

--ooOoo--

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

-----  
-----

Little Rock, Arkansas

February 28, 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, CAPPES, CRITCHER,  
CRUMBLY, FARIS, GLOVER, HENDREN, HILL, HORN,  
G.JEFFRESS, J.JEFFRESS, JOHNSON, LAVERTY,  
LUKER, MADISON, MALONE, MILLER, PRITCHARD,  
SALMON, SMITH, STEELE, TAYLOR, THOMPSON,  
TRUSTY, WHITAKER, WILKINS, WILKINSON,  
WOMACK.

The Senate was led in prayer by Senator Malone.

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

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

On motion of Senator Horn, [Senate Bill No. 421](#) was withdrawn from the Committee on PUBLIC HEALTH, WELFARE AND LABOR, and placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE  
EIGHTY-SIXTH GENERAL ASSEMBLY  
REGULAR SESSION  
[Amendment No. 1 to SENATE BILL NO. 421](#)

Amend [Senate Bill No. 421](#) as originally introduced:

Delete everything after the ENACTING clause and substitute the following:

"SECTION 1. Arkansas Code § 17-95-101 is amended to read as follows:  
17-95-101. "Good Samaritan" law.

(a) Any ~~person licensed as a physician or surgeon~~ health care professional under the laws of the State of Arkansas ~~or any other person~~, who, in good faith, lends emergency care or assistance without compensation at the place of an emergency or accident, and who was acting as a reasonable and prudent person would have acted under the circumstances present at the scene at the time the services were rendered, shall not be liable for any civil damages for acts or omissions performed in good faith.

(b) Any person who is not a ~~physician, surgeon, nurse, or other person trained or skilled in the treatment of medical emergencies~~ health care professional who is present at an emergency or accident scene, and who:

(1) Believes that the life, health, and safety of an injured person or a person who is under imminent threat of danger could be aided by reasonable and accessible emergency procedures under the circumstances existing at the scene thereof;

(2) Proceeds to lend emergency assistance or service in a manner reasonably calculated to lessen or remove the immediate threat to the life, health, or safety of such a person;

(3) Lends only such emergency care or assistance as a reasonable and prudent person concerned for the immediate protection of the life, health, and safety of the person for whom the services were rendered would lend under the circumstances, shall not be held liable in civil damages in any action in this state for any harm, injury, or death of any such person so long as the person rendering such services acted in good faith and was acting as a reasonable and prudent person would have acted under the circumstances present at the scene at the time the services were rendered.

(c) No ~~physician or surgeon~~ health care professional who in good faith and without compensation renders voluntary emergency ~~medical~~ assistance to a participant in a school athletic event or contest at the site thereof or during transportation to a health care facility for an injury suffered in the course of the event or contest shall be liable for any civil damages as a result of any acts or omissions by that ~~physician or surgeon~~ health care professional in rendering the emergency ~~medical~~ care. The immunity granted by this subsection shall not apply in the event of an act or omission constituting gross negligence.

(d) For the purposes of this section ~~and any other law of this state which takes effect on or after January 1, 1994, the term "physician" shall mean a person licensed by the Arkansas State Medical Board, the Arkansas State Board of Chiropractic Examiners, or the State Podiatry Examining Board~~ "health care professional" means a licensed physician, chiropractic physician, dentist, optometric physician, podiatric physician, and any other licensed health care professional."

(SIGNED) SENATOR BARBARA HORN

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

(SIGNED) ANN CORNWELL, SECRETARY

**Senate Bill No. 421** was ordered engrossed.

On motion of Senator Madison, **Senate Bill No. 369** was 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. 369**

Amend **Senate Bill No. 369** as originally introduced:

Page 10, delete line 30 and substitute:

"been filed but not yet adjudicated.

SECTION 6. Arkansas Code § 12-12-507(b), concerning reports of suspected child abuse, is amended to read as follows:

(b) When any of the following has reasonable cause to suspect that a child has been subjected to child maltreatment or has died as a result of child maltreatment or observes a child being subjected to conditions or circumstances that would reasonably result in child maltreatment, he or she shall immediately notify the child abuse hotline:

- (1) Any child care worker or foster care worker;
- (2) A coroner;
- (3) A day care center worker;
- (4) A dentist;
- (5) A dental hygienist;
- (6) A domestic abuse advocate;
- (7) A domestic violence shelter employee;
- (8) A domestic violence shelter volunteer;
- (9) An employee of the Department of Health and Human Services;
- (10) An employee working under contract for the Division of Youth Services of the Department of Health and Human Services;
- (11) Any foster parent;
- (12) A judge;
- (13) A law enforcement official;
- (14) A licensed nurse;
- (15) Any medical personnel who may be engaged in the admission, examination, care, or treatment of persons;
- (16) A mental health professional;
- (17) An osteopath;
- (18) A peace officer;
- (19) A physician;
- (20) A prosecuting attorney;
- (21) A resident intern;
- (22) A school counselor;
- (23) A school ~~official~~ employee;
- (24) A social worker;
- (25) A surgeon;
- (26) A teacher;
- (27) A court-appointed special advocate program staff member or volunteer;
- (28) A juvenile intake or probation officer; ~~or~~
- (29) Any clergyman, which includes a minister, priest, rabbi, accredited Christian Science practitioner, or other similar functionary of a religious organization, or an individual reasonably believed to be so by the person consulting him or her, except to the extent he or she:
  - (A) Has acquired knowledge of suspected maltreatment through communications required to be kept confidential pursuant to the religious discipline of the relevant denomination or faith; or
  - (B) Received the knowledge of the suspected maltreatment from the offender in the context of a statement of admission; or
- (30) An employee of a child advocacy center.

AND

Page 12, line 10, delete "or clinic"

AND

Page 14, delete lines 6 through 7 and substitute:

“access to children and whether or not children are at risk such that children need to be protected.”

AND

Page 16, line 18, delete “may” and substitute “shall have the right to”

AND

Page 16, delete lines 22 through 23 and substitute:

“SECTION 11. Arkansas Code § 12-12-512 is amended to read as follows:  
12-12-512. Child maltreatment investigative determination - Notice of finding - Amendment and appeal.”

AND

Page 18, delete line 6 and substitute:

“in this subsection shall be within the sole discretion of the department.

(b) If the investigation cannot be completed, the investigation shall be determined incomplete and placed in inactive status.

(c)(1)(A)(i) In every case in which a report is determined to be true, the department shall notify each subject of the report of the determination.

(ii) If the offender is a juvenile ten (10) years of age or older and is in foster care, the department shall notify the juvenile's public defender or counsel for the juvenile and the legal parents or legal guardians of the offender.

(iii) If the offender is a juvenile ten (10) years of age or older, the department shall notify the legal parents or legal guardians of the offender.

(B) Notification shall be in writing by certified mail, restricted delivery, or by a process server.

(C) Notification to an offender who was an adult at the time of the act or omission that resulted in the finding of child maltreatment shall include the following:

(i) The investigative determination, true or unsubstantiated, exclusive of the source of the notification;

(ii) A statement that the person named as the offender of the true report may request an administrative hearing;

(iii) A statement that the request must be made to the department within thirty (30) days of receipt of the service or certified mailing of the notice of determination;

(iv) The name of the person making notification, the person's occupation, and where he or she can be reached; and

(v) A statement that the administrative hearing may take place in person if requested by the petitioner or the petitioner's attorney within thirty (30) days from the date that the petitioner receives notification under this subsection (c), provided that the hearing officer may conduct the hearing by video teleconference in lieu of an in-person hearing. If neither party requests that the hearing be conducted in person, then the hearing shall be conducted telephonically.

(D) Notification to an offender who was a juvenile age ten (10) years of age or older at the time of the act or omission that resulted in the finding of child maltreatment shall include the following:

(i) The investigative determination, true or unsubstantiated, exclusive of the source of the notification;

(ii) A statement that the matter has been referred for an automatic administrative hearing that may only be waived by the juvenile offender or his parent in writing; and

(iii) The name of the person making the notification to the juvenile offender, the person's occupation, and where he or she can be reached.

(2) The administrative hearing process must be completed within one hundred eighty (180) days from the date of the receipt of the request for a hearing, or the petitioner's name shall be removed from the central registry, provided that:

(A) Delays in completing the hearing that are attributable to the petitioner shall not count against the one-hundred-eighty-day limit; and

(B)(i) The one-hundred-eighty-day limit shall not apply if there is an ongoing criminal or delinquency investigation or criminal or delinquency charges have or will be filed regarding the occurrence that is the subject of the child maltreatment report.

(ii) In those cases, the administrative hearing shall be stayed pending final disposition of the criminal or delinquency proceedings.

(iii) It shall be the duty of the petitioner to report the final disposition of the criminal or delinquency proceeding to the department.

(iv) Each report shall include a file-marked copy of the criminal or delinquency disposition.

(v) The request for an administrative hearing shall be deemed waived if the petitioner fails to report the disposition of the criminal or delinquency proceedings within thirty (30) days of the entry of a dispositive judgment or order.

(vi) If the criminal or delinquency proceedings have reached no final outcome within twelve (12) months of the filing of the administrative appeal, the administrative appeal will be deemed waived if the petitioner fails to provide a written statement of the status of the criminal or delinquency proceedings every sixty (60) days and a disposition report within thirty (30) days of the entry of a dispositive judgment or order.

(3) When the department conducts administrative appeal hearings, the chief counsel of the department may require the attendance of witnesses and the production of books, records, or other documents through the issuance of subpoenas when that testimony or information is necessary to adequately present the position of the department, the investigating protective services agency, or the alleged offender or adult subject of a report.

(4) Upon request by a petitioner, if the petitioner prevails at an administrative hearing or circuit court hearing and a report is changed from true to unsubstantiated, the department shall tender a list of persons to whom a disclosure had previously been made that the report was true.

(5)(A) If a petitioner's name is removed from the central registry as a result of a failure to comply with this subsection (c), then the department shall report any failures to comply with this subsection (c) for each quarter to the House Interim Committee on Aging, Children and Youth, Legislative and Military Affairs and the Senate Interim Committee on Children and Youth.

(B) The quarterly report to the House Interim Committee on Aging, Children and Youth, Legislative and Military Affairs and the Senate Interim Committee on Children and Youth shall include a written explanation of the failure of the department.

(d) Failure to obey the subpoena may be deemed a contempt, punishable accordingly.

(e) Administrative hearing decisions and all exhibits submitted at the hearing are confidential and may be used or disclosed only as provided in § 12-12-506(a)(2)(A).

(f)(1) The Office of Appeals and Hearings of the Department of Health and Human Services shall designate the sites to be used for video teleconference hearings.

(2) The office shall designate sites within ten (10) miles of the following cities:

- (A) Arkadelphia;
- (B) Booneville;
- (C) Conway;
- (D) Fayetteville;
- (E) Jonesboro;
- (F) Little Rock; or
- (G) Warren.

(3) The office may designate additional sites for video teleconference hearings.

(g)(1) If any party requests an in-person hearing within thirty (30) days from the date that the party receives notification under subsection (c) of this section, then the in-person hearing shall be conducted in an office of the department nearest to the petitioner's residence unless the hearing officer notifies the parties that the hearing will be conducted via video teleconference.

(2) A site for a video teleconference hearing shall include the location designated by the office that is nearest to the petitioner's residence.

(3) The hearing officer and other parties may agree to appear at the location designated by the office or at any other designated hearing locations that are convenient to them.

(h)(1) A certified copy of a judgment or an adjudication from a court of competent jurisdiction dealing with the same subject matter as an issue concerned in the administrative hearing may be filed with and considered by the hearing officer in a motion for summary judgment.

(2)(A) A decision on any identical issue shall be rendered without a hearing.

(B) However, if the judgment or adjudication of the court is reversed or vacated and notice of the reversal or vacation is provided to the department, the department shall set the matter for a hearing.

