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

Little Rock, Arkansas

February 13, 2007

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

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

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

The Senate was led in prayer by Senator Wilkinson.

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On motion of Senator Hendren, **Senate Bill No. 216** was withdrawn from the Committee on JUDICIARY, and placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 216

Amend **Senate Bill No. 216** as originally introduced:

Page 1, delete lines 27 through 36, and substitute the following:

"16-90-122. Post-conviction release of nonviolent offenders.

(a) ~~Any~~ Except as provided in subsection (b) of this section, any circuit judge may authorize the temporary release of an offender in the sheriff's custody who has:

(1) Been found guilty of or pleaded guilty or nolo contendere to a nonviolent felony offense in circuit court, ~~except nonviolent Class Y felony offenses listed in § 16-93-611;~~ and

(2) Been sentenced to a term of imprisonment and committed to the Department of Correction or the Department of Community Correction and is awaiting transfer to the Department of Correction or the Department of Community Correction.

(b) A circuit judge shall not authorize the temporary release of an offender under subsection (a) of this section if the offender has been found guilty of or pleaded guilty or nolo contendere to a:

(1) Class Y felony offense listed in § 16-93-611; or

(2) Felony sex offense listed in the definition of "sex offense" in § 12-12-903.

~~(b)(1)(c)(1)~~ (1) The circuit judge may authorize the release under the terms and conditions which he or she determines are necessary to protect the public and to ensure the offender's return to custody upon notice that bed space is available at the Department of Correction or the Department of Community Correction.

(2) The circuit judge may require a cash or professional bond to be posted in an amount suitable to ensure the offender's return to custody."

AND

Page 2, delete lines 1 through 9

(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. 216 was ordered engrossed.

On motion of Senator G. Jeffress, **Senate Bill No. 217** was withdrawn from the Committee on EDUCATION, and placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 217

Amend **Senate Bill No. 217** as originally introduced:

Page 1, line 23, delete "2007-2008" and substitute "2008-2009"

AND

Page 1, line 26, delete "2008-2009" and substitute "2009-2010"

AND

Page 1, line 29 "2009-2010" and substitute "2010-2011"

(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. 217 was ordered engrossed.

On motion of Senator Faris, **Senate Bill No. 59** was withdrawn from the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS, 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. 59

Amend **Senate Bill No. 59** as engrossed, S2/5/07:

Page 19, line 1, delete "or"

AND

Page 19, delete line 3 and substitute the following:

"registered with the Federal Election Commission;

(iii) Funds which a subordinate committee of the national committee of any political party that is registered with the Federal Election Commission transfers to the federal account of an organized political party as defined under § 7-1-101; or

(iv) Funds which a political action committee that is registered with the Federal Election Commission transfers to the federal account of an organized political party as defined under § 7-1-101."

AND

Page 19, line 21, delete "expenditures" and substitute "expenditures within this state"

(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. 59 was ordered engrossed.

On motion of Senator Whitaker, **Senate Bill No. 69** was withdrawn from the Committee on CITY, COUNTY & LOCAL AFFAIRS, 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. 69

Amend **Senate Bill No. 69** as engrossed, S2/5/07:

Page 2, delete lines 19 through 21

AND

Page 4, delete lines 18 through 20

(SIGNED) SENATOR WHITAKER

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 69 was ordered engrossed.

On motion of Senator Taylor, **Senate Bill No. 89** was withdrawn from the Committee on JUDICIARY, and placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 89

Amend **Senate Bill No. 89** as originally introduced:

Page 5, delete lines 9 through 16, and substitute the following:

"16-10-1006. Court security grant program.

(a) The Administrative Office of the Courts shall administer a"

(SIGNED) SENATOR J. TAYLOR

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 89 was ordered engrossed.

On motion of Senator Broadway, **Senate Bill No. 289** was withdrawn from the Committee on PUBLIC HEALTH, WELFARE & LABOR, and placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 289

Amend **Senate Bill No. 289** as originally introduced:

Add Representative Webb as cosponsor of the bill

(SIGNED) SENATOR BROADWAY

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 289 was ordered engrossed.

