

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

Little Rock, Arkansas

March 31, 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 House Chaplain Cornell Maltbia, Pastor, True Holiness Saint's Center, Conway, 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 31, 2009

EDUCATION

BILL ABERNATHY

CHAIRPERSON

HOUSE BILL NO. 1273

DO PASS, CONCUR IN

BY REPRESENTATIVE BLOUNT

SENATE AMENDMENT #1

HOUSE BILL NO. 1450

DO PASS

BY REPRESENTATIVE REYNOLDS

HOUSE BILL NO. 1680

DO PASS, CONCUR IN

BY REPRESENTATIVE MALOCH

SENATE AMENDMENT #1

HOUSE BILL NO. 1992

DO PASS

BY REPRESENTATIVE ABERNATHY

HOUSE BILL NO. 2003

DO PASS

BY REPRESENTATIVE LOWERY

HOUSE BILL NO. 2101

DO PASS

BY REPRESENTATIVE BETTS

HOUSE BILL NO. 2135

DO PASS

BY REPRESENTATIVE D. WILLIAMS

HOUSE BILL NO. 2164

DO PASS

BY REPRESENTATIVE RAINEY

HOUSE BILL NO. 2261

DO PASS

BY REPRESENTATIVE COLE

AS AMENDED #1

HOUSE BILL NO. 2263

DO PASS

BY REPRESENTATIVE LOVELL

SENATE BILL NO. 345

DO PASS

BY SENATOR HENDREN

SENATE BILL NO. 499

DO PASS

BY SENATOR HENDREN

SENATE BILL NO. 500

DO PASS

BY SENATOR HENDREN

SENATE BILL NO. 791

DO PASS

BY SENATOR BROADWAY

SENATE BILL NO. 885

DO PASS

BY SENATOR J. JEFFRESS

SENATE BILL NO. 896

DO PASS

BY SENATOR ALTES

SENATE BILL NO. 898

DO PASS

BY SENATOR MILLER

COMMITTEE REPORT, CONTINUED

SENATE BILL NO. 903	DO PASS
BY SENATOR MADISON	
SENATE BILL NO. 904	DO PASS
BY SENATOR J. KEY	AS AMENDED #1
SENATE BILL NO. 926	DO PASS
BY SENATOR BOOKOUT	
SENATE BILL NO. 955	DO PASS
BY SENATOR CRUMBLY	AS AMENDED #1
SENATE BILL NO. 980	DO PASS
BY SENATOR CRUMBLY	

COMMITTEE REPORT

	March 31, 2009
JUDICIARY	STEVE HARRELSON CHAIRPERSON
HOUSE BILL NO. 1640	DO PASS
BY REPRESENTATIVE HAWKINS	
HOUSE BILL NO. 1800	DO PASS, CONCUR IN
BY REPRESENTATIVE HARRELSON	SENATE AMENDMENT #1
SENATE BILL NO. 772	DO PASS
BY SENATOR MADISON	

COMMITTEE REPORT

	March 31, 2009
PUBLIC HEALTH, WELFARE AND LABOR	GREGG REEP CHAIRPERSON
HOUSE BILL NO. 2033	DO PASS
BY REPRESENTATIVE M. BURRIS	AS AMENDED #3
HOUSE BILL NO. 2127	DO PASS
BY REPRESENTATIVE GARNER	
SENATE BILL NO. 65	DO PASS
BY SENATOR MADISON	
SENATE BILL NO. 342	DO PASS
BY SENATOR H. WILKINS	

COMMITTEE REPORT, CONTINUED

SENATE BILL NO. 429	DO PASS
BY SENATOR STEELE	
SENATE BILL NO. 872	DO PASS
BY SENATOR TEAGUE	
SENATE BILL NO. 947	DO PASS
BY SENATOR ELLIOTT	AS AMENDED #1

COMMITTEE REPORT

	March 31, 2009
PUBLIC TRANSPORTATION	BILL SAMPLE
	CHAIRPERSON
HOUSE BILL NO. 1673	DO PASS, CONCUR IN
BY REPRESENTATIVE ADCOCK	SENATE AMENDMENT #1
HOUSE BILL NO. 2125	DO PASS
BY REPRESENTATIVE J. ROEBUCK	

COMMITTEE REPORT

	March 31, 2009
REVENUE AND TAXATION	JOHN LOWERY
	CHAIRPERSON
HOUSE BILL NO. 1060	DO PASS
BY REPRESENTATIVE PENNARTZ	AS AMENDED #9
HOUSE BILL NO. 1491	DO PASS
BY REPRESENTATIVE OVERBEY	
HOUSE BILL NO. 1563	DO PASS
BY REPRESENTATIVE DISMANG	
HOUSE BILL NO. 1686	DO PASS
BY REPRESENTATIVE EVERETT	AS AMENDED #1
HOUSE BILL NO. 1911	DO PASS
BY REPRESENTATIVE INGRAM	
HOUSE BILL NO. 2065	DO PASS
BY REPRESENTATIVE ABERNATHY	
HOUSE BILL NO. 2202	DO PASS
BY REPRESENTATIVE T. ROGERS	

COMMITTEE REPORT, CONTINUED

SENATE BILL NO. 442 DO PASS
 BY SENATOR J. KEY

COMMITTEE REPORT

March 31, 2009

JOINT BUDGET COMMITTEE BRUCE MALOCH
 CHAIRPERSON

HOUSE BILL NO. 1140 DO PASS
 BY JOINT BUDGET COMMITTEE

HOUSE BILL NO. 1166 DO PASS
 BY JOINT BUDGET COMMITTEE

HOUSE BILL NO. 1197 DO PASS
 BY JOINT BUDGET COMMITTEE

HOUSE BILL NO. 1218 DO PASS
 BY JOINT BUDGET COMMITTEE

HOUSE BILL NO. 1241 DO PASS
 BY JOINT BUDGET COMMITTEE

HOUSE BILL NO. 1418 DO PASS
 BY REPRESENTATIVE BLOUNT

HOUSE BILL NO. 1517 DO PASS
 BY REPRESENTATIVE MCLEAN

HOUSE BILL NO. 1543 DO PASS
 BY REPRESENTATIVE BREEDLOVE

HOUSE BILL NO. 1560 DO PASS
 BY REPRESENTATIVE MAXWELL

HOUSE BILL NO. 1561 DO PASS
 BY REPRESENTATIVE MAXWELL

HOUSE BILL NO. 1571 DO PASS
 BY REPRESENTATIVE HOYT

HOUSE BILL NO. 1621 DO PASS
 BY REPRESENTATIVE MAXWELL

HOUSE BILL NO. 1628 DO PASS
 BY JOINT BUDGET COMMITTEE

COMMITTEE REPORT, CONTINUED

HOUSE BILL NO. 1638	DO PASS
BY REPRESENTATIVE BLOUNT	
HOUSE BILL NO. 1650	DO PASS
BY REPRESENTATIVE ENGLISH	
HOUSE BILL NO. 1655	DO PASS
BY REPRESENTATIVE DUNN	
HOUSE BILL NO. 1690	DO PASS
BY REPRESENTATIVE INGRAM	
HOUSE BILL NO. 1691	DO PASS
BY REPRESENTATIVE INGRAM	
HOUSE BILL NO. 1692	DO PASS
BY REPRESENTATIVE INGRAM	
HOUSE BILL NO. 1794	DO PASS
BY REPRESENTATIVE HALL	
HOUSE BILL NO. 1795	DO PASS
BY REPRESENTATIVE HALL	
HOUSE BILL NO. 1816	DO PASS
BY REPRESENTATIVE HALL	
HOUSE BILL NO. 1817	DO PASS
BY REPRESENTATIVE HALL	
SENATE BILL NO. 203	DO PASS
BY JOINT BUDGET COMMITTEE	
SENATE BILL NO. 263	DO PASS
BY JOINT BUDGET COMMITTEE	
SENATE BILL NO. 745	DO PASS
BY SENATOR BROADWAY	

Upon motion of Representative Shelby, **HOUSE BILL NO. 1661** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1661

Amend **HOUSE BILL NO. 1661** as originally introduced:

Page 1, delete lines 10 through 12 and substitute the following:

"AN ACT TO ESTABLISH THE RATE OF TAX FOR ALCOPOPS; AND FOR OTHER PURPOSES."

AND

Page 1, delete lines 16 through 19 and substitute the following:

"TO ESTABLISH THE RATE OF TAX FOR ALCOPOPS."

AND

Delete Section 1 in its entirety and substitute the following:

"SECTION 1. Arkansas Code § 3-3-202(c), concerning the penalty for knowingly furnishing or selling to a minor, is amended to read as follows:

(c)(1) It is unlawful for a person to knowingly sell or otherwise furnish for money or other valuable consideration an alcopop as defined under § 3-7-102 to a person under twenty-one (21) years of age.

(2)(A) A violation of this subsection (c) is a violation under § 5-1-108 and the person shall be subject to a fine of not more than one thousand dollars (\$1,000).

(B) A second violation of this subsection (c) within eighteen (18) months of a first violation is a violation under § 5-1-108 and the person shall be subject to a fine of not more than two thousand dollars (\$2,000) and a mandatory permit suspension for seven (7) days.

(C) A third violation of this subsection (c) within eighteen (18) months of a first violation shall result in the mandatory permit suspension for twenty-one (21) days.

