

**SEVENTY-THIRD DAY'S PROCEEDINGS
HALL OF THE HOUSE OF REPRESENTATIVES**

Little Rock, Arkansas
March 25, 2009

The House was called to order at 1:30 p.m. by Mr. Wills, the Speaker. The following members answered to the roll call:

Abernathy, Adcock, Allen, Baird, Baker, Barnett, Betts, Blount, Bradford, Breedlove, Brown, J. Burris, M. Burris, Carnine, Carroll, Carter, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, Cowling, Creekmore, Dale, Davenport, Davis, Dickinson, Dismang, Dunn, Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, Green, Greenberg, Hall, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, Hutchinson, Hyde, Ingram, Kerr, Kidd, King, Lea, Lewellen, Lindsey, Lovell, Lowery, Maloch, Malone, Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, Rice, Roebuck, J. Rogers ,T. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, Wilkins, Williams, Woods, Word, Mr. Speaker.

Total100

The following member(s) was absent and did not answer to the roll call:

Total0

A quorum was present.

The House stood and was led in prayer by Reverend Mary Jane Cole, First United Methodist Church, Little Rock, Arkansas.

The House stood and gave the Pledge of Allegiance to the Flag.

The reading of the Journal of yesterday's proceedings was dispensed with.

COMMITTEE REPORT

	March 25, 2009
AGING, CHILDREN AND YOUTH, LEGISLATIVE AND MILITARY AFFAIRS	DAWN CRREKMORE CHAIRPERSON
HOUSE BILL NO. 2004 BY REPRESENTATIVE HOPPER	DO PASS AS AMENDED #1
HOUSE BILL NO. 2013 BY REPRESENTATIVE M. BURRIS	DO PASS
SENATE BILL NO. 470 BY SENATOR ELLIOTT	DO PASS
SENATE BILL NO. 515 BY SENATOR MADISON	DO PASS
SENATE BILL NO. 942 BY SENATOR ELLIOTT	DO PASS
SENATE CONCURRENT RESOLUTION NO. 12 BY SENATOR BRYLES	DO PASS

COMMITTEE REPORT

	March 25, 2009
AGRICULTURE, FORESTRY AND ECONOMIC DEVELOPMENT	ROY RAGLAND CHAIRPERSON
HOUSE BILL NO. 1451 BY REPRESENTATIVE HOYT	DO PASS, CONCUR IN SENATE AMENDMENT #1,2,3
HOUSE BILL NO. 1746 BY REPRESENTATIVE J. EDWARDS	DO PASS AS AMENDED #5
HOUSE BILL NO. 2251 BY REPRESENTATIVE LOWERY	DO PASS
HOUSE RESOLUTION NO. 1028 BY REPRESENTATIVE CARTER	DO PASS
SENATE BILL NO. 934 BY SENATOR D. WYATT	DO PASS

COMMITTEE REPORT

	March 25, 2009
CITY, COUNTY AND LOCAL AFFAIRS	TOMMY BAKER
	CHAIRPERSON
SENATE BILL NO. 449	DO PASS
BY SENATOR D. JOHNSON	

COMMITTEE REPORT

	March 25, 2009
INSURANCE AND COMMERCE	EDDIE HAWKINS
	CHAIRPERSON
HOUSE BILL NO. 1975	DO PASS
BY REPRESENTATIVE WILLIAMS	
HOUSE BILL NO. 2112	DO PASS, CONCUR IN
BY REPRESENTATIVE HAWKINS	SENATE AMENDMENT #1
HOUSE BILL NO. 2113	DO PASS
BY REPRESENTATIVE HAWKINS	
HOUSE BILL NO. 2247	DO PASS, CONCUR IN
BY REPRESENTATIVE MALOCH	SENATE AMENDMENT #1
SENATE BILL NO. 460	DO PASS
BY SENATOR P. MALONE	
SENATE BILL NO. 804	DO PASS
BY SENATOR D. JOHNSON	
SENATE BILL NO. 806	DO PASS
BY SENATOR T. SMITH	
SENATE BILL NO. 972	DO PASS
SENATOR D. JOHNSON	

COMMITTEE REPORT

	March 25, 2009
RULES	ROBERT MOORE
	CHAIRPERSON
HOUSE BILL NO. 1172	DO PASS
BY REPRESENTATIVE R. GREEN	AS AMENDED #2
HOUSE BILL NO. 1402	DO PASS, CONCUR IN
BY REPRESENTATIVE HARRELSON	SENATE AMENDMENT #1
HOUSE BILL NO. 1858	DO PASS
BY REPRESENTATIVE BETTS	
HOUSE BILL NO. 1859	DO PASS
BY REPRESENTATIVE ABERNATHY	AS AMENDED #1
HOUSE BILL NO. 1913	DO PASS
BY REPRESENTATIVE LOWERY	
HOUSE BILL NO. 1968	DO PASS
BY REPRESENTATIVE WEBB	AS AMENDED #2
HOUSE BILL NO. 2252	DO PASS
BY REPRESENTATIVE KING	
SENATE BILL NO. 631	DO PASS
BY SENATOR FARIS	
SENATE BILL NO. 923	DO PASS
BY SENATOR R. THOMPSON	

COMMITTEE REPORT

	March 25, 2009
JOINT BUDGET	BRUCE MALOCH
	CHAIRPERSON
SENATE BILL NO. 41	DO PASS
BY JOINT BUDGET COMMITTEE	
SENATE BILL NO. 144	DO PASS
BY JOINT BUDGET COMMITTEE	

COMMITTEE REPORT

	March 25, 2009
JOINT COMMITTEE ON PUBLIC RETIREMENT AND SOCIAL SECURITY PROGRAMS	GEORGE OVERBEY CHAIRPERSON
SENATE BILL NO. 163 BY SENATOR G. JEFFRESS	DO PASS
SENATE BILL NO. 179 BY SENATOR G. JEFFRESS	DO PASS
SENATE BILL NO. 190 BY SENATOR G. FARIS	DO PASS

COMMITTEE REPORT

	March 25, 2009
JOINT COMMITTEE ON ENERGY	LANCE REYNOLDS CHAIRPERSON
HOUSE BILL NO. 1796 BY REPRESENTATIVE ALLEN	DO PASS AS AMENDED #2
HOUSE BILL NO. 2260 BY REPRESENTATIVE WEBB	DO PASS

COMMITTEE REPORT

	March 25, 2009
ADVANCED COMMUNICATIONS AND INFORMATION TECHNOLOGY	DAVID RAINEY VICE-CHAIRPERSON
HOUSE BILL NO. 2011 BY REPRESENTATIVE WOODS	DO PASS AS AMENDED #5

Upon motion of Representative Lindsey, **HOUSE BILL NO. 2026** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2026

Amend **HOUSE BILL NO. 2026** as originally introduced:

Add as a cosponsor of the bill:

Senator Madison

AND

Delete everything after the enacting clause and substitute:

“SECTION 1. Arkansas Code § 6-20-2514 is amended to read as follows:

6-20-2514. Academic Facilities Extraordinary Circumstances Program.

(a) The General Assembly finds that:

(1) In Lake View School District No. 25 v. Huckabee, 01-836 (Ark. 12-15-2005), the Arkansas Supreme Court raised concerns that some school districts might not receive any state financial assistance with academic facilities projects because the districts might not have sufficient resources to qualify for state funds under this subchapter, which requires a local contribution based on the relative wealth of the district;

~~(2) During the 2006 hearings conducted by the House Interim Committee on Education and Senate Interim Committee on Education after the 2005 Arkansas Supreme Court decision in the Lake View matter, no school district came forward to testify that the district will be unable to adequately repair, renovate, or construct school buildings;~~

~~(3) The contention in subdivision (a)(1) of this section, while not without merit as a theory, has not been substantiated. Therefore, the implementation and funding of a program to provide additional state financial assistance to school districts with limited resources is premature; and~~

~~(4) While implementation and funding may be premature, the development of a program to provide state financial assistance to eligible school districts that do not have sufficient means to contribute an amount of local resources necessary to qualify for state financial participation should be initiated immediately.~~

(2) In 2007, the Lake View court found that the state had complied with the Arkansas Constitution in providing the funding programs for academic facilities, yet heralded the importance of continuing adjustments to academic facilities and other state funding programs for the state's system of public school education;

(3) Although the General Assembly has addressed the academic facility needs of high-growth school districts and districts with insufficient bonding

capacity, there remain certain circumstances under which some school districts are unable to raise the local resources necessary for participation in the Academic Facilities Partnership Program; and

(4) The Academic Facilities Extraordinary Circumstances Program should be adjusted to provide state financial assistance to those school districts.

(b) As used in this section:

(1) "Declining enrollment" means the average daily membership for the school district in the immediately preceding school year is at least four percent (4%) lower than the school year that is two (2) years prior to the immediately preceding school year;

(2) "Expended debt service" means the amount of principal and interest required or estimated to be required to service the bonded indebtedness of the school district incurred for the construction, renovation, or maintenance of academic facilities;

(3) "Expended debt service indicator" means the value derived by dividing the expended debt service of the school district by the revenue generated by one (1) mill of school property tax enacted or expected to be enacted within one (1) year of the submission of an application under this section;

(4) "Extraordinary circumstances school district" means a school district that has an expended debt service value of ten (10) or above and has one (1) of the following extraordinary circumstances:

(A) Declining enrollment;

(B) Low-assessed property valuations; or

(C) An academic facilities wealth index that is at or above the ninety-fifth percentile;

(5) "Low-assessed property valuation" means that the per-student value of the total assessment of all real property in the school district for the school year that is two (2) years prior to the current school year is in the lowest decile of the school districts statewide; and

(6) "Maximum expended debt service" means an expended debt service indicator of ten (10), representing the maximum number of mills that a school district is expected to expend to service its bonded indebtedness incurred for academic facilities.

~~(b)(1)(c) The Commission for Arkansas Public School Academic Facilities and Transportation shall develop by rule~~ There is established the Academic Facilities Extraordinary Circumstances Loan Program under which the Division of Public School Academic Facilities and Transportation shall provide ~~state financial assistance~~ an interest-free loan to eligible ~~public~~ school districts that do not have

sufficient means to contribute an amount of local resources necessary to qualify for state financial participation under the Academic Facilities Partnership Program, § 6-20-2507, or the Academic Facilities Catastrophic Program, § 6-20-2508.

~~(2) At a minimum, eligibility criteria for the Academic Facilities Extraordinary Circumstances Program shall address:~~

- ~~(A) School districts with declining enrollment;~~
- ~~(B) School districts with rapid enrollment growth;~~
- ~~(C) School districts with insufficient bonding capacity;~~
- ~~(D) School districts with low assessed property valuations;~~
- ~~(E) School districts at or above the ninety-fifth percentile on the~~

~~academic facilities wealth index; and~~

~~(F) Any other circumstance deemed extraordinary by the division.~~

(d) The Commission for Arkansas Public School Academic Facilities and Transportation shall promulgate rules necessary to implement this section.

~~(3)(e) At a minimum, the~~ The application process for the Academic Facilities Extraordinary Circumstances Loan Program shall require a school district to provide to the division ~~with~~ evidence of:

- (A) The estimated cost of the project;
- (B) The amount of local resources available to contribute to the project;
- (C) The amount and availability of funds from school district fund balances;
- (D) The amount and availability of other public or private assistance;
- (E) The expended debt service of the school district;
- (F) The expended debt service indicator of the school district;
- ~~(E)(G) Effort~~ The effort made by the school district and the local community to develop and provide local resources; and

~~(F)(H)~~ (H) How state financial participation, if granted, will support the prudent and resourceful expenditure of state funds and will improve the school district's ability to deliver an adequate and equitable education to public school students in the district.

~~(e) The division shall report to the General Assembly by January 15, 2007, on the development of the Academic Facilities Extraordinary Circumstances Program and shall obtain formal legislative approval before implementing the Academic Facilities Extraordinary Circumstances Program.~~

(f) An extraordinary circumstances school district may apply for an interest-

free loan under this section when the extraordinary circumstances school district has either scheduled an election to raise or has raised the number of mills needed to reach the maximum expended debt service.

(g) The amount of a loan under this section shall be the amount of moneys required for academic facilities under the Arkansas Public School Academic Facilities Program Act, § 6-21-801 et seq., less the sum of:

(1) The revenues generated by the number of mills needed to reach the maximum expended debt service; and

(2) The state revenue received by the extraordinary circumstances school district under the Academic Facilities Partnership Program.

(h) The commission shall fund loans under this section from either or both of the following sources, as it deems advisable:

(1) The unobligated or voluntarily deobligated portion of available funding in the Educational Facilities Partnership Fund Account appropriated for the Academic Facilities Partnership Program; and

(2) Bonds issued under the Arkansas Public School Academic Facilities Financing Act of 2007, § 6-20-2601 et seq.

(i)(1) Within a reasonable time after receiving an application for a loan under this section, the division shall examine the application and recommend to the commission that the commission either:

(A) Approve the application for the full amount of the proposed loan;

(B) Approve the application for a loan of a lesser amount than the amount requested; or

(C) Disapprove the application.

(2) The division shall not recommend an application for approval until the division receives:

(A) Evidence that the millage needed to reach the maximum expended debt service was passed by a majority of the qualified electors of the extraordinary circumstances school district; and

(B) The certification of bond counsel for the extraordinary circumstances school district that the expended debt service required to service existing academic facilities debt and the academic facilities debt needed will exceed the maximum expended debt service.

(j)(1) When the revenue required to service the bonded indebtedness incurred for the extraordinary circumstances school district's academic facilities is less than the revenue generated by the number of mills needed to reach the maximum expended debt service, the extraordinary circumstances school district

shall begin repayment of the loan.

(2)(A) The extraordinary circumstances school district shall make annual payments to the state in the amount of:

(i) The revenue generated by the extraordinary circumstances school district's millage up to the amount of the revenues generated to meet the maximum expended debt service for the year; less

(ii) The revenue required to service the extraordinary circumstances school district's bonded indebtedness for academic facilities.

(B) The payments under this subsection (j) shall continue until the loan is paid in full.

(3) During the time that the loan to the extraordinary circumstances school district is in repayment, the extraordinary circumstances school district:

(A) Shall use to repay the loan all revenues generated below the amount of the maximum expended debt service;

(B) Shall not issue refunding bonds or refunding certificates, as provided under § 6-20-815; and

(C) Shall not otherwise change the amount of revenues available to repay the loan without the prior approval of the division.

(i) By August 1 of each year, the commission shall report to the House Committee on Education, the Senate Committee on Education, and any joint subcommittee charged with responsibility for the continuing review and evaluation of the adequacy of public school funding under § 10-23-2101 et seq. the following information for the immediately preceding fiscal year:

(1) Each school district that applied for, received, or was disapproved for a loan under this section;

(2) The source of funds the commission used to make the loans and the amount of available funds remaining;

(3) The repayment status of each loan;

(4) The extraordinary circumstances under which each loan was requested; and

(5) Any recommendations of the commission for improvements or changes to the loan program.”

/s/ Uvalde Lindsey

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Saunders, **HOUSE BILL NO. 1994** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1994

Amend **HOUSE BILL NO. 1994** as originally introduced:

Page 1, line 10, delete "LICENSE;" and substitute "LICENSE AND IDENTIFICATION CARD;"

AND

Page 1, line 12, delete "CONTROL" and substitute "PATROL"

AND

Delete the subtitle in its entirety and substitute:

"TO AUTHORIZE A BOATING ENDORSEMENT FOR A DRIVER'S LICENSE AND IDENTIFICATION CARD; TO PROVIDE FUNDING FOR OPERATION COSTS ASSOCIATED WITH MARINE PATROL PROGRAMS."

AND

Delete all language after the enacting clause and substitute:

"SECTION 1. Arkansas Code Title 27, Chapter 16, Subchapter 8 is amended to add an additional section to read as follows:

27-16-812. Boating endorsement.

(a)(1) A person born before January 1, 1986, shall obtain a boating endorsement on his or her driver's license or identification card as required under § 27-101-208 for a fee of ten dollars (\$10.00).

(2) A person who was born on or after January 1, 1986, who presents proof that he or she has successfully completed a boating education course required by § 27-101-501 shall obtain a boating endorsement on his or her driver's license or identification card as required under § 27-101-208 for a fee of ten dollars (\$10.00).

(b) If the holder of a driver's license or identification card chooses to have a duplicate driver's license or identification card issued with a boating endorsement before the expiration of his or her driver's license or identification card, the Office of Driver Services of the Revenue Division of the Department of Finance and Administration may issue a duplicate driver's license or identification card upon payment of the appropriate fee required by law and the boating endorsement fee under this section.

(c) An additional fee of ten dollars (\$10.00) shall be charged for each renewal of a driver's license or identification card with a boating endorsement in addition to the fee required by law for the driver's license or identification card.

(d)(1) The fees under this section shall be collected by the Office of Driver Services.

(2)(A) The office shall remit the fees to the county that the applicant states is the county where the applicant primarily uses his or her motorboat, personal watercraft, or vessel as defined under § 27-101-103.

(B) The statement made by the applicant under subdivision (d)(2)(A) of this section shall be used strictly for the distribution of funds under this section and not for any other purpose, including the assessment of taxes.

(3)(A) If the sheriff of that county has established a patrol on the waterways within the county, the county shall deposit the funds transferred from the office under this section to the boating safety and enforcement fund to be used exclusively by the county sheriff for marine patrol and the enforcement of laws pertaining to watercraft under § 27-101-101 et seq.

(B)(i) If the sheriff has not established a marine patrol on the waterways within the county and if either the county or any city or town within a county or both has established an emergency rescue service, the county treasurer shall deposit that county's share of the total fees collected into the county emergency rescue fund to be used exclusively for operating and maintaining emergency rescue services within the county and within the towns and cities within the county.

(ii) After the treasurer receives the funds, the treasurer shall divide the funds in the county emergency rescue fund equally among the county and the cities and towns within the county, if any, that have emergency rescue services.

(e)(1) The Office of Driver Services may promulgate rules for the implementation and administration of this section.

(2) The Office of Driver Services shall make available boating endorsements for driver's licenses and identification cards beginning on January 1, 2010.

SECTION 2. Arkansas Code § 27-101-104 is amended to read as follows:

27-101-104. Penalties.

(a) ~~Any~~ A person who violates any provision of §§ 27-101-202(8), 27-101-203, 27-101-208, 27-101-301, 27-101-303 — 27-101-306, and 27-101-308 — 27-101-312 ~~shall be~~ is guilty of a misdemeanor and shall be subject to a fine of not less than one hundred dollars (\$100) ~~and not to exceed~~ nor more than two hundred fifty dollars (\$250) for each violation.

