

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

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Little Rock, Arkansas  
March 21, 2011

The House was called to order at 1:35 p.m. by Mr. Moore, the Speaker. The following members answered to the roll call:

Allen, Altes, Baird, Baker, Barnett, Bell, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carnine, Carter, Catlett, Cheatham, Clemmer, Collins, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, Elliott, English, Eubanks, Fielding, Garner, Gaskill, Gillam, Hall, Hammer, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hutchinson, Hyde, Ingram, Jean, Johnston, Kerr, King, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, McLean, D. Meeks, S. Meeks, Murdock, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Post, Powers, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Walker, Wardlaw, Webb, Westerman, B. Wilkins, Williams, Woods, Word, Wren, Wright, Mr. Speaker.

Total .....97

The following member(s) was absent and did not answer to the roll call: Collins-Smith, H. Wilkins.

Total.....2

A quorum was present.

Unanimous leave was granted for Representative(s) Collins-Smith, H. Wilkins.

The House stood and was led in prayer by John A. Fleming, Pastor, First United Methodist Church, Sheridan, Arkansas.

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

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

COMMITTEE REPORT

March 21, 2011

JOINT COMMITTEE ON PUBLIC RETIREMENT  
AND SOCIAL SECURITY PROGRAMS  
HOUSE BILL NO. 1206  
BY REPRESENTATIVE BELL

LES CARNINE  
CHAIRPERSON  
DO PASS

Upon motion of Representative J. Roebuck, HOUSE BILL NO. 1953 was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 3 TO HOUSE BILL NO. 1953

Amend HOUSE BILL NO. 1953 as engrossed,  
(version: 3/16/2011 05:02:15 PM)

Page 6, delete lines 2 through 5 and substitute:

"104, the motor vehicle may be impounded at the officer's discretion if the officer issues a citation for a traffic violation that is classified as an offense under § 27-50-302 and the operator has:

(A) Received three (3) or more warnings for a violation of § 27-22-104;

(B) Pleaded guilty or nolo contendere to or been found guilty of three (3) or more violations of § 27-22-104; or

(C) Received a total of three (3) or more warnings for a violation of § 27-22-104 or convictions for a violation of § 27-22-104."

/s/ Johnnie Roebuck

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

/s/ Mrs. Sherri Stacks  
Chief Clerk

Upon motion of Representative J. Roebuck, **HOUSE BILL NO. 2050** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 2050

Amend **HOUSE BILL NO. 2050** as engrossed,  
H3/17/11 (version: 03/17/2011 11:13:42 AM)

Page 3, line 29, delete "certificate"

/s/ Johnnie Roebuck

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

/s/ Mrs. Sherri Stacks  
Chief Clerk

Upon motion of Representative J. Roebuck, **HOUSE BILL NO. 1952** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 3 TO HOUSE BILL NO. 1952

Amend **HOUSE BILL NO. 1952** as engrossed,  
H3/15/11 (version: 3/15/2011 02:13:16 PM)

Page 2, line 36, delete "or"

AND

Page 3, delete line 2 and substitute the following:

"with the reasonable instructions of a supervisor; or

(iii) An act or omission under circumstances in which the educator had a reasonable belief that failure to follow the instructions of a supervisor would result in an adverse job action against the educator; and"

AND

Page 3, line 5, delete "ethics;" and substitute "ethics; and"

AND

Page 3, delete lines 7-9 and substitute "filing the ethics complaint."

AND

PAGE 3, delete lines 11-12 and substitute the following:

(A) Establish procedures for:

(i) Receiving and investigating an ethics complaint;

- (ii) Enforcing the code of ethics; and
- (iii) Granting and conducting hearings under this

section;"

AND

Page 3, line 20, delete "are subject to the" and substitute "shall be promulgated and implemented under the"

AND

Page 3, line 24, delete "complaints; and" and substitute "complaints;"

AND

Page 3, delete lines 27-28 and substitute the following:

"(i) A written warning, a written reprimand, or the written placement of conditions or restrictions on the activities of the educator;

(ii) The revocation, suspension, probation, nonrenewal, or termination of a license issued by the State Board of Education; or

(iii) A private letter of caution; and

(C) Dismiss an ethics complaint if it finds there is no ethics violation."

AND

Page 5, delete lines 25-31

AND

Page 5, line 32, delete "(o) Except as provided in subsection (q)" and substitute "(m) Except as provided in subsection (o)"

AND

Page 5, line 33, delete "of the ethics subcommittee" and substitute "of the Professional Licensure Standards Board and the ethics subcommittee"

AND

Page 5, line 36, delete "(p)" and substitute "(n)"

AND

Page 6, line 3, delete "(q)(1)" and substitute "(o)(1)"

/s/ Johnnie Roebuck

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

/s/ Mrs. Sherri Stacks

Chief Clerk

Upon motion of Representative Murdock, **HOUSE BILL NO. 2210** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 2 TO HOUSE BILL NO. 2210**

Amend **HOUSE BILL NO. 2210** as engrossed,

H3/17/11 (version: 03/17/2011 11:04:23 AM)

Page 1, delete line 9 and substitute "THE BIDDING PRACTICES FOR THE CONSTRUCTION OF PUBLICLY FUNDED BUILDINGS, INFRASTRUCTURE, AND FACILITIES; AND FOR OTHER PURPOSES."

AND

Page 2, delete lines 3 through 6 and substitute the following:

~~"(e) For purposes of this subchapter, a political subdivision of the state may elect to not use competitive bidding for other professional services not listed in subsection (b) of this section with a two-thirds (2/3) vote of the political subdivision's governing body."~~

AND

Page 2, line 35, delete "~~(e)~~(d)" and substitute "~~(e)~~(c)"

/s/ Reginald Murdock

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

/s/ Mrs. Sherri Stacks  
Chief Clerk

Upon motion of Representative Dale, **HOUSE BILL NO. 2229** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 2229**

Amend **HOUSE BILL NO. 2229** as originally introduced:

Page 1, delete line 29 and substitute the following:

"(1)(A) In any instance in which a route of a right-of-way proposed by

a"

AND

Page 1, line 30, delete "company specified" and substitute "company, other than a public utility, specified"

AND

Page 1, delete lines 31 through 36 and substitute the following:

"property, the owner may file with the circuit court an objection to the route of the right-of-way.

(B) If an owner objects under subdivision (1)(A) of this section, the circuit court, within thirty (30) days of the filing of the objection, shall hold a hearing on the owner's objection, and based on the information provided by the parties at the hearing, the circuit court shall determine whether:

(i) The proposed route of the right-of-way should be accepted notwithstanding the objections raised by the owner of the property; or

(ii) Another route for the right-of-way should be proposed for condemnation purposes; and"

AND

Page 2, delete lines 1 through 5 and substitute the following:

"(2)(A) If a circuit court conducts a hearing under subdivision (1) of this section, the circuit court shall render its determination within fifteen (15) days following the conclusion of the hearing.

(B) In making a determination under this section, the circuit court shall consider all potentially relevant factors, including without limitation the following factors:

(i) The factual basis of the property owner's objection;

(ii) Other access and routes available to the company;

(iii) The relative costs associated with the construction

and use of any alternative routes;

(iv) Safety issues;

(v) Potential obstructions;

(vi) The relative impact on agricultural and silvicultural productivity; and

(vii) Other economic and noneconomic factors."

AND

Immediately following SECTION 1, add an additional section to read as follows:

"SECTION 2. Arkansas Code § 18-15-1202(a), concerning petition for condemnation, is amended to read as follows:

(a)(1) ~~Any~~ A railroad, telegraph, or telephone company, organized under the laws of ~~this~~ the state, after having surveyed and located its lines of railroad, telegraph, or telephone, in all cases in which the ~~companies fail~~ company fails to obtain the right-of-way over the property by agreement with the owner of the property through which the lines of railroad, telegraph, or telephone may be located, shall apply to the circuit court of the county in which the property is situated.

(2) Application to have the damages for the right-of-way assessed or for any other purpose under this section shall be made by petition ~~to have the damages for the right-of-way assessed~~, giving the owner of the property at least ~~ten~~ (40) twenty (20) days' notice in writing by certified mail, return receipt requested, of the time and place where the petition will be heard.

(3)(A) If an owner of property objects to the route of the right-of-way under § 18-15-1303, the owner shall file the objection in response to the petition filed under subdivision (a)(2) of this section within ten (10) days of the filing of the petition.

(B) The timely filing of an objection under subdivision (a)(3)(A) of this section stays further proceedings on the petition for condemnation until the circuit court issues an order under § 18-15-1303."

/s/ Robert Dale

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

/s/ Mrs. Sherri Stacks  
Chief Clerk

Upon motion of Representative Linck, HOUSE BILL NO. 2002 was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 2002

Amend HOUSE BILL NO. 2002 as engrossed,  
H3/16/11 (version: 03/16/2011 12:30:37 PM)

Add Representative Pennartz as a cosponsor of the bill

/s/ Kelley Linck

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

/s/ Mrs. Sherri Stacks  
Chief Clerk

Upon motion of Representative D. Altes, HOUSE BILL NO. 1050 was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1050

Amend HOUSE BILL NO. 1050 as originally introduced:

Delete Representative D. Altes as the sponsor of the bill

AND

Add Representatives Westerman, Stubblefield, Eubanks, Johnston, D. Altes as cosponsors of the bill

AND

Page 1, delete lines 9 through 11, and substitute "; AND FOR OTHER PURPOSES."

AND

Page 1, delete lines 15 through 18, and substitute the following "CONSERVATION."

AND

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 15-13-102, concerning definitions used in the Arkansas Alternative Fuels Development Act, is amended to add additional subdivisions to read as follows:

(12) "Bi-fuel compressed natural gas school bus" means a school bus that is powered by compressed natural gas and gasoline or diesel;

(13) "Conversion kit" means a set of supplies, materials, parts, tools, or equipment used to convert a diesel-powered or gasoline-powered school bus to a dedicated or bi-fuel compressed natural gas school bus; and

(14) "Dedicated compressed natural gas school bus" means a school bus that is powered only by compressed natural gas.

SECTION 2. Arkansas Code § 15-13-301 is amended to read as follows:

15-13-301. Arkansas Alternative Fuels Development Program.

(a) The Arkansas Alternative Fuels Development Program is established and shall be developed and administered by the Arkansas Agriculture Department.

(b) The program shall include ~~three (3)~~ four (4) types of ~~grant~~ incentives:

(1) Capital and operation production incentives for alternative fuels producers;

(2) Production incentives for feedstock processors; ~~and~~

(3) Distribution incentives for alternative fuels distributors; and

(4) Rebate incentives for the costs of converting diesel-powered and gasoline-powered school buses into dedicated or bi-fuel compressed natural gas school buses.

(c) The ~~grant~~ incentives under this subchapter are available only for the following after ~~January 1, 2007~~ July 1, 2011:

(1) Capital investments in alternative fuels production facilities, feedstock processing facilities, or distribution facilities;

(2) The production of alternative fuels; ~~or~~

(3) The processing of feedstock; or

(4) The conversion of diesel-powered and gasoline-powered school buses to dedicated or bi-fuel compressed natural gas school buses.

SECTION 3. Arkansas Code Title 15, Chapter 13, Subchapter 3 is amended to add an additional section to read as follows:

15-13-306. Rebate incentives for modification of school buses.

(a) The Arkansas Alternative Fuels Development Program shall include an incentive program that provides a rebate to Arkansas school districts to assist in the purchase of a conversion kit used to convert a diesel-powered school bus or gasoline-powered school bus to a dedicated or bi-fuel compressed natural gas school bus and for the incremental costs associated with the conversion of a diesel-powered school bus or gasoline-powered school bus into a dedicated or bi-fuel compressed natural gas school bus.

(b) Additional funding for the incentive program provided by this section shall be from gifts, grants, private donations, and other funds made available by the General Assembly.

(c) The Arkansas Agriculture Department shall create a rebate application process for an Arkansas school district to obtain a rebate that shall include:

(1) An application for a rebate under this subchapter that shall include at a minimum:

(A) An affidavit or proof that the school bus is registered in Arkansas or will be registered in Arkansas upon acquisition of the school bus; and

(B) The incremental costs associated with the conversion of a diesel-powered school bus or gasoline-powered school bus into a dedicated or bi-fuel compressed natural gas school bus;

(2) Instructions about the rebate process;

(3) Scoring procedures to determine the award of the rebates; and

(4) Other factors that the Secretary of the Arkansas Agriculture Department deem necessary.

(d)(1) The Arkansas Agriculture Department shall prepare an annual progress report on rebates made under this section.

(2) The report shall include:

(A) The amount of each rebate;

(B) The purpose of the rebate;

(C) The total amount expended by the rebate recipient in converting the school bus to a dedicated or bi-fuel compressed natural gas school bus; and

(D) The results produced or the progress made in the overall conversion of diesel-powered school buses and gasoline-powered school buses to dedicated or bi-fuel compressed natural gas school buses.

(3) The report for each state fiscal year shall be filed by June 30 of the following fiscal year with the office of the Governor and the Legislative Council.

(e) The University of Arkansas, College of Engineering shall:

(1) Study the use of a diesel-powered and gas-powered school bus as compared to a dedicated or bi-fuel compressed natural gas school bus in the following areas:

(A) Environmental impact;

(B) Operational costs; and

(C) Maintenance costs;

(2) Prepare an annual report of the results from the study; and

(3) File the annual report by June 30 of the following fiscal year with the office of the Governor and the Legislative Council.

(f) The rebate to be awarded by the department is fifty percent (50%) of the cost for the conversion kit and incremental costs of converting to a dedicated or bi-fuel compressed natural gas school bus.

(g) No school district may receive more than fifty thousand dollars (\$50,000) per fiscal year for school bus conversion kit costs and incremental costs.

SECTION 4. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that diesel-powered and gasoline-powered school buses are contributing to air pollution in this state; that school buses powered by compressed natural gas are more environmentally clean and a great alternative to diesel-powered and gasoline-powered school buses; that the cost of diesel and gasoline is much greater than the cost of compressed natural gas; that school districts need the cost savings and the environmental enhancement of providing school buses powered by compressed natural gas; and that providing a rebate would encourage school districts to convert their school buses to dedicated or bi-fuel compressed natural gas school buses. 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, 2011."

/s/ Denny Altes

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

/s/ Mrs. Sherri Stacks  
Chief Clerk

Upon motion of Representative Nickels, **HOUSE BILL NO. 1938** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1938

Amend **HOUSE BILL NO. 1938** as engrossed,  
H3/16/11 (version: 03/16/2011 12:18:26 PM)

Delete everything following the enacting clause and substitute the following:

"SECTION 1. Arkansas Code Title 17, Chapter 25, Subchapter 3 is amended to add a new section to read as follows:

17-25-317. Workers without legal authorization to work in the United States — Prohibition.

(a) As used in this section, "worker without legal authorization to work in the United States" means an individual who cannot present valid and appropriate documentation evidencing both identity and authorization to work as required by Federal Form 1-9 as existing on January 1, 2011, and using the applicable regulations, standards, and guidelines of Federal Form 1-9 as existing on January 1, 2011.

(b) If after notice and hearing, a contractor licensed under this chapter is found by the Contractors Licensing Board to knowingly employ a worker without legal authorization to work in the United States, the board may take one (1) or more of the following actions:

- (A) Impose a civil penalty under § 17-25-103;
- (B) Suspend the contractor's certificate of license;
- (C) Revoke the contractor's certificate of license; or
- (D) Impose additional penalties authorized under § 17-25-101

et seq.

(c) When applying to the Contractors Licensing Board for the initial issuance of a certificate of license or the renewal of a certificate of license, a contractor shall state in writing that he or she:

- (1) Is legally authorized to work in the United States; and
- (2) Does not employ a worker without legal authorization to work in the

United States.

(d) The board shall promulgate rules necessary to carry out the provisions of this section.

SECTION 2. Arkansas Code § 17-25-501 is amended to read as follows:

17-25-501. Purpose.

It is the intent of this subchapter to protect homeowners and the purchasers of homes constructed in this state by establishing reasonable and adequate

licensing and regulation of homebuilders and home improvement contractors. It is intended that this subchapter apply to everyone not specifically excluded. It is also the intent of this subchapter that the Residential ~~Building~~ Contractors Committee be located with the Contractors Licensing Board and that the staff and appropriation for the board be utilized to implement this subchapter.

SECTION 3. Arkansas Code § 17-25-502 is amended to read as follows:

17-25-502. Definitions.

For purposes of this subchapter:

(1) ~~"Committee" means the Residential Building Contractors Committee created by this subchapter;~~

(1) "Home improvement contractor" means any person, firm, partnership, co-partnership, association, corporation, or other organization or any combination that attempts to or submits a bid, or contracts, undertakes, or assumes charge in a supervisory capacity or otherwise manages the reconstruction, alteration, renovation, repair, modification, improvement, removal, demolition, or addition to any preexisting single-family residence or the property and structures appurtenant thereto;

(2) "Residential building contractor" means any person, firm, partnership, copartnership, association, corporation, or other organization or any combination thereof, which for a fixed price, commission, fee, or wage, attempts to or submits a bid to construct or contract or undertakes to construct or assumes charge in a supervisory capacity or otherwise manages the construction of a single family residences single-family residence or the property and structures appurtenant to the residence; and

(3) ~~"Single family Single-family residence" means any project consisting of one (1) but not more than four (4) units of new construction for residential occupancy, when the cost of the project is twenty thousand dollars (\$20,000) or more. This definition does not apply to subcontractors of licensed residential building contractors or to remodeling operations.~~

SECTION 4. Arkansas Code § 17-25-503(a)(1), concerning the Residential Contractors Committee, is amended to read as follows:

(a)(1) There is created the "~~Residential Building Contractors Committee~~", to consist of seven (7) members.

SECTION 5. Arkansas Code § 17-25-504 is amended to read as follows:

17-25-504. Authority.

The Residential ~~Building~~ Contractors Committee may:

(1) Issue, modify, suspend, and revoke ~~residential building contractor's~~ licenses issued by the committee;

(2) Establish qualifications for ~~residential building contractor's~~ licenses issued by the committee;

(3) Enforce this subchapter and the committee's ~~regulations~~ rules;

(4) Issue ~~regulations~~ rules necessary for the implementation of this subchapter;

(5) Levy civil penalties ~~in the same amounts and under the same procedures as prescribed for the Contractors Licensing Board~~ under this subchapter;

(6) Issue orders of abatement in the same manner and to the same extent as authorized for the ~~board~~ Contractors Licensing Board under § 17-25-103; and

(7) Seek any other civil remedies which are available to the board.

SECTION 6. Arkansas Code § 17-25-505 is amended to read as follows:

17-25-505. License from committee required.

(a) ~~No~~ A person shall not act as a residential building contractor after July 1, 2001, unless licensed by the Residential ~~Building~~ Contractors Committee or exempted from licensure under this subchapter.

(b) A person shall not act as a home improvement contractor on or after July 1, 2013, unless:

(1) Licensed by the Residential Contractors Committee; or

(2) Exempt from licensure under this subchapter.

SECTION 7. Arkansas Code § 17-25-506(a), concerning applications for licenses from the Residential Building Contractors Committee, is amended to read as follows:

17-25-506. Application for license.

(a) Applications for licensure shall be made on forms prescribed by the Residential ~~Building~~ Contractors Committee and shall have attached thereto:

(1) A compiled financial statement with each ~~new~~ application; and

(2) Such other information as required by the committee.

SECTION 8. Arkansas Code § 17-25-507 is amended to read as follows:

17-25-507. Applicant qualifications.

(a) In determining the qualifications of any applicant for original license or any renewal license, the Residential ~~Building~~ Contractors Committee shall consider, among other things, the following:

(1) Experience;

(2) Ability;

(3) The manner of performance of previous contracts;

(4) Financial condition;

(5) Citizenship, legal residency, or legal status to work in the United States;

~~(5)(6)~~ Any other fact tending to show ability and willingness to conserve the public health and safety; and

~~(6)(7)~~ Default in complying with the provisions of this subchapter or any other law of the state.

(b) The committee may limit a license issued by the committee to the character of work for which the applicant is qualified to perform.

SECTION 9. Arkansas Code § 17-25-508 is amended to read as follows:

17-25-508. Name of licensed contractor.

~~Residential building contractors~~ A contractor licensed under this subchapter may act as such only in the name under which they are licensed by the Residential Building Contractors Committee.

SECTION 10. Arkansas Code § 17-25-509 is amended to read as follows:

17-25-509. Written examination.

(a) Except as otherwise provided in this section, ~~no~~ a person shall not be licensed as a residential building contractor unless the person has passed a written examination prescribed by the Residential Building Contractors Committee.

~~(b) Persons licensed by the Contractors Licensing Board shall not be required to submit to written examination by the committee but must meet all other requirements for licensure as a residential building contractor.~~

~~(c) A property owner who acts as a residential building contractor for the purpose of constructing his or her own residence is not required to be licensed under this subchapter unless the person constructs more than one (1) residence per calendar year.~~

(b)(1) Until June 30, 2013, the committee shall waive the written examination for a person who submits proof of:

(A) Having obtained five (5) building permits within the three (3) years preceding the date of application;

(B) Having obtained one (1) building permit within the preceding twelve (12) months; or

(C) Experience in construction acceptable to the committee.

(2) Subsection (b)(1) of this section does not apply to applicants for residential building contractor.

SECTION 11. Arkansas Code § 17-25-510 is amended to read as follows:

17-25-510. Hearings regarding violations.

(a) The Residential Building Contractors Committee may conduct hearings regarding alleged violations of this subchapter or regulations promulgated

thereunder, and the hearings shall be conducted in accordance with the Arkansas Administrative Procedure Act, § 25-15-201 et seq. The committee shall within a reasonable time make findings and determinations as a result of the hearings.

(b) A contractor who, after notice and hearing, is found to have committed the following actions shall pay to the Contractors Licensing Board a civil penalty of not less than one hundred dollars (\$100) nor more than four hundred dollars (\$400) for each day that any of the following violations occurred:

(1) Acting as a contractor without a license in violation of this chapter;

(2) Presenting or filing the license certificate of another;

(3) Given false or forged evidence of any kind to the board in obtaining a certificate of license;

(4) Using an expired or revoked certificate of license;

(5) Giving false or fraudulent evidence of a contractor's license to another person or entity; or

(6) Committing other violations under this chapter.

(c) The committee may, after notice and hearing, revoke the certificate of license of any contractor licensed under this subchapter who is found guilty of:

(1) Fraud or deceit in obtaining a license;

(2) Aiding or abetting another contractor or person to violate this chapter; or

(3) Gross negligence, incompetence, or misconduct in the contractor's business.

SECTION 12. Arkansas Code § 17-25-511 is amended to read as follows:

17-25-511. Appeal from committee decision.

Any person aggrieved by an action or decision of the Residential Building Contractors Committee may appeal to the Contractors Licensing Board within ten (10) calendar days after the action or decision under procedures prescribed by the board. Aggrieved parties shall be granted an opportunity to address the board regarding the committee's actions, and the final actions of the board shall be binding upon the committee.

SECTION 13. Arkansas Code § 17-25-512 is amended to read as follows:

17-25-512. Expiration of license -- Fees.

All licenses issued by the Contractors Licensing Board shall expire one (1) year after the date of issuance unless otherwise provided by the Residential Building Contractors Committee. The committee may charge reasonable examination fees and delinquency fees and may charge a fee not to exceed one hundred dollars (\$100) for new licenses or renewal of a license. All fees and other moneys collected

by the committee shall be disposed of as provided by § 17-25-205 and shall be used by the board to implement this subchapter.

SECTION 14. Arkansas Code § 17-25-513 is amended to read as follows:

17-25-513. ~~Exemption for personal homebuilder~~ Exemptions.

~~Nothing in this subchapter shall be construed as requiring a person who acts as a residential building contractor in the construction of his or her own residence to obtain a license from the Residential Building Contractors Committee unless the person builds more than one (1) residence during any year.~~

The following shall be exempted from the licensing requirements of this subchapter:

(1) A person who acts as a residential building contractor in the construction of his or her residence unless he or she builds more than one (1) residence during any calendar year;

(2) The owner of a single-family residence acting as his or her own home improvement contractor on his or her own property;

(3)(A) A person or entity acting as a residential building contractor or a home improvement contractor on any project, when the cost of the work done or to be done does not exceed one thousand dollars (\$1,000).

(B) Subdivision (3)(A) of this section does not apply to a project in which the construction work necessary to complete the project is divided into separate contracts of amounts less than one thousand dollars (\$1,000);

(4) A subcontractor of a contractor licensed by the Residential Contractors Committee; and

(5) A person or entity licensed as a contractor by another licensing agency, board, or commission of the State of Arkansas if the contractor is performing work within the scope of the license held by the person or entity.

SECTION 15. Arkansas Code 17-25-514 is amended to read as follows:

17-25-514. Workers' compensation required.

(a) ~~A residential building contractor~~ required to be licensed by the Residential Building Contractors Committee as a residential building contractor or home improvement contractor shall secure the payment of workers' compensation under § 11-9-401 et seq.

(b) The committee shall require proof of current workers' compensation coverage before issuing or renewing a license as a residential building contractor or home improvement contractor.

(c)(1) If a contractor fails to maintain workers' compensation coverage or fails to maintain proof of current workers' compensation coverage on file with the committee, the committee shall revoke the contractor's license.

(2) A contractor's license that has been revoked due to failure to maintain workers' compensation coverage may be reinstated upon receipt of proof that the contractor has secured workers' compensation coverage.

(d) The committee shall promulgate rules necessary to enforce this section.

SECTION 16. Arkansas Code Title 17, Chapter 25, Subchapter 5 is amended to add an additional section to read as follows:

17-25-515. Workers without legal authorization to work in the United States — Prohibition.

(a) As used in this section, "worker without legal authorization to work in the United States" means an individual who cannot present valid and appropriate documentation evidencing both identity and authorization to work as required by Federal Form 1-9 as existing on January 1, 2011, and using the applicable regulations, standards, and guidelines of Federal Form 1-9 as existing on January 1, 2011.

(b) If after notice and hearing, a contractor licensed under this subchapter is found by the Residential Contractors Committee to knowingly employ a worker without legal authorization to work in the United States, the committee may take one (1) or more of the following actions:

(A) Impose a civil penalty under § 17-25-510;

(B) Suspend the contractor's certificate of license;

(C) Revoke the contractor's certificate of license; or

(D) Impose additional penalties authorized under this subchapter.

(c) When applying to the committee for the initial issuance of a certificate of license or the renewal of a certificate of license, a contractor shall state in writing that he or she:

(1) Is legally authorized to work in the United States; and

(2) Does not employ a worker without legal authorization to work in the United States.

(d) The committee shall promulgate rules necessary to carry out the provisions of this section."

/s/ Jim Nickels

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

/s/ Mrs. Sherri Stacks

Chief Clerk

Upon motion of Representative Post, **HOUSE BILL NO. 2061** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 2061**

Amend **HOUSE BILL NO. 2061** as originally introduced:

Delete everything following the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 7-6-102 is amended to read as follows:

7-6-102. Political practices pledge — Penalty for falsification

(a)(1) Candidates for political party nominations for state or district offices shall file with the Secretary of State and candidates for county, municipal, or township offices shall file with the county clerk of the county during the filing period set out in § 7-7-203 for the preferential primary election a pledge in writing stating that they are familiar with the requirements of §§ 7-1-103, 7-1-104, 7-3-108, 7-6-101, 7-6-103, 7-6-104, and this section and will comply in good faith with their terms.

(2) Persons seeking nomination as independent candidates and school district candidates shall file the political practices pledge at the time of filing the petition for nomination.

