(358)	Motor Vehicle Operator	1	GRADE 10
(359)	Bldg/Equip Maint Repairman II	1	GRADE 08
(360)	Farm Worker	3	GRADE 08
(361)	Custodial Supervisor I	1	GRADE 06
(362)	Custodial Worker II	1	GRADE 04

AGRICULTURAL EXPERIMENT STATION			
TWELVE MONTH EDUCATIONAL AND GENERAL			
ACADEMIC POSITIONS			
(363) Faculty	196		
Distinguished Professor		$162,030	$165,271
University Professor		$150,105	$153,107
Professor		$138,647	$141,420
Assoc. Professor		$118,273	$120,638
Asst. Professor		$111,906	$114,144
Curator Faculty		$94,448	$96,337
Instructor		$79,756	$81,351
(364) Department Chairperson	11	$141,622	$144,454
(365) Program Associate	107	$94,448	$96,337
(366) Director of Springdale Lab	1	$85,231	$86,936
(367) Post Doctoral Associate	43	$74,622	$76,114
(368) Associate for Administration	3	$62,834	$64,091
(369) Program Technician	96	$62,834	$64,091
(370) Senior Graduate Assistant	66	$74,788	$76,284
(371) Program Assistant	15	$59,739	$60,934
(372) Graduate Assistant	72	$41,225	$42,050
AGRICULTURE EXPERIMENT STATION			
NINE MONTH EDUCATIONAL AND GENERAL			
ACADEMIC POSITIONS			
(373) Faculty	5		
Distinguished Professor		$139,498	$142,288
University Professor		$136,315	$139,041
Professor		$131,006	$133,626
Assoc. Professor		$111,906	$114,144
Asst. Professor		$108,477	$110,647
Instructor		$72,111	$73,553
AGRICULTURE EXPERIMENT STATION			
ANIMAL DISEASE DIAGNOSTIC LABORATORY			
TWELVE MONTH EDUCATIONAL AND GENERAL			
CLASSIFIED POSITIONS			
(374) Microbiologist Supervisor	1	GRADE 23	
(375) Microbiologist II	1	GRADE 20	
(376) Microbiologist I	1	GRADE 18	
(377) Microbiologist Intern	1	GRADE 16	
COOPERATIVE EXTENSION SERVICE			
TWELVE MONTH EDUCATIONAL AND GENERAL			
ADMINISTRATIVE POSITIONS			
(378) Assoc. V.P. - Ext. Serv./Dean	1	$146,631	$149,564
(379) Assoc. Director	2	$143,289	$146,155
(380) District Director	5	$132,546	$135,197
(381) Director of Development	1	$125,380	$127,888
(382) Project/Program Administrators	95		
Sr. Project/Program Director		$87,342	$89,089
Project/Program Director		$80,365	$81,972
Project/Program Manager		$72,829	$74,286
Project/Program Specialist		$62,836	$64,093
(383) Dir. of Physical Plant	1	$76,036	$77,557

COOPERATIVE EXTENSION SERVICE
TWELVE MONTH EDUCATIONAL AND GENERAL
CLASSIFIED POSITIONS

(384)	Print Shop Manager	1	GRADE 20
(385)	Plant Maintenance Coordinator	1	GRADE 20
(386)	Payroll Services Specialist	1	GRADE 18
(387)	Web Site Coordinator I	2	GRADE 18
(388)	Accountant	3	GRADE 18
(389)	Personnel Assistant II - Inst	2	GRADE 18
(390)	Plant Maintenance Supervisor	1	GRADE 18
(391)	Printer Supervisor	2	GRADE 18
(392)	Purchasing Agent	1	GRADE 18
(393)	Administrative Assistant II	10	GRADE 17
(394)	Printer III	2	GRADE 17
(395)	Graphic Artist II	5	GRADE 17
(396)	Skilled Trades Worker	2	GRADE 17
(397)	Special Events Coordinator	1	GRADE 17
(398)	Computer Technician II - Inst	2	GRADE 16
(399)	Plant Warehouse Asst Foreman	2	GRADE 16
(400)	Printer II	4	GRADE 16
(401)	Accounting Technician II	15	GRADE 15
(402)	Instrumentation Technician I	1	GRADE 15
(403)	Administrative Assistant I	2	GRADE 15
(404)	Administrative Office Supervisor	89	GRADE 15
(405)	Campus Postmaster	1	GRADE 15
(406)	Farm Maintenance Mechanic	1	GRADE 15
(407)	Landscape Supervisor I	1	GRADE 15
(408)	Livestock News Reporter	6	GRADE 15
(409)	Administrative Secretary	13	GRADE 14
(410)	Personnel Assistant I - Inst	1	GRADE 14
(411)	Boiler Operator	1	GRADE 13
(412)	Multimedia Tech Controller I	1	GRADE 13
(413)	Printer I	3	GRADE 13
(414)	Secretary II	59	GRADE 13
(415)	Supervisor of Cooking	1	GRADE 13
(416)	Accounting Technician I	3	GRADE 12
(417)	Program Assistant - CES	111	GRADE 12
(418)	Apprentice Tradesman	1	GRADE 11
(419)	Custodial Services Shift Supv	1	GRADE 11
(420)	Purchasing Assistant	1	GRADE 11
(421)	Secretary I	42	GRADE 11
(422)	Shipping and Receiving Clerk	5	GRADE 11
(423)	Clerical Assistant	2	GRADE 10
(424)	Custodial Supervisor II	1	GRADE 08
(425)	Maintenance Worker II	1	GRADE 05
(426)	Custodial Worker II	6	GRADE 04
(427)	Maintenance Worker I	1	GRADE 04
(428)	Custodial Worker I	4	GRADE 03

COOPERATIVE EXTENSION SERVICE
TWELVE MONTH EDUCATIONAL AND GENERAL
ACADEMIC POSITIONS

(429)	Faculty	140		
	Distinguished Professor		$162,030	$165,271
	University Professor		$150,105	$153,107
	Professor		$138,647	$141,420
	Assoc. Professor		$118,273	$120,638
	Asst. Professor		$111,906	$114,144
	Instructor		$79,756	$81,351
(430)	Field Faculty	265		
	County Ext. Agent IV		$118,273	$120,638
	County Ext. Agent III		$114,330	$116,617
	County Ext. Agent II		$79,756	$81,351
	County Ext. Agent I		$73,927	$75,406
(431)	Program Associate	40	$94,448	$96,337
(432)	Program Technician	40	$62,834	$64,091

ARKANSAS ARCHEOLOGICAL SURVEY
TWELVE MONTH EDUCATIONAL AND GENERAL
ADMINISTRATIVE POSITIONS

(433)	Dir. of Ark. Archeological Survey	1	$129,868	$132,465
(434)	State Archeologist	1	$112,585	$114,837
(435)	Survey Assistant Director	1	$98,174	$100,137

ARKANSAS ARCHEOLOGICAL SURVEY
TWELVE MONTH EDUCATIONAL AND GENERAL
CLASSIFIED POSITIONS

(436)	Accounting Supervisor II	1	GRADE 21
(437)	Editor	2	GRADE 20
(438)	Accountant	2	GRADE 18
(439)	Graphic Artist II	1	GRADE 17
(440)	Photographer II - Inst	2	GRADE 16
(441)	Administrative Assistant I	1	GRADE 15
(442)	Archaeological Field Asst III	2	GRADE 15
(443)	Archaeological Lab Assistant III	4	GRADE 15
(444)	Graphic Artist I	1	GRADE 15
(445)	Administrative Secretary	1	GRADE 14
(446)	Archaeological Field Asst II	4	GRADE 13
(447)	Archaeological Lab Assistant II	4	GRADE 13
(448)	Secretary II	4	GRADE 13
(449)	Accounting Technician I	1	GRADE 12
(450)	Archaeological Field Assistant I	3	GRADE 11
(451)	Archaeological Lab Assistant I	4	GRADE 11
(452)	Secretary I	10	GRADE 11
(453)	Custodial Worker II	1	GRADE 04

ARKANSAS ARCHEOLOGICAL SURVEY
TWELVE MONTH EDUCATIONAL AND GENERAL
ACADEMIC POSITIONS

(454)	Archeologist	10	$112,152	$114,395
(455)	Assoc. Archeologist	10	$96,853	$98,790
(456)	Asst. Archeologist	13	$90,009	$91,809
(457)	Survey Research Associate	6	$87,590	$89,342
(458)	Survey Research Assistant	20	$59,739	$60,934
(459)	Archeological Assistant	9	$33,970	$34,649

U of A FAYETTEVILLE
AUXILIARY ENTERPRISES
TWELVE MONTH AUXILIARY ENTERPRISES
NON-CLASSIFIED POSITIONS

(460)	Director of Athletics	2	$151,122	$154,144
(461)	Head Basketball Coach	2	$151,122	$154,144
(462)	Head Football Coach	1	$151,122	$154,144
(463)	Physician - Health Center	6	$129,853	$132,450
(464)	Assoc. Dir. of Athletics	5	$116,753	$119,088
(465)	Asst. Football Coach	10	$110,224	$112,428
(466)	Defensive Coordinator	1	$110,224	$112,428
(467)	Offensive Coordinator	1	$110,224	$112,428
(468)	Dir. of Tennis/Track Facility	1	$103,117	$105,179
(469)	Dir. Of Gymnastics Facility	1	$103,117	$105,179
(470)	Asst. Dir. of Athletics	9	$99,132	$101,115
(471)	Dir of Residence Life	1	$97,287	$99,233
(472)	Asst. Basketball Coach	6	$97,105	$99,047
(473)	Director of Counseling	1	$92,119	$93,961
(474)	Baseball Coach	1	$90,553	$92,364
(475)	Golf Coach	2	$90,553	$92,364
(476)	Head Coach	3	$90,553	$92,364
(477)	Head Swimming Coach	1	$90,553	$92,364
(478)	Head Tennis Coach	2	$90,553	$92,364
(479)	Head Track Coach	1	$90,553	$92,364
(480)	Head Volley Ball Coach	1	$90,553	$92,364
(481)	Soccer Coach	1	$90,553	$92,364
(482)	Pharmacist	2	$89,538	$91,329
(483)	Concessions/Advertising Manager	3	$84,594	$86,286
(484)	Stadium Manager	1	$84,594	$86,286
(485)	Dir. Campus Cntr. Prgms & Activities	1	$82,858	$84,515
(486)	Project/Program Administrators	35		
	Project/Program Director		$80,365	$81,972
	Project/Program Manager		$72,829	$74,286
	Project/Program Specialist		$62,836	$64,093
(487)	Head Trainer	2	$78,484	$80,054
(488)	Patient Care Supervisor	1	$74,067	$75,548
(489)	Mental Health Clinician	9	$72,113	$73,555
(490)	Pilot	3	$72,026	$73,467
(491)	Registered Nurse Practitioner	5	$71,520	$72,950
(492)	Academic Counselor	12	$71,430	$72,859
(493)	Student Development Specialist	11	$68,598	$69,970
(494)	Asst. Swimming Coach	2	$65,572	$66,883
(495)	Assoc. for Administration	2	$65,572	$66,883
(496)	Asst. Volley Ball Coach	1	$65,572	$66,883
(497)	Asst. Tennis Coach	1	$65,572	$66,883
(498)	Media Facilities Coordinator	3	$65,572	$66,883
(499)	Asst. Baseball Coach	2	$62,948	$64,207
(500)	Asst. Soccer Coach	2	$62,948	$64,207
(501)	Asst. Coach	18	$62,948	$64,207
(502)	Asst. Track Coach	3	$62,948	$64,207
(503)	Registered Nurse	6	$61,510	$62,740
(504)	Asst. Trainer	6	$49,949	$50,948
(505)	Graduate Assistant	10	$33,970	$34,649
(506)	Student Assistant		$16,928	$17,267

TWELVE MONTH AUXILIARY ENTERPRISES
CLASSIFIED POSITIONS

(507)	UAF Director of Housing	1	GRADE 25
(508)	UAF Director of Student Union	1	GRADE 24
(509)	UAF Assistant Business Manager	2	GRADE 23
(510)	UAF Assoc Director of AR Union	1	GRADE 23
(511)	Computer Support Spec III - Inst	1	GRADE 22
(512)	Medical Technologist III	1	GRADE 22
(513)	Accounting Supervisor II	1	GRADE 21
(514)	Assistant Director of Printing	1	GRADE 21
(515)	UAF Sports Information Coord	2	GRADE 21
(516)	Accounting Supervisor I	1	GRADE 20
(517)	Computer Support Spec II - Inst	3	GRADE 20
(518)	Medical Technologist II	3	GRADE 20
(519)	Program Coordinator	9	GRADE 20
(520)	Student Health Services Nurse II	6	GRADE 20
(521)	Systems Analyst I - Inst	1	GRADE 20
(522)	Associate Bookstore Manager	2	GRADE 19
(523)	Accountant II	1	GRADE 19
(524)	Applications Programmer II	1	GRADE 19
(525)	Buyer	1	GRADE 19
(526)	Coord of Sports Information	3	GRADE 19
(527)	Skilled Trades Foreman	3	GRADE 19
(528)	Transit Operations Supervisor	1	GRADE 19
(529)	Accountant	5	GRADE 18
(530)	Computer Support Spec I - Inst	7	GRADE 18
(531)	Plant Maintenance Supervisor	1	GRADE 18
(532)	Printer Supervisor	3	GRADE 18
(533)	Printing Estimator/Planner	2	GRADE 18
(534)	Skilled Trades Supervisor	4	GRADE 18
(535)	X-Ray Technician III	1	GRADE 18
(536)	Administrative Assistant II	7	GRADE 17
(537)	Applications Programmer I - Inst	2	GRADE 17
(538)	Graphic Artist II	6	GRADE 17
(539)	Inventory Control Manager	4	GRADE 17
(540)	Logistics Manager	2	GRADE 17
(541)	Medical Diagnostic Analyst	1	GRADE 17
(542)	Multimedia Specialist	1	GRADE 17
(543)	Printer III	3	GRADE 17
(544)	Program Advisor	2	GRADE 17
(545)	Skilled Trades Worker	26	GRADE 17
(546)	Athletic Facilities Supervisor	6	GRADE 16
(547)	Computer Technician II - Inst	1	GRADE 16
(548)	Coordinator of Housekeeping	7	GRADE 16
(549)	Printer II	10	GRADE 16
(550)	Accounting Technician II	13	GRADE 15
(551)	Accounts Supervisor	1	GRADE 15
(552)	Administrative Assistant I	14	GRADE 15
(553)	Administrative Office Supervisor	4	GRADE 15
(554)	Central Supply Supervisor	2	GRADE 15
(555)	Landscape Supervisor I	2	GRADE 15
(556)	LPN II	3	GRADE 15
(557)	Medical Records Technician	2	GRADE 15
(558)	Store Supervisor	4	GRADE 15
(559)	Assistant Purchase Agent	1	GRADE 15
(560)	Reproduction Equip Operator Supv	2	GRADE 15
(561)	Vehicle Facilities Coordinator	4	GRADE 15

(562)	Administrative Secretary	4	GRADE 14	
(563)	Audiovisual Technician	2	GRADE 14	
(564)	Collector	1	GRADE 14	
(565)	Computer Technician I - Inst	1	GRADE 14	
(566)	Institutional Bus Driver	26	GRADE 14	
(567)	LPN I	3	GRADE 14	
(568)	Medical/Legal Secretary	1	GRADE 14	
(569)	Resident Hall Manager II	4	GRADE 14	
(570)	Head Cashier	3	GRADE 13	
(571)	Laboratory Assistant III	1	GRADE 13	
(572)	Printer I	3	GRADE 13	
(573)	Secretary II	16	GRADE 13	
(574)	Accounting Technician I	8	GRADE 12	
(575)	Athletic Equipment Supervisor	2	GRADE 12	
(576)	Certified Nursing Asst II	4	GRADE 12	
(577)	Dispatch Operator	3	GRADE 12	
(578)	Document Examiner II	2	GRADE 12	
(579)	Reproduction Technician Spec	6	GRADE 12	
(580)	Cashier II	8	GRADE 12	
(581)	Heavy Equipment Operator	1	GRADE 11	
(582)	Pharmacy Technician	1	GRADE 11	
(583)	Purchasing Assistant	3	GRADE 11	
(584)	Secretary I	19	GRADE 11	
(585)	Shipping & Receiving Clerk	4	GRADE 11	
(586)	Clerical Assistant	3	GRADE 10	
(587)	Cook II	1	GRADE 10	
(588)	Data Entry Specialist	5	GRADE 10	
(589)	Motor Vehicle Operator	2	GRADE 10	
(590)	Receptionist	11	GRADE 10	
(591)	Reproduction Equipment Operator	1	GRADE 10	
(592)	Cashier I	5	GRADE 09	
(593)	Parking Control Officer	12	GRADE 09	
(594)	Bldg/Equip Maint Repairman II	2	GRADE 08	
(595)	Custodial Supervisor II	2	GRADE 08	
(596)	Equipment Operator	1	GRADE 08	
(597)	Skilled Trades Helper	4	GRADE 08	
(598)	Maintenance Worker Supervisor	1	GRADE 07	
(599)	Bldg/Equip Maint Repairman I	1	GRADE 06	
(600)	Custodial Supervisor I	2	GRADE 06	
(601)	Maintenance Worker II	15	GRADE 05	
(602)	Stock Clerk II	1	GRADE 05	
(603)	Custodial Worker II	63	GRADE 04	

CRIMINAL JUSTICE INSTITUTE
TWELVE MONTH EDUCATIONAL AND GENERAL
ADMINISTRATIVE AND ACADEMIC POSITIONS

(604)	Director, Criminal Justice Institute	1	$129,868	$132,465
(605)	Assoc. Dir Criminal Justice Inst	2	$112,585	$114,837
(606)	Asst. Dir., Fiscal Affairs	1	$98,210	$100,174
(607)	Project/Program Administrators	27		
	Sr. Project/Program Director		$87,342	$89,089
	Project/Program Director		$80,365	$81,972
	Project/Program Manager		$72,829	$74,286
	Project/Program Specialist		$62,836	$64,093
(608)	Director of Computer Serv.	1	$71,023	$72,443
(609)	Institutional Assistant	5	$53,270	$54,335
(610)	Law Enforcemt Supervision Instructor	2	$51,805	$52,841

CRIMINAL JUSTICE INSTITUTE
TWELVE MONTH EDUCATIONAL AND GENERAL
CLASSIFIED POSITIONS

(611) Administrative Assistant II	1	GRADE 17	
(612) Accounting Technician II	1	GRADE 15	
(613) Payroll Officer	1	GRADE 15	
(614) Administrative Secretary	3	GRADE 14	
(615) Secretary II	2	GRADE 13	

CLINTON SCHOOL OF PUBLIC SERVICE
TWELVE MONTH EDUCATIONAL AND GENERAL
ADMINISTRATIVE AND ACADEMIC POSITIONS

(616) Faculty - 12 month	17		
Distinguished Professor		$162,030	$165,271
Professor		$138,647	$141,420
Instructor		$79,756	$81,351
(617) Dean of Clinton School	1	$155,649	$158,762
(618) Director of Development	1	$120,637	$123,050
(619) Project/Program Administrator	5		
Project/Program Director		$80,365	$81,972
Project/Program Manager		$72,829	$74,286
Project/Program Specialist		$62,836	$64,093
(620) Lecturer	9	$63,866	$65,143

CLINTON SCHOOL OF PUBLIC SERVICE
TWELVE MONTH EDUCATIONAL AND GENERAL
CLASSIFIED POSITIONS

(621) Systems Analyst I - Inst	1	GRADE 20	

ARK SCHOOL FOR MATH, SCI AND ARTS

(622) ASMSA Director	1	$96,420	$98,348
(623) ASMSA Dean of Academic Affairs	1	$84,791	$86,487
(624) ASMSA Fiscal Administrator	1	$82,654	$84,307
(625) ASMSA Outreach Coordinator	1	$78,864	$80,441
(626) ASMSA Dean Of Students	1	$78,546	$80,117
(627) ASMSA Annual Fund Coordinator	1	$67,168	$68,511
(628) ASMSA Recruiter/Public Relations	1	$60,285	$61,491
(629) ASMSA Network Administrator	1	$57,075	$58,217
(630) ASMSA Counselor	2	$57,075	$58,217
(631) ASMSA Teacher	64	$57,075	$58,217
(632) ASMSA Asst Network Engineer	2	$57,077	$58,219
(633) ASMSA Distant Learning Tech	1	$44,435	$45,324
(634) ASMSA Facility Manager	1	$44,435	$45,324
(635) ASMSA External Affairs Assistant	1	$37,053	$37,794
(636) ASMSA Project/Program Specialist	5	$37,053	$37,794
(637) ASMSA Coord Of Residential Life	1	$36,225	$36,950
(638) ASMSA Administrative Assistant	1	$33,207	$33,871
(639) ASMSA Teacher - Part Time	8	$33,180	$33,844
(640) ASMSA Community Developer	1	$32,863	$33,520
(641) ASMSA Registrar	1	$32,863	$33,520
(642) ASMSA Nurse	1	$32,863	$33,520
(643) ASMSA Secretary	2	$28,259	$28,824
(644) ASMSA Maintenance Supervisor	1	$27,172	$27,715
(645) ASMSA Library Assistant	2	$22,699	$23,153
(646) ASMSA Residential Mentor	14	$22,699	$23,153

(647)	ASMSA Receptionist	1	$20,700	$21,114
(648)	ASMSA Maintenance Worker	3	$20,326	$20,733
(649)	ASMSA Fiscal Assistant	1	$19,921	$20,319
(650)	ASMSA Counselor Secretary	1	$18,084	$18,446
(651)	ASMSA Residential Life Secretary	1	$18,084	$18,446

MAX. NO. OF EMPLOYEES 7,082";

Page 22, line 27 replace "22,550,000 22,550,000" with "24,805,000 27,285,500";

Page 23, line 4 replace "$ 698,240,000 $ 702,309,800" with "$ 700,495,000 $ 707,045,300";

Page 23, line 17 replace "119,000 119,000" with "130,900 143,990";

Page 23, line 28 replace "$ 5,696,180 $ 5,717,274" with "$ 5,708,080 $ 5,742,264";

Page 24, between lines 32 and 33 insert:
"(02) EXTRA HELP 100,000 100,000";
and renumber the items in Section 9;

Page 25, line 4 replace "$ 913,771 $ 927,817" with "$ 1,013,771 $ 1,027,817".

(SIGNED) SENATOR SHAWN WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 323 was ordered engrossed.

On motion of Senator Brown, Senate Bill No. 466 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. 466

JBC 03/19/07 (TECHNICAL CORRECTION)

Amend Senate Bill No. 466 as originally introduced:

Insert an additional section immediately following SECTION 4 to read as follows:

" SECTION 5. APPROPRIATIONS - ECONOMIC DEVELOPMENT INCENTIVE PROGRAM - CREATE REBATE. There is hereby appropriated, to the Department of Economic Development, to be payable from the Economic Development Incentive Fund of the Arkansas Economic Development Commission, the following:

(A) For providing financial incentives to companies locating a new facility or expanding an existing facility within the State of Arkansas and for reimbursement to companies that hire and maintain specified levels of employment, the sum of .....$39,500,000."

AND

Appropriately renumber the remaining sections of the bill.

(SIGNED) SENATOR SHAWN WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 466 was ordered engrossed.

On motion of Senator Brown, 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 Brown, the rules were suspended in considering House Bill No. 1866 at this time.

On motion of Senator Brown, House Bill No. 1866 was called up for third reading and final disposition.

HOUSE BILL NO. 1866
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE RAGLAND

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR THE ARKANSAS STATE GAME AND FISH COMMISSION FOR LAND AND CONSERVATION EASEMENTS ACQUISITION WHICH SHALL BE SUPPLEMENTAL AND IN ADDITION TO THOSE FUNDS APPROPRIATED BY ACT 1154 OF 2005; AND FOR OTHER PURPOSES.

House Bill No. 1866 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. 1866, 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. 1866 was ordered immediately returned to the House as passed.

On motion of Senator Brown, the rules were suspended in considering Senate Bill No. 91 at this time.

On motion of Senator Brown, Senate Bill No. 91 was called up for third reading and final disposition.

SENATE BILL NO. 91

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATOR G. JEFFRESS

A Bill for an Act to be Entitled: AN ACT TO CLARIFY THE PURPOSES OF THE APPROPRIATION ENACTED BY ACT 1029 AND ACT 2315 OF THE REGULAR SESSION OF 2005; AND FOR OTHER PURPOSES.

Senate Bill No. 91 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. 91, 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. 91 was ordered immediately transmitted to the House.

On motion of Senator Brown, the rules were suspended in considering House Bill No. 1120 at this time.

On motion of Senator Brown, House Bill No. 1120 was called up for third reading and final disposition.

HOUSE BILL NO. 1120

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 TEACHER HOUSING DEVELOPMENT FOUNDATION FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

House Bill No. 1120 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. 1120, 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. 1120 was ordered immediately returned to the House as passed.

On motion of Senator Brown, the rules were suspended in considering House Bill No. 1393 at this time.

On motion of Senator Brown, House Bill No. 1393 was called up for third reading and final disposition.

HOUSE BILL NO. 1393

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 MAKING PAYMENTS FOR CITY-COUNTY TOURIST FACILITIES AS REQUIRED BY THE CITY-COUNTY TOURIST MEETING AND ENTERTAINMENT FACILITIES ASSISTANCE LAW BY THE OFFICE OF THE TREASURER OF STATE FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

House Bill No. 1393 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. 1393, 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. 1393 was ordered immediately transmitted to the House as passed.

On motion of Senator Brown, the rules were suspended in considering House Bill No. 1412 at this time.

On motion of Senator Brown, House Bill No. 1412 was called up for third reading and final disposition.

HOUSE BILL NO. 1412

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 DIVISION OF LEGISLATIVE AUDIT OF THE LEGISLATIVE JOINT AUDITING COMMITTEE FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

House Bill No. 1412 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. 1412, 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. 1412 was ordered immediately returned to the House as passed.

On motion of Senator Brown, the rules were suspended in considering House Bill No. 1595 at this time.

On motion of Senator Brown, House Bill No. 1595 was called up for third reading and final disposition.

HOUSE BILL NO. 1595

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 HEALTH AND HUMAN SERVICES; AND FOR OTHER PURPOSES.

House Bill No. 1595 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. 1595, 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. 1595 was ordered immediately returned to the House as passed.

On motion of Senator Brown, the rules were suspended in considering House Bill No. 1599 at this time.

On motion of Senator Brown, House Bill No. 1599 was called up for third reading and final disposition.

HOUSE BILL NO. 1599

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; AND FOR OTHER PURPOSES.

House Bill No. 1599 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. 1599, 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. 1599 was ordered immediately returned to the House as passed.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 20, 2007

Mr. President:

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

SENATE BILL NO. 293, BY SENATOR MALONE,
SENATE BILL NO. 361, BY SENATOR HORN, et al,
SENATE BILL NO. 861, BY SENATOR PRITCHARD,
SENATE BILL NO. 895, BY SENATOR HORN, et al,
SENATE BILL NO. 945, BY SENATOR WOMACK, et al,
SENATE BILL NO. 1001, BY SENATOR MALONE.

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

March 20, 2007

Mr. President:

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

HOUSE BILL NO. 2346, BY REPRESENTATIVE WILLS,

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

HOUSE CONCURRENT RESOLUTION NO. 1021
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE SAUNDERS

HOUSE CONCURRENT RESOLUTION REQUESTING THAT IN CONCORDANCE WITH THE 2006 ACT 57 ADEQUACY STUDY, THE JOINT INTERIM COMMITTEE ON PUBLIC RETIREMENT AND SOCIAL SECURITY PROGRAMS STUDY THE POSSIBILITY OF REQUIRING FURTHER REVIEW BY THE GENERAL ASSEMBLY BEFORE ANY FUTURE INCREASES TO THE EMPLOYER CONTRIBUTION RATE OR GRANTS OF ADDITIONAL AUTHORITY TO THE ARKANSAS TEACHER RETIREMENT SYSTEM.

House Concurrent Resolution No. 1021 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1097

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE HARRIS

A Bill for an Act to be Entitled: AN ACT TO AMEND DEFINITIONS CONCERNING CERTAIN RETIREMENT FUNDING ALLOCATIONS; AND FOR OTHER PURPOSES.

House Bill No. 1097 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1172

As Engrossed: H3/12/07 H3/14/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES HARRIS AND GREENBERG

A Bill for an Act to be Entitled: AN ACT CONCERNING POLICE PENSION AND RELIEF FUNDS OF CITIES OF THE FIRST CLASS; AND FOR OTHER PURPOSES.

House Bill No. 1172 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1187

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES EDWARDS, PATE, HOYT, ET AL

BY: SENATOR MADISON

A Bill for an Act to be Entitled: AN ACT EXTENDING THE PERIOD OF AN ARKANSAS TEACHER RETIREMENT SYSTEM EARNINGS LIMITATION WAIVER; AND FOR OTHER PURPOSES.

House Bill No. 1187 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1277

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE HARRIS

A Bill for an Act to be Entitled: AN ACT TO AUTHORIZE THE PAYMENT OF RETROACTIVE BENEFIT INCREASES TO SURVIVING SPOUSES OF DECEASED FIREFIGHTERS KILLED WHILE ON DUTY WHO APPLY FOR BENEFIT RESTORATION; AND FOR OTHER PURPOSES.

House Bill No. 1277 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1703
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES DAVENPORT, CASH AND DUNN, ET AL
BY: SENATORS T. SMITH AND WILKINSON

A Bill for an Act to be Entitled: AN ACT TO ADOPT THE AGREEMENT AMONG THE STATES TO ELECT THE PRESIDENT BY NATIONAL POPULAR VOTE; AND FOR OTHER PURPOSES.

House Bill No. 1703 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

HOUSE BILL NO. 2367
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE GREENBERG

A Bill for an Act to be Entitled: AN ACT CONCERNING THE MANNER OF CHOOSING AND ELECTION OF ELECTORS OF PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES; AND FOR OTHER PURPOSES.

House Bill No. 2367 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

HOUSE BILL NO. 2383
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE REEP

A Bill for an Act to be Entitled: AN ACT TO AUTHORIZE THE ARKANSAS STATE PARKS, RECREATION, AND TRAVEL COMMISSION AND THE DEPARTMENT OF PARKS AND TOURISM TO DISPOSE OF SURPLUS PROPERTY; AND FOR OTHER PURPOSES.

House Bill No. 2383 was read the first time, rules suspended, read the second time and referred to the Committee on AGRICULTURE, ECONOMIC & INDUSTRIAL DEVELOPMENT.

HOUSE BILL NO. 2407
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE BOND

A Bill for an Act to be Entitled: AN ACT TO AUTHORIZE THE SECURITIES COMMISSIONER TO JOIN WITH REGULATORY AGENCIES OF OTHER STATES AND ORGANIZATIONS IN ORDER TO PARTICIPATE IN AN AUTOMATED MULTISTATE LICENSING SYSTEM FOR MORTGAGE LOAN BROKERS, MORTGAGE LOAN BANKERS, MORTGAGE LOAN SERVICES, AND MORTGAGE LOAN OFFICES; TO AMEND THE FAIR MORTGAGE LENDING ACT; AND FOR OTHER PURPOSES.

House Bill No. 2407 was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE & COMMERCE.

HOUSE BILL NO. 2451
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE MALOCH

A Bill for an Act to be Entitled: AN ACT TO PROVIDE LICENSED VETERINARIANS A LIEN FOR PROFESSIONAL VETERINARY SERVICES; AND FOR OTHER PURPOSES.

House Bill No. 2451 was read the first time, rules suspended, read the second time and referred to the Committee on AGRICULTURE, ECONOMIC & INDUSTRIAL DEVELOPMENT.

HOUSE BILL NO. 2460
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES WEBB, ADCOCK, T. BAKER, ET AL
BY: SENATORS ARGUE, BROADWAY, BROWN, BRYLES, FARIS, J. JEFFRESS, MADISON, MALONE, SALMON, R. THOMPSON & *CRUMBLY*

A Bill for an Act to be Entitled: AN ACT TO ESTABLISH THE GOVERNOR'S COMMISSION ON GLOBAL WARMING; TO DIRECT THE COMMISSION TO STUDY ISSUES RELATED TO GLOBAL WARMING AND THE EMERGING CARBON MARKET; TO ESTABLISH A GLOBAL WARMING POLLUTANT REDUCTION GOAL AND COMPREHENSIVE STRATEGIC PLAN; AND FOR OTHER PURPOSES.

House Bill No. 2460 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

HOUSE BILL NO. 2534

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE L. SMITH

A Bill for an Act to be Entitled: AN ACT TO ASSIST RESIDENTIAL TENANTS THAT ARE VICTIMS OF DOMESTIC ABUSE, SEX CRIMES, OR STALKING; AND FOR OTHER PURPOSES.

House Bill No. 2534 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

HOUSE BILL NO. 2692

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES OVERBEY, SAUNDERS & GLIDEWELL

BY: SENATOR ALTES

A Bill for an Act to be Entitled: AN ACT TO ALLOW COUNTIES THE SAME TAX BENEFITS AS MUNICIPALITIES WHEN SELLING ADMISSION TICKETS TO CERTAIN EVENTS; AND FOR OTHER PURPOSES.

House Bill No. 2692 was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY & LOCAL AFFAIRS.

HOUSE BILL NO. 2739
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE D. JOHNSON

A Bill for an Act to be Entitled: AN ACT TO CREATE THE LEGISLATIVE TASK FORCE ON AUTISM; TO PROVIDE FOR THE APPOINTMENT OF ITS MEMBERS; TO DESCRIBE ITS MISSION AND RESPONSIBILITIES; AND FOR OTHER PURPOSES.

House Bill No. 2739 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

HOUSE BILL NO. 2691
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE MALOCH

A Bill for an Act to be Entitled: AN ACT TO ESTABLISH A LEGAL FRAMEWORK FOR THE REGULATION OF SERVICE CONTRACTS; AND FOR OTHER PURPOSES.

House Bill No. 2691 was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE & COMMERCE.

HOUSE BILL NO. 2788
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE SAUNDERS

A Bill for an Act to be Entitled: AN ACT CONCERNING CRUELTY TO ANIMALS AND RELATED OFFENSES; CONCERNING ANIMAL MANAGEMENT PRACTICES; AND FOR OTHER PURPOSES.

House Bill No. 2788 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

Senate Bill No. 379 was returned from the House as passed as amended.

On motion of Senator Miller, Senate Bill No. 379 was ordered re-referred to the Committee on INSURANCE & COMMERCE.

Senate Bill No. 840 was returned from the House as passed as amended.

Senate Bill No. 52 was returned from the House as passed and ordered enrolled.

Senate Bill No. 65 was returned from the House as passed and ordered enrolled.

Senate Bill No. 127 was returned from the House as passed and ordered enrolled.

Senate Bill No. 252 was returned from the House as passed and ordered enrolled.

Senate Bill No. 257 was returned from the House as passed and ordered enrolled.

Senate Bill No. 308 was returned from the House as passed and ordered enrolled.

Senate Bill No. 357 was returned from the House as passed and ordered enrolled.

Senate Bill No. 398 was returned from the House as passed and ordered enrolled.

Senate Bill No. 440 was returned from the House as passed and ordered enrolled.

Senate Bill No. 637 was returned from the House as passed and ordered enrolled.

Senate Bill No. 766 was returned from the House as passed and ordered enrolled.

Senate Bill No. 768 was returned from the House as passed and ordered enrolled.

Senate Bill No. 800 was returned from the House as passed and ordered enrolled.

Senate Bill No. 910 was returned from the House as passed and ordered enrolled.

Senate Bill No. 948 was returned from the House as passed and ordered enrolled.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 20, 2007

Mr. President:

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

SENATE BILL NO. 311, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 319, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 321, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 322, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 323, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 466, 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 Brown, Senate Bill No. 311 was ordered re-referred to the Committee on JOINT BUDGET.

On motion of Senator Brown, Senate Bill No. 319 was ordered re-referred to the Committee on JOINT BUDGET.

On motion of Senator Brown, Senate Bill No. 321 was ordered re-referred to the Committee on JOINT BUDGET.

On motion of Senator Brown, Senate Bill No. 322 was ordered re-referred to the Committee on JOINT BUDGET.

On motion of Senator Brown, Senate Bill No. 323 was ordered re-referred to the Committee on JOINT BUDGET.

On motion of Senator Brown, Senate Bill No. 466 was ordered re-referred to the Committee on JOINT BUDGET.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 20, 2007

Mr. President:

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

HOUSE BILL NO. 1490, BY REPRESENTATIVE HARRIS,
HOUSE BILL NO. 1535, BY REPRESENTATIVE BOND,
HOUSE BILL NO. 2234, BY REPRESENTATIVE NORTON, 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

March 20, 2007

Mr. President:

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

HOUSE BILL NO. 1589, BY REPRESENTATIVE PACE, 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

March 20, 2007

Mr. President:

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

HOUSE BILL NO. 2270, BY REPRESENTATIVE HYDE,
HOUSE BILL NO. 2733, BY REPRESENTATIVE MEDLEY,

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 Salmon, House Bill No. 2270 was ordered re-referred to the Committee on JUDICIARY.

On motion of Senator Laverty, House Bill No. 2733 was ordered re-referred to the Committee on Judiciary.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 20, 2007

Mr. President:

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

HOUSE BILL NO. 2705, BY REPRESENTATIVE SAUNDERS,

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, House Bill No. 2705 was ordered re-referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

SENATE RESOLUTION NO. 23
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS BROWN AND STEELE

SENATE RESOLUTION HONORING THE OUTSTANDING ACHIEVEMENTS AND 2006 SEASON OF ARKANSAS RAZORBACK DARREN MCFADDEN.

Senate Resolution No. 23 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. 28
SENATE BILL NO. 29
SENATE BILL NO. 91
SENATE BILL NO. 777
SENATE BILL NO. 798
SENATE BILL NO. 819
SENATE BILL NO. 957

SENATE CONCURRENT RESOLUTION TRANSMITTED
TO THE HOUSE AS ADOPTED

SENATE CONCURRENT RESOLUTION NO. 21
SENATE CONCURRENT RESOLUTION NO. 24

HOUSE BILLS RETURNED TO THE HOUSE
AS PASSED

HOUSE BILL NO. 1120
HOUSE BILL NO. 1250
HOUSE BILL NO. 1373
HOUSE BILL NO. 1393
HOUSE BILL NO. 1412
HOUSE BILL NO. 1577
HOUSE BILL NO. 1595
HOUSE BILL NO. 1599
HOUSE BILL NO. 1866
HOUSE BILL NO. 1890
HOUSE BILL NO. 2225
HOUSE BILL NO. 2281
HOUSE BILL NO. 2305
HOUSE BILL NO. 2351
HOUSE BILL NO. 2374
HOUSE BILL NO. 2397
HOUSE BILL NO. 2463
HOUSE BILL NO. 2604
HOUSE BILL NO. 2701

HOUSE BILLS RETURNED TO THE HOUSE
AS PASSED AS AMENDED

HOUSE BILL NO. 1299 AS AMENDED NO. 1 & NO. 2

HOUSE CONCURRENT RESOLUTION RETURNED
TO THE HOUSE AS CONCURRED IN

HOUSE CONCURRENT RESOLUTION NO. 1030

SENATE BILLS RETURNED FROM THE HOUSE
AS PASSED

SENATE BILL NO. 52
SENATE BILL NO. 65
SENATE BILL NO. 127
SENATE BILL NO. 252
SENATE BILL NO. 257
SENATE BILL NO. 296
SENATE BILL NO. 308
SENATE BILL NO. 357
SENATE BILL NO. 398
SENATE BILL NO. 439
SENATE BILL NO. 440
SENATE BILL NO. 637
SENATE BILL NO. 766
SENATE BILL NO. 768
SENATE BILL NO. 800
SENATE BILL NO. 821
SENATE BILL NO. 849
SENATE BILL NO. 904
SENATE BILL NO. 910
SENATE BILL NO. 948

SENATE BILLS RETURNED FROM THE HOUSE
AS PASSED AS AMENDED

SENATE BILL NO. 89 AS AMENDED NO. 1
SENATE BILL NO. 379 AS AMENDED NO. 1
SENATE BILL NO. 840 AS AMENDED NO. 1

SENATE CONCURRENT RESOLUTION RETURNED FROM THE HOUSE
AS CONCURRED IN

SENATE CONCURRENT RESOLUTION NO. 26

HOUSE BILLS TRANSMITTED TO THE SENATE
AS PASSED

HOUSE BILL NO. 1097
HOUSE BILL NO. 1172
HOUSE BILL NO. 1187
HOUSE BILL NO. 1277
HOUSE BILL NO. 1703
HOUSE BILL NO. 2367
HOUSE BILL NO. 2383
HOUSE BILL NO. 2407
HOUSE BILL NO. 2451
HOUSE BILL NO. 2460
HOUSE BILL NO. 2534
HOUSE BILL NO. 2691
HOUSE BILL NO. 2692
HOUSE BILL NO. 2739
HOUSE BILL NO. 2788

HOUSE CONCURRENT RESOLUTION TRANSMITTED
TO THE SENATE AS ADOPTED

HOUSE CONCURRENT RESOLUTION NO. 1021

On motion of Senator Whitaker, the Senate adjourned until 1:30 p.m., Wednesday, March 21, 2007.

_____
PRESIDENT OF THE SENATE

_____
SECRETARY OF THE SENATE

--ooOoo--

SEVENTY-THIRD DAY'S PROCEEDINGS

SENATE CHAMBER

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

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Little Rock, Arkansas

March 21, 2001

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 Tracy Steele.

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 Brown, Senate Bill No. 372 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. 372

Amend Senate Bill No. 372 as engrossed, S3/7/07:

Page 1, delete lines 30 and 31 and substitute the following:

"(B) A clean up lien may have priority against other lienholders as provided in this section;"

AND

Page 2, line 5, delete "that" and substitute "located on previously platted and subdivided property that is not fit for human habitation and"

AND

Page 2, delete lines 8 and 9 and substitute the following:

"(5) "Weed lot" means a previously platted and subdivided lot that is vacant or upon which an unsafe and vacant structure is located and that contains debris, rubbish, or grass which is higher"

AND

Page 2, lines 23 and 24, delete "first priority clean up"

AND

Page 2, line 27, delete "priority"

AND

Page 2, line 29, delete "and" and substitute "or"

AND

Page 3, delete lines 11 and 12 and substitute the following:

"(7)(A) If the city or town wishes to secure a clean up lien, it shall provide seven (7) business days' notice to lienholders before"

AND

Page 3, delete line 17 and substitute the following:
“holders of unrecorded liens or to unrecorded assignees of lienholders.

(D) Any lienholder receiving notice under this section shall, within seven (7) business days from receipt of the notice, send a written response to the city or town indicating whether the owner of the property is in default under the terms of the note or mortgage.”

AND

Page 3, line 24, after “owner” and before “of”, add “and lienholders of record”

And

Page 3, delete lines 26 through 28

AND

Page 3, line 29, delete “(3)” and substitute “(2)”

AND

Page 3, line 31, delete “(4)” and substitute “(3)”

AND

Page 3, delete line 33 and substitute the following:
“create and impose the clean up or court lien.”

AND

Page 3, line 34, delete “(1)”

AND

Page 4, delete lines 2 through 6 and substitute the following:
“the owner are known and to the lienholders of record.”

