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

Little Rock, Arkansas

January 29, 2007

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

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

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

The Senate was led in prayer by Senator Malone.

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

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

On motion of Senator Thompson, **Senate Bill No. 16** was withdrawn from the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS, and placed back on second reading for purpose of Amendment No. 2.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 2 to SENATE BILL NO. 16

Amend **Senate Bill No. 16** as engrossed:

Add Senator Wilkinson as a co-sponsor of the bill

AND

Page 1, line 24, delete “(f)” and substitute “(f)(1)”

AND

Page 1, delete line 27 and substitute the following:
“elected.

(2) Subdivision (f)(1) of this section shall apply to all persons elected to the General Assembly after the effective date of this act.”

(SIGNED) SENATOR THOMPSON

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 16 was ordered engrossed.

On motion of Senator Whitaker, **Senate Bill No. 177** was withdrawn from the Committee on AGRICULTURE, ECONOMIC & INDUSTRIAL DEVELOPMENT, and placed back on second reading for purpose of Amendment No.1.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 177

Amend **Senate Bill No. 177** as originally introduced:

Page 1, line 3, delete "First Extraordinary Session, 2006" and substitute "Regular Session, 2007"

(SIGNED) SENATOR RUTH WHITAKER

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 177 was ordered engrossed.

On motion of Senator Wilkins, **Senate Bill No. 146** was withdrawn from the Committee on PUBLIC HEALTH, WELFARE & LABOR, and placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 146

Amend **Senate Bill No. 146** as originally introduced:

Delete everything after the ENACTING clause in its entirety and substitute the following:

"SECTION 1. Arkansas Code § 17-81-102 is amended to read as follows:
17-81-102. Definitions.

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

(1) "Active range of motion" means motion that patients can accomplish by themselves;

~~(4)(2)~~ "Analysis" includes physical examination, the use of X-ray and other analytical instruments, and procedures generally used in the practice of chiropractic;

~~(2)(3)~~ "Board" means the Arkansas State Board of Chiropractic Examiners;

~~(3)(4)~~ "Chiropractic" means that science and art which utilizes the inherent recuperative powers of the body and deals with the relationship between the nervous system and the spinal column, including its immediate articulations, and the role of its relationship in the restoration and maintenance of health;

~~(4)(5)~~ "Chiropractic aide" means an unlicensed member of the chiropractic team who may assist a chiropractic physician in the performance of those procedures and techniques constituting the practice of chiropractic as defined in this chapter with the exception of spinal manipulation and adjustment, provided that such assistance shall be performed under the direct supervision of a licensed chiropractic physician;

(6)(A) "Mobilization" means a non-thrust, manual therapy that involves passive movement of a joint within its physiologic range of motion.

(B) "Mobilization" involves the approximate equivalent of the normal range of motion a joint can be taken through by intrinsic musculature.

(C) "Mobilization" is passive movement within the physiologic joint space administered by a clinician for the purpose of increasing overall range of motion.

(D)(i) Mobilization and manipulation are externally applied mechanical measures.

(ii) Mobilization ends where manipulation begins;

~~(5)(7)~~ "Physician" means a person authorized or licensed to practice medicine pursuant to the Arkansas Medical Practices Act, §§ 17-95-201 — 17-95-207, 17-95-301 — 17-95-305, and 17-95-401 — 17-95-411, a person authorized or licensed to practice chiropractic pursuant to the provisions of this chapter, and a person authorized to practice osteopathy pursuant to § 17-91-101 et seq.;

~~(6)(A)(8)(A)(i)~~ "Practice of chiropractic" means the engagement in the diagnosis and analysis of any ~~interference with normal nerve transmission and expression, and~~ health condition, including the procedure preparatory to and complementary to the correction thereof by an adjustment of the articulations of the vertebral column, its immediate articulations, including spinal adjustments, spinal manipulations, and spinal mobilizations, such as any type of pressure, force, thrust, or passive movement, singular or plural, applied to the spinal vertebrae or their adjacent articulations by hand or mechanical device or by other incidental adjustments, for the restoration and maintenance of health.

(ii) The practice of chiropractic includes, without limitation, physiotherapy, physical therapy, naturopathic therapy, exercise therapy, nutritional therapy, the normal regimen, and rehabilitation of the patient for the purpose of removing any injury, deformity, or abnormality of human beings without the use of drugs or surgery.

(B) The practice of chiropractic, as authorized under the provisions of this chapter, shall not include the performance of the duties of a midwife or obstetrician, therapy by the use of ionizing radiation, incisive surgery, prescribing for or administering to any person any drug to be taken internally, or puncturing the skin for the purpose of introducing any substance into the body. Nothing herein shall prevent puncturing the skin for routine blood analysis, including red blood count, white blood count, differential and serology, in the practice of chiropractic for diagnostic purposes; ~~and,~~

- (C) A person who is licensed under this chapter may:
- (i) Practice chiropractic as taught in chiropractic schools or colleges; and
- (ii) Use all necessary mechanical, hygienic, and sanitary measures incident to the care of the body.
- (D) The practice of chiropractic includes the practice of acupuncture as defined in § 17-102-102.
- (E) Nothing restricts a chiropractic physician from supervising the use of over-the-counter products; and
- ~~(7)(9)(A)~~ "Spinal and extraspinal orthopedic manipulation", also referred to as "manipulation," and "adjustment" mean the skillful or dexterous treatment whereby a corrective force or passive movement of the joint is made to realign vertebrae or articulations to their normal juxtaposition. a passively applied movement of low amplitude and low-or high-velocity thrust that moves the joint into the parapsychological range.
- (B) Manipulation is a passive dynamic thrust that causes cavitation or gapping and attempts to restore the manipulated joint's range of motion and neurophysiological function.
- (C)(i) Manipulation and mobilization are externally applied mechanical measures.
- (ii) Manipulation begins where mobilization ends.