(3) Independent candidates for municipal office shall file the political practices pledge with the county clerk at the time of filing the petition for nomination.

(4) Persons who wish to be write-in candidates shall file the political practices pledge at the time of filing the notice to be a write-in candidate.

(5) Nonpartisan judicial candidates paying filing fees in accordance with § 7-10-103(b) shall file the political practices pledge at the time of filing for office.

(6) Nonpartisan judicial candidates filing by petition in accordance with § 7-10-103(c) shall file the political practices pledge at the time of filing the petition.

(b) All political practices pledge forms for state or district offices and county, municipal, or township offices shall be required to contain the following additional pledge:

"I hereby certify that I have never been convicted of a any felony or a misdemeanor crime of embezzlement of public money, bribery, or forgery in Arkansas or in any other jurisdiction outside of Arkansas."

(c) Any person who has been convicted of a any felony or a misdemeanor crime of embezzlement of public money, bribery, or forgery and signs the pledge stating that he or she has not been convicted of a any felony or a misdemeanor crime of embezzlement of public money, bribery, or forgery shall be guilty of a Class D felony.

(d) For purposes of this section, a person shall be qualified to be a candidate for a state, district, county, municipal, and township office and may certify that he or she has never been convicted of a any felony or a misdemeanor crime of embezzlement of public money, bribery, or forgery if his or her record was expunged in accordance with §§ 16-93-301 — 16-93-303, or a similar expunction statute in another state, provided, the candidate presents a certificate of expunction from the court that convicted the prospective candidate.

(e)(1) The name of a candidate who fails to sign and file the pledge shall not appear on the ballot.

(2)(A) However, within five (5) days from which the pledge is required to be filed, the Secretary of State or the county clerk shall notify by certified mail that requires a return receipt signed by the candidate those candidates who have failed to file a signed political practice pledge. The notice shall include a copy of the written pledge required by this section.

(B) Failure of the state or district candidate to file with the Secretary of State or of the county, municipal, or township candidate to file with the county clerk within twenty (20) days of receipt or refusal of this notice shall prevent the candidate's name from appearing on the ballot.

SECTION 2. Arkansas Code § 7-7-103, concerning filing as an independent candidate, is amended to add an additional subsection to read as follows:

(c)(1)(A) If an independent candidate qualifies to have his or her name placed on the ballot under subsections (a) and (b) of this section, the independent candidate shall be required to apply to the Identification Bureau of the Department of Arkansas State Police for a state and national criminal background check to be conducted by the Identification Bureau and the Federal Bureau of Investigation.

(B) The independent candidate shall apply for the criminal background check within three (3) days of qualifying to have his or her name placed on the ballot.

(2) The criminal background check shall conform to applicable federal standards and shall include the taking of fingerprints.

(3) The independent candidate shall sign a release of information to the Secretary of State or county clerk, as the case may be, and shall be responsible for the payment of any fee associated with the criminal background check.

(4)(A) Upon completion of the criminal background check, the Identification Bureau shall forward to the Secretary of State or the county clerk, as the case may be, all releasable information obtained concerning the independent candidate.

(B) The information provided to the Secretary of State or the county clerk, as the case may be, under subdivision (c)(4)(A) of this section shall be available for public inspection and copying.

(d)(1) The Secretary of State or the county clerk, as the case may be, shall not certify an independent candidate who, as determined by a review of the criminal background check conducted under subsection (a) of this section, has been convicted of:

(A) Any felony; or

(B) A misdemeanor crime of embezzlement of public money, bribery, or forgery.

(2) The name of an independent candidate who is not certified under subdivision (d)(1) of this section shall not appear on the ballot.

SECTION 3. Arkansas Code § 7-7-203(d), concerning the certification of candidates for preferential primary elections, is amended to read as follows:

(d)(1)(A) At least seventy (70) days before the preferential primary election, the Secretary of State shall certify to the various county committees and to the various county boards of election commissioners a list of the names of all candidates who have filed party certificates with the Secretary of State within the time required by law.

(B) The Secretary of State shall not certify a candidate until receiving the results of a criminal background check under § 7-7-206.

(2)(A) At least seventy (70) days before the preferential primary election, the county clerk shall certify to the county committees and to the county board of election commissioners a list of the names of all candidates who have filed party certificates with the county clerk within the time required by law.

(B) The county clerk shall not certify a candidate until receiving the results of a criminal background check under § 7-7-206.

SECTION 4. Arkansas Code § 7-7-205(e)(3), concerning candidates of new political parties, is amended to read as follows:

(3)(A) Nominated candidates shall file a political practice pledge with the Secretary of State or county clerk, as the case may be, no later than sixty (60) days prior to the general election.

(B)(i)(a) A nominated candidate who files a political practice pledge with the Secretary of State or county clerk, as the case may be, shall be required to apply to the Identification Bureau of the Department of Arkansas State Police for a state and national criminal background check to be conducted by the Identification Bureau and the Federal Bureau of Investigation.

(b) The nominated candidate shall apply for the criminal background check within three (3) days of filing his or her political practice pledge.

(ii) The criminal background check shall conform to applicable federal standards and shall include the taking of fingerprints.

(iii) The nominated candidate shall sign a release of information to the Secretary of State or county clerk, as the case may be, and shall be responsible for the payment of any fee associated with the criminal background check.

(iv)(a) Upon completion of the criminal background check, the Identification Bureau shall forward to the Secretary of State or the county clerk, as the case may be, all releasable information obtained concerning the nominated candidate.

(b) The information provided to the Secretary of State or the county clerk, as the case may be, under subdivision (e)(3)(B)(iv)(a) of this section shall be available for public inspection and copying.

(C)(i) The Secretary of State or the county clerk, as the case may be, shall not certify a nominated candidate who, as determined by a review of the criminal background check conducted under subdivision (e)(3)(B) of this section, has been convicted of:

(a) Any felony; or

(b) A misdemeanor crime of embezzlement of public money, bribery, or forgery.

(ii) The name of a nominated candidate who is not certified under subdivision (e)(3)(C)(i) of this section shall not appear on the ballot.

SECTION 5. Arkansas Code Title 7, Chapter 7, Subchapter 2 is amended to add an additional section to read as follows:

7-7-206. Criminal background checks.

(a)(1)(A) A candidate who files a party certificate by the filing deadline with the Secretary of State or county clerk, as the case may be, shall be required to apply to the Identification Bureau of the Department of Arkansas State Police for a state and national criminal background check to be conducted by the Identification Bureau and the Federal Bureau of Investigation.

(B) The candidate shall apply for the criminal background check within three (3) days of filing his or her party certificate.

(2) The criminal background check shall conform to applicable federal standards and shall include the taking of fingerprints.

(3) The candidate shall sign a release of information to the Secretary of State or county clerk, as the case may be, and shall be responsible for the payment of any fee associated with the criminal background check.

(4)(A) Upon completion of the criminal background check, the Identification Bureau shall forward to the Secretary of State or the county clerk, as the case may be, all releasable information obtained concerning the candidate.

(B) The information provided to the Secretary of State or the county clerk, as the case may be, under subdivision (a)(4)(A) of this section shall be available for public inspection and copying.

(b)(1) The Secretary of State or the county clerk, as the case may be, shall not certify under § 7-7-203(d) a candidate who, as determined by a review of the criminal background check conducted under subsection (a) of this section, has been convicted of:

(A) Any felony; or

(B) A misdemeanor crime of embezzlement of public money, bribery, or forgery.

(2) The name of a candidate who is not certified under subdivision (b)(1) of this section shall not appear on the ballot.

SECTION 6. Arkansas Code § 7-7-304(a) and (b), concerning names to be included on ballots, is amended to read as follows:

(a)(1) Not less than seventy (70) days before each preferential primary election, the Secretary of State shall certify to all county boards of election commissioners full lists of the names of all candidates who have filed party certificates with him or her to be placed on the ballots in their respective counties at the preferential primary election.

(2) A name of a person shall not be certified and shall not be placed on the ballot if prior to the certification a candidate:

(A) Notifies the Secretary of State in writing, signed by the candidate and acknowledged before an officer authorized to take acknowledgements, of his or her desire to withdraw as a candidate for the office or position; ~~or~~

(B) Dies; or

(C) Is found to have been convicted of any felony or a misdemeanor crime of embezzlement of public money, bribery, or forgery under § 7-7-206.

(b)(1) Not less than seventy (70) days before each preferential primary election, the county clerk shall certify to the county board full lists of the names of all

candidates who have filed party certificates with him or her to be placed on the ballot at the preferential primary election.

(2) A name of a person shall not be certified and shall not be placed on the ballot if prior to the certification a candidate:

(A) Notifies the county clerk in writing, signed by the candidate and acknowledged before an officer authorized to take acknowledgements, of his or her desire to withdraw as a candidate for the office or position; or

(B) Dies; or

(C) Is found to have been convicted of any felony or a misdemeanor crime of embezzlement of public money, bribery, or forgery under § 7-7-206."

/s/ Leslee Milam Post

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

/s/ Mrs. Sherri Stacks  
Chief Clerk

Upon motion of Representative Ingram, **HOUSE BILL NO. 1743** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1743**

Amend **HOUSE BILL NO. 1743** as originally introduced:

Page 1, line 35, delete "two (2)" and substitute "three (3)"

/s/ Keith Ingram

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

/s/ Mrs. Sherri Stacks  
Chief Clerk

Upon motion of Representative Stewart, **HOUSE BILL NO. 1250** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1250**

Amend **HOUSE BILL NO. 1250** as originally introduced:

Delete Section 1 and substitute the following:

"SECTION 1. Arkansas Code § 24-4-101(28), concerning the definitions used in the Arkansas Public Employees' Retirement System, is amended to read as follows:

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

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

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

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

(D) For a noncontributory member with credited service for employment as a public safety employee or as a sheriff, age sixty-five (65) reduced by one (1) month for each two (2) months of such credited service, but in no event to an age younger than fifty-five (55), except in the case of a sheriff who has a minimum of ten (10) years of actual service as a sheriff or who has eight (8) years of actual service as a sheriff and a minimum of two (2) years of service in another state-supported retirement system, for whom the minimum retirement age shall be fifty-two (52);

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

(F) For a member of the General Assembly with twelve (12) years of actual service, ten (10) of which must be as a member of the General Assembly, at age fifty-five (55). A member of the General Assembly who was either serving in the General Assembly on July 1, 1979, or held an elected office on July 1, 1979, shall be eligible to retire with seventeen and one-half (17 ½) years of actual service regardless of age;

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

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

SECTION 2. Arkansas Code § 24-4-301(a)(2)(A), concerning membership in the Arkansas Public Employees' Retirement System as a condition to employment, is amended to read as follows:

~~(2)(A)(i)(a)~~ A person who is first elected as a member of the General Assembly on or after July 1, 1999, shall have his or her employment covered as a regular state employee member in lieu of coverage under special provisions relating to General Assembly members or to elected officials.

~~(b) However, if the member's only service under an Arkansas retirement plan is service as a member of the General Assembly, the member must have ten (10) or more years of actual service to be eligible for benefits.~~

~~(ii)(a) A person who was first elected as a member of the General Assembly before July 1, 1999, may elect to have his or her employment covered as a regular state employee member in lieu of coverage under special provisions relating to General Assembly members or to elected officials. The member may make the election at any time.~~

~~(b) However, if the member's only service under an Arkansas retirement plan is service as a member of the General Assembly, then the member must have ten (10) or more years of actual service to be eligible for benefits.~~

SECTION 3. Arkansas Code § 24-4-508(a), concerning eligibility for benefits in the Arkansas Public Employees' Retirement System, is amended to read as follows:

(a) Any member may voluntarily retire upon his or her written application filed with the Board of Trustees of the Arkansas Public Employees' Retirement System setting forth at what time, not less than thirty (30) days nor more than ninety (90) days subsequent to the execution and filing of the application, that he or she desires to be retired if that member has:

(1) Twenty-eight (28) or more years of credited service regardless of age;

(2) Attained or attains age sixty (60) and has twenty (20) or more years of actual contributory service commenced prior to January 1, 1978; or

(3) Attained or attains age sixty-five (65) and has five (5) or more years of actual service, ~~except for a member of the General Assembly who must have ten (10) or more years of actual service if he or she only has service as a member of the General Assembly.~~

SECTION 4. Arkansas Code § 24-4-510(a)(1)(B), concerning the eligibility for benefits in the Arkansas Public Employees' Retirement System, is amended to read as follows:

(B) The member or former member eligible for a vested termination annuity must have at least five (5) years of actual service and be within ten (10) years of normal retirement age, ~~except for members of the General Assembly who must have at least ten (10) years of actual service and be within ten (10) years of normal retirement age.~~

SECTION 5. Arkansas Code § 24-4-510(b)(1)(A), concerning early retirement, is amended to read as follows:

(b)(1) A member who terminates covered employment before attaining his or her normal retirement age for a reason other than death or early retirement or disability retirement shall be entitled to an annuity computed in accordance with the provisions of subdivision (b)(2) of this section as it provides at time of last termination of employment, subject to the member's satisfying all of the following conditions:

(A) ~~Except for members of the General Assembly, who must have at least ten (10) years of actual service, the~~ The member has five (5) or more years of total actual service with the Arkansas Public Employees' Retirement System or in combination with reciprocal systems under the provisions of §§ 24-2-401 — 24-2-405, and 24-2-407. In establishing the minimum total credited service, periods of credited service covering the same calendar time shall be counted only once. However, both service in the Arkansas Public Employees' Retirement System as a member of the General Assembly and service in another reciprocal system during the same period of time may be counted to meet the service requirements for benefits from the reciprocal systems, subject to the following:

(i) The provisions of § 24-4-521 may not be used to meet the service requirements; and

(ii) The benefit payable by a reciprocal system will be based on the credited service in that system and on the final average compensation under that system;

SECTION 6. Arkansas Code § 24-4-511(a)(1)(A), concerning disability retirement, is amended to read as follows:

(a)(1)(A) ~~Except for members of the General Assembly who need at least ten (10) years of actual service, any~~ An active member with five (5) or more years of actual service, including actual service for at least eighteen (18) of the twenty-four (24) calendar months immediately preceding his or her disability, who becomes totally and permanently physically or mentally incapacitated for any suitable job or position as an employee as a result of a personal injury or disease may be retired by the Board of Trustees of the Arkansas Public Employees' Retirement System upon written application filed with the board by or on behalf of the member.

(B) This may occur only if after a medical examination of the member made by or under the direction of a physician or physicians designated by the board, the physician reports to the board in writing that the member is physically or mentally totally incapacitated for any suitable job or position, that the incapacity will probably be permanent, and that the member should be retired.

(2) Upon filing the proper application and meeting the requirements stated in this section, the disability annuity shall be effective the first day of the calendar month next following the later of either the member's termination of active membership or the onset date of the qualifying disability.

SECTION 7. Arkansas Code § 24-4-521(b)(4)(A), concerning credited service for members of the General Assembly, is amended to read as follows:

(4)(A) Noncontributory employment as a member of the General Assembly shall be credited at the regular rate for crediting service, except that at least ~~ten (10)~~ five (5) years of actual service shall be required to meet the retirement eligibility requirements of §§ 24-4-510, 24-4-511, and 24-4-609, and at least five (5) years of actual service shall be required to meet the eligibility requirements of § 24-4-608.

SECTION 8. Arkansas Code § 24-4-710(b), concerning surviving spouse benefits for General Assembly members, is amended to read as follows:

(b) The surviving spouse of a member or former member of the General Assembly or of a state constitutional officer or former state constitutional officer who, by virtue of the provisions of this section or any other law, has five (5) years or more of credited service in any capacity in the system, ~~except for a member of the General Assembly who must have had ten (10) or more years of credited service if he or she only has service as a member of the General Assembly,~~ shall be entitled upon reaching the required age to a surviving spouse benefit in the amount

prescribed by law under the division of the system in which the deceased member was receiving benefits or would have been entitled under this section to receive benefits if the member had lived to retirement age."

/s/ Randy Stewart

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

/s/ Mrs. Sherri Stacks  
Chief Clerk

Upon motion of Representative Pierce, **HOUSE BILL NO. 1877** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 2 TO HOUSE BILL NO. 1877**

Amend **HOUSE BILL NO. 1877** as engrossed,  
H3/16/11 (version: 3/16/2011 11:56:15 AM)

Page 1, delete lines 10-11 and substitute the following:

"FUNDING TO IMPROVE STUDENT ACADEMIC ACHIEVEMENT; AND FOR OTHER"

AND

Delete Sections 1-3 of the bill in their entirety

AND

Page 3, line 1, delete "SECTION 4." and substitute "SECTION 1."

AND

Page 3, delete lines 20-27 and substitute "facilities."

AND

Delete Sections 5-8 of the bill in their entirety and substitute the following:

"SECTION 2. Arkansas Code Title 6, Chapter 20, Subchapter 23 is amended to add an additional section to read as follows:

6-20-2308. School district use of foundation funding.

(a) As used in this section:

(1) "Foundation funding" means the amount of funding a school district is required to spend to provide an adequate education for its students in a school year calculated as the per-student foundation funding amount under § 6-

20-2305(a)(2) multiplied by the three quarter average daily membership of a school district for the previous year;

(2) "Foundation funding carry-forward" means the amount of foundation funding carried forward from the immediately preceding school year; and

(3) "Student achievement criteria" means the criteria established by the State Board of Education consisting of one (1) or more indicators of student growth and achievement to determine the level at which a school district or public charter school is subject to a restriction on spending foundation funding and foundation funding carry-forward.

(b)(1) A school district or public charter school shall maintain foundation funding and foundation funding carry-forward in a designated fund that does not include funding from any other source of revenue, as established by state board rules.

(2) The amount of a school district's foundation funding carry-forward existing on June 30, 2011, shall be placed in the designated fund for foundation funding and foundation funding carry-forward.

(c) By September 1, 2011, the State Board of Education shall establish by rule the student achievement criteria.

(d)(1) Beginning with the 2012-2013 school year, the Department of Education shall annually identify at which of the following levels a school district or public charter school meets the student achievement criteria:

(A) Eighty percent (80%) or more of the school district's or public charter school's students meet the student achievement criteria;

(B) Sixty-five percent (65%) or more but less than eighty percent (80%) of the school district's or public charter school's students meet the student achievement criteria;

(C) More than fifty percent (50%) but less than sixty-five percent (65%) of the school district's or public charter school's students meet the student achievement criteria; or

(D) Fifty percent (50%) or less of the school district's or public charter school's students meet the student achievement criteria.

(2) A school district at the level under:

(A) Subdivision (d)1(A) of this section is not restricted on spending foundation funding and foundation funding carry-forward.

(B) Subdivision (d)1(B) of this section shall spend during the school year all foundation funding and foundation funding carry-forward to provide an adequate education to its students;

(C)(1) Subdivision (d)(1)(C) of this section shall spend all foundation funding and foundation funding carry-forward under the guidance of the department.

(2) All spending under this subdivision (d)(2)(C) shall be directed to implement evidence-based programs designed to improve student achievement that may include without limitation after-school programs and tutoring; and

(D)(i) Subdivision (d)(1)(D) of this section shall be identified as being in academic distress, fiscal distress, or both by the department; and

(ii) Spend all foundation funding and foundation funding carry-forward as directed by the department.

(e) A school district or public charter school shall be identified by the department as being in academic distress under § 6-15-428 or fiscal distress under § 6-13-1027, or both, if the school district or public charter school does not comply with the requirements of this section for the level at which the school district is identified under subsection (d) of this section."

/s/ Bobby J. Pierce

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

/s/ Mrs. Sherri Stacks  
Chief Clerk

Upon motion of Representative Nickels, **HOUSE BILL NO. 1838** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1838**

Amend **HOUSE BILL NO. 1838** as originally introduced:

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

"SECTION 1. Arkansas Code § 6-16-1204(b)(5) and (6), concerning eligibility for enrollment in endorsed concurrent enrollment courses, are amended to read as follows:

(5) To be eligible to enroll in an endorsed concurrent enrollment course, the student ~~must~~ shall:

(A) Be admitted by the institution of higher education as a ~~non-degree~~ nondegree or ~~non-certificate~~ noncertificate seeking student; and

(B) Meet all of the prerequisites for the course in which he or she is enrolled, including the entrance requirements of the institution of higher education; and

(6)(A) Credit for the endorsed concurrent enrollment course may ~~only~~ be awarded only by the institution of higher education offering the course.

(B) A student shall not be awarded credit by the institution of higher education for an endorsed concurrent enrollment course if the endorsed concurrent enrollment course subject is a subject in which the student requires remediation.

(C) Nothing in this subdivision (b)(6) shall preclude institutions of higher education from collaborating to provide the course and award course credit.

SECTION 2. Arkansas Code § 6-61-1204(e), concerning endorsed concurrent enrollment courses, is amended to read as follows:

(e)(1)(A) A state-supported two-year or four-year institution of higher education may offer a reduced tuition rate for endorsed concurrent enrollment courses offered by the institution of higher education to high school students under this subchapter.

(B) The reduction in tuition shall be considered an institutional scholarship.

(2) The number of students enrolled and the semester credit hours for endorsed concurrent enrollment courses shall be included in the calculation of full-time-equivalent enrollment for the institution of higher education only to the extent that noninstitutional funds are utilized."

/s/ Jim Nickels

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

/s/ Mrs. Sherri Stacks  
Chief Clerk

Upon motion of Representative Slinkard, **HOUSE BILL NO. 1889** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1889**

Amend **HOUSE BILL NO. 1889** as originally introduced:

Page 1, line 30, delete "more" and substitute "~~more~~ two (2)"

AND

Page 1, line 34, delete "elections" and substitute "those elections"

AND

Page 1, delete line 36 and substitute the following:

"files as a candidate for membership on the local board and the question of the rate of millage to be levied for the support of the community college district is not on the ballot, the local board, by"

AND

Page 2, delete lines 4 through 9 and substitute the following:

"(ii) If an election held at the annual school election under subdivision (b)(2)(A) of this section is conducted by absentee ballot and early voting only:

(a) The election shall be conducted on a ballot separate from the ballot for the annual school election; and

(b) The local board of the community college shall reimburse the county for the cost of conducting the election by absentee ballot and early voting. The community college shall pay the expenses of the election out of its general operation funds under § 6-61-601."

/s/ Mary Slinkard

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

/s/ Mrs. Sherri Stacks  
Chief Clerk

Upon motion of Representative Hyde, **HOUSE BILL NO. 2138** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2138

Amend **HOUSE BILL NO. 2138** as originally introduced:

Delete Representative Hyde as a cosponsor of the bill

AND

Add Representatives Allen, Nickels as cosponsors of the bill

AND

Add Senator P. Malone as a sponsor

AND

Delete the title in its entirety and substitute the following:

"AN ACT TO ENSURE CONTINUED LOCAL REGULATION OF INDIVIDUAL HEALTH INSURANCE COVERAGE BY ENABLING THE INSURANCE COMMISSIONER TO CONTINUE SERVING ARKANSANS; TO IMPLEMENT FEDERAL HEALTHCARE REFORM; AND TO CREATE THE ARKANSAS HEALTH BENEFITS EXCHANGE; AND FOR OTHER PURPOSES."

AND

Delete the subtitle in its entirety and substitute the following:

"TO ALLOW THE INSURANCE COMMISSIONER TO PROTECT ARKANSANS BY THE CONTINUED LOCAL REGULATION OF INDIVIDUAL HEALTH INSURANCE COVERAGE."

AND

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 23-61-103(a), concerning the authority of the Insurance Commissioner, is amended to read as follows:

(a) The Insurance Commissioner shall:

(1) enforce the provisions of the Arkansas Insurance Code Enforce the insurance laws of this state;

(2) Enforce and implement the provisions of the Patient Protection and Affordable Care Act, Pub. L. No. 111-148, as amended by the Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111-152, to the extent that the provisions apply to insurance companies and health maintenance organizations and other organizations created as a result of these federal laws subject to the commissioner's jurisdiction and to the extent that the provisions are not under the exclusive jurisdiction of any federal agency; and

~~(3) shall execute~~ Execute the duties imposed upon him or her by the ~~Arkansas Insurance Code~~ insurance laws of this state.

SECTION 2. Arkansas Code § 23-79-109(h), concerning the filing and approval of insurance forms and rates is amended, and § 23-79-109 is amended to additional subsections, to read as follows:

~~(h)(1)(A) If the commissioner deems that the review as to either rates or forms, or both, required by this section as to any particular line or lines of insurance, can be performed in some other manner that provides sufficient protection to the consumers of this state and results in greater efficiency in bringing new or modified products within the line to market, the approval required by this section may be waived for such period as is deemed appropriate, or until revoked. Each insurance company, hospital and medical service corporation, and health maintenance organization shall file with the commissioner the schedules and tables of premium rates for individual accident and health insurance policies and shall file amendments to or corrections of the schedules and tables.~~

(B) Premium rates are subject to approval, disapproval, or withdrawal of approval by the commissioner.

(2) A rate filing by an entity for individual accident and health insurance premium rates is available for public inspection immediately on submission to the commissioner subject to § 23-61-103(d)(4).

(3) The commissioner shall specify the information all carriers shall submit as part of a rate filing under this section.

(4) The commissioner shall approve a proposed premium rate for individual accident and health policies if the proposed rates are:

(A) Actuarially sound; and

(B) Reasonable and not excessive, inadequate, or unfairly discriminatory.

(5) In order to determine if the proposed premium rates for individual accident and health policies are reasonable and not excessive, inadequate, or unfairly discriminatory, the commissioner shall consider:

(A) Historical and projected medical loss ratio;

(B) Changes to covered benefits;

(C) Changes in the insurer's health care cost containment and quality improvement efforts since the insurer's last rate filing for the same category of policies;

(D) Claim trend projections;

(E) Allocation of the overall rate increase to claims and nonclaims costs;

(F) Per enrollee per month allocation of current and projected premium;

(G) Three-year history of rate increases for the product associated with the rate increase;

(H) Employee and executive compensation data from the health insurance issuer's annual financial statements.

(I) An anticipated change in the number of policyholders, enrollees, or members if the proposed rate is approved; and

(J) Any public comments received pertaining to the standards in this section or the proposed rates for individual accident and health policies and individual HMO contracts.

(6)(A) If an insurer or HMO files a schedule or table of premium rates for individual accident and health coverage under insurance policies or a HMO contract under this section, the commissioner shall open a twenty (20) day public comment period on the rate filing that begins on the date the insurer or HMO files the schedule of table of premium rates.

(B) The commissioner shall post the comments to the website of the State Insurance Department.

(7)(A) Subsection (b) of this section shall apply to the rate filing.

(B) If the commissioner disapproves the filing, he or she shall notify the filer promptly.

(C) In the notice, the commissioner shall specify the reasons for his or her disapproval and the findings of fact and conclusion that support the reasons.

(i)(1) Each small employer carrier shall file each June 1 with the commissioner its schedule of rates or methodology for determining rates. No schedule of rates, or amendment thereto, may be used in conjunction with any small group accident and health insurance policy until either a copy of the schedule or the methodology for determining rates has been filed with and approved by the commissioner.

(2)(A) Either a specific schedule of rates or a methodology for determining rates shall be established in accordance with actuarial principles for various categories of enrollees, provided that rates applicable to an individual enrollee in a small group policy shall not be individually determined based on the status of the enrollee's health.

(B) However, the rates shall not be excessive, inadequate, or unfairly discriminatory.

(C) A certification by a qualified actuary, to the appropriateness of the use of the methodology, based on reasonable assumptions, shall accompany the filing along with adequate supporting information.

