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

Little Rock, Arkansas

March 23, 2007

The Senate was called to order at 10:00 o'clock a.m. by the President.

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

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

The Senate was led in prayer by Senator Steele.

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

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

On motion of Senator Baker, **Senate Bill No. 983** was withdrawn from the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS, and placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 983

Amend **Senate Bill No. 983** as originally introduced:

Delete SECTION 1 in its entirety and substitute the following:

"SECTION 1. Arkansas Code § 13-8-207 is amended to read as follows:
13-8-207. Funds set aside.

(a) For each new state building for which total projected cost to construct and equip the building is greater than ~~two million dollars (\$2,000,000)~~ five million dollars (\$5,000,000), one-half percent (1/2%) or less of the total projected cost ~~may~~ shall be set aside and designated within the method of finance for the purchase or commission of art through the Arkansas Public Art Program.

(b) One-half percent (1/2%) or less of the total projected cost of any major capital improvement on a state building ~~may~~ shall be set aside and designated within the method of finance for the purchase or commission of art through the program, if the total projected cost of the capital improvement is greater than ~~two million dollars (\$2,000,000)~~ five million dollars (\$5,000,000)."

(SIGNED) SENATOR BAKER

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 983 was ordered engrossed.

On motion of Senator Smith, **Senate Bill No. 156** was withdrawn from the Committee on JOINT RETIREMENT AND SOCIAL SECURITY and placed back on second reading for purpose of Amendment No. 5.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 4 to SENATE BILL NO. 156

Amend **Senate Bill No. 156** as engrossed, S3/20/07:

Page 1, delete line 27 and substitute the following:
 “funds the previous June 30 and any current reserve funds.”

AND

Delete SECTION 2 of the bill in its entirety and substitute the following:

“SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that that this act modifies the payment of supplement funds to certain pension funds to provide equitable benefits to the members of those funds; that these funds will be distributed to local police and fire pension and relief funds to be paid to their retired members and beneficiaries; that the payment of these funds will be beneficial to those persons; and that the payments should occur as soon as possible to effectuate the intent of this act. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

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

(SIGNED) SENATOR 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. 156 was ordered engrossed.

On motion of Senator Faris, **Senate Bill No. 387** 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. 387

Amend **Senate Bill No. 387** as originally introduced:

Page 2, line 3, delete "\$ 500,000 \$ 500,000" and substitute "\$ 100,000 \$ 100,000"

AND

Page 2, line 18, delete ""\$ 750,000 \$ 750,000" and substitute "\$ 100,000 \$ 100,000".

(SIGNED) SENATOR FARIS

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 287 was ordered engrossed.

On motion of Senator J. Jeffress, **Senate Bill No. 158** 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. 158

Amend **Senate Bill No. 158** as originally introduced:

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Page 1, delete lines 9 through 14 and substitute the following:
 “AN ACT ESTABLISHING MINIMUM ASSET MANAGEMENT STANDARDS FOR LOCAL PENSION AND RELIEF FUNDS; AND FOR OTHER PURPOSES.”

AND

Page 1, delete lines 17 through 22 and substitute the following:
 “AN ACT ESTABLISHING MINIMUM ASSET MANAGEMENT STANDARDS FOR LOCAL PENSION AND RELIEF FUNDS.”

AND

Delete everything following the enacting clause and substitute the following:

“SECTION 1. Arkansas Code Title 24, Chapter 11, Subchapter 2 is amended to add an additional section to read as follows:

§ 24-11-216 Minimum asset management standards.

(a) A local pension and relief shall meet the minimum asset management standards established under this section.

(b)(1) A local pension and relief fund shall be deemed to have met the minimum asset management standards if:

(A) The fund has a legally constituted board under § 24-11-405 and § 24-11-801;

(B) The board of the fund meets at least twice annually;

(C) The fund is actuarially sound as defined by the Arkansas Fire and Police Pension Review Board;

(D)(i) The rate of return earned by the pension and relief fund over the most recent three (3) year period is at least equal to the rate of return for one (1) year Treasury notes over the most recent three (3) year period.

(ii) A higher standard for rate of return may be set by rule of the Arkansas Fire and Police Pension Review Board; and

(E) The fund has been in compliance under § 24-11-202 in two (2) of the past three (3) years.

(2) A local pension and relief fund shall meet the requirements of this section on or before December 31, 2008 and each year thereafter.

(c) If the Arkansas Fire and Police Pension Review Board determines that a local pension and relief fund does not meet the minimum asset management standard under subsection (b) of this section, the board shall:

(1) Notify the local pension and relief fund and the sponsoring municipality of the local pension and relief fund of that fact and advise the fund of the steps necessary to comply with the standards; and

(2) Require the fund to:

(A) Establish a written investment policy which incorporates the rate of return established under subdivision (b)(4) of this section and other requirements in accordance with rules promulgated by the board; and

(B) Obtain professional investment management in accordance with rules promulgated by the board.

(d) If the local pension and relief fund or its sponsoring municipality does not comply with subsection (c) of this section within six (6) months of the notification by the board, then the fund shall develop a written plan of action in conjunction with the board in accordance with rules promulgated by the board.

(e) The board shall promulgate rules necessary to implement the provisions of this section."

(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. 158 was ordered engrossed.

On motion of Senator Bryles, Senate Bill No. 274 was withdrawn from the Committee on EDUCATION and placed back on second reading for purpose of Amendment No. 2.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 3 to SENATE BILL NO. 274

Amend Senate Bill No. 274 as engrossed, S3/19/07:

Page 2, delete line 34 and substitute the following:
"~~criteria-referenced and norm-referenced testing~~ augmented, criterion-referenced, or norm-referenced assessment information;"

AND

Page 3, delete line 5, and substitute the following:

"~~crit~~erion-referenced exam which augmented, criterion-referenced, or norm-referenced assessments that conforms with the requirements of"

AND

Page 3, delete lines 29 and 30 and substitute the following:

"demonstrate proficiency on all portions of state-mandated ~~crit~~erion-referenced assessment augmented, criterion-referenced, or norm-referenced assessments. The comprehensive school improvement plan"

AND

Page 3, delete lines 35 and 36 and substitute the following:

"(g)(1) ~~By July 1, 2006, the~~ The department shall develop and implement a ~~crit~~erion-referenced testing an augmented, criterion-referenced, or norm-referenced assessment program which that is valid, reliable,"

AND

Page 4, delete lines 33 and 34 and substitute the following:

"areas in which the student is not proficient on state-mandated augmented, criterion-referenced, or norm-referenced assessments, the individualized education program shall"

AND

Page 5, delete line 2 and substitute the following:

"mandated ~~crit~~erion-referenced examinations augmented, criterion-referenced, or norm-referenced assessments and other"

AND

Page 5, delete line 16 and substitute the following:

"mandated ~~crit~~erion-referenced examinations augmented, criterion-referenced, or norm-referenced assessments;"

AND

Page 5, delete lines 17 through 31 and substitute the following:

"(7) "Arkansas Comprehensive Assessment Program" means the testing component of the Arkansas Comprehensive Testing, Assessment, and Accountability Program, which shall consist of:

(A) Developmentally appropriate augmented, criterion-referenced, or norm-referenced assessments for in kindergarten through grade ~~two (K-2) twelve (K-12)~~, as determined by the state board;

~~(B) National norm-referenced tests in grades three through nine (3-9);~~

~~(C)(B) Any other assessments as required by the state board;~~

~~(D) Criterion-referenced tests for grades three through eight (3-8);~~

~~(E)~~(C) Other assessments that are based on researched best practices as determined by qualified experts which would be in compliance with federal and state law; and

~~(F)~~(D) End-of-course examinations for designated grades and content areas;"

AND

Page 7, delete lines 22 and 23 and substitute the following:
"academic achievement on the state-mandated ~~criterion-referenced and norm-referenced tests~~ augmented, criterion-referenced, or norm-referenced assessments as required by the state board in the"

AND

Page 8, delete lines 1 and 2 and substitute the following:
"below-basic or basic performance on the state-mandated augmented, criterion-referenced, or norm-referenced assessments."

AND

Page 8, delete line 7, and substitute the following:
"the state-mandated ~~criterion-referenced examinations~~ augmented, criterion-referenced, or norm-referenced assessments as"

AND

Page 8, delete line 34 and substitute the following:
" ~~criterion-referenced tests,~~ augmented, criterion-referenced, or norm-referenced assessments, as defined in this"

AND

Page 9, delete line 13 and substitute the following:
"mandated ~~criterion-referenced tests~~ augmented, criterion-referenced, or norm-referenced assessments."

AND

Page 9, delete line 19 and substitute the following:
"mandated ~~criterion-referenced tests,~~ augmented, criterion-referenced, or norm-referenced assessments, developmentally"

AND

Page 9, delete lines 30 and 31 and substitute the following:
"of academic achievement on the state-mandated ~~criterion-referenced tests~~ augmented, criterion-referenced, or norm-referenced assessments as required in the Arkansas Comprehensive Testing,"

AND

Page 10, delete line 5 and substitute the following:

~~"criterion-referenced tests~~ augmented, criterion-referenced, or norm-referenced assessments."

AND

Page 10, delete lines 13 through 16 and substitute the following:

~~"(ii)(a) Norm-referenced tests using nationally normed metrics in grades three through nine (3-9), and criterion-referenced tests, as defined in § 6-15-404(g)(1), known as the benchmark exams, in grades three through eight (3-8)~~ Developmentally appropriate augmented, criterion-referenced, or norm-referenced assessments in kindergarten through grade twelve (K-12), as determined by the state board; or"

AND

Page 10, delete line 21 and substitute the following:

~~"shall consist of norm-referenced and criterion-referenced testing~~ augmented, criterion-referenced, or norm-referenced"

AND

Page 11, delete line 20 and substitute the following:

~~"(iii) Criterion-referenced test~~ Augmented, criterion-referenced, or norm-referenced"

AND

Page 11, delete lines 33 and 34 and substitute the following:

~~"which the student is not proficient on state-mandated criterion-referenced~~ augmented, criterion-referenced, or norm-referenced assessments, the individualized education program meets the"

AND

Page 12, delete lines 12 and 13 and substitute the following:

~~"longitudinally and using value-added calculations on the criterion-referenced test~~ augmented, criterion-referenced, or norm-referenced assessments as defined in § 6-15-404(g)(1), in the latest"

AND

Page 12, line 16, delete "criterion-referenced test" and substitute "~~criterion-referenced test~~ augmented, criterion-referenced, or norm-referenced assessments"

AND

Page 12, delete lines 19 and 20 substitute the following:

~~"(B) If the criterion-referenced test is~~ augmented, criterion-referenced, or norm-referenced assessments are not in compliance with § 6-15-404(g)(1), then the department shall rely on"

AND

Page 12, delete line 27 and substitute the following:
"improvement gains on ~~critierion-referenced tests~~ augmented, criterion-referenced, or norm-referenced assessments, as"

AND

Page 13, delete line 6 and substitute the following:
"annual academic gain scores on ~~critierion-referenced tests~~ augmented, criterion-referenced, or norm-referenced"

AND

Page 13, delete lines 22 and 23 and substitute the following:
"the following category levels, based on the ~~critierion-referenced benchmark exams~~ augmented, criterion-referenced, or norm-referenced assessments, as defined in § 6-15-404(g)(1), and defined according to"

AND

Page 15, line 27, delete "(2)(A)(~~ii~~)" and substitute "(2)(A)(i)"

AND

Page 15, line 33, delete "~~(ii)~~(B)" and substitute "(ii)"

AND

Page 15, delete line 36 and substitute the following:
"(B)(i) No less than semiannually, the department shall provide a report to the House Interim Committee on Education and the Senate Interim Committee on Education setting forth the districts requesting assistance, the state of each request, and the dates and actions taken.
(ii) The department shall further report the results of the actions taken or assistance provided."

AND

Page 16, delete lines 1 through 5

AND

Page 17, immediately following SECTION 20, add a new SECTION to read as follows:
"SECTION 21. Arkansas Code § 6-15-2503(a), concerning the inclusion of schools within a designated education renewal zone, is amended to read as follows:
(a)(1) The Division of Education Renewal Zones, the State Board of Education, and the local school districts shall exercise due diligence to assure, to the extent that funds are available, that each school classified as a school in school improvement under the federal No Child Left Behind Act of 2001, 20 U.S.C. § 6301 et seq., as in existence on December 1, 2003, is included in a designated education renewal zone.

(2) The state board may promulgate rules establishing criteria for the placement of schools in school improvement in a designated education renewal zone if insufficient funds exist to place all schools in school improvement in a designated education renewal zone.

AND

Appropriately renumber the remaining sections of the bill

AND

Page 17, line 24, delete "Arkansas Code § 6-17-309(a)" and substitute "Arkansas Code § 6-17-309(a)(1)"

AND

Page 17, delete lines 30 through 36

AND

Page 18, delete lines 1 through 19

AND

Page 20, delete lines 9 through 12 and substitute the following:

"(33) Forgery as prohibited by § 5-37-201; and
(34) Any felony not listed in this subsection (c) and involving physical or sexual injury, mistreatment, or abuse against another."

AND

Page 25, line 34, delete "re-employment" and substitute "noncontinuous reemployment"

AND

Page 28, delete lines 16 through 19 and substitute the following:

"(33) Forgery as prohibited by § 5-37-201; and
(34) Any felony not listed in this subsection (c) and involving physical or sexual injury, mistreatment, or abuse against another."

AND

Page 30, delete line 34 and substitute the following:

"have only one (1) criminal background check to"

AND

Page 31, delete lines 20 and 21 and substitute the following:

"(F) Interpretation of ~~critierion-referenced and norm-referenced testing~~ augmented, criterion-referenced, or norm-referenced assessments and dissemination of results to the school, students,"

AND

Delete SECTIONS 32 and 33 in their entirety

AND

Appropriately renumber the remaining sections of the bill

AND

Delete SECTION 48 in its entirety

AND

Appropriately renumber the remaining sections of the bill

(SIGNED) SENATOR BRYLES

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 274 was ordered engrossed.

On motion of Senator Hendren, [Senate Bill No. 552](#) 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. 552](#)

Amend [Senate Bill No. 552](#) as originally introduced:

Section 1, add another subsection:

" (B) For the costs of a feasibility study of methods of processing waste tires to produce marketable products, the sum of\$250,000".

(SIGNED) SENATOR HENDREN

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

(SIGNED) ANN CORNWELL, SECRETARY

[Senate Bill No. 552](#) was ordered engrossed.

On motion of Senator Pritchard, [Senate Bill No. 862](#) was withdrawn from the Committee on CITY, COUNTY & LOCAL AFFAIRS and placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
[Amendment No. 1 to SENATE BILL NO. 862](#)

Amend [Senate Bill No. 862](#) as originally introduced:

Page 1, delete lines 9 through 14, and substitute the following:
"AN ACT TO CREATE THE ARKANSAS TAXPAYER'S PROTECTION ACT; TO REQUIRE AN ELECTION BY MUNICIPAL ELECTORS PRIOR TO A MUNICIPALITY ENACTING A REAL PROPERTY TRANSFER TAX OR A DEVELOPMENT IMPACT FEE; AND FOR OTHER PURPOSES."

AND

Page 1, delete lines 17 through 22, and substitute the following:
"TO CREATE THE ARKANSAS TAXPAYER'S PROTECTION ACT AND TO REQUIRE AN ELECTION BY MUNICIPAL ELECTORS PRIOR TO A MUNICIPALITY ENACTING A REAL PROPERTY TRANSFER TAX OR A DEVELOPMENT IMPACT FEE."

AND

Page 1, delete lines 27 through 30, and substitute the following:
"SECTION 1. Arkansas Code § 14-56-103, concerning the levying of a development impact fee, is amended to add a new subsection to read as follows:
(j)(1) Beginning September 1, 2007, before a municipality or municipal service agency levies a development impact fee under this section, the municipality shall submit the issue to the qualified electors of the municipality for approval.
(2) The requirement in subdivision (j)(1) of this subsection does not invalidate any development impact fee adopted by a municipality or municipal service agency before September 1, 2007."

SECTION 2. Arkansas Code Title 26 is amended to add an additional chapter to read as follows:

26-82-101. Title.

This chapter shall be known and may be cited as the "Arkansas Taxpayer's Protection Act".

26-82-102. As used in this chapter:

(1) "Consideration" means the amount of full actual consideration paid or to be paid for the property conveyed, including the amount of any purchase-money encumbrance executed by the purchaser;

(2) "Local real property transfer tax" means a tax levied on real property within the boundaries of the political subdivision that levies such a tax when the real property is sold, granted, assigned, transferred, or otherwise conveyed to, or vested in the purchaser, or any other person by the purchaser's direction.

(3) "Municipality" means:

- (A) A city of the first class;
- (B) A city of the second class; or
- (C) An incorporated town;

(4) "Municipal service agency" means:

(A) Any department, commission, utility, or agency of a municipality, including any municipally owned or controlled corporation;

(B) Any municipal improvement district, consolidated public or municipal utility system improvement district, or municipally owned nonprofit corporation that owns or operates any utility service;

(C) Any municipal water department, waterworks or joint waterworks, or a consolidated waterworks system operating under the Consolidated Waterworks Authorization Act, § 25-20-301 et seq.;

(D) Any municipal wastewater utility or department;

(E) Any municipal public facilities board; or

(F) Any municipal entity described in this subdivision (4) operating with another similar entity under an interlocal agreement in accordance with § 25-20-101 et seq. or § 25-20-201 et seq.; and

(5) "Public facility" means a publicly owned facility that is one (1) or more of the following systems or a portion of those systems:

(A) Water supply, treatment, and distribution for either domestic water or for suppression of fires;

(B) Wastewater treatment and sanitary sewerage;

(C) A storm water drainage;

(D) A road, street, sidewalk, highway, or public transportation;

(E) Library;

(F) A park, open space, or recreation area;

(G) Police or public safety;

(H) Fire protection; or

(I) Ambulance or emergency medical transportation and response.

26-82-103. Call for an election.

(a) A local governing body of any municipality may call an election for the levy of a local real property transfer tax on real property transferred within the municipality to be dedicated to the purchase, construction, improvement, or maintenance of public facilities;

(b)(1) Upon the approval of the qualified electors of the municipality, a local governing body of any municipality may implement either a local real property transfer tax; or

(2) A local governing body of any municipality may enact an ordinance for the levy of a development impact fee under § 14-56-103 to offset the cost to the municipality or to a municipal service agency that is reasonably attributable to providing a necessary public facility to the new development.

(c) Nothing shall prevent a municipality to combine money collected through a local real property transfer tax or development impact fee with a separate capital improvement fund for the purpose of pooling investments or capacity capital improvement expenditures as long as the funds are accounted for separately.

(d) A local governing body of any municipality may only impose either a local real property transfer tax or a development impact fee for the same capacity improvement.

(e) Nothing within this subsection shall prohibit a municipality from enacting or continuing an impact fee for certain types of capital capacity improvements and also imposing a local real property transfer tax for different types of capital capacity improvements.

26-82-104. Local real property transfer tax.

(a) The proceeds of a local real property transfer tax levied under this chapter shall be used only for the public facility designated in the ordinance calling the election under § 26-82-103.

(b) The election shall be held within one hundred twenty (120) days of the ordinance calling the election, but not before sixty (60) days of the ordinance calling the election.

(c) The local governing body of any municipality shall notify its board of election commissioners that the measure has been referred to the vote of the qualified electors of the municipality and shall submit a copy of the ballot title to its board of election commissioners.

(d) The ballot title to be used shall be substantially in the following form:

“ FOR adoption of the local real property transfer tax of (amount of tax) for each one thousand dollars (\$1,000) or fractional part, within.....(Name of municipality).”

“ AGAINST adoption of the local real property transfer tax of (amount of tax) for each one thousand dollars (\$1,000), or fractional part, within(Name of municipality).”

(e) The ballot title shall also include an expiration date for the levy of the local real property transfer tax, and, if adopted in this form, the local real property transfer tax shall cease to be levied on the date noted on the ballot.

(f) An election for the levy of a local real property transfer tax shall be conducted in the manner provided by law for all other municipal elections unless otherwise specified in this subchapter.

(g) After the election results have been certified, the local governing board of the municipality shall immediately issue a proclamation declaring the results of the election and cause the proclamation to be published one (1) time in a newspaper having general circulation within the municipality.

(h) Any person desiring to challenge the results of the election as published in the proclamation shall file the challenge in the circuit court of the county where the municipality is located within thirty (30) days after the date of publication of the proclamation.

(i) If no election challenge is timely filed, there shall be levied, effective on the first day of the first month of the calendar quarter after the expiration of the thirty-day challenge period, a local real property transfer tax to be collected in the amount decided by the qualified electors and for the purpose decided by the qualified electors.

(j)(1) In the event of an election challenge, the local real property transfer tax shall be collected as prescribed in this section unless enjoined by court order.

(2) Hearings involving an election challenge under this section shall be advanced on the docket of the court and disposed at the earliest feasible time.

(k) When the submission of the levy of a local real property transfer tax is submitted to the qualified electors and the measure is defeated, the measure shall not again be submitted to the electors by ordinance of the local governing body of the municipality at a special or general election for a period of one (1) year from the date the measure was last voted upon.

26-82-105. Collection of local real property transfer tax funds.

(a) The municipality shall design documentary stamps in appropriate denominations and shall make the documentary stamps available for purchase at the appropriate municipal office or by consignment with a bank, a savings and loan association, or a title company located in the municipality.

(b) The municipality may rely upon the local real property transfer tax affidavit of compliance as provided in § 26-60-108 for the purpose of establishing the consideration for the transaction.

(c) A grantee or buyer, or his or her agent, shall furnish proof of payment of the local real property transfer tax as provided in this chapter before the real estate transfer instrument may be accepted by the county recorder of deeds for recordation.

(d) The county recorder shall not record any instrument evidencing a transfer of title subject to this chapter unless:

(1)(A) The instrument shall have attached thereto or be accompanied by an affidavit in the form provided in this chapter containing the information required in this chapter and have documentary stamps attached to the face of the instrument evidencing full payment of the local real property transfer tax on the transaction.

(B) The instrument shall contain a notation on its face, which shall be recorded as part of the instrument, that the affidavit was completed; or

(2)(A) Either stamped or attached to the instrument in a manner which will cause it to be recorded as part of the instrument the following statement:

"I certify under penalty of false swearing that the legally correct amount of documentary stamps have been placed on this instrument."

(B) This statement shall be signed by the grantee or his or her agent, and the grantee's address shall be clearly shown on the instrument.

(e) The recorder of deeds shall not record any instrument where documentary stamps are attached in such a manner that the amount printed on each stamp is not visible.

26-82-106. Exempt transactions.

(a) The local real property transfer tax imposed by this chapter shall not apply to a transfer of the following:

(1) A transfer to or from the United States, the State of Arkansas, or any of the instrumentalities, agencies, or political subdivisions of the United States or the State of Arkansas;

(2) Any instrument or writing given solely to secure a debt;

(3) Any instrument solely for the purpose of correcting or replacing an instrument that has been previously recorded with full payment of the tax having been paid at the time of the previous recordation;

(4) An instrument conveying land sold for delinquent taxes;

(5) An instrument conveying a leasehold interest in land only;

(6) An instrument, including a timber deed, that conveys or grants the right to remove timber from land if the instrument grants or conveys the right to remove the timber for a period of not to exceed twenty-four (24) months;

(7) An instrument given by one (1) party in a divorce action to the other party in the divorce action as a division of marital property whether by agreement or order of the court;

(8) An instrument given in any judicial proceeding to enforce any security interest in real estate when the instrument transfers the property to the same person who is seeking to enforce the security interest;

(9) An instrument given to a secured party in lieu of or to avoid a judicial proceeding to enforce a security interest in real estate;

(10) An instrument conveying a home financed by the Federal Housing Administration, Department of Veterans Affairs, or United States Department of Agriculture Rural Development if the sale price of the home is sixty thousand dollars (\$60,000) or less and the seller files with the county recorder a sworn statement by the buyer stating that:

(A) Neither the buyer nor the spouse of the buyer has owned a home within three (3) years of the date of closing; and

(B) The sale price of the home; and

(11) An instrument conveying land between corporations, partnerships, limited liability companies, or other business entities or between a business entity and its shareholders, partners, or members incident to the organization, reorganization, merger, consolidation, capitalization, asset distribution or the liquidation of a corporation, partnership, limited liability company, or other business entity.

26-82-107. Distribution of local real property transfer tax funds.

The municipality shall collect the revenues from the sale of documentary stamps and the revenues shall be spent in compliance with this chapter and the ordinance calling for the local real property transfer tax election, as set forth in § 26-82-103(a).

26-82-108. Service and other fees.

(a)(1) Pursuant to § 26-73-103, it is unlawful for a municipality or a municipal service agency to charge unreasonably high service or user fees in an attempt to thwart the purpose of this chapter.

(2) Any service or user fee charged shall be based on the actual cost of providing the service.

(SIGNED) SENATOR B. PRITCHARD

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 862 was ordered engrossed.

On motion of Senator Faris, **Senate Concurrent Resolution No. 10** was placed back on second reading for purpose of Amendment No. 3.

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

Amendment No. 3 to SENATE CONCURRENT RESOLUTION NO. 10

Amend **Senate Concurrent Resolution No. 10** as engrossed, S2/26/07:

Add Senators Altes, Argue, Baker, Bisbee, Bookout, Broadway, Brown, Bryles, Capps, Critcher, Crumbly, Glover, Hendren, Hill, Horn, G. Jeffress, J. Jeffress, B. Johnson, Laverty, Luker, Madison, Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, R. Thompson, Whitaker, Wilkins, Wilkinson, and Womack as cosponsors of the bill

AND

Page 1, delete lines 23 through 25 and substitute the following:

“WHEREAS, Jim Ed, Maxine, and Bonnie Brown began developing their characteristic harmony as children and performed at various musical events as teenagers; and”

(SIGNED) SENATOR FARIS

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

(SIGNED) ANN CORNWELL, SECRETARY

Amend **Senate Concurrent Resolution No. 10** as engrossed.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 23, 2007

Mr. President:

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

SENATE CONCURRENT RESOLUTION NO. 10,
BY SENATOR FARIS, et al,

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

Respectfully submitted,

(SIGNED) HENRY "HANK" WILKINS, IV
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 23, 2007

Mr. President:

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

SENATE BILL NO. 156, BY SENATOR T. SMITH,
SENATE BILL NO. 158, BY SENATOR J. JEFFRESS,

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

Respectfully submitted,

(SIGNED) HENRY "HANK" WILKINS, IV
CHAIRMAN

On motion of Senator Smith, **Senate Bill No. 156** was ordered re-referred to the Committee on JOINT RETIREMENT AND SOCIAL SECURITY.

On motion of Senator J. Jeffress, **Senate Bill No. 158** was ordered re-referred to the Committee on JOINT RETIREMENT AND SOCIAL SECURITY.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 23, 2007

Mr. President:

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

SENATE BILL NO. 387, BY SENATOR FARIS,
SENATE BILL NO. 552, BY SENATOR HENDREN,

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 Faris, **Senate Bill No. 387** was ordered re-referred to the Committee on JOINT BUDGET.

On motion of Senator Hendren, **Senate Bill No. 552** was ordered re-referred to the Committee on JOINT BUDGET.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 22, 2007

Mr. President:

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

Senate BILL NO. 862, BY SENATOR PRITCHARD,

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 Pritchard, **Senate Bill No. 862** was ordered re-referred to the Committee on CITY, COUNTY & LOCAL AFFAIRS.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 23, 2007

Mr. President:

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

SENATE BILL NO. 274, BY SENATOR BRYLES, 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 Bryles, **Senate Bill No. 274** was ordered re-referred to the Committee on EDUCATION.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 23, 2007

Mr. President:

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

SENATE BILL NO. 983, BY SENATOR BAKER,

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 Baker, **Senate Bill No. 983** was ordered re-referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

On motion of Senator Critcher, and without objection, the House was requested to return **House Bill No. 2626** for further consideration.

STATE OF ARKANSAS
ARKANSAS SENATE
State Capitol
Little Rock, Arkansas 72201

March 23, 2007

Jo Renshaw
Chief Clerk
House of Representatives
State Capitol
Little Rock, Arkansas 72201

Dear Ms. Renshaw:

The Senate respectfully requests the return to the Senate, of House Bill 2626.

Sincerely,

(SIGNED) ANN CORNWELL
Secretary of the Senate

AC:as

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 23, 2007

Mr. President:

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

SENATE BILL NO. 845, BY SENATOR CRITCHER,

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

March 23, 2007

Mr. President:

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

SENATE BILL NO. 89, BY SENATOR J. TAYLOR,

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

Respectfully submitted,

(SIGNED) SENATOR ED WILKINSON
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 23, 2007

Mr. President:

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

HOUSE BILL NO. 2319, BY REPRESENTATIVE PATE,
HOUSE BILL NO. 2320, BY REPRESENTATIVE MOORE,
HOUSE BILL NO. 2337, BY REPRESENTATIVE LOWERY,
HOUSE BILL NO. 2361, BY REPRESENTATIVE REYNOLDS,
HOUSE BILL NO. 2554, BY REPRESENTATIVE D. JOHNSON,
HOUSE BILL NO. 2562, BY REPRESENTATIVE KEY,
HOUSE BILL NO. 2581, BY REPRESENTATIVE T. BRADFORD,

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

March 23, 2007

Mr. President:

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

HOUSE BILL NO. 2336, BY REPRESENTATIVE D. HUTCHINSON,

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

March 23, 2007

Mr. President:

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

SENATE BILL NO. 792, BY SENATOR HILL,

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

Respectfully submitted,

(SIGNED) SENATOR JIM HILL
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 23, 2007

Mr. President:

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

SENATE BILL NO. 795, BY SENATOR WILKINS,

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. 5.

Respectfully submitted,

(SIGNED) SENATOR JIM HILL
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 23, 2007

Mr. President:

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

SENATE BILL NO. 270, BY SENATOR MALONE,
SENATE BILL NO. 958, BY SENATOR MADISON,

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

Respectfully submitted,

(SIGNED) SENATOR JACK CRITCHER
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 23, 2007

Mr. President:

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

HOUSE BILL NO. 2494, BY REPRESENTATIVE COOPER,
HOUSE BILL NO. 2638, BY REPRESENTATIVE HARRIS,
HOUSE BILL NO. 2678, 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

March 23, 2007

Mr. President:

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

HOUSE BILL NO. 1575, BY REPRESENTATIVE SUMPTER,
HOUSE BILL NO. 1753, BY REPRESENTATIVE HOUSE,

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

Respectfully submitted,

(SIGNED) REPRESENTATIVE SUMPTER
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 23, 2007

Mr. President:

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

HOUSE BILL NO. 2646, BY REPRESENTATIVE ADCOCK,

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

Respectfully submitted,

(SIGNED) REPRESENTATIVE SUMPTER
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 22, 2007

Mr. President:

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

SENATE BILL NO. 389, BY SENATOR FARIS,
SENATE BILL NO. 413, BY SENATOR FARIS,
SENATE BILL NO. 446, BY SENATOR CRITCHER,

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 WOMACK
CHAIRMAN

SENATE RESOLUTION NO. 28
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR J. JEFFRESS

SENATE RESOLUTION TO COMMEND DON WESSON FOR BEING NAMED THE FOREST RESOURCES ASSOCIATION'S 2007 NATIONAL OUTSTANDING FORESTRY ACTIVIST.

Senate Resolution No. 28 was read the first time, rules suspended, read the second time and placed on the Calendar.

House Bill No. 2626 was returned from the House for error correction.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 23, 2007

Mr. President:

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

SENATE CONCURRENT RESOLUTION NO. 12,
BY SENATOR BAKER,
SENATE BILL NO. 129, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 173, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 235, BY SENATORS WOMACK, ALTES, ET AL,
SENATE BILL NO. 254, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 256, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 266, BY SENATOR SALMON,
SENATE BILL NO. 379, BY SENATORS MILLER, ARGUE, ET AL,
SENATE BILL NO. 418, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 506, BY SENATOR T. SMITH,

beg leave to report that we have carefully compared the enrolled copies with the original and we find the same correctly enrolled and have at 9:25 a.m. delivered them to the Governor for his approval.