Page 15, line 9, delete "(B)" and substitute "(ii)"

AND

Page 15, line 10, delete "(a)(2)(A)" and substitute "(a)(2)(B)"

AND

Page 16, line 26, delete "five (5)" and substitute "six (6)"

AND

Page 40, line 10, delete "and one-half (1/2) of the operational"

AND

Page 40, line 11, delete "expenses"

AND

Page 40, line 16, delete "salaries and operational"

AND

Page 40, line 24, delete "One-half (1/2) of the" and substitute "The"

AND

Page 40, line 26, after "et seq." add "unless otherwise agreed to by the political subdivisions which contribute to the expenses of the district court."

AND

Page 49, delete lines 31 through 36 in their entirety and substitute
"(A) One (1) district court; and
(B) One (1) judge."

AND

Page 50, delete line 1 in its entirety

AND

Page 50, line 3, delete "; and" and substitute "with four (4) departments:
(i) One (1) located in Bearden;
(ii) One (1) located in Chidester;
(iii) One (1) located in East Camden; and
(iv) One (1) located in Stephens."

AND

Page 50, delete line 4 in its entirety and substitute

"(B) All four (4) departments are to be served by one (1) judge."

(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. 235 was ordered engrossed.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 13, 2007

Mr. President:

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

SENATE BILL NO. 59, 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

On motion of Senator Faris, Senate Bill No. 59 was ordered re-referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 13, 2007

Mr. President:

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

SENATE BILL NO. 69, BY SENATOR WHITAKER, 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, **Senate Bill No. 69** was ordered re-referred to the Committee on CITY, COUNTY & LOCAL AFFAIRS.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 13, 2007

Mr. President:

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

SENATE BILL NO. 89, BY SENATOR J. TAYLOR, et al,
SENATE BILL NO. 216, BY SENATOR HENDREN,
SENATE BILL NO. 235, BY SENATOR WOMACK, 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 Taylor, **Senate Bill No. 89** was ordered re-referred to the Committee on JUDICIARY.

On motion of Senator Hendren, **Senate Bill No. 216** was ordered re-referred to the Committee on JUDICIARY.

On motion of Senator Womack, **Senate Bill No. 235** was ordered re-referred to the Committee on JUDICIARY.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 13, 2007

Mr. President:

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

SENATE BILL NO. 217, BY SENATOR G. 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 G. Jeffress, **Senate Bill No. 217** was ordered re-referred to the Committee on EDUCATION.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 13, 2007

Mr. President:

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

SENATE BILL NO. 289, BY SENATOR BROADWAY,

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 Broadway, **Senate Bill No. 289** was ordered re-referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 13, 2007

Mr. President:

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

HOUSE BILL NO. 1197, BY REPRESENTATIVE COOK,

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

Respectfully submitted,

(SIGNED) SENATOR JIM LUKER
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 13, 2007

Mr. President:

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

HOUSE CONCURRENT RESOLUTION NO. 1006, BY REPRESENTATIVE
LOVELL,

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

Respectfully submitted,

(SIGNED) SENATOR JIM LUKER
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 13, 2007

Mr. President:

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

SENATE BILL NO. 22, BY SENATOR MADISON,
SENATE BILL NO. 23, BY SENATOR MADISON,
SENATE BILL NO. 24, BY SENATOR MADISON,
SENATE BILL NO. 25, BY SENATOR MADISON,
SENATE BILL NO. 79, BY SENATOR BISBEE,

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

Respectfully submitted,

(SIGNED) SENATOR PAUL MILLER
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 13, 2007

Mr. President:

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

SENATE BILL NO. 229, BY SENATOR FARIS,
SENATE BILL NO. 268, BY SENATOR FARIS,

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

Respectfully submitted,

(SIGNED) SENATOR STEVE FARIS
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 13, 2007

