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

Little Rock, Arkansas

January 30, 2007

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

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

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

The Senate was led in prayer by Senator Steele.

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

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

On motion of Senator Faris, **Senate Bill No. 57** was withdrawn from the Committee on JOINT RETIREMENT AND SOCIAL SECURITY, and placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 57

Amend **Senate Bill No. 57** as originally introduced:

Page 2, line 7, delete “one (1)” and substitute “~~one (1)~~ three (3)”

AND

Page 2, line 8, delete “year” and substitute “~~year~~ years”

(SIGNED) SENATOR FARIS

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 57 was ordered engrossed.

On motion of Senator Faris, **Senate Bill No. 90** was withdrawn from the Committee on JOINT RETIREMENT AND SOCIAL SECURITY, and placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 90

Amend **Senate Bill No. 90** as originally introduced:

Page 2, delete line 6 and substitute the following:
“the rate previously established to fund the district judge benefit program unless the Arkansas Public Employees’ Retirement System’s actuary determines that a different required contribution rate should be applied.”

(SIGNED) SENATOR FARIS

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 90 was ordered engrossed.

On motion of Senator Faris, **Senate Bill No. 118** was withdrawn from the Committee on JOINT RETIREMENT AND SOCIAL SECURITY, and placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 118

Amend **Senate Bill No. 118** as originally introduced:

Page 2, delete lines 1 and 2 and substitute the following:
“the Arkansas District and City Court Clerk’s Association.”

(SIGNED) SENATOR FARIS

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 118 was ordered engrossed.

On motion of Senator Madison, **Senate Bill No. 31** was withdrawn from the Committee on INSURANCE & COMMERCE, and placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 31

Amend **Senate Bill No. 31** as originally introduced:

Add Senator Salmon as a cosponsor of the bill

AND

Page 1, line 11, delete "SELLERS" and substitute "RETAILERS"

AND

Page 1, line 17, delete "SELLERS" and substitute "RETAILERS"

AND

Page 1, line 29, delete "college or university" and substitute "institution of higher education"

AND

Page 1, line 31, delete "seller" and substitute "retailer"

AND

Page 1, line 32, delete "seller" and substitute "retailer"

AND

Page 2, line 5, delete "sellers" and substitute "retailers"

AND

Page 2, delete lines 8 and 9 and substitute the following:

"(2) Interacting locally with state-supported institutions of higher education.

"(c) Nothing in this section prevents a faculty member from referring students to any source for required or suggested textbooks or course materials."

AND

Page 2, line 10, delete "(c)(1)" and substitute "(d)(1)"

AND

Page 2, line 14, delete "college or university" and substitute "institution of higher education"

AND

Page 2, line 16, delete "(c)(2)" and substitute "(d)(2)"

AND

Page 2, line 17, delete "college or university" and substitute "institution of higher education"

AND

Page 2, line 21, delete "sellers" and substitute "retailers"

(SIGNED) SENATOR MADISON

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 31 was ordered engrossed.

On motion of Senator Taylor, **Senate Bill No. 190** was withdrawn from the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS, and placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 190

Amend **Senate Bill No. 190** as originally introduced:

Page 1, line 36 delete "Arkansas" and substitute "~~Arkansas~~"

AND

Page 2, line 1 delete “Association of Registered Land Surveyors;” and substitute “~~Association of Registered Land Surveyors~~ Arkansas Society of Professional Surveyors;”

(SIGNED) SENATOR TAYLOR

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 190 was ordered engrossed.

On motion of Senator Faris, **Senate Bill No. 199** as withdrawn from the Committee on JUDICIARY, and placed back on second reading for purpose of Amendment No. 1.

**ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 199**

Amend **Senate Bill No. 199** as originally introduced:
Add Representative Creekmore as a co-sponsor of the bill

(SIGNED) SENATOR FARIS

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 199 was ordered engrossed.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

January 30, 2007

Mr. President:

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

SENATE BILL NO. 31, BY SENATOR MADISON,

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

Respectfully submitted,

(SIGNED) HENRY "HANK" WILKINS, IV
CHAIRMAN

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

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

January 30, 2007

Mr. President:

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

SENATE BILL NO. 57, BY SENATOR FARIS,

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

Respectfully submitted,

(SIGNED) HENRY "HANK" WILKINS, IV
CHAIRMAN

On motion of Senator Faris, **Senate Bill No. 157** was ordered re-referred to the Committee on JOINT RETIREMENT AND SOCIAL SECURITY.

**ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION**

January 30, 2007

Mr. President:

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

SENATE BILL NO. 90, BY SENATOR FARIS,

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

Respectfully submitted,

(SIGNED) HENRY "HANK" WILKINS, IV
CHAIRMAN

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

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

January 30, 2007

Mr. President:

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

SENATE BILL NO. 118, BY SENATOR FARIS,

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

Respectfully submitted,

(SIGNED) HENRY "HANK" WILKINS, IV
CHAIRMAN

On motion of Senator Faris, **Senate Bill No. 118** was ordered re-referred to the Committee on JOINT RETIREMENT AND SOCIAL SECURITY.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

January 30, 2007

Mr. President:

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

SENATE BILL NO. 190, BY SENATOR J. TAYLOR,

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

Respectfully submitted,

(SIGNED) HENRY "HANK" WILKINS, IV
CHAIRMAN

On motion of Senator J. Taylor, **Senate Bill No. 190** was ordered re-referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

**ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION**

January 30, 2007

Mr. President:

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

SENATE BILL NO. 199, BY SENATOR FARIS,

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

Respectfully submitted,

(SIGNED) HENRY "HANK" WILKINS, IV
CHAIRMAN

On motion of Senator Faris, **Senate Bill No. 199** was ordered re-referred to the Committee on JUDICIARY.

SENATE BILL NO. 206
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR G. JEFFRESS

A Bill for an Act to be Entitled: AN ACT TO REGULATE OIL AND GAS PRODUCTION; TO LIMIT COMPENSATION FOR SPILL DAMAGES TO THE SURFACE ESTATE; AND FOR OTHER PURPOSES.

Senate Bill No. 206 was read the first time, rules suspended, read the second time and referred to the Committee on AGRICULTURE, ECONOMIC & INDUSTRIAL DEVELOPMENT.

SENATE BILL NO. 207
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 LABOR FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Senate Bill No. 207 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 208
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR FARIS

A Bill for an Act to be Entitled: AN ACT TO REMOVE THE CAP ON REIMBURSEMENT TO VOLUNTEER FIRE DEPARTMENTS FOR SERVICES PROVIDED INVOLVING FIRES AND PERSONAL PROPERTY; TO EXTEND THE TIME PERIOD REQUIRED FOR NOTICE TO BE GIVEN BY A VOLUNTEER FIRE DEPARTMENT TO THE INSURANCE COMPANY; AND FOR OTHER PURPOSES.

Senate Bill No. 208 was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE & COMMERCE.

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

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

Senate Bill No. 209 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

SENATE BILL NO. 210
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR FARIS

A Bill for an Act to be Entitled: AN ACT TO ELIMINATE THE PRACTICAL EXAMINATION REQUIREMENT FROM THE COSMETOLOGY LAW; AND FOR OTHER PURPOSES.

Senate Bill No. 210 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

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

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

Senate Bill No. 211 was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY & LOCAL AFFAIRS.

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

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

Senate Bill No. 212 was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY & LOCAL AFFAIRS.

SENATE BILL NO. 213
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR HILL

A Bill for an Act to be Entitled: AN ACT CONCERNING SUBMISSION OF FUNDS OR REPORTS TO THE ADMINISTRATION OF JUSTICE FUND; AND FOR OTHER PURPOSES.

Senate Bill No. 213 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

SENATE BILL NO. 214
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MADISON

A Bill for an Act to be Entitled: AN ACT CONCERNING STATE AGENCIES SCHEDULED FOR ABOLISHMENT ON JUNE 30, 2007; AND FOR OTHER PURPOSES.

Senate Bill No. 214 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 30, 2007

Mr. President:

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

SENATE BILL NO. 107, BY SENATOR BISBEE,
SENATE BILL NO. 108, BY SENATOR BISBEE,
SENATE BILL NO. 172, BY SENATOR MADISON,

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

Respectfully submitted,

(SIGNED) SENATOR IRMA HUNTER BROWN
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

January 30, 2007

Mr. President:

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

HOUSE BILL NO. 1177, BY REPRESENTATIVE PYLE,
HOUSE BILL NO. 1178, BY REPRESENTATIVE PYLE,

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

Respectfully submitted,

(SIGNED) SENATOR IRMA HUNTER BROWN
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

January 30, 2007

Mr. President:

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

SENATE BILL NO. 10, BY SENATOR MALONE,
SENATE BILL NO. 16, BY SENATOR R. THOMPSON,
SENATE BILL NO. 171, BY SENATOR BAKER,