Respectfully submitted,

(SIGNED) HENRY "HANK" WILKINS, IV
CHAIRMAN

GOVERNOR'S BILL RECEIPTS

SENATE CONCURRENT RESOLUTION NO. 12

SENATE BILL NO. 129

SENATE BILL NO. 173

SENATE BILL NO. 235

SENATE BILL NO. 254

SENATE BILL NO. 256

SENATE BILL NO. 266

SENATE BILL NO. 379

SENATE BILL NO. 418

SENATE BILL NO. 506

RECEIVED the above papers from the Secretary of the Senate this 23rd day of March, 2007 at 9:25 a.m.

(SIGNED) MIKE BEEBE
Governor

(SIGNED) Angela Tollette
Secretary

STATE OF ARKANSAS
OFFICE OF THE GOVERNOR

STATE CAPITOL
LITTLE ROCK, ARKANSAS

MIKE BEEBE
Governor

March 22, 2007

TO THE PRESIDENT OF THE SENATE

Dear Mr. President:

This is to inform you that on March 22, 2007, I approved the following measures from the Regular Session of the Eighty-sixth General Assembly:

Senate Concurrent Memorial Resolution 1 Senate Concurrent Memorial Resolution 4

Senate Concurrent Resolution 13

Senate Concurrent Resolution 26

- Senate Bill 052, - ACT 396
- Senate Bill 079, - ACT 398
- Senate Bill 127, - ACT 400
- Senate Bill 132, - ACT 402
- Senate Bill 149, - ACT 404
- Senate Bill 251, - ACT 406
- Senate Bill 253, - ACT 408
- Senate Bill 295, - ACT 410
- Senate Bill 339, - ACT 412
- Senate Bill 341, - ACT 414
- Senate Bill 343, - ACT 416
- Senate Bill 345, - ACT 418
- Senate Bill 348, - ACT 420
- Senate Bill 351, - ACT 422
- Senate Bill 353, - ACT 424
- Senate Bill 368, - ACT 426
- Senate Bill 404, - ACT 428
- Senate Bill 637, - ACT 430
- Senate Bill 765, - ACT 432
- Senate Bill 768, - ACT 434
- Senate Bill 821, - ACT 436
- Senate Bill 904, - ACT 438

- Senate Bill 065, - ACT 397
- Senate Bill 100, - ACT 399
- Senate Bill 128, - ACT 401
- Senate Bill 142, - ACT 403
- Senate Bill 197, - ACT 405
- Senate Bill 252, - ACT 407
- Senate Bill 257, - ACT 409
- Senate Bill 308, - ACT 411
- Senate Bill 340, - ACT 413
- Senate Bill 342, - ACT 415
- Senate Bill 344, - ACT 417
- Senate Bill 347, - ACT 419
- Senate Bill 349, - ACT 421
- Senate Bill 352, - ACT 423
- Senate Bill 357, - ACT 425
- Senate Bill 381, - ACT 427
- Senate Bill 439, - ACT 429
- Senate Bill 680, - ACT 431
- Senate Bill 766, - ACT 433
- Senate Bill 800, - ACT 435
- Senate Bill 849, - ACT 437
- Senate Bill 910, - ACT 439

Sincerely,

(SIGNED) MIKE BEEBE
Governor

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

MIKE BEEBE
Governor

March 23, 2007

TO THE PRESIDENT OF THE SENATE

Dear Mr. President:

This is to inform you that on March 23, 2007, I approved the following measure from the Regular Session of the Eighty-sixth General Assembly:

Senate Bill 265 - ACT 459

Sincerely,

(SIGNED) MIKE BEEBE
Governor

House Bill No. 1490 was returned from the House as requested.

On motion of Senator Madison, and without objection, the Governor was requested to return **Senate Bill No. 22** for further consideration.

STATE OF ARKANSAS

ARKANSAS SENATE

State Capitol

Little Rock, Arkansas 72201

ANN CORNWELL
Secretary of the Senate
Senate Fiscal Officer
State Capitol, Room 320
Little Rock, Arkansas 72201

March 23, 2007

The Honorable Mike Beebe
Governor of Arkansas
Executive Chambers
State Capitol
Little Rock, Arkansas

Dear Governor Beebe:

The Senate respectfully requests the return to the Senate, of **Senate Bill 22**.

Respectfully submitted,

(SIGNED) ANN CORNWELL
Secretary of Senate

AC:as

On motion of Senator Madison, and without objection, the Governor was requested to return **Senate Bill No. 25** for further consideration.

STATE OF ARKANSAS

ARKANSAS SENATE

State Capitol

Little Rock, Arkansas 72201

ANN CORNWELL
Secretary of the Senate
Senate Fiscal Officer
State Capitol, Room 320
Little Rock, Arkansas 72201

March 23, 2007

The Honorable Mike Beebe
Governor of Arkansas
Executive Chambers
State Capitol
Little Rock, Arkansas

Dear Governor Beebe:

The Senate respectfully requests the return to the Senate, of **Senate Bill 25**.

Respectfully submitted,

(SIGNED) ANN CORNWELL
Secretary of Senate

AC:as

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 23, 2007

Mr. President:

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

SENATE CONCURRENT RESOLUTION NO. 14,
BY SENATOR LAVERTY,
SENATE CONCURRENT RESOLUTION NO. 19,
BY SENATOR ARGUE,

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

Respectfully submitted,

(SIGNED) SENATOR JIM ARGUE
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 23, 2007

Mr. President:

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

SENATE BILL NO. 920, BY SENATOR ARGUE,
SENATE BILL NO. 922, BY SENATOR ARGUE,
SENATE BILL NO. 962, BY SENATOR BROADWAY,

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

Respectfully submitted,

(SIGNED) SENATOR JIM ARGUE
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 23, 2007

Mr. President:

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

HOUSE BILL NO. 1562, BY REPRESENTATIVE CHESTERFIELD,
HOUSE BILL NO. 1751, BY REPRESENTATIVE PICKETT,
HOUSE BILL NO. 2222, BY REPRESENTATIVE HARDWICK,
HOUSE BILL NO. 2223, BY REPRESENTATIVE HARDWICK,
HOUSE BILL NO. 2252, BY REPRESENTATIVE MAXWELL,
HOUSE BILL NO. 2268, BY REPRESENTATIVE COOK,
HOUSE BILL NO. 2272, BY REPRESENTATIVE COOK,
HOUSE BILL NO. 2355, BY REPRESENTATIVE J. JOHNSON,
HOUSE BILL NO. 2425, BY REPRESENTATIVE COOK,

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

Respectfully submitted,

(SIGNED) SENATOR JIM ARGUE
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 23, 2007

Mr. President:

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

HOUSE BILL NO. 2029, BY REPRESENTATIVE JEFFREY,

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

Respectfully submitted,

(SIGNED) SENATOR JIM ARGUE
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 23, 2007

Mr. President:

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

HOUSE BILL NO. 2269, BY REPRESENTATIVE COOK,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that they do pass as amended No. 2, No. 3 and No. 4.

Respectfully submitted,

(SIGNED) SENATOR JIM ARGUE
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 23, 2007

Mr. President:

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

HOUSE BILL NO. 2299, BY REPRESENTATIVE BREEDLOVE,

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

Respectfully submitted,

(SIGNED) SENATOR JIM ARGUE
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 23, 2007

Mr. President:

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

HOUSE BILL NO. 2426, BY REPRESENTATIVE COOK,

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

Respectfully submitted,

(SIGNED) SENATOR JIM ARGUE
CHAIRMAN

On motion of Senator Lavery, **Senate Concurrent Resolution No. 15** was called up for third reading and final disposition.

SENATE CONCURRENT RESOLUTION NO. 15
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS LAVERTY AND WILKINSON
BY: REPRESENTATIVE OVERBEY

A Bill for an Act to be Entitled: WISHING MR. BURLEY WALTER KING A HAPPY 90TH BIRTHDAY AND COMMENDING HIM FOR HIS RICH LEGACY OF ENCOURAGEMENT, LOVE, AND SUPPORT FOR HIS FAMILY AND COMMUNITY.

Senate Concurrent Resolution No. 15 was read third time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Concurrent Resolution No. 15 was ordered immediately transmitted to the House.

On motion of Senator Faris, **Senate Concurrent Resolution No. 23** was called up for third reading and final disposition.

SENATE CONCURRENT RESOLUTION NO. 23

As Engrossed: S3/15/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATOR FARIS

A Bill for an Act to be Entitled: *ENCOURAGING THE ARKANSAS GAME AND FISH COMMISSION TO ADOPT CERTAIN USES OF REVENUE GENERATED BY THE FAYETTEVILLE SHALE PLAY.*

Senate Concurrent Resolution No. 23 was read the third time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Concurrent Resolution No. 23 was ordered immediately transmitted to the House.

On motion of Senator Faris, **House Concurrent Resolution No. 1022** was called up for third reading and final disposition.

HOUSE CONCURRENT RESOLUTION NO. 1022
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE WOOD

A Bill for an Act to be Entitled: RESOLUTION URGING THE ARKANSAS STATE GAME AND FISH COMMISSION TO CONSIDER ALLOWING OUT-OF-STATE MEMBERS OF THE NATIONAL GUARD AND ANY OTHER UNIT OF A RESERVE COMPONENT OF THE ARMED FORCES TO QUALIFY FOR RESIDENT HUNTING AND FISHING LICENSES WHILE SERVING IN ARKANSAS IF THE STATE WHICH THE MEMBER IS A RESIDENT RECIPROCATES FOR ARKANSAS GUARDSMEN AND RESERVISTS.

House Concurrent Resolution No. 1022 was read the third time and concurred in.

(SIGNED) ANN CORNWELL, SECRETARY

House Concurrent Resolution No. 1022 was ordered immediately transmitted to the House as concurred in.

On motion of Senator Faris, [House Concurrent Resolution No. 1031](#) was called up for third reading and final disposition.

HOUSE CONCURRENT RESOLUTION NO. 1031
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE WOOD

HOUSE CONCURRENT RESOLUTION TO ENCOURAGE EACH AND EVERY CITIZEN OF THE STATE WHO HAS NOT YET FILED HIS OR HER STATE INCOME TAX FORMS TO PARTICIPATE IN THE MILITARY FAMILY RELIEF CHECK-OFF PROGRAM TO ASSIST THE FAMILIES OF MOBILIZED AND DEPLOYED MEMBERS OF THE ARKANSAS NATIONAL GUARD AND RESERVES.

[House Concurrent Resolution No. 1031](#) was read the third time and concurred in by the House.

(SIGNED) ANN CORNWELL, SECRETARY

[House Concurrent Resolution No. 1031](#) was ordered immediately returned to the House as concurred in.

On motion of Senator Wilkinson, [Senate Bill No. 994](#) was placed back on second reading for purpose of Amendment No. 2. Withdraw Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
[Amendment No. 2 to SENATE BILL NO. 994](#)

Amend [Senate Bill No. 994](#) as originally introduced:

Add Representatives Wells and Breedlove as cosponsors

AND

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 15-75-201(b), concerning the appointment and term of a board member, is amended to read as follows:

(b)(1) There shall be one (1) member appointed by the Governor from each congressional district, as they existed on January 1, 2007.

~~(2) Terms of office of the six (6) members so appointed shall be six (6) years~~ There shall be three (3) at-large members appointed by the Governor.

~~(3)(A)(i) The seventh member of the board shall be appointed by the Governor from the state at large for a term of two (2) years~~ A board member appointed before the effective date of this section shall serve the remainder of his or her previously appointed six-year term.

(ii) For a board member appointed after the effective date of this section, the term of office shall be four (4) years.

(B)(i) No board member appointed after the effective date of this section may serve more than two (2) consecutive four-year terms.

(ii) Subdivision (b)(3)(B)(i) of this section does not preclude a former board member from serving again if he or she has not served as a member of the board for at least four (4) consecutive years.

(4) The board shall have at least one (1) member who:

(A) represents ~~Represents~~ the general public; and

(B) who is ~~is~~ not employed by, ~~or engaged in,~~ or retired from the liquefied petroleum gas industry in any manner, ~~nor shall they have retired from it.~~

SECTION 2. Arkansas Code § 15-75-204(b), concerning the term of an officer of the board, is amended to read as follows:

(b) No such officer shall serve in the same capacity for more than one (1) year during ~~any six-year~~ his or her term.

SECTION 3. Arkansas Code § 15-75-206(b), concerning the authority of the Liquefied Petroleum Gas Board, is amended to read as follows:

(b) The ~~board~~ director shall have the authority to:

(1) Employ assistants, inspectors, and other personnel; and

(2) Retain counsel as may be necessary to aid it properly in the administration of this subchapter, with the approval of the board.

SECTION 4. Arkansas Code § 15-75-304 is amended to read as follows:

15-75-304. Certificates of competency - Qualifications.

(a) To be entitled to a "certificate of competency," a person must have:

(1) Satisfactory experience in the liquefied petroleum gas business or must give proof of previous on-the-job training in the liquefied petroleum gas business satisfactory to the Liquefied Petroleum Gas Board as prescribed by its rules and regulations;

(2) Had not less than thirty (30) days' experience in the liquefied petroleum gas installation or transportation business; and

(3) Passed a written or oral examination as prescribed by the board.

~~(b) Persons who have been unemployed in the liquefied petroleum gas business for more than one (1) year must be recertified by the board through a current written or oral examination as prescribed by rules and regulations of the board.~~

~~(c)~~ All new class one employees must attend a forty-hour basic course in liquefied petroleum gas, as prescribed by the board, within the first year of their employment or their certification certificate will be suspended until the course has been completed.

~~(d)~~(c) All class one employees who change from one class one employer to another class one employer who has not previously had the forty-hour basic training course, as prescribed by the board, must do so within one year of the transfer date of employment or their certification certificate will be suspended until the course has been completed.

~~(e)~~(d) The board may accept as its own a reciprocal state's transportation and delivery examination for transport drivers only ~~which~~ that contains substantially equivalent requirements as those required by the board. Substantial uniformity shall be demonstrated by a letter from the issuing authority of the state or a copy of a current and valid card issued by the reciprocal state. All applicable fees shall be paid to the board prior to issuance of the certification card.

SECTION 5. Arkansas Code § 15-75-305(f)(2), concerning the qualifications of an applicant for a permit, is amended to read as follows:

(2) Applicants must agree to furnish whatever information the director or the board may require as to their ~~financial condition, character, and ability~~ to engage in the liquefied petroleum gas business and must also furnish whatever references the director or the board may require.

SECTION 6. Arkansas Code § 15-75-306(b), concerning a class one permit, is amended to read as follows:

(b) All class one permit application approvals must have all prerequisites met and the permit issued within ~~six (6) months~~ one (1) year of approval. If not issued within ~~six (6) months~~ one (1) year of approval, the application will be returned to the applicant and a new application must be submitted to the director thirty (30) days prior to the date of the regular meeting at which the review of the director's action on the application is to be considered.

SECTION 7. Arkansas Code § 15-75-307 is amended to read as follows:
15-75-307. Class one permit.

(a) The holder of a class one permit:

~~(1) May~~ may engage in any phase of the liquefied petroleum gas business in a county or contiguous counties if he or she pays an annual permit fee of five hundred dollars (\$500) for the first county under the permit and three hundred dollars (\$300) for each contiguous county included under the permit; and

~~(2) Must pay an annual permit fee in the sum of three hundred dollars (\$300).~~

(b) An applicant for a class one permit:

(1) ~~Must~~ Shall furnish to the Liquefied Petroleum Gas Board evidence of the following insurance:

(A) Manufacturers' and Contractors' Bodily Injury Liability Insurance

Each Person	\$500,000
Each Accident	500,000

(B) Manufacturers' and Contractors' Property Damage Liability Insurance

Each Accident	\$500,000
Aggregate	500,000

(C) Products Bodily Injury Liability Insurance

Each Person	\$500,000
Each Accident	500,000
Aggregate	500,000

- (D) Products Property Damage Liability Insurance
 Each Person \$500,000
 Aggregate 500,000
- (E) Automobile Bodily Injury Liability Insurance
 Each Person \$500,000
 Each Accident 500,000
- (F) Automobile Property Damage Liability Insurance
 Each Accident \$500,000

~~(2)(A) Must provide a financial statement which has been compiled within the past sixty (60) days by a public accountant~~ Shall designate a county in this state for:

(i) The location of the proposed principal place of business of the applicant; and

(ii) The proposed location of the principal bulk storage tank facility; and

(B) Shall maintain a twenty-four (24) hour emergency telephone number;

(3)(A) ~~Must provide a map outlining the exact territory or area~~ list of counties in which the operation is to be conducted.

~~(B) The territory map shall designate on an approved map three (3) Arkansas counties.~~

~~(C)(i)(i)~~ The applicant shall designate within one (1) Arkansas county the location of the proposed principal place of business of the applicant and the proposed location of the principal bulk storage tank facility.

(ii) The designated county shall be the home county area of operation of the applicant.

~~(D)(i) The application shall designate on the approved map two (2) counties adjoining and contiguous to the home county.~~

~~(ii) The two (2) adjoining counties shall be within the area of operation of the applicant, but the applicant shall not be required to locate facilities within those two (2) adjoining counties.~~

~~(E)(C)~~ The permit fee shall be paid for each county in which the applicant operates;

(4)(A) ~~Must~~ Shall provide full-time employment of qualified personnel whose competency shall be proven through a current written or oral examination.

(B) There shall be a minimum of three (3) employees.

(C) For each permit, one (1) employee shall be certified as a general safety supervisor and one (1) employee shall be certified as an installation personnel.

(D) One (1) employee may be certified as both transport and delivery/installation, a combination certification, but that combination certification shall not relieve the requirement for a minimum of three (3) employees;

(5)(A) ~~Must~~ Shall provide a bulk storage capacity of not less than thirty thousand (30,000) water gallons at the principal location of the permitted facility, the location of which must be approved by the board in advance of the application and which must be maintained by the applicant in safe working condition throughout the duration of the permit applied for under penalty of permit forfeiture by action of the board.

(B) Storage containers being used in connection with cotton gins, rice dryers, manufacturing plants, or any other type commercial use, regardless of size, will not be accepted as bulk storage and cannot be included in the requirements for the thirty thousand (30,000) gallons storage.;

(C)(i) ~~An applicant must~~ Shall maintain: ~~a one (1) place of business within one (1) of the three (3) permitted counties the state that~~ which shall be the principal working location for the employees of the permitted facility; and

~~(ii) must maintain posted office hours at the principal working location~~ Shall maintain a posted twenty-four (24) hour emergency telephone number;

(6)(A) ~~Must~~ Shall provide approved-type cylinder or bottle-filling facilities consisting of a separate pump, the capacity of which shall not be in excess of twenty (20) gallons per minute and shall be designed for the primary purpose of filling bottles.

(B) Where a manifold or multiple filling system is contemplated, the board shall be consulted regarding pump capacity;

(7) ~~Must~~ Shall provide equipment satisfactory to the board;

(8)(A) ~~Must~~ Shall provide switch track or tank loading and unloading facilities satisfactory to the board.

(B) All auxiliary equipment such as pumps, hoses, electrical switches, etc., shall be Underwriters' Laboratory-approved for liquefied petroleum gases; and

(9) In addition to the foregoing requirements, all class one applicants must comply with all other applicable requirements.

SECTION 8. Arkansas Code § 15-75-320 is amended to read as follows:

15-75-320. Sales restrictions.

~~(a) No dealer shall sell or offer for sale liquefied petroleum gas or conduct liquefied petroleum gas operations of any type in any area of this state in which competent~~ certified personnel are not readily available for proper and efficient service to the users' containers, systems, or appurtenances.

~~(b)(1) Beginning on July 1, 1999, the Liquefied Petroleum Gas Board shall review the service areas for each dealer who has been issued a current permit for the purpose of reviewing evidence establishing the area in which domestic liquefied petroleum gas operations were being conducted in general as of July 1, 1999.~~

~~(2) On July 1, 1999, each dealer who has a current permit which allowed service in a service area which runs into a particular county will be presumed competent to continue to provide service in that area and in any area throughout that county, regardless of whether or not they have facilities in that county. The entire county will automatically be grandfathered into the authorized area of operation for the permit. Each dealer shall pay a permit fee in the amount of three hundred dollars (\$300) for each class one permit location for each full county in which they desire to continue to operate. Provided, however, any dealer with a current class one permit as of July 1, 1999, who desires to continue operations only within their previously authorized service area and thereby to pay a single permit fee in the amount of four hundred dollars (\$400) for that service area, shall be authorized to operate within the previously authorized service area until such time as the dealer ceases operation or until he or she desires to provide more extensive service to an area of operations based on whole county areas.~~

~~(3) Beginning on July 1, 1999, and thereafter, each person applying for a permit to sell or offer for sale liquefied petroleum gas or conduct of liquefied petroleum gas operations shall apply to provide service to the entire area of a whole county. Each person applying for service in a county shall have adequate storage facilities, as determined by the Director of the Liquefied Petroleum Gas Board and the board, for the conduct of liquefied petroleum gas operations within the county or counties in which they are to serve. In deciding issues of the adequacy of service and facilities, the safety of the general public shall be the primary concern of the director and the board.~~

~~(e)(b)~~ Each existing or new permit issued by the board shall designate accurately the county or counties in which the holder may conduct liquefied petroleum gas operations.

~~(d)(c)~~ No dealer shall sell or offer for sale liquefied petroleum gas or conduct liquefied petroleum gas operations of any type in any county or counties not shown on and authorized by a current permit.

~~(e)(d)(1)~~ Any dealer desiring to enlarge or expand liquefied petroleum gas service beyond ~~the designated county or counties authorized by a current permit~~ shall first obtain approval from the director with review by the board for a new permit at its next regularly scheduled meeting his or her permitted counties may add a contiguous county to his or her permit by:

(A) Providing thirty (30) days written notice of his or her intention to the director; and

(B) Paying a permit fee of three hundred dollars (\$300) for each additional county to be included under the permit.

(2) The director shall report any additional counties included under a class one permit issued under subdivision (d)(1) of this section to the board at its next meeting.

~~(f) Each auxiliary, subsidiary, or branch operation by dealers and any new county of operation not covered by an existing permit shall require a separate permit.~~

~~(g) After July 1, 1999, each county of operation for which application is made shall constitute an individual class one permit and requires an annual permit fee of three hundred dollars (\$300).~~

~~(h)(1) Any otherwise qualified dealer who does not elect to operate in the entire county and pay the required permit fee for the entire county as outlined in subdivision (b)(2) of this section before December 31, 2001, shall be presumed to elect to operate in the area of operation defined in the previously authorized area of operation on file before July 1, 1999, in the records of the board and shall not be permitted to select a county wide service area thereafter.~~

~~(2) After December 31, 2001, additional permitted areas of operation shall be by new application only."~~

(SIGNED) SENATOR WILKINSON

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 994 was ordered engrossed.

On motion of Senator Whitaker, **Senate Bill No. 592** was 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. 592

Amend **Senate Bill No. 592** as engrossed S3/14/07:

Page 2, line 27, delete "twenty-four (24)" and substitute "eighteen (18)"

AND

Page 3, line 3, delete "ten dollar (\$10)" and substitute "one hundred dollar (\$100)"

AND

Page 3, line 31, delete "and"

AND

Page 3, delete lines 33 through 35 and substitute the following:
"domicile; and

(C) A fifty dollar (\$50.00) renewal fee for a"

(SIGNED) SENATOR WHITAKER

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 592 was ordered engrossed.

On motion of Senator Bryles, **House Bill No. 1504** 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. 1504

Amend **House Bill No. 1504** as engrossed, H2/28/07:

Page 13, delete lines 2 through 4 and substitute the following:

"(c)(1) The state board may grant no more than a total of twenty-four (24) charters for open-enrollment public charter schools, ~~and a~~."

AND

Page 21, delete line 26 and substitute the following:

"(B) Preserve the option to continue that use.

(6) Nothing in this subsection (d) is intended to diminish the opportunity for an Arkansas Better Chance program to bid on the purchase or lease of the public school facility on an equal basis as the open-enrollment charter school."

(SIGNED) SENATOR BRYLES

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1504 was ordered engrossed.

On motion of Senator Capps, **House Bill No. 2586** 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. 2586

Amend **House Bill No. 2586** as engrossed H3/16/07:

Delete everything following the enacting clause and substitute the following:

“SECTION 1. Arkansas Code § 6-1-301(b)(8), concerning the composition of the Arkansas Commission for Coordination of Educational Efforts, is amended to read as follows:

(8) ~~The Executive Chief Information Officer~~ The Director of the Department of Information Systems or the director’s designee;

SECTION 2. Arkansas Code § 6-21-112(e)(1), concerning the Division of Public School Academic Facilities and Transportation, is amended to read as follows:

(e)(1) ~~The Executive Chief Information Officer~~ Director of the Department of Information Systems shall assign one (1) individual ~~from the staff of the Office of Information Technology~~ to serve as a technology liaison to the division.

SECTION 3. Arkansas Code 6-47-305(d)(5), concerning the Distance Learning Coordinating Council, is amended to read as follows:

(5) Staff support shall be provided by appropriate personnel from the Department of Education, the Department of Workforce Education, the Department of Higher Education, the Division of Public School Academic Facilities and Transportation, the Division of Public School Accountability, and the state's public institutions of higher education, ~~and the Office of Information Technology~~ with the assistance of any appropriate staff of the other agencies whose directors serve on the commission.

SECTION 4. Arkansas Code § 6-47-502(b)(3), concerning distance learning grants, is amended to read as follows:

(3) The distance learning technical protocol or protocols shall be in alignment with technical standards set by the ~~office of the Executive Chief Information Officer~~ Director of the Department of Information Systems.

SECTION 5. Arkansas Code 10-3-1704(b)(1)(B)(iii), concerning the Joint Committee on Advanced Communications and Information Technology, is amended to read as follows:

(iii)~~(a)~~ The committee shall review any plan developed or updated by a public instrumentality.

~~(b) The committee may seek the assistance of the Office of Information Technology of the Department of Information Systems in conducting this review.~~

SECTION 6. Arkansas Code 12-75-132(b), concerning the Arkansas Homeland Security Advisory Group, is amended to read as follows:

(b) The advisory group shall consist of representatives of federal, state, and local agencies and professional associations as determined by the Director of the Arkansas Department of Emergency Management. The advisory group shall include, at a minimum, representatives of the following:

- (1) Arkansas Department of Emergency Management;
 - (2) Arkansas Ambulance Association;
 - (3) Arkansas Association of Chiefs of Police;
 - (4) Arkansas Association of Fire Chiefs;
 - (5) Arkansas Citizen Corps Point of Contact;
 - (6) Arkansas Department of Environmental Quality;
 - (7) Department of Health;
 - (8) Arkansas Emergency Management Association;
 - (9) Arkansas Highway Police Division of the Arkansas State Highway and Transportation Department;
 - (10) Arkansas Livestock and Poultry Commission;
 - (11) Arkansas Municipal League;
 - (12) National Guard;
 - (13) 61st Civil Support Team of the National Guard;
 - (14) Arkansas Sheriffs' Association;
 - (15) Department of Arkansas State Police;
 - (16) State Plant Board;
 - (17) County Judges Association of Arkansas;
 - (18) Centers for Disease Control;
 - (19) Department of Information Systems;
 - (20) Federal Bureau of Investigation;
 - (21) Health Resources and Services Administration of the United States Department of Health and Human Services;
 - ~~(22) Office of Information Technology;~~
 - ~~(23)~~(22) United States Secret Service;
 - ~~(24)~~(23) United States Attorney for the Eastern District of Arkansas;
- and
- ~~(25)~~(24) United States Attorney for the Western District of Arkansas.

SECTION 7. Arkansas Code § 15-21-503 is amended to read as follows:
15-21-503. Creation - Board.

(a) The Arkansas State Land Information Board is created.

(b)(1)(A) The board shall be composed of twelve (12) voting members appointed by the Governor for terms of four (4) years.

(B) At the time of appointment or reappointment, the appointing authority shall adjust the length of terms to ensure that the terms of members of the board are staggered so that, insofar as possible, an equal number of members shall rotate each year.

(2) The board shall be composed of the following members or their designees:

- (A) Three (3) state entity representatives;
- (B) Three (3) city, county, and local government representatives;
- (C) Three (3) private sector representatives; and
- (D) Three (3) representatives of institutions of higher education.

(3) All members of the board shall have knowledge of the use and usefulness of digital land and geographic information in the management of government and a general awareness of the role of mapping as related to that management.

(4) No person shall serve as a member of the board for more than two (2) full consecutive terms.

(5) Upon the death, disability, resignation, removal, or refusal to serve of any member, the Governor shall appoint a qualified person to complete board membership.

(c)(1)(A) A chair and a vice chair shall be elected by the board membership to oversee all board and committee meetings.

(B) Members of the board must elect a chair and vice chair every year.

(2)(A) The board will work with the State Geographic Information Coordinator assigned by the ~~Executive Chief Information Officer~~ Director of the Department of Information Systems with approval from the board.

(B) The State Geographic Information Coordinator will:

(i) Assist the board in developing a comprehensive plan and evaluation procedures on how the state should implement tactical and strategic geographic information systems and land information systems planning;

(ii) Implement informational and educational programs; and

(iii) Coordinate intrastate geographic information systems and land information systems efforts.

(C) The State Geographic Information Coordinator shall report directly to the ~~Executive Chief Information Officer~~ Director of the Department of Information Systems.

(d)(1) The State Geographic Information Coordinator shall administer daily operations of the Arkansas Geographic Information Office with direction from the board.

(2) This may include liaison between the board and the Governor, the ~~Executive Chief Information Officer~~ Director of the Department of Information Systems, and public or private sector entities involved in spatial data and land records modernization, project management in the preparation of the strategic planning documents related to spatial data and land records modernization, developing policy and procedures for land records modernization, and developing policy and procedures for the activities of the board.

(3) Additional requirements are the implementation of educational programs, coordinating vendor exhibits, and facilitating technical assistance and consulting.

(e) The board may conduct meetings at such places and such times as it may deem necessary or convenient to enable it to exercise fully and effectively its powers, perform its duties, and accomplish its objectives and purposes.

(f) Members of the board shall receive no compensation for their services.

(g) The board will be provided administrative support through the ~~Office of Information Technology~~ Arkansas Geographic Information Office.

(h) The funds necessary to carry out the provisions of this subchapter shall come from the Geographic Information Systems Fund.

(i) The board shall seek the review and advice of the Joint Committee on Advanced Communications and Information Technology prior to issuing guidelines, proposed legislation, and strategic plans.

SECTION 8. Arkansas Code 19-5-1112(b), concerning the Geographic Information Systems Fund, is amended to read as follows:

(b)(1)(A) The ~~Executive Chief Information Officer~~ Director of the Department of Information Systems shall manage the fund, and the Governor shall oversee the expenditures from the fund.

(B) The Arkansas State Land Information Board shall establish standards and methodologies for evaluating the funding of enterprise-level geographic information systems projects.

(2)(A) The ~~Executive Chief Information Officer~~ Director of the Department of Information Systems, with advice from the board, shall evaluate, prioritize, and approve proposals for geographic information systems projects.

(B) Such proposals and requests for funding shall demonstrate any or all of the following:

- (i) Improvement in the quality of life for Arkansans;
- (ii) Elimination of redundant systems;
- (iii) Improved service for Arkansas citizens;
- (iv) Enhanced economic development opportunities in Arkansas;
- (v) Implementation of electronic government twenty-four (24) hours a day, seven (7) days a week;
- (vi) Substantial benefit to more than one (1) agency through lower operating costs; and
- (vii) Continued development of the Arkansas Spatial Data Infrastructure.

SECTION 9. Arkansas Code 19-11-1101(c), concerning state agency contracts, is amended to read as follows:

(c)(1) All contracts authorized by this subchapter shall be entered into pursuant to the requirements of the Arkansas Procurement Law, § 19-11-201 et seq., and amendments thereto.

(2) Prior to execution of the contract, the following process shall be followed:

(A) The requesting agency shall request approval from the Chief Fiscal Officer of the State to prepare a request for proposal for a project authorized under this subchapter;

(B) The request shall include the general nature of the project, the anticipated revenues that will be enhanced, and the forecasted revenues for the current biennium;

(C) Upon approval of the Chief Fiscal Officer of the State, the requesting agency shall prepare a request to the Department of Finance and Administration for approval to prepare a request for proposal for a technology project authorized under this subchapter;

(D) The request must include the revenue source or sources that will be increased as a result of the project and the projected revenues for the anticipated life of the project;

(E) The requesting agency shall prepare a request for proposal, with advice and consultation from ~~the office of the Executive Chief Information Officer~~ and the department, for the purchase of technology systems on the basis of a portion of the increase in the agency's revenues produced by the technology system; and

(F)(i) The request for proposal may provide that the agency and the vendor may negotiate an amount or baseline upon which the increase in taxes or fees is measured.