SECTION 2. Arkansas Code § 17-81-106 is amended to read as follows:
17-81-106. Health and police regulations applicable.

- (a) Chiropractic practitioners physicians licensed under this chapter shall be bound by all applicable health and police regulations of the state.
- (b) ~~They~~ Chiropractic physicians shall be qualified to sign death certificates, insurance certificates, and all other certificates pertaining to public health with like effect as other licensed physicians.

SECTION 3. Arkansas Code § 17-81-208(b), concerning disposition of funds by the Arkansas State Board of Chiropractic Examiners is amended to read as follows:

- (b) All funds received by the board shall be expended in the furtherance of the purposes of this chapter and the board's duties ~~thereunder~~ under this chapter, which include, ~~but are not limited to~~ without limitation:
- (1) The publication and distribution of the Arkansas Chiropractic Practices Act, § 17-81-101 et seq.;
 - (2) The publication and yearly distribution of a directory of all licensed chiropractic ~~practitioners~~ physicians;
 - (3) Investigations of violations of this chapter;
 - (4) Institution of actions to compel compliance with the provisions of this chapter; and
 - (5) Defense of actions brought against it as a result of its actions under the provisions of this chapter.

SECTION 4. Arkansas Code § 17-81-302 is amended to read as follows:
17-81-302. Exempted activities.

Nothing herein shall be construed to prohibit or to require a license hereunder with respect to any of the following acts:

- (1) The performance of services in case of an emergency;
- (2) The performance of services in this state on an occasional basis, limited to ninety (90) days in each calendar year, by a chiropractor lawfully practicing chiropractic in another state or territory. However, if any such chiropractor performs services on a regular basis, or for his or her regular use maintains or is provided with any office or other place to meet persons for the performance of such services in the State of Arkansas, he or she shall obtain a license to practice chiropractic in the

State of Arkansas; or

(3) ~~The practice of medicine and surgery, osteopathy, dentistry, podiatry, optometry, Christian Science, physical therapy, cosmetology, therapy technology, or any other branch of the healing arts as defined by the laws of this state as now or hereafter enacted, it not being intended by this chapter to limit, restrict, enlarge, or alter the privileges and practices of any of these professions or branches of the healing arts.~~

The practice of the following professions, as defined by the laws of this state, that this chapter is not intended to limit, restrict, enlarge, or alter the privileges and practice of, as provided by the laws of this state:

- (A) Dentistry;
- (B) Podiatry;
- (C) Optometry;
- (D) Medicine and surgery;
- (E) Osteopathy; or
- (F) Cosmetology; or

(4) As defined and limited by the laws of this state, the performance of the duties of a:

- (A) Physical therapist; or
- (B) Massage therapist.

SECTION 5. Arkansas Code § 17-81-303(c)(1), regarding unlawful acts under the Arkansas Chiropractic Practices Act, is amended to read as follows:

(c)(1) It is unlawful for any person other than a physician licensed to practice chiropractic under the provisions of the Arkansas Chiropractic Practices Act, § 17-81-101 et seq., or a physician licensed to practice medicine under the Arkansas Medical Practices Act, §§ 17-95-201 et seq., 17-95-301 et seq., and 17-95-401 et seq., to perform spinal and extraspinal orthopedic manipulation, adjustment, and spinal mobilizations, ~~spinal adjustments, or spinal manipulations~~ as those terms are defined in ~~§ 17-81-102(7)~~ § 17-81-102.

SECTION 6. Arkansas Code §§ 17-81-304 — 17-81-306 are amended to read as follows:

17-81-304. Application — Fees.

(a)(1) Applications for license to practice chiropractic in the State of Arkansas shall be made to the Executive Director of the Arkansas State Board of Chiropractic Examiners in writing on forms furnished by the board. The application shall be signed by the applicant in his or her own handwriting and acknowledged before an officer authorized to administer oaths.

(2) The applicant must submit proof satisfactory to the board of graduation from a chartered school or college of chiropractic as herein described and file with his or her application the affidavits of at least two (2) licensed and reputable doctors of chiropractic showing him or her to be possessed of good moral character.

(3) The application shall be accompanied by the payment of ~~one hundred fifty dollars (\$150)~~ two hundred fifty dollars (\$250), and fifty dollars (\$50.00) for an orientation fee.

(4) The application shall be filed with the executive director not less than forty-five (45) days prior to the next regular meeting of the board.

(b) If the applicant is approved, the applicant shall be admitted for examination, orientation, and licensure. ~~Should the applicant pass the examination, no part of the fee shall be returned, and he or she shall be issued a license to practice chiropractic in accordance with the provisions of this chapter.~~

(c) If the applicant is not approved;

- (1) he He or she shall be notified of the reasons for the disapproval;

and

(2) The fifty-dollar orientation fee required under subdivision (a)(3) of this section shall be refunded to the applicant.

(d) Should an applicant be approved but fail to appear for the examination or orientation, no part of his or her fee shall be returned, but he or she shall be eligible for examination or orientation at a later date upon at least thirty (30) days' prior notice to the board.

(e) Should the approved applicant fail the examination, no part of his or her fee shall be returned, and he or she shall be eligible for reexamination at a later date, at the discretion of the board, and upon paying an examination fee of ~~twenty-five dollars (\$25.00)~~ up to seventy-five dollars (\$75.00) per failed subject.

17-81-305. Qualifications of applicants.