(d)(1) A warning notice that includes the provisions of subsections (a), and (b), and (c) of this section shall be posted in public view in each place of business where alcoholic beverages are sold.

(2) The warning notice shall be posted in a manner prescribed by the Alcoholic Beverage Control Board."

AND

Appropriately renumber the sections of the bill

/s/ Gene Shelby

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Abernathy, **HOUSE BILL NO. 1993** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1993

Amend **HOUSE BILL NO. 1993** as originally introduced:

Page 1, line 12, delete "AMOUNT.;" and substitute "AMOUNT;"

AND

Delete everything after the enacting clause and substitute:

"SECTION 1. Arkansas Code Title 6, Chapter 61, Subchapter 1 is amended to add an additional section to read as follows:

6-61-134. Tuition and enrollment for concurrent enrollment courses.

(a) As used in this section, "concurrent enrollment course" means a college level course offered by an institution of higher education that upon completion would qualify for academic credit in both the institution of higher education and a public high school.

(2) "Concurrent enrollment course" also includes an endorsed concurrent enrollment course.

(b) A state-supported two-year or four-year college or university may offer a reduced tuition amount for a concurrent enrollment course.

(c) For the purpose of calculating state funding for institutions of higher education under law or rule of the Arkansas Higher Education Coordinating Board:

(1) A reduced tuition amount under this section for concurrent enrollment courses is considered full tuition; and

(2) The number of students enrolled and the semester credit hours for concurrent enrollment courses shall be included in the calculation of full-time-equivalent enrollment for the institution of higher education.

(d) Reduced tuition under this section is not an institutional scholarship and is not subject to any limitations on the amount of institutional scholarships allowed to be awarded by the two-year or four-year college or university.

/s/ Bill Abernathy

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. 2165** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2165

Amend **HOUSE BILL NO. 2165** as originally introduced:

Delete everything after the Enacting Clause and substitute the following:

"SECTION 1. Arkansas Code § 26-52-523(a), and (b), concerning a credit or rebate on local sales and use tax, is amended to read as follows:

(a) As used in this section:

(1) "Agricultural" means the production of food, fiber, grass sod, nursery products, livestock, or poultry as a business;

~~(1)(2)~~ "Qualifying purchase" means a purchase of tangible personal property or a taxable service:

(A) For which the purchaser may take a business expense deduction pursuant to 26 U.S.C. § 162, as in effect on January 1, 2007;

(B) For which the purchaser may take a depreciation deduction pursuant to 26 U.S.C. § 167, as in effect on January 1, 2007;

(C) By an exempt organization under 26 U.S.C. § 501, as in effect on January 1, 2007, if the purchase would be subject to a business expense deduction or depreciation deduction if the purchaser were not an exempt organization under 26 U.S.C. § 501, as in effect on January 1, 2007; or

(D) By a state, or any county, city, municipality, school district, state-supported college or university, or any other political subdivision of a state, if the purchase would be subject to a business expense deduction or depreciation deduction if the purchaser were not one (1) of the entities enumerated in this subdivision ~~(a)(1)(D)~~ (a)(2)(D); and

~~(2)(3)~~ "Single transaction" means any sale of tangible personal property or a taxable service reflected on a single invoice, receipt, or statement for which an aggregate sales or use tax amount has been reported and remitted to the state for a single local taxing jurisdiction.

(b)(1) A purchaser that pays any municipal sales or use tax in excess of the tax due on the first two thousand five hundred dollars (\$2,500) of gross receipts or gross proceeds ~~from a qualifying purchase of tangible personal property or a taxable service in a single transaction~~ is entitled to a credit or rebate of the excess amount of municipal sales or use tax paid on each single transaction. for the following:

(A) The sale of parts or labor for equipment used only for agricultural purposes; and

(B) A qualifying purchase of tangible personal property or a

taxable service in a single transaction.

(2) A purchaser that pays any county sales or use tax in excess of the tax due on the first two thousand five hundred dollars (\$2,500) of gross receipts or gross proceeds ~~from a qualifying purchase of tangible personal property or a taxable service in a single transaction~~ is entitled to a credit or rebate of the excess amount of county sales or use tax paid on each single transaction- for the following:

(A) The sale of parts or labor for equipment used only for agricultural purposes; and

(B) A qualifying purchase of tangible personal property or a taxable service in a single transaction.

SECTION 2. Effective Date. Section 1 of this act is effective on the first day of the calendar quarter following the effective date of this act."

/s/ Larry Cowling

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. 2166** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2166

Amend **HOUSE BILL NO. 2166** as originally introduced:

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code Title 26, Chapter 52, Subchapter 4 is amended to add an additional section to read as follows:

26-52-442. Parts and labor for agricultural equipment.

(a) As used in this section, "agricultural" means the production of food or fiber as a business or the production of grass sod or nursery products as a business.

(b) The gross receipts or gross proceeds derived from the sale of parts and labor for agricultural equipment is exempt from the gross receipts tax levied by this chapter and the compensating use tax levied by the Arkansas Compensating Tax Act of 1949, § 26-53-101 et seq.

SECTION 2. Section 1 of this act is effective on the first day of the calendar

quarter following the effective date of this act."

/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. 1926** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1926

Amend **HOUSE BILL NO. 1926** as originally introduced:

Delete everything after the enacting clause, and substitute the following:

SECTION 1. [DO NOT CODIFY]. The General Assembly finds that:

(1) Lignite is a vast energy resource with nine billion (9,000,000,000) tons in southern Arkansas that is virtually untapped and is easily extracted;

(2) Lignite is an important form of energy for generating electricity that produces an average of fourteen million British Thermal Units (14,000,000 BTU) per ton or eight thousand three hundred British Thermal Units (8,300 BTU) per pound;

(3) Lignite is a natural Arkansas resource that can create an industry and ancillary industries critical to the economic well-being of this state;

(4) Lignite production in Arkansas can lead to the discovery and development of new products and to viable alternative uses of lignite to the benefit the citizens of this state as well as persons in the lignite industry;

(5) Lignite development in Arkansas should proceed in an orderly manner that is mutually beneficial to landowners, miners, and processors of lignite in a manner that is environmentally responsible to future generations of Arkansans;

(6) Lignite has the potential to be used with fuel products in a variety of ways to augment the imported coal that is currently used to generate electricity in Arkansas's power plants;

(7) In the United States, approximately seventy-nine percent (79%) of lignite is used to generate electricity, thirteen and five-tenths percent (13.5%) of lignite is used to generate synthetic natural gas, and seven and five-tenths percent (7.5%) of lignite is used to produce fertilizer products; and

(8) Currently, Arkansas is not utilizing its lignite resources while other states, such as Texas, Mississippi, Louisiana, and North Dakota, regard lignite as an important source for electrical power generation, synfuels production, and other value-added products.”

SECTION 2. Arkansas Code Title 6, Chapter 65, Subchapter 4 is amended to add an additional section to read as follows:

“6-65-411. The Arkansas Lignite Resource Program.

(a) The Arkansas Lignite Resource Program is established to promote the production, development, and use of lignite in this state.

(b) The program shall be administered by the Southern Arkansas University Lignite Resource Center which shall:

(1) Prepare a comprehensive business plan for the production, development, and use of lignite in an environmentally responsible manner as:

(A) An alternative energy source, including without limitation as a synfuel; and

(B) A value-added product;

(2) Conduct a feasibility study along with a detailed commercial market analysis for the promotion of the production, development, and use of lignite;

(3) Provide a local match for the Southern Arkansas University’s Economic Development Administration grant to construct the Southern Arkansas University Lignite Resource Center adjacent to the Science Center on the Southern Arkansas University campus at Magnolia; and

(4) Secure a business partnership to demonstrate a pilot gasification model at an existing south Arkansas industry that will stimulate the local economy.”

/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. 2243** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2243

Amend **HOUSE BILL NO. 2243** as originally introduced:

Add Senator T. Smith as a cosponsor of the bill

AND

Page 1, delete line 10 and substitute:

"SCHOLARSHIP PROGRAM; TO AMEND THE ARKANSAS SCHOLARSHIP LOTTERY ACT WHICH SUPPLEMENTS FUNDING FOR THE ARKANSAS ACADEMIC CHALLENGE SCHOLARSHIP PROGRAM; AND FOR OTHER PURPOSES."

AND

Page 1, delete the subtitle and substitute the following:

"TO AMEND THE ARKANSAS ACADEMIC CHALLENGE SCHOLARSHIP PROGRAM AND THE ARKANSAS SCHOLARSHIP LOTTERY ACT."

AND

Delete everything after the enacting clause and substitute:

"SECTION 1. Arkansas Code § 6-85-108(b), as enacted by Acts 605 and 606 of 2009, concerning the nursing school eligibility of the Arkansas Academic Challenge Scholarship Program - Part 1, is amended to read as follows:

(b) The department shall make awards to applicants attending either an associate degree or diploma school preparing registered nurses that is approved by the Arkansas State Board of Nursing and which would not otherwise be an approved institution if:

~~(1) The applicant has qualified for an Arkansas Academic Challenge Scholarship and is simultaneously enrolled in an approved two-year college or a four-year college or university prior to or at the time of entry into the nursing school and the applicant then transfers the scholarship to an approved school of nursing after completing the two-year requirements as set forth by the department's rules and regulations;~~

~~(2)~~⁽¹⁾ The nursing school has been approved by the Arkansas State Board of Nursing and is specifically recognized by the department as a school of nursing eligible to participate in the Arkansas Academic Challenge Scholarship Program; and

~~(3)~~(2) The recipient meets continuing eligibility requirements in § 6-85-106.