(ii) Any contract other than a fixed fee contract shall include a factor in the baseline calculation to account for an increase in taxes or fees due solely to economic factors and not to the use of the technology.

(3) The agency procurement official or procurement agent and the vendor shall negotiate the contract, with the oversight of ~~the office of the Executive Chief Information Officer~~ and the department to assist in negotiating an advantageous contract.

(4)(A) The agency director shall submit the proposed contract and a request for new appropriation to the Governor or his or her designee.

(B) The accompanying information will include the methodology used to calculate the baseline amount proposed by the agency and other justifications and information that detail the program and the expected benefits of the agreement.

(C) The Governor or his or her designee shall study the request and determine whether the appropriation requested and the terms of the proposed contract are in strict compliance with this subchapter.

(D)(i) The Governor may approve or modify the request for new appropriation and the proposed contract.

(ii) Any modification of the proposed contract shall be submitted to the vendor for approval.

(5)(A) Upon approval of the shared benefit agreement and new appropriation request, the Governor shall seek the advice and recommendation of the Legislative Council.

(B) Upon review of the Legislative Council, the Governor shall forward a copy of his or her approvals to the agency director and the Chief Fiscal Officer of the State.

SECTION 10. Arkansas Code § 25-4-102(b)(4), concerning information resources, is amended to read as follows:

(4) Develop technical standards and specifications and provide technical leadership and guidance to support the state's ~~shared technical enterprise architecture as promulgated by the Executive Chief Information Officer~~ subject to the written approval of the Chief Fiscal Officer of the State.

SECTION 11. Arkansas Code § 25-4-103 is amended to read as follows:
25-4-103. Definitions.

As used in this chapter:

~~(1)~~ (1) "Administrator" means the ~~Administrator of the Office of Information Technology~~;

~~(2)~~ (1) "Application" means a separately identifiable and interrelated set of information technology resources that allows information processing to support specifically defined objectives;

~~(3)~~ (2) "Core information technology infrastructure" means the state data, state network and application interfaces, state security, and disaster recovery;

~~(4)~~ (3) "Customer" means a state agency, other governmental entity, or nongovernmental first responder entity that purchases or uses services under this chapter;

~~(5)~~ (4) "Department" means the Department of ~~Information Systems Finance and Administration~~;

~~(6)~~ (5) "~~Director~~ Chief Technology Officer" means the Director of the Department of Information Systems;

~~(7)~~ (6) "Equipment" means the machines, devices, and transmission facilities used in information processing, including computers, word processors, terminals, telephones, cables, software, and related services;

(8)(7) "Information processing" means the electronic capture, collection, storage, manipulation, transmission, retrieval, and presentation of information in the form of data, text, voice, or image and includes telecommunications and office automation functions;

(9)(8) "Information technology" means any component related to information processing and wired and wireless telecommunications, including data processing and telecommunications hardware, software, services, planning, personnel, facilities, and training;

(10)(9) "Information technology resources" means the procedures, equipment, and software that are designed, built, operated, and maintained to collect, record, process, store, retrieve, display, and transmit information, and the associated personnel, including consultants and contractors;

(11)(10) "Network infrastructure" means the shared portions of the state's telecommunications transmission facilities, including all transmission lines and all associated equipment and software components necessary for the management and control of the state network;

(12)(11) "Nongovernmental first responder entity" means state and law enforcement personnel, fire department personnel, and emergency medical personnel who will be deployed to bioterrorism attacks, terrorist attacks, catastrophic or natural disasters, and other emergencies;

(13)(12) "Other governmental entities" means state-elected constitutional officers and their staffs, the Supreme Court and the Administrative Office of the Courts, the General Assembly or its committees or staffs, the Arkansas State Highway and Transportation Department, the Arkansas State Game and Fish Commission, the federal government, cities, counties, municipalities, and public school districts;

(14)(13) "Project" means a program to apply information technology resources to functions within or among elements of a state agency that ideally is characterized by well-defined parameters, specific objectives, common benefits, planned activities, a scheduled completion date, and an established budget with a specified source of funding;

(15)(14) "Project management" means principles, practices, and techniques applied to lead projects and teams and the control of project schedules, costs, and performance risks with the goal of satisfying customers' requirements;

(16)(15) "Public instrumentality" means any statutorily created entity charged with the responsibility of providing information or services through the use of information technology;

(17)(16) "State agencies" means all state departments, boards, and commissions but shall not include the elected constitutional officers and their staffs, the General Assembly and its committees and staffs, or the Supreme Court and the Administrative Office of the Courts, and public institutions of higher education with respect to academic, research, healthcare, and existing information technology applications and underlying support therefor;

(18)(17) "State of Arkansas ~~shared technical~~ enterprise architecture" means the structure of program or system components, how these components relate to one another, and the principles that govern their design and evolution over time; ~~and~~

(19)(18) "Telecommunications" means all forms of communications devices and transport media for the conveyance by electronic or electrical means of voice, words, data, signals, or images; and

(20) "Working group" means a group of subject matter experts convened for the purpose of collaborating and devising strategies.

SECTION 12. Arkansas Code § 25-4-104 is amended to read as follows:

25-4-104. Department of Information Systems.

(a) There is established within the executive department of government a Department of Information Systems.

(b)(1) The department shall be headed by a director to be appointed by the Governor, subject to confirmation by the Senate in the manner provided by law, and shall serve at the pleasure of the Governor.

(2) The director shall be a person who, by education and training, has technical knowledge and management experience in information technology-related equipment, systems, and services.

(3) The director shall qualify by filing the oath of office required in the Constitution of this state with the Secretary of State.

~~(c) There is established an Office of Information Technology. The Administrator of the Office of Information Technology shall be appointed by the the Executive Chief Information Officer.~~

~~(d)~~(c) The director may establish divisions and the organizational structure deemed necessary and appropriate for the efficient performance of the duties imposed under the provisions of this chapter, provided the organizational structure of the department shall conform to the positions authorized and limitations provided therefor in the biennial appropriation of the department.

~~(e)~~(d) The director shall appoint the deputy and division directors and the professional, technical, and clerical assistants and employees as necessary to perform the duties imposed by this chapter. All employees of the department shall be employed by and serve at the pleasure of the director.

~~(f)~~(e) The director shall report to the Governor any matters relating to abuses of this chapter.

~~(g)~~(f) The director shall recommend statutory changes to the Governor.

SECTION 13. Arkansas Code § 25-4-105 is amended to read as follows:

25-4-105. Department of Information Systems - General powers and duties.

(a) The Department of Information Systems shall be vested with all the powers and duties necessary to administer the department and to enable it to carry out fully and effectively the regulations and laws relating to the department. These powers and duties relate to information technology and include, but are not limited to:

(1) Conceptualizing, designing, developing, building, and maintaining common information technology infrastructure elements used by state agencies and governmental entities;

(2) Providing information technology services to state agencies, other governmental entities, and nongovernmental first responder entities;

(3) Entering into contracts with state agencies, other governmental entities, and nongovernmental first responder entities for the purpose of providing information technology services;

(4)(A) Establishing fair and reasonable schedules of rates or fees to be paid by customers that are provided service to enable the department to recover all allowable costs of providing the services as provided in this chapter.

(B) The same rate or fee structure will apply to all customers receiving services;

(5)(A) Establishing estimated billing rates to be developed for a two-year period to coincide with the budgeting process.

(B) The department shall have the authority to adjust billing as necessary to effect compliance with applicable state and federal statutory and regulatory provisions.

(C) Billing adjustments shall be subject to the approval of the Chief Fiscal Officer of the State and review by the Legislative Council;

(6) Acquiring information technology on behalf of state agencies, the cost of which shall be recovered through customer billings or through direct funding;

(7) Promulgating rules and regulations that are necessary for efficient administration and enforcement of the powers, functions, and duties of the department as provided in this chapter;

(8) Developing a departmental plan to support the goals and objectives set forth for it in the state information technology plans and strategies. ~~The department shall seek the advice of the Executive Chief Information Officer in the development of its plan;~~

(9) Implementing systems to ensure the security of state data and state data processing assets, to provide for disaster recovery and continuity of operations to the state agencies served, and to recover its costs from the customers benefited; ~~and~~

(10) Performing any additional powers, functions, and duties which are necessary and appropriate for the proper administration of the provisions of this chapter;

(11) Monitoring information resource security issues, coordinating all security measures which could be used to protect resources by more than one (1) governmental entity, and acting as an information technology resource to other state agencies;

(12) Assisting in the development of an information technology security policy for state agencies; and

(13) Developing the information technology security policy for state agencies;

(14) Advising agencies in acquiring information technology service;

(15) Developing the information technology standards and specifications for state agencies when requested;

(16) Participating in the development of information technology state contracts as requested by a state agency, including without limitation the identification of requirements, contract negotiation, and vendor evaluation;

(17) With respect to their technology functions and applications, all state departments, boards, commissions, and public institutions of higher education shall consult and cooperate with the Department of Information Systems in the formation and implementation of security policies for the state core information technology infrastructure; and

(18) Assisting in the development of a state information technology plan that shall establish a state-level mission, goals, and objectives for the use of information technology.

(b) Nothing in this chapter shall be construed to deprive, transfer, limit, or in any way alter or change any of the powers vested in the board of trustees of any institution of higher education under existing constitutional and statutory provisions.

SECTION 14. Arkansas Code 25-4-106(a), concerning reporting requirements, is amended to read as follows:

(a)(1) The Director of the Department of Information Systems will report periodically to the Joint Committee on Advanced Communications and Information Technology ~~and the Executive Chief Information Officer~~ regarding the status of the Department of Information Systems' information technology responsibilities in state government.

SECTION 15. Arkansas Code § 25-4-107 is amended to read as follows:

~~25-4-107. Office of Information Technology Department of Finance and Administration - General powers and duties.~~

~~The Office of Information Technology Department of Finance and Administration shall be vested with all the powers and duties necessary to carry out regulations and laws relating to the Executive Chief Information Officer and to oversee and administer information technology and shall:~~

- ~~(1) Assist the Department of Information Systems in performing its duties;~~
- ~~(2) Review and approve agencies' information technology plans and requests;~~
- ~~(3) Provide leadership in coordinating information technology;~~
- ~~(4)(3) Advise agencies in acquiring information technology service;~~
- ~~(5)(4) Advise agencies regarding information technology contracts and agreements;~~
- ~~(6) Monitor national and international standards relating to information technology;~~
- ~~(7)(5) Develop and publish policies, procedures, and standards relating to information technology with advice and review from the Department of Information Systems and ensure agencies' compliance with those policies, procedures, and standards;~~
- ~~(8)(6) Develop standards policies to promote and facilitate electronic access to government information and interoperability of information systems;~~
- ~~(9)(7) Develop Assist in developing a state information technology plan that shall establish a state-level mission, goals, and objectives for the use of information technology; and~~
- ~~(10)(8) Foster interagency use of information technologies that is consistent with the established strategic direction of information technology and avoids unnecessary duplication.~~

SECTION 16. Arkansas Code § 25-4-108 is amended to read as follows:

~~25-4-108. Office of Information Technology Department of Information Systems - Working groups.~~

~~(a) The Executive Chief Information Officer shall appoint working groups as necessary to provide the Office of Information Technology with expertise and advice on information technology.~~

~~(b) Working group members shall:~~

- ~~(1) Have knowledge and experience in information technology; and~~
- ~~(2) Annually elect a chair.~~

~~(c)(1) Working group members shall not receive compensation for service to the working groups.~~

~~(2) However, working group members may receive reimbursement for actual and necessary expenses reasonably incurred in performing board service, subject to applicable limitations on reimbursement as provided by law.~~

~~(d) A working group may be convened by:~~

- ~~(1) A majority of the working group's members;~~
- ~~(2) The working group's chair; or~~
- ~~(3) The Administrator of the Office of Information Technology.~~

~~(a) The Director of the Department of Information Systems may appoint working groups as necessary for specific purposes related to information technology coordination.~~

~~(b) Working group membership shall be determined by the Director of the Department of Information Systems.~~

(c) Each working group shall establish a timeline for completion of its charge to accomplish performance-driven results.

(d) Working groups shall meet at least quarterly to achieve their assigned charge.

SECTION 17. Arkansas Code § 25-4-110 is amended to read as follows:

25-4-110. Information technology - Planning.

(a)(1) ~~The Office of Information Technology~~ Department of Finance and Administration shall ~~develop~~ assist in developing the state information technology plan.

~~(2) The administrator under the direction of the Executive Chief Information Officer shall prepare the draft state information technology plan and periodic updates for the Governor and shall seek the advice of the working groups.~~

~~(3)(2) Before the administrator submits the plan to the Governor, he or she shall seek the advice of~~ The Department of Information Systems shall submit monthly status reports to the Joint Committee on Advanced Communications and Information Technology.

~~(b)(1) The Office of Information Technology~~ Department of Finance and Administration with advice and review of the Department of Information Systems shall develop and maintain information technology standards policies.

~~(2) The administrator shall prepare the draft standards and periodic updates for the Governor and shall seek the advice of the working groups.~~

~~(3) Before the administrator submits the state standards to the Governor, he or she shall seek the advice of the steering committee and the advisory board.~~

(c)(1) Each state agency shall develop a biennial information technology plan that establishes state agency goals, objectives, and policies regarding the development and use of information technology.

(2)(A) Each state agency shall specifically include a policy regarding the use of the Internet.

(B) A statement of the agency's policy regarding the use of the Internet shall include:

(i) The penalties for violations of the agency's Internet policy;

(ii) The number of employees and computers which have access to the Internet and the percentage of those employees and computers to the total number of employees and computers;

(iii) The needs of the agency and how those needs relate to the use of the Internet; and

(iv) The responsibilities of the agency's employees as those responsibilities relate to the efficient and responsible use of the Internet.

(3) Plans may be updated by agencies in a timely manner to remain current and must accommodate changes in the evolving state information technology plan and standards.

~~(d) The Office of Information Technology~~ Department of Finance and Administration shall distribute criteria, elements, form, and format for agency plans. Plans may include, but not be limited to, the following:

(1) A statement of the agency's mission, goals, and objectives for information technology;

(2) Goals and objectives for achieving electronic access to agency records, information, and services;

(3) Consideration of a variety of information technologies, including those that help transcend geographic locations, standard business hours, economic conditions of users, and disabilities;

- (4) Compliance with the Freedom of Information Act of 1967, § 25-19-101 et seq.;
- (5) An explanation of how the state agency's mission, goals, and objectives for information technology support and conform to the state information technology plan developed by the office;
- (6) An implementation strategy to include:
- (A) Annual implementation objectives of the plan;
 - (B) Methods to educate both state employees and the public in the effective use of access technologies; and
 - (C) Agency activities to increase electronic access to public records and information to be implemented within available resources and existing state agency planning processes;
- (7) Projects and resources required to meet the objectives of the plan;
- (8) Estimated schedules and funding required to implement identified projects;
- (9) An evaluation of the agency's performance relating to information technology;
- (10) An assessment of progress made toward implementing the agency information technology plan;
- (11) A discussion of progress toward electronic access to public information and enabling citizens to have two-way interaction for obtaining information and services from state agencies; and
- (12) An inventory of state agency information technology.
- (e) Plans developed or updated shall be submitted to the ~~office~~ Department of Finance and Administration. The ~~office~~ Department of Finance and Administration may reject, require modification to, or approve plans as deemed appropriate. Plans shall be modified by the state agency as necessary.
- (f) Plans developed or updated by public instrumentalities shall be submitted for review to the Joint Committee on Advanced Communications and Information Technology. The committee may seek the assistance of the ~~office~~ Department of Finance and Administration in conducting this review. Plans shall be modified by the public instrumentality as necessary.

SECTION 18. Arkansas Code § 25-4-111 is amended to read as follows:

25-4-111. Information technology - Prerequisites.

- (a) Unless the agency first receives approval for a plan or an updated plan as provided for under § 25-4-110, no state agency shall:
- (1) Acquire by purchase or lease any new or additional information technology; or
 - (2) Enter into any contract for information technology.
- (b) If an agency desires to acquire information technology not part of an information technology plan approved under § 25-4-110, the requesting agency shall submit a waiver request to the ~~Executive Chief Information Officer~~ director of the Department of Finance and Administration that includes:
- (1) Identification of necessary additional services or improvements in information technology;
 - (2) Relationship of the information technology improvements or additions to the overall goals of the agency;
 - (3) Resources needed to provide the additional services or improvements; and
 - (4) Measurement and evaluation criteria.
- (c)(1) Upon evaluation of the waiver request, the ~~Executive Chief Information Officer~~ director of the Department of Finance and Administration shall notify the agency in writing of his or her approval or rejection of the request and his or her reasons therefor.

(2) The ~~Executive Chief Information Officer~~ director of the Department of Finance and Administration shall make his or her evaluation in a timely manner. If the ~~Executive Chief Information Officer~~ director of the Department of Finance and Administration requires more than thirty (30) days to complete the evaluation, he or she shall report in writing to the Governor his or her reasons for the delay in completion.

(3) If the ~~Executive Chief Information Officer~~ director of the Department of Finance and Administration rejects a request for a waiver, no state agency shall make any expenditure of public funds for the acquisition or expansion of information technology equipment or services.

(4) If the ~~Executive Chief Information Officer~~ director of the Department of Finance and Administration determines that the agency needs additional information technology resources, he or she may:

(A) Authorize the agency to acquire the requested information technology;

(B) Authorize acquisition of a modified information technology configuration;

(C) Notify the agency of the availability of department facilities to provide the requested information technology; or

(D) Recommend that the information technology be provided through the facilities of some other designated state agency.

(d) All state agencies shall comply with the provisions of the Arkansas Procurement Law, § 19-11-201 et seq., and applicable provisions of the General Accounting and Budgetary Procedures Law, § 19-4-101 et seq., in the acquisition, purchase, contracting for the purchase of, and leasing of information technology.

SECTION 19. Arkansas Code § 25-4-114(a), concerning contracts and agreements for information technology, is amended to read as follows:

(a) In the event a state agency and the Department of Information Systems are unable to resolve a dispute, the matter shall jointly be referred to the ~~Executive Chief Information Officer~~ director of the Department of Finance and Administration for resolution.

SECTION 20. Arkansas Code § 25-18-603 is amended to read as follows:
25-18-603. Definitions.

As used in this subchapter:

~~(1) "CIO Council" means the same as defined in § 25-33-102;~~

~~(2) "Executive Chief Information Officer" means the Executive Chief Information Officer of the state appointed under § 25-33-103;~~

~~(3)~~(1) "Public records" means the same as defined in § 25-19-103(5)(A); and

~~(4)~~(2)(A) "State agencies" means all state departments, boards, and commissions.

(B) "State agencies" does not include:

(i) The elected constitutional officers and their staffs;

(ii) The General Assembly and its committees and staffs;

(iii) The Supreme Court;

(iv) The Court of Appeals;

(v) The Administrative Office of the Courts; and

(vi) Public institutions of higher education with respect to academic, research, health care, and existing information and technology applications and underlying support.

SECTION 21. Arkansas Code 25-18-604 is amended to read as follows:
25-18-604. Retention requirement.

(a)(1) ~~The Executive Chief Information Officer~~ Department of Finance and Administration shall direct the development of rules and guidelines for the retention of public records commonly found in most state agencies.

~~(2) The CIO Council shall provide review and advice on the rules and guidelines developed pursuant to subdivision (a)(1) of this section.~~

(b)(1) ~~Before January 1, 2006, the Executive Chief Information Officer~~ The Department of Finance and Administration shall promulgate pursuant to the Arkansas Administrative Procedure Act, § 25-15-201 et seq., rules and guidelines governing the retention and management of public records commonly found in most state agencies, including, but not limited to, electronic records.

(2) The Arkansas General Records Retention Schedule, previously promulgated and adopted as Agency Policy 200.000 of the Office of Information Technology, shall be an official regulation of the Department of Finance and Administration subject to revision under subsection (d) of this section.

(c) Each state agency shall comply with the rules and guidelines promulgated under this subchapter upon ~~the earlier of~~ the effective date of subsection (b)(2) of this section.

~~(1) July 1, 2007; or~~

~~(2) The line item appropriation to the agency in question of funds to comply with this subchapter.~~

(d) ~~The Executive Chief Information Officer~~ Department of Finance and Administration shall make periodic updates to the rules governing the retention and management of public records commonly found in most state agencies pursuant to the provisions of the Arkansas Administrative Procedure Act, § 25-15-201 et seq.

SECTION 22. Arkansas Code Title 25, Chapter 8, Subchapter 1 is amended to add an additional section to read as follows:

25-8-110. Additional duties.

The Department of Finance and Administration shall:

(1) Develop retention schedules for control, preservation, protection, and disposition of the electronic records of state agencies under § 25-18-601 et seq.;

(2) Direct the development of policies and procedures that state agencies shall follow in developing information technology plans and technology-related budgets and technology project justification;

(3) Review procurements to ensure conformity with information policies and standards and state-level plans and implementation strategies;

(4) Advise state agencies on information technology contracts and agreements; and

(5) Develop and promulgate rules and guidelines governing the retention and management of public records commonly found in most state agencies under § 25-18-601 et seq.

SECTION 23, Arkansas Code 25-32-117 is amended to read as follows:

25-32-117. Creation and retention of electronic records and conversion of written records by governmental agencies.

(a) Each governmental agency of this State shall determine whether, and the extent to which, it will create and retain electronic records and convert written records to electronic records.

(b) Each state agency shall comply with applicable standards and policies adopted or established by the ~~Executive Chief Information Officer, in collaboration with the CIO Council~~ Department of Finance and Administration with advice and review from the Department of Information Systems to determine whether and the extent to which it will retain and convert written records to electronic records.

SECTION 24. Arkansas Code 25-32-118(a), concerning acceptance and distribution of agency records by governmental agencies, is amended to read as follows:

(a)(1) Except as otherwise provided in § 25-32-112(f), each governmental agency of this State shall determine whether, and the extent to which, it will send and accept electronic records and electronic signatures to and from other persons and otherwise create, generate, communicate, store, process, use, and rely upon electronic records and electronic signatures.

(2) For state agencies, the determinations shall be consistent with applicable standards and policies adopted or established by the ~~Executive Chief Information Officer, in collaboration with the CIO Council~~ Department of Finance and Administration with advice and review from the Department of Information Systems.

SECTION 25. Arkansas Code 25-32-119 is amended to read as follows:

25-32-119. Interoperability.

With respect to standards adopted pursuant to § 25-32-118, the ~~Executive Chief Information Officer~~ Department of Finance and Administration may encourage and promote consistency and interoperability with similar requirements adopted by other governmental agencies of this and other States and the federal government and nongovernmental persons interacting with governmental agencies of this State. If appropriate, those standards may specify differing levels of standards from which governmental agencies of this State may choose in implementing the most appropriate standard for a particular application.

SECTION 26. Arkansas Code § 25-33-101 is amended to read as follows:

25-33-101. ~~Finding~~ State Technology Council.

~~The General Assembly finds and declares information and information resources to be strategic assets of the State of Arkansas and that procedures must be established to ensure that:~~

~~(1) Information technology resources are developed and implemented to provide electronic government services to the citizens of Arkansas twenty-four (24) hours a day, seven (7) days a week;~~

~~(2) Information resources are used in an efficient manner;~~

~~(3) Information is administered and shared consistent with requirements for security, privacy, and confidentiality;~~

~~(4) Information technology acquisitions meet state needs and are consistent with coordinated efforts to maximize standardization and cost effectiveness; and~~

~~(5) State officials have timely access to information in useful forms.~~

(a) There is created the State Technology Council to consist of the following members:

(1) The Director of the Department of Information Systems or his or her designee who shall act as chair of the council;

(2) The Director of the Department of Finance and Administration or his or her designee;

(3) Two (2) members from the private sector appointed by the Governor with knowledge and experience in the management and implementation of information technology; and

(4) Two (2) members from state agencies appointed by the Governor who have knowledge and experience in the management and implementation of information technology.

(b) The State Technology Council shall be responsible for developing:

(1) The information technology standards and specifications for state agencies;

(2) A state information technology plan that shall establish state-level mission, goals, and objectives for the use of information technology; and

(3) Technical standards and specifications to support the state's shared enterprise architecture.

(c) The council may meet as deemed necessary by the chair of the council.

(d) A quorum of the council shall consist of three (3) members.

(e) Members of the council shall serve without compensation.

(f) The chair of the council shall file a quarterly status report with the Governor and the Joint Committee on Advanced Communications and Information Technology.

SECTION 27. Arkansas Code § 25-33-102 is repealed

~~25-33-102. Definitions.~~

For purposes of this chapter:

~~(1) "Agency CIO" means the chief information officer of a state agency whose charge is to apply technology to meet the agency's core business processes;~~

~~(2) "Executive CIO" means the Executive Chief Information Officer of the state appointed under this chapter;~~

~~(3) "CIO Council" means the CIO Council created by this chapter;~~

~~(4) "Core information technology infrastructure" means the state data, state network and application interfaces, and state security;~~

~~(5) "Electronic record" means a record created, generated, sent, communicated, received, or stored by electronic means;~~

~~(6) "Enterprise project" refers to an information technology project that:~~

~~(A) Applies to more than one (1) government entity; and~~

~~(B) Has implications for the development of the core infrastructure in compliance with the state's shared technical architecture;~~

~~(7) "Information technology" means any component related to information processing and telecommunications, including data processing and telecommunications hardware, software, services, planning, personnel, facilities, and training;~~

~~(8) "Information technology resources" means:~~

~~(A) The procedures, equipment, and software that are designed, built, operated, and maintained to collect, record, process, store, retrieve, display, and transmit information; and~~

~~(B) Associated personnel, including consultants and contractors;~~

~~(9) "Project" means a program to apply information technology resources to functions within or among elements of a state agency, that ideally is characterized by:~~

~~(A) Well-defined parameters;~~

~~(B) Specific objectives;~~

~~(C) Common benefits;~~

~~(D) Planned activities;~~

~~(E) A scheduled completion date; and~~

~~(F) An established budget with a specified source of funding;~~

~~(10) "State agencies" means all state departments, boards, and commissions, but shall not include the elected constitutional officers and their staffs, the General Assembly and its committees and staffs, the Supreme Court and the Administrative Office of the Courts, and public institutions of higher education with respect to academic, research, healthcare, and existing information technology applications and underlying support therefor; and~~

~~(11) "State of Arkansas shared technical architecture" means:~~

~~(A) The structure of program or system components of state government;~~

~~(B) How these components relate to one another;~~

~~(C) The means of communication among them; and~~

~~(D) The principles that govern their design and evolution over time.~~

SECTION 28. Arkansas Code § 25-33-103 is amended to read as follows:

~~25-33-103. Executive Chief Information Officer.~~

~~(a) There is hereby created the position of Executive Chief Information Officer, which shall be appointed by and serve at the will of the Governor.~~

~~(b) Minimum qualifications for the Executive Chief Information Officer, including, but not limited to, education, background, and experience shall be promulgated by the Office of Personnel Management of the Division of Management Services of the Department of Finance and Administration to be reviewed by the Legislative Council and approved by the Governor.~~

~~(c)(1) The Office of Information Technology shall be under the direction of the Executive Chief Information Officer as soon as the Executive Chief Information Officer is appointed. Until that appointment, the office shall remain under the Department of Information Systems.~~

~~(2) The powers and duties of the Executive Chief Information Officer shall not become effective until the appointment of the Executive Chief Information Officer.~~

SECTION 29. Arkansas Code § 25-33-104 is repealed.

~~25-33-104. Executive Chief Information Officer - Duties.~~

~~(a) The Executive Chief Information Officer shall:~~

~~(1) Utilize any personnel and resources of the Department of Information Systems as deemed necessary with the consent of the Governor, including, but not limited to, the functions currently performed by the Office of Information Technology;~~

~~(2)(A) Direct the formulation of promulgation of policies, standards, specifications, and guidelines for information technology in the state, including, but not limited to, those required to support state and local government exchange in a secure environment for the acquisition, storage, use, sharing, and distribution of core infrastructure components as defined by the State of Arkansas shared technical architecture.~~

~~(B) The areas in which standards, policies, and guidelines shall be developed shall include, but are not limited to, retention schedules for control, preservation, protection, and disposition of the electronic records of agencies;~~

~~(3) Develop a process for how all state agencies shall have input into the formation of these policies, standards, specifications, and guidelines and present the plan to the Governor and the General Assembly;~~

~~(4) If deemed necessary and appropriate, establish working groups to assist in the formulation of policies, standards, specifications, and guidelines and assure that all agencies have the opportunity to review and comment;~~

~~(5) Oversee the development of legislation and rules and regulations affecting electronic records management and retention, privacy, security, and related issues;~~

~~(6) Create a state security office to monitor information resource security issues, coordinate all security measures which could be used to protect resources by more than one (1) governmental entity, and act as an information technology resource to other state agencies;~~

~~(7) Oversee the development of information technology security policy for state agencies;~~

~~(8) In consultation with the CIO Council, direct the development of policies and procedures which state agencies shall follow in developing information technology plans and technology-related budgets and technology project justification;~~

~~(9) Establish criteria for enterprise projects and review enterprise project plans and budget requests and recommend priorities to the council;~~

~~(10)(A) Develop plans and implementation strategies to promulgate state-level missions, goals, and objectives for the use of information technology, with the review and advice of the council.~~

~~(B) These plans and strategies shall include, but not be limited to:~~

~~(i) Business case development for information technology applications;~~

~~(ii) Maximizing state purchasing power;~~

~~(iii) Increasing collaborative efforts for projects of mutual interest; and~~

~~(iv) Creating opportunities to develop public and private partnerships;~~

~~(11) Review procurements to ensure conformity with information policies and standards and state-level plans and implementation strategies;~~

~~(12) Advise state agencies in acquiring information technology service, as well as advise state agencies on information technology contracts and agreements;~~

~~(13) Make a quarterly report to the Joint Committee on Advanced Communications and Information Technology regarding the status of information technology deployment to meet the goals set forth in this enabling legislation;~~

~~(14) Solicit, receive, and administer funds from public and private entities to be used for the purchase of information technology resources;~~

~~(15) Report to the committee and the Governor the total business analysis prepared for information technology projects; and~~

~~(16) Develop and promulgate rules and guidelines governing the retention and management of public records commonly found in most state agencies.~~

~~(b) With respect to their technology functions and applications, all state departments, boards, commissions, and public institutions of higher education shall:~~

~~(1) Advise the Executive Chief Information Officer in advance of their anticipated usage needs for the state core information technology infrastructure to facilitate network capacity planning; and~~

~~(2) Consult and cooperate with the Executive Chief Information Officer in the formation and implementation of security policies for the state core information technology infrastructure.~~

~~(c) Nothing in this chapter shall be construed to deprive, transfer, limit, or in any way alter or change any of the powers vested in the board of trustees of any institution of higher education under existing constitutional and statutory provisions.~~

~~(d) All state agencies shall adopt the policies, standards, specifications, and guidelines, if applicable, to implement subdivision (a)(4) of this section.~~

~~(e) As to electronic records, the authority and responsibility of the State Records Commission [repealed] under § 13-4-105 [repealed] are transferred to the Executive Chief Information Officer.~~

~~(f)(1) In the event a state agency proposes an information technology project which does not comply with the state information shared architecture or state information technology plan, the agency shall submit documentation to the Administrator of the Office of Information Technology explaining the reason for noncompliance.~~

~~(2) The administrator shall advance the agency's concerns to the Executive Chief Information Officer, who shall seek review and advice of the council.~~

~~(3) The Executive Chief Information Officer shall then approve or disapprove the proposed project plan.~~

~~(g) The information technology project justification process developed by the Executive Chief Information Officer in connection with the council shall be followed by all state agencies.~~

SECTION 30. Arkansas Code § 25-33-105 is repealed.

