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**THIRTY-EIGHTH DAY'S PROCEEDINGS
SENATE CHAMBER
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION**

Little Rock, Arkansas

February 14, 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 Reverend Stephen Davis, First Baptist Church,
Russellville, Arkansas.

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On motion of Senator Madison, **Senate Bill No. 29** was withdrawn from the Committee on INSURANCE AND COMMERCE, and placed back on second reading for purpose of Amendment No. 2.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. 29

Amend **Senate Bill No. 29** as engrossed, S2/12/07:

Page 1, line 30, delete "supplies," and substitute "supplies other than the advertisement of a promotional item or special sale item within its own bookstore,"

AND

Page 2, line 9, delete "an upcoming" and substitute "the"

AND

Page 2, delete lines 18 through 21 and substitute "orientation; and"

AND

Page 2, line 22, delete "(C)" and substitute "(B)"

(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. 29 was ordered engrossed.

On motion of Senator Taylor, **Senate Bill No. 228** was withdrawn from the Committee on AGRICULTURE, FORESTRY AND ECONOMIC DEVELOPMENT, and placed back on second reading for purpose of Amendment No.1.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. 228

Amend **Senate Bill No. 228** as originally introduced:

Page 2, delete line 20 and substitute the following:
"mineral interest with the circuit clerk for the county in which the mineral lands,"

AND

Page 2, delete line 29 and substitute the following:
"(3) If known by the owner, a description of the ownership interest or degree of"

AND

Page 3, line 26, delete "county"

AND

Page 3, delete line 27 and substitute the following:
"circuit clerk for the county in which the severed mineral interest is located, the"

(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. 228 was ordered engrossed.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 14, 2007

Mr. President:

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

SENATE BILL NO. 29, BY SENATOR MADISON, et al ,

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

Respectfully submitted,

(SIGNED) HENRY "HANK" WILKINS, IV
CHAIRMAN

On motion of Senator Madison, **Senate Bill No. 29** was ordered re-referred to the Committee on INSURANCE AND COMMERCE.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 14, 2007

Mr. President:

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

SENATE BILL NO. 228, BY SENATOR J. TAYLOR, et al,

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

Respectfully submitted,

(SIGNED) HENRY "HANK" WILKINS, IV
CHAIRMAN

On motion of Senator Taylor, **Senate Bill No. 228** was ordered re-referred to the Committee on AGRICULTURE, FORESTRY AND ECONOMIC DEVELOPMENT.

STATE OF ARKANSAS
OFFICE OF THE GOVERNOR
STATE CAPITOL
LITTLE ROCK, ARKANSAS

MIKE BEEBE
Governor

February 13, 2007

TO THE PRESIDENT OF THE SENATE

Dear Mr. President:

This is to inform you that on February 13, 2007, I approved the following measures from the Regular Session of the Eighty-sixth General Assembly:

Senate Bill --107, Act 96
Senate Bill --166, Act 97
Senate Bill --172, Act 98

Sincerely,

(SIGNED) MIKE BEEBE
Governor

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 14, 2007

Mr. President:

We, your Committee on EDUCATION, to whom was referred:

SENATE BILL NO. 217, BY SENATOR G. JEFFRESS,

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

Respectfully submitted,

(SIGNED) SENATOR JIM ARGUE
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 14, 2007

Mr. President:

We, your Committee on EDUCATION, to whom was referred:

SENATE BILL NO. 11, BY SENATOR MILLER,
SENATE BILL NO. 203, BY SENATOR MADISON,

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

Respectfully submitted,

(SIGNED) SENATOR J. ARGUE
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 14, 2007

Mr. President:

We, your Committee on EDUCATION, to whom was referred:

HOUSE BILL NO. 1145, BY REPRESENTATIVE D. EVANS,
HOUSE BILL NO. 1274, BY REPRESENTATIVE D. CREEKMORE,

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

Respectfully submitted,

(SIGNED) SENATOR JIM ARGUE
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 14, 207

Mr. President:

We, your Committee on JUDICIARY, to whom was referred:

SENATE BILL NO. 272, 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 it do pass.