(b) ~~Any~~ A person who violates any provision of §§ 27-101-202(2)-(6), (9), and (12) and 27-101-204 ~~shall be~~ is guilty of a misdemeanor and shall be subject to a

fine of not less than one hundred dollars (\$100) ~~and not to exceed~~ nor more than five hundred dollars (\$500) for each violation.

(c) ~~Any~~ A person who violates any provision of § 27-101-202(1), (7), (10), (11), or (12) ~~shall be~~ is guilty of a misdemeanor and shall be subject to a fine of not less than two hundred fifty dollars (\$250) ~~and not to exceed~~ nor more than one thousand dollars (\$1,000) or imprisonment not to exceed six (6) months or both fine and imprisonment for each violation.

SECTION 3. Arkansas Code Title 27, Chapter 101, Subchapter 2 is amended to add an additional section to read as follows:

27-101-208. Boating endorsement required.

(a) Except as provided under subsections (b) and (c) of this section, the operator of a motorboat, personal watercraft, or vessel as defined under § 27-101-103 shall have a boating endorsement on a driver's license or identification card issued or renewed after January 1, 2010.

(b) The holder of a driver's license or identification card shall have in his or her possession a boating certificate while operating a motorboat, personal watercraft, or vessel as defined under § 27-101-103 after January 1, 2010, until he or she renews the driver's license or identification card and obtains a boating endorsement.

(c) A nonresident operator of a motorboat, personal watercraft, or vessel as defined under § 27-101-103 shall have in his or her possession the temporary boater education certificate issued under § 27-101-501(d)(4).

(d) The penalty for a violation of this section shall be as provided under § 27-101-104(a)."

/s/ Rick Saunders

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative M. Martin, **HOUSE BILL NO. 1032** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1032

Amend **HOUSE BILL NO. 1032** as originally introduced:

Remove Representative M. Martin as sponsor of the bill and substitute Representative Saunders as sponsor of the bill

/s/ Mark Martin

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative R. Green **HOUSE BILL NO. 2167** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2167

Amend **HOUSE BILL NO. 2167** as originally introduced:

Delete the subtitle in its entirety and substitute:

"AN ACT TO AID THE ENFORCEMENT OF THE ARKANSAS TITLE INSURANCE ACT, § 23-103-401 ET SEQ. AND TO PLACE TITLE INSURANCE INFORMATION UPON AN INSTRUMENT SUBMITTED FOR RECORDING."

AND

Delete SECTION 1 in its entirety and substitute the following:

"SECTION 1. Arkansas Code § 14-15-403 is amended to read as follows:
14-15-403. Instruments affecting title to property.

(a) ~~No~~ An instrument by which the title to real estate or personal property, or any interest therein, or lien thereon, is conveyed, created, encumbered, assigned, or otherwise affected or disposed of shall not be received for record or filing by the recorder unless:

- (1) The name and address of the person who, and the governmental

agency, if any, ~~which,~~ that prepared the instrument appears on the face of the first page ~~thereof of the instrument;~~ and

(2) The name is either printed, typewritten, stamped, or signed in a legible manner; and

(3) The license number of the title insurance agency issuing a title insurance policy insuring the property interest conveyed or a statement signed under oath subject to penalty of perjury that "no title insurance policy was issued for the property interest conveyed by this instrument appears on the first page of the instrument".

(b) An instrument will be in compliance with this section if it contains a statement in the following form:

"This instrument was prepared by"

(name) (address)

"Title Insurance Agency License No:"

or

"No title insurance policy was issued for the property interest conveyed by this instrument."

(c) The receipt for record or filing of any instrument by the recorder without complying with ~~the provisions of~~ this section shall does not prevent the instrument from becoming notice as provided by law.

(d)(1) Any fee charged by the recorder for recording or filing of any instrument ~~which that~~ does not conform with ~~the provisions of~~ this section shall be returned by the recorder to the person who paid the fee upon request, if made within six (6) months after recording or filing of the instrument.

(2) If no such request is made within that time, the fee shall be paid into the county general fund by the recorder.

(e) This section does not apply to any instrument executed ~~prior to~~ before August 1, 1959, nor to any decree, order, judgment, writ of any court, will, or death certificate."

/s/ Rick Green

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative R. Green, **HOUSE BILL NO. 2169** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2169

Amend **HOUSE BILL NO. 2169** as originally introduced:

Add Senator R. Thompson as a cosponsor of the bill

AND

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 23-103-402 is amended to read as follows:

23-103-402. Definitions.

As used in this subchapter:

(1) "Closing" means the process of executing documents in a transaction involving either personal or real property, including the transfer of title or creation of a lien on the title, or the collection and disbursement of funds in connection ~~therewith~~ with the transaction;

(2) "Closing agent" means a person that facilitates a closing for a fee;

(3) "Depositor" means the person providing funds or documents for delivery to a depository in connection with a transaction involving real property;

(4) "Depository" means a title insurer, title insurance ~~agent~~ agency, or qualified financial institution receiving a deposit of funds or documents;

(5) "Escrow" means the act or process of providing closing services or services pursuant to an escrow agreement by a title insurer or title insurance ~~agent~~ agency;

(6) "Escrow account" means the demand deposit account maintained by a title insurer or title insurance ~~agent~~ agency at a qualified financial institution into which the title insurer or agent title insurance agency deposits and disburses all funds collected from any person that is or will be a party to a transaction involving real property;

~~(7) "Indemnity agreement" means an agreement by which funds or other property are received by the title insurer or the title insurance agent as collateral to secure the obligation of a person to indemnify or protect a title insurer in exchange for agreeing to provide coverage in a title insurance policy;~~

~~(8)~~(7) "Person" means ~~any natural person,~~ an individual or any partnership, association, cooperative, corporation, firm, trust, limited liability company, or other legal entity;

~~(9)~~(8) "Qualified financial institution" means a bank, credit union, or savings and loan association regulated, supervised, or examined by ~~Federal~~ federal or state authorities having regulatory authority over banks and trust companies;

~~(10)~~(9) "Risks" means the danger or hazards of a loss by encumbrance, a defective or invalid title, or adverse claim to title covered under a title insurance policy;

(10) "Title insurance agency" means a person that has an agency contract under § 23-103-407 with a title insurer;

(11)(A) "Title insurance agent" means ~~a person~~ an individual affiliated with a title insurance agency that ~~who~~ is authorized on behalf of a title insurer to issue a title insurance report or title insurance policy and is:

(i) A resident of the State of Arkansas licensed under § 23-64-101 et seq.; or

(ii) A nonresident individual licensed under § 23-64-101 et seq. and employed by a resident licensee.

(B) "Title insurance agent" does not include:

(i) An individual employed by a ~~licensee who~~ title insurance agency that does not sell or negotiate title insurance but who performs marketing duties ~~directed to depository institutions or licensed real estate brokers and agents on behalf and under the direction of a licensee~~ under the supervision of a title insurance agent; or

(ii) An individual employed by a ~~resident licensee who~~ title insurance agency that is a closing agent and does not solicit, sell, or negotiate title insurance;

(12) "Title insurance business" means:

(A) Issuing or offering to issue as an insurer a title insurance policy or closing protection letter;

(B) Transacting or proposing to transact any of the following activities when conducted or performed in contemplation of or in conjunction with the issuance of a title insurance report or policy:

(i) Guaranteeing, warranting, or otherwise insuring the status of title, liens, encumbrances, or other matters of record;

(ii) Executing title insurance policies;

(iii) Effecting contracts of reinsurance;

(iv) Underwriting titles; or

(v) Collecting, disbursing, or receiving title insurance premiums; or

~~(vi) Recording closing documents; or~~

(C) Doing or proposing to do any business substantially equivalent to the matters described in this subdivision (12) in a manner designed to evade ~~the provisions of~~ this subchapter;

(13) "Title insurance policy" means a contract, including any coverage, enhancements to coverage, or endorsements, insuring or indemnifying owners of, or other persons lawfully interested in, personal or real property against loss or damage arising from any of the following conditions existing on, before, or subsequent to the policy date and not specifically excepted or excluded:

- (A) Defects in or liens or encumbrances on the insured title;
- (B) Unmarketability of the insured title;
- (C) Invalidity or unenforceability of liens or encumbrances on the insured title of the personal or real property;
- (D) Title being vested ~~otherwise~~ other than as stated in the policy;
- (E) Lack of a legal right of access to the land that is part of the insured title in a policy relating to real property;
- (F) Lack of priority of the lien of any insured mortgage over any statutory lien for services, labor, or materials as specifically described in the policy;
- (G) Invalidity or unenforceability of any assignment of an insured mortgage subject to certain conditions; or
- (H) The priority of any lien or encumbrance over the lien of an insured mortgage;

(14)(A) "Title insurance premium" means the funds paid to the title insurer and to its an appointed title insurance ~~agent~~ agency as consideration for the amount of liability assumed by a title insurer under a title insurance policy, including all amounts retained by the title insurance ~~agent~~ agency pursuant to the title insurance ~~agent's~~ agency's contract with the title insurer.

(B) "Title insurance premium" does not include charges for the performance of services related or incidental to title insurance or closings that are disclosed to the person charged, including without limitation:

- (i) Title search, abstracting, or examination of title;
- (ii) Obtaining a title opinion;
- (iii) Document preparation fees;
- (iv) Escrow or closing fees;
- (v) Notary fees;
- (vi) Attorney's fees;
- (vii) Fees incurred to cure defects in title;
- (viii) Tax report or tax certification fees;
- (ix) Title report fees;
- (x) Processing fees;
- (xi) Courier fees; and

(xii) Fees incident to the issuance of a title insurance report or policy;

(15) "Title insurance report" means a preliminary report, commitment, or binder issued before the issuance of a title insurance policy containing the requirements, terms, conditions, exceptions, and any other matters incorporated by reference under which a title insurer is willing to issue a title insurance policy;

(16) "Title insurer" means a company authorized under the laws of this state to transact title insurance business; and

(17) "Underwrite" means the acceptance or rejection of risk on behalf of the title insurer.

SECTION 2. Arkansas Code § 23-103-403 is amended to read as follows:

23-103-403. Requirement for license.

(a) ~~Other than a title insurer, only a person authorized as a~~ Only an appointed title insurance ~~agent~~ agency licensed under § 23-64-101 et seq. shall issue title insurance policies, reports, or otherwise transact the business of title insurance.

(b) All title insurance policies and reports covering an insurable interest in title to real property located in this state shall be signed by an a title insurance agent;

(1) Properly appointed by a title insurer;

(2) Affiliated with a title insurance agency; and

(3) licensed Licensed in this state under this subchapter.

SECTION 3. Arkansas Code § 23-103-405 is amended to read as follows:

23-103-405. Title insurers — Limitation of authority — Powers.

(a)(1) ~~No~~ A insurer that transacts any class, type, or kind of insurance other than title insurance ~~shall be~~ is not eligible for the issuance or renewal of a license to transact title insurance business in this state.

(2) ~~No title~~ Title insurance shall not be transacted, underwritten, or issued by any insurer transacting or licensed to transact any other class, type, or kind of business.

(b) ~~No~~ A title insurer shall not engage in the business of guaranteeing payment of the principal or the interest on bonds or mortgages.

(c)(1) Notwithstanding subsection (a) of this section, a title insurer shall give notice of availability of closing protection to all parties to a transaction in which it is contemplated that title insurance may be issued.

(2) Upon written request by a party to a closing with a licensed ~~agent~~ agency with which ~~it~~ the title insurer has an ~~agent~~ agency contract, the insurer shall issue closing protection to the requesting party.

(3) The ~~settlement~~ closing protection shall conform to the terms of

coverage and form of instrument as may be filed with the Insurance Commissioner and shall indemnify a person solely against loss of closing funds because of the following acts of a closing agent, title insurer's named employee, or title insurance ~~agent~~ agency:

(A) Theft or misappropriation of closing funds; or

(B) Failure to comply with written instructions from the proposed insured when agreed to by the closing agent, employee, or title insurance ~~agent~~ agency as it relates to the status of the title to the interest in land or to the validity, enforceability, and priority of the lien of a mortgage or deed of trust on the interest in land.

(4) The form and amount charged by a title insurer for closing protection coverage shall be filed with the commissioner at least twenty (20) days before the first use of closing protection coverage in the market.

(5) Except as provided in this section, a title insurer shall not provide any other coverage that purports to indemnify against improper acts or omissions of a person with regard to escrow or closing services.

SECTION 4. Arkansas Code § 23-103-406 is amended to read as follows:

23-103-406. Title insurance agents — Examination of records.

The Insurance Commissioner or title insurer ~~may~~ during normal business hours may examine, audit, and inspect any and all books, records, files, and escrow and operating accounts related to title insurance reports and policies maintained by a title insurance ~~agent~~ agency, its successor in interest, transferee, or receiver ~~as provided~~ under this subchapter.

SECTION 5. Arkansas Code § 23-103-407 is amended to read as follows:

23-103-407. ~~Underwriting~~ Agency contracts.

(a)(1) ~~No~~ A person acting in the capacity of a title insurance ~~agent~~ agency shall not place business with a title insurer, and ~~no~~ a title insurer shall not accept business from a title insurance ~~agent~~ agency, unless a written contract exists between the title insurer and title insurance ~~agent~~ agency.

(2) The written contract shall establish the responsibilities of the title insurer and title insurance ~~agent~~ agency and specify the division of the responsibilities if both share responsibility for a particular function.

(3) The written contract shall also contain:

(A) The types of risks that may be undertaken;

(B) The maximum authority or limits of liability;

(C) The territorial limitations;

(D) All terms of compensation for the title insurance ~~agent~~

agency;

(E) Policies and funds remittance;

(F) Termination provisions;

(G)(i) The date by which all funds and policies due under the contract shall be accounted for to the title insurer.

(ii) The date shall be no later than sixty (60) days after:

(a) Issuance of the policy;

(b) The satisfaction of all requirements and condition of any report; or

(c) The time specified in the contract if ~~sooner~~ less than sixty (60) days; and

(H) The time in which the title insurance ~~agent~~ agency has to report and forward to the title insurer all claims filed in writing with the title insurance ~~agent~~ agency by policyholders or other claimants.

(b) The contract shall not be assigned in whole or in part by the title insurance ~~agent~~ agency unless as part of a sale of a title insurance agency or its assets and approved in writing by the title insurer.

(c)(1) The title insurer may terminate the contract upon written notice to the title insurance ~~agent~~ agency under any of the following circumstances:

(A) Fraud, insolvency, appointment of a receiver or conservator, bankruptcy, cancellation of the title insurance ~~agent's~~ agency's license or permit to do business, or the commencement of legal proceedings by the state of the domicile of the title insurance ~~agent~~ agency, which if successful, would lead to the cancellation of the title insurance ~~agent's~~ agency's permit or license to do business;

(B) Material breach of any provision of the contract between the title insurer and the title insurance ~~agent~~ agency; or

(C) In accordance with any other termination provision of the contract.

(2) Upon the effective date as set forth in the notice of termination from a title insurer, unless otherwise agreed to in writing by the title insurer, the title insurance ~~agent~~ agency shall immediately discontinue all title insurance business on behalf of that title insurer.

(3) ~~Nothing in this subsection shall~~ This subsection does not relieve the title insurance ~~agent~~ agency or the title insurer of any other contractual obligation.

SECTION 6. Arkansas Code § 23-103-408 is amended to read as follows:

23-103-408. Minimum search requirements.

(a) ~~No~~ A title insurance report or policy shall not be issued unless the ~~title~~

~~insurer or~~ title insurance agency or title insurance agent has caused to be made a search of the title from the evidence prepared from a title plant or files of the county where the property is located or from the records of the clerk or the ex officio recorder of land records of the county that maintains records relating to real estate and any interest in the county.

(b) The search shall include a review of all matters affecting the title to the property or interest to be insured for a continuous period of not less than the immediately ~~preceeding~~ preceding thirty (30) years.

(c) ~~No~~ A title insurance policy shall not be issued until the title insurer or title insurance agent has caused to be made a determination of insurability of title in accordance with the title insurer's underwriting practices.

SECTION 7. Arkansas Code § 23-103-410 is amended to read as follows:

23-103-410. Title insurance inventory maintenance.

(a) The title insurer and the title insurance ~~agent~~ agency shall each maintain an inventory of all numbered policy forms or policy numbers assigned to the title insurance ~~agent~~ agency by the title insurer.

(b) If title insurance policies are generated electronically by the title insurer, the title insurer shall maintain the inventory of policy numbers assigned to the title insurance agency.

SECTION 8. Arkansas Code § 23-103-411 is amended to read as follows:

23-103-411. Title insurer — Audit.

(a)(1) At least one (1) time each year, a title insurer shall conduct an on-site audit of the escrow and closing practices related to the issuance of title insurance policies and closing protection letters, escrow accounts, security arrangements, files, underwriting and claims practices, and policy inventory of the title insurance agencies that the title insurer has authorized to issue title insurance reports or policies on its behalf.

(2) If the title insurance ~~agent~~ agency fails to maintain separate escrow or trust accounts for each title insurer it represents, the title insurer shall verify that the funds related to closings in which the title insurer's policies are issued are reasonably ascertainable from the books of account and records of the title insurance ~~agent~~ agency.

(b)(1) The Insurance Commissioner may promulgate rules setting forth the standards of audit and the form of audit required.

(2) The commissioner may also require the title insurer to provide a copy of its audit reports to the commissioner.

(3) Any audits shall remain confidential unless introduced as evidence at a hearing or court proceeding involving the title insurance agency or agent.

SECTION 9. Arkansas Code § 23-103-412 is amended to read as follows:

23-103-412. Title insurer — Restrictions.

A title insurer shall not:

(1) Appoint any director, officer, controlling shareholder, or employee of a title insurance ~~agent~~ agency to serve on the title insurer's board of directors if the title insurance ~~agent~~ agency wrote five percent (5%) or more of the direct premiums of the title insurer written during the previous calendar year as shown on the title insurer's most recent annual statement on file with the Insurance Commissioner, unless the title insurer and the title insurance ~~agent~~ agency are under common control or ownership; or

(2) Jointly employ an individual who is employed with the title insurance ~~agent~~ agency unless the title insurer and the title insurance ~~agent~~ agency are under common control or ownership.

SECTION 10. Arkansas Code § 23-103-413 is amended to read as follows:

23-103-413. Policyholder rights and disclosure.

(a)(1) When a title insurance report includes an offer to issue an owner's title insurance policy covering the resale of owner-occupied residential property, the title insurance report shall be furnished to the purchaser or mortgagor or to the representative of the purchaser-mortgagor as soon as reasonably possible before closing.