(a) To qualify ~~to take the~~ for examination, orientation, and licensure, an applicant ~~must~~ shall:

- (1) Be at least twenty-one (21) years of age;
- (2) Have successfully completed not less than a minimum of sixty (60) semester credit hours of college education, to include a minimum of thirty (30) semester credit hours in the field of science;
- (3) Not have had a license to practice chiropractic in any other state suspended or revoked nor have been placed on probation for any cause;
- (4) Possess a valid "doctor of chiropractic" degree from a chiropractic institution whose requirements include a course of instruction of not fewer than four (4) years of nine (9) academic months each or not fewer than four thousand four hundred (4,400) fifty-minute resident class hours and include one hundred twenty (120) classroom hours of physiological therapeutics;
- (5) Possess a valid National Chiropractic Board certificate, to include Parts I, II, and III, and the physiological therapeutics section; credentials as follows:
 - (A) If an applicant graduated on or after January 1, 1970, but before January 1, 1989, Part I, Part II, and Physiotherapy;
 - (B) If an applicant graduated on or after January 1, 1989 but before January 1, 2002, Part I, Part II, Part III, and Physiotherapy; or
 - (C) If the applicant graduated on or after January 1, 2002, Part I, Part II, Part III, Part IV with a score of 375 or greater, and Physiotherapy;
- (6) Be of good moral character;
- (7) Not have been convicted of a felony;
- (8) Not be an habitual user of intoxicants, drugs, or hallucinatory preparations;
- (9) Pay the application fee as provided in § 17-81-304; and
- (10) Cause a certified chiropractic college transcript ~~or~~ and National Board transcript to be submitted directly from the respective institutions.

(b) An applicant ~~graduated, as of July 19, 1971, graduating before 1970~~ from a school or college of chiropractic, the requirements and course of instruction of which were equal and comparable to other recognized schools or colleges of chiropractic at the time of his or her attendance, may be acceptable.

(c) For ~~students~~ graduates who are enrolled in any Council on Chiropractic Education-approved chiropractic school or college which may not, at the passage date of this act, meet the requirements as set forth in subdivision (a)(4) of this section, the Arkansas State Board of Chiropractic Examiners may waive the requirement, in individual cases, at its discretion.

(d) ~~In lieu of the practical examination set out in § 17-81-306, with the exception of subdivision (a)(1)(A) in that section, the applicant may present the board with evidence of passing the National Board Part IV with a minimum score of 375 which shall be accepted by the board as a passing grade. The applicant shall pass the Arkansas State Board of Chiropractic Examiners' Jurisprudence and Ethics Examination.~~

17-81-306. Examination.

(a)(1) ~~Examinations~~ An examination shall be given in English and in writing, except for certain applicants with disabilities such as blind persons, and shall include the following ~~subjects:~~ subjects of ethics and jurisprudence.

- ~~(A) Practice management, ethics, and jurisprudence;~~
- ~~(B) Physical and clinical diagnosis;~~
- ~~(C) Chiropractic examination procedures;~~
- ~~(D) Chiropractic adjustive and manipulative therapeutics;~~
- ~~(E) X-ray interpretations; and~~
- ~~(F) Chiropractic philosophy.~~

~~(2) Examinations for applicants having passed Part III on the National Board shall include only the following subjects:~~

- ~~(A) Practice, ethics, and jurisprudence;~~
- ~~(B) Chiropractic examination procedures;~~
- ~~(C) Chiropractic adjustive and manipulative therapeutics; and~~
- ~~(D) Physical and clinical diagnostic methods.~~

(b) The Arkansas State Board of Chiropractic Examiners shall grade all papers and notify all applicants of the results within ~~forty-five (45)~~ five (5) days of the examination.

(c)~~(1)~~ Each applicant failing the examination shall be furnished a ~~list of~~ his or her grades.

~~(2) He or she~~ Each failing applicant shall be eligible for reexamination, as ~~put forth~~ permitted in the rules and regulations of the board, upon request and the payment of the required ~~fee~~ fees.

(d) All examination papers shall be retained by the board for a minimum period of two (2) years and shall be available for inspection, by appointment, by any aggrieved applicant.

SECTION 7. Arkansas Code § 17-81-307(a), concerning issuance of licenses by the Arkansas State Board of Chiropractic Examiners, is amended to read as follows:

(a) The Arkansas State Board of Chiropractic Examiners shall issue licenses to all applicants who have met the requirements and been approved by the board, paid all the required fees, and ~~gained a satisfactory grade on examination, with a general average of seventy-five percent (75%) with no subject falling below sixty percent (60%)~~ passed the required examination of the board.

SECTION 8. Arkansas Code § 17-81-310 is amended to read as follows:
17-81-310. Orientation class.

(a) The Arkansas State Board of Chiropractic Examiners ~~is authorized to~~ may conduct an orientation class for all ~~new licensees~~ applicants for licensure.

(b) The board ~~is authorized to~~ may include in the orientation class instruction relating to office procedures, the filing of insurance claims, and ~~such~~ other matters as the board may deem necessary or appropriate to equip new licensees to establish and maintain a practice and to effectively and efficiently operate and manage their offices and other facilities related to their practice of chiropractic practice and for the protection of the consumer.

SECTION 9. Arkansas Code § 17-81-317(c), concerning reactivation of a lapsed chiropractic license is amended to read as follows:

(c) If the licensee's license has been inactive for a period of five (5) years, as a condition of reactivation the board may require the licensee to enroll in and pass a refresher course approved by the board at an accredited chiropractic college or to pass a competency ~~exam given by the board~~ examination such as the special purposes examination administered by the National Board of Chiropractic Examiners."