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

Respectfully submitted,

(SIGNED) SENATOR STEVE FARIS
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

January 30, 2007

Mr. President:

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

HOUSE BILL NO. 1140, BY REPRESENTATIVE WOOD,

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

Respectfully submitted,

(SIGNED) SENATOR STEVE FARIS
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

January 30, 2007

Mr. President:

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

HOUSE BILL NO. 1104, 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 STEVE FARIS
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

January 30, 2007

Mr. President:

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

SENATE BILL NO. 177, BY SENATOR WHITAKER,

beg leave to report that we have had the same under consideration, and herewith
return the same with the recommendation that it do pass as amended No. 2.

Respectfully submitted,

(SIGNED) SENATOR JIM LUKER
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

January 30, 2007

Mr. President:

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

HOUSE BILL NO. 1175, BY REPRESENTATIVE EDWARDS,

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

Respectfully submitted,

(SIGNED) SENATOR JIM LUKER
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

January 30, 2007

Mr. President:

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

SENATE BILL NO. 30, BY SENATOR MADISON,
SENATE BILL NO. 143, BY SENATOR T. SMITH,

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

Respectfully submitted,

(SIGNED) SENATOR PAUL MILLER
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

January 30, 2007

Mr. President:

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

SENATE BILL NO. 27, BY SENATOR MADISON,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that it do pass as amended No. 3.

Respectfully submitted,

(SIGNED) SENATOR PAUL MILLER
CHAIRMAN

STATE OF ARKANSAS
OFFICE OF THE GOVERNOR

STATE CAPITOL
LITTLE ROCK, ARKANSAS

MIKE BEEBE
Governor

January 29, 2007

TO THE PRESIDENT OF THE SENATE

Dear Mr. President:

This is to inform your Honorable Body that on January 29, 2007, I approved the following measures from the Regular Session of the Eighty-sixth General Assembly:

Senate Bill 17 -- ACT 30	Senate Bill 36 -- ACT 34
Senate Bill 32 -- ACT 31	Senate Bill 37 -- ACT 35
Senate Bill 33 -- ACT 32	Senate Bill 41 -- ACT 36
Senate Bill 34 -- ACT 33	Senate Bill 42 -- ACT 37

Sincerely,

(SIGNED) MIKE BEEBE
Governor

On motion of Senator Miller, **Senate Bill No. 110** was called up for third reading and final disposition.

SENATE BILL NO. 110
As Engrossed S1/24/07 S1/29/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

**BY: SENATORS MILLER, HORN, T. SMITH, R. THOMPSON, ALTES,
J. JEFFRESS, BISBEE & LUKER**

**BY: REPRESENTATIVES ANDERSON, ROSENBAUM, WYATT, MAXWELL,
NORTON & HARRELSON**

A Bill for an Act to be Entitled: AN ACT TO CLARIFY THAT DEBT CANCELLATION AGREEMENTS ARE NOT INCLUDED IN THE DEFINITION OF INSURANCE UNDER THE ARKANSAS INSURANCE CODE; AND FOR OTHER PURPOSES.

Senate Bill No. 110 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total33

NEGATIVE: Argue, Womack.

Total2

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the adoption of the Emergency Clause27

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. 110**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

Total33

NEGATIVE: Argue, Womack.

Total2

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 110 was ordered immediately transmitted to the House.

On motion of Senator Glover, **Senate Bill No. 185** was called up for third reading and final disposition.

SENATE BILL NO. 185

As Engrossed S1/29/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATORS GLOVER, HILL, CAPPS, MILLER, T. SMITH, FARIS, ALTES, WILKINSON, BAKER, BISBEE, BOOKOUT, BROADWAY, BROWN, BRYLES, CRUMBLY, HENDREN, HORN, G. JEFFRESS, J. JEFFRESS, B. JOHNSON, LAVERTY, LUKER, MADISON, MALONE, B. PRITCHARD, SALMON, J. TAYLOR, WHITAKER, WILKINS & WOMACK

BY: REPRESENTATIVES D. EVANS, ALLEN, T. BAKER, BLOUNT, J. BROWN, BURRIS, CHEATHAM, COOK, CORNWELL, D. CREEKMORE, DAVENPORT, DAVIS, EDWARDS, GLIDEWELL, R. GREEN, HARDWICK, HARDY, HARRELSON, HAWKINS, HOUSE, HOYT, D. HUTCHINSON, J. JOHNSON, KEY, LOWERY, MEDLEY, PATE, PENNARTZ, PICKETT, PIERCE, POWERS, S. PRATER, RAINEY, REEP, REYNOLDS, J. ROEBUCK, SAUNDERS, SHELBY, L. SMITH, WAGNER, WALTERS, WEBB, *ADCOCK, BOND, CASH & D. JOHNSON*