~~25-33-105. CIO Council.~~

~~(a)(1) There is hereby created the CIO Council to be appointed by the Governor with the advice of the Information Technology Oversight Committee.~~

~~(2) The council shall advise the Executive Chief Information Officer on information technology resource usage and prioritization.~~

~~(b)(1) The Executive Chief Information Officer shall present a recommendation of the membership of the council to the Governor within sixty (60) days after his or her appointment.~~

~~(2) The council shall have representatives from state government, public education, cities, and counties.~~

~~(3) The Executive Chief Information Officer shall implement a policy to ensure representation for every state agency on the council, although every state agency shall not have an individual representative on the council.~~

~~(c)(1) Specific state agency participation on the council shall be through the position of agency chief information officer.~~

~~(2) Minimum qualifications for the agency chief information officer, including, but not limited to, education, background, and experience shall be promulgated by the Office of Personnel Management of the Division of Management Services of the Department of Finance and Administration to be reviewed by the Legislative Council and approved by the Governor.~~

~~(3) The Executive Chief Information Officer shall have the authority to appoint representatives of other agencies to subcommittees.~~

~~(4) In addition, the chief executive employee of the network manager contracted pursuant to the Information Network of Arkansas Act, § 25-27-101 et seq., shall serve as an ex officio member of the council.~~

~~(d) The council shall:~~

~~(1) Provide leadership in coordinating information technology in the state;~~

~~(2) Assist in establishing a prioritization system for state investment in enterprise projects;~~

~~(3) Assist in the development of policies and procedures, in consultation with the Executive Chief Information Officer, which state agencies and institutions of higher learning shall follow in developing information technology plans and technology-related budget requests;~~

~~(4) Advise on the modification of the state information technology plan;~~

~~(5) Create the methodology to evaluate the applications for funding of information technology projects based on the return on investment of the project and the linkage of the project to the agency's business objectives; and~~

~~(6) Establish standards and methodologies to ensure that good business case analysis is required from state agencies prior to allocation of funds.~~

~~(e)(1) The business case analysis shall identify total costs from beginning to end of the project to include, but not be limited to, consultant needs, required hardware or software support, ongoing support and maintenance, education and training, network bandwidth capacity, etc.~~

~~(2) All information technology projects shall be evaluated on the basis of the return on investment of the project, the value-added services, and the compatibility with the state-shared architecture.~~

~~(3) The evaluation method shall verify the link between the agency's business objectives and the agency's information technology strategy.~~

~~(4) The Executive Chief Information Officer shall report to the appropriate legislative committees and the Governor the total business analysis prepared for information technology projects.~~

~~(f)(1) To achieve the best return on investment for the citizens of Arkansas, a state agency shall seek an existing application or technology for its information technology projects before proposing the development of a new application to be created by either a private company or the Department of Information Systems.~~

~~(2) The business case analysis necessary to make the appropriate determination shall include line items to identify staff resources required for creating the interfaces to the state's core infrastructure so that interoperability of all newly acquired technologies can be accomplished within the life cycle of the project.~~

SECTION 31. Arkansas Code § 25-33-106 is repealed.

~~25-33-106. Information Technology Oversight Committee.~~

~~(a) There is created the Information Technology Oversight Committee, to be appointed by the Governor as follows:~~

~~(1) Three (3) members nominated by the Joint Committee on Advanced Communications and Information Technology;~~

~~(2) Four (4) members from the Arkansas private sector;~~

~~(3) Two (2) members who shall be elected officials from Arkansas local government;~~

~~(4) Two (2) members nominated by the Arkansas Higher Education Coordinating Board in consultation with the Executive Council; and~~

~~(5) One (1) member nominated by the State Board of Workforce Education and Career Opportunities.~~

~~(b) Members of the Information Technology Oversight Committee must have knowledge and experience in the management and implementation of information technology.~~

~~(c) The Information Technology Oversight Committee shall advise the Executive Chief Information Officer on the allocation of information technology resources in the state.~~

SECTION 32. Arkansas Code § 25-33-107 is repealed.

~~25-33-107. Appeal.~~

~~(a) With respect to any finding, ruling, or determination that the Administrator of the Office of Information Technology is authorized to make under the provisions of this chapter, any state agency aggrieved by any decision of the administrator, or undue delay by the administrator in reviewing agency requests or plans under the provisions of this chapter, may appeal therefrom in writing to the Executive Chief Information Officer.~~

~~(b) The Executive Chief Information Officer shall secure review and advice of the CIO Council within thirty (30) days and immediately furnish a copy of the appeal, including a statement of the reasons for the appeal, and the Executive Chief Information Officer's recommendation to:~~

- ~~(1) The Governor;~~
- ~~(2) During the interim between sessions, the Joint Committee on Advanced Communications and Information Technology; and~~
- ~~(3) During a legislative session, the House Committee on Advanced Communications and Information Technology and the Senate Committee on Technology and Legislative Affairs.~~

~~(c) The Governor shall make any individual evaluation and study with respect to an appeal which he or she deems appropriate and, in connection with the evaluation and study, may enlist the cooperation or technical assistance of other state agencies.~~

~~(d) The Governor shall issue his or her ruling within thirty (30) days, which may be:~~

- ~~(1) To uphold the decision of the Executive Chief Information Officer;~~
- ~~(2) To reject the decision of the Executive Chief Information Officer and approve the action sought by the state agency; or~~
- ~~(3) To modify the decision of the Executive Chief Information Officer in any manner which the Governor deems appropriate.~~

~~(e) The Governor shall notify the following in writing of his or her decision:~~

- ~~(1) During the interim between sessions, the Joint Committee on Advanced Communications and Information Technology; and~~
- ~~(2) During a legislative session, the House Committee on Advanced Communications and Information Technology and the Senate Committee on Technology and Legislative Affairs.~~

~~(f) The review by the Executive Chief Information Officer, the council, and the committees identified in subsection (b) of this section is intended to be advisory to the Governor, with ultimate responsibility for the decision to rest with the Governor.~~

SECTION 33. Arkansas Code § 25-33-201 is repealed.

~~25-33-201. Findings and purpose.~~

~~(a) It is found and determined by the General Assembly that:~~

~~(1) There is a need to invest in technologies that will provide for both greater efficiencies and better responsiveness in order for Arkansas to take full advantage of technological applications in providing services and solving problems of its citizens;~~

~~(2) State government can save money by creating information technology solutions that can be used by more than one (1) state agency or institution of higher learning;~~

~~(3) Arkansas citizens desire state government services to be more accessible and less expensive; and~~

~~(4) These goals can be achieved through the careful selection of appropriate applications of technology, identified through a collaborative process and justified by using strong business case analysis to include performance outcomes.~~

~~(b) It is further found and determined by the General Assembly that:~~

~~(1) The creation of an Arkansas Technology Infrastructure Fund will make moneys available to state agencies and institutions of higher education for enterprise-level information technology projects;~~

~~(2) The fund is created to be an incentive to accelerate the implementation of electronic government and to encourage state agencies to pursue innovative and creative approaches using technology to provide needed citizens' services in a more cost effective and efficient manner; and~~

~~(3) The fund allows agency technology innovators to compete for dollars on a year-round, ongoing basis.~~

SECTION 34. Arkansas Code § 25-33-202 is repealed.

~~25-33-202. Arkansas Technology Infrastructure Fund - Creation.~~

~~(a) There is created on the books of the Treasurer of State, the Auditor of State, and the Chief Fiscal Officer of the State a fund to be known as the "Arkansas Technology Infrastructure Fund".~~

~~(b) The following moneys shall be deposited or transferred into the State Treasury to the credit of the Arkansas Technology Infrastructure Fund:~~

~~(1)(A) Savings that accrue to state agencies from reductions in the cost of providing services to citizens as a result of employing technology.~~

~~(B)(i) If a state agency determines that there are reductions in the cost of providing services to citizens as a result of employing technology, then the savings which result may be transferred, upon written approval of the amount by the Chief Fiscal Officer of the State, from any appropriation and funds of the agency to the Arkansas Technology Infrastructure Fund.~~

~~(ii) Before approving any transfers to the Arkansas Technology Infrastructure Fund of moneys appropriated for a state agency, the Chief Fiscal Officer of the State shall obtain the review of the Legislative Council with respect to the transfer.~~

~~(iii) If approved by the Chief Fiscal Officer of the State and reviewed by the Legislative Council, then the Chief Fiscal Officer of the State shall cause transfers to be made upon his or her books and those of the Treasurer of State and the Auditor of State;~~

~~(2) Any funds approved by the General Assembly by law;~~

~~(3) Grants, gifts, and donations received by this state for the purposes of this subchapter; and~~

~~(4) Agency investments toward enterprise projects.~~

~~(c) Any unused portion of the Arkansas Technology Infrastructure Fund shall remain in the Arkansas Technology Infrastructure Fund and will not revert to the General Revenue Fund Account of the State Apportionment Fund.~~

~~(d)(1) The Arkansas Technology Infrastructure Fund shall be managed by the Executive Chief Information Officer.~~

~~(2) The Governor shall oversee the expenditures from the Arkansas Technology Infrastructure Fund.~~

SECTION 35. Arkansas Code § 25-33-203 is repealed.

~~25-33-203. Project standards and methodologies.~~

~~Upon review by the CIO Council, the Executive Chief Information Officer shall establish standards and methodologies to:~~

~~(1)(A) Evaluate the funding of enterprise-level projects.~~

~~(B) The evaluation method shall:~~

~~(i) Verify the link between the agency's business objectives and the agency's information technology strategy; and~~

~~(ii) Identify the plan for interfacing with the state's core systems; and~~

~~(2)(A) Ensure that good business case analysis is required from the agencies prior to the allocation of funds.~~

~~(B) The business case analysis shall identify total costs from beginning to end of the project, to include, but not be limited to:~~

- ~~(i) Consultant needs;~~
- ~~(ii) Required hardware or software support;~~
- ~~(iii) Ongoing support and maintenance;~~
- ~~(iv) Education and training; and~~
- ~~(v) Network bandwidth capacity.~~

SECTION 36. Arkansas Code § 25-33-204 is repealed.

~~25-33-204. Project funding.~~

~~(a) Upon review by the CIO Council, the Executive Chief Information Officer shall evaluate, prioritize, and approve proposals for enterprise projects.~~

~~(b) Before funds are approved from the Arkansas Technology Infrastructure Fund, the Executive Chief Information Officer shall report to the Legislative Council and the Governor the total business analysis prepared for the project.~~

~~(c) Requests for funding from the fund shall demonstrate any of the following:~~

- ~~(1) Improvement in the quality of life for Arkansans;~~
- ~~(2) Elimination of redundant systems;~~
- ~~(3) Improved service for Arkansas citizens;~~
- ~~(4) Enhanced economic development opportunities in Arkansas;~~
- ~~(5) Implementation of electronic government twenty-four (24) hours a day, seven (7) days a week; or~~
- ~~(6) Substantial benefit to more than one (1) agency through lower operating costs.~~

SECTION 37. Arkansas Code 25-33-205 is repealed.

~~25-33-205. Applicability.~~

~~This subchapter shall not apply to the State Bank Department, State Insurance Department, or State Securities Department.~~

SECTION 38. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that this act dissolves and transfers the duties of the Executive Chief Information Officer, Chief Information Officer, and Office of Information Technology; and that dissolving the offices at the beginning of the state's fiscal year will result in a more efficient transfer of responsibilities and funds. Therefore, an emergency is declared to exist, and this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2007."

(SIGNED) SENATOR CAPPS

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2586 was ordered engrossed.

On motion of Senator Pritchard, **House Bill No. 2390** was placed back on second reading for purpose of Amendment No. 3. Withdraw Amendments No. 1 and No. 2.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 3 to HOUSE BILL NO. 2390

Amend **House Bill No. 2390** as engrossed, H3/13/07:

Page 4, line 28, delete "approval" and substitute "review"

AND

Page 4, line 30, delete "approved" and substitute "reviewed"

AND

Page 4, delete lines 34 and 35 and substitute the following:

"(d) The Arkansas Milk Stabilization Board shall have jurisdiction over milk and milk products marketed in the State of Arkansas."

(SIGNED) SENATOR B. PRITCHARD

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2390 was ordered engrossed.

On motion of Senator Whitaker, **House Bill No. 1474** was withdrawn from the Committee on JUDICIARY, and placed back on second reading for purpose of Amendment 1.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to HOUSE BILL NO. 1474

Amend **House Bill No. 1474** as engrossed, H2/21/07:

Page 2, delete line 2 and substitute the following:

"the buyer is a county coroner, a certified law enforcement officer, or a constable with one hundred twenty (120) hours of training"

AND

Page 3, delete lines 22 through 25 and substitute the following:

"(C) ~~to possess~~ To possess a blue light that that is not sealed in the manufacturer's original package in or on any vehicle in this state other than:

(i) In a vehicle owned or leased and operated and maintained by a federal, state, county, or city law enforcement agency; or, a blue light that is not sealed in the manufacturer's package.

(ii)(a) By a constable in his or her properly marked vehicle.

(b) The constable shall sell, donate, or destroy the blue light upon leaving office."

(SIGNED) SENATOR WHITAKER

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1474 was ordered engrossed.

On motion of Senator Taylor, **House Bill No. 2628** 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. 2628

Amend **House Bill No. 2628** as engrossed, H3/13/07:

Add Senator Taylor as a cosponsor of the bill

AND

Page 1, delete lines 34 through 36 and substitute the following:

“(b) In order to protect the Division of Land Surveys, to allow for continuation of necessary procedures, and to provide for a smooth transition to the Department of Agriculture, the Secretary of the Arkansas Agriculture Department may not realign the functions and records of the Division of Land Surveys of the Arkansas Agriculture Department before July 1, 2008.”

AND

Page 2, delete lines 1 and 2

AND

Page 2, delete line 35 and substitute the following:

"and the ~~Arkansas Association of Registered Land Surveyors~~ ~~Arkansas Society of Professional Surveyors~~;"

(SIGNED) SENATOR J. TAYLOR

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2628 was ordered engrossed.

On motion of Senator Broadway, **House Bill No. 2705** was placed back on second reading for purpose of Amendment No. 2.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 2 to HOUSE BILL NO. 2705

Amend **House Bill No. 2705** as engrossed, S3/20/07:

Page 2, delete lines 4 and 5 and substitute:

"and Urban Development when and as adopted by the commission;"

AND

Page 4, line 19, delete "~~regulation~~ rule" and substitute "regulation"

AND

Page 4, line 36, delete "~~regulation~~ rule" and substitute "regulation"

AND

Page 5, line 13, delete "rule" and substitute "regulation"

AND

Page 5, line 20, delete "~~regulations~~ rules" and substitute "regulations"

AND

Page 5, line 24, delete "rules" and substitute "regulations"

AND

Page 7, line 17, delete "rules." and substitute "regulations."

AND

Page 7, line 34, delete "rules" and substitute "regulations"

(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. 2705 was ordered engrossed.

On motion of Senator Malone, House Bill No. 1636 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. 1636

Amend House Bill No. 1636 as engrossed, H3/15/07:

Page 4, delete line 9 and substitute:

"after the complaint is filed.

23-4-1006. Applicability.

Nothing in this subchapter shall affect the authority and jurisdiction of the Federal Communications Commission over the rates, terms, and conditions of a pole attachment until after the final certification of the Arkansas Public Service Commission under § 23-4-1005."

(SIGNED) SENATOR MALONE

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1636 was ordered engrossed.

On motion of Senator Trusty, [House Bill No. 2249](#) was placed back on second reading for purpose of Amendments No. 1, No. 2 .

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
[Amendment No. 1 to HOUSE BILL NO. 2249](#)

Amend [House Bill No. 2249](#) as engrossed, H3/16/07:

Page 1, line 31, delete “~~accessible~~” and substitute “accessible”

AND

Page 1, line 36, delete “~~accessible~~” and substitute “accessible”

AND

Page 2, line 14, delete “subsection (d)” and substitute “subsections (d) and (e)”

AND

Page 2, delete line 24 and substitute:

"identity.

(C) This subdivision (a)(2) applies to holders of or applicants for special license plates issued under this section who do not have a valid driver's license or identification card issued under the laws of this state."

AND

Page 2, delete line 29 and substitute:

"special license plate, unless the person with a disability has a permanent disability."

AND

Page 4, delete line 20 and substitute:

"person-with-a-disability certificate issued under this section.

(3)(A) The Office of Motor Vehicle shall not charge an additional fee for adding the endorsement on a currently issued driver's license or identification card.

(B) Any person who applies for and does not currently have a driver's license or identification card and requests the endorsement shall pay only the fee required under current law for the issuance of a driver's license or identification card and shall not pay an additional fee for the endorsement.

(e)(1) A person who is a resident of a facility that provides long-term medical care or personal care is not required to obtain a photo identification card that displays a photograph of the person with a disability but instead shall carry on the person documentation from the administrator of the facility attesting that the person is a resident of the facility.

(2) This subsection (e) applies to the following facilities including without limitation:

- (A) A licensed nursing home;
- (B) A licensed residential care facility; or
- (C) A licensed assisted living facility."

AND

Page 4, line 31, delete "three-" and substitute "a three-"

AND

Page 4, delete line 32 and substitute:

"wheeled scooter, or a similar device"

AND

Page 4, line 33, delete "and" entirely

AND

Page 5, line 19, delete "(b)" and substitute "(b)(1)"

AND

Page 5, delete lines 26 through 27 and substitute:

"~~(e)~~(A) The A sign that displays the blue and white international symbol of access, accompanied by one (1) or more of the phrases referenced under subdivision (b)(1)(B) of this section;

AND

Page 5, line 28, delete "(2)" and substitute "(B)"

AND

Page 5, line 33, delete "(A)" and substitute "(i)"

AND

Page 5, line 34, delete "(B)" and substitute "(ii)"

AND

Page 5, line 35, delete “(C)” and substitute “(iii)”

AND

Page 5, delete line 36 and substitute:

“(iv) “Reserved for Handicapped”;
(v) “Reserved Parking” with the blue and white international
symbol of access; or”

AND

Page 6, line 1, delete “(E)” and substitute “(vi)”

AND

Page 6, line 2, delete “(3)” and substitute “(C)”

AND

Page 6, delete line 4 and substitute:

“Administration of the United States Department of Transportation.
(2) Corresponding pavement markings of the blue and white
international symbol of access are preferred but not required for enforcement of this
subchapter.”

AND

Page 7, delete line 11 and substitute:

“year.

SECTION 8. Arkansas Code § 27-15-302, regarding definitions under the Access to Parking for Persons with Disabilities Act, § 27-15-301 et seq., is amended to add an additional subdivision to read as follows:

(6)(A) “Permanent disability” means a medically determined condition that is continuous without the possibility of improvement and that substantially impacts a person’s mobility.

(B) “Permanent disability” includes:

- (i) A spinal cord injury;
- (ii) A genetic ambulatory disorder;
- (iii) An amputation;
- (iv) Spina bifida;
- (v) Multiple sclerosis;
- (vi) Chronic heart disease; or
- (vii) Any other medically determined permanent

condition that substantially impacts a person’s mobility.”

(SIGNED) SENATOR TRUSTY

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. 2249

Amend **House Bill No. 2249** as engrossed, H3/16/07:

Add Senator Trusty as a cosponsor

(SIGNED) SENATOR TRUSTY

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2249 was ordered engrossed.

On motion of Senator Hendren, **House Bill No. 2345** was placed back on second reading for purpose of Amendment 1.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to HOUSE BILL NO. 2345

Amend **House Bill No. 2345** as engrossed, H3/14/07:

Page 1, delete lines 20 through 29 entirely

AND

Page 2, delete line 4 and substitute:
"repairs. Additionally, there shall be no requirement for part-by-part analysis in determining the retail rate for parts."

AND

Page 2, line 29, delete "dealers" and substitute "dealers of the same line-make"

AND

Renumber the sections in the bill in consecutive order

(SIGNED) SENATOR HENDREN

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2345 was ordered engrossed.

On motion of Senator Argue, House Bill No. 2487 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. 2487

Amend House Bill No. 2487 as engrossed, H3/16/07:

After SECTION 1 add an additional Section to read as follows:

"SECTION 2. NOT TO BE CODIFIED. Nothing in this act confers any regulatory authority that did not exist prior to the effective date of this act upon any governmental agency over any self-insurance fund, pooled liability fund, or similar fund maintained by a medical provider."

(SIGNED) SENATOR ARGUE

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2487 was ordered engrossed.

On motion of Senator Faris, [House Bill No. 2214](#) 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. 2214

Amend [House Bill No. 2214](#) as originally introduced:

Page 1, delete lines 14 through 16 and substitute the following:
“AN ACT AMENDING PROVISIONS OF ARKANSAS LAW PERTAINING TO THE PRESIDENTIAL PREFERENTIAL PRIMARY ELECTION.”

AND

Page 3, line 4, delete “(3)(A)” and substitute “(3)(A)(i)”

AND

Page 3, delete line 9 and substitute the following:
“thereafter before the presidential preferential primary election.
(ii) The name to be printed on the ballot shall be the name on the party certificate.
(iii) The Secretary of State shall not accept for filing a party certificate that contains a name that does not conform to the requirements of § 7-7-305(c).”

AND

Page 3, line 14, delete “candidacy;” and substitute “candidacy; and”

AND

Page 3, line 15, delete “applications; and” and substitute “applications; and .”

AND

Page 3, delete lines 16 and 17 and substitute the following:
~~“(iv) Determine the order that the candidates shall appear on the ballot.”~~
(C) The Secretary of State shall transmit to each county board of election commissioners no later than sixty-five (65) days before the presidential preferential primary election a certified list of the names of the candidates of each political party as they are to be printed on the ballot.

(D)(i) Not later than sixty (60) days before the presidential preferential primary election, the county board of election commissioners of each county shall hold a public meeting to determine by lot the order in which the names of the candidates for the respective party primaries are to appear on the ballot.

(ii) The county board of election commissioners shall publish notice of the meeting at least three (3) days before the meeting in a newspaper of general circulation in the county.”

AND

Page 3, line 30, delete “(D)(G)” and substitute “(D)(C)”

(SIGNED) SENATOR FARIS

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2214 was ordered engrossed.

The President declared the morning hour to have expired.

On motion of Senator Broadway, **Senate Bill No. 289** was called up for third reading and final disposition.

SENATE BILL NO. 289
As Engrossed: S2/13/07 S3/22/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR BROADWAY
BY: REPRESENTATIVE WEBB

A Bill for an Act to be Entitled: AN ACT TO CONTINUE THE TASK FORCE ON SUSTAINABLE BUILDING DESIGN AND PRACTICES; AND FOR OTHER PURPOSES.

Senate Bill No. 289 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. 289 was ordered immediately transmitted to the House as passed.

On motion of Senator Thompson, **Senate Bill No. 907** was called up for third reading and final disposition.

SENATE BILL NO. 907
As Engrossed: S3/22/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR R. THOMPSON

A Bill for an Act to be Entitled: AN ACT TO AMEND THE STATUTORY FORECLOSURE ACT; AND FOR OTHER PURPOSES.

Senate Bill No. 907 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

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

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 907 was ordered immediately transmitted to the House as passed.

On motion of Senator Altes, **Senate Bill No. 969** was called up for third reading and final disposition.

SENATE BILL NO. 969
As Engrossed: S3/20/07 S3/22/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR ALTES

A Bill for an Act to be Entitled: AN ACT TO AMEND THE LAW REGARDING NONCONSENT TOWING AND RECOVERY OF VEHICLES; AND FOR OTHER PURPOSES.

Senate Bill No. 969 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

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

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 969 was ordered immediately transmitted to the House as passed.

On motion of Senator Madison, **Senate Bill No. 955** was called up for third reading and final disposition.

SENATE BILL NO. 955
As Engrossed: S3/20/07 S3/22/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MADISON

A Bill for an Act to be Entitled: *AN ACT TO CREATE THE FOSTER PARENT SUPPORT ACT OF 2007 AND THE SAFEGUARDS FOR CHILDREN IN FOSTER CARE ACT OF 2007; AND FOR OTHER PURPOSES.*

Senate Bill No. 955 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

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

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 955 was ordered immediately transmitted to the House as passed.

On motion of Senator Hendren, **Senate Bill No. 851** was called up for third reading and final disposition.

SENATE BILL NO. 851
As Engrossed: S3/19/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR HENDREN

A Bill for an Act to be Entitled: AN ACT TO REVISE THE PENALTY FOR PASSING A SCHOOL BUS; TO SIMPLIFY THE REPORTING OF VIOLATIONS OF THE PASSING OF A SCHOOL BUS; AND FOR OTHER PURPOSES.

Senate Bill No. 851 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

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

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 851 was ordered immediately transmitted to the House as passed.

On motion of Senator Brown, **Senate Bill No. 372** was called up for third reading and final disposition.

SENATE BILL NO. 372
As Engrossed: S3/1/07 S/3/7/07 S3/21/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

BY: SENATORS BROWN, STEELE, MADISON, WILKINS, CRUMBLY & BAKER
BY: REPRESENTATIVES D. JOHNSON, ADCOCK, WEBB, ET AL

A Bill for an Act to be Entitled: AN ACT TO GRANT CITIES AND TOWNS ADDITIONAL TOOLS TO DEAL WITH CRIMINAL, NUISANCE, AND VACANT PROPERTIES; AND FOR OTHER PURPOSES.

Senate Bill No. 372 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: 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	34
NEGATIVE: Altes.	
Total	1
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. 372 was ordered immediately transmitted to the House as passed.

On motion of Senator Whitaker, **Senate Bill No. 776** was called up for third reading and final disposition.

SENATE BILL NO. 776
As Engrossed: S3/20/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR WHITAKER

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE § 19-4-906 CONCERNING MOTOR VEHICLE RESTRICTIONS FOR THE VARIOUS INSTITUTIONS OF HIGHER EDUCATION; AND FOR OTHER PURPOSES.

Senate Bill No. 776 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

There being an emergency clause attached to **Senate Bill No. 776**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

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

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 776 was ordered immediately transmitted to the House.

On motion of Senator Critcher, **Senate Bill No. 926** was called up for third reading and final disposition.

**SENATE BILL NO. 926
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR CRITCHER**

A Bill for an Act to be Entitled: AN ACT TO CONFORM THE LIST OF INTERIM COMMITTEES TO THE LISTS OF STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND SENATE; AND FOR OTHER PURPOSES.

Senate Bill No. 926 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, Bookout, Broadway, Brown, Capps, Critcher, Crumbly, Faris, Glover, Hendren, 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.

Total31

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Argue, Bisbee, Bryles, Hill.

Total4

VOTING PRESENT:

Total0

Total number of votes cast31

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 926 was ordered immediately transmitted to the House as passed.

Senator Whitaker, Chairman of Senate Rules Committee, was recognized in regard to the election of the Senate President Pro Tempore Designee:

Following is the procedure the Senate the Senate Rules Committee approved to recommend to the Senate on March 23, 2006, in regard to the election of the Senate President Pro Tempore Designee:

Immediately before recess of the 86th General Assembly, the Senate shall elect the Senate President Pro Tempore Designee for the 86th General Assembly.

The election shall be done by secret ballot with the following guidelines:

If a Senator is unable to be present for the election of the Senate President Pro Tempore Designee for the 87th General Assembly, that Senator shall submit his or her vote in a sealed envelope to the Secretary of the Senate.

The election can only be held when all members are present to vote By secret ballot and when the Secretary of the Senate has the absent member's sealed ballot in hand.

The body may give leave of a Senator who unexpectedly has to be absent.

Any member interested in running for the position of Senate President Pro Tempore Designee for the 87th General Assembly, needs to inform the Secretary of the Senate of his or her intention of running for the position no later than one day prior to the recess of the 86th General Assembly.

The Secretary of the Senate shall prepare ballots with the names of all Senators who informed the Secretary of the Senate of their intention to be a candidate for the position of Senate President Pro Tempore Designee for the 87th General Assembly.

Each candidate shall designate a fellow Senator to be his or her counter of the ballots. The folded ballots will be handed out to all Senators by the Secretary of the Senate and collected by the Secretary of the Senate. The ballots will be turned over to the

Senate Rules Committee Chairman who will then give the ballots to the designated counters. The designated counters shall count the ballots in private, and upon agreement of the vote totals, shall shred all ballots.

The counters then will appear before the body in the Senate Chamber and announce the winner of the election to the Senate. The Senator receiving a majority vote of the Senate membership shall be elected the Senate President Pro Tempore Designee for the 86th General Assembly.

Motion to accept recommendations from Rules Committee carried.

On motion of Senator G. Jeffress, **Senate Bill No. 402** was called up for third reading and final disposition.

**SENATE BILL NO. 402
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR G. JEFFRESS**

A Bill for an Act to be Entitled: AN ACT TO MODIFY THE MEMBERSHIP OF THE STATE FIRE PREVENTION COMMISSION; AND FOR OTHER PURPOSES.

Senate Bill No. 402 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

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

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 402 was ordered immediately transmitted to the House as passed.

On motion of Senator Thompson, **Senate Bill No. 237** was called up for third reading and final disposition.

SENATE BILL NO. 237

As Engrossed: S2/8/07 S3/21/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATORS R. THOMPSON, J. JEFFRESS, G. JEFFRESS & BROADWAY

BY: REPRESENTATIVES SULLIVAN, THYER, PETRUS, ET AL

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

Senate Bill No. 237 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 237 was ordered immediately transmitted to the House as passed.

Senator Critcher moved that the record pertaining to the vote by which **House Bill No. 2626** passed be expunged, the motion was duly seconded and prevailed.

On motion of Senator Critcher, the rules were suspended in considering **House Bill No. 2626** at this time.

On motion of Senator Critcher, **House Bill No. 2626** was placed back on second reading for purpose of Amendment 1.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to HOUSE BILL NO. 2626

Amend **House Bill No. 2626** as engrossed H3/16/07:

Page 3, delete lines 16 through 19 and substitute the following:

"(f) This section does not apply to any audit, review, or investigation that involves alleged fraud, willful misrepresentation, or abuse, including without limitation:

- (1) Medicaid fraud as defined in § 5-55-111;
- (2) Abuse or fraud as defined in § 20-77-1702; or
- (3) Insurance fraud."

(SIGNED) SENATOR CRITCHER

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2626 was ordered engrossed.

On motion of Senator Altes, **House Bill No. 2692** was called up for third reading and final disposition.

HOUSE BILL NO. 2692
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES OVERBEY, SAUNDERS & GLIDEWELL
BY: SENATOR ALTES

A Bill for an Act to be Entitled: AN ACT TO ALLOW COUNTIES THE SAME TAX BENEFITS AS MUNICIPALITIES WHEN SELLING ADMISSION TICKETS TO CERTAIN EVENTS; AND FOR OTHER PURPOSES.

House Bill No. 2692 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. 2692 was ordered immediately returned to the House as passed.

On motion of Senator Baker, **House Bill No. 2371** was called up for third reading and final disposition.

HOUSE BILL NO. 2371
As Engrossed: H3/15/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES KING AND E. BROWN

A Bill for an Act to be Entitled: AN ACT CONCERNING THE FIXING OF POLLING SITES BY THE COUNTY BOARD OF ELECTION COMMISSIONERS; AND FOR OTHER PURPOSES.

House Bill No. 2371 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. 2371 was ordered immediately returned to the House as passed.

On motion of Senator Baker, **House Bill No. 2369** was called up for third reading and final disposition.

**HOUSE BILL NO. 2369
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES WILLS, WOODS & KING**

A Bill for an Act to be Entitled: AN ACT TO CREATE THE ARKANSAS CIVIL WAR SESQUICENTENNIAL COMMISSION; AND FOR OTHER PURPOSES.

House Bill No. 2369 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. 2369 was ordered immediately returned to the House as passed.

On motion of Senator Glover, **House Bill No. 2434** was called up for third reading and final disposition.

HOUSE BILL NO. 2434
As Engrossed: H3/7/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES MALOCH, PETRUS & WELLS

A Bill for an Act to be Entitled: AN ACT TO DESIGNATE RICE AS THE OFFICIAL GRAIN OF THE STATE OF ARKANSAS; AND FOR OTHER PURPOSES.

House Bill No. 2434 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. 2434 was ordered immediately returned to the House as passed.

On motion of Senator Thompson, **House Bill No. 1529** was called up for third reading and final disposition.

HOUSE BILL NO. 1529
As Engrossed: H2/23/07 H2/28/07 S/3/22/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE JEFFREY
BY: SENATOR R. THOMPSON

A Bill for an Act to be Entitled: AN ACT CONCERNING THE SALARIES OF JUDGES AND OTHER PERSONNEL OF THE VARIOUS DISTRICT COURTS; AND FOR OTHER PURPOSES.

House Bill No. 1529 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. 1529 was ordered immediately returned to the House as passed as amended.

On motion of Senator Thompson, **House Bill No. 2296** was called up for third reading and final disposition.

HOUSE BILL NO. 2296

As Engrossed: H3/14/07 S3/22/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES PATE, BROWN, THYER, WALTERS

BY: SENATOR R. THOMPSON

A Bill for an Act to be Entitled: AN ACT TO CLARIFY THE APPLICABILITY OF VARIOUS PROVISIONS OF THE ARKANSAS CODE REGARDING EXPUNGEMENT AND SEALING OF RECORDS OF CRIMINAL CONVICTIONS; AND FOR OTHER PURPOSES.