SECTION 10. Arkansas Code Title 17, Chapter 81, Subchapter 3 is amended add an additional section to read as follows:

17-81-318. Transfer of License

A chiropractic physician who has continuously held an active chiropractic license in good standing in another state or jurisdiction for a period of five (5) years may apply for transfer of the license and for licensure in Arkansas at the Arkansas State Board of Chiropractic Examiners' discretion on an individual basis and by a majority vote, if the chiropractic physician:

- (1) Submits an application to the board;
- (2) Passes the board's Jurisprudence and Ethics Examination;
- (3) Has satisfied the National Chiropractic Board requirements of § 17-

81-305;

(4) Has attended the orientation class described in § 17-81-310; and
(5) Complies with all other requirements for maintaining a license in Arkansas, and no other reason exists that would warrant a denial, suspension, or revocation of licensure, including information available on the Chiropractic Information Network/Board Action Databank system maintained by the Federation of Chiropractic Licensing Boards and approved by the National Committee for Quality Assurance."

(SIGNED) SENATOR HENRY "HANK" WILKINS

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 146 was ordered engrossed.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

January 29, 2007

Mr. President:

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

Senate BILL NO. 16, BY SENATOR R. THOMPSON,

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

Respectfully submitted,

(SIGNED) HENRY "HANK" WILKINS, IV
CHAIRMAN

On motion of Senator Thompson, **Senate Bill No. 16** was ordered re-referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

January 29, 2007

Mr. President:

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

Senate BILL NO. 146, BY SENATOR WILKINS,

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

Respectfully submitted,

(SIGNED) HENRY "HANK" WILKINS, IV
CHAIRMAN

On motion of Senator Wilkins, **Senate Bill No. 146** was ordered re-referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

January 29, 2007

Mr. President:

We, your Committee on REVENUE & TAXATION, to whom was referred:

SENATE BILL NO. 185, BY SENATOR GLOVER,

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

Respectfully submitted,

(SIGNED) SENATOR JIM HILL
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

January 29, 2007

Mr. President:

We, your Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS, to whom was referred:

HOUSE BILL NO. 1008, BY REPRESENTATIVE THYER,

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

Respectfully submitted,

(SIGNED) SENATOR HENRY WILKINS
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

January 29, 2007

Mr. President:

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

Senate BILL NO. 177, BY SENATOR WHITAKER,

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

Respectfully submitted,

(SIGNED) HENRY "HANK" WILKINS, IV
CHAIRMAN

On motion of Senator Whitaker, Senate Bill No. 177 was ordered re-referred to the Committee on AGRICULTURE, ECONOMIC & INDUSTRIAL DEVELOPMENT.

SENATE BILL NO. 193
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS SCIENCE AND TECHNOLOGY AUTHORITY FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Senate Bill No. 193 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 194
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

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

Senate Bill No. 194 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 195
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR J. JEFFRESS

A Bill for an Act to be Entitled: AN ACT TO PROTECT THE CONSUMERS IN THE STATE BY CREATING THE "RFID RIGHT TO KNOW ACT" THAT REQUIRES CONSUMERS TO BE NOTIFIED THAT A PRODUCT CONTAINS A RADIO FREQUENCY IDENTIFICATION TAG; AND FOR OTHER PURPOSES.

Senate Bill No. 195 was read the first time, rules suspended, read the second time and referred to the Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS.

SENATE BILL NO. 196
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR J. JEFFRESS

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

Senate Bill No. 196 was read the first time, rules suspended, read the second time and referred to the Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS.

SENATE BILL NO. 197
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

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

Senate Bill No. 197 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

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

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

Senate Bill No. 198 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

SENATE BILL NO. 199
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR FARIS

A Bill for an Act to be Entitled: AN ACT CONCERNING THE RECOGNITION OF OUT-OF-STATE CONCEALED HANDGUN LICENSES; AND FOR OTHER PURPOSES.

Senate Bill No. 199 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

SENATE BILL NO. 200
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR G. JEFFRESS

A Bill for an Act to be Entitled: AN ACT TO INCREASE THE MEMBERSHIP OF THE COMMUNITY SERVICES OVERSIGHT AND PLANNING COUNCIL; AND FOR OTHER PURPOSES.

Senate Bill No. 200 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

SENATE BILL NO. 201
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR HILL

A Bill for an Act to be Entitled: AN ACT TO AMEND THE LEASE BETWEEN THE STATE OF ARKANSAS AND THE ARKANSAS LIVESTOCK SHOW ASSOCIATION; TO CLARIFY LEASED PROPERTY BETWEEN THE ARKANSAS LIVESTOCK SHOW ASSOCIATION AND THE ARKANSAS BUILDING AUTHORITY; AND FOR OTHER PURPOSES.

Senate Bill No. 201 was read the first time, rules suspended, read the second time and referred to the Committee on AGRICULTURE, ECONOMIC & INDUSTRIAL DEVELOPMENT.

SENATE BILL NO. 202
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR FARIS

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

Senate Bill No. 202 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

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

A Bill for an Act to be Entitled: COMMENDING THE MURPHY OIL CORPORATION ON THE EL DORADO PROMISE, A FIFTY MILLION DOLLAR (\$50,000,000) PLAN TO SEND EL DORADO PUBLIC SCHOOL STUDENTS TO COLLEGE.

Senate Resolution No. 5 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1007
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE THYER

A Bill for an Act to be Entitled: AN ACT CONCERNING STIPENDS AWARDED TO MEMBERS OF CERTAIN STATE BOARDS; AND FOR OTHER PURPOSES.

House Bill No. 1007 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

HOUSE BILL NO. 1069
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES BOND AND S. PRATER

A Bill for an Act to be Entitled: AN ACT TO ESTABLISH THE ARKANSAS LONG-TERM CARE PARTNERSHIP PROGRAM; AND FOR OTHER PURPOSES.