SECTION 2. Arkansas Code § 6-85-204(3), as enacted by Acts 605 and 606 of 2009, concerning the definition of an approved institution of higher education, is amended to read as follows:

(3) "Approved institution of higher education" means an institution of higher education approved by the Department of Higher Education to participate in the Arkansas Academic Challenge Scholarship Program — Part 2 and that is:

(A) A state-supported two-year or four-year college or university; ~~or~~

(B) A private, nonprofit two-year or four-year college or university with its primary headquarters located in Arkansas that is eligible to receive Title IV federal student aid funds; or

(C) An approved school of nursing, subject to the provisions of § 6-85-213(c).

SECTION 3. Arkansas Code § 6-85-204, as enacted by Acts 605 and 606 of 2009, concerning definitions for the Arkansas Academic Challenge Scholarship Program - Part 2, is amended to add two (2) additional subdivisions to read as follows:

(16)(A) "Approved school of nursing" means a school of nursing with its primary headquarters located in Arkansas that:

(i) Prepares students as registered nurses;

(ii) Grants nursing diplomas;

(iii) Is eligible to participate in Title IV federal student aid programs;

(iv) Is approved by the Arkansas State Board of Nursing;

(v) Has been approved by the Department of Higher Education as eligible to participate in the Arkansas Academic Challenge Scholarship Program; and

(vi) Is not a two-year or four-year college or university;

and

(17) "End-of-course assessment" means an examination taken at the completion of a course of study to determine whether a student demonstrates attainment of the knowledge and skills necessary for mastery of that subject.

SECTION 4. Arkansas Code § 6-85-206(3)(A), as enacted by Acts 605 and 606 of 2009, concerning basic eligibility for the Arkansas Academic Challenge Scholarship Program - Part 2, is amended to read as follows:

(3)(A) The applicant is accepted for admission as a full-time student or

part-time student at:

(i) ~~an~~ An approved institution of higher education ~~as a full-time student or part-time student~~ in a program of study that leads to or is creditable toward:

~~(i)(a)~~ (a) A baccalaureate degree;

~~(ii)(b)~~ (b) An associate degree;

~~(iii)(c)~~ (c) A certificate from a qualified certificate program; or

~~(iv)(ii) - A nursing school~~ An approved school of nursing in a program of study that leads to a nursing diploma or associate degree under § 6-85-213.

SECTION 5. Arkansas Code § 6-85-207(1)(B)(ii), as enacted by Acts 605 and 606 of 2009, concerning eligibility requirements for traditional students under the Arkansas Academic Challenge Scholarship Program - Part 2, is amended to read as follows:

(ii) Scored proficient or higher on all state-mandated end-of-course assessments, including without limitation, end-of-course assessments on:

(a) Algebra I;

(b) Geometry; and

(c) Biology; and

~~(4) Literacy, beginning with the 2013-2014 school year;~~

SECTION 6. Arkansas Code § 6-85-207(2), as enacted by Acts 605 and 606 of 2009, concerning eligibility requirements for traditional students under the Arkansas Academic Challenge Scholarship Program - Part 2, is amended to read as follows:

(2) Graduated from an Arkansas public high school that is annually identified in the report by the Department of Education under § 6-15-421 as a school in which twenty percent (20%) or more of the students received a letter grade of "B" or higher but did not score proficiency or higher on the end-of-course assessment on the first attempt, ~~whether or not the applicant completed the Smart Core curriculum,~~ achieved a high school grade point average of at least 2.5, and ~~either:~~

(A) Completed the Smart Core curriculum if graduating from an Arkansas high school in the 2013-2014 school year or later; and

~~(A)(B)~~ (B) Either:

(i) Has a minimum composite score of nineteen (19) on the ACT or the equivalent score on an ACT equivalent; or

~~(B)(ii)~~ Scores proficient or higher on all state-mandated end-of-course assessments, including without limitation, end-of-course assessments on:

~~(i)(a)~~ Algebra I;

~~(ii)(b)~~ Geometry;

~~(iii)(c)~~ Biology; and

~~(iv)(d)~~ Literacy, ~~beginning~~ Beginning with the 2013-2014 school year, literacy;

SECTION 7. Arkansas Code § 6-85-207(3)(B)(iv), as enacted by Acts 605 and 606 of 2009, concerning eligibility requirements for traditional students under the Arkansas Academic Challenge Scholarship Program - Part 2, is amended to read as follows:

(iv) ~~Literacy, beginning~~ Beginning with the 2013-2014 school year, literacy; or

SECTION 8. Arkansas Code § 6-85-207(4), as enacted by Acts 605 and 606 of 2009, concerning eligibility requirements for traditional students under the Arkansas Academic Challenge Scholarship Program - Part 2, is amended to read as follows:

(4) ~~An applicant who graduated~~ Graduated from a private high school, ~~or an out-of-state high school, or completed a high school curriculum at a home school~~ high school shall have and achieved a minimum composite score of nineteen (19) on the ACT or the equivalent score on an ACT equivalent.

SECTION 9. Arkansas Code § 6-85-208(a)(1)(A), as enacted by Acts 605 and 606 of 2009, concerning additional eligibility requirements for nontraditional students under the Arkansas Academic Challenge Scholarship Program - Part 2, is amended to read as follows:

(1)~~(A)~~ Graduated from an Arkansas high school and achieved a 2.5 high school grade point average; ~~or~~

SECTION 10. Arkansas Code § 6-85-208(b), as enacted by Acts 605 and 606 of 2009, concerning additional eligibility requirements for nontraditional students under the Arkansas Academic Challenge Scholarship Program - Part 2, is amended to read as follows:

(b) A To be eligible, nontraditional student applicant who graduated from a private high school, ~~or an out-of-state high school, or completed a high school curriculum at a home school~~ high school shall have achieved a minimum composite score of nineteen (19) on the ACT or the equivalent score on an ACT equivalent.

SECTION 11. Arkansas Code § 6-85-210(a), as enacted by Acts 605 and 606 of 2009, concerning continuing eligibility for the Arkansas Academic Challenge

Scholarship Program - Part 2, is amended to read as follows:

(a) A recipient who meets continuing eligibility criteria under this subchapter shall receive a scholarship for one (1) academic year renewable annually until the recipient first:

(1) Earns a baccalaureate degree;

(2)(A) Attempts a transcript total of one hundred thirty (130) semester hours in eight (8) semesters at any approved institution of higher education as an undergraduate full-time student.

(B) If the recipient's undergraduate degree requires additional hours, the Department of Higher Education, in conjunction with the institution of higher education where the recipient is enrolled, shall determine the maximum period of time for renewal of the scholarship; or

(3) Attempts a transcript total of one hundred thirty (130) semester hours in sixteen (16) semesters at any approved institution of higher education as an undergraduate part-time student.

SECTION 12. Arkansas Code § 6-85-210(b)(2)(A)(ii), as enacted by Acts 605 and 606 of 2009, concerning continuing eligibility for the Arkansas Academic Challenge Scholarship Program - Part 2, is amended to read as follows:

(ii) By accepting scholarship funds under this subchapter, the receiving institution certifies that students will be enrolled in courses that will meet satisfactory academic progress standards leading toward a certificate, an associate degree, a nursing diploma, or a baccalaureate degree.

SECTION 13. Arkansas Code § 6-85-210(b)(5), as enacted by Acts 605 and 606 of 2009, concerning continuing eligibility for the Arkansas Academic Challenge Scholarship Program - Part 2, is amended to read as follows:

(5) A recipient shall ~~be~~ enroll in courses that lead toward a baccalaureate degree program after attempting the lesser of:

(A) Sixty-six (66) semester hours; or

(B) The completion of an associate degree program, unless the number of hours required to complete the associate degree program exceeds sixty-six (66) semester hours, in which case, the higher number of hours for completion shall be used for this subdivision (b)(5); and

SECTION 14. Arkansas Code § 6-85-210(c)(1), as enacted by Acts 605 and 606 of 2009, concerning continuing eligibility for the Arkansas Academic Challenge Scholarship Program - Part 2, is amended to read as follows:

(c)(1) If a recipient becomes ineligible for the scholarship because the recipient's postsecondary grade point average or number of completed credit hours no longer meets the minimum requirement for the scholarship, the recipient may

regain eligibility under this subsection (c) one (1) time only.

SECTION 15. Arkansas Code § 6-85-212(a)(1), as enacted by Acts 605 and 606 of 2009, concerning scholarship award amounts for the Arkansas Academic Challenge Scholarship Program - Part 2, is amended to read as follows:

(a)(4)- The General Assembly may use net proceeds from the state lottery to fund the scholarships awarded under this subchapter and to supplement the state-supported student financial assistance that the General Assembly determines are is necessary to meet the state's objective for broadening and increasing access of Arkansas citizens to higher education.