House Bill No. 2296 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. 2296 was ordered immediately returned to the House as passed as amended.

On motion of Senator Salmon, **House Bill No. 2443** was called up for third reading and final disposition.

HOUSE BILL NO. 2443
As Engrossed: S3/22/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE MALOCH

A Bill for an Act to be Entitled: AN ACT TO STREAMLINE AND STRENGTHEN NONFERROUS SCRAP METAL RECORDKEEPING REQUIREMENTS; TO ASSIST LAW ENFORCEMENT IN INVESTIGATING THEFTS; TO EXPAND THE INFORMATION COLLECTED AT THE POINT OF SALE; REGULATING SALES BY MINORS; AND FOR OTHER PURPOSES.

House Bill No. 2443 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. 2443 was ordered immediately returned to the House as passed as amended.

On motion of Senator Madison, **House Bill No. 2411** was called up for third reading and final disposition.

HOUSE BILL NO. 2411

As Engrossed: H3/9/07 S3/22/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES ADCOCK, WEBB, J. ROEBUCK, ET AL

BY: SENATORS MADISON, TRUSTY, SALMON & WHITAKER

A Bill for an Act to be Entitled: AN ACT TO PROTECT WOMEN WHO BREAST-FEED THEIR CHILDREN; TO CREATE A CAUSE OF ACTION TO PREVENT INTERFERENCE WITH THE BREASTFEEDING OF A CHILD; AND FOR OTHER PURPOSES.

House Bill No. 2411 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. 2411 was ordered immediately returned to the House as passed as amended.

On motion of Senator Madison, **House Bill No. 2248** was called up for third reading and final disposition.

HOUSE BILL NO. 2248
As Engrossed: H3/12/07 S3/22/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE D. HUTCHINSON

A Bill for an Act to be Entitled: AN ACT TO PROTECT THE CONFIDENTIALITY OF JUVENILE RECORDS; AND FOR OTHER PURPOSES.

House Bill No. 2248 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. 2248 was ordered immediately returned to the House as passed as amended.

On motion of Senator Malone, **House Bill No. 2442** was called up for third reading and final disposition.

HOUSE BILL NO. 2442

As Engrossed: H3/16/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES MALOCH, REEP, & LOWERY

BY: SENATORS MALONE, G. JEFFRESS & J. JEFFRESS

A Bill for an Act to be Entitled: AN ACT TO DEVELOP AN ENERGY UTILIZATION STRATEGY FOR LIGNITE PRODUCTION AND USE; TO CREATE THE ARKANSAS LIGNITE RESOURCES PILOT PROGRAM; TO REDUCE OUR DEPENDENCY ON FOREIGN OIL FOR THE CREATION OF ELECTRICITY AND OTHER ENERGY SOURCES; AND FOR OTHER PURPOSES.

House Bill No. 2442 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. 2442 was ordered immediately returned to the House as passed.

On motion of Senator Madison, **House Bill No. 2448** was called up for third reading and final disposition.

HOUSE BILL NO. 2448
As Engrossed: H3/15/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES HARRIS AND WOODS
BY: SENATOR B. PRITCHARD

A Bill for an Act to be Entitled: *AN ACT AMENDING ARKANSAS CODE § 3-9-202 CONCERNING ADVERTISING AT LARGE ATTENDANCE FACILITIES; AND FOR OTHER PURPOSES.*

House Bill No. 2448 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. 2448 was ordered immediately returned to the House as passed.

On motion of Senator Faris, **House Bill No. 2500** was called up for third reading and final disposition.

**HOUSE BILL NO. 2500
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE REYNOLDS**

A Bill for an Act to be Entitled: AN ACT TO ELIMINATE THE FILING FEES COLLECTED BY THE SECRETARY OF STATE FOR THE CHANGE OF REGISTERED AGENT INFORMATION; TO MAKE MINOR CHANGES TO OTHER FEE PROVISIONS; AND FOR OTHER PURPOSES.

House Bill No. 2500 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

There being an emergency clause attached to **House Bill No. 2500**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2500 was ordered immediately returned to the House as passed.

On motion of Senator Brown, **House Bill No. 2327** was called up for third reading and final disposition.

**HOUSE BILL NO. 2327
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE BLOUNT**

A Bill for an Act to be Entitled: AN ACT CONCERNING THE APPLICABILITY OF PROFESSIONAL DEVELOPMENT REQUIREMENTS TO RETIRED TEACHERS; AND FOR OTHER PURPOSES.

House Bill No. 2327 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. 2327 was ordered immediately returned to the House as passed.

On motion of Senator Brown, **House Bill No. 2256** was called up for third reading and final disposition.

**HOUSE BILL NO. 2256
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE E. BROWN**

A Bill for an Act to be Entitled: AN ACT TO ESTABLISH THE “ARKANSAS SUBSIDIZED GUARDIANSHIP ACT” OF 2007; AND FOR OTHER PURPOSES.

House Bill No. 2256 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. 2256 was ordered immediately returned to the House as passed.

On motion of Senator Lavery, the rules were suspended in considering **House Bill No. 2733** at this time.

On motion of Senator Lavery, **House Bill No. 2733** was placed back on second reading for purpose of Amendment No. 2.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 2 to HOUSE BILL NO. 2733

Amend **House Bill No. 2733** as engrossed, S3/20/07:

Page 1, delete lines 10 through 13 of the TITLE and substitute the following:
 "TO MAKE LICENSES TO CARRY CONCEALED HANDGUNS VALID FOR FIVE (5) YEARS; AND FOR OTHER PURPOSES."

AND

Page 1, delete lines 16 through 18 of the SUBTITLE and substitute the following:
 "TO MAKE LICENSES TO CARRY CONCEALED HANDGUNS VALID FOR FIVE (5) YEARS."

AND

Delete SECTION 1 in its entirety and substitute the following:

"SECTION 1. Arkansas Code § 5-73-302 is amended to read as follows:
 5-73-302. Authority to issue license.

(a) The Director of the Department of Arkansas State Police may issue a license to carry a concealed handgun to a person qualified as provided in this subchapter.

(b)(1) The For new licenses issued after the effective date of this act, the license to carry a concealed handgun is valid throughout the state for a period of four (4) five (5) years from the date of issuance.

(2) After the effective date of this act, upon renewal, an existing valid license to carry a concealed handgun shall be issued for a period of five (5) years.

(c)(1)(A) A license After the effective date of this act, a license, or renewal of a license, issued to a former elected or appointed sheriff of any county of this state shall be renewed every four (4) issued for a period of five (5) years.

(B) The license issued to a former elected or appointed sheriff is revocable on the same grounds as other licenses.

(2)(A) The former elected or appointed sheriff shall meet the same qualifications as all other applicants.

(B) However, the former elected or appointed sheriff is exempt from the fee prescribed by § 5-73-311(a)(2) and from the training requirements of § 5-73-309(a)(11) for issuance.

SECTION 2. Arkansas Code § 5-73-319(b), concerning the transfer of a concealed handgun license to Arkansas, is amended to read as follows:

(b) ~~The~~ After the effective date of this act, the newly transferred license is valid for a period of ~~four (4)~~ five (5) years from the date of issuance and binds the holder to all Arkansas laws and regulations regarding the carrying of the concealed handgun.

SECTION 3. Arkansas Code § 5-73-320(b), concerning concealed handgun licenses for certain members of the Arkansas National Guard, is amended to read as follows:

(b)(1) ~~A~~ After the effective date of this act, a license issued under this section expires ~~four (4)~~ five (5) years from the date of issuance or upon the expiration date of the military identification card of the soldier or airman, whichever occurs first.

(2) A license issued under this section is renewable for a period of five (5) years under the provisions of § 5-73-313 upon satisfaction of the requirements described in subsection (a) of this section."

(SIGNED) SENATOR LAVERTY

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2733 was ordered engrossed.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 23, 2007

Mr. President:

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

SENATE BILL NO. 53, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 72, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 74, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 126, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 244, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 324, BY SENATOR SMITH,
SENATE BILL NO. 356, BY SENATOR TAYLOR,
SENATE BILL NO. 483, BY SENATOR LUKER,
SENATE BILL NO. 504, BY SENATOR SMITH,
SENATE BILL NO. 554, BY SENATOR HENDREN,
SENATE BILL NO. 555, BY SENATOR HENDREN,
SENATE BILL NO. 559, BY SENATOR TAYLOR,
SENATE BILL NO. 560, BY SENATOR TAYLOR,
SENATE BILL NO. 561, BY SENATOR TAYLOR,
SENATE BILL NO. 603, BY SENATOR CAPPS,
SENATE BILL NO. 604, BY SENATOR CAPPS,
SENATE BILL NO. 692, BY SENATOR TAYLOR,
SENATE BILL NO. 742, BY SENATOR GLOVER,
SENATE BILL NO. 747, BY SENATOR GLOVER,
SENATE BILL NO. 749, BY SENATOR GLOVER,

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 SHAWN WOMACK
CHAIRMAN

On motion of Senator Whitaker the Senate recessed until 12:30 p.m.

The Senate reconvened after recess. The Secretary called the roll, and a quorum was present.

On motion of Senator Brown, **House Bill No. 2258** was called up for third reading and final disposition.

**HOUSE BILL NO. 2258
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE E. BROWN**

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE § 5-2-316 CONCERNING THE CONDITIONAL RELEASE OF PERSONS ACQUITTED OF A CRIME BY REASON OF MENTAL DISEASE OR DEFECT; AND FOR OTHER PURPOSES.

House Bill No. 2258 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 2258**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2258 was ordered immediately returned to the House as passed.

On motion of Senator Brown, **House Bill No. 2257** was called up for third reading and final disposition.

**HOUSE BILL NO. 2257
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE E. BROWN**

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE § 5-13-201 CONCERNING THE OFFENSE OF BATTERY IN THE FIRST DEGREE; TO INCREASE THE PENALTY CLASSIFICATION FOR BATTERY IN THE FIRST DEGREE IF THE VICTIM IS FOUR (4) YEARS OF AGE OR YOUNGER UNDER CERTAIN CIRCUMSTANCES; AND FOR OTHER PURPOSES.

House Bill No. 2257 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. 2257 was ordered immediately returned to the House as passed.

On motion of Senator Brown, **House Bill No. 2649** was called up for third reading and final disposition.

HOUSE BILL NO. 2649

As Engrossed: H3/7/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES E. BROWN, PENNARTZ, WALTERS & GREENBERG

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE § 9-10-113 CONCERNING THE CUSTODY OF A *CHILD BORN OUTSIDE OF MARRIAGE*; AND FOR OTHER PURPOSES.

House Bill No. 2649 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. 2649 was ordered immediately returned to the House as passed.

On motion of Senator Salmon, **House Bill No. 2543** was called up for third reading and final disposition.

**HOUSE BILL NO. 2543
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE WOOD**

A Bill for an Act to be Entitled: AN ACT TO ENHANCE THE ABILITY OF THE ARKANSAS PUBLIC SERVICE COMMISSION TO PROTECT RATEPAYERS IN PROCEEDINGS BEFORE THE FEDERAL ENERGY REGULATORY COMMISSION, OTHER FEDERAL AGENCIES, AND FEDERAL COURTS; AND FOR OTHER PURPOSES.

House Bill No. 2543 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

There being an emergency clause attached to **House Bill No. 2543**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

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

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2543 was ordered immediately returned to the House as passed.

On motion of Senator Steele, **House Bill No. 2731** was ordered re-referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

On motion of Senator Salmon, **House Bill No. 2545** was called up for third reading and final disposition.

**HOUSE BILL NO. 2545
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE WOOD**

A Bill for an Act to be Entitled: AN ACT TO AUTHORIZE THE ARKANSAS PUBLIC SERVICE COMMISSION TO REQUIRE AN ELECTRIC PUBLIC UTILITY TO WITHDRAW FROM CENTRALIZED SYSTEM WIDE RESOURCE PLANNING; AND FOR OTHER PURPOSES.

House Bill No. 2545 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

There being an emergency clause attached to **House Bill No. 2545**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2545 was ordered immediately returned to the House as passed.

On motion of Senator Salmon, **House Bill No. 2697** was called up for third reading and final disposition.

**HOUSE BILL NO. 2697
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE WYATT**

A Bill for an Act to be Entitled: AN ACT TO PREVENT FEDERAL PREEMPTION OF STATE LAW BY REQUIRING A CERTIFICATE OF ENVIRONMENTAL COMAPTABILITY AND PUBLIC NEED BEFORE CONSTRUCTING A MAJOR ELECTRIC TRANSMISSION FACILITY IN A NATIONAL INTEREST ELECTRIC TRANSMISSION CORRIDOR; TO REQUIRE AN ADDITIONAL REQUIREMENT TO THE APPLICATION FOR A MAJOR UTILITY FACILITY; TO INCREASE THE AMOUNT OF TIME ALLOWED FOR THE ARKANSAS PUBLIC SERVICE COMMISSION TO STUDY AN APPLICATION FOR MAJOR UTILITY FACILITY BEFORE THE COMMENCEMT OF THE REQUIRED PUBLIC HEARING; TO REQUIRE ADDITIONAL FINDINGS BEFORE GRANTING A CERTIFICATE; AND FOR OTHER PURPOSES.

House Bill No. 2697 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

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

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 2697**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2697 was ordered immediately returned to the House as passed.

On motion of Senator Horn, **House Bill No. 2407** was called up for third reading and final disposition.

HOUSE BILL NO. 2407
As Engrossed: H3/19/07 S3/21/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE BOND

A Bill for an Act to be Entitled: AN ACT TO AUTHORIZE THE SECURITIES COMMISSIONER TO JOIN WITH REGULATORY AGENCIES OF OTHER STATES AND ORGANIZATIONS IN ORDER TO PARTICIPATE IN AN AUTOMATED MULTISTATE LICENSING SYSTEM FOR MORTGAGE LOAN BROKERS, MORTGAGE LOAN BANKERS, MORTGAGE LOAN SERVICES, AND MORTGAGE LOAN OFFICES; TO AMEND THE FAIR MORTGAGE LENDING ACT; AND FOR OTHER PURPOSES.

House Bill No. 2407 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 bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2407 was ordered immediately returned to the House as passed as amended.

On motion of Senator Crumbly, House Bill No. 2490 was called up for third reading and final disposition.

HOUSE BILL NO. 2490
 EIGHTY-SIXTH GENERAL ASSEMBLY
 REGULAR SESSION
 BY: REPRESENTATIVE J. JOHNSON

A Bill for an Act to be Entitled: AN ACT IS TO REQUEST THAT THE HOUSE INTERIM COMMITTEE ON AGING, CHILDREN AND YOUTH, LEGISLATIVE AND MILITARY AFFAIRS AND THE SENATE INTERIM COMMITTEE ON CHILDREN AND YOUTH STUDY THE JUVENILE JUSTICE SYSTEM REGARDING JUVENILES WHO HAVE BEEN COMMITTED TO THE DIVISION OF YOUTH SERVICES OR WHO ARE OTHERWISE BEING DETAINED IN JUVENILE DETENTION CENTERS; AND FOR OTHER PURPOSES.

House Bill No. 2490 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2490 was ordered immediately returned to the House as passed.

Senator Hendren moved that the record pertaining to the vote by which House Bill No. 1490 failed be expunged, the motion was duly seconded and prevailed.

On motion of Senator Critcher, the rules were suspended in considering **House Bill No. 1575** at this time.

On motion of Senator Critcher, **House Bill No. 1575** 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. 1575

Amend **House Bill No. 1575** as engrossed, H2/28/07:

Add Senator Critcher as a cosponsor of the bill

AND

Delete SECTIONS 6 through 8 in their entirety and substitute:

"SECTION 6. Arkansas Code Title 27, Chapter 22, Subchapter 1 is amended to add an additional section to read as follows:

27-22-109. Liability insurance surcharge.

(a) At the inception of an insurance policy covering any type of personal or commercial passenger vehicle, truck, semi-tractor trailer, farm equipment, motorcycle, or any other equipment or vehicle licensed under Title 27, and one (1) time every six (6) months after the inception of the insurance policy, an insurer shall collect from the person or entity insured a surcharge of six dollars (\$6.00) for each personal or commercial passenger vehicle, truck, semi-tractor trailer, farm equipment, motorcycle, or any other equipment or vehicle licensed under Title 27 and insured in this state by the insurer.

(b) The surcharge under subsection (a) of this section shall be remitted to the Insurance Commissioner each September 30 and March 31 for deposit into the Trauma System Revolving Trust Fund in accordance with rules promulgated by the commissioner."

(SIGNED) SENATOR CRITCHER

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1575 was ordered engrossed.

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

MIKE BEEBE
Governor

March 23, 2007

TO THE PRESIDENT OF THE SENATE

Dear Mr. President:

This is to inform you that on March 23, 2007, I approved the following measures from the Regular Session of the Eighty-sixth General Assembly:

Senate Bill No. 231 -- ACT 461
Senate Bill No. 217 -- ACT 462
Senate Bill No. 184 -- ACT 463

Sincerely,

(SIGNED) MIKE BEEBE
Governor

On motion of Senator Womack, the rules were suspended in considering **Senate Bill No. 73** at this time.

On motion of Senator Womack, **Senate Bill No. 73** was withdrawn from the Committee on JOINT BUDGET, and placed back on second reading for purpose of Amendment No. 3. Withdraw Amendment No. 2.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 3 to SENATE BILL NO. 73

JBC 03/22/07 (2)

Amend **Senate Bill No. 73** as engrossed, S3/21/07:

Page 2, line 18, delete "GRADE 13" and substitute "GRADE 17"

(SIGNED) SENATOR WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 73 was ordered engrossed.

On motion of Senator Womack, the rules were suspended in considering **Senate Bill No. 125** at this time.

On motion of Senator Womack, **Senate Bill No. 125** was withdrawn from the Committee on JOINT BUDGET, and placed back on second reading for purpose of Amendment No. 2.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 2 to SENATE BILL NO. 125

JBC 03/22/07 (2)

Amend **Senate Bill No. 125** as engrossed, S2/1/07:

Page 2, delete line 28 in its entirety

And

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

And

Page 2, line 35, delete "39" and substitute "38"

And

Page 4, line 5, delete "8" and substitute "7"

And

Page 4, line 16, delete "12" and substitute "10"

And

Appropriately renumber the subsequent Item No.'s in SECTION 3

And

Page 4, line 19, delete "50" and substitute "47"

(SIGNED) SENATOR WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 125 was ordered engrossed.

On motion of Senator Womack, the rules were suspended in considering **Senate Bill No. 180** at this time.

On motion of Senator Womack, **Senate Bill No. 180** 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. 180

JBC 03/20/07 (33)

Amend **Senate Bill No. 180** as originally introduced:

Page 3, line 18, delete "2,322,058 2,332,058" and substitute "2,342,808 2,373,558"

AND

Page 3, line 19, delete "\$ 6,520,879 \$ 6,592,183" and substitute "\$ 6,541,629 \$ 6,633,683".

(SIGNED) SENATOR WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 180 was ordered engrossed.

On motion of Senator Womack, the rules were suspended in considering Senate Bill No. 181 at this time.

On motion of Senator Womack, Senate Bill No. 181 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. 181

JBC 03/20/07 (33)

Amend Senate Bill No. 181 as originally introduced:

Page 2, immediately following line 19 insert an additional item to read as follows:
" (13) A006 ACCOUNTING SUPERVISOR I 1 GRADE 20 "

AND

Page 3, line 12, delete "170" and substitute "171"

AND

Appropriately renumber all ITEM NUMBERS in SECTION 1

AND

Page 3, line 33, delete "\$ 5,584,541 \$ 5,696,153" and substitute "\$ 5,614,522 \$ 5,726,735"

AND

Page 3, line 35, delete "1,869,824 1,892,657" and substitute "1,878,818 1,901,832"

AND

Page 4, line 2, delete "2,869,519 2,869,519" and substitute "3,156,804 3,156,804"

AND

Page 4, line 4, delete "4,442,862 4,442,862" and substitute "5,538,907 5,187,907"

AND

Page 4, line 7, delete "\$ 14,975,541 \$ 15,109,986" and substitute "\$ 16,397,846 \$ 16,182,073"

AND

Page 4, line 33, delete "\$ 32,484,892 \$ 32,484,892" and substitute "\$ 30,884,892 \$ 30,884,892".

(SIGNED) SENATOR WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 181 was ordered engrossed.

On motion of Senator Womack, the rules were suspended in considering **Senate Bill No. 218** at this time.

On motion of Senator Womack, **Senate Bill No. 218** was withdrawn from the Committee on JOINT BUDGET, and placed back on second reading for purpose of Amendment No. 3.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 3 to SENATE BILL NO. 218

JBC 03/20/07 (33)

Amend **Senate Bill No. 218** as engrossed, S3/19/07:

Delete SECTION 1 of the bill in its entirety and substitute the following:
" SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established for the Department of Health and Human Services - Division of Behavioral Health for the 2007-2009 biennium, the following maximum number of regular employees whose salaries shall be governed by the provisions of the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws amendatory thereto. Provided, however, that any position to which a specific maximum annual salary is set out herein in dollars, shall be exempt from the provisions of said Uniform Classification and Compensation Act. All persons occupying positions authorized herein are hereby governed by the provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its successor.

Item No.	Class Code	Title	Maximum Annual Salary Rate		
			No. of Employees	Fiscal Years	
			2007-2008	2008-2009	
(1)	6610	PSYCHIATRIC SPEC. SUPERVISOR	2	\$157,513	\$160,663
(2)	6617	PSYCHIATRIC SPECIALIST	2	\$149,932	\$152,930
(3)	6623	REHAB MED DIR ALCOHOL REHAB -BEN	1	\$142,822	\$145,678
(4)	6621	PSYCHIATRIST	3	\$142,822	\$145,678
(5)	7162	DHS ADMR AR BEHAVIORAL HLTH STATE	1	\$135,997	\$138,716
(6)	6639	BEHAV. HEALTH GEN.PHYSICIAN	7	\$131,742	\$134,376
(7)	9408	DHS CHIEF INFORMATION OFFICER	1	\$102,821	\$104,877
(8)	9970	DHS DEP DIR BEHAV HEALTH SERVI	1	\$102,714	\$104,768
(9)	9701	HLTH DIR ALCOL & DRUG ABUSE PREV	1	\$95,371	\$97,278
(10)	9476	AHC DIRECTOR OF NURSING	1	\$91,134	\$92,956
(11)	8964	DHS BEHAV. HEALTH CENTER DIR	1	\$87,612	\$89,364
(12)	6607	BEHAV. HLTH SVCS CHIEF PSYCHOL	1	\$87,486	\$89,235
(13)	9475	AHC CLINICAL DIRECTOR	1	\$85,042	\$86,742
(14)	9474	AHC NURSING HOME ADMINI	1	\$85,042	\$86,742
(15)	8932	BEHAVIORAL HEALTH ASST. DEP. DIR. A	1	\$84,017	\$85,697
(16)	8033	DHS BEHAV. HLT. ASST. DIR. MANAGED	1	\$84,014	\$85,694
(17)	8032	DHS/BH ASST. DIR. ADMIN. SVCS.	1	\$84,014	\$85,694
(18)	9407	DHS HIPPA PRIVACY OFFICER	1	\$73,470	\$74,939
(19)	8933	DHS/DBHS ASST. DEP. DIR. PROG DE	1	\$67,669	\$69,022
(20)	8934	DHS/DBHS DEP. DIR. PROG. DEV.	1	\$61,723	\$62,957

(21)	L014	DIRECTOR OF PHARMACY SERVICES	1	GRADE 26
(22)	L134	PSYCHOLOGIST SUPERVISOR	3	GRADE 26
(23)	017Z	DHS/DYS ADMIN PROG COMPLIANCE	1	GRADE 26
(24)	L124	PSYCHOLOGIST	6	GRADE 25
(25)	L011	DIRECTOR PHARMACY	2	GRADE 25
(26)	118Z	DHS NURSING SERVICES ADM	1	GRADE 25
(27)	180Z	BEHAVIORAL HEALTH ASSOC. DIR., AHC	1	GRADE 25
(28)	397Z	DHS/DCFS ADMIN COMMUNITY SVCS	1	GRADE 25
(29)	474Z	BEHAV. HEALTH PSYCHOLOGIST ADM.	1	GRADE 25
(30)	188Z	A&D ABUSE PREV ASST DEP DIR/DIR SVC	1	GRADE 24
(31)	871Z	BEHAVIORAL HLT SOCIAL WORK ADM.	1	GRADE 24
(32)	L005	PHARMACIST I	1	GRADE 24
(33)	L096	SR PHARMACIST	2	GRADE 24
(34)	L112	PSYCH RESIDENT	2	GRADE 24
(35)	361Z	HLTH MEDICAL CARE SVCS ADMR	2	GRADE 24
(36)	870Z	BEHAVIORAL HLTH. FACILITY ADMINISTR	3	GRADE 23
(37)	923Z	DHS PRGM ADMINISTRATOR	6	GRADE 23
(38)	B040	HLTH PUB HLTH LAB SECTION DIRECTOR	1	GRADE 23
(39)	R184	NURSING SERVICES UNIT MANAGER	9	GRADE 23
(40)	D066	SYSTEMS COORDINATION ANALYST II	1	GRADE 22
(41)	A088	DHS FINANCIAL SECTION MANAGER	1	GRADE 22
(42)	B006	SR EPIDEMIOLOGIST	1	GRADE 22
(43)	909Z	PROGRAM SUPPORT MANAGER	3	GRADE 22
(44)	L078	NURSE SUPERVISOR	22	GRADE 22
(45)	L074	REGISTERED NURSE PRACTITIONER II	1	GRADE 22
(46)	M118	DHS/DBHS DIR. OF COMM. SUPP. PROG	1	GRADE 22
(47)	R055	HLTH PUB HLTH NURSING PROG. COORD	1	GRADE 22
(48)	699Z	DHS/DCO FIELD MANAGER	1	GRADE 22
(49)	R074	BEHAVIORAL HLTH. COMM. SVCS. COORD.	1	GRADE 21
(50)	L122	PSYCHOLOGICAL EXAMINER II	5	GRADE 21
(51)	M051	BEHAVIORAL HLTH DIR. OF SOCIAL SERV	1	GRADE 21
(52)	L082	NURSING SERVICES SPECIALIST	11	GRADE 21
(53)	L090	OCCUPATIONAL THERAPY SUPERVISOR	2	GRADE 21
(54)	L030	DIETARY SERVICES DIRECTOR	1	GRADE 21
(55)	A008	ACCOUNTING SUPERVISOR II	3	GRADE 21
(56)	892Z	DHS INSTITUTION BUSINESS MANAGER	1	GRADE 21
(57)	480Z	BEHAVIORAL HEALTH PERSONNEL MGR	2	GRADE 21
(58)	697Z	DHS PRGM MANAGER	2	GRADE 21
(59)	R298	AGENCY PROGRAM COORDINATOR	1	GRADE 21
(60)	R326	QUALITY ASSURANCE COORDINATOR	2	GRADE 21
(61)	T004	AR BEHAVIORAL HLTH PUBLIC SAFETY DI	1	GRADE 20
(62)	R145	DHS PROGRAM COORDINATOR	3	GRADE 20
(63)	R266	MANAGEMENT PROJECT ANALYST II	6	GRADE 20
(64)	W006	BEHAVIORAL HEALTH REGISTRAR	1	GRADE 20
(65)	Y116	MAINTENANCE SYSTEMS SUPV	1	GRADE 20
(66)	A006	ACCOUNTING SUPERVISOR I	2	GRADE 20
(67)	E038	NURSE INSTRUCTOR	1	GRADE 20
(68)	G214	DIRECTOR MAINTENANCE	1	GRADE 20
(69)	L070	NURSE II	62	GRADE 20
(70)	M028	COUNSELOR II	2	GRADE 20
(71)	L140	SPEECH PATHOLOGIST II	2	GRADE 20
(72)	M088	SOCIAL WORKER II	30	GRADE 20
(73)	M127	SR REHABILITATION COUNSELOR	1	GRADE 20
(74)	Q046	MEDICARE/MEDICAID SURVEY SPECIALIST	1	GRADE 20

(75)	L156 HLTH PUB HLTH NURSE II	1	GRADE 20
(76)	M128 DHS/DDS PRGM COORDINATOR	1	GRADE 20
(77)	W014 DIRECTOR MEDICAL RECORDS	1	GRADE 20
(78)	M086 SOCIAL WORKER I	3	GRADE 19
(79)	M097 VOLUNTEER PROGRAM DEVELOPER II	1	GRADE 19
(80)	R030 ASST PERSONNEL MANAGER	2	GRADE 19
(81)	R084 DHS STAFF SUPERVISOR	1	GRADE 19
(82)	M056 REHAB COUNSELOR III	1	GRADE 19
(83)	M019 CHAPLAIN	1	GRADE 19
(84)	L028 DIETICIAN	1	GRADE 19
(85)	L032 HEALTH PROGRAM CONSULTANT	4	GRADE 19
(86)	G026 BLDG AND GROUNDS COORDINATOR	2	GRADE 19
(87)	E042 PUB HLTH EDUCATOR	1	GRADE 19
(88)	E118 HABILITATION/REHAB INSTRUCTOR SUPV	1	GRADE 19
(89)	V008 BUYER III	1	GRADE 19
(90)	R168 GRANTS COORDINATOR II	3	GRADE 19
(91)	T055 UNIFORM COMMANDER	4	GRADE 19
(92)	T074 PUBLIC SAFETY DIRECTOR	1	GRADE 19
(93)	R150 RESEARCH PROJECT ANALYST	1	GRADE 19
(94)	R264 MANAGEMENT PROJECT ANALYST I	2	GRADE 18
(95)	V006 BUYER II	1	GRADE 18
(96)	V040 PURCHASE AGENT II/PURCHASE AGENT	1	GRADE 18
(97)	Y022 STATIONARY ENGINEER SUPERVISOR	1	GRADE 18
(98)	Y027 ELECTRICIAN SUPERVISOR	1	GRADE 18
(99)	Y081 PLUMBER SUPERVISOR	1	GRADE 18
(100)	W030 RECORDS MANAGEMENT ANALYST II	1	GRADE 18
(101)	Y005 AUTO/DIESEL MECHANIC SUPERVISOR	1	GRADE 18
(102)	Y017 CARPENTER SUPERVISOR	1	GRADE 18
(103)	E050 STAFF DEVELOPMENT SPECIALIST II	2	GRADE 18
(104)	A111 ACCOUNTANT	1	GRADE 18
(105)	E024 INSTITUTIONAL INSTRUCTOR II	7	GRADE 18
(106)	G031 CONSTRUCTION/MAINTENANCE PROJ	4	GRADE 18
(107)	H032 FOOD PRODUCTION MANAGER	2	GRADE 18
(108)	L036 CERTIFIED RESPIRATORY THERAPY TECH	1	GRADE 18
(109)	R134 PLANNING SPECIALIST II	2	GRADE 18
(110)	M050 RECREATIONAL ACTIVITY LEADER SUPV	3	GRADE 18
(111)	M075 SOCIAL SERVICE REPRESENTATIVE II	2	GRADE 18
(112)	M082 SOCIAL SERVICE WORKER III	8	GRADE 18
(113)	E072 TRAINING INSTRUCTOR	1	GRADE 18
(114)	R010 ADMINISTRATIVE ASSISTANT II	18	GRADE 17
(115)	L117 LPN/LPTN SUPERVISOR	20	GRADE 17
(116)	G141 WATER FILTER/WASTE DISPOS PLNT SUPV	1	GRADE 17
(117)	G161 GENERAL MAINTENANCE REPAIRMAN	9	GRADE 17
(118)	E086 HABILITATION/REHAB INSTRUCTOR II	13	GRADE 17
(119)	A034 FIELD AUDITOR	1	GRADE 17
(120)	Y021 STATIONARY ENGINEER	4	GRADE 17
(121)	Y039 HEATING & A/C MECHANIC	4	GRADE 17
(122)	Y053 JOURNEYMAN CARPENTER	4	GRADE 17
(123)	Y055 JOURNEYMAN ELECTRICIAN	6	GRADE 17
(124)	Y057 JOURNEYMAN PAINTER	3	GRADE 17
(125)	Y061 JOURNEYMAN PLUMBER	4	GRADE 17
(126)	Y065 JOURNEYMAN LOCKSMITH	1	GRADE 17