(3)(A) The commissioner, within a reasonable period, shall approve any schedule of rates or methodology for determining rates if the requirements of subdivision (i)(2) of this section are met.

(B) It shall be unlawful to use the schedule of rates or methodology for determining rates until approved.

(4)(A) If the commissioner disapproves the filing, he or she shall notify the filer promptly.

(B) In the notice, the commissioner shall specify the reasons for his or her disapproval and the findings of fact and conclusions that support the reasons.

(C) The commissioner shall grant a hearing within sixty (60) days after a request in writing by the person filing.

(D) If the commissioner does not disapprove any form or schedule of rates within sixty (60) days of the filing of the forms or schedule of rates, the form or schedule of rates shall be deemed approved.

(5) If the commissioner disapproves any schedule of rates or methodology for determining rates, his or her disapproval and the findings of fact and conclusions that support his or her reasons shall be subject to judicial review pursuant to § 23-61-307.

(6) The commissioner may require the submission of whatever relevant information he or she deems necessary to determine whether to approve or disapprove a filing made pursuant to this section.

(i) If the commissioner deems that the review of rates or forms or both rates and forms required by this section as to a particular line or lines of insurance can be performed in some other manner that provides sufficient protection to the consumers of this state and results in greater efficiency in bringing new or modified products within the line to market, the approval required by this section may be waived for a period as is deemed appropriate or until it is revoked.

SECTION 3. Arkansas Code § 23-79-110(5), concerning disapproval of rates for individual accident and health insurance policies, is repealed.

~~(5)(A) Is an individual accident and health contract in which the benefits are unreasonable in relation to the premium charge. Rates on a particular policy form will be deemed approved upon filing with the commissioner if the insurer has filed a loss ratio guarantee with the commissioner and complied with the terms of the loss ratio guarantee. Benefits will continue to be deemed reasonable in~~

relation to the premium so long as the insurer complies with the terms of the loss ratio guarantee. This loss ratio guarantee must be in writing, signed by an officer of the insurer, and must contain at least the following:

~~(i) A recitation of the anticipated target loss ratio standards contained in the original actuarial memorandum filed with the policy form when it was originally approved;~~

~~(ii) A guarantee that the actual Arkansas loss ratios for the experience period in which the new rates take effect, and for each experience period thereafter until new rates are filed, will meet or exceed the loss ratio standards referred to in subdivision (a)(5)(A)(i) of this section. If the annual earned premium volume in Arkansas under the particular policy form is less than one million dollars (\$1,000,000) and therefore not actuarially credible, the loss ratio guarantee will be based on the actual nationwide loss ratio for the policy form. If the aggregate earned premium for all states is less than one million dollars (\$1,000,000), the experience period will be extended until the end of the calendar year in which one million dollars (\$1,000,000) of earned premium is attained;~~

~~(iii) A guarantee that the actual Arkansas, or national, if applicable, loss ratio results for the year at issue will be independently audited at the insurer's expense. This audit must be done in the second quarter of the year following the end of the experience period and the audited results must be reported to the commissioner not later than the date for filing the applicable accident and health policy experience exhibit;~~

~~(iv)(a) A guarantee that affected Arkansas policyholders will be issued a proportional refund, based on premium earned of the amount necessary to bring the actual aggregate loss ratio up to the loss ratio standards referred to in subdivision (a)(5)(A)(i) of this section. If nationwide loss ratios are used, then the total amount refunded in Arkansas will equal the dollar amount necessary to achieve the loss ratio standards multiplied by the total premium earned in Arkansas on the policy form and divided by the total premium earned in all states on the policy form.~~

~~(b) The refund must be made to all Arkansas policyholders who are insured under the applicable policy form as of the last day of the experience period and whose refund would equal ten dollars (\$10.00) or more.~~

~~(c) The refund will include statutory interest from the end of the experience period until the date of payment.~~

~~(d) Payment must be made during the third quarter of the year following the experience period for which a refund is determined to be due; and~~

~~(v) A guarantee that refunds of less than ten dollars (\$10.00) will be aggregated by the insurer and paid to the State Insurance Department.~~

~~(B) As used in this section, the term "loss ratio" means the ratio of incurred claims to earned premium by number of years of policy duration, for all combined durations.~~

~~(C) As used in this section, the term "experience period" means, for any given rate filing for which a loss ratio guarantee is made, the period beginning on the first day of the calendar year during which the rates first take effect and ending on the last day of the calendar year during which the insurer earns one million dollars (\$1,000,000) in premium on the form in question in Arkansas or, if the annual premium earned on the form in Arkansas is less than one million dollars (\$1,000,000) nationally. Successive experience periods shall be similarly determined beginning on the first day following the end of the preceding experience period.~~

~~(D)(i) An insurer whose rates on a policy form are approved pursuant to a loss ratio guarantee shall provide affected policyholders with a notice that advises that rates may be increased more than one (1) time a year. For new policyholders with policies subject to the loss ratio guarantee, the notice must be delivered no later than delivery of the policy.~~

~~(ii) Nothing in this section shall be deemed to require an insurer to provide the notice required by this subdivision on more than one (1) occasion to any given policyholder while insured under the guaranteed form.~~

SECTION 4. Arkansas Code § 23-86-115 is repealed.

~~23-86-115. Group accident and health insurance — Entitlement to conversion policy upon termination of group policy.~~

~~(a)(1) Every group policy, contract, or certificate of accident and health insurance delivered or issued for delivery in this state that provides hospital, surgical, or major medical coverage on an expense-incurred basis, other than coverage limited to expenses from accidents or specified diseases, shall provide that an employee, member, or covered dependent whose insurance under the group policy has been terminated for any reason, including the discontinuance of the group policy in its entirety, shall be entitled to have issued to him or her by the insurer a policy of accident and health insurance referred to in this section as a "conversion policy".~~

~~(2) An employee, member, or dependent shall not be entitled to a conversion policy, if the termination of the group policy, contract, or certificate was a result of his or her failure to pay any required contribution or if the terminated policy is replaced by similar coverage within thirty-one (31) days.~~

~~(3) An individual wishing to exercise his or her conversion privilege must apply for the conversion policy in writing not later than thirty (30) days after the termination of the group coverage.~~

~~(b)(1)(A) The conversion policy shall provide coverage equal to or greater than the minimum standards established by the Insurance Commissioner.~~

~~(B) All conversion policies shall contain a wording in bold print that "the benefits in this policy do not necessarily equal or match those benefits provided in your previous group policy".~~

~~(2) The conversion policy shall not exclude coverage for pregnancy or other illness or injury on the grounds of a preexisting condition, provided that the combination of time served under the group and the conversion policy equals or exceeds any waiting periods under the group policy or contract. Moreover, the conversion policy shall include benefits for maternity coverage for any pregnancies in existence at the time of the conversion.~~

~~(c)(1) The insurer shall not be required to offer the conversion policy to any individual who is eligible for:~~

~~(A) Medicare coverage; or~~

~~(B) Full coverage under any other group accident and health policy or contract. This coverage must provide benefits for all preexisting conditions to be considered full coverage.~~

~~(2) Accordingly, under this subsection, an individual may convert to a conversion policy and remain covered by that policy until all preexisting conditions are covered or would be covered under another group policy or contract.~~

~~(d) This section shall not be applicable to self-insured plans.~~

~~(e)(1)(A) The initial premium for the conversion policy for the first twelve (12) months and subsequent renewal premiums shall be determined in accordance with premium rates applicable to individually underwritten standard risks for the age and class of risk of each person to be covered under the conversion policy and for the type and amount of insurance provided.~~

~~(B) The experience under conversion policies shall not be an acceptable basis for establishing rates for conversion policies.~~

~~(2) For purposes of subdivision (e)(1) of this section:~~

~~(A) The phrase "premium rates applicable to individually underwritten standard risks" means the premium charged to individuals who qualify for coverage without modification, determined from a rate table based on aggregate individually underwritten policy experience;~~

~~(B) "Aggregate individually underwritten policy experience" means the policy experience is drawn from a mature combination of newly selected insureds and insureds for whom selection effects no longer exist; and~~

~~(C) "Class" means any actuarially determined characteristic, except health status or individual claims experience.~~

~~(3) If an insurer experiences incurred losses that exceed earned premiums for a period of two (2) successive years on conversion policies that have been in force for at least one (1) year, the insurer may file with the commissioner amended renewal rates for the subsequent year, which will produce a loss ratio of not less than one hundred percent (100%).~~

~~(4)(A) Even though a renewal premium is established in accordance with subdivision (e)(3) of this section, a holder of the conversion policy shall not be required to pay the full renewal premium until the beginning of the policy's fourth year.~~

~~(B) The premium for the second policy year shall be the initial premium plus thirty-three and one-third percent (33 1/3%) of the difference between the initial premium and the renewal premium in effect on the policy's first anniversary date.~~

~~(C) The premium for the third policy year shall be the initial premium plus sixty-six and two-thirds percent (66 2/3%) of the difference between the initial premium and the renewal premium in effect on the policy's second anniversary date.~~

~~(D) The premium for the fourth year shall be one hundred percent (100%) of the renewal premium in effect on the policy's third anniversary date.~~

~~(5) This subsection shall be applicable to any conversion policy issued after March 22, 1995.~~

SECTION 5. Arkansas Code § 23-86-303(34), concerning the definition of "small employer", is amended to read as follows:

(34) "Small employer" means, in connection with a group health plan with respect to a calendar year and a plan year, an employer who employed an average of at least two (2) but not more than ~~fifty (50)~~ one hundred (100) employees on business days during the preceding calendar year and who employs at least two (2) employees on the first day of the plan year;

SECTION 6. Arkansas Code Title 23, Chapter 98 is repealed.

~~23-98-101. Legislative findings.~~

~~The General Assembly finds that the cost of health insurance coverage is not affordable for many small businesses, their employees, self-employed persons, and~~

other individuals, and that as a result hundreds of thousands of Arkansas citizens do not have any health insurance coverage. It is the intent of the General Assembly to reduce the cost of health insurance for these citizens by:

(1) ~~Authorizing the development of new classes of hospital and medical insurance coverage for qualified groups, families, and individuals; and~~

(2) ~~Authorizing the Insurance Commissioner to develop means to assist in limiting the marketing and administrative costs of certain of such new classes of insurance coverage.~~

~~23-98-102. Definitions.~~

~~As used in this chapter:~~

(1) ~~“Children's preventive health care services” means physician-delivered or physician-supervised services for eligible dependents from birth through age six (6), with periodic physical examinations including medical history, physical examination, developmental assessment, anticipatory guidance and appropriate immunizations, and laboratory tests, in keeping with prevailing medical standards for the purposes of this section;~~

(2) ~~“COBRA” means the “Consolidated Omnibus Budget Reconciliation Act of 1985”;~~

(3) ~~“Commissioner” means the Insurance Commissioner;~~

(4) ~~“Insured” means any individual or group insured under a minimum basic benefit policy issued pursuant to the provisions of this chapter;~~

(5) ~~“Insurer” means an insurer, health maintenance organization, hospital, or medical service corporation offering a minimum basic benefit policy pursuant to this chapter;~~

(6) ~~“Loss ratio” means the percentage derived by dividing incurred claims, both reported and not reported, by total premiums earned;~~

(7) ~~“Minimum basic benefit policy” means a policy or subscription contract which an insurer may choose to offer to a qualified individual, qualified family, or qualified group pursuant to the provisions of this chapter;~~

(8) ~~“Periodic physical examinations” means the routine tests and procedures for the purpose of detection of abnormalities or malfunctions of bodily systems and parts according to accepted medical practice;~~

(9) ~~“Permitted coverages” means health or hospitalization coverage under a minimum basic benefit policy issued pursuant to this chapter, under Medicaid, Medicare, limited benefit policies as defined by rules and regulations of the commissioner, COBRA, or the provisions of § 23-86-114, § 23-86-115, or § 23-86-116;~~

~~(10) "Qualified family" means individuals all of whom are qualified individuals and all of whom are related by blood, marriage, or adoption;~~

~~(11) "Qualified group" means a group, organized other than pursuant to § 23-98-109, in which each covered individual, or covered dependent of such a covered individual, within the group is a qualified individual. A qualified group may include less than all employees of an employer;~~

~~(12)(A) "Qualified individual" means an individual who is employed in or is a resident of Arkansas and who has been without health insurance coverage, other than permitted coverage, for the twelve-month period immediately preceding the effective date of a minimum basic benefit policy issued pursuant to this chapter and who meets reasonable underwriting standards.~~

~~(B) However, children newborn to or adopted by an insured after the effective date of a policy issued to the insured pursuant to this chapter which covers the insured and members of the insured's family, shall be considered qualified individuals; and~~

~~(13) "Qualified trust" means a group organized pursuant to § 23-98-104 in which each covered individual, or covered dependent of such a covered individual, within the group is a qualified individual.~~

~~23-98-103. Notices and hearings before adopting regulations.~~

~~The Insurance Commissioner shall provide notice and conduct hearings in accordance with the Arkansas Administrative Procedure Act, § 25-15-201 et seq., before adopting any regulations of general applicability to minimum basic benefit policies to be issued pursuant to this chapter.~~

~~23-98-104. Formation of trusts of qualified individuals.~~

~~Solely for purposes of obtaining minimum basic benefit policies pursuant to the authority granted by this chapter, trusts may be formed composed of qualified individuals, qualified families, or qualified groups. Each trust may serve as a master policyholder. Members of qualified groups and members of such trusts may join together solely for the purpose of obtaining health insurance coverage under the provisions of this chapter. The Insurance Commissioner shall adopt rules and regulations governing the formation and operation of the trust to assure the protection of persons purchasing policies pursuant to this chapter.~~

~~23-98-105. Issuance of minimum basic benefit policies permitted — Applicability.~~

~~Insurers are authorized to issue minimum basic benefit policies pursuant to and in compliance with the provisions of this chapter to qualified individuals, qualified families, qualified trusts, and qualified groups. This chapter shall apply only to those minimum basic benefit policies issued under this chapter and regulations issued by~~

~~the Insurance Commissioner pursuant to the authority of this chapter. Nothing in this chapter shall be deemed to add to, detract from, or in any manner apply to policies, subscription contracts, benefits, or related activities under any other statutory or regulatory authorities.~~

~~23-98-106. Minimum basic benefits.~~

~~(a) Minimum basic benefit policies offered under the authority of this chapter shall provide basic levels of primary, preventive, and hospital care, including, but not limited to, the following:~~

~~(1) Fifteen (15) days of inpatient hospitalization coverage per policy year;~~

~~(2)(A) As an option, prenatal care, including:~~

~~(i) One (1) prenatal office visit per month during the first two (2) trimesters of pregnancy;~~

~~(ii) Two (2) office visits per month during the seventh and eighth months of pregnancy; and~~

~~(iii) One (1) office visit per week during the ninth month until term.~~

~~(B) Coverage for each office visit shall include:~~

~~(i) Necessary and appropriate screening, including history, physical examination, and such laboratory and diagnostic procedures as may be deemed appropriate by the physician based upon recognized medical criteria for the risk group of which the patient is a member; and~~

~~(ii) Such prenatal counseling as the physician deems appropriate;~~

~~(3) As an option, obstetrical care, including physicians' services, delivery room, and other medically necessary hospital services;~~

~~(4)(A) As an option, coverage for children's preventive health care services on a periodic basis from birth through age six (6), including thirteen (13) visits at approximately the following age intervals:~~

~~(i) Birth;~~

~~(ii) Two (2) months;~~

~~(iii) Four (4) months;~~

~~(iv) Six (6) months;~~

~~(v) Nine (9) months;~~

~~(vi) Twelve (12) months;~~

~~(vii) Fifteen (15) months;~~

~~(viii) Eighteen (18) months;~~

~~(ix) Two (2) years;~~

- ~~(x) Three (3) years;~~
- ~~(xi) Four (4) years;~~
- ~~(xii) Five (5) years; and~~
- ~~(xiii) Six (6) years.~~

~~(B) The option may provide that children's preventive health care services which are rendered during a periodic review shall:~~

~~(i) Only be covered to the extent that these services are provided by or under the supervision of a single physician during the course of one (1) visit; and~~

~~(ii) Be reimbursed at levels established by the Insurance Commissioner which shall not exceed those established for the same services under the Medicaid program in the State of Arkansas.~~

~~(C) Copayment and deductible amounts shall not be greater than copayments and deductibles imposed for other physician's office visits;~~

~~(5) A basic level of primary and preventive care, including two (2) office visits per calendar year for covered services rendered by a provider licensed to provide the services rendered;~~

~~(6) Annual, lifetime, or other benefit limits in amounts not less than may be established by the commissioner but which initially shall be not less than one hundred thousand dollars (\$100,000) as an annual benefit and two hundred fifty thousand dollars (\$250,000) as a lifetime benefit;~~

~~(7) Such waiting period, if any, as the commissioner may establish for transferring from any minimum basic benefit policy issued under this chapter by one (1) insurer to a minimum basic benefit policy issued under this chapter by another insurer;~~

~~(8)(A) Every policy issued pursuant to this chapter which covers the insured and members of the insured's family shall include coverage for newborn infant children of the insured from the moment of birth, and for adopted minors from the date of the interlocutory decree of adoption.~~

~~(B) The insurer may require that the insured give notice to his or her insurer of any newborn children within ninety (90) days following the birth of the newborn infant and of any adopted child within sixty (60) days of the date the insured has filed a petition to adopt. The coverage of newborn children or adopted children shall not be less than the same as is provided for other members of the insured's family; and~~

~~(9) Such provisions, if any, as the commissioner may require, for:~~

~~(A) An annual or other deductible or equivalent;~~

~~(B) Patient copayments, including a differential, if any, for nonpreferred providers;~~

~~(C) Annual stop loss amounts;~~

~~(D) Continuation of coverage;~~

~~(E) Conversion;~~

~~(F) Replacement of prior carrier's coverage;~~

~~(G) Exclusionary periods for preexisting conditions; and~~

~~(H) Continuation of benefits.~~

~~(b) Notwithstanding the provisions of subsection (a) of this section, the commissioner shall consider the cost impact and essential nature of each of such requirements as well as the competitive impact of such requirements, and may vary any of such requirements, add, fix, or remove requirements or establish alternative benefit methods to encourage participation of insurers in a manner consistent with meeting the goal of providing minimum basic health services at an affordable price to those eligible for coverage under this chapter.~~

~~(c) The commissioner may authorize a waiver of any of the policy provisions required pursuant to this section or the commissioner's authority under this section in order to authorize a minimum basic benefit policy to be issued as a medicaid supplement without requiring redundant coverage.~~

~~(d)(1) Any minimum basic benefit policy issued pursuant to the provisions of this chapter may be issued without the provision of the benefits or requirements mandated by the following statutes to be included in or offered to be included in accident and health insurance or health maintenance organization policies or subscription contracts or regulations issued pursuant to such statutes: §§ 23-79-129, 23-79-130, 23-79-137, 23-79-139 — 23-79-141, 23-85-131(b), 23-85-137, 23-86-108(4) and (7), 23-86-113 — 23-86-116, and 23-86-118.~~

~~(2) However, nothing in this chapter shall:~~

~~(A) Reduce any professional scope of practice as defined in the licensure law for any health care provider;~~

~~(B) Authorize any discrimination not permitted under Arkansas law in payment or reimbursement for services; or~~

~~(C) Be construed to repeal or eliminate the application of the Arkansas freedom of choice legislation, § 23-79-114, or coordination of benefit statutes or regulations to policies issued pursuant to this chapter.~~

~~23-98-107. Disclosure requirements for minimum basic benefit policies.~~

Statute text

~~(a) Before any insurer issues a minimum basic benefit policy, it shall obtain from the prospective insured a signed, written statement, in a form approved by the Insurance Commissioner, in which the prospective insured:~~

~~(1) Certifies as to eligibility for coverage under the minimum basic benefit policy;~~

~~(2) Acknowledges the limited nature of the coverage provided and an understanding of the managed care and cost control features of the minimum basic benefit policy;~~

~~(3) Acknowledges that if misrepresentations are made regarding the insured's eligibility for coverage under a minimum basic benefit policy, then the person making the misrepresentations shall forfeit coverage provided by the minimum basic benefit policy; and~~

~~(4) Acknowledges that the prospective insured, at the time of application for the minimum basic benefit policy, was offered the opportunity to purchase health insurance coverage which would have included all mandated or mandated optional benefits required by Arkansas law and that the prospective insured rejected such coverage.~~

~~(b) A copy of the written statement shall be provided to the prospective insured no later than at the time of minimum basic benefit policy delivery, and the original of the written statement shall be retained by the insurer for the longer of either the period of time in which the minimum basic benefit policy remains in effect or five (5) years.~~

~~(c) At the time coverage under a minimum basic benefit policy shall take effect for an insured, the insurer shall provide the insured with a written disclosure statement containing such information as the commissioner shall require and in a form approved by the commissioner. The disclosure statement shall be separate from the insurance policy or evidence of coverage provided to the insured. The disclosure statement shall contain at least the following information:~~

~~(1) An explanation of those mandated or mandated optional benefits not covered by the minimum basic benefit policy but which would otherwise be required to be provided under Arkansas law;~~

~~(2) An explanation of the managed care and cost control features of the minimum basic benefit policy, along with all appropriate mailing addresses and telephone numbers to be utilized by the insured in seeking information or authorization, as well as a list of any preferred providers then contracting with the insurer, and an explanation of the obligations of the providers and the insured with regard to services determined not to be medically necessary; and~~

~~(3) An explanation of the primary and preventive care features of the minimum basic benefit policy.~~

~~(d) Any material statement made by an applicant for coverage under a minimum basic benefit policy which falsely certifies as to the applicant's eligibility for coverage under a minimum basic benefit policy shall serve as the basis for termination of coverage under any minimum basic benefit policy issued to the applicant.~~

~~23-98-108. Notice of minimum basic benefit policies — Payroll deduction.~~

~~(a) Those employers in the State of Arkansas that do not provide a portion of the cost of health insurance for their employees shall provide notice to their employees of the existence of the minimum basic benefit policy authorized by this chapter. The notice shall be in a form prepared by the Insurance Commissioner and may be provided to employees by posting at the place of employment or in any other reasonable manner.~~

~~(b) Any insured, or dependent of an insured, under this chapter may provide written request to his or her employer to withhold the amount of premium on a minimum basic benefit policy from his or her paycheck along with written instructions for remittance of the premium, in which case the employer shall withhold the premium and remit the premium payment to the insurer, unless to do so would require the employer to make remittances to more than three (3) different insurers.~~

~~(c) No employer required to make a remittance of a premium under the provisions of this chapter shall be required to make such remittances more often than one (1) time per month.~~

~~(d) Nothing in this chapter shall be construed to require or mandate in any way that an employer provide or pay any portion of the cost of a minimum basic benefit policy issued under this chapter.~~

~~(e) Upon request by the commissioner, the Arkansas Employment Security Department is authorized to provide a copy of the form of notice prepared by the commissioner to employers as the commissioner and the department may agree upon.~~

~~23-98-109. Managed care and cost control provisions.~~

~~(a) The insurer may include any or all of the following managed care provisions to control the cost of a minimum basic benefit policy issued pursuant to this chapter:~~

~~(1) An exclusion for services that are not medically necessary;~~

~~(2) A procedure for preauthorization by telephone, to be confirmed in writing, by the insurer or its designee of any medical service, the cost of which is anticipated to exceed a minimum threshold, except for services necessary to treat a medical emergency;~~

~~(3)(A) A preferred panel of providers who have entered into written agreements with the insurer to provide services at specified levels of reimbursement.~~

~~(B) With the exception of health maintenance organizations, participation in such a preferred panel shall be open to all providers licensed to provide the services to be covered.~~

~~(C)(i) Any such written agreement between a provider and an insurer shall contain a provision under which the parties agree that the insured individual or covered member will have no obligation to make payment for any medical service rendered by the provider that is determined not to be medically necessary.~~

~~(ii) However, charges for medically necessary services received by the insured which are not covered by the minimum basic benefit policy shall be considered the responsibility of the insured; and~~

~~(4)(A) A provision under which any insured who obtains medical services from a nonpreferred provider shall receive reimbursement only in the amount that would have been received had services been rendered by a preferred provider, less a differential, if any, in an amount to be approved by the Insurance Commissioner but which may not exceed twenty-five percent (25%).~~

~~(B) However, charges for medically necessary services received by the insured which are not covered by the minimum basic benefit policy shall be considered the responsibility of the insured.~~

~~(b) Nothing in this chapter shall be construed to prohibit an insurer from including in a minimum basic benefit policy other managed care and cost control provisions which, subject to the approval of the commissioner, have the potential to control costs in a manner which does not result in inequitable treatment of an insured under this chapter.~~

~~23-98-110. Approval of forms and rates.~~

~~(a) All minimum basic benefit policy forms, including applications, enrollment forms, policies, certificates, evidences of coverage, riders, amendments, endorsements, disclosure forms, and marketing communications used in connection with the sale or advertisement of a minimum basic benefit policy shall be submitted to the Insurance Commissioner for approval in the same manner as required by § 23-79-109(a) or § 23-76-112(a).~~

~~(b) Minimum basic benefit policies are subject to the filing and approval statutes, rules, and regulations of the state. No rate shall be considered reasonable nor shall it be approved unless:~~

~~(1) It is based upon a pool, community rating, or other rating formula acceptable to the commissioner; and~~

~~(2)(A) As to individual policies and policies issued to qualified trusts, it is likely to produce a loss ratio, as certified by a qualified actuary, which is acceptable to the commissioner, but in no event shall such a loss ratio be less than sixty-five percent (65%).~~

~~(B) However, the commissioner may set a minimum loss ratio for group policies issued pursuant to this chapter if the commissioner determines that inequitable or unfair treatment of policyholders would otherwise result.~~

~~(c) To the extent that an insurer has a surplus in a given year which has been generated on minimum basic benefit policies issued pursuant to this chapter to a qualified group by a loss ratio of less than seventy-five percent (75%) or issued pursuant to this chapter to qualified individuals, qualified families, or qualified trusts by a loss ratio of less than sixty-five percent (65%), that surplus shall be taken into consideration in setting rates in following years in such manner as to benefit the holders of such minimum basic benefit policies.~~

~~(d)(1) The commissioner may require that as to each minimum basic benefit policy approved, the insurer provide a statement of the portion of the rate or premium applicable to the minimum basic benefit policy coverage required by this chapter, or the commissioner pursuant to this chapter, or such other information as the commissioner may require so that prospective purchasers of policies pursuant to this chapter may have an ability to make a direct comparison of the cost of the minimum basic benefits within policies of the same class issued by different insurers.~~

~~(2) The commissioner may include rate comparison or other cost information in the form of notice which may be provided by the commissioner to employers pursuant to this chapter.~~

~~23-98-111. Record-keeping and reporting requirement for insurers.~~

~~Each insurer issuing a minimum basic benefit policy in this state shall maintain separate and distinct records of enrollment, claim costs, premium income, utilization, and such other information as may be required by the Insurance Commissioner. Each insurer providing a minimum basic benefit policy shall furnish an annual report to the commissioner in a form prescribed by the commissioner which shall contain such information as the commissioner may require to analyze the effect of insurance coverage issued pursuant to this chapter. The annual report required shall be in a form consistent with the forms, if any, adopted by the National Association of Insurance Commissioners for such a purpose.~~

SECTION 7. Arkansas Code Title 23 is amended to add an additional chapter to read as follows:

Chapter 104 — Arkansas Health Benefits Exchange Act

23-104-101. Title.

This chapter shall be known and may be cited as the "Arkansas Health Benefits Exchange Act".