SECTION 16. Arkansas Code § 6-85-212(e)(2)(B), as enacted by Acts 605 and 606 of 2009, concerning the priority for scholarships under the Arkansas Academic Challenge Scholarship Program - Part 2, is amended to read as follows:

(B) Priority for scholarships awarded to nontraditional students is based on the applicant's level of progress toward completion of a certificate, an associate degree, nursing diploma, or a baccalaureate degree, or on other criteria established by the Department of Higher Education.

SECTION 17. Arkansas Code § 6-85-212(e)(4), as enacted by Acts 605 and 606 of 2009, concerning scholarship award amounts for part-time recipients under the Arkansas Academic Challenge Scholarship Program - Part 2, is amended to read as follows:

(4)(A) The scholarship award amount for a part-time student recipient shall be:

(i)(A) One-half of the award amount for a full-time student recipient, if the recipient is enrolled in at least six (6) semester hours but less than nine (9) semester hours; or

(ii)(B) Three-quarters (3/4) of the award amount for a full-time student recipient, if the recipient is enrolled in at least nine (9) semester hours but less than the number of hours required for a full-time student recipient;

~~(B) The per semester hour award amount is calculated as the per-semester hour amount of an award to a traditional student based on fifteen (15) semester hours as calculated by the Department of Higher Education;~~

SECTION 18. Arkansas Code § 6-85-212(c) (second numbered subsection (c)), as enacted by Acts 605 and 606 of 2009, concerning scholarship award amounts for the Arkansas Academic Challenge Scholarship Program - Part 2, is amended to correct the numbering of the subsection and to read as follows:

~~(e)(1)(f)(1)~~ By November 1 of each year, the Arkansas Lottery Commission Legislative Oversight Committee shall provide to the General Assembly its recommendations for any changes to the:

- (A) Award amounts;
- (B) Number or type of scholarships; and
- (C) Eligibility requirements.

SECTION 19. Arkansas Code § 6-85-212(d) (second numbered subsection (d)), as enacted by Acts 605 and 606 of 2009, concerning scholarship award amounts for the Arkansas Academic Challenge Scholarship Program - Part 2, is amended to correct the numbering of the subsection and to read as follows:

~~(d)~~(g) After the 2010-2011 academic year, the determination of the amount of net proceeds from the state lottery available for each semester is based on the Arkansas Lottery Commission's certification of net proceeds ~~made in July of the immediately preceding calendar year.~~

SECTION 20. Arkansas Code § 6-85-212(e) (second numbered subsection (e)), as enacted by Acts 605 and 606 of 2009, concerning sufficient funds available for scholarship award amounts under the Arkansas Academic Challenge Scholarship Program - Part 2, is amended to correct the numbering of the subsection and to read as follows:

~~(e)~~(h) The department shall ensure that sufficient funds remain available to pay for scholarship awards through the anticipated completion of the degree or certificate a recipient is seeking and report the balance of those funds to the General Assembly before the amount of awards under this subchapter are increased by the General Assembly.

SECTION 21. Arkansas Code § 6-85-212(f) and (g)(1), as enacted by Acts 605 and 606 of 2009, concerning scholarship award amounts for the Arkansas Academic Challenge Scholarship Program - Part 2, are amended to correct the numbering of the subsections and to read as follows:

~~(f)~~(i) All awards under this subchapter are subject to the prohibition under § 6-80-105 against using public funds in a student financial package in excess of the recognized cost of attendance at the institution where the student is enrolled.

~~(g)(1)~~(j)(1) If the department has less than a sufficient amount to provide for the scholarship commitments under this subchapter, the department first shall use the department's Scholarships and Grants Contingency Appropriation to fund the shortfall.

SECTION 22. Arkansas Code § 6-85-212, as enacted by Acts 605 and 606 of 2009 and concerning scholarship award amounts for the Arkansas Academic Challenge Scholarship Program - Part 2, is amended to add an additional subsection to read as follows:

(k) When the General Assembly determines that there exists sufficient net lottery proceeds to fund students enrolling in certificate, associate degree, and

baccalaureate degree programs, the department shall submit recommendations to the Arkansas Lottery Commission Legislative Oversight Committee for the award of scholarships and grants to certain graduate and professional programs at approved institutions of higher education.

SECTION 23. Arkansas Code § 6-85-213, as enacted by Acts 605 and 606 of 2009, is amended to read as follows:

6-85-213. Nursing school eligibility.

(a)(1) The General Assembly recognizes that the State of Arkansas is experiencing a critical shortage of nurses.

(2) It is the intent of this section to allow the Department of Higher Education the opportunity, under specific circumstances, to include ~~a school of nursing that:~~ an approved school of nursing that

~~(A) Prepares students as registered nurses;~~

~~(B) Grants associate degrees or nursing diplomas;~~

~~(C) Is approved by the Arkansas State Board of Nursing; and~~

~~(D) Would~~ would not otherwise be an approved institution of higher education in the Arkansas Academic Challenge Scholarship Program.

~~(b)(4)~~ The department shall make awards to applicants attending a an approved school of nursing under this section if:

~~(A) The applicant has qualified for an Arkansas Academic Challenge Scholarship and is simultaneously enrolled in an approved two-year college or a four-year college or university before or at the time of entry into the nursing school and the applicant then transfers the scholarship to an approved school of nursing after completing the two-year requirements under the department's rules;~~

~~(B) The nursing school has been approved by the board and is specifically recognized by the department as a school of nursing eligible to participate in the Arkansas Academic Challenge Scholarship Program; and~~

~~(C) The the recipient meets continuing eligibility requirements in § 6-85-210.~~

~~(2)(c)~~ The department shall pay scholarship awards under this section only from nonlottery state educational resources.

SECTION 24. Arkansas Code § 6-85-218, as enacted by Acts 605 and 606 of 2009, is amended to read as follows:

6-85-218. Advisory council.

(a) An advisory council is created to provide recommendations to the Department of Higher Education and the Arkansas Lottery Commission Legislative Oversight Committee for the implementation of this subchapter.

(b) ~~The advisory council shall be composed of the members determined under subsection (c) of this section and~~ sixteen (16) members as follows:

~~(1) One (1) member of the House of Representatives selected by the Speaker of the House of Representatives;~~

~~(2) One (1) member of the Senate selected by the Speaker Pro Tempore of the Senate; and~~

~~(3) The Director of the Bureau of Legislative Research, or his or her designee.~~

~~(c) The Department of Higher Education shall determine the remaining composition of the advisory council, which shall include without limitation representation from:~~

~~(1) The department;~~

~~(2) Institutions of higher education eligible to become approved for participation in the Arkansas Academic Challenge Scholarship Program – Part 2;~~

~~(3) Professional associations for student financial aid administration and student services officers; and~~

~~(4) Any other group the department deems advisable.~~

(1) The Director of the Department of Higher Education, or his or her designee;

(3) The Commissioner of Education, or his or her designee;

(4) The Executive Director of the Arkansas Association of Educational Administrators, or his or her designee;

(5) The Executive Director of the Arkansas Education Association, or his or her designee;

(6) The Executive Director of the Arkansas School Boards Association, or his or her designee;

(7) The Director of the Bureau of Legislative Research, or his or her designee, who shall serve as an ex officio nonvoting member; and

(8)(A) Nine (9) members who shall serve three-year terms, selected as follows:

(i) One (1) member of the House of Representatives selected by the Speaker of the House of Representatives;

(ii) One (1) member of the Senate selected by the Speaker Pro Tempore of the Senate;

(iii) Two (2) members selected by the Director of the Department of Higher Education who are employed at the department;

(iv) Two (2) members selected by the Director of the Department of Higher Education who are presidents or chancellors of two-year

approved institutions of higher education, or the designee of the president selected;

(v) Two (2) members selected by the Director of the Department of Higher Education who are presidents or chancellors of four-year approved institutions of higher education or the designee of the president or chancellor selected;

(vi) One (1) member selected by the Director of the Department of Higher Education who is a financial aid administrator at an approved institution of higher education, or his or her designee; and

(vii) One (1) member selected by the Director of the Department of Higher Education who is a student services administrator at an approved institution of higher education, or his or her designee.

(B) Members appointed under this subdivision (b)(8):

(i) Shall have initial terms that are staggered evenly between two (2) and three (3) years as determined by lot at the advisory council's first meeting; and

(ii) May be reappointed to successive terms.

(C) A vacancy under this subdivision (b)(8) shall be filled by appointment by the appointing authority effective until the expiration of the regular term.

(d) The advisory council shall be staffed by the department.

~~(d)~~(e) The director or his or her designee legislator members of the advisory council shall serve as chair cochairs of the advisory council and shall call meetings as need needed to fulfill the purpose of the advisory council.

~~(e)~~(f)(1) Legislative members are entitled to reimbursement for expenses and per diem at the same rate and from the same source as provided by law for members of the General Assembly attending meetings of interim committees.

(2) ~~Members~~ Nonlegislative members of the advisory council shall serve without compensation but may be reimbursed by the Department of Higher Education for reasonable travel expenses incurred to attend meetings if funding is available.

~~(f)~~(g) By August 1, 2009, and as requested thereafter, the advisory council shall report its recommendations to the Arkansas Lottery Commission Legislative Oversight Committee.