House Bill No. 1069 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

HOUSE BILL NO. 1130
As Engrossed H1/19/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES HARRELSON AND THYER

A Bill for an Act to be Entitled: AN ACT TO ADOPT THE UNIFORM STATUTORY RULE AGAINST PERPETUITIES; TO REPEAL THE COMMON LAW RULE AGAINST PERPETUITIES; TO MAKE CONFORMING CHANGES TO EXISTING LAW; AND FOR OTHER PURPOSES.

House Bill No. 1130 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

HOUSE BILL NO. 1157
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES WYATT, ROGERS, HALL, COOK, L. EVANS,
MAXWELL, SAMPLE, T. BAKER, J. BROWN, BURKES, COOPER, D.
CREEKMORE, GEORGE, HOUSE, MOORE, OVERBEY, PETRUS, PIERCE, S.
PRATER, PYLE, J. ROEBUCK, SAUNDERS, STEWART, THYER, WELLS, WILLS
& WOODS

A Bill for an Act to be Entitled: AN ACT TO PROVIDE VISITATION RIGHTS TO STEP-GRANDPARENTS AND FORMER STEP-GRANDPARENTS UNDER CERTAIN CIRCUMSTANCES; AND FOR OTHER PURPOSES.

House Bill No. 1157 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

HOUSE BILL NO. 1197
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE COOK
BY: SENATOR MILLER

A Bill for an Act to be Entitled: AN ACT CONCERNING THE OPERATION OF MOTORBOATS ON THE ELEVEN POINT RIVER; AND FOR OTHER PURPOSES.

House Bill No. 1197 was read the first time, rules suspended, read the second time and referred to the Committee on AGRICULTURE, ECONOMIC & INDUSTRIAL DEVELOPMENT.

HOUSE BILL NO. 1206
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE DUNN

A Bill for an Act to be Entitled: AN ACT TO ALLOW A PERMIT FOR THE MOVEMENT OF EARTHMOVING EQUIPMENT THAT IS A TRACTOR WITH A DIRT PAN IN TOW UPON THE STATE HIGHWAYS IF THE OWNER IS PRIMARILY ENGAGED IN FARMING OR EARTHMOVING OPERATIONS; AND FOR OTHER PURPOSES.

House Bill No. 1206 was read the first time, rules suspended, read the second time and referred to the Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS.

HOUSE BILL NO. 1216
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES S. PRATER, BERRY & KIDD

A Bill for an Act to be Entitled: AN ACT TO CLARIFY THE PROCESS FOR REVIEWING COMPLAINTS CONCERNING SCOPE OF PRACTICE THAT INVOLVE MORE THAN ONE (1) BOARD OF THE HEALING ARTS; AND FOR OTHER PURPOSES.

House Bill No. 1216 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

HOUSE BILL NO. 1230
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES PATTERSON, ADCOCK, ALLEN, BREEDLOVE, J. BROWN, CHEATHAM, L. COWLING, GARNER, GEORGE, GLIDEWELL, HALL, KIDD, LOVELL, MAXWELL, RAGLAND, ROGERS & WELLS

A Bill for an Act to be Entitled: AN ACT TO ESTABLISH A WAITING PERIOD OF SIX (6) YEARS AFTER THE DATE OF DENIAL OF AN APPLICATION FOR EXECUTIVE CLEMENCY FOR PERSONS SENTENCED TO LIFE IMPRISONMENT WITHOUT PAROLE FOR FILING A NEW APPLICATION FOR EXECUTIVE CLEMENCY; TO ALLOW THE PAROLE BOARD TO WAIVE THE WAITING PERIOD UNDER CERTAIN CIRCUMSTANCES; AND FOR OTHER PURPOSES.

House Bill No. 1230 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

HOUSE BILL NO. 1241
 EIGHTY-SIXTH GENERAL ASSEMBLY
 REGULAR SESSION

BY: REPRESENTATIVES WEBB, ADCOCK, ALLEN, T. BAKER, BLOUNT, BOND,
 T. BRADFORD, BREEDLOVE, E. BROWN, J. BROWN, CASH, CHESTERFIELD,
 CORNWELL, L. COWLING, D. CREEKMORE, DAVENPORT, DICKINSON, S.
 DOBBINS, DUNN, EDWARDS, FLOWERS, GARNER, GEORGE, R. GREEN,
 GREENBERG, HALL, HARDWICK, HARRELSON, HARRIS, HAWKINS, HOUSE,
 HOYT, D. HUTCHINSON, HYDE, D. JOHNSON, J. JOHNSON, KEY, KING, W.
 LEWELLEN, LOVELL, LOWERY, MALOCH, MAXWELL, NORTON, PATTERSON,
 PENNARTZ, PICKETT, PIERCE, POWERS, S. PRATER, PYLE, RAGLAND,
 RAINEY, REYNOLDS, J. ROEBUCK, ROSENBAUM, SAMPLE, SAUNDERS,
 SHELBY, STEWART, SULLIVAN, SUMPTER, THYER, WAGNER, WALTERS,
 WILLS, WOOD & WOODS
 BY: SENATOR BAKER

A Bill for an Act to be Entitled: AN ACT TO ESTABLISH THE ARKANSAS
 INFORMATION READING SERVICES FOR THE BLIND WITHIN THE DIVISION
 OF STATE SERVICES FOR THE BLIND OF THE DEPARTMENT OF HEALTH
 AND HUMAN SERVICES; AND FOR OTHER PURPOSES.

House Bill No. 1241 was read the first time, rules suspended, read the
 second time and referred to the Committee on PUBLIC HEALTH, WELFARE &
 LABOR.