23-104-102. Purpose and intent.

The purpose of this chapter is to provide for the establishment of a second insurance marketplace called the "Arkansas Health Benefits Exchange" to supplement the current insurance marketplace and to facilitate the purchase and sale of qualified health plans in the individual market in the State of Arkansas and to provide for the establishment of a Small Business Health Options Program to assist qualified small employers in this state in facilitating the enrollment of their employees in qualified health plans offered through the exchange in the small group market.

23-104-103. Definitions.

As used in this chapter:

(1) "Educated health care consumer" means an individual who is knowledgeable about the health care system and has background or experience in making informed decisions regarding health, medical, and scientific matters;

(2)(A) "Health benefit plan" means a policy, contract, certificate, or agreement offered or issued by a health carrier to provide, deliver, arrange for, pay for, or reimburse the costs of health care services.

(B) "Health benefit plan" does not include:

(i) Coverage for accident-only or disability income insurance or any combination of accident-only or disability income insurance;

(ii) Coverage issued as a supplement to liability insurance;

(iii) Liability insurance, including general liability and automobile liability insurance;

(iv) Workers' compensation or similar insurance;

(v) Automobile medical payment insurance;

(vi) Credit-only insurance;

(vii) Coverage for on-site medical clinics; or

(viii) Other similar insurance coverage specified in federal regulations issued under the Health Insurance Portability and Accountability Act, Pub. L. No. 104-191, under which the benefits for health care services are secondary or incidental to other insurance benefits.

(C) If the benefits are provided under a separate policy, certificate, or contract of insurance or otherwise are not an integral part of the plan, "health benefit plan" does not include:

(i) Limited dental or vision benefits;

(ii) Benefits for long-term care, nursing-home care, home-health care, community-based care, or any combination thereof; or

(iii) Other similar limited benefits specified in federal regulations issued under the Health Insurance Portability and Accountability Act, Pub. L. No. 104-191.

(D) If the benefits are provided under a separate policy, certificate, or contract of insurance, there is no coordination between the benefits and an exclusion of benefits under a group health plan maintained by the same plan sponsor, and the benefits are paid with respect to an event without regard to whether benefits are provided with respect to the event under a group health plan maintained by the same plan sponsor, "health benefit plan" does not include:

(i) Coverage for only a specified disease or illness; or

(ii) Hospital indemnity or other fixed indemnity insurance.

(E) If offered as a separate policy, certificate, or contract of insurance, "health benefit plan" does not include:

(i) Medicare supplemental health insurance as defined under Section 1882(g)(1) of the Social Security Act, as it existed on January 1, 2011;

(ii) Supplemental coverage provided under 10 U.S.C. Chapter 55, the Civilian Health and Medical Program of the Uniformed Services; or

(iii) Similar supplemental coverage provided under a group health plan;

(3) "Health carrier" means an entity subject to the insurance laws of this state or the jurisdiction of the Insurance Commissioner that contracts or offers to contract to provide, deliver, arrange for, pay for, or reimburse the costs of health care services, including:

(A) An accident and health insurance company;

(B) A health maintenance organization;

(C) A nonprofit hospital and medical service corporation; or

(D) Any other entity providing a plan of health insurance, health benefits, or health services;

(4) "Principal place of business" means the location in a state where an employer has its headquarters or significant place of business and where the persons with direction and control authority over the business are employed;

(5) "Qualified dental plan" means a limited-scope dental plan that has been certified in accordance with § 23-104-107;

(6) "Qualified employer" means a small employer that elects to make its full-time employees and some or all of its part-time employees eligible for one (1)

or more qualified health plans offered through the Small Business Health Options Program if the employer:

(A) Has its principal place of business in this state and elects to provide coverage through the Small Business Health Options Program to all of its eligible employees, wherever employed; or

(B) Elects to provide coverage through the Small Business Health Options Program to its eligible employees who are principally employed in this state;

(7) "Qualified health plan" means a health benefit plan that has in effect a certification that the plan meets the criteria for certification described in section 1311(c) of the Patient Protection and Affordable Care Act, Pub. L. No. 111-148, as amended by the Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111-152, and § 23-104-107;

(8) "Qualified individual" means an individual, including a minor, who:

(A) Is seeking to enroll in a qualified health benefit plan offered through the Arkansas Health Benefits Exchange;

(B) Resides in this state;

(C) At the time of enrollment is not incarcerated other than incarceration pending the disposition of charges; and

(D) Is a citizen or national of the United States or an alien lawfully present in the United States; and

(9)(A) "Small employer" means an employer that employed an average of at least two (2) but not more than fifty (50) employees during the preceding calendar year and who employs at least two (2) employees on the first day of the plan year unless the commissioner determines that the purposes or administration of this chapter is better served by an increase in the maximum average number of employees during the preceding calendar year not to exceed one hundred (100).

(B) For purposes of this subdivision (9):

(i) A person treated as a single employer under subsection (b), (c), (m) or (o) of section 414 of the Internal Revenue Code of 1986, as it existed on January 1, 2011, shall be treated as a single employer;

(ii) An employer and any predecessor employer shall be treated as a single employer; and

(iii) Each employee shall be counted, including part-time employees and employees who are not eligible for coverage through the employer.

(C) If an employer was not in existence throughout the preceding calendar year, the determination of whether that employer is a small

employer shall be based on the average number of employees that is reasonably expected the employer will employ on business days in the current calendar year.

(D) An employer that makes enrollment in qualified health plans available to its employees through the Small Business Health Options Program and would cease to be a small employer by reason of an increase in the number of its employees shall continue to be treated as a small employer for purposes of this chapter as long as it continuously makes enrollment through the Small Business Health Options Program available to its employees.

23-104-104. Establishment of Arkansas Health Benefits Exchange.

(a) There is created a nonprofit legal entity to be known as the "Arkansas Health Benefits Exchange" the purpose of which will be to increase the access to quality and affordable health care coverage, reduce the number of uninsured persons in Arkansas, and increase availability and consumer choice of health care coverage through the exchange to qualified individuals and small employers.

(b) All health carriers licensed to sell accident and health insurance or health maintenance organization contracts may participate in the exchange.

(c)(1)(A) The exchange shall operate subject to the supervision and control of the Board of Directors of the Arkansas Health Benefits Exchange.

(B) The exchange is created as a political subdivision, instrumentality, and body politic of the State of Arkansas, and as such, is not a state agency.

(2) Except to the extent provided in this chapter, the exchange shall be exempt from:

(A) All state, county, and local taxes;

(B) The Arkansas Procurement Law, § 19-11-201 et seq.;

(C) The Arkansas Public Officers and Employees Law, § 21-1-101 et seq.; and

(D) The Arkansas Administrative Procedure Act, § 25-15-201 et seq.

(3)(A) The board shall consist of seven (7) voting members appointed by the Insurance Commissioner.

(B) At least three (3) of the seven (7) voting board members shall have experience in health care benefits administration, health care economics, or health insurance or health-insurance-related actuarial principles.

(C) One (1) of the voting board members shall represent the interests of health-benefit-plan consumers in this state.

(D) One (1) of the voting board members shall represent the interests of small employers in this state.

(E) One (1) of the voting board members shall be a representative of a hospital located in Arkansas.

(F) One (1) of the voting board members shall be a health care provider licensed to practice in Arkansas.

(4) The commissioner or his or her representative, the Director of the Department of Human Services or his or her representative, the Director of the Office of Health Information Technology or his or her representative, the Director of the Department of Health, and the Director of the Arkansas Center for Health Improvement or his or her representative shall be nonvoting ex officio members of the board.

(5)(A) The voting members of the board shall serve staggered three-year terms.

(B) The initial term of two (2) of the voting members shall be one (1) year, the initial term of two (2) of the voting members shall be two (2) years, and the initial term of the remaining three (3) voting members shall be three (3) years to allow for continuity.

(C) The voting members shall draw lots to determine the lengths of their initial terms.

(D) Voting members may be reappointed for additional terms.

(6) The chair of the board shall be elected annually from the voting members of the board by the voting members of the board.

(7) Any vacancy among the voting members of the board occurring for any reason other than the expiration of a term shall be filled for the unexpired term in the same manner as the original appointment.

(8) Voting members of the board may be reimbursed from moneys of the exchange for actual and necessary expenses incurred by them in the performance of their official duties as members of the board but shall not otherwise be compensated for their services.

(d) The board may provide in its bylaws or rules for indemnification of, and legal representation for, the board members and employees.

(e) The exchange shall:

(1) Facilitate the purchase and sale of qualified health plans;

(2) Provide for the establishment of a Small Business Health Options Program to assist qualified small employers in this state in facilitating the enrollment of their employees in qualified health plans; and

(3) Meet the requirements of this chapter and any rules implemented under this chapter.

(f)(1)(A) The exchange may contract with an eligible entity for the functions described in this chapter.

(B) An eligible entity includes without limitation the State Insurance Department or an entity that has experience in individual and small group health insurance.

(2) A health carrier or its affiliate is not an eligible entity.

(g) The exchange may enter into information-sharing agreements with federal and state agencies and other state exchanges to carry out its responsibilities under this chapter, provided that the agreements include adequate protection with respect to the confidentiality of the information to be shared and comply with state and federal laws.

23-104-105. General requirements.

(a) The Arkansas Health Benefits Exchange shall make qualified health plans available to qualified individuals and qualified employers beginning on or before January 1, 2014.

(b)(1) The exchange shall not make available a health benefit plan that is not a qualified health plan.

(2) The exchange shall allow a health carrier to offer a plan through the exchange that provides limited-scope dental benefits meeting the requirements of section 9832(c)(2)(A) of the Internal Revenue Code of 1986, as it existed on January 1, 2011, separately or in conjunction with a qualified health plan, if the plan provides pediatric dental benefits meeting the requirements of section 1302(b)(1)(J) of the Patient Protection and Affordable Care Act, Pub. L. No. 111-148, as amended by the Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111-152.

(c) The exchange or a health carrier offering qualified health benefit plans through the exchange shall not charge an individual a fee or penalty for termination of coverage if the individual enrolls in another type of minimum essential coverage because the individual has become newly eligible for that coverage or because the individual's employer-sponsored coverage has become affordable under the standards of section 36B(c)(2)(C) of the Internal Revenue Code of 1986, as it existed on January 1, 2011.

23-104-106. Duties of Arkansas Health Benefits Exchange.

The Arkansas Health Benefits Exchange shall:

(1) Implement procedures for the certification, recertification, and decertification, consistent with guidelines developed by the Secretary of the United States Department of Health and Human Services under section 1311(c) of the Patient Protection and Affordable Care Act, Pub. L. No. 111-148, as amended by the

Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111-152, and § 23-104-107 of health benefit plans as qualified health plans;

(2) Provide for the operation of a toll-free telephone hotline to respond to requests for assistance;

(3) Provide for enrollment periods, under section 1311(c)(6) of the Patient Protection and Affordable Care Act, Pub. L. No. 111-148, as amended by the Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111-152;

(4) Maintain a website through which enrollees and prospective enrollees of qualified health plans may obtain standardized comparative information on plans;

(5) Assign a rating to each qualified health plan offered through the exchange in accordance with the criteria developed by the Secretary of the United States Department of Health and Human Services under section 1311(c)(3) of the Patient Protection and Affordable Care Act, Pub. L. No. 111-148, as amended by the Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111-152, and determine each qualified health plan's level of coverage in accordance with regulations issued by the Secretary of the United States Department of Health and Human Services under section 1302(d)(2)(A) of the Patient Protection and Affordable Care Act, Pub. L. No. 111-148, as amended by the Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111-152;

(6) Use a standardized format for presenting health benefit options in the exchange, including the use of the uniform outline of coverage established under section 2715 of the Public Health Service Act, 42 U.S.C. § 201 et seq. as it existed on January 1, 2011;

(7)(A) In accordance with section 1413 of the Patient Protection and Affordable Care Act, Pub. L. No. 111-148, as amended by the Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111-152, inform individuals of eligibility requirements for the Medicaid program under title XIX of the Social Security Act, the Children's Health Insurance Program under title XXI of the Social Security Act, or any applicable state or local public program.

(B) If through screening of the application by the exchange the exchange determines that an individual is eligible for a program, enroll that individual in that program;

(8) Establish and make available by electronic means a calculator to determine the actual cost of coverage after application of a premium tax credit under section 36B of the Internal Revenue Code of 1986, as it existed on January 1, 2011, and any cost-sharing reduction under section 1402 of the Patient Protection and Affordable Care Act, Pub. L. No. 111-148, as amended by the Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111-152;

(9) Establish a Small Business Health Options Program through which qualified employers may access coverage for their employees that shall enable a qualified employer to specify a level of coverage among those offered on the exchange so its employees may enroll in a qualified health plan offered through the Small Business Health Options Program at the specified level of coverage;

(10) Subject to section 1411 of the Patient Protection and Affordable Care Act, Pub. L. No. 111-148, as amended by the Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111-152, grant a certification attesting that, for purposes of the individual responsibility penalty under section 5000A of the Internal Revenue Code of 1986, as it existed on January 1, 2011, an individual is exempt from the individual responsibility requirement or from the penalty imposed by that section because:

(A) There is not an affordable qualified health plan available through the exchange or through the individual's employer to cover the individual; or

(B) The individual meets the requirements for any other exemption from the individual responsibility requirement or penalty;

(11) Transfer to the Secretary of the United States Department of the Treasury the following:

(A) A list of the individuals who are issued a certification under subdivision (10) of this section, including the name and taxpayer identification number of each individual;

(B) The name and taxpayer identification number of each individual who was an employee of an employer but who was determined to be eligible for the premium tax credit under section 36B of the Internal Revenue Code of 1986, as it existed on January 1, 2011, because:

(i) The employer did not provide minimum essential coverage;

or

(ii) The employer provided the minimum essential coverage, but it was determined under section 36B(c)(2)(C) of the Internal Revenue Code of 1986, as it existed on January 1, 2011, to be unaffordable to the employee or not provide the required minimum actuarial value; and

(C) The name and taxpayer identification number of:

(i) Each individual who notifies the exchange under section 1411(b)(4) of the Patient Protection and Affordable Care Act, Pub. L. No. 111-148, as amended by the Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111-152, that he or she has changed employers; and

(ii) Each individual who ceases coverage under a qualified health plan during a plan year and the effective date of that cessation;

(12) Provide to each employer the name of each employee of the employer described in subdivision (11)(B) of this section who ceases coverage under a qualified health plan during a plan year and the effective date of the cessation;

(13) Perform duties required of the exchange by the Secretary of the United States Department of Health and Human Services or the Secretary of the United States Department of the Treasury related to determining eligibility for premium tax credits, reduced cost-sharing, or individual responsibility requirement exemptions;

(14)(A) Select entities qualified to serve as "Navigators" in accordance with section 1311(i) of the Patient Protection and Affordable Care Act, Pub. L. No. 111-148, as amended by the Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111-152, and award grants to enable Navigators to:

(i) Conduct public education activities to raise awareness of the availability of qualified health plans;

(ii) Distribute fair and impartial information concerning enrollment in qualified health plans, and the availability of premium tax credits under section 36B of the Internal Revenue Code of 1986, as it existed on January 1, 2011, and cost-sharing reductions under section 1402 of the Patient Protection and Affordable Care Act, Pub. L. No. 111-148, as amended by the Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111-152;

(iii) Facilitate enrollment in qualified health plans;

(iv) Provide referrals to any applicable office of health insurance consumer assistance or health insurance ombudsman established under section 2793 of the Public Health Service Act, 42 U.S.C. § 201 et seq., as it existed on January 1, 2011, or any other appropriate state agency or agencies, for any enrollee with a grievance, complaint, or question regarding his or her health benefit plan, coverage, or a determination under that health benefit plan or coverage;

(v) Provide information in a manner that is culturally and linguistically appropriate to the needs of the population being served by the exchange;

(vi) Counsel exchange participants about selecting or transitioning among Medicaid, the federal Children's Health Insurance Programs, and other coverage; and

(vii) Insure significant numbers of Navigators to serve disadvantaged, hard-to-reach populations.

(B) The state may require individuals affiliated with any Navigator contract to be certified, licensed, or otherwise deemed able to carry out the duties as required by section 1131(i)(3) of the Patient Protection and Affordable Care Act,

Pub. L. No. 111-148, as amended by the Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111-152;

(15) Review the rate of premium growth within the exchange and of non-grandfathered health benefit plans outside the exchange, and consider the information in developing recommendations on whether to continue limiting qualified employer status to small employers;

(16) Credit the amount of any free choice voucher to the monthly premium of the plan in which a qualified employee is enrolled, in accordance with section 10108 of the Patient Protection and Affordable Care Act, Pub. L. No. 111-148, as amended by the Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111-152, and collect the amount credited from the offering employer;

(17) Consult with stakeholders relevant to carrying out the activities required under this chapter, including:

(A) Educated health care consumers who are enrollees in qualified health plans;

(B) Individuals and entities with experience in facilitating enrollment in qualified health plans;

(C) The commissioner;

(D) Representatives of health carriers that offer qualified health plans through the exchange;

(E) Representatives of health carriers that are not offering qualified health plans through the exchange;

(F) Representatives of small businesses and self-employed individuals;

(G) The Department of Human Services, the Department of Health, the Office of Health Information Technology, the Department of Information Systems, and the Arkansas Center for Health Improvement; and

(H) Advocates for enrolling disadvantaged, hard-to-reach populations;

(18) Meet the following financial integrity requirements:

(A) Keep an accurate account of all activities, receipts, and expenditures and annually submit to Secretary of the United States Department of Health and Human Services, the Governor, the commissioner, and the General Assembly a report concerning such accountings;

(B) Fully cooperate with any investigation conducted by the Secretary of the United States Department of Health and Human Services pursuant to his or her authority under the Patient Protection and Affordable Care Act, Pub. L. No. 111-148, as amended by the Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111-152, and allow the Secretary of the United States Department of Health

and Human Services, in coordination with the Inspector General of the United States Department of Health and Human Services, to:

- (i) Investigate the affairs of the exchange;
- (ii) Examine the properties and records of the exchange; and
- (iii) Require periodic reports in relation to the activities undertaken by the exchange; and

(C) In carrying out its activities under this chapter, not use any funds intended for the administrative and operational expenses of the exchange for staff retreats, promotional giveaways, excessive executive compensation, or promotion of federal or state legislative and regulatory modifications; and

(19) Appoint at least one (1) or more advisory committee as deemed appropriate by the Board of Directors of the Arkansas Health Benefits Exchange.

23-104-107. Health benefit plan certification.

(a) The Arkansas Health Benefits Exchange shall certify a health benefit plan as a qualified health plan if:

(1) The plan provides the essential health benefits package described in section 1302(a) of the Patient Protection and Affordable Care Act, Pub. L. No. 111-148, as amended by the Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111-152, except that the plan is not required to provide essential benefits that duplicate the minimum benefits of qualified dental plans, as provided in subsection (d) of this section, if:

(A) The exchange has determined that an adequate choice of qualified dental plans is available to supplement the plan's coverage; and

(B) The carrier makes prominent disclosure at the time it offers the plan, in a form approved by the exchange, that the plan does not provide the full range of essential pediatric benefits and that qualified dental plans providing those benefits and other dental benefits not covered by the plan are offered through the exchange;

(2) The premium rates and contract language have been approved by the Insurance Commissioner;

(3) The plan provides at least a "bronze" level of coverage, as determined pursuant to subsection 1311(c)(3) of the Patient Protection and Affordable Care Act, Pub. L. No. 111-148, as amended by the Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111-152, unless the plan is certified as a qualified catastrophic plan, meets the requirements of the Patient Protection and Affordable Care Act, Pub. L. No. 111-148, as amended by the Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111-152 for catastrophic plans, and will only be offered to individuals eligible for catastrophic coverage;

(4) The plan's cost-sharing requirements do not exceed the limits established under section 1302(c)(1) of the Patient Protection and Affordable Care Act, Pub. L. No. 111-148, as amended by the Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111-152, and if the plan is offered through the Small Business Health Options Program and the plan's deductible does not exceed the limits established under section 1302(c)(2) of the Patient Protection and Affordable Care Act, Pub. L. No. 111-148, as amended by the Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111-152;

(5) The health carrier offering the plan:

(A) Is licensed and in good standing to offer accident and health insurance or health maintenance organization coverage in this state;

(B) Offers at least one (1) qualified health plan in the "silver" level, as defined in subsection 1302(d)(1)(B) of the Patient Protection and Affordable Care Act, Pub. L. No. 111-148, as amended by the Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111-152, and at least one (1) plan in the "gold" level, as defined in subsection 1302(d)(1)(C) of the Patient Protection and Affordable Care Act, Pub. L. No. 111-148, as amended by the Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111-152, through each "component" of the exchange in which the carrier participates, where component refers to the Small Business Health Options Program and the exchange for individual coverage;

(C) Charges the same premium rate for each qualified health plan without regard to whether the plan is offered through the exchange or through the non-exchange open market and without regard to whether the plan is offered directly from the health carrier or through an insurance producer;

(D) Does not charge any cancellation fees or penalties in violation of § 23-104-105(c); and

(E) Complies with the regulations developed by the Secretary of the United States Department of Health and Human Services under section 1311(d) of the Patient Protection and Affordable Care Act, Pub. L. No. 111-148, as amended by the Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111-152, and such other requirements as the exchange may establish;

(6) The plan meets the requirements of certification as promulgated by regulation by the Secretary of the United States Department of Health and Human Services under section 1311(c)(1) of the Patient Protection and Affordable Care Act, Pub. L. No. 111-148, as amended by the Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111-152, and by the exchange; and

(7) The exchange determines that making the plan available through the exchange is in the interest of qualified individuals and qualified employers in this state.

(b) The exchange shall not exclude a health benefit plan:

(1) On the basis that the plan is a fee-for-service plan;

(2) Through the imposition of premium price controls by the exchange;

or

(3) On the basis that the health benefit plan provides treatments necessary to prevent patients' deaths in circumstances the exchange determines are inappropriate or too costly.

(c) Presumption of Best Interest.

(1) In order to foster a competitive exchange marketplace and consumer choice, it is presumed to be in the interest of qualified individuals and qualified employers for the exchange to certify all health plans meeting the requirements of section 1311(c) of the Patient Protection and Affordable Care Act, Pub. L. No. 111-148, as amended by the Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111-152, for participation in the exchange.

(2)(A) The exchange shall certify all health plans meeting the requirements of section 1311(c) of the Patient Protection and Affordable Care Act, Pub. L. No. 111-148, as amended by the Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111-152, and § 23-104-107 for participation in the exchange.

(B) The exchange shall establish and publish a transparent, objective process for decertifying qualified health plans to be offered through the exchange that are determined not to be in the public interest.

(d) The exchange shall require each health carrier seeking certification of a plan as a qualified health plan to:

(1)(A) Submit a justification for any premium increase before implementation of that increase.

(B) The health carrier shall prominently post the information on its Internet website.

(C) The exchange shall take this information, along with the information and the recommendations provided to the exchange by the commissioner under section 2794(b) of the Public Health Service Act, 42 U.S.C. § 201 et seq., as it existed on January 1, 2011, into consideration when determining whether to allow the health carrier to make plans available through the exchange;

(2)(A) Make available to the public, in the format described in subdivision (A)(2)(B) of this section, and submit to the exchange, the Secretary of

the United States Department of Health and Human Services, and the commissioner accurate and timely disclosure of the following:

(i) Claims payment policies and practices;

(ii) Periodic financial disclosures;

(iii) Data on enrollment;

(iv) Data on disenrollment;

(v) Data on the number of claims that are denied;

(vi) Data on rating practices;

(vii) Information on cost-sharing and payments with respect to any out-of-network coverage;

(viii) Information on enrollee and participant rights under title I of the Patient Protection and Affordable Care Act, Pub. L. No. 111-148, as amended by the Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111-152; and

(ix) Other information as determined appropriate by the Secretary of the United States Department of Health and Human Services.

(B) The information required in subdivision (d)(2)(A) of this section shall be provided in plain language, as that term is defined in section 1311(e)(3)(B) of the Patient Protection and Affordable Care Act, Pub. L. No. 111-148, as amended by the Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111-152; and

(3)(A) Permit individuals to learn in a timely manner upon the request of the individual the amount of cost-sharing, including deductibles, copayments, and coinsurance, under the individual's plan or coverage that the individual would be responsible for paying with respect to the furnishing of a specific item or service by a participating provider.

(B) At a minimum, this information shall be made available to the individual through a website and through other means for individuals without access to the Internet.

(e)(1) The provisions of this chapter that are applicable to qualified health plans shall also apply to the extent relevant to qualified dental plans except as modified in accordance with subdivisions (e)(2)-(4) of this section or by rules adopted by the commissioner.

(2) The health carrier shall be licensed to offer dental coverage, but need not be licensed to offer other health benefits.

(3) The plan shall be limited to dental and oral health benefits, without substantially duplicating the benefits typically offered by health benefit plans without dental coverage, and shall include at a minimum the essential pediatric dental

benefits prescribed by the Secretary of the United States Department of Health and Human Services pursuant to section 1302(b)(1)(J) of the Patient Protection and Affordable Care Act, Pub. L. No. 111-148, as amended by the Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111-152, and such other minimum dental benefits as the exchange or the Secretary of the United States Department of Health and Human Services may specify by regulation.

(4) A health carrier and a dental carrier may jointly offer a comprehensive plan through the exchange in which the dental benefits are provided by the dental carrier and the other benefits are provided by the health carrier.

(f) Appeal of Decertification or Denial of Certification.

(1) The exchange shall give each health carrier the opportunity to appeal a decertification decision or the denial of certification as a qualified health plan.

(2) The exchange shall give each health carrier that appeals a decertification decision or the denial of certification the opportunity for:

(A) The submission and consideration of facts, arguments, or proposals of adjustment of the health plan or plans at issue; and

(B) A hearing and a decision on the record, to the extent that the exchange and the health carrier are unable to reach agreement following the submission of the information in subdivision (f)(2)(A) of this section.

(3) Any hearing held pursuant to subdivision (f)(2)(B) of this section shall be conducted by an impartial party or an administrative law judge with appropriate legal training and in accordance with the Arkansas Administrative Procedure Act, § 25-15-201 et seq.

23-104-108. Choice.

(a) In accordance with section 1312(f)(2)(A) of the Patient Protection and Affordable Care Act, Pub. L. No. 111-148, as amended by the Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111-152, a qualified employer may either designate one (1) or more qualified health plans from which its employees may choose or designate any level of coverage to be made available to employees through the Arkansas Health Benefits exchange.

(b) In accordance with section 1312(b) of the Patient Protection and Affordable Care Act, Pub. L. No. 111-148, as amended by the Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111-152, a qualified individual enrolled in any qualified health plan may pay any applicable premium owed by such individual to the health carrier issuing the qualified health plan.

(c) Risk Pooling.

In accordance with section 1312(c) of the Patient Protection and Affordable Care Act, Pub. L. No. 111-148, as amended by the Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111-152:

(1) A health carrier shall consider all enrollees in all health plans, other than grandfathered health plans, offered by the health carrier in the individual market, including enrollees who do not enroll in such plans through the exchange, members of a single risk pool.

(2) A health carrier shall consider all enrollees in all health plans, other than grandfathered health plans, offered by the health carrier in the small group market, including those enrollees who do not enroll in such plans through the Small Business Health Options Program, to be members of a single risk pool.

(d) Empowering Consumer Choice.