SECTION 25. Arkansas Code § 19-4-801(2)(B)(xii)(b), as amended by Acts 605 and 606 of 2009 and concerning the definition of "state agency" as applied to the expenditure of cash funds, is amended to read as follows:

(b) However, the Arkansas Lottery Commission shall be considered a state agency for the purposes of §§ 19-4-810 - ~~19-4-1816~~ 19-4-816;

SECTION 26. Arkansas Code § 19-4-1415(b)(5), as amended by Acts 605 and 606 of 2009 and concerning certain exemptions for the construction of buildings and facilities, is amended to read as follows:

(5) The Board of Trustees of the University of Arkansas, the Board of Trustees of Arkansas State University, and the Arkansas Lottery Commission shall be exempt from review and approval by the authority and any regulations promulgated by it, provided that the ~~institutions shall~~ Board of Trustees of the University of Arkansas, the Board of Trustees of Arkansas State University, and the Arkansas Lottery Commission have adopted policies and procedures involving the awarding and oversight of the contracts for design and construction services.

SECTION 27. Arkansas Code § 23-115-103, as enacted by Acts 605 and 606 of 2009, is amended to read as follows:

23-115-103. Definitions.

As used in this chapter:

~~(1) "Adjudication" means agency process for the formulation of an order;~~

~~(2)~~(1) "Administrative expenses" means operating expenses, excluding amounts set aside for prizes, regardless of whether the prizes are claimed and excluding amounts held as a fidelity fund under § 23-115-603;

~~(3)~~(2) "Administrative order" means the final disposition of the Arkansas Lottery Commission in any matter other than a claim in contract or in tort, including without limitation licensing, in which the Arkansas Lottery Commission is required by law to make its determination after notice and a hearing;

~~(4)~~(3)(A) "Casino gambling" means a location or business for the purposes of conducting illegal gambling activities, including without limitation activities under § 5-66-101 et seq. that are not authorized under this chapter.

(B) "Casino gambling" does not include the sale and purchase of tickets or shares;

(4)(A) "Compensation" means any money or anything of value received or to be received as a claim for future services, whether in the form of a retainer, fee, salary, expense, allowance, forbearance, forgiveness, interest, dividend, royalty, rent, or any other form of recompense or any combination thereof.

(B) "Compensation" includes without limitation a payment made under obligation for services or other value received;

(5) "Female-owned business" means a business:

(A) Whose management and daily business operations are

under the control of one (1) or more females; and

(B) Either:

(i) Individually owned by a female who reports as her personal income for Arkansas income tax purposes the income of the business;

(ii) Which is a partnership in which a majority of the ownership interest is owned by one (1) or more females who report as their personal income for Arkansas income tax purposes more than fifty percent (50%) of the income of the partnership; or

(iii) Which is a corporation organized under the laws of this state in which a majority of the common stock is owned by one (1) or more females who report as their personal income for Arkansas income tax purposes more than fifty percent (50%) of the distributed earnings of the corporation;

(6) "Gift" means any payment, entertainment, advance, services, or anything of value, unless consideration of equal or greater value has been given therefor;

(7) "Immediate family" means the father, mother, sister, brother, husband, wife, child, grandmother, grandfather, grandchild, father-in-law, mother-in-law, sister-in-law, brother-in-law, stepchild, grandmother-in-law, grandfather-in-law, stepgrandchild, or any individual acting as parent or guardian;

(8) "~~Incompetency~~" "Incompetence" means:

(A) Gross ignorance of official duties;

(B) Gross carelessness in the discharge of official duties; or

(C) Inability or unfitness to discharge promptly and properly official duties because of a serious physical or mental defect that did not exist at the time of the person's appointment;

(9) "License" means authorization granted by the Arkansas Lottery Commission to an individual to operate as a retailer, including without limitation the execution of a contract between the Arkansas Lottery Commission and the individual relating to obligations and terms for operating as a retailer;

(10) "Lobbying" means communicating directly or soliciting others to communicate with any member of the Arkansas Lottery Commission, the Director of the Arkansas Lottery Commission, any employee of the Arkansas Lottery Commission, or a member of the Arkansas Lottery Commission Legislative Oversight Committee with the purpose of influencing the actions of the Arkansas Lottery Commission or the Arkansas Lottery Commission Legislative Oversight Committee;

(11) "Local government" means:

- (A) A county;
- (B) A city of the first class or a city of the second class;
- (C) An incorporated town; or
- (D) Any other district or political subdivision or any board, commission, or agency of the political subdivisions under subdivisions ~~(40)~~(11)(A)-(C) of this section;

(12) (A) "Lottery" means a game of chance approved by the Arkansas Lottery Commission and operated under this chapter.

(B) "Lottery" includes without limitation:

- (i) An instant ticket;
- (ii) A draw game; and
- (iii) Participation in a multistate or multisovereign game.

(C) "Lottery" does not include:

- (i) Casino gambling;
- (ii) A video lottery;
- (iii) Pari-mutuel wagering on horse racing or greyhound racing governed by the Arkansas Horse Racing Law, § 23-110-101 et seq., or the Arkansas Greyhound Racing Law, § 23-111-101 et seq., whether the pari-mutuel wagering is on live racing, simulcast racing, or races conducted in the past and rebroadcast by electronic means;
- (iv) Wagering on electronic games of skill under the Local Option Horse Racing and Greyhound Racing Electronic Games of Skill Act, § 23-113-101 et seq.; or
- (v) Conducting or participating in charitable bingo and raffles under the Charitable Bingo and Raffles Enabling Act, § 23-114-101 et seq.;

(13) "Lottery proceeds" means all revenue derived from the sale of tickets or shares and all other moneys derived from a lottery, including without limitation fees collected by the ~~commission~~ Arkansas Lottery Commission under this chapter;

(14)(A) "Major procurement contract" means a contract for a gaming product or service costing more than seventy-five thousand dollars (\$75,000), including without limitation:

- (i) A major advertising contract;
- (ii) An annuity contract;
- (iii) A prize payment agreement;
- (iv) A consulting service;
- (v) Lottery equipment;

(vi) Tickets; and

(vii) Any other product and service unique to lotteries.

(B) "Major procurement contract" does not include a material, supply, equipment, or service common to the ordinary operations of the Arkansas Lottery Commission.

(C) ~~If the commission executes a contract in which the cost of the contract is calculated on a contingent basis, the commission shall estimate the value of the contract to determine if it is a major procurement contract~~ When the cost of a proposed contract for a gaming product or service is to be paid in whole or in part on a contingent basis, the Arkansas Lottery Commission shall estimate the value of the proposed contract to determine whether it is a major procurement contract;

(15) ~~"Member of a minority" means an individual who is a member of a race that comprises less than fifty percent (50%) of the total population of the state a~~ lawful permanent resident of this state who is:

(A) African American;

(B) Hispanic American;

(C) American Indian;

(D) Asian American; or

(E) Pacific Islander American;;

(16) "Minority-owned business" means a business that is owned by:

(A) An individual who is a member of a minority who reports as his or her personal income for Arkansas income tax purposes the income of the business;

(B) A partnership in which a majority of the ownership interest is owned by one (1) or more members of a minority who report as their personal income for Arkansas income tax purposes more than fifty percent (50%) of the income of the partnership; or

(C) A corporation organized under the laws of this state in which a majority of the common stock is owned by one (1) or more members of a minority who report as their personal income for Arkansas income tax purposes more than fifty percent (50%) of the distributed earnings of the corporation;

(17) "Net proceeds" means lottery proceeds less operating expenses;

(18) "Nonlottery state educational resources" means the same as defined in § 6-85-204;

(19) "Operating expenses" means all costs of doing business, including without limitation:

- (A) Prizes, commissions, and other compensation paid to retailers;
- (B) Contracts for products or services necessary for the operation of the lottery, including without limitation the execution of major procurement contracts;
- (C) Advertising and marketing costs;
- (D) Personnel costs;
- (E) Capital costs or depreciation of property and equipment;
- (F) Funds for compulsive gambling education and treatment;
- (G) The payment of sums to the Arkansas State Claims Commission for the reconciliation of valid claims against the Arkansas Lottery Commission;
- (H) Payments for the cost of a state and federal criminal background check;
- (I) Payments to the Department of Higher Education to:
- (i) Reimburse the Department of Higher Education for the costs of administering scholarship awards funded with net proceeds; and
 - (ii) Replenish nonlottery state educational resources expended by the Department of Higher Education on scholarship awards otherwise funded with net proceeds;
- (J) Amounts annually transferred to a fidelity fund under § 23-115-603; and
- (K) Amounts paid to governmental entities for goods or services provided to the Arkansas Lottery Commission, including without limitation services provided by the Division of Legislative Audit and the Department of Finance and Administration;
- (20) "Person" means any individual, corporation, partnership, unincorporated association, or other legal entity;
- (21)(A) "Public official" means: ~~a member of the General Assembly or an elected constitutional officer~~
- (i) The Governor;
 - (ii) The Lieutenant Governor;
 - (iii) The Secretary of State;
 - (iv) The Treasurer of State;
 - (v) The Attorney General;
 - (vi) The Commissioner of State Lands;
 - (vii) The Auditor of State; or
 - (viii) A member of the General Assembly.

