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

Little Rock, Arkansas

February 1, 2007

The Senate was called to order at 11:00 o'clock a.m. by the President.

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

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

The Senate was led in prayer by Senator Crumbly.

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

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

On motion of Senator J. Jeffress, **Senate Bill No. 45** was withdrawn from the Committee on EDUCATION, and placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 45

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

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

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

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

(SIGNED) SENATOR J. JEFFRESS

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 45 was ordered engrossed.

On motion of Senator Faris, **Senate Bill No. 225** was withdrawn from the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS, and placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 225

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

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

“SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that this act calls for the continuation and abolishment of various state agencies and that allowing the provisions of the act to become effective immediately will promote the efficient and effective operation of the agencies affected by the act. Therefore, an emergency is declared to exist and this act being necessary for the preservation of the public peace, health, and safety shall become effective on:

- (1) The date of its approval by the Governor;
- (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or
- (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.”

(SIGNED) SENATOR FARIS

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 225 was ordered engrossed.

On motion of Senator Hill, **Senate Bill No. 201** was withdrawn from the Committee on AGRICULTURE, ECONOMIC & INDUSTRIAL DEVELOPMENT, and placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 201

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

Add Representative Sullivan as a cosponsor of the bill

(SIGNED) SENATOR HILL

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 201 was ordered engrossed.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 1, 2007

Mr. President:

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

SENATE BILL NO. 45, BY SENATOR J. JEFFRESS,

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

Respectfully submitted,

(SIGNED) HENRY "HANK" WILKINS, IV
CHAIRMAN

On motion of Senator J. Jeffress, **Senate Bill No. 45** was ordered re-referred to the Committee on EDUCATION.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 1, 2007

Mr. President:

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

SENATE BILL NO. 201, BY SENATOR HILL,

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

Respectfully submitted,

(SIGNED) HENRY "HANK" WILKINS, IV
CHAIRMAN

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

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 1, 2007

Mr. President:

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

SENATE BILL NO. 225, BY SENATOR FARIS,

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

Respectfully submitted,

(SIGNED) HENRY "HANK" WILKINS, IV
CHAIRMAN

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

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION 2007

February 1, 2007

Mr. President:

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

SENATE BILL NO. 134, BY JOINT BUDGET COMMITTEE,

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

Respectfully submitted,

(SIGNED) SENATOR SHAWN WOMACK
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 1, 2007

Mr. President:

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

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

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

Respectfully submitted,

(SIGNED) SENATOR IRMA HUNTER BROWN
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 1, 2007

Mr. President:

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

HOUSE BILL NO. 1022, BY REPRESENTATIVE SAMPLE,

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

Respectfully submitted,

(SIGNED) SENATOR IRMA HUNTER BROWN
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 1, 2007

Mr. President:

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

HOUSE BILL NO. 1179, BY REPRESENTATIVE OVERBEY,

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

Respectfully submitted,

(SIGNED) SENATOR IRMA BROWN HUNTER
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 1, 2007

Mr. President:

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

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

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

Respectfully submitted,

(SIGNED) SENATOR STEVE FARIS
CHAIRMAN

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(SIGNED) ANN CORNWELL, SECRETARY

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

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

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

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

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

(SIGNED) ANN CORNWELL, SECRETARY

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

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

HOUSE CONCURRENT RESOLUTION NO. 1005

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES OVERBEY, GEORGE, LAMOUREUX, BERRY,

WELLS, PYLE & BREEDLOVE

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

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

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

(SIGNED) ANN CORNWELL, SECRETARY

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

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

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

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

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

AND

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

(SIGNED) SENATOR ALTES

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 20 was ordered engrossed.

On motion of Senator Faris, **Senate Concurrent Resolution No. 4** was placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

Amendment No. 1 to SENATE CONCURRENT RESOLUTION NO. 4

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

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

(SIGNED) SENATOR FARIS

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Concurrent Resolution No. 4 was ordered engrossed.