Respectfully submitted,

(SIGNED) ED WILKINSON
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 14, 2007

Mr. President:

We, your Committee on JUDICIARY, to whom was referred:

HOUSE BILL NO. 1224, BY REPRESENTATIVE EDWARDS,
HOUSE BILL NO. 1305, BY REPRESENTATIVE WEBB,

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

Respectfully submitted,

(SIGNED) SENATOR ED WILKINSON
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 14, 2007

Mr. President:

We, your Committee on JUDICIARY, to whom was referred:

HOUSE BILL NO. 1230, BY REPRESENTATIVE PATTERSON,

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 and No. 3.

Respectfully submitted,

(SIGNED) SENATOR ED WILKINSON
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 14, 2007

Mr. President:

We, your Committee on JUDICIARY, to whom was referred:

HOUSE BILL NO. 1293, BY REPRESENTATIVE PICKET,

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

Respectfully submitted,

(SIGNED) SENATOR ED WILKINSON
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 14, 2007

Mr. President:

We, your Committee on PUBLIC HEALTH, WELFARE AND LABOR, to whom was referred:

SENATE BILL NO. 20, BY SENATOR ALTES,
SENATE BILL NO. 263, BY SENATOR HORN,
SENATE BILL NO. 285, BY SENATOR HORN,

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 J. CRITCHER
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 14, 2007

Mr. President:

We, your Committee on PUBLIC HEALTH, WELFARE AND LABOR, to whom was referred:

SENATE BILL NO. 191, BY SENATOR STEELE,

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 J. CRITCHER
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 14, 2007

Mr. President:

We, your Committee on PUBLIC HEALTH, WELFARE AND LABOR, to whom was referred:

SENATE BILL NO. 294, BY SENATOR PRITCHARD,

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 J. CRITCHER
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 14, 2007

Mr. President:

We, your Committee on PUBLIC HEALTH, WELFARE AND LABOR, to whom
was referred:

HOUSE BILL NO. 1323, BY REPRESENTATIVE D. JOHNSON,
HOUSE BILL NO. 1402, BY REPRESENTATIVE WYATT,

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

Respectfully submitted,

(SIGNED) SENATOR J. CRITCHER
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 14, 2007

Mr. President:

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

SENATE BILL NO. 5, BY SENATOR R. THOMPSON,
SENATE BILL NO. 273, BY SENATOR T. SMITH,
SENATE BILL NO. 280, BY SENATOR HILL,
SENATE BILL NO. 281, BY SENATOR HILL,
SENATE BILL NO. 282, BY SENATOR HILL,

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

Respectfully submitted,

(SIGNED) SENATOR JIM HILL
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 14, 2007

Mr. President:

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

SENATE BILL NO. 279, BY SENATOR HILL,

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

Respectfully submitted,

(SIGNED) SENATOR HILL
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 14, 2007

Mr. President:

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

HOUSE BILL NO. 1360, BY REPRESENTATIVE WILLS,

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

Respectfully submitted,

(SIGNED) SENATOR JIM HILL
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 14, 2007

Mr. President:

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

HOUSE BILL NO. 1357, 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 JIM HILL
CHAIRMAN

SENATE RESOLUTION NO. 8
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR STEELE

A Bill for an Act to be Entitled: AN ACT TO COMMEMORATE DAISY GATSON BATES ON MONDAY, FEBRUARY 19, 2007.

Senate Resolution No. 8 was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 300
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR SALMON
BY: REPRESENTATIVE S. PRATER

A Bill for an Act to be Entitled: AN ACT TO IMPROVE THE ENFORCEMENT OF ADULT MALTREATMENT PROTECTION LAWS BY AMENDING THE ADULT MALTREATMENT CUSTODY ACT REGARDING THE DEFINITION OF ABUSE AND PROVISIONS REGARD EMERGENCY CUSTODY, PROBABLE CAUSE HEARINGS, AND THE AVAILABILITY OF CUSTODY AND PROTECTIVE SERVICES RECORDS; TO AMEND THE ADULT AND LONG-TERM CARE FACILITY RESIDENT MALTREATMENT ACT; AND FOR OTHER PURPOSES.

Senate Bill No. 300 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

SENATE BILL NO. 301
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR SALMON

A Bill for an Act to be Entitled: AN ACT TO IMPROVE THE ENFORCEMENT OF ADULT MALTREATMENT PROTECTION LAWS BY AMENDING THE ADULT MALTREATMENT CUSTODY ACT REGARDING THE DEFINITION OF ABUSE AND PROVISIONS REGARD EMERGENCY CUSTODY, PROBABLE CAUSE HEARINGS, AND THE AVAILABILITY OF CUSTODY AND PROTECTIVE SERVICES RECORDS; TO AMEND THE ADULT AND LONG-TERM CARE FACILITY RESIDENT MALTREATMENT ACT; AND FOR OTHER PURPOSES.