(B) "Public official" includes an individual during the time between the date he or she is elected and the date he or she takes office;

(22) "Retailer" means a person who sells tickets or shares on behalf of the Arkansas Lottery Commission under a license;

(23) "Share" means any intangible evidence of participation in a lottery;

(24) "Ticket" means any tangible evidence issued by a lottery to provide participation in a lottery;

(25)(A) "Vendor" means a person who provides or proposes to provide goods or services to the Arkansas Lottery Commission under a major procurement contract.

(B) "Vendor" does not include:

- (i) An employee of the Arkansas Lottery Commission;
- (ii) A retailer; or
- (iii) A state agency or instrumentality.

(C) "Vendor" includes a corporation whose stock is publicly traded and that is the parent company of the contracting party in a major procurement contract; and

(26) "Video lottery" means a lottery game that allows a game to be played using an electronic computer and an interactive computer terminal device:

(A) That is equipped with a video screen and keys and a keyboard or other equipment allowing input by an individual player;

(B) Into which the player inserts coins, currency, vouchers, or tokens as consideration in order for play to be available; and

(C) Through which the player may receive free games, coins, tokens, or credits that may be redeemed for cash, annuitized payments over time, a noncash prize, or nothing, as may be determined wholly or predominantly by chance.

SECTION 28. Arkansas Code § 23-115-205(a)(11), as enacted by Acts 605 and 606 of 2009 and concerning the powers of the Arkansas Lottery Commission, is amended to read as follows:

(11) To employ:

(A) The Director of the Arkansas Lottery Commission; and

(B)(i) An internal auditor,

(ii) The commission shall determine the duties and responsibilities of the internal auditor.

(iii) The internal auditor shall report directly to the commission;

SECTION 29. Arkansas Code § 23-115-209(a), as enacted by Acts 605 and 606 of 2009 and concerning appealing administrative orders of the Arkansas Lottery Commission, is amended to read as follows:

(a) A retailer, a vendor, or an applicant for a ~~major procurement~~ contract or a retailer license aggrieved by an administrative order of the Arkansas Lottery Commission may appeal that decision to Pulaski County Circuit Court.

SECTION 30. Arkansas Code § 23-115-209(d), as enacted by Acts 605 and 606 of 2009 and concerning certain appeals of administrative orders of the Arkansas Lottery Commission, is amended to read as follows:

(d)(1) A person who appeals the award of a contract, including without limitation a major procurement contract, is liable for all costs of appeal and defense if the appeal is denied or the contract award upheld.

(2) If upon the motion of the commission the court finds the appeal to have been frivolous, the cost of appeal and defense shall include without limitation the following expenses of the commission resulting from institution of the appeal:

- (A) Court costs;
- (B) Bond;
- (C) Legal fees; and
- (D) Loss of income.

(3) A person appealing the award of a contract may be entitled to the reasonable costs incurred in connection with the contract solicitation, including without limitation bid preparation costs.

SECTION 31. Arkansas Code § 23-115-211, as enacted by Acts 605 and 606 of 2009, is amended to read as follows:

23-115-211. Certain sections inapplicable.

The following sections shall not apply to the Arkansas Lottery Commission:

- (1) Section 19-1-211;
- (2) Section 19-1-301 et seq.;
- (3) Section 19-1-609;
- (4) Section 19-4-1802;
- (5) Section 19-5-206; and
- (6) Section 19-11-301 et seq.;
- (7) Section 22-9-103;
- (8) Section 22-9-104;
- (9) Section 25-1-104;
- (10) Section 25-26-201 et seq.; and
- (11) Section 25-27-104.

SECTION 32. Arkansas Code § 23-115-305, as enacted by Acts 605 and

606 of 2009, is amended to read as follows:

23-115-305. Regular salaries.

There is hereby established for the Arkansas Lottery Commission the following regular employees, the grades to be assigned to the respective positions, and the maximum annual salaries for each such position. The maximum annual salary for the positions assigned to grades shall be determined in accordance with, but shall not exceed, the maximum annual amount for the grade assigned ~~herein~~ in this section, as established in § 21-5-209. Except for the purpose of determining the maximum annual salary rate, which is to be applicable to each of the positions to which a salary grade is assigned ~~hereinafter~~ in this section, in accordance with § 21-5-209, all positions set forth ~~herein~~ in this section shall be exempt from other provisions of the Uniform Classification and Compensation Act, § 21-5-201 et seq., ~~or its successor~~, but shall not be exempt from the provisions of the Regular Salaries Procedures and Restrictions Act, § 21-5-101 et seq. ~~or its successor~~.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate
(01)	LOTTERY CMSN	EXECUTIVE DIRECTOR	1	\$141,603
(02)	LOTTERY CMSN	INTERNAL AUDITOR	1	\$141,603
(03)	LOTTERY CMSN	CHIEF OPERATING OFFICER	1	\$126,050
(04)	LOTTERY CMSN	INFORMATION TECH DIR	1	GRADE N912
(05)	LOTTERY CMSN	ADMIN & OPERATIONS DIR	1	GRADE N912
(06)	LOTTERY CMSN	CHIEF LEGAL COUNSEL	1	GRADE N910
(07)	LOTTERY CMSN	CHIEF FISCAL OFFICER	1	GRADE N910
(08)	LOTTERY CMSM	MARKETING & PROD DEV DIR	1	GRADE N909
(09)	LOTTERY CMSN	SALES/RETAIL RELATIONS DIR	1	GRADE N909
(10)	LOTTERY CMSN	PROCUREMENT DIRECTOR	1	GRADE N908
(11)	LOTTERY CMSN	ADMIN ANALYST	2	GRADE C115
(12)	LOTTERY CMSN	ADMIN SUPPORT SUPERVISOR	2	GRADE C113
(13)	LOTTERY CMSN	ADMIN SUPPORT SPEC III	6	GRADE C112

SECTION 33. Arkansas Code § 23-115-306, as enacted by Acts 605 and 606 of 2009, is amended to read as follows:

23-115-306. Special salary allowances.

(a) The Arkansas Lottery Commission, upon approval of the Arkansas Lottery Commission Legislative Oversight Committee, may make special salary allowances authorized by this section for recruitment or retention in amounts as the commission may determine equitable in view of the exacting duties ~~which~~ that are involved as a part of the salary of the:

- (1) Executive Director of the Arkansas Lottery Commission;
- (2) Internal auditor of the commission; and
- (3) Chief operating officer of the commission.

(b) ~~An allowance under subsection (a) of this section~~ The total compensation for a position subject to an allowance under subsection (a) of this section, including the salary authorized by the General Assembly and a special salary allowance, shall not exceed an amount equal to two and one half (2 1/2) times the salary for the position authorized by the General Assembly.

(c)(1) The requirement of approval by the Arkansas Lottery Commission Legislative Oversight Committee before granting a special salary allowance under this section is not a severable part of this section.

(2) If the requirement of approval by the Arkansas Lottery Commission Legislative Oversight Committee is ruled unconstitutional by a court of competent jurisdiction, this section is void.

SECTION 34. Arkansas Code § 23-115-307, as enacted by Acts 605 and 606 of 2009, is amended to read as follows:

23-115-307. Expansion pool.

(a) The Arkansas Lottery Commission is authorized an expansion pool of sixty (60) positions not to exceed the career service grade C130 and fifteen (15) positions not to exceed the professional and executive grade N922 to be used to establish additional positions of the proper title and salary if the commission does not have sufficient positions available to address growth needs.

(b) A position established under this section shall not exceed a salary rate in excess of the highest rate established by grade or by line item in this ~~act~~ subchapter.

(c) A position shall not be authorized from the expansion pool until the specific positions that are requested by the commission are reviewed by the Arkansas Lottery Commission Legislative Oversight Committee.

(d) When seeking review of positions by the Arkansas Lottery Commission Legislative Oversight Committee under this section, the commission shall provide an organizational chart indicating the current structure of the commission and its employees.

(e)(1) ~~The requirement of review by the committee prior to~~ Arkansas Lottery Commission Legislative Oversight Committee before authorizing positions from the expansion pool is not a severable part of this section.

(2) ~~If the requirement of review by the committee~~ Arkansas Lottery Commission Legislative Oversight Committee is ruled unconstitutional by a court of competent jurisdiction, this section is void.

SECTION 35. Arkansas Code § 23-115-401(d), as enacted by Acts 605 and 606 of 2009 and concerning certain staff employed by the Arkansas Lottery Commission, is amended to read as follows:

(d) The commission shall employ ~~procurement officials~~ staff to assist prospective vendors and retailers with entering into and competing for contracts, including without limitation the development and implementation of the plans and programs under subsections (b) and (c) of this section.

SECTION 36. Arkansas Code § 23-115-403(c)(5)(B), as enacted by Acts 605 and 606 of 2009 and concerning auditors present at lottery drawings, is amended to read as follows:

(B) The commission may ~~select~~ request an auditor employed by the Division of Legislative Audit for the purposes of subdivision (c)(5) of this section.

SECTION 37. Arkansas Code § 23-115-404(a)(2), concerning certain information exempt from public disclosure, is amended to read as follows:

(2) The following records or information ~~in the possession of the commission~~ shall be treated as confidential and are exempt from public disclosure under the Freedom of Information Act of 1967, § 25-19-101 et seq.:

(A) Information pertaining to the security of lottery games and lottery operations, including without limitation:

- (i) Security measures, systems, or procedures; and
- (ii) Security reports; and

(B) Any records exempt from disclosure under the Freedom of Information Act of 1967, § 25-19-101 et seq.