SECTION 12. Arkansas Code § 12-12-516(a), regarding the protective custody of children, is amended to read as follows:

(a)(1) A police officer, a law enforcement official, a juvenile division of circuit court judge during juvenile proceedings concerning the child or a sibling of the child, or a designated employee of the Department of Health and Human Services may take a child into protective custody or any person in charge of a hospital or similar institution or any physician treating a child may keep that child in his or her custody without the consent of the parent or the guardian, whether or not additional medical treatment is required, if the:

(A) ~~Child is dependent-neglected as defined in § 9-27-303(17)~~ subjected to neglect as defined under § 12-12-503(12)(B) and the department assesses the family and determines that the newborn and any other children, including siblings, under the custody or care of the mother are at substantial risk of serious harm such that the children need to be removed from the custody or care of the mother;

(B) Child is dependent as defined in the Arkansas Juvenile Code of 1989, § 9-27-301 et seq.; or

(C) Circumstances or conditions of the child are such that continuing in his or her place of residence or in the care and custody of the parent, guardian, custodian, or caretaker presents an immediate danger of severe maltreatment.

(2) However, such custody shall not exceed seventy-two (72) hours except in the event that the expiration of seventy-two (72) hours falls on a weekend or holiday, in which case protective custody may be extended through the next business day following the weekend or holiday.”

AND

Appropriately renumber all sections of the bill

(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. 369** was ordered engrossed.

On motion of Senator Smith, **Senate Bill No. 155** 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. 155**

Amend **Senate Bill No. 155** as originally introduced:

Page 1, line 9, delete "§ 24-11-434;" and substitute "§ 24-11-434"

AND

Page 1, delete lines 14 through 16 and substitute the following:

"AN ACT TO AMEND ARKANSAS CODE § 24-11-434 CONCERNING THE DEFERRED RETIREMENT OPTION PLAN"

AND

Page, delete everything following the enacting clause, and substitute the following:

"SECTION 1. Arkansas Code § 24-11-434 is amended to read as follows:  
24-11-434. Deferred retirement option plan.

(a)(1) In lieu of terminating employment and accepting a service retirement pension pursuant to ~~§ 24-11-401 et seq.~~ under this subchapter, any police officer who is a member of a policemen's pension and relief fund who has not less than twenty (20) years of credited service and who is eligible to receive a service retirement pension may elect to participate in the Arkansas Police Officers' Deferred Option Plan and defer the receipt of benefits in accordance with the provisions of this section, provided that the board of trustees of the local policemen's pension and relief fund approves the participation in the plan.

(2) For purposes of this section, credited service shall include service credit recognized pursuant to this subchapter.

(b)(1) The duration of participation in the plan for active police officers shall not exceed five (5) years.

(2) The five-year limit may be extended if:

(A) The extension does not cause the limit to exceed ten (10) years;

(B) The extension applies to all active members and all members on the plan;

(C) The extension is approved by a majority of votes of the board of trustees of the pension and relief fund or of the Arkansas Local Police and Fire Retirement System for funds whose administrative responsibility has been assigned to the system as provided in § 24-11-406(b);

(D) The interest credited after the first five (5) years on the plan shall be two (2) percentage points below the rate of return of the investment portfolio of the fund and shall not be determined under subdivision (e)(2) of this section, but in no event shall the interest rate credited be less than zero percent (0%); and

(E) The extension is approved by a majority vote of the governing body of the sponsoring municipality.

~~(c)(1) Except under subdivision (c)(2) of this section, at the conclusion of a member's participation in the plan, the member shall terminate employment with all participating municipalities as a police officer and shall start receiving the member's accrued monthly retirement benefit from the policemen's pension and relief fund.~~

~~(2) If a member is at the conclusion of a member's participation in the plan, the member may continue employment by a municipality under the following conditions:~~

~~(A) The municipality makes continued employment available to all similarly situated members;~~

~~(B) The availability of continued employment is approved by a majority vote of the governing body of the sponsoring municipality after receiving approval for an increase in benefits under § 24-11-102;~~

~~(C) The monthly benefit that is credited to the member's plan account is discontinued and the member shall not receive a monthly benefit until the member actually ceases employment;~~

~~(D) The interest rate credited to the plan account is the same paid as under subdivision (e)(2) of this section, except that the minimum rate is zero percent (0%);~~

~~(E) The employer's matching contribution of six percent (6%) shall cease, but all other employer contributions shall continue and be credited to the pension and relief fund; and~~

~~(F) The employee contributions of six percent (6%) shall discontinue.~~

(d)(1) When a member begins participation in the plan, the contribution of the police officer and the employer contribution shall continue to be paid.

(2)(A) In a municipality having a population of over twenty thousand (20,000) persons, municipal matching contributions for employees who elect the plan shall be credited equally to the policemen's pension and relief fund and to the plan, or at the option of the local pension and relief fund board of trustees, credited in the manner provided in subdivision (d)(2)(B) of this section.

(B) In a municipality having a population of twenty thousand (20,000) persons or less, municipal matching contributions for employees who elect the plan shall be credited in full to the policemen's pension and relief fund, and the contribution of the employee shall be credited to the member's plan account.

(3) The monthly retirement benefits that would have been payable had the member elected to cease employment and receive service retirement and pension supplement payments made by the Policemen's Pension Supplement Program shall be paid into the plan account.

(e)(1) The member's monthly retirement benefit shall not change unless the plan receives a benefit increase.

(2)(A) A member who participates in this plan shall earn interest at a rate of two (2) percentage points below the rate of return of the investment portfolio of the policemen's pension and relief fund as certified by the actuary under contract with the Arkansas Fire and Police Pension Review Board in accordance with generally accepted actuarial practices and § 24-11-207 but no less than the actuarial assumed interest rate as certified by the actuary.

(B) The interest shall be credited to the individual account balance of the member on an annual basis.

(f)(1) At the option of the participant, a participant in the plan shall receive a lump-sum payment from the account equal to the payments to the account or a true annuity based upon the account of the participant or may elect any other method of payment if approved by the board of trustees.

(2) If approved by a majority vote of the governing body of the sponsoring municipality and the board of trustees, a participant in the deferred retirement option plan may defer receiving payment of the participant's account and continue with the funds deposited in the plan.

(3)(A) Interest credited to the continuing deposit of funds in the plan under subdivision (f)(2) of this section shall be calculated in the same manner as interest under subdivision (e)(2) of this section.

(B) However, the minimum interest rate shall not be less than zero percent (0%).

(4) The payment of funds accumulated while participating in the deferred retirement option plan may be deferred only one (1) time. These funds must be distributed or annuitized by December 31 of the year a member attains age seventy and one-half (70 1/2).

(g) If the participant dies during the period of participation in the plan, a lump-sum payment equal to the account balance of the participant shall be paid.

(h) A participant in the plan shall not receive any benefits under the plan unless he or she participates in the plan for a minimum of one (1) year, absent death or disability.

(i) The Arkansas Fire and Police Pension Review Board may promulgate regulations to make the plan under this section comply with the requirements of this section and with the applicable portions of the federal Internal Revenue Code, as it existed on January 1, 2003.

(j) Although the police officer may remain employed by the participating municipality, any member who opts to participate in the plan shall be considered to be retired for all retirement purposes, including, but not limited to, benefit increase purposes and the extension of benefits to the spouses of deceased members."

(SIGNED) SENATOR T. SMITH

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

(SIGNED) ANN CORNWELL, SECRETARY

**Senate Bill No. 155** was ordered engrossed.

On motion of Senator J. Jeffress, **Senate Bill No. 142** 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. 142**

Amend **Senate Bill No. 142** as originally introduced:

Page 2, delete line 2 and substitute the following:  
"percent (14%)."

AND

Page 2, delete lines 17 and 18 and substitute the following:  
"~~2007~~ 2009, the employer contribution rate shall not exceed fourteen percent (14%)."

(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. 142** was ordered engrossed.

On motion of Senator J. Jeffress, **Senate Bill No. 115** was withdrawn from the Committee on JOINT RETIREMENT AND SOCIAL SECURITY, 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. 115**

Amend **Senate Bill No. 115** as engrossed, S2/12/07:

Page 2, line 30, delete "(c)" and substitute "(c)(1)"

AND

Page 2, line 32, delete "(1)" and substitute "(A)"

AND

Page 2, line 33, delete "(2)" and substitute "(B)"

AND

Page 2, delete line 36 and substitute the following:  
 "Arkansas Teacher Retirement System.

(2)(A) For any retired member employed in a position covered by the system pursuant to an exemption under subdivision (c)(1) of this section, the employer and employee contribution rate to the system on behalf of the member shall recommence at the rate in effect at the time of the employment.

(B)(i) Except as provided in subdivision (c)(2)(B)(ii) of this section, the employer contribution shall be remitted by the employer and the employee contribution shall be remitted by the employee.

(ii) The employer may elect to remit both the employer and employee contribution."

(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. 115** was ordered engrossed.

On motion of Senator J. Jeffress, **Senate Bill No. 100** 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. 100**

Amend **Senate Bill No. 100** as originally introduced:

Delete everything following the enacting clause and substitute the following:

"SECTION 1. Arkansas Code Title 24, Chapter 5, Subchapter 1 is amended to add an additional section to read as follows:

24-5-136. Operation of system as qualified trust.

(a) The Executive Secretary of the Arkansas State Highway Employees' Retirement System shall operate the system and interpret any provisions of § 24-5-101 et seq. consistent with the requirements under the Internal Revenue Code as it existed on January 1, 2007, and applicable United States Treasury regulations as they existed on January 1, 2007, to permit the system to be operated as a qualified trust under section 401(a) of the Internal Revenue Code as it existed on January 1, 2007.

(b) Notwithstanding any language to the contrary under this chapter, the Board of Trustees of the Arkansas State Highway Employees' Retirement System may promulgate rules consistent with subsection (a) of this section.

(c) Any rule promulgated under this section that is found to be in conflict with an applicable provision of Arkansas law is void."

(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. 100** was ordered engrossed.

On motion of Senator G. Jeffress, **Senate Bill No. 558** 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. 558**

Amend **Senate Bill No. 558** as originally introduced:

Page 1, line 12, delete "IN UNION COUNTY"

AND

Page 1, line 18, delete "IN"

AND

Page 1, line 19, delete "UNION COUNTY"

AND

Page 1, line 25, delete "IN UNION COUNTY"

AND

Page 1, line 30, delete "in Union County, Arkansas".

(SIGNED) SENATOR G. JEFFRESS

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

(SIGNED) ANN CORNWELL, SECRETARY

**Senate Bill No. 558** was ordered engrossed.

On motion of Senator G. Jeffress, [Senate Bill No. 557](#) 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. 557](#)

Amend [Senate Bill No. 557](#) as originally introduced:

Page 1, line 11, delete "SOUTH ARKANSAS YOUTH"

AND

Page 1, line 12, delete "ASSOCIATION - "

AND

Page 1, line 13, delete "CENTER IN UNION" and substitute "CENTERS"

AND

Page 1, line 14, delete "COUNTY, ARKANSAS"

AND

Page 1, line 20, delete "SOUTH ARKANSAS YOUTH"

AND

Page 1, line 21, delete "ASSOCIATION - UNION COUNTY, ARKANSAS" and substitute "RECOVERY AND PREVENTION CENTERS"

AND

Page 1, line 27, delete "SOUTH ARKANSAS YOUTH ASSOCIATION - UNION" and substitute "RECOVERY AND PREVENTION CENTERS"

AND

Page 1, line 28, delete "COUNTY"

AND

Page 1, line 31, delete "the South Arkansas"

AND

Page 1, line 32, delete "Youth Association - "

AND

Page 1, line 33, delete "Center in Union County, Arkansas" and substitute "Centers".

(SIGNED) SENATOR G. JEFFRESS

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

(SIGNED) ANN CORNWELL, SECRETARY

**Senate Bill No. 557** was ordered engrossed.

On motion of Senator Glover, **Senate Bill No. 747** 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. 747**

Amend **Senate Bill No. 747** as originally introduced:

Page 1, line 10, delete "AN ARTS CENTER OF THE"

AND

Page 1, line 11, delete "GRAND PRAIRIE GRANT" and substitute "A GRANT TO ART CENTERS"

AND

Page 1, line 16, delete "ARTS CENTER OF THE GRAND"

AND

Page 1, line 17, delete "PRAIRIE GRANT" and substitute "GRANT FOR ART CENTERS"

AND

Page 1, line 23, delete "ARTS CENTER OF THE GRAND PRAIRIE" and substitute "ART CENTERS"

AND

Page 1, line 27, delete "an Arts Center of the Grand Prairie grant" and substitute "a grant to art centers".

(SIGNED) SENATOR GLOVER

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

(SIGNED) ANN CORNWELL, SECRETARY

**Senate Bill No. 747** was ordered engrossed.

On motion of Senator Glover, **Senate Bill No. 749** was withdrawn from the Committee on JOINT BUDGET, and 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 SENATE BILL NO. 749**

Amend **Senate Bill No. 749** as originally introduced:

Page 1, line 28, delete "build a stage for".