Senate Bill No. 301 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

On motion of Senator Salmon, the Senate resolved itself into the Committee of the Whole for the purpose of honoring the late Harry L. Oswald.

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

On motion of Senator Salmon **Senate Memorial Resolution No. 1** was called up for the third reading.

SENATE MEMORIAL RESOLUTION NO. 1
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR SALMON

SENATE MEMORIAL RESOLUTION IN HONOR OF THE LATE HARRY L. OSWALD, WHO HELPED BRING ELECTRICITY TO RURAL ARKANSAS THROUGH HIS TIRELESS PROMOTION OF THE ELECTRIC COOPERATIVE PROGRAM AND WHO DEVOTED HIS LIFE TO THE BETTERMENT OF HIS BELOVED STATE.

Senate Memorial Resolution No. 1 was read the third time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

On motion of Senator Brown, **House Concurrent Resolution No. 1008** was called up for third reading and final disposition.

HOUSE CONCURRENT RESOLUTION NO. 1008
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE CHESTERFIELD
BY: SENATOR BROWN

HOUSE CONCURRENT RESOLUTION TO RECOGNIZE DELTA SIGMA THETA, INC., A PRIVATE ORGANIZATION THAT PROVIDES SERVICES TO PROMOTE HUMAN WELFARE.

House Concurrent Resolution No. 1008 was read the third time and concurred in by the Senate.

(SIGNED) ANN CORNWELL, SECRETARY

House Concurrent Resolution No. 1008 was immediately returned to the House as concurred in.

On motion of Senator Womack, **House Bill No. 1024** was placed back on second reading for purpose of Amendment, No. 2.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
AMENDMENT NO. 2 to HOUSE BILL NO. 1024

Amend **House Bill No. 1024** as engrossed , S1/31/07:

Page 3, delete line 18 and substitute the following:
"shall certify in a manner that does not violate federal law in existence on January 1, 2007, that the contractor, at the time of the certification, does not"

AND

Page 3, line 28 add the following

"(e)(1)(A) If a contractor uses a subcontractor at the time of certification, the subcontractor shall certify in a manner that does not violate federal law in existence on January 1, 2007, that the subcontractor, at that time of certification, does not employ or contract with an illegal immigrant.

(B) A subcontractor shall submit the certification required under subdivision(e)(1)(A) of this section within thirty (30) days after the execution of the subcontract.

(2) The contractor shall maintain on file the certification of the subcontractor throughout the duration of the term of the contract.

(3) If the contractor learns that a subcontractor is in violation of this section, the contractor may terminate the contract with the subcontractor and the termination of the contract for a violation of this section shall not be considered a breach of the contract by the contractor and subcontractor."

(SIGNED) SENATOR WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

Amend **House Bill No. 1024** as engrossed.

The President declared the morning hour to have expired.

On motion of Senator Hill, the rules were suspended in considering **Senate Bill No. 279** at this time.

On motion of Senator Hill, **Senate Bill No. 279** 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. 279

Amend **Senate Bill No. 279** as originally introduced:

Page 2, line 35, delete "purchase." and substitute "purchase or after six (6) months from the date of payment, if later."

(SIGNED) SENATOR JIM HILL

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 279 was ordered engrossed.

On motion of Senator Madison, **Senate Bill No. 22** was called up for third reading and final disposition.

SENATE BILL NO. 22
As Engrossed: S2/6/07 S2/12/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS MADISON AND SALMON
BY: REPRESENTATIVES HARRELSON, GREENBERG & BURRIS

A Bill for an Act to be Entitled: *AN ACT TO REGULATE THE SELECTION AND USE OF TEXTBOOKS AND COURSE MATERIALS AT STATE-SUPPORTED INSTITUTIONS OF HIGHER EDUCATION; TO MINIMIZE THE COST OF TEXTBOOKS AND COURSE MATERIALS; AND FOR OTHER PURPOSES.*

Senate Bill No. 22 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, Argue, Baker, Bisbee, Bookout, Broadway, Brown, Bryles, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Hill, Horn, G. Jeffress, J. Jeffress, B. Johnson, 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

Senate Bill No. 22 was ordered immediately transmitted to the House as passed.