A Bill for an Act to be Entitled: AN ACT TO AMEND THE STATE SALES AND USE TAX RATE ON FOOD AND FOOD INGREDIENTS; TO CONTINUE THE IMPOSITION OF LOCAL SALES AND USE TAX ON FOOD AND FOOD INGREDIENTS; AND FOR OTHER PURPOSES.

Senate Bill No. 185 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

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. 185**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

Total	35
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NEGATIVE:

Total	0
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ABSENT OR NOT VOTING:

Total	0
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VOTING PRESENT:

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

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 185 was ordered immediately transmitted to the House.

On motion of Senator Madison, **House Bill No. 1041** was called up for third reading and final disposition.

HOUSE BILL NO. 1041
As Engrossed H1/10/07 H1/17/07 S1/23/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

BY: REPRESENTATIVES WALTERS, HARDWICK & CREEKMORE
BY: SENATORS WILKINSON AND MADISON

A Bill for an Act to be Entitled: AN ACT TO IMPROVE SAFETY IN ARKANSAS SCHOOLS; TO PROVIDE SCHOOLS WITH INFORMATION REGARDING THE ARREST, DETENTION, AND COURT PROCEEDINGS REGARDING STUDENTS; AND FOR OTHER PURPOSES.

House Bill No. 1041 was placed on 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. 1041 was ordered immediately returned to the House as passed as amended.

On motion of Senator Bookout, **House Bill No. 1042** was called up for third reading and final disposition.

HOUSE BILL NO. 1042
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES THYER, KIDD & CASH
BY: SENATOR BOOKOUT

A Bill for an Act to be Entitled: AN ACT TO CONFIRM THE POWER OF CONSOLIDATED UTILITY DISTRICTS TO PARTICIPATE IN THE DEVELOPMENT, OWNERSHIP, AND OPERATION OF GENERATION FACILITIES WITH OUT-OF-STATE PUBLIC AGENCIES; AND FOR OTHER PURPOSES.

House Bill No. 1042 was placed on 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 adoption of the Emergency Clause	18

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 1042**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1042 was ordered immediately returned to the House as passed.

On motion of Senator J. Jeffress, **House Bill No. 1071** was called up for third reading and final disposition.

HOUSE BILL NO. 1071
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES WALTERS AND R. GREEN
BY: SENATORS J. JEFFRESS AND WILKINSON

A Bill for an Act to be Entitled: AN ACT CONCERNING INSTRUCTION BY SUBSTITUTE TEACHERS; AND FOR OTHER PURPOSES.

House Bill No. 1071 was placed on 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. 1071 was ordered immediately returned to the House as passed.

STATE OF ARKANSAS
HOUSE OF REPRESENTATIVES
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
LITTLE ROCK, ARKANSAS 72201

BENNY PETRUS, SPEAKER
TIM MASSANELLI, PARLIAMENTARIAN JO RENSHAW, CLERK

January 30, 2007

The Honorable Ann Cornwell
Secretary of Senate
Senate Fiscal Officer
State Capitol Building
Little Rock, Arkansas 72201

Dear Ann:

The House of Representatives respectfully requests the return to the House, of House Bill 1128.

Respectfully submitted,

(SIGNED) JO RENSHAW
Chief Clerk

JLR/jb

On motion of Senator Wilkins, **House Bill No. 1128** was withdrawn from the Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS, and placed on the Calendar.

On motion of Senator Wilkins, and without objection, **House Bill No. 1128** was ordered immediately returned to the House as requested.

HOUSE BILL NO. 1026

As Engrossed H1/26/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES HARDY, S. PRATER, BLOUNT, DAVENPORT, DAVIS,
GARNER, J. JOHNSON, MOORE, OVERBEY & RAINEY

BY: SENATORS FARIS AND J. JEFFRESS

A Bill for an Act to be Entitled: AN ACT TO PROTECT THE FAMILIES OF FIREFIGHTERS AND POLICE OFFICERS; TO ENSURE THAT FIREFIGHTERS AND POLICE OFFICERS WHO LOSE THEIR LIVES AS THE RESULT OF THEIR DUTIES RECEIVE BENEFITS UNDER FEDERAL LAW; AND FOR OTHER PURPOSES.