(2) The title insurance report furnished to the purchaser-mortgagor shall incorporate the following statement on the first page in bold type:

“Please read the exceptions and the terms shown or referred to herein carefully. The exceptions are meant to provide you with notice of matters that are not covered under the terms of the title insurance policy and should be carefully considered.

This report is a written representation as to the condition of title for purposes of providing title insurance and lists all liens, defects, and encumbrances ~~affecting title to the land that are~~ filed of record within the last thirty (30) years that have not been released of record or that are not statutorily expired.

No title insurance agent or any other person other than a licensed Arkansas attorney may provide legal advice concerning the status of title to the property described in the title commitment.”

(b)(1) When ~~an~~ an owner's title insurance policy has not been requested, a title insurer or a title insurance ~~agent~~ agency issuing a title insurance policy to a lender in conjunction with a mortgage loan involving real property made simultaneously with the purchase of all or part of the real property securing the loan shall give written notice on a form prescribed or approved by the Insurance Commissioner, to the purchaser-mortgagor at the closing.

(2) The notice required by subdivision (b)(1) of this section shall explain:

(A) That a title insurance policy for the lender involving real property is issued for the protection of the mortgage lender, and that the policy does not provide title insurance protection to the purchaser-mortgagor as the owner of the real property being purchased;

(B) The coverage that a title insurance policy relating to real property insures and that risks exist for the purchaser-mortgagor of real property that could be insured through the purchase of an owner's title policy involving real property; and

(C) That the purchaser-mortgagor may obtain an owner's title insurance policy at a specified premium.

(3) A copy of the notice signed by the purchaser-mortgagor shall be retained in the closing file for at least five (5) years after the effective date of the lender's title insurance policy.

SECTION 11. Arkansas Code § 23-103-414 is amended to read as follows:

23-103-414. Record retention requirements.

(a) The title insurer and the title insurance ~~agent~~ agency shall maintain sufficient records of their affairs, including evidence of underwriting title, determination of insurability, and records of their escrow operations and escrow accounts.

(b) The Insurance Commissioner may prescribe the specific records and documents to be kept and the length of time for which the records shall be maintained.

SECTION 12. Arkansas Code § 23-103-416 is amended to read as follows:

23-103-416. Penalties — Liabilities.

(a) If the Insurance Commissioner determines that a title insurer, title insurance agency, title insurance agent, or any other person has violated this subchapter or any rule or order promulgated under this subchapter, the commissioner may order:

(1)(A) Payment of a monetary penalty not to exceed one thousand dollars (\$1,000) for each act or violation and not to exceed an aggregate penalty of ten thousand dollars (\$10,000) unless the title insurer, title insurance agency, title insurance agent, or other person knew or reasonably should have known that the title insurer, title insurance agency, title insurance agent, or other person was in violation of this subchapter.

(B) If the title insurer, title insurance agency, title insurance agent, or other person knew or reasonably should have known that the title insurer,

title insurance agency, title insurance agent, or other person was in violation of this subchapter, the penalty shall not exceed five thousand dollars (\$5,000) for each act or violation and not exceed an aggregate penalty of fifty thousand dollars (\$50,000) in any six-month period; or

(2) Suspension or revocation of the title insurer's, title insurance agency's, title insurance agent's, or other person's license, if the title insurer, title insurance agency, title insurance agent, or other person knew or reasonably should have known that the title insurer, title insurance agency, title insurance agent, or other person was in violation of this subchapter.

(b) If an order of rehabilitation or liquidation of the title insurer or of conservation of assets of the title insurer has been entered and the receiver appointed under the order determines that the title insurance agency or title insurance agent or any other person has not complied with this subchapter or any rule or order promulgated under this subchapter and the title insurer suffered any resulting loss or damage, the receiver ~~shall~~ may maintain a civil action for recovery of damages or other appropriate sanctions for the benefit of the title insurer and its policyholders and creditors.

(c) ~~Nothing contained in this section shall~~ This section does not affect the right of the commissioner to impose any other penalties provided under § 23-64-101 et seq.

SECTION 13. Arkansas Code Title 23, Chapter 103, Subchapter 4 is amended to add an additional section to read as follows:

23-103-417. Access to public records.

(a) A title insurance agent, a title insurance agency, and a person affiliated with a title insurance agency shall:

(1) Have free access to the instruments of record affecting real property filed in any city, county, or state office; and

(2) Be permitted to:

(A) Occupy reasonable space, use equipment, and make memoranda, notations, and copies of instruments of record during the business hours of the city, county, or state office; and

(B) Compile, post, copy, and maintain books, records, and indices.

(b)(1) A title insurance agent, a title insurance agency, and a person affiliated with a title insurance agency has the right of access to any instrument filed of record in a city, county, or state office no later than the close of business of the first business day following the day the instrument was filed.

(2) A fee shall not be charged for providing access to the instrument.

(c) As used in this section, "access" means possession of an instrument sufficient to mechanically reproduce the instrument in the office where the instrument is filed.

(d)(1) A person entitled to access under this section that is denied access may petition immediately to a circuit court of competent jurisdiction.

(2) Upon written complaint of a person or an interested party denied a right provided by this section, the circuit court having jurisdiction shall hear the complaint within seven (7) days of the date the complaint is filed.

(3)(A) In an action or appeal of an action to enforce the rights granted by this section the court shall assess against a losing party reasonable attorney's fees and other litigation expenses reasonably incurred by a party that has substantially prevailed unless the court finds that the position of the losing party was substantially justified or that other circumstances make an award of attorney's fees and other litigation expenses unjust.

(B) Expenses shall not be assessed against the State of Arkansas or any of its agencies or departments.

(C) If at trial a defendant has substantially prevailed in the action, the court may assess attorney's fees and litigation expenses against a plaintiff only upon a finding that the action was initiated primarily for frivolous or dilatory purposes.

/s/ Rick Green

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Maxwell, **HOUSE BILL NO. 1378** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1378

Amend **HOUSE BILL NO. 1378** as engrossed,

H2/24/09 (version: 02-24-2009 08:58):

Add Senators Bledsoe, Miller, B. Johnson, and J. Key as cosponsors of the bill

AND

Page 9, delete line 33, and substitute the following:

"January 1, 2010."

/s/ Allen Maxwell

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Maxwell, **HOUSE BILL NO. 1561** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1561

Amend **HOUSE BILL NO. 1561** as originally introduced:

Add Representatives Reep, Cheatham, and Moore and Senators J. Jeffress and G. Jeffress as co-sponsors.

/s/ Allen Maxwell

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Wills, HOUSE BILL NO. 1773 was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1773

Amend HOUSE BILL NO. 1773 as engrossed,

H3/4/09 (version: 03-04-2009 08:54):

Page 2, line 8, delete "General Revenue Allotment Reserve" and substitute "Budget Stabilization Trust"

AND

Page 2, line 18, delete "General Revenue Allotment Reserve" and substitute "Budget Stabilization Trust"

AND

Page 2, line 24, delete "General" and substitute "Budget Stabilization Trust"

AND

Page 2, line 25, delete "Revenue Allotment Reserve"

/s/ Robbie Wills

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Perry, HOUSE BILL NO. 2227 was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2227

Amend HOUSE BILL NO. 2227 as originally introduced:

Page 1, delete lines 10 through 14 and substitute:

"DISTRICT BY WRITTEN RESOLUTION OF THE BOARD OF DIRECTORS OF AN EXISTING SCHOOL DISTRICT FROM WHICH TERRITORY WILL BE DETACHED TO CREATE THE NEW SCHOOL DISTRICT SUBMITTED TO THE STATE BOARD OF EDUCATION IF NO PETITION IN OPPOSITION IS FILED WITH THE STATE BOARD OF EDUCATION; AND FOR OTHER PURPOSES."

AND

Delete the subtitle in its entirety and substitute:

"TO ALLOW THE CREATION OF A NEW PUBLIC SCHOOL DISTRICT BY AN UNOPPOSED WRITTEN RESOLUTION OF AN EXISTING DISTRICT FROM WHICH TERRITORY WILL BE DETACHED."

AND

Delete everything after the enacting clause and substitute:

"SECTION 1. Arkansas Code § 6-13-1504 is amended to read as follows:

6-13-1504. Petition — Election — Opposition to resolution.

(a)(1) Not later than the thirtieth day after the date the State Board of Education receives a petition or resolution under this subchapter, the state board shall hold a hearing on the validity of the petition or resolution.

(2) To be valid, a petition or resolution shall:

(A) State the purpose for which the petition or resolution is being submitted;

(B) Contain a plat or map of the proposed new school district;

(C) Contain an independent feasibility study stating:

(i) Cost of operation of the new school district and the ability to operate the new school district taking into consideration the tax base, debt service, and division of assets to the new school district;

(ii) A list of the public school assets to be transferred from the existing school district to the new school district;

(iii) The size of the new school district; and

(iv) The effect of detachment on court-ordered desegregation; ~~and.~~

~~(D)(3) Be~~ A petition shall be signed by at least ten percent (10%) of the registered voters of qualified electors residing within the area proposed for detachment.

(b)(1) ~~¶~~ Except as provided under subsection (g) of this section, if the state board determines that the petition or resolution is valid and the petition or resolution does not conflict with subdivision (b)(2) of this section, the state board may, after complying with subdivision (b)(2) of this section, order an election on the ~~proposition~~ of proposed detachment to be held at the next annual school election or general election.

(2)(A) The state board shall not order any creation of a new school district by detachment under this subchapter or any other act or combination of any acts that hampers, delays, or in any manner negatively affects desegregation efforts of a school district or districts in this state.

(B) Prior to the entry of any order for election on the question of detachment, the state board shall seek an advisory opinion from the Attorney General concerning the impact of the proposed detachment and creation of a new school district on the effort of the state to assist the affected school district or districts in the desegregation of the public schools of this state.

~~(3)(c)(1)~~ The An order for election on the proposition of detachment shall:

(A) Contain a plat or map of the proposed new school district;
and

(B) Comply with all requirements and procedures set forth in § 6-14-101 et seq. that do not conflict with the provisions of this subchapter.

~~(c)(1)(A)~~ (2) The Not less than sixty (60) days before the date the commission sets for the election on the proposed detachment, the state board shall certify two (2) copies of the ~~detachment~~ order for election on the proposed detachment and convey one (1) copy to the county clerk and one (1) copy to the county election commission ~~at least sixty (60) days prior to the date the commission sets for election on the question of detachment.~~

~~(B)(i)(d)(1)~~ No later than forty-five (45) days ~~prior to~~ before the election the county clerk of each county affected shall identify all persons who reside within the area proposed ~~to be detached~~ for detachment, and the county clerk shall determine the names and addresses of all qualified electors residing within ~~that~~ the area proposed for detachment.

~~(ii)(2)~~ The failure to identify all persons residing within the area proposed ~~to be detached~~ for detachment or the failure to determine the names and addresses of all qualified electors residing within that area shall not invalidate or otherwise affect the results of the election.

~~(C)(3)~~ All of the qualified electors residing within the ~~territory to be detached~~ area proposed for detachment shall be entitled to vote in the election.

~~(D)(4)~~ The petitioners shall give notice of the election by publication of at least one (1) insertion in a newspaper having general circulation in each school district from which territory is being detached.

~~(2)(A)(e)(1)~~ The county clerk shall prepare a list by precinct of all those qualified electors residing within the area ~~to be detached~~ proposed for detachment who are qualified to vote in that precinct and furnish that list to the election officials at the time the ballot boxes and voting machines are delivered.

~~(B)(2)~~ If the county clerk or the county election commission shall fail to perform any duties required, then any interested party may apply for a writ of mandamus to require the performance of the duties.

~~(C)(3)~~ The failure of the county clerk or the county election

commission to perform the duties shall not void the detachment election unless a court finds that the failure to perform the duties substantially prejudiced an interested party.

(d)(1)(f)(1) The ballot shall be printed to permit voting for or against the proposition for creation of a new school district by detachment in a manner similar to the following:

Creation of a new school district by detachment
of property and territory that includes the following
property and territory from the

_____ School District:
_____.

(2) The ballot description of the property and territory ~~to be detached~~ for detachment shall be sufficient to give general notice of the territory affected.

(g)(1) If the creation of a new school district by detachment is proposed by an existing school district that contains all of the territory proposed for detachment, only a resolution of the board of directors of the existing school district is required to initiate the detachment.

(2) Within ten (10) calendar days of the date the state board determines that a resolution filed under this subsection (g) is valid and that the resolution does not conflict with subdivision (b)(2) of this section, the state board shall provide a written notice of its approval of the resolution to the board of directors of the existing school district.

(3)(A) Within ten (10) calendar days of receiving notice from the state board under subdivision (g)(2) of this section, the board of directors of the existing school district shall give notice of the resolution for creation of a new school district by detachment of territory from the existing school district.

(B) The notice shall be given by publication of at least one (1) insertion in a newspaper having general circulation in the school district and shall include:

(i) The location where a copy of the resolution and all supporting documents required under this section may be obtained; and

(ii) A notice of the right to oppose by petition the creation of a new school district by detachment under subdivision (g)(4) of this section.

(4)(A) Within thirty (30) calendar days of the date of the first publication of the notice under this subsection (g), the qualified electors residing within the area proposed for detachment may submit to the state board and to the existing school district board of directors a petition in opposition to the resolution.

(B) The petition shall contain the signatures of not less than ten

percent (10%) of the qualified electors residing in the area proposed for detachment.

(C) If the state board determines that the petition is valid, the state board shall order an election for the creation of the new school district from the proposed detached territory under subsections (b)-(f) of this section.

(5) If the state board does not receive a petition in opposition under this subsection (g) and enters an order for creation of the new school district under § 6-13-1505, within thirty (30) days after the date the state board enters the order for creation the state board shall provide one (1) certified copy of the order to the county clerk.

SECTION 2. Arkansas Code § 6-13-1505(a), concerning the creation of a school district from the detached territory of an existing school district, is amended to read as follows:

(a) ~~If all the requirements of this subchapter are met and a majority of the votes are cast for the proposition, the~~ The State Board of Education shall order the creation of the new school district if all the requirements of this subchapter are met and either:

(1) A majority of the votes cast at the election on the petition or resolution under § 6-13-1504 voted for the proposition for detachment; or

(2) The state board did not receive a valid petition in opposition to a resolution of the existing school district under § 6-13-1504(g)."

/s/ Mark Perry

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative English, **HOUSE BILL NO. 1861** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1861

Amend **HOUSE BILL NO. 1861** as originally introduced:

Page 2, delete lines 31 and 32, and substitute the following:

"(G) Aeronautics and space; ~~and~~

(H) National security;

(I) Renewable biomethanol;

(J) Woody biomass generative power; and

(K) Woody biomass pellet production for heat and power generation; and"

AND

Page 3, delete lines 3 and 4 and substitute the following:

"(D) Photovoltaic devices;

(E) Renewable biomethanol;

(F) Wind power;

(G) Woody biomass generative power; and

(H) Woody biomass pellet production for heat and power generation."

AND

Page 3, delete lines 27 and 28 and substitute the following:

"(I) Wind power;

(J) Renewable biomethanol;

(K) Woody biomass generative power;

(L) Woody biomass pellet production for heat and power generation; and

(M) Other devices that are reliant upon nanotechnology."

AND

Page 4, line 17, add the following new section:

"SECTION 4. Arkansas Code § 15-4-2714(c)(1), concerning the Consolidated Incentive Act of 2003 and the coordination with other economic development programs, is amended to read as follows:

(c)(1) ~~Under no circumstances shall an~~ An eligible business be is not entitled to receive incentives or benefits for a project under this subchapter and the programs listed in subsection (a) of this section, except for a tax credit allowed under § 15-4-2101 et seq. beginning on and after January 1, 2009."

AND

Appropriately renumber the sections of the bill.

/s/ Jane English

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Flowers, **HOUSE BILL NO. 2217** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2217

Amend **HOUSE BILL NO. 2217** as originally introduced:

Delete all language after the enacting clause and substitute:

“SECTION 1. Arkansas Code § 27-32-101 is amended to read as follows:

27-32-101. Vehicles to be in safe mechanical condition.

(a)(1) ~~No~~ A person shall not drive or move any vehicle subject to registration on any highway in this state unless:

(1) ~~the~~ The equipment on the vehicle is in good working order and adjustment as required for the vehicle's safe operation; and

(2) ~~unless the~~ The vehicle is in safe mechanical condition as and does not ~~to~~ endanger the driver, other occupants of the vehicle, or any other person.

~~(2)(A)(b)~~ Any A law enforcement officer ~~having~~ who has reason to believe that a vehicle may have safety defects shall have cause to stop the vehicle and inspect for safety defects.

~~(B)~~ ~~Should the officer determine that the vehicle is defective, he or she shall issue to the operator a safety compliance summons directing the operator to have the defect corrected.~~

~~(b)~~ ~~Any certified police officer upon reasonable cause to believe that a motor vehicle is unsafe or not equipped as required by law or that its equipment is not in proper adjustment or repair require the driver of the motor vehicle to stop and submit the vehicle to an inspection and test as may be appropriate.~~

~~(c)(c)~~ ~~In the event that~~ Based on the reasonable judgment of the law enforcement officer, if the use of a vehicle in its present condition would, ~~in the reasonable judgment of the officer,~~ endanger the life of any member of the public, the law enforcement officer may:

(1) ~~issue to~~ Issue the operator of the vehicle a citation for operating an unsafe vehicle; and

(2) ~~may require~~ Require the vehicle to be parked at the owner's expense and not operated until it is made safe.

~~(d)~~ ~~The intent of this section is to make the vehicle operator aware of any vehicle safety defects and to provide the operator a reasonable opportunity to make necessary repairs without requiring the issuance of a citation which may result in the levying of fines and court costs.~~

SECTION 2. Arkansas Code Title 27, Chapter 32, Subchapter 1 is amended to add an additional section to read as follows:

27-32-103. Subchapter inapplicable to commercial motor vehicles.

This subchapter does not apply to a commercial motor vehicle as defined under § 23-13-601 and the Motor Carrier Safety Regulations under 49 C.F.R. Part 390.5."