AND

Page 4, line 8, after “the” and before “lien” add “clean up or court”

AND

Page 4, delete line 13 and substitute the following:
“amount of any clean up or court lien and creating and imposing any clean up or court lien under this section is subject to”

AND

Page 4, line 14, delete “the lienholder” and substitute “any lienholder”

AND

Page 4, line 17, delete “and priority”

AND

Page 4, delete lines 19 through 22 and substitute the following:

“(i) The city or town shall file its lien with the circuit clerk no later than sixty (60) days after the governing body of the city or town confirms the lien amount, or if the lien is appealed, within sixty (60) days after the city or town wins on appeal.

(j)(1) If the city or town wishes to secure a first priority status for any clean up lien created and imposed in accordance with this section, it shall file an action with the circuit court within which the property is located seeking a declaration that the clean up lien is entitled to priority over previously recorded liens and naming the holders of the recorded liens as defendants.

(2) Priority status shall be awarded to the clean up lien with respect to any previously recorded lien if the court determines that such lienholder has failed to exercise its rights to foreclose its lien when the obligation it secures becomes in default or has failed to pay the costs of work undertaken by a city or town that comprise the clean up lien. However, the amount as to which the clean up lien shall have priority shall be such an amount as the court deems to be reasonable and, in any event, shall be limited to:

(A) No more than one thousand dollars ($1,000) for grass or weed cutting;

(B) No more than five thousand dollars ($5,000) to board and secure the property;

(C) No more than seven thousand five hundred dollars ($7,500) to demolish any structures on the property; or

(D) No more than fifteen thousand dollars ($15,000) for environmental remediation.”

(SIGNED) SENATOR IRMA HUNTER BROWN

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 372 was ordered engrossed.

On motion of Senator Steele, Senate Bill No. 306 was withdrawn from the Committee on JOINT BUDGET, 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. 306

Amend Senate Bill No. 306 as engrossed, S3/1/07:

Add a new section immediately following SECTION 1 to read as follows:

"SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. Uncodified Section 4 of Act 755 of 2003, concerning the Arkansas Commission on Eye and Vision Care of School Age Children is amended as follows:

~~SECTION 4. Funding.~~

~~(a)(1) The commission's funding shall be from grants, donations, and any other funds that may be made available through appropriations by the General Assembly.~~

~~(2) Moneys received by the commission shall be used solely for the support of the functions of the commission.~~

~~(b)(1) Grants and donations received by the commission shall be cash funds and shall be administered by the Arkansas Department of Health but shall be subject to appropriation by the General Assembly.~~

~~(2) Any moneys received from grantors and donors that are not expended by the commission shall be returned to the grantors and donors in proportion that each bears to the total of all grants and donations received by the commission.~~"

And

Appropriately renumber subsequent sections of the bill.

(SIGNED) SENATOR STEELE

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 306 was ordered engrossed.

On motion of Senator Faris, Senate Bill No. 884 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. 884

Amend Senate Bill No. 884 as originally introduced:

"SECTION 1. Arkansas Code § 2-16-504(b)(1)(A), concerning petitions to establish districts concerning the uncontrolled growth of Johnson grass, is amended to read as follows:

(b)(1)(A) Immediately upon the submission of the petition to the county court or courts, the court or courts shall notify the ~~county board or boards of election commissioners~~ county election coordinators in writing, and the ~~county board or boards of election commissioners~~ county election coordinators shall call a special election to be held not less than thirty (30) days nor more than sixty (60) days after the filing of the petition.

SECTION 2. Arkansas Code § 3-9-206(b)(1) and (2), concerning local option referendum elections, is amended to read as follows:

(b)(1) The election shall be held and conducted by the county election coordinator and the results certified ~~under the supervision of~~ by the county board of election commissioners in the manner provided by the election laws of this state.

(2)(A) The ~~county board~~ county election coordinator shall fix the date of the election not less than thirty (30) days nor more than sixty (60) days from the date the election was called pursuant to subdivision (a)(1) or (a)(2) of this section and give notice thereof by publication in a newspaper of general circulation in the city or county by at least two (2) insertions, the last being not less than ten (10) days prior to the election.

SECTION 3. Arkansas Code § 6-14-102 is amended to read as follows:

6-14-102. Annual school election date - Special school election. ~~[Effective January 1, 2006.]~~

(a)(1) The annual school election shall be held in each school district of the state on the third Tuesday in September.

(2) The annual school election shall only concern issues authorized to be on the ballot by the Arkansas Constitution or by statute, and no other issues shall appear on the ballot.

(b) The board of directors of any school district shall have the authority to hold a school election concerning the tax rate or debt issues on a date other than that fixed by law provided that:

(1) All constitutional and statutory requirements for the annual school election are met, notwithstanding subdivision (a)(1) of this section;

(2) The election is held before the date of the annual school election; and

(3) The Commissioner of Education approves the date of the election.

(c)(1) In any election year, if no more than one (1) candidate for school district director presents a petition or notice in writing ~~to the county board of election commissioners~~ as required by § 6-14-111 and if there are no other ballot issues to be submitted to district electors for consideration, the board of directors of any school district, by resolution duly adopted, may request the ~~county board of election commissioners~~ county election coordinator to reduce the number of polling places or to open no polling places on election day so that the election can be conducted by absentee ballot and early voting only.

(2) If requested by resolution adopted by the board of directors of any school district, the ~~county board of election commissioners~~ county election coordinator may provide that no polling places be open on election day so that the election can be conducted by absentee ballot and early voting only, if:

(A) No more than one (1) candidate for school district director presents a petition or notice in writing ~~to the county board of election commissioners~~ as required by § 6-14-111; and

(B) There are no other ballot issues to be submitted to district electors for consideration.

(3) In a county that uses voting machines or electronic vote tabulating devices, the ~~county board of election commissioners~~ county election coordinator may choose to use paper ballots counted by hand in combination with voting machines equipped for use by individuals with disabilities.

(d) The board of directors of any school district shall have the authority to request the ~~county board of election commissioners~~ county election coordinator to call a special election for the purpose of considering a rate of tax for additional millages for maintenance and operations or for debt service as authorized by Arkansas Constitution, Amendment 74, provided that:

(1) All constitutional and statutory requirements for a special school election are met;

(2) The date of the election is approved by the commissioner; and

(3)(A) The special election is held on the second Tuesday of any month, except as provided in subdivision (d)(3)(B) of this section.

(B)(i)(a) Special elections held in months in which a presidential preferential primary election, preferential primary election, general primary election, or general election is scheduled to occur shall be held on the date of the presidential preferential primary election, preferential primary election, general primary election, or general election. (b)(1)(A) If a special election is held on the date of the presidential preferential primary election, preferential primary election, or general primary election, the issue or issues to be voted upon at the special election shall be included on the ballot of each political party.

(B) However, separate ballots containing only the issue or issues to be voted upon at the special election shall be prepared and made available to voters requesting a separate ballot.

(2) No voter shall be required to vote in a political party's presidential preferential primary, preferential primary, or general primary in order to be able to vote at the special election.

(ii) Special elections scheduled to occur in a month in which the second Tuesday is a legal holiday shall be held on the third Tuesday of the month.

SECTION 4. Arkansas Code § 6-14-122(d)(1), concerning the consolidation, annexation, or merger of public school districts, is amended to read as follows:

(d)(1) The special election on consolidation or annexation shall be held by the same ~~officials~~ officers at the same polling places, and the returns shall be made, canvassed, and published in the same manner as is provided by law for annual school elections.

SECTION 5. Arkansas Code § 6-53-602 is amended to read as follows:

6-53-602. Formation of a proposed district.

(a)(1) Upon request of the local board of a technical college or the Arkansas Higher Education Coordinating Board acting as a local board of a technical college, the coordinating board shall determine whether formation of a proposed technical college district is feasible according to criteria established by the coordinating board for the formation of a technical college district.

(2) The boundaries of the technical college district are to be determined by the local board or the coordinating board acting as the local board.

(b)(1) Within ten (10) calendar days after the coordinating board determines that the formation of a proposed district is feasible, the local board or the coordinating board acting as the local board shall notify the ~~county board of election commissioners~~ county election coordinator in each county of which any portion is in the proposed technical college district that an election will be held to determine whether the district shall be formed and whether an ad valorem tax shall be levied on property in the district to fund site acquisition, construction, equipping, and operation of the college.

(2)(A) The local board or acting local board shall set a date for the election to be held at a time not less than thirty (30) calendar days after the local board or acting local board notifies the ~~county boards~~ county election coordinator.

(B)(i) The election shall occur on the second Tuesday of any month, except as provided in subdivision (b)(2)(B)(ii) of this section.

) (ii)(a)(1) Elections held in months in which a presidential preferential primary election, preferential primary election, general primary election, or general election is scheduled to occur shall be held on the date of the presidential preferential primary election, preferential primary election, general primary election, or general election.

(2)(A)(i) If an election is held on the date of the presidential preferential primary election, preferential primary election, or general primary election, the issue or issues to be voted upon at the election shall be included on the ballot of each political party.

(ii) However, separate ballots containing only the issue or issues to be voted upon at the election shall be prepared and made available to voters requesting a separate ballot.

(B) No voter shall be required to vote in a political party's presidential preferential primary, preferential primary, or general primary in order to be able to vote in the special election.

(b) Elections scheduled to occur in a month in which the second Tuesday is a legal holiday shall be held on the third Tuesday of the month.

(3) The local board or acting local board shall specify the wording of the ballot to be used for the election utilizing appropriate language similar to that found in § 6-61-513(c), and the ~~county boards of election commissioners~~ county election coordinator shall conduct the election in the manner provided by law for special elections.

(c)(1) Except as provided in subdivision (c)(2) of this section, if the establishment of a proposed technical college district fails because of an adverse vote by a majority of the qualified electors of the proposed district voting thereon at the election, no new election for the establishment thereof shall be held within a period of one (1) year after the date of the election.

(2)(A) If the formation of a proposed technical college district fails and the majority of votes cast in one (1) or more counties or cities in a proposed district were against the formation of the district, the local board or acting local board may notify the ~~county boards of election commissioners~~ county election coordinator that an election will be held on the issue of forming a proposed district that does not include the county, city, counties, or cities in which the issue failed.

(B) The local board or acting local board shall set a date for the election to be held no less than thirty (30) calendar days after the local board or acting local board notifies the ~~county boards~~ county election coordinator.

(C) The procedures for an election to form a proposed reconstituted district shall be identical to the procedures for an election to establish a technical college district.

(d)(1) If the local board or acting local board of a technical college determines that the question of a tax levy in the technical college district should be submitted to the electors after the district is formed, it shall certify the millage requested to the ~~county board of election commissioners~~ county election coordinator of each county of which any portion is in the technical college district.

(2) The ~~county boards~~ county election coordinator shall place the question of the levy on the ballot at the next general election if the date of the general election is not less than thirty (30) calendar days after the ~~county boards~~ county election coordinator ~~receive~~ receives certification from the local board or acting local board.

(3)(A) In the alternative, the local board or acting local board may set a date for a special election at a time not less than thirty (30) calendar days after the local board or acting local board notifies the ~~county boards~~ county election coordinator.

(B)(i) The special election shall occur on the second Tuesday of any month, except as provided in subdivision (d)(3)(B)(ii) of this section.

(ii)(a)(1) Special elections held in months in which a presidential preferential primary election, preferential primary election, general primary election, or general election is scheduled to occur shall be held on the date of the presidential preferential primary election, preferential primary election, general primary election, or general election.

(2)(A)(i) If a special election is held on the date of the presidential preferential primary election, preferential primary election, or general primary election, the issue or issues to be voted upon at the special election shall be included on the ballot of each political party.

(ii) However, separate ballots containing only the issue or issues to be voted upon at the special election shall be prepared and made available to voters requesting a separate ballot.

(B) No voter shall be required to vote in a political party's presidential preferential primary, preferential primary, or general primary in order to be able to vote in the special election.

(b) Special elections scheduled to occur in a month in which the second Tuesday is a legal holiday shall be held on the third Tuesday of the month.

(4) The special election shall be conducted in the manner provided by law for other special elections.

SECTION 6. Arkansas Code § 6-61-512(a), concerning the formation of community college districts, is amended to read as follows:

(a) The date of the election shall be set by the Secretary of State at a time not less than thirty (30) days from the date of notification of the ~~county board of election commissioners~~ county election coordinator.

SECTION 7. Arkansas Code § 6-61-602 is amended to read as follows:

6-61-602. General operations - Millage taxes.

(a) In the event the local board of a community college wishes to spend larger sums of money than the state funds provided for general operation of the community college for whatever reasons consistent with the state law, it shall be lawful for millage to be levied from time to time to provide additional operation funds.

(b) The millage can be approved at the election to create the community college district or the question of approving the millage can be submitted to the voters of the district from time to time thereafter at special or general elections.

(c)(1) The local board of each community college shall certify, within the time provided by law, to the appropriate tax levying authority of each county or city of the district the aggregate millage to be levied for the district for operating purposes and indebtedness purposes, and the millage shall be levied and collected in the manner provided by law.

(2) If the amount of the budget to be supported from taxes levied by the district is in excess of the amount to be produced from taxes then authorized for the district, after allowing for tax proceeds pledged for indebtedness purposes, the local board of the community college shall certify the additional millage required to the ~~county board of election commissioners~~ county election coordinator of each county of which any portion is in the community college district. However, millage together with the rate then levied will not exceed ten (10) mills.

(3) The question of the levy shall be placed on the ballot at the next following general election or a special election called for that purpose as determined by the local board.

(d)(1)(A) When the local board of a community college determines that the question of a tax levy in the district should be submitted to the electors of the district at a special election, it shall adopt a resolution to that effect and shall file a certified copy of the resolution with the ~~county board of election commissioners~~ county election coordinator of each county of which any portion is in the district that a special election shall be held in the district and shall set the date of the election, which shall be not less than thirty (30) days nor more than sixty (60) days after the date of the notice to the ~~county board of election commissioners~~ county election coordinator.

(B)(i) The special election shall occur on the second Tuesday of any month, except as provided in subdivision (d)(1)(B)(ii) of this section.

(ii)(a)(1) Special elections held in months in which a presidential preferential primary election, preferential primary election, general primary election, or general election is scheduled to occur shall be held on the date of the presidential preferential primary election, preferential primary election, general primary election, or general election.

(2)(A)(i) If a special election is held on the date of the presidential preferential primary election, preferential primary election, or general primary election, the issue or issues to be voted upon at the special election shall be included on the ballot of each political party.

(ii) However, separate ballots containing only the issue or issues to be voted upon at the special election shall be prepared and made available to voters requesting a separate ballot.

(B) No voter shall be required to vote in a political party's presidential preferential primary, preferential primary, or general primary in order to be able to vote in the special election.

(b) Special elections scheduled to occur in a month in which the second Tuesday is a legal holiday shall be held on the third Tuesday of the month.

(2) The ~~county board of election commissioners~~ county election coordinator in each county of which any portion is included in a community college district shall prepare the ballots, furnish the election supplies, select the election judges and clerks, and make all necessary arrangements for conducting such elections.

(3) All laws applicable to the conduct of general elections, counting of ballots, and certification of the results thereof, and other matters relating to the holding of general elections, so far as the laws are appropriate shall be applicable to special elections held pursuant to the provisions of §§ 6-61-101 - 6-61-103, 6-61-201 - 6-61-209, 6-61-211 [repealed], 6-61-212 - 6-61-216, 6-61-301 - 6-61-305, 6-61-306 [repealed], 6-61-401, 6-61-402, 6-61-501 - 6-61-524, 6-61-601 - 6-61-603, and 6-61-604 - 6-61-612 [repealed].

(4) All expenses of conducting special elections held pursuant to the provisions of §§ 6-61-101 - 6-61-103, 6-61-201 - 6-61-209, 6-61-211 [repealed], 6-61-212 - 6-61-216, 6-61-301 - 6-61-305, 6-61-306 [repealed], 6-61-401, 6-61-402, 6-61-501 - 6-61-524, 6-61-601 - 6-61-603, and 6-61-604 - 6-61-612 [repealed] shall be paid from funds of the respective community college districts in which the elections are held.

(e) If the proposed additional millage is approved by the majority of the qualified electors of the district voting on such issue at a general or special election, the additional millage shall be a continuing levy until reduced as provided in subsection (f) of this section.

(f) Whenever the local board of any college determines that the rate of tax levied by the district, including the amount thereof pledged for indebtedness purposes, is greater than is necessary, the local board shall certify the reduced rate of millage to the appropriate tax levying authority of each county or city of the district, and the reduced rate of millage shall be levied and shall be extended on the tax books as the rate of tax due that community college district until a greater amount of tax shall be certified by the local board of the college as authorized in this section.

(g) In the case of community college districts existing at the time this law is enacted, existing millages which have been approved by the voters of the district may continue to be levied by the district at the discretion of the local board except that upon the petition of voters, as provided in § 6-61-510, or upon request of the local board, an election may be called to repeal operating millage, reduce operating millage, or authorize the transfer of operating millage to capital uses.

SECTION 8. Arkansas Code § 6-71-105(b)(2)(D), concerning public notice of passage of a public improvement chapter, is amended to read as follows:

(D) The commission shall perform the duties of ~~county election commissioners~~ county election coordinator as nearly as applicable.

SECTION 9. Arkansas Code 7-1-101, as amended by Act 224 of the 2007 Regular Session, is amended to read as follows:

7-1-101. Definitions.

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

(1) "Administrator" means the administrative head of a long-term care or residential care facility licensed by the state who is authorized in writing by a patient of the long-term care or residential care facility to deliver the application for an absentee ballot and to obtain or deliver the absentee ballot to the county clerk;

(2) "Audit log" means an electronically stored record of events and ballot images from which election officials may produce a permanent paper record with a manual audit capacity for a voting system using voting machines;

(3) "Authorized agent" means a person who is identified and authorized to deliver the application, obtain a ballot, and deliver the ballot on the day of the election to the county clerk by an applicant who is medically unable to cast a ballot at a polling site due to unforeseen medical necessity as set forth in an affidavit from the administrative head of a hospital or long-term or residential care facility;

(4) "Canvassing" means examining and counting the returns of votes cast at a public election to determine authenticity;

(5) "Constitutional officers of this state" means the offices of the Governor, Lieutenant Governor, Secretary of State, Attorney General, Auditor of State, Treasurer of State, and Commissioner of State Lands;

(6) "Counting location" means a location selected by the county board of election commissioners with respect to all elections for the automatic processing or counting, or both, of votes;

(7) "Designated bearer" means any person who is identified and authorized by the applicant to obtain from the county clerk or to deliver to the county clerk the applicant's ballot;

(8) ~~"Election official" or "election~~ "Election officer" means a person who is ~~a member of the county board of election commissioners or a person who is a poll worker designated~~ appointed by a county ~~board of~~ election ~~commissioners~~ coordinator to be an election clerk, election judge, or election sheriff;

(9) "Election official" means the Secretary of State, the State Board of Election Commissioners, the county clerk, the county board of election commissioners, and the county election coordinator;

~~(9)~~(10) "Electronic vote tabulating device" means a device used to electronically scan a marked paper ballot for the purposes of tabulation;

~~(10)~~(11) "Fail-safe voting" means the mechanism established under the National Voter Registration Act of 1993 that allows voters who have moved within the same county to vote at their new precinct without having updated their voter registration records;

~~(11)~~(12) "First-time voter" means any registered voter who has not previously voted in a federal election in the state;

~~(12)~~(13) "General or special election" means the regular biennial or annual elections for election of United States, state, district, county, township, and municipal officials and the special elections to fill vacancies therein and special elections to approve any measure. The term as used in this act shall not apply to school elections for officials of school districts;

~~(13)~~(14) "Majority party" means that political party in the State of Arkansas whose candidates were elected to a majority of the constitutional offices of this state in the last preceding general election;

~~(14)~~(15) "Marking device" means any approved device for marking a paper ballot with ink or other substances which will enable the votes to be tabulated by means of an electronic vote tabulating device;

~~(15)~~(16) "Minority party" means that political party whose candidates were elected to less than a majority of the constitutional offices of this state in the last preceding general election or the political party which polled the second greatest number of votes for the office of Governor in the last preceding general election if all of the elected constitutional officers of this state are from a single political party;

~~(16)~~(17) "Party certificate" means a written statement or receipt signed by the secretary or chair of the county committee or of the state committee, as the case may be, of the political party evidencing the name and title proposed to be used by the candidate on the ballot, the position the candidate seeks, payment of the fees, and filing of the party pledge, if any, required by the political party;

~~(17)~~(18)(A) "Political party" means any group of voters which at the last preceding general election polled for its candidate for Governor in the state or nominees for presidential electors at least three percent (3%) of the entire vote cast for the office.

(B) No group of electors shall assume a name or designation which is so similar in the opinion of the Secretary of State to that of an existing political party as to confuse or mislead the voters at an election.

(C) When any political party fails to obtain three percent (3%) of the total votes cast at an election for the office of Governor or nominees for presidential electors, it shall cease to be a political party;

(19) “Poll worker” means an election judge, election sheriff, election clerk, county clerk, and county deputy clerk when conducting early voting;

~~(18)~~(20) "Polling site" means a location selected by the county board of election commissioners where votes are cast;

~~(19)~~(21) "Precinct" means the geographical boundary lines dividing a county, municipality, township, or school district for voting purposes;

~~(20)~~(22) "Primary election" means any election held by a political party in the manner provided by law for the purpose of selecting nominees of the political party for certification as candidates for election at any general or special election in this state;

~~(21)~~(23) “Provisional ballot” means a ballot:

(A) Cast by special procedures to record a vote when there is some question concerning a voter’s eligibility; and

(B) Counted contingent upon the verification of the voter’s eligibility;

~~(21)~~(24) "Qualified elector" means a person who holds the qualifications of an elector and who is registered pursuant to Arkansas Constitution, Amendment 51;

~~(22)~~(25) "Vacancy in election" means the vacancy in an elective office created by death, resignation, or other good and legal cause, arising prior to election to the office at a general or special election but arising subsequent to the certification of the ballot;

~~(23)~~(26) "Vacancy in nomination" means the circumstances in which the person who received the majority of votes at the preferential primary election or general primary election cannot accept the nomination due to death or notifies the party that he or she will not accept the nomination due to serious illness, moving out of the area from which the person was elected as the party's nominee, or filing for another office preceding the final date for certification of nominations;

~~(24)~~(27)(A) "Vacancy in office" means the vacancy in an elective office created by death, resignation, or other good and legal cause arising subsequent to election to the office at a general or special election or arising subsequent to taking office and prior to the expiration of the term of office in those circumstances wherein the vacancy must be filled by a special election rather than by appointment.

(B) The phrase "vacancy in office" shall not apply to the election of a person at a general election to fill an unexpired portion of a term of office;

~~(25)~~(28) "Voting machine" means either:

(A) A direct recording electronic voting machine that:

(i) Records votes by means of a ballot display provided with mechanical or electro-optical components that may be actuated by the voter;

(ii) Processes the data by means of a computer program;

(iii) Records voting data and ballot images in internal and external memory components; and

(iv) Produces a tabulation of the voting data stored in a removable memory component and in a printed copy; or

(B) An electronic device for marking a paper ballot to be electronically scanned;

~~(26)~~(29) "Voter-verified paper audit trail" means a contemporaneous paper record of a ballot printed for the voter to confirm his or her votes before the voter casts his or her ballot that:

(A) Allows the voter to verify the voter-verified paper audit trail before the casting of the voter's ballot;

(B) Is not retained by the voter;

(C) Does not contain individual voter information;

(D) Is produced on paper that is sturdy, clean, and resistant to degradation; and

(E) Is readable in a manner that makes the voter's ballot choices obvious to the voter without the use of computer or electronic code; and

~~(27)~~(30) "Voting system" means:

(A) The total combination of mechanical, electromechanical, or electronic equipment, including the software, firmware, and documentation required to program, control, and support the equipment that is used:

(i) To define ballots;

(ii) To cast and count votes;

(iii) To report or display election results; and

(iv) To maintain and produce any audit trail information; and

(B) The practices and documentation used to:

(i) Identify system components and versions of components;

(ii) Test the system during its development and maintenance;

(iii) Maintain records of system errors and defects;

(iv) Determine specific system changes to be made to a system after the initial qualification of the system; and

(v) Make available any materials to the voter, including, but not limited to, notices, instructions, forms, or paper ballots.

SECTION 10. Arkansas Code 7-4-101 is amended to read as follows:

7-4-101. ~~State Board of Election Commissioners - Members - Officers - Meetings~~ Election officials.

~~(a) The State Board of Election Commissioners shall be composed of the following seven (7) persons, with at least one (1) from each district:~~

~~(1) The Secretary of State;~~

~~(2) One (1) person designated by the chair of the state Democratic Party;~~

~~(3) One (1) person designated by the chair of the state Republican Party;~~

~~(4) One (1) person to be chosen by the President Pro Tempore of the Senate;~~

~~(5) One (1) person to be chosen by the Speaker of the House of Representatives; and~~

~~(6) Two (2) persons to be chosen by the Governor, one (1) of whom shall be a county clerk and one (1) of whom shall have served for at least three (3) years as a county election commissioner.~~

~~(b) The Secretary of State shall serve as chair and secretary of the board.~~

~~(c) Except for the Secretary of State and the county clerk, no member of the board shall be an elected public official.~~

~~(d)(1) The term on the board of the elected state official shall be concurrent with the term of the public elected official.~~

~~(2) The county clerk shall hold the office of county clerk when appointed to the board and shall be removed as a member of the board if not in office.~~

~~(3)(A) Members of the board appointed by the President Pro Tempore of the Senate and the Speaker of the House of Representatives shall be appointed for terms of two (2) years and shall continue to serve until successors have been appointed and taken the official oath.~~

~~(B) All other appointive members shall be appointed for terms of four (4) years and shall continue to serve until successors have been appointed and taken the official oath.~~

~~(4) No appointive member shall be appointed to serve more than two (2) consecutive full terms.~~

~~(5)(A) If a vacancy on the board occurs, a successor shall be appointed within thirty (30) days to serve the remainder of the unexpired term.~~

~~(B) The appointment shall be made by the official holding the office responsible for appointing the predecessor.~~

~~(e)(1) The board shall meet as needed upon call of the chair or upon written request to the chair of any four (4) members.~~

~~(2) A majority of the membership of the board shall constitute a quorum for conducting business.~~

~~(3) No sanctions shall be imposed without the affirmative vote of at least four (4) members of the board.~~

~~(4) Meetings of the board may be chaired and conducted by either the chair or a member of the board designated by the chair as acting chair for the meeting.~~

~~(f) The board shall have the authority to:~~

~~(1) Publish a candidate's election handbook, in conjunction with the office of the Secretary of State and the Arkansas Ethics Commission, which outlines in a readable and understandable format the legal obligations of a candidate and any other suggestions that might be helpful to a candidate in complying with state election law;~~

~~(2) Conduct statewide training for election officials and county election commissioners;~~

~~(3) Adopt all necessary rules and regulations regarding training referred to in subdivision (f)(2) of this section and develop procedures for monitoring attendance;~~

~~(4) Monitor all election law-related legislation;~~

~~(5) Formulate, adopt, and promulgate all necessary rules and regulations to assure even and consistent application of voter registration laws and fair and orderly election procedures;~~

~~(6)(A) Appoint certified election monitors to any county upon a signed, written request under oath filed with the board and a determination by the board that appointing a monitor is necessary.~~

~~(B) Certified election monitors shall serve as observers for the purpose of reporting to the board on the conduct of the election.~~

~~(C) The board may allow for reasonable compensation for election monitors;~~

~~(7) Assist the county board of election commissioners in the performance of administrative duties of the election process if the board determines that assistance is necessary and appropriate;~~

~~(8)(A) Formulate, adopt, and promulgate all necessary rules and regulations to establish uniform and nondiscriminatory administrative complaint procedures consistent with the requirements of Title IV of the federal Help America Vote Act.~~

~~(B) The cost of compliance with Title IV of the federal Help America Vote Act shall be paid from the fund established to comply with the federal Help America Vote Act;~~

~~(9) Investigate alleged violations, render findings, and impose disciplinary action according to § 7-4-118 for violations of election and voter registration laws, except as to § 7-1-103(a)(1)-(4), (6), and (7), and except for any matters relating to campaign finance and disclosure laws which the Arkansas Ethics Commission shall have the power and authority to enforce according to §§ 7-6-217 and 7-6-218;~~

~~(10) Examine and approve in accordance with §§ 7-5-503 and 7-5-606 the types of voting machines used in any election;~~

~~(11) Administer reimbursement of election expenses to counties in accordance with § 7-7-201(a) for primary elections, statewide special elections, and nonpartisan judicial general elections;~~

~~(12) Appoint third members to county boards of election commissioners in accordance with § 7-4-102(b); and~~

~~(13) Certify candidate names and titles in accordance with § 7-7-305(c).~~

~~(g) The Attorney General shall provide legal assistance to the board in answering questions regarding election laws.~~

~~(h)(1) The board may appoint a director, who may hire a staff.~~

~~(2) The director shall serve at the pleasure of the board.~~

~~(3) The board shall set the personnel policies in accordance with the Regular Salary Procedures and Restrictions Act, § 21-5-101 et seq., and the Uniform Classification and Compensation Act, § 21-5-201 et seq.~~

The following persons shall be election officials:

(1) The Secretary of State as the chief election official of the State of Arkansas;

(2) The State Board of Election Commissioners;

(3) The county clerk as the permanent registrar of voters of his or her respective county;

(4) The County Board of Election Commissioners; and

(5) The county election coordinator.

SECTION 11. Arkansas Code 7-4-102 is amended to read as follows:

7-4-102. ~~County boards of election commissioners - Election of members - Oath~~ Election officers.

~~(a)(1) The county chairman of the county committee of the majority party and the county chairman of the county committee of the minority party shall be members of the county board of election commissioners together with one (1) additional or third member to be appointed by the State Board of Election Commissioners.~~

~~(2)(A) Provided, however, if the county chairman of a county committee of the majority party or the minority party is an elected official or is otherwise ineligible to serve as a member of the county board of election commissioners, he or she shall not serve as a member of the county board, but the county committee shall elect someone to serve in his or her stead.~~

~~(B) No elected official who serves as county party chairman shall participate as a party officer in providing for or conducting a party primary election in which his or her name appears on the ballot as a candidate for any office.~~

~~(3) Any county chairman of a county committee of the majority party or the minority party may elect not to serve as a member of the county board, and the county committee shall appoint someone to serve in his or her stead.~~

~~(b)(1) The third member for each of the county boards shall be appointed by the state board from a list of five (5) names submitted to the state board by the county committee of the majority party.~~

~~(2)(A) The nominees shall be certified to the state board by the chairman of the county committee of the majority party.~~

~~(B) The third members for each of the county boards shall be elected by a majority vote of the state board from the list of five (5) nominees submitted.~~

~~(C) The list of five (5) nominees shall be certified and submitted to the state board by the majority party county committee chairman subsequent to the primary election but at least sixty (60) calendar days before any general election for state, district, or county office.~~

~~(D) The third member of each county board shall be elected as aforesaid by the state board at least fifty (50) calendar days before any general election for state, district, or county office.~~

~~(3) In the event of the failure of any county chairman of the county committee of the majority party to submit five (5) names in nomination for the third member of the county board within the time herein stipulated, the state board shall nominate and elect by majority vote any resident of the county as the third member at any time prior to the general election.~~

~~(4) In the event that the identity of the county chairman of the county committee of the majority party is in dispute, the state board shall nominate and elect by majority vote the third member at any time prior to the general election.~~

~~(5) The result of the state board's election for the third member shall be final.~~

~~(c) Notification of the election of the third member of the county board shall be made in writing, over the signature of the chairman of the state board, and the state board shall mail to each of the elected county commissioners at his or her last known address a notice of his or her election and, in addition, shall mail to the clerks of the county courts a certificate of the appointment of the county commissioners.~~

~~(d) Upon receipt of the certificate of the appointment, it shall be the duty of the county clerk to cause to be sent to each of the county commissioners, by registered mail, notice to appear before the clerk at least thirty (30) days prior to the date of the general election to take and subscribe to the oath prescribed by Arkansas Constitution, Article 19, § 20. The oath shall be endorsed upon the certificate, and, when so endorsed, the certificate shall be filed in the office of the county clerk and a duplicate thereof forwarded to the Secretary of State.~~

~~(e) The county board is deemed to consist of county officials, and its members shall be immune from tort liability pursuant to § 21-9-301.~~

The following persons shall be election officers:

(1) An election judge;

(2) An election sheriff; and

(3) An election clerk.

SECTION 12. Arkansas Code 7-4-103 is amended to read as follows:

7-4-103. ~~Vacancies on state and county boards~~ Election duties of the Secretary of State.

~~(a) In the event of a vacancy or disqualification on the part of any state or county chairman for either the majority or minority parties, the state vice chairman or county vice chairman of the party in which the vacancy occurs shall act as county chairman or state chairman as the case may be for all of the purposes set out in §§ 7-4-101, 7-4-102, and this section until a new county chairman or state chairman is selected by the parties.~~

~~(b) In the event that no county chairman or county vice chairman has been elected in any of the several counties of Arkansas for either the majority party or minority party by the fiftieth calendar day before any general election, then and in that event, the State Board of Election Commissioners shall have authority to elect by majority vote qualified persons from the county committee of the majority or minority party so affected to fill the vacancies whether or not the vacancies are caused by failure to elect or by death, resignation, or disqualification. However, all appointments to fill the vacancies of the county boards of election commissioners shall be terminated immediately upon the election of a county chairman or county vice chairman qualified to serve upon the county board of election commissioners as provided in this section.~~

~~(c) In the event of a vacancy or disqualification of any third member of a county board who was duly elected by the state board, the chair of the county committee of the majority party shall immediately notify the Chairman of the State Board of Election Commissioners of the vacancy or disqualification. Upon receipt of the notification, the chairman shall call a meeting of the state board, which shall fill the vacancy from the list of remaining nominees originally submitted by the county committee at any time prior to a general election, except that when the county committee did not submit the list of nominees at least sixty (60) calendar days before a general election, the state board shall nominate and elect by majority vote any resident of the county as the third member at any time prior to a general election.~~

The Secretary of State as chief election official of the State shall:

(1) Administer the statewide voter registration system;

(2) Prepare and disseminate instructions for the conduct of elections to the county election coordinators;

(3) Advise local election officials as to the proper methods of performing their duties;

(4) Designate at least one member of his or her staff to become knowledgeable of the election laws as they pertain to elections in the State of Arkansas and to aid the candidates and their agents in filing for election.

(5) Prescribe the form of voter registration cards, blanks, and records;

(6) Publish and keep up to date an election laws manual and such other material as the Secretary of State may determine to be useful to persons administering the election laws, and prepare condensed materials for the use of election officials and officers;

(7) Report to each General Assembly any recommendations for improvements in the election laws or their application;

(8) Receive all initiative and referendum petitions on state measures and determine and certify the sufficiency of those petitions;

(9) Accept filings of candidates for state, district and federal offices;

(10) Certify the names of all duly qualified candidates for office to the county election coordinator for inclusion on the ballot;

(11) Require reports from the several county election coordinators as provided by law, or as the secretary of state considers necessary;

(12) Assist local election officials in fulfilling their duties if the Secretary of State determines that assistance is necessary and appropriate;

(13)(A) Conduct an annual forum to allow election officials from the counties to exchange ideas on the administration of elections, including issues related to cost savings and efficiency in the conduct of elections.

(B) The election officials shall be given the opportunity at the forum to make recommendations on proposed changes in the election laws; and

(14) Develop, implement, and provide a continuing program to educate voters, election officials, and election officers in the proper use of voting systems; and

SECTION 13. Arkansas Code 7-4-104 is amended to read as follows:

7-4-104. ~~Lists of county chairpersons - Notification of vacancies~~ Duties of the State Board of Election Commissioners.

~~(a)(1) It shall be the duty of the majority and minority parties to keep on file with their respective state chairperson a complete list of all of their respective county chairpersons.~~

~~(2) It shall be the duty of the respective county chairpersons of both the majority and minority parties to keep on file with the Secretary of State a letter stating the name of the county chairpersons and to notify promptly the Secretary of State of the death, resignation, disqualification, or vacancy in the office of any county chairperson and of the election of a new chairperson to fill the vacancy thus created.~~

~~(b) It shall be the duty of the Secretary of State to keep the letters containing the names of the county chairpersons of the majority and minority parties as public records open at all times to public inspection.~~

(a) The State Board of Election Commissioners may:

(1) Publish a candidate's election handbook, in conjunction with the Secretary of State and the Arkansas Ethics Commission, that outlines in a readable and understandable format the legal obligations of a candidate and any other suggestions that might be helpful to a candidate in complying with state election law;

(2) Conduct statewide training for election officers, county election coordinators and county election commissioners;

(3) Adopt all necessary rules regarding training conducted by the board and develop procedures for monitoring attendance;

(4) Monitor all election law-related legislation;

(5) Formulate, adopt, and promulgate all necessary rules to assure even and consistent application of voter registration laws and fair and orderly election procedures;

(6)(A) Appoint certified election monitors to any county upon a signed, written request under oath filed with the State Board of Election Commissioners and a determination by the State Board of Election Commissioners that appointing a monitor is necessary.

(B) Certified election monitors shall serve as observers for the purpose of reporting to the State Board of Election Commissioners on the conduct of the election.

(C) The State Board of Election Commissioners may allow for reasonable compensation for election monitors;

(7) Assist the county board of election commissioners in the performance of administrative duties of the election process if the board determines that assistance is necessary and appropriate;

(8)(A) Formulate, adopt, and promulgate all necessary rules to establish uniform and nondiscriminatory administrative complaint procedures consistent with the requirements of Title IV of the federal Help America Vote Act.

(B) The cost of compliance with Title IV of the federal Help America Vote Act shall be paid from the fund established to comply with the federal Help America Vote Act;

(9) Investigate alleged violations, render findings, and impose disciplinary action for violations of election and voter registration laws, except as to § 7-1-103(a)(1)-(4), (6), and (7), and except for any matters relating to campaign finance and disclosure laws which the Arkansas Ethics Commission may enforce according to §§ 7-6-217 and 7-6-218;

(10) Examine and approve in accordance with §§ 7-5-503 and 7-5-606 the types of voting machines and electronic vote tabulating devices used in any election; and

(11) Administer reimbursement of election expenses to counties in accordance with § 7-7-201(a) for primary elections, statewide special elections, and nonpartisan judicial general elections.

(b) The Attorney General shall provide legal assistance to the board in answering questions regarding election laws.

(c)(1) The board may appoint a director, who may hire a staff.

(2) The director shall serve at the pleasure of the board.

(3) The board shall set the personnel policies in accordance with the Regular Salary Procedures and Restrictions Act, § 21-5-101 et seq., and the Uniform Classification and Compensation Act, § 21-5-201 et seq.

SECTION 14. Arkansas Code 7-4-105 is amended to read as follows:

7-4-105. ~~County board of election commissioners - Officers -- Meetings~~ Election duties of the county clerk.

~~(a) The county board of election commissioners shall hold office until their successors are appointed and qualified. The commissioners shall meet at the courthouse at least thirty (30) days prior to the general election and shall organize themselves into a county board of election commissioners by electing one (1) member chairman. Each commissioner shall have one (1) vote. Two (2) commissioners shall constitute a quorum, and the concurring votes of any two (2) shall decide questions before them unless otherwise provided by law.~~

~~(b) The chair of a county board of election commissioners shall notify all commissioners of all meetings. Any meeting of two (2) or more commissioners when official business is conducted shall be public and held pursuant to the Freedom of Information Act of 1967, § 25-19-101 et seq. The county board shall keep minutes of all meetings when official business is conducted, and the minutes shall be filed of record with the county clerk.~~

The county clerk as the permanent registrar of voters in his or her county shall:

(1) Register qualified individuals to vote;

(2) Maintain the voter registration list for his or her county pursuant to instructions from the Secretary of State;

(3) Conduct early voting as may be required by law;

(4) Conduct absentee voting;

(5) Provide the Secretary of State with reports as required by law; and

(6) Perform other duties required by law.

SECTION 15. Arkansas Code 7-4-106 is amended to read as follows:

7-4-106. ~~Assistance of prosecuting attorney~~ Duties of county board of election commissioners.

~~(a) The county board of election commissioners, as created by this subchapter, may call upon the prosecuting attorney or his deputy for legal opinions, advice, or assistance in defending, commencing, or appealing civil actions at law and equity.~~

~~(b) The county or prosecuting attorney shall defend any civil lawsuit brought against the county board, or its members, if they are sued in regard to acts or omissions made during the course of their official duties.~~

The county board of election commissioners shall:

(1) Employ a county election coordinator and supervise the county election coordinator in his or her election duties;

(2) Receive election returns from the various polling places in their respective counties;

(3) Canvass the returns, count ballots, and tally the counts from all polling places;

(4) Declare preliminary and unofficial results as soon as practicable after all elections;

(5) Determine whether the votes of provisional voters should be counted;

(6) Certify the final results of all elections;

(7) Transmit preliminary and unofficial results and certified results to the county election coordinator;

(8) File an affidavit of compliance with the State Board of Election Commissioners fifteen (15) days following any regularly scheduled preferential primary, general, or statewide special election in a form approved by the State Board of Election Commissioners to the effect that all duties and responsibilities of the county election commissioner have been complied with; and

(9) Perform other duties required by law.

SECTION 16. Arkansas Code 7—4-107, as amended by Act 222 of the 2007 Regular Session, is amended to read as follows:

7-4-107. ~~Duties of county board of election commissioners - Ballot boxes - Voting booths - Appointment of election officers~~ Duties of election judges.

~~(a) The county board of election commissioners shall proceed to establish and allocate a sufficient number of ballot boxes in each precinct or polling site. The county board shall appoint the requisite number of election officials at each site where voters present themselves to vote to ensure that there is a sufficient number of election officials at each site, based upon the votes in the immediately preceding comparable election.~~

~~(b)(1) It shall be the duty of the county board to select and appoint a sufficient number of election officials for each polling site as provided by subsection (a) of this section and to perform the other duties prescribed not fewer than twenty (20) days preceding an election.~~

~~(2) Each polling site shall have a minimum of two (2) election clerks, one (1) election judge, and one (1) election sheriff. For all regularly scheduled elections, at least one (1) election official at each polling site shall have attended election training coordinated by the State Board of Election Commissioners within twelve (12) months prior to the election. The minority party election commissioner shall have the option to designate a number of election officials equal to one (1) less than the majority of election officials at each polling site, with a minimum of two (2) election officials at each polling site. In the event that the county party representatives on the county board fail to agree upon any election official to fill any election post allotted to the respective party twenty (20) days before the election, the county board shall appoint the remaining election officials.~~

~~(c) The county board shall certify to the county court the per diem of election officials and the mileage of the election official carrying the returns to the county election commissioners' office for allowance.~~

~~(d) The county board may permit election officials to work half-day or split shifts at the polls at any election so long as the requisite number of election officials is always present.~~

~~(e) Fifteen (15) days following any regularly scheduled preferential primary, general, or statewide special election, each county election commissioner shall file an affidavit with the State Board of Election Commissioners in a form approved by the State Board of Election Commissioners to the effect that all duties and responsibilities of the county election commissioner have been complied with.~~

Each election judge shall:

(1) Be present at the polling place from the opening of the poll to the close of the poll, and for the exposure of the count of the vote, if voting machines, electronic tabulating devices or hand-counted paper ballots are used at the polling place, and for the preparation of the ballots for transportation to the central counting location if central tabulation is used;

(2) Be in charge of and responsible for the management and conduct of the election at the polling place under the direction of the election coordinator; and

(3) Perform other duties as assigned or as required by law.