House Bill No. 1026 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1234

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE HARRIS

A Bill for an Act to be Entitled: AN ACT CONCERNING THE OPERATION OF THE ARKANSAS FIRE AND POLICE PENSION REVIEW BOARD TO PROVIDE TECHNICAL CORRECTIONS; AND FOR OTHER PURPOSES.

House Bill No. 1234 was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 215
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR T. SMITH
BY: REPRESENTATIVE SAMPLE

A Bill for an Act to be Entitled: AN ACT CONCERNING THE CERTIFICATION OF RETIRED LAW ENFORCEMENT OFFICERS TO CARRY A CONCEALED HANDGUN; AND FOR OTHER PURPOSES.

Senate Bill No. 215 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

SENATE BILL NO. 216
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR HENDREN

A Bill for an Act to be Entitled: AN ACT TO PROVIDE THAT NONVIOLENT FELONY SEX OFFENDERS AWAITING TRANSFER TO THE DEPARTMENT OF CORRECTION OR THE DEPARTMENT OF COMMUNITY CORRECTION SHALL NOT BE TEMPORARILY RELEASED FROM THE CUSTODY OF A SHERIFF; AND FOR OTHER PURPOSES.

Senate Bill No. 216 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

SENATE BILL NO. 217
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR G. JEFFRESS

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

Senate Bill No. 217 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

SENATE BILL NO. 218
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 HEALTH AND HUMAN SERVICES - DIVISION OF BEHAVIORAL HEALTH FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Senate Bill No. 218 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 219
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 HEALTH AND HUMAN SERVICES - DIVISION OF CHILDREN AND FAMILY SERVICES FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Senate Bill No. 219 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 220
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 HEALTH AND HUMAN SERVICES - DIVISION OF DEVELOPMENTAL DISABILITIES SERVICES FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Senate Bill No. 220 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 221
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 HEALTH AND HUMAN SERVICES - DIVISION OF YOUTH SERVICES FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Senate Bill No. 221 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 222
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR OPERATING AND OTHER EXPENSES OF THE NOAA WEATHER WARNING SYSTEM AND FOR OPERATING AND OTHER EXPENSES OF THE PUBLIC TRANSPORTATION PROGRAM FOR THE ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Senate Bill No. 222 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 223
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 HEALTH AND HUMAN SERVICES - DIVISION OF MEDICAL SERVICES FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Senate Bill No. 223 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 224
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR FARIS

A Bill for an Act to be Entitled: AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE ELECTION LAWS OF THE STATE OF ARKANSAS; AND FOR OTHER PURPOSES.

Senate Bill No. 224 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

SENATE BILL NO. 225
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR FARIS

A Bill for an Act to be Entitled: AN ACT TO CONTINUE CERTAIN STATE AGENCIES SCHEDULED TO BE ABOLISHED ON JUNE 30, 2007; TO ABOLISH CERTAIN AGENCIES; TO REPEAL CHAPTER 39 OF TITLE 25 OF THE ARKANSAS CODE; AND FOR OTHER PURPOSES.

Senate Bill No. 225 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

SENATE CONCURRENT RESOLUTION NO. 4
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

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

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

SENATE CONCURRENT RESOLUTION CONCERNING THE
REAUTHORIZATION OF THE STATE CHILDREN'S HEALTH INSURANCE
PROGRAM.

Senate Concurrent Resolution No. 4 was read the first time, rules suspended, read the second time and placed on the Calendar.

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

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

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

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SENATE BILLS TRANSMITTED TO THE HOUSE
AS PASSED

SENATE BILL NO. 110
SENATE BILL NO. 185

HOUSE BILLS RETURNED TO THE HOUSE
AS PASSED

HOUSE BILL NO. 1042
HOUSE BILL NO. 1071

HOUSE BILLS RETURNED TO THE HOUSE
AS PASSED AS AMENDED

HOUSE BILL NO. 1041

HOUSE BILLS RETURNED TO THE HOUSE
AS REQUESTED

HOUSE BILL NO. 1128

HOUSE BILLS TRANSMITTED TO THE SENATE
AS PASSED

HOUSE BILL NO. 1026
HOUSE BILL NO. 1234

On motion of Senator Whitaker, the Senate adjourned until 1:30 p.m.,
January 31, 2007.

PRESIDENT OF THE SENATE

SECRETARY OF THE SENATE