SECTION 38. Arkansas Code Title 23, Chapter 115, Subchapter 4, as enacted by Acts 605 and 606 of 2009, is amended to add an additional section to read as follows:

23-115-409. Laws under other wagering chapters not affected.

This chapter does not alter wagering that may be conducted under the Arkansas Horse Racing Law, § 23-110-101 et seq., the Arkansas Greyhound Racing Law, § 23-111-101 et seq., or the Local Option Horse Racing and Greyhound Racing Electronic Games of Skill Act, § 23-113-101 et seq.

SECTION 39. Arkansas Code § 23-115-501(e), as enacted by Acts 605 and 606 of 2009 and concerning certain ethics restrictions on vendors and applicants for major procurement contracts, is amended to read as follows:

(e)(1) A vendor ~~or an applicant for~~ who provides or proposes to provide goods or services under a major procurement contract shall not provide a gift or compensation to:

(A) The Director of the Arkansas Lottery Commission, a commission member, a commission employee, or a member of the Arkansas Lottery Commission Legislative Oversight Committee; or

(B) A member of the immediate family of the director, a commission member, a commission employee, or a member of the Arkansas Lottery Commission Legislative Oversight Committee.

~~(2)(A) This subsection shall be enforced and penalties shall be assessed in the same manner as § 21-8-301 et seq. Any person who knowingly violates subsection (e)(1) of this section shall be guilty of a Class A misdemeanor.~~

(B)(i) The Arkansas Ethics Commission shall also have the authority to investigate and address alleged violations of subsection (e)(1) of this section.

(ii) The Arkansas Ethics Commission shall have the same power and authority to enforce the provisions of subsection (e)(1) of this section as granted to it under §§ 7-6-217 and 7-6-218.

SECTION 40. Arkansas Code § 23-115-502(a)(3), as enacted by Acts 605 and 606 of 2009 and concerning securities maintained with the Arkansas Lottery Commission, is amended to read as follows:

(3) The securities shall be held in trust and shall ~~have~~ at all times a ~~market value at least equal to the full amount estimated to be paid annually to the vendor under contract~~ be in an amount as deemed necessary by the commission for the particular bid or major procurement contract.

SECTION 41. Arkansas Code § 23-115-504, as enacted by Acts 605 and 606 of 2009, is amended to read as follows:

23-115-504. Political contributions by vendors.

(a) The General Assembly finds:

(1) That the integrity of the Arkansas Lottery Commission and lotteries is of utmost importance; and

(2) That the people of the State of Arkansas should have confidence and be assured that public officials are free of any untoward political influence by vendors.

(b) A vendor awarded a major procurement contract for lottery equipment or tickets or an officer, employee, or agent, ~~or subcontractor~~ of a vendor awarded a major procurement contract for lottery equipment or tickets shall not make a political contribution to a public official or a candidate for election as a public official.

(c) A vendor proposing to provide goods or services under a major procurement contract or an officer, employee, or agent of a vendor proposing to provide goods or services under a major procurement contract shall not:

(1) Make a political contribution to a public official or a candidate for election as a public official while the award of the major procurement contract is pending; and

(2) While the award of the major procurement contract is pending, promise to make a political contribution to a public official or a candidate for election as a public official after the award of the major procurement contract.

SECTION 42. Arkansas Code § 23-115-601(g), as enacted by Acts 605 and 606 of 2009 and concerning certain ethics restrictions on retailers and retailer applicants, is amended to read as follows:

(g)(1) A retailer or an applicant to be a retailer shall not provide a gift or compensation to:

(A) The Director of the Arkansas Lottery Commission, a commission member, or a commission employee; or

(B) A member of the immediate family of the director, a commission member, or a commission employee.

~~(2)(A) This subsection shall be enforced and penalties shall be assessed in the same manner as § 21-8-301 et seq.~~ Any person who knowingly violates subsection (e)(1) of this section shall be guilty of a Class A misdemeanor.

(B)(i) The Arkansas Ethics Commission shall also have the authority to investigate and address alleged violations of subsection (e)(1) of this section.

(ii) The Arkansas Ethics Commission shall have the same power and authority to enforce the provisions of subsection (e)(1) of this section as granted to it under §§ 7-6-217 and 7-6-218.

SECTION 43. Arkansas Code § 23-115-605(d), enacted by Acts 605 and 606 of 2009 and concerning the failure to promptly remit lottery proceeds to the Arkansas Lottery Commission, is amended to read as follows:

(d) If the commission determines that a retailer failed to comply with subsection (b) of this section three (3) times within any consecutive twenty-four-month period, the commission may ~~refer the retailer to the Department of Finance and Administration with a recommendation that the department pursue business closure against the retailer as a noncompliant taxpayer as provided in § 26-18-1001 et seq~~ under this subchapter.

SECTION 44. Arkansas Code Title 23, Chapter 115, Subchapter 6, as enacted by Acts 605 and 606 of 2009, is amended to add additional sections to read as follows:

23-115-607. Business closure authority — Notice.

(a) In addition to all other remedies provided by law for failure to remit lottery

proceeds due the commission, the Director of the Arkansas Lottery Commission may close the business of a retailer if the retailer fails to comply with § 23-115-605(b) three (3) times within any consecutive twenty-four-month period

(b)(1) The director shall give notice to the retailer that the third delinquency in complying with § 23-115-605(b) in any consecutive twenty-four-month period may result in the closure of the business.

(2) The notice shall be in writing and delivered to the retailer by:

(A) The United States Postal Service; or

(B) Hand delivery.

(c)(1) If the retailer has a third delinquency in complying with § 23-115-605(b) in any consecutive twenty-four-month period after the issuance of the notice provided in subsection (b) of this section and the director chooses to close the business, the director shall notify the retailer by certified mail or by hand delivery that the business will be closed within five (5) business days from the date of receipt of the notice unless the retailer avoids closure of the business under subsection (d) of this section.

(2) If the fifth day falls on a Saturday, Sunday, or legal holiday, the performance of an act to avoid business closure under subsection (d) of this section is timely when performed on the next succeeding business day that is not a Saturday, Sunday, or legal holiday.

(d) A retailer may avoid closure of the business by:

(1) Remitting the delinquent lottery proceeds; or

(2) Entering into a written payment agreement approved by the director to satisfy the lottery proceeds delinquency.

23-115-608. Administrative hearing.

(a) A retailer may request an administrative hearing concerning the decision of the Director of the Arkansas Lottery Commission to close the retailer's business.

(b) Within five (5) business days after the delivery or attempted delivery of the notice required by § 23-115-607(c), the retailer may file a written protest, signed by the retailer or his or her authorized agent, with the director stating the reasons for opposing the closure of the business and requesting an administrative hearing.

(c)(1) A retailer may request that an administrative hearing be held:

(A) In person;

(B) By telephone;

(C) Upon written documents furnished by the retailer; or

(D) Upon written documents and any evidence to be produced by the retailer at an administrative hearing.

(2) The director may determine whether an administrative hearing at

which testimony is to be presented will be conducted in person or by telephone.

(3) A retailer who requests an administrative hearing based upon written documents is not entitled to any other administrative hearing before the rendering of the administrative decision.

(d) The administrative hearing shall be conducted by a hearing officer appointed by the director.

(e)(1) The hearing officer shall:

(A) Set the time and place for a hearing; and

(B) Give the retailer notice of the hearing.

(2) At the administrative hearing, the retailer may:

(A) Be represented by an authorized representative; and

(B) Present evidence in support of his or her position.

(f) The administrative hearing shall be held within fourteen (14) calendar days of receipt by the director of the request for hearing.

(g) The administrative hearing and determinations made by the hearing officer under this subchapter are subject to the Arkansas Administrative Procedure Act, § 25-15-201 et seq.

(h) The defense or defenses to the closure of a business under this subchapter are:

(1) Written proof that the retailer remitted the delinquent lottery proceeds due; or

(2) That the retailer has entered into a written payment agreement, approved by the director, to satisfy the lottery proceeds delinquency.

(i) The decision of the hearing officer shall be in writing with copies delivered to the retailer and the director by the United States Postal Service or by hand delivery.

23-115-609. Judicial relief.

(a)(1) If the decision of the hearing officer under § 23-115-608 is to affirm the closure of the business, the decision shall be submitted in writing and delivered by the United States Postal Service or by hand to the retailer.

(2) The retailer may seek judicial relief from the decision by filing suit within twenty (20) calendar days of the date of the decision.

(b)(1) Jurisdiction for a suit under this section to contest a determination of the director shall be in Pulaski County Circuit Court, where the matter shall be tried de novo.

(2)(A) If the circuit court finds that the business closure order was appropriately issued by the director, the circuit court shall issue an injunction against the retailer prohibiting the further operation of the business.

(B) If a business subject to an injunction issued by the circuit court as provided in this subchapter continues in operation, upon conviction, any person responsible for the decision to operate the business after the issuance of the injunction shall be guilty of a Class A misdemeanor.

(3) An appeal may be made from the circuit court to the appropriate appellate court, as provided by law.

(c) The procedures established by § 23-115-608 and this section are the sole methods for seeking relief from a written decision to close the business of a retailer for failure to comply with § 23-115-605(b).