(SIGNED) SENATOR GLOVER

The Amendment was read for 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 SENATE BILL NO. 749**

Amend **Senate Bill No. 749** as originally introduced:

Page 1, line 10, delete "THE WINGS"

AND

Page 1, line 11, delete "OVER THE GRAND PRAIRIE FESTIVAL" and substitute "ARKANSAS FESTIVALS"

AND

Page 1, line 17, delete "WINGS OVER THE GRAND PRAIRIE"

AND

Page 1, line 18, delete "FESTIVAL" and substitute "ARKANSAS FESTIVALS"

AND

Page 1, line 24, delete "WINGS OVER THE GRAND PRAIRIE FESTIVAL" and substitute "ARKANSAS FESTIVALS"

AND

Page 1, line 28, delete "the Wings Over The Prairie Festival" and substitute "Arkansas festivals".

(SIGNED) SENATOR GLOVER

The Amendments were read for the first time, rules suspended, read the second time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

**Senate Bill No. 749** was ordered engrossed.

On motion of Senator Madison, **Senate Bill No. 248** was withdrawn from the Committee on PUBLIC HEALTH, WELFARE AND LABOR, and placed back on second reading for purpose of Amendment No. 1.

**ARKANSAS SENATE**  
**EIGHTY-SIXTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**Amendment No. 1 to SENATE BILL NO. 248**

Amend **Senate Bill No. 248** as originally introduced:

Page 2, line 8, delete "For" and substitute "(a) For"

AND

Page 2, delete lines 17 and 18 and substitute the following:  
"42 U.S.C. 9902(2), as it existed on January 1, 2007.

(b) On January 1 of each year thereafter, the Director of the Department of Labor shall adjust the amount in controversy by adding to the previous year's figure the percentage increase or decrease in the Consumer Price Index for All Urban Consumers or its successor as published by the United State Department of Labor for the previous year.

AND

Page 2, line 30, delete "(b)" and substitute "(b)(1)"

AND

Page 2, line 34, delete "Every" and substitute "Except as provided in subdivision (b)(2) of this section, every"

AND

Page 2, delete line 36 and substitute the following:  
"which such wages were earned.

(2)(A) An employer may pay all wages due to a high-ranking employee monthly or as determined by written agreement between the employer and the high-ranking employee.

(B) As used in this subsection (b)(2), "high-ranking employee" means an employee who:

(i) Is at least a ten percent (10%) owner of the corporation, partnership, or other organization;

(ii) Is in the top ten percent (10%) of employees when ranked by compensation and receives at least one hundred fifty thousand dollars (\$150,000) in annual compensation from the employer; or

(iii) Is an officer whose annual compensation from the employer exceeds one hundred thirty thousand dollars (\$130,000)."

AND

Page 3, delete lines 21 through 23 and substitute the following:

"(b)(1)(A)(i) The wages of all employees shall be paid in currency or by check or electronic direct deposit into the employee's account.

(ii) Payment by debit card shall not be an authorized form of payment."

AND

Page 3, delete lines 24 through 29 and substitute the following:

"(B)(i) The employer may opt out of payment by electronic direct deposit by providing the employer a written statement requesting payment by check.

(ii) An employer requiring payment by electronic direct deposit shall notify employees of their right to opt out."

AND

Page 3, delete lines 30 through 32 and substitute the following:

"(C)(i) Whatever the form of payment, wages shall be redeemable for cash and payable on demand without discount or deduction from the face amount of the wages at an established place of business in the state."

AND

Page 3, line 33, delete "or debit card"

AND

Page 3, line 35, delete "on" and substitute "on or be attached to"

AND

Page 4, line 2, delete "time" and substitute "time within the past one (1) year"

AND

Page 6, line 10, delete "three (3)" and substitute "seven (7)"

AND

Page 6, delete line 11 and substitute the following:  
"calendar days of termination."

AND

Page 6, delete lines 30 and 31 and substitute the following:  
"to be paid by check by mail to the mailing address provided in the employee's written request or to the employee's last known mailing address if no address is provided in the employee's written request."

AND

Page 7, delete lines 14 and 15 and substitute the following:  
"(2) For medical or other health insurance, life insurance, disability benefits, retirement benefits, or union dues; or"

AND

Page 7, line 17, delete "made" and substitute "made or at the time the first deduction is made for a recurring deduction of the same amount"

AND

Page 8, line 10, delete "each" and substitute "each individual or group"

AND

Delete SECTION 10 in its entirety

(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. 248 was ordered engrossed.

On motion of Senator Hill, **Senate Bill No. 440** was withdrawn from the Committee on AGRICULTURE, ECONOMIC AND 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. 440**

Amend **Senate Bill No. 440** as originally introduced:

Page 2, delete line 9, and substitute the following:

"for the review of the Arkansas Legislative Council.

(f) The Department of Economic Development shall submit an annual written report to the Arkansas Legislative Council concerning the Economic Development Incentive Quick Action Fund which will contain the following:

(1) The name and address of the businesses receiving money from the fund;

(2) The date, amount, and reason of the disbursements of money from the fund;

(3) An evaluation of the effectiveness of the disbursements made from the fund; and

(4) Any suggestions for improving the use of the fund."

(SIGNED) SENATOR JIM HILL

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

(SIGNED) ANN CORNWELL, SECRETARY

**Senate Bill No. 440** was ordered engrossed.

On motion of Senator Horn, **Senate Bill No. 516** 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. 516**

Amend **Senate Bill No. 516** as originally introduced:

Page 1, insert an additional section immediately following Section 1 to read as follows:

" SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. GRANTS. The grants authorized in Section 1 of this act shall not be restricted by requirements that may be applicable to other grant programs currently administered by the Department of Parks and Tourism. The Department of Parks and Tourism may adopt rules and regulations to carry out the intent of the General Assembly regarding the grant appropriations authorized in Section 1 of this Act.

The provisions of this section shall be in effect only from July 1, 2007 through June 30, 2009."

And

Appropriately renumber the subsequent sections.

(SIGNED) SENATOR BARBARA HORN

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

(SIGNED) ANN CORNWELL, SECRETARY

**Senate Bill No. 516** was ordered engrossed.

On motion of Senator Horn, **Senate Bill No. 517** 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. 517**

Amend **Senate Bill No. 517** as originally introduced:

Page 1, insert an additional section immediately following Section 1 to read as follows:

" SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. GRANTS. The grants authorized in Section 1 of this act shall not be restricted by requirements that may be applicable to other grant programs currently administered by the Department of Arkansas Heritage. The Department of Arkansas Heritage may adopt rules and regulations to carry out the intent of the General Assembly regarding the grant appropriations authorized in Section 1 of this Act.

The provisions of this section shall be in effect only from July 1, 2007 through June 30, 2009."

And

Appropriately renumber the subsequent sections.

(SIGNED) SENATOR BARBARA HORN

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

(SIGNED) ANN CORNWELL, SECRETARY

**Senate Bill No. 517** was ordered engrossed.

On motion of Senator Altes, and without objection, the House was requested to return **Senate Bill No. 182** for further consideration.



STATE OF ARKANSAS  
**Arkansas Senate**

GENERAL ASSEMBLY  
LITTLE ROCK, ARKANSAS

**Ann Cornwell**  
*Secretary of the Senate*  
*Senate Fiscal Officer*  
State Capitol, Room 320  
Little Rock, Arkansas 72201

February 28, 2007

The Honorable Jo Renshaw  
Chief Clerk  
State Capitol  
Little Rock, AR 72201

Dear Ms. Renshaw:

The Senate respectfully requests the return to the Senate, of Senate Bill 182.

Respectfully submitted,

Ann Cornwell  
Secretary of the Senate

ARKANSAS SENATE  
EIGHTY-SIXTH GENERAL ASSEMBLY  
REGULAR SESSION

February 28, 2007

Mr. President:

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

SENATE BILL NO. 100, BY SENATOR J. JEFFRESS,  
SENATE BILL NO. 115, BY SENATOR J. JEFFRESS,  
SENATE BILL NO. 142, BY SENATOR J. JEFFRESS,  
SENATE BILL NO. 155, BY SENATOR SMITH,

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 J. Jeffress, **Senate Bill No. 100** was ordered re-referred to the Committee on JOINT RETIREMENT AND SOCIAL SECURITY.

On motion of Senator J. Jeffress, **Senate Bill No. 115** was ordered re-referred to the Committee on JOINT RETIREMENT AND SOCIAL SECURITY.

On motion of Senator J. Jeffress, **Senate Bill No. 142** was ordered re-referred to the Committee on JOINT RETIREMENT AND SOCIAL SECURITY.

On motion of Senator Smith, **Senate Bill No. 155** was ordered re-referred to the Committee on JOINT RETIREMENT AND SOCIAL SECURITY.

ARKANSAS SENATE  
EIGHTY-SIXTH GENERAL ASSEMBLY  
REGULAR SESSION

February 28, 2007

Mr. President:

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

SENATE BILL NO. 248, BY SENATOR MADISON,  
SENATE BILL NO. 421, BY SENATOR HORN, ET AL,

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 Madison, **Senate Bill No. 248** was ordered re-referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

On motion of Senator Horn, **Senate Bill No. 421** was ordered re-referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

ARKANSAS SENATE  
EIGHTY-SIXTH GENERAL ASSEMBLY  
REGULAR SESSION

February 28, 2007

Mr. President:

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

**SENATE BILL NO. 369**, 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. 369** was ordered re-referred to the Committee on JUDICIARY.

ARKANSAS SENATE  
EIGHTY-SIXTH GENERAL ASSEMBLY  
REGULAR SESSION

February 28, 2007

Mr. President:

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

SENATE BILL NO. 440, BY SENATOR HILL, 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 Hill, **Senate Bill No. 440** was ordered re-referred to the Committee on AGRICULTURE, ECONOMIC & INDUSTRIAL DEVELOPMENT.

ARKANSAS SENATE  
EIGHTY-SIXTH GENERAL ASSEMBLY  
REGULAR SESSION

February 28, 2007

Mr. President:

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

SENATE BILL NO. 516, BY SENATOR HORN,  
SENATE BILL NO. 517, BY SENATOR HORN,  
SENATE BILL NO. 557, BY SENATOR G. JEFFRESS,  
SENATE BILL NO. 558, BY SENATOR G. JEFFRESS,  
SENATE BILL NO. 747, BY SENATOR GLOVER,  
SENATE BILL NO. 749, BY SENATOR GLOVER,

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 Horn, [Senate Bill No. 516](#) was ordered re-referred to the Committee on JOINT BUDGET.

On motion of Senator Horn, [Senate Bill No. 517](#) was ordered re-referred to the Committee on JOINT BUDGET.

On motion of Senator G. Jeffress, [Senate Bill No. 557](#) was ordered re-referred to the Committee on JOINT BUDGET.

On motion of Senator G. Jeffress, [Senate Bill No. 558](#) was ordered re-referred to the Committee on JOINT BUDGET.

On motion of Senator Glover, [Senate Bill No. 747](#) was ordered re-referred to the Committee on JOINT BUDGET.

On motion of Senator Glover, [Senate Bill No. 749](#) was ordered re-referred to the Committee on JOINT BUDGET.