SECTION 17. Arkansas Code 7-4-108 is amended to read as follows:

7-4-108. ~~Absence of election officials - Filling vacancy~~ Duties of election sheriffs.

~~If any election official shall be absent at the time fixed for the opening of the polls, then the other election officials shall appoint some person or persons having the qualifications prescribed by this act for election officials to supply the vacancy; and if all of the officials shall be absent, then the voters present shall elect as election officials persons having the required qualifications. The county board of election commissioners shall be notified of any vacancies and substitutions of election officials.~~

Each election sheriff shall:

(1) Be present at the polling place from the opening of the poll to the close of the poll, and for the exposure of the count of the vote, if voting machines, electronic tabulating devices or hand-counted paper ballots are used at the polling place, and for the preparation of the ballots for transportation to the central counting location if central tabulation is used;

(2) Maintain order and ensure enforcement of the election laws under the direction of the election coordinator; and

(3) Perform other duties as assigned or as required by law.

SECTION 18. Arkansas Code 7-4-109 is amended to read as follows:

7-4-109. ~~Qualifications of state and county commissioners and other election officials~~ Duties of election clerks.

~~(a)(1) The members of the State Board of Election Commissioners, the members of each county board of election commissioners, and election officials shall be qualified electors of this state, able to read and write the English language, and shall not have been found guilty or pleaded guilty or nolo contendere to the violation of any election law of this state.~~

~~(2) No election official, as defined in § 7-1-101, shall be a candidate for any office to be filled at any election while serving as an election official.~~

~~(3) A member of the county board of election commissioners shall not be disqualified from serving as a member of the county board by the appearance on the ballot as a candidate for a position in his or her political party.~~

~~(b) Furthermore, all members of each county board shall be residents of the county in which they serve at the time of their appointment or election. All election officials shall be residents of the precincts in which they serve at the time of their appointment. However, if at the time of posting election officials, the county board by unanimous vote shall find that it is impossible to obtain qualified election officials from any precinct or precincts and shall make certification of that finding to the county clerk, then other qualified citizens of the county may be designated to serve in the precinct or precincts.~~

~~(c) No person who is a paid employee of any political party or of any person running for any office shall be eligible to be a member of a county board or an election official.~~

~~(d) No person may serve as an election official if married to or related within the second degree of consanguinity to any candidate running for office in the current election if objection to his or her service is made to the county board within ten (10) calendar days after posting the list of officials.~~

~~(e)(1) Prior to the regularly scheduled preferential primary election, each member of the county board of election commissioners for each county and at least two (2) election officials per polling site designated by the county board for each county shall attend election training coordinated by the state board.~~

~~(2) The state board shall determine the method and amount of compensation for attending the training.~~

Each election clerk shall:

(1) Be present at the polling place during the hours assigned by the county election coordinator;

(2) Process and facilitate voting as required by law;

(3) Count, tally, and tabulate votes as required by law, if so assigned by the county election coordinator at the request of the county board of election commissioners; and

(4) Perform other duties as assigned or as required by law.

SECTION 19. Arkansas Code 7-4-110 is amended to read as follows:

7-4-110. ~~Oath of election officers~~ County election coordinator.

~~(a) The election officials, before entering on their duties, shall take, before some person authorized by law to administer oaths, the following oath:~~

~~"I, ... , do swear that I will perform the duties of an election official of this election according to law and to the best of my abilities, and that I will studiously endeavor to prevent fraud, deceit, and abuse in conducting the same, and that I will not disclose how any voter shall have voted, unless required to do so as a witness in a judicial proceeding or a proceeding to contest an election."~~

~~(b) In case there shall be no person present at the opening of any election authorized to administer oaths, it shall be lawful for the election officials to administer the oath to each other, and the election officials shall have full power and authority to administer all oaths that may be necessary in conducting any election.~~

(a) Each county shall appoint a county election coordinator.

(b)(1) The county election coordinator shall be selected by majority vote of a committee composed of the county board of election commissioners, the county judge and the county clerk.

(2) The county election coordinator shall serve as county election coordinator at the pleasure of and under the supervision and direction of the county board of election commissioners.

(c) Each county election coordinator shall receive periodic training provided by the State Board of Election Commissioners.

(d)(1) A county shall be subject to the sanctions provided in this section after May 1, 2008 unless its county election coordinator is certified in election administration by the State Board of Election Commissioners.

(2) The requirement for certification ~~is~~ shall be waived if the:

(A) County is required to fill a vacancy in the county election coordinator's position less than three (3) months before a regularly scheduled primary or general election;

(B) Person selected to fill the vacancy has not been able to pass the test for certification during that three-month period;

(C) County board of election commissioners submits a request for waiver within three (3) days of the election; and

(D) Request for waiver contains a plan for filling the vacancy with a certified county election coordinator as soon as possible.

(3) A county that employs a county election coordinator who is not certified by the State Board of Election Commissioners shall not receive state funding that may be provided for county election coordinators, unless the requirement for certification is waived by the State Board of Election Commissioners.

(4) A county that employs a person as a county election coordinator who is not certified by the State Board of Election Commissioners during a preferential primary election or general primary election shall be responsible for the entire cost of the respective primary election unless the requirement for certification is waived by the State Board of Election Commissioners.

(5) A county that employs a person as a county election coordinator who is not certified by the State Board of Election Commissioners during a general election shall be responsible for the entire cost of the next ensuing regularly scheduled preferential primary election unless the requirement for certification is waived by the State Board of Election Commissioners.

(e)(1) The county election coordinator shall be:

(A) A full-time employee of the county whose primary duty is the administration of elections in the county;

(B) A part-time employee of the county whose primary duty is the administration of elections in the county; or

(C) A contractor engaged to administer elections in the county.

(2) If the county clerk approves, the county election coordinator may be a deputy county clerk whose primary duty is the administration of elections and who is supervised by the county board of election commissioners with regard to the administration of elections.

(f) The county may employ additional staff or utilize existing county employees to assist the county election coordinator and the county clerk or any of the members of the county board of election commissioners may assist the county election coordinator.

SECTION 20. Arkansas Code 7-4-111 is amended to read as follows:

7-4-111. ~~Compensation of board members~~ Duties of county election coordinators.

~~(a) The State Board of Election Commissioners may receive expense reimbursement and stipends in accordance with § 25-16-901 et seq.~~

~~(b) Each member of the county board of election commissioners shall receive for services the sum of not less than twenty-five dollars ($25.00) per public meeting when official business is conducted.~~

(a) Each county election coordinator shall carry out the election policies of the county board of election commissioners and shall be supervised in his or her election duties by the county board of election commissioners.

(b) The county election coordinators shall:

(1) Conduct all elections in his or her county;

(2) Conduct early voting when required by law;

(3) Provide for polling places and appoint election officers for the polling places;

(4) Provide for ballots and for the distribution of ballots to the polling places;

(5) Keep, maintain and provide for programming for all voting machines, counting and tabulating devices, and other election-related devices and materials;

(6) If requested by the board, provide assistance to the county board to count and tally votes and certify the election~~,~~;

(7) Obtain a suitable space for the county board to canvass the returns;

(8) Transmit preliminary and unofficial election results and the certification of elections to the Secretary of State when required by law;

(9) Provide the Secretary of State and the county board of election commissioners with reports as may be required by law or by request of the Secretary of State or county board of election commissioners;

(10) Be the single point of contact for election-related communications from state and federal election officials and administrators to county election officials;

(11) File an affidavit of compliance with the State Board of Election Commissioners fifteen (15) days following any regularly scheduled preferential primary, general, or statewide special election in a form approved by the State Board of Election Commissioners to the effect that all duties and responsibilities of the county election coordinator have been complied with; and

(12) Perform other duties as assigned or may be required by law.

(b)(1) The county board of election commissioners shall meet whenever necessary for the county election coordinator to report to the county board of election commissioners and to the county clerk regarding all communications, rules, regulations and instructions the county election coordinator may receive from state or federal election agencies.

(2)(A) The county board of election commissioners shall designate an alternate contact to serve as the single point of contact when the county election coordinator cannot be contacted by state or federal election officials or administrators.

(B) The alternate contact may be the county clerk or a deputy county clerk, if approved by the county clerk.

(C) The alternate contact shall be a full-time county employee.

(c) Not later than ten (10) days after a county election coordinator is employed or designated by the election commission, the commission shall provide to the Secretary of State and the State Board of Election Commissioners a written document stating:

(1) The name of the county election coordinator;

(2) The county election coordinator's address;

(3) Any telephone numbers, including fax numbers;

(4) The county election coordinator's email address;

(5) Alternate contact information; and

(6) Emergency and after-business hours contact information.

SECTION 21. Arkansas Code 7-4-112 is amended to read as follows:

7-4-112. ~~Compensation of election officials~~ Qualifications of members of State Board of Election Commissioners, county board of election commissioners, election judges, election sheriffs, and election clerks.

~~(a) The election officials shall receive a minimum of the prevailing federal minimum wage for holding an election, or such greater amount as may be appropriated.~~

~~(b) In addition, each election official carrying election materials to and from the polling sites shall be allowed mileage at such rate as may be appropriated but not to exceed the rate prescribed for state employees in state travel regulations.~~

A member of the State Board of Election Commissioners, county boards of election commissioners, election judges, election sheriffs, and election clerks shall:

(1) Be a registered voter in the county where he or she serves;

(2) Be able to read and write the English language;

(3) Not be a candidate for a civil office to be filled at any election while serving as ~~an~~ election officials and officers; ~~and~~

(4) Not be a paid employee of any political party or of any person running for any civil office; and

(5) Not have been found guilty or pleaded nolo contendere to the violation of any election laws of this state.

SECTION 22. Arkansas Code 7-4-113 is amended to read as follows:

7-4-113. ~~Record of funds and expenditures~~ Qualifications of election coordinators.

~~The county board of election commissioners of each county shall maintain a record of all funds the county board receives and all expenditures of the county board. These records shall be open to the public under the provisions of the Freedom of Information Act of 1967, § 25-19-101 et seq.~~

A county election coordinator shall:

(1) Be able to read and write the English language;

(2) Not be a candidate for any civil office to be filled at any election while serving as an election official;

(3) Not be a paid employee of any political party or of any person running for any civil office, except the county clerk; and

(4) Be certified by the State Board of Election Commissioners as a county election coordinator as required by law.

SECTION 23. Arkansas Code 7-4-114 is amended to read as follows:

7-4-114. ~~Filling vacancy of an elected office – Effect~~ Disqualification by relation of county election coordinators, election officers, and county board members related to candidates.

~~Any member of a county board of election commissioners may be appointed to fill a vacancy in an elected office without vacating his seat on the county board. The member shall not be eligible for reelection to the office when the term expires.~~

(a)(1) A county election coordinator, election officer or county board member who is the spouse, parent, father-in-law, mother-in-law, child, son-in-law, daughter-in-law, grandparent, grandchild, brother, sister, brother-in-law, sister-in-law, uncle, aunt, nephew, or niece of a candidate or declared write-in candidate to be voted for at the election in that precinct shall be disqualified if challenged by any registered voter of the county.

(2)(A) No later than fifteen (15) days before the election, the county election coordinator shall file with the county clerk, and the county clerk shall post in a public place in the county clerk's office the list of all election judges, election sheriffs, election clerks, the county election coordinator and members of the county board.

(B) The document containing the list shall also include notice of the procedure for challenging the qualifications of the election officials and officers included on the list.

(3) The challenge of an election officer shall be delivered in writing to the county election coordinator no later than the close of business of the clerk’s office five (5) days after the list of election officials is posted at the county clerks office.

(b) Upon determination by the county election coordinator that the challenged election officer is disqualified, the county election coordinator shall revoke the appointment of the disqualified election officer and, if necessary, appoint an additional qualified election officer if needed for the efficient administration of the election.

(c) The challenge of a member of the county board or the election coordinator shall be delivered in writing to the county clerk, no later than the close of business of the county clerk’s office five (5) days after the list of election officials and officers is posted at the county clerk’s office, and the clerk shall immediately notify the challenged board member or election coordinator and the prosecuting attorney of the challenge.

(d)(1) This section disqualifies a person whose relationship to the candidate is the result of birth, marriage, or adoption.

(2) This section does not disqualify a person if the candidate to whom the person is related is an unopposed candidate.

(3) For purposes of this section, an "unopposed candidate" includes an individual whose nomination to an office at a primary election is unopposed by any other candidate within the same political party.

SECTION 24. Arkansas Code 7-4-115 is amended to read as follows:

7-4-115. ~~Legislative intent~~ Training of election officials and officers.

~~Due to the recent United States Eighth Circuit Court of Appeals ruling in Jones v. Conway County, Arkansas, 143 F.3d 417 (8th Cir. 1998), the status of county election commissioners as either county officials or state officials has become unclear. Because of this lack of clarity, there has been much confusion as to whether or not county election commissioners should have been or currently are immune from suit under the state's policy of tort immunity. It is the intent of the General Assembly to clarify the official status of county election commissioners. Prior to July 30, 1999, county election commissioners were state officials and, as such, were immune from suit pursuant to Arkansas Constitution, Article 5, § 20, and § 19-10-305. Upon July 30, 1999, county election commissioners are hereby deemed to be county officials and are immune from suit pursuant to § 21-9-301.~~

(a) The State Board of Election Commissioners shall establish a program to train county boards of election commissioners, county election coordinators, and election officers in the administration of elections in this state.

(b) The state board shall provide curriculum materials to county election coordinators to train election officers regarding their duties.

(c) At least one (1) election officer at each polling place shall have attended training coordinated by the state board.

SECTION 25. Arkansas Code §§ 7-4-116 – 7-4-118 are repealed.

~~7-4-116. Election poll workers program for high school students.~~

~~(a)(1) The county board of election commissioners may conduct a special election day program for high school students in one (1) or more polling places designated by the county board.~~

~~(2) The high school students shall be selected by the county board in cooperation with the local high school principal, the local 4-H club, the local Boy Scout club, the local Girl Scout club, or any other local organization for youth designated by the county board.~~

~~(3)(A) A high school student selected for this program who has not reached his or her eighteenth birthday by the election day in which he or she is participating shall be called an election page.~~

~~(B) A high school student selected for this program who has reached his or her eighteenth birthday by the election day in which he or she is participating and meets the qualifications in § 7-4-109 may be an election official.~~

~~(b) The program shall:~~

~~(1) Be designed to stimulate the students' interest in elections and registering to vote;~~

~~(2) Provide assistance to the officers of election; and~~

~~(3) Assist in the safe entry and exit of elderly voters and voters with disabilities from the polling place.~~

~~(c)(1) Each student selected as an election page shall:~~

~~(A) Be excused from school while working as an election page;~~

~~(B) Serve under the direct supervision of the election officials at his or her assigned polling place; and~~

~~(C) Observe strict impartiality at all times.~~

~~(2) An election page may observe the electoral process and seek information from the election officers but shall not handle or touch ballots, voting machines, or any other official election materials or enter any voting booth.~~

~~(3) An election page shall be in a volunteer position and shall not receive any compensation for performing his or her duties.~~

~~(4) Before beginning any duties, an election page shall take, before an election official, the following oath:~~

~~"I, _____, do swear that I will perform the duties of an election page of this election according to law and to the best of my abilities, and that I will studiously endeavor to prevent fraud, deceit, and abuse, and that I will not disclose how any voter shall have voted, unless required to do so as a witness in a judicial proceeding or a proceeding to contest an election."~~

~~(d)(1) Each student selected to be an election official shall:~~

~~(A) Take the oath of the election officials in § 7-4-110;~~

~~(B) Serve under the supervision of the appropriate county board of election commissioners;~~

~~(C) Observe strict impartiality at all times; and~~

~~(D) Be excused from school while working as an election official.~~

~~(2) A high school student selected to be an election official may be compensated according to § 7-4-112 if the county board of election commissioners determines that the high school students selected to be election officials should be compensated.~~

~~7-4-117. Election poll workers program for college students.~~

~~(a)(1) The county board of election commissioners may conduct an election day program for college students in one (1) or more polling places designated by the county board.~~

~~(2)(A) The college students shall be selected by the county board from any two-year or four-year college or university in the state.~~

~~(B) The county board shall work in cooperation with the student government associations of the colleges and universities in selecting the students for the program and conducting seminars concerning election procedures for students interested in the program.~~

~~(3)(A) A college student selected for this program who has not reached his or her eighteenth birthday by the election day in which he or she is participating shall be called an election page.~~

~~(B) A college student selected for this program who has reached his or her eighteenth birthday by the election day in which he or she is participating and meets the qualifications in § 7-4-109 shall be an election official.~~

~~(b) The program shall:~~

~~(1) Be designed to stimulate the students' interest in elections and in registering to vote;~~

~~(2) Provide assistance to the officers of the election; and~~

~~(3) Assist in the safe entry and exit of elderly voters and voters with disabilities from the polling place.~~

~~(c)(1) Each student selected as an election page shall:~~

~~(A) Serve under the direct supervision of the election officials at his or her assigned polling place; and~~

~~(B) Observe strict impartiality at all times.~~

~~(2) An election page may observe the electoral process and seek information from the election officers but shall not handle or touch ballots, voting machines, or any other official election materials or enter any voting booth.~~

~~(3) An election page shall be in a volunteer position and shall not receive any compensation for performing his or her duties.~~

~~(4) Before beginning any duties, an election page shall take, before an election official, the following oath:~~

~~"I, _____, do swear that I will perform the duties of an election page of this election according to law and to the best of my abilities, and that I will studiously endeavor to prevent fraud, deceit, and abuse, and that I will not disclose how any voter shall have voted unless required to do so as a witness in a judicial proceeding or a proceeding to contest an election."~~

~~(d)(1) Each student selected to be an election official shall:~~

~~(A) Take the oath of the election officials in § 7-4-110;~~

~~(B) Serve under the supervision of the appropriate county board of election commissioners; and~~

~~(C) Observe strict impartiality at all times.~~

~~(2) A college student selected to be an election official shall be compensated according to § 7-4-112.~~

~~7-4-118. Complaints of election law violations.~~

~~(a)(1) The State Board of Election Commissioners may investigate alleged violations, render findings, and impose disciplinary action according to this subchapter for violations of election and voter registration laws, except:~~

~~(A) For the provisions in § 7-1-103(a)(1)-(4), (6), and (7); and~~

~~(B) For any matters relating to campaign finance and disclosure laws that the Arkansas Ethics Commission shall have the power and authority to enforce according to §§ 7-6-217 and 7-6-218.~~

~~(2) For purposes of subdivision (a)(1), the board may file a complaint.~~

~~(3) A complaint must be filed with the board in writing within thirty (30) days of the alleged violation.~~

~~(4) A complaint must clearly state the alleged election irregularity or illegality, when and where the alleged activity occurred, the supporting facts surrounding the allegations, and the desired resolution.~~

~~(5) A complaint must be signed by the complainant under penalty of perjury.~~

~~(6)(A) Filing of a frivolous complaint is considered a violation of this subchapter.~~

~~(B) For purposes of this section, "frivolous" means clearly lacking any basis in fact or law.~~

~~(b)(1) Upon receipt by the board of a complaint stating facts constituting violation of election or voter registration laws under its jurisdiction signed under penalty of perjury, the board shall proceed to investigate the alleged violation.~~

~~(2) The board may determine that:~~

~~(A) The complaint can be disposed of through documentary submissions; or~~

~~(B) An investigation is necessary.~~

~~(3) The board may forward the complaint, along with the information and documentation as deemed appropriate, to the proper authority.~~

~~(4)(A) If the board determines that an investigation is necessary, the board shall provide a copy of the complaint with instructions regarding the opportunity to respond to the complaint to the party against whom the complaint is lodged.~~

~~(B) The board may administer oaths for the purpose of taking sworn statements from any person thought to have knowledge of any facts pertaining to the complaint.~~

~~(C) The board may request the party against whom the complaint is lodged to answer allegations in writing, produce relevant evidence, or appear in person before the board.~~

~~(D) The board may subpoena any person or the books, records, or other documents relevant to an inquiry by the board that are being held by any person and take sworn statements.~~

~~(E) The board shall provide the subject of the subpoena with reasonable notice of the subpoena and an opportunity to respond.~~

~~(F) The board shall advise in writing the complainant and the party against whom the complaint is lodged of the final action taken.~~

~~(c) If the board finds that probable cause exists for finding a violation of election or voter registration laws under its jurisdiction, the board may determine that a full public hearing be called.~~

~~(d) If the board finds a violation of election or voter registration laws under its jurisdiction, then the board may do one (1) or more of the following:~~

~~(1) Issue a public letter of caution, warning, or reprimand;~~

~~(2) Impose a fine of not less than twenty-five dollars ($25.00) nor more than one thousand dollars ($1,000) for each negligent or intentional violation;~~

~~(3) Report its findings, along with the information and documents as it deems appropriate, and make recommendations to the proper law enforcement authorities; or~~

~~(4) Assess costs for the investigation and hearing.~~

~~(e)(1) The board shall adopt rules governing the imposition of the fines in accordance with the provisions of the Arkansas Administrative Procedure Act, § 25-15-201 et seq.~~

~~(2)(A) The board may file suit in the Pulaski County Circuit Court or in the circuit court of the county in which the debtor resides or, according to the Small Claims Procedure Act, § 16-17-601 et seq., in the small claims division of any district court in the State of Arkansas to obtain a judgment for the amount of any fine imposed according to its authority.~~

~~(B) The action by the court shall not involve further judicial review of the board's actions.~~

~~(C) The fee normally charged for the filing of a suit in any of the circuit or district courts in the State of Arkansas shall be waived on behalf of the board.~~

~~(3) All moneys received by the board in payment of fines shall be deposited in the State Treasury as general revenues.~~

~~(f)(1) The board shall complete its investigation of a complaint filed according to this section and take final action within one hundred eighty (180) days of the filing of the complaint.~~

~~(2) However, if a hearing under subsection (c) of this section is conducted, all action on the complaint by the board shall be completed within two hundred forty (240) days.~~

~~(3) Any final action of the board under this section shall constitute an adjudication for purposes of judicial review under § 25-15-212.~~

~~(g)(1) The board shall keep a record of all inquiries, investigations, and proceedings.~~

~~(2) Records relating to investigations by the board are exempt from the Freedom of Information Act of 1967, § 25-19-101 et seq., until a hearing is set or the director's investigation is closed.~~

~~(3) The board may disclose, through its members or staff, otherwise confidential information to proper law enforcement officials, agencies, and bodies as may be required to conduct its investigation.~~

SECTION 26. Arkansas Code Title 7, Chapter 4, Subchapter 1 is amended to add additional sections to read as follows:

7-4-119. State Board of Election Commissioners.

(a) The State Board of Election Commissioners shall be composed of the following seven (7) persons, with at least one (1) from each congressional district:

(1) The Secretary of State;

(2) One (1) person designated by the chair of the state Democratic Party;

(3) One (1) person designated by the chair of the state Republican Party;

(4) One (1) person to be chosen by the President Pro Tempore of the Senate;

(5) One (1) person to be chosen by the Speaker of the House of Representatives; and

(6) Two (2) persons to be chosen by the Governor, one (1) of whom shall be a county clerk and one (1) of whom shall have served for at least three (3) years as an election commissioner.

(b) The Secretary of State shall serve as chair and secretary of the board.

(c) Except for the Secretary of State and the county clerk, a member of the board shall not be an elected public official.

(d)(1) The term on the board of the elected state official shall be concurrent with the term of the public elected official.

(2) The county clerk shall hold the office of county clerk when appointed to the board and shall be removed as a member of the board if not in office.

(3)(A) Members of the board appointed by the President Pro Tempore of the Senate and the Speaker of the House of Representatives shall be appointed for terms of two (2) years and shall continue to serve until successors have been appointed and taken the official oath.

(B) All other appointive members shall be appointed for terms of four (4) years and shall continue to serve until successors have been appointed and taken the official oath.

(4) An appointive member shall not be appointed to serve more than two (2) consecutive full terms.

(5)(A) If a vacancy on the board occurs, a successor shall be appointed within thirty (30) days to serve the remainder of the unexpired term.

(B) The appointment shall be made by the official holding the office responsible for appointing the predecessor.

(e)(1) The board shall meet as needed upon call of the chair or upon written request to the chair of any four (4) members.

(2) A majority of the membership of the board shall constitute a quorum for conducting business.

(3) A sanction shall not be imposed without the affirmative vote of at least four (4) members of the board.

(4) Meetings of the board may be chaired and conducted by either the chair or a member of the board designated by the chair as acting chair for the meeting.

(f) The State Board of Election Commissioners may receive expense reimbursement and stipends in accordance with 25-16-901, et.seq.

7-4-120. County Board of Election Commissioners.

(a)(1)(A)(i) The following shall be members of the county board of election commissioners:

(i) The county chair of the county committee of the majority party;

(ii) The county chair of the county committee of the minority party; and

(iii) A third member selected by the county committee of the majority party.

(B) If the county chair of a county committee of the majority party or the minority party is an elected official or is otherwise ineligible to serve as a member of the county board, he or she shall not serve as a member of the county board, but the county committee shall select a qualified resident of the county to serve in his or her stead.

(C)(i) A county chairman of a county committee of the majority party or the minority party may elect not to serve as a member of the county board.

(ii) The county committee shall select a qualified resident of the county to serve in his or her stead.

(D) If there is a vacancy on the board of election commissioners, and the appropriate county chair or committee has not filled the vacancy by five (5) days before the election, the chair of the state committee of the affected party shall appoint a qualified resident of the county to fill the vacancy, and the appointee shall serve until such time as the county committee selects a qualified resident of the county to fill the vacancy.

(2)(A) In the event of a vacancy or disqualification of a third member that occurs less than fifteen (15) days before any election, the county chair of the majority party shall appoint a qualified person to fill the vacancy.

(B) All appointments by the county chairman to fill a vacancy in the third member's, position shall be terminated immediately upon the selection of a new third member by the county committee of the majority party.

(b) Between January 1 and January 31 of each year:

(1) The chair of the majority party for the county shall file with the county clerk and the Secretary of State a notice stating the names, addresses and telephone numbers of the majority party's designated members of the county board; and

(2) The chair of the minority party for the county shall file with the county clerk and the Secretary of State a notice stating the name, addresses and telephone numbers of the minority party's member of the county board.

(c) Upon receipt of the notice required in subsection (b), the county clerk shall send to each commissioner by registered mail notice to appear before the clerk within thirty (30) days to take and subscribe to the oath prescribed by Article 19, Section 20 of the Arkansas Constitution, said oath to be filed with the county clerk and a duplicate thereof forwarded to the Secretary of State.

(d) The prosecuting attorney shall bring an action in an appropriate court to remove from office any member of the county board who is not qualified to hold his or her position on the board.

(e) The county board is deemed to consist of county officials, and its members shall be immune from tort liability pursuant to § 21-9-301.

7-4-121. County board of election commissioners – Officers – Meetings.

(a) The county board of election commissioners shall meet on election day and as many days thereafter as necessary to:

(1) Count and tabulate the votes;

(2) Declare preliminary and unofficial results;

(3) Determine the status of provisional ballots;

(4) Conduct recounts;

(5) Certify the vote; and

(6) Perform whatever other tasks are necessary to fulfill its duties in the election.

(b) The county board may meet at least twenty (20) days before each to review and approve or alter the appointment of election clerks by the county election coordinator.

(c) The county board of election commissioners shall meet at least sixty-five (65) days before each election to review and approve or alter precinct boundaries and polling sites established by the county election coordinator.

(d) The county board of election commissioners shall meet from time to time as necessary to review and supervise the work of the county election coordinator.

(e) At the first meeting in each calendar year, the county board of election commissioners shall elect one (1) member chair.

(f)(1) Each county election commissioner shall have one (1) vote.

(2) Two (2) county election commissioners shall constitute a quorum.

(3) The concurring votes of any two (2) members shall decide questions before them, unless otherwise provided by law.

(g)(1) The chair shall notify all county election commissioners of meetings.

(2) Any meeting of two (2) or more county election commissioners when official business is conducted shall be public and held pursuant to the Arkansas Freedom of Information Act, § 25-19-101 et seq.

(3) The county board of election commissioners shall keep minutes of all meetings when official business is conducted, and the minutes shall be filed of record with the county clerk.

(h)(1) The county board of election commissioners of each county shall maintain a record of all funds the county board receives and all expenditures of the county board of election commissioners.

(2) These records shall be open to the public under the Arkansas Freedom of Information Act, § 25-19-101 et seq.

7-4-122. Appointment of election officers.

(a) The member of the county board of election commissioners who is the chair of the county committee of the majority party or the chair's designated replacement on the board may appoint one (1) election officer for each polling site and the minority party member of the board may appoint one election officer for each polling site.

(b)(1) The county election coordinator shall appoint one (1) election judge and one (1) election sheriff for each polling site, and as many additional election clerks as are necessary for the efficient administration of elections at each polling site.

(2) The election judges and sheriffs may be the election officers selected by the party chairs.

(3)(A) The position of election judge and election sheriff may be combined and held by one (1) person.

(B) When the positions of election judge and election sheriff are combined, at least two (2) additional election clerks shall be appointed for the polling site.

(c) The member of the county board of election commissioners who is the county chair of the majority party or the chair's designated replacement on the board shall, at least twenty (20) days before the election, send to the coordinator a list of qualified persons for each polling place where the chairman elects to appoint an election officer.

(d) The minority party member of the board shall, at least twenty (20) days before the election, send to the county election coordinator a list of qualified persons for each polling place where the chairman elects to appoint an election officer.

(e) The county election coordinator shall assign the election officers appointed by the board members, if any, to the various polling places as designated by the board members.

(f) If an election officer appointed by a board member fails to appear at his or her designated polling place at the time designated by the county election coordinator on election day, the county election coordinator may appoint a qualified person to replace the absent election officer.

(g) If an election judge or sheriff fails to appear at his or her polling place at the time designated by the county election coordinator on election day, the county election coordinator may designate one of the election clerks at the polling place as election judge or sheriff, as the case may be, or the county election coordinator may appoint another qualified person as an election officer to serve as the judge or sheriff.

(h) An election clerk may work half-day or split shifts at the polls at any election so long as a sufficient number of election officers is always present.

7-4-123. Appointment of election clerks for counting and tabulating votes.

(a) The county election coordinator and the staff of the county election coordinator, if any, shall, if requested by the county board of election commissioners, assist the county board of election commissioners in canvassing, counting, tabulating and certifying the vote.

(b) The county board may appoint as many election clerks as it deems necessary to assist it in the administration of its duties relating to canvassing, counting, tabulating and certifying the vote.

(c) If requested by the county board, deputy county clerks who are not county election coordinators may also assist the county board in canvassing, counting, tabulating and certifying the vote, if approved by the county clerk.

7-4-124. Complaints of election law violations.

(a)(1) The State Board of Election Commissioners may investigate alleged violations, render findings, and impose disciplinary action according to this subchapter for violations of election and voter registration laws, except:

(A) For the provisions in § 7-1-103(a)(1)-(4), (6), and (7); and

(B) For any matters relating to campaign finance and disclosure laws that the Arkansas Ethics Commission may enforce according to §§ 7-6-217 and 7-6-218.

(2) For purposes of subdivision (a)(1) of this section, the board may file a complaint.

(3) A complaint shall be filed with the board in writing within thirty (30) days of an alleged voter registration violation or the election associated with the complaint.

(4) A complaint shall clearly state the alleged election irregularity or illegality, when and where the alleged activity occurred, the supporting facts surrounding the allegations, and the desired resolution.

(5) A complaint shall be signed by the complainant under penalty of perjury.

(6)(A) Filing of a frivolous complaint is considered a violation of this subchapter.

(B) As used in this section, "frivolous" means clearly lacking any basis in fact or law.

(b)(1) Upon receipt by the board of a written complaint signed under penalty of perjury stating facts constituting a violation of election or voter registration laws under its jurisdiction signed under penalty of perjury, the board shall proceed to investigate the alleged violation.

(2) The board may determine that:

(A) The complaint can be disposed of through documentary submissions; or

(B) Further investigation is necessary.

(3) The board may forward the complaint, along with the information and documentation as deemed appropriate, to the proper authority.

(4)(A) If the board determines that an investigation is necessary, the board shall provide a copy of the complaint with instructions regarding the opportunity to respond to the complaint to the party against whom the complaint is lodged.

(B) The board may administer oaths for the purpose of taking sworn statements from any person thought to have knowledge of any facts pertaining to the complaint.

(C) The board may request the party against whom the complaint is lodged to answer allegations in writing, produce relevant evidence, or appear in person before the board.

(D) The board may subpoena any person or the books, records, or other documents relevant to an inquiry by the board that are being held by any person and take sworn statements.

(E) The board shall provide the subject of the subpoena with reasonable notice of the subpoena and an opportunity to respond.

(F) The board shall advise in writing the complainant and the party against whom the complaint is lodged of the final action taken.

(c) If the board finds that probable cause exists for finding a violation of election or voter registration laws under its jurisdiction, the board may determine that a full public hearing be called.

(d) If the board finds a violation of election or voter registration laws under its jurisdiction, then the board may do one (1) or more of the following:

(1) Issue a public letter of caution, warning, or reprimand;

(2) Impose a fine of not less than twenty-five dollars ($25.00) nor more than one thousand dollars ($1,000) for each negligent or intentional violation;

(3) Report its findings, along with the information and documents as it deems appropriate, and make recommendations to the proper law enforcement authorities; or

(4) Assess costs for the investigation and hearing.

(e)(1) The board shall adopt rules governing the imposition of the fines in accordance with the provisions of the Arkansas Administrative Procedure Act, § 25-15-201 et seq.

(2)(A) The board may file suit in the Pulaski County Circuit Court or in the circuit court of the county in which the debtor resides or, according to the Small Claims Procedure Act, § 16-17-601 et seq., in the small claims division of any district court in the State of Arkansas to obtain a judgment for the amount of any fine imposed according to its authority.

(B) The action by the court shall not involve further judicial review of the board's actions.

(C) The fee normally charged for the filing of a suit in any of the circuit or district courts in the State of Arkansas shall be waived on behalf of the board.

(3) All moneys received by the board in payment of fines shall be deposited into the State Treasury as general revenues.

(f)(1) The board shall complete its investigation of a complaint filed according to this section and take final action within one hundred eighty (180) days of the filing of the complaint.

(2) However, if a hearing under subsection (c) of this section is conducted, all action on the complaint by the board shall be completed within two hundred forty (240) days.

(3) Any final action of the board under this section shall constitute an adjudication for purposes of judicial review under § 25-15-212.

(g)(1) The board shall keep a record of all inquiries, investigations, and proceedings.

(2) Records relating to investigations by the board are exempt from the Arkansas Freedom of Information Act, § 25-19-101 et seq., until a hearing is set or the director's investigation is closed.

(3) The board may disclose, through its members or staff, otherwise confidential information to proper law enforcement officials, agencies, and bodies as may be required to conduct its investigation.

7-4-125. Assistance of prosecuting attorney

(a) The county board of election commissioners, the county clerk, and the county election coordinator may call upon the prosecuting attorney or his or her deputy, or the county attorney for legal opinions, advice, or assistance in defending, commencing, or appealing civil actions at law and equity.

(b) The county or prosecuting attorney shall defend any civil lawsuit brought against the county board, or its members, and the county election coordinator if they are sued in regard to acts or omissions made during the course of their official duties.

7-4-126. Oath of Election Officers

(a) The election officers, before entering on their duties, shall take, before some person authorized by law to administer oaths, the following oath:

"I, ... , do swear that I will perform the duties of an election officer of this election according to law and to the best of my abilities, and that I will studiously endeavor to prevent fraud, deceit, and abuse in conducting the same, and that I will not disclose how any voter hase voted, unless required to do so as a witness in a judicial proceeding or a proceeding to contest an election."

(b) In case there shall be no person present at the opening of an election authorized to administer oaths, it shall be lawful for the election officers to administer the oath to each other, and the election officers may administer all oaths that are necessary in conducting any election.

7-4-127. Compensation of county boards and election officers and reimbursement for delivery of election materials.

(a) Each member of the county board of election commissioners shall receive for services the sum of not less than twenty-five dollars ($25.00) per public meeting when official business is conducted.

(b) Election officers shall receive at least the prevailing minimum wage for holding an election, or such greater amount as may be appropriated.

(c) A qualified person appointed by the county election coordinator who carries election materials to and from the polling sites shall be allowed compensation for services and mileage at such rate as may be appropriated but not to exceed the rate prescribed for state employees in state travel regulations.

7-4-128. Compensation of county election coordinators.

(a) County election coordinators shall be compensated in an amount to be determined by the quorum court.

(b)(1) The State of Arkansas shall establish a fund to administer grants to the counties to support the activities of the county election coordinator.

(2) Grant funds may be used by the counties to:

(A) Pay salaries of county election coordinators and any assistants to the county election coordinator;

(B) Provide office supplies and equipment to be used by the county election coordinator in performing election functions; and

(C) Establish the county election coordinator’s office.

(c) The grants shall be paid from an appropriation to the Secretary of State for that purpose.

(d) The Secretary of State shall establish guidelines for the distribution of state grant funds that take into account:

(1) The number of registered voters in each county;

(2) The number of cities and administratively domiciled school districts in each county;

(3) Whether the county is employing an additional full-time employee to serve as county election coordinator; and

(4) Any other factors that are related to a fair distribution of the funds.

(e) Each county shall be responsible for the costs related to the performance of the county election coordinator's duties, and may apply for grants from the ~~state~~ Secretary of State to defray those costs.

7-4-129. Election poll workers program for high school students.

(a)(1) The county board of election commissioners may conduct a special election day program for high school students in one (1) or more polling places designated by the county board.

(2) The high school students shall be selected by the county board in cooperation with the local high school principal, the local 4-H club, the local Boy Scouts of America club, the local Girl Scouts of America club, or any other local organization for young persons designated by the county board.

(3)(A) A high school student selected for this program who has not reached his or her eighteenth birthday by the election day in which he or she is participating shall be called an election page.

(B) A high school student selected for this program who has reached his or her eighteenth birthday by the election day in which he or she is participating and meets the qualifications in § 7-4-112 may be an election officer.

(b) The program shall:

(1) Be designed to stimulate the students' interest in elections and registering to vote;

(2) Provide assistance to the officers of election; and

(3) Assist in the safe entry and exit of elderly voters and voters with disabilities from the polling place.

(c)(1) Each student selected as an election page shall:

(A) Be excused from school while working as an election page;

(B) Serve under the direct supervision of the election ~~officials~~ officers at his or her assigned polling place; and

(C) Observe strict impartiality at all times.

(2) An election page may observe the electoral process and seek information from the election officers but shall not handle or touch ballots, voting machines, or any other official election materials or enter any voting booth.

(3) An election page shall be in a volunteer position and shall not receive any compensation for performing his or her duties.

(4) Before beginning any duties, an election page shall take, before an election ~~official~~ officer, the following oath:

"I, _____, do swear that I will perform the duties of an election page of this election according to law and to the best of my abilities, and that I will studiously endeavor to prevent fraud, deceit, and abuse, and that I will not disclose how any voter has voted, unless required to do so as a witness in a judicial proceeding or a proceeding to contest an election."

(d)(1) Each student selected to be an election officer shall:

(A) Take the oath of the election officers in 7-4-123.

(B) Serve under the supervision of the appropriate county board of election commissioners;

(C) Observe strict impartiality at all times; and

(D) Be excused from school while working as an election ~~official~~ officer.

(2) A high school student selected to be an election officer may be compensated as an election officer if the county board of election commissioners determines that the high school students selected to be an election officer should be compensated.

7-4-130. Election poll workers program for college students.

(a)(1) The county board of election commissioners may conduct an election day program for college students in one (1) or more polling places designated by the county board.

(2)(A) The college students shall be selected by the county board from any two-year or four-year college or university in the state.

(B) The county board shall work in cooperation with the student government associations of the colleges and universities in selecting the students for the program and conducting seminars concerning election procedures for students interested in the program.

(3)(A) A college student selected for this program who has not reached his or her eighteenth birthday by the election day in which he or she is participating shall be called an election page.

(B) A college student selected for this program who has reached his or her eighteenth birthday by the election day in which he or she is participating and meets the qualifications in § 7-4-112 shall be an election officer.

(b) The program shall:

(1) Be designed to stimulate the students' interest in elections and in registering to vote;

(2) Provide assistance to the officers of the election; and

(3) Assist in the safe entry and exit of elderly voters and voters with disabilities from the polling place.

(c)(1) Each student selected as an election page shall:

(A) Serve under the direct supervision of the election ~~officials~~ officers at his or her assigned polling place; and

(B) Observe strict impartiality at all times.

(2) An election page may observe the electoral process and seek information from the election officers but shall not handle or touch ballots, voting machines, or any other official election materials or enter any voting booth.

(3) An election page shall be in a volunteer position and shall not receive any compensation for performing his or her duties.

(4) Before beginning any duties, an election page shall take, before an election ~~official~~ officer, the following oath:

"I, _____, do swear that I will perform the duties of an election page of this election according to law and to the best of my abilities, and that I will studiously endeavor to prevent fraud, deceit, and abuse, and that I will not disclose how any voter has voted unless required to do so as a witness in a judicial proceeding or a proceeding to contest an election."

(d)(1) Each student selected to be an election ~~official~~ officer shall:

(A) Take the oath of the election officials in 7-4-123;

(B) Serve under the supervision of the appropriate county board of election commissioners; and

(C) Observe strict impartiality at all times.

(2) A college student selected to be an election officer shall be compensated as an election officer.

7-4-131. Lists of county chairpersons - Notification of vacancies.

(a)(1) It shall be the duty of all recognized parties to keep on file with their respective state chair a complete list of all of their respective county chairs.

(2) It shall be the duty of the respective county chairs of all recognized parties to keep on file with the Secretary of State a letter stating the name of the county chairs and to notify promptly the Secretary of State of the death, resignation, disqualification, or vacancy in the office of any county chair and of the election of a new chair to fill the vacancy thus created.

(b) It shall be the duty of the Secretary of State to keep the letters containing the names of the county chairpersons of all recognized parties as public records open at all times to public inspection.

SECTION 27. Arkansas Code § 7-5-101 is amended to read as follows:

7-5-101. Precinct boundaries and polling sites - Establishment and alteration.

(a)(1) The county ~~board of election commissioners is empowered to~~ election coordinator may alter the boundaries of existing election precincts and ~~to~~ establish new ones ~~when, in its judgment, it may be necessary~~.

(2)(A)(i) The county ~~board~~ election coordinator shall fix a polling site for each election precinct.

(ii) The polling sites for each election shall be the same as those established for the immediately preceding general election unless changed under Arkansas law.

(iii) All polling sites shall be fixed at well-known points in the several precincts and be easily accessible to all electors entitled to vote in an election.

(B) The county ~~board~~ coordinator may combine polling sites for two (2) or more precincts ~~when, in its judgment, it may be necessary~~.

~~(C) The county board may allow school elections to be conducted by early voting and absentee voting only and open no polling sites on a school election day in any election year if no more than one (1) candidate for school district director presents a petition or notice in writing to the county board of election commissioners as required by § 6-14-111 and if there are no other ballot issues to be submitted to district electors for consideration, if requested by resolution adopted by the board of directors of any school district.~~

(3) In changing the boundaries of existing precincts or in creating new ones, the county ~~board~~ election coordinator shall arrange them so that all qualified voters residing in the precincts may vote on the same day.