/s/ Stephanie Flowers

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Carnine, **HOUSE BILL NO. 2170** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 2170

Amend **HOUSE BILL NO. 2170** as engrossed,

H3/20/09 (version: 03-20-2009 10:12):

Page 3, line 26, delete "report to" and substitute "notify"

AND

Page 3, line 36, delete "Department of Education" and substitute "division"

AND

Page 4, line 2, delete "department's" and substitute "division's"

AND

Page 4, line 4, delete "department" and substitute "division"

AND

Page 4, line 11, delete "department" and substitute "division"

/s/ Les Carnine

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Carter, **HOUSE BILL NO. 1949** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1949

Amend **HOUSE BILL NO. 1949** as originally introduced:

Page 1, line 31, delete "three (3)" and substitute "one (1) year"

AND

Page 1, line 32, delete "years"

AND

Page 1, line 32, delete "two (2) years"

AND

Page 2, delete lines 15 through 17, and substitute the following:

"for such claims should be extended. Therefore, an emergency is declared to exist and this act"

/s/ Davy Carter

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative B. Wilkins, **HOUSE BILL NO. 1830** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1830

Amend **HOUSE BILL NO. 1830** as originally introduced:

Page 2, line 4, delete "six (6)" and substitute "two (2)"

/s/ Butch Wilkins

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative B. Wilkins, **HOUSE BILL NO. 1943** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1943

Amend **HOUSE BILL NO. 1943** as originally introduced:

Page 1, delete lines 31 and 32 and substitute “(c) Aggravated assault is a Class C felony if the victim is:”

AND

Page 2, delete lines 14 through 16 and substitute:

“(4) While performing medical treatment or emergency medical”

AND

Page 2, line 24, delete “(6)” and substitute “(5)”

AND

Page 3, delete lines 2 through 4 and substitute:

“(c) Assault in the first degree is a Class D felony if the victim is:

(1)(A) A certified law enforcement officer, firefighter, code enforcement”

AND

Page 3, delete lines 21 through 23 and substitute:

“(4) While performing medical treatment or emergency medical”

AND

Page 3, line 31, delete “(6)” and substitute “(5)”

AND

Page 4, delete lines 3 through 6 and substitute:

“(c) Assault in the second degree is a Class A misdemeanor if the victim is:

(1)(A) A certified law enforcement officer, firefighter, code enforcement”

AND

Page 4, delete lines 23 through 25 and substitute:

“(4) While performing medical treatment or emergency medical”

AND

Page 4, line 33, delete “(6)” and substitute “(5)”

AND

Page 5, delete lines 4 through 7 and substitute:

“(c) Assault in the third degree is a Class B misdemeanor if the victim is:

(1)(A) A certified law enforcement officer, firefighter, code enforcement”

AND

Page 5, delete lines 24 through 26 and substitute:

“(4) While performing medical treatment or emergency medical”

AND

Page 5, line 34, delete “(6)” and substitute “(5)”

/s/ Butch Wilkins

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative B. Wilkins, **HOUSE BILL NO. 2086** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2086

Amend **HOUSE BILL NO. 2086** as originally introduced:

Page 1, delete lines 9 through 11 and substitute "AN ACT TO AMEND THE CRIME OF FINANCIAL IDENTITY FRAUD; AND FOR OTHER PURPOSES."

AND

Page 1, delete lines 14 and 15 and substitute "TO AMEND THE CRIME OF FINANCIAL IDENTITY FRAUD."

AND

Delete everything after the enacting clause and substitute:

“SECTION 1. Arkansas Code § 5-37-227 is amended to read as follows:

5-37-227. Financial identity fraud — Nonfinancial identity fraud — Restitution — Venue.

(a) A person commits financial identity fraud if, with the intent to:

(1) Create, obtain, or open a credit account, debit account, or other financial resource for his or her benefit or for the benefit of a third party, he or she accesses, obtains, records, or submits to a financial institution another person's identifying information for the purpose of opening or creating a credit account, debit account, or financial resource without the authorization of the person identified by the information; or

(2) Appropriate a financial resource of another person to his or her

own use or to the use of a third party without the authorization of that other person, the actor:

- (A) Uses a scanning device; or
- (B) Uses a re-encoder.

(b) A person commits nonfinancial identity fraud if he or she knowingly obtains another person's identifying information without the other person's authorization and uses the identifying information for any unlawful purpose, including without limitation:

- (1) To avoid apprehension or criminal prosecution;
- (2) To harass another person; ~~or~~
- (3) To obtain or to attempt to obtain a good, service, real property, or medical information of another person; or
- (4) To obtain employment.

(c) As used in this section:

- (1) "Disabled person" means the same as defined in § 4-88-201;
- (2) "Elder person" means the same as defined in § 4-88-201;
- (3) "Financial institution" includes, but is not limited to, a credit card company, bank, or any other type of lending or credit company or institution;
- (4) "Financial resource" includes, but is not limited to, a credit card, debit card, or any other type of line of credit or loan;
- (5) "Identifying information" includes, but is not limited to, a:
 - (A) Social security number;
 - (B) Driver's license number;
 - (C) Checking account number;
 - (D) Savings account number;
 - (E) Credit card number;
 - (F) Debit card number;
 - (G) Personal identification number;
 - (H) Electronic identification number;
 - (I) Digital signature; or
 - (J) Any other number or information, including name or date of birth, that can be used to access a person's financial resources or cause a financial liability to be assessed to the other person;
- (6) "Re-encoder" means an electronic device that places encoded information from the magnetic strip or stripe of a payment card onto the magnetic strip or stripe of a different card; and
- (7) "Scanning device" means a scanner, reader, or any other electronic device that is used to access, read, scan, obtain, memorize, or store,

temporarily or permanently, information encoded on the magnetic strip or stripe of a payment card.

(d) The provisions of this section do not apply to any person who obtains another person's driver's license or other form of identification for the sole purpose of misrepresenting the actor's age.

(e)(1) Except as provided in subdivision (e)(2) of this section, financial identity fraud is a Class C felony.

(2) Financial identity fraud is a Class B felony if the victim is an elder person or a disabled person.

(f)(1) Except as provided in subdivision (f)(2) of this section, nonfinancial identity fraud is a Class D felony.

(2) Nonfinancial identity fraud is a Class C felony if the victim is an elder person or a disabled person.

(g) It is not a defense a prosecution under subdivision (b)(4) of this section that the prospective employer knew that the identity given was false or that the person whose identity was used falsely consented to its use by the person.

~~(g)~~(h)(1) In addition to any penalty imposed under this section, a violation of this section constitutes an unfair or deceptive act or practice as defined by the Deceptive Trade Practices Act, § 4-88-101 et seq.

(2) Any remedy, penalty, or authority granted to the Attorney General or another person under the Deceptive Trade Practices Act, § 4-88-101 et seq., is available to the Attorney General or that other person for the enforcement of this section.

~~(h)~~(i)(1)(A) In addition to any penalty imposed under this section, upon conviction for financial identity fraud or nonfinancial identity fraud, a court may order the defendant to make restitution to any victim whose identifying information was appropriated or to the estate of the victim under § 5-4-205.

(B) In addition to any other authorized restitution, the restitution order described in subdivision ~~(h)~~(i)(1)(A) of this section may include without limitation restitution for the following financial losses:

(i) Any costs incurred by the victim in correcting the credit history or credit rating of the victim; and

(ii) Any costs incurred in connection with any civil or administrative proceeding to satisfy any debt, lien, or other obligation resulting from the theft of the victim's identifying information, including lost wages and attorney's fees.

(C) The court also may order restitution for financial loss to any other person or entity that suffers a financial loss from a violation of subsection (a) or

(b) of this section.

(2) A judgment entered under this section and § 5-4-205 does not bar a remedy available in a civil action to recover damages relating to financial identity fraud or nonfinancial identity fraud.

~~(i)~~(j) Venue for any criminal prosecution under this section or any civil action to recover damages relating to financial identity fraud or nonfinancial identity fraud is proper in any of the following venues:

- (1) In the county where the violation occurred;
- (2) If the violation was committed in more than one (1) county, or if the elements of the offense were committed in more than one (1) county, then in any county where any violation occurred or where an element of the offense occurred;
- (3) In the county where the victim resides; or
- (4) In the county where property that was fraudulently used or attempted to be used was located at the time of the violation.”

/s/ Butch Wilkins

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Williams, **HOUSE BILL NO. 2203** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 3 TO HOUSE BILL NO. 2203

Amend **HOUSE BILL NO. 2203** as engrossed,

H3/20/09 (version: 03-20-2009 09:41):

Add the following Representatives as cosponsors of the bill: Representatives Adcock, Allen, T. Baker, Blount, Carroll, J. Edwards, Hardy, Kerr, Lea, W. Lewellen, Moore, Nickels, Rainey, Tyler, Woods

AND

Add the following Senators as cosponsors of the bill: Crumbly, Steele

AND

Page 2, line 4, delete "Solicits the execution of, processes," and substitute

"Processes."

AND

Page 3, line 1, delete "the person" and substitute "a facilitator"

AND

Page 3, line 2, delete "person" and substitute "facilitator"

AND

Page 4, delete lines 9 and 10 and substitute "(a) When a consumer applies for a refund anticipation loan, the facilitator shall disclose to the consumer on a"

AND

Page 4, delete lines 13 and 14 and substitute "(1) The fee for the refund anticipation loan, including the fee for the tax preparation and other fees"

AND

Page 4, delete line 17 and substitute "anticipation loan will be paid to the consumer if the loan"

AND

Page 4, line 28, delete "product." and substitute "product.; and"

AND

Page 4, line 33, delete "2009;" and substitute "2009."

AND

Page 4, delete line 34 and substitute the following:

"(b) If a consumer applies for a refund anticipation check, the facilitator shall disclose to the consumer on a colored-paper form separate from the application in 14-point type face, the following information:

(1) The fee for the refund anticipation check, including the fee for tax preparation and other fees charged the consumer;

(2) The time within which the proceeds of the refund anticipation check will be paid to the consumer; and

(3) The following disclosures:"

AND

Page 5, line 7, delete "(6)" and substitute "(c)"

AND

Page 5, line 10, delete "(A)" and substitute "(1)"

AND

Page 5, line 11, delete "(B)" and substitute "(2)"

AND

Page 5, line 13, delete "(C)" and substitute "(3)"

AND

Page 5, line 15, delete "(7)" and substitute "(d)"

AND

Page 7, line 1, delete "who fails" and substitute "who willfully fails"

/s/ Darrin Williams

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Pennartz, **HOUSE BILL NO. 2195** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2195

Amend **HOUSE BILL NO. 2195** as originally introduced:

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 23-99-501 is amended to read as follows:
23-99-501. Short title.

This subchapter shall be known and may be cited as the "Arkansas Mental Health Parity Act of 2009".

SECTION 2. Arkansas Code § 23-99-502 is amended to read as follows:
23-99-502. Legislative findings and intent.

It is the intent of this state that if a health benefit plan provides insurance coverage for a mental illnesses illness or substance abuse disorder, and the mental health treatment of ~~those with developmental disorders~~ the mental illness or substance abuse disorder shall be as available as and at parity with that for other medical illnesses.

SECTION 3. Arkansas Code § 23-99-503(4), concerning the definition of a "health benefit plan", is amended to read as follows:

(4) "Health benefit plan" means any group or blanket plan, policy, or contract for health care services issued or delivered in this state by health care insurers, including indemnity and managed care plans and the plans providing health benefits to state and public school employees pursuant to § 21-5-401 et seq., but excluding plans providing health care services ~~to state employees or pursuant to~~ Arkansas Constitution, Article 5, § 32, the Workers' Compensation Law, § 11-9-101 et seq., and the Public Employee Workers' Compensation Act, § 21-5-601 et seq.;

SECTION 4. Arkansas Code § 23-99-503(6), concerning the definition of

“mental illnesses”, is amended to read as follows:

(6)(A) “Mental illnesses” and ~~“developmental disorders”~~ “substance use disorders” mean those illnesses and disorders that are covered by a health benefit plan listed in the International Classification of Diseases Manual and the Diagnostic and Statistical Manual of Mental Disorders.

(B) Unless specifically otherwise stated, “mental illness” includes substance use disorders;

SECTION 5. Arkansas Code § 23-99-504 is amended to read as follows:

23-99-504. Exclusions.

This subchapter ~~shall~~ does not apply to:

- (1) Dental insurance plans;
- (2) Vision insurance plans;
- (3) Specified-disease insurance plans;
- (4) Accidental injury insurance plans;
- (5) Long-term care plans;
- (6) Disability income plans;

(7) Individual health benefit plans, ~~provided that~~ if the health care insurers ~~shall offer these individuals~~ who satisfy the health care insurer’s underwriting standards the option of purchasing a plan that, other than being optional, meets the other requirements of this subchapter;

(8) Health benefit plans for small employers, ~~provided that~~ if the health care insurers ~~shall offer purchasers~~ the option of purchasing a plan that, other than being optional, meets all the other requirements of this subchapter; and

(9) Medicare supplement plans, as subject to section 1882(g)(1) of the Social Security Act.

SECTION 6. Arkansas Code § 23-99-505 is amended to read as follows:

23-99-505. Increased cost exemption.

(a)(1) This subchapter ~~shall~~ does not apply ~~with respect to~~ a health benefit plan during the health benefit plan’s following health benefit plan year if the application of this subchapter to the health benefit plan will result in a health benefit plan year resulted in an increase in the ~~cost under the plan of at least one and one-half percent (1.5%)~~ actual costs of coverage with respect to medical and surgical benefits and mental illness benefits under the health benefit plan as determined and certified under subsection (b) of this section by an amount that exceeds:

(A) Two percent (2%) for the first health benefit plan year in which this section is applied; or

(B) One percent (1%) for each subsequent health benefit plan year.

(2) The exemption provided by subdivision (a)(1) of this section applies to a health benefit plan for one (1) year.

(3) A health care insurer may elect to continue to apply mental health parity under this subchapter to its health benefit plans regardless of any increase in its total costs of coverage.

(b)(1) A determination under this section of increases to the actual costs of coverage of a health benefit plan shall be made and certified by a qualified and licensed actuary who is a member in good standing of the American Academy of Actuaries.

(2) The determination shall be in a written report prepared by the actuary.

(3) The report and all underlying documentation relied upon by the actuary shall be maintained by the health care insurer for a period of six (6) years following the notification required by subsection (d) of this section.

(c) To obtain an exemption under this section, a health care insurer shall make the increased cost determination required by this section after the health benefit plan has complied with this section for the first six (6) months of the health benefit plan year.

(d)(1) A health care insurer that elects to claim an exemption for a qualifying health benefit plan under this section based upon a certification under subsection (b) of this section shall promptly notify the Insurance Commissioner, the policyholder or contract holder, and the certificate holders, subscribers, and enrollees covered by the health benefit plan of its election.

(2) The notification to the commissioner under subdivision (d)(1) of this section shall include:

(A) A description of the number of covered lives under the health benefit plan at the time of the notification, and if applicable, at the time of any prior election of the increased cost exemption under this section; and

(B) For the current and previous health benefit plan year:

(i) A description of the actual total costs of coverage for medical and surgical benefits and mental illness benefits under the health benefit plan; and

(ii) The actual total costs of coverage with respect to mental illness benefits under the health benefit plan.

(3)(A) A notification under this subsection is confidential.

(B) The commissioner shall make available upon request but not more than annually an anonymous itemization of notifications under this section that includes a summary of the data received under subdivision (d)(2) of this section.

(e) To determine compliance with this section, the commissioner may audit the books and records of a health care insurer relating to an exemption, including without limitation any actuarial reports prepared pursuant to subsection (b) of this section during the six-year period following the notification required by subsection (d) of this section.

(f) The commissioner may promulgate rules to implement this section.

SECTION 7. Arkansas Code § 23-99-506 is amended to read as follows:

23-99-506. Parity requirements.

(a) Except as provided in § 23-99-504, ~~every a~~ health benefit plan shall provide medical coverage for the diagnosis and mental health treatment of mental illnesses and the mental health treatment of those with developmental disorders.

~~(b) A health benefit plan shall provide~~ that provides benefits for the diagnosis and mental health treatment of mental illnesses and developmental disorders shall provide the benefits under the same terms and conditions as provided for covered benefits offered under the health benefit plan for the treatment of other medical illnesses and conditions. ~~There shall be no differences in the health benefit plan in regard to any of the following including without limitation:~~

- (1) The duration or frequency of coverage;
- (2) The dollar amount of coverage; or
- (3) Financial requirements.

~~(c)(b) Nothing in this subchapter shall be construed~~ This subchapter does not:

(1) ~~As requiring~~ Require equal coverage between treatments for a mental illness ~~or a developmental disorder~~ with coverage for preventive care;

(2) ~~As prohibited~~ Prohibit a health care insurer from:

(A) Negotiating separate reimbursement rates and service delivery systems, including, ~~but not limited to,~~ without limitation a carve-out arrangement;

(B) Managing the provision of mental health benefits for mental illnesses and the mental health treatment of those with developmental disorders by common methods used for other medical conditions, including, ~~but not limited to,~~ without limitation preadmission screening, prior authorization of services, or other mechanisms designed to limit coverage of services or mental illnesses and developmental disorders to those mental illnesses that are deemed medically necessary;

(C) Limiting covered services to ~~those~~ covered services authorized by the health insurance policy benefit plan ~~provided that such if the~~ limitations are made in accordance with this subchapter;

(D) Using separate but equal cost-sharing features for mental illness; or

(E) Using a single lifetime or annual dollar limit as applicable to other medical illness; and

(3) ~~As including~~ Include a medicare or medicaid plan or contract or any privatized risk or demonstration program for medicare or medicaid coverage.

SECTION 8. Arkansas Code § 23-99-507 is amended to read as follows:

23-99-507. Medical necessity.

~~(a) This subchapter shall not be construed as prohibiting a health benefit plan from excluding coverage for diagnosis and treatment of mental illnesses and developmental disorders when the diagnosis and treatment are medically unnecessary, provided that the medical necessity determination is made in accordance with generally accepted standards of the medical profession and other applicable laws and regulations.~~

~~(b) "Medical necessity" as applied to benefits for mental illnesses and developmental disorders means:~~

~~(1) Reasonable and necessary for the diagnosis or treatment of a mental illness or to improve or to maintain or to preserve deterioration of functioning resulting from the illness or developmental disorder;~~

~~(2) Furnished in the most appropriate and least expensive setting in which the services can be safely provided;~~

~~(3) The most appropriate level or supply of services which can safely be provided; and~~

~~(4) Could not have been omitted without adversely affecting the individual's mental or physical health, or both, or the quality of care rendered. The criteria for medical necessity determinations for mental illness made under a health benefit plan shall be made available by the health care insurer in accordance with rules established by the Insurance Commissioner to any current or potential covered individual or contracting provider upon request.~~

~~(b) On request, the reason for a denial of reimbursement or payment for services to diagnose or treat mental illness under a health benefit plan shall be made available by the health care insurer to a covered individual in accordance with the rules of the commissioner.~~

SECTION 9. Arkansas Code § 23-99-508 is amended to read as follows:

23-99-508. Permitted provisions.