On motion of Senator Madison, **Senate Bill No. 23** was called up for third reading and final disposition.

SENATE BILL NO. 23
As Engrossed: S1/25/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS MADISON AND SALMON
BY: REPRESENTATIVES HARRELSON AND BURRIS

A Bill for an Act to be Entitled: *AN ACT TO REGULATE THE SELECTION AND USE OF TEXTBOOKS AND COURSE MATERIALS AT STATE-SUPPORTED INSTITUTIONS OF HIGHER EDUCATION; TO PROHIBIT CERTAIN SINGLE-USE TEXTBOOKS AND COURSE MATERIALS; TO MINIMIZE THE COST OF TEXTBOOKS AND COURSE MATERIALS; AND FOR OTHER PURPOSES.*

Senate Bill No. 23 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

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

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 23 was ordered immediately transmitted to the House as passed.

On motion of Senator Madison, **Senate Bill No. 24** was called up for third reading and final disposition.

SENATE BILL NO. 24
As Engrossed: S1/25/07 S2/6/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS MADISON AND SALMON
BY: REPRESENTATIVES HARRELSON, GREENBERG & BURRIS

A Bill for an Act to be Entitled: *AN ACT TO REGULATE STATE-SUPPORTED INSTITUTION OF HIGHER EDUCATION TEXTBOOKS SALES; TO REQUIRE PROMPT NOTICE OF THE ADOPTION OF TEXTBOOKS AND COURSE MATERIALS; AND FOR OTHER PURPOSES.*

Senate Bill No. 24 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

Senate Bill No. 24 was ordered immediately transmitted to the House as passed.

On motion of Senator Madison, **Senate Bill No. 25** was called up for third reading and final disposition.

SENATE BILL NO. 25
As engrossed: S1/31/07 S2/6/07 S2/12/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS MADISON AND SALMON
BY: REPRESENTATIVES HARRELSON AND BURRIS

A Bill for an Act to be Entitled: *AN ACT TO REGULATE THE SELECTION AND USE OF TEXTBOOKS AND COURSE MATERIALS AT STATE-SUPPORTED INSTITUTIONS OF HIGHER EDUCATION; TO PROHIBIT CERTAIN CUSTOMIZED TEXTBOOKS AND COURSE MATERIALS; TO MINIMIZE THE COST OF TEXTBOOKS AND COURSE MATERIALS; AND FOR OTHER PURPOSES.*

Senate Bill No. 25 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

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

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 25 was ordered immediately transmitted to the House as passed.

On motion of Senator Faris, **Senate Bill No. 229** was called up for third reading and final disposition.

SENATE BILL NO. 229
As Engrossed: S2/12/07
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 placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

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

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 229 was ordered immediately transmitted to the House as passed.

On motion of Senator Bookout, **House Bill No. 1008** was called up for third reading and final disposition.

HOUSE BILL NO. 1008
As Engrossed: S1/31/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE THYER

A Bill for an Act to be Entitled: AN ACT TO IMPOSE A DUTY ON THE DRIVER OF A VEHICLE TO REMAIN AT THE SCENE OF AN ACCIDENT UNDER CERTAIN CIRCUMSTANCES; AND FOR OTHER PURPOSES.

House Bill No. 1008 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. 1008 was returned to the House as passed as amended.

On motion of Senator Critcher, **House Bill No. 1300** was called up for third reading and final disposition.

HOUSE BILL NO. 1300
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE WYATT
BY: SENATOR CRITCHER

A Bill for an Act to be Entitled: AN ACT TO PROVIDE THAT ELECTIONS MAY BE CALLED WITH RESPECT TO CERTAIN LOCAL SALES AND USE TAXES UPON PETITION OF THE LEGAL VOTERS OF THE MUNICIPALITY; AND FOR OTHER PURPOSES.

House Bill No. 1300 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 **House Bill No. 1300**, 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. 1300 was ordered immediately returned to the House as passed.

On motion of Senator Womack, **Senate Bill No. 65** was withdrawn from the Committee on JOINT BUDGET, and placed on the second reading for Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 65

Amend **Senate Bill No. 65** as originally introduced:

Page 2, line 4, delete "\$31,756 \$32,391" and substitute
"\$34,247 \$34,932"

AND

Page 2, line 5, delete "\$22,047 \$22,487" and substitute
"\$23,776 \$24,251".