Mr. President:

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

HOUSE BILL NO. 1024, BY REPRESENTATIVE R. GREEN,

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

Respectfully submitted,

(SIGNED) SENATOR STEVE FARIS
CHAIRMAN

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

MIKE BEEBE
Governor

February 12, 2007

TO THE PRESIDENT OF THE SENATE

Dear Mr. President:

This is to inform your Honorable Body that on February 12, 2007, I approved the following measure:

Senate Bill 48 -- ACT 88
Senate Bill 49 -- ACT 89
Senate Bill 51 -- ACT 90
Senate Bill 56 -- ACT 91

Senate Bill 61 -- ACT 92
Senate Bill 80 -- ACT 93
Senate Bill 134 -- ACT 94
Senate Bill 258 -- ACT 95

Sincerely,

(SIGNED) MIKE BEEBE
Governor

SENATE RESOLUTION NO. 7
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS BOOKOUT, GLOVER, BROADWAY & WOMACK

SENATE RESOLUTION NO. 7 REQUESTING A SUBCOMMITTEE OF THE LEGISLATIVE COUNCIL TO REVIEW THE DISTRIBUTION OF FUNDS AMONG INSTITUTIONS OF HIGHER EDUCATION.

Senate Resolution No. 7 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

SENATE BILL NO. 296
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

BY: SENATORS WILKINS, MALONE, B. PRITCHARD, SALMON, CAPPS, T. SMITH, GLOVER, BOOKOUT, BROADWAY, CRITCHER, G. JEFFRESS. LAVERTY, MADISON, MILLER, STEELE, TRUSTY, WILKINSON AND WOMACK
BY: REPRESENTATIVES DAVENPORT, HOYT, REYNOLDS, HAWKINS, WELLS, PACE, WEBB, ABERNATHY, ADCOCK, BERRY, BLOUNT, T. BRADFORD, BREEDLOVE, BURRIS, CASH, CHEATHAM, COOPER, CORNWELL, D. CREEKMORE, DICKINSON, S. DOBBINS, DUNN, EDWARDS, D. EVANS, EVERETT, FLOWERS, GEORGE, GLIDEWELL, R. GREEN, HARDY, HARRELSON, HARRIS, D. HUTCHINSON, J. JOHNSON, KENNEY, KEY, KIDD, LOVELL, MALOCH, M. MARTIN, MAXWELL, NORTON, OVERBEY, PATTERSON, PENNARTZ, PIERCE, POWERS, S. PRATER, RAGLAND, RAINEY, J. ROEBUCK, ROGERS, SAUNDERS, SHELBY, STEWART, SULLIVAN, SUMPTER, THYER, WAGNER, WALTERS, WILLS, WOOD & WYATT

A Bill for an Act to be Entitled: AN ACT TO PROVIDE FOR A REAL-TIME ELECTRONIC LOGBOOK FOR A PHARMACY TO RECORD PURCHASES OF EPHEDRINE, PSEUDOEPHEDRINE, AND PHENYLPROPANOLAMINE; TO REQUIRE A PHARMACY TO ENTER CERTAIN TRANSACTIONS INTO THE ELECTRONIC LOGBOOK; TO REQUIRE THE ARKANSAS CRIME INFORMATION CENTER TO MAINTAIN AND CONTROL ACCESS TO THE ELECTRONIC LOGBOOK; TO PROVIDE PENALTIES FOR UNAUTHORIZED DISCLOSURE AND ACCESS; AND FOR OTHER PURPOSES.

Senate Bill No. 296 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

SENATE BILL NO. 297
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR ALTES

A Bill for an Act to be Entitled: AN ACT TO AMEND PROVISIONS OF ARKANSAS LAW CONCERNING ALTERNATIVE NEGOTIATED PURCHASING FOR MUNICIPALITIES; AND FOR OTHER PURPOSES.

Senate Bill No. 297 was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY & LOCAL AFFAIRS.