(a) A health care insurer may at the insurers's option provide coverage for a health service, such as intensive care management, community residential treatment programs, or social rehabilitation programs, ~~which~~ that is used in the treatment of

mental illnesses or developmental disorders, but is generally not used for other injuries, illnesses, and conditions, ~~as long as~~ if the other requirements of this subchapter are met.

(b) Health care insurers providing ~~chemical dependency treatment or~~ educational remediation may, but are not required to, comply with the terms of this subchapter in regard to the treatment or remediation.

(c) A health care insurer may provide coverage for a health service, including, ~~but not limited to,~~ without limitation physical rehabilitation or durable medical equipment, which generally is not used in the diagnosis or treatment of serious mental illnesses, but is used for other injuries, illnesses, and conditions, ~~as long as~~ if the other requirements of this subchapter are met.

(d) A health care insurer may utilize common utilization management protocols, including without limitation preadmission screening, prior authorization of service, or other mechanisms designed to limit coverage of service for mental illness to individuals whose diagnosis or treatment coverage is considered medically necessary although the protocols are not used in conjunction with other medical illnesses or conditions covered by the health benefit plan.

SECTION 10. Arkansas Code § 23-99-509 is amended to read as follows:

23-99-509. Applicability.

(a) On or after ~~August 1, 1997~~ October 3, 2009, this subchapter shall apply to health benefit plans on the health benefit plans' anniversaries or start dates but in no event later than one (1) year after ~~August 1, 1997~~ October 3, 2009.

(b) If a health benefit plan provides coverage or benefits to an Arkansas resident, the health benefit plan shall be deemed to be delivered in this state within the meaning of this subchapter, regardless of whether the health care insurer or other entity that provides the coverage is located within or outside Arkansas.

SECTION 11. Arkansas Code Title 23, Chapter 99, is amended to add an additional section to read as follows:

23-99-512. Out-of-network providers.

In the case of a health benefit plan that provides both medical benefits and mental illness benefits, if the health benefit plan provides coverage for medical benefits provided by out-of-network providers, the health benefit plan shall provide coverage for mental illness benefits provided by out-of-network providers pursuant to this subchapter."

/s/ Tracy Pennartz

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Adcock, **HOUSE BILL NO. 1930** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1930

Amend **HOUSE BILL NO. 1930** as originally introduced:

Page 2, delete lines 24 and 25 and substitute the following:

"state shall provide coverage for a hearing aid or hearing instrument sold on or after January 1, 2010, by a professional licensed by the state to dispense a hearing aid or hearing instrument."

/s/ Pam Adcock

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative L. Cowling, **HOUSE BILL NO. 1998** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1998

Amend **HOUSE BILL NO. 1998** as originally introduced:

Delete lines 9 through 11 of the title and substitute the following:

"AN ACT TO EXEMPT BORDER CITY HOSPICES FROM THE REQUIREMENT OF A PERMIT OF APPROVAL; TO AUTHORIZE HOSPICE LICENSURE WITHOUT A PERMIT OF APPROVAL TO SERVE BORDER CITY HOSPICE PATIENTS; AND FOR OTHER PURPOSES."

AND

Delete lines 14 and 15 of the subtitle and substitute the following:

"AN ACT TO AUTHORIZE HOSPICE LICENSURE WITHOUT A PERMIT OF APPROVAL TO SERVE BORDER CITY HOSPICE PATIENTS."

AND

Page 1, delete line 21 and substitute the following:

"continuity of care for hospice patients who are terminally ill and"

AND

Delete SECTION 2 in its entirety and substitute the following:

"SECTION 2. Arkansas Code § 20-7-117(c), concerning rules for hospices, is amended to add an additional subdivision to read as follows:

(3)(A) A hospice agency licensed in another state's border city that borders the State of Arkansas is eligible for licensure to provide hospice services in Arkansas.

(B) A hospice agency qualified for Arkansas licensure under this subdivision (c)(3) shall:

(i) Be licensed only to provide services in a service area that consists of the adjoining Arkansas border city; and

(ii)(a) Be exempt from the Arkansas permit of approval requirements for the service area described in this subdivision (c)(3).

(b) A hospice agency exempted from the permit of approval requirement under subdivision (c)(3)(B)(ii)(a) of this section is not exempt from the requirement of a permit of approval to serve any other area of the state.

(C) For purposes of this subdivision (c)(3), "border city" means a city with a population greater than twenty thousand (20,000) in a county that does not have a hospital, the city limit of which:

(i) Borders a state line; or

(ii) Adjoins another state by bordering a navigable river that adjoins the state line.

(D) The department may adopt rules necessary to establish hospice licensure for the limited purpose created in this subdivision (c)(3)."

/s/ Larry Cowling

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Maxwell, **HOUSE BILL NO. 1925** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1925

Amend **HOUSE BILL NO. 1925** as originally introduced:

Delete all language following the enacting clause and substitute:

“SECTION 1. Arkansas Code § 23-112-313(b)(3)(B)(iii), regarding warranty agreements, is amended to read as follows:

(iii) ~~No~~ A claim shall not be disapproved because of a clerical error or lack of preapproval or prior approval which does not render the amount of the claim incorrect.

SECTION 2. Arkansas Code § 23-112-403(a), regarding manufacturers, distributors, second-stage manufacturers, importers, or converters, is amended to add an additional subdivision to read as follows:

(5) For a manufacturer, distributor, wholesaler, distributor branch or division, a factory branch or division, or a wholesale branch or division to recover any costs from a motor vehicle dealer for compliance with this chapter.”

/s/ Allen Maxwell

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Maxwell, **HOUSE BILL NO. 1560** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1560

Amend **HOUSE BILL NO. 1560** as originally introduced:

Add Representatives Maxwell, Lowery, J. Roebuck, Stewart, M. Burris, Moore, Reep, Powers, L. Cowling, Harrelson, Cheatham, G. Smith, Rainey, Pierce, Saunders, Sample, Hardy, Cole, Maloch, Reynolds, Abernathy, T. Bradford, Shelby, Word as cosponsors of the bill

And

Add Senators P. Malone, J. Jeffress, G. Jeffress, Horn, Hendren, Broadway, T. Smith, Teague, J. Taylor, H. Wilkins as cosponsors of the bill

/s/ Allen Maxwell

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Lea, **HOUSE BILL NO. 1999** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1999

Amend **HOUSE BILL NO. 1999** as originally introduced:

Page 2, delete lines 9 and 10 and substitute the following language:

"(c) Certified personnel may earn the twelve (12) hours of professional development credit required under subsection (a) of this section through online professional development credit approved by the Department of Education and related to the:

(1) School district's Arkansas Comprehensive School Improvement

Plan; or

(2) Teacher's professional growth plan."

AND

Page 2, line 11 delete "catastrophic"

/s/ Andrea Lea

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Lowery, **HOUSE BILL NO. 2003** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 2003

Amend **HOUSE BILL NO. 2003** as engrossed,

H3/24/09 (version: 03-24-2009 10:09):

Page 2, delete lines 17 through 20 and substitute the following:

"(B) The written notification to the superintendent shall include a reasonable description of the location of the residence, including a street address if available, and other information that enables the school district to determine that the student is a resident of the school district."

AND

Page 3, delete lines 18 through 29 and substitute the following:

" (C)(i) The decision of the department hearing officer may be appealed by either school district to the circuit court of the county where the school district that is appealing the decision is located.

(ii) The circuit court shall affirm the decision of the department hearing officer if it is supported by substantial evidence."

/s/ John Lowery

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw

Chief Clerk

The House gave Representative English unanimous leave to withdraw **HOUSE BILL NO. 1890**.

The House gave Representative Ragland unanimous leave to withdraw **HOUSE BILL NO. 1278**. Recommended committee study by INSURANCE AND COMMERCE-House.

The House gave Representative Ragland unanimous leave to withdraw **HOUSE BILL NO. 1131**.

ENGROSSED BILL REPORTS

WILHELMINA LEWELLEN, CHAIRPERSON

March 25, 2009

The following bill(s) reported correctly engrossed:

HOUSE BILL NO. 1032 - TITLE - BY REPRESENTATIVE M. MARTIN
HOUSE BILL NO. 1079 BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1378 BY REPRESENTATIVE MAXWELL
HOUSE BILL NO. 1436 BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1560 - TITLE - BY REPRESENTATIVE MAXWELL
HOUSE BILL NO. 1561 - TITLE - BY REPRESENTATIVE MAXWELL
HOUSE BILL NO. 1773 BY REPRESENTATIVE WILLS
HOUSE BILL NO. 1830 BY REPRESENTATIVE B. WILKINS
HOUSE BILL NO. 1861 BY REPRESENTATIVE ENGLISH
HOUSE BILL NO. 1925 BY REPRESENTATIVE MAXWELL
HOUSE BILL NO. 1930 BY REPRESENTATIVE ADCOCK
HOUSE BILL NO. 1943 BY REPRESENTATIVE B. WILKINS
HOUSE BILL NO. 1949 BY REPRESENTATIVE CARTER
HOUSE BILL NO. 1994 - TITLE - BY REPRESENTATIVE SAUNDERS
HOUSE BILL NO. 1998 - TITLE - BY REPRESENTATIVE L. COWLING
HOUSE BILL NO. 1999 BY REPRESENTATIVE LEA
HOUSE BILL NO. 2003 BY REPRESENTATIVE LOWERY
HOUSE BILL NO. 2026 - TITLE - BY REPRESENTATIVE LINDSEY
HOUSE BILL NO. 2086 - TITLE - BY REPRESENTATIVE B. WILKINS
HOUSE BILL NO. 2167 - TITLE - BY REPRESENTATIVE R. GREEN
HOUSE BILL NO. 2169 - TITLE - BY REPRESENTATIVE R. GREEN
HOUSE BILL NO. 2170 BY REPRESENTATIVE CARNINE
HOUSE BILL NO. 2195 BY REPRESENTATIVE PENNARTZ
HOUSE BILL NO. 2203 - TITLE - BY REPRESENTATIVE WILLIAMS
HOUSE BILL NO. 2217 BY REPRESENTATIVE FLOWERS
HOUSE BILL NO. 2227 - TITLE - BY REPRESENTATIVE PERRY
SENATE BILL NO. 109 BY JOINT BUDGET COMMITTEE

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 1032

BY: REPRESENTATIVE SAUNDERS

A BILL FOR AN ACT TO BE ENTITLED AN ACT CONCERNING THE REGULATION OF CHARITABLE BINGO AND RAFFLES; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 1560

BY: REPRESENTATIVES MAXWELL, LOWERY, J. ROEBUCK, STEWART, M. BURRIS, MOORE, REEP, POWERS, L. COWLING, HARRELSON, CHEATHAM, G. SMITH, RAINEY, PIERCE, SAUNDERS, SAMPLE, HARDY, COLE, MALOCH, REYNOLDS, ABERNATHY, T. BRADFORD, SHELBY, WORD

BY: SENATORS P. MALONE, J. JEFFRESS, G. JEFFRESS, HORN, HENDREN, BROADWAY, T. SMITH, TEAGUE, J. TAYLOR, H. WILKINS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS GEOLOGICAL SURVEY – ARKANSAS LIGNITE RESOURCES PILOT PROGRAM FOR RESEARCH AND COMMERCIAL TESTING OF ARKANSAS' LIGNITE RESOURCES; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 1561

BY: REPRESENTATIVES MAXWELL, *REEP*, *CHEATHAM*, *MOORE*
BY: SENATORS *J. JEFFRESS*, *G. JEFFRESS*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE UNIVERSITY OF ARKANSAS AT MONTICELLO FOR PLANNING, RENOVATING, CONSTRUCTING, EQUIPPING AND FURNISHING A FOREST RESOURCES COMPLEX AND RELATED INFRASTRUCTURE; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 1994

BY: REPRESENTATIVE SAUNDERS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AUTHORIZE A BOATING ENDORSEMENT FOR A DRIVER'S *LICENSE AND IDENTIFICATION CARD*; TO PROVIDE FUNDING TO COUNTY SHERIFFS FOR OPERATION COSTS ASSOCIATED WITH MARINE *PATROL* PROGRAMS; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 1998

BY: REPRESENTATIVE L. COWLING

A BILL FOR AN ACT TO BE ENTITLED *AN ACT TO EXEMPT BORDER CITY HOSPICES FROM THE REQUIREMENT OF A PERMIT OF APPROVAL; TO AUTHORIZE HOSPICE LICENSURE WITHOUT A PERMIT OF APPROVAL TO SERVE BORDER CITY HOSPICE PATIENTS; AND FOR OTHER PURPOSES.*

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2026

BY: REPRESENTATIVE LINDSEY

BY: *SENATOR MADISON*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND THE ACADEMIC FACILITIES EXTRAORDINARY CIRCUMSTANCES PROGRAM FOR PUBLIC SCHOOL DISTRICTS; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2086

BY: REPRESENTATIVE B. WILKINS

A BILL FOR AN ACT TO BE ENTITLED *AN ACT TO AMEND THE CRIME OF FINANICAL IDENTITY FRAUD; AND FOR OTHER PURPOSES.*

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2167

BY: REPRESENTATIVE R. GREEN

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AID THE ENFORCEMENT OF THE ARKANSAS TITLE INSURANCE ACT, § 23-103-401 ET SEQ.; TO PLACE TITLE INSURANCE INFORMATION UPON AN INSTRUMENT SUBMITTED FOR RECORDING; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2169

BY: REPRESENTATIVE R. GREEN

BY: *SENATOR R. THOMPSON*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND THE ARKANSAS TITLE INSURANCE ACT, § 23-103-401 ET SEQ.; TO AMEND THE LAWS AFFECTING TITLE INSURANCE AGENTS AND COMPANIES; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2203

BY: REPRESENTATIVES WILLIAMS, *ADCOCK, ALLEN, T. BAKER, BLOUNT, CARROLL, J. EDWARDS, HARDY, KERR, LEA, W. LEWELLEN, MOORE, NICKELS, RAINEY, TYLER, WOODS*

BY: *SENATORS CRUMBLY, STEELE*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CREATE THE REFUND ANTICIPATION LOAN ACT; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2227

BY: REPRESENTATIVE PERRY

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ALLOW THE CREATION OF A NEW SCHOOL *DISTRICT BY WRITTEN RESOLUTION OF THE BOARD OF DIRECTORS OF AN EXISTING SCHOOL DISTRICT FROM WHICH TERRITORY WILL BE DETACHED TO CREATE THE NEW SCHOOL DISTRICT SUBMITTED TO THE STATE BOARD OF EDUCATION IF NO PETITION IN OPPOSITION IS FILED WITH THE STATE BOARD OF EDUCATION; AND FOR OTHER PURPOSES.*

STATE OF ARKANSAS
ARKANSAS SENATE

GENERAL ASSEMBLY
LITTLE ROCK, ARKANSAS 72201

Ann Cornwell
Secretary of the Senate
Coordinator of Legislative Services
Phone: 501-682-5951
E-mail: annc@arkleg.state.ar.us

State Capitol, Room 320
Little Rock, Arkansas 72201

March 24, 2009

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

Dear Ms. Renshaw:

The Senate respectfully requests the return to the Senate, of **SENATE BILL NO. 138**.

Respectfully submitted,

/s/ Ann Cornwell
Secretary of the Senate

Without objection the House returned **SENATE BILL NO. 138** back to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 1015

BY: REPRESENTATIVE BREEDLOVE

COMMENDING ASHLEY HOYT ON HER SELECTION AS ONE OF THE TOP VOLUNTEERS IN ARKANSAS FOR 2009 IN THE FOURTEENTH ANNUAL PRUDENTIAL SPIRIT OF COMMUNITY AWARD.

THE RESOLUTION WAS ADOPTED UNANIMOUSLY.

SENATE CONCURRENT RESOLUTION NO. 13

BY: SENATOR: WHITAKER

Was read the third time and placed on final passage, the question being shall the Resolution be adopted.

State of Arkansas
87th General Assembly
Regular Session 2009

SCR 13

By: Senator Whitaker

SENATE CONCURRENT RESOLUTION

TO PROVIDE FOR RECESS OF THE EIGHTY-SEVENTH
GENERAL ASSEMBLY AT THE CLOSE OF BUSINESS ON
APRIL 9, 2009; TO PROVIDE FOR AN EXTENSION OF THE
REGULAR SESSION OF THE EIGHTY-SEVENTH GENERAL 1
ASSEMBLY UNTIL 12:00 NOON, MAY 1, 2009; TO
AUTHORIZE THE PRESIDENT PRO TEMPORE OF THE SENATE
AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES,
BY JOINT PROCLAMATION, TO RECONVENE THE GENERAL
ASSEMBLY AT ANY TIME BEFORE 12:00 NOON, MAY 1,
2009, FOR THE PURPOSE OF CONSIDERING VETOES,
CORRECTING ERRORS OR OVERSIGHTS, COMPLETING ITS
WORK ON PROPOSED CONSTITUTIONAL AMENDMENTS,
CONSIDERING ANY ISSUES THAT MAY ARISE FROM THE
PASSAGE OF THE FEDERAL STIMULUS PACKAGE, AND
CONSIDERING THE NEED FOR FURTHER EXTENSION OF THE
REGULAR SESSION OR TO ADJOURN THE EIGHTY-SEVENTH
GENERAL ASSEMBLY AT ANY TIME BEFORE THAT DATE IF
THEY DETERMINE THAT THERE IS NO NEED TO
RECONVENE; TO PROVIDE THAT IF THE GENERAL
ASSEMBLY IS NOT RECONVENED OR ADJOURNED BEFORE
12:00 NOON, MAY 1, 2009, THE REGULAR SESSION OF
THE EIGHTY-SEVENTH GENERAL ASSEMBLY IS ADJOURNED
SINE DIE ON THAT DATE.

Subtitle

TO PROVIDE FOR AN EXTENSION OF THE
REGULAR SESSION OF THE EIGHTY-SEVENTH
GENERAL ASSEMBLY AND TO PROVIDE FOR A
RECESS OF THE GENERAL ASSEMBLY.