(SIGNED) SENATOR WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 65 was ordered engrossed.

On motion of Senator Womack, **Senate Bill No. 127** was withdrawn from the Committee on JOINT BUDGET, and placed on the second reading for Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 127

Amend **Senate Bill No. 127** as originally introduced:

Page 2, Line 4 Delete in its entirety and insert
"(2) 909Z PROGRAM SUPPORT MANAGER 1 GRADE 22"
(3) R298 AGENCY PROGRAM COORDINATOR 1 GRADE 21"

AND

Appropriately renumber the Item No's. in SECTION 1.

(SIGNED) SENATOR WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 127 was ordered engrossed.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 14, 2007

Mr. President:

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

SENATE BILL NO. 65, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 127, BY JOINT BUDGET COMMITTEE,

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

Respectfully submitted,

(SIGNED) HENRY "HANK" WILKINS, IV
CHAIRMAN

On motion of Senator Womack, **Senate Bill No. 65** was ordered re-referred to the Committee on JOINT BUDGET

On motion of Senator Womack, **Senate Bill No. 127** was ordered re-referred to the Committee on JOINT BUDGET.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 14, 2007

Mr. President:

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

SENATE BILL NO. 279, 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

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 14, 2007

Mr. President:

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

HOUSE BILL NO. 1024, BY REPRESENTATIVE R. GREEN, 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 Concurrent Resolution No. 4 returned from the House as concurred in and ordered enrolled.

Senate Bill No. 2 was returned from the House as passed and ordered enrolled.

Senate Bill No. 50 was returned from the House as passed and ordered enrolled.

Senate Bill No. 67 was returned from the House as passed and ordered enrolled.

Senate Bill No. 70 was returned from the House as passed and ordered enrolled.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 14, 2007

Mr. President:

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

SENATE BILL NO. 27, BY SENATORS MADISON, SALMON,
SENATE BILL NO. 30, BY SENATORS MADISON, SALMON,

beg leave to report that we have carefully compared the enrolled copies with the original and we find the same correctly enrolled and have at 2:49 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. 27
SENATE BILL NO. 30

RECEIVED the above papers from the Secretary of the Senate this 14th day of February, 2005 at 2:49 p.m..

(SIGNED) MIKE BEEBE
Governor

(SIGNED) Angela Tollette
Secretary

SENATE BILL NO. 302
 EIGHTY-SIXTH GENERAL ASSEMBLY
 REGULAR SESSION
 BY: SENATOR J. JEFFRESS

A Bill for an Act to be Entitled: AN ACT CONCERNING PROCEDURES OF THE JOINT COMMITTEE ON PUBLIC RETIREMENT AND SOCIAL SECURITY PROGRAMS WHEN CONSIDERING CERTAIN RETIREMENT BILLS; AND FOR OTHER PURPOSES.

Senate Bill No. 302 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT RETIREMENT AND SOCIAL SECURITY.

HOUSE BILL NO. 1031
As Engrossed: H1/17/07
 EIGHTY-SIXTH GENERAL ASSEMBLY
 REGULAR SESSION
 BY: REPRESENTATIVES GASKILL, PATTERSON, REYNOLDS, HOYT,
 & J. ROEBUCK
 BY: SENATOR R. THOMPSON

A Bill for an Act to be Entitled: AN ACT TO PROVIDE REDUCED COLLEGE TUITION TO STATE POLICE OFFICERS AND THEIR DEPENDENTS; AND FOR OTHER PURPOSES.

House Bill No. 1031 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

HOUSE BILL NO. 1184

As Engrossed: H1/24/07 H1/25/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES S. PRATER, WOOD, ADCOCK, ANDERSON, BOND, BREEDLOVE, E. BROWN, J. BROWN, BURRIS, CASH, COOK, CORNWELL, D. CREEKMORE, DICKINSON, DUNN, EDWARDS, D. EVANS, L. EVANS, GARNER, GASKILL, GEORGE, GLIDEWELL, R. GREEN, HALL, HARDWICK, HOYT, D. HUTCHINSON, HYDE, JEFFREY, KENNEY, KEY, KIDD, KING, LAMOUREUX, LOVELL, M. MARTIN, MAXWELL, MEDLEY, MOORE, NORTON, OVERBEY, PATE, PATTERSON, PENNARTZ, PIERCE, PYLE, RAGLAND, REEP, J. ROEBUCK, ROSENBAUM, SAMPLE, SAUNDERS, STEWART, SULLIVAN, THYER, WALTERS, WEBB, WELLS, WILLS, WOODS, WYATT, REYNOLDS, EVERETT, HARRIS, ALLEN, PACE, COOPER, CHESTERFIELD, T. BRADFORD, BERRY, S. DOBBINS, PETRUS, WAGNER, J. JOHNSON, HARRELSON, ROGERS, POWERS, HOUSE, CHEATHAM, DAVENPORT, LOWERY ABERNATHY, PICKETT, T. BAKER & SHELBY