(127)	W028	RECORDS MANAGEMENT ANALYST I	4	GRADE 17
(128)	T049	SECURITY OFFICER SUPERVISOR	2	GRADE 17
(129)	R166	GRANTS COORDINATOR I	1	GRADE 17
(130)	M080	SOCIAL SERVICE WK II/SOC SVC WK	1	GRADE 17
(131)	V030	INVENTORY CONTROL MANAGER	1	GRADE 17
(132)	T037	PUB SAFETY OFFICER II	18	GRADE 16
(133)	A053	INSURANCE SPECIALIST II	3	GRADE 16
(134)	G167	EXECUTIVE HOUSEKEEPER I	2	GRADE 16
(135)	G215	MAJOR APPLIANCE REPAIRMAN	1	GRADE 16
(136)	L126	PSYCHOLOGICAL INTERN	2	GRADE 16
(137)	L153	X-RAY TECH SUPV/X-RAY TECH II	2	GRADE 16
(138)	L116	LPN III/LPTN III	95	GRADE 16
(139)	L115	LPN II/LPTN II	84	GRADE 15
(140)	K011	ADMINISTRATIVE OFFICE SUPERVISOR	2	GRADE 15
(141)	M002	ADMISSIONS INTERVIEWER SUPV	1	GRADE 15
(142)	M073	SOCIAL SERVICE REPRESENTATIVE I	1	GRADE 15
(143)	M048	RECREATIONAL ACTIVITY LEADER II	25	GRADE 15
(144)	R009	ADMINISTRATIVE ASSISTANT I	8	GRADE 15
(145)	A108	ACCOUNTING TECHNICIAN II	5	GRADE 15
(146)	A063	PAYROLL OFFICER	1	GRADE 15
(147)	T047	SECURITY OFFICER III	19	GRADE 15
(148)	V051	STOREROOM SUPV/STORE SUPV	2	GRADE 15
(149)	E084	HABILITATION/REHAB INSTRUCTOR I	1	GRADE 15
(150)	L183	OCCUPATIONAL THERAPY ASSISTANT	4	GRADE 15
(151)	V011	CENTRAL SUPPLY SUPV	1	GRADE 15
(152)	L184	DIETETIC TECHNICIAN	5	GRADE 14
(153)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	5	GRADE 14
(154)	K117	MEDICAL OR LEGAL SECRETARY	23	GRADE 14
(155)	L113	LPN I/LPTN I	12	GRADE 14
(156)	L107	PHYSICAL THERAPY WORKER	1	GRADE 13
(157)	L091	OCCUPATIONAL THERAPY WORKER	3	GRADE 13
(158)	H049	SUPERVISOR OF COOKING	4	GRADE 13
(159)	K153	SECRETARY II	10	GRADE 13
(160)	E027	INSTITUTIONAL TEACHER ASSISTANT	2	GRADE 13
(161)	B049	LABORATORY TECHNICIAN II	2	GRADE 13
(162)	G115	NURSERY ASST & GROUNDSKEEPER SUPV	1	GRADE 13
(163)	G139	WATER FILTER/WASTE DISPOS PLNT OPER	2	GRADE 13
(164)	M047	RECREATIONAL ACTIVITY LEADER I	3	GRADE 13
(165)	C013	SWITCHBOARD OPERATOR SUPERVISOR	1	GRADE 12
(166)	K115	STATISTICIAN ASST II/STATISTICIAN I	2	GRADE 12
(167)	L020	CERTIFIED NURSING ASSISTANT II	90	GRADE 12
(168)	K039	DOCUMENT EXAMINER II	2	GRADE 12
(169)	K145	CASHIER/CASHIER II	1	GRADE 12
(170)	T045	SECURITY OFFICER II	1	GRADE 12
(171)	T013	FIRE & SAFETY COORD	1	GRADE 12
(172)	K089	PERSONNEL ASSISTANT	1	GRADE 12
(173)	V043	SHIPPING & RECEIVING CLERK	3	GRADE 11
(174)	L018	CERTIFIED NURSING ASSISTANT I	82	GRADE 11
(175)	K155	SECRETARY I	2	GRADE 11
(176)	L101	PHARMACY TECH	1	GRADE 11

(177) M001 ADMISSIONS INTERVIEWER	2	GRADE 11
(178) L181 BEHAVIORAL HEALTH AIDE	43	GRADE 11
(179) L097 PHARMACY ASST	3	GRADE 10
(180) G006 MOTOR VEHICLE OPERATOR	9	GRADE 10
(181) H005 BAKER II	2	GRADE 10
(182) H027 COOK II	7	GRADE 10
(183) V029 INVENTORY CONTROL CLERK	3	GRADE 10
(184) V015 CENTRAL SUPPLY TECHNICIAN	1	GRADE 09
(185) C011 SWITCHBOARD OPERATOR II	9	GRADE 09
(186) K065 MAIL OFFICER	2	GRADE 09
(187) H053 FOOD SERVICE WORKER III	14	GRADE 08
(188) G010 LAUNDRY SUPERVISOR	1	GRADE 08
(189) G045 EQUIPMENT OPERATOR	2	GRADE 08
(190) H025 COOK I	6	GRADE 08
(191) L055 MENTAL HEALTH WORKER	9	GRADE 08
(192) G191 CLOTHING SHOP OPERATOR	1	GRADE 07
(193) G169 CUSTODIAL SUPV I	2	GRADE 06
(194) H043 FOOD SERVICE WORKER II	38	GRADE 05
(195) V049 STOCK CLERK II	4	GRADE 05
(196) Y095 SEAMSTRESS II	3	GRADE 05
(197) H017 CANTEEN OPER II/SNACKBAR OPER	1	GRADE 05
(198) G035 CUSTODIAL WRKR II	35	GRADE 04
(199) G008 LAUNDRY WORKER	13	GRADE 04
(200) G171 CUSTODIAL WRKR I	1	GRADE 03
MAX. NO. OF EMPLOYEES	<u>1,172</u>	

AND

Page 7, line 13, delete "one hundred three (103)" and substitute "one hundred twenty-three (123)"

AND

Delete SECTION 3 of the bill in its entirety and substitute the following:
 " SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby appropriated, to the Department of Health and Human Services - Division of Behavioral Health, to be payable from the Mental Health Services Fund Account, for personal services and operating expenses of the Department of Health and Human Services - Division of Behavioral Health - State Operations for the biennial period ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) REGULAR SALARIES	\$ 39,478,870	\$39,552,552
(02) EXTRA HELP	2,668,889	2,668,889
(03) PERSONAL SERVICES MATCHING	14,092,440	14,112,944
(04) OVERTIME	1,386,342	1,386,342
(05) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	31,566,875	33,125,479
(B) CONF. & TRAVEL	243,040	243,040
(C) PROF. FEES	7,379,419	7,379,419
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	0	0
(06) GRANTS/PATIENT SERVICES	16,639,855	17,627,439
(07) MENTAL HEALTH CTR TRANSFER	<u>2,653,236</u>	<u>2,653,236</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 116,108,966</u>	<u>\$ 118,749,340</u>

AND

Page 9, line 30, delete "\$ 8,929,873 \$ 9,081,681" and substitute "\$ 8,780,603 \$ 8,780,603"

AND

Page 10, line 19, delete "\$ 5,847,750 \$ 5,947,162" and substitute "\$ 5,750,000 \$ 5,750,000"

AND

Delete SECTION 29 of the bill in its entirety

AND

Delete SECTION 30 of the bill in its entirety

AND

Delete SECTION 31 of the bill in its entirety

AND

Appropriately renumber all SECTION numbers of the bill.

(SIGNED) SENATOR WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 218 was ordered engrossed.

Page 5, line 4, delete "\$ 36,332,142 \$ 38,248,604" and substitute "\$ 38,241,679 \$ 40,876,682".

(SIGNED) SENATOR WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 219 was ordered engrossed.

On motion of Senator Womack, the rules were suspended in considering **Senate Bill No. 220** at this time.

On motion of Senator Womack, **Senate Bill No. 220** was withdrawn from the Committee on JOINT BUDGET, and placed back on second reading for purpose of Amendment No. 3. Withdraw Amendment No. 2.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 3 to SENATE BILL NO. 220

JBC 03/20/07 (33)

Amend **Senate Bill No. 220** as engrossed, S2/19/07:

Delete SECTION 1 of the bill in its entirety and substitute the following:
" SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established for the Department of Health and Human Services - Division of Developmental Disabilities Services for the 2007-2009 biennium, the following maximum number of regular employees whose salaries shall be governed by the provisions of the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws amendatory thereto. Provided, however, that any position to which a specific maximum annual salary is set out herein in dollars, shall be exempt from the provisions of said Uniform Classification and Compensation Act. All persons occupying positions authorized herein are hereby governed by the provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its successor.

Item No.	Class Code	Title	Maximum Annual Maximum Salary Rate	
			No. of Employees	Fiscal Years 2007-2008 2008-2009
(1)	DDS	PHYSICIAN SPECIALIST	7	\$137,550 \$140,301
(2)	DDS	DENTIST SPECIALIST	3	\$137,550 \$140,301
(3)	9972	DDS COMMISSIONER	1	\$102,714 \$104,768
(4)	8966	DHS DDS SUPT HDC/CONWAY	1	\$94,595 \$96,486
(5)	8949	DDS DIR EVAL, PLAN & MGMT SYS	1	\$85,643 \$87,355
(6)	8969	DHS DDS SUPT HDC	1	\$84,916 \$86,614
(7)	8970	DHS DDS SUPT HDC	1	\$84,911 \$86,609
(8)	8972	DHS DDS SUPT HDC	1	\$82,888 \$84,545
(9)	8968	DHS DDS SUPT HDC	1	\$82,180 \$83,823
(10)	8967	DHS DDS DIR CLIENT SERVICES	1	\$75,957 \$77,476
(11)	8948	DDS ASST DIR PROGRAM MGMT	1	\$72,798 \$74,253
(12)	8035	ASSISTANT DIRECTR CMS	1	\$72,772 \$74,227
(13)	8971	DHS DDS SUPT HDC	1	\$71,691 \$73,124
(14)	L014	DIRECTOR OF PHARMACY SERV	2	GRADE 26
(15)	L012	PHARMACIST II	2	GRADE 25
(16)	L124	PSYCHOLOGIST	3	GRADE 25
(17)	L096	SR PHARMACIST	3	GRADE 24
(18)	M178	DHS/DDS ASST SUPT - CONWAY	1	GRADE 23
(19)	R184	NURSING SERVICES UNIT MGR	6	GRADE 23
(20)	R058	DDS PERSONNEL MANAGER	1	GRADE 22
(21)	X338	ENGINEER, PE	1	GRADE 22
(22)	L078	NURSE SUPERVISOR	13	GRADE 22
(23)	A032	AGENCY FISCAL MANAGER	1	GRADE 22
(24)	L074	REG NURSE PRACTITIONER II	1	GRADE 22
(25)	809Z	DHS PLANNING & POLICY DEV COORD	1	GRADE 21
(26)	892Z	DHS INSTITUTION BUSINESS MAGR	6	GRADE 21
(27)	697Z	DHS PRGM MANAGER	11	GRADE 21
(28)	A008	ACCOUNTING SUPERVISOR II	2	GRADE 21
(29)	A251	SR AUDITOR	1	GRADE 21
(30)	E023	DHS/DDS LANGUAGE DEVELOP SUPV	1	GRADE 21
(31)	E104	DHS/DDS ED & TRNG CONSULTANT	2	GRADE 21
(32)	L082	NURSING SERVICES SPECIALIST	3	GRADE 21
(33)	L090	OCCUPATIONAL THERAPY SUPV	1	GRADE 21
(34)	L122	PSYCHOLOGICAL EXAMINER II	18	GRADE 21
(35)	L030	DIETARY SERVICES DIRECTOR	1	GRADE 21
(36)	L019	NUTRITIONIST CONSULTANT	1	GRADE 21
(37)	M112	COTTAGE LIFE PROGRAM DIR	5	GRADE 21
(38)	L142	SPEECH PATHOLOGIST SUPV	3	GRADE 21
(39)	M046	DHS/DDS TEAM LEADER-CONWAY	5	GRADE 21
(40)	R326	QUALITY ASSURANCE COORD	5	GRADE 21
(41)	R488	GRANTS ADMIN SUPV	2	GRADE 21
(42)	R266	MANAGEMENT PROJECT ANALYST II	5	GRADE 20
(43)	R145	DHS PROGRAM COORDINATOR	4	GRADE 20
(44)	X311	DHS/DDS PRGM EVALUATOR SUPV	1	GRADE 20
(45)	Y116	MAINTENANCE SYSTEMS SUPV	1	GRADE 20
(46)	L140	SPEECH PATHOLOGIST II	14	GRADE 20
(47)	M013	DEVL DISABILITIES SPEC II	53	GRADE 20
(48)	M016	SR CHAPLAIN	1	GRADE 20
(49)	M116	UTILIZATION REVIEW NURSE	2	GRADE 20
(50)	M128	DHS/DDS PRGM COORDINATOR	42	GRADE 20

(51)	M140	DHS/DDS TEAM LEADER	3	GRADE 20
(52)	M088	SOCIAL WORKER II	5	GRADE 20
(53)	L008	SR AUDIOLOGIST	1	GRADE 20
(54)	L070	NURSE II	34	GRADE 20
(55)	L088	OCCUPATIONAL THERAPIST II	1	GRADE 20
(56)	E114	STAFF DEVELOPMENT COORDINATOR	6	GRADE 20
(57)	E038	NURSE INSTRUCTOR	2	GRADE 20
(58)	G120	PLANT MAINTENANCE COORDINATOR	1	GRADE 20
(59)	E026	INSTITUTIONAL INSTRUCTOR SUPERVISOR	2	GRADE 20
(60)	B060	MEDICAL TECHNOLOGIST SUPERVISOR	1	GRADE 19
(61)	L028	DIETICIAN	1	GRADE 19
(62)	L120	PSYCHOLOGICAL EXAMINER I	2	GRADE 19
(63)	M086	SOCIAL WORKER I	5	GRADE 19
(64)	M154	DHS FIELD REPRESENTATIVE	2	GRADE 19
(65)	M044	DHS PRGM CONSULTANT	1	GRADE 19
(66)	M057	DHS/DDS FOSTER GRANDPARENT ADMR	1	GRADE 19
(67)	R168	GRANTS COORDINATOR II	9	GRADE 19
(68)	R030	ASST PERSONNEL MANAGER	1	GRADE 19
(69)	W012	MEDICAL RECORDS ADMINISTRATOR	1	GRADE 19
(70)	X309	DHS/DDS PRGM EVALUATOR	2	GRADE 19
(71)	V040	PURCHASE AGENT II/PURCHASE AGENT	5	GRADE 18
(72)	R264	MANAGEMENT PROJECT ANALYST I	3	GRADE 18
(73)	M050	RECREATIONAL ACTIVITY LEADER SUPV	3	GRADE 18
(74)	L138	SPEECH PATHOLOGIST I	1	GRADE 18
(75)	M082	SOCIAL SERVICE WORKER III	19	GRADE 18
(76)	M076	SOCIAL SERVICE REPRESENTATIVE III	1	GRADE 18
(77)	M078	DHS/DEMS SUPERVISOR	2	GRADE 18
(78)	M099	COTTAGE LIFE PROGRAM SUPERVISOR	18	GRADE 18
(79)	E037	LIBRARIAN II	2	GRADE 18
(80)	E024	INSTITUTIONAL INSTRUCTOR II	23	GRADE 18
(81)	H032	FOOD PRODUCTION MANAGER	6	GRADE 18
(82)	E050	STAFF DEVELOPMENT SPECIALIST II	2	GRADE 18
(83)	E072	TRAINING INSTRUCTOR	1	GRADE 18
(84)	E082	VOCATIONAL INSTRUCTOR II	1	GRADE 18
(85)	G028	BLDG PLANT MAINTENANCE SUPV II	5	GRADE 18
(86)	E086	HABILITATION/REHAB INSTRUCTOR II	135	GRADE 17
(87)	E022	INSTITUTIONAL INSTRUCTOR I	1	GRADE 17
(88)	B052	MEDICAL TECHNOLOGIST	2	GRADE 17
(89)	M102	VOCATIONAL PLAC & EVAL PROG COORD	1	GRADE 17
(90)	M095	VOLUNTEER PROGRAM DEVELOPER I	2	GRADE 17
(91)	M080	SOCIAL SERVICE WORKER II/SOC SVC WK	4	GRADE 17
(92)	R010	ADMINISTRATIVE ASSISTANT II	20	GRADE 17
(93)	R190	PERSONNEL OFFICER II	4	GRADE 17
(94)	Y107	WELDER	1	GRADE 17
(95)	X352	HLTH CARE ANALYST II	2	GRADE 17
(96)	Y053	JOURNEYMAN CARPENTER	9	GRADE 17
(97)	Y055	JOURNEYMAN ELECTRICIAN	6	GRADE 17
(98)	Y057	JOURNEYMAN PAINTER	6	GRADE 17
(99)	Y061	JOURNEYMAN PLUMBER	4	GRADE 17
(100)	Y065	JOURNEYMAN LOCKSMITH	1	GRADE 17
(101)	Y003	AUTO/DIESEL MECHANIC	3	GRADE 17
(102)	Y021	STATIONARY ENGINEER	9	GRADE 17
(103)	Y039	HEATING & A/C MECHANIC	5	GRADE 17

(104)	M141	DHS/DDS TEAM SHIFT COORDINATOR	18	GRADE 16
(105)	L153	X-RAY TECH SUPV/X-RAY TECH II	1	GRADE 16
(106)	L026	DENTAL HYGIENIST	1	GRADE 16
(107)	A053	INSURANCE SPECIALIST II	1	GRADE 16
(108)	A063	PAYROLL OFFICER	1	GRADE 15
(109)	A108	ACCOUNTING TECHNICIAN II	8	GRADE 15
(110)	A155	ICF COORDINATOR	6	GRADE 15
(111)	K011	ADMINISTRATIVE OFFICE SUPERVISOR	12	GRADE 15
(112)	L115	LPN II/LPTN II	132	GRADE 15
(113)	L061	LIFE SKILLS TRAINER SUPERVISOR	62	GRADE 15
(114)	L183	OCCUPATIONAL THERAPY ASSISTANT	2	GRADE 15
(115)	M048	RECREATIONAL ACTIVITY LEADER II	27	GRADE 15
(116)	R009	ADMINISTRATIVE ASSISTANT I	3	GRADE 15
(117)	V051	STOREROOM SUPV/STORE SUPV	4	GRADE 15
(118)	X350	HLTH CARE ANALYST I	1	GRADE 15
(119)	V039	PURCHASE AGENT I/ASST PURCHASE AGEN	4	GRADE 15
(120)	L184	DIETETIC TECHNICIAN	1	GRADE 14
(121)	M036	FOSTER GRANDPARENT SUPERVISOR	1	GRADE 14
(122)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	11	GRADE 14
(123)	K117	MEDICAL OR LEGAL SECRETARY	29	GRADE 14
(124)	G014	CHDC LAUNDRY OPERATIONS MANAGER	1	GRADE 14
(125)	H023	COMMISSARY MANAGER	1	GRADE 14
(126)	G139	WATER FILTER/WASTE DISPOS PLNT OPER	3	GRADE 13
(127)	H049	SUPERVISOR OF COOKING	5	GRADE 13
(128)	G115	NURSERY ASST & GROUNDSKEEPER SUPV	1	GRADE 13
(129)	E027	INSTITUTIONAL TEACHER ASSISTANT	88	GRADE 13
(130)	E017	INSTITUTION ASSISTANT LIBRARIAN	1	GRADE 13
(131)	K153	SECRETARY II	70	GRADE 13
(132)	L059	LIFE SKILLS TRAINER II	806	GRADE 13
(133)	L091	OCCUPATIONAL THERAPY WORKER	6	GRADE 13
(134)	L093	ORTHOTIST AIDE	5	GRADE 13
(135)	M067	SOCIAL SERVICE AIDE II	3	GRADE 13
(136)	M047	RECREATIONAL ACTIVITY LEADER I	1	GRADE 13
(137)	R125	PERSONNEL OFFICER	4	GRADE 13
(138)	K089	PERSONNEL ASSISTANT	2	GRADE 12
(139)	K039	DOCUMENT EXAMINER II	13	GRADE 12
(140)	C013	SWITCHBOARD OPERATOR SUPERVISOR	1	GRADE 12
(141)	H047	MEAT CUTTER II/BUTCHER II	1	GRADE 11
(142)	L025	DENTAL ASSISTANT	1	GRADE 11
(143)	L057	LIFE SKILLS TRAINER I	278	GRADE 11
(144)	K155	SECRETARY I	23	GRADE 11
(145)	Y001	APPRENTICE TRADESMAN	6	GRADE 11
(146)	V029	INVENTORY CONTROL CLERK	1	GRADE 10
(147)	K023	CLERICAL ASSISTANT	3	GRADE 10
(148)	K037	DOCUMENT EXAMINER I	4	GRADE 10
(149)	L097	PHARMACY ASST	2	GRADE 10
(150)	H027	COOK II	40	GRADE 10
(151)	H005	BAKER II	6	GRADE 10
(152)	G013	WAREHOUSE WORKER	3	GRADE 10
(153)	G006	MOTOR VEHICLE OPERATOR	5	GRADE 10
(154)	C011	SWITCHBOARD OPERATOR II	12	GRADE 09
(155)	L105	PHYSICAL THERAPY AIDE	5	GRADE 09
(156)	L089	OCCUPATIONAL THERAPY AIDE	1	GRADE 09
(157)	Y045	INSTITUTIONAL BEAUTICIAN	3	GRADE 09

(158) L063 LIFE SKILLS TRAINER TRAINEE	8	GRADE 08
(159) G010 LAUNDRY SUPERVISOR	5	GRADE 08
(160) G039 CUSTODIAL SUPV II	4	GRADE 08
(161) G045 EQUIPMENT OPERATOR	11	GRADE 08
(162) G109 BLDG/EQUIP MAINT REPAIRMAN II	21	GRADE 08
(163) H019 CANTEEN SUPERVISOR	2	GRADE 08
(164) H025 COOK I	1	GRADE 08
(165) H053 FOOD SERVICE WORKER III	10	GRADE 08
(166) G177 MAINTENANCE WORKER SUPERVISOR	1	GRADE 07
(167) G191 CLOTHING SHOP OPERATOR	1	GRADE 07
(168) C009 SWITCHBOARD OPERATOR I	4	GRADE 07
(169) K015 OFFICE CLERK	3	GRADE 07
(170) H043 FOOD SERVICE WORKER II	41	GRADE 05
(171) G175 MAINTENANCE WORKER II	6	GRADE 05
(172) Y095 SEAMSTRESS II	1	GRADE 05
(173) V049 STOCK CLERK II	6	GRADE 05
(174) G035 CUSTODIAL WRKR II	81	GRADE 04
(175) G008 LAUNDRY WORKER	27	GRADE 04
(176) H039 FOOD SERVICE WORKER I	5	GRADE 03
(177) G171 CUSTODIAL WRKR I	3	GRADE 03
MAX. NO. OF EMPLOYEES	<u>2,605</u>	

AND

Delete SECTION 4 of the bill in its entirety and substitute the following:

" SECTION 4. APPROPRIATION - OPERATIONS. There is hereby appropriated, to the Department of Health and Human Services - Division of Developmental Disabilities Services, to be payable from the paying account as determined by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Department of Health and Human Services - Division of Developmental Disabilities Services for the biennial period ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) REGULAR SALARIES	\$ 68,400,289	\$ 69,905,368
(02) EXTRA HELP	4,178,972	4,178,972
(03) PERSONAL SERVICES MATCHING	25,339,232	25,665,639
(04) OVERTIME	511,308	511,308
(05) EXTRA SALARIES	9,000	9,000
(06) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	17,072,559	17,157,689
(B) CONF. & TRAVEL	80,000	80,000
(C) PROF. FEES	298,698	298,698
(D) CAP. OUTLAY	1,112,830	655,700
(E) DATA PROC.	0	0
(07) GRANTS/PATIENT SERVICES	7,695,643	7,695,643
(08) FOSTER GRANDPARENTS STIPENDS	169,851	169,851
(09) DATA PROCESSING SERVICES	850,159	850,159
(10) VOCATIONAL TRAINEES	208,368	209,368
(11) CHILDREN AND ADOLESCENT SERVICES	67,529	67,529
(12) PURCHASE OF SERVICES	5,979,255	7,137,859
TOTAL AMOUNT APPROPRIATED	<u>\$ 131,973,693</u>	<u>\$ 134,592,783</u>

AND

Page 8, line 30, delete "\$ 94,459 \$ 94,459" and substitute "\$ 179,666 \$ 179,666"

AND

Page 9, line 18, delete "\$ 16,484,063 \$ 17,122,460" and substitute "\$ 15,909,753 \$ 15,909,753"

AND

Delete SECTION 18 of the bill in its entirety

AND

Delete SECTION 19 of the bill in its entirety

AND

Delete SECTION 20 of the bill in its entirety

AND

Appropriately renumber all SECTION numbers of the bill.

(SIGNED) SENATOR WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 220 was ordered engrossed.

On motion of Senator Womack, the rules were suspended in considering **Senate Bill No. 221** at this time.

On motion of Senator Womack, **Senate Bill No. 221** 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. 221

JBC 03/20/07 (33)

Amend **Senate Bill No. 221** as originally introduced:

Page 4, line 8, delete "1,427,220 1,427,220" and substitute
"2,220,832 2,220,832"

AND

Page 4, line 9, delete "65,000 65,000" and substitute
"89,000 89,000"

AND

Page 4, line 13, delete "\$ 9,690,487 \$ 9,822,622" and substitute
"\$ 10,508,099 \$ 10,640,234"

AND

Page 5, line 1, delete "\$ 2,542,500 \$ 2,585,723" and substitute
"\$ 2,500,000 \$ 2,500,000"

AND

Page 5, line 12, delete "\$ 12,229,231 \$ 12,437,128" and substitute
"\$ 12,024,809 \$ 12,024,809"

AND

Page 5, line 34, delete "\$ 25,808,415 \$ 25,808,415" and substitute
"\$ 24,990,803 \$ 24,990,803"

AND

Delete SECTION 14 of the bill in its entirety

AND

Delete SECTION 15 of the bill in its entirety

AND

Delete SECTION 16 of the bill in its entirety

AND

Appropriately renumber all SECTION numbers of the bill.

(SIGNED) SENATOR WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 221 was ordered engrossed.

On motion of Senator Womack, the rules were suspended in considering **Senate Bill No. 223** at this time.

On motion of Senator Womack, **Senate Bill No. 223** 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. 223

JBC 03/20/07 (33)

Amend **Senate Bill No. 223** as originally introduced:

Page 2, line 16, delete "6" and substitute "8"

AND

Page 2, line 28, delete "8" and substitute "10"

AND

Page 3, line 22, delete "299" and substitute "303"

AND

Page 4, line 6, delete "\$ 12,543,421 \$ 12,794,289" and substitute
"\$ 13,077,624 \$ 13,341,592"

AND

Page 4, line 8, delete "3,833,298 3,884,658" and substitute
"3,990,060 4,044,462"

AND

Page 4, line 17, delete "\$ 20,567,246 \$ 20,869,474" and substitute
"\$ 21,258,211 \$ 21,576,581"

AND

Delete SECTION 4 of the bill in its entirety and substitute the following:

" SECTION 4. APPROPRIATION - GRANTS. There is hereby appropriated, to the Department of Health and Human Services - Division of Medical Services, to be payable from the paying account as determined by the Chief Fiscal Officer of the State, for grant payments of the Department of Health and Human Services - Division of Medical Services - Grants for the biennial period ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) PRIVATE NURSING HOME CARE	\$ 584,223,887	\$ 627,094,449
(02) INFANT INFIRMARY	20,625,291	21,338,175
(03) PUBLIC NURSING HOME CARE	163,716,511	170,497,211
(04) PRESCRIPTION DRUGS	400,917,328	440,746,167
(05) HOSPITAL AND MEDICAL SERVICES	2,681,042,388	2,897,206,587
(06) CHILD AND FAMILY LIFE INSTITUTE	2,100,000	2,100,000
(07) ARKIDS B PROGRAM	<u>101,926,951</u>	<u>116,703,139</u>
TOTAL AMOUNT APPROPRIATED	<u>\$3,954,552,356</u>	<u>\$4,275,685,728</u> ".

(SIGNED) SENATOR WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 223 was ordered engrossed.

On motion of Senator Womack, the rules were suspended in considering **Senate Bill No. 232** at this time.

On motion of Senator Womack, **Senate Bill No. 232** was withdrawn from the Committee on JOINT BUDGET, 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. 232

JBC 03/22/07 (1,4)

Amend **Senate Bill No. 232** as engrossed, S3/12/07:

Page 2, immediately following line 10 insert an additional item to read as follows:
"(8) X366 DRUG COURT COORDINATOR 1 GRADE 24"

AND

Appropriately renumber the Item No's in SECTION 1.

AND

Page 2, line 25, delete "34" and substitute "35"

AND

Page 3, line 7, delete "\$ 1,702,950 \$ 1,768,014" and substitute
"\$ 1,752,950 \$ 1,819,014"

AND

Page 3, line 9, delete "489,228 502,451" and substitute "505,228 518,771"

AND

Page 3, line 19, delete "\$ 3,160,086 \$ 3,240,403" and substitute
"\$ 3,226,086 \$ 3,307,723"

AND

Page 6, line 35, delete "1,392,065 1,392,065" and substitute
"1,433,008 1,504,658"

AND

Page 7, line 5, delete "\$ 7,331,298 \$ 7,439,463" and substitute "\$ 7,372,241 \$ 7,552,056"

(SIGNED) SENATOR WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 232 was ordered engrossed.

On motion of Senator Womack, the rules were suspended in considering Senate Bill No. 262 at this time.

On motion of Senator Womack, Senate Bill No. 262 was withdrawn from the Committee on JOINT BUDGET, and placed back on second reading for purpose of Amendment No. 4.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 4 to SENATE BILL NO. 262

JBC 03/22/07 (1)

Amend Senate Bill No. 262 as engrossed, S3/21/07:

Add new sections immediately following Section 18 to read as follows:

"SECTION 19. APPROPRIATION - PULASKI COUNTY DESEGREGATION CASE COSTS. There is hereby appropriated, to the Department of Education, to be payable from the Department of Education Fund Account, for payment of consultants, expert witnesses, attorneys' fees, or other costs related to investigating and pursuing the end of the Pulaski County Desegregation Case, for the biennial period ending June 30, 2009, the sum of\$1,500,000.

SECTION 20. APPROPRIATION – ARKANSAS PUBLIC SCHOOL COMPUTER NETWORK – “END TO END” SECURITY REVIEW/ASSESSMENT. There is hereby appropriated, to the Department of Education, to be payable from the Department of Education Public School Fund Account, for professional fees and services for the completion of an “End to End” Security Review and Security Assessment for the Department of Education - Arkansas Public School Computer Network which shall be supplemental and in addition to those funds appropriated in Section 3 of Act 229 of 2007, the sum of\$300,000."

And

Appropriately renumber subsequent sections of the bill

And

Page 18, line 17, delete “House” and substitute “Act 272”

And

Page 18, line 18, delete “Bill 1632”

And

Page 19, delete lines 20 through 23 in their entirety

And

Add new sections immediately following SECTION 31 to read as follows:

" SECTION 32. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PULASKI COUNTY DESEGREGATION CASE COSTS FUND TRANSFER - PUBLIC SCHOOL FUND. Immediately upon the effective date of this Act, the Chief Fiscal Officer of the State shall transfer on his or her books and those of the State Treasurer and the Auditor of the State the sum of seven hundred fifty thousand dollars (\$750,000) from the Department of Education Public School Fund Account to the Department of Education Fund Account to provide funds for the appropriation authorized in this Act for Pulaski County Desegregation Case Costs. On July 1, 2007 the Chief Fiscal Officer of the State may transfer to the Department of Education Public School Fund Account an amount not to exceed seven hundred fifty thousand dollars (\$750,000) from the Budget Stabilization Trust Fund if the Department of Education Public School Fund Account balance is less than twenty million dollars (\$20,000,000) on July 1, 2007.

No portion of the seven hundred fifty thousand dollars (\$750,000) transferred by this Section to the Department of Education Fund Account for Pulaski County Desegregation Case Costs shall be expended by the Department of Education without certification by the Commissioner of the Department of Education to the Chief Fiscal Officer of the State and prior approval by the Chief Fiscal Officer of the State.