(4)(A) The ~~county board shall not have the power to change the~~ boundaries of existing precincts may not be changed, ~~to create~~ nor any new precinct created, ~~or to change the~~ nor any polling site changed in any precinct within thirty (30) days of any election~~, but all elections shall be held at the sites and within the boundaries as they existed thirty (30) days before the date of the election~~.

(B) In the event of an emergency, a county ~~board~~ election coordinator may change a precinct boundary or a polling site within thirty (30) days of the election.

~~(b) All polling sites shall be fixed at well-known points in the several precincts and easily accessible to all electors entitled to vote therein.~~

~~(c)~~(b)(1)(A) The action of the county ~~board~~ election coordinator in changing the polling site in any precinct, in altering the boundaries of any precinct, or in establishing any new one shall be determined in a public meeting ~~pursuant to § 7-4-105~~ of the county board and any changes shall be approved and ~~shall be~~ entered in the record by the county board to be kept on file in the county clerk's office.

(B) A copy of the order, which shall set out intelligently and accurately the boundaries of precincts as so altered or established, shall be filed with the clerk of the county court, who shall record the order at full length on the record book on which the minutes of the proceedings of the county court are recorded.

(2)(A)(i)(a) Within thirty (30) days after altering the boundaries of an election precinct or establishing a new one, the county ~~board~~ election coordinator shall submit four (4) copies of the changes to the Secretary of State.

(b) The changes shall be submitted in the form of a map and shall include a written description.

(ii) A short statement of why the changes were made may be included.

(B) Upon receipt of the changes, the Secretary of State shall immediately forward a copy to the office of the Attorney General, the State Data Center, and the Cartography Section of the Arkansas State Highway and Transportation Department.

(d)(1)(A) Notice of any changes made in polling sites shall also be given to the electors by prominently posting information about any changes at all previous polling sites which were used in the last election.

(B) If the change is only temporary, the notice shall state the elections for which the change is effective.

(2) Except for school elections and special elections, the notice shall also be mailed by the county ~~clerk~~ election coordinator to each affected registered voter at least fifteen (15) days before the election.

SECTION 28. Arkansas Code § 7-5-104(a)(2), concerning the allocation of election expenses, is amended to read as follows:

(2) However, any city or incorporated town shall reimburse the county ~~board of election commissioners~~ for the expenses of the elections in an amount equal to a figure derived by multiplying fifty percent (50%) of the total cost of each election by a fraction, the numerator of which shall be the number of voters from the city or incorporated town casting ballots in each election prepared by the county board, and the denominator of which shall be the total number of voters casting ballots in each election.

SECTION 29. Arkansas Code § 7-5-107(a), concerning the use of voter registration lists by election ~~officials~~ officers, is amended to read as follows:

(a) In any election conducted in this state, precinct voter registration lists shall be used by election ~~officials~~ officers at ~~in~~ each ~~precinct~~ polling place.

SECTION 30. Arkansas Code § 7-5-109(b), concerning computerized voter registration lists, is amended to read as follows:

(b)(1) The county clerks shall be entitled to a fee in connection with the preparation of any registered voter list that shall reimburse the county clerk for reproduction expenses. The value of office equipment previously secured for the office of the county clerk shall not be considered when determining the amount of this fee.

(2) However, the county clerk shall provide the list and any associated data at no charge to the county election coordinator at the request of the coordinator and shall provide the list and associated data on an expedited basis if requested by the county election coordinator.

SECTION 31. Arkansas Code § 7-5-202, as amended by Act 222 of the 2007 Regular Session, is amended to read as follows:

7-5-202. Public notice of elections.

(a) It shall be the duty of the ~~county board of election commissioners~~ county election coordinator at least twenty (20) days before each preferential primary and general election and at least ten (10) days before the holding of each general primary, general runoff, or special election to give public notice in a newspaper of general circulation in the county of:

(1) The date of the election;

(2) The hours of voting on election day;

(3) Polling sites for holding the elections in the county;

(4) The candidates and offices to be elected at that time, and measures and questions to be included on the ballot; and

(5) The time and location of the opening, processing, canvassing, and counting of ballots.

(b)(1) At least five (5) days prior to a preferential primary, general primary, general election, general runoff, or special election, a copy of the public notice may be posted at each polling site fixed for holding the election and shall be published in a newspaper of general circulation in the county.

(2) At least fifteen (15) days prior to the election, each county board shall prepare and post in a public place in its county clerk's office its list of appointed election officials.

(c) On the day of any election, the following shall be posted at each polling site and remain posted continuously therein until the polls close:

(1) The public notice required in subsection (a) of this section;

(2) At least two (2) sample ballots, marked with the word "SAMPLE", of each ballot style that will be used at the polling site;

(3) Two (2) copies of the full text of all measures on the ballot;

(4) At least two (2) copies of instructions on how to vote, including how to cast a provisional ballot and instructions on fail-safe voting;

(5) General information on voting rights under applicable federal and state laws, including information on the right of an individual to cast a provisional ballot and instructions on how to contact the appropriate officials if these rights are alleged to have been violated;

(6) General information on federal and state laws regarding prohibitions on acts of fraud and misrepresentation;

(7)(A) Double-sided signs containing the words "VOTE HERE".

(B) Each sign shall be at least two feet (2') by two feet (2') in size and shall contain an arrow pointing to the polling site.

(C) A sign shall be posted near each main driveway entrance to the polling site on each public street bordering the polling site so as to be visible to all traffic approaching the polling site.

(D) The sign shall be as close as possible to the public street without obstructing traffic; and

(8) One (1) printout from each voting machine showing whether the candidate and question counters register zero (0).

(d) The Secretary of State shall provide to each ~~county board of election commissioners~~ county election coordinator ~~and each county clerk~~ the information to be posted at each polling site according to subdivisions (c)(5) and (6) of this section.

SECTION 32. Arkansas Code § 7-5-203 is amended to read as follows:

7-5-203. Certification of candidate lists.

(a) Not fewer than fifty (50) days before each general election day, the Secretary of State shall certify to all ~~county boards of election commissioners~~ county election coordinators full lists of all candidates to be voted for in their respective counties as the nominations have been certified to him or her.

(b) Not fewer than fifty (50) days before each general election day, the clerk of each county shall certify to the ~~county board~~ county election coordinator of his or her county a full list of all candidates to be voted for in the county as the nominations have been certified to him or her.

(c) However, in special elections held to fill vacancies or to elect officers in case of a tie vote, the certification shall issue at the time specified in the writ of election issued by the appropriately constituted authority.

SECTION 33. Arkansas Code § 7-5-204, as amended by Act 222 of the 2007 Regular Session, is amended to read as follows:

7-5-204. Certification of questions submitted to voters.

Whenever a proposed amendment to the Arkansas Constitution or other measure or question is to be submitted to a vote of the people, the Secretary of State shall not fewer than sixty (60) days before each general election day certify the amendment, measure, or question to the ~~county board of election commissioners~~ county election coordinator of each county in the state. The county ~~board~~ election coordinator shall include the amendment, measure, or question in the posting which it is required to make under § 7-5-206.

SECTION 34. Arkansas Code § 7-5-205, as amended by Act 222 of the 2007 Regular Session, is amended to read as follows:

7-5-205. Write-in candidates' votes - When counted.

(a) No votes for write-in candidates in general elections shall be counted or tabulated unless:

(1) The candidate or his or her agent shall ~~notify in writing~~ file a notice of write-in candidacy with the ~~county board of election commissioners of each county in which the candidate seeks election~~ county clerk, if a candidate for a county or township office, and ~~either~~ the Secretary of State~~,~~ and the county clerk in each county where the candidate seeks election if a state or district candidate~~, or a county clerk, if a candidate for a county or township office, of his or her intention to be a write-in candidate~~ no earlier than noon on the third Tuesday in March and not later than ninety (90) days before the election day; and

(2) The name written on the ballot is the same name listed on the write-in candidate's political practices pledge, except that any abbreviation, misspelling, or other minor variation in the form of the name of the candidate shall be disregarded if the intention of the voter may be ascertained.

(b) This section shall not apply to the offices of Justice of the Supreme Court, Judge of the Court of Appeals, circuit judge, or district judge.

SECTION 35. Arkansas Code § 7-5-206 is amended to read as follows:

7-5-206. Publication requirements.

(a) The ~~county board of election commissioners~~ county election coordinator shall make publication of all nominations filed with it, of all nominations ~~certified to it by the Secretary of State,~~ of all proposed amendments to the Arkansas Constitution, and of all other measures andquestions certified to it by the Secretary of State or required by law to be submitted to the electors at any election, by posting a list thereof at the door of the courthouse at least ten (10) days before the day of the election.

(b) The ~~county board~~ county election coordinator shall alter any sample ballots distributed to the public or members of the press so as to prevent persons from producing counterfeit ballots by stamping sample ballots with the word "SAMPLE".

SECTION 36. Arkansas Code § 7-5-207(a), concerning the form of election ballots, is amended to read as follows:

(a) All election ballots provided by the ~~county board of election commissioners~~ county election coordinator of any county in this state for any election shall contain in the proper place the name of every candidate whose nomination for any office to be filled at that election has been certified to the ~~county board~~ county election coordinator and shall not contain the name of any candidate or person who has not been certified. If any candidate shall, prior to the printing of the ballots, notify the Secretary of State in the case of a United States, state, or district office, or the ~~county board~~ county election coordinator in the case of a county, city, or township office, in writing, signed by the candidate, and acknowledged before an officer authorized to take acknowledgments, of his desire to withdraw as a candidate for the office or position, the name of the person shall not be printed on the ballot at the election.

SECTION 37. Arkansas Code § 7-5-208(a) effective January 1, 2006 and concerning the form of paper ballots, is amended to read as follows:

(a) All election ballots provided by the ~~county board of election commissioners~~ county election coordinator of any county in this state for any election shall be alike and shall be printed in plain type.

SECTION 38. Arkansas Code § 7-5-209 is amended to read as follows:

7-5-209. Ballots - Correction of errors.

Whenever it shall appear by affidavit that an error or omission has occurred in the publication of the names or description of candidates nominated for office or in the printing of ballots, the county board of election commissioners shall in a public meeting announce the error or omission and immediately direct the county election coordinator to correct the error or omission or show cause why the correction should not be done.

SECTION 39. Arkansas Code § 7-5-210 is amended to read as follows:

7-5-210. Ballots - Number - Official.

(a) The ~~county board of election commissioners~~ county election coordinator of each county in this state not using voting machines shall, in due time for each general or special election, provide for each election precinct, and for each ward of a city or incorporated town in its county, one hundred fifty (150) printed ballots for each one hundred (100), or fraction of one hundred (100), electors voting thereat at the last-preceding comparable election. Provided, however, the total number of ballots required to be printed for each election precinct and for each ward of a city or incorporated town shall not be required to exceed one hundred five percent (105%) of the total number of registered voters for the respective precinct or ward.

(b) No ballot shall be received or counted in any election to which this act applies unless it is provided by the ~~county board~~ county election coordinator as provided in this section.

SECTION 40. Arkansas Code § 7-5-211 is amended to read as follows:

7-5-211. Delivery of election supplies.

(a) At least one (1) day before any election:

(1)(A) The ~~county board of election commissioners~~ county election coordinator shall designate a suitable person or persons and deliver to the person or persons the ballots as set forth in § 7-5-210.

(B) The person shall not be an elected official, the elected official's deputy, or a candidate for office;

(2) For each set of election ~~officials~~ officers in each ~~precinct~~ polling place, the ~~county board~~ county election coordinator shall deliver to the designated person or persons the following additional election supplies, if applicable:

(A) A good and sufficient ballot box with numbered seals;

(B) Sufficient list-of-voters forms adequate to record the names of all registered voters who appear to vote in the precinct;

(C) A precinct voter registration list;

(D) Sufficient tally sheets;

(E) Envelopes to seal the ballots and certificates;

(F) Separate sheets containing blank forms of certificates prepared to enable the election officials to properly certify the result of the election, upon which certificates shall be endorsed a blank form of oath to be taken by the election officials before entering upon the discharge of their duties;

(G) Voter registration application forms for voters using fail-safe voting and other record-keeping supplies necessary to document fail-safe voting procedures; and

(H) In those counties in which an ~~optical scanner~~ electronic vote tabulating device is used to count paper ballots, the marking instrument recommended by the manufacturer of the ~~optical scanner~~ device for proper marking on the ballots shall be provided.

(b) The ~~county board~~ county election coordinator shall be responsible for the security of the delivered election materials.

(c) The ~~county board~~ county election coordinator shall be responsible for providing ballots and election materials for absentee and early voting to the county clerk prior to the beginning day for absentee and early voting.

SECTION 41. Arkansas Code § 7-5-301 is amended to read as follows:

7-5-301. Acquisition, use, and cost of voting systems. [Effective January 1, 2006.]

(a) The casting and counting of votes in all elections shall be by:

(1) Voting machines selected by the Secretary of State;

(2) Electronic vote tabulating devices in combination with voting machines accessible to voters with disabilities to be selected by the Secretary of State; or

(3) Paper ballots counted by hand in combination with voting machines accessible to voters with disabilities selected by the Secretary of State.

(b)(1) All direct recording electronic voting machines in use on or after January 1, 2006, shall include a voter-verified paper audit trail, except for those direct recording electronic voting machines in use during the 2004 general election that may include a voter-verified paper audit trail at the discretion of the county election commission.

(2) All direct recording electronic voting machines purchased on or after January 1, 2006, shall include a voter-verified paper audit trail.

(c)(1) The quorum court of each county shall choose by resolution a voting system containing voting machines or electronic vote tabulating devices, or both, or voting machines in combination with paper ballots counted by hand for use in all elections in the county.

(2) Any voting machine or electronic vote tabulating devices chosen by the quorum court shall be those selected by the Secretary of State.

(3) Any voting system used in elections for federal office shall comply with the requirements of the federal Help America Vote Act of 2002.

(d)(1) Voting machines and electronic vote tabulating devices shall be purchased pursuant to a competitive bidding process with consideration given to:

(A) Price;

(B) Quality; and

(C) Adaptability to Arkansas ballot requirements.

(2) The Secretary of State shall use a portion of the funds provided by the federal government and the state for the purpose of complying with the requirements of the federal Help America Vote Act of 2002 to purchase and distribute voting machines and electronic vote tabulating devices and other equipment necessary to the administration of elections.

(3) Each county shall bear the cost of acquiring any additional voting machines or electronic vote tabulating devices or other equipment necessary to the administration of elections.

(e) The Secretary of State or the ~~county board of election commissioners~~ county election coordinator shall not purchase or procure any voting machine or electronic vote tabulating device unless the party selling the machine or device shall:

(1) Guarantee the machines in writing for a period of one (1) year; and

(2) Provide, if deemed necessary by the county, personnel for the supervision and training of county personnel for at least two (2) elections, one (1) primary and one (1) general.

(f) Each county shall provide polling places that are adequate for the operation of the voting system, including, but not limited to, access, if necessary, to a sufficient number of electrical outlets and telephone lines.

(g) Each county shall provide or contract for adequate technical support for the installation, set up, and operation of the voting system for each election.

(h)(1) The Secretary of State shall be responsible for the development, implementation, and provision of a continuing program to educate voters, ~~and~~ election officials~~,~~ and election officers in the proper use of the voting system.

~~(2) Each county shall bear the cost, including transportation, subsistence, and lodging, incurred by its election and registration officials and officers in attending courses taught by or arranged by the Secretary of State for instruction in the use of the voting system.~~

(i) Electronic vote tabulating devices and voting machines, authorized as provided under this subchapter, may be acquired and used in any election upon the adoption of an ordinance by the quorum court of the county.

(j) The costs of using electronic vote tabulating devices and voting machines at all general and special elections, including, but not limited to, costs of supplies, technical assistance, and transportation of the systems to and from the polling places, shall be paid in accordance with § 7-5-104.

(k) The ~~county board of election commissioners~~ county election coordinator shall have complete control and supervision of voting machines and electronic vote tabulating devices at all elections.

(l) The county clerk shall have supervision of voting machines and electronic vote tabulating devices used for early voting in the clerk's designated early voting location.

(m)(1) The ~~county board of election commissioners~~ county election coordinator shall have the care and custody of all voting machines and all electronic vote tabulating devices while not in use.

(2) The ~~county board of election commissioners~~ county election coordinator shall be responsible for the proper preparation, use, maintenance, security, and care of the voting machines and the electronic vote tabulating devices during the period of time required for that election.

SECTION 42. Arkansas Code § 7-5-305 is amended to read as follows:

7-5-305. Requirements.

(a) Before a person is permitted to vote, the election ~~official~~ officer shall:

(1) Request the voter to identify himself or herself in order to verify the existence of his or her name on the precinct voter registration list;

(2) Request the voter, in the presence of the election ~~official~~ officer, to state his or her address and state or confirm his or her date of birth;

(3) Determine that the voter's date of birth and address are the same as those on the precinct voter registration list;

(4) If the date of birth given by the voter is not the same as that on the precinct voter registration list, request the voter to provide identification as the election ~~official~~ officer deems appropriate;

(5)(A) If the voter's address is not the same as that on the precinct voter registration list, verify with the county clerk that the address is within the precinct.

(B) If the address is within the precinct, request the voter to complete a voter registration application form for the purpose of updating county voter registration record files.

(C) If the address is not within the precinct, instruct the voter to:

(i) Contact the county clerk's office to determine the proper precinct; and

(ii) Go to the polling site serving that precinct in order for his or her vote to be counted;

(6) If the voter's name is not the same as that on the precinct voter registration list, request the voter to complete a voter registration application form for purposes of updating county voter registration record files;

(7) Request the voter, in the presence of the election ~~official~~ officer, to sign his or her name, including the given name, middle name or initial, if any, and last name in the space provided on the precinct voter registration list. If a person is unable to sign his or her signature or make his or her mark or cross, the election ~~official~~ officer shall enter the voter's initials and the voter's date of birth in the space for the person's signature on the precinct voter registration list;

(8)(A) Request the voter for purposes of identification to provide a current and valid photo identification or a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter.

(B)(i) If a voter is unable to provide this identification, the election ~~official~~ officer shall indicate on the precinct voter registration list that the voter did not provide identification.

(ii) A first-time voter who registers by mail without providing identification when registering and desires to vote in person but who does not meet the identification requirements of subdivision (a)(8)(A) of this section may cast a provisional ballot.

(iii) Following each election, the ~~county board of election commissioners~~ county election coordinator may review the precinct voter registration lists and may provide the information of the voters not providing identification at the polls to the prosecuting attorney.

(iv) The prosecuting attorney may investigate possible voter fraud;

(9) Follow the procedures under §§ 7-5-310, 7-5-311, and 7-5-523, if the person is a voter with a disability and presents himself or herself to vote; and

(10) Permit the person to cast a provisional ballot if the person received an absentee ballot according to the precinct voter registration list.

(b) A person not listed on the precinct voter registration list may vote only in accordance with § 7-5-306.

SECTION 43. Arkansas Code § 7-5-306, as amended by Act 224 of the 2007 Regular Session, is amended to read as follows:

7-5-306. Procedure when voter's name is not on the precinct voter registration list.

(a) If the voter's name is not on the precinct voter registration list, the election ~~official~~ officer shall permit the voter to vote only under the following conditions:

(1) The voter identifies himself or herself by stating his or her name and date of birth and is verified by the county clerk as a registered voter within the county and, if the county is divided into more than one (1) congressional district, within the same congressional district;

(2) The voter gives and affirms his or her current residence and the election ~~official~~ officer verifies with the county clerk that the voter's residence is within the precinct;

(3) The voter completes an updated voter registration application form; and

(4) The voter signs the precinct voter registration list.

(b) If the voter is not listed on the precinct voter registration list and the election ~~official~~ officer is unable to verify the voter's registration with the county clerk county election coordinator and the voter contends that he or she is a registered voter in the precinct in which he or she desires to vote and that he or she is eligible to vote, then the voter shall be permitted to cast a provisional ballot.

SECTION 44. Arkansas Code 7-5-309, as amended by Act 224 of the 2007 Regular Session, is amended to read as follows:

7-5-309. Voting procedure.

(a)(1) At general, primary, special, and school elections in counties which use paper ballots, the ~~county board of election commissioners~~ county election coordinator shall provide in each polling site at least one (1) voting booth for each fifty (50) registered electors voting in the last-preceding comparable election.

(2) Each voting booth shall be situated so as to permit voters to prepare their ballots screened from observation and shall be furnished with any supplies and conveniences as will enable the voter to prepare his ballot.

(3) The voting booths shall be situated in the polling site in plain view of the election ~~officials~~ officers.

(4) No person other than the election ~~officials~~ officers and those admitted for the purpose of voting shall be permitted within the immediate voting area, which shall be considered as within six feet (6') of the voting booths, except by authority of the election ~~officials~~ officers and then only when necessary to keep order and enforce the law.

(b) Before giving the voter a ballot, an election official shall:

(1) Initial the back of the ballot;

(2) Remove the ballot stub; and

(3) Place the stub into the stub box provided.

(c)(1)(A) Upon receiving his ballot, the voter shall proceed to mark it by placing an appropriate mark.

(B) No voter shall be allowed more than five (5) minutes to mark his ballot.

(2) The voter shall then personally deposit the ballot in the ballot box provided.

(d)(1) The voter shall not be required to sign, initial, or in any way identify himself or herself with the ballot, the ballot stub, or the list of voters other than in the manner set forth in this section.

(2) However, an election ~~official~~ officer may inspect the back of the ballot before the voter deposits it to see if it has been initialed by an election ~~official~~ officer.

(e) No person shall be permitted to carry a ballot outside of the polling place.

(f) After having voted or having declined to do so, the voter shall immediately depart from the polling site.

SECTION 45. Arkansas Code 7-5-310 is amended to read as follows:

7-5-310. Privacy - Assistance to voters with disabilities. [~~Effective January 1, 2006.~~]

(a) Each voter shall be provided the privacy to mark his or her ballot. Privacy shall be provided by each ~~county board of election commissioners~~ county election coordinator to ensure that voters desiring privacy are not singled out.

(b)(1) A voter shall inform the election ~~officials~~ officers at the time that the voter presents himself or herself to vote that he or she is unable to mark the ballot because he or she cannot read or write or because of physical, sensory, or other disability or other legal cause.

(2) The voter shall be directed to a voting machine equipped for use by persons with disabilities where he or she may elect to cast his or her ballot without assistance, or the voter may request assistance with either the paper ballot or the voting machine by:

(A) Two (2) election ~~officials~~ officers; or

(B) A person named by the voter.

(3) If the voter is assisted by two (2) election ~~officials~~ officers, one (1) of the election ~~officials~~ officers shall observe the voting process and one (1) may assist the voter in marking the ballot according to the wishes of the voter without comment or interpretation.

(4) If the voter is assisted by one (1) person named by the voter, he or she may assist the voter in marking the ballot according to the wishes of the voter without any comment or interpretation.

(5)(A) It shall be the duty of the election ~~officials~~ officers at the polling site to make and maintain a list of the names and addresses of all persons assisting voters.

(B) The election officers shall ask the voter's designated assister for identification, but failure to show identification shall not disqualify the assister from assisting the voter.

(c) Any voter who because of physical, sensory, or other disability who presents himself or herself for voting and who then informs an election ~~official~~ officer at the polling site that he or she is unable to stand in line for extended periods of time shall be entitled to and assisted by an election ~~official~~ officer to advance to the head of any line of voters then waiting in line to vote at the polling site.

SECTION 46. Arkansas Code 7-5-311 is amended to read as follows:

7-5-311. Voters with disabilities - Special procedures.

(a) The ~~county boards of election commissioners with respect to general, special, and primary elections under their several jurisdictions~~ county election coordinator shall provide voting locations which are accessible to voters with disabilities and shall provide reasonable and adequate methods whereby voters with disabilities may personally and secretly execute their ballots at the polling places.

(b) The State Board of Election Commissioners, after conferring with and obtaining the assistance of persons with disabilities or organizations of citizens with disabilities, shall offer to assist local election authorities with the implementation of Title II requirements of the Americans with Disabilities Act and with the Title III requirements of the Help America Vote Act regarding accessibility for voters with disabilities.

(c) As used in this section, the term "disability" means any physical, mental, or sensory impairment.

(d)(1) The county board and the county election coordinator shall be responsible for compliance with this section and with Pub. L. No. 98-435, Title II of Pub. L. No. 101-336, the Americans with Disabilities Act, and the Help America Vote Act regarding the accessibility of voting locations for voters with disabilities.

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

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

SECTION 47. Arkansas Code 7-5-312, as amended by Act 224 of the 2007 Regular Session, is amended to read as follows:

7-5-312. Challenge of voter's ballot by poll watchers, candidates, or designees.

(a) Poll watchers shall include any:

(1) Candidate in person;

(2) Authorized representative of a candidate;

(3) Authorized representative of a group seeking the passage or defeat of a measure on the ballot; and

(4) Authorized representative of a political party with a candidate on the ballot.

(b) Each candidate, group, or party may have, at any given time during the election, including early voting:

(1) One (1) authorized representative present at any one (1) time at each location within a polling site where voters identify themselves to election ~~officials~~ officers, so as to observe and ascertain the identity of those persons presenting themselves to vote for the purpose of challenging any voter who appears for the purpose of casting a ballot; and

(2) One (1) authorized representative present at any one (1) time at each location within the absentee ballot processing site where absentee ballots are processed, so as to observe and ascertain the identity of absentee voters for the purpose of challenging any absentee vote.

(c) In accordance with Arkansas Code §§ 7-5-316, 7-5-413, 7-5-416, 7-5-527, and 7-5-615, a candidate in person or an authorized representative of a candidate or political party may be present at a polling site, central counting location, and absentee ballot counting location for the purpose of witnessing the counting of ballots ~~by election officials~~ and determining whether ballots are fairly and accurately counted.

(d) The document designating and authorizing a representative of a candidate, a representative of a group seeking the passage or defeat of a measure on the ballot, and a representative of a political party with a candidate on the ballot shall be filed with the county clerk and a file-marked copy shall be presented by the poll watcher to the election official or election officer immediately upon entering the polling site, absentee ballot processing site, or counting location in the following form:

POLL WATCHER AUTHORIZATION FORM

Representative of a Candidate

I, ..., state that I am a candidate for the office of ..... in the ..... election. I further state that I have designated ..... at polling sites ..... and absentee ballot processing sites ..... in ..... County, Arkansas to observe and ascertain the identity of persons presenting themselves to vote in person or by absentee for the purpose of challenging any voter in accordance with Arkansas Code §§ 7-5-312, 7-5-416, and 7-5-417. I further state that I have designated and authorized my representative named above to be present at the ballot counting locations at ..... in ..... County, Arkansas for the purpose of witnessing the counting of ballots ~~by election officials~~ and determining whether ballots are fairly and accurately counted in accordance with Arkansas Code §§ 7-5-312, 7-5-316, 7-5-413, 7-5-416, 7-5-527, and 7-5-615.

Representative of a Group

I, ..., state that I represent the ..... group which is seeking passage/defeat (circle one) of the ballot measure entitled ..... on the ballot in the ..... election at polling sites ..... and absentee ballot processing sites ..... in ..... County, Arkansas, to observe and ascertain the identity of persons presenting themselves to vote in person or by absentee for the purpose of challenging any voter in accordance with Arkansas Code §§ 7-5-312, 7-5-416, and 7-5-417.

Representative of a Party

I, ..., state that I am the chairman or secretary of the state/county (circle one) committee for the ..... party with candidates on the ballot in the ..... election. I further state that I have designated ..... as an authorized party representative at the election at polling sites ..... and absentee ballot processing sites ..... in ..... County, Arkansas, to observe and ascertain the identity of persons presenting themselves to vote in person or by absentee for the purpose of challenging any voter in accordance with Arkansas Code §§ 7-5-312, 7-5-416, and 7-5-417. I further state that I have designated and authorized my representative named above to be present at the ballot counting locations at ..... in ..... County, Arkansas, for the purpose of witnessing the counting of ballots ~~by election officials~~ and determining whether ballots are fairly and accurately counted in accordance with Arkansas Code §§ 7-5-312, 7-5-316, 7-5-413, 7-5-416, 7-5-527, and 7-5-615.

.....

Signature of Candidate, Group Representative, or Chairman/Secretary of the State/County Committee

Acknowledged before me this ..... day of ....., 20 .....

Notary Public: ..... My Commission Expires: .....

I do hereby state that I am familiar with the rights and responsibilities of a poll watcher as outlined on the back of the poll watcher authorization form and will in good faith comply with the provisions of same.

.....

Signature of the Poll Watcher

Acknowledged before me this ..... day of ....., 20 .....

Notary Public: ..... My Commission Expires: .....

I do hereby acknowledge filing this poll watcher authorization form with the county clerk's office.

.....

Signature of County Clerk

(e) Poll watcher rights and responsibilities shall be printed on the back of the document in the following form:

POLL WATCHER RIGHTS AND RESPONSIBILITIES

A poll watcher may be:

(1) A candidate in person;

(2) An authorized representative of a candidate;

(3) An authorized representative of a group seeking the passage or defeat of a measure on the ballot; or

(4) An authorized representative of a party with a candidate on the ballot.

Official recognition of poll watchers:

(1) Only one (1) authorized poll watcher per candidate, group, or party at any one (1) given time may be officially recognized as a poll watcher at each location within a polling site where voters identify themselves to election ~~officials~~ officers;

(2) Only one (1) authorized poll watcher per candidate, group, or party at any one (1) given time may be officially recognized as a poll watcher at each location within the absentee ballot processing site where absentee ballots are processed; and

(3) Only one (1) authorized poll watcher per candidate or party at any one (1) given time may be officially recognized as a poll watcher at the counting of the ballots.

Poll watcher credentials:

(1) Except for candidates in person, poll watchers must present a valid affidavit in the form of a "Poll Watcher Authorization Form" to an election ~~official~~ officer immediately upon entering the polling or counting location.

(2) Candidates in person are not required to present a “Poll Watcher Authorization Form’” but must present some form of identification to an election ~~official~~ officer immediately upon entering the polling or counting location for the purpose of confirming the poll watcher as a candidate on the ballot.

Poll watchers may:

(1) Observe the election ~~officials~~ officers;

(2) Stand close enough to the precinct voter registration lists so as to hear the voter's name and observe the voter's signature;

(3) Compile lists of persons voting;

(4) Challenge ballots upon notification to an election ~~official~~ officer before the voter signs the precinct voter registration list and upon completing a "Challenged Ballot Form";

(5) Call to the attention of the election sheriff any occurrence believed to be an irregularity or violation of election law. The poll watcher may not discuss the occurrence unless the election sheriff invites the discussion; and

(6) Be present at the opening, processing, and canvassing of absentee ballots for the purpose of challenging absentee votes in the manner provided by law for personal voting challenges.

Poll watchers representing a candidate or political party may:

(1) Remain at the polling site after the poll closes if ballots are counted at the poll;

(2) Be present at the counting of votes by hand or by an electronic vote tabulating device at a central location;

(3) Be present at the counting of absentee ballots for the purpose of witnessing the counting of ballots by election officials and determining whether ballots are fairly and accurately counted; and

(4) Upon request made to an election official, inspect any or all ballots at the time the ballots are being counted.

Poll watchers may not:

(1) Be within six feet (6') of any voting machine or booth used by voters to cast their ballot;

(2) Electioneer inside the polling site or within one hundred feet (100') of the primary exterior entrance used by voters to the building containing the polling site;

(3) Speak to any voter or in any way attempt to influence a voter inside the polling site or within one hundred feet (100') of the primary exterior entrance used by voters to the building containing the polling site; or

(4) Disrupt the orderly conduct of the election.

(f) Poll watcher rights and responsibilities shall be posted in plain view at each polling site, absentee ballot processing site, and counting site.

(g)(1) When the ballot of any voter is thus challenged, it shall be treated as a provisional ballot.

(2) The poll watcher shall notify an election ~~official~~ officer of the challenge before the voter signs the precinct voter registration list.

(3) The poll watcher shall complete a challenged ballot form.

(4) The election ~~official~~ officer shall inform the voter that his or her ballot is being challenged.

(5) The procedures for casting a provisional ballot under § 7-5-308 shall be followed.

SECTION 48. Arkansas Code 7-5-314 is amended to read as follows:

7-5-314. Duties of election ~~officials~~ officers - Voter lists - Voters in line at closing time.

(a) At least one (1) election ~~official~~ officer in each precinct or at each box shall mark the voter's name as having voted on the precinct voter registration list furnished by the county clerk.

(b) If a voter's name does not appear on the precinct voter registration list, the voter may vote only in accordance with § 7-5-306.

(c) In all counties, when the polls close, all persons who have presented themselves for voting and who are then in line at the polling site shall be permitted to cast their votes.

(d) The election ~~officials~~ officers shall then total the number of voters on the voter lists, and the lists shall be certified and attested by the election ~~officials~~ officers.

SECTION 49. Arkansas Code 7-5-315 is amended to read as follows:

7-5-315. Counting ballots at the polling site.

In counting the paper ballots at the polling site, the following procedures shall be followed:

(1) The votes received by an unopposed candidate in any election held in this state shall not be counted or tabulated by the election ~~officials~~ officers. The word "UNOPPOSED" shall be sufficient to insert on the tally sheet to indicate that the candidate has received a majority of the votes cast in the election. However, the votes received by an unopposed candidate for the office of mayor or circuit clerk shall be counted and tabulated by the election ~~officials~~ officers;

(2) No write-in vote in any election in this state may be counted unless the name of the write-in candidate shall have been written on the ballot in the handwriting of the person casting the vote;

(3) In counting the ballots, the ballot box shall be opened, and the ballots shall be counted by counting each ballot in turn or by counting by offices and issues. The election ~~officials~~ officers ~~must~~ shall witness the counting of the ballots and shall keep separate tally lists of the votes cast for each candidate or issue on the ballot;

(4) When two (2) or more ballots are found folded together, it shall be considered as conclusive evidence of their being fraudulent, and neither of them shall be counted. If a ballot shall be found to contain a greater number of names for any one (1) office than the number of persons required to fill the office, it shall be considered fraudulent as to the whole of the names designated to fill the office, but no further;

(5) Upon the close of the polls, the election ~~officials~~ officers shall immediately certify and attest the list of voters and continue the count to completion. If any of the election ~~officials~~ officers become sick or incapacitated from any other cause, the remaining election ~~officials~~ officers shall continue the count until it is completed;

(6) After the count is completed, the election ~~officials~~ officers shall make out the certificates of election in triplicate and immediately post one (1) copy outside the polling site;

(7)(A) The votes received by any person whose name appeared on the ballot and who withdrew or died after the certification of the ballot or filing period ended shall be counted.

(B)(i) If the person received enough votes to win nomination or election, a vacancy in the nomination or election shall be declared.

(ii)(a) If the person received enough votes to qualify for a runoff, the person's name shall appear on the runoff ballot; and

(b) If enough votes are cast for the person to win the runoff, then a vacancy in the nomination or election shall exist; and

(8) Any person who votes in an election as a result of a federal or state court order or any other order extending the time established for closing the polls may only vote in that election by casting a provisional ballot according to the procedure set out in § 7-5-306(b). The ballot shall be separated and held apart from other provisional ballots cast by those not affected by the order.

SECTION 50. Arkansas Code 7-5-316 is amended to read as follows:

7-5-316. Presence of candidate - Designation of representatives.

(a) After the polls have been closed, the counting of votes shall be open to the public, and any candidate or political party may be present in person or by representative designated in writing pursuant to § 7-5-312 at the count of the ballots in any election for the purpose of determining whether or not the ballots in any election precinct are fairly and accurately counted. The candidate, political party, or authorized representative of the candidate or political party shall be permitted, upon a request being made to an election official or officer, to inspect any or all ballots at the time the ballots are being counted.

(b) The representatives of political parties may be designated and authorized by either the chairman or the secretary of the state or county committee, and representatives of candidates may be designated and authorized by the candidate represented.

SECTION 51. Arkansas Code 7-5-317 is amended to read as follows:

7-5-317. Processing and delivery of election materials.

(a) After the count of the ballots is completed, all of the election returns shall be processed and delivered in the following manner:

(1) The list-of-voters form, precinct voter registration list, voter registration application forms, and other recordkeeping supplies shall be delivered to the county clerk county election coordinator; and

(2) Certificates of election results and tally sheets:

(A) One (1) copy of the certificate of election results with one (1) copy of the tally sheets shall be delivered to the county clerk; and

(B) One (1) copy of the certificate of election results shall be returned with one (1) copy of the tally sheets and reports of challenges of voters, if any, to the county ~~board of election commissioners~~ election coordinator;

(3) Ballots:

(A) The election ~~officials~~ officers shall securely envelope the voted ballots separately from the unused ballots and place the ballots in a container with a numbered seal and then deliver the ballots with the tally sheets and other election materials to the ~~county board~~ county election coordinator; and

(B) All cancelled ballots shall be preserved separately from the other ballots and returned to the ~~county board~~ county election coordinator;

(4) Stub boxes: Sealed stub boxes shall be delivered to the county treasurer for storage.

(b) All of the election materials and returns shall be delivered to the ~~county board~~ county election coordinator by the election ~~officials~~ officers immediately after the polls close.

SECTION 52. Arkansas Code 7-5-418 is amended to read as follows:

7-5-318. Failure to deliver materials - Penalty - Messenger to obtain delinquent returns.

(a) If the election ~~officials~~ officers fail to deliver the ballots, ballot stubs, certification of election, voter lists, and other election returns within the time period and in the manner provided for in § 7-5-317, the election ~~officials~~ officers shall forfeit the sum of two hundred dollars ($200) to be recovered by action of debt in the name of the state for the use of the county.

(b) Upon failure of delivery of the election returns immediately after the polls close, the county board of election commissioners shall dispatch a peace officer to obtain the election returns, and all expenses incurred by sending the messenger shall be paid by the defaulting election ~~officials~~ officers.

SECTION 53. Arkansas Code 7-5-319 is amended to read as follows:

7-5-319. Recount. [Effective January 1, 2006.]

(a)(1) Any candidate voted for who may be dissatisfied with the returns from any precinct shall have a recount of the votes cast therein upon the candidate's presenting the ~~county board of election commissioners~~ county election coordinator with a petition requesting the recount.

(2) When the number of outstanding absentee ballots of overseas voters is not sufficient to change the results of the election, the candidate must present the petition no later than two (2) days after the county board declares preliminary and unofficial results of the election, including a statement of the number of outstanding absentee ballots of overseas voters.

(3) When the number of outstanding absentee ballots of overseas voters is sufficient to potentially change the results of the election, the candidate must present the petition at any time before the county board finally completes the canvass of the returns of the election and certifies the result.

(b) At the time that the petition requesting the recount is presented, the county board shall provide to the candidate requesting the recount a copy of the test results on the voting machines and the electronic vote tabulating devices. Only one (1) recount per candidate per election shall be permitted. The county board shall certify the results of the last recount. The county board may upon its own motion conduct a recount of the returns from any or all precincts.

(c) For any recount of an election in which ballots are cast using a direct recording electronic voting machine with a voter-verified paper audit trail, the voter-verified paper audit trail shall serve as the official ballot to be recounted.

(d) For the recount of an election in which paper ballots are used, the county board shall open the package containing the ballots and recount the ballots in the manner prescribed by law for the count to be made by the election officials or election officers in the first instance, or if there is a determination by the county board that the voting machine or electronic vote tabulating device may be malfunctioning, it may recount the ballots by any manner prescribed by law.

(e) The result as found upon the recount, if it differs from that certified by the election officials or election officers, shall be included in the canvass as the vote for the particular precinct for which the recount was ordered and made.

(f) After the recount is completed, the ballots shall again be sealed and kept as provided by law.

(g)(1) The costs for any recount must be borne by the candidate petitioning for it, and payment of the costs must be made to the ~~county board~~ county prior to the recount in an amount determined by the ~~county board~~ county election coordinator.

(2) In the event that the outcome of the election is altered by recount, the costs of the recount shall be refunded to the candidate who petitioned for the recount.

(h) The costs of any recount shall be based on the actual costs incurred to conduct the recount, but in no instance shall the amount charged to conduct a recount exceed the rate of twenty-five cents (25›) per vote cast in the precincts where the recount is requested or a total of two thousand five hundred dollars ($2,500) for the entire county, whichever is less.

(i) Within forty-eight (48) hours after a petition for recount is filed, the ~~county board of election commissioners~~ county election coordinator shall notify all candidates whose election could be affected by the outcome of the recount.

SECTION 54. Arkansas Code 7-5-320 is amended to read as follows:

7-5-320. Election to fill vacancy - Unopposed candidate.

(a)(1) If, after all deadlines for filing as a candidate ~~or write-in candidate~~ have passed in a special election to fill a vacancy, there is only one (1) candidate and if no other office or issue is on the ballot, then the ~~county board of election commissioners~~ county election coordinator may reduce the number of polling places for the election.

(2)(A) The ~~county board~~ county election coordinator shall provide at least one (1) polling place.

(B) The polling place may be at the courthouse and may be staffed by as many election officers as deemed necessary by the county election coordinator.

(b) In a county that uses voting machines or electronic voting, the ~~county board~~ county election coordinator may choose to use paper ballots for the election.

SECTION 55. Arkansas Code 7-5-414 is amended to read as follows:

7-5-414. Appointment of special election ~~officials~~ officers- Qualifications - Compensation.

(a) The county board of election commissioners shall appoint election ~~officials~~ officers to count and canvass the absentee voters' ballots in all elections.

(b) The election ~~officials~~ officers who are to canvass the absentee ballots shall be appointed in the same manner and at the same time the election ~~officials~~ officers are selected to serve at the regular voting precincts. The election ~~officials~~ officers shall possess the same qualifications and have the same powers and duties as the election ~~officials~~ officers who serve at the regular voting precincts.

SECTION 56. Arkansas Code 7-5-416 is amended to read as follows:

7-5-416. Counting of absentee ballots.

(a)(1) The ~~election officials for absentee ballots~~ county board of election commissioners shall meet in the courthouse in a place designated by the ~~county board of election commissioners~~ county election coordinator on election day for the purpose of processing absentee ballots.

(2) The ~~county board~~ county election coordinator shall give public notice of the time and location of the opening, processing, canvassing, and counting of absentee ballots as provided in § 7-5-202.

(3) The county clerk shall forward the absentee ballot applications sorted alphabetically or by precinct to the ~~election officials for absentee ballots~~ county board.

(4) The counting of absentee ballots shall be open to the public, and candidates and political parties may be present in person or by a representative designated in writing pursuant to § 7-5-312 during the opening, processing, canvassing, and counting of the absentee ballots as provided in this subchapter.

(5) Absentee or early votes may be counted prior to the closing of the polls on election day.