(1) In accordance with section 1312(d) of the Federal Act:

(A) This chapter shall not prohibit:

(i) A health carrier from offering outside of the exchange a health plan to a qualified individual or qualified employer; or

(ii) A qualified individual from enrolling in or a qualified employer from selecting for its employees a health plan offered outside of the exchange; and

(B) This chapter shall not limit the operation of any requirement under state law or rule with respect to any policy or plan that is offered outside of the exchange with respect to any requirement to offer benefits.

(2) Voluntary Nature of the Exchange.

(A) Nothing in this chapter shall restrict the choice of a qualified individual to enroll or not to enroll in a qualified health plan or to participate in the exchange.

(B) Nothing in this chapter shall compel an individual to enroll in a qualified health plan or to participate in the exchange.

(C) A qualified individual may enroll in any qualified health plan, except that in the case of a catastrophic plan described in section 1302(e) of the Patient Protection and Affordable Care Act, Pub. L. No. 111-148, as amended by the Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111-152, a qualified individual may enroll in the plan only if the individual is eligible to enroll in the plan under section 1302(e)(2) of the Patient Protection and Affordable Care Act, Pub. L. No. 111-148, as amended by the Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111-152.

(e) Enrollment through Agents or Brokers.

In accordance with section 1312(e) of the Patient Protection and Affordable Care Act, Pub. L. No. 111-148, as amended by the Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111-152, the exchange may allow agents or brokers:

(1) To enroll qualified individuals and qualified employers in any qualified health plan offered through the exchange for which the individual or employer is eligible; and

(2) To assist qualified individuals in applying for premium tax credits and cost-sharing reductions for qualified health plans purchased through the exchange.

23-104-109. Funding -- Taxes, fees, and assessments -- Medical loss ratio -- Publication of costs.

(a)(1)(A) As required by section 1311(d)(5)(A) of the Patient Protection and Affordable Care Act, Pub. L. No. 111-148, as amended by the Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111-152, the Arkansas Health Benefits Exchange shall be self-sustaining by January 1, 2015.

(B) A budget for the exchange shall be prepared by the exchange and submitted to the Insurance Commissioner annually for approval.

(2) The exchange may charge assessments or user fees to health carriers up to three percent (3%) of each health carrier's direct written premium from health benefit plans sold through the exchange or otherwise may receive funding necessary to support its operations provided under this chapter.

(3) Any assessments or fees charged to carriers are limited to the minimum amount necessary to pay for the administrative costs and expenses that have been approved in the annual budget process, after consideration of other available funding.

(4) Services performed by the exchange on behalf of other state or federal programs shall not be funded with assessments or user fees collected from health carriers.

(5) Any unspent funding by an exchange shall be used for future state operation of the exchange or returned to health carriers as a credit.

(b) Taxes, fees, or assessments used to finance the exchange shall be clearly disclosed by the exchange as such, including publishing the average cost of licensing, regulatory fees, and any other payments required by the exchange, and the administrative costs of the exchange on a website to educate consumers on such costs.

(c) Taxes, fees, or assessments used to finance the exchange shall be considered a state tax or assessment as defined under section 2718(a) in the Public

Health Service Act, 42 U.S.C. § 201 et seq., as it existed on January 1, 2011, and its implementing regulations, and shall be excluded from health plan administrative costs for the purpose of calculating medical loss ratios or rebates.

(d)(1) The exchange shall publish the average costs of licensing, regulatory fees, and any other payments required by the exchange and the administrative costs of the exchange on an Internet website to educate consumers on such costs.

(2) This information shall include information on moneys lost to waste, fraud, and abuse.

23-104-110. Rules.

(a) The Insurance Commissioner may promulgate rules to implement this chapter.

(b) Rules promulgated under this section shall not conflict with or prevent the application of regulations promulgated by the Secretary of the United States Department of Health and Human Services under title I, subtitle D of the Patient Protection and Affordable Care Act, Pub. L. No. 111-148, as amended by the Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111-152.

23-104-111. Relation to other laws.

(a) Nothing in this chapter, and no action taken by the Arkansas Health Benefits Exchange pursuant to this chapter, shall be construed to preempt or supersede the authority of the Insurance Commissioner to regulate the business of insurance within this state.

(b) Except as expressly provided to the contrary in this chapter, all health carriers offering qualified health plans in this state shall comply fully with all applicable health insurance laws of this state and rules adopted and orders issued by the commissioner.

23-104-112. Plan of operation.

(a)(1)(A) The Arkansas Health Benefits Exchange shall submit to the Insurance Commissioner a plan of operation and any amendments thereto necessary or suitable to assure the fair, reasonable, and required administration of the exchange.

(B) The plan of operation and any amendments thereto shall become effective upon the commissioner's written approval or, unless he or she has not disapproved the plan of operation, within thirty (30) days.

(2) If the exchange fails to submit a suitable plan of operation within one hundred eighty (180) days following June 1, 2011, or if at any time thereafter the exchange fails to submit suitable amendments to the plan of operation, the commissioner, after notice and public hearing, shall adopt and promulgate such

reasonable rules as are necessary or advisable to effectuate the provisions of this chapter.

(3) The rules shall continue in force until modified by the commissioner or superseded by a plan of operation submitted by the exchange and approved by the commissioner.

(b) The plan of operation in addition to requirements enumerated elsewhere in this chapter, shall:

(1) Establish procedures for handling the assets of the exchange;

(2) Establish the amount and method of reimbursing members of the Board of Directors of the Arkansas Health Benefits Exchange;

(3) Establish regular places and times for meeting, including telephone conference calls of the board;

(4) Establish procedures for all record keeping required in this chapter;

(5) Establish a conflict of interest policy for the board; and

(6) Contain additional provisions necessary or proper for the execution of powers and duties of the exchange."

/s/ Barry Hyde

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

/s/ Mrs. Sherri Stacks

Chief Clerk

Upon motion of Representative Jean, **SENATE BILL NO. 275** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO SENATE BILL NO. 275**

Amend **SENATE BILL NO. 275** as engrossed,  
S2/21/11 (version: 2/21/2011 03:12:58 PM)

Page 5, delete lines 34-36 and substitute the following:

“(A) Beginning January 1, 2012, five and one-eighths percent (5.125%);

(B) Beginning January 1, 2013, four and one-eighths percent (4.125%); and

(C) Beginning January 1, 2014, two and five-eighths percent (2.625%).”

AND

Page 6, delete lines 1-3

AND

Page 10, delete lines 17-22 and substitute the following:

“(A) Beginning January 1, 2012, five and one-eighths percent (5.125%);  
(B) Beginning January 1, 2013, four and one-eighths percent (4.125%); and  
(C) Beginning January 1, 2014, two and five-eighths percent (2.625%).”

/s/ Lane Jean

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

/s/ Mrs. Sherri Stacks  
Chief Clerk

Upon motion of Representative Branscum, **HOUSE BILL NO. 1896** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1896**

Amend **HOUSE BILL NO. 1896** as originally introduced:

Delete the subtitle in its entirety and substitute:

"THE MICHAEL LAWDON BRANSCUM ACT"

AND

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

"SECTION 1. Arkansas Code Title 6, Chapter 61, Subchapter 1 is amended to add an additional section to read as follows:

6-61-135. Posthumous degrees.

(a) Each institution of higher education is encouraged establish a process for awarding a posthumous degree to a student who has died while enrolled in a degree program at the institution of higher education.

(b) A process established by an institution of higher education may include without limitation consideration of the student's:

- (1) Level of completion in his or her degree program;
- (2) Academic status; and
- (3) Personal factors, such as circumstances of death.

(c) The institution of higher education or the parent of a student who died while enrolled in a degree program at a institution of higher education may initiate the process by requesting that a posthumous degree be awarded on the student's behalf."

/s/ David Branscum

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

/s/ Mrs. Sherri Stacks  
Chief Clerk

Upon motion of Representative Wright, **HOUSE BILL NO. 2207** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 2207**

Amend **HOUSE BILL NO. 2207** as originally introduced:

Page 1, delete lines 26 through 31 and substitute:

"(B) Funding for these expenditures may be from:

(i) A county administration of justice fund;

(ii) A county's general fund;

(iii) A county's public defender fund;

(iv) A county's indigent defense fund;

(v) A county's public defender investigator fund; or

(vi) Any other fund authorized by law for that purpose."

/s/ Marshall Wright

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

/s/ Mrs. Sherri Stacks  
Chief Clerk

Upon motion of Representative Nickels, **HOUSE BILL NO. 1940** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1940

Amend **HOUSE BILL NO. 1940** as originally introduced:

Delete everything after the enacting clause and substitute the following:

"SECTION 1. The introductory language of Arkansas Code § 19-4-1413(a), concerning construction projects using private funds, is amended to read as follows:

(a) ~~In the event~~ If funds from private sources are provided to a public institution of higher education for ~~projects which exceed five million dollars (\$5,000,000) regulated in this subchapter~~ a project regulated in this subchapter that exceeds twenty million dollars (\$20,000,000) sufficient to finance at least eighty percent (80%) of the estimated cost of the proposed project, excluding the cost of land, the provisions of this subchapter and ~~of all other provisions of the Arkansas Code governing construction of public facilities, including, but not limited to, the provisions of~~ without limitation §§ 22-9-101 and 22-9-103 and §§ 22-9-201 — 22-9-212 ~~shall not be applicable, do not apply to such projects~~ the project, subject to the following:

SECTION 2. The catchline for Arkansas Code § 19-4-1415 is amended to read as follows:

19-4-1415. Projects exceeding ~~five million dollars~~ twenty million dollars.

SECTION 3. Arkansas Code § 19-4-1415(a), concerning construction projects for public facilities, is amended to read as follows:

(a) ~~In the event~~ If funds from ~~any sources~~ are provided to ~~state agencies~~ a state agency for ~~projects which exceed five million dollars (\$5,000,000)~~ a project that exceeds twenty million dollars (\$20,000,000), excluding the cost of land, the provisions of this subchapter and all other provisions of the Arkansas Code governing construction of public facilities, including, ~~but not limited to,~~ without limitation the provisions of § 22-9-201 et seq. at the election of ~~state agencies~~ a state agency or ~~the institutions~~ an institution of higher education ~~set forth~~ listed in subdivision (b)(5) of this section ~~shall not be applicable~~ do not apply to the ~~projects~~ project if the selection and contracting process ~~set forth~~ stated in this section is followed."

/s/ Jim Nickels

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

/s/ Mrs. Sherri Stacks

Chief Clerk

Upon motion of Representative Hyde, **HOUSE BILL NO. 2142** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 2142**

Amend **HOUSE BILL NO. 2142** as originally introduced:

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code Title 6, Chapter 60 is amended to add an additional subchapter to read as follows:

Subchapter 9 -- Arkansas Higher Education Research Database

6-60-901. Definitions.

As used in this subchapter:

(1) "Consent data" means raw student data files containing student data that is provided under a written release of information signed by the student or the student's parent or guardian;

(2) "De-identified student data" means raw student data files from which personally identifiable student information has been removed;

(3) "Institution of higher education" means:

(A) An Arkansas state-funded community college;

(B) An Arkansas state-funded university; or

(C) A private college or university in Arkansas that voluntarily participates in the database;

(4) "Noncompliance" means that the institution of higher education or the Department of Higher Education has not substantially complied with the requirements of this subchapter for providing the required data on time and in the manner required under § 6-60-904; and

(5) "Personally identifiable student information" means information that includes:

(A) The student's name;

(B) The name of the student's parent, other family member, or guardian;

(C) The address of the student or the student's family;

(D)(i) A personal identifier, such as the student's social security number, student number, or biometric record.

(ii) This subdivision does not apply to a number that is assigned to student data:

(a) For the purpose of transferring data to the Bureau of Legislative Research; and

(b) For which the bureau does not have the key that provides the identity of the student to whom the number is assigned;

(E) Other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name;

(F) Other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or

(G) Information requested by a person who the educational agency or institution reasonably believes knows the identity of the student to whom the data relate.

6-60-902. Arkansas Higher Education Research Database.

(a) By May 1, 2011, the Bureau of Legislative Research shall develop and operate a database to contain de-identified student data and consent data that an institution of higher education and the Department of Higher Education are required to provide to the bureau under §§ 6-85-214, 6-85-215, and 6-85-217, or other law.

(b) The database shall be known as the "Arkansas Higher Education Research Database".

(c) The bureau shall use the data contained in the database to provide to the General Assembly:

(1) Research and analyses concerning student demographics, state-funded scholarship applications, and awards; and

(2) Any research requested by the General Assembly or the Arkansas Lottery Commission Legislative Oversight Committee to assist the General Assembly or the Arkansas Lottery Commission Legislative Oversight Committee in its duties under the Arkansas Academic Challenge Scholarship Program — Part 2.

(d)(1) The de-identified student data and consent data provided to the bureau under this subchapter are not subject to release under the Freedom of Information Act of 1967, § 25-19-101 et seq.

(e) The bureau may enter into a memorandum of understanding with an institution of higher education or the Department of Higher Education concerning the parameters of data that meets the limitations of § 6-60-901(5)(F).

6-60-903. Private or confidential data.

(a) The Bureau of Legislative Research shall not release any personally identifiable student information received as consent data under § 6-85-215.

(b) Where access to personally identifiable information is restricted by federal or state law, the information shall be aggregated, summarized, or characterized to provide access while meeting the requirements for restriction.

(c) The bureau shall design reports to protect an individual student's identity and use a cell size standard of ten (10) or more for reporting of data when it is necessary to keep an individual from being identified.

6-60-904. Data to be provided -- Format.

(a) It is the intent of the General Assembly that the Bureau of Legislative Research and the Department of Higher Education enter into a memorandum of understanding approved by the Arkansas Lottery Commission Legislative Oversight Committee concerning the types of data and the format and time schedule for providing the data so that institutions of higher education can provide the data to the bureau through the department.

(b)(1) In the absence of a memorandum of understanding or if the committee determines there is noncompliance with the memorandum of understanding and notifies the institutions of higher education and the department, an institution of higher education and the department shall each upload to the Arkansas Higher Education Research Database de-identified student data and consent data required under §§ 6-85-214, 6-85-215, and 6-85-217 or other law.

(2)(A) The data shall be submitted electronically:

(i) In the format defined by the bureau from time to time;

and

(ii) At the time specified by the bureau.

(B) The bureau shall provide notice to the institution of higher education and the department concerning the requirements of this subdivision (b)(2) that:

(i) Lists the types of data, fields, files, or submission formats required;

(ii) Identifies the effective date of a requirement; and

(iii) For a change to database requirements that will incur substantial reprogramming or recoding, be provided not less than four (4) months before the effective date of the requirement.

6-60-905. Penalty for noncompliance.

During a period of noncompliance, state funding shall be withheld from the institution of higher education for its noncompliance and from the Department of Higher Education for its noncompliance.

SECTION 2. Nothing in this act is intended to relieve an institution of higher education or the Department of Higher Education from providing to the Bureau of

Legislative Research the information or data required under the current law before the 2012-2013 academic year."

/s/ Barry Hyde

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

/s/ Mrs. Sherri Stacks  
Chief Clerk

Upon motion of Representative Carter, **SENATE BILL NO. 593** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO SENATE BILL NO. 593**

Amend **SENATE BILL NO. 593** as engrossed,  
S3/16/11 (version: 03/16/2011 02:24:58 PM)

Page 2, line 10, delete "minimum" and substitute "maximum"

/s/ Davy Carter

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

/s/ Mrs. Sherri Stacks  
Chief Clerk

Upon motion of Representative G. Smith, **HOUSE BILL NO. 1780** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1780**

Amend **HOUSE BILL NO. 1780** as originally introduced:

Page 1, line 24, delete "is authorized to" and substitute "may"

AND

Page 1, line 26, delete "Magnolia" and substitute "Magnolia, after obtaining approval and authorization from the Arkansas Higher Education Coordinating Board under § 6-61-207"

/s/ Garry L. Smith

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

/s/ Mrs. Sherri Stacks  
Chief Clerk

Upon motion of Representative J. Edwards, **HOUSE BILL NO. 1790** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 3 TO HOUSE BILL NO. 1790**

Amend **HOUSE BILL NO. 1790** as engrossed,  
H3/11/11 (version: 3/11/2011 10:19:09 AM)

Page 1, delete line 23 and substitute:

"19-11-106. Contracting goals for service-disabled veterans."

AND

Page 1, delete line 26 and substitute:

"(A) Is at least thirty-percent disabled as a result of military service and is designated as such by the United States"

AND

Page 1, line 33, delete "veterans; and" and substitute "veterans;"

AND

Page 1, delete lines 35 and 36 and substitute:

"are controlled by one (1) or more service-disabled veterans; and

(C) Has been certified as a business of a service-disabled veteran by the Division of Minority Business Enterprise of the Arkansas Economic Development Commission under the Minority Business Economic Development Act, § 15-4-301 et seq.

(b)(1) All state agencies shall attempt to ensure that five percent (5%) of the total amount expended in state-funded and state-directed public construction programs and in the purchase of goods and services for the state each fiscal year is paid to businesses of service-disabled veterans.

(2) This subsection shall not be construed as establishing a preference in contracting with businesses of service-disabled veterans."

AND

Page 2, delete lines 1 through 17 entirely

/s/ John Edwards

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

/s/ Mrs. Sherri Stacks

Chief Clerk

Upon motion of Representative Hall, **HOUSE BILL NO. 1229** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 2 TO HOUSE BILL NO. 1229**

Amend **HOUSE BILL NO. 1229** as originally engrossed,

H3/17/11 (version: 3/17/2011 11:31:08 AM)

Page 1, delete lines 27 through 30 and substitute:

(2) "When children are present" also includes when:

(A) A traffic control person in his or her official gear or clothing is present at a crosswalk to assist children as they arrive at or leave school, even if a child is not present at the time; or

(B) A sign-mounted flashing beacon as described in subdivision (d)(2) of this section is activated."

/s/ Clark Hall

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

/s/ Mrs. Sherri Stacks

Chief Clerk

Upon motion of Representative D. Hutchinson, **HOUSE BILL NO. 1786** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 2 TO HOUSE BILL NO. 1786**

Amend **HOUSE BILL NO. 1786** as engrossed,  
H3/16/11 (version: 03/16/2011 11:51:31 AM)

Page 2, delete line 23 and substitute the following language:

"under § 6-61-229.

(d) Subsection (c) of this section does not apply to state-supported institutions of higher education that received a land grant under § 6-60-101."

/s/ Donna Hutchinson

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

/s/ Mrs. Sherri Stacks  
Chief Clerk

Upon motion of Representative Jean, **HOUSE BILL NO. 2157** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 2157**

Amend **HOUSE BILL NO. 2157** as originally introduced:

Delete everything after the enacting clause and substitute the following:

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

2-1-102. Sustainable agriculture.

(a) As used in this section, "sustainable" includes without limitation:

(1) Science-based practices supported by research; and

(2) The use of technology that is demonstrated to lead to broad, outcomes-based performance improvements that:

(A) Meet the needs of the present; and

(B) Improve the ability of future generations to meet their needs while advancing progress toward environmental, social, and economic goals and the well-being of agricultural producers and rural communities.

(b) Sustainable agriculture may use continuous improvement principles with goals that include without limitation:

(1) Increasing agricultural productivity;

(2) Improving human health through access to safe, nutritious, and affordable food; and

(3) Enhancing agricultural and surrounding environments, including without limitation water, soil, and air quality, biodiversity, and habitat preservation.

(c)(1) The Arkansas Agriculture Department and the State Plant Board shall interpret any administrative rule or regulation promulgated by a state or federal agency that establishes standards for harvesting or producing agricultural crops in accordance with the definition and guidelines provided in this section.

(2) This section does not apply to silviculture and any rules or regulations regarding silviculture."

/s/ Lane Jean

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

/s/ Mrs. Sherri Stacks  
Chief Clerk

Upon motion of Representative Johnston, **HOUSE BILL NO. 1920** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1920**

Amend **HOUSE BILL NO. 1920** as originally introduced:

Page 2, delete lines 22 through 24 and substitute:

"(4) "Electronic check" means a form of payment made by using the Internet, a telephone, or other electronic means that is designed to perform the same function as a conventional paper check;"

/s/ Josh Johnston

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

/s/ Mrs. Sherri Stacks  
Chief Clerk

Upon motion of Representative Biviano, **HOUSE BILL NO. 1985** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1985**

Amend **HOUSE BILL NO. 1985** as originally introduced:

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code Title 17, Chapter 95 is amended to add an additional subchapter to read as follows:

Subchapter 8 — Physician Assistant Committee

17-95-801. Physician Assistant Committee — Members.

(a)(1) The Physician Assistant Committee is created with the Arkansas State Medical Board.

(2) The committee shall consist of five (5) members as follows:

(A) Three (3) members who shall be members of the Arkansas State Medical Board; and

(B) Two (2) physician assistants members selected by the board from a list of physician assistants nominated by the Arkansas Academy of Physician Assistants.

(b)(1)(A) Committee members who are physician assistants shall serve three-year terms.

(B) Committee members who are physician assistants shall not serve more than two (2) consecutive terms.

(2) A physician assistant committee member shall serve until a successor is appointed by the board.

(3) If a vacancy occurs among the committee members who are physician assistants, the board shall appoint a new member from a list of three (3) physician assistants nominated by the Arkansas Academy of Physician Assistants to fill the vacancy.

(c)(1) The committee shall elect a chair with powers and duties the committee shall fix.

(2) The chair shall serve a two-year term.

(3) A chair may be elected for no more than two (2) consecutive terms.

(d)(1) A quorum of the committee shall be three (3) members.

(2) The committee shall hold a meeting at least quarterly and at other times the committee considers advisable to review applications for licensure or renewal and for approval of the protocol between the physician assistant and the supervising physician.

(e)(1) The committee members who are physician assistants shall serve without remuneration.

(2) However, if funds are available, the committee members who are physician assistants may receive expense reimbursement and stipends in accordance with § 25-16-902, as follows:

(A) Their actual expenses while attending regular and special meetings of the committee; and

(B) A per diem allowance when in attendance at regular or special meetings of the committee.

(f) The members of the committee who are members of the board shall receive remuneration as now provided to members of the board.

17-95-802. Duties of Physician Assistant Committee.

The Physician Assistant Committee shall:

(1) Review all applications for physician assistants' licensure and for renewal of physician assistants' licensure;

(2) Review of protocols between a physician assistant and a supervising physician;

(3) Recommend to the Arkansas State Medical Board approval or disapproval of applications submitted under subdivision (1) of this section and of protocols reviewed under subdivision (2) of this section;; and

(4) Recommend the approval, disapproval, or modification of the application for prescriptive privileges for a physician assistant.

/s/ Mark Biviano

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

/s/ Mrs. Sherri Stacks  
Chief Clerk

Upon motion of Representative T. Rogers, **SENATE BILL NO. 304** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO SENATE BILL NO. 304**

Amend **SENATE BILL NO. 304** as originally introduced:

Add Representative Murdock as a cosponsor of the bill

AND

Delete SECTION 1 of the bill in its entirety

AND

Appropriately renumber the remaining sections of the bill

/s/ Tiffany Rogers

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

/s/ Mrs. Sherri Stacks

Chief Clerk

Upon motion of Representative Harris, **HOUSE BILL NO. 1975** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1975**

Amend **HOUSE BILL NO. 1975** as originally introduced:

Page 1, line 28 delete "Police" and substitute "Police and a Child Maltreatment Central Registry check with the Department of Human Services"

/s/ Justin Harris

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

/s/ Mrs. Sherri Stacks

Chief Clerk

Upon motion of Representative Hammer, **HOUSE BILL NO. 2117** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 2117**

Amend **HOUSE BILL NO. 2117** as originally introduced:

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code Title 11, Chapter 3, Subchapter 2 is amended to add an additional section to read as follows:

11-3-206. Verification of employment eligibility by publicly funded employers.

(a) As used in this section:

(1) "E-verify program" means the electronic verification of work authorization program established under the Illegal Immigration Reform and Immigration Responsibility Act of 1996, 8 U.S.C. § 1324a, as it existed on January 1, 2011, that is operated by the United States Department of Homeland Security; and

(2) "Publicly funded employer" means a private entity or other commercial enterprise that receives state funds.

(b)(1) A publicly funded employer shall:

(A) Register with the E-Verify program by July 1, 2012; and

(B) Beginning the earlier of July 1, 2012, or when the publicly funded employer registers with the E-verify program, use the E-verify program to verify the employment eligibility status of each new employee within three (3) days of the employee's hire.

(2) By July 1 of each year starting in 2013, a publicly funded employer shall certify to the Department of Labor that the publicly funded employer has verified through the E-verify program the employment eligibility status of each new employee of the publicly funded employer.

(c)(1) If a publicly funded employer cannot verify through the E-verify program the employment eligibility status of a new employee, the publicly funded employer shall terminate the new employee's employment within ten (10) business days of receiving notice of nonconfirmation from the E-verify program unless the new employee can produce additional evidence of employment eligibility.

(2) If a new employee is required to submit additional evidence of his or her employment eligibility, the publicly funded employer shall maintain a copy of the evidence with the records from the E-verify program under subsection (d) of this section.

(d)(1) A publicly funded employer shall retain the record of verification or nonconfirmation from the E-verify program regarding the employment eligibility status of each new employee for at least two (2) years.

(2) A publicly funded employer shall provide the records retained under subdivision (d)(1) of this section to the Attorney General upon request.

(e) This section shall be enforced without regard to race, religion, gender, ethnicity, or national origin.

(f) A publicly funded employer that violates this section shall be subject to a penalty as follows:

(1) For a first violation, the publicly funded employer shall be assessed a fine between five hundred dollars (\$500) and one thousand dollars (\$1,000);

(2) For a second violation, the publicly funded employer shall be guilty of a Class A misdemeanor; and

(3) For a third violation, the publicly funded employer shall lose the privilege of receiving state funds for five (5) years.

SECTION 2. TEMPORARY LANGUAGE. DO NOT CODIFY.

After a publicly funded employer registers with the E-verify program:

(1) The three-day verification period under § 11-3-206(b)(1)(B) applies for each new employee; and

(2) The publicly funded employer shall verify the employment eligibility status of each employee hired between January 1, 2011, and the date of registration, inclusive, within ten (10) business days."

/s/ Kim Hammer

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

/s/ Mrs. Sherri Stacks  
Chief Clerk

Upon motion of Representative Mayberry, **HOUSE BILL NO. 1821** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1821**

Amend **HOUSE BILL NO. 1821** as originally introduced:

Page 1, delete lines 10-11 and substitute the following:

"A MEMBER OF THE UNITED STATES ARMED FORCES AND WAS KILLED WHILE PERFORMING MILITARY DUTY; AND FOR"

AND

Delete the subtitle in its entirety and substitute:

"TO GIVE PRIORITY FOR AN ARKANSAS ACADEMIC CHALLENGE SCHOLARSHIP TO A STUDENT WHOSE PARENT WAS A MEMBER OF THE UNITED STATES ARMED FORCES AND WAS KILLED WHILE PERFORMING MILITARY DUTY."

AND

Page 1, delete lines 34-36 and substitute the following:

"time that person entered the service of the United States armed forces or whose official residence is in Arkansas; and

(ii) Was a member of the United States Armed Forces who was killed while performing military duty:

(a) In a status identified under 32 U.S.C. § 101 et seq. or 10 U.S.C. § 101 et seq. as they existed on January 1, 2011; or

(b) In state active duty status."