On motion of Senator Bisbee, **House Bill No. 1072** was placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to HOUSE BILL NO. 1072

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

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

AND

Delete everything after the enacting clause and substitute the following:

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

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

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

(3) As used in this subchapter:

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

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

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

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

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

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

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

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

(i) Necessary cessation of instruction or educational activities;

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

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

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

(b) The policies shall:

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

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

(2) Prohibit bullying:

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

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

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

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

(SIGNED) SENATOR BISBEE

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

(SIGNED) ANN CORNWELL, SECRETARY

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

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

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

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

Add Senator Salmon as a cosponsor of the bill

(SIGNED) SENATOR SALMON

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

(SIGNED) ANN CORNWELL, SECRETARY

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

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

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

AND

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

AND

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

AND

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

AND

Page 2, delete line 5 and substitute the following:

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

AND

Page 3, delete line 28 and substitute the following:

"(b) The task force shall:"

AND

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

AND

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

AND

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

AND

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

AND

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

AND

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

AND

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

(SIGNED) SENATOR MALONE

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

(SIGNED) ANN CORNWELL, SECRETARY

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

The President declared the morning hour to have expired.

On motion of Senator Womack, **Senate Bill No. 125** was withdrawn from the Committee on JOINT BUDGET, and placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 125

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

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

And

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

And

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

And

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

(SIGNED) JOINT BUDGET COMMITTEE

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 125 was ordered engrossed.

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

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

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

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 1, 2007

Mr. President:

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

SENATE CONCURRENT RESOLUTION NO. 4, BY SENATOR FARIS,
et al,

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

Respectfully submitted,

(SIGNED) HENRY "HANK" WILKINS, IV
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 1, 2007

Mr. President:

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

SENATE BILL NO. 20, BY SENATOR ALTES,

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

Respectfully submitted,

(SIGNED) HENRY "HANK" WILKINS, IV
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 1, 2007

Mr. President:

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

SENATE BILL NO. 125, BY JOINT BUDGET COMMITTEE,

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

Respectfully submitted,

(SIGNED) HENRY "HANK" WILKINS, IV
CHAIRMAN

On motion of Senator Womack, **Senate Bill No. 125** was ordered re-referred to the Committee on JOINT BUDGET.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 1, 2007

Mr. President:

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

HOUSE BILL NO. 1072, BY REPRESENTATIVE WALTERS, et al,

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

Respectfully submitted,

(SIGNED) HENRY "HANK" WILKINS, IV
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 1, 2007

Mr. President:

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

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

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

Respectfully submitted,

(SIGNED) HENRY "HANK" WILKINS, IV
CHAIRMAN

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

HOUSE BILL NO. 1282

As Engrossed: H1/24/07 H1/29/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES GEORGE, WELLS, ABERNATHY, ADCOCK, T. BAKER, BLOUNT, T. BRADFORD, J. BROWN, COOPER, CORNWELL, D. CREEKMORE, DAVENPORT, DUNN, GASKILL, HOYT, HYDE, KEY, KING, W. LEWELLEN, OVERBEY, PIERCE, S. PRATER, REEP, J. ROEBUCK, SHELBY, STEWART, SULLIVAN, SUMPTER, WAGNER, WALTERS, WEBB, WILLS, WOOD & MEDLEY

A Bill for an Act to be Entitled: *AN ACT TO CLARIFY THAT CIVIL IMMUNITY IS EXTENDED TO DENTISTS AND OTHER HEALTH CARE PROFESSIONALS WHO RENDER VOLUNTARY HEALTH CARE SERVICES AT FREE OR LOW-COST HEALTH CARE CLINICS; AND FOR OTHER PURPOSES.*

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

HOUSE BILL NO. 1302

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE ABERNATHY

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

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

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

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

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

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

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

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

HOUSE BILL NO. 1310

As Engrossed: H1/31/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES D. CREEKMORE AND ADCOCK

BY: SENATOR SALMON

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

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

HOUSE BILL NO. 1318

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES SULLIVAN, PETRUS & THYER

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

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

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

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

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

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

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

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

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

BY: REPRESENTATIVES HARDY, BLOUNT, GARNER & MALOCH

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

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

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

BY: JOINT BUDGET COMMITTEE

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

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

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

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

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

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SENATE CONCURRENT RESOLUTION TRANSMITTED
TO THE HOUSE AS ADOPTED

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

HOUSE CONCURRENT RESOLUTION RETURNED
TO THE HOUSE AS CONCURRED IN

HOUSE CONCURRENT RESOLUTION NO. 1005

SENATE BILLS RETURNED FROM THE HOUSE
AS PASSED

SENATE BILL NO. 38
SENATE BILL NO. 44

SENATE CONCURRENT RESOLUTION RETURNED FROM THE HOUSE
AS CONCURRED IN

SENATE CONCURRENT RESOLUTION NO. 2

HOUSE BILLS TRANSMITTED TO THE SENATE
AS PASSED

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

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

PRESIDENT OF THE SENATE

SECRETARY OF THE SENATE