(b)(1) The opening, processing, counting, and canvassing of absentee ballots shall be conducted as follows:

(A) One (1) of the ~~election officials~~ members of the county board or election officers shall open outer absentee ballot envelopes one (1) by one (1) and verify the contents;

(B) If the required materials are properly placed in the outer absentee ballot envelope, the ~~election official~~ member of the county board or election officer shall proceed to read aloud from the voter statement the name of the voter and the voting precinct in which the voter claims to be a legal voter;

(C) If the required materials are not properly placed in the outer absentee ballot envelope, a second ~~election official~~ member of the county board or election officer shall open the inner absentee ballot envelope to verify the contents;

(D) If all required materials are present within one (1) or the other envelopes, the ~~election officials~~ members of the county board or election officers shall put the materials in the proper envelopes while preserving the secrecy of the voter's ballot and shall proceed to read aloud from the voter statement the name of the voter and the voting precinct in which the voter claims to be a legal voter;

(E) As each outer envelope is opened and the name of the voter is read, the election officials or officers for the absentee box shall list in duplicate the name and voting precinct of the voter;

(F)(i) After the ~~election official~~ member of the county board or election officer reads aloud from the statement, the ~~election officials~~ county board shall compare the name, address, date of birth, and signature of the voter's absentee application with the voter's statement and, for first-time voters who registered by mail, the first-time voter's identification document unless the voter previously provided identification at the time of mailing the voter registration application.

(ii) If the application and the voter's statement do not compare as to name, address, date of birth, and signature, the absentee ballot shall not be counted.

(iii) If a first-time voter fails to provide the required identification with the ballot or at the time of mailing the voter registration application, then the absentee application, absentee ballot envelope, and voter's statement shall be placed in an envelope marked "provisional" and the ballot shall be considered a provisional ballot;

(G) If the absentee voter fails to return the required materials, the contents of both envelopes shall be placed in an envelope marked "provisional";

(H)(i) The ~~election official~~ reason for the challenge shall be recorded ~~shall record the reason for the challenge~~ on the envelope, and it shall be referred to the county board.

(ii) The county board shall determine whether the voter is qualified and whether or not the vote shall be counted;

(I) Failure of the voter to submit the required absentee materials in the proper envelopes shall not be grounds for challenging the ballot;

(J) If no challenge is made, the election official or officer shall remove the inner envelope, without opening the inner envelope containing the ballot, and place it in the ballot box without marking it in any way;

(K)(i) After all of the outer envelopes have been opened and a list has been made in duplicate of the name and voting precinct of the voters, as required in this section, the ~~election officials of the absentee box~~ county board shall preserve all the statements of voters and the voters' identification documents and deliver them to the ~~county clerk~~ county election coordinator, who shall file and keep them for the same length of time after the election as is required for retention of other ballots.

(ii) The voter statements shall be made available for public inspection during regular business hours.

(iii) The voters' identification documents shall not be subject to public inspection except as part of a judicial proceeding to contest the election;

(L) When all of the inner envelopes containing the ballots have been placed in the ballot box, the ballot box shall be shaken thoroughly to mix the ballots; and

(M) The ballot box shall be opened and the ballots canvassed and counted.

(2) No election results shall be printed or released prior to the closing of the polls.

(c) If any person casting an absentee ballot dies before the polls open on election day, his or her vote shall not be counted.

(d) It is the intent of this section to permit the ~~election officials for absentee ballots~~ county board to meet and process, canvass, and count absentee ballots according to this section prior to the closing of the polls on election day.

(e)(1) Absentee votes may be cast on paper ballots or ballot cards, or both methods may be used.

(2) The ballots shall first be counted for write-in votes ~~by the election officials~~. Then, the ballots may be either hand counted or automatically counted on an electronic ~~system~~ tabulating device~~, whichever is more convenient~~.

(3) ~~Election officials~~ The county board may make a true copy of absentee paper ballots ~~on ballot cards~~ which, after being verified in the presence of witnesses, shall be counted in the same manner as other ballots ~~ballot cards~~.

(f)(1) Absentee ballots marked as "special runoff ballots" received from a qualified voter who meets one (1) of the categories in § 7-5-406(a) and is temporarily residing outside the territorial limits of the United States shall be opened for general primary elections and general runoff elections according to the procedures described in subsection (b) of this section.

(2) However, in counting the special runoff ballot, one (1) of the ~~members of the county board or~~ election ~~officials~~ officers shall open the envelope containing the special runoff ballot and read the numbers indicated next to the names of the two (2) candidates in the general primary election or in the general runoff election.

(3) The candidate with the highest ranking shall receive the vote.

(4) A special runoff ballot received with the preferential primary absentee ballot shall be counted in the general primary election, and a special runoff ballot received with the general election absentee ballot shall be counted in the general runoff election.

(5) The Secretary of State shall prepare instructions for opening, counting, and canvassing special runoff ballots and provide the instructions to each county board of election commissioners.

SECTION 57. Arkansas Code 7-5-417 is amended to read as follows:

7-5-417. Challenge of absentee votes.

(a) When the name and voting precinct of a voter is read by the member of the county board of election commissioners or the election ~~official~~ officer, any candidate or qualified poll watcher pursuant to § 7-5-312 may challenge the vote in the manner provided by law for personal voting challenges, and the ~~election officials~~ county board shall consider the ballot as a provisional ballot.

(b) If the statement is not in proper form, or if for any other legal reason the vote should not be counted, the ballot shall be preserved together with the statement and envelope for the same period of time that the statements are preserved.

(c) If the county board ~~of election commissioners~~ determines that the provisional voter is qualified and that the vote should be counted, it shall be handled in the same manner as provisional ballots in a regular voting precinct.

SECTION 58. Arkansas Code 7-5-418 is amended to read as follows:

7-5-418. Early voting.

(a)(1)(A) Except as provided in subdivision (a)(1)(B) of this section, early voting shall be available to any qualified elector who applies to the county clerk's designated early voting location, beginning fifteen (15) days before a preferential primary or general election between the hours of 8:00 a.m. and 6:00 p.m. Monday through Friday and 10:00 a.m. and 4:00 p.m. Saturday and ending at 5:00 p.m. on the Monday before the election.

(B) Early voting shall not be available on state holidays.

(2) However, on all other elections, including, but not limited to, general primary and general runoff elections, early voting shall be available to any qualified elector who applies to the county clerk during regular office hours, beginning fifteen (15) days before an election and ending on the day before the election day at the time the county clerk's office regularly closes.

(b)(1)(A) The county board of election commissioners may decide to hold early voting at additional polling sites outside the offices of the county clerk and to include the additional voting locations for a maximum of fifteen (15) days on any of the days and times provided for in subsection (a) of this section, if it so chooses.

(B) The county board shall determine by unanimous vote the location of additional polling sites for early voting.

(C) The ~~county clerk~~ county election coordinator shall publish the location of additional early voting polling sites in a newspaper of general circulation at least five (5) days before early voting begins.

(2) The ~~county board~~ county election coordinator shall select the number of election ~~officials~~ officers necessary to adequately staff the additional early voting polling site ~~or sites as in any other election~~.

(3)(A) The ~~county board~~ county election coordinator shall notify the county clerk of ~~it's~~ the board's decision to hold early voting at additional polling sites outside the office of the county clerk within ten (10) days of the decision.

(B)(i) If the county board decides to hold early voting at additional polling sites outside the office of the county clerk, the county clerk may choose not to hold early voting within the office of the county clerk. The county clerk shall notify the ~~county board~~ county election coordinator within ten (10) days of the receipt of notice ~~from the county board~~ regarding early voting at additional polling sites.

(ii) If the county clerk decides not to hold early voting within the office of the county clerk as provided in subdivision (b)(3)(B)(i) of this section, early voting shall be held at one (1) or more conveniently located polling sites on the days and times provided in subsection (a) of this section.

(4) The early voting election ~~official~~ officer shall record the date on all pages of the early voting roster or early voting request form and keep a daily record of the number of early ballots cast.

~~(5) The county clerk shall publish the additional hours for early voting with the location of additional early voting polling sites in a newspaper of general circulation at least five (5) days before early voting begins.~~

~~(6)~~(5) All voted ballots and unvoted ballots and all related election materials at each additional early voting polling site shall be stored in a secure location in the county courthouse or in a secure location as determined by the county board of election commissioners immediately after the close of the additional polling sites each day that early voting is conducted there.

(c) Before a person is permitted to cast an early vote, the county clerk or election ~~official~~ officer shall:

(1) Request the voter to identify himself by stating his name, date of birth, and address in order to verify his registration;

(2) If the voter's name or address is not the same as that in the county voter registration record files, request the voter to complete an updated voter registration application form;

(3) Request the voter to sign an early voting roster or early voting request form which identifies his name, address, date of birth, and the date on the roster or form; and

(4) Enter the voter's precinct number on the early voting roster or early voting request form.

(d) If the voter is not listed in the county voter registration record files and the county clerk is unable to verify the voter's registration and if the voter contends that he or she is eligible to vote, then the voter may vote a provisional ballot which shall be counted only upon verification of the voter's registration status.

(e) The county clerk or ~~county board~~ county election coordinator shall furnish voting locations that adequately allow the early voter to personally and secretly execute his or her ballot.

(f) Upon casting his or her ballot, the voter shall then deposit the ballot in the appropriate box in the same manner as for votes cast on the day of the election.

(g) Early votes shall be counted at the same time as absentee ballots.

(h) Except as provided in this section, early voting shall be conducted in the same manner as voting on election day. Conduct that is prohibited or restricted on election day shall be subject to the same prohibitions and restrictions on the days on which early voting is conducted.

SECTION 59. Arkansas Code 7-5-507 is amended to read as follows:

7-5-507. Demonstration - Assistance in operating machine. [~~Effective January 1, 2006.~~]

(a) The manufacturer shall demonstrate the machine to the ~~election officials~~ county board of election commissioners and the county election coordinator, prior to the first election at which the machines are placed in use. The date for the demonstration shall be set by the ~~county board of election commissioners~~ county election coordinator .

(b) On the date of the first election at which voting machines are used, manufacturers shall make employees available in each county where the machines are in operation to assist the county board in any manner that will expedite voting and provide efficient operation of voting machines. After the first election, the ~~county board~~ county election coordinator shall obtain the assistance needed in operating the machines, and the ~~county board~~ county election coordinator shall collect and pay expenses for this assistance as it would for any other election cost.

SECTION 60. Arkansas Code 7-5-509 is amended to read as follows:

7-5-509. Machines used for demonstration. [Effective January 1, 2006.]

(a) The ~~county board of election commissioners~~ county election coordinator may designate suitable times and places where voting machines shall be exhibited for the purpose of giving instructions in their use to all voters who apply for instruction.

(b) At least one (1) machine for demonstration purposes shall be placed in each precinct not more than twenty-five (25) days nor less than ten (10) days before each election, when practical. The location of voting machines for demonstration shall be in accessible public buildings. The voting machines used for demonstration shall display sample ballots showing the title of offices to be filled and, as far as practicable, the names of the candidates in the next election.

(c) No voting machine that is to be assigned for use in any election shall be used for instruction after having been prepared and secured for the election. Machines shall not be used for demonstration purposes during the time that the polls are open on election day or if the demonstration shall in any way interfere with the proper adjustment, securing, or use of the machine in the election.

SECTION 61. Arkansas Code 7-5-510 is amended to read as follows:

7-5-510. Forms for complaints about function of voting machine - Investigation.

(a) At each polling place at which voting machines are used, the ~~county board of election commissioners~~ county election coordinator shall provide forms that voters may use for complaints about the function of a voting machine. The complaint form shall include space for the following information:

(1) The name, address, and telephone number of the person making the complaint;

(2) The identification number of the voting machine;

(3) The complaint; and

(4) Such other information concerning the complaint as the State Board of Election Commissioners determines to be appropriate to carry out the intent of this section.

(b) A voter may file a complaint form with an election ~~official~~ officer who shall forward the complaint form to the ~~county board of election commissioners~~ county election coordinator. It shall be the duty of the ~~county board of election commissioners~~ county election coordinator to report complaints to the county board and to investigate complaints regarding the function of a voting machine.

SECTION 62. Arkansas Code 7-5-512 is amended to read as follows:

7-5-512. Certification of ballot styles - Equipment furnished to polling sites. [~~Effective January 1, 2006.~~]

(a) It shall be the duty of the ~~county board of election commissioners~~ county election coordinator to prepare and certify the ballot styles for the voting machine.

(b) In addition, the board shall furnish the following paraphernalia for each polling site:

(1) Two (2) or more sample ballots of legible size for each ballot style that will be in use in the election and accompanied by illustrated directions for voting on the machine. The sample ballots and directions shall be posted prominently within the polling site; and

(2) Any election materials and supplies as may be necessary or as may be required by law.

(c) The voting machine shall be delivered by the ~~county board~~ county election coordinator to the election ~~officials~~ officers at each polling site.

(d) The ~~county board~~ county election coordinator shall supply each precinct with clear, written instructions suitable for the instruction of voters illustrating the manner of voting on the machine.

SECTION 63. Arkansas Code 7-5-513 is amended to read as follows:

7-5-513. Machine breakdown - Delivery of ballot materials. [~~Effective January 1, 2006.~~]

The ~~county board of election commissioners~~ county election coordinator in any county in which voting machines are to be used shall be ready at any time on election day to deliver to any ~~precinct~~ polling place in the county~~, town, or city~~ ballots, ballot boxes, replacement voting machines, if available, or other necessary equipment required by law for voting, upon notice that any voting machine is out of order or fails to work.

SECTION 64. Arkansas Code 7-5-515 is amended to read as follows:

7-5-515. Preparation of machines for election. [~~Effective January 1, 2006.~~]

(a) Immediately upon the proper certification of candidates and questions, the ~~county board of election commissioners~~ county election coordinator shall prepare the voting machines, oversee their programming, and test and adjust the voting machines for the election.

(b) In performing this function, the ~~county board~~ county election coordinator may be assisted by experts appointed or employed by the county board.

(c)(1) At least five (5) days prior to the election day, the county ~~board~~ election coordinator, with respect to all elections, shall have the machines tested to ascertain that the voting system will correctly count the votes cast for all offices on all measures.

(2) Public notice of the time and place of the test shall be given at least forty-eight (48) hours prior to the test by publication one (1) time in one (1) or more daily or weekly newspapers published in the town, city, or county using the machines if a newspaper is published in the town, city, or county.

(3) The test shall be open to representatives of the political parties, candidates, media, and the public.

(4) The test shall be conducted by processing a preaudited group of test ballots that are to be voted on the machines so as to record a predetermined number of valid votes for each candidate and on each measure. The test shall include for each office one (1) or more ballots which have votes in excess of the number allowed by law in order to test the ability of the machines to reject the votes.

(5) If any error is detected, the cause shall be ascertained and corrected and an errorless count shall be made before the machine is approved.

(d) After completion of the test, the ballots and programs used shall be sealed, retained, and disposed of as provided by law.

(e) After completion of the test, the ~~county board of election commissioners~~ county election coordinator shall certify the accuracy of the voting system and file the test results with the county clerk.

SECTION 65. Arkansas Code 7-5-516(a), concerning notice to candidates of the preparation of voting machines, is amended to read as follows:

(a) Before the ~~county board of election commissioners~~ county election coordinator begins the preparation of the machines for any election, it shall mail a notice in due time to candidates or any representatives designated by candidates stating:

(1) The time and place the machines will be prepared for the election; and

(2) A time at which one (1) representative of each candidate may inspect to see that the machines are in proper condition for use in the election.

SECTION 66. Arkansas Code 7-5-517 is amended to read as follows:

7-5-517. Securing machines - Certification. ~~[Effective January 1, 2006.]~~

(a) When a voting machine has been properly prepared by the ~~county board of election commissioners~~ county election coordinator and examined by the representatives of the candidates or the candidate himself or herself, it shall be made inaccessible to voting.

(b) Any device required to activate the machine shall be placed in a package on which shall be written the serial number and the precinct location of the voting machine and the number registered on the protective counter or device. The package shall be sealed in the presence of the representatives of the candidates or the candidates themselves.

(c) The ~~county board of election commissioners~~ county election coordinator shall then certify, in the presence of the candidates or their representatives, as to the serial numbers of the machines, that all question counters are set at zero (000), and as to the number registered on the protective counter of the machine.

(d) Any activator pack or device required for voting on the voting machines shall be kept by the ~~county board~~ county election coordinator until turned over for delivery to the election ~~officials~~ officers with the election equipment at the polling ~~site~~ place for election day.

SECTION 67. Arkansas Code 7-5-518 is amended to read as follows:

7-5-518. Machines inactivated until polls open - Adjustment of counters. [Effective January 1, 2006.]

(a) The voting machine shall remain inactivated against voting until the polls are formally opened and shall not be operated except by voters for voting.

(b) If any counter or tabulator is found not to register zero (000), the election ~~officials~~ officers shall immediately notify the ~~county board of election commissioners~~ county election coordinator, who shall cause the counters to be adjusted at zero (000).

(c)(1) The election ~~officials~~ officers shall produce one (1) printout from each machine showing whether the candidate and question counters register zero (000) and shall sign and post the printout upon the wall of the polling room, where it shall remain throughout the election day.

(2) The certified printout shall be filed with the election returns.

SECTION 68. Arkansas Code 7-5-521 is amended to read as follows:

7-5-521. Arrangement of polling place. ~~[Effective January 1, 2006.]~~

(a) The exterior of the voting machine and every part of the polling place shall be in plain view of the election ~~officials~~ officers.

(b) The machine shall be placed so that no person can see or determine how the voter casts his or her vote.

(c) After the opening of the polls, the election ~~officials~~ officers shall not allow any person to pass to the part of the room where the machine is situated, except for the purpose of voting.

SECTION 69. Arkansas Code 7-5-522 is amended to read as follows:

7-5-522. Voting procedure. ~~[Effective January 1, 2006.]~~

(a)(1) Where a voter presents himself or herself for the purpose of voting, the election ~~officials~~ officers shall ascertain whether he or she is properly qualified and registered pursuant to § 7-5-305.

(2) In preparing the machines, the election ~~official~~ officer shall ensure that each voter will have access only to the proper ballot.

(b) Only one (1) voter at a time shall be permitted to approach a voting machine. Having cast his or her vote, the voter shall at once move away from the voting machine and leave the polling room by the exit provided.

(c) No voter after having left the voting machine shall be permitted to return to the voting machine except to complete the voting process.

SECTION 70. Arkansas Code 7-5-523 is amended to read as follows:

7-5-523. Assistance to voters with disabilities. ~~[Effective January 1, 2006.]~~

(a)(1) A voter shall inform the election ~~officials~~ officers at the time that the voter presents himself or herself to vote that the voter is unable to cast his or her ballot by voting machine because the voter cannot read or write or because of physical, sensory, or other disability or other legal cause, or that he or she is unable to complete the ballot without help and needs the assistance of some other person in casting his or her ballot. That voter may be assisted by:

(A) Two (2) election ~~officials~~ officers; or

(B) A person named by the voter.

(2) If the voter is assisted by two (2) election ~~officials~~ officers, one (1) of the election officials shall observe the voting process and one (1) may assist the voter in operating the machine so as to vote the ballot in accordance with the wishes of the voter without comment or interpretation.

(3) If the voter is assisted by one (1) person named by the voter, he or she may assist the voter in operating the machine so as to vote the ballot in accordance with the wishes of the voter without comment or interpretation.

(4) The laws of this state with respect to assisting persons with disabilities in the casting of votes upon printed ballots shall govern, insofar as is practicable, the assistance of a voter in casting his or her ballot by voting machine.

(5) It shall be the duty of the election ~~officials~~ officers at the polling site to make and maintain a list of the names of all persons assisting voters.

(b) A voter with a disability who requests to cast his or her ballot on a voting machine without assistance shall be provided with an audio or other device that shall be used in conjunction with the voting machine so that the voter may cast a secret ballot without assistance.

(c) Any voter who because of physical, sensory, or other disability presents himself or herself for voting by voting machine and who then informs election ~~officials~~ officers at the polling site that he or she is unable to stand in line for extended periods of time shall be entitled to be assisted by an election ~~official~~ officer to advance to the head of any line of voters then waiting in line to vote at the polling site.

SECTION 71. Arkansas Code 7-5-526 is amended to read as follows:

7-5-526. Closing of polls - Securing machines - Election ~~officials~~' officers' certificate. ~~[Effective January 1, 2006.]~~

(a) At the official time for closing the polls and upon termination of the voting, the election ~~officials~~ officers shall announce that the polls have closed and in the presence of all persons authorized to be present shall remove the activation packs or devices from the voting machines to make them inaccessible to further voting.

(b) At the same time, the election ~~officials~~ officers shall sign a certificate provided by the ~~county board of election commissioners~~ county election coordinator stating that the machines were made inaccessible to further voting and giving the exact time and the number of votes shown on the public counters.

SECTION 72. Arkansas Code 7-5-527 is amended to read as follows:

7-5-527. Exposure of count - Verification - Return Record - Official signatures. ~~[Effective January 1, 2006.]~~

(a) The election ~~officials~~ officers shall then expose the count in the presence of all persons authorized to be present.

(b) It is the intention of this section to accord a full, complete, and public view of the count from each voting machine to all election ~~officials~~ officers and designated watchers for the candidates or parties.

(c)(1) The election ~~official~~ officer shall proceed to produce the return record in a minimum of three (3) copies.

(2)(A) The return record shall be deemed the official count for that machine.

(B) One (1) copy of the completed return record for that machine shall be posted upon the wall of the polling room for all to see.

(d) The election ~~officials~~ officers shall sign the machine return record produced by the device.

(e)(1) The activation pack or device used to collect votes from each voting machine and all certified return records shall be placed in a package that shall be sealed and signed by all the election ~~official~~s officers and any watchers that may desire to affix a signature.

(2)(A) The sealed package shall be immediately returned to the ~~county board of election commissioners~~ county election coordinator by one (1) of the election ~~officials~~ officers selected for this purpose, accompanied by those of the other election ~~officials~~ officers and watchers who desire to join the election ~~official~~ officer.

(B) The election ~~official~~ officer shall obtain a receipt for the sealed package.

SECTION 73. Arkansas Code 7-5-528 is amended to read as follows:

7-5-528. Proclamation of election results.

Upon completion of all tabulation blanks, certificates, and statements, the election ~~officials~~ officers shall again proclaim in a loud and audible voice the results of the election as recorded in that precinct. However, if the machine is provided with a device for recording candidate and question counter totals, the return record for each machine shall be posted upon the wall of the polling room for all to see.

SECTION 74. Arkansas Code 7-5-530 is amended to read as follows:

7-5-530. Machines released to officials - Impounding upon election contest or recount. ~~[Effective January 1, 2006.]~~

(a) Immediately after the completion of the tabulation of the returns and the securing of the voting machines, the machines shall be released to the proper officials designated by the ~~county board of election commissioners~~ county election coordinator.

(b) Upon the return of the voting machines, the ~~county board of election commissioners~~ county election coordinator shall produce an audit log from each machine used in the election.

(c) In the event that there is an election contest filed, the judge of the court that has jurisdiction may order the county sheriff to impound the audit logs and the voter-verified paper audit trail alleged in the contest to be in question. The sheriff shall take them into his or her custody and store them in a place under lock and key awaiting further orders of the court.

(d) In the event that any candidate in any election in which the machines have been utilized or any voter who questions the count of any question posed at any election gives written notice to the county board that he or she desires a recount, then the applicable county board shall designate the sheriff of the county to so place the audit logs and voter-verified paper audit trails in his or her custody and store them in a place to which only he or she shall have access awaiting further orders of the applicable county board or court.

SECTION 75. Arkansas Code 7-5-531 is amended to read as follows:

7-5-531. Retention of audit data - Machines to remain secured until results are certified except on court order. [Effective January 1, 2006.]

(a) All audit logs and voter-verified paper audit trails produced by a voting machine shall ~~remained~~ remain secured for a period of two (2) years.

(b)(1) All voting machines used in any election shall remain secured for a period of at least three (3) days following the election unless the machines are ordered to be activated sooner by and on the authority of an order of a court of competent jurisdiction, in the event that the issue of the election should be in judicial controversy.

(2) Should no order be entered, it shall be the duty of the ~~county board of election commissioners~~ county election coordinator to clear the machines for future elections after the results of the election have been certified.

SECTION 76. Arkansas Code 7-5-532(b), concerning direct electronic voting machines, is amended to read as follows:

(b) ~~The State Board of Election Commissioners or the county board of election commissioners shall not purchase or procure a~~ No direct recording electronic voting machine that does not include a voter-verified paper audit trail shall be used in this state.

SECTION 77. Arkansas Code 7-5-604(a)(6)(C), concerning the authorization of electronic voting systems, is amended to read as follows:

(5)(A) Notify the voter that he or she has selected more than one (1) candidate for the office, notify the voter before the ballot is cast and counted of the effect of casting multiple votes for the office, and provide the voter with the opportunity to correct the ballot before the ballot is cast if the voter is legally entitled to select only one (1) candidate for an office but the voter selects more than one (1) candidate for the office.

(B) Electronic vote tabulating devices used to cast and count votes at the polling place shall be programmed to reject ballots containing overvotes as described in this section.

(C) When votes are cast at polling places and are to be counted by hand or at the courthouse or other central counting location, the ~~county board of election commissioners~~ county election coordinator shall provide a voter education program to inform the voters:

(i) Of the effect of casting multiple votes for an office; and

(ii) How to correct the ballot before it is cast, including, but not limited to, instructions on how to correct the error through the issuance of a replacement ballot if the voter was otherwise unable to change the ballot or correct any error;

(6)(A) Notify the voter that the voter has selected more than the allowed number of candidates for the office on the ballot, notify the voter before the ballot is cast and counted of the effect of casting more than the allowed number of votes for that office, and provide the voter with the opportunity to correct the ballot before the ballot is cast if the voter is legally entitled to select multiple candidates for an office but the voter selects more than the number of candidates he or she is legally entitled to select.

(B) Electronic vote tabulating devices used to cast and count votes at the polling places shall be programmed to reject ballots containing overvotes as described in this section.

(C) When votes are cast at polling places and are to be counted by hand or at the courthouse or other central counting location, the ~~county board of election commissioners~~ county election coordinator shall provide a voter education program to inform the voters:

(i) Of the effect of casting multiple votes for an office; and

(ii) How to correct the ballot before it is cast, including, but not limited to, instructions on how to correct the error through the issuance of a replacement ballot if the voter was otherwise unable to change the ballot or correct any error;

SECTION 78. Arkansas Code 7-5-611 is amended to read as follows:

7-5-611. Preparation of electronic vote tabulating devices - Test - Disposition of voting materials. ~~[Effective January 1, 2006.]~~

(a)(1) The ~~county board of election commissioners~~ county election coordinator, with respect to all elections, shall cause the electronic vote tabulating devices used for voting to be properly programmed and tested before delivery to the election precincts.

(2) At least five (5) days prior to the election day, the ~~county board~~ county election coordinator, with respect to all elections, shall have the electronic vote tabulating devices tested to ascertain that the devices will correctly count the votes cast for all offices and on all measures.

(3) Public notice of the time and place of the test shall be given at least forty-eight (48) hours prior thereto by publication one (1) time in one (1) or more daily or weekly newspapers published in the town, city, or county using the devices, if a newspaper is published therein.

(4) The test shall be open to representatives of the political parties, candidates, the press, and the public.

(5)(A) The test shall be conducted by processing predetermined results from a group of ballots marked as to record a predetermined number of valid votes for each candidate and on each measure for each precinct or voting location.

(B) Prior to the start of the test, a printout shall be generated to show that no votes are recorded on the electronic vote tabulating device.

(C) The test shall include for each office one (1) or more ballots which have votes in excess of the number allowed by law in order to test the ability of the electronic vote tabulating devices to reject such votes.

(6) If any error is detected, the cause shall be ascertained and corrected, and an errorless count shall be made before the electronic vote tabulating device or devices are certified for use in the election.

(7) Upon completion of the testing, the electronic vote tabulating devices shall be cleared of any votes cast during the test.

(8) After completion of the test, the ~~county board of election commissioners~~ county election coordinator shall certify the accuracy of the voting system and file the test results with the county clerk.

(b)(1) Before the opening of the polls, the election ~~officials~~ officers shall generate a printout from the electronic vote tabulating device or devices to verify that the candidates and measures are correct for the location and that no votes are recorded on the electronic vote tabulating device or devices.

(2) The election ~~officials~~ officers shall sign and post the printout upon the wall of the polling room where it shall remain throughout the election day.

(3) The certified printout shall be filed with the election returns.

SECTION 79. Arkansas Code 7-5-613 is amended to read as follows:

7-5-613. Counting ballots and write-in votes. ~~[Effective January 1, 2006.]~~

In precincts where an electronic vote tabulating device is used, as soon as the polls are closed:

(1) The election ~~officials~~ officers shall compare the total number of voters indicated by the electronic vote tabulating device with the list of voters to ensure that the number recorded by the tabulator is the same as the number of voters shown on the list of voters who received a ballot at the polling site. If the totals are different, this fact shall be reported in writing to the county board of election commissioners with the reasons, if known; and

(2) The election ~~officials~~ officers shall count the write-in votes and prepare a return of the votes on forms provided for that purpose.

SECTION 80. Arkansas Code 7-5-614 is amended to read as follows:

7-5-614. Locations for vote tabulation - Procedures. ~~[Effective January 1, 2006.]~~

(a)(1) The tabulation of votes of a precinct may be by electronic vote tabulating devices at a central counting location or at the polling sites.

(2) Provisional ballots and absentee ballots shall be processed and counted at the courthouse or other central counting location in the county.

(3) The ~~county board of election commissioners~~ county election coordinator with respect to all elections shall give notice of the location within the county of each place at which votes will be counted by electronic vote tabulating devices and of the names or numbers of all precincts whose votes will be counted at each location, by posting the notice in a conspicuous place in the county courthouse at least three (3) days prior to each election.

(b) For the tabulation of provisional and absentee ballots at a central location beginning on election day:

(1) The election ~~officials~~ officers shall place in the container provided for the purpose all ballots that have been cast. This container shall be sealed and delivered to the county board of election commissioners forthwith ~~by the election officials~~ together with the unused, void, and defective ballots; and

(2) All proceedings at the counting location shall be under the direction of ~~at least two (2) election officials named by~~ the county board of election commissioners with respect to all elections. ~~In all elections, when possible, the election officials shall represent the majority party and the minority party.~~

SECTION 81. Arkansas Code 7-5-615 is amended to read as follows:

7-5-615. Tabulation of votes - Defective ~~vote cards~~ ballots - Certification of returns. ~~[Effective January 1, 2006.]~~

(a) The counting of votes by electronic vote tabulating devices at the courthouse or other central counting location shall be open to the public, and any candidate or political party may be present in person or by representative designated in writing pursuant to § 7-5-312 to view the counting.

(b) No person except those employed and authorized for that purpose shall touch any ballot or return.

~~(c) The election officials at the counting place and all persons operating the electronic vote tabulating devices shall take the same oath required by law for election officials before entering upon their duties.~~

~~(d)~~(c) If any ballot is damaged or defective so that it cannot properly be counted by the electronic vote tabulating device, a true duplicate copy shall be made of the damaged ballot in the presence of tabulation election ~~officials~~ or officers if the votes are tabulated at a central location. The duplicate shall be substituted for the damaged ballot. All duplicate ballots shall be clearly labeled "duplicate" and shall be counted in lieu of the damaged or defective ballot.

~~(e)~~(d) The return printed by the electronic vote tabulating device, to which has been added the return of write-in, early, and absentee votes, shall constitute the official return of each precinct. All returns shall be certified by the election officials in charge of the tabulation thereof in the manner provided by law.

~~(f)~~(e) Upon completion of the count, the returns shall be open to the public.

SECTION 82. Arkansas Code 7-5-701 is amended to read as follows:

7-5-701. Declaration of results - Certification, delivery, and custody of returns.

(a)(1) No earlier than forty-eight (48) hours after the election and no later than the fifteenth calendar day after the election, the county board of election commissioners, from the certificates and ballots received from the several precincts, shall proceed to ascertain, declare, and certify the result of the election to the Secretary of State.

(2)(A) The county board shall declare preliminary and unofficial results of the election, including a statement of the number of outstanding absentee ballots of overseas voters, immediately after the count of the vote is complete and ~~report the preliminary and unofficial results to the county clerk, who~~ the county election coordinator shall immediately transmit the results to the Secretary of State by the Internet website interface provided by the Secretary of State.

(B) If it is not possible for the ~~clerk~~ county election coordinator to transmit the results via the Internet website interface, then the ~~clerk~~ county election coordinator may transmit the results by facsimile transmission.

(3) Within nineteen (19) calendar days after any general, special, or school election, the ~~county board~~ county election coordinator shall deliver a certificate of election, signed by the chair of the county board, to the person having the highest number of legal votes for any county office.

(b) The county board shall ~~also~~ file in the office of the clerk of the county court a certificate setting forth in detail the result of the election.

(c)(1)(A) No earlier than forty-eight (48) hours after the election and no later than the fifteenth calendar day after the election, the ~~county board~~ county election coordinator shall deposit certified copies of the abstracts of the returns of the election for members of Congress and for all executive, legislative, and judicial officers in the nearest post office on the most direct route to the seat of government and directed to the Secretary of State.

(B) The county board shall not receive compensation for election duties after the election until the election results have been certified and delivered to the Secretary of State.

(C) The Secretary of State shall file a complaint with the State Board of Election Commissioners pursuant to § ~~7-4-118~~ 7-4-121 if the county board does not comply with subdivision (c)(1)(A) of this section.

(d)(1) ~~It~~ The county election coordinator shall at the same time enclose in a separate envelope and direct to the Speaker of the House of Representatives, in care of the Secretary of State, at the seat of government, a certified copy of the abstract of votes given for Governor, Lieutenant Governor, Secretary of State, Treasurer of State, Auditor of State, and Attorney General.

(2) It is made the duty of the Secretary of State to safely keep the returns addressed to the Speaker of the House until they shall be required for the purpose of ascertaining and declaring the result of the election as prescribed in Arkansas Constitution, Article 6, § 3.

SECTION 83. Arkansas Code 7-5-702 is amended to read as follows:

7-5-702. Preservation of ballots, stubs, and certificates.

~~(a) [Effective until January 1, 2006] The county board of election commissioners shall retain the custody of and safely keep in a sealed container appropriately marked all ballots and certificates returned to it from the several precincts for a period of twenty (20) days, after which time the ballots and certificates shall be stored for a period of two (2) years from the date of the election, unless the county board shall be sooner notified in writing that:~~

~~(1) The election of some person voted for at the election and declared to have been elected has been contested; or~~

~~(2) Criminal prosecution has been begun before a tribunal of competent jurisdiction against any officer of election or person voting thereat for any fraud in the election.~~

~~(a) [Effective January 1, 2006]~~ The ~~county board of election commissioners~~ county election coordinator shall retain the custody of and safely keep in a sealed container appropriately marked in a secure location in the county courthouse or other county storage facility all ballots and certificates returned to it from the several precincts for a period of twenty (20) days, after which time the ballots and certificates shall be stored in a secure location in the county courthouse or other county storage facility for a period of two (2) years from the date of the election, unless the ~~county board~~ county election coordinator shall be sooner notified in writing that:

(1) The election of some person voted for at the election and declared to have been elected has been contested; or

(2) Criminal prosecution has been begun before a tribunal of competent jurisdiction against any officer or official of election or person voting thereat for any fraud in the election.

(b) If the ~~county board~~ county election coordinator is notified as provided in subsection (a) of this section, then so many of the ballots and certificates as may relate to matters involved in the contest or any prosecution shall be preserved for use as evidence in the contest or prosecution.

(c) During the time the ballots may be retained or stored, the package containing them shall not be opened by anyone unless directed to do so by some competent tribunal before which an election contest or prosecution is pending in which the ballots are to be used as evidence.

(d) For a period of twenty (20) days, the county treasurer shall retain the custody of and safely keep all ballot stubs in a sealed container appropriately marked which are delivered to him or her from the several precincts, after which time they shall be stored unless an election contest has been filed or a criminal prosecution has been initiated in connection with the election.

(e) After a period of two (2) years, all marked ballots may be destroyed in the following manner:

(1) The county board shall enter an order directing the destruction of marked ballots;

(2) The ~~county board~~ county election coordinator shall make and retain a record of marked ballots destroyed; and

(3) The ~~county board~~ county election coordinator shall file the order and record pertaining to marked ballots and ballot stubs destroyed with the county clerk.

(f)(1) Except as provided in subdivision (f)(2) of this section, after a period of thirty (30) days following certification of the election, all ballot stubs which were previously attached to marked ballots and all unmarked ballots may be destroyed as provided for the destruction of marked ballots in subsection (e) of this section.

(2) If an election contest has been filed, all ballot stubs which were previously attached to marked ballots may be destroyed thirty (30) days following the final judicial resolution of the election contest.

SECTION 84. Arkansas Code 7-5-707 is amended to read as follows:

7-5-707. Vote certification - Report.

(a) At the time that the ~~county board of election commissioners~~ county election coordinator certifies the vote to the Secretary of State, the county board of election commissioners shall report to the State Board of Election Commissioners:

(1) The total number of ballots cast;

(2) The total number of ballots printed and delivered to the polls;

(3) The total number of provisional ballots that were disqualified;

(4) The total number of spoiled ballots;

(5) The total number of unused ballots; and

(6) The number of over votes and under votes cast in each race and issue in the election.

(b)(1) The ~~county board~~ county election coordinator shall transmit the certified results for each polling place to the ~~county clerk, who shall immediately transmit the results to the~~ Secretary of State through the Internet website interface provided by the Secretary of State for all state and federal elections.

(2) The ~~county board~~ county election coordinator shall transmit the information required according to subsection (a) of this section to ~~the county clerk, who shall enter and transmit it to~~ the state board through the Secretary of State's Internet website interface.

SECTION 85. Arkansas Code 7-7-201 is amended to read as follows:

7-7-201. Law governing primary elections.

(a) The cost of political party primaries shall be borne by the State of Arkansas and shall be paid from an appropriation made to the State Board of Election Commissioners for that purpose.

(b)~~(1) The state board shall have the primary responsibility for conducting political party primaries in this state.~~

~~(2)~~(1) Within each county, the political party primary elections shall be conducted by the ~~county board of election commissioners~~ county election coordinator under the direction of the ~~state board~~ county board of election commissioners.

~~(3)~~(2) The state board shall have authority to adopt rules for the administration of primary elections consistent with the provisions of this chapter.

~~(4)~~(3) The state board may withhold reimbursement of funds to the counties for state-funded elections for failure to comply with the rules developed by the state board for the administration of primary elections or applicable state election laws until all requirements are met to the satisfaction of the state board.

~~(5)~~(4) Each political party shall be responsible for determining the qualifications of candidates seeking nomination by the political party, provide necessary applications for candidacy, accept and process the applications, and determine the order of its ballot.

(c) All political party primary elections shall be conducted in conformity with the provisions of this act, and these elections are declared to be legal elections.

(d) In cases of circumstances or procedures which may arise in connection with any primary election for which there is no provision of this act governing the circumstances or procedures, they shall be governed by the general election laws of this state or by party rules if there is no applicable general election law.

SECTION 86. Arkansas Code 7-7-202(d), concerning preferential and general primaries, is amended to read as follows:

(d) The ~~county board of election commissioners~~ county election coordinator shall establish common polling places for the joint conduct of the primary elections of all political parties.

SECTION 87. Arkansas Code 7-7-203 is amended to read as follows:

7-7-203. Dates.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(2)(A) Each county clerk shall at least sixty (60) days prior to the date of the general election notify by registered mail the chairmen and secretaries of the county committees of the respective political parties that a certified list of all nominated candidates for county, township, and municipal offices is due and shall be filed with the county ~~board of election commissioners~~ election coordinator and the county clerk in order that the candidates' names be placed on the ballot for the general election.

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

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

SECTION 88. Arkansas Code 7-7-203 is amended to read as follows:

7-7-303. Precincts - Boundaries - Policing.

(a) The election precincts in all political party primary elections shall be the same as established ~~by the county board of election commissioners~~ for general elections.

(b)(1) The ~~county board~~ county election coordinator shall provide for the preservation of order at all primary election precincts and shall allow no crowd to collect at the polling place nearer than authorized by law.

(2) No person charged with the duty of preserving order at the polling place shall in any manner influence or endeavor to influence any person in casting his vote.

(3) No person who is a public officeholder, candidate for office, or deputy of a public officer shall be eligible to serve as an officer to keep order at any primary election polling place.

(4) Persons appointed as election sheriffs to keep order at polling places in primary elections shall have the authority of police officers in keeping order and enforcing the laws of this state with respect to polling places in primary elections.

SECTION 89. Arkansas Code 7-7-304(b), concerning names to be printed on election ballots, is amended to read as follows:

(b) If any candidate, either prior to the certification of the ballot for the preferential primary or subsequent to the preferential primary but prior to the certification of the ballot for the general primary election, shall notify the secretary of the state committee in the case of a United States, state, or district office or the secretary of the county committee in the case of a county, city, or township office, in writing, signed by the candidate and acknowledged before an officer authorized by law to take acknowledgments, of his or her desire to withdraw as a candidate for the office or position, then the committee shall immediately notify the ~~county board of election commissioners~~ county election coordinator or the State Board of Election Commissioners, as the case may be, and the name of the person shall not be printed on the preferential primary ballot or the general primary ballot, as the case may be.

SECTION 90. Arkansas Code 7-7-305 is amended to read as follows:

7-7-305. Printing of ballots - Form.

(a) The ballots of the primary election shall be provided by the ~~county board of election commissioners~~ county election coordinator. The form of the ballots shall be the same as is provided by law for ballots in general or special elections in this state. A different color ballot may be used to distinguish between political parties.

(b) The order in which the names of the respective candidates, including candidates for federal, state, and local offices and including persons nominated for committeemen and delegates to the county convention, and the order in which issues and measures are to appear on the ballots at all preferential and general primary elections shall be determined by lot at the public meeting of the county committee held not later than thirty-five (35) days before the preferential primary election. Ten (10) days' written notice of the time and place of the meeting shall be given to each member and the county election coordinator by the chair, vice chair, or secretary of the committee. The chair, vice chair, or secretary shall publish notice of the time and place of holding the meeting in some newspaper of general circulation in the county.

(c)(1)(A) Any person who shall file for any elective office in this state may use not more than three (3) given names, one (1) of which may be a nickname or any other word used for the purpose of identifying the person to the voters, and may add as a prefix to his or her name the title or an abbreviation of an elective public office the person currently holds.

(B) A person may only use the prefix "Judge", "Justice", or "Chief Justice" in an election for a judgeship if the person is currently serving in a judicial position to which the person has been elected.

(C) A nickname shall not include a professional or honorary title.

(2) The names and titles as proposed to be used by each candidate on the political practice pledge or, if the political practice pledge is not filed by the filing deadline, then the names and titles that appear on the party certificate shall be reviewed no later than one (1) business day after the filing deadline by the ~~State Board of Election Commissioners~~ Secretary of State for state and district offices and by the county ~~board of election commissioners~~ election coordinator for county, township, school, and municipal offices.

(3) The name of every candidate shall be printed on the ballot in the form as certified by either the state board or the county ~~board~~ election coordinator.

(4) No candidate shall be permitted to change the form in which his or her name will be printed on the ballot after the deadline for filing the political practices pledge.

SECTION 91. Arkansas Code 7-7-306 is amended to read as follows:

7-7-306. Partisan and nonpartisan judicial general ballots only.

At each party primary and nonpartisan judicial general election each ~~county board of election commissioners~~ county election coordinator shall furnish separate ballots for each political party containing:

(1) The names of persons seeking offices to be voted on as a nominee or candidate of that political party; and

(2) The names of all qualified candidates for the general election to nonpartisan judicial offices pursuant to § 7-10-101.