ARKANSAS SENATE  
EIGHTY-SIXTH GENERAL ASSEMBLY  
REGULAR SESSION

February 28, 2007

Mr. President:

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

HOUSE CONCURRENT RESOLUTION NO. 1004,  
BY REPRESENTATIVE L. 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) SENATOR DAVID BISBEE  
VICE-CHAIRMAN

ARKANSAS SENATE  
EIGHTY-SIXTH GENERAL ASSEMBLY  
REGULAR SESSION

February 28, 2007

Mr. President:

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

HOUSE BILL NO. 1460, BY REPRESENTATIVE PICKETT,  
HOUSE BILL NO. 1502, 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 DAVID BISBEE  
VICE-CHAIRMAN

ARKANSAS SENATE  
EIGHTY-SIXTH GENERAL ASSEMBLY  
REGULAR SESSION

February 28, 2007

Mr. President:

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

**SENATE BILL NO. 396**, 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.

Respectfully submitted,

(SIGNED) SENATOR SHAWN WOMACK  
CHAIRMAN

ARKANSAS SENATE  
EIGHTY-SIXTH GENERAL ASSEMBLY  
REGULAR SESSION

February 28, 2007

Mr. President:

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

**SENATE BILL NO. 266**, BY SENATOR SALMON,

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 ED WILKINSON  
CHAIRMAN

ARKANSAS SENATE  
EIGHTY-SIXTH GENERAL ASSEMBLY  
REGULAR SESSION

February 28, 2007

Mr. President:

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

**SENATE BILL NO. 300**, BY SENATOR SALMON,

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 ED WILKINSON  
CHAIRMAN

ARKANSAS SENATE  
EIGHTY-SIXTH GENERAL ASSEMBLY  
REGULAR SESSION

February 28, 2007

Mr. President:

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

HOUSE BILL NO. 1004, BY REPRESENTATIVE WELLS,  
HOUSE BILL NO. 1130, BY REPRESENTATIVE HARRELSON,  
HOUSE BILL NO. 1362, BY REPRESENTATIVE HARRELSON,  
HOUSE BILL NO. 1401, BY REPRESENTATIVE ROSENBAUM,  
HOUSE BILL NO. 1458, BY REPRESENTATIVE DUNN,  
HOUSE BILL NO. 1486, BY REPRESENTATIVE CORNWELL,  
HOUSE BILL NO. 1489, BY REPRESENTATIVE COOPER,  
HOUSE BILL NO. 1507, BY REPRESENTATIVE OVERBEY,  
HOUSE BILL NO. 1510, BY REPRESENTATIVE DAVIS,  
HOUSE BILL NO. 1619, BY REPRESENTATIVE BURRIS,  
HOUSE BILL NO. 1620, BY REPRESENTATIVE BURRIS,

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 28, 2007

Mr. President:

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

**HOUSE BILL NO. 1414**, BY REPRESENTATIVE ALLEN,

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 ED WILKINSON  
CHAIRMAN

ARKANSAS SENATE  
EIGHTY-SIXTH GENERAL ASSEMBLY  
REGULAR SESSION

February 28, 2007

Mr. President:

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

**SENATE BILL NO. 382**, BY SENATOR LUKER,

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 28, 2007

Mr. President:

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

HOUSE BILL NO. 1484, BY REPRESENTATIVE MALOCH,  
HOUSE BILL NO. 1498, BY REPRESENTATIVE OVERBEY,  
HOUSE BILL NO. 1525, BY REPRESENTATIVE EDWARDS,  
HOUSE BILL NO. 1526, BY REPRESENTATIVE NORTON,

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 28, 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 as amended No. 1.

Respectfully submitted,  
(SIGNED) SENATOR JIM HILL  
CHAIRMAN

ARKANSAS SENATE  
EIGHTY-SIXTH GENERAL ASSEMBLY  
REGULAR SESSION

February 28, 2007

Mr. President:

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

SENATE BILL NO. 296, BY SENATOR WILKINS,  
SENATE BILL NO. 331, BY SENATOR R. THOMPSON,  
SENATE BILL NO. 334, BY SENATOR STEELE,  
SENATE BILL NO. 680, BY SENATOR STEELE,

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 JACK CRITCHER  
CHAIRMAN

ARKANSAS SENATE  
EIGHTY-SIXTH GENERAL ASSEMBLY  
REGULAR SESSION

February 28, 2007

Mr. President:

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

SENATE BILL NO. 20, BY SENATOR ALTES,

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. 4.

Respectfully submitted,

(SIGNED) SENATOR JACK CRITCHER  
CHAIRMAN

ARKANSAS SENATE  
EIGHTY-SIXTH GENERAL ASSEMBLY  
REGULAR SESSION

February 28, 2007

Mr. President:

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

HOUSE BILL NO. 1284, BY REPRESENTATIVE WILLS,  
HOUSE BILL NO. 1434, BY REPRESENTATIVE PRATER,  
HOUSE BILL NO. 1435, BY REPRESENTATIVE PRATER,  
HOUSE BILL NO. 1436, BY REPRESENTATIVE PRATER,  
HOUSE BILL NO. 1444, BY REPRESENTATIVE ALLEN,  
HOUSE BILL NO. 1448, BY REPRESENTATIVE REEP,  
HOUSE BILL NO. 1449, BY REPRESENTATIVE REEP,

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 JACK CRITCHER  
CHAIRMAN

ARKANSAS SENATE  
EIGHTY-SIXTH GENERAL ASSEMBLY  
REGULAR SESSION

February 28, 2007

Mr. President:

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

**HOUSE BILL NO. 1180**, BY REPRESENTATIVE BAKER,

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 JACK CRITCHER  
CHAIRMAN

STATE OF ARKANSAS  
OFFICE OF THE GOVERNOR

STATE CAPITOL  
LITTLE ROCK, ARKANSAS

MIKE BEEBE  
Governor

February 28, 2007

TO THE PRESIDENT OF THE SENATE

Dear Mr. President:

This is to inform you that on February 28, 2007, I approved the following measures from the Regular Session of the Eighty-sixth General Assembly:

Senate Concurrent Resolution 005

Senate Concurrent Resolution 007

Senate Bill 010 - ACT 151

Senate Bill 188 - ACT 152

Senate Bill 225 - ACT 153

Senate Bill 273 - ACT 154

Senate Bill 294 - ACT 155

Sincerely,

(SIGNED) MIKE BEEBE  
Governor

On motion of Senator Wilkins, **Senate Concurrent Memorial Resolution No. 3** was called up for third reading.

**SENATE CONCURRENT MEMORIAL RESOLUTION NO. 3**

**EIGHTY-SIXTH GENERAL ASSEMBLY**

**REGULAR SESSION**

**BY: SENATOR WILKINS, BROWN, CRUMBLY & STEELE**

**BY: REPRESENTATIVES ALLEN, T. BAKER, ET AL**

SENATE CONCURRENT MEMORIAL RESOLUTION IN RESPECTFUL MEMORY OF HENRY WILKINS III AND IN RECOGNITION OF HIS MANY CONTRIBUTIONS TO THE STATE OF ARKANSAS AND HIS LOCAL COMMUNITY.

**Senate Concurrent Memorial Resolution No. 3** was read the third time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

**Senate Concurrent Memorial Resolution No. 3** was ordered immediately transmitted to the House.

On motion of Senator Hill, **House Bill No. 1505** was withdrawn from the Committee on REVENUE AND TAXATION, and placed on the Calendar.

On motion of Senator Hill, **House Bill No. 1505** was ordered re-referred to the Committee on JUDICIARY.

On motion of Senator Hill, **House Bill No. 1527** was withdrawn from the Committee on REVENUE AND TAXATION, and placed on the Calendar.

On motion of Senator Hill, **House Bill No. 1527** was ordered re-referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

On motion of Senator Miller, the rules were suspended in considering **Senate Bill No. 379** at this time.

On motion of Senator Miller, **Senate Bill No. 379** was placed back on second reading for purpose of Amendment No. 2 and No. 3.

Withdraw Amendment No. 1.

**ARKANSAS SENATE**  
**EIGHTY-SIXTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**Amendment No. 2 to SENATE BILL NO. 379**

Amend **Senate Bill No. 379** as originally introduced:

Page 5, delete line 13 and substitute the following:

"this subsection (e).

SECTION 9. Arkansas Code § 23-63-514(c), concerning material disclosures on the registration statement, is amended to read as follows:

(c)(1) Materiality. No information need be disclosed on the registration statement filed pursuant to subsection (b) of this section if the information is not material for the purposes of this section. Unless the commissioner by rule, regulation, or order provides otherwise, sales, purchases, exchanges, loans, or extensions of credit, or investments, involving one-half of one percent (~~5%~~) (0.5%) or less of an insurer's admitted assets as of the December 31 next-preceding shall not be deemed material for purposes of this section.

(2)(A) However, each registered insurer shall disclose in writing to the commissioner within five (5) business days following the declaration of a dividend and no less than ten (10) business days prior to the payment of the dividend, all ordinary dividends payable to shareholders. (B) The disclosure shall also be included in the reporting insurer's next annual and restated insurance registration statement and upon any statutory filing required under § 23-63-514 or § 23-63-515.

SECTION 10. Arkansas Code § 23-63-515(d)(2)(A), concerning extraordinary dividends of domestic insurers, is amended to read as follows:

(2)(A) In determining whether a dividend or distribution is extraordinary, an insurer other than a life insurer may carry forward net income from the previous two (2) calendar years that has not already been paid out as ~~dividends~~ a dividend.

SECTION 11. Arkansas Code § 23-63-818, concerning domestic insurer's investments in subsidiaries, is amended to add an additional subsection to read as follows:

(c)(1) Unless a greater investment has been approved in writing by the commissioner, a domestic insurer subject to this subchapter shall limit its investments in common stock, preferred stock, debt obligations, and other securities of its noninsurance subsidiaries to the lesser of:

(A) Ten percent (10%) of the domestic insurer's assets; or

(B) Fifty percent (50%) of the domestic insurer's surplus. (2)

This subsection does not apply to the amount of an investment held on the effective date of this act by a domestic insurer licensed in Arkansas.

AND

Appropriately renumber the remaining Sections of the bill

(SIGNED) SENATOR MILLER

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. 3 to SENATE BILL NO. 379

Amend **Senate Bill No. 379** as originally introduced:

Page 10, delete line 4 and substitute the following:

"Internal Revenue Code of 1986, ~~as it existed on January 1, 2004.~~

SECTION 19. Arkansas Code Title 4, Chapter 90 is amended to add an additional subchapter to read as follows:

SUBCHAPTER 7 — DEBT CANCELLATION AGREEMENTS

4-90-701. Definition.

As used in this subchapter, "debt cancellation agreement" means a loan term or contractual arrangement modifying a loan term dealing with motor vehicles under which a lender agrees to cancel all or part of a borrower's obligation to repay an extension of credit from the lender upon the occurrence of a specified event other than the death or disability of the borrower, whether or not separate from or a part of other loan documents. Provided, however, for purposes of this subchapter only, the term "debt cancellation agreement" shall not include that form of debt cancellation agreement which constitutes a guaranteed automobile protection waiver agreement or "GAP" waiver agreement. A guaranteed automobile protection waiver agreement or "GAP" waiver agreement means a loan term or a contractual arrangement modifying a loan term dealing with motor vehicles under which a lender agrees to waive, cancel, pay , or satisfy any remaining balance owed on a loan after a total loss or theft of the vehicle.

4-90-702. Requiring borrower to purchase debt cancellation agreement prohibited.

A lender shall not require a borrower to purchase a debt cancellation agreement.

4-90-703. Debt cancellation agreements to be legible — Disclosure requirements.

All terms of a debt cancellation agreement shall be printed or reproduced to render all material provisions of the agreement legible and shall clearly and conspicuously disclose the following information:

(1) If the debt cancellation agreement is provided by or administered by a third party, the debt cancellation agreement shall disclose that fact and provide the name, address, and telephone number of the third party and describe the procedure to follow for filing a claim with that third party under the debt cancellation agreement;

(2) The total retail price of the debt cancellation agreement;

(3) Any limitation or restriction on the cancellation of the entire debt due upon the occurrence of the specified event;

(4) That the purchaser is allowed to cancel the debt cancellation agreement at any time and receive a refund paid directly to the purchaser minus any cancellation fee not to exceed twenty-five dollars (\$25.00) as follows:

(A) If the debt cancellation agreement is cancelled within thirty (30) days of purchase, a purchaser shall receive a full refund of the retail price; or

(B) If the debt cancellation agreement is cancelled at a later time, the purchaser shall receive a pro rata refund of the retail price for the unexpired term based upon the number of elapsed months at the time of the cancellation compared to the total length of the financing agreement; and  
(5) That the terms of the debt cancellation agreement financed by the lender are binding on the lender.

4-90-704. Debt cancellation agreements — Restrictions.

No debt cancellation agreement shall be issued that:

- (1) Is in any respect in violation of or does not comply with this subchapter;  
(2) Contains or incorporates by reference if incorporation by reference is otherwise permissible any inconsistent, ambiguous, illusory, or misleading clauses or exceptions and conditions that deceptively affect the material terms of the debt cancellation agreement;  
(3) Has a title, heading, or other indication of its provisions that is misleading; or  
(4) Is sold after any representation, oral or written, that is misleading or deceptive with respect to any material term of the contract or any provision of this subchapter.