(d) The decision to close the business of a retailer shall be final:

(1) If the retailer fails to:

(A) Request an administrative hearing under § 23-115-608; or

(B) Seek judicial relief under this section; or

(2) Upon the final decision of a circuit court or an appellate court.

(e)(1) It is unlawful for a business to continue in operation after a business closure order is issued that is:

(A) Upheld on appeal under this subchapter; or

(B) Not appealed by the retailer under this subchapter.

(2) Upon conviction, any person responsible for the decision to operate the business in violation of this subchapter shall be guilty of a Class A misdemeanor.

23-115-610. Business closure procedure.

(a) If a retailer fails to timely seek administrative or judicial review of a business closure decision or if the business closure decision is affirmed after administrative or judicial review, the Director of the Arkansas Lottery Commission shall direct the Department of Finance and Administration to affix a written notice to all entrances of the business that:

(1) Identifies the business as being subject to a business closure order; and

(2) States that the business is prohibited from further operation.

(b) The Director of the Arkansas Lottery Commission may also direct that the business be locked or otherwise secured so that it may not be operated.

(c) The Director of the Department of Finance and Administration may request the assistance of the Department of Arkansas State Police or any state or local law enforcement official to post the notice or to secure the business as authorized in this section.

(d) The commission may reimburse the Department of Finance and Administration for the costs of administering this section after review of the amount

by the Arkansas Lottery Commission Legislative Oversight Committee.

23-115-611. Revocation and suspension of business's license.

(a) The closure of a business under this subchapter shall be grounds for cancellation, suspension, revocation, or termination of a retailer license under § 23-115-604.

(b) The closure of a business under this subchapter shall be grounds for the suspension or revocation of any business license granted under the laws of the State of Arkansas, excluding professional licenses.

(c) After the decision to close the retailer's business becomes final, the Director of the Arkansas Lottery Commission shall contact the appropriate administrative body responsible for granting licenses to operate the business and report the closure of the business.

23-115-612. Authority to promulgate rules.

The Arkansas Lottery Commission may promulgate rules necessary for the implementation and enforcement of this subchapter.

SECTION 45. Arkansas Code § 23-115-701(c)(3), as enacted by Acts 605 and 606 of 2009 and concerning major procurement contracts of the Arkansas Lottery Commission, is amended to read as follows:

(3) The Except for printing, stationery, and supplies under Arkansas Constitution, Amendment 54, the commission is not required to accept the lowest responsible bid for major procurement contracts but shall select a bid that provides the greatest long-term benefit to the state, the greatest integrity for the commission, and the best service and products for the public.

SECTION 46. Arkansas Code § 23-115-802(b), as enacted by Acts 605 and 606 of 2009 and concerning the scholarship shortfall reserve trust account, is amended to read as follows:

(b)(1) An amount equal to ~~ten percent (10%)~~ four percent (4%) of the total amount of net proceeds disbursed during the preceding fiscal year in the form of scholarships and grants for higher education shall be deposited from lottery proceeds each year until the amount in the scholarship shortfall reserve trust account equals ~~fifty million dollars (\$50,000,000)~~ twenty million dollars (\$20,000,000).

(2) Thereafter, only an amount necessary to maintain the scholarship shortfall reserve trust account in an amount equal to ~~fifty million dollars (\$50,000,000)~~ twenty million dollars (\$20,000,000) shall be deposited into the scholarship shortfall reserve trust account.

(3) Any amount in the trust fund exceeding twenty million dollars (\$20,000,000) shall be considered net proceeds and shall be deposited annually into

one (1) or more trust accounts at one (1) or more financial institutions by July 1 of each year.

SECTION 47. Arkansas Code § 23-115-1101(d)(3), as enacted by Acts 605 and 606 of 2009 and concerning the duties of the Arkansas Lottery Commission Legislative Oversight Committee, is amended to read as follows:

(3)(A) Review proposed ~~major procurement~~ contracts of twenty-five thousand dollars (\$25,000) or more before the execution of the contracts.

(B) The commission shall provide a list of all contracts less than twenty-five thousand dollars (\$25,000) to the Arkansas Lottery Commission Legislative Oversight Committee on a monthly basis;

SECTION 48. Arkansas Code § 23-115-1101, as enacted by Acts 605 and 606 of 2009, is amended to add an additional subsection to read as follows:

(h)(1) With the consent of both the President Pro Tempore of the Senate and the Speaker of the House of Representatives, the Arkansas Lottery Commission Legislative Oversight Committee may meet during a session of the General Assembly to perform its duties under this chapter.

(2) This subsection (h) does not limit the authority of the Arkansas Lottery Commission Legislative Oversight Committee to meet during a recess as authorized by § 10-3-211 or § 10-2-223.

SECTION 49. Arkansas Code § 25-1-110(e), concerning the cost-effectiveness of state-owned vehicles, is amended to read as follows:

(e) The provisions of this section do not apply to the Arkansas Lottery Commission, institutions of higher education, and vocational technical institutes.

SECTION 50. Arkansas Code § 25-1-206 is amended to read as follows:
25-1-206. Definition of "state agency".

The term "state agency" as used in this subchapter does not include:

(1) The Arkansas Lottery Commission; and

(2) institutions ~~Institutions~~ of higher education.

SECTION 51. Arkansas Code § 25-4-103(16), concerning the definition of "state agencies" under the Arkansas Information Systems Act of 1997, is amended to read as follows:

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

SECTION 52. Section 7, subdivision (a)(2) of Acts 605 and 606 of 2009 is

amended to read as follows:

(2) The amount of net proceeds from the state lottery reasonably projected for the 2010-2011 academic year as determined by the director, after consultation with the Arkansas Lottery Commission, the Legislative Oversight Committee, the House Committee on Education, and the Senate Committee on Education.

SECTION 53. Section 7, subdivision (b)(2) of Acts 605 and 606 of 2009 is amended to read as follows:

(2) Increasing state-supported student financial assistance under the Higher Education Opportunities Grant Program, § 6-82-1701 et seq. and the Arkansas Workforce Improvement Grant Program, § 6-82-1601 et seq., or other state-supported student financial assistance programs for nontraditional students; or

SECTION 54. Section 7, subdivision (e)(1) of Acts 605 and 606 of 2009 is amended to read as follows:

(e)(1) The department shall maintain a list of nontraditional students and students near completion and shall award scholarships under this subchapter first in order of those nearest completion.

SECTION 55. The Arkansas Lottery Commission may participate in the Arkansas Administrative Statewide Information System.

SECTION 56. TEMPORARY LANGUAGE. NOT TO BE CODIFIED.

(a) The General Assembly recognizes that the Arkansas Lottery Commission will experience staffing needs before it is able to hire staff necessary to assist the commission with its implementation of the Arkansas Scholarship Lottery Act, § 23-115-101 et seq.

(b) Upon request of the commission, the Director of the Bureau of Legislative Research may provide staff to assist the commission with its duties in a manner and at times determined by the director until the commission hires sufficient staff to assist the commission with its implementation of the Arkansas Scholarship Lottery Act, § 23-115-101 et seq.

(c) This section shall expire on September 1, 2009.

SECTION 57. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that the people of the State of Arkansas overwhelmingly approved the establishment of lotteries at the 2008 General Election; that the Eighty-seventh General Assembly adopted Acts 605 and 606 of 2009 that implemented lotteries and made corresponding revisions to the Arkansas Academic Challenge Scholarship Program; that this bill amends provisions of Acts 605 and 606 of 2009 pertaining to lotteries and the Arkansas Academic Challenge Scholarship Program; and that the failure to immediately implement this act will

cause a reduction in lottery proceeds that will harm the educational and economic success of potential students eligible to receive scholarships under the act. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

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

/s/ Robbie Wills

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

/s/ Ms. Jo Renshaw
Chief Clerk

The House gave Representative Saunders unanimous leave to withdraw **HOUSE BILL NO. 1032**.

The House gave Representative Stewart unanimous leave to withdraw **HOUSE BILL NO. 2134**. Recommended Committee Study by AGING, CHILDREN AND YOUTH, LEGISLATIVE AND MILITARY AFFAIRS-House.

The House gave Representative Reep unanimous leave to withdraw **HOUSE BILL NO.1389**. Recommended Committee Study by PUBLIC HEALTH, WELFARE AND LABOR-House.

ENGROSSED BILL REPORTS

WILHELMINA LEWELLEN, CHAIRPERSON

March 31, 2009

The following bill(s) reported correctly engrossed:

- HOUSE BILL NO. 1661 - TITLE - BY REPRESENTATIVE SHELBY
- HOUSE BILL NO. 1926 BY REPRESENTATIVE MAXWELL
- HOUSE BILL NO. 1993 - TITLE - BY REPRESENTATIVE ABERNATHY
- HOUSE BILL NO. 2165 BY REPRESENTATIVE L. COWLING
- HOUSE BILL NO. 2166 BY REPRESENTATIVE L. COWLING
- HOUSE BILL NO. 2243 - TITLE - BY REPRESENTATIVE WILLS
- SENATE BILL NO. 299 - TITLE - BY SENATOR ALLEN

HOUSE BILL ENGROSSED AS TITLE AMENDED
 HOUSE BILL NO. 1661

BY: REPRESENTATIVE SHELBY
 BY: SENATOR B. PRITCHARD

A