/s/ Andy Mayberry

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

/s/ Mrs. Sherri Stacks

Chief Clerk

The House gave Representative T. Baker unanimous leave to withdraw **HOUSE BILL NO. 1876.**

The House gave Representative G. Smith unanimous leave to withdraw **HOUSE BILL NO. 1550.**

The House gave Representative T. Rogers unanimous leave to withdraw **HOUSE BILL NO. 2203.**

ENGROSSED BILL REPORTS

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DENNY ALTES, CHAIRPERSON

March 21, 2011

The following bill(s) reported correctly engrossed:

HOUSE BILL NO. 1050 - TITLE - BY REPRESENTATIVE D. ALTES  
 HOUSE BILL NO. 1229 BY REPRESENTATIVE HALL  
 HOUSE BILL NO. 1250 BY REPRESENTATIVE STEWART  
 HOUSE BILL NO. 1743 BY REPRESENTATIVE INGRAM  
 HOUSE BILL NO. 1780 BY REPRESENTATIVE G. SMITH  
 HOUSE BILL NO. 1786 BY REPRESENTATIVE D. HUTCHINSON  
 HOUSE BILL NO. 1790 BY REPRESENTATIVE EDWARDS  
 HOUSE BILL NO. 1821 - TITLE - BY REPRESENTATIVE MAYBERRY  
 HOUSE BILL NO. 1838 BY REPRESENTATIVE NICKELS  
 HOUSE BILL NO. 1877 - TITLE - BY REPRESENTATIVE PIERCE  
 HOUSE BILL NO. 1889 BY REPRESENTATIVE SLINKARD  
 HOUSE BILL NO. 1896 - TITLE - BY REPRESENTATIVE BRANSCUM  
 HOUSE BILL NO. 1920 BY REPRESENTATIVE JOHNSTON  
 HOUSE BILL NO. 1938 BY REPRESENTATIVE NICKELS  
 HOUSE BILL NO. 1940 BY REPRESENTATIVE NICKELS  
 HOUSE BILL NO. 1952 BY REPRESENTATIVE J. ROEBUCK  
 HOUSE BILL NO. 1953 BY REPRESENTATIVE J. ROEBUCK  
 HOUSE BILL NO. 1975 BY REPRESENTATIVE HARRIS  
 HOUSE BILL NO. 1985 BY REPRESENTATIVE BIVIANO  
 HOUSE BILL NO. 2002 - TITLE - BY REPRESENTATIVE LINCK  
 HOUSE BILL NO. 2050 BY REPRESENTATIVE J. ROEBUCK  
 HOUSE BILL NO. 2061 BY REPRESENTATIVE POST  
 HOUSE BILL NO. 2117 BY REPRESENTATIVE HAMMER  
 HOUSE BILL NO. 2138 - TITLE - BY REPRESENTATIVE HYDE  
 HOUSE BILL NO. 2142 BY REPRESENTATIVE HYDE  
 HOUSE BILL NO. 2157 BY REPRESENTATIVE JEAN  
 HOUSE BILL NO. 2207 BY REPRESENTATIVE WRIGHT  
 HOUSE BILL NO. 2210 - TITLE - BY REPRESENTATIVE MURDOCK  
 HOUSE BILL NO. 2229 BY REPRESENTATIVE DALE  
 SENATE BILL NO. 274 BY SENATOR G. BAKER (PIERCE)  
 SENATE BILL NO. 275 - TITLE - BY SENATOR B. SAMPLE (JEAN)  
 SENATE BILL NO. 300 - TITLE - BY SENATOR R. THOMPSON (POWERS)

ENGROSSED BILL REPORTS, CONTINUED

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SENATE BILL NO. 304 - TITLE - BY SENATOR B. PRITCHARD (T. ROGERS)  
SENATE BILL NO. 593 BY SENATOR J. DISMANG (CARTER)  
SENATE BILL NO. 636 BY SENATOR FILES (RICE)  
SENATE BILL NO. 637 BY SENATOR FILES

HOUSE BILL ENGROSSED AS TITLE AMENDED  
HOUSE BILL NO. 1050

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BY: REPRESENTATIVES *WESTERMAN, STUBBLEFIELD, EUBANKS,  
JOHNSTON, D. ALTES*

AN ACT TO PROMOTE ENERGY EFFICIENCY AND CONSERVATION;  
AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED  
HOUSE BILL NO. 1821

---

BY: REPRESENTATIVE MAYBERRY

AN ACT TO GIVE PRIORITY FOR AN ARKANSAS ACADEMIC  
CHALLENGE SCHOLARSHIP TO A STUDENT WHOSE PARENT WAS A  
MEMBER OF THE UNITED STATES ARMED FORCES AND WAS KILLED WHILE  
PERFORMING MILITARY DUTY; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED  
HOUSE BILL NO. 1877

---

BY: REPRESENTATIVE PIERCE

AN ACT TO ENSURE THAT SCHOOL DISTRICTS BELOW A SPECIFIC STUDENT ACHIEVEMENT LEVEL USE PUBLIC SCHOOL FUNDING TO IMPROVE STUDENT ACADEMIC ACHIEVEMENT; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED  
HOUSE BILL NO. 1896

---

BY: REPRESENTATIVE BRANSCUM

AN ACT CONCERNING POSTHUMOUS DEGREES AWARDED BY INSTITUTIONS OF HIGHER EDUCATION; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED  
HOUSE BILL NO. 2002

---

BY: REPRESENTATIVES LINCK, MOORE, J. BROWN, J. EDWARDS,  
PENNARTZ

AN ACT TO CREATE THE ARKANSAS GREAT PLACES PROGRAM TO PROVIDE SUPPORT FOR COMMUNITY DEVELOPMENT EFFORTS AND ECONOMIC DEVELOPMENT; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED  
HOUSE BILL NO. 2138

---

BY: REPRESENTATIVES ALLEN, NICKELS

BY: SENATOR P. MALONE

AN ACT TO ENSURE CONTINUED LOCAL REGULATION OF INDIVIDUAL HEALTH INSURANCE COVERAGE BY ENABLING THE INSURANCE COMMISSIONER TO CONTINUE SERVING ARKANSANS; TO IMPLEMENT FEDERAL HEALTHCARE REFORM; AND TO CREATE THE ARKANSAS HEALTH BENEFITS EXCHANGE; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED  
HOUSE BILL NO. 2210

---

BY: REPRESENTATIVE MURDOCK

AN ACT TO REGULATE THE FAIRNESS AND COMPETITION IN THE BIDDING PRACTICES FOR THE CONSTRUCTION OF PUBLICLY FUNDED BUILDINGS, INFRASTRUCTURE, AND FACILITIES; AND FOR OTHER PURPOSES.

SENATE BILL ENGROSSED AS TITLE AMENDED  
SENATE BILL NO. 275

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BY: SENATORS B. SAMPLE, G. BAKER, BURNETT, J. DISMANG, FILES, FLETCHER, G. JEFFRESS, J. JEFFRESS, M. LAMOUREUX, RAPERT, J. TAYLOR, TEAGUE, J. HUTCHINSON, LUKER

BY: REPRESENTATIVE JEAN

AN ACT TO DECREASE THE SALES AND USE TAX ON NATURAL GAS AND ELECTRICITY USED BY MANUFACTURERS; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

SENATE BILL ENGROSSED AS TITLE AMENDED  
SENATE BILL NO. 300

---

BY: SENATOR R. THOMPSON

BY: REPRESENTATIVES J. EDWARDS, POWERS

AN ACT TO ALLOW NON-PROFIT AND PUBLIC INTEREST CORPORATIONS AND ASSOCIATIONS TO REPRESENT INDIVIDUAL PERSONS; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

SENATE BILL ENGROSSED AS TITLE AMENDED  
SENATE BILL NO. 304

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BY: SENATOR B. PRITCHARD

BY: REPRESENTATIVES T. ROGERS, MURDOCK

AN ACT TO AMEND PROVISIONS OF ARKANSAS LAW CONCERNING THE AWARD OF CAPITAL IMPROVEMENT CONTRACTS BY THE ARKANSAS BUILDING AUTHORITY; AND FOR OTHER PURPOSES.

Upon motion of Representative Rice, **SENATE BILL NO. 637** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO SENATE BILL NO. 637

Amend **SENATE BILL NO. 637** as originally introduced:

Page 1, line 26 delete "shall" and substitute "~~shall~~ may"

AND

Page 1, line 27 delete "proceeds" and substitute "proceeds, after allowance for reasonable expenses of seizure and maintenance of custody."

AND

Page 1, line 28 delete "used" and substitute "used, if the victim files a petition with the court or makes a request to the circuit court within thirty (30) days of the filing of the judgment and commitment order of the convicted defendant"

/s/ Terry Rice

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

/s/ Mrs. Sherri Stacks  
Chief Clerk

Upon motion of Representative Rice, **SENATE BILL NO. 636** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO SENATE BILL NO. 636**

Amend **SENATE BILL NO. 636** as originally introduced:

Page 5, line 27, delete "Pulaski County Circuit Court or the"

AND

Page 6, line 2, delete "Pulaski County Circuit Court or the"

/s/ Terry Rice

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

/s/ Mrs. Sherri Stacks  
Chief Clerk

Upon motion of Representative Pierce, **SENATE BILL NO. 274** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO SENATE BILL NO. 274**

Amend **SENATE BILL NO. 274** as engrossed,  
S2/21/11 (version: 2/21/2011 08:56:11 AM)

Page 1, delete line 29 and substitute the following:

~~"thousand five hundred dollars (\$2,500)~~ four thousand dollars (\$4,000), no tax"

AND

Page 2, delete line 1 and substitute the following:

~~“hundred dollars (\$2,500)~~ four thousand dollars (\$4,000), no tax shall be due.”

AND

Page 2, delete lines 3 and 4 and substitute the following:

“SECTION 3. Effective date. Sections 1 and 2 of this act are effective on and after January 1, 2012.”

/s/ Bobby Pierce

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

/s/ Mrs. Sherri Stacks

Chief Clerk

HOUSE RESOLUTION NO. 1032

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**BY: REPRESENTATIVE CHEATHAM**

ENCOURAGING LANDOWNERS, CONSERVATION ORGANIZATIONS, AND THE STATE OF ARKANSAS TO TAKE FULL ADVANTAGE OF FEDERALLY-APPROVED AND STATE-APPROVED POLICIES TO SUSTAIN THE STRENGTH OF ARKANSAS'S AGRICULTURAL AND RURAL LEGACY FOR FUTURE GENERATIONS; AND ENCOURAGING PARTICIPATION IN THE ENHANCED EASEMENT INCENTIVE.

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

Morning Hour Expired.

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

ARKANSAS SENATE

AMENDMENT NO. 1 TO HOUSE BILL NO. 1439

Amend **HOUSE BILL NO. 1439** as originally introduced:

Page 1, line 32, delete "(b)(1)" and substitute "(b)"

AND

Page 1, delete line 36

AND

Page 2, delete lines 1 and 2

AND

Page 2, line 7, delete "A commercial" and substitute "(a) A commercial"

AND

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

"workmanship.

(b) This section is not intended to restrict or limit the nature or types of exclusions from coverage that an insurer may include in a commercial general liability insurance policy."

/s/ Jeremy Hutchinson

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Allen, Altes, Baird, Baker, Barnett, Bell, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carnine, Catlett, Cheatham, Clemmer, Collins, Cowling, Dale, Deffenbaugh, Dickinson, Edwards, Elliott, English, Eubanks, Fielding, Garner, Gaskill, Gillam, Hall, Hammer, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hutchinson, Hyde, Ingram, Jean, Johnston, Kerr, King, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, McLean, D. Meeks, S. Meeks, Murdock, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Post, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Walker, Wardlaw, Webb, Westerman, B. Wilkins, Williams, Woods, Word, Wren, Wright.

Total .....93

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Carter, Collins-Smith, Cozart, Powers, H. Wilkins, Mr. Speaker.

Total .....6

VOTING PRESENT:

Total .....0

Total number of votes cast .....93

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

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

So the Amendment was concurred in.

/s/ Mrs. Sherri Stacks  
Chief Clerk

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

ARKANSAS SENATE

AMENDMENT NO. 2 TO HOUSE BILL NO. 1439

Amend HOUSE BILL NO. 1439 as originally introduced:

Page 2, delete lines 6 through 15, and substitute the following:

"23-79-155. Commercial general liability insurance.

A commercial general liability insurance policy offered for sale in this state shall contain a definition of "occurrence" that includes:

(1) Accidents, including continuous or repeated exposure to substantially the same general harmful conditions; and

(2) Property damage or bodily injury resulting from faulty workmanship."

/s/ Steve Harrelson

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Allen, Altes, Baird, Baker, Barnett, Bell, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carnine, Catlett, Cheatham, Clemmer, Collins, Cowling, Dale, Deffenbaugh, Dickinson, Edwards, Elliott, English, Eubanks, Fielding, Garner, Gaskill, Gillam, Hall, Hammer, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hutchinson, Hyde, Ingram, Jean, Johnston, Kerr, King, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, McLean, D. Meeks, S. Meeks, Murdock, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Post, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Wardlaw, Webb, Westerman, B. Wilkins, Williams, Woods, Word, Wren, Wright.

Total .....92

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Carter, Collins-Smith, Cozart, Powers, Walker, H. Wilkins, Mr. Speaker.

Total .....7

VOTING PRESENT:

Total .....0

Total number of votes cast .....92

Total number voting in the affirmative .....92

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

So the Amendment was concurred in.

/s/ Mrs. Sherri Stacks  
Chief Clerk

Representative J. Roebuck moved that the House concur in the following Senate Amendment.

ARKANSAS SENATE

AMENDMENT NO. 1 TO HOUSE BILL NO. 1298

Amend HOUSE BILL NO. 1298 as originally introduced:

Page 1, delete lines 9 through 12 and substitute:

"AN ACT TO ENSURE THAT MISSING CHILD INFORMATION WILL BE ENTERED INTO THE MISSING PERSONS INFORMATION CLEARINGHOUSE; AND FOR OTHER PURPOSES."

AND

Page 1, delete the subtitle in its entirety and substitute:

"TO ENSURE THAT MISSING CHILD INFORMATION WILL BE ENTERED INTO THE MISSING PERSONS INFORMATION CLEARINGHOUSE."

AND

Page 1, delete lines 30 and 31 and substitute:

"(1) Ensure that the missing child information is entered into the Missing Persons"

/s/ Mary Ann Salmon

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Allen, Altes, Baird, Baker, Barnett, Bell, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carnine, Catlett, Cheatham, Clemmer, Collins, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, Elliott, English, Eubanks, Fielding, Garner, Gaskill, Gillam, Hall, Hammer, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hutchinson, Hyde, Ingram, Jean, Johnston, Kerr, King, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, McLean, D. Meeks, S. Meeks, Murdock, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Post, Powers, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Walker, Wardlaw, Webb, Westerman, B. Wilkins, Williams, Woods, Word, Wren, Wright.

Total .....95

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Carter, Collins-Smith, H. Wilkins, Mr. Speaker.

Total .....4

VOTING PRESENT:

Total .....0

Total number of votes cast .....95

Total number voting in the affirmative .....95

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

So the Amendment was concurred in.

/s/ Mrs. Sherri Stacks

Chief Clerk

HOUSE BILL NO. 1907

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BY: REPRESENTATIVE ALLEN

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

AFFIRMATIVE: Allen, Altes, Baird, Baker, Barnett, Bell, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carnine, Catlett, Cheatham, Clemmer, Collins, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, Elliott, English, Eubanks, Fielding, Garner, Gaskill, Gillam, Hall, Hammer, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hutchinson, Hyde, Ingram, Jean, Johnston, Kerr, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, D. Meeks, S. Meeks, Murdock, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Post, Powers, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Wagner, Walker, Wardlaw, Webb, Westerman, B. Wilkins, Williams, Woods, Word, Wren, Wright.

Total .....92

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Carter, Collins-Smith, King, McLean, Vines, H. Wilkins, Mr. Speaker.

Total .....7

VOTING PRESENT:

Total .....0

Total number of votes cast .....92

Total number voting in the affirmative.....92

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

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

HOUSE BILL NO. 1785

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BY: REPRESENTATIVE H. WILKINS

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

AFFIRMATIVE: Allen, Altes, Baird, Baker, Barnett, Bell, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carnine, Catlett, Cheatham, Clemmer, Collins, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, Elliott, English, Eubanks, Fielding, Garner, Gaskill, Gillam, Hall, Hammer, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hutchinson, Hyde, Ingram, Jean, Johnston, Kerr, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, McLean, D. Meeks, S. Meeks, Murdock, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Post, Powers, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Walker, Wardlaw, Webb, Westerman, B. Wilkins, Williams, Woods, Word, Wren, Wright.

Total .....94

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Carter, Collins-Smith, King, H. Wilkins, Mr. Speaker.

Total .....5

VOTING PRESENT:

Total .....0

Total number of votes cast .....94

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

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

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

HOUSE BILL NO. 1723

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BY: REPRESENTATIVE D. ALTES

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

AFFIRMATIVE: Altes, Baird, Barnett, Bell, Benedict, Biviano, Branscum, Burris, Carnine, Clemmer, Collins, Cozart, Dale, Deffenbaugh, English, Eubanks, Garner, Gillam, Hall, Hammer, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hutchinson, Jean, Johnston, Kerr, King, Lea, Lenderman, Linck, Lindsey, Malone, Mauch, Mayberry, McLean, D. Meeks, S. Meeks, Overbey, Pierce, Rice, Sanders, Shepherd, Slinkard, G. Smith, Steel, Stubblefield, Summers, Vines, Westerman, B. Wilkins, Woods, Word.

Total .....55

NEGATIVE: Baker, Bradford, Brown, Catlett, Dickinson, Elliott, Fielding, Gaskill, Lampkin, Leding, Lovell, Murdock, Nickels, Patterson, Pennartz, Ratliff, Roebuck, Rogers, Steele, Stewart, Wagner, Walker, Webb, Wren, Wright.

Total .....25

ABSENT OR NOT VOTING: Allen, Carter, Collins-Smith, Cowling, Edwards, Hyde, Ingram, McCrary, Perry, Powers, Thompson, Tyler, H. Wilkins, Williams, Mr. Speaker.

Total .....15

VOTING PRESENT: Cheatham, Love, Post, Wardlaw.

Total .....4

Total number of votes cast .....84

Total number voting in the affirmative.....55

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

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

Upon motion by Representative D. Altes the Clincher motion prevailed.

HOUSE BILL NO. 2198

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BY: REPRESENTATIVE T. STEELE

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

AFFIRMATIVE: Allen, Altes, Baird, Baker, Barnett, Bell, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carnine, Catlett, Cheatham, Clemmer, Collins, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, Elliott, Eubanks, Fielding, Garner, Gaskill, Gillam, Hall, Hammer, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hutchinson, Ingram, Jean, Kerr, King, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, McLean, D. Meeks, Murdock, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Post, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Walker, Wardlaw, Webb, Westerman, B. Wilkins, Williams, Woods, Word, Wren, Wright.

Total .....90

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Carter, Collins-Smith, English, Hyde, Johnston, S. Meeks, Powers, H. Wilkins, Mr. Speaker.

Total .....9

VOTING PRESENT:

Total .....0

Total number of votes cast .....90

Total number voting in the affirmative .....90

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

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

HOUSE BILL NO. 2141

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BY: REPRESENTATIVE HYDE

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

AFFIRMATIVE: Allen, Altes, Baird, Baker, Barnett, Bell, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carnine, Catlett, Cheatham, Clemmer, Collins, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, Elliott, English, Eubanks, Fielding, Garner, Gaskill, Gillam, Hall, Hammer, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hyde, Ingram, Jean, Kerr, King, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Lovell, Mauch, Mayberry, McCrary, McLean, D. Meeks, S. Meeks, Overbey, Patterson, Pennartz, Perry, Pierce, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Wardlaw, Webb, Westerman, B. Wilkins, Williams, Woods, Word, Wren, Wright.

Total .....86

NEGATIVE: Post, Walker.

Total .....2

ABSENT OR NOT VOTING: Carter, Collins-Smith, Hutchinson, Johnston, Malone, Murdock, Nickels, Powers, H. Wilkins, Mr. Speaker.

Total .....10

VOTING PRESENT: Love.

Total .....1

Total number of votes cast .....89

Total number voting in the affirmative .....86

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

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

There being an Emergency Clause attached to **HOUSE BILL NO. 2141**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

**EMERGENCY CLAUSE**

AFFIRMATIVE: Allen, Altes, Baird, Baker, Barnett, Bell, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carnine, Catlett, Cheatham, Clemmer, Collins, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, Elliott, English, Eubanks, Fielding, Garner, Gaskill, Gillam, Hall, Hammer, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hyde, Ingram, Jean, Kerr, King, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Lovell, Mauch, Mayberry, McCrary, McLean, D. Meeks, S. Meeks, Overbey, Patterson, Pennartz, Perry, Pierce, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Wardlaw, Webb, Westerman, B. Wilkins, Williams, Woods, Word, Wren, Wright.

Total .....86

NEGATIVE: Post, Walker.

Total .....2

ABSENT OR NOT VOTING: Carter, Collins-Smith, Hutchinson, Johnston, Malone, Murdock, Nickels, Powers, H. Wilkins, Mr. Speaker.

Total .....10

VOTING PRESENT: Love.

Total .....1

Total number of votes cast .....89

Total number voting in the affirmative .....86

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

So the Emergency Clause was adopted.

Representative Pennartz moved that the House pass over **HOUSE BILL NO. 1869** leave it on the Calendar. Motion carried.

HOUSE BILL NO. 1893

---

BY: REPRESENTATIVE HOBBS

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

AFFIRMATIVE: Allen, Altes, Baird, Baker, Barnett, Bell, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carnine, Carter, Catlett, Cheatham, Clemmer, Collins, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, Elliott, English, Eubanks, Fielding, Garner, Gaskill, Gillam, Hall, Hammer, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hutchinson, Ingram, Jean, Johnston, Kerr, Lampkin, Lea, Leding, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, McLean, D. Meeks, S. Meeks, Murdock, Nickels, Patterson, Pennartz, Perry, Post, Powers, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Walker, Wardlaw, Westerman, B. Wilkins, Williams, Woods, Word, Wren, Wright.

Total .....89

NEGATIVE: Lenderman, Ratliff.

Total .....2

ABSENT OR NOT VOTING: Collins-Smith, Hyde, King, Overbey, Pierce, Webb, H. Wilkins, Mr. Speaker.

Total .....8

VOTING PRESENT:

Total .....0

Total number of votes cast .....91

Total number voting in the affirmative.....89

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

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

HOUSE BILL NO. 1917

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BY: REPRESENTATIVE HAMMER

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

AFFIRMATIVE: Allen, Altes, Baird, Baker, Barnett, Bell, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carnine, Carter, Catlett, Cheatham, Clemmer, Collins, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, English, Eubanks, Fielding, Garner, Gaskill, Gillam, Hall, Hammer, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hutchinson, Hyde, Ingram, Jean, Kerr, King, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, McLean, D. Meeks, S. Meeks, Murdock, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Post, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Thompson, Vines, Wagner, Walker, Wardlaw, Westerman, B. Wilkins, Woods, Wren, Wright.

Total .....88

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Collins-Smith, Elliott, Johnston, Powers, Slinkard, Webb, H. Wilkins, Williams, Word, Mr. Speaker.

Total .....10

VOTING PRESENT: Tyler.

Total .....1

Total number of votes cast .....89

Total number voting in the affirmative .....88

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

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

HOUSE BILL NO. 1296

BY: REPRESENTATIVE CARNINE

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

AFFIRMATIVE: Allen, Altes, Baird, Baker, Barnett, Bell, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carnine, Catlett, Cheatham, Clemmer, Collins, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, English, Eubanks, Fielding, Garner, Gaskill, Gillam, Hall, Hammer, Harris, Hickerson, Hobbs, Hopper, Hutchinson, Hyde, Ingram, Jean, Kerr, King, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, McLean, D. Meeks, S. Meeks, Murdock, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Post, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Wardlaw, Westerman, B. Wilkins, Williams, Woods, Word, Wren, Wright.

Total .....89

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Carter, Collins-Smith, Elliott, Hubbard, Johnston, Powers, Walker, Webb, H. Wilkins, Mr. Speaker.

Total .....10

VOTING PRESENT:

Total .....0

Total number of votes cast .....89

Total number voting in the affirmative .....89

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

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

HOUSE BILL NO. 1617

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BY: REPRESENTATIVE J. ROEBUCK

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

AFFIRMATIVE: Allen, Altes, Baird, Baker, Barnett, Bell, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carnine, Carter, Catlett, Cheatham, Clemmer, Collins, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, Elliott, English, Eubanks, Fielding, Garner, Gaskill, Gillam, Hall, Hammer, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hutchinson, Hyde, Ingram, Jean, Johnston, Kerr, King, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, McLean, D. Meeks, S. Meeks, Murdock, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Post, Powers, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Walker, Wardlaw, Westerman, B. Wilkins, Williams, Word, Wren, Wright.

Total .....94

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Collins-Smith, Webb, H. Wilkins, Woods, Mr. Speaker.

Total .....5

VOTING PRESENT:

Total .....0

Total number of votes cast .....94

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

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

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

HOUSE BILL NO. 2118

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BY: REPRESENTATIVE HAMMER

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

AFFIRMATIVE: Allen, Altes, Baird, Baker, Barnett, Bell, Biviano, Bradford, Branscum, Brown, Burris, Carnine, Carter, Cheatham, Collins, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, Elliott, English, Eubanks, Fielding, Garner, Gaskill, Gillam, Hammer, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hutchinson, Hyde, Ingram, Jean, Johnston, Kerr, King, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, McLean, D. Meeks, S. Meeks, Murdock, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Post, Powers, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Walker, Wardlaw, Westerman, Williams, Woods, Word, Wren, Wright.

Total .....89

NEGATIVE: Benedict, Catlett, Slinkard, B. Wilkins.

Total .....4

ABSENT OR NOT VOTING: Clemmer, Collins-Smith, Hall, Webb, H. Wilkins, Mr. Speaker.

Total .....6

VOTING PRESENT:

Total .....0

Total number of votes cast .....93

Total number voting in the affirmative.....89

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

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

HOUSE BILL NO. 2047

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BY: REPRESENTATIVE CARTER

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

AFFIRMATIVE: Allen, Altes, Baird, Baker, Barnett, Bell, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carnine, Carter, Catlett, Cheatham, Clemmer, Collins, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, Elliott, English, Eubanks, Fielding, Garner, Gaskill, Gillam, Hall, Hammer, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hutchinson, Hyde, Ingram, Jean, Kerr, King, Lampkin, Lea, Leding, Lenderman, Linck, Love, Lovell, Malone, Mauch, Mayberry, McCrary, McLean, D. Meeks, S. Meeks, Murdock, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Summers, Thompson, Tyler, Vines, Wagner, Walker, Wardlaw, Westerman, B. Wilkins, Williams, Woods, Word, Wren, Wright.

Total .....91

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Collins-Smith, Johnston, Lindsey, Post, Stubblefield, Webb, H. Wilkins, Mr. Speaker.

Total .....8

VOTING PRESENT:

Total .....0

Total number of votes cast .....91

Total number voting in the affirmative .....91

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

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

HOUSE BILL NO. 2003

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BY: REPRESENTATIVE HAMMER

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

AFFIRMATIVE: Allen, Altes, Baird, Baker, Barnett, Bell, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carnine, Carter, Catlett, Cheatham, Clemmer, Collins, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, Elliott, English, Eubanks, Fielding, Garner, Gaskill, Gillam, Hall, Hammer, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hutchinson, Hyde, Ingram, Jean, Johnston, Kerr, King, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, McLean, D. Meeks, S. Meeks, Murdock, Overbey, Patterson, Pennartz, Perry, Pierce, Post, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Wardlaw, Westerman, B. Wilkins, Williams, Woods, Word, Wren, Wright.