BE IT RESOLVED BY THE SENATE OF THE EIGHTY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ARKANSAS, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

- (a) That the Regular Session of the Eighty-Seventh General Assembly of the State of Arkansas is extended until 12:00 noon, May 1, 2009;
- (b) That under Arkansas Constitution, Article 6, § 15, prior to adjournment of the General Assembly, the Governor is afforded five days after receipt of a bill to sign a bill or veto a bill, therefore from April 9, 2009 to May 1, 2009, the House Representatives and the Senate shall be open so that the office of the Chief Clerk of the House of Representatives and the office of the Secretary of the Senate may receive communications, vetoes of bills by the Governor, and notification of errors and oversights;
- (c) That the Regular Session of the Eighty-Seventh General Assembly of the State of Arkansas shall enter into recess simultaneously at the close of business in each chamber on April 9, 2009, or at such earlier time as may be agreed upon by the House of Representatives and the Senate;
- (d) That the Speaker of the House of Representatives and the President Pro Tempore of the Senate may, by joint proclamation:
 - (1) Reconvene the General Assembly at any time before 12:00 noon, May 1, 2009, for the purpose of:
 - (A) Considering vetoes;
 - (B) Correcting errors and oversights;
 - (C) Completing its work on proposed constitutional amendments;
 - (D) Considering any issues that may arise from the passage of the federal stimulus package; and
 - (E) Considering the need for further extension of the Regular Session of the Eighty-Seventh General Assembly; or
 - (2) Adjourn the Regular Session of the Eighty-Seventh General Assembly at any time before 12:00 noon, May 1, 2009, if they determine it is not necessary to reconvene; and

(e) That if the General Assembly is not reconvened or adjourned before 12:00 noon, May 1, 2009, the Regular Session of the Eighty-Seventh General Assembly is adjourned sine die on that date.

The vote was as follows:

AFFIRMATIVE: Abernathy, Adcock, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Carter, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, King, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, T. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, Mr. Speaker.

Total	98
NEGATIVE: Lea, Summers.	
Total	2
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	100
Total number voting in the affirmative	98
Necessary to the adoption of the resolution	75

So the Resolution was adopted.

Morning Hour Expired.

Representative L. Smith moved that the House concur in the following Senate Amendment.

ARKANSAS SENATE

AMENDMENT NO. 1 TO HOUSE BILL NO. 1552

Amend HOUSE BILL NO. 1552 as engrossed,

H3/4/09 (version: 03-04-2009 09:31):

Page 2, delete line 3 and substitute the following:

"to do so would create an undue hardship on the operations of the employer.

(d) The employee shall make reasonable efforts to minimize disruption to the employer's operations."

/s/ Sue Madison

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Abernathy, Adcock, Allen, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dunn, J. Edwards, Everett, Flowers, Gaskill, George, R. Green, Greenberg, Hall, Hardy, Harrelson, Hawkins, Hobbs, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kidd, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, M. Martin, Maxwell, McCrary, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Powers, Pyle, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, T. Rogers, Sample, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, Williams, Woods, Word, Mr. Speaker.

Total85

NEGATIVE: English, Glidewell, Hopper, Kerr, S. Malone.

Total5

ABSENT OR NOT VOTING: Baird, Carter, Dismang, Garner, King, McLean, Pierce, Ragland, Saunders, B. Wilkins.

Total10

VOTING PRESENT:

Total0

Total number of votes cast.....90

Total number voting in the affirmative85

Necessary to concur in the amendment.....51

So the Amendment was concurred in.

/s/ Ms. Jo Renshaw
Chief Clerk

HOUSE BILL NO. 1860

BY: REPRESENTATIVE SAMPLE

Was read the third time and placed on final passage, the question being shall the Bill pass. The vote was as follows:

AFFIRMATIVE: Abernathy, Adcock, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carter, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardy, Harrelson, Hawkins, Hobbs, Hopper, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, King, Lea, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, T. Rogers, Sample, Saunders, Slinkard, G. Smith, Stewart, Summers, Wagner, Wells, B. Wilkins, Woods, Word.

Total89

NEGATIVE: Carroll, House, Shelby, L. Smith, Webb.

Total5

ABSENT OR NOT VOTING: Allen, W. Lewellen, Rainey, Tyler, Williams, Mr. Speaker.

Total6

VOTING PRESENT:

Total0

Total number of votes cast94

Total number voting in the affirmative.....89

Necessary to the passage of the bill.....51

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

Upon motion of Representative Sample the Clincher motion prevailed.

HOUSE BILL NO. 2147

BY: REPRESENTATIVE LOVELL

Was read the third time and placed on final passage, the question being shall the Bill pass and shall the Emergency Clause be adopted. The vote was as follows:

AFFIRMATIVE: Abernathy, Baird, T. Baker, Blount, T. Bradford, Breedlove, J. Brown, M. Burris, Carnine, Carroll, Cash, Cheatham, Clemmer, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, Everett, Flowers, Garner, Gaskill, George, Glidewell, Greenberg, Hall, Harrelson, Hopper, House, Hoyt, Ingram, Kidd, W. Lewellen, Lindsey, Lovell, Lowery, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Powers, Ragland, Rainey, Reep, Rice, J. Roebuck, J. Rogers, T. Rogers, Sample, Saunders, Shelby, L. Smith, Stewart, Tyler, Webb, Wells, B. Wilkins, Williams, Woods, Word, Mr. Speaker.

Total73

NEGATIVE: Barnett, Betts, J. Burris, Cook, English, R. Green, Hardy, Hobbs, D. Hutchinson, Kerr, Lea, S. Malone, Pierce, Pyle, Slinkard, G. Smith, Summers, Wagner.

Total18

ABSENT OR NOT VOTING: Adcock, Allen, Carter, Cole, Hawkins, Hyde, King, Maloch, Reynolds.

Total9

VOTING PRESENT:

Total0

Total number of votes cast.....91

Total number voting in the affirmative73

Necessary to the passage of the bill51

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

Upon motion of Representative Lovell the Clincher motion prevailed.

There being an Emergency Clause attached to **HOUSE BILL NO. 2147**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: Abernathy, Baird, T. Baker, Blount, T. Bradford, Breedlove, J. Brown, M. Burris, Carnine, Carroll, Cash, Cheatham, Clemmer, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, Everett, Flowers, Garner, Gaskill, George, Glidewell, Greenberg, Hall, Harrelson, Hopper, House, Hoyt, Ingram, Kidd, W. Lewellen, Lindsey, Lovell, Lowery, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Powers, Ragland, Rainey, Reep, Rice, J. Roebuck, J. Rogers, T. Rogers, Sample, Saunders, Shelby, L. Smith, Stewart, Tyler, Webb, Wells, B. Wilkins, Williams, Woods, Word, Mr. Speaker.

Total73

NEGATIVE: Barnett, Betts, J. Burris, Cook, English, R. Green, Hardy, Hobbs, D. Hutchinson, Kerr, Lea, S. Malone, Pierce, Pyle, Slinkard, G. Smith, Summers, Wagner.

Total18

ABSENT OR NOT VOTING: Adcock, Allen, Carter, Cole, Hawkins, Hyde, King, Maloch, Reynolds.

Total9

VOTING PRESENT:

Total0

Total number of votes cast91

Total number voting in the affirmative73

Necessary to the adoption of the emergency clause.....67

So the Emergency Clause was adopted.

Upon motion of Representative Lovell the Clincher motion prevailed.

HOUSE BILL NO. 1966

BY: REPRESENTATIVE CHEATHAM

Was read the third time and placed on final passage, the question being shall the Bill pass. The vote was as follows:

AFFIRMATIVE: Abernathy, Adcock, Allen, Baird, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Carter, Cash, Cheatham, Clemmer, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, T. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, Stewart, Tyler, Wagner, Wells, B. Wilkins, Woods, Word.

Total92

NEGATIVE: L. Smith, Summers.

Total2

ABSENT OR NOT VOTING: T. Baker, Cole, J. Rogers, Webb, Williams, Mr. Speaker.

Total6

VOTING PRESENT:

Total0

Total number of votes cast94

Total number voting in the affirmative92

Necessary to the passage of the bill.....51

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

HOUSE BILL NO. 1603

BY: REPRESENTATIVE SHELBY

Was read the third time and placed on final passage, the question being shall the Bill pass. The vote was as follows:

AFFIRMATIVE: Abernathy, Adcock, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Cash, Cheatham, Clemmer, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lowery, Maloch, S. Malone, M. Martin, McCrary, McLean, Moore, Nickels, Nix, Overbey, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, T. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Woods, Word, Mr. Speaker.

Total93

NEGATIVE: Maxwell, Patterson.

Total2

ABSENT OR NOT VOTING: Carter, Cole, Lovell, J. Rogers, Williams.

Total5

VOTING PRESENT:

Total0

Total number of votes cast95

Total number voting in the affirmative.....93

Necessary to the passage of the bill.....51

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

HOUSE BILL NO. 1997

BY: REPRESENTATIVE HALL

Was read the third time and placed on final passage, the question being shall the Bill pass. The vote was as follows:

AFFIRMATIVE: Abernathy, Adcock, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Carter, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, T. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word.

Total97

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Pyle, J. Rogers, Mr. Speaker.

Total3

VOTING PRESENT:

Total0

Total number of votes cast97

Total number voting in the affirmative97

Necessary to the passage of the bill.....51

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

Representative Davenport moved that the House pass over **HOUSE BILL NO. 2045** and leave it on the Calendar. Motion carried.

Representative Betts moved to re-refer **HOUSE BILL NO. 2101** back to the Committee on EDUCATION. Motion carried.

Representative Hawkins moved to pass over **HOUSE BILL NO. 1918** and leave it on the Calendar. Motion carried.

HOUSE BILL NO. 1852

BY: REPRESENTATIVE BREEDLOVE

Was read the third time and placed on final passage, the question being shall the Bill pass. The vote was as follows:

AFFIRMATIVE: Abernathy, Adcock, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Carter, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, King, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, T. Rogers, Sample, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, Mr. Speaker.

Total97

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Lea, Saunders.

Total2

VOTING PRESENT: Flowers.

Total1

Total number of votes cast98

Total number voting in the affirmative97

Necessary to the passage of the bill.....51

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

HOUSE BILL NO. 1894

BY: REPRESENTATIVE BLOUNT

Was read the third time and placed on final passage, the question being shall the Bill pass. The vote was as follows:

AFFIRMATIVE: Allen, T. Baker, Betts, Blount, T. Bradford, Breedlove, J. Brown, M. Burris, Carroll, Cash, Cheatham, Cole, Cook, Cooper, Davenport, Davis, Dunn, J. Edwards, Everett, Flowers, Gaskill, Hall, Hardy, Harrelson, Hawkins, House, Hoyt, Ingram, Kidd, W. Lewellen, Lindsey, Lowery, Maloch, McCrary, Moore, Nickels, Nix, Overbey, Pennartz, Powers, Rainey, Reep, J. Roebuck, T. Rogers, Saunders, Shelby, G. Smith, L. Smith, Stewart, Tyler, Wagner, Webb, Williams, Woods, Word, Mr. Speaker.

Total56

NEGATIVE: Adcock, Baird, Barnett, J. Burris, Carnine, Carter, Clemmer, L. Cowling, D. Creekmore, Dale, Dismang, English, Garner, Glidewell, R. Green, Greenberg, Hobbs, Hopper, Hyde, Kerr, King, Lovell, S. Malone, M. Martin, Maxwell, Patterson, Perry, Pierce, Pyle, Ragland, Rice, J. Rogers, Sample, Slinkard, Summers, B. Wilkins.

Total36

ABSENT OR NOT VOTING: Abernathy, J. Dickinson, George, D. Hutchinson, Lea, McLean, Reynolds, Wells.

Total8

VOTING PRESENT:

Total0

Total number of votes cast92

Total number voting in the affirmative.....56

Necessary to the passage of the bill.....51

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

Upon motion of Representative Blount the Clincher motion prevailed.

SENATE BILL NO. 780

BY: SENATOR B. PRITCHARD

Was read the third time and placed on final passage, the question being shall the Bill pass. The vote was as follows:

AFFIRMATIVE: Abernathy, Adcock, Allen, Baird, T. Baker, Barnett, Betts, Blount, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Carter, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Wells, B. Wilkins, Woods, Word, Mr. Speaker.

Total	91
NEGATIVE: Hardy.	
Total	1
ABSENT OR NOT VOTING: T. Bradford, Hall, Nix, Rainey, T. Rogers, Webb.	
Total	6
VOTING PRESENT: Flowers, Williams.	
Total	2
Total number of votes cast.....	94
Total number voting in the affirmative	91
Necessary to the passage of the bill	51

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

SENATE BILL NO. 353

BY: SENATOR FARIS

Was read the third time and placed on final passage, the question being shall the Bill pass. The vote was as follows:

AFFIRMATIVE: Abernathy, Adcock, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Carter, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, Maxwell, McCrary, McLean, Moore, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, T. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, Mr. Speaker.

Total97

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Hardy, M. Martin, Nix.

Total3

VOTING PRESENT:

Total0

Total number of votes cast97

Total number voting in the affirmative97

Necessary to the passage of the bill67

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

SENATE BILL NO. 836

BY: SENATOR B. PRITCHARD

Was read the third time and placed on final passage, the question being shall the Bill pass. The vote was as follows:

AFFIRMATIVE: Abernathy, Adcock, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Carter, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Harrelson, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, T. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, Mr. Speaker.

Total	97
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Hardy, Hawkins, Nix.	
Total	3
VOTING PRESENT:	
Total	0
Total number of votes cast.....	97
Total number voting in the affirmative	97
Necessary to the passage of the bill	51

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

SENATE BILL NO. 810

BY: SENATOR HORN

Was read the third time and placed on final passage, the question being shall the Bill pass. The vote was as follows:

AFFIRMATIVE: Abernathy, Adcock, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Carter, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, T. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, Mr. Speaker.

Total96

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Dale, Everett, Hardy, Nix.

Total4

VOTING PRESENT:

Total0

Total number of votes cast.....96

Total number voting in the affirmative96

Necessary to the passage of the bill51

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

SENATE BILL NO. 961

BY: SENATOR BLEDSOE

Was read the third time and placed on final passage, the question being shall the Bill pass. The vote was as follows:

AFFIRMATIVE: Abernathy, Adcock, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, T. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, Stewart, Summers, Tyler, Wagner, Wells, Williams, Woods, Word, Mr. Speaker.

Total96

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Carter, L. Smith, Webb, B. Wilkins.

Total4

VOTING PRESENT:

Total0

Total number of votes cast.....96

Total number voting in the affirmative96

Necessary to the passage of the bill51

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

SENATE BILL NO. 878

BY: SENATOR G. JEFFRESS

Was read the third time and placed on final passage, the question being shall the Bill pass. The vote was as follows:

AFFIRMATIVE: Abernathy, Adcock, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Carter, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, Hyde, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, T. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, Mr. Speaker.

Total98

NEGATIVE:

Total0

ABSENT OR NOT VOTING: D. Hutchinson, Maxwell.

Total2

VOTING PRESENT:

Total0

Total number of votes cast98

Total number voting in the affirmative98

Necessary to the passage of the bill51

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

SENATE BILL NO. 493

BY: SENATOR D. JOHNSON

Was read the third time and placed on final passage, the question being shall the Bill pass. The vote was as follows:

AFFIRMATIVE: Abernathy, Adcock, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Carter, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardy, Harrelson, Hawkins, Hopper, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, T. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, Mr. Speaker.

Total	98
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Hobbs, Maxwell.	
Total	2
VOTING PRESENT:	
Total	0
Total number of votes cast.....	98
Total number voting in the affirmative	98
Necessary to the passage of the bill	51

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

SENATE BILL NO. 494

BY: SENATOR D. JOHNSON

Was read the third time and placed on final passage, the question being shall the Bill pass. The vote was as follows:

AFFIRMATIVE: Abernathy, Adcock, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Carter, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, T. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, Mr. Speaker.

Total100

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast100

Total number voting in the affirmative100

Necessary to the passage of the bill51

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

SENATE BILL NO. 3

BY: SENATOR J. KEY

Was read the third time and placed on final passage, the question being shall the Bill pass. The vote was as follows:

AFFIRMATIVE: Abernathy, Adcock, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Carter, Cash, Cheatham, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, T. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, Mr. Speaker.

Total97

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Clemmer, Hyde, Maxwell.

Total3

VOTING PRESENT:

Total0

Total number of votes cast.....97

Total number voting in the affirmative97

Necessary to the passage of the bill51

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

SENATE BILL NO. 841

BY: SENATOR G. BAKER

Was read the third time and placed on final passage, the question being shall the Bill pass. The vote was as follows:

AFFIRMATIVE: Abernathy, Adcock, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Carter, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, T. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word.

Total99

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Mr. Speaker.

Total1

VOTING PRESENT:

Total0

Total number of votes cast99

Total number voting in the affirmative99

Necessary to the passage of the bill51

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

Upon motion of Representative Maloch, **HOUSE BILL NO. 1079** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1079

Amend **HOUSE BILL NO. 1079** as originally introduced:

Page 3, line 1 delete the underline

AND

Page 3, delete line 2 in its entirety and substitute the following:

"(06) IMPAIRED PHARMACIST PROGRAM	<u>50,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 1,364,555</u>

AND

Insert the following SECTIONS immediately following SECTION 3, to read as follows:

“ SECTION 4. APPROPRIATION – PHARMACY STUDENT LOANS. There is hereby appropriated, to the State Board of Pharmacy, to be payable from the cash funds in the State Treasury as determined by the Chief Fiscal Officer of the State, for transfer by warrant to the cash fund as defined by Arkansas Code 19-4-801 of the University of Arkansas for Medical Sciences – College of Pharmacy, for the fiscal year ending June 30, 2010, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2009-2010</u>
(01) PHARMACY STUDENT LOANS	<u>\$ 550,000</u>

SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER BY WARRANT. Immediately upon the effective date of this Act, the Chief Fiscal Officer of the State shall cause a transfer by warrant the sum of five hundred thousand dollars (\$500,000) from the balance of cash funds deposited in the State Treasury for the State Board of Pharmacy, to the cash fund as defined by Arkansas Code 19-4-801 of the University of Arkansas for Medical Sciences, there to be used for the sole purpose of providing funding for the CASH FUND – PHARMACY STUDENT LOANS appropriation that provides loans to pharmacy students by the University of Arkansas for Medical Sciences – College of Pharmacy. If, during the 2009-2010 fiscal year, the need arises for additional funding for student loans and additional funds become available, the Director of the State Board of Pharmacy may request the Chief Fiscal Officer of the State to cause a transfer by warrant up to fifty thousand dollars (\$50,000) from the balance of cash

funds deposited in the State Treasury for the State Board of Pharmacy to the cash fund as defined by the Arkansas Code 19-4-801 of the University of Arkansas for Medical Sciences, there to be used for the sole purpose of providing student loans to pharmacy students.

The provisions of this section shall be in effect only from July 1, 2009 through June 30, 2010.”

AND appropriately renumber the subsequent sections of the bill.