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

SECTION 33. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PULASKI COUNTY DESEGREGATION CASE COSTS FUND TRANSFER - EIGHTY-FIFTH SESSION PROJECTS ACCOUNT. On July 1, 2007, the Chief Fiscal Officer shall transfer on his or her books and those of the State Treasurer and the Auditor of State the sum of one hundred ninety thousand dollars (\$190,000) from the Eighty-Fifth Session Projects Account within the General Improvement Fund which was authorized in Act 2315 of 2005 for state assistance to the City of Jacksonville, Arkansas for costs associated with the construction, renovation and equipping of a library and the sum of twenty thousand dollars (\$20,000) from the Eighty-Fifth Session Projects Account within the General Improvement Fund which was authorized in Act 2315 of 2005 for state assistance to the City of Jacksonville, Arkansas to the Department of Education Fund Account to provide funds exclusively for the appropriation authorized in this Act for the Department of Education for the payment of Pulaski County Desegregation Case Costs.

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

SECTION 34. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ALTERNATIVE LEARNING ENVIRONMENT. The Department of Education may provide funding for Alternative Learning Environment Programs in excess of the regulatory limitation of six (6) hours per day for those programs that operate more than twelve hours per day, in a proportionate manner and upon special request to the Department of Education.

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

SECTION 35. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TEACHER HOUSING DEVELOPMENT FUNDING. The appropriation for Teacher Housing Development provided in Act 229 of 2007 shall be fully funded and reduced only proportionally for decreases in the Official General Revenue Forecast.

SECTION 36. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. OPEN-ENROLLMENT VIRTUAL CHARTER SCHOOL FUNDING RESTRICTIONS. The Special Language Section regarding "Charter School Funding Restrictions" in Section 24 of Act 229 of 2007 is amended to read as follows:

SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CHARTER SCHOOL FUNDING RESTRICTIONS. ~~OPEN-ENROLLMENT VIRTUAL CHARTER SCHOOL FUNDING RESTRICTIONS.~~ Regardless of any provision of any law to the contrary, the Department of Education shall fund from state monies only those charter schools which provide education services in a traditional public school setting and, if the internet or long-distance learning technology is used, the internet or long-distance learning technology is used as a supplement to the school's traditional classroom setting.

~~The provisions of this section shall be in effect only from July 1, 2005-2007 through June 30, 2007-2009.~~

(a) Regardless of any provision of law to the contrary, beginning with the 2007-2008 school year, no school district shall receive state funding for those students in the district's prior year three quarter average daily membership who were enrolled and attending a public school with an internet, long-distance or virtual technology curriculum based program which was not part of a public school district and the public school program was funded by a federal voluntary public school choice grant administered by the Department of Education.

(b) Prior to July 1, 2007, the Department of Education shall notify the Arkansas State Board of Education of the maximum number of students that the State Board of Education shall allow to enroll and attend any open-enrollment charter school that uses internet, long-distance or virtual technology as the primary method of teaching. It is the intent of this language that the Department shall not establish and certify a number of students to the State Board of Education that exceeds the number of students for which school districts were not able to receive state funding because of the requirements of paragraph (a). However, to the extent there are any revenue savings caused by the closure of any open-enrollment charter school in existence on July 1, 2006, the State Board of Education may increase the maximum number of students allowed to enroll and attend an internet, long-distance or virtual technology open-enrollment charter school to the extent the maximum number of students does not exceed five hundred (500) students.

(c) The provisions of this special language shall not restrict, affect or impair any other provision of law or rule concerning public school districts or public charter schools except as provided in paragraph (a) and (b).

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

SECTION 37. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND TRANSFER - "END TO END" SECURITY REVIEW/ASSESSMENT. Immediately upon the effective date of this Act, the Chief Fiscal Officer of the State shall transfer on his books and those of the State Treasurer and the Auditor of State, the sum of three hundred thousand dollars (\$300,000) from the General Revenue Allotment Reserve Fund to the Department of Education Public School Fund Account. The amount transferred shall be used to provide funds for the supplemental appropriation for the Arkansas Public School Computer Network – "End to End" Security Review and Security Assessment provided in this Act.

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

And

Appropriately renumber subsequent sections of the bill.

(SIGNED) SENATOR WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 262 was ordered engrossed.

On motion of Senator Womack, the rules were suspended in considering Senate Bill No. 321 at this time.

On motion of Senator Womack, Senate Bill No. 321 was withdrawn from the Committee on JOINT BUDGET, 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. 321

JBC 03/22/07 (1)

Amend Senate Bill No. 321 as engrossed, S3/20/07:

Insert a new section following Section 13:

"SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MEDICAL SCHOOL LIMITATION. Nothing in this Act shall create an additional medical school in the State of Arkansas, but it recognizes that appropriations, funding and allocations in this Act may be used by the University of Arkansas for Medical Sciences to support satellite campuses or programs outside the City of Little Rock in order to conduct or continue training of its medical, nursing, pharmacy and allied health students, as well as its medical residents.

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

Consecutively renumber the sections following the above insertion.

(SIGNED) SENATOR WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 321 was ordered engrossed.

On motion of Senator Womack, the rules were suspended in considering **Senate Bill No. 323** at this time.

On motion of Senator Womack, **Senate Bill No. 323** was withdrawn from the Committee on JOINT BUDGET, and placed back on second reading for purpose of Amendment No. 3.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 3 to SENATE BILL NO. 323

JBC 03/22/07 (1)

Amend **Senate Bill No. 323** as engrossed, S3/20/07:

Following Section 11, insert a new section:

" SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY FORWARD SCHOOL FOR MATHEMATICS, SCIENCES AND ARTS. The unexpended balance of appropriation authorized by Act 32 of 2007 which remains on June 30, 2007 shall be carried forward to be used for the same purposes during the fiscal year ending June 30, 2008.

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

Renumber the sections following the above insertion.

(SIGNED) SENATOR WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 323 was ordered engrossed.

On motion of Senator Womack, the rules were suspended in considering Senate Bill No. 834 at this time.

On motion of Senator Womack, Senate Bill No. 834 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. 834

JBC 03/22/07 (13)

Amend Senate Bill No. 834 as originally introduced:

Delete SECTION 33 of the bill in its entirety and substitute the following:

" SECTION 33. Choose Life Adoption Assistance Program Fund.
(a) There is created on the books of the Treasurer of State, the Auditor of State, and the Chief Fiscal Officer of the State a special revenue fund to be known as the Choose Life Adoption Assistance Program Fund.
(b)(1) The fund shall consist of revenue balances previously collected from Choose Life license plate design-use contribution fees under §27-15-3903(b)(2) [Repealed] and §27-15-3904 [Repealed].

(2) The Director of the Department of Health and Human Services –
Division of Health shall distribute the funds to Arkansas Right to Life."

AND

Appropriately renumber all SECTION numbers of the bill.

(SIGNED) SENATOR WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 834 was ordered engrossed.

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

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

On motion of Senator Womack, the rules were suspended in considering Senate Bill No. 63 at this time.

On motion of Senator Womack, Senate Bill No. 63 was called up for third reading and final disposition.

SENATE BILL NO. 63
As Engrossed: S3/21/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

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

Senate Bill No. 63 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

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

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **Senate Bill No. 63**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 63 was ordered immediately transmitted to the House.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 23, 2007

Mr. President:

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

SENATE BILL NO. 592, BY SENATOR WHITAKER, et al,
SENATE BILL NO. 994, BY SENATOR WILKINSON,

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

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 23, 2007

Mr. President:

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

HOUSE BILL NO. 1474, BY REPRESENTATIVE HALL, 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 Whitaker, **House Bill No. 1474** was ordered re-referred to the Committee on JUDICIARY.

On motion of Senator Womack, the rules were suspended in considering **Senate Bill No. 426** at this time.

On motion of Senator Womack, **Senate Bill No. 426** 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. 426

Amend **Senate Bill No. 426** as originally introduced:

Page 1, line 9, delete "DEPARTMENT"

And

Page 1, delete lines 10 and 11 in their entirety and substitute the following:

"UNIVERSITY OF ARKANSAS FOR STATE ASSISTANCE FOR A STATEWIDE"

And

Page 1, delete lines 17 through 19 in their entirety and substitute the following:

"AN ACT FOR THE UNIVERSITY OF ARKANSAS - STATEWIDE CHILDREN'S GARDENING PROGRAM GENERAL"

And

Page 1, line 25, delete "INNER-CITY FUTURE NET -" and substitute "STATEWIDE"

And

Page 1, delete lines 26 and 27 in their entirety and substitute the following:

"PROGRAM. There is hereby appropriated, to the University of Arkansas - Cooperative Extension Service, to be payable from the General"

And

Page 1, delete line 29 in its entirety and substitute the following:

" (A) For State Assistance to support the development of a statewide children's"

(SIGNED) SENATOR BROWN

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 426 was ordered engrossed.

On motion of Senator Womack, the rules were suspended in considering Senate Bill No. 427 at this time.

On motion of Senator Womack, Senate Bill No. 427 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. 427

Amend Senate Bill No. 427 as originally introduced:

Page 1, line 12, delete "FOR ARKANSAS BAPTIST COLLEGE"

And

Page 1, line 19, delete "- ARKANSAS BAPTIST COLLEGE"

And

Page 1, line 30, delete "of Arkansas Baptist"

And

Page 1, line 31, delete "College"

(SIGNED) SENATOR BROWN

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 427 was ordered engrossed.

On motion of Senator Womack, the rules were suspended in considering **Senate Bill No. 428** at this time.

On motion of Senator Womack, **Senate Bill No. 428** 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. 428

Amend **Senate Bill No. 428** as originally introduced:

Page 1, line 11, delete "THE MUSEUM OF DISCOVERY" and substitute "GRANTS"

AND

Page 1, line 19, delete "MUSEUM OF DISCOVERY" and substitute "GRANTS"

AND

Page 1, line 25, delete "MUSEUM OF DISCOVERY" and substitute "GRANTS"

AND

Page 1, line 29, delete "the Museum of Discovery" and substitute "grants"

(SIGNED) SENATOR BROWN

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 428 was ordered engrossed.

On motion of Senator Womack, the rules were suspended in considering Senate Bill No. 431 at this time.

On motion of Senator Womack, Senate Bill No. 431 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. 431

Amend Senate Bill No. 431 as originally introduced:

Page 1, line 27 delete "a grant for state assistance" and substitute "grants"

AND

Page 1, line 29 delete "\$200,000" and substitute "\$1,000,000"

AND

Page 1, line 30 delete "a grant for state assistance" and substitute "grants"

AND

Page 1, line 31 delete "\$60,000" and substitute "\$1,000,000"

(SIGNED) SENATOR BROWN

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 431 was ordered engrossed.

On motion of Senator Womack, the rules were suspended in considering **Senate Bill No. 432** at this time.

On motion of Senator Womack, **Senate Bill No. 432** 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. 432

Amend **Senate Bill No. 432** as originally introduced:

Page 1, line 11, delete "THE FIRST TEE OF ARKANSAS" and substitute "CERTAIN LEARNING FACILITIES"

AND

Page 1, line 12, delete "PROGRAM"

AND

Page 1, line 18, delete "THE FIRST TEE OF ARKANSAS" and substitute "CERTAIN LEARNING FACILITIES"

AND

Page 1, line 19, delete "PROGRAM"

AND

Page 1, delete lines 29 and 30 in their entirety and substitute the following:

" (A) For a grant to learning facilities and educational programs that promote skill building, physical fitness, character development and life-enhancing values for children through the game of golf, the sum of.....
.....\$100,000."

Deletes reference to First Tee of Arkansas

(SIGNED) SENATOR BROWN

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 432 was ordered engrossed.

On motion of Senator Womack, the rules were suspended in considering **Senate Bill No. 634** at this time.

On motion of Senator Womack, **Senate Bill No. 634** 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. 634

Amend **Senate Bill No. 634** as originally introduced:

Page 1, delete lines 27 through 36 in their entirety and substitute the following:

- (A) For cemetery maintenance and operations costs for insolvent, licensed perpetual care cemeteries that have been in court ordered receivership or conservatorship for five (5) years or more and acquisition costs of such cemetery not to exceed one thousand dollars plus any necessary cost associated with the purchase, the sum of. . . . \$101,000.

AND

Page 2, delete lines 1 through 3 in their entirety.

AND

Renumber the Sections of the bill.

(SIGNED) SENATOR BROWN

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 634 was ordered engrossed.

On motion of Senator Womack, the rules were suspended in considering **Senate Bill No. 638** at this time.

On motion of Senator Womack, **Senate Bill No. 638** was withdrawn from the Committee on JOINT BUDGET, 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. 638

Amend **Senate Bill No. 638** as engrossed, S3/1/07:

Page 1, line 12, delete "CARELINK"

AND

Page 1, line 13, delete "GRANT" and substitute "GRANTS"

AND

Page 1, line 19, delete "CARELINK"

AND

Page 1, line 20, delete "GRANT" and substitute "GRANTS"

AND

Page 1, line 26, delete "CARELINK"

AND

Page 1, line 26, delete "GRANT" and substitute "GRANTS"

AND

Page 1, line 30, delete "a grant" and substitute "grants"

AND

Page 1, line 30, delete "Carelink"

AND

Page 1, line 30, delete "a" and substitute "equipping"

AND

Page 1, line 31, delete "Facility" and substitute "Facilities"

AND

Page 1, line 31, delete "serves" and substitute "serve"

(SIGNED) SENATOR BROWN

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 638 was ordered engrossed.

On motion of Senator Womack, the rules were suspended in considering **Senate Bill No. 694** at this time.

On motion of Senator Womack, **Senate Bill No. 694** 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. 694

Amend **Senate Bill No. 694** as originally introduced:

Page 1, line 29, delete "in" and substitute ",the sum of

AND

Page 1, delete line 30 in its entirety

Deletes references to individual county Emergency Management and Emergency Service Providers.

(SIGNED) SENATOR MALONE

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 694 was ordered engrossed.

On motion of Senator Womack, the rules were suspended in considering **Senate Bill No. 695** at this time.

On motion of Senator Womack, **Senate Bill No. 695** 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. 695

Amend **Senate Bill No. 695** as originally introduced:

Page 1, line 11, delete "POISON SPRINGS"

AND

Page 1, line 11, insert "LAND ACQUISITION" between "FOREST" and the ";"

AND

Page 1, line 27, delete "Poison Springs"

Deletes reference to Poison Springs State Forest

(SIGNED) SENATOR MALONE

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 695 was ordered engrossed.

On motion of Senator Womack, the rules were suspended in considering **Senate Bill No. 698** at this time.

On motion of Senator Womack, **Senate Bill No. 698** 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. 698

Amend **Senate Bill No. 698** as originally introduced:

Page 1, line 11, delete "THE"

AND

Page 1, line 12, delete "CLARK COUNTY"

AND

Page 1, line 12, delete "DISTRICT" and substitute "DISTRICTS"

AND

Page 1, line 18, delete "THE"

AND

Page 1, line 19, delete "CLARK COUNTY"

AND

Page 1, line 19, delete "DISTRICT" and substitute "DISTRICTS"

AND

Page 1, line 25, delete "THE CLARK COUNTY"

AND

Page 1, line 26, delete "DISTRICT" and substitute "DISTRICTS"

AND

Page 1, line 29, delete "the Clark County"

AND

Page 1, line 29, delete "District" and substitute "Districts"

(SIGNED) SENATOR MALONE

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 698 was ordered engrossed.

On motion of Senator Womack, the rules were suspended in considering **Senate Bill No. 750** at this time.

On motion of Senator Womack, **Senate Bill No. 750** 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. 750

Amend **Senate Bill No. 750** as originally introduced:

Page 1, line 35, delete "the Alexander Human Development Center" and substitute "Human Development Centers across the State"

AND

Page 1, line 35, delete "\$2,250,000" and substitute "\$13,589,706"

AND

Delete subsections (B) through (F) in their entirety.

Deletes references to individual human development centers.

(SIGNED) SENATOR MALONE

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 750 was ordered engrossed.

On motion of Senator Womack, the rules were suspended in considering **Senate Bill No. 496** at this time.

On motion of Senator Womack, **Senate Bill No. 496** 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. 496

Amend **Senate Bill No. 496** as originally introduced:

Page 1, line 11, delete "THE OUACHITA"

AND

Page 1, line 12, delete "RIVER VALLEY COMMISSION" and substitute "COMPREHENSIVE INTEGRATED WATERSHED STEWARDSHIP AND MANAGEMENT"

AND

Page 1, line 17, delete "THE OUACHITA"

AND

Page 1, line 18, delete "RIVER VALLEY COMMISSION" and substitute "WATERSHED STEWARDSHIP AND MANAGEMENT"

AND

Page 1, line 24, delete "OUACHITA RIVER VALLEY COMMISSION" and substitute "WATERSHED STEWARDSHIP AND MANAGEMENT"

AND

Page 1, line 28, delete "the Ouachita River Valley Commission" and substitute "comprehensive integrated watershed stewardship and management"

(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. 496 was ordered engrossed.

On motion of Senator Malone, the rules were suspended in considering **Senate Bill No. 740** at this time.

On motion of Senator Womack, **Senate Bill No. 740** 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. 740

Amend **Senate Bill No. 740** as originally introduced:

Page 1, line 9, delete "DEPARTMENT" and substitute "OFFICE OF THE TREASURER OF STATE"

AND

Page 1, delete line 10 in its entirety

AND

Page 1, line 11, delete "OFFICER"

AND

Page 1, line 11, delete "GRANT"

AND

Page 1, line 16, delete "DEPARTMENT OF FINANCE" and substitute "OFFICE OF THE TREASURER OF STATE"

AND

Page 1, delete line 17 in its entirety

AND

Page 1, line 18, delete "GRANT"

AND

Page 1, delete SECTION 1 in its entirety and substitute the following:
" SECTION 1. APPROPRIATION - PINE BLUFF CONVENTION CENTER. There is hereby appropriated, to the Office of the Treasurer of State, to be payable from the City-County Tourist Facilities Aid Fund, for making payments as authorized by law for publicly owned eligible facilities as authorized by the City-County Tourist Meeting and Entertainment Facilities Assistance Law, for the biennial period ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) FACILITY DEBT SERVICE AND OPERATING EXPENSES	\$ 700,000	\$ 700,000

SECTION 2. Arkansas Code § 14-171-215(a)(8), concerning funding for the Pine Bluff Civic Auditorium Commission, is amended to read as follows:

- (8) The Pine Bluff Civic Auditorium Commission or its bond trustee shall receive:
 - (A) Seven hundred thousand dollars (\$700,000) in the fiscal year 2001;
 - (B) Six hundred eight thousand three hundred thirteen dollars (\$608,313) in the fiscal year 2002;
 - (C) Five hundred fifty thousand seven hundred fifty-four dollars (\$550,754) in the fiscal year 2003;
 - (D) Three hundred thirty-eight thousand nine hundred fifty-four dollars (\$338,954) in the fiscal year 2004; and
 - (E) One hundred seventy-one thousand eight hundred forty-nine dollars (\$171,849) in the fiscal year 2005; and

(F) Seven hundred thousand dollars (\$700,000) in the fiscal year 2008;
(G) Seven hundred thousand dollars (\$700,000) in the fiscal year 2009;
(H) Seven hundred thousand dollars (\$700,000) in the fiscal year 2010;
(I) Seven hundred thousand dollars (\$700,000) in the fiscal year 2011;”

AND

Appropriately renumber the subsequent SECTIONS of the bill.

(SIGNED) SENATOR WILKINS

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 740 was ordered engrossed.

On motion of Senator Womack, the rules were suspended in considering **Senate Bill No. 558** at this time.

On motion of Senator Womack, **Senate Bill No. 558** was withdrawn from the Committee on JOINT BUDGET, 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. 558

Amend **Senate Bill No. 558** as engrossed, S2/28/07:

Page 1, line 11, delete "TRACS" and substitute "MENTAL HEALTH CENTERS"

AND

Page 1, line 18, delete "TRACS" and substitute "MENTAL HEALTH CENTERS"

AND

Page 1, line 23, delete "TRACS" and substitute "MENTAL HEALTH CENTERS"

AND

Page 1, line 28, delete "TRACS" and substitute "mental health 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. 558 was ordered engrossed.

On motion of Senator Womack, the rules were suspended in considering Senate Bill No. 582 at this time.

On motion of Senator Womack, Senate Bill No. 582 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. 582

Amend Senate Bill No. 582 as originally introduced:

Page 1, line 29, delete "in Union County"

AND

Page 1, line 30, delete "\$40,000" and substitute "\$70,000"

AND

Page 1, delete subsections (B) and (C) in their entirety.

(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. 582 was ordered engrossed.

On motion of Senator Womack, the rules were suspended in considering **Senate Bill No. 678** at this time.

On motion of Senator Womack, **Senate Bill No. 678** 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. 678

Amend **Senate Bill No. 678** as originally introduced:

Page 1, line 25, delete "in Strong, Arkansas"

AND

Page 1, line 26, delete "the Natural Resources Museum in Smackover," and substitute "natural resources museums in"

(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. 678 was ordered engrossed.

On motion of Senator Womack, the rules were suspended in considering Senate Bill No. 681 at this time.

On motion of Senator Womack, Senate Bill No. 681 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. 681

Amend Senate Bill No. 681 as originally introduced:

Page 1, line 11, delete "IN CAMDEN,"

AND

Page 1, line 12, delete "ARKANSAS"

AND

Page 1, line 18, delete "IN CAMDEN,"

AND

Page 1, line 19, delete "ARKANSAS"

AND

Page 1, line 29, delete "for Camden, 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. 681 was ordered engrossed.

On motion of Senator Womack, the rules were suspended in considering **Senate Bill No. 362** at this time.

On motion of Senator Womack, **Senate Bill No. 362** was withdrawn from the Committee on JOINT BUDGET, 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. 362

Amend **Senate Bill No. 362** as engrossed, S3/1/07:

Page 1, delete lines 29 and 30 in their entirety and substitute the following:

"associated with an outdoor walking trail, building renovation, maintenance, and the purchase of equipment, the sum of.....\$50,000."

(SIGNED) SENATOR CRUMBLY

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 362 was ordered engrossed.

On motion of Senator Womack, the rules were suspended in considering Senate Bill No. 589 at this time.

On motion of Senator Womack, Senate Bill No. 589 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. 589

Amend Senate Bill No. 589 as originally introduced:

Page 1, line 11 delete "FOR ABSTINENCE AND PLANNED PARENTHOOD ACTIVITIES" and substitute "- ABSTINENCE EDUCATION AND UNWED BIRTH & TEENAGE PREGNANCY PREVENTION"

AND

Page 1, line 23 delete "ABSTINENCE AND PLANNED PARENTHOOD"

AND

Page 1, line 27 delete "abstinence and planned parenthood" and substitute "Abstinence Education and Unwed Birth & Teenage Pregnancy Prevention Program"

AND

Page 1, line 28 delete "activities"

(SIGNED) SENATOR MADISON

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 589 was ordered engrossed.

On motion of Senator Brown, the rules were suspended in considering **Senate Bill No. 417** at this time.

On motion of Senator Brown, **Senate Bill No. 417** 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. 417

Amend **Senate Bill No. 417** as originally introduced:

Page 1, line 12 delete "IN"

AND

Page 1, line 13 delete "PHILLIPS COUNTY"

AND

Page 1, line 18 delete "PHILLIPS COUNTY"

AND

Page 1, line 25 delete "IN PHILLIPS"

AND

Page 1, line 26 delete "COUNTY"

AND

Page 1, line 28 delete "in"

AND

Page 1, line 29 delete "Phillips County"

(SIGNED) SENATOR CRUMBLY

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 417 was ordered engrossed.

On motion of Senator Brown, the rules were suspended in considering **Senate Bill No. 642** at this time.

On motion of Senator Womack, **Senate Bill No. 642** 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. 642

Amend **Senate Bill No. 642** as originally introduced:

Page 1, line 12, delete "EAST"

AND

Page 1, line 20, delete "EAST"

AND

Page 1, line 27, delete "EAST"

AND

Page 1, line 32, delete "the East"

AND

Page 1, line 33, delete "to 90 recipients spread over" and substitute "to eligible recipients in Arkansas"

AND

Page 1, line 34, delete "Crittenden, Lee, and St. Francis Counties"

(SIGNED) SENATOR CRUMBLY

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 642 was ordered engrossed.

On motion of Senator Brown, the rules were suspended in considering **Senate Bill No. 719** at this time.

On motion of Senator Brown, **Senate Bill No. 719** 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. 719

Amend **Senate Bill No. 719** as originally introduced:

Page 1, line 29, delete "the East Arkansas Enterprise Community for"

(SIGNED) SENATOR CRUMBLY

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 719 was ordered engrossed.

On motion of Senator J. Jeffress, the rules were suspended in considering **Senate Concurrent Resolution Bill No. 20** at this time.

SENATE CONCURRENT RESOLUTION NO. 20

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATOR MADISON

BY: REPRESENTATIVES PYLE, L. SMITH, CASH, ET AL

SENATE CONCURRENT RESOLUTION ENCOURAGING STATE RETIREMENT SYSTEMS TO IDENTIFY THEIR INVESTMENTS IN COMPANIES THAT ARE OPERATING IN SUDAN; TO DIVEST ANY INVESTMENT IN A COMPANY OPERATING IN SUDAN; AND TO PREVENT ANY FUTURE INVESTMENT IN A COMPANY OPERATING IN SUDAN UNTIL THE GENOCIDE IN DARFUR, SUDAN, HAS ENDED.

Senate Concurrent Resolution No. 20 was read the third time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Concurrent Resolution No. 20 was ordered immediately transmitted to the House.

On motion of Senator J. Jeffress, the rules were suspended in considering **House Concurrent Resolution Bill No. 1021** at this time.

On motion of Senator J. Jeffress, **House Concurrent Resolution No. 1021** was called up for third reading and final disposition.

**HOUSE CONCURRENT RESOLUTION NO. 1021
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE SAUNDERS**

HOUSE CONCURRENT RESOLUTION REQUESTING THAT IN CONCORDANCE WITH THE 2006 ACT 57 ADEQUACY STUDY, THE JOINT INTERIM COMMITTEE ON PUBLIC RETIREMENT AND SOCIAL SECURITY PROGRAMS STUDY THE POSSIBILITY OF REQUIRING FURTHER REVIEW BY THE GENERAL ASSEMBLY BEFORE ANY FUTURE INCREASES TO THE EMPLOYER CONTRIBUTION RATE OR GRANTS OF ADDITIONAL AUTHORITY TO THE ARKANSAS TEACHER RETIREMENT SYSTEM.

House Concurrent Resolution No. 1021 was read the third time and concurred in by the House.

(SIGNED) ANN CORNWELL, SECRETARY

House Concurrent Resolution No. 1021 was ordered immediately returned to the House as concurred in.

On motion of Senator J. Jeffress, **Senate Bill No. 117** 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. 117

Amend **Senate Bill No. 117** as originally introduced:

Page 1, delete lines 9 through 14 and substitute the following:
 "AN ACT TO AMEND THE DEFINITION OF COMPENSATION UNDER THE ARKANSAS PUBLIC EMPLOYEES' RETIREMENT SYSTEM; AND FOR OTHER PURPOSES."

AND

Page 1, delete lines 17 through 22 and substitute the following:
 "AN ACT TO AMEND THE DEFINITION OF COMPENSATION UNDER THE ARKANSAS PUBLIC EMPLOYEES' RETIREMENT SYSTEM."

AND

Delete everything following the enacting clause and substitute the following:
 "SECTION 1. Arkansas Code § 21-5-106(d), concerning career service recognition payments, is amended to read as follows:

(d) Career service recognition payments authorized by this section shall be:
 (1) ~~subject~~ Subject to withholding of all applicable state and federal taxes; ~~but and~~
 (2) ~~shall not be included~~ Included by retirement systems in determining benefits.

SECTION 2. Arkansas Code § 21-5-1101(d)(2), concerning competency-based promotions and salary adjustments, is amended to read as follows:

(2) The lump-sum payments in this section shall ~~not~~ be considered as salary for the purposes of retirement eligibility.

SECTION 3. Arkansas Code § 24-4-101(11), concerning the definition of "compensation", is amended to read as follows:

"(11)(A) "Compensation" means the recurring remuneration paid a member by public employers for personal services rendered by a member in a position covered by an employer participating in the Arkansas Public Employees' Retirement System.

(B) The following shall be considered recurring remuneration for personal services for the purposes of determining retirement benefits:

(i) Career service recognition payments paid to a member under § 21-5-106;

(ii) Payments made to a member under § 21-5-1101, including without limitation a lump sum payment; and

(iii) Lump sum payments made to a member under §§ 21-5-211 and 21-5-219.

~~(B)~~(C) In case a member's compensation includes either lodging or meals, or both, exclusive of travel expense, the cash value of the lodging and meals shall be fixed by the board, not to exceed the amount the employee is required to report for federal income tax purposes;

SECTION 4. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that this act affects the consideration of retirement benefits in the Arkansas Public Employees' Retirement System; and that for better retirement planning by employees wishing to retire at the end of the state's fiscal year and to allow state agencies to better plan for the upcoming fiscal year this act should become effective before the start of the next fiscal year. Therefore, an emergency is declared to exist and this act being necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

(SIGNED) SENATOR FARIS

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 117 was ordered engrossed.

On motion of Senator J. Jeffress, Senate Bill No. 144 was 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. 144

Amend Senate Bill No. 144 as engrossed, S2/27/07:

Delete everything following the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 24-11-430 is amended to read as follows:
24-11-430. Funeral expenses.

(a) Whenever an active or retired police officer ~~shall die or be killed~~ dies, the board of trustees shall appropriate from the fund a sum of not less than one hundred dollars (\$100) nor more than ~~four thousand dollars (\$4,000)~~ six thousand five hundred dollars (\$6,500) to pay the funeral expenses of the decedent.

(b) Each board of trustees shall adopt a policy establishing the amount to be paid for funeral expenses pursuant to this section, and the amount shall be awarded uniformly to all eligible persons.

(c) The board of trustees may change the amount of funeral expenses payable under this section, but in that instance the amount shall be uniformly distributed likewise.

~~(d) The effective date of the 1983 amendment to this section shall be retroactive to June 17, 1981."~~

(SIGNED) SENATOR T. SMITH

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 144 was ordered engrossed.

On motion of Senator J. Jeffress, **Senate Bill No. 155** was placed back on second reading for purpose of Amendment 2.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 2 to SENATE BILL NO. 155

Amend **Senate Bill No. 155** as engrossed, S2/28/07:

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~~ subdivisions (c)(2) and (c)(3) 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.

(3) A member may enter into employment with a participating municipality other than the municipality he or she was employed by at the time of retirement so long as the member has a break of service from his or her previous employer of at least thirty (30) days.

(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 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, the Senate resolved itself into the Committee of the Whole for the purpose of RETIREMENT Bills.

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

On motion of Senator J. Jeffress, the rules were suspended in considering Senate Bill No. 139 at this time.

On motion of Senator J. Jeffress, Senate Bill No. 139 was called up for third reading and final disposition.

SENATE BILL NO. 139
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR ARGUE

A Bill for an Act to be Entitled: AN ACT CONCERNING THE APPLICATION OF THE EARNINGS LIMITATION TO RETIRED MEMBERS OF THE ARKANSAS TEACHER RETIREMENT SYSTEM EMPLOYED BY THE ARKANSAS DEPARTMENT OF EDUCATION; AND FOR OTHER PURPOSES.

Senate Bill No. 139 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35
Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 139 was ordered immediately transmitted to the House as passed.

On motion of Senator J. Jeffress, the rules were suspended in considering House Bill No. 1095 at this time.

On motion of Senator J. Jeffress, House Bill No. 1095 was called up for third reading and final disposition.

HOUSE BILL NO. 1095
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE HARRIS

A Bill for an Act to be Entitled: AN ACT CONCERNING THE ARKANSAS FIRE AND POLICE PENSION REVIEW BOARD TO REQUIRE LOCAL MILLAGE MODIFICATION UPON CONSOLIDATION WITH THE BOARD OF TRUSTEES OF THE ARKANSAS LOCAL POLICE AND FIRE RETIREMENT SYSTEM; AND FOR OTHER PURPOSES.

House Bill No. 1095 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. 1095 was ordered immediately returned to the House as passed.

On motion of Senator J. Jeffress, the rules were suspended in considering House Bill No. 1097 at this time.

On motion of Senator J. Jeffress, House Bill No. 1097 was called up for third reading and final disposition.