Total .....92

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Collins-Smith, Powers, Webb, H. Wilkins, Mr. Speaker.

Total .....5

VOTING PRESENT: Nickels, Walker.

Total .....2

Total number of votes cast .....94

Total number voting in the affirmative.....92

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

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

HOUSE BILL NO. 1833

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BY: REPRESENTATIVE KING

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

AFFIRMATIVE: Allen, Altes, Baird, Baker, Barnett, Bell, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carnine, Carter, Catlett, Cheatham, Clemmer, Collins, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, English, Eubanks, Fielding, Garner, Gaskill, Gillam, Hall, Hammer, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hutchinson, Ingram, Jean, Johnston, Kerr, King, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, McLean, D. Meeks, S. Meeks, Murdock, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Post, Powers, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Walker, Wardlaw, Westerman, B. Wilkins, Williams, Woods, Word, Wren, Wright.

Total .....93

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Collins-Smith, Elliott, Hyde, Webb, H. Wilkins, Mr. Speaker.

Total .....6

VOTING PRESENT:

Total .....0

Total number of votes cast .....93

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

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

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

HOUSE BILL NO. 1933

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BY: REPRESENTATIVE SUMMERS

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

AFFIRMATIVE: Allen, Altes, Baird, Baker, Barnett, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carnine, Carter, Catlett, Cheatham, Clemmer, Collins, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, English, Eubanks, Fielding, Garner, Gaskill, Gillam, Hall, Hammer, Hickerson, Hobbs, Hopper, Hubbard, Hyde, Ingram, Jean, Johnston, Kerr, King, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, McLean, D. Meeks, S. Meeks, Murdock, Nickels, Overbey, Patterson, Pennartz, Perry, Post, Powers, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Walker, Wardlaw, Westerman, B. Wilkins, Williams, Woods, Word, Wren, Wright.

Total .....90

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Collins-Smith, Elliott, Harris, Hutchinson, Pierce, Webb, H. Wilkins, Mr. Speaker.

Total .....8

VOTING PRESENT: Bell.

Total .....1

Total number of votes cast .....91

Total number voting in the affirmative.....90

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

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

Representative Allen moved for immediate consideration of **HOUSE BILL NO. 1797**. Motion carried.

**HOUSE BILL NO. 1797**

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**BY: REPRESENTATIVE KING**

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

AFFIRMATIVE: Altes, Baird, Barnett, Bell, Benedict, Biviano, Branscum, Burris, Carnine, Carter, Clemmer, Collins, Cozart, Dale, Deffenbaugh, English, Eubanks, Garner, Gaskill, Gillam, Hammer, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hutchinson, Jean, Johnston, Kerr, King, Lampkin, Lea, Linck, Malone, Mauch, Mayberry, McLean, D. Meeks, S. Meeks, Nickels, Perry, Rice, Sanders, Shepherd, Slinkard, Steel, Stubblefield, Vines, Wagner, Wardlaw, Westerman, Woods.

Total .....53

NEGATIVE: Allen, Baker, Bradford, Brown, Catlett, Cheatham, Dickinson, Elliott, Fielding, Hall, Ingram, Leding, Lenderman, Lindsey, Love, Lovell, McCrary, Murdock, Patterson, Pierce, Post, Powers, Ratliff, Roebuck, Rogers, G. Smith, Steele, Stewart, Thompson, Walker, Webb, B. Wilkins, Williams, Word, Wren, Wright.

Total .....36

ABSENT OR NOT VOTING: Collins-Smith, Cowling, Edwards, Hyde, Overbey, Pennartz, Summers, Tyler, H. Wilkins, Mr. Speaker.

Total .....10

VOTING PRESENT:

Total .....0

Total number of votes cast .....89

Total number voting in the affirmative .....53

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

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

Upon motion by Representative King the Clincher motion prevailed.

Representative Allen requested the Sounding of the Ballot and the call was sustained. No votes were successfully challenged.

HOUSE BILL NO. 2001

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**BY: REPRESENTATIVE HICKERSON**

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

AFFIRMATIVE: Allen, Altes, Baird, Baker, Barnett, Bell, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carnine, Carter, Catlett, Cheatham, Clemmer, Collins, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, Elliott, English, Garner, Gaskill, Gillam, Hall, Hammer, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hutchinson, Ingram, Jean, Johnston, Kerr, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, D. Meeks, S. Meeks, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Post, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Walker, Wardlaw, Webb, Westerman, Williams, Woods, Word, Wren, Wright.

Total .....88

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Collins-Smith, Eubanks, Fielding, Hyde, McLean, Murdock, Powers, H. Wilkins, Mr. Speaker.

Total .....9

VOTING PRESENT: King, B. Wilkins.

Total .....2

Total number of votes cast .....90

Total number voting in the affirmative.....88

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

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

HOUSE BILL NO. 1988

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BY: REPRESENTATIVE PENNARTZ

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

AFFIRMATIVE: Allen, Baird, Baker, Barnett, Bell, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carnine, Carter, Catlett, Cheatham, Collins, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, Elliott, English, Eubanks, Garner, Gaskill, Gillam, Hall, Hammer, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hyde, Ingram, Jean, Johnston, Kerr, King, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, McLean, D. Meeks, S. Meeks, Nickels, Overbey, Patterson, Pennartz, Pierce, Post, Powers, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Walker, Wardlaw, Webb, Westerman, B. Wilkins, Williams, Woods, Word, Wren, Wright.

Total .....90

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Altes, Clemmer, Collins-Smith, Fielding, Hutchinson, Murdock, Perry, H. Wilkins, Mr. Speaker.

Total .....9

VOTING PRESENT:

Total .....0

Total number of votes cast .....90

Total number voting in the affirmative .....90

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

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

Representative Pierce moved to pass over HOUSE BILL NO. 1611 and leave it on the Calendar. Motion carried.

SENATE BILL NO. 404

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BY: SENATOR B. SAMPLE

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

AFFIRMATIVE: Allen, Altes, Baker, Barnett, Bell, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carter, Catlett, Cheatham, Clemmer, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, Elliott, English, Eubanks, Fielding, Garner, Gaskill, Gillam, Hall, Hammer, Hickerson, Hobbs, Hopper, Hubbard, Ingram, Jean, Johnston, Kerr, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Lovell, Mauch, Mayberry, McCrary, McLean, D. Meeks, Nickels, Overbey, Patterson, Pennartz, Perry, Powers, Ratliff, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Stubblefield, Thompson, Tyler, Vines, Wagner, Walker, Wardlaw, Webb, Westerman, Williams, Woods, Wren, Wright.

Total .....79

NEGATIVE: Malone.

Total .....1

ABSENT OR NOT VOTING: Baird, Collins-Smith, Hutchinson, Hyde, King, Love, S. Meeks, Murdock, Pierce, Post, Rice, Summers, B. Wilkins, H. Wilkins, Word, Mr. Speaker.

Total .....16

VOTING PRESENT: Carnine, Collins, Harris.

Total .....3

Total number of votes cast .....83

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

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

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

There being an Emergency Clause attached to **SENATE BILL NO. 404**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

**EMERGENCY CLAUSE**

AFFIRMATIVE: Allen, Altes, Baker, Barnett, Bell, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carter, Catlett, Cheatham, Clemmer, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, Elliott, English, Eubanks, Fielding, Garner, Gaskill, Gillam, Hall, Hammer, Hickerson, Hobbs, Hopper, Hubbard, Ingram, Jean, Johnston, Kerr, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Lovell, Mauch, Mayberry, McCrary, McLean, D. Meeks, Nickels, Overbey, Patterson, Pennartz, Perry, Powers, Ratliff, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Stubblefield, Thompson, Tyler, Vines, Wagner, Walker, Wardlaw, Webb, Westerman, Williams, Woods, Wren, Wright.

Total .....79

NEGATIVE: Malone.

Total .....1

ABSENT OR NOT VOTING: Baird, Collins-Smith, Hutchinson, Hyde, King, Love, S. Meeks, Murdock, Pierce, Post, Rice, Summers, B. Wilkins, H. Wilkins, Word, Mr. Speaker.

Total .....16

VOTING PRESENT: Carnine, Collins, Harris.

Total .....3

Total number of votes cast .....83

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

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

So the Emergency Clause was adopted.

SENATE BILL NO. 711

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BY: SENATOR J. KEY

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

AFFIRMATIVE: Allen, Altes, Baker, Barnett, Benedict, Biviano, Branscum, Brown, Burris, Catlett, Cheatham, Clemmer, Collins, Cowling, Cozart, Dale, Dickinson, Edwards, Elliott, English, Eubanks, Fielding, Garner, Gaskill, Gillam, Hall, Hammer, Hickerson, Hobbs, Hopper, Hubbard, Ingram, Jean, Kerr, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, McCrary, McLean, S. Meeks, Murdock, Nickels, Overbey, Patterson, Pennartz, Perry, Post, Powers, Ratliff, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Walker, Wardlaw, Webb, Westerman, B. Wilkins, Williams, Woods, Word, Wren, Wright.

Total .....80

NEGATIVE: Baird, Bell, Deffenbaugh, Harris, Johnston, Mauch, Mayberry, D. Meeks.

Total .....8

ABSENT OR NOT VOTING: Bradford, Carnine, Carter, Collins-Smith, Hutchinson, Hyde, King, Pierce, Rice, H. Wilkins, Mr. Speaker.

Total .....11

VOTING PRESENT:

Total .....0

Total number of votes cast .....88

Total number voting in the affirmative .....80

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

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

SENATE BILL NO. 332

---

BY: SENATOR FILES

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

AFFIRMATIVE: Allen, Altes, Baird, Baker, Barnett, Bell, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carnine, Carter, Catlett, Cheatham, Clemmer, Collins, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, Elliott, English, Eubanks, Fielding, Garner, Gaskill, Gillam, Hall, Hammer, Harris, Hickerson, Hobbs, Hopper, Hubbard, Ingram, Jean, Johnston, Kerr, King, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, McLean, D. Meeks, S. Meeks, Murdock, Nickels, Overbey, Patterson, Pennartz, Perry, Post, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Walker, Wardlaw, Webb, Westerman, B. Wilkins, Williams, Woods, Word, Wren, Wright.

Total .....92

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Collins-Smith, Hutchinson, Hyde, Pierce, Powers, H. Wilkins, Mr. Speaker.

Total .....7

VOTING PRESENT:

Total .....0

Total number of votes cast.....92

Total number voting in the affirmative .....92

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

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

SENATE BILL NO. 598

BY: SENATOR J. DISMANG

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

AFFIRMATIVE: Allen, Altes, Baird, Baker, Barnett, Bell, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carnine, Catlett, Cheatham, Clemmer, Collins, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, Elliott, English, Eubanks, Fielding, Garner, Gaskill, Gillam, Hall, Hammer, Harris, Hickerson, Hobbs, Hopper, Hubbard, Ingram, Jean, Johnston, Kerr, King, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, McLean, D. Meeks, S. Meeks, Murdock, Nickels, Overbey, Patterson, Pennartz, Perry, Post, Powers, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Walker, Wardlaw, Webb, Westerman, B. Wilkins, Williams, Woods, Word, Wren, Wright.

Total .....91

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Carter, Collins-Smith, Hutchinson, Hyde, Pierce, Steel, H. Wilkins, Mr. Speaker.

Total .....8

VOTING PRESENT:

Total .....0

Total number of votes cast .....91

Total number voting in the affirmative .....91

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

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

Representative T. Steele moved to pass over SENATE BILL NO. 276 and leave it on the Calendar. Motion carried.

SENATE BILL NO. 512

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BY: SENATOR D. JOHNSON

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

AFFIRMATIVE: Allen, Altes, Baird, Baker, Barnett, Bell, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carnine, Carter, Catlett, Cheatham, Clemmer, Collins, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, Elliott, English, Eubanks, Fielding, Garner, Gaskill, Gillam, Hall, Hammer, Harris, Hickerson, Hobbs, Hopper, Hubbard, Ingram, Jean, Johnston, Kerr, King, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, McLean, D. Meeks, S. Meeks, Murdock, Nickels, Overbey, Patterson, Pennartz, Perry, Powers, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Walker, Wardlaw, Webb, Westerman, B. Wilkins, Williams, Woods, Word, Wren, Wright.

Total .....92

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Collins-Smith, Hutchinson, Hyde, Pierce, Post, H. Wilkins, Mr. Speaker.

Total .....7

VOTING PRESENT:

Total .....0

Total number of votes cast.....92

Total number voting in the affirmative .....92

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

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

Upon motion of Representative J. Edwards, **SENATE BILL NO. 300** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO SENATE BILL NO. 300

Amend **SENATE BILL NO. 300** as engrossed,  
S2/22/11 (version: 02/22/2011 02:13:18 PM)

Add Representatives J. Edwards, Powers as cosponsors of the bill

AND

Page 2, delete lines 29 through 31 and substitute:

(2) Nonprofit corporation or voluntary association lawfully engaged in representing or assisting an indigent, poor, or disadvantaged person as a client in a civil or criminal matter, provided that any legal services rendered by a nonprofit corporation or voluntary association are furnished through duly licensed attorneys in accordance with rules governing the practice of law in Arkansas."

/s/ Bubba Powers

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

/s/ Mrs. Sherri Stacks  
Chief Clerk

HOUSE BILL NO. 1327

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BY: JOINT BUDGET COMMITTEE

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

AFFIRMATIVE: Allen, Altes, Baird, Baker, Barnett, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carnine, Carter, Catlett, Cheatham, Clemmer, Collins, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, Elliott, English, Eubanks, Fielding, Garner, Gaskill, Gillam, Hall, Hammer, Harris, Hickerson, Hobbs, Hopper, Hyde, Ingram, Jean, Johnston, Kerr, King, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Lovell, Malone, Mauch, Mayberry, McCrary, McLean, D. Meeks, S. Meeks, Murdock, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Post, Powers, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Walker, Wardlaw, Webb, Westerman, B. Wilkins, Williams, Woods, Word, Wren, Wright.

Total .....92

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Collins-Smith, Hubbard, Hutchinson, Love, H. Wilkins, Mr. Speaker.

Total .....6

VOTING PRESENT: Bell.

Total .....1

Total number of votes cast.....93

Total number voting in the affirmative .....92

Necessary to the passage of the bill .....75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1327**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

**EMERGENCY CLAUSE**

AFFIRMATIVE: Allen, Altes, Baird, Baker, Barnett, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carnine, Carter, Catlett, Cheatham, Clemmer, Collins, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, Elliott, English, Eubanks, Fielding, Garner, Gaskill, Gillam, Hall, Hammer, Harris, Hickerson, Hobbs, Hopper, Hyde, Ingram, Jean, Johnston, Kerr, King, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Lovell, Malone, Mauch, Mayberry, McCrary, McLean, D. Meeks, S. Meeks, Murdock, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Post, Powers, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Walker, Wardlaw, Webb, Westerman, B. Wilkins, Williams, Woods, Word, Wren, Wright.

Total .....92

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Collins-Smith, Hubbard, Hutchinson, Love, H. Wilkins, Mr. Speaker.

Total .....6

VOTING PRESENT: Bell.

Total .....1

Total number of votes cast .....93

Total number voting in the affirmative .....92

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

So the Emergency Clause was adopted.

SENATE BILL NO. 103

---

**BY: JOINT BUDGET COMMITTEE**

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

AFFIRMATIVE: Allen, Altes, Baird, Baker, Barnett, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carnine, Carter, Catlett, Cheatham, Clemmer, Collins, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, Elliott, English, Eubanks, Fielding, Garner, Gaskill, Gillam, Hall, Hammer, Harris, Hickerson, Hobbs, Hopper, Hyde, Ingram, Jean, Johnston, Kerr, King, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Lovell, Malone, Mauch, Mayberry, McCrary, McLean, D. Meeks, S. Meeks, Murdock, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Post, Powers, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Walker, Wardlaw, Webb, Westerman, B. Wilkins, Williams, Woods, Word, Wren, Wright.

Total .....92

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Collins-Smith, Hubbard, Hutchinson, Love, H. Wilkins, Mr. Speaker.

Total .....6

VOTING PRESENT: Bell.

Total .....1

Total number of votes cast.....93

Total number voting in the affirmative .....92

Necessary to the passage of the bill .....75

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

There being an Emergency Clause attached to **SENATE BILL NO. 103**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

**EMERGENCY CLAUSE**

AFFIRMATIVE: Allen, Altes, Baird, Baker, Barnett, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carnine, Carter, Catlett, Cheatham, Clemmer, Collins, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, Elliott, English, Eubanks, Fielding, Garner, Gaskill, Gillam, Hall, Hammer, Harris, Hickerson, Hobbs, Hopper, Hyde, Ingram, Jean, Johnston, Kerr, King, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Lovell, Malone, Mauch, Mayberry, McCrary, McLean, D. Meeks, S. Meeks, Murdock, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Post, Powers, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Walker, Wardlaw, Webb, Westerman, B. Wilkins, Williams, Woods, Word, Wren, Wright.

Total .....92

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Collins-Smith, Hubbard, Hutchinson, Love, H. Wilkins, Mr. Speaker.

Total .....6

VOTING PRESENT: Bell.

Total .....1

Total number of votes cast .....93

Total number voting in the affirmative .....92

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

So the Emergency Clause was adopted.

SENATE BILL NO. 133

---

**BY: JOINT BUDGET COMMITTEE**

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

AFFIRMATIVE: Allen, Altes, Baird, Baker, Barnett, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carnine, Carter, Catlett, Cheatham, Clemmer, Collins, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, Elliott, English, Eubanks, Fielding, Garner, Gaskill, Gillam, Hall, Hammer, Harris, Hickerson, Hobbs, Hopper, Hyde, Ingram, Jean, Johnston, Kerr, King, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Lovell, Malone, Mauch, Mayberry, McCrary, McLean, D. Meeks, S. Meeks, Murdock, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Post, Powers, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Walker, Wardlaw, Webb, Westerman, B. Wilkins, Williams, Woods, Word, Wren, Wright.

Total .....92

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Collins-Smith, Hubbard, Hutchinson, Love, H. Wilkins, Mr. Speaker.

Total .....6

VOTING PRESENT: Bell.

Total .....1

Total number of votes cast.....93

Total number voting in the affirmative .....92

Necessary to the passage of the bill .....75

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

There being an Emergency Clause attached to **SENATE BILL NO. 133**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

**EMERGENCY CLAUSE**

AFFIRMATIVE: Allen, Altes, Baird, Baker, Barnett, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carnine, Carter, Catlett, Cheatham, Clemmer, Collins, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, Elliott, English, Eubanks, Fielding, Garner, Gaskill, Gillam, Hall, Hammer, Harris, Hickerson, Hobbs, Hopper, Hyde, Ingram, Jean, Johnston, Kerr, King, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Lovell, Malone, Mauch, Mayberry, McCrary, McLean, D. Meeks, S. Meeks, Murdock, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Post, Powers, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Walker, Wardlaw, Webb, Westerman, B. Wilkins, Williams, Woods, Word, Wren, Wright.

Total .....92

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Collins-Smith, Hubbard, Hutchinson, Love, H. Wilkins, Mr. Speaker.

Total .....6

VOTING PRESENT: Bell.

Total .....1

Total number of votes cast .....93

Total number voting in the affirmative .....92

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

So the Emergency Clause was adopted.

Representative Webb moved to pass over **HOUSE BILL NO. 1630** and leave it on the Calendar. Motion carried.

\*\*\*\*\* EXPUNGED\*\*\*\*\*03/21/11\*\*\*\*\*

HOUSE BILL NO. 1506

BY: JOINT BUDGET COMMITTEE

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

AFFIRMATIVE: Allen, Baird, Baker, Barnett, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carnine, Carter, Catlett, Cheatham, Clemmer, Collins, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, Elliott, English, Fielding, Garner, Gaskill, Gillam, Hall, Hammer, Hickerson, Hobbs, Hopper, Hutchinson, Ingram, Jean, King, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Lovell, Malone, Mauch, Mayberry, McCrary, McLean, S. Meeks, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Post, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Wardlaw, Webb, Westerman, Woods, Wren, Wright.

Total .....80

NEGATIVE: Altes, Bell, Harris, Hubbard, D. Meeks.

Total .....5

ABSENT OR NOT VOTING: Collins-Smith, Eubanks, Hyde, Johnston, Kerr, Love, Murdock, Powers, Walker, B. Wilkins, H. Wilkins, Williams, Word, Mr. Speaker.

Total .....14

VOTING PRESENT:

Total .....0

Total number of votes cast.....85

Total number voting in the affirmative .....80

Necessary to the passage of the bill .....75

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

\*\*\*\*\* EXPUNGED\*\*\*\*\*03/21/11\*\*\*\*\*

\*\*\*\*\* EXPUNGED\*\*\*\*\*03/21/11\*\*\*\*\*

There being an Emergency Clause attached to HOUSE BILL NO. 1506, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: Allen, Baird, Baker, Barnett, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carnine, Carter, Catlett, Cheatham, Clemmer, Collins, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, Elliott, English, Fielding, Garner, Gaskill, Gillam, Hall, Hammer, Hickerson, Hobbs, Hopper, Hutchinson, Ingram, Jean, King, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Lovell, Malone, Mauch, Mayberry, McCrary, McLean, S. Meeks, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Post, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Wardlaw, Webb, Westerman, Woods, Wren, Wright.

Total .....80

NEGATIVE: Altes, Bell, Harris, Hubbard, D. Meeks.

Total .....5

ABSENT OR NOT VOTING: Collins-Smith, Eubanks, Hyde, Johnston, Kerr, Love, Murdock, Powers, Walker, B. Wilkins, H. Wilkins, Williams, Word, Mr. Speaker.

Total .....14

VOTING PRESENT:

Total .....0

Total number of votes cast .....85

Total number voting in the affirmative .....80

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

So the Emergency Clause was adopted.

\*\*\*\*\* EXPUNGED\*\*\*\*\*03/21/11\*\*\*\*\*

Representative Webb moved that the record by which HOUSE BILL NO. 1506 passed be expunged from the record, which motion prevailed by more than 67 votes.

Representative Webb moved to re-refer HOUSE BILL NO. 1506 back to the JOINT BUDGET COMMITTEE. Motion carried.

#### HOUSE BILLS ORDERED TRANSMITTED TO THE SENATE AS PASSED

---

HOUSE BILL NO. 1296	BY REPRESENTATIVE CARNINE
HOUSE BILL NO. 1327	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1617	BY REPRESENTATIVE J. ROEBUCK
HOUSE BILL NO. 1723	BY REPRESENTATIVE D. ALTES
HOUSE BILL NO. 1785	BY REPRESENTATIVE H. WILKINS
HOUSE BILL NO. 1797	BY REPRESENTATIVE KING
HOUSE BILL NO. 1833	BY REPRESENTATIVE KING
HOUSE BILL NO. 1893	BY REPRESENTATIVE HOBBS
HOUSE BILL NO. 1907	BY REPRESENTATIVE ALLEN
HOUSE BILL NO. 1917	BY REPRESENTATIVE HAMMER
HOUSE BILL NO. 1933	BY REPRESENTATIVE SUMMERS
HOUSE BILL NO. 1988	BY REPRESENTATIVE PENNARTZ
HOUSE BILL NO. 2001	BY REPRESENTATIVE HICKERSON
HOUSE BILL NO. 2003	BY REPRESENTATIVE HAMMER
HOUSE BILL NO. 2047	BY REPRESENTATIVE CARTER
HOUSE BILL NO. 2118	BY REPRESENTATIVE HAMMER
HOUSE BILL NO. 2141	BY REPRESENTATIVE HYDE
HOUSE BILL NO. 2198	BY REPRESENTATIVE T. STEELE

#### SENATE BILLS ORDERED RETURNED TO THE SENATE AS PASSED

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SENATE BILL NO. 103	BY JOINT BUDGET COMMITTEE
SENATE BILL NO. 133 AS AMENDED #1	BY JOINT BUDGET COMMITTEE

SENATE BILLS ORDERED RETURNED TO THE SENATE AS PASSED,  
CONTINUED

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SENATE BILL NO. 332	BY SENATOR FILES
SENATE BILL NO. 404	BY SENATOR B. SAMPLE
SENATE BILL NO. 512	BY SENATOR D. JOHNSON
SENATE BILL NO. 598	BY SENATOR J. DISMANG
SENATE BILL NO. 711	BY SENATOR J. KEY

ARKANSAS SENATE

HOUSE BILLS RETURNED FROM THE SENATE AS PASSED

---

HOUSE BILL NO. 1103	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1192	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1199	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1227	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1228	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1312	BY REPRESENTATIVE WOODS
HOUSE BILL NO. 1348	BY REPRESENTATIVE SUMMERS
HOUSE BILL NO. 1426	BY REPRESENTATIVE BAIRD
HOUSE BILL NO. 1433	
AS AMENDED #1	BY REPRESENTATIVE J. ROEBUCK
HOUSE BILL NO. 1434	BY REPRESENTATIVE HALL
HOUSE BILL NO. 1437	BY REPRESENTATIVE LAMPKIN
HOUSE BILL NO. 1441	BY REPRESENTATIVE MAUCH
HOUSE BILL NO. 1448	BY REPRESENTATIVE B. OVERBEY
HOUSE BILL NO. 1451	BY REPRESENTATIVE SUMMERS
HOUSE BILL NO. 1478	BY REPRESENTATIVE WEBB
HOUSE BILL NO. 1482	BY REPRESENTATIVE TYLER
HOUSE BILL NO. 1483	BY REPRESENTATIVE J. EDWARDS
HOUSE BILL NO. 1501	BY REPRESENTATIVE LOVE
HOUSE BILL NO. 1565	BY REPRESENTATIVE FIELDING
HOUSE BILL NO. 1578	BY REPRESENTATIVE SUMMERS
HOUSE BILL NO. 1581	BY REPRESENTATIVE SUMMERS
HOUSE BILL NO. 1582	BY REPRESENTATIVE SUMMERS

ARKANSAS SENATE  
HOUSE BILLS RETURNED FROM THE SENATE AS PASSED,  
CONTINUED

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HOUSE BILL NO. 1583	BY REPRESENTATIVE SUMMERS
HOUSE BILL NO. 1584	BY REPRESENTATIVE SUMMERS
HOUSE BILL NO. 1585	BY REPRESENTATIVE SUMMERS
HOUSE BILL NO. 1586	BY REPRESENTATIVE SUMMERS
HOUSE BILL NO. 1588	BY REPRESENTATIVE SUMMERS
HOUSE BILL NO. 1589	BY REPRESENTATIVE SUMMERS
HOUSE BILL NO. 1590	BY REPRESENTATIVE SUMMERS
HOUSE BILL NO. 1591	BY REPRESENTATIVE SUMMERS
HOUSE BILL NO. 1595	BY REPRESENTATIVE HYDE
HOUSE BILL NO. 1598	BY REPRESENTATIVE RATLIFF
HOUSE BILL NO. 1608	BY REPRESENTATIVE NICKELS
HOUSE BILL NO. 1623	BY REPRESENTATIVE T. THOMPSON
HOUSE BILL NO. 1631	
AS AMENDED #1	BY REPRESENTATIVE STEWART
HOUSE BILL NO. 1702	BY REPRESENTATIVE WILLIAMS
HOUSE BILL NO. 1741	BY REPRESENTATIVE LINDSEY
HOUSE BILL NO. 1762	BY REPRESENTATIVE SUMMERS
HOUSE BILL NO. 1764	BY REPRESENTATIVE WREN
HOUSE BILL NO. 1765	
AS AMENDED #1	BY REPRESENTATIVE WREN
HOUSE BILL NO. 1772	
AS AMENDED #1	BY REPRESENTATIVE J. ROEBUCK
HOUSE BILL NO. 1773	BY REPRESENTATIVE DALE
HOUSE BILL NO. 1777	BY REPRESENTATIVE STEWART
HOUSE BILL NO. 1829	BY REPRESENTATIVE SLINKARD
HOUSE BILL NO. 1852	BY REPRESENTATIVE J. ROEBUCK
HOUSE BILL NO. 1875	BY REPRESENTATIVE J. ROEBUCK
HOUSE BILL NO. 1916	BY REPRESENTATIVE HOBBS
HOUSE BILL NO. 1942	BY REPRESENTATIVE LAMPKIN
HOUSE BILL NO. 2026	BY REPRESENTATIVE CATLETT