/s/ Bruce Maloch

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Maloch, **HOUSE BILL NO. 1436** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 3 TO HOUSE BILL NO. 1436

Amend **HOUSE BILL NO. 1436** as engrossed,

H2/26/09 (version: 02-26-2009 08:49):

Immediately following Section 7, insert the following new section:

" SECTION 8. APPROPRIATION - VICTIM ASSISTANCE ACADEMY PROGRAM. There is hereby appropriated, to the Department of Community Correction, to be payable from the General Improvement Fund or its successor fund or fund accounts, for regular salaries, personal services matching, extra help, maintenance, operation and related expenses of the Department of Community Correction - Victim Assistance Academy Program for the fiscal year ending June 30, 2010 the following:

ITEM	FISCAL YEAR
NO.	2009-2010

hundred fifteen thousand dollars (\$115,000) in fees received by the board shall be remitted in one (1) payment by the board to the Treasurer of State for the Department of Human Services — Division of Medical Services and deposited into a paying account as determined by the Chief Fiscal Officer of the State to be used in accordance with § 20-10-705.

(B) The funds remaining after the distribution in subdivision (b)(1)(A) of this section for the fiscal year ending June 30, 2007, and funds each July 1 thereafter received by the board in an amount not to exceed six hundred thousand dollars (\$600,000) each fiscal year shall be remitted by the board to the University of Arkansas for Medical Sciences for deposit into a financial institution in accordance with the policies of the University of Arkansas. The funds shall be expended for the College of Pharmacy and the College of Nursing in accordance with § 6-64-417.

(C) The funds remaining after the distributions in subdivisions (b)(1)(A) and (B) of this section for the fiscal year ending June 30, 2007, and funds received by the board each July 1 thereafter in an amount not to exceed two hundred fifty thousand dollars (\$250,000) each fiscal year shall be remitted by the board to Arkansas State University — Mountain Home for deposit into the Arkansas State University — Mountain Home Fund. The funds shall be expended exclusively for the Arkansas State University — Mountain Home Practical Nurse Program.

(D) The funds remaining after the distributions in subdivisions (b)(1)(A)-(C) of this section for the fiscal year ending June 30, 2009, and funds received by the board each July 1 thereafter in an amount not to exceed one hundred thousand dollars (\$100,000) each fiscal year shall be remitted by the board to the University of Central Arkansas for deposit into the University of Central Arkansas Fund. The funds shall be expended exclusively for the University of Central Arkansas Department of Nursing.

~~(D)~~(E) Funds remaining after the distributions in subdivisions (b)(1)(A)-(C)~~(D)~~ of this section shall be deposited to the State Board of Collection Agencies account in some bank authorized to do business in this state."

AND

Appropriately renumber the remaining sections of the bill.

/s/ Bruce Maloch

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw

Chief Clerk

Representative Maloch moved that the House concur in the following Senate Amendment.

ARKANSAS SENATE

AMENDMENT NO. 1 TO HOUSE BILL NO. 1531

Amend **HOUSE BILL NO. 1531** as originally introduced:

Page 2, delete line 29 in its entirety and substitute the following:

"(20) Assistant Registrar	1	GRADE 115
(21) Computer Support Technician	1	GRADE 115"

AND

Page 2, delete line 35 in its entirety

AND

Page 4, line 11 delete "C115" and substitute "C114"

AND

Page 5, line 4 delete "Financial Aid Analyst" and substitute "Financial Aid Specialist"

AND

Appropriately renumber item numbers in Section 1.

/s/ Gilbert Baker

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Abernathy, Adcock, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Carter, Cash, Cheatham, Clemmer, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, Mr. Speaker.

Total95

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Cole, Hardy, Nickels, J. Rogers.

Total4

VOTING PRESENT: T. Rogers.

Total1

Total number of votes cast96

Total number voting in the affirmative95

Necessary to concur in the amendment.....51

So the Amendment was concurred in.

/s/ Ms. Jo Renshaw
Chief Clerk

Representative Maloch moved that the House pass over **HOUSE BILL NO. 1220** and leave it on the Calendar. Motion carried.

SENATE BILL NO. 93

BY: JOINT BUDGET COMMITTEE

Was read the third time and placed on final passage, the question being shall the Bill pass and shall the Emergency Clause be adopted. The vote was as follows:

AFFIRMATIVE: Abernathy, Adcock, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Cash, Cheatham, Clemmer, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, Mr. Speaker.

Total	93
NEGATIVE: Carroll.	
Total	1
ABSENT OR NOT VOTING: Carter, Cole, Hall, Nickels, Ragland, T. Rogers.	
Total	6
VOTING PRESENT:	
Total	0
Total number of votes cast.....	94
Total number voting in the affirmative	93
Necessary to the passage of the bill	75

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

There being an Emergency Clause attached to **SENATE BILL NO. 93**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: Abernathy, Adcock, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Cash, Cheatham, Clemmer, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, Mr. Speaker.

Total93

NEGATIVE: Carroll.

Total1

ABSENT OR NOT VOTING: Carter, Cole, Hall, Nickels, Ragland, T. Rogers.

Total6

VOTING PRESENT:

Total0

Total number of votes cast94

Total number voting in the affirmative93

Necessary to the adoption of the emergency clause.....67

So the Emergency Clause was adopted.

HOUSE BILL NO. 1305

BY: JOINT BUDGET COMMITTEE

Was read the third time and placed on final passage, the question being shall the Bill pass and shall the Emergency Clause be adopted. The vote was as follows:

AFFIRMATIVE: Abernathy, Adcock, Allen, Baird, T. Baker, Barnett, Betts, Blount, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, Mr. Speaker.

Total95

NEGATIVE:

Total0

ABSENT OR NOT VOTING: T. Bradford, Carter, Hall, Ragland, T. Rogers.

Total5

VOTING PRESENT:

Total0

Total number of votes cast.....95

Total number voting in the affirmative95

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1305**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: Abernathy, Adcock, Allen, Baird, T. Baker, Barnett, Betts, Blount, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, Mr. Speaker.

Total95

NEGATIVE:

Total0

ABSENT OR NOT VOTING: T. Bradford, Carter, Hall, Ragland, T. Rogers.

Total5

VOTING PRESENT:

Total0

Total number of votes cast95

Total number voting in the affirmative95

Necessary to the adoption of the emergency clause.....67

So the Emergency Clause was adopted.

HOUSE BILL NO. 1654

BY: JOINT BUDGET COMMITTEE

Was read the third time and placed on final passage, the question being shall the Bill pass and shall the Emergency Clause be adopted. The vote was as follows:

AFFIRMATIVE: Abernathy, Adcock, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Carter, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, Hyde, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, McCrary, McLean, Moore, Nix, Overbey, Patterson, Pennartz, Perry, Powers, Pyle, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, T. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, Mr. Speaker.

Total95

NEGATIVE:

Total0

ABSENT OR NOT VOTING: D. Hutchinson, Maxwell, Nickels, Pierce, Ragland.

Total5

VOTING PRESENT:

Total0

Total number of votes cast.....95

Total number voting in the affirmative95

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1654**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: Abernathy, Adcock, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Carter, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, Hyde, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, McCrary, McLean, Moore, Nix, Overbey, Patterson, Pennartz, Perry, Powers, Pyle, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, T. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, Mr. Speaker.

Total95

NEGATIVE:

Total0

ABSENT OR NOT VOTING: D. Hutchinson, Maxwell, Nickels, Pierce, Ragland.

Total5

VOTING PRESENT:

Total0

Total number of votes cast95

Total number voting in the affirmative95

Necessary to the adoption of the emergency clause.....67

So the Emergency Clause was adopted.

HOUSE BILL NO. 1364

BY: REPRESENTATIVE M. BURRIS

Was read the third time and placed on final passage, the question being shall the Bill pass and shall the Emergency Clause be adopted. The vote was as follows:

AFFIRMATIVE: Abernathy, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Carter, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Pierce, Powers, Pyle, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, T. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, Mr. Speaker.

Total97

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Adcock, Perry, Ragland.

Total3

VOTING PRESENT:

Total0

Total number of votes cast.....97

Total number voting in the affirmative97

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1364**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: Abernathy, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Carter, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Pierce, Powers, Pyle, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, T. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, Mr. Speaker.

Total97

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Adcock, Perry, Ragland.

Total3

VOTING PRESENT:

Total0

Total number of votes cast97

Total number voting in the affirmative97

Necessary to the adoption of the emergency clause.....67

So the Emergency Clause was adopted.

HOUSE BILL NO. 1685

BY: REPRESENTATIVE REYNOLDS

Was read the third time and placed on final passage, the question being shall the Bill pass and shall the Emergency Clause be adopted. The vote was as follows:

AFFIRMATIVE: Abernathy, Adcock, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Carter, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Pierce, Powers, Pyle, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, T. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, Mr. Speaker.

Total	98
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Perry, Ragland.	
Total	2
VOTING PRESENT:	
Total	0
Total number of votes cast.....	98
Total number voting in the affirmative	98
Necessary to the passage of the bill	75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1685**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: Abernathy, Adcock, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Carter, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Pierce, Powers, Pyle, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, T. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, Mr. Speaker.

Total98

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Perry, Ragland.

Total2

VOTING PRESENT:

Total0

Total number of votes cast98

Total number voting in the affirmative98

Necessary to the adoption of the emergency clause.....67

So the Emergency Clause was adopted.

HOUSE BILL NO. 1919

BY: REPRESENTATIVE MALOCH

Was read the third time and placed on final passage, the question being shall the Bill pass and shall the Emergency Clause be adopted. The vote was as follows:

AFFIRMATIVE: Abernathy, Adcock, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Carter, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, Mr. Speaker.

Total	97
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Cash, King, T. Rogers.	
Total	3
VOTING PRESENT:	
Total	0
Total number of votes cast.....	97
Total number voting in the affirmative	97
Necessary to the passage of the bill	75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1919**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: Abernathy, Adcock, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Carter, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, Mr. Speaker.

Total97

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Cash, King, T. Rogers.

Total3

VOTING PRESENT:

Total0

Total number of votes cast97

Total number voting in the affirmative97

Necessary to the adoption of the emergency clause.....67

So the Emergency Clause was adopted.

SENATE BILL NO. 412

BY: JOINT BUDGET COMMITTEE

Was read the third time and placed on final passage, the question being shall the Bill pass and shall the Emergency Clause be adopted. The vote was as follows:

AFFIRMATIVE: Abernathy, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, Mr. Speaker.

Total	97
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Adcock, Carter, T. Rogers.	
Total	3
VOTING PRESENT:	
Total	0
Total number of votes cast.....	97
Total number voting in the affirmative	97
Necessary to the passage of the bill	75

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

There being an Emergency Clause attached to **SENATE BILL NO. 412**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: Abernathy, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, Mr. Speaker.

Total97

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Adcock, Carter, T. Rogers.

Total3

VOTING PRESENT:

Total0

Total number of votes cast97

Total number voting in the affirmative97

Necessary to the adoption of the emergency clause.....67

So the Emergency Clause was adopted.

SENATE BILL NO. 413

BY: JOINT BUDGET COMMITTEE

Was read the third time and placed on final passage, the question being shall the Bill pass and shall the Emergency Clause be adopted. The vote was as follows:

AFFIRMATIVE: Abernathy, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, Mr. Speaker.

Total	97
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Adcock, Carter, T. Rogers.	
Total	3
VOTING PRESENT:	
Total	0
Total number of votes cast.....	97
Total number voting in the affirmative	97
Necessary to the passage of the bill	75

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

There being an Emergency Clause attached to **SENATE BILL NO. 413**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: Abernathy, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, Mr. Speaker.

Total97

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Adcock, Carter, T. Rogers.

Total3

VOTING PRESENT:

Total0

Total number of votes cast97

Total number voting in the affirmative97

Necessary to the adoption of the emergency clause.....67

So the Emergency Clause was adopted.

SENATE BILL NO. 414

BY: JOINT BUDGET COMMITTEE

Was read the third time and placed on final passage, the question being shall the Bill pass and shall the Emergency Clause be adopted. The vote was as follows:

AFFIRMATIVE: Abernathy, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, Mr. Speaker.

Total	97
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Adcock, Carter, T. Rogers.	
Total	3
VOTING PRESENT:	
Total	0
Total number of votes cast.....	97
Total number voting in the affirmative	97
Necessary to the passage of the bill	75

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

There being an Emergency Clause attached to **SENATE BILL NO. 414**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: Abernathy, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, Mr. Speaker.

Total97

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Adcock, Carter, T. Rogers.

Total3

VOTING PRESENT:

Total0

Total number of votes cast97

Total number voting in the affirmative97

Necessary to the adoption of the emergency clause.....67

So the Emergency Clause was adopted.

SENATE BILL NO. 415

BY: JOINT BUDGET COMMITTEE

Was read the third time and placed on final passage, the question being shall the Bill pass and shall the Emergency Clause be adopted. The vote was as follows:

AFFIRMATIVE: Abernathy, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, Mr. Speaker.

Total	97
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Adcock, Carter, T. Rogers.	
Total	3
VOTING PRESENT:	
Total	0
Total number of votes cast.....	97
Total number voting in the affirmative	97
Necessary to the passage of the bill	75

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

There being an Emergency Clause attached to **SENATE BILL NO. 415**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: Abernathy, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, Mr. Speaker.

Total97

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Adcock, Carter, T. Rogers.

Total3

VOTING PRESENT:

Total0

Total number of votes cast97

Total number voting in the affirmative97

Necessary to the adoption of the emergency clause.....67

So the Emergency Clause was adopted.

SENATE BILL NO. 420

BY: JOINT BUDGET COMMITTEE

Was read the third time and placed on final passage, the question being shall the Bill pass and shall the Emergency Clause be adopted. The vote was as follows:

AFFIRMATIVE: Abernathy, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, Mr. Speaker.

Total	97
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Adcock, Carter, T. Rogers.	
Total	3
VOTING PRESENT:	
Total	0
Total number of votes cast.....	97
Total number voting in the affirmative	97
Necessary to the passage of the bill	75

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

There being an Emergency Clause attached to **SENATE BILL NO. 420**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: Abernathy, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, Mr. Speaker.

Total97

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Adcock, Carter, T. Rogers.

Total3

VOTING PRESENT:

Total0

Total number of votes cast97

Total number voting in the affirmative97

Necessary to the adoption of the emergency clause.....67

So the Emergency Clause was adopted.

SENATE BILL NO. 421

BY: JOINT BUDGET COMMITTEE

Was read the third time and placed on final passage, the question being shall the Bill pass and shall the Emergency Clause be adopted. The vote was as follows:

AFFIRMATIVE: Abernathy, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, Mr. Speaker.

Total	97
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Adcock, Carter, T. Rogers.	
Total	3
VOTING PRESENT:	
Total	0
Total number of votes cast.....	97
Total number voting in the affirmative	97
Necessary to the passage of the bill	75

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

There being an Emergency Clause attached to **SENATE BILL NO. 421**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: Abernathy, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, Mr. Speaker.

Total97

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Adcock, Carter, T. Rogers.

Total3

VOTING PRESENT:

Total0

Total number of votes cast97

Total number voting in the affirmative97

Necessary to the adoption of the emergency clause.....67

So the Emergency Clause was adopted.

SENATE BILL NO. 422

BY: JOINT BUDGET COMMITTEE

Was read the third time and placed on final passage, the question being shall the Bill pass and shall the Emergency Clause be adopted. The vote was as follows:

AFFIRMATIVE: Abernathy, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, Mr. Speaker.

Total	97
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Adcock, Carter, T. Rogers.	
Total	3
VOTING PRESENT:	
Total	0
Total number of votes cast.....	97
Total number voting in the affirmative	97
Necessary to the passage of the bill	75

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

There being an Emergency Clause attached to **SENATE BILL NO. 422**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: Abernathy, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, Mr. Speaker.

Total97

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Adcock, Carter, T. Rogers.

Total3

VOTING PRESENT:

Total0

Total number of votes cast97

Total number voting in the affirmative97

Necessary to the adoption of the emergency clause.....67

So the Emergency Clause was adopted.

SENATE BILL NO. 423

BY: JOINT BUDGET COMMITTEE

Was read the third time and placed on final passage, the question being shall the Bill pass and shall the Emergency Clause be adopted. The vote was as follows:

AFFIRMATIVE: Abernathy, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, Mr. Speaker.

Total	97
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Adcock, Carter, T. Rogers.	
Total	3
VOTING PRESENT:	
Total	0
Total number of votes cast.....	97
Total number voting in the affirmative	97
Necessary to the passage of the bill	75

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

There being an Emergency Clause attached to **SENATE BILL NO. 423**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: Abernathy, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, Mr. Speaker.

Total97

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Adcock, Carter, T. Rogers.

Total3

VOTING PRESENT:

Total0

Total number of votes cast97

Total number voting in the affirmative97

Necessary to the adoption of the emergency clause.....67

So the Emergency Clause was adopted.

SENATE BILL NO. 424

BY: JOINT BUDGET COMMITTEE

Was read the third time and placed on final passage, the question being shall the Bill pass and shall the Emergency Clause be adopted. The vote was as follows:

AFFIRMATIVE: Abernathy, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, Mr. Speaker.

Total	97
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Adcock, Carter, T. Rogers.	
Total	3
VOTING PRESENT:	
Total	0
Total number of votes cast.....	97
Total number voting in the affirmative	97
Necessary to the passage of the bill	75

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

There being an Emergency Clause attached to **SENATE BILL NO. 424**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: Abernathy, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, Mr. Speaker.

Total	97
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Adcock, Carter, T. Rogers.	
Total	3
VOTING PRESENT:	
Total	0
Total number of votes cast	97
Total number voting in the affirmative	97
Necessary to the adoption of the emergency clause.....	67

So the Emergency Clause was adopted.

SENATE BILL NO. 425

BY: JOINT BUDGET COMMITTEE

Was read the third time and placed on final passage, the question being shall the Bill pass and shall the Emergency Clause be adopted. The vote was as follows:

AFFIRMATIVE: Abernathy, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, Mr. Speaker.

Total	97
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Adcock, Carter, T. Rogers.	
Total	3
VOTING PRESENT:	
Total	0
Total number of votes cast.....	97
Total number voting in the affirmative	97
Necessary to the passage of the bill	75

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

There being an Emergency Clause attached to **SENATE BILL NO. 425**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: Abernathy, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, Mr. Speaker.

Total97

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Adcock, Carter, T. Rogers.

Total3

VOTING PRESENT:

Total0

Total number of votes cast97

Total number voting in the affirmative97

Necessary to the adoption of the emergency clause.....67

So the Emergency Clause was adopted.