4-90-705. Application of § 4-88-101 et seq. to debt cancellation agreements and sellers of debt cancellation agreements.

(a) Debt cancellation agreements and sellers of debt cancellation agreements are subject to the provisions of § 4-88-101 et seq., and any violation of any of the provisions of this subchapter constitutes an unconscionable or deceptive act or practice under § 4-88-101 et seq.

(b) All remedies, penalties, and authority granted to the Attorney General under § 4-88-101 et seq. are available to the Attorney General for the enforcement of this subchapter.

SECTION 20. Arkansas Code § 23-60-102(1), concerning the definition of "insurance" under the Arkansas Insurance Code, is amended to read as follows:

(1)(A)(i) "Insurance" is any agreement, contract, or other transaction whereby one party, the "insurer", is obligated to confer benefit of pecuniary value upon another party, the "insured" or "beneficiary", dependent upon the happening of a fortuitous event in which the insured or beneficiary has, or is expected to have at the time of such happening, a material interest which will be adversely affected by the happening of such an event.

(ii) A "fortuitous event" means any occurrence or failure to occur which is, or is assumed by the parties to be, to a substantial extent beyond the control of either party.

(B) "Insurance" shall, for purposes of subtitle 3 of this title, be deemed to include "annuities", which are agreements by insurers to make periodic payments that continue during the survival of the measuring life or lives under the agreements or for a specified period.

(C) "Reinsurance" is a contract under which an originating insurer, called the "ceding" insurer, procures insurance for itself in another insurer, called the "assuming" insurer or reinsurer, with respect to part or all of an insurance risk of the originating insurer;

(D)(i) "Insurance" shall not include a debt cancellation agreement.

(ii) "Debt cancellation agreement" is a loan term or contractual arrangement modifying a loan term dealing with motor vehicles under which a lender agrees to cancel all or part of a borrower's obligation to repay an extension of credit from the lender upon the occurrence of a specified event other than the death or disability of the borrower. The agreement may be separate from or a part of other loan documents."

SECTION 21. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that the incompatibility of acts of the Eighty-Sixth General Assembly presents difficult compliance issues for the administration of debt cancellation agreements; that in order to avoid a disruption in commerce associated with compliance with other debt cancellation legislation, the enactment of Sections 19 and 20 of this act is immediately necessary. Therefore, an emergency is declared to exist and Sections 19 and 20 of this act being immediately necessary for the preservation of the public peace, health, and safety, Sections 19 and 20 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.

AND

Appropriately renumber the sections of the bill.

AND

Appropriately restate the references to sections 19 and 20 in the Emergency Clause of the bill if sections 19 and 20 are renumbered.

(SIGNED) SENATOR MILLER

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

(SIGNED) ANN CORNWELL, SECRETARY

**Senate Bill No. 379** was ordered engrossed.

On motion of Senator Horn, **Senate Bill No. 357** 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. 357**

Amend **Senate Bill No. 357** as originally introduced:

Page 1, line 10, delete "INDEPENDENT" and substitute "PRIVATE"

AND

Page 1, line 15, delete "INDEPENDENT" and substitute "PRIVATE"

AND

Page 1, delete line 35 and substitute the following:

"(B) The audit must be"

(SIGNED) SENATOR HORN

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

(SIGNED) ANN CORNWELL, SECRETARY

**Senate Bill No. 357** was ordered engrossed.

On motion of Senator Bookout, **House Bill No. 1455** was withdrawn from the Committee on INSURANCE AND 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 HOUSE BILL NO. 1455**

Amend **House Bill No. 1455** as engrossed, H2/15/07:

Page 5, delete line 13

AND

Page 5, delete line 17 and substitute the following:

“or charitable organization for fundraising purposes; or

(3) Are usable with multiple, unaffiliated sellers of goods or services and are issued by a financial institution under § 4-88-702(3).”

AND

Page 5, delete line 23 and substitute the following:

“those sections.

4-88-706. Rules.

(a) The State Bank Department shall promulgate rules pertaining to the regulation of state-chartered banks and the selling of gift cards.

(b) The department shall have authority of the sale of gift cards by state-chartered banks and promulgate rules based on guidance issued by the Comptroller of the Currency in Office of the Comptroller of the Currency Bulletin 2006-34 on August 14, 2006.”

(SIGNED) SENATOR BOOKOUT

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

(SIGNED) ANN CORNWELL, SECRETARY

**House Bill No. 1455** was ordered engrossed.

On motion of Senator Thompson, **House Bill No. 1379** 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. 1379**

Amend **House Bill No. 1379** as engrossed H2/8/07:

Page 2, delete lines 13 through 14 and substitute:

“(2) “Alternative fuels producer” means a business located in Arkansas that uses biomass or other renewable resources excluding recycled petroleum oils to manufacture alternative fuels;”

AND

Page 2, line 19, delete “biomass” and substitute “biomass or other renewable resources”

AND

Page 3, line 20, delete “and” entirely

AND

Page 3, delete lines 21 through 23 and substitute:

“(8) “Feedstock processor” means a business located in Arkansas that uses biomass or other renewable resources excluding recycled petroleum oils to manufacture feedstock to be used in the production of alternative fuels; and

(9) “Other renewable resources” means any material that can be recycled, regenerated, reclaimed, or reused.”

AND

Page 3, line 30, delete “Production” and substitute “Capital and operation production”

AND

Page 3, delete lines 33 through 34 and substitute:

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

- (1) Capital investments in alternative fuels production facilities, feedstock processing facilities, or distribution facilities;
- (2) The production of alternative fuel; or
- (3) The processing of feedstock.

AND

Page 4, delete lines 1 through 9 and substitute:

“(a) The Arkansas Alternative Fuels Development Program shall include a grant incentive program for alternative fuels producers based on the gallonage production of alternative fuels as provided in this section.

(b) The program shall include grants for:

(1) Capital improvements made after January 1, 2007, for the construction, modification, alteration, or retrofitting of an alternative fuels production facility located and operated in Arkansas; and

(2) Operations costs after January 1, 2007, for the operation of an alternative fuels production facility located and operated in Arkansas.

(c) The Arkansas Agriculture Department shall create a grant application process for alternative fuels producers for capital improvements that includes:

(1) An application for a grant under this subsection (c) that shall include at a minimum:”

AND

Page 4, delete line 20 and substitute:

“(d) The Arkansas Agriculture Department shall create a grant application process for alternative fuels producers for operations costs that includes:

(1) An application for a grant under this subsection (d) shall include at a minimum:

(A) The expected gallonage production of alternative fuels at the facility; and

(B) Evidence sufficient to satisfy the department that the applicant has the capacity to operate during the applicable grant period;

(2) Instructions about the grant process;

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

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

(e)(1) The department shall prepare an annual progress report on grant”

AND

Page 4, line 33, delete “(d)(1)” and substitute “(f)(1)”

AND

Page 5, line 3, delete "(e)(1)" and substitute "(g)(1)"

AND

Page 5, line 9, delete "(f)" and substitute "(h)"

(SIGNED) SENATOR R. THOMPSON

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1379 was ordered engrossed.

On motion of Senator Salmon, House Bill No. 1387 was withdrawn from the Committee on INSURANCE AND 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 HOUSE BILL NO. 1387

Amend House Bill No. 1387 as engrossed, H2/15/07:

Page 2, delete line 19, and substitute the following:

"(b) A clause"

AND

Page 2, delete lines 23 and 24, and substitute the following:

"or public construction agreement is required to indemnify, defend, or hold harmless another party against"

AND

Page 2, delete lines 31 through 36

AND

Page 3, delete line 1

AND

Page 3, line 2, delete "(d)" and substitute "(c)"

AND

Page 3, line 7, delete "(e)" and substitute "(d)"

AND

Page 3, line 11, insert the following language:

"(e) This section shall not apply to a public construction contract or public construction agreement in which:

(1) The first party indemnifies, defends, or holds harmless the second party from the first party's negligence or fault or from the negligence or fault of the first party's agent, representative, subcontractor or supplier;

(2) The first party requires the second party to provide liability insurance coverage for the first party's negligence or fault if the public construction contract or public construction agreement requires the second party to obtain insurance and the public construction contract or public construction agreement limits the second party's obligation to the cost of the required insurance;

(3) The first party requires the second party to provide liability insurance coverage for the first party's negligence or fault under a separate insurance contract with an insurance provider; or

(4) The first party requires the second party to name the first party as an additional insured as a part of the public construction agreement or public construction contract."

AND

Page 4, delete line 5, and substitute the following:

"(b) A clause"

AND

Page 4, delete line 9, and substitute the following:

"agreement is required to indemnify,"

AND

Page 4, delete lines 17 through 23

AND

Page 4, line 24, delete "(d)" and substitute "(c)"

AND

Page 4, line 28, delete "(e)" and substitute "(d)"

AND

Page 4, line 32, insert the following language:

"(e) This section shall not apply to a construction contract or construction agreement in which:

(1) The first party indemnifies, defends, or holds harmless the second party from the first party's negligence or fault or from the negligence or fault of the first party's agent, representative, subcontractor or supplier;

(2) The first party requires the second party to provide liability insurance coverage for the first party's negligence or fault if the construction contract or construction agreement requires the second party to obtain insurance and the construction contract or construction agreement limits the second party's obligation to the cost of the required insurance;

(3) The first party requires the second party to provide liability insurance coverage for the first party's negligence or fault under a separate insurance contract with an insurance provider; or

(4) The first party requires the second party to name the first party as an additional insured as a part of the construction agreement or construction contract."

(SIGNED) SENATOR SALMON

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

(SIGNED) ANN CORNWELL, SECRETARY

**House Bill No. 1387** was ordered engrossed.

On motion of Senator Broadway, **House Bill No. 1633** 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 HOUSE BILL NO. 1633**

Amend **House Bill No. 1633** as originally introduced:

Page 2, delete lines 11-13 and substitute the following:

"(b) For the 2008-2009 school year, an additional thirty-six dollars (\$36.00) multiplied by the school district's average daily membership for the previous school year, which when added to the funding under subdivision

(a)(2)(C)(i)(a) of this section represents an approximate total for the 2008-2009 school year of eighty-seven dollars (\$87.00) per average daily membership."

(SIGNED) SENATOR BROADWAY

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

(SIGNED) ANN CORNWELL, SECRETARY

**House Bill No. 1633** was ordered engrossed.

On motion of Senator Broadway, **House Bill No. 1632** was withdrawn from the Committee on EDUCATION, and 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. 1632**

Amend **House Bill No. 1632** as engrossed, H2/23/07:

Add Representatives Adcock, Allen, Anderson, T. Baker, Berry, Bond, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Chesterfield, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, S. Dobbins, Dunn, Edwards, D. Evans, L. Evans, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardwick, Hardy, Harrelson, Hawkins, House, Hoyt, D. Hutchinson, Hyde, Jeffrey, D. Johnson, Key, Kidd, King, W. Lewellen, Lovell, Lowery, Maloch, Maxwell, Medley, Moore, Overbey, Pace, Pate, Patterson, Pennartz, Pierce, Powers, S. Prater, Pyle, Ragland, Reep, Reynolds, J. Roebuck, Rogers, Sample, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Webb, Wells, Wills, Woods, Wyatt as cosponsors of the bill.