ARKANSAS SENATE  
SENATE BILLS RECEIVED FROM SENATE

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SENATE BILL NO. 10	BY JOINT BUDGET COMMITTEE
SENATE BILL NO. 92	BY SENATOR BLEDSOE
SENATE BILL NO. 150	BY JOINT BUDGET COMMITTEE
SENATE BILL NO. 226	BY JOINT BUDGET COMMITTEE
SENATE BILL NO. 253	BY SENATOR MADISON
SENATE BILL NO. 268	BY SENATOR D. JOHNSON
SENATE BILL NO. 329	BY SENATOR P. MALONE
SENATE BILL NO. 356	BY SENATOR J. HUTCHINSON
SENATE BILL NO. 357	BY SENATOR J. HUTCHINSON
SENATE BILL NO. 358	BY SENATOR J. HUTCHINSON
SENATE BILL NO. 361	BY SENATOR J. HUTCHINSON
SENATE BILL NO. 410	BY SENATOR J. DISMANG
SENATE BILL NO. 422	BY SENATOR HOLLAND
SENATE BILL NO. 424	BY SENATOR J. HUTCHINSON
SENATE BILL NO. 425	BY SENATOR J. HUTCHINSON
SENATE BILL NO. 434	BY SENATOR J. TAYLOR
SENATE BILL NO. 435	BY SENATOR J. TAYLOR
SENATE BILL NO. 439	BY SENATOR FLETCHER
SENATE BILL NO. 440	BY SENATOR FLETCHER
SENATE BILL NO. 441	BY SENATOR FLETCHER
SENATE BILL NO. 449	BY SENATOR M. LAMOUREUX
SENATE BILL NO. 450	BY SENATOR M. LAMOUREUX
SENATE BILL NO. 451	BY SENATOR M. LAMOUREUX
SENATE BILL NO. 463	BY SENATOR B. SAMPLE
SENATE BILL NO. 465	BY SENATOR M. LAMOUREUX
SENATE BILL NO. 468	BY SENATOR J. DISMANG
SENATE BILL NO. 474	BY SENATOR R. THOMPSON
SENATE BILL NO. 486	BY JOINT BUDGET COMMITTEE
SENATE BILL NO. 518	BY SENATOR IRVIN
SENATE BILL NO. 519	BY SENATOR IRVIN
SENATE BILL NO. 520	BY SENATOR IRVIN
SENATE BILL NO. 521	BY SENATOR IRVIN
SENATE BILL NO. 522	BY SENATOR IRVIN
SENATE BILL NO. 523	BY SENATOR IRVIN

ARKANSAS SENATE  
SENATE BILLS RECEIVED FROM SENATE,  
CONTINUED

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SENATE BILL NO. 532	BY SENATOR IRVIN
SENATE BILL NO. 533	BY SENATOR IRVIN
SENATE BILL NO. 534	BY SENATOR IRVIN
SENATE BILL NO. 546	BY SENATOR J. HUTCHINSON
SENATE BILL NO. 552	BY SENATOR R. THOMPSON
SENATE BILL NO. 554	BY SENATOR R. THOMPSON
SENATE BILL NO. 555	BY SENATOR R. THOMPSON
SENATE BILL NO. 577	BY SENATOR G. BAKER
SENATE BILL NO. 610	BY SENATOR B. SAMPLE
SENATE BILL NO. 611	BY SENATOR B. SAMPLE
SENATE BILL NO. 612	BY SENATOR B. SAMPLE
SENATE BILL NO. 613	BY SENATOR B. SAMPLE
SENATE BILL NO. 614	BY SENATOR B. SAMPLE
SENATE BILL NO. 615	BY SENATOR B. SAMPLE
SENATE BILL NO. 617	BY SENATOR J. HUTCHINSON
SENATE BILL NO. 635	BY SENATOR FILES
SENATE BILL NO. 639	BY SENATOR FILES
SENATE BILL NO. 658	BY SENATOR FILES
SENATE BILL NO. 671	BY SENATOR S. HARRELSON
SENATE BILL NO. 672	BY SENATOR S. HARRELSON
SENATE BILL NO. 674	BY SENATOR S. HARRELSON
SENATE BILL NO. 678	BY SENATOR D. JOHNSON
SENATE BILL NO. 683	BY SENATOR FILES
SENATE BILL NO. 695	BY SENATOR B. SAMPLE
SENATE BILL NO. 696	BY SENATOR J. DISMANG
SENATE BILL NO. 697	BY SENATOR J. DISMANG
SENATE BILL NO. 698	BY SENATOR J. DISMANG
SENATE BILL NO. 699	BY SENATOR J. HUTCHINSON
SENATE BILL NO. 700	BY SENATOR J. HUTCHINSON
SENATE BILL NO. 703	BY SENATOR R. THOMPSON
SENATE BILL NO. 706	BY SENATOR B. PRITCHARD
SENATE BILL NO. 713	BY SENATOR LAVERTY
SENATE BILL NO. 745	BY SENATOR M. LAMOUREUX

ARKANSAS SENATE  
SENATE BILLS RECEIVED FROM SENATE

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SENATE BILL NO. 763	BY SENATOR D. JOHNSON
SENATE BILL NO. 846	BY SENATOR J. DISMANG
SENATE BILL NO. 849	BY SENATOR TEAGUE
SENATE BILL NO. 852	BY SENATOR D. WYATT
SENATE BILL NO. 917	BY SENATOR E. WILLIAMS
SENATE BILL NO. 1000	BY SENATOR J. KEY

**STATE OF ARKANSAS**

MIKE BEEBE

GOVERNOR

March 21, 2011

TO THE SPEAKER OF THE HOUSE

Dear Mr. Speaker:

This is to inform you that on March 21, 2011, I approved the following measures from the Regular Session of the Eighty-eighth General Assembly:

HOUSE BILL NO. 1171 - ACT 518

HOUSE BILL NO. 1287 - ACT 519

HOUSE BILL NO. 1446 - ACT 520

HOUSE BILL NO. 1489 - ACT 521

HOUSE BILL NO. 1543 - ACT 522

HOUSE BILL NO. 1816 - ACT 523

HOUSE BILL NO. 1842 - ACT 524

HOUSE BILL NO. 1897 - ACT 525

Sincerely,

/s/ Mike Beebe

STATE CAPITOL, SUITE 250 • LITTLE ROCK, AR 72201  
TELEPHONE (501) 682-2345 • FAX (501) 682-1382  
INTERNET WEB SITE • [www.governor.arkansas.gov](http://www.governor.arkansas.gov)

HOUSE OF REPRESENTATIVES EIGHTY-EIGHTH GENERAL ASSEMBLY  
350 STATE CAPITOL  
500 WOODLANE AVENUE  
LITTLE ROCK, ARKANSAS 72201-1089  
(501) 682-7771 TDD (501) 682-9148

ROBERT S. MOORE, JR., SPEAKER

TIM MASSANELLI, PARLIAMENTARIAN SHERRI STACKS, CHIEF CLERK

**MEMORANDUM**

**TO:** Whom It May Concern  
**FROM:** House Committee on the Journal; Engrossed and Enrolled Bills  
**DATE:** March 21, 2011  
**SUBJECT:** Amendment #3 to **HOUSE BILL NO. 1952**

\*\*\*\*\*

The House Committee on the Journal; Engrossed and Enrolled Bills, by this letter, approves the correction of an error in Amendment #3 to HB1952.

Page 2, second paragraph, line 1 of the amendment should read:

“Page 3, delete lines 27-29 and substitute the following:” (Changed lines 27-28 to lines 27-29)

The Committee authorizes the Chief Clerk to carry out the intent of the amendment by correctly engrossing HB1952.

/s/ Denny Altes, Chairperson /s/ Lori Benedict

Speaker of the House Designee

/s/ Keith M. Ingram, Chairperson /s/ Fredrick J. Love

House Rules

/s/ Barry Hyde, Chairperson

/s/ Tim Massanelli, Parliamentarian

House Management Committee

cc: Sherri Stacks, Chief Clerk

**Hall of the House of Representatives**  
88th General Assembly - Regular Session, 2011  
**Amendment Form**

\*\*\*\*\*  
\*\*\*\*

**Subtitle of House Bill No. 1952**

TO AMEND THE ARKANSAS CODE CONCERNING THE ENFORCEMENT OF  
ETHICS VIOLATIONS BY ARKANSAS EDUCATORS.

\*\*\*\*\*

**Amendment No. 3 to House Bill No. 1952**

Amend House Bill No. 1952 as engrossed, H3/15/11 (version: 3/15/2011 02:13:16 PM)

Page 2, line 36, delete "or"

AND

Page 3, delete line 2 and substitute the following:

"with the reasonable instructions of a supervisor; or

(iii) An act or omission under circumstances in which the educator had a reasonable belief that failure to follow the instructions of a supervisor would result in an adverse job action against the educator; and"

AND

Page 3, line 5, delete "ethics;" and substitute "ethics; and"

AND

Page 3, delete lines 7-9 and substitute "filing the ethics complaint."

AND

PAGE 3, delete lines 11-12 and substitute the following:

(A) Establish procedures for:

(i) Receiving and investigating an ethics complaint;

(ii) Enforcing the code of ethics; and

(iii) Granting and conducting hearings under this

section;"

AND

Page 3, line 20, delete "are subject to the" and substitute "shall be promulgated and implemented under the"

AND

Page 3, line 24, delete "complaints; and" and substitute "complaints;"

AND

Page 3, delete lines 27-(28)(29 3/21/11) and substitute the following:

"(i) A written warning, a written reprimand, or the written placement of conditions or restrictions on the activities of the educator;

(ii) The revocation, suspension, probation, nonrenewal, or termination of a license issued by the State Board of Education; or

(iii) A private letter of caution; and

(C) Dismiss an ethics complaint if it finds there is no ethics violation."

AND

Page 5, delete lines 25-31

AND

Page 5, line 32, delete "(o) Except as provided in subsection (q)" and substitute "(m) Except as provided in subsection (o)"

AND

Page 5, line 33, delete "of the ethics subcommittee" and substitute "of the Professional Licensure Standards Board and the ethics subcommittee"

AND

Page 5, line 36, delete "(p)" and substitute "(n)"

AND

Page 6, line 3, delete "(q)(1)" and substitute "(o)(1)"

SENATE BILL NO. 10

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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 FISCAL YEAR ENDING JUNE 30, 2012; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 92

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BY: SENATOR BLEDSOE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ALLOW THE MULTIYEAR REGISTRATION OF PERSONAL-USE MOTOR VEHICLES; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 150

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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 LABOR FOR THE FISCAL YEAR ENDING JUNE 30, 2012; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

**SENATE BILL NO. 226**

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**BY: JOINT BUDGET COMMITTEE**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL IMPROVEMENT APPROPRIATIONS FOR THE ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on JOINT BUDGET COMMITTEE.

**SENATE BILL NO. 253**

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**BY: SENATORS MADISON, D. JOHNSON****BY: REPRESENTATIVES WILLIAMS, J. EDWARDS**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE VARIOUS CORRECTIONS TO TITLE 14 OF THE ARKANSAS CODE OF 1987 CONCERNING LOCAL GOVERNMENT; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on CITY, COUNTY AND LOCAL AFFAIRS.

**SENATE BILL NO. 268**

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**BY: SENATOR D. JOHNSON**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ALLOW PARENTS OF MULTIPLE BIRTH SIBLINGS TO MAKE DECISIONS REGARDING PUBLIC SCHOOL CLASSROOM ASSIGNMENTS FOR THE SIBLINGS; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 329

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BY: SENATORS P. MALONE, J. DISMANG, IRVIN, LAVERTY, G. JEFFRESS, J. JEFFRESS, MADISON, SALMON, FLETCHER, ELLIOTT, TEAGUE, J. TAYLOR, L. CHESTERFIELD, CRUMBLY, D. WYATT, J. KEY, RAPERT

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO INCLUDE SCHOOL PRINCIPALS, ATHLETIC COACHES, AND COUNSELORS AMONG PERSONS WHO ARE GUILTY OF SEXUAL ASSAULT IN THE SECOND DEGREE FOR SEXUAL CONTACT WITH A STUDENT LESS THAN TWENTY-ONE (21) YEARS OF AGE; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 356

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BY: SENATOR J. HUTCHINSON

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF RURAL SERVICES FOR COMMUNITY ENHANCEMENT PROJECTS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 357

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BY: SENATOR J. HUTCHINSON

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF PARKS AND TOURISM FOR YOUTH SPORTS FACILITIES GENERAL IMPROVEMENT PROJECTS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

**SENATE BILL NO. 358**

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**BY: SENATOR J. HUTCHINSON**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF EDUCATION FOR COMMUNITY ORGANIZATIONS WHERE SCHOOLS ARE IN JEOPARDY OF BEING CLOSED OR CONSOLIDATED; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

**SENATE BILL NO. 361**

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**BY: SENATOR J. HUTCHINSON**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE PULASKI TECHNICAL COLLEGE FOR PERSONAL SERVICES, MAINTENANCE AND OPERATIONS, RENOVATION, EQUIPMENT, CONSTRUCTION, IMPROVEMENT, ACQUISITION, UPGRADE, AND REPAIR AT THE SALINE COUNTY CAREER CENTER AT BAUXITE; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

**SENATE BILL NO. 410**

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**BY: SENATOR J. DISMANG**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND THE CRITERIA FOR AN AFFIDAVIT AS TO CORRECTNESS OF ACCOUNT; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 422

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BY: SENATOR HOLLAND

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CLARIFY THAT REAL ESTATE BROKERS AND AGENTS MAY TESTIFY IN JUDICIAL PROCEEDINGS; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 424

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BY: SENATOR J. HUTCHINSON

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR GRANTS FOR THE PROVISION OF SERVICES FOR AT-RISK CHILDREN AND YOUTH FOR THE DEPARTMENT OF EDUCATION FOR THE FISCAL YEAR ENDING JUNE 30, 2012; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 425

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BY: SENATOR J. HUTCHINSON

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF EDUCATION FOR GRANTS FOR THE PROVISION OF SERVICES FOR AT-RISK CHILDREN AND YOUTH; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

**SENATE BILL NO. 434**

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**BY: SENATOR J. TAYLOR**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF RURAL SERVICES FOR GENERAL IMPROVEMENT PROJECT GRANTS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

**SENATE BILL NO. 435**

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**BY: SENATOR J. TAYLOR**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS NATURAL RESOURCES COMMISSION FOR GENERAL IMPROVEMENT PROJECTS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

**SENATE BILL NO. 439**

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**BY: SENATOR FLETCHER**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS AGRICULTURE DEPARTMENT - LIVESTOCK AND POULTRY FOR 4-H AND FUTURE FARMERS OF AMERICA ORGANIZATIONS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 440

---

BY: SENATOR FLETCHER

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF RURAL SERVICES FOR VARIOUS COMMUNITY GRANTS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 441

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BY: SENATOR FLETCHER

AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF HUMAN SERVICES - DIVISION OF AGING AND ADULT SERVICES FOR SENIOR CITIZEN CENTERS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 449

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BY: SENATOR M. LAMOUREUX

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF PARKS AND TOURISM FOR COMMUNITY ENHANCEMENT GRANTS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

**SENATE BILL NO. 450**

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**BY: SENATOR M. LAMOUREUX**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS TECH UNIVERSITY FOR CAPITAL IMPROVEMENTS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

**SENATE BILL NO. 451**

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**BY: SENATOR M. LAMOUREUX**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF RURAL SERVICES FOR COMMUNITY ENHANCEMENT GRANTS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

**SENATE BILL NO. 463**

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**BY: SENATOR B. SAMPLE**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF HUMAN SERVICES - DIVISION OF BEHAVIORAL HEALTH FOR BEHAVIORAL HEALTH SERVICES; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 465

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BY: SENATOR M. LAMOUREUX

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF HUMAN SERVICES - DIVISION OF BEHAVIORAL HEALTH FOR BEHAVIORAL HEALTH SERVICES; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 468

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BY: SENATOR J. DISMANG

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF HUMAN SERVICES - DIVISION OF BEHAVIORAL HEALTH FOR BEHAVIORAL HEALTH SERVICES; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 474

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BY: SENATOR R. THOMPSON

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF HUMAN SERVICES - DIVISION OF BEHAVIORAL HEALTH FOR BEHAVIORAL HEALTH SERVICES; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

**SENATE BILL NO. 486**

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**BY: JOINT BUDGET COMMITTEE**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE INSTITUTIONS OF HIGHER EDUCATION AND THE DEPARTMENT OF HIGHER EDUCATION FOR CAPITAL IMPROVEMENTS, DEFERRED MAINTENANCE, CONSTRUCTION, RENOVATION, EQUIPMENT, LIBRARY HOLDINGS, AND OTHER PROJECTS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the JOINT BUDGET.

**SENATE BILL NO. 518**

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**BY: SENATOR IRVIN*****BY: REPRESENTATIVE COLLINS-SMITH***

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE BLACK RIVER TECHNICAL COLLEGE FOR CAPITAL IMPROVEMENTS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the JOINT BUDGET.

**SENATE BILL NO. 519**

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**BY: SENATOR IRVIN**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF ARKANSAS HERITAGE FOR GENERAL IMPROVEMENT PROJECTS; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 520

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BY: SENATOR IRVIN

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS DEPARTMENT OF EMERGENCY MANAGEMENT FOR GRANTS FOR EMERGENCY SERVICES PROVIDERS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 521

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BY: SENATOR IRVIN

BY: *REPRESENTATIVES BENEDICT, WREN*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE OZARKA COLLEGE FOR CAPITAL IMPROVEMENTS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 522

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BY: SENATOR IRVIN

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF HUMAN SERVICES - DIVISION OF BEHAVIORAL HEALTH FOR TREATMENT PROGRAM GRANTS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

**SENATE BILL NO. 523**

---

**BY: SENATOR IRVIN**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF PARKS AND TOURISM FOR GENERAL IMPROVEMENT PROJECTS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

**SENATE BILL NO. 532**

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**BY: SENATOR IRVIN**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF RURAL SERVICES FOR COMMUNITY GRANTS FOR GENERAL IMPROVEMENT PROJECTS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

**SENATE BILL NO. 533**

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**BY: SENATOR IRVIN**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS NATURAL RESOURCES COMMISSION FOR VARIOUS COMMUNITY IMPROVEMENT PROJECTS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 534

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BY: SENATOR IRVIN

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE ECONOMIC DEVELOPMENT COMMISSION FOR GRANTS FOR CITIES, COUNTIES, PLANNING DEVELOPMENT DISTRICTS AND OTHER ELIGIBLE ENTITIES; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 546

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BY: SENATOR J. HUTCHINSON

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS NATURAL RESOURCES COMMISSION FOR GRANTS FOR WATER AND WASTEWATER PROJECT LOANS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 552

---

BY: SENATOR R. THOMPSON

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS STATE GAME AND FISH COMMISSION FOR THE PURCHASE OR ACQUISITION OF ADDITIONAL PUBLIC LANDS FOR THE STATE'S WILDLIFE MANAGEMENT AREAS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

**SENATE BILL NO. 554**

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**BY: SENATOR R. THOMPSON**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF RURAL SERVICES FOR GENERAL IMPROVEMENT PROJECTS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

**SENATE BILL NO. 555**

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**BY: SENATOR R. THOMPSON**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS DEPARTMENT OF EMERGENCY MANAGEMENT FOR GRANTS FOR EMERGENCY SERVICES PROVIDERS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

**SENATE BILL NO. 577**

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**BY: SENATOR G. BAKER**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE UNIVERSITY OF CENTRAL ARKANSAS FOR ESSENTIAL OPERATIONS, SUPPORT FOR EDUCATION EXCELLENCE, AND PAYMENT OF CLAIMS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 610

---

BY: SENATOR B. SAMPLE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF HUMAN SERVICES FOR COMMUNITY-BASED SERVICE PROVIDER GRANTS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 611

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BY: SENATOR B. SAMPLE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF HUMAN SERVICES - DIVISION OF AGING AND ADULT SERVICES FOR SENIOR CITIZEN CENTERS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 612

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BY: SENATOR B. SAMPLE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE NATIONAL PARK COMMUNITY COLLEGE FOR GENERAL IMPROVEMENT PROJECTS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

**SENATE BILL NO. 613**

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**BY: SENATOR B. SAMPLE**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE ECONOMIC DEVELOPMENT COMMISSION FOR BOYS AND GIRLS CLUBS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

**SENATE BILL NO. 614**

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**BY: SENATOR B. SAMPLE**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF RURAL SERVICES FOR COMMUNITY GRANTS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

**SENATE BILL NO. 615**

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**BY: SENATOR B. SAMPLE**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF HUMAN SERVICES - DIVISION OF AGING AND ADULT SERVICES FOR SENIOR OLYMPICS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 617

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BY: SENATORS J. HUTCHINSON, J. DISMANG

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE UNIVERSITY OF ARKANSAS FOR MEDICAL SCIENCES FOR A GRANT TO RADIATION THERAPY INSTITUTES; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 635

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BY: SENATOR FILES

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR A GRANT PROGRAM FOR THE UNITED STATES MARSHALS MUSEUM FOR THE DEPARTMENT OF PARKS AND TOURISM FOR THE FISCAL YEAR ENDING JUNE 30, 2012; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 639

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BY: SENATOR FILES

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF RURAL SERVICES FOR GENERAL IMPROVEMENT PROJECTS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the JOINT BUDGET.

**SENATE BILL NO. 658**

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**BY: SENATOR FILES**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE UNIVERSITY OF ARKANSAS - FORT SMITH FOR GENERAL IMPROVEMENT PROJECTS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

**SENATE BILL NO. 671**

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**BY: SENATOR S. HARRELSON**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF RURAL SERVICES FOR GENERAL IMPROVEMENT PROJECTS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

**SENATE BILL NO. 672**

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**BY: SENATOR S. HARRELSON**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS SCIENCE AND TECHNOLOGY AUTHORITY FOR A GRANT TO THE ARKANSAS DISCOVERY NETWORK; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 674

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BY: SENATOR S. HARRELSON

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE UNIVERSITY OF ARKANSAS FOR THE DAVID AND BARBARA PRYOR CENTER FOR ORAL AND VISUAL HISTORY; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 678

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BY: SENATOR D. JOHNSON

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR BIRTH CERTIFICATE EXPENSES FOR THE DEPARTMENT OF HEALTH FOR THE FISCAL YEAR ENDING JUNE 30, 2012; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 683

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BY: SENATORS FILES, WHITAKER

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE ECONOMIC DEVELOPMENT COMMISSION FOR A GRANT FOR REGIONAL INTERMODAL FREIGHT FACILITIES AND OPERATIONS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

**SENATE BILL NO. 695**

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**BY: SENATOR B. SAMPLE**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF RURAL SERVICES FOR A GENERAL IMPROVEMENT PROJECT; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

**SENATE BILL NO. 696**

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**BY: SENATOR J. DISMANG**

FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF RURAL SERVICES FOR GENERAL IMPROVEMENT GRANTS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

**SENATE BILL NO. 697**

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**BY: SENATOR J.DISMANG**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF HUMAN SERVICES - DIVISION OF AGING AND ADULT SERVICES FOR SENIOR CITIZEN CENTER GRANTS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 698

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BY: SENATOR J. DISMANG

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE UNIVERSITY OF ARKANSAS - CRIMINAL JUSTICE INSTITUTE FOR GENERAL IMPROVEMENT PROJECTS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 699

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BY: SENATOR J. HUTCHINSON

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE UNIVERSITY OF ARKANSAS - POULTRY SCIENCE DEPARTMENT FOR THE STUDY OF BENEFITS OF GIVING LIGNITE INFUSED WATER TO POULTRY; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 700

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BY: SENATOR J. HUTCHINSON

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE SOUTHERN ARKANSAS UNIVERSITY FOR CORE SAMPLING OF LIGNITE; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

**SENATE BILL NO. 703**

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**BY: SENATOR R. THOMPSON****BY: REPRESENTATIVES LENDERMAN, B. WILKINS**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ADD AN ADDITIONAL DISTRICT COURT JUDGE IN CRAIGHEAD COUNTY; AND FOR OTHER PURPOSES.

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

**SENATE BILL NO. 706**

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**BY: SENATOR B. PRITCHARD**

A BILL FOR AN ACT TO BE ENTITLED AN ACT CONCERNING THE POSTING OF WARNING SIGNS RELATING TO DRINKING ALCOHOLIC BEVERAGES DURING PREGNANCY; AND FOR OTHER PURPOSES.

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

**SENATE BILL NO. 713**

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**BY: SENATORS LAVERTY, D. WYATT**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CLARIFY THE DUTIES AND RESPONSIBILITIES OF THE JOINT INTERIM COMMITTEE ON LEGISLATIVE FACILITIES; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 745

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BY: SENATOR M. LAMOUREUX

A BILL FOR AN ACT TO BE ENTITLED AN ACT PROHIBITING THE CONCEALING OF A CORPSE IN AN OFFENSIVE MANNER; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 763

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BY: SENATOR D. JOHNSON

BY: REPRESENTATIVE PENNARTZ

A BILL FOR AN ACT TO BE ENTITLED AN ACT CONCERNING THE MEMBERSHIP OF THE STATE BOARD OF COLLECTION AGENCIES; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES AND GOVERNMENTAL AFFAIRS.

SENATE BILL NO. 846

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BY: SENATORS J. DISMANG, LAVERTY

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PROVIDE THAT PERSONS WITH DEVELOPMENTAL DISABILITIES HAVE EQUAL ACCESS TO MEDICAID PERSONAL CARE SERVICES IN DESIGNATED RESIDENTIAL SETTINGS; AND FOR OTHER PURPOSES.

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

**SENATE BILL NO. 849**

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**BY: SENATOR TEAGUE**

A BILL FOR AN ACT TO BE ENTITLED AN ACT CONCERNING THE ASSESSMENT OF MINERAL INTERESTS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on AGRICULTURE, FORESTRY AND ECONOMIC DEVELOPMENT.

**SENATE BILL NO. 852**

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**BY: SENATOR D.WYATT**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND THE PROCEDURES FOR THE SALE OF COUNTY PROPERTY; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY AND LOCAL AFFAIRS.

**SENATE BILL NO. 917**

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**BY: SENATOR E. WILLIAMS**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO IMPLEMENT MEASURES TO DETER MINORS FROM USING TOBACCO PRODUCTS; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 1000

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BY: SENATORS J. KEY, S. FLOWERS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND THE LAWS REGARDING THE VIOLATION OF ORDERS OF PROTECTION; AND FOR OTHER PURPOSES.

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

Upon motion of Representative Fred Allen, the House adjourned at 5:40 p.m. until 1:00 p.m., Tuesday, March 22, 2011.

ATTEST:

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Robert S. Moore, Jr.  
Speaker of the House of Representatives

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Sherri Stacks  
Chief Clerk