HOUSE BILLS ORDERED TRANSMITTED TO THE SENATE AS PASSED

HOUSE BILL NO. 1305	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1364	BY REPRESENTATIVE M. BURRIS
HOUSE BILL NO. 1603	BY REPRESENTATIVE SHELBY
HOUSE BILL NO. 1654	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1685	BY REPRESENTATIVE REYNOLDS
HOUSE BILL NO. 1852	BY REPRESENTATIVE BREEDLOVE
HOUSE BILL NO. 1860	BY REPRESENTATIVE SAMPLE
HOUSE BILL NO. 1894	BY REPRESENTATIVE BLOUNT
HOUSE BILL NO. 1919	BY REPRESENTATIVE MALOCH
HOUSE BILL NO. 1966	BY REPRESENTATIVE CHEATHAM
HOUSE BILL NO. 1997	BY REPRESENTATIVE HALL
HOUSE BILL NO. 2147	BY REPRESENTATIVE LOVELL

HOUSE CONCURRENT RESOLUTIONS ADOPTED AND
ORDERED TRANSMITTED TO THE SENATE

HOUSE CONCURRENT RESOLUTION NO. 1015	BY REPRESENTATIVE BREEDLOVE
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SENATE BILLS ORDERED RETURNED TO THE SENATE AS PASSED

SENATE BILL NO. 3	BY SENATOR J. KEY
SENATE BILL NO. 93	BY JOINT BUDGET COMMITTEE
SENATE BILL NO. 353	BY SENATOR FARIS
SENATE BILL NO. 412	BY JOINT BUDGET COMMITTEE
SENATE BILL NO. 413	BY JOINT BUDGET COMMITTEE
SENATE BILL NO. 414	BY JOINT BUDGET COMMITTEE
SENATE BILL NO. 415	BY JOINT BUDGET COMMITTEE
SENATE BILL NO. 420	BY JOINT BUDGET COMMITTEE
SENATE BILL NO. 421	BY JOINT BUDGET COMMITTEE
SENATE BILL NO. 422	BY JOINT BUDGET COMMITTEE
SENATE BILL NO. 423	BY JOINT BUDGET COMMITTEE
SENATE BILL NO. 424	BY JOINT BUDGET COMMITTEE

SENATE BILLS ORDERED RETURNED TO THE SENATE AS PASSED,
CONTINUED

SENATE BILL NO. 425	BY JOINT BUDGET COMMITTEE
SENATE BILL NO. 493	BY SENATOR D. JOHNSON
SENATE BILL NO. 494	BY SENATOR D. JOHNSON
SENATE BILL NO. 780	BY SENATOR B. PRITCHARD
SENATE BILL NO. 810	BY SENATOR HORN
SENATE BILL NO. 836	BY SENATOR B. PRITCHARD
SENATE BILL NO. 841	BY SENATOR G. BAKER
SENATE BILL NO. 878	BY SENATOR G. JEFFRESS
SENATE BILL NO. 961	BY SENATOR BLEDSOE

NOTICE OF RETURN OF SENATE BILLS AS REQUESTED

SENATE BILL NO. 138	BY SENATOR FARIS
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SENATE CONCURRENT RESOLUTIONS CONCURRED IN
AND ORDERED RETURNED TO THE SENATE

SENATE CONCURRENT RESOLUTION NO. 13	BY SENATOR WHITAKER
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ARKANSAS SENATE
HOUSE BILLS RETURNED FROM THE SENATE AS PASSED

HOUSE BILL NO. 1414 AS AMENDED #1	BY REPRESENTATIVE D. CREEKMORE
HOUSE BILL NO. 1474	BY REPRESENTATIVE L. SMITH
HOUSE BILL NO. 1586 AS AMENDED #1	BY REPRESENTATIVE ALLEN
HOUSE BILL NO. 1607	BY REPRESENTATIVE DUNN
HOUSE BILL NO. 1625	BY REPRESENTATIVE DUNN
HOUSE BILL NO. 1673 AS AMENDED #1	BY REPRESENTATIVE ADCOCK
HOUSE BILL NO. 1694	BY REPRESENTATIVE HYDE
HOUSE BILL NO. 1715	BY REPRESENTATIVE D. CREEKMORE
HOUSE BILL NO. 1800 AS AMENDED #1	BY REPRESENTATIVE HARRELSON
HOUSE BILL NO. 1833	BY REPRESENTATIVE POWERS
HOUSE BILL NO. 1853	BY REPRESENTATIVE WILLIAMS
HOUSE BILL NO. 1899 AS AMENDED #1	BY REPRESENTATIVE SLINKARD
HOUSE BILL NO. 1934	BY REPRESENTATIVE HYDE
HOUSE BILL NO. 2009	BY REPRESENTATIVE L. SMITH
HOUSE BILL NO. 2257	BY REPRESENTATIVE RAGLAND

ARKANSAS SENATE
HOUSE CONCURRENT RESOLUTIONS CONCURRED IN
AND RETURNED TO THE HOUSE

HOUSE CONCURRENT RESOLUTION NO. 1015	BY REPRESENTATIVE BREEDLOVE
HOUSE CONCURRENT RESOLUTION NO. 1021	BY REPRESENTATIVE W. LEWELLEN

ARKANSAS SENATE
SENATE BILLS RECEIVED FROM SENATE

SENATE BILL NO. 299	BY SENATOR H. WILKINS
SENATE BILL NO. 526	BY JOINT BUDGET COMMITTEE
SENATE BILL NO. 567	BY JOINT BUDGET COMMITTEE
SENATE BILL NO. 608	BY SENATOR BROADWAY
SENATE BILL NO. 746	BY SENATOR BROADWAY

ARKANSAS SENATE
SENATE CONCURRENT RESOLUTIONS ADOPTED AND
TRANSMITTED TO THE HOUSE

SENATE CONCURRENT RESOLUTION NO. 10	BY SENATOR WHITAKER
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ENROLLED AND DELIVERY TO GOVERNOR REPORTS

Little Rock, Arkansas

March 25, 2009

MR. SPEAKER:

We, your committee on Enrolled Bills, to whom was referred the following:

HOUSE BILL NO. 1030	BY REPRESENTATIVE HARRELSON
HOUSE BILL NO. 1110	BY REPRESENTATIVE KERR
HOUSE BILL NO. 1149	BY REPRESENTATIVE CHEATHAM, ET AL
HOUSE BILL NO. 1188	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1190	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1242	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1576	BY REPRESENTATIVE L. SMITH
HOUSE BILL NO. 1593	BY REPRESENTATIVE MALOCH
HOUSE BILL NO. 1624	BY REPRESENTATIVE DUNN, ET AL
HOUSE BILL NO. 1653	BY HOUSE MANAGEMENT
HOUSE BILL NO. 1667	BY REPRESENTATIVE WELLS
HOUSE BILL NO. 1681	BY REPRESENTATIVE MALOCH
HOUSE BILL NO. 1793	BY REPRESENTATIVE MALOCH
HOUSE BILL NO. 1842	BY REPRESENTATIVE STEWART, ET AL
HOUSE BILL NO. 1843	BY REPRESENTATIVE STEWART, ET AL
HOUSE BILL NO. 1867	BY REPRESENTATIVE J. EDWARDS
HOUSE BILL NO. 1902	BY REPRESENTATIVE CASH, ET AL
HOUSE BILL NO. 1904	BY REPRESENTATIVE MCCRARY
HOUSE BILL NO. 1906	BY REPRESENTATIVE L. COWLING, ET AL
HOUSE BILL NO. 1961	BY REPRESENTATIVE PYLE
HOUSE BILL NO. 1979	BY REPRESENTATIVE J. EDWARDS
HOUSE BILL NO. 2034	BY REPRESENTATIVE SAUNDERS
HOUSE BILL NO. 2046	BY REPRESENTATIVE WELLS, ET AL
HOUSE BILL NO. 2132	BY REPRESENTATIVE STEWART
HOUSE BILL NO. 2200	BY REPRESENTATIVE PATTERSON
HOUSE BILL NO. 2222	BY REPRESENTATIVE ADCOCK, ET AL
HOUSE BILL NO. 2259	BY REPRESENTATIVE COLE
HOUSE CONCURRENT RESOLUTION NO. 1016	BY REPRESENTATIVE COOK, ET AL

HOUSE CONCURRENT MEMORIAL

RESOLUTION NO. 1002 BY REPRESENTATIVE L. 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,

/s/ Wilhelmina Lewellen,
Chairperson

RECEIPT FROM THE GOVERNOR

RECEIVED FROM THE HOUSE:

HOUSE BILL NO. 1030	BY REPRESENTATIVE HARRELSON
HOUSE BILL NO. 1110	BY REPRESENTATIVE KERR
HOUSE BILL NO. 1149	BY REPRESENTATIVE CHEATHAM, ET AL
HOUSE BILL NO. 1188	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1190	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1242	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1576	BY REPRESENTATIVE L. SMITH
HOUSE BILL NO. 1593	BY REPRESENTATIVE MALOCH
HOUSE BILL NO. 1624	BY REPRESENTATIVE DUNN, ET AL
HOUSE BILL NO. 1653	BY HOUSE MANAGEMENT
HOUSE BILL NO. 1667	BY REPRESENTATIVE WELLS
HOUSE BILL NO. 1681	BY REPRESENTATIVE MALOCH
HOUSE BILL NO. 1793	BY REPRESENTATIVE MALOCH
HOUSE BILL NO. 1842	BY REPRESENTATIVE STEWART, ET AL
HOUSE BILL NO. 1843	BY REPRESENTATIVE STEWART, ET AL
HOUSE BILL NO. 1867	BY REPRESENTATIVE J. EDWARDS
HOUSE BILL NO. 1902	BY REPRESENTATIVE CASH, ET AL
HOUSE BILL NO. 1904	BY REPRESENTATIVE MCCRARY
HOUSE BILL NO. 1906	BY REPRESENTATIVE L. COWLING, ET AL
HOUSE BILL NO. 1961	BY REPRESENTATIVE PYLE
HOUSE BILL NO. 1979	BY REPRESENTATIVE J. EDWARDS
HOUSE BILL NO. 2034	BY REPRESENTATIVE SAUNDERS
HOUSE BILL NO. 2046	BY REPRESENTATIVE WELLS, ET AL
HOUSE BILL NO. 2132	BY REPRESENTATIVE STEWART
HOUSE BILL NO. 2200	BY REPRESENTATIVE PATTERSON
HOUSE BILL NO. 2222	BY REPRESENTATIVE ADCOCK, ET AL
HOUSE BILL NO. 2259	BY REPRESENTATIVE COLE
HOUSE CONCURRENT RESOLUTION NO. 1016	BY REPRESENTATIVE COOK, ET AL
HOUSE CONCURRENT MEMORIAL RESOLUTION NO. 1002	BY REPRESENTATIVE L. SMITH

/s/ Mike Beebe - Governor

TIME: 9:25 a.m.

By: Sarah Agee

STATE OF ARKANSAS

MIKE BEEBE

GOVERNOR

March 24, 2009

TO THE SPEAKER OF THE HOUSE

Dear Mr. Speaker:

This is to inform you that on March 24, 2009, I approved the following measures from the Regular Session of the Eighty-seventh General Assembly:

HOUSE CONCURRENT MEMORIAL RESOLUTION NO. 1003

- HOUSE BILL NO. 1111 - ACT 499
- HOUSE BILL NO. 1329 - ACT 500
- HOUSE BILL NO. 1392 - ACT 501
- HOUSE BILL NO. 1420 - ACT 502
- HOUSE BILL NO. 1466 - ACT 503
- HOUSE BILL NO. 1478 - ACT 504
- HOUSE BILL NO. 1497 - ACT 505
- HOUSE BILL NO. 1498 - ACT 506
- HOUSE BILL NO. 1499 - ACT 507
- HOUSE BILL NO. 1501 - ACT 508
- HOUSE BILL NO. 1502 - ACT 509
- HOUSE BILL NO. 1503 - ACT 510
- HOUSE BILL NO. 1504 - ACT 511
- HOUSE BILL NO. 1505 - ACT 512
- HOUSE BILL NO. 1506 - ACT 513
- HOUSE BILL NO. 1507 - ACT 514
- HOUSE BILL NO. 1508 - ACT 515
- HOUSE BILL NO. 1509 - ACT 516
- HOUSE BILL NO. 1510 - ACT 517
- HOUSE BILL NO. 1511 - ACT 518
- HOUSE BILL NO. 1512 - ACT 519
- HOUSE BILL NO. 1513 - ACT 520
- HOUSE BILL NO. 1514 - ACT 521
- HOUSE BILL NO. 1515 - ACT 522
- HOUSE BILL NO. 1516 - ACT 523
- HOUSE BILL NO. 1548 - ACT 524
- HOUSE BILL NO. 1568 - ACT 525
- HOUSE BILL NO. 1569 - ACT 526
- HOUSE BILL NO. 1584 - ACT 527
- HOUSE BILL NO. 1629 - ACT 528
- HOUSE BILL NO. 1705 - ACT 529
- HOUSE BILL NO. 1744 - ACT 530
- HOUSE BILL NO. 1831 - ACT 531
- HOUSE BILL NO. 1832 - ACT 532
- HOUSE BILL NO. 1876 - ACT 533
- HOUSE BILL NO. 1877 - ACT 534
- HOUSE BILL NO. 1880 - ACT 535
- HOUSE BILL NO. 1912 - ACT 536
- HOUSE BILL NO. 1916 - ACT 537
- HOUSE BILL NO. 1917 - ACT 538
- HOUSE BILL NO. 1936 - ACT 539
- HOUSE BILL NO. 1944 - ACT 540
- HOUSE BILL NO. 1946 - ACT 541
- HOUSE BILL NO. 1957 - ACT 542
- HOUSE BILL NO. 1964 - ACT 543
- HOUSE BILL NO. 1967 - ACT 544
- HOUSE BILL NO. 2021 - ACT 545
- HOUSE BILL NO. 2031 - ACT 546
- HOUSE BILL NO. 2193 - ACT 547

Sincerely,

/s/ Mike Beebe

STATE CAPITOL, SUITE 250 • LITTLE ROCK, AR 72201
 TELEPHONE (501) 682-2345 • FAX (501) 682-1382
 INTERNET WEB SITE • www.governor.arkansas.gov

STATE OF ARKANSAS

MIKE BEEBE

GOVERNOR

March 25, 2009

TO THE SPEAKER OF THE HOUSE

Dear Mr. Speaker:

This is to inform you that on March 25, 2009, I approved the following measures from the Regular Session of the Eighty-seventh General Assembly:

HOUSE BILL NO. 1183 - ACT 575	HOUSE BILL NO. 1533 - ACT 586
HOUSE BILL NO. 1185 - ACT 576	HOUSE BILL NO. 1534 - ACT 587
HOUSE BILL NO. 1523 - ACT 577	HOUSE BILL NO. 1535 - ACT 588
HOUSE BILL NO. 1524 - ACT 578	HOUSE BILL NO. 1536 - ACT 589
HOUSE BILL NO. 1525 - ACT 579	HOUSE BILL NO. 1537 - ACT 590
HOUSE BILL NO. 1526 - ACT 580	HOUSE BILL NO. 1538 - ACT 591
HOUSE BILL NO. 1527 - ACT 581	HOUSE BILL NO. 1539 - ACT 592
HOUSE BILL NO. 1528 - ACT 582	HOUSE BILL NO. 1540 - ACT 593
HOUSE BILL NO. 1529 - ACT 583	HOUSE BILL NO. 1541 - ACT 594
HOUSE BILL NO. 1530 - ACT 584	HOUSE BILL NO. 1542 - ACT 595
HOUSE BILL NO. 1532 - ACT 585	HOUSE BILL NO. 1777 - ACT 596

Sincerely,

/s/ Mike Beebe

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SENATE BILL NO. 299

BY: SENATORS H. WILKINS, CRUMBLY, ELLIOTT, STEELE

BY: REPRESENTATIVES ALLEN, T. BAKER, BLOUNT, CARROLL, DAVIS,
RAINEY, WILLIAMS, WORD

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REESTABLISH A TASK FORCE ON RACIAL PROFILING; TO REQUIRE ALL LAW ENFORCEMENT OFFICERS WHO STOP A VEHICLE FOR THE VIOLATION OF NOT WEARING A SEATBELT AS A PRIMARY OFFENSE TO RECORD INFORMATION ABOUT THE DRIVER OR PASSENGERS SO AS TO NOT VIOLATE THE PROHIBITION AGAINST RACIAL PROFILING; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES AND GOVERNMENTAL AFFAIRS.

SENATE BILL NO. 526

BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES FOR THE DIVISION OF LEGISLATIVE AUDIT OF THE LEGISLATIVE JOINT AUDITING COMMITTEE FOR THE FISCAL YEAR ENDING JUNE 30, 2010; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 567

BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR COUNTY REIMBURSEMENT FOR JURORS FOR THE ADMINISTRATIVE OFFICE OF THE COURTS WHICH SHALL BE SUPPLEMENTAL AND IN ADDITION TO THOSE FUNDS APPROPRIATED BY ACT 1264 OF 2007; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 608

BY: SENATOR BROADWAY

A BILL FOR AN ACT TO BE ENTITLED AN ACT CONCERNING PROCEDURES FOR IMPROVEMENT DISTRICTS FOR COLLECTION OF ASSESSMENTS BY COUNTY COLLECTORS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY AND LOCAL AFFAIRS.

SENATE BILL NO. 746

BY: SENATOR BROADWAY**BY: REPRESENTATIVE WEBB**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS BUILDING AUTHORITY - SUSTAINABLE BUILDING DESIGN PROGRAM FOR THE FISCAL YEAR ENDING JUNE 30, 2010; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE CONCURRENT RESOLUTION NO. 10

BY: SENATOR WHITAKER

BY: REPRESENTATIVE MALOCH

A BILL FOR AN ACT TO BE ENTITLED TO AMEND THE JOINT RULES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE EIGHTY-SEVENTH GENERAL ASSEMBLY TO ESTABLISH DEADLINES FOR THE INTRODUCTION OF BILLS AND RESOLUTIONS DURING A FISCAL SESSION; AND TO PROVIDE FOR THE PREFILING OF BILLS AND RESOLUTIONS BEFORE A FISCAL SESSION.

Was read the first time, rules suspended, read the second time and referred to the Committee on RULES.

Upon motion of Representative Curren Everett, the House adjourned at 4:06 p.m. until 1:30 p.m., Thursday, March 26, 2009.

ATTEST:

Robbie Wills
Speaker of the House of Representatives

Jo Renshaw
Chief Clerk