SENATE BILL NO. 298
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR BISBEE
BY: REPRESENTATIVES ANDERSON AND MEDLEY

A Bill for an Act to be Entitled: AN ACT TO CLARIFY THE EXEMPTIONS TO THE DEFINITION OF "DEVELOPMENT IMPACT FEE"; TO PROVIDE FOR A REFUND OF CERTAIN FEES; AND FOR OTHER PURPOSES.

Senate Bill No. 298 was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY & LOCAL AFFAIRS.

On motion of Senator Wilkinson, **Senate Concurrent Memorial Resolution No. 2** was called up for a third reading.

**SENATE CONCURRENT MEMORIAL RESOLUTION NO. 2
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS WILKINSON AND LAVERTY
BY: REPRESENTATIVE OVERBEY**

SENATE CONCURRENT MEMORIAL RESOLUTION IN RESPECTFUL MEMORY OF MR. DENNIS DUANE STEELE AND IN RECOGNITION OF HIS CONTRIBUTIONS TO HIS LOCAL COMMUNITY.

Senate Concurrent Memorial Resolution No. 2 was read the third time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Concurrent Memorial Resolution No. 2 was ordered immediately transmitted to the House.

On motion of Senator J. Jeffress, **Senate Concurrent Resolution No. 7** was called up for a third reading.

SENATE CONCURRENT RESOLUTION NO. 7

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATORS J. JEFFRESS, G. JEFFRESS, SALMON & BAKER

BY: REPRESENTATIVES LOVELL AND WALTERS

SENATE CONCURRENT RESOLUTION TO PROCLAIM FEBRUARY 2007 AS CHORAL MUSIC MONTH IN RECOGNITION OF THE FORTIETH ANNIVERSARY OF THE ARKANSAS CHORAL DIRECTOR'S ASSOCIATION.

Senate Concurrent Resolution No. 7 was read the third time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Concurrent Resolution No. 7 was ordered immediately transmitted to the House.

On motion of Senator Lavery, **House Bill No. 1030** 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. 1030

Amend **House Bill No. 1030** as originally introduced:

Add Senators Faris, Glover, Trusty, Hill, Capps, and Miller as co-sponsors of the bill

(SIGNED) SENATOR RANDY LAVERTY

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1030 was ordered engrossed.

The President declared the morning hour to have expired.

On motion of Senator Glover, the rules were suspended in considering **Senate Bill No. 185** at this time.

On motion of Senator Glover, **Senate Bill No. 185** was called up for a second reading for the purpose of considering **House Amendments No. 1 and 2** thereto, adopted by the House.

HALL OF THE HOUSE OF REPRESENTATIVES
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 185

Amend **Senate Bill No. 185** as engrossed, S1/29/07 :

Add Representatives Breedlove, E. Brown, Burkes, Cowling, Everett, Greenberg, Kidd, Lamoureux, W. Lewellen, Lovell, Maloch, M. Martin, Moore, Pyle, Ragland, Stewart, Sumpter, Wills, and Woods as cosponsors of the bill

(SIGNED) REPRESENTATIVE D. EVANS

Amendment No. 1 to Senate Bill No. 185, adopted by the House, was read the first time, rules suspended, read the second time and concurred in, by the Senate.

(SIGNED) ANN CORNWELL, SECRETARY

HALL OF THE HOUSE OF REPRESENTATIVES
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

Amendment No. 2 to SENATE BILL NO. 185

Amend **Senate Bill No. 185** as engrossed, H2/6/07:

Add Representatives Abernathy, Anderson, Berry, T. Bradford, Chesterfield, Cooper, Dickinson, S. Dobbins, Dunn, L. Evans, Flowers, Garner, Gaskill, George, Hall, Harris, Hyde, Jeffrey, Kenney, King, Maxwell, Norton, Overbey, Pace, Patterson, Petrus, Rogers, Rosenbaum, Sample, Schulte, Sullivan, Thyer, Wells, Wood, Wyatt as cosponsors of the bill.