(SIGNED) SENATOR BROADWAY

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. 1632

Amend **House Bill No. 1632** as engrossed, H2/23/07:

Page 2, delete lines 12 through 15 and substitute the following:

“(B) ~~funds~~ Funds received by the school district in lieu of taxes, and local sales and use taxes dedicated to education pursuant to §§ 26-74-201 et seq., § 26-74-301 et seq., § 26-75-301 et seq., and the Local Government Bond Act of 1985, § 14-164-301 et seq.;”

AND

Page 3, delete line 17 and substitute the following:

“(16) “Quarterly average daily membership” means the average daily membership for one (1) quarter of a school year used for calculating student growth funding and as determined by rule established by the Department of Education;

(17)(A) “Revenues” means:”

AND

Page 3, line 33, delete “~~(15)~~(17)” and substitute “~~(15)~~(18)”

AND

Page 4, line 3, delete “~~(16)~~(18)” and substitute “~~(16)~~(19)”

AND

Page 4, line 7, delete “~~(17)~~(19)” and substitute “~~(17)~~(20)”

AND

Page 4, line 14, delete “~~(18)~~(20)” and substitute “~~(18)~~(21)”

AND

Page 4, line 20, delete “~~(19)(A)~~(21)” and substitute “~~(19)(A)~~(22)”

AND

Page 4, line 31, delete “~~(20)~~(22)” and substitute “~~(20)~~(23)”

AND

Page 4, line 34, delete “~~(21)~~(23)” and substitute “~~(21)~~(24)”

AND

Page 5, line 2, delete “~~(22)~~(24)” and substitute “~~(22)~~(25)”

AND

Page 9, delete line 3 and substitute the following:

"skills for improving teaching practices and student academic achievement and training for school bus drivers as"

AND

Page 10, line 19, delete "subdivision (c)(2)(B)(i) of this section" and substitute "subdivision (c)(B)(ii)(a) of this section"

AND

Page 12, delete lines 22 through 36

AND

Page 13, delete lines 1 through 29 and substitute the following:

"(b) In school year 2007-2008, each school district in the state shall have in place a salary schedule with at least the following minimum levels of compensation for a basic contract:

<u>Years of Experience</u>	<u>BA Degree Salary</u>	<u>MA Degree Salary</u>
0	\$28,897	\$33,231
1	29,347	33,731
2	29,797	34,231
3	30,247	34,731
4	30,697	35,231
5	31,147	35,731
6	31,597	36,231
7	32,047	36,731
8	32,497	37,231
9	32,947	37,731
10	33,397	38,231
11	33,847	38,731
12	34,297	39,231
13	34,747	39,731
14	35,197	40,231
15	35,647	40,731

(c) In school year ~~2006-2007~~ 2008-2009 and each school year thereafter, each school district in the state shall have in place a salary schedule with at least the following minimum levels of compensation for a basic contract:

Years of Experience	BA Degree Salary	MA Degree Salary
0	\$29,244	\$33,630
1	29,694	34,130
2	30,144	34,630
3	30,594	35,130
4	31,044	35,630
5	31,494	36,130
6	31,944	36,630
7	32,394	37,130
8	32,844	37,630
9	33,294	38,130
10	33,744	38,630
11	34,194	39,130
12	34,644	39,630
13	35,094	40,130
14	35,544	40,630
15	35,994	41,130"

(SIGNED SENATOR BROADWAY

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1632 was ordered engrossed.

SENATE BILL NO. 778  
EIGHTY-SIXTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR BROADWAY

A Bill for an Act to be Entitled: AN ACT TO AMEND CERTAIN PROVISIONS OF THE EDUCATION CODE IN ARKANSAS CODE TITLE 6; AND FOR OTHER PURPOSES.

**Senate Bill No. 778** was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

SENATE BILL NO. 779  
EIGHTY-SIXTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR T. SMITH

A Bill for an Act to be Entitled: AN ACT TO ABOLISH THE ABSTRACTERS' BOARD OF EXAMINERS AND TRANSFER ITS POWERS AND DUTIES TO THE ARKANSAS TITLE INSURANCE AGENTS' LICENSING BOARD; TO RECONSTITUTE THE ARKANSAS TITLE INSURANCE AGENTS' LICENSING BOARD; AND FOR OTHER PURPOSES.

**Senate Bill No. 779** was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

SENATE BILL NO. 780  
EIGHTY-SIXTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR HORN

A Bill for an Act to be Entitled: AN ACT TO PHASE OUT THE ARKANSAS UNIVERSAL SERVICE FUND; TO ESTABLISH THE ARKANSAS HIGH COST FUND; TO PROVIDE FOR THE ADMINISTRATIVE TRANSITION FROM THE ARKANSAS UNIVERSAL SERVICE FUND TO THE ARKANSAS HIGH COST FUND; AND FOR OTHER PURPOSES.

Senate Bill No. 780 was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE AND COMMERCE.

SENATE BILL NO. 781  
EIGHTY-SIXTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR WILKINS

A Bill for an Act to be Entitled: AN ACT TO PROVIDE CONSISTENCY IN THE STATUTORY LANGUAGE REGARDING PRIOR ALCOHOL-RELATED OFFENSES TO CONSIDER WHEN SUSPENDING OR REVOKING DRIVING PRIVILEGES; TO TREAT CONVICTIONS FOR ALCOHOL-RELATED OFFENSES IN OTHER STATES THAT ARE REPORTED UNDER THE RECIPROCAL SYSTEM AS IF THE OFFENSE HAD HAPPENED IN ARKANSAS; AND FOR OTHER PURPOSES.

Senate Bill No. 781 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

SENATE BILL NO. 782  
EIGHTY-SIXTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR BROADWAY

A Bill for an Act to be Entitled: AN ACT TO MAKE VARIOUS AMENDMENTS TO THE ARKANSAS PUBLIC SCHOOL ACADEMIC FACILITIES PROGRAM; AND FOR OTHER PURPOSES.

**Senate Bill No. 782** was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

SENATE BILL NO. 783  
EIGHTY-SIXTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR BISBEE  
BY: REPRESENTATIVE ANDERSON

A Bill for an Act to be Entitled: AN ACT TO REQUIRE THAT RESIDENTIAL BUILDING CONTRACTORS BE GIVEN NOTICE AND AN OPPORTUNITY TO REPAIR; AND FOR OTHER PURPOSES.

**Senate Bill No. 783** was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE AND COMMERCE.

SENATE BILL NO. 784  
EIGHTY-SIXTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATORS MALONE AND ALTES  
BY: REPRESENTATIVES OVERBEY, ABERNATHY, ET AL

A Bill for an Act to be Entitled: AN ACT TO AMEND THE MOTOR VEHICLE CONSUMER PROTECTION ACT REGARDING FEES CHARGED FOR HANDLING AND PROCESSING THE SALE OR LEASE OF A NEW OR USED MOTOR VEHICLE; AND FOR OTHER PURPOSES.

Senate Bill No. 784 was read the first time, rules suspended, read the second time and referred to the Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS.

The President declared the morning hour to have expired.

On motion of Senator Wilkins, *Senate Bill No. 227* was called up for third reading and final disposition.

*SENATE BILL NO. 227*

*As Engrossed: S2/20/07*

*EIGHTY-SIXTH GENERAL ASSEMBLY*

*REGULAR SESSION*

*BY: SENATOR WILKINS*

*BY: REPRESENTATIVES ROSENBAUM AND SHELBY*

A Bill for an Act to be Entitled: AN ACT TO IMPROVE THE SAFETY OF MOTORISTS ON HIGHWAYS AND ROADS IN THE STATE OF ARKANSAS BY MAKING THE MANDATORY SEAT BELT LAW A PRIMARY LAW FOR ENFORCEMENT PURPOSES; AND FOR OTHER PURPOSES.

Senator Taylor spoke against the Bill.

Senator Glover spoke for the Bill.

Senator Johnson spoke for the Bill.

Senator Steele spoke for the Bill.

Senator Hendren spoke for the Bill.

Senator Jimmy Jeffress spoke for the Bill.

Senate Bill No. 227 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, Brown, Capps, Critcher, Crumbly, Glover, Hendren, Horn, G. Jeffress, J. Jeffress, B. Johnson, Madison, Miller, Salmon, T. Smith, Steele, R. Thompson, Trusty, Wilkins, Wilkinson, Womack.

Total .....24

NEGATIVE: Broadway, Faris, Lavery, B. Pritchard, J. Taylor, Whitaker.

Total .....6

ABSENT OR NOT VOTING: Argue, Bryles, Hill, Luker, Malone.

Total .....5

VOTING PRESENT:

Total .....0

Total number of votes cast .....30

Necessary to the passage of the bill .....18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senator Wilkins moved that the vote by which Senate Bill No. 227 passed be reconsidered and that motion be laid upon the table, which motion prevailed and the motion to reconsider was laid on the table.

Senate Bill No. 227 was ordered immediately transmitted to the House as passed.

Senate Bill No. 182 returned from the House as requested.

Senator Altes moved that the record pertaining to the vote by which Senate Bill No. 182 passed be expunged, the motion was duly seconded and prevailed.

On motion of Senator Altes, Senate Bill No. 182 was ordered re-referred to the Committee on JUDICIARY.

On motion of Senator BOOKOUT, Senate Bill No. 275 was called up for third reading and final disposition.

SENATE BILL NO. 275  
EIGHTY-SIXTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR BOOKOUT

A Bill for an Act to be Entitled: AN ACT AMENDING THE DOCUMENTS AND INFORMATION REQUIRED TO BE FILED WITH THE BURIAL ASSOCIATION BOARD WHEN APPLYING FOR A CERTIFICATE OF AUTHORITY; AND FOR OTHER PURPOSES.

Senate Bill No. 275 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. 275 was ordered immediately transmitted to the House as passed.

On motion of Senator Taylor, Senate Bill No. 390 was called up for third reading and final disposition.

**SENATE BILL NO. 390**  
**EIGHTY-SIXTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**BY: SENATOR J. TAYLOR**

A Bill for an Act to be Entitled: AN ACT TO AMEND VARIOUS SECTIONS OF THE ARKANSAS CODE REGARDING THE POWERS AND DUTIES OF INSTITUTIONAL LAW ENFORCEMENT OFFICERS; AND FOR OTHER PURPOSES.

Senate Bill No. 390 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. 390** was ordered immediately transmitted to the House as passed.

On motion of Senator Smith, **Senate Bill No. 769** was withdrawn from the Committee on INSURANCE AND COMMERCE, and placed on the Calendar.

On motion of Senator Smith, and without objection, **Senate Bill No. 769** was recommended for study in the interim by Senate Interim Committee on INSURANCE AND COMMERCE.

On motion of Senator Womack, **House Bill No. 1423** was called up for third reading and final disposition.

**HOUSE BILL NO. 1423**  
*As Engrossed: S2/21/07*  
**EIGHTY-SIXTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**BY: REPRESENTATIVE KEY**

A Bill for an Act to be Entitled: AN ACT TO TRANSFER THE FAMILY SAVINGS INITIATIVE FROM THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO THE DEPARTMENT OF WORKFORCE SERVICES; AND FOR OTHER PURPOSES.

**House Bill No. 1423** 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. 1423** was ordered immediately returned to the House as passed as amended.

On motion of Senator Salmon, **House Bill No. 1437** was called up for third reading and final disposition.

**HOUSE BILL NO. 1437**  
*As Engrossed: H2/20/07*  
**EIGHTY-SIXTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**BY: REPRESENTATIVES SHELBY ET AL,**  
**BY: SENATOR SALMON**

A Bill for an Act to be Entitled: AN ACT TO IMPROVE THE PROCEDURES CONCERNING CORONER'S DEATH INVESTIGATIONS; AND FOR OTHER PURPOSES.

**House Bill No. 1437** 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. 1437** was ordered immediately returned to the House as passed.

On motion of Senator Altes, **House Bill No. 1503** was called up for third reading and final disposition.

**HOUSE BILL NO. 1503  
EIGHTY-SIXTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: REPRESENTATIVE KEY**

A Bill for an Act to be Entitled: AN ACT TO CLARIFY THE MEMBERSHIP OF THE INDIVIDUAL SEWAGE DISPOSAL SYSTEMS ADVISORY COMMITTEE; TO EMPOWER THE COMMITTEE TO ENFORCE RULES PERTAINING TO INDIVIDUAL SEWAGE DISPOSAL SYSTEMS; AND FOR OTHER PURPOSES.

**House Bill No. 1503** 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. 1503** was ordered immediately returned to the House as passed.

On motion of Senator Thompson, **House Bill No. 1206** was called up for third reading and final disposition.

**HOUSE BILL NO. 1206**  
*As Engrossed: S2/27/07*  
**EIGHTY-SIXTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**BY: REPRESENTATIVE DUNN**

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

**House Bill No. 1206** was 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

**House Bill No. 1206** was ordered immediately returned to the House as passed as amended.

On motion of Senator Bisbee, **House Bill No. 1413** was called up for third reading and final disposition.

**HOUSE BILL NO. 1413**  
*As Engrossed: S2/27/07*  
**EIGHTY-SIXTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**BY: REPRESENTATIVES HOYE, L. COWLING ET AL**  
**BY: SENATOR BISBEE**

A Bill for an Act to be Entitled: AN ACT TO CLARIFY THE STATUTE CONCERNING REGULATION OF UNSANITARY CONDITIONS BY COUNTIES; AND FOR OTHER PURPOSES.