SECTION 92. Arkansas Code 7-7-308 is amended to read as follows:

7-7-308. Determination of right to vote - Precinct registration lists.

(a) Before a person is permitted to vote, an election ~~official~~ officer shall:

(1) Request the voter to identify himself in order to verify the existence of his name on the precinct voter registration list;

(2) Request the voter, in the presence of the election ~~official~~ officer, to state his date of birth and address;

(3) Determine that the voter's date of birth and address are the same as those on the precinct voter registration list;

(4) If the date of birth given by the voter is not the same as that on the precinct voter registration list, request the voter to provide identification as the election ~~official~~ officer deems appropriate;

(5)(A) If the voter's address is not the same as that on the precinct voter registration list, verify with the county clerk that the address is within the precinct.

(B) If the address is within the precinct, request the voter to complete a voter registration application form for the purpose of updating county voter registration record files.

(C) If the address is not within the precinct, instruct the voter to contact the county clerk's office to determine the proper precinct;

(6) If the voter's name is not the same as that on the precinct voter registration list, request the voter to complete a voter registration application form for purposes of updating county voter registration record files; and

(7) Request the voter, in the presence of the election ~~official~~ officer, to sign his name, including his given name, his middle name or initial, if any, and his last name in the space provided on the precinct voter registration list. If a person is unable to sign his signature or make his mark or cross, the election ~~official~~ officer shall enter his initials and the voter's date of birth in the space for the person's signature on the precinct voter registration list.

(b) At the same time that the voter identifies himself and the party primary in which he intends to vote, the election official ~~of the party primary which the voter designates~~ officer shall mark the voter's name on the precinct voter registration list ~~furnished by the county clerk~~ as having voted.

(c) If a voter's name does not appear on the precinct voter registration list, the election ~~official~~ officer shall permit the voter to vote only under the following conditions:

(1) The voter identifies himself by stating his name and date of birth and is verified by the county clerk as a registered voter within the county and, if the county is divided into more than one (1) congressional district, within the same congressional district;

(2) The voter gives and affirms his current residence, and the election ~~official~~ officer verifies with the county clerk that the voter's residence is within the precinct;

(3) The voter completes an updated voter registration application form; and

(4) The voter signs the precinct voter registration list.

(d) If the voter is not listed on the precinct voter registration list and the county clerk is unable to verify the voter's registration but the voter contends that he or she is eligible to vote, then the voter may vote a provisional ballot which shall only be counted upon verification of the voter's registration status.

(e) The election ~~officials~~ officers shall make and retain a list of all voters who cast a provisional ballot.

(f) After the polls close, ~~the~~ an election ~~official~~ officer shall total the number of voters on the list.

(g) The precinct registration lists shall at all times be available to public inspection.

SECTION 93. Arkansas Code 7-7-402 is amended to read as follows:

7-7-402. Filing certificates of nomination.

(a)(1) All certified lists of nominees of candidates for presidential electors and members of Congress and for state, judicial, and district officers, either by convention, primary election, or electors, shall be filed with the Secretary of State.

(2) All certified lists of nominees for county, township, and municipal offices shall be filed with the ~~county board of election commissioners~~ county election coordinator and the county clerk of the county in which they are to be voted for.

(b) Certified lists of nomination shall be filed within the time provided in § 7-7-203.

SECTION 94. Arkansas Code 7-7-403 is amended to read as follows:

7-7-403. Declination of nomination.

(a) The Secretary of State shall not certify the name of any candidate whose certificate of nomination shall have been filed in his office who shall have notified him in writing, acknowledged before an officer authorized by law to take acknowledgments, that he will not accept the nomination specified in the certificate of nomination.

(b) The ~~county board of election commissioners~~ county election coordinator shall not include on the ballot the name of any candidate whose certificate of nomination shall have been filed with ~~it~~ the county election coordinator, who shall have notified it in like manner that he will not accept the nomination.

SECTION 95. Arkansas Code 7-8-201 is amended to read as follows:

7-8-201. Preferential elections required - Apportionment of delegates.

(a)(1) Each political party in the state desiring to select delegates to attend a quadrennial national nominating convention of the party to select a nominee for the office of President of the United States shall hold a presidential preferential primary election in the state, and the delegates to the national party convention shall be apportioned to the presidential candidates whose names were on the ballot at the presidential preferential primary or to "uncommitted" in the proportion that the votes cast for each candidate or for "uncommitted" bear to the total votes cast at the election, rounded to the closest whole number.

(2) Presidential preferential primary elections shall be held on the first Tuesday in February of the year in which the convention is held.

(3)(A) Any person desiring to have his or her name printed on the presidential preferential primary ballot as a candidate for his or her party's nomination shall file a party certificate with the Secretary of State during regular office hours in the period beginning at 12:00 noon on the first Monday in November and ending at 12:00 noon on the fourteenth day thereafter before the presidential preferential primary election.

(B) Each political party shall:

(i) Be responsible for determining the qualifications of candidates seeking to appear on the presidential preferential primary ballot of each political party;

(ii) Provide necessary applications for candidacy;

(iii) Accept and process the applications; and

(iv) Determine the order that candidates shall appear on the ballot.

(4) The cost of the presidential preferential primary election shall be borne by the State of Arkansas and shall be paid from an appropriation made to the State Board of Election Commissioners for that purpose.

(5)(A) ~~The state board shall have the primary responsibility for conducting presidential preferential primary elections.~~

~~(B)~~ Within each county, the presidential preferential primary election shall be conducted by the ~~county board of election commissioners~~ county election coordinator under the direction of the ~~state board~~ county board of election commissioners.

~~(C)~~(B) The state board shall have authority to adopt rules for the administration of presidential preferential primary elections consistent with the election laws of this state.

~~(D)~~(C) The state board may withhold reimbursement of funds to counties for state-funded presidential preferential primary elections for failure to comply with the rules developed by the state board for the administration of primary elections or applicable state election laws until all requirements are met to the satisfaction of the state board.

(b)(1) Presidential preferential primary election procedures not addressed in this section shall be governed by the general election laws of this state, including, but not limited to, laws governing primary elections.

(2) Party rules shall govern presidential preferential primary election procedures not addressed by the general election laws of this state.

SECTION 96. Arkansas Code 7-9-102 is amended to read as follows:

7-9-102. Duties of election officers - Penalty for failure to perform.

(a)(1) The duties imposed by this act upon members of the State Board of Election Commissioners and county boards of election commissioners, county election coordinators, election officials, and ~~all other~~ election officers expressly named in this act are declared to be mandatory.

(2) These duties shall be performed in good faith within the time and in the manner provided.

(b)(1) If any member of any board, any county election coordinator, any election official, or any ~~other~~ election officer so charged with the duty shall knowingly and willfully fail or refuse to perform his or her duty or shall knowingly and willfully commit a fraud in evading the performance of his or her duty, then he or she shall be guilty of a violation.

(2) Upon conviction, he or she shall be fined any sum not less than one hundred dollars ($100) nor more than one thousand dollars ($1,000) and also shall be removed from office.

SECTION 97. Arkansas Code 7-9-114 is amended to read as follows:

7-9-114. Abstract of proposed measure.

(a) The Attorney General shall prepare a concise abstract of the contents of each statewide initiative and referendum measure proposed under Arkansas Constitution, Amendment 7, and he shall transmit it to the Secretary of State not less than twenty (20) days before the election.

(b) Not fewer than eighteen (18) days before the election, the Secretary of State shall transmit a certified copy of the abstract to the ~~county boards of election commissioners~~ county election coordinator, who shall cause copies to be printed and posted conspicuously at all polling places in the county for the information of the voters.

(c) The cost of printing copies of the abstracts shall be borne by the counties as a regular expense of the election.

SECTION 98. Arkansas Code 7-9-115 is amended to read as follows:

7-9-115. Furnishing ballot title and popular name to election commissioners and county election coordinators.

Not less than eighteen (18) days before the election, the Secretary of State shall furnish the State Board of Election Commissioners and ~~county boards of election commissioners~~ county election coordinator a certified copy of the ballot title and popular name for each proposed measure and each referred act to be voted upon at the ensuing election.

SECTION 99. Arkansas Code 7-9-117 is amended to read as follows:

7-9-117. Ballot form.

(a) It shall be the duty of the ~~county board of election commissioners~~ county election coordinator in each county to cause each title and popular name to be printed upon the official ballot to be used in the election at which the measure is to be voted upon, in the order and manner certified by the Secretary of State.

(b) The title and popular name shall be stated plainly, followed by these words:

FOR PROPOSED INITIATIVE (OR REFERRED) AMENDMENT (OR ACT) NO. . . . . .

AGAINST PROPOSED INITIATIVE (OR REFERRED) AMENDMENT (OR ACT) NO. . . . . .

(c) In arranging the ballot titles on the ballot, the ~~county board~~ county election coordinator shall place each measure separate and apart from others.

SECTION 100. Arkansas Code 7-9-118 is amended to read as follows:

7-9-118. Failure to place proposal on ballot - Manner of voting.

If any ~~election board~~ county election coordinator shall fail or refuse to submit any proposal after its sufficiency has been duly certified, the qualified electors of the county may vote for or against the measure by writing or stamping on their ballot the proposed ballot title, followed by the word "FOR" or "AGAINST". All votes so cast, if otherwise legal, shall be canvassed, counted, and certified.

SECTION 101. Arkansas Code 7-9-305(a), concerning the election and certification of delegates, is amended to read as follows:

(a) The ~~county board of election commissioners~~ county election coordinator shall include on the general election ballots the names of all candidates for delegate to the constitutional convention as certified by the Secretary of State.

SECTION 102. Arkansas Code 14-40-303(c), concerning annexation ordinances, is amended to read as follows:

(c)(1)(A) The city clerk shall certify two (2) copies of the annexation ordinance and a plat or map of the area to be annexed and convey one (1) copy to the county clerk and one (1) copy to the ~~county election commission~~ county election coordinator at least sixty (60) days before the election.

(B)(i) No later than forty-five (45) days prior to the election, the city shall identify all persons who reside within the area proposed to be annexed, and the county clerk shall assist the city in determining the names and addresses of all qualified electors residing within that area.

(ii) The failure to identify all persons residing within the area proposed to be annexed or the failure to determine the names and addresses of all qualified electors residing within that area shall not invalidate or otherwise affect the results of the election.

(C) All of the qualified electors residing within the territory to be annexed shall be entitled to vote in the election.

(D) The city clerk shall give notice of the election by publication by at least one (1) insertion in some newspaper having a general circulation in the city.

(2)(A) The county clerk shall give notice of the voter registration deadlines at least forty (40) days before the election by ordinary mail to those persons whose names and addresses are on the list provided by the city clerk.

(B) The county clerk shall prepare a list by precinct of all those qualified electors residing within the area to be annexed who are qualified to vote in that precinct and furnish that list to the ~~election officials~~ county election coordinator at the time the ballot boxes are delivered.

(3) If the county clerk or the county election commission shall fail to perform any duties required of it, then any interested party may apply for a writ of mandamus to require the performance of the duties. The failure of the county clerk or the ~~county election commission~~ county election coordinator to perform the duties shall not void the annexation election unless a court finds that the failure to perform the duties substantially prejudiced an interested party.

SECTION 103. Arkansas Code 14-44-103(b)(1)(C), concerning the election of aldermen, is amended to read as follows:

(C) Provision shall be made by the ~~election commissioners~~ county election coordinator in these cities so that the qualified electors of each ward shall have at least one (1) voting precinct in each ward where the resident electors thereof may cast their ballots.

SECTION 104. Arkansas Code 14-47-110(a)(3)(D), concerning the election of directors, is amended to read as follows:

(D)(i) The name of the candidate mentioned in each petition, together with a copy of the election proclamation if the election is a special election, shall be certified by the city clerk or recorder to the ~~county board of election commissioners~~ county election coordinator not less than thirty-five (35) days before the election unless the clerk or recorder finds that the petition fails to meet the requirements of this chapter.

(ii)(a) Whether the names of the candidates so certified to the ~~county board of election commissioners~~ county election coordinator are to be submitted at a biennial general election or at a special election held on a different date, the ~~election board~~ county election coordinator shall have general supervision over the holding of each municipal election.

(b) In this connection, the ~~board~~ county election coordinator shall post the nominations, print the ballots, establish the voting precincts, appoint the election judges and clerks, determine and certify the result of the election, and determine the election expense chargeable to the city, all in the manner prescribed by law in respect to general elections. It is the intention of this chapter that the general election machinery of this state shall be utilized in the holding of all general and special elections authorized under this chapter.

(c) The result of the election shall be certified by the ~~election board~~ county board of election commissioners to the city clerk or recorder.

SECTION 105. Arkansas Code 14-48-114(b)(2) and (3), concerning the removal of mayors or directors, is amended to read as follows:

(2) If the petitions are deemed sufficient, the clerk shall certify them to the ~~county board of election commissioners~~ county election coordinator.

(3)(A)(i) The ~~county board of election commissioners~~ county election coordinator shall call a special election on the question and shall fix a date for holding it not less than thirty (30) days nor more than sixty (60) days from the date of the certification of the petitions by the clerk.

(ii) The special election shall occur on the second Tuesday of any month, except as provided in subdivision (b)(3)(B)-(E) of this section.

(B) Special elections held in months in which a presidential preferential primary election, preferential primary election, general primary election, or general election is scheduled to occur shall be held on the date of the presidential preferential primary election, preferential primary election, general primary election, or general election.

(C)(i) If a special election is held on the date of the presidential preferential primary election, preferential primary election, or general primary election, the issue or issues to be voted upon at the special election shall be included on the ballot of each political party.

(ii) However, separate ballots containing only the issue or issues to be voted upon at the special election shall be prepared and made available to voters requesting a separate ballot.

(D) No voter shall be required to vote in a political party's presidential preferential primary, preferential primary, or general primary in order to be able to vote in the special election.

(E) Special elections scheduled to occur in a month in which the second Tuesday is a legal holiday shall be held on the third Tuesday of the month.

SECTION 106. Arkansas Code 14-61-113(1)(C)(i), concerning the petition process for certain municipal special elections, is amended to read as follows:

(C)(i) The special election shall be held not less than thirty (30) nor more than sixty (60) days after the proclamation calling the election, provided that if the ~~county board of election commissioners~~ county election coordinator certifies in writing that ~~it~~ he or she cannot prepare the ballots because of other pending elections, then the election can be held not more than seventy-five (75) days after the proclamation.

SECTION 107. Arkansas Code 15-4-3020(f), concerning consent by qualified electors to issue certain bonds, is amended to read as follows:

(f)(1) The ~~county boards of election commissioners~~ county election coordinators of the several counties of the state shall conduct the election.

(2) Each ~~board~~ county board of election coordinators and county election coordinator shall take action with respect to the appointment of election ~~officials~~ officers and other matters as the law requires.

(3) The vote shall be canvassed and the result declared in each county by the several county boards.

(4) The results shall be certified within ten (10) calendar days after the date of the election by the county boards to the Secretary of State, who shall tabulate all returns so received and certify to the Governor the total vote for and against the proposition.

(5) The result of the election shall be proclaimed by the Governor by publication one (1) time in a newspaper published in the City of Little Rock, and the results as proclaimed shall be conclusive unless attacked in the courts within thirty (30) calendar days after the date of the publication.

SECTION 108. Arkansas Code 23-110-306(a) and (b)(1)(A), concerning subsequent referendum elections on horse racing, is amended to read as follows:

(a) After the elapse of not less than two (2) years next following the date of any election conducted pursuant to § 23-110-304, upon petitions filed with ~~it~~ the county election coordinator containing the signatures of qualified electors of the county of not less than fifteen percent (15%) of the total number voting in the election for county clerk of the county at the next preceding general election, together with a sum of money estimated by the ~~county board of election commissioners~~ county election coordinator as sufficient to pay all expenses of the election, the board shall call a special election on the proposition of continuing horse racing in the county.

(b)(1)(A) The date of the special election shall be fixed by the ~~board~~ county election coordinator on a day not less than thirty (30) days nor more than ninety (90) days following the date of filing the petitions. The deposit of the funds and the election shall be conducted and shall be subject to contest under the general election laws of this state.

SECTION 109. Arkansas Code 23-111-306(a) and (b)(1)(A), concerning subsequent referendum elections on horse racing, is amended to read as follows:

(a) After the elapse of not less than four (4) years next following the date of any election conducted pursuant to § 23-111-304, the ~~county board of election commissioners~~ county election coordinator shall call a special election on the proposition of continuing greyhound racing in the county. The election shall be called upon petitions filed with ~~it~~ the county election coordinator containing the signatures of qualified electors of the county of not less than five percent (5%) of the total number voting in the election for county clerk of the county at the next preceding general election, together with a sum of money estimated by the ~~board~~ county election coordinator as sufficient to pay all expenses of the election.

(b)(1)(A) The date of the special election shall be fixed by the ~~board~~ county election coordinator on a day not less than thirty (30) days nor more than ninety (90) days following the date of filing the petitions. The deposit of the funds as provided in subsection (a) of this section and the election shall be conducted and shall be subject to contest under the general election laws of this state.

SECTION 110. Arkansas Code 24-11-402(c), concerning votes to effect the subchapter concerning police pensions, is amended to read as follows:

(c) Upon filing with the ~~county board of election commissioners~~ county election coordinator not later than ten (10) days before the date of the election the petition signed by twenty (20) or more qualified electors of the city affected and praying that the question of police officers' pensions be submitted, it shall be the duty of the ~~county board of election commissioners~~ county election coordinator to place the question upon the ballot.

SECTION 111. Arkansas Code § 24-11-404(b)(3), concerning tax levies for pensions in cities of the first and second class, is amended to read as follows:

(3) Upon the filing with the ~~county board of election commissioners~~ county election coordinator not later than sixty (60) days before the date of the election of a petition signed by twenty (20) or more qualified electors of the city affected and praying that the question of a policemen's pension be submitted, it shall be the duty of the ~~county board of election commissioners~~ county election coordinator to place the question upon the ballot.

SECTION 112. Arkansas Code § 24-11-812(b)(3), concerning tax levies by city councils, is amended to read as follows:

(3) Upon the filing with the ~~county board of election commissioners~~ county election coordinator not later than sixty (60) days before the date of the election of a petition signed by twenty (20) or more qualified electors of the city or town affected, stating the amount of tax to be voted on, not to exceed one (1) mill on the dollar, and praying that the question of a firemen's pension be submitted, it shall be the duty of the ~~county board of election commissioners~~ county election coordinator to place the question upon the ballot.

SECTION 113. Arkansas Code § 24-12-103(c), concerning elections on the issue of paid nonuniformed employees pensions, is amended to read as follows:

(c) Upon the filing with the ~~county board of election commissioners~~ county election coordinator not later than ten (10) days before the date of the election of a petition signed by twenty (20) or more qualified electors of the city affected and praying that the question of paid nonuniformed employees' pensions and the levying of a tax therefor, not exceeding one and one-half (11/2) mills, be submitted, it shall be the duty of the ~~county board of election commissioners~~ county election coordinator to place the question on the ballot.

SECTION 114. Arkansas Code § 26-52-605(d), concerning special elections on the imposition of an additional sales tax, is amended to read as follows:

(d) The special election shall be held by the ~~county board of election commissioners~~ county election coordinator, and the special election judges and clerks shall be selected and the special election shall be conducted and the results shall be tabulated and certified in the manner now provided by law for the holding of elections in this state.

SECTION 115. Arkansas Code § 26-73-111(d)(1), concerning special local sales and use tax elections, is amended to read as follows:

(d)(1) The governing body of the county or municipality shall notify the ~~county board of election commissioners~~ county election coordinator that the measure has been referred to a vote of the people and shall submit a copy of the ballot title to the ~~county board of election commissioners~~ county election coordinator.

SECTION 116. Arkansas Code § 26-74-210(a)(2)(C)(i), concerning resubmission of questions of levy or repeal, is amended to read as follows:

(C)(i) If the petition requests that the issue be submitted at a special election, the special election shall be called for a date not less than thirty (30) days nor more than sixty (60) days from the date on which the county clerk certifies the sufficiency of the petition to the ~~county board of election commissioners~~ county election coordinator.

SECTION 117. Arkansas Code § 26-74-603(c), concerning the calling of tax elections, is amended to read as follows:

(c) The quorum court shall notify its ~~county board of election commissioners~~ county election coordinator that the measure has been referred to the vote of the people and shall submit a copy of the ordinance calling the election and the proposed ballot language to its ~~county board of election commissioners~~ county election coordinator.

SECTION 118. Arkansas Code § 26-75-208, as amended by Act 116 of the 2007 Regular Session, is amended to read as follows:

26-75-208. Special election required.

(a)(1) On the date of the filing of a petition described in § 26-75-207(b) or on the date of adoption of an ordinance levying a local sales and use tax for the benefit of the city, or within thirty (30) days following the filing of the petition described in § 26-75-207(b) or adoption of the ordinance, the city by ordinance shall provide for the calling and holding of a special election on the question.

(2)(A) The special election shall be called for a date within one hundred twenty (120) days from the date of action of the governing body in establishing the date of the special election.

(B)(i) The special election shall occur on the second Tuesday of any month, except as provided in subdivision (a)(2)(B)(ii) of this section.

(ii) A special election held in a month in which a presidential preferential primary election, preferential primary election, general primary election, or general election is scheduled to occur shall be held on the date of the presidential preferential primary election, preferential primary election, general primary election, or general election.

(2)(A)(i) If the special election is held on the date of the presidential preferential primary election, preferential primary election, or general primary election, the issue or issues to be voted upon at the special election shall be included on the ballot of each political party.

However, a separate ballot containing only the issue or issues to be voted upon at the special election shall be prepared and made available to a voter requesting a separate ballot.

(B) No voter shall be required to vote in a political party's presidential preferential primary election, preferential primary election, or general primary election in order to be able to vote in the special election.

(b) A special election scheduled to occur in a month in which the second Tuesday is a legal holiday shall be held on the third Tuesday of the month.

(3) The date for the special election may be the same as the date for the next regular municipal election if the next regular municipal election is to be held within the one-hundred-twenty-day period.

(4) The governing body of the city shall notify the ~~county board of election commissioners~~ county election coordinator that the question has been referred to the vote of the people and shall submit a copy of the ballot title to the ~~county board of election commissioners~~ county election coordinator.

(b)(1) The ballot title to be used at such election shall be substantially in the following form:

[ ] "FOR adoption of a . . . percent (. . . %) local sales and use tax within ..... name of city)."

[ ] "AGAINST adoption of a . . . percent (. . . %) local sales and use tax within ..... (name of city)."

(2) If an expiration date as described in § 26-75-207(c) for the local sales and use tax has been provided for by the governing body of the city in the levying ordinance or the petition described in § 26-75-207(b), the ballot title shall also include an expiration date for the levy of the tax, and, if adopted in this form, the tax shall cease to be levied on the date noted on the ballot.

(3) The election shall be conducted in the manner provided by law for all other municipal elections unless otherwise specified in this subchapter.

(c)(1)(A) The ballot may also indicate designated uses of the revenues derived from the sales and use tax.

(B) If the ballot indicates designated uses and the tax is approved, the proceeds shall only be used for the designated uses set forth in the ballot.

(2) The proceeds may be used for other designated uses if the electors approve a change in the designated use of the revenues by vote under this subsection.

(3)(A) The governing body of a city may refer to the voters a change in the designated use of revenues derived from a sales or use tax that was approved by the voters.

(B) If the governing body of a city refers a change in the designated use of revenues derived from a sales or use tax to the voters, the governing body shall:

(i) Notify the ~~county board of election commissioners~~ county election coordinator that the measure has been referred to the voters; and

(ii) Submit a copy of the ballot title to the ~~county board of election commissioners~~ county election coordinator.

(C)(i) An election to change the designated use of revenues derived from a sales or use tax shall be conducted in the manner provided by law for all other municipal elections.

(ii) The results of an election under this subsection shall be certified, proclaimed, and subject to challenge under the procedures stated in § 26-75-209.

(4) If the voters approve a change in the designated use of revenues derived from a sales or use tax, the change in the designated use shall apply to all revenues collected on the first day of the calendar month following the expiration of the thirty-day challenge period under § 26-75-209.

(5)(A) If the voters do not approve a change in the designated use of revenues derived from a sales or use tax, the tax shall continue to be collected, and the revenues derived from the tax shall continue to be used for the purposes indicated in the ballot for the tax.

(B) An election to change the designated use of revenues derived from a sales or use tax shall not constitute an election on the levy of the tax.

(6) Any city that has levied a local sales and use tax under this subchapter with a portion of the revenues derived from the tax pledged to secure lease rentals or bonds may not change the tax to reduce the pledge in favor of the lease or bonds.

SECTION 119. Arkansas Code § 26-75-308(a)(3), concerning special elections to approve local and use taxes, is amended to read as follows:

(3) The governing body of the city shall notify the ~~county board of election commissioners~~ county election coordinator that the question has been referred to the vote of the people and shall submit a copy of the ballot title to the ~~county board of election commissioners~~ county election coordinator.

SECTION 120. Arkansas Code § 26-75-308(d)(3)(B), concerning special elections to approve local and use taxes, is amended to read as follows:

(B) If the governing body of a city refers a change in the designated use of revenues derived from a sales or use tax to the voters, the governing body shall:

(i) Notify the ~~county board of election commissioners~~ county election coordinator that the measure has been referred to the voters; and

(ii) Submit a copy of the ballot title to the ~~county board of election commissioners~~ county election coordinator.

SECTION 121. Arkansas Code § 26-75-404(b), effective July 1, 2007 and concerning election requirements and procedures, is amended to read as follows:

(b) The governing body of the city or town shall notify the ~~county board of election commissioners~~ county election coordinator that the question of the levy of the tax has been referred to a vote of the people at the next regular municipal election or at a special election to be held on the date set by ordinance and shall submit a copy of the ballot title to the ~~county board of election commissioners~~ county election coordinator.

SECTION 122. Arkansas Code § 27-64-206(b)(1)(B), concerning State Highway Commission bonds, is amended to read as follows:

(B) Notice thereof shall be mailed to each ~~county board of election commissioners~~ county election coordinator and the sheriff of each county at least sixty (60) days prior to such election.

SECTION 123. Arkansas Code § 27-64-206(d)(1), concerning State Highway Commission bonds, is amended to read as follows:

(d)(1) The ~~county boards of election commissioners~~ county election coordinator in each of the several counties of the state shall hold and conduct the election, and each ~~such board~~ county board of election commissioners and county election coordinator is hereby authorized and directed to take such action with respect to the appointment of election ~~officials~~ officers and such other matters as are required by the laws of the state. The vote shall be canvassed and the result thereof declared in each county by ~~such boards~~ the county board of election commissioners."

(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. 884 was ordered engrossed.

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. 3 and No. 4.

ARKANSAS SENATE

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

Amendment No. 3 to SENATE BILL NO. 237

Amend Senate Bill No. 237 as engrossed, S2/8/07:

Page 2, line 4, delete "biomass" and substitute "biomass or other renewable resources"

AND

Page 2, delete line 32 and substitute:

"21 as in effect on January 1, 2007; and

(5) "Other renewable resources" means any material that can be recycled, regenerated, reclaimed, or reused."

AND

Page 3, line 1, delete "in 2007;" and substitute "for the year ending December 31, 2007;"

AND

Page 3, line 2, delete "in 2008;" and substitute "for the year ending December 31, 2008;"

AND

Page 3, line 3, delete "in 2009;" and substitute "for the year ending December 31, 2009;"

AND

Page 3, line 4, delete "in" and substitute "for the year ending December 31, 2010; and"

AND

Page 3, line 5, delete "2010; and" entirely

AND

Page 3, line 6, delete "in 2011 and" and substitute "for the year ending December 31, 2011, and subsequent calendar years."

AND

Page 3, delete line 7 entirely

AND

Page 3, delete line 25 and substitute:

"percent (5%) biofuel by volume that is compatible with diesel beginning on July 1, 2009, and subject to:"

AND

Page 4, delete line 30 and substitute:

"15-13-108. Exemption.

This subchapter shall not apply to fuel that is purchased and used by railroads exclusively for off-road use.

15-13-109. Rules."

(SIGNED) SENATOR THOMPSON

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. 4 to SENATE BILL NO. 237

Amend Senate Bill No. 237 as engrossed, S2/8/07:

Delete everything following the enacting clause and substitute:

"SECTION 1. Arkansas Code Title 15 is amended to add an additional chapter to read as follows:

15-13-101. Title.

This chapter shall be known and may be cited as the “Arkansas Alternative Fuels Development Act”.

15-13-102. Definitions.

As used in this subchapter:

(1) “Alternative fuels” means biofuels or ethanol;

(2)(A) "Biofuels" means a renewable, biodegradable, combustible liquid fuel derived from biomass or other renewable resources 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) "Biofuels" includes without limitation:

(i) Biodiesel or renewable diesel;

(ii) Renewable gasoline;

(iii) Renewable jet fuel;

(iv) Renewable naptha;

(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:

(A) Meets the American Society for Testing and Materials Specification D4806-04a for ethanol as in effect on January 1, 2007; and

(B) Is denatured as specified in 27 C.F.R. Part 20 and Part 21 as in effect on January 1, 2007;

(5) “Other renewable resources” means any material that can be recycled, regenerated, reclaimed, or reused; and

(6) "State agency" means any office, board, commission, department, council, bureau, or other entity created by the General Assembly.

15-13-103. Alternative fuels production goal.

The per annum goal for alternative fuels production at production facilities in the state is fifty million gallons (50,000,000 gal.) by October 1, 2008.

15-13-104. Biofuels standard for state vehicles and state equipment.

Beginning on January 1, 2009, all diesel-powered motor vehicles, light trucks, and equipment owned or leased by a state agency shall be operated using diesel fuel that contains a minimum of two percent (2%) biofuels by volume.

15-13-105. Allowances for variance of the biofuels standard.

The Director of the Department of Finance and Administration may grant a waiver for a variance from the biofuels standard under § 15-13-104 if the applicant demonstrates one (1) or more of the following:

(1) The cost of diesel fuel that is blended with biofuels exceeds the cost of diesel that does not contain biofuels by fifteen cents (15¢) per gallon or more;

(2) Diesel fuel blended with biofuels is not available for purchase in the geographic region; or

(3) Compliance with the biofuels standard is not economically feasible.

15-13-106. Quality determinations and testing.

(a) The Arkansas Bureau of Standards of the State Plant Board shall make the determination that alternative fuels used in this state:

(1) Are useable in motor vehicles;

(2) Meet the specifications for biofuels and ethanol as provided under § 15-13-102; and

(3) Undergo quality assurance testing to ensure fuel quality and continued consumer confidence in alternative fuels.

(b) The Director of the Arkansas Bureau of Standards may:

(1) Establish a fuel testing laboratory;

(2) Contract with a laboratory for testing;

(3) Adopt rules on false and misleading advertising, labeling, and posting of prices; and

(4) Adopt the standards for alternative fuels.

15-13-107. Rules.

The Director of the Department of Finance and Administration shall promulgate rules and regulations to provide for the administration of this chapter."

(SIGNED) SENATOR 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 Hendren, Senate Bill No. 554 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. 554

Amend Senate Bill No. 554 as originally introduced:

Page 1, line 12, delete "THE NORTHWEST ARKANSAS REGIONAL AIRPORT" and substitute "REGIONAL AIRPORTS"

And

Page 1, line 20, delete "NORTHWEST ARKANSAS REGIONAL AIRPORT" and substitute "REGIONAL AIRPORTS"

And

Page 1, line 26, delete "NORTHWEST ARKANSAS REGIONAL" and substitute "REGIONAL AIRPORTS"

And

Page 1, line 27, delete "AIRPORT"

And

Page 1, line 30, delete "the Northwest" and substitute "Regional Airports"

And

Page 1, line 31, delete "Arkansas Regional Airport"

(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. 554 was ordered engrossed.

On motion of Senator Hendren, Senate Bill No. 555 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. 555

Amend Senate Bill No. 555 as originally introduced:

Page 1, line 11, delete "GRANT TO THE NORTHWEST ARKANSAS" and substitute "GRANTS"

And

Page 1, line 12, delete "CONSERVATION AUTHORITY"

And

Page 1, line 18, delete "GRANT - NORTHWEST ARKANSAS" and substitute "GRANTS"

And

Page 1, line 19, delete "CONSERVATION AUTHORITY"

And

Page 1, line 25, delete "NORTHWEST ARKANSAS CONSERVATION AUTHORITY" and substitute "GRANTS"

And

Page 1, line 30, delete "Grant to the Northwest Arkansas Conservation Authority" and substitute "Grants"

(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. 555 was ordered engrossed.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 21, 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

March 21, 2007

Mr. President:

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

SENATE BILL NO. 306, BY SENATOR STEELE,
SENATE BILL NO. 554, BY SENATOR HENDREN,
SENATE BILL NO. 555, BY SENATOR HENDREN,

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 Steele, Senate Bill No. 306 was ordered re-referred to the Committee on JOINT BUDGET.

On motion of Senator Hendren, Senate Bill No. 554 was ordered re-referred to the Committee on JOINT BUDGET.

On motion of Senator Hendren, Senate Bill No. 555 was ordered re-referred to the Committee on JOINT BUDGET.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 21, 2007

Mr. President:

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

SENATE BILL NO. 372, BY SENATOR BROWN, 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 Brown, Senate Bill No. 372 was ordered re-referred to the Committee on CITY, COUNTY & LOCAL AFFAIRS.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 21, 2007

Mr. President:

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

Senate BILL NO. 884, 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. 884 was ordered re-referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 21, 2007

Mr. President:

We, your Committee on EDUCATION, to whom was referred:

SENATE BILL NO. 660, BY SENATOR BOOKOUT,
SENATE BILL NO. 764, BY SENATOR WILKINS,
SENATE BILL NO. 772, BY SENATOR BROADWAY,
SENATE BILL NO. 776, BY SENATOR WHITAKER,
SENATE BILL NO. 808, BY SENATOR BROADWAY,
SENATE BILL NO. 843, BY SENATOR BROADWAY,

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

March 21, 2007

Mr. President:

We, your Committee on EDUCATION, to whom was referred:

HOUSE BILL NO. 1504, BY REPRESENTATIVE ANDERSON,

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 ARGUE
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 21, 2007

Mr. President:

We, your Committee on JUDICIARY, to whom was referred:

SENATE BILL NO. 556, BY SENATOR BROADWAY,
SENATE BILL NO. 912, BY SENATOR BAKER,
SENATE BILL NO. 968, BY SENATOR HENDREN,
SENATE BILL NO. 971, 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 ED WILKINSON
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 21, 2007

Mr. President:

We, your Committee on JUDICIARY, to whom was referred:

SENATE BILL NO. 907, BY SENATOR R. THOMPSON,

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 ED WILKINSON
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 21, 2007

Mr. President:

We, your Committee on JUDICIARY, to whom was referred:

SENATE BILL NO. 266, BY SENATOR SALMON,

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

Respectfully submitted,

(SIGNED) SENATOR ED WILKINSON
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 21, 2007

Mr. President:

We, your Committee on JUDICIARY, to whom was referred:

HOUSE BILL NO. 1311, BY REPRESENTATIVE COOK,
HOUSE BILL NO. 1713, BY REPRESENTATIVE PATE,
HOUSE BILL NO. 2231, BY REPRESENTATIVE MALOCH,
HOUSE BILL NO. 2256, BY REPRESENTATIVE E. BROWN,
HOUSE BILL NO. 2257, BY REPRESENTATIVE E. BROWN,
HOUSE BILL NO. 2258, BY REPRESENTATIVE E. BROWN,
HOUSE BILL NO. 2304, BY REPRESENTATIVE WALTERS,
HOUSE BILL NO. 2649, BY REPRESENTATIVE E. BROWN,
HOUSE BILL NO. 2685, BY REPRESENTATIVE WOODS,
HOUSE BILL NO. 2733, 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 ED WILKINSON
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 21, 2007

Mr. President:

We, your Committee on JUDICIARY, to whom was referred:

HOUSE BILL NO. 1529, BY REPRESENTATIVE JEFFREY,
HOUSE BILL NO. 1660, BY REPRESENTATIVE HYDE,
HOUSE BILL NO. 2248, BY REPRESENTATIVE D. HUTCHINSON,
HOUSE BILL NO. 2296, BY REPRESENTATIVE PATE,
HOUSE BILL NO. 2411, BY REPRESENTATIVE ADCOCK,
HOUSE BILL NO. 2443, 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 as amended No. 1.

Respectfully submitted,

(SIGNED) SENATOR ED WILKINSON
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 21, 2007

Mr. President:

We, your Committee on PUBLIC HEALTH, WELFARE & LABOR, to whom was referred:

SENATE BILL NO. 289, BY SENATOR BROADWAY,
SENATE BILL NO. 955, 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. 2.

Respectfully submitted,

(SIGNED) SENATOR CRITCHER
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 21, 2007

Mr. President:

We, your Committee on PUBLIC HEALTH, WELFARE & LABOR, to whom was referred:

HOUSE BILL NO. 1132, BY REPRESENTATIVE PRATER,
HOUSE BILL NO. 1369, BY REPRESENTATIVE RAGLAND,
HOUSE BILL NO. 1471, BY REPRESENTATIVE MOORE,
HOUSE BILL NO. 1513, BY REPRESENTATIVE KEY,
HOUSE BILL NO. 1699, BY REPRESENTATIVE ADCOCK,
HOUSE BILL NO. 2347, BY REPRESENTATIVE DICKINSON,
HOUSE BILL NO. 2357, BY REPRESENTATIVE STEWART,
HOUSE BILL NO. 2416, BY REPRESENTATIVE WOODS,
HOUSE BILL NO. 2417, BY REPRESENTATIVE PATTERSON,
HOUSE BILL NO. 2612, BY REPRESENTATIVE GREENBERG,
HOUSE BILL NO. 2645, BY REPRESENTATIVE ADCOCK,
HOUSE BILL NO. 2657, BY REPRESENTATIVE D. JOHNSON,
HOUSE BILL NO. 2811, BY REPRESENTATIVE HARRELSON,

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

March 21, 2007

Mr. President:

We, your Committee on PUBLIC HEALTH, WELFARE & LABOR, to whom was referred:

HOUSE BILL NO. 2626, BY REPRESENTATIVE SAMPLE,
HOUSE BILL NO. 2731, 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 as amended No. 1.

Respectfully submitted,

(SIGNED) SENATOR JACK CRITCHER
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 21, 2007

Mr. President:

We, your Committee on REVENUE & TAXATION, to whom was referred:

SENATE BILL NO. 355, BY SENATOR SALMON,
SENATE BILL NO. 586, BY SENATOR T. SMITH,
SENATE BILL NO. 990, BY SENATOR BRYLES,
SENATE BILL NO. 1004, 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 JIM HILL
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 21, 2007

Mr. President:

We, your Committee on REVENUE & TAXATION, to whom was referred:

HOUSE BILL NO. 1828, BY REPRESENTATIVE HARRELSON,
HOUSE BILL NO. 2226, BY REPRESENTATIVE ROGERS,
HOUSE BILL NO. 2278, BY REPRESENTATIVE MOORE,
HOUSE BILL NO. 2420, BY REPRESENTATIVE PETRUS,
HOUSE BILL NO. 2552, BY REPRESENTATIVE D. JOHNSON,

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

March 21, 2007

Mr. President:

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

SENATE BILL NO. 379, 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 to concur in House Amendment No. 1.