(SIGNED) REPRESENTATIVE D. EVANS

Amendment No. 2 to Senate Bill No. 185, adopted by the House, was read the first time, rules suspended, read the second time and concurred in, by the Senate.

(SIGNED) ANN CORNWELL, SECRETARY

On motion of Senator Glover, and without objection, the rules were suspended pertaining to passage of Amendment and Bill on the same day.

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

SENATE BILL NO. 185
As Engrossed: S1/29/07 H2/6/07 H2/7/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

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

BY: REPRESENTATIVES D. EVANS, ALLEN, T. BAKER, BLOUNT, ET AL

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

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

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35
 Necessary to the passage of the bill27

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **Senate Bill No. 185**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

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. 185 was ordered enrolled.

On motion of Senator Trusty, **House Bill No. 1176** was called up for third reading and final disposition.

HOUSE BILL NO. 1176
As Engrossed: S2/8/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

BY: REPRESENTATIVES PYLE, OVERBEY & T. BAKER

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE § 12-9-110 TO ALLOW *MUNICIPAL POLICE DEPARTMENT PERSONNEL* TO ISSUE CITATIONS AT AN ACCIDENT SCENE; AND FOR OTHER PURPOSES.

House Bill No. 1176 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. 1176 was ordered immediately returned to the House as passed as amended.

On motion of Senator Wilkinson, **House Bill No. 1383** was called up for third reading and final disposition.

**HOUSE BILL NO. 1383
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES WOOD AND WALTERS**

A Bill for an Act to be Entitled: AN ACT TO ENSURE THAT VETERANS OF OPERATION ENDURING FREEDOM ARE ELIGIBLE FOR A SPECIAL LICENSE PLATE AND RENEWAL FOR A NOMINAL FEE LIKE OTHER VETERANS; TO INCORPORATE THE LAW REGARDING OPERATION ENDURING FREEDOM AND OPERATION IRAQI FREEDOM INTO THE SPECIAL LICENSE PLATE ACT OF 2005, § 27-24-101 ET SEQ.; TO ALLOW A PERSON WHO PAID THE FEE FOR THE OPERATION ENDURING FREEDOM SPECIAL LICENSE PLATE TO BE REFUNDED THAT FEE; AND FOR OTHER PURPOSES.

House Bill No. 1383 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 cast35
 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. 1383**, 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. 1383 was ordered immediately returned to the House as passed.

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 **House Bill No. 1106** at this time.

On motion of Senator Womack, **House Bill No. 1106** was called up for third reading and final disposition.

**HOUSE BILL NO. 1106
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE**

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

House Bill No. 1106 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total	0
Total number of votes cast	35
Necessary to the passage of the bill	27

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 1106**, 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
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NEGATIVE:

Total	0
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ABSENT OR NOT VOTING:

Total	0
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VOTING PRESENT:

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

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1106 was ordered immediately returned to the House as passed.

On motion of Senator Womack, the rules were suspended in considering **House Bill No. 1164** at this time.

On motion of Senator Womack, **House Bill No. 1164** was called up for third reading and final disposition.

**HOUSE BILL NO. 1164
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 PROFESSIONAL BAIL BONDSMAN LICENSING BOARD FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

House Bill No. 1164 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 **House Bill No. 1164**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

Total	35
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NEGATIVE:

Total	0
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ABSENT OR NOT VOTING:

Total	0
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VOTING PRESENT:

Total	0
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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. 1164 was ordered immediately returned to the House as passed.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 13, 2007

Mr. President:

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

HOUSE BILL NO. 1030, BY REPRESENTATIVE SULLIVAN, et al,

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

Respectfully submitted,

(SIGNED) HENRY "HANK" WILKINS, IV
CHAIRMAN

Senate Bill No. 27 was returned from the House as passed and ordered enrolled.

Senate Bill No. 30 was returned from the House as passed and ordered enrolled.