**House Bill No. 1413** 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. 1413** was ordered immediately returned to the House as passed as amended.

On motion of Senator Bisbee **Senate Bill No. 79** was ordered immediately transmitted to the House.

On motion of Senator Madison, **House Bill No. 1524** was called up for third reading and final disposition.

**HOUSE BILL NO. 1524  
EIGHTY-SIXTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: REPRESENTATIVE EDWARDS**

A Bill for an Act to be Entitled: AN ACT TO PROVIDE ADDITIONAL FUNDING FOR COUNTY PUBLIC DEFENDERS; AND FOR OTHER PURPOSES.

**House Bill No. 1524** 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

**House Bill No. 1524** was ordered immediately returned to the House as passed.

On motion of Senator Taylor, **House Bill No. 1499** was called up for third reading and final disposition.

**HOUSE BILL NO. 1499  
EIGHTY-SIXTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: REPRESENTATIVE D. EVANS**

A Bill for an Act to be Entitled: AN ACT TO CHANGE THE MUNICIPAL POPULATION REQUIREMENT TO GIVE MORE CITIES THE AUTHORITY TO FILL VACANCIES IN CERTAIN ALDERMAN POSITIONS; AND FOR OTHER PURPOSES.

**House Bill No. 1499** 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. 1499** was ordered immediately returned to the House as passed.

On motion of Senator Steele, **House Bill No. 1443** was called up for third reading and final disposition.

**HOUSE BILL NO. 1443**

*As Engrossed: H2/14/07 S2/27/07*

**EIGHTY-SIXTH GENERAL ASSEMBLY**

**REGULAR SESSION**

**BY: REPRESENTATIVES ANDERSON, PETRUS, ET AL**

**BY: SENATORS STEELE, BISBEE, ARGUE, BAKER, BROADWAY, CRITCHER, FARIS, HORN, J. JEFFRESS, LUKER, B. PRITCHARD, T. SMITH, TRUSTY, WHITAKER & WOMACK**

A Bill for an Act to be Entitled: AN ACT TO PROVIDE INCOME TAX RELIEF FOR TAXPAYERS WITH INCOME BELOW THE FEDERAL POVERTY LEVEL; TO PROVIDE INCOME TAX RELIEF FOR OTHER LOW INCOME TAX RESIDENTS OF ARKANSAS; AND FOR OTHER PURPOSES.

**House Bill No. 1443** 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. 1443** was ordered immediately returned to the House as passed as amended.

On motion of Senator Womack, **Senate Bill No. 255** 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. 255**

Amend **Senate Bill No. 255** as originally introduced:

Page 2, line 6, delete "1" and substitute "2"

AND

Page 2, line 9, delete "4" and substitute "5"

AND

Page 2, line 10, delete "59" and substitute "61"

AND

Page 2, line 12, delete "27" and substitute "31"

AND

Page 2, line 13, delete "71" and substitute "78"

AND

Page 2, line 14, delete "220" and substitute "235"

AND

Page 2, line 24, delete "\$ 11,657,973 \$ 11,891,042" and substitute "\$ 12,868,384 \$ 13,125,683"

AND

Page 2, line 25, delete "3,284,741 3,331,936" and substitute  
 "3,860,515 3,937,705"

AND

Page 2, line 27, delete "\$ 14,947,514 \$ 15,227,778" and substitute  
 "\$ 16,733,699 \$ 17,068,188".

(SIGNED) SENATOR SHAWN A. WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

**Senate Bill No. 255** was ordered engrossed.

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

February 28, 2007

Mr. President:

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

**SENATE BILL NO. 379**, BY SENATOR MILLER, ET AL,

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

Respectfully submitted,

(SIGNED) HENRY "HANK" WILKINS, IV  
 CHAIRMAN

On motion of Senator Miller, **Senate Bill No. 379** was ordered re-referred to the Committee on INSURANCE AND COMMERCE.

SENATE BILL NO. 785  
EIGHTY-SIXTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATORS WOMACK AND ARGUE

A Bill for an Act to be Entitled: AN ACT TO MAKE INFLATION ADJUSTMENTS IN THE AMOUNTS FOR LEGISLATIVE EXPENSE REIMBURSEMENT, IN LIEU OF PER DIEM PAYMENTS, AND EXTRA COMPENSATION FOR CHAIRS AND COCHAIRS; AND FOR OTHER PURPOSES.

Senate Bill No. 785 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES AND GOVERNMENTAL AFFAIRS.

ARKANSAS SENATE  
EIGHTY-SIXTH GENERAL ASSEMBLY  
REGULAR SESSION

February 28, 2007

Mr. President:

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

SENATE BILL NO. 379, BY SENATOR MILLER,

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 PAUL G. MILLER  
CHAIRMAN  
SENATORS PAUL MILLER, TERRY SMITH,  
PAUL BOOKOUT, PERCY MALONE,  
BARBARA HORN, JACK CRITCHER &  
BOB JOHNSON

Senate Bill No. 5 was returned from the House as passed and ordered enrolled.

Senate Bill No. 247 was returned from the House as passed and ordered enrolled.

Senate Bill No. 272 was returned from the House as passed and ordered enrolled.

SENATE BILL NO. 786  
EIGHTY-SIXTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR G. JEFFRESS

A Bill for an Act to be Entitled: AN ACT TO REMOVE THE LICENSURE REQUIREMENT FOR FLIGHT INSTRUCTORS AND FLIGHT SCHOOLS LICENSED UNDER APPROPRIATE FEDERAL AVIATION AUTHORITY REGULATIONS; AND FOR OTHER PURPOSES.

Senate Bill No. 786 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

SENATE BILL NO. 787  
EIGHTY-SIXTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO INCREASE THE ANNUAL CAREER SERVICE RECOGNITION PAYMENTS FOR STATE EMPLOYEES; AND FOR OTHER PURPOSES.

Senate Bill No. 787 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 788  
EIGHTY-SIXTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO IMPLEMENT A MERIT INCREASE PAY SYSTEM BASED ON EMPLOYEE PERFORMANCE EVALUATION; AND FOR OTHER PURPOSES.

Senate Bill No. 788 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 789  
EIGHTY-SIXTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR G. JEFFRESS

A Bill for an Act to be Entitled: AN ACT TO AMEND THE SPECIAL LICENSE PLATE ACT OF 2005 TO DISTINGUISH PROFESSIONAL FIREFIGHTERS WITH A DISTINCTIVE SPECIAL LICENSE PLATE; AND FOR OTHER PURPOSES.

**Senate Bill No. 789** 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. 790  
EIGHTY-SIXTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR G. JEFFRESS

A Bill for an Act to be Entitled: AN ACT TO ENHANCE THE REGULATION BY THE OIL AND GAS COMMISSION OF OIL, GAS, AND BRINE PRODUCTION; AND FOR OTHER PURPOSES.

**Senate Bill No. 790** was read the first time, rules suspended, read the second time and referred to the Committee on AGRICULTURE, ECONOMIC & INDUSTRIAL DEVELOPMENT.

SENATE BILL NO. 791  
EIGHTY-SIXTH GENERAL ASSEMBLY  
REGULAR SESSION

BY: SENATORS MILLER, J. JEFFRESS, G. JEFFRESS, T. SMITH, LAVERTY,  
BRYLES & HILL

BY: REPRESENTATIVE SAUNDER

A Bill for an Act to be Entitled: AN ACT TO AMEND THE FUNDING  
FORMULA MODEL FOR TWO-YEAR COLLEGES; AND FOR OTHER PURPOSES.

**Senate Bill No. 791** was read the first time, rules suspended, read the second  
time and referred to the Committee on EDUCATION.

SENATE BILL NO. 792  
EIGHTY-SIXTH GENERAL ASSEMBLY  
REGULAR SESSION

BY: SENATOR HILL

A Bill for an Act to be Entitled: AN ACT TO AMEND THE SALES AND USE  
TAX LAW IN ORDER TO PROVIDE CONSISTENCY WITH THE STREAMLINED  
SALES AND USE TAX AGREEMENT; AND FOR OTHER PURPOSES.

**Senate Bill No. 792** was read the first time, rules suspended, read the second  
time and referred to the Committee on REVENUE & TAXATION.

HOUSE CONCURRENT RESOLUTION NO. 1010  
EIGHTY-SIXTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: REPRESENTATIVE OVERBEY  
BY: SENATORS LAVERTY AND WILKINSON

A Bill for an Act to be Entitled: COMMENDING THE CLARKSVILLE HIGH SCHOOL GIRLS GOLF TEAM ON WINNING THE 4AAAA STATE TITLE.

House Concurrent Resolution No. 1010 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE CONCURRENT RESOLUTION NO. 1015  
EIGHTY-SIXTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: REPRESENTATIVES COOK, BREEDLOVE, GLIDEWELL, ET AL

HOUSE CONCURRENT RESOLUTION AFFIRMING THE COMMITMENT OF THE STATE OF ARKANSAS TO RECYCLING AS THE PRIMARY METHOD FOR WASTE MANAGEMENT, RESOURCE RECOVERY, AND PROTECTION OF THE ENVIRONMENT.

House Concurrent Resolution No. 1015 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1487  
EIGHTY-SIXTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: REPRESENTATIVES BLOUNT, E. BROWN, CASH, ET AL  
BY: SENATOR BROWN

A Bill for an Act to be Entitled: AN ACT TO INCREASE THE EARLY LITERACY SKILLS OF ARKANSAS CHILDREN BY CREATING A LITERACY SKILLS COMPONENT TO THE ARKANSAS ACADEMIC CHALLENGE SCHOLARSHIP PROGRAM; AND FOR OTHER PURPOSES.

House Bill No. 1487 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

HOUSE BILL NO. 1535  
EIGHTY-SIXTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: REPRESENTATIVE BOND

A Bill for an Act to be Entitled: AN ACT TO REORGANIZE THE PUBLIC ELEMENTARY AND SECONDARY SCHOOL INSURANCE FUND AND THE SCHOOL VEHICLE INSURANCE RESERVE TRUST FUND INTO ONE (1) FUND; TO PROVIDE GREATER FINANCIAL STABILITY AND FLEXIBILITY TO THE FUNDS; AND FOR OTHER PURPOSES.

House Bill No. 1535 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

HOUSE BILL NO. 1577  
EIGHTY-SIXTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: REPRESENTATIVE HAWKINS

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS LAW TO RECONCILE THE PROVISIONS REGARDING INFORMATION REQUIRED TO OBTAIN A DRIVER'S LICENSE; AND FOR OTHER PURPOSES.

House Bill No. 1577 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. 1579  
EIGHTY-SIXTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: REPRESENTATIVE WILLS

A Bill for an Act to be Entitled: AN ACT CONCERNING SPEED LIMITS AND TRAFFIC-CONTROL DEVICES ON COUNTY ROADS; AND FOR OTHER PURPOSES.

House Bill No. 1579 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. 1580  
EIGHTY-SIXTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: REPRESENTATIVE ROSENBAUM  
BY: SENATOR WILKINS

A Bill for an Act to be Entitled: AN ACT TO AUTHORIZE HOLDERS OF DISABLED VETERAN SPECIAL LICENSE PLATES TO PARK IN AREAS DESIGNATED ONLY FOR PERSONS WITH DISABILITIES; AND FOR OTHER PURPOSES.

House Bill No. 1580 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. 1622  
EIGHTY-SIXTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: REPRESENTATIVE OVERBEY

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE § 26-52-506 TO CLARIFY THAT ALL TAXABLE SERVICES MAY BE PURCHASED TAX FREE AS A SALE FOR RESALE; AND FOR OTHER PURPOSES.

House Bill No. 1622 was read the first time, rules suspended, read the second time and referred to the Committee on REVENUE & TAXATION.

HOUSE BILL NO. 1660  
EIGHTY-SIXTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: REPRESENTATIVE HYDE

A Bill for an Act to be Entitled: AN ACT TO PROVIDE FOR AN ADMINISTRATIVE SUSPENSION OF DRIVER'S LICENSE FOR THE OFFENSE OF POSSESSION OF FRAUDULENT OR ALTERED PERSONAL IDENTIFICATION UNDER CERTAIN CIRCUMSTANCES; AND FOR OTHER PURPOSES.