HOUSE BILL NO. 1284
 EIGHTY-SIXTH GENERAL ASSEMBLY
 REGULAR SESSION

BY: REPRESENTATIVES WILLS, HYDE, ADCOCK, ALLEN, DAVIS, EVERETT,
 GEORGE, HOYT, PIERCE & REYNOLDS

A Bill for an Act to be Entitled: AN ACT TO INCLUDE DEMOLITION WORK
 UNDER THE CONTRACTORS LICENSING LAW; AND FOR OTHER PURPOSES.

House Bill No. 1284 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

SENATE BILL NO. 203
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MADISON

A Bill for an Act to be Entitled: AN ACT TO REPEAL THE REQUIREMENT THAT COLLEGE JUNIORS TAKE THE COLLEGIATE ASSESSMENT OF ACADEMIC PROFICIENCY EXAM, THE "RISING JUNIOR EXAM"; AND FOR OTHER PURPOSES.

Senate Bill No. 203 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

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

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

Senate Bill No. 204 was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY & LOCAL AFFAIRS.

SENATE BILL NO. 205
 EIGHTY-SIXTH GENERAL ASSEMBLY
 REGULAR SESSION
 BY: SENATOR ALTES
 BY: REPRESENTATIVE WALTERS

A Bill for an Act to be Entitled: AN ACT TO MODIFY THE INCENTIVE FOR PUBLIC SCHOOL TEACHERS TO SEEK NATIONAL BOARD FOR PROFESSIONAL TEACHING STANDARDS CERTIFICATION; AND FOR OTHER PURPOSES.

Senate Bill No. 205 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

ARKANSAS SENATE
 EIGHTY-SIXTH GENERAL ASSEMBLY
 REGULAR SESSION

January 29, 2007

Mr. President:

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

SENATE BILL NO. 17 BY SENATOR THOMPSON,
SENATE BILL NO. 32 BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 33 BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 34 BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 36 BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 37 BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 41 BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 42 BY JOINT BUDGET COMMITTEE,

beg leave to report that we have carefully compared the enrolled copies with the original and we find the same correctly enrolled and have at 9:55 a.m. delivered them to the Governor for his approval.

Respectfully submitted,

(SIGNED) HENRY "HANK" WILKINS, IV
CHAIRMAN

GOVERNOR'S BILL RECEIPTS

SENATE BILL NO. 17

SENATE BILL NO. 32

SENATE BILL. NO. 33

SENATE BILL NO. 34

SENATE BILL NO. 36

SENATE BILL NO. 37

SENATE BILL NO. 41

SENATE BILL NO. 42

RECEIVED the above papers from the Secretary of the Senate this 29th day of January, 2007 at 9:55 a.m.

(SIGNED) MIKE BEEBE
Governor

(SIGNED) Angela Tollette
Secretary

The President declared the morning hour to have expired.

On motion of Senator Smith, **Senate Bill No. 120** was called up for third reading and final disposition.

SENATE BILL NO. 120
As Engrossed S1/23/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR T. SMITH

A Bill for an Act to be Entitled: AN ACT CONCERNING CRIMINAL BACKGROUND CHECKS FOR REAL ESTATE LICENSE APPLICANTS; AND FOR OTHER PURPOSES.

Senate Bill No. 120 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **Senate Bill No. 120**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
Necessary to the adoption of the Emergency Clause	24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 120 was ordered immediately transmitted to the House.

On motion of Senator Miller, **Senate Bill No. 110** was placed back on second reading for purpose of Amendment No. 3.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 3 to SENATE BILL NO. 110

Amend **Senate Bill No. 110** as originally introduced:

Page 2, line 10, delete "arrangement" and substitute "arrangement dealing with automobiles"

(SIGNED) SENATOR PAUL MILLER

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 110 was ordered engrossed.

On motion of Senator G. Jeffress, **Senate Bill No. 176** was called up for third reading and final disposition.

SENATE BILL NO. 176
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR G. JEFFRESS

A Bill for an Act to be Entitled: AN ACT TO INCREASE THE AMOUNT THE STATE HIGHWAY COMMISSION IS AUTHORIZED TO PAY FOR A TOOL ALLOWANCE FOR SPECIFIC EMPLOYEES; AND FOR OTHER PURPOSES.

Senate Bill No. 176 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
Necessary to the passage of the bill	27

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **Senate Bill No. 176**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 176 was ordered immediately transmitted to the House.

On motion of Senator Steele, **House Bill No. 1040** was called up for third reading and final disposition.

HOUSE BILL NO. 1040
As Engrossed H1/10/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES ALLEN, BLOUNT, T. BAKER, E. BROWN, S. DOBBINS,
GREENBERG, HARD & MAXWELL

AN ACT TO PROTECT SHOPPERS FROM EXPOSURE TO GERMS, VIRUSES, BACTERIA, AND OTHER CONTAMINANTS; AND FOR OTHER PURPOSES.

House Bill No. 1040 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total29

NEGATIVE: Hendren, Whitaker.

Total2

ABSENT OR NOT VOTING: Argue, Bryles, Hill, B. Pritchard, .

Total4

VOTING PRESENT:

Total0

Total number of votes cast31

Necessary to the passage of the bill 18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1040 was ordered immediately returned to the House as passed as amended.

On motion of Senator Crumbly, **House Bill No. 1102** was called up for third reading and final disposition.

**HOUSE BILL NO. 1102
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE HALL**

A Bill for an Act to be Entitled: AN ACT TO CLARIFY THE LOCATION OF THE DEPARTMENTS OF THE PHILLIPS COUNTY DISTRICT COURT; AND FOR OTHER PURPOSES.

House Bill No. 1102 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1102 was ordered immediately returned to the House as passed.