HOUSE BILL NO. 1097
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE HARRIS

A Bill for an Act to be Entitled: AN ACT TO AMEND DEFINITIONS CONCERNING CERTAIN RETIREMENT FUNDING ALLOCATIONS; AND FOR OTHER PURPOSES.

House Bill No. 1097 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

There being an emergency clause attached to **House Bill No. 1097**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

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

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1097 was ordered immediately returned to the House as passed.

On motion of Senator J. Jeffress, the rules were suspended in considering House Bill No. 1098 at this time.

On motion of Senator J. Jeffress, House Bill No. 1098 was called up for third reading and final disposition.

HOUSE BILL NO. 1098
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE HARRIS

A Bill for an Act to be Entitled: AN ACT CONCERNING THE ARKANSAS LOCAL POLICE AND FIRE RETIREMENT SYSTEM TO CHANGE THE UNIFORMED CONTRIBUTION RATE FOR VOLUNTEER LOCATIONS AND TO CHANGE THE AMOUNT OF PRIOR SERVICE RECOGNIZED FOR NEW VOLUNTEER DEPARTMENTS; AND FOR OTHER PURPOSES.

House Bill No. 1098 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 bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 1098**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1098 was ordered immediately returned to the House as passed.

On motion of Senator J. Jeffress, the rules were suspended in considering **House Bill No. 1172** at this time.

On motion of Senator J. Jeffress, **House Bill No. 1172** was called up for third reading and final disposition.

HOUSE BILL NO. 1172
As Engrossed: H3/12/07 H3/14/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES HARRIS AND GREENBERG

A Bill for an Act to be Entitled: AN ACT CONCERNING POLICE PENSION AND RELIEF FUNDS OF CITIES OF THE FIRST CLASS; AND FOR OTHER PURPOSES.

House Bill No. 1172 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 bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1172 was ordered immediately returned to the House as passed.

On motion of Senator J. Jeffress, the rules were suspended in considering House Bill No. 1187 at this time.

On motion of Senator J. Jeffress, House Bill No. 1187 was called up for third reading and final disposition.

HOUSE BILL NO. 1187
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES EDWARDS, PATE, HOYT, ET AL
BY: SENATOR MADISON

A Bill for an Act to be Entitled: AN ACT EXTENDING THE PERIOD OF AN ARKANSAS TEACHER RETIREMENT SYSTEM EARNINGS LIMITATION WAIVER; AND FOR OTHER PURPOSES.

House Bill No. 1187 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. 1187 was ordered immediately returned to the House as passed.

On motion of Senator J. Jeffress, the rules were suspended in considering House Bill No. 1277 at this time.

On motion of Senator J. Jeffress, House Bill No. 1277 was called up for third reading and final disposition.

HOUSE BILL NO. 1277
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE HARRIS

A Bill for an Act to be Entitled: AN ACT TO AUTHORIZE THE PAYMENT OF RETROACTIVE BENEFIT INCREASES TO SURVIVING SPOUSES OF DECEASED FIREFIGHTERS KILLED WHILE ON DUTY WHO APPLY FOR BENEFIT RESTORATION; AND FOR OTHER PURPOSES.

House Bill No. 1277 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

There being an emergency clause attached to **House Bill No. 1277**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

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

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1277 was ordered immediately returned to the House as passed.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 23, 2007

Mr. President:

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

HOUSE BILL NO. 1504, BY REPRESENTATIVE ANDERSON, et al,
HOUSE BILL NO. 1636, BY REPRESENTATIVE BOND,
HOUSE BILL NO. 2214, BY REPRESENTATIVE HARRELSON,
HOUSE BILL NO. 2249, BY REPRESENTATIVE S. PRATER,
HOUSE BILL NO. 2390, BY REPRESENTATIVE HOYT, ET AL,
HOUSE BILL NO. 2345, BY REPRESENTATIVE WILLS,
HOUSE BILL NO. 2487, BY REPRESENTATIVE BOND,
HOUSE BILL NO. 2586, BY REPRESENTATIVE PACE, ET AL,
HOUSE BILL NO. 2626, BY REPRESENTATIVE SAMPLE,
HOUSE BILL NO. 2628, BY REPRESENTATIVE R. GREEN,
HOUSE BILL NO. 2705, BY REPRESENTATIVE SAUNDERS,

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

,ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 23, 2007

Mr. President:

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

SENATE BILL NO. 558, BY SENATOR G. JEFFRESS,
SENATE BILL NO. 582, BY SENATOR G. JEFFRESS,
SENATE BILL NO. 681, BY SENATOR G. JEFFRESS,
SENATE BILL NO. 694, BY SENATOR MALONE, ET AL,
SENATE BILL NO. 698, BY SENATOR MALONE, 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 G. Jeffress, **Senate Bill No. 558** was ordered re-referred to the Committee on JOINT BUDGET.

On motion of Senator G. Jeffress, **Senate Bill No. 582** was ordered re-referred to the Committee on JOINT BUDGET.

On motion of Senator G. Jeffress, **Senate Bill No. 681** was ordered re-referred to the Committee on JOINT BUDGET.

On motion of Senator G. Jeffress, **Senate Bill No. 694** was ordered re-referred to the Committee on JOINT BUDGET.

On motion of Senator Malone, **Senate Bill No. 698** was ordered re-referred to the Committee on JOINT BUDGET.

Senate Bill No. 22 was ordered immediately returned from the Governor as requested.

Senate Bill No. 25 was ordered immediately returned from the Governor as requested.

STATE OF ARKANSAS
OFFICE OF THE GOVERNOR
State Capitol
Little Rock 72201

March 23, 2007

TO THE SECRETARY OF THE SENATE

Dear Ms Cornwell:

This is to inform you that on March 23, 2007, my office is returning **Senate Bill 22** and **Senate Bill 25** to the Arkansas State Senate as requested.

Respectfully,

(SIGNED) MIKE BEEBE
Governor

Senate Bill No. 373 returned from the House as passed as amended.

Senate Bill No. 838 returned from the House as passed as amended.

Senate Bill No. 839 returned from the House as passed as amended.

On motion of Senator Brown, Senate Bill No. 373 was ordered re-referred to the Committee on CITY, COUNTY & LOCAL AFFAIRS.

On motion of Senator Argue, Senate Bill No. 838 was ordered re-referred to the Committee on EDUCATION.

On motion of Senator Argue, Senate Bill No. 839 was ordered re-referred to the Committee on EDUCATION.

Senate Concurrent Resolution No. 21 was returned from the House as concurred in and ordered enrolled.

Senate Concurrent Resolution No. 22 was returned from the House as concurred in and ordered enrolled.

Senate Bill No. 46 was returned from the House as passed and ordered enrolled.

Senate Bill No. 130 was returned from the House as passed and ordered enrolled.

Senate Bill No. 138 was returned from the House as passed and ordered enrolled.

Senate Bill No. 208 was returned from the House as passed and ordered enrolled.

Senate Bill No. 333 was returned from the House as passed and ordered enrolled.

Senate Bill No. 796 was returned from the House as passed and ordered enrolled.

Senate Bill No. 802 was returned from the House as passed and ordered enrolled.

Senate Bill No. 806 was returned from the House as passed and ordered enrolled.

Senate Bill No. 822 was returned from the House as passed and ordered enrolled.

Senate Bill No. 823 was returned from the House as passed and ordered enrolled.

Senate Bill No. 858 was returned from the House as passed and ordered enrolled.

Senate Bill No. 872 was returned from the House as passed and ordered enrolled.

Senate Bill No. 901 was returned from the House as passed and ordered enrolled.

Senate Bill No. 902 was returned from the House as passed and ordered enrolled.

HOUSE BILL NO. 2035

As Engrossed: H3/22/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES T. BAKER AND WAGNER

BY: SENATOR BRYLES

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF ARKANSAS HERITAGE - HISTORIC PRESERVATION FOR STATE AID; AND FOR OTHER PURPOSES.

House Bill No. 2035 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 2036

EIGHTY-SIXTH GENERAL ASSEMBLY

As Engrossed: H3/22/07

REGULAR SESSION

BY: REPRESENTATIVES T. BAKER AND WAGNER

BY: SENATOR BRYLES

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF PARKS AND TOURISM FOR GRANTS; AND FOR OTHER PURPOSES.

House Bill No. 2036 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 2037

As Engrossed: H3/22/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES T. BAKER AND WAGNER

BY: SENATOR BRYLES

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF EDUCATION - ARKANSAS STATE LIBRARY FOR GRANTS; AND FOR OTHER PURPOSES.

House Bill No. 2037 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 2038

As Engrossed: H3/22/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES T. BAKER, WAGNER

BY: SENATOR BRYLES

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS NORTHEASTERN COLLEGE FOR MAINTENANCE AND OPERATING EXPENSES; AND FOR OTHER PURPOSES.

House Bill No. 2038 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 2079
EIGHTY-SIXTH GENERAL ASSEMBLY
As Engrossed: H3/22/07
REGULAR SESSION
BY: REPRESENTATIVE L. EVANS
BY: SENATORS GLOVER, J. JEFFRESS & WILKINS

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE UNIVERSITY OF ARKANSAS AT PINE BLUFF FOR THE AQUACULTURE / FISHERIES CENTER; AND FOR OTHER PURPOSES.

House Bill No. 2079 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 2155
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE GEORGE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF PARKS AND TOURISM FOR GRANTS FOR AIRPORT FACILITY CONSTRUCTION; AND FOR OTHER PURPOSES.

House Bill No. 2155 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 2211

As Engrossed: H3/21/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES KEY AND D. CREEKMORE

A Bill for an Act to be Entitled: *AN ACT CONCERNING EMERGENCY PREPAREDNESS FOR CHILD CARE FACILITIES; AND FOR OTHER PURPOSES.*

House Bill No. 2211 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

HOUSE BILL NO. 2515

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE BOND

A Bill for an Act to be Entitled: *AN ACT PROVIDING SCHOOL ACCREDITATION REGULATIONS CONCERNING UNITARY STATUS; AND FOR OTHER PURPOSES.*

House Bill No. 2515 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

HOUSE BILL NO. 2653
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE PACE

A Bill for an Act to be Entitled: AN ACT TO REQUIRE WRITTEN AND VERIFIED COMPLAINTS BEFORE A WARRANT MAY BE ISSUED TO AN EMPLOYEE OF THE ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY; AND FOR OTHER PURPOSES.

House Bill No. 2653 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

HOUSE BILL NO. 2674
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE ANDERSON

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE § 11-9-525 CONCERNING COMPENSATION FOR SECOND INJURIES; TO AMEND A PROTION OF THE ARKANSAS CODE WHICH RESULTED FROM INITIATED ACT 4 OF 1948; AND FOR OTHER PURPOSES.

House Bill No. 2674 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

HOUSE BILL NO. 2716
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE KING

A Bill for an Act to be Entitled: AN ACT TO ALLOW NON-PROFIT CORPORATIONS TO OWN AND OPERATE COMMUNITY SEWER SYSTEMS, AND FOR OTHER PURPOSES.

House Bill No. 2716 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

HOUSE BILL NO. 1332
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE THYER

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES FOR THE OFFICE OF ATTORNEY GENERAL - CRIME VICTIMS REPARATIONS PROGRAM WHICH SHALL BE SUPPLEMENTAL AND IN ADDITION TO THOSE FUNDS APPROPRIATED BY ACT 421 OF 2005; AND FOR OTHER PURPOSES.

House Bill No. 1332 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1386
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE MOORE

A Bill for an Act to be Entitled: AN ACT TO AMEND THE APPROPRIATION ENACTED BY ACT 480 OF THE REGULAR SESSION OF 2005 AND TO CLARIFY SECTION 3 OF ACT 2315 OF THE REGULAR SESSION OF 2005 REGARDING THE LAKE VILLAGE FIRE DEPARTMENT.

House Bill No. 1386 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1588
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE WOOD

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE STATE MILITARY DEPARTMENT FOR STATE ASSISTANCE TO THE ARKANSAS ARMY NATIONAL GUARD READINESS CENTERS; AND FOR OTHER PURPOSES.

House Bill No. 1588 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1643

As Engrossed: H3/22/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES WAGNER AND T. BAKER

BY: SENATOR BRYLES

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS NORTHEASTERN COLLEGE FOR CONSTRUCTION, RENOVATION, MAINTENANCE AND OPERATING EXPENSES; AND FOR OTHER PURPOSES.

House Bill No. 1643 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1959

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES MOORE, E. BROWN, FLOWERS, ET AL

BY: SENATORS J. JEFFRESS AND J. TAYLOR

A Bill for an Act to be Entitled: AN ACT TO AUTHORIZE SIGNAGE FOR WAR RELOCATION CENTERS THAT WERE OPERATED BY THE WAR RELOCATION AUTHORITY DURING WORLD WAR II; AND FOR OTHER PURPOSES.

House Bill No. 1959 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 2032

As Engrossed: H3/22/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE T. BAKER AND WAGNER

BY: SENATOR BRYLES

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT FOR STATE AID; AND FOR OTHER PURPOSES.

House Bill No. 2032 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 2033

As Engrossed: H3/22/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES T. BAKER AND WAGNER

BY: SENATOR BRYLES

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF RURAL SERVICES FOR GRANTS; AND FOR OTHER PURPOSES.

House Bill No. 2033 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 2034

As Engrossed: H3/22/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES T. BAKER AND WAGNER

BY: SENATOR BRYLES

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF RURAL SERVICES FOR GRANTS; AND FOR OTHER PURPOSES.

House Bill No. 2034 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 2368

As Engrossed: H3/22/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE DICKINSON

BY: SENATOR LUKER

A Bill for an Act to be Entitled: AN ACT TO CREATE THE UNIFORM STATE FERTILIZER PREEMPTION ACT; AND FOR OTHER PURPOSES.

House Bill No. 2368 was read the first time, rules suspended, read the second time and referred to the Committee on AGRICULTURE, ECONOMIC & INDUSTRIAL DEVELOPMENT.

HOUSE BILL NO. 2394
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE ROSENBAUM

A Bill for an Act to be Entitled: AN ACT TO AMEND CERTAIN PROVISIONS OF THE HOME SCHOOL LAW; AND FOR OTHER PURPOSES.

House Bill No. 2394 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

HOUSE BILL NO. 2429
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE ABERNATHY

A Bill for an Act to be Entitled: AN ACT CONCERNING THE CALCULATION OF A SCHOOL DISTRICT'S MISCELLANEOUS FUNDS; AND FOR OTHER PURPOSES.

House Bill No. 2429 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

HOUSE BILL NO. 2462
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE BOND
BY: SENATOR MADISON

A Bill for an Act to be Entitled: AN ACT TO MAKE VARIOUS CORRECTIONS TO THE ARKANSAS CODE OF 1987 ANNOTATED; AND FOR OTHER PURPOSES.

House Bill No. 2462 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

HOUSE BILL NO. 2495
As Engrossed: H3/22/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES COOPER AND PACE

A Bill for an Act to be Entitled: AN ACT TO AMEND THE DISCLOSURES ACT FOR PUBLIC INITIATIVES, REFERENDA AND MEASURES REFERRED TO VOTERS TO INCREASE THE PENALTIES AND REQUIRE MORE DISCLOSURE; AND FOR OTHER PURPOSES.

House Bill No. 2495 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

HOUSE BILL NO. 2502
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE THYER

A Bill for an Act to be Entitled: AN ACT TO ALLOW CHILDREN RESIDING IN THE SAME RESIDENTIAL SUBDIVISION TO ATTEND THE SAME SCHOOL DISTRICT; AND FOR OTHER PURPOSES.

House Bill No. 2502 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

HOUSE BILL NO. 2514
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES BLOUNT, T. BAKER, E. BROWN, ET AL
BY: SENATORS BROWN, CRUMBLY, WILKINS, & STEELE

A Bill for an Act to be Entitled: AN ACT TO AMEND THE COMMISSION ON CLOSING THE ACHIEVEMENT GAP IN ARKANSAS TO PROVIDE TRAINING FOR COMMISSION MEMBERS; AND FOR OTHER PURPOSES.

House Bill No. 2514 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

HOUSE BILL NO. 2614
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE KENNEY

A Bill for an Act to be Entitled: AN ACT TO CREATE A PILOT PROGRAM TO RESTRUCTURE THE TEACHER PROFESSIONAL PAY SYSTEM IN ARKANSAS TO BE KNOWN AS THE REWARDING EXCELLENCE IN ACHIEVEMENT PROGRAM (REAP); AND FOR OTHER PURPOSES.

House Bill No. 2614 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

HOUSE BILL NO. 2620
As Engrossed: H3/9/07 H3/20/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES WALTERS, ABERNATHY, D. CREEKMORE, ET AL
BY: SENATOR R. THOMPSON

A Bill for an Act to be Entitled: AN ACT TO TRANSFER THE REGULATION OF TITLE INSURANCE TO THE STATE INSURANCE DEPARTMENT; TO ENACT THE ARKANSAS TITLE INSURANCE ACT; AND FOR OTHER PURPOSES.

House Bill No. 2620 was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE & COMMERCE.

HOUSE BILL NO. 2656
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES WALTERS AND R. GREEN

A Bill for an Act to be Entitled: AN ACT TO PROVIDE FOR GREATER ACCURACY BY PUBLIC SCHOOL DISTRICTS ENTERING FINANCIAL AND STUDENT MANAGEMENT DATA INTO THE ARKANSAS PUBLIC SCHOOL COMPUTER NETWORK; AND FOR OTHER PURPOSES.

House Bill No. 2656 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

HOUSE BILL NO. 2707
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE SAUNDERS

A Bill for an Act to be Entitled: AN ACT CONCERNING PROTECTION OF WATER RESOURCES; AND FOR OTHER PURPOSES.

House Bill No. 2707 was read the first time, rules suspended, read the second time and referred to the Committee on AGRICULTURE, ECONOMIC & INDUSTRIAL DEVELOPMENT.

HOUSE BILL NO. 2734

As Engrossed: H3/22/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES HAWKINS, *PICKETT & RAINEY*

BY: SENATOR ARGUE

A Bill for an Act to be Entitled: AN ACT TO ENSURE A RIGOROUS AND EFFICIENT CURRICULUM FOR ARKANSAS HIGH SCHOOL STUDENTS; CONCERNING PUBLIC SCHOOL CURRICULUM; AND FOR OTHER PURPOSES.

House Bill No. 2734 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

HOUSE BILL NO. 2754

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE SUMPTER

A Bill for an Act to be Entitled: AN ACT CONCERNING THE SALE OF ALCOHOLIC BEVERAGES AT CERTAIN LARGE ATTENDANCE FACILITIES; AND FOR OTHER PURPOSES.

House Bill No. 2754 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

HOUSE BILL NO. 2761
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE SAUNDERS

A Bill for an Act to be Entitled: AN ACT TO ESTABLISH THE PHASE I ENVIRONMENTAL SITE ASSESSMENT CONSULTANT ACT; TO MAINTAIN A PUBLIC LIST OF PHASE I ENVIRONMENTAL SITE ASSESSMENT CONSULTANTS; AND FOR OTHER PURPOSES.

House Bill No. 2761 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

HOUSE BILL NO. 2780
As Engrossed: H3/22/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES D. CREEKMORE, WALTERS, J. JOHNSON, ET AL
BY: SENATORS BROADWAY, SALMON & TRUSTY

A Bill for an Act to be Entitled: AN ACT TO PERMIT PLACING A SECURITY FREEZE ON A PERSON'S CONSUMER REPORT; TO PROVIDE PROCEDURES FOR THE PLACEMENT AND REMOVAL OF THE SECURITY FREEZE; TO PROVIDE NOTICE OF THE RIGHT TO OBTAIN A SECURITY FREEZE; AND FOR OTHER PURPOSES.

House Bill No. 2780 was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE & COMMERCE.

HOUSE BILL NO. 2813
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE THYER

A Bill for an Act to be Entitled: AN ACT AUTHORIZING THE COMMISSION FOR ARKANSAS PUBLIC SCHOOL ACADEMIC FACILITIES AND TRANSPORTATION TO ISSUE GENERAL OBLIGATION BONDS TO FINANCE PUBLIC SCHOOL ACADEMIC FACILITIES IN TOTAL PRINCIPAL AMOUNT NOT TO EXCEED SEVEN HUNDRED FIFTY MILLION DOLLARS (\$750,000,000), IN SERIES FROM TIME TO TIME IN PRINCIPAL AMOUNTS NOT TO EXCEED, WITHOUT PRIOR APPROVAL OF THE GENERAL ASSEMBLY, ONE HUNDRED FIFTY MILLION DOLLARS (\$150,000,000) IN ANY FISCAL BIENNIUM; AUTHORIZING THE GOVERNOR TO SUBMIT THE QUESTION OF ISSUANCE OF BONDS AT ANY GENERAL ELECTION OR A SPECIAL ELECTION CALLED FOR THAT PURPOSE ON OR BEFORE JUNE 30, 2011; PRESCRIBING OTHER MATTERS RELATING THERETO; AND FOR OTHER PURPOSES.

House Bill No. 2813 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 23, 2007

Mr. President:

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

SENATE BILL NO. 73, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 125, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 180, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 181, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 220, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 223, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 232, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 262, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 362, BY SENATOR CRUMBLY,
SENATE BILL NO. 426, BY SENATOR BROWN,
SENATE BILL NO. 427, BY SENATOR BROWN,
SENATE BILL NO. 428, BY SENATOR BROWN,
SENATE BILL NO. 431, BY SENATOR BROWN,
SENATE BILL NO. 432, BY SENATOR BROWN,
SENATE BILL NO. 496, BY SENATOR J. JEFFRESS,
SENATE BILL NO. 589, BY SENATOR MADISON,
SENATE BILL NO. 634, BY SENATOR BROWN, et al,
SENATE BILL NO. 638, BY SENATOR BROWN, et al,
SENATE BILL NO. 678, BY SENATOR G. JEFFRESS,
SENATE BILL NO. 695, BY SENATOR MALONE,
SENATE BILL NO. 719, BY SENATOR CRUMBLY,

SENATE BILL NO. 740, BY SENATOR WILKINS,
SENATE BILL NO. 750, BY SENATOR MALONE, et al,
SENATE BILL NO. 834, BY JOINT BUDGET COMMITTEE,

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

Respectfully submitted,

(SIGNED) HENRY "HANK" WILKINS, IV
CHAIRMAN

On motion of Senator Womack, [Senate Bill No. 73](#) was ordered re-referred to the Committee on JOINT BUDGET COMMITTEE.

On motion of Senator Womack, [Senate Bill No. 125](#) was ordered re-referred to the Committee on JOINT BUDGET COMMITTEE.

On motion of Senator Womack, [Senate Bill No. 180](#) was ordered re-referred to the Committee on JOINT BUDGET COMMITTEE.

On motion of Senator Womack, [Senate Bill No. 181](#) was ordered re-referred to the Committee on JOINT BUDGET COMMITTEE.

On motion of Senator Womack, [Senate Bill No. 220](#) was ordered re-referred to the Committee on JOINT BUDGET COMMITTEE.

On motion of Senator Womack, [Senate Bill No. 223](#) was ordered re-referred to the Committee on JOINT BUDGET COMMITTEE.

On motion of Senator Womack, [Senate Bill No. 232](#) was ordered re-referred to the Committee on JOINT BUDGET COMMITTEE.

On motion of Senator Womack, [Senate Bill No. 262](#) was ordered re-referred to the Committee on JOINT BUDGET COMMITTEE.

On motion of Senator Womack, [Senate Bill No. 362](#) was ordered re-referred to the Committee on JOINT BUDGET COMMITTEE.

On motion of Senator Womack, [Senate Bill No. 426](#) was ordered re-referred to the Committee on JOINT BUDGET COMMITTEE.

On motion of Senator Womack, [Senate Bill No. 427](#) was ordered re-referred to the Committee on JOINT BUDGET COMMITTEE.

On motion of Senator Womack, [Senate Bill No. 428](#) was ordered re-referred to the Committee on JOINT BUDGET COMMITTEE.

On motion of Senator Womack, [Senate Bill No. 431](#) was ordered re-referred to the Committee on JOINT BUDGET COMMITTEE.

On motion of Senator Womack, [Senate Bill No. 432](#) was ordered re-referred to the Committee on JOINT BUDGET COMMITTEE.

On motion of Senator Womack, [Senate Bill No. 496](#) was ordered re-referred to the Committee on JOINT BUDGET COMMITTEE.

On motion of Senator Womack, [Senate Bill No. 589](#) was ordered re-referred to the Committee on JOINT BUDGET COMMITTEE.

On motion of Senator Womack, [Senate Bill No. 634](#) was ordered re-referred to the Committee on JOINT BUDGET COMMITTEE.

On motion of Senator Womack, [Senate Bill No. 638](#) was ordered re-referred to the Committee on JOINT BUDGET COMMITTEE.

On motion of Senator Womack, [Senate Bill No. 678](#) was ordered re-referred to the Committee on JOINT BUDGET COMMITTEE.

On motion of Senator Womack, [Senate Bill No. 695](#) was ordered re-referred to the Committee on JOINT BUDGET COMMITTEE.

On motion of Senator Womack, [Senate Bill No. 719](#) was ordered re-referred to the Committee on JOINT BUDGET COMMITTEE.

On motion of Senator Womack, [Senate Bill No. 740](#) was ordered re-referred to the Committee on JOINT BUDGET COMMITTEE.

On motion of Senator Womack, [Senate Bill No. 750](#) was ordered re-referred to the Committee on JOINT BUDGET COMMITTEE.

On motion of Senator Womack, [Senate Bill No. 834](#) was ordered re-referred to the Committee on JOINT BUDGET COMMITTEE.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 23, 2007

Mr. President:

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

HOUSE BILL NO. 1575, BY SENATOR SUMPTER, 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

March 23, 2007

Mr. President:

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

HOUSE BILL NO. 2733, BY REPRESENTATIVE MEDLEY, 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 Laverty, House Bill No. 2733 was ordered re-referred to the Committee on JUDICIARY.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 23, 2007

Mr. President:

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

SENATE BILL NO. 117, BY SENATOR FARIS,
SENATE BILL NO. 144, BY SENATOR T. SMITH,
SENATE BILL NO. 155, BY SENATOR T. 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

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 23, 2007

Mr. President:

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

SENATE BILL NO. 218, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 219, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 221, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 321, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 323, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 417, BY SENATOR CRUMBLY, et al,
SENATE BILL NO. 642, BY SENATOR CRUMBLY,

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

Respectfully submitted,

(SIGNED) HENRY "HANK" WILKINS, IV
CHAIRMAN

On motion of Senator Womack, **Senate Bill No. 218** was ordered re-referred to the Committee on Joint Budget.

On motion of Senator Womack, **Senate Bill No. 219** was ordered re-referred to the Committee on Joint Budget.

On motion of Senator Womack, **Senate Bill No. 221** was ordered re-referred to the Committee on Joint Budget.

On motion of Senator Womack, [Senate Bill No. 321](#) was ordered re-referred to the Committee on Joint Budget.

On motion of Senator Womack, [Senate Bill No. 323](#) was ordered re-referred to the Committee on Joint Budget.

On motion of Senator Womack, [Senate Bill No. 417](#) was ordered re-referred to the Committee on Joint Budget.

On motion of Senator Womack, [Senate Bill No. 642](#) was ordered re-referred to the Committee on Joint Budget.

* * * * *

SENATE BILLS TRANSMITTED TO THE HOUSE

AS PASSED

SENATE BILL NO. 63

SENATE BILL NO. 139

SENATE BILL NO. 237

SENATE BILL NO. 289

SENATE BILL NO. 372

SENATE BILL NO. 776

SENATE BILL NO. 402

SENATE BILL NO. 851

SENATE BILL NO. 907

SENATE BILL NO. 926

SENATE BILL NO. 955

SENATE BILL NO. 969

SENATE CONCURRENT RESOLUTIONS TRANSMITTED
TO THE HOUSE AS ADOPTED

SENATE CONCURRENT RESOLUTION NO. 15
SENATE CONCURRENT RESOLUTION NO. 20
SENATE CONCURRENT RESOLUTION NO. 23

HOUSE BILLS RETURNED TO THE HOUSE
AS PASSED

HOUSE BILL NO. 1095
HOUSE BILL NO. 1097
HOUSE BILL NO. 1098
HOUSE BILL NO. 1172
HOUSE BILL NO. 1187
HOUSE BILL NO. 1277
HOUSE BILL NO. 2256
HOUSE BILL NO. 2257
HOUSE BILL NO. 2258
HOUSE BILL NO. 2327
HOUSE BILL NO. 2369
HOUSE BILL NO. 2371
HOUSE BILL NO. 2434
HOUSE BILL NO. 2442
HOUSE BILL NO. 2448
HOUSE BILL NO. 2490
HOUSE BILL NO. 2500
HOUSE BILL NO. 2543
HOUSE BILL NO. 2545
HOUSE BILL NO. 2649
HOUSE BILL NO. 2692
HOUSE BILL NO. 2697

HOUSE CONCURRENT RESOLUTIONS RETURNED
TO THE HOUSE AS CONCURRED IN

HOUSE CONCURRENT RESOLUTION NO. 1021
HOUSE CONCURRENT RESOLUTION NO. 1022
HOUSE CONCURRENT RESOLUTION NO. 1031

HOUSE BILLS RETURNED TO THE HOUSE
AS PASSED AS AMENDED

HOUSE BILL NO. 1529, AS AMENDED NO. 1
HOUSE BILL NO. 2248, AS AMENDED NO. 1
HOUSE BILL NO. 2296, AS AMENDED NO. 1
HOUSE BILL NO. 2407, AS AMENDED NO. 1
HOUSE BILL NO. 2411, AS AMENDED NO. 1
HOUSE BILL NO. 2443, AS AMENDED NO. 1

SENATE BILLS RETURNED FROM THE HOUSE
AS PASSED

SENATE BILL NO. 46
SENATE BILL NO. 130
SENATE BILL NO. 138
SENATE BILL NO. 208
SENATE BILL NO. 333
SENATE BILL NO. 796
SENATE BILL NO. 802
SENATE BILL NO. 806
SENATE BILL NO. 822
SENATE BILL NO. 823
SENATE BILL NO. 858
SENATE BILL NO. 872
SENATE BILL NO. 901
SENATE BILL NO. 902

SENATE CONCURRENT RESOLUTIONS RETURNED FROM THE HOUSE
AS CONCURRED IN

SENATE CONCURRENT RESOLUTION NO. 21
SENATE CONCURRENT RESOLUTION NO. 22

SENATE BILLS RETURNED FROM THE HOUSE
AS PASSED AS AMENDED

SENATE BILL NO 373 AS AMENDED NO. 1
SENATE BILL NO. 838 AS AMENDED NO. 1
SENATE BILL NO. 839 AS AMENDED NO. 1

HOUSE BILLS TRANSMITTED TO THE SENATE
AS PASSED

HOUSE BILL NO. 1332
HOUSE BILL NO. 1386
HOUSE BILL NO. 1588
HOUSE BILL NO. 1643
HOUSE BILL NO. 1959
HOUSE BILL NO. 2032
HOUSE BILL NO. 2033
HOUSE BILL NO. 2034
HOUSE BILL NO. 2035
HOUSE BILL NO. 2036
HOUSE BILL NO. 2037
HOUSE BILL NO. 2038
HOUSE BILL NO. 2079
HOUSE BILL NO. 2155
HOUSE BILL NO. 2211
HOUSE BILL NO. 2368
HOUSE BILL NO. 2394

HOUSE BILL NO. 2429
HOUSE BILL NO. 2462
HOUSE BILL NO. 2495
HOUSE BILL NO. 2502
HOUSE BILL NO. 2514
HOUSE BILL NO. 2515
HOUSE BILL NO. 2614
HOUSE BILL NO. 2620
HOUSE BILL NO. 2653
HOUSE BILL NO. 2656
HOUSE BILL NO. 2674
HOUSE BILL NO. 2707
HOUSE BILL NO. 2716
HOUSE BILL NO. 2734
HOUSE BILL NO. 2754
HOUSE BILL NO. 2761
HOUSE BILL NO. 2780
HOUSE BILL NO. 2813

HOUSE BILL RETURNED FROM THE HOUSE
AS REQUESTED

HOUSE BILL NO. 1490

HOUSE BILL RETURNED FROM THE HOUSE
FOR ERROR CORRECTION

HOUSE BILL NO. 2626

On motion of Senator Whitaker, the Senate adjourned until 1:30 p.m., Monday, March 26, 2007.

PRESIDENT OF THE SENATE

SECRETARY OF THE SENATE