SENATE BILL NO. 299
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

BY: SENATORS BAKER, BOOKOUT, BROADWAY, HENDREN, LUKER,
SALMON, STEELE & R. THOMPSON

BY: REPRESENTATIVES PICKETT, WILLS, T. BAKER, CORNWELL,
DAVENPORT, DAVIS, GASKILL, HAWKINS, HARDWICK, HYDE, J. JOHNSON,
KIDD, OVERBEY, POWERS, S. PRATER, SUMPTER & WAGNER

A Bill for an Act to be Entitled: AN ACT TO AMEND SECTIONS OF THE JOINT MUNICIPAL ELECTRIC POWER GENERATION ACT; AND FOR OTHER PURPOSES.

Senate Bill No. 299 was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE & COMMERCE.

HOUSE BILL NO. 1084
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

BY: REPRESENTATIVE OVERBEY

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE §§ 24-12-121 AND 24-12-127 TO PROVIDE DEATH BENEFITS TO A SPOUSE UPON THE DEATH OF ANY CITY CLERK, CITY-TREASURER, RECORDER-TREASURER, OR TREASURER IN CITIES OF THE FIRST CLASS AND CITIES OF THE SECOND CLASS AT THE OPTION OF THE MUNICIPALITY'S GOVERNING BODY; AND FOR OTHER PURPOSES.

House Bill No. 1084 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1421

As Engrossed: H2/12/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES SUMPTER, D. CREEKMORE & PENNARTZ

A Bill for an Act to be Entitled: AN ACT TO CREATE THE ARKANSAS LEGISLATIVE TASK FORCE FOR REVIEW OF SEX OFFENSES INVOLVING MINORS; TO PROVIDE FOR THE APPOINTMENT OF ITS MEMBERS; TO DESCRIBE ITS MISSION AND RESPONSIBILITIES; AND FOR OTHER PURPOSES.

House Bill No. 1421 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

HOUSE BILL NO. 1423

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE KEY

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

House Bill No. 1423 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 13, 2007

Mr. President:

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

SENATE BILL NO. 172, BY SENATOR MADISON,
SENATE BILL NO. 185, BY SENATOR GLOVER, et al,

beg leave to report that we have carefully compared the enrolled copies with the original and we find the same correctly enrolled and have at 2:15 p.m. delivered them to the Governor for his approval.

Respectfully submitted,

(SIGNED) HENRY "HANK" WILKINS, IV
CHAIRMAN

GOVERNOR'S BILL RECEIPTS

SENATE BILL NO. 172
SENATE BILL NO. 185

RECEIVED the above papers from the Secretary of the Senate this 13th day of February , 2007 at 2:15 p.m..

(SIGNED) MIKE BEEBE
Governor

(SIGNED) J. Marc Harrison
Secretary

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SENATE CONCURRENT RESOLUTION TRANSMITTED
TO THE HOUSE AS ADOPTED

SENATE CONCURRENT RESOLUTION NO. 7

SENATE CONCURRENT MEMORIAL RESOLUTION TRANSMITTED
TO THE HOUSE AS ADOPTED

SENATE CONCURRENT MEMORIAL RESOLUTION NO. 2

HOUSE BILLS RETURNED TO THE HOUSE
AS PASSED

HOUSE BILL NO. 1106

HOUSE BILL NO. 1164

HOUSE BILL NO. 1383

HOUSE BILLS RETURNED TO THE HOUSE
AS PASSED AS AMENDED

HOUSE BILL NO. 1176 AS AMENDED NO. 1

HOUSE BILLS TRANSMITTED TO THE SENATE

AS PASSED

HOUSE BILL NO. 1084

HOUSE BILL NO. 1421

HOUSE BILL NO. 1423

SENATE BILLS RETURNED FROM THE HOUSE

AS PASSED

SENATE BILL NO. 27

SENATE BILL NO. 30

On motion of Senator Whitaker, the Senate adjourned until 1:30 p.m.,
Wednesday, February 14, 2007.

PRESIDENT OF THE SENATE

SECRETARY OF THE SENATE