BY: SENATORS HILL, ALTES, BAKER, J. JEFFRESS, SALMON, TRUSTY, J. TAYLOR, T. SMITH, WHITAKER, FARIS, CAPPS, MILLER & CRITCHER

A Bill for an Act to be Entitled: AN ACT TO ALLOW MILITARY OFFICERS OF THE ARMED SERVICES TO RECEIVE THE SAME INCOME TAX EXEMPTION AS ENLISTED PERSONNEL OF THE ARMED SERVICES; AND FOR OTHER PURPOSES.

House Bill No. 1184 was read the first time, rules suspended, read the second time and referred to the Committee on REVENUE AND TAXATION.

HOUSE BILL NO. 1376

As Engrossed: H2/12/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES HOUSE, PACE, ANDERSON, BURKES, EDWARDS,
HARDWICK, HARRIS, D. HUTCHINSON, KENNEY, KING,
M. MARTIN, WAGNER & WOODS

BY: SENATORS HENDREN AND MADISON

A Bill for an Act to be Entitled: AN ACT TO AMEND VARIOUS SECTIONS OF THE ARKANSAS CODE TO PROVIDE THAT CERTAIN CITY AND COUNTY TAXES ON AVIATION FUEL BE REMITTED DIRECTLY TO THE REGIONAL AIRPORT LOCATED IN THE TAXING COUNTY; AND FOR OTHER PURPOSES.

House Bill No. 1376 was read the first time, rules suspended, read the second time and referred to the Committee on REVENUE AND TAXATION.

HOUSE BILL NO. 1408

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE REEP

A Bill for an Act to be Entitled: AN ACT TO INCREASE THE FINE FOR FAILURE TO YIELD TO AN EMERGENCY VEHICLE; AND FOR OTHER PURPOSES.

House Bill No. 1408 was read the first time, rules suspended, read the second time and referred to the Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS.

HOUSE BILL NO. 1436
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE S. PRATER

A Bill for an Act to be Entitled: AN ACT TO REVISE THE PROCESS FOR DISCIPLINARY ACTIONS OF THE ARKANSAS STATE BOARD OF NURSING; AND FOR OTHER PURPOSES.

House Bill No. 1436 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH AND WELFARE.

HOUSE BILL NO. 1452
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES HARDY AND REEP
BY: SENATOR G. JEFFRESS

A Bill for an Act to be Entitled: AN ACT TO REPEAL ARKANSAS CODE § 6-65-405 regarding the SAU-Tech advisory committee; AND FOR OTHER PURPOSES.

House Bill No. 1452 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

SENATE RESOLUTION NO. 9
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS LUKER, BROADWAY, BRYLES, HILL, G. JEFFRESS,
J. JEFFRESS, SALMON & WHITAKER

SENATE RESOLUTION COMMENDING ARKANSAS FARMERS FOR THEIR VITAL CONTRIBUTIONS TO THE SECURITY AND ECONOMIC WELL-BEING OF THE STATE AND THE NATION, AND FOR PRODUCING THE FOOD AND FIBER THAT IS ESSENTIAL TO THE HEALTH AND SECURITY OF THE CITIZENS OF THIS STATE AND PEOPLE THROUGHOUT THE WORLD.