On motion of Senator Salmon, **House Bill No. 1013** was called up for third reading and final disposition.

HOUSE BILL NO. 1013

As Engrossed H1/16/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES D. CREEKMORE, S. PRATER, ABERNATHY, BURRIS, CASH, DUNN, GEORGE, MAXWELL, PENNARTZ, PIERCE, RAGLAND & REEP

BY: SENATORS SALMON AND BROADWAY

A Bill for an Act to be Entitled: AN ACT TO INCREASE THE PENALTY CLASSIFICATION OF THE OFFENSES OF INDECENT EXPOSURE AND INTERNET STALKING OF A CHILD UNDER CERTAIN CIRCUMSTANCES; AND FOR OTHER PURPOSES.

House Bill No. 1013 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast	35
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 1013**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

Total	35
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NEGATIVE:

Total	0
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ABSENT OR NOT VOTING:

Total	0
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VOTING PRESENT:

Total	0
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Total number of votes cast	35
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Necessary to the adoption of the Emergency Clause	24
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So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1013 was ordered immediately returned to the House as passed.

On motion of Senator Glover, the rules were suspended in considering **Senate Bill No. 185** at this time.

On motion of Senator Glover, **Senate Bill No. 185** was placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 185

Amend **Senate Bill No. 185** as originally introduced:

Add Representatives Adcock, Bond, Cash, and D. Johnson as cosponsors of the bill

(SIGNED) Bobby Glover

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 185 was ordered engrossed.

On motion of Senator Womack, **House Bill No. 1061** was ordered re-referred to the Committee on JOINT BUDGET.

On motion of Senator Womack, the Senate resolved itself into the Committee of the Whole for the purpose of JOINT BUDGET.

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

On motion of Senator Womack, **House Bill No. 1200** was called up for third reading and final disposition.

HOUSE BILL NO. 1200
As engrossed H1/24/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION OF FUNDS TO ALLEVIATE CONDITIONS ARISING IN PUBLIC EMERGENCIES FOR THE OFFICE OF THE GOVERNOR WHICH SHALL BE SUPPLEMENTAL AND IN ADDITION TO THOSE FUNDS APPROPRIATED BY ACT 131 OF 2005; AND FOR OTHER PURPOSES.

House Bill No. 1200 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0

Total number of votes cast.....35
 Necessary to the passage of the bill27

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 1200**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35
 Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1200 was ordered immediately returned to the House as passed.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

January 29, 2007

Mr. President:

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

SENATE BILL NO. 110, BY SENATOR MILLER, et al,

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

Respectfully submitted,

(SIGNED) HENRY "HANK" WILKINS, IV
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

January 29, 2007

Mr. President:

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

SENATE BILL NO. 185, BY SENATOR GLOVER, et al,

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

Respectfully submitted,

(SIGNED) HENRY "HANK" WILKINS, IV
CHAIRMAN

STATE OF ARKANSAS
OFFICE OF THE GOVERNOR

Mike Huckabee
Governor

January 29, 2007

The Honorable Jim Argue
President Pro Tempore
State Chambers State Capitol
Little Rock, AR 72201

Pursuant to the authority vested in me by the Constitution of Arkansas, I am submitting the following appointments to be confirmed.

I respectfully submit these appointments to your Honorable Body and request that they be confirmed.

Sincerely,

(SIGNED) MIKE HUCKABEE
Governor

MH:cr:aep

State Capitol Building, Suite 250 * Little Rock, AR 72201 * mike.huckabee@state.ar.us
501-682-2345 * Fax 501-682-1382 * TDD 501-682-7515

SENATOR PERCY MALONE

SENATOR CONFIRMATION 2007

<u>APPOINTEE & COUNTY</u>	<u>EXPIRATION DATE</u>	<u>BOARD OR COMMISSION</u>
Robert Black Clark County	01/14/2010	Arkansas History Commission
Steve Card Columbia County	07/31/2011	Arkansas Museum of Natural Resources Advisory Committee
Eileen Cole Nevada County	Will of the Governor	Early Intervention Interagency Coordinating Council
Gary Davis Columbia County	07/31/2011	Arkansas Museum of Natural Resources Advisory Committee
Keith DuPriest Columbia County	01/14/2013	Arkansas Geological Commission
James Furr Columbia County	01/14/2009	Criminal Detention Facility Review Committee
Keldon Henley Clark County	09/14/2010	State Board of Examiners of Alcoholism and Drug Abuse Counselors
Robert Hill Nevada County	07/01/2009	Arkansas State Board of Physical Therapy
Ken Kelley Columbia County	07/01/2010	Governor's Trauma Advisory Council
David Kirkpatrick Columbia County	10/14/2008	Arkansas Fire Protection Services Board
Tim Knight Clark County	06/30/2008	State Board of Education
Lane Smith Clark County	07/08/2010	Arkansas Student Loan Authority
Lynn Story Columbia County	01/14/2008	Parole Board
Pam Vaughan Dallas County	07/20/2009	Advisory Council for the Education of Gifted and Talented Children

January 29, 2007

The Honorable Mike Beebe
Governor of Arkansas
State Capitol Building
Little Rock, AR 72201

Dear Governor Beebe:

This is to advise that the Senate in the Eighty-Sixth General Assembly, on a motion of Senator Percy Malone, advised with and consented unanimously to the enclosed appointments heretofore submitted to this honorable body.