Respectfully submitted,

(SIGNED) SENATOR PAUL MILLER
CHAIRMAN

SENATOR ARGUE
SENATOR BOOKOUT
SENATOR SMITH
SENATOR MALONE

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 21, 2007

Mr. President:

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

SENATE BILL NO. 46, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 68, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 325, BY SENATOR BOOKOUT,
SENATE BILL NO. 326, BY SENATOR BOOKOUT,
SENATE BILL NO. 327, BY SENATOR BOOKOUT,
SENATE BILL NO. 328, BY SENATOR BOOKOUT,
SENATE BILL NO. 329, BY SENATOR BOOKOUT,
SENATE BILL NO. 330, BY SENATOR CAPPS,
SENATE BILL NO. 335, BY SENATOR LAVERTY,
SENATE BILL NO. 336, BY SENATOR WILKINS,
SENATE BILL NO. 337, BY SENATOR WILKINS,
SENATE BILL NO. 338, BY SENATOR BRYLES,
SENATE BILL NO. 354, BY SENATOR SMITH,
SENATE BILL NO. 358, BY SENATOR GLOVER,
SENATE BILL NO. 359, BY SENATOR SMITH,
SENATE BILL NO. 360, BY SENATOR HORN,
SENATE BILL NO. 363, BY SENATOR HILL,
SENATE BILL NO. 364, BY SENATOR HILL,
SENATE BILL NO. 365, BY SENATOR HILL,
SENATE BILL NO. 366, BY SENATOR SMITH,
SENATE BILL NO. 367, BY SENATOR TAYLOR,
SENATE BILL NO. 371, BY SENATOR MALONE,
SENATE BILL NO. 383, BY SENATOR FARIS,
SENATE BILL NO. 384, BY SENATOR FARIS,
SENATE BILL NO. 385, BY SENATOR FARIS,
SENATE BILL NO. 388, BY SENATOR FARIS,
SENATE BILL NO. 391, BY SENATOR WOMACK,
SENATE BILL NO. 392, BY SENATOR THOMPSON,
SENATE BILL NO. 393, BY SENATOR THOMPSON,

SENATE BILL NO. 394, BY SENATOR ALTES,
SENATE BILL NO. 395, BY SENATOR WOMACK,
SENATE BILL NO. 399, BY SENATOR THOMPSON,
SENATE BILL NO. 400, BY SENATOR THOMPSON,
SENATE BILL NO. 401, BY SENATOR THOMPSON,
SENATE BILL NO. 405, BY SENATOR BAKER,
SENATE BILL NO. 406, BY SENATOR SALMON,
SENATE BILL NO. 407, BY SENATOR WOMACK,
SENATE BILL NO. 408, BY SENATOR WOMACK,
SENATE BILL NO. 409, BY SENATOR GLOVER,
SENATE BILL NO. 410, BY SENATOR THOMPSON,
SENATE BILL NO. 411, BY SENATOR CRITCHER,
SENATE BILL NO. 412, BY SENATOR CRITCHER,
SENATE BILL NO. 414, BY SENATOR FARIS,
SENATE BILL NO. 419, BY SENATOR HORN,
SENATE BILL NO. 420, BY SENATOR HORN,
SENATE BILL NO. 422, BY SENATOR BROWN,
SENATE BILL NO. 423, BY SENATOR BROWN,
SENATE BILL NO. 424, BY SENATOR BROWN,
SENATE BILL NO. 425, BY SENATOR BROWN,
SENATE BILL NO. 431, BY SENATOR BROWN,
SENATE BILL NO. 433, BY SENATOR MADISON,
SENATE BILL NO. 434, BY SENATOR FARIS,
SENATE BILL NO. 435, BY SENATOR LUKER,
SENATE BILL NO. 436, BY SENATOR LUKER,
SENATE BILL NO. 437, BY SENATOR LUKER,
SENATE BILL NO. 438, BY SENATOR LUKER,
SENATE BILL NO. 441, BY SENATOR GLOVER,
SENATE BILL NO. 445, BY SENATOR WOMACK,
SENATE BILL NO. 447, BY SENATOR CRITCHER,
SENATE BILL NO. 450, BY SENATOR HILL,
SENATE BILL NO. 453, BY SENATOR BROADWAY,
SENATE BILL NO. 454, BY SENATOR BROADWAY,
SENATE BILL NO. 455, BY SENATOR SALMON,
SENATE BILL NO. 456, BY SENATOR BRYLES,
SENATE BILL NO. 458, BY SENATOR BRYLES,
SENATE BILL NO. 459, BY SENATOR WOMACK,
SENATE BILL NO. 461, BY SENATOR CRITCHER,

SENATE BILL NO. 462, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 463, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 464, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 465, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 466, BY JOINT BUDGET COMMITTEE,
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SENATE BILL NO. 475, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 477, BY SENATOR CRITCHER,
SENATE BILL NO. 478, BY SENATOR CRITCHER,
SENATE BILL NO. 479, BY SENATOR LUKER,
SENATE BILL NO. 481, BY SENATOR LUKER,
SENATE BILL NO. 482, BY SENATOR LUKER,
SENATE BILL NO. 484, BY SENATOR LUKER,
SENATE BILL NO. 486, BY SENATOR BRYLES,
SENATE BILL NO. 487, BY SENATOR BRYLES,
SENATE BILL NO. 485, BY SENATOR FARIS,
SENATE BILL NO. 488, BY SENATOR BRYLES,
SENATE BILL NO. 489, BY SENATOR BRYLES,
SENATE BILL NO. 493, BY SENATOR JOHNSON,
SENATE BILL NO. 494, BY SENATOR JOHNSON,
SENATE BILL NO. 495, BY SENATOR JOHNSON,
SENATE BILL NO. 497, BY SENATOR J. JEFFRESS,
SENATE BILL NO. 498, BY SENATOR J. JEFFRESS,
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SENATE BILL NO. 500, BY SENATOR J. JEFFRESS,
SENATE BILL NO. 501, BY SENATOR BROADWAY,
SENATE BILL NO. 502, BY SENATOR BROADWAY,
SENATE BILL NO. 503, BY SENATOR SMITH,
SENATE BILL NO. 505, BY SENATOR SMITH,
SENATE BILL NO. 507, BY SENATOR SALMON,
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SENATE BILL NO. 551, BY SENATOR HENDREN,
SENATE BILL NO. 552, BY SENATOR HENDREN,
SENATE BILL NO. 553, BY SENATOR HENDREN,
SENATE BILL NO. 564, BY SENATOR STEELE,
SENATE BILL NO. 565, BY SENATOR STEELE,

SENATE BILL NO. 566, BY SENATOR STEELE,
SENATE BILL NO. 572, BY SENATOR GLOVER,
SENATE BILL NO. 573, BY SENATOR BOOKOUT,
SENATE BILL NO. 574, BY SENATOR BOOKOUT,
SENATE BILL NO. 576, BY SENATOR BOOKOUT,
SENATE BILL NO. 577, BY SENATOR BOOKOUT,
SENATE BILL NO. 578, BY SENATOR BOOKOUT,
SENATE BILL NO. 579, BY SENATOR ARGUE,
SENATE BILL NO. 581, BY SENATOR G. JEFFRESS,
SENATE BILL NO. 583, BY SENATOR G. JEFFRESS,
SENATE BILL NO. 584, BY SENATOR G. JEFFRESS,
SENATE BILL NO. 587, BY SENATOR MADISON,
SENATE BILL NO. 589, BY SENATOR MADISON,
SENATE BILL NO. 590, BY SENATOR MADISON,
SENATE BILL NO. 591, BY SENATOR MADISON,
SENATE BILL NO. 594, BY SENATOR FARIS,
SENATE BILL NO. 595, BY SENATOR FARIS,
SENATE BILL NO. 596, BY SENATOR JOHNSON,
SENATE BILL NO. 597, BY SENATOR JOHNSON,
SENATE BILL NO. 598, BY SENATOR JOHNSON,
SENATE BILL NO. 599, BY SENATOR JOHNSON,
SENATE BILL NO. 601, BY SENATOR BRYLES,
SENATE BILL NO. 602, BY SENATOR BRYLES,
SENATE BILL NO. 605, BY SENATOR CAPPS,
SENATE BILL NO. 606, BY SENATOR CAPPS,
SENATE BILL NO. 608, BY SENATOR STEELE,
SENATE BILL NO. 612, BY SENATOR WOMACK,
SENATE BILL NO. 613, BY SENATOR WOMACK,
SENATE BILL NO. 614, BY SENATOR WOMACK,
SENATE BILL NO. 615, BY SENATOR WOMACK,
SENATE BILL NO. 616, BY SENATOR WOMACK,
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SENATE BILL NO. 618, BY SENATOR WOMACK,
SENATE BILL NO. 619, BY SENATOR WOMACK,
SENATE BILL NO. 620, BY SENATOR WOMACK,
SENATE BILL NO. 621, BY SENATOR WOMACK,
SENATE BILL NO. 622, BY SENATOR WOMACK,
SENATE BILL NO. 623, BY SENATOR CRITCHER,

SENATE BILL NO. 625, BY SENATOR MILLER,
SENATE BILL NO. 626, BY SENATOR MILLER,
SENATE BILL NO. 627, BY SENATOR MILLER,
SENATE BILL NO. 628, BY SENATOR MILLER,
SENATE BILL NO. 629, BY SENATOR MILLER,
SENATE BILL NO. 632, BY SENATOR CAPPS,
SENATE BILL NO. 633, BY SENATOR CAPPS,
SENATE BILL NO. 640, BY SENATOR BROWN,
SENATE BILL NO. 641, BY SENATOR BROWN,
SENATE BILL NO. 643, BY SENATOR CRUMBLY,
SENATE BILL NO. 644, BY SENATOR CRUMBLY,
SENATE BILL NO. 645, BY SENATOR CRUMBLY,
SENATE BILL NO. 647, BY SENATOR CRUMBLY,
SENATE BILL NO. 648, BY SENATOR CRUMBLY,
SENATE BILL NO. 649, BY SENATOR CRUMBLY,
SENATE BILL NO. 650, BY SENATOR CRUMBLY,
SENATE BILL NO. 651, BY SENATOR BOOKOUT,
SENATE BILL NO. 661, BY SENATOR J. JEFFRESS,
SENATE BILL NO. 662, BY SENATOR J. JEFFRESS,
SENATE BILL NO. 663, BY SENATOR J. JEFFRESS,
SENATE BILL NO. 664, BY SENATOR J. JEFFRESS,
SENATE BILL NO. 665, BY SENATOR LAVERTY,
SENATE BILL NO. 666, BY SENATOR LAVERTY,
SENATE BILL NO. 667, BY SENATOR LAVERTY,
SENATE BILL NO. 668, BY SENATOR LAVERTY,
SENATE BILL NO. 669, BY SENATOR LAVERTY,
SENATE BILL NO. 670, BY SENATOR LAVERTY,
SENATE BILL NO. 671, BY SENATOR LAVERTY,
SENATE BILL NO. 672, BY SENATOR LAVERTY,
SENATE BILL NO. 673, BY SENATOR LAVERTY,
SENATE BILL NO. 674, BY SENATOR LAVERTY,
SENATE BILL NO. 675, BY SENATOR LAVERTY,
SENATE BILL NO. 676, BY SENATOR LAVERTY,
SENATE BILL NO. 682, BY SENATOR HORN,
SENATE BILL NO. 684, BY SENATOR THOMPSON,
SENATE BILL NO. 685, BY SENATOR THOMPSON,
SENATE BILL NO. 687, BY SENATOR LAVERTY,
SENATE BILL NO. 688, BY SENATOR LAVERTY,

SENATE BILL NO. 689, BY SENATOR LAVERTY,
SENATE BILL NO. 690, BY SENATOR LAVERTY,
SENATE BILL NO. 691, BY SENATOR LAVERTY,
SENATE BILL NO. 696, BY SENATOR MALONE,
SENATE BILL NO. 697, BY SENATOR MALONE,
SENATE BILL NO. 699, BY SENATOR MADISON,
SENATE BILL NO. 700, BY SENATOR MADISON,
SENATE BILL NO. 701, BY SENATOR CRITCHER,
SENATE BILL NO. 703, BY SENATOR CRITCHER,
SENATE BILL NO. 705, BY SENATOR PRITCHARD,
SENATE BILL NO. 706, BY SENATOR PRITCHARD,
SENATE BILL NO. 707, BY SENATOR PRITCHARD,
SENATE BILL NO. 708, BY SENATOR PRITCHARD,
SENATE BILL NO. 709, BY SENATOR ARGUE,
SENATE BILL NO. 712, BY SENATOR STEELE,
SENATE BILL NO. 715, BY SENATOR WILKINSON,
SENATE BILL NO. 716, BY SENATOR WILKINSON,
SENATE BILL NO. 717, BY SENATOR WILKINSON,
SENATE BILL NO. 718, BY SENATOR WILKINSON,
SENATE BILL NO. 720, BY SENATOR BROADWAY,
SENATE BILL NO. 721, BY SENATOR CAPPS,
SENATE BILL NO. 730, BY SENATOR CAPPS,
SENATE BILL NO. 731, BY SENATOR CAPPS,
SENATE BILL NO. 732, BY SENATOR CAPPS,
SENATE BILL NO. 733, BY SENATOR CAPPS,
SENATE BILL NO. 734, BY SENATOR CAPPS,
SENATE BILL NO. 735, BY SENATOR STEELE,
SENATE BILL NO. 737, BY SENATOR STEELE,
SENATE BILL NO. 743, BY SENATOR THOMPSON,
SENATE BILL NO. 745, BY SENATOR WOMACK,

SENATE BILL NO. 746, BY SENATOR WOMACK,
SENATE BILL NO. 748, BY SENATOR GLOVER,
SENATE BILL NO. 751, BY SENATOR WOMACK,
SENATE BILL NO. 752, BY SENATOR CRITCHER,
SENATE BILL NO. 754, BY SENATOR MILLER,
SENATE BILL NO. 757, BY SENATOR WHITAKER,
SENATE BILL NO. 759, BY SENATOR WHITAKER,
SENATE BILL NO. 771, BY SENATOR GLOVER,

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

On motion of Senator Steele, the rules were suspended in considering the Committee of the Whole at this time.

On motion of Senator Steele, the Senate resolved itself into the Committee of the Whole for the purpose of Commemorating the 50th Anniversary of the Central High School Integration.

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

On motion of Senator Steele, Senate Resolution No. 22 was called up for third reading and final disposition.

SENATE RESOLUTION NO. 22
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS STEELE, BROWN, CRUMBLY, WILKINS & ARGUE

SENATE RESOLUTION COMMEMORATING THE 50TH ANNIVERSARY OF THE HISTORIC INTEGRATION OF CENTRAL HIGH SCHOOL.

Senate Resolution No. 22 was read the third time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

On motion of Senator Brown, the rules were suspended in considering the Committee of the Whole at this time.

On motion of Senator Brown, the Senate resolved itself into the Committee of the Whole for the purpose of Honoring Darren McFadden.

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

On motion of Senator Brown, Senate Resolution No. 23 was called up for third reading and final disposition.

SENATE RESOLUTION NO. 23
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS BROWN AND STEELE

SENATE RESOLUTION HONORING THE OUTSTANDING ACHIEVEMENTS AND 2006 SEASON OF ARKANSAS RAZORBACK DARREN MCFADDEN.

Senate Resolution No. 23 was read the third time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

On motion of Senator Altes, House Concurrent Memorial Resolution No. 1003 was called up for third reading and final disposition.

HOUSE CONCURRENT MEMORIAL RESOLUTION NO. 1003
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES MEDLEY, WALTERS, GLIDEWELL, ET AL
BY: SENATORS ALTES, WHITAKER & WILKINSON

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

House Concurrent Memorial Resolution No. 1003 was read the third time and concurred in by the House.

(SIGNED) ANN CORNWELL, SECRETARY

House Concurrent Memorial Resolution No. 1003 was ordered immediately returned to the House as concurred in.

On motion of Senator Wilkinson, House Concurrent Memorial Resolution No. 1002 was called up for third reading and final disposition.

HOUSE CONCURRENT MEMORIAL RESOLUTION NO. 1002
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE OVERBEY
BY: SENATORS WILKINSON AND LAVERTY

HOUSE CONCURRENT MEMORIAL RESOLUTION IN RESPECTFUL MEMORY OF MR. JACK DOLAN CECIL AND IN RECOGNITION OF HIS CONTRIBUTIONS TO THE STATE OF ARKANSAS AND HIS LOCAL COMMUNITY.

House Concurrent Memorial Resolution No. 1002 was read the third time and concurred in by the House.

(SIGNED) ANN CORNWELL, SECRETARY

House Concurrent Memorial Resolution No. 1002 was ordered immediately returned to the House.

On motion of Senator Glover, Senate Bill No. 947 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. 947

Amend Senate Bill No. 947 as originally introduced:

Delete everything following the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 25-19-103(6), as amended by Act 268 of the 2007 Regular Session and concerning the definition of "public water system", is amended to read as follows:

(6)(A) "Public water system" means all facilities composing a system for the collection, treatment, and delivery of drinking water to the general public, including, but not limited to, reservoirs, pipelines, reclamation facilities, processing facilities, and distribution facilities~~;~~.

(B) This subdivision (6) shall expire on July 1, 2009; and

SECTION 2. Arkansas Code § 25-19-105(b)(15) and (16), as amended by Act 268 of the 2007 Regular Session, are amended to add an additional subdivision to read as follows:

(15) Military service discharge records or DD Form 214, the Certificate of Release or Discharge from Active Duty of the United States Department of Defense, filed with the county recorder as provided under § 14-2-102, for veterans discharged from service less than seventy (70) years from the current date; ~~and~~

(16) Vulnerability assessments submitted by a public water system on or before June 30, 2004, to the Administrator of the United States Environmental Protection Agency for a period of ten (10) years from the date of submission~~.~~; and

(17)(A) Records, including analyses, investigations, studies, reports, recommendations, requests for proposals, drawings, diagrams, blueprints, and plans, containing information relating to security for any public water system.

(B) The records shall include:

(i) Risk and vulnerability assessments;

(ii) Plans and proposals for preventing and mitigating security risks;

(iii) Emergency response and recovery records;

(iv) Security plans and procedures; and

(v) Any other records containing information that if disclosed might jeopardize or compromise efforts to secure and protect the public water system.

(C) This subdivision (b)(17) shall expire on July 1, 2009.

SECTION 3. Arkansas Code § 25-19-106(c), concerning the expiration date for a public agency to meet in executive session about a public water system security, is amended to add an additional subdivision to read as follows:

(6)(A) Subject to the provisions of subdivision (c)(4) of this section, any public agency may meet in executive session for the purpose of considering, evaluating, or discussing matters pertaining to public water system security as described in § 25-19-105(b)(17).

(B) This subdivision (c)(6) shall expire on July 1, 2009.

SECTION 4. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that certain provisions in the Freedom of Information Act concerning the records and meetings of public water systems will expire on July 1, 2007; that those provisions are necessary to ensure that public water systems are operated and managed safely and effectively; and that this act is necessary in order to provide security for public water systems. 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 GLOVER

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 947 was ordered engrossed.

On motion of Senator Hill, Senate Bill No. 792 was withdrawn from the Committee on REVENUE & TAXATION, 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. 792

Amend Senate Bill No. 792 as originally introduced:

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

"SECTION 1. Arkansas Code § 26-52-521 [Effective January 1, 2008.], concerning the sourcing of sales, is amended to add an additional subsection to read as follows:

"(i) The Director of the Department of Finance and Administration shall have the authority to delay the implementation of the destination sourcing rules in this section until July 1, 2009, as those sourcing rules relate to florists if the director determines that:

(1) The Streamlined Sales Tax Governing Board has changed or postponed the destination sourcing requirement for florists; and

(2) The director determines that such delay is necessary to prevent undue hardship for Arkansas florists.

SECTION 2. Arkansas Code § 26-52-315(b) [Effective January 1, 2008], concerning telecommunications services as amended by Act 181 of 2007, is amended to read as follows:

(b) The following services shall not be taxable under this section:

(1) Any interstate or international private communications service;

(2) Any interstate or international 800 service or 900 service; or

(3)(A) Any prepaid calling service or prepaid wireless calling service.

(B) However, prepaid calling service ~~is~~ and prepaid wireless calling service are taxed under § 26-52-314.

SECTION 3. Arkansas Code § 26-52-401(3), concerning the exemption for non-profit schools as amended by Act 181 of 2007, is amended to read as follows:

(3) Gross receipts or gross proceeds derived from the sale of food or food ingredients or prepared food in public, common, high school, or college cafeterias and lunch rooms operated primarily for teachers and pupils, not operated primarily for the public and not operated for profit;

SECTION 4. Arkansas Code § 26-52-431, concerning timber harvesting equipment, is amended to add a new subsection as follows:

26-52-431. Timber harvesting equipment.

(e)(1) The exemption provided by this section may be administered as a rebate.

(2) The Director of the Department of Finance and Administration is authorized to promulgate rules to administer this exemption in the form of a rebate.

SECTION 5. Arkansas Code § 26-52-433(b)(1) and (2) [Effective January 1, 2008], concerning sales tax exemptions for disposable medical supplies and durable medical equipment as amended by Act 181 of 2007, are amended to read as follows:

(b) As used in this section:

(1) "Disposable medical supplies" includes without limitation the following:

(A) Ostomy, urostomy, and colostomy supplies;

~~(B) Catheters;~~

~~(C)~~(B) Enemas, suppositories, and laxatives used in routine bowel care; and

~~(D)~~(C) Disposable undergarments and linen savers;

(2)(A) "Durable medical equipment" means equipment, including repair and replacement parts for the equipment that:

(i) Can withstand repeated use;

(ii) Is primarily and customarily used to serve a medical purpose;

(iii) Generally is not useful to a person in the absence of illness or injury; ~~and~~

(iv) Is not worn in or on the body~~.~~; and

(v) Is for home use.

(B) "Durable medical equipment" does not include mobility-enhancing equipment;

SECTION 6. Arkansas Code § 26-53-141(b)(1) and (2) [Effective January 1, 2008], concerning exemptions for disposable medical supplies and durable medical equipment as amended by Act 181 of 2007, are amended to read as follows:

(b) As used in this section:

(1) "Disposable medical supplies" includes without limitation the following:

(A) Ostomy, urostomy, and colostomy supplies;

~~(B) Catheters;~~

~~(C)~~(B) Enemas, suppositories, and laxatives used in routine bowel care; and

~~(D)~~(C) Disposable undergarments and linen savers;

(2)(A) "Durable medical equipment" means equipment including repair and replacement parts for the equipment that:

(i) Can withstand repeated use;

(ii) Is primarily and customarily used to serve a medical purpose;

(iii) Generally is not useful to a person in the absence of illness or injury; ~~and~~

(iv) Is not worn in or on the body~~.~~; and

(v) Is for home use.

(B) "Durable medical equipment" does not include mobility-enhancing equipment;

SECTION 7. Sections 1 - 6 of this act will become effective on January 1, 2008."

(SIGNED) SENATOR JIM HILL

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 792 was ordered engrossed.

On motion of Senator Johnson, Senate Bill No. 998 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 SENATE BILL NO. 998

Amend Senate Bill No. 998 as originally introduced:

Page 1, delete line 5 and substitute the following:
"By: Senators B. Johnson , Altes, Argue, Broadway, Bryles, Baker, Trusty, Malone, Madison"

AND

Add Representatives M. Martin, D. Evans, Ragland, Hyde, and Maxwell as cosponsors of the bill

(SIGNED) SENATOR B. JOHNSON

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 998 was ordered engrossed.

On motion of Senator Johnson, Senate Bill No. 1000 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 SENATE BILL NO. 1000

Amend Senate Bill No. 1000 as originally introduced:

Page 1, delete line 5 and substitute the following:
"By: Senators B. Johnson, Altes, Argue, Broadway, Bryles, Baker, Trusty, Malone, Madison"

AND

Add Representatives M. Martin, D. Evans, Ragland, Hyde, and Maxwell as cosponsors of the bill

AND

Delete everything following the enacting clause and substitute the following:

"SECTION 1. Arkansas Code Title 15, Chapter 5 is amended to add an additional subchapter to read as follows:

15-5-1601. Title.

This subchapter shall be known and may be cited as the "Arkansas Risk Capital Matching Fund Act of 2007".

15-5-1602. Legislative intent.

The General Assembly finds:

(1) There is a need to strengthen and advance the infrastructure that supports and accelerates the advancement of the growth of technology-based enterprises in Arkansas;

(2) There exists a shortage of risk capital and financial assistance at the early stages of development for technology-based enterprises;

(3) An improved investment climate for early stage technology-based enterprises is expected to increase, advance and accelerate the growth and development of technology-based enterprises in Arkansas;

(4) The ultimate goal of supporting technology-based enterprises is to convert research and development activities and early stage technology-based enterprises into viable commercial ventures; and

(5) The provision of financial investment and assistance to aid early stage technology-based enterprises is expected to strengthen the economic base of the State of Arkansas and create better paying jobs, thereby benefiting all citizens of the state.

15-5-1603. Definitions.

As used in this subchapter:

(1) "Angel investor" means a high net worth individual or a network of high net worth individuals who invest in early stage technology-based enterprises;

(2) "Enterprise Development Account" means a separate account bearing that name and to be maintained within the Arkansas Risk Capital Matching Fund, the moneys in which account shall be used for the purposes and in the manner prescribed by this subchapter;

(3) "Equity capital" means capital invested in common stock or preferred stock, royalty rights, limited partnership interests, limited liability company interests, and any other equity or securities or rights that evidence ownership or investment in private enterprises;

(4) "Fund manager" means a private sector entity hired by the trustees of the Venture Capital Investment Trust under this subchapter, to develop recommendations, structure, and manage the investments of the Arkansas Risk Capital Matching Fund, and to assist in the provision of financial assistance to technology-based enterprises at the early stages of development;

(5) "Near equity capital" means capital invested in unsecured, undersecured, subordinated, or convertible loans or debt securities;

(6) "Review committee" means a committee comprised of the President of the Arkansas Development Finance Authority, the President of the Arkansas Science and Technology Authority, and the Director of the Department of Economic Development;

(7) "Technology-based enterprises" means a group of growing businesses in one (1) or more of the following business sectors:

(A) Advanced materials and manufacturing systems;

(B) Agriculture, food, and environmental sciences;

(C) Biotechnology, bioengineering, medical technology and life sciences;

(D) Information technology;

(E) Transportation logistics; and

(F) Bio-based products;

(8) "Technology Validation Account" means the separate account bearing that name and to be maintained as a separate account within the Arkansas Risk Capital Matching Fund, the moneys in which account shall be used for the purposes and in the manner prescribed by this subchapter; and

(9) "Venture Capital Investment Trust" means the public trust formed July 21, 2003, under § 28-72-201 et seq., the trustees of which are the President of the Arkansas Development Finance Authority, the President of the Arkansas Science and Technology Authority, and the Director of the Department of Finance and Administration, and that has as a principal purpose of increasing the availability of equity capital and near equity capital for emerging and expanding enterprises in the State of Arkansas.

15-5-1604. Creation of Arkansas Risk Capital Matching Fund.

(a) There is established the Arkansas Risk Capital Matching Fund, and within that fund the Enterprise Development Account and the Technology Validation Account, which fund and accounts shall be held by and maintained as a separate fund and separate accounts within the Venture Capital Investment Trust.

(b)(1) The Arkansas Risk Capital Matching Fund is created for the purpose of providing financial assistance to technology-based enterprises located in Arkansas, with the expectation of developing jobs paying in excess of county and state average wages, improving the growth, development, and advancement of technology-based enterprises, and converting research and development activities and early stage technology-based enterprises into viable and productive commercial ventures.

(2) The Arkansas Risk Capital Matching Fund shall target the financial assistance toward those technology-based enterprises that are in the early stages of development and are not yet able to attract adequate private sources of traditional financing or venture or investor-backed capital for their growth and development.

15-5-1605. Funding of Arkansas Risk Capital Matching Fund.

(a) The trustees of the Venture Capital Investment Trust may accept moneys and funds for the Arkansas Risk Capital Matching Fund from any source.

(b) Moneys and funds received by the trustees of the Venture Capital Investment Trust for the Arkansas Risk Capital Matching Fund shall be dedicated and used solely as authorized in this subchapter.

(c)(1) Moneys and funds received by any of the Arkansas Development Finance Authority, the Arkansas Science and Technology Authority, or the Arkansas Department of Economic Development designated for use or ownership by the Arkansas Risk Capital Matching Fund shall be deposited to the Venture Capital Investment Trust and held in the Technology Validation Account and the Enterprise Development Account of the Arkansas Risk Capital Matching Fund, as applicable and as specified in this subchapter, until used for the purposes of this subchapter.

(2) Moneys deposited to the Venture Capital Investment Trust for the purposes of providing financial assistance to technology-based enterprises under this subchapter shall be allocated between the Technology Validation Account and the Enterprise Development Account as follows:

(A) Seventy-five percent (75%) of the moneys shall be allocated to the Enterprise Development Account; and

(B) Twenty-five percent (25%) of the moneys shall be allocated to the Technology Validation Account.

(d) The trustees of the Venture Capital Investment Trust will establish separate accounting and tracking and will be responsible for administering the moneys in each of the Enterprise Development Account and the Technology Validation Account of the Arkansas Risk Capital Matching Fund.

(e) Proceeds received by the Venture Capital Investment Trust as a return on or in full or partial liquidation of any investments made from either the Enterprise Development Account or the Technology Validation Account, subject to § 15-5-1607, shall be restricted in their use and dedicated and retained in the appropriate account from which the investment was made and not commingled with other moneys held by the Venture Capital Investment Trust, and such proceeds may be used and re-used from time to time for the purposes specified for moneys held in such accounts as provided by this subchapter.

(f) Moneys shall be withdrawn from either the Enterprise Development Account or the Technology Validation Account of the Arkansas Risk Capital Matching Fund, as appropriate, upon requisition from the trustees of the Venture Capital Investment Trust for achieving the purposes of this subchapter.

(g)(1) Moneys and funds within the Technology Validation Account of the Arkansas Risk Capital Matching Fund shall be used within the parameters expressed in this subsection for the purpose of assisting very early stage technology-based enterprises in developing or achieving one (1) or more of the following:

(A) A sound business plan;

(B) Market research;

(C) Marketing plans;

(D) Software or hardware and equipment relating to the particular technology or technologies on which the technology-based enterprise is being built;

(E) Development of laboratory, pre-clinical or other testing procedures and results;

(F) Attaining proof of concept;

(G) Building of experimental or pilot-scale models of products or facilities; or

(H) Achieving other similar milestones required for the advancement of very early stage technology-based enterprises as approved by the fund manager and the review committee.

(2) Financial assistance provided from the Technology Validation Account may be made in the form of equity capital or near equity capital, as recommended by the fund manager and approved by the review committee.

(3) Financial assistance made from the Technology Validation Account may but shall not be required to be structured or approved based on a market rate-based rate of return or other benchmark rate of return expected to be achieved with respect to an investment, it being the primary purpose of investments made from the Technology Validation Account, within the reasonable discretion of the fund manager and the review committee, to assist in validating the technology or technologies on which these enterprises rely or are based, so that such enterprises may be better enabled to attract additional investments by angel investors or other investors.

(4) Financial assistance made from the Technology Validation Account shall be required to be matched by a contribution of equity capital or near equity capital, or other sources of funds as set forth in this section, in some proportion as determined by the review committee on a case-by-case basis or as a matter of rule, but on not less than a one-to-nine (1:9) basis, from:

(A) One (1) or more owners of any technology-based enterprise receiving financial assistance from the Arkansas Risk Capital Matching Fund;

(B) Proceeds of state or federal research grants, including without limitation federal Small Business Innovation Research grants, Small Business Technology Transfer Program grants, Department of Defense research grants, National Institutes of Health research grants, or from any successor programs or agency grants; or

(C) Community-based investment sources.

(5) Any technology-based enterprise receiving financial assistance to be disbursed from the Technology Validation Account shall have a business valuation as approved by the fund manager and the review committee, of not more than one million five hundred thousand dollars ($1,500,000), determined as of prior to the making of the investment from the Technology Validation Account and as adjusted from year to year by the review committee on recommendation of the fund manager to take into account the effects of inflation.

(6) The maximum investment that may be made to any one (1) technology-based enterprise from the Technology Validation Account of the Arkansas Risk Capital Matching Fund shall be one hundred thousand dollars ($100,000), as adjusted from year to year by the review committee on recommendation of the fund manager to take into account the effects of inflation.

(h)(1) Moneys and funds within the Enterprise Development Account of the Arkansas Risk Capital Matching Fund shall be used, within the parameters expressed in this subsection (h), for the purpose of assisting early stage technology-based enterprises in augmenting the investments made or proposed to be made in such enterprises from angel investors and other individual or institutional investors, where established milestones for further development of such enterprises are set forth in a business plan to be approved by the fund manager and the review committee.

(2) Financial assistance provided from the Enterprise Development Account may be made in the form of equity capital or near equity capital, as recommended by the fund manager and approved by the review committee, and shall be on substantially the same terms and conditions as other investments proposed to be made by angel investors or other investors contemporaneously with the assistance to be provided from the Arkansas Risk Capital Matching Fund.

(3) Financial assistance made from the Enterprise Development Account shall be required to be matched by investments from angel investors or other investors in some proportion, as determined by the review committee on a case-by-case basis or as a matter of rule, but on not less than a one-to-four (1:4) basis.

(4) Any technology-based enterprise receiving financial assistance to be disbursed from the Enterprise Development Account shall have a business valuation as approved by the fund manager and the review committee, of not more than twenty-five million dollars ($25,000,000), determined prior to the making of the investment from the Enterprise Development Account, and as adjusted from year to year by the review committee on recommendation of the fund manager to take into account the effects of inflation.

(5) The maximum investment that may be made to any one (1) technology-based enterprise from the Enterprise Development Account of the Arkansas Risk Capital Matching Fund shall be seven hundred fifty thousand dollars ($750,000), as adjusted from year to year by the review committee on recommendation of the fund manager to take into account the effects of inflation.

15-5-1606. Fund manager.

(a)(1) The Trustees of the Venture Capital Investment Trust shall, using as guidelines the professional selection policy of any one (1) or more of the Arkansas Development Finance Authority, the Arkansas Science and Technology Authority or the Arkansas Department of Economic Development, solicit proposals from fund managers for investing of capital and providing financial assistance in accordance with the requirements of this subchapter.

(2) Investment and management proposals shall address, in addition to any other information required pursuant to such guidelines:

(A) The level of experience of the fund manager;

(B) The experience of management of the fund manager;

(C) The investment philosophy of the fund manager as it relates to investing in early stage technology-based enterprises; and

(D) Plans for achieving the purposes of this subchapter;

(b)(1) The Trustees of the Venture Capital Investment Trust shall consider and select the investment and management plans and shall select one (1) fund manager meeting the requirements of the professional selection guidelines used by the trustees and best qualified to:

(A) Utilize the Arkansas Risk Capital Matching Fund in the most effective and efficient manner; and

(B) Invest the moneys in the fund in a manner that best promotes the growth of technology-based enterprises in Arkansas.

(2) The fund manager shall employ an individual who will be active in the management of the fund, and who has demonstrated experience in design, structure, implementation, and management of investments in early stage technology-based enterprises.

(c) The Trustees of the Venture Capital Investment Trust in their discretion shall have the right to:

(1) Remove and replace the fund manager; and

(2) Effect the assignment of all assets, liabilities, guarantees and other contracts of this program to a new fund manager.

(d) The Trustees of the Venture Capital Investment Trust, in consultation with the fund manager and the review committee, shall develop guidelines for investments of Arkansas Risk Capital Matching Fund assets in technology-based enterprises consistent with the provisions of this subchapter.

15-5-1607. Review committee.

The review committee shall:

(1) Participate in the professional selection process conducted by the Trustees of the Venture Capital Investment Trust in the selection of the fund manager;

(2) Recommend to the trustees the payment of fees and expenses out of the Arkansas Risk Capital Matching Fund for the operation of the fund and the payment of the fund manager; and

(3) Review and give final approval to the recommendations made by the fund manager with regard to fund investments.

15-5-1608. Annual report.

The fund manager shall publish an annual report within three (3) months after the close of each fiscal year, that shall:

(1) Include its annual audit of the activities conducted by the fund manager;

(2) Be presented in writing, and by testimony if requested, to the:

(A) Governor;

(B) House Interim Committee on Agriculture, Forestry, and Economic Development;

(C) Senate Interim Committee on Agriculture, Forestry, and Economic Development;

(D) Arkansas Development Finance Authority;

(E) Arkansas Science and Technology Authority; and

(F) Department of Economic Development; and

(3) Document and review the progress of the fund manager in implementing its investment and financial assistance plan.

15-5-1609. Powers of the Trustees of the Venture Capital Investment Trust.

The Trustees of the Venture Capital Investment Trust shall have the power to promulgate guidelines and rules, and make any contract, execute any document, perform any act, or enter into any financial or other transaction necessary to implement this subchapter.

SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that economic development and the creation of jobs is a critical need for the State of Arkansas; that this act will assist in the development and retention of technology-based enterprises; and that it is critical that the provisions of this act become effective as soon as possible to accomplish its legislative intent. 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. JOHNSON

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 1000 was ordered engrossed.

On motion of Senator Madison, House Bill No. 2285 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. 2285

Amend House Bill No. 2285 as originally introduced:

Page 2, line 4, delete "~~thirty-two (32)~~ thirty (30)" and substitute "thirty-two (32)"

(SIGNED) SENATOR MADISON

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2285 was ordered engrossed.

On motion of Senator Faris, House Bill No. 2407 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 HOUSE BILL NO. 2407

Amend House Bill No. 2407 as engrossed, H3/19/07:

Page 3, delete lines 28 through 35 and substitute:

"(iv) An insurance company licensed or authorized to conduct business by the State Insurance Department;"

(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. 2407 was ordered engrossed.

On motion of Senator Pritchard, House Bill No. 1500 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. 1500

Amend House Bill No. 1500 as engrossed, H3/8/07:

Page 2, delete line 20 and substitute the following:
"(ii) Printed in black lettering on a yellow background."

AND

Page 4, delete line 13 and substitute the following:
"(ii) Printed in black lettering on a yellow background."

(SIGNED) SENATOR B. PRITCHARD

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1500 was ordered engrossed.

On motion of Senator G. Jeffress, Senate Bill No. 206 was called up for the purpose of considering Amendment No. 1 thereto, adopted by the House.

HALL OF THE HOUSE OF REPRESENTATIVES
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 206

Amend Senate Bill No. 206 as engrossed, S3/5/07:

Page 1, line 9, delete "OIL" and substitute "OIL AND GAS"

AND

Delete the subtitle in its entirety and substitute:

"TO REGULATE OIL AND GAS PRODUCTION AND
TO LIMIT COMPENSATION FOR SPILL DAMAGES
TO THE SURFACE ESTATE."

AND

Page 2, line 32, delete "oil" and substitute "oil or gas"

(SIGNED) REPRESENTATIVE JEFFREY

Amendment No. 1 to Senate Bill No. 206, 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 G. Jeffress, and without objection, the rules were suspended pertaining to passage of Amendment and Bill on the same day.

On motion of Senator G. Jeffress, Senate Bill No. 206 was called up for third reading and final disposition.

SENATE BILL NO. 206

As Engrossed: S2/12/07 S3/5/07 H3/14/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATOR G. JEFFRESS

A Bill for an Act to be Entitled: *AN ACT TO REGULATE OIL AND GAS PRODUCTION; TO* LIMIT COMPENSATION FOR SPILL DAMAGES TO THE SURFACE ESTATE; AND FOR OTHER PURPOSES.

Senate Bill No. 206 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. 206 was ordered enrolled.

On motion of Senator Taylor, Senate Bill No. 390 was called up for the purpose of considering Amendment No. 1 thereto, adopted by the House.

HALL OF THE HOUSE OF REPRESENTATIVES
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 390

Amend Senate Bill No. 390 as originally introduced:

Page 2, delete line 5 and substitute:
"(a) The executive heads of each of the educational, charitable,"

AND

Page 2, delete lines 14, 15 and 16

AND

Page 3, line 5, delete the word "certificate" and substitute "~~certificate~~ letter"

AND

Page 3, line 25, delete the word "Executive"

AND

Page 3, line 26, add the words "and Training" immediately following "Standards"

AND

Page 4, line 5, delete "area"

AND

Page 4, line 6, delete "of"

AND

Page 4, line 10, delete "area of"

AND

Page 4, line 19, delete "area of"

(SIGNED) SENATOR ADCOCK

Amendment No. 1 to Senate Bill No. 390, 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 Taylor, and without objection, the rules were suspended pertaining to passage of Amendment and Bill on the same day.

On motion of Senator Taylor, Senate Bill No. 390 was called up for third reading and final disposition.

SENATE BILL NO. 390

As Engrossed: H3/6/07

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 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. 390 was ordered enrolled.

* * * * * * * * * RECEDE* * * * * * * * *

On motion of Senator Madison, Senate Bill No. 22 was called up for the purpose of considering Amendment No. 1 thereto, adopted by the House.

HALL OF THE HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

Amendment No. 1 to SENATE BILL NO. 22

Amend Senate Bill No. 22 as engrossed, S2/12/07:

Page 1, line 33, delete "materials" and substitute "materials for undergraduate courses"

AND

Page 2, delete lines 1 through 16 and substitute the following:
"(a) of this section shall require that before the selection of a textbook or course material is finalized, the appropriate faculty member shall:

(1) Affirmatively confirm his or her intent to use all items selected, including all items sold as part of a bundled package;

(2) Confirm that some components of a bundled package may not be reusable by another student;

(3) Affirmatively acknowledge the quoted on-campus retail price for each textbook or course material he or she selects; and

(4) Confirm that the publisher of a textbook or course material has acknowledged that all components of a bundled package may be purchased and sold separately by a local textbook retailer."

AND

Page 2, line 17, delete "(c)(1)" and substitute "(c)"

AND

Page 2, delete lines 22 through 34

(SIGNED) REPRESENTATIVE MALOCH

Amendment No. 1 to Senate Bill No. 22, adopted by the House, was read the first time, rules suspended, read the second time and concurred in, by the Senate.

* * * * * * * * * RECEDE* * * * * * * * *

(SIGNED) ANN CORNWELL, SECRETARY

The record pertaining to the concurrence of House Amendment No. 1 to Senate Bill No. 22 was receded from, in accordance with a prevailing motion on March 26, 2007.

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

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

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 H3/12/07

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, 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. 22 was ordered enrolled.

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

The record pertaining to the vote by which Senate Bill No. 22 passed was expunged, in accordance with a prevailing motion on March 26, 2007.

Senator Luker moved that the record pertaining to the vote by which House Bill No. 1373 failed be expunged, the motion was duly seconded and prevailed.

* * * * * * * * * RECEDE* * * * * * * * *

On motion of Senator Madison, Senate Bill No. 25 was called up for the purpose of considering Amendment No. 1 thereto, adopted by the House.

HALL OF THE HOUSE OF REPRESENTATIVES
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 25

Amend Senate Bill No. 25 as engrossed, S2/12/07:

Page 2, line 10, delete "retail" and substitute "wholesale"

AND

Page 2, line 11, delete "retail" and substitute "wholesale"

(SIGNED) REPRESENTATIVE MALOCH

Amendment No. 1 to Senate Bill No. 25, 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

* * * * * * * * * RECEDE* * * * * * * * *

The record pertaining to the concurrence of House Amendment No. 1 to Senate Bill No. 25 was receded from, in accordance with a prevailing motion on March 26, 2007.

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

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

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 H3/12/07

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

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

The record pertaining to the vote by which Senate Bill No. 25 passed was expunged, in accordance with a prevailing motion on March 26, 2007.

On motion of Senator Glover, Senate Bill No. 840 was called up for the purpose of considering Amendment No. 1 thereto, adopted by the House.

HALL OF THE HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

Amendment No. 1 to SENATE BILL NO. 840

Amend Senate Bill No. 840 as engrossed, S3/8/07:

Add Representatives Rosenbaum, Wills, Glidewell, L. Evans, Wyatt, Davenport, Davis, Kidd, Allen, Hoyt, Reynolds, Shelby, House, J. Roebuck, Pierce, King, Hyde, D. Hutchinson, L. Cowling, Stewart, Greenburg, George as cosponsors.

(SIGNED) REPRESENTATIVE WILLS

Amendment No. 1 to Senate Bill No. 840, 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. 840 was called up for third reading and final disposition.

SENATE BILL NO. 840

As Engrossed: S3/8/07 H3/19/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

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

BY: REPRESENTATIVES ROSENBAUM, WILLS, GLIDEWELL, ET AL

A Bill for an Act to be Entitled: AN ACT TO AUTHORIZE THE ARKANSAS STATE HIGHWAY COMMISSION TO ISSUE FEDERAL HIGHWAY GRANT ANTICIPATION AND TAX REVENUE BONDS FOR THE PURPOSES OF CONSTRUCTING AND RENOVATING ROADS AND HIGHWAYS; PROVIDING FOR A STATEWIDE ELECTION ON THE QUESTION OF ISSUING BONDS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

Senate Bill No. 840 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. 840, 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. 840 was ordered enrolled.

The President declared the morning hour to have expired.

On motion of Senator Whitaker, the rules were suspended in considering Senate Bill No. 69 at this time.

On motion of Senator Whitaker, Senate Bill No. 69 was placed back on second reading for purpose of Amendment No. 4.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 4 to SENATE BILL NO. 69

Amend Senate Bill No. 69 as engrossed, S2/20/07:

Add Representative Norton as a cosponsor of the bill

AND

Page 1, line 29, delete "(2) For" and substitute "(2)(A) For"

AND

Page 1, delete line 31, and substitute the following:

"commencement of an eminent domain proceeding.

(B) If condemned property is not used for the initial purpose for which it was taken, the former property owner or owners or their heirs shall have the right to acquire the property for the amount of just compensation that the fact finder determined at the conclusion of the eminent domain proceeding."

AND

Page 2, delete lines 12 and 13, and substitute the following:

"receive approval prior to commencement of the eminent domain proceeding from:

(1) In the case of a municipality, the governing authority of the municipality; or

(2) In the case of a county, the county judge."

AND

Page 2, line 22, delete "(3) Present" and substitute "(3)(A) Present"

AND

Page 2, delete line 24, and substitute the following:

"owners shall not satisfy the requirement of just compensation, unless the condemning entity posts a bond on the affected property in the amount of the enhanced value as determined by the finder of fact.

(B) If the present or future enhanced value of any remaining property adjoining the condemned property is not realized within five (5) years of the conclusion of the eminent domain proceeding, then the affected property owner or owners or their heirs may sue on the bond."

(SIGNED) SENATOR WHITAKER

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 69 was ordered engrossed.

Senator Laverty was recognized for a citation to Marshal Lady Bobcats.

SENATE CITATION

WHEREAS, *The Marshall Lady Bobcats and the Shiloh Christian Lady Saints met in Summit Arena in Hot Springs on March 8, 2007 to decide the State 3A Championship and the Lady Bobcats came away with a 64-61 victory and made school history by bringing home the first ever girls state championship; and*

WHEREAS, *The Lady Bobcats have enjoyed an outstanding season with a 32-4 win-loss record and were champions of the 3A Conference and the Conway-St. Joseph's First Security Tournament; and*

WHEREAS, *The outstanding accomplishments of the 2006-07 Marshall Lady Bobcats have brought great pride to their school, their fans, and their community and their successes are a result of their personal talents sportsmanship and teamwork; and*

WHEREAS, *The members of the Arkansas Senate wish to join Senator Randy Laverty in congratulating Coach Mat Stewart and members of the Marshall Lady Bobcats on an exceptional Season culminating with the State 3A Championship.*

Now therefore, pursuant to the motion of

Senator Randy Laverty

the Arkansas Senate directs that this Citation be Presented on this ____21st__Day of __March____2007.