Senate Resolution No. 9 was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 303
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MALONE

A Bill for an Act to be Entitled: AN ACT TO IMPLEMENT THE FINDINGS OF THE ARKANSAS LEGISLATIVE TASK FORCE ON ABUSED AND NEGLECTED CHILDREN; TO PROTECT CHILD VICTIMS OF ABUSE AND NEGLECT; TO REQUIRE THE DESTRUCTION OF ITEMS THAT DEPICT THE SEXUAL EXPLOITATION OF A CHILD BY CLASSIFYING THEM AS CONTRABAND; TO REQUIRE THE DEPARTMENT OF ARKANSAS STATE POLICE TO INVESTIGATE ALL CASES OF SEVERE CHILD MALTREATMENT; TO REQUIRE UNIFORM TRAINING FOR FOSTER PARENTS; TO AMEND THE ARKANSAS LEGISLATIVE TASK FORCE ON ABUSED AND NEGLECTED CHILDREN REGARDING THE MEMBERSHIP, ORGANIZATION, AND EXPENSES TO CREATE CHILD ADVOCACY CENTERS; TO IMPROVE OPERATIONS OF THE ABUSE AND NEGLECT HOT LINE; TO IMPROVE ENFORCEMENT OF CHILD ABUSE AND NEGLECT LAWS; AND FOR OTHER PURPOSES.

Senate Bill No. 303 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

SENATE BILL NO. 304
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS T. SMITH, HORN & SALMON
BY: REPRESENTATIVES WOOD, SAMPLE, HARRELSON & SAUNDERS

A Bill for an Act to be Entitled: AN ACT TO TREAT NATIVE WINE MANUFACTURERS EQUALLY WITH OTHER MANUFACTURERS; TO PROTECT THE STATE'S TRADITIONAL THREE-TIER SYSTEM FOR THE CONTROL OF ALCOHOLIC BEVERAGES; AND FOR OTHER PURPOSES.

Senate Bill No. 304 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES AND GOVERNMENTAL AFFAIRS.

SENATE BILL NO. 305
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR BISBEE
BY: REPRESENTATIVE COOK

A Bill for an Act to be Entitled: AN ACT TO STREAMLINE THE PROCESS FOR ARKANSAS NONTRADITIONAL LICENSURE CERTIFICATION FOR TEACHERS; AND FOR OTHER PURPOSES.

Senate Bill No. 305 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

February 14, 2007

Mr. President:

We, your Committee on JOINT RETIREMENT AND SOCIAL SECURITY, to whom was referred:

SENATE BILL NO. 43, BY SENATOR J. JEFFRESS,

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

Respectfully submitted,

(SIGNED) JIMMY JEFFRESS
CHAIRMAN

SENATE MEMORIAL RESOLUTION NO. 2
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR BROWN

SENATE MEMORIAL RESOLUTION IN RESPECTFUL MEMORY OF MR. WILLIE LEE HINTON AND IN RECOGNITION OF HIS MANY CONTRIBUTIONS TO THE STATE OF ARKANSAS AND HIS LOCAL COMMUNITY.

Senate Resolution No. 2 was read the first time, rules suspended, read the second time and placed on the Calendar.

* * * * *

SENATE BILLS TRANSMITTED TO THE HOUSE
AS PASSED

SENATE BILL NO. 22
SENATE BILL NO. 23
SENATE BILL NO. 24
SENATE BILL NO. 25
SENATE BILL NO. 229

HOUSE BILLS RETURNED TO THE HOUSE
AS PASSED

HOUSE BILL NO. 1300

HOUSE BILLS RETURNED TO THE HOUSE
AS PASSED AS AMENDED

HOUSE BILL NO. 1008 AS AMENDED NO. 1

HOUSE CONCURRENT RESOLUTION RETURNED
TO THE HOUSE AS CONCURRED IN
HOUSE CONCURRENT RESOLUTION NO. 1008

SENATE BILLS RETURNED FROM THE HOUSE
AS PASSED

SENATE BILL NO. 2
SENATE BILL NO. 50
SENATE BILL NO. 67
SENATE BILL NO. 70

SENATE CONCURRENT RESOLUTION RETURNED FROM THE HOUSE
AS CONCURRED IN

SENATE CONCURRENT RESOLUTION NO. 4

HOUSE BILLS TRANSMITTED TO THE SENATE
AS PASSED

HOUSE BILL NO. 1031
HOUSE BILL NO. 1184
HOUSE BILL NO. 1376
HOUSE BILL NO. 1408
HOUSE BILL NO. 1436
HOUSE BILL NO. 1452

On motion of Senator Whitaker, the Senate adjourned until 11:00 a.m.,
Thursday, February 15, 2007.

PRESIDENT OF THE SENATE

SECRETARY OF THE SENATE