<u>APPOINTEE & COUNTY</u>	<u>EXPIRATION DATE</u>	<u>BOARD OR COMMISSION</u>
Robert Black Clark County	01/14/2010	Arkansas History Commission
Steve Card Columbia County	07/31/2011	Arkansas Museum of Natural Resources Advisory Committee
Eileen Cole Nevada County	Will of the Governor	Early Intervention Interagency Coordinating Council
Gary Davis Columbia County	07/31/2011	Arkansas Museum of Natural Resources Advisory Committee
Keith DuPriest Columbia County	01/14/2013	Arkansas Geological Commission
James Furr Columbia County	01/14/2009	Criminal Detention Facility Review Committee
Keldon Henley Clark County	09/14/2010	State Board of Examiners of Alcoholism and Drug Abuse Counselors
Robert Hill Nevada County	07/01/2009	Arkansas State Board of Physical Therapy
Ken Kelley Columbia County	07/01/2010	Governor's Trauma Advisory Council
David Kirkpatrick Columbia County	10/14/2008	Arkansas Fire Protection Services Board
Tim Knight Clark County	06/30/2008	State Board of Education
Lane Smith Clark County	07/08/2010	Arkansas Student Loan Authority
Lynn Story Columbia County	01/14/2008	Parole Board
Pam Vaughan Dallas County	07/20/2009	Advisory Council for the Education of Gifted and Talented Children

Respectfully submitted,

(SIGNED)ANN CORNWELL
Secretary of the Senate

AC/cm

Cc: The Honorable Charlie Daniels, Secretary of State
Mica Strother, Director of Boards and Commissions

Senate Bills returned from the House as passed and ordered enrolled:

SENATE BILL NO. 82
SENATE BILL NO. 99
SENATE BILL NO. 133
SENATE BILL NO. 151

HOUSE BILL NO. 1101
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE REEP

A Bill for an Act to be Entitled: AN ACT TO DEFINE THE ACCREDITING ORGANIZATION FOR HOSPITALS; AND FOR OTHER PURPOSES.

House Bill No. 1101 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

HOUSE BILL NO. 1173

As Engrossed H1/24/07 H1/26/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES ANDERSON, ADCOCK, J. BROWN, COOK, COOPER,
 CORNWELL, S. DOBBINS, DUNN, L. EVANS, GEORGE, R. GREEN, D.
 HUTCHINSON, KING, LOVELL, LOWERY, MEDLEY, NORTON, PENNARTZ,
 PETRUS, PYLE, RAGLAND, J. ROEBUCK, SAMPLE, STEWART, THYER,
 BREEDLOVE, HARRIS, KENNEY & SULLIVAN
 BY: SENATORS BISBEE, BAKER, HENDREN, G. JEFFRESS,
 MILLER & SALMON

A Bill for an Act to be Entitled: AN ACT TO REPEAL THE REQUIREMENT THAT SCHOOL DISTRICTS MUST REQUIRE SCHOOLS IN THE SCHOOL DISTRICT TO PROVIDE TO PARENTS AN ANNUAL BODY MASS INDEX REPORT ON EACH STUDENT; AND FOR OTHER PURPOSES.

House Bill No. 1173 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

HOUSE BILL NO. 1287

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES REYNOLDS, GARNER, HAWKINS, HOYT, HYDE,
 KIDD, RAGLAND, ROSENBAUM & WILLS
 BY: SENATOR BAKER

A Bill for an Act to be Entitled: AN ACT TO PROVIDE A MAXIMUM OF THREE (3) THREE-YEAR TERMS FOR MEMBERS OF THE RESIDENTIAL BUILDING CONTRACTORS COMMITTEE; AND FOR OTHER PURPOSES.

House Bill No. 1287 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

January 29, 2007

Mr. President:

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

- SENATE BILL NO. 82 BY SENATOR BAKER,
- SENATE BILL NO. 99 BY SENATOR WILKINSON, et al,
- SENATE BILL NO. 133 BY JOINT BUDGET COMMITTEE,
- SENATE BILL NO. 151 BY SENATOR WOMACK,

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

Respectfully submitted,

(SIGNED) HENRY "HANK" WILKINS, IV
CHAIRMAN

GOVERNOR'S BILL RECEIPTS

- SENATE BILL NO. 82
- SENATE BILL NO. 99
- SENATE BILL NO. 133
- SENATE BILL NO. 151

RECEIVED the above papers from the Secretary of the Senate this 29th day of January, 2007 at 3:00 p.m.

(SIGNED) MIKE BEEBE
Governor

(SIGNED) Angela Tollett
Secretary

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SENATE BILLS TRANSMITTED TO THE HOUSE
AS PASSED

SENATE BILL NO. 120
SENATE BILL NO. 176

HOUSE BILLS RETURNED TO THE HOUSE
AS PASSED

HOUSE BILL NO. 1013
HOUSE BILL NO. 1040
HOUSE BILL NO. 1102
HOUSE BILL NO. 1200

SENATE BILLS RETURNED FROM THE HOUSE
AS PASSED

SENATE BILL NO. 82
SENATE BILL NO. 99
SENATE BILL NO. 133
SENATE BILL NO. 151

HOUSE BILLS TRANSMITTED TO THE SENATE
AS PASSED

HOUSE BILL NO. 1007
HOUSE BILL NO. 1069
HOUSE BILL NO. 1101

HOUSE BILL NO. 1130
HOUSE BILL NO. 1173
HOUSE BILL NO. 1197
HOUSE BILL NO. 1206
HOUSE BILL NO. 1216
HOUSE BILL NO. 1230
HOUSE BILL NO. 1241
HOUSE BILL NO. 1284
HOUSE BILL NO. 1287

HOUSE BILLS TRANSMITTED TO THE SENATE THE EMERGENCY CLAUSE
HAVING FAILED OF ADOPTION

HOUSE BILL NO. 1157

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

PRESIDENT OF THE SENATE

SECRETARY OF THE SENATE