JACK CRITCHER_____
(SIGNED) PRESIDENT PRO TEMPORE OF THE SENATE

ANN CORNWELL_____
(SIGNED) SECRETARY OF THE SENATE

RANDY LAVERTY_____
(SIGNED) SENATOR

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 21, 2007

Mr. President:

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

SENATE BILL NO. 52, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 65, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 127, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 252, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 257, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 296, BY SENATORS WILKINS, MALONE, ET AL,
SENATE BILL NO. 308, BY SENATOR CRITCHER,
SENATE BILL NO. 357, BY SENATOR HORN,
SENATE BILL NO. 398, BY SENATORS SALMON, TRUSTY,
SENATE BILL NO. 439, BY SENATOR HORN,
SENATE BILL NO. 440, BY SENATORS HILL, CAPPS,
SENATE BILL NO. 766, BY SENATOR SALMON,
SENATE BILL NO. 768, BY SENATOR HORN,
SENATE BILL NO. 800, BY SENATOR WOMACK,
SENATE BILL NO. 821, BY SENATOR MADISON,
SENATE BILL NO. 849, BY SENATOR TRUSTY,
SENATE BILL NO. 904, BY SENATOR R. THOMPSON,
SENATE BILL NO. 910, BY SENATORS WILKINS, BROWN, ET AL,

SENATE BILL NO. 948, BY SENATOR GLOVER,
SENATE BILL NO. 637, BY SENATOR BROWN,
SENATE CONCURRENT RESOLUTION NO. 26,
BY SENATOR BROADWAY,

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 10:50 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. 52,
SENATE BILL NO. 65,
SENATE BILL NO. 127,
SENATE BILL NO. 252,
SENATE BILL NO. 257,
SENATE BILL NO. 296,
SENATE BILL NO. 308,
SENATE BILL NO. 357,
SENATE BILL NO. 398,
SENATE BILL NO. 439,
SENATE BILL NO. 440,
SENATE BILL NO. 766,
SENATE BILL NO. 768,
SENATE BILL NO. 800,
SENATE BILL NO. 821,

SENATE BILL NO. 849,
SENATE BILL NO. 904,
SENATE BILL NO. 910,
SENATE BILL NO. 948,
SENATE BILL NO. 637,
SENATE CONCURRENT RESOLUTION NO. 26,

RECEIVED the above papers from the Secretary of the Senate this 21st day of March 2007, at 10:50 a.m.

(SIGNED) MIKE BEEBE
Governor

(SIGNED) Angela Tollette
Secretary

On motion of Senator Smith, Senate Bill No. 779 was called up for third reading and final disposition.

SENATE BILL NO. 779
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR T. SMITH

A Bill for an Act to be Entitled: AN ACT TO ABOLISH THE ABSTRACTERS' BOARD OF EXAMINERS AND TRANSFER ITS POWERS AND DUTIES TO THE ARKANSAS TITLE INSURANCE AGENTS' LICENSING BOARD; TO RECONSTITUTE THE ARKANSAS TITLE INSURANCE AGENTS' LICENSING BOARD; AND FOR OTHER PURPOSES.

Senate Bill No. 779 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. 779 was ordered immediately transmitted to the House as passed.

On motion of Senator Smith, Senate Bill No. 895 was called up for third reading and final disposition.

SENATE BILL NO. 895

As Engrossed: S3/20/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATOR HORN

BY: REPRESENTATIVES WELLS AND GASKILL

A Bill for an Act to be Entitled: *AN ACT TO STUDY THE CREATION OF THE ARKANSAS PATIENT CHOICE ACT; TO STUDY METHODS FOR PROVIDING ARKANSAS PATIENTS MORE CHOICE IN THEIR PRESCRIPTION DRUG BUYING PURCHASES BY REGULATING THE DISPENSING OF PRESCRIPTION DRUGS BY CERTAIN MEDICAL PROFESSIONALS; AND FOR OTHER PURPOSES.*

Senate Bill No. 895 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. 895 was ordered immediately transmitted to the House as passed.

On motion of Senator Pritchard, Senate Bill No. 861 was called up for third reading and final disposition.

SENATE BILL NO. 861

As Engrossed: S3/20/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATOR B. PRITCHARD

A Bill for an Act to be Entitled: AN ACT TO CHANGE THE MEMBERSHIP OF THE CHILD HEALTH ADVISORY COMMITTEE; TO AMEND THE POWERS AND DUTIES OF THE CHILD HEALTH ADVISORY COMMITTEE; AND FOR OTHER PURPOSES.

Senate Bill No. 861 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. 861 was ordered immediately transmitted to the House as passed.

On motion of Senator Steele, Senate Bill No. 972 was called up for third reading and final disposition.

SENATE BILL NO. 972

As Engrossed: S3/12/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATOR STEELE

BY: REPRESENTATIVE D. JOHNSON

A Bill for an Act to be Entitled: AN ACT TO AMEND STATUTES CONCERNING THE CITY MANAGER FORM OF MUNICIPAL GOVERNMENT; AND FOR OTHER PURPOSES.

Senate Bill No. 972 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. 972, 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. 972 was ordered immediately transmitted to the House.

On motion of Senator Malone, Senate Bill No. 293 was called up for third reading and final disposition.

SENATE BILL NO. 293

As Engrossed: S3/20/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATORS MALONE AND *MADISON*

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

On motion of Senator Womack Senate Bill No. 959 was ordered immediately transmitted to the House.

On motion of Senator Malone, Senate Bill No. 1001 was called up for third reading and final disposition.

SENATE BILL NO. 1001

As Engrossed: S3/20/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATOR MALONE

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS LAW CONCERNING THE TRAVEL OF VEHICLES WITH MORE THAN TWO (2) AXLES IN THE STATE OF ARKANSAS; AND FOR OTHER PURPOSES.

Senate Bill No. 1001 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. 1001 was ordered immediately transmitted to the House as passed.

On motion of Senator Taylor, Senate Bill No. 900 was called up for third reading and final disposition.

SENATE BILL NO. 900

As Engrossed: S3/12/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATOR J. TAYLOR

A Bill for an Act to be Entitled: AN ACT TO REQUIRE THE STATE SURVEYOR TO REFER A COMPLAINT ABOUT A SURVEYOR TO THE ARKANSAS STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS; AND FOR OTHER PURPOSES.

Senate Bill No. 900 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. 900 was ordered immediately transmitted to the House as passed.

On motion of Senator Bryles, Senate Bill No. 988 was called up for third reading and final disposition.

SENATE BILL NO. 988

As Engrossed: S3/19/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATOR BRYLES

A Bill for an Act to be Entitled: *AN ACT TO ESTABLISH CRITERIA FOR PERSONS ENGAGED IN THE VOLUNTARY EMBEDDING OF IDENTIFICATION CHIPS FOR EQUINE MONITORING; AND FOR OTHER PURPOSES.*

Senate Bill No. 988 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. 988 was ordered immediately transmitted to the House as passed.

On motion of Senator Malone, Senate Bill No. 303 was called up for third reading and final disposition.

SENATE BILL NO. 303

As Engrossed: S3/20/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATORS MALONE, *MADISON, HILL, CAPPS, SALMON, J. JEFFRESS, G. JEFFRESS, BROADWAY, HORN, CRITCHER, BOOKOUT, WILKINS, GLOVER & BRYLES*

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 *ENHANCE THE CONFIDENTIALITY 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 CREATE CHILD SAFETY 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 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. 303 was ordered immediately transmitted to the House as passed.

On motion of Senator Brown, Senate Bill No. 63 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. 63

JBC 03/20/07 (30)

Amend Senate Bill No. 63 as originally introduced:

Page 2, line 26, delete "300,000 300,000" and substitute "300,000 400,000"

And

Page 2, line 27, delete "400,000 400,000" and substitute "400,000 500,000"

And

Page 2, line 29, delete "$ 1,134,856" and substitute "$ 1,334,856"

(SIGNED) SENATOR SHAWN WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 63 was ordered engrossed.

On motion of Senator Brown, Senate Bill No. 66 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. 66

JBC 03/19/07 (1)

Amend Senate Bill No. 66 as originally introduced:

Page 2, line 3, delete "$89,514 $91,304" and substitute "$95,000 $99,750"

AND

Page 2, line 12, delete "GRADE 21" and substitute "GRADE 24"

AND

Page 2, line 20, delete "GRADE 15" and substitute "GRADE 16"

AND

Page 3, line 5, delete "$ 1,942,013 $ 1,980,831" and substitute "$ 2,079,913 $ 2,118,731"

AND

Page 3, line 7, delete "580,371 588,231" and substitute "623,974 635,619"

AND

Page 3, line 19, delete "$ 3,531,563 $ 3,578,241" and substitute "$ 3,713,066 $ 3,763,529"

(SIGNED) SENATOR SHAWN WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 66 was ordered engrossed.

On motion of Senator Brown, Senate Bill No. 73 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. 73

JBC 03/20/07 (22)

Amend Senate Bill No. 73 as originally introduced:

Page 2, immediately following line 4, insert an additional item to read as follows:
" (3) B015 SENIOR PETROLEUM GEOLOGIST 1 GRADE 24"

And

Page 2, immediately following line 7, insert an additional item to read as follows:
" (6) D115 INFORMATIONS SYSTEMS PLANNER 1 GRADE 22
(7) B014 PROFESSIONAL GEOLOGIST 1 GRADE 22"

And

Appropriately renumber the Item No's in SECTION 1

And

Page 2, line 17, delete "21" and substitute "24"

And

Page 2, line 35, delete "$ 907,088 $ 925,202" and substitute
"$ 1,052,016 $ 1,073,028"

And

Page 3, line 1, delete "272,697 276,368" and substitute "314,644 318,902"

And

Page 3, line 12, delete "$ 1,504,152 $ 1,525,937" and substitute
"$ 1,691,027 $ 1,716,297"

(SIGNED) SENATOR SHAWN WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 73 was ordered engrossed.

On motion of Senator Brown, Senate Bill No. 126 was withdrawn from the Committee on Joint Budget, 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. 126

JBC 03/20/07 (23)

Amend Senate Bill No. 126 as engrossed, S2/7/07:

Page 2, line 3 Delete “5” and substitute “6”

AND

Page 2, line 7 insert the following:

" (6) X374 PAROLE BOARD INVESTIGATOR 1 GRADE 20

(7) D121 USER SUPPORT SPECIALIST 1 GRADE 20"

AND

Renumber the Item No's accordingly.

AND

Page 2, line 10 delete "19" and substitute "22"

AND

Page 2, line 19 delete "$ 984,147" $ 1,003,720" and substitute "$ 1,126,161 $ 1,148,575"

AND

Page 2, line 20 delete "278,443 282,405" and substitute "328,271 332,810"

AND

Page 2, line 22 delete "286,294 286,294" and substitute "290,752 288,294"

AND

Page 2, line 27 delete "$ 1,551,884 $ 1,575,419" and substitute "$ 1,748,184 $ 1,772,679"

AND

Add a new section immediately following SECTION 2 as follows:

"SECTION 3. Arkansas Code §16-93-201 is hereby amended to read as follows:
(a)(1) There is created the Parole Board, to be composed of seven (7) members to be appointed from the state at large by the Governor and confirmed by the Senate.
(2)~~Six (6)~~ Seven (7) members shall be full-time officials of this state, one (1) of whom shall be designated by the Governor as the chair of the board."

And appropriately renumber subsequent sections.

(SIGNED) SENATOR SHAWN 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 Brown, Senate Bill No. 131 was withdrawn from the Committee on Joint Budget, 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. 131

JBC 03/19/07 (1)

Amend Senate Bill No. 131 as engrossed, S2/12/07:

Page 2, immediately following line 6, insert an additional item to read as follows:
" (3) A119 AGENCY FISCAL OFFICER 1 GRADE 20"

And

Appropriately renumber the Item No.'s in SECTION 1

And

Page 2, line 9, delete "5" and substitute "6"

And

Page 2, line 20, delete "$ 141,244 $ 144,066" and substitute "$ 171,226 $ 174,648"

And

Page 2, line 21, delete "49,603 50,173" and substitute "58,598 59,348"

And

Page 2, line 31, delete "$ 1,447,937 $ 1,451,329" and substitute "$ 1,486,914 $ 1,491,086"

(SIGNED) SENATOR SHAWN 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 Brown, Senate Bill No. 174 was withdrawn from the Committee on Joint Budget, 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. 174

Amend Senate Bill No. 285 as engrossed, S3/14/07:

Page 4, line 4, delete " 47" and substitute " 48"

AND

Page 4, line 5, delete "213" and substitute "214"

AND

Page 4, line 24, delete "$ 12,189,975 $ 12,433,677" and substitute "$ 12,211,850 $ 12,455,989"

AND

Page 4, line 26, delete "3,366,606 3,416,168" and substitute "3,375,246 3,424,897"

AND

Page 4, line 36, delete "$ 17,515,781 $ 17,800,045" and substitute "$ 17,546,296 $ 17,831,086"

(SIGNED) SENATOR SHAWN WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 174 was ordered engrossed.

On motion of Senator Brown, Senate Bill No. 186 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. 186

JBC 03/19/07 (2)

Amend Senate Bill No. 186 as originally introduced:

Page 3, line 26, delete "General Revenue Allotment Reserve Fund" and substitute "State Central Services Fund"

(SIGNED) SENATOR SHAWN WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 186 was ordered engrossed.

On motion of Senator Brown, Senate Bill No. 207 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. 207

JBC 03/06/07 (24)

Amend Senate Bill No. 207 as originally introduced:

Page 2, delete line 5 in its entirety and substitute the following:

"(3) R038 ATTORNEY SUPERVISOR 1 GRADE 26
(4) R012 ADMINISTRATIVE LAW JUDGE 1 GRADE 26"

And
Appropriately renumber the Item Nos. in Section 1

And

Page 2, line 33, delete the number "6" and substitute "8"

And

Page 3, line 5, delete "103" and substitute "106"

And

Page 3, line 15, delete "$ 2,234,372 $ 2,279,010" and substitute "$ 2,329,948 $ 2,378,516"

And

Page 3, line 16, delete "699,802 709,219" and substitute "732,422 742,447"

And

Page 3, line 18, delete "607,599 607,599" and substitute "757,599 697,599"

And

Page 3, line 23, delete "$ 3,587,523 $ 3,632,078" and substitute "$ 3,865,719 $ 3,854,812"

And

Page 3, line 36, delete "173,504" and substitute "220,204"

And

Page 4, line 1, delete "9,499 9,499" and substitute "14,044 14,044"

And

Page 4, line 2, delete "0 0" and substitute "0 9,000"

And

Page 4, line 3, delete "5,000" and substitute "14,000"

And

Page 4, line 4, delete "0 0" and substitute
"16,200 8,600"

And

Page 4, line 5, delete "$ 893,724 $ 908,181" and substitute
"$ 914,469 $ 986,026"

And

Page 4, line 18, delete "126,738" and substitute "158,738"
And

Page 4, line 19, delete "3,430 3,430" and substitute "6,430 6,430"

And

Page 4, line 20, delete "0 0" and substitute "0 9,000"

And

Page 4, line 22, delete "0 0" and substitute
"13,600 0"

And Page 4, line 23, delete "$ 569,368 $ 557,314" and substitute
"$ 585,968 $ 601,314"

(SIGNED) SENATOR SHAWN WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 207 was ordered engrossed.

On motion of Senator Brown, Senate Bill No. 226 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. 226

JBC 03/ 20/07 (26)

Amend Senate Bill No. 226 as originally introduced:

Page 2, line 11, delete "1" and substitute "2"

And

Page 2, delete line 12 in its entirety and substitute the following:

"(5) R501 AREA PROJECT MANAGER 11 GRADE 23
(6) N330 LICENSED ARCHITECT 1 GRADE 23

And

Appropriately renumber the items in SECTION 1

And

Page 2, line 19, delete "25" and substitute "33"

And

Page 3, line 4, delete "$ 1,026,630 $ 1,047,147" and substitute "$ 1,375,294 $ 1,402,785"

And

Page 3, line 6, delete "327,302 331,922" and substitute "436,598 442,731"

And

Page 3, line 8, delete "195,554 195,554" and substitute "295,054 295,054"

And

Page 3, line 9, delete "4,650 4,650" and substitute "28,650 28,650"

And

Page 3, line 14, delete "$ 1,830,109 $ 1,855,246" and substitute "$ 2,411,569 $ 2,445,193"

And

Page 3, line 28, delete "$ 0 $ 0" and substitute "$ 10,000,000 $ 0"

And

Page 3, line 31, delete "75,000,000 75,000,000" and substitute "455,541,535 75,000,000"

And

Page 3, line 32, delete "0 0" and substitute "15,000,000 0"

And

Page 3, line 35, delete "$ 125,788,037" and substitute "$ 531,329,572"

(SIGNED) SENATOR SHAWN WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 226 was ordered engrossed.

On motion of Senator Brown, Senate Bill No. 262 was withdrawn from the Committee on Joint Budget, 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. 262

JBC 03/12/07 (27)

Amend Senate Bill No. 262 as engrossed, S3/19/07 :

Page 2, line 11, delete "$92,542 $94,392" and substitute "$68,120 $69,482"

And

Page 2, delete line 16 in its entirety and substitute the following:
"(14) 9510 ADE COORDINATOR SPECIAL PROGRAMS 1 $78,514 $80,084
(15) 9844 ADE COORD FISCAL DISTRESS 1 $71,392 $72,820"

And

Appropriately renumber the item numbers in SECTION 1

And

Page 3, line 13, delete "73" and substitute "75"

And

Page 3, line 33, delete "26" and substitute "27"

And

Page 4, line 5, delete "40" and substitute "39"

And

Page 4, line 12, delete "355" and substitute "358"

And

Page 4, line 30, delete "$ 11,509,686 $ 11,738,530" and substitute "$ 11,626,086 $ 11,857,258"

And

Page 4, line 32, delete "3,588,090 3,637,921" and substitute "3,630,090 3,680,426"

And

Page 4, line 34, delete "4,055,430 4,055,430" and substitute "4,102,370 4,090,770"

And

Page 4, line 35, delete "203,030 203,030" and substitute "209,030 209,030"

And

Page 5, line 6, delete "$ 22,316,229 $ 22,594,904" and substitute "$ 22,527,569 $ 22,797,477"

(SIGNED) SENATOR SHAWN WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 262 was ordered engrossed.

On motion of Senator Brown, Senate Bill No. 448 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. 448

JBC 03/20/07 (1)

Amend Senate Bill No. 448 as originally introduced:

Delete SECTION 5 in its entirety

AND

Insert additional sections immediately following SECTION 10 to read as follows:

"SECTION 11. APPROPRIATION - DEPARTMENT OF FINANCE AND ADMINISTRATION – REVENUE SERVICES DIVISION. There is hereby appropriated, to the Department of Finance and Administration - Revenue Services Division, to be payable from the Corporate Income Tax Withholding Fund, for the purpose of paying claims against the State of Arkansas to the payee set out herein:

ITEM NO.	FISCAL YEAR 2006-2007
(01) MTG DIVESTITURE, INC.	$ 13,288.59

SECTION 12. APPROPRIATION - ARKANSAS STATE POLICE. There is hereby appropriated, to the Department of Arkansas State Police, to be payable from the State Police Equipment Fund, for the purpose of paying claims against the State of Arkansas to the payee set out herein:

ITEM NO.	FISCAL YEAR 2006-2007
(01) US DEPT. OF JUSTICE/FBI	$ 112,288.00

SECTION 13. APPROPRIATION - DEPARTMENT OF CORRECTION. There is hereby appropriated, to the Department of Correction, to be payable from the Department of Correction Inmate Care and Custody Fund Account, for the purpose of paying claims against the State of Arkansas to the payee set out herein:

ITEM NO.	FISCAL YEAR 2006-2007
(01) PHILIP OFLES WALLACE	$ 20,161.00

SECTION 14. APPROPRIATION - DEPARTMENT OF HEALTH AND HUMAN SERVICES - BEHAVIORAL HEALTH SERVICES. There is hereby appropriated, to the Department of Health and Human Services - Behavioral Health Services, to be payable from the paying account as determined by the Chief Fiscal Officer of the State, for the purpose of paying claims against the State of Arkansas to the payee set out herein:

ITEM NO.		FISCAL YEAR 2006-2007
(01)	AMERISOURCE BERGEN	$ 16,653.56

SECTION 15. APPROPRIATION - ARKANSAS HIGHWAY AND TRANSPORTATION DEPARTMENT. There is hereby appropriated, to the Arkansas State Highway and Transportation Department, to be payable from the State Highway and Transportation Department Fund, for the purpose of paying claims against the State of Arkansas to the payee set out herein:

ITEM NO.		FISCAL YEAR 2006-2007
(01)	GARY E. HARGIS, SR.	$ 48,000.00

SECTION 16. APPROPRIATION - DEPARTMENT OF WORKFORCE SERVICES. There is hereby appropriated, to the Department of Workforce Services, to be payable from the paying account as determined by the Chief Fiscal Officer of the State, for the purpose of paying claims against the State of Arkansas to the payee set out herein:

ITEM NO.		FISCAL YEAR 2006-2007
(01)	CROWLEY'S RIDGE TECHNICAL INSTITUTE	$ 35,650.00

SECTION 17. APPROPRIATION - DEPARTMENT OF HEALTH AND HUMAN SERVICES - DIVISION OF DEVELOPMENTAL DISABILITIES. There is hereby appropriated, to the Department of Health and Human Services - Division of Developmental Disabilities Services, to be payable from the paying account as determined by the Chief Fiscal Officer of the State, for the purpose of paying claims against the State of Arkansas to the payee set out herein:

ITEM NO.		FISCAL YEAR 2006-2007
(01)	ARKANSAS SUPPORT NETWORK	$ 19,998.32

SECTION 18. APPROPRIATION - DEPARTMENT OF HEALTH AND HUMAN SERVICES - DIVISION OF DEVELOPMENTAL DISABILITIES. There is hereby appropriated, to the Department of Health and Human Services - Division of Developmental Disabilities Services, to be payable from the paying account as determined by the Chief Fiscal Officer of the State, for the purpose of paying claims against the State of Arkansas to the payee set out herein:

ITEM NO.		FISCAL YEAR 2006-2007
(01)	ARKANSAS SUPPORT NETWORK	$ 12,176.80

SECTION 19. APPROPRIATION - DEPARTMENT OF HEALTH AND HUMAN SERVICES - DIVISION OF DEVELOPMENTAL DISABILITIES. There is hereby appropriated, to the Department of Health and Human Services - Division of Developmental Disabilities Services, to be payable from the paying account as determined by the Chief Fiscal Officer of the State, for the purpose of paying claims against the State of Arkansas to the payee set out herein:

ITEM NO.		FISCAL YEAR 2006-2007
(01)	ARKANSAS SUPPORT NETWORK	$ 14,368.00

SECTION 20. APPROPRIATION - DEPARTMENT OF HEALTH AND HUMAN SERVICES - DIVISION OF DEVELOPMENTAL DISABILITIES. There is hereby appropriated, to the Department of Health and Human Services - Division of Developmental Disabilities Services, to be payable from the paying account as determined by the Chief Fiscal Officer of the State, for the purpose of paying claims against the State of Arkansas to the payee set out herein:

ITEM NO.		FISCAL YEAR 2006-2007
(01)	CAROLYN WALTERS, ADMINISTRATRIX OF THE ESTATE OF LEROY JOHNSON (DECEASED)	$ 150,000.00

SECTION 21. APPROPRIATION - ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT. There is hereby appropriated, to the Arkansas State Highway and Transportation Department, to be payable from the State Highway and Transportation Department Fund, for the purpose of paying claims against the State of Arkansas to the payee set out herein:

ITEM NO.		FISCAL YEAR 2006-2007
(01)	RPTS EXPRESS, INC.	$ 45,000.00

AND

Appropriately renumber all sections of the bill.

(SIGNED) SENATOR SHAWN WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 448 was ordered engrossed.

On motion of Senator Brown, 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 Brown, the rules were suspended in considering Senate Bill No. 506 at this time.

On motion of Senator Brown, Senate Bill No. 506 was called up for third reading and final disposition.

SENATE BILL NO. 506
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 CONSTRUCTING, EQUIPPING AND ASSOCIATED COSTS FOR THE NURSING AND HEALTH SCIENCES BUILDING; AND FOR OTHER PURPOSES.

Senate Bill No. 506 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. 506, 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. 506 was ordered immediately transmitted to the House.

On motion of Senator Brown, the rules were suspended in considering Senate Bill No. 129 at this time.

On motion of Senator Brown, Senate Bill No. 129 was called up for third reading and final disposition.

SENATE BILL NO. 129
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 FINANCE AND ADMINISTRATION - ALCOHOLIC BEVERAGE CONTROL ENFORCEMENT DIVISION FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Senate Bill No. 129 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. 129, 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. 129 was ordered immediately transmitted to the House.

On motion of Senator Brown, the rules were suspended in considering Senate Bill No. 130 at this time.

On motion of Senator Brown, Senate Bill No. 130 was called up for third reading and final disposition.

SENATE BILL NO. 130

As Engrossed: S2/12/07

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 MINORITY HEALTH COMMISSION FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Senate Bill No. 130 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. 130, 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. 130 was ordered immediately transmitted to the House.

On motion of Senator Brown, the rules were suspended in considering Senate Bill No. 138 at this time.

On motion of Senator Brown, Senate Bill No. 138 was called up for third reading and final disposition.

SENATE BILL NO. 138

As Engrossed: S3/19/07

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 LEGISLATIVE COUNCIL, THE BUREAU OF LEGISLATIVE RESEARCH, AND THE INTERIM COMMITTEES OF THE ARKANSAS GENERAL ASSEMBLY FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Senate Bill No. 138 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. 138, 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. 138 was ordered immediately transmitted to the House.

On motion of Senator Brown, the rules were suspended in considering Senate Bill No. 173 at this time.

On motion of Senator Brown, Senate Bill No. 173 was called up for third reading and final disposition.

SENATE BILL NO. 173
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 PARKS AND TOURISM - ARKANSAS HISTORY COMMISSION FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Senate Bill No. 173 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. 173, 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. 173 was ordered immediately transmitted to the House.

On motion of Senator Brown, the rules were suspended in considering Senate Bill No. 254 at this time.

On motion of Senator Brown, Senate Bill No. 254 was called up for third reading and final disposition.

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 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. 254, 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. 254 was ordered immediately transmitted to the House.

On motion of Senator Brown, the rules were suspended in considering Senate Bill No. 256 at this time.

On motion of Senator Brown, Senate Bill No. 256 was called up for third reading and final disposition.

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 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. 256, 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. 256 was ordered immediately transmitted to the House.

On motion of Senator Brown, the rules were suspended in considering Senate Bill No. 418 at this time.

On motion of Senator Brown, Senate Bill No. 418 was called up for third reading and final disposition.

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 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. 418 , 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. 418 was ordered immediately transmitted to the House.

HOUSE CONCURRENT RESOLUTION NO. 1038
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE KEY
BY: SENATOR WOMACK

HOUSE CONCURRENT RESOLUTION HONORING ARKANSAS POET LAUREATE PEGGY CAUDLE VINING FOR HER POEM "ARKANSAS, THE NATURAL STATE".

House Concurrent Resolution No. 1038 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1747
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE WILLS

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE § 5-1-110 CONCERNING THE PROSECUTION OF CONDUCT CONSTITUTING MORE THAN ONE (1) OFFENSE; AND FOR OTHER PURPOSES.

House Bill No. 1747 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICARY.

HOUSE BILL NO. 1748
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE WILLS

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE § 5-26-303 CONCERNING THE OFFENSE OF DOMESTIC BATTERING IN THE FIRST DEGREE; AND FOR OTHER PURPOSES.

House Bill No. 1748 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

HOUSE BILL NO. 2029
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE JEFFREY

A Bill for an Act to be Entitled: AN ACT TO EXEMPT HIGH SCHOOL STUDENTS WHO HAVE GRADUATED EARLY FROM THE REQUIREMENT THAT THEY ATTEND A FULL SCHOOL DAY; AND FOR OTHER PURPOSES.

House Bill No. 2029 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

HOUSE BILL NO. 2268

As Engrossed: H3/19/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE COOK

A Bill for an Act to be Entitled: AN ACT TO REQUIRE THE DEPARTMENT OF EDUCATION TO PROVIDE THE BUREAU OF LEGISLATIVE RESEARCH WITH DIRECT ACCESS TO CERTAIN ELECTRONIC DATABASES; AND FOR OTHER PURPOSES.

House Bill No. 2268 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

HOUSE BILL NO. 2295

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE GARNER

A Bill for an Act to be Entitled: AN ACT TO AMEND THE CRIMINAL BACKGROUND CHECK LAW; AND FOR OTHER PURPOSES.

House Bill No. 2295 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

HOUSE BILL NO. 2297

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE PATE

A Bill for an Act to be Entitled: AN ACT CONCERNING BAIL BONDSMEN; AND FOR OTHER PURPOSES.

House Bill No. 2297 was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE & COMMERCE.

HOUSE BILL NO. 2337

As Engrossed: H3/9/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE LOWERY

A Bill for an Act to be Entitled: AN ACT TO CREATE THE OFFENSE OF THEFT OF SCRAP *METAL; AND* FOR OTHER PURPOSES.

House Bill No. 2337 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

HOUSE BILL NO. 2559
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE CHESTERFIELD

A Bill for an Act to be Entitled: AN ACT TO CREATE THE SPOUSAL ABUSE SAFETY PLAN ACT FOR EDUCATION AND TRAINING ON THE PREVENTION OF AND INTERVENTION IN SPOUSAL ABUSE; AND FOR OTHER PURPOSES.

House Bill No. 2559 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

SENATE RESOLUTION NO. 24
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR R. THOMPSON

SENATE RESOLUTION CONGRATULATING THE GREENE COUNTY TECH GOLDEN EAGLES ON THEIR CLASS 5A BOYS' STATE BASKETBALL CHAMPIONSHIP.

Senate Resolution No. 24 was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE RESOLUTION NO. 25
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR BOOKOUT

SENATE RESOLUTION CONGRATULATING THE JONESBORO HIGH SCHOOL HURRICANE AS CLASS 6A BOYS' STATE BASKETBALL CHAMPIONS.

Senate Resolution No. 25 was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE RESOLUTION NO. 26
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS CRITCHER, ALTES, ARGUE, BAKER, BISBEE, BOOKOUT, BROADWAY, BROWN, BRYLES, CAPPS, CRUMBLY, FARIS, GLOVER, HENDREN, HILL, HORN, J. JEFFRESS, G. JEFFRESS, B. JOHNSON, LAVERTY, LUKER, MADISON, MALONE, MILLER, B. PRITCHARD, SALMON, T. SMITH, STEELE, J. TAYLOR, R. THOMPSON, TRUSTY, WHITAKER, WILKINS, WILKINSON & WOMACK

SENATE RESOLUTION COMMENDING MS. DEENA BURNETT FOR MAKING VITAL CONTRIBUTIONS TO CITIZENS IN ARKANSAS AND AROUND THE WORLD BY INSPIRING OTHERS TO BUILD A STRONG FOUNDATION OF CHARACTER, CONVICTION, AND COURAGE.

Senate Resolution No. 26 was read the first time, rules suspended, read the second time and placed on the Calendar.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 21, 2007

Mr. President:

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

SENATE BILL NO. 69, BY SENATOR WHITAKER, et al,
SENATE BILL NO. 947, BY SENATOR GLOVER, et al,
SENATE BILL NO. 998, BY SENATOR ALTES, et al,
SENATE BILL NO. 1000, BY SENATOR ALTES, 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

March 21, 2007

Mr. President:

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

SENATE BILL NO. 792, 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. 792 was ordered re-referred to the Committee on REVENUE AND TAXATION.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 21, 2007

Mr. President:

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

HOUSE BILL NO. 1500, BY REPRESENTATIVE LEWELLEN,
HOUSE BILL NO. 2285, BY REPRESENTATIVE HYDE,

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

March 21, 2007

Mr. President:

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

HOUSE BILL NO. 2407, BY REPRESENTATIVE BOND,

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, House Bill No. 2407 was ordered re-referred to the Committee on Insurance and Commerce.

Senate Bill No. 88 was returned from the House as passed and ordered enrolled.

Senate Bill No. 91 was returned from the House as passed and ordered enrolled.

Senate Bill No. 140 was returned from the House as passed and ordered enrolled.

Senate Bill No. 334 was returned from the House as passed and ordered enrolled.

Senate Bill No. 380 was returned from the House as passed and ordered enrolled.

Senate Bill No. 704 was returned from the House as passed and ordered enrolled.

Senate Bill No. 773 was returned from the House as passed and ordered enrolled.

Senate Bill No. 801 was returned from the House as passed and ordered enrolled.

Senate Bill No. 856 was returned from the House as passed and ordered enrolled.

Senate Bill No. 859 was returned from the House as passed and ordered enrolled.

Senate Bill No. 909 was returned from the House as passed and ordered enrolled.

Senate Bill No. 928 was returned from the House as passed and ordered enrolled.

HOUSE BILL NO. 1081
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 HOME INSPECTOR REGISTRATION BOARD FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

House Bill No. 1081 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1107
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 BOARD OF EXAMINERS IN SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

House Bill No. 1107 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1109
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 REGISTRATION FOR PROFESSIONAL GEOLOGISTS FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

House Bill No. 1109 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1115
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 ARCHITECTS FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

House Bill No. 1115 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1126
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 TOBACCO CONTROL BOARD FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

House Bill No. 1126 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1604
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 HERITAGE; AND FOR OTHER PURPOSES.

House Bill No. 1604 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 2520
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE WILLS

A Bill for an Act to be Entitled: AN ACT TO COMPLY WITH FEDERAL REGULATIONS CONCERNING FUNDS OBTAINED THROUGH THE FEDERAL EQUITABLE SHARING PROGRAM; AND FOR OTHER PURPOSES.

House Bill No. 2520 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1315
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE PICKETT

A Bill for an Act to be Entitled: AN ACT CONCERNING THE REVIEW OF TECHNICAL AND GENERAL SERVICES CONTRACTS BY THE ARKANSAS LEGISLATIVE COUNCIL; AND FOR OTHER PURPOSES.

House Bill No. 1315 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

HOUSE BILL NO. 1324

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE D. JOHNSON

A Bill for an Act to be Entitled: AN ACT TO AMEND THE RURAL MEDICAL PRACTICE STUDENT LOANS AND SCHOLARSHIPS LAW TO ENSURE THAT COMPETING RURAL COMMUNITIES IN NEED OF PHYSICIAN PRACTITIONERS HAVE EQUAL OPPORTUNITY TO ATTRACT PHYSICIANS; AND FOR OTHER PURPOSES.

House Bill No. 1324 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

HOUSE BILL NO. 1409

As Engrossed: H3/2/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE REEP

BY: SENATOR BROADWAY

A Bill for an Act to be Entitled: AN ACT TO PROVIDE ADDITIONAL DEATH BENEFITS FOR EMERGENCY MEDICAL TECHNICIANS UNDER CERTAIN CIRCUMSTANCES; AND FOR OTHER PURPOSES.

House Bill No. 1409 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

HOUSE BILL NO. 1518

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE D. EVANS

A Bill for an Act to be Entitled: AN ACT TO AUTHORIZE THE DIRECT ASSESSMENT OF LIQUOR AND WINE EXCISE TAXES FOR PERSONS WHO PURCHASE UNTAXED LIQUOR AND WINE; AND FOR OTHER PURPOSES.

House Bill No. 1518 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

HOUSE BILL NO. 1630

As Engrossed: H3/9/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES ADCOCK, L. SMITH, CHESTERFIELD, ET AL

BY: SENATORS CRUMBLY AND STEELE

A Bill for an Act to be Entitled: AN ACT TO ENSURE THAT PUBLIC EMPLOYEE DISPUTES CAN BE RESOLVED THROUGH DISPUTE RESOLUTION PROCESSES FOR STATE AND LOCAL OFFICERS AND AGENCIES AND GOVERNMENTS; AND FOR OTHER PURPOSES.

House Bill No. 1630 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

HOUSE BILL NO. 2236

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE D. EVANS

A Bill for an Act to be Entitled: AN ACT TO AUTHORIZE THE DIRECT ASSESSMENT OF EXCISE TAX FOR CONSUMERS WHO PURCHASE UNTAXED TOBACCO PRODUCTS OR UNSTAMPED CIGARETTES; AND FOR OTHER PURPOSES.

House Bill No. 2236 was read the first time, rules suspended, read the second time and referred to the Committee on REVENUE AND TAXATION.

HOUSE BILL NO. 2494

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE COOPER

A Bill for an Act to be Entitled: AN ACT TO ADOPT NEW STANDARDS FOR EXPANDING COMMUNITY-BASED DEVELOPMENTAL DISABILITIES SERVICES AND FOR IMPLEMENTING NEW DEVELOPMENTAL DISABILITIES SERVICES; AND FOR OTHER PURPOSES.

House Bill No. 2494 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

HOUSE BILL NO. 2540
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE WILLS

A Bill for an Act to be Entitled: AN ACT TO REVISE ARKANSAS LANDLORD TENANT LAW; AND FOR OTHER PURPOSES.

House Bill No. 2540 was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE & COMMERCE.

HOUSE BILL NO. 2678
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE REEP

A Bill for an Act to be Entitled: AN ACT TO TRANSFER REGULATORY AUTHORITY OF RADIOLOGIST ASSISTANTS AND RADIOLOGY PRACTITIONER ASSISTANTS TO THE ARKANSAS STATE MEDICAL BOARD; AND FOR OTHER PURPOSES.

House Bill No. 2678 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 21, 2007

Mr. President:

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

SENATE BILL NO. 63, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 66, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 73, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 126, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 131, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 174, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 186, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 207, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 226, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 262, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 448, 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 Brown, Senate Bill No. 63 was ordered re-referred to the Committee on JOINT BUDGET.

On motion of Senator Brown, Senate Bill No. 66 was ordered re-referred to the Committee on JOINT BUDGET.

On motion of Senator Brown, Senate Bill No. 73 was ordered re-referred to the Committee on JOINT BUDGET.

On motion of Senator Brown, Senate Bill No. 126 was ordered re-referred to the Committee on JOINT BUDGET.

On motion of Senator Brown, Senate Bill No. 131 was ordered re-referred to the Committee on JOINT BUDGET.

On motion of Senator Brown, Senate Bill No. 174 was ordered re-referred to the Committee on JOINT BUDGET.

On motion of Senator Brown, Senate Bill No. 186 was ordered re-referred to the Committee on JOINT BUDGET.

On motion of Senator Brown, Senate Bill No. 207 was ordered re-referred to the Committee on JOINT BUDGET.

On motion of Senator Brown, Senate Bill No. 226 was ordered re-referred to the Committee on JOINT BUDGET.

On motion of Senator Brown, Senate Bill No. 262 was ordered re-referred to the Committee on JOINT BUDGET.

On motion of Senator Brown, Senate Bill No. 448 was ordered re-referred to the Committee on JOINT BUDGET.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 21, 2007

Mr. President:

We, your Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS, to whom was referred:

SENATE BILL NO. 851, BY SENATOR HENDREN,

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
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 21, 2007

Mr. President:

We, your Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS, to whom was referred:

SENATE BILL NO. 969, BY SENATOR ALTES,

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 HENRY "HANK" WILKINS
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 21, 2007

Mr. President:

We, your Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS, to whom was referred:

HOUSE BILL NO. 1589, BY REPRESENTATIVE PACE,
HOUSE BILL NO. 2427, BY REPRESENTATIVE ABERNATHY,
HOUSE BILL NO. 2430, BY REPRESENTATIVE ABERNATHY,
HOUSE BILL NO. 2511, 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 HENRY "HANK" WILKINS
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 21, 2007

Mr. President:

We, your Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS, to whom was referred:

HOUSE BILL NO. 2249, BY REPRESENTATIVE S. PRATER,
HOUSE BILL NO. 2345, BY REPRESENTATIVE WILLS,
HOUSE BILL NO. 2586, BY REPRESENTATIVE PACE,

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, No. 2.

Respectfully submitted,

(SIGNED) SENATOR HENRY "HANK' WILKINS
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 21, 2007

Mr. President:

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

SENATE JOINT RESOLUTION NO. 4, 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 FARIS
CHAIRMAN

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SENATE BILLS TRANSMITTED TO THE HOUSE
AS PASSED

SENATE BILL NO. 129
SENATE BILL NO. 130
SENATE BILL NO. 138
SENATE BILL NO. 173
SENATE BILL NO. 254
SENATE BILL NO. 256
SENATE BILL NO. 293
SENATE BILL NO. 303
SENATE BILL NO. 418
SENATE BILL NO. 506
SENATE BILL NO. 779

SENATE BILL NO. 861
SENATE BILL NO. 895
SENATE BILL NO. 900
SENATE BILL NO. 959
SENATE BILL NO. 972
SENATE BILL NO. 988
SENATE BILL NO. 1001

HOUSE CONCURRENT MEMORIAL RESOLUTIONS RETURNED TO THE HOUSE AS CONCURRED IN

HOUSE CONCURRENT MEMORIAL RESOLUTION NO. 1002
HOUSE CONCURRENT MEMORIAL RESOLUTION NO. 1003

SENATE BILLS RETURNED FROM THE HOUSE AS PASSED

SENATE BILL NO. 88
SENATE BILL NO. 91
SENATE BILL NO. 140
SENATE BILL NO. 334
SENATE BILL NO. 380
SENATE BILL NO. 704
SENATE BILL NO. 773
SENATE BILL NO. 801
SENATE BILL NO. 856
SENATE BILL NO. 859
SENATE BILL NO. 909
SENATE BILL NO. 928

HOUSE BILLS TRANSMITTED TO THE SENATE
AS PASSED

HOUSE BILL NO. 1081
HOUSE BILL NO. 1107
HOUSE BILL NO. 1109
HOUSE BILL NO. 1115
HOUSE BILL NO. 1126
HOUSE BILL NO. 1315
HOUSE BILL NO. 1324
HOUSE BILL NO. 1409
HOUSE BILL NO. 1518
HOUSE BILL NO. 1604
HOUSE BILL NO. 1630
HOUSE BILL NO. 1747
HOUSE BILL NO. 1748
HOUSE BILL NO. 2029
HOUSE BILL NO. 2236
HOUSE BILL NO. 2268
HOUSE BILL NO. 2295
HOUSE BILL NO. 2297
HOUSE BILL NO. 2337
HOUSE BILL NO. 2494
HOUSE BILL NO. 2520
HOUSE BILL NO. 2540
HOUSE BILL NO. 2559
HOUSE BILL NO. 2678

HOUSE CONCURRENT RESOLUTION TRANSMITTED
TO THE SENATE AS ADOPTED

HOUSE CONCURRENT RESOLUTION NO. 1038

On motion of Senator Whitaker, the Senate adjourned until 1:00 p.m., Thursday, March 22, 2007.

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PRESIDENT OF THE SENATE

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SECRETARY OF THE SENATE