House Bill No. 1660 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

HOUSE BILL NO. 1699  
EIGHTY-SIXTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: REPRESENTATIVE ADCOCK  
BY: SENATOR CRUMBLY

A Bill for an Act to be Entitled: AN ACT TO AMEND THE MINIMUM WAGE AND OVERTIME LAW TO PARALLEL CERTAIN PROVISIONS OF FEDERAL MINIMUM WAGE AND OVERTIME LAW; AND FOR OTHER PURPOSES.

House Bill No. 1699 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

HOUSE BILL NO. 1759  
EIGHTY-SIXTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: REPRESENTATIVE WYATT

A Bill for an Act to be Entitled: AN ACT TO EXEMPT A STATE-SUPPORTED INSTITUTION OF HIGHER EDUCATION FROM THE SHIELDED OUTDOOR LIGHTING ACT; AND FOR OTHER PURPOSES.

House Bill No. 1759 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

HOUSE BILL NO. 1810  
EIGHTY-SIXTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: REPRESENTATIVE LOWERY  
BY: SENATOR G. JEFFRESS

A Bill for an Act to be Entitled: AN ACT TO AMEND THE SALES AND USE TAX LAW PERTAINING TO THE TAXABILITY OF THE LEASE OR RENTAL OF PORTABLE TOILETS AND ASSOCIATED SERVICES; AND FOR OTHER PURPOSES.

House Bill No. 1810 was read the first time, rules suspended, read the second time and referred to the Committee on REVENUE & TAXATION.

HOUSE BILL NO. 1410  
EIGHTY-SIXTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: REPRESENTATIVE PACE

A Bill for an Act to be Entitled: AN ACT TO REQUIRE STATE AGENCIES TO ADOPT A POLICY PROHIBITING THE INTEGRATION OF HARDWARE, SOFTWARE, OR PERIPHERALS WITHOUT THE AUTHORIZATION OF THE STATE AGENCY; AND FOR OTHER PURPOSES.

House Bill No. 1410 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. 1493  
EIGHTY-SIXTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: REPRESENTATIVE MALOCH  
BY: SENATOR LUKER

A Bill for an Act to be Entitled: AN ACT TO ADOPT REVISED ARTICLE 7 OF THE UNIFORM COMMERCIAL CODE CONCERNING DOCUMENTS OF TITLE; TO MAKE CONFORMING CHANGES TO EXISTING LAW; AND FOR OTHER PURPOSES.

House Bill No. 1493 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

HOUSE BILL NO. 1566  
EIGHTY-SIXTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: REPRESENTATIVE KEY

A Bill for an Act to be Entitled: AN ACT TO INCORPORATE REQUIREMENTS OF THE FEDERAL ENERGY POLICY ACT OF 2005 REGARDING UNDERGROUND STORAGE TANKS INTO THE ARKANSAS CODE; AND FOR OTHER PURPOSES.

House Bill No. 1566 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1567  
EIGHTY-SIXTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: REPRESENTATIVE S. PRATER

A Bill for an Act to be Entitled: AN ACT TO PROVIDE ENHANCED PENALTIES FOR PERSONS SELLING A CONTROLLED SUBSTANCE AT OR NEAR SCHOOL BUS STOPS; AND FOR OTHER PURPOSES.

House Bill No. 1567 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

HOUSE BILL NO. 1569  
EIGHTY-SIXTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: REPRESENTATIVES WALTERS, BREEDLOVE, D. CREEKMORE, ET AL  
BY: SENATORS WILKINSON, ALTES & TRUSTY

A Bill for an Act to be Entitled: AN ACT TO ENHANCE THE PENALTIES FOR OBSCENITY OFFENSES UNDER CERTAIN CIRCUMSTANCES; AND FOR OTHER PURPOSES.

House Bill No. 1569 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

HOUSE BILL NO. 1715  
EIGHTY-SIXTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: REPRESENTATIVE PATE

A Bill for an Act to be Entitled: AN ACT TO INCREASE THE FILING FEE IN CERTAIN ACTIONS FILED IN THE SUPREME COURT OR THE COURT OF APPEALS; AND FOR OTHER PURPOSES.

House Bill No. 1715 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 28, 2007

Mr. President:

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

**SENATE BILL NO. 255**, BY JOINT BUDGET,

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. 255** was ordered re-referred to the Committee on JOINT BUDGET.

ARKANSAS SENATE  
EIGHTY-SIXTH GENERAL ASSEMBLY  
REGULAR SESSION

February 28, 2007

Mr. President:

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

SENATE BILL NO. 357, BY SENATOR HORN,

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 28, 2007

Mr. President:

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

HOUSE BILL NO. 1379, BY REPRESENTATIVE PETRUS, 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 28, 2007

Mr. President:

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

HOUSE BILL NO. 1387, BY REPRESENTATIVE HYDE, et al,  
HOUSE BILL NO. 1455, BY REPRESENTATIVE BOND, et al,

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 Salmon, House Bill No. 1387 was ordered re-referred to the Committee on INSURANCE & COMMERCE.

On motion of Senator Bookout, House Bill No. 1455 was ordered re-referred to the Committee on INSURANCE & COMMERCE.

ARKANSAS SENATE  
EIGHTY-SIXTH GENERAL ASSEMBLY  
REGULAR SESSION

February 28, 2007

Mr. President:

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

HOUSE BILL NO. 1632, BY REPRESENTATIVE KENNEY, et al,  
HOUSE BILL NO. 1633, BY REPRESENTATIVE KENNEY, et al,

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 Broadway, House Bill No. 1632 was ordered re-referred to the Committee on EDUCATION.

On motion of Senator Broadway, House Bill No. 1633 was ordered re-referred to the Committee on EDUCATION.

Senate Bill No. 202 was returned from the House as passed as amended.

On motion of Senator Faris, Senate Bill No. 202 was ordered re-referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

Senate Bill No. 224 was returned from the House as passed as amended.

On motion of Senator Faris, Senate Bill No. 224 was ordered re-referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

Senate Bill No. 230 was returned from the House as passed as amended.

On motion of Senator Faris, Senate Bill No. 230 was ordered re-referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

ARKANSAS SENATE  
EIGHTY-SIXTH GENERAL ASSEMBLY  
REGULAR SESSION

February 28, 2007

Mr. President:

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

SENATE BILL NO. 57, BY SENATOR FARIS,  
SENATE BILL NO. 90, BY SENATOR FARIS,  
SENATE BILL NO. 171, BY SENATORS BAKER, BROADWAY,

beg leave to report that we have carefully compared the enrolled copies with the original and we find the same correctly enrolled and have at 3:15 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. 57  
SENATE BILL NO. 90  
SENATE BILL NO. 171

RECEIVED the above papers from the Secretary of the Senate this 28th day of February, 2005 at 3:15 p.m..

(SIGNED) MIKE BEEBE  
Governor

(SIGNED) Marc Harrison  
Secretary

SENATE BILL NO. 793  
EIGHTY-SIXTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR TRUSTY

A Bill for an Act to be Entitled: AN ACT TO ALLOW A REFUND FOR NONDYED DIESEL PURCHASES OF FUEL FOR THE OFF-ROAD PURPOSE OF REFRIGERATION OF TRANSPORTED GOODS; AND OTHER PURPOSES.

**Senate Bill No. 793** was read the first time, rules suspended, read the second time and referred to the Committee on REVENUE & TAXATION.

SENATE BILL NO. 794  
EIGHTY-SIXTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR J. JEFFRESS  
BY: REPRESENTATIVE SAUNDERS

A Bill for an Act to be Entitled: AN ACT CONCERNING CRUELTY TO ANIMALS AND RELATED OFFENSES; CONCERNING ANIMAL MANAGEMENT PRACTICES; AND FOR OTHER PURPOSES.

**Senate Bill No. 794** was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

SENATE BILL NO. 795  
EIGHTY-SIXTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATORS WILKINS, CRITCHER & LAVERTY

A Bill for an Act to be Entitled: AN ACT TO LEVY AN EXCISE TAX ON LIQUOR, BEER, AND WINE SOLD IN ARKANSAS; TO PROVIDE AN ARKANSAS SUBSTANCE ABUSE PROGRAMS TRUST FUND; AND FOR OTHER PURPOSES.

Senate Bill No. 795 was read the first time, rules suspended, read the second time and referred to the Committee on REVENUE & TAXATION.

SENATE BILL NO. 796  
EIGHTY-SIXTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR LUKER  
BY: REPRESENTATIVE BOND

A Bill for an Act to be Entitled: AN ACT CONCERNING COMMUNITY CORRECTION TRANSFER ELIGIBILITY FOR OFFENDERS TRANSFERRED BACK TO THE DEPARTMENT OF CORRECTION FOR ADMINISTRATIVE REASONS; AND FOR OTHER PURPOSES.

Senate Bill No. 796 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

SENATE BILL NO. 797  
EIGHTY-SIXTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR BROADWAY

A Bill for an Act to be Entitled: AN ACT TO CREATE AN INCOME TAX CREDIT FOR CONTRACTORS FOR CERTAIN EXPENDITURES INCURRED IN CONSTRUCTION OF ENERGY-EFFICIENT RESIDENTIAL PROPERTY; AND FOR OTHER PURPOSES.

**Senate Bill No. 797** was read the first time, rules suspended, read the second time and referred to the Committee on REVENUE & TAXATION.

SENATE BILL NO. 798  
EIGHTY-SIXTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR HORN

A Bill for an Act to be Entitled: AN ACT TO CREATE THE REVISED UNIFORM ANATOMICAL GIFT ACT TO PROVIDE A UNIFORM PROGRAM FOR POST-MORTEM DONATIONS OF ALL OR PART OF A HUMAN BODY; AND FOR OTHER PURPOSES.

**Senate Bill No. 798** was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

\* \* \* \* \*

SENATE BILLS TRANSMITTED TO THE HOUSE  
AS PASSED

SENATE BILL NO. 79  
SENATE BILL NO. 227  
SENATE BILL NO. 275  
SENATE BILL NO. 390

SENATE CONCURRENT MEMORIAL RESOLUTION TRANSMITTED  
TO THE HOUSE AS ADOPTED

SENATE CONCURRENT MEMORIAL RESOLUTION 3

HOUSE BILLS RETURNED TO THE HOUSE  
AS PASSED

HOUSE BILL NO. 1437  
HOUSE BILL NO. 1499  
HOUSE BILL NO. 1503  
HOUSE BILL NO. 1524

HOUSE BILLS RETURNED TO THE HOUSE  
AS PASSED AS AMENDED

HOUSE BILL NO. 1206 AS AMENDED NO. 1  
HOUSE BILL NO. 1413 AS AMENDED NO. 1  
HOUSE BILL NO. 1423 AS AMENDED NO. 1  
HOUSE BILL NO. 1443 AS AMENDED NO. 1

SENATE BILLS RETURNED FROM THE HOUSE

AS PASSED

SENATE BILL NO. 5

SENATE BILL NO. 247

SENATE BILL NO. 272

SENATE BILLS RETURNED FROM THE HOUSE

AS PASSED AS AMENDED

SENATE BILL NO. 202 AS AMENDED NO. 1

SENATE BILL NO. 224 AS AMENDED NO. 1

SENATE BILL NO. 230 AS AMENDED NO. 3

SENATE BILLS RETURNED FROM THE HOUSE AS REQUESTED

SENATE BILL NO. 182 AS REQUESTED

HOUSE BILLS TRANSMITTED TO THE SENATE

AS PASSED

HOUSE BILL NO. 1410

HOUSE BILL NO. 1487

HOUSE BILL NO. 1493

HOUSE BILL NO. 1535

HOUSE BILL NO. 1566

HOUSE BILL NO. 1567

HOUSE BILL NO. 1577

HOUSE BILL NO. 1569

HOUSE BILL NO. 1579

HOUSE BILL NO. 1580

HOUSE BILL NO. 1622

HOUSE BILL NO. 1660

HOUSE BILL NO. 1699

HOUSE BILL NO. 1715

HOUSE BILL NO. 1759

HOUSE BILL NO. 1810

HOUSE CONCURRENT RESOLUTION TRANSMITTED  
TO THE SENATE AS ADOPTED

HOUSE CONCURRENT RESOLUTION 1010  
HOUSE CONCURRENT RESOLUTION 1015

On motion of Senator Whitaker, the Senate adjourned until 11:00 a.m.,  
Thursday, March 1, 2007.

---

PRESIDENT OF THE SENATE

---

SECRETARY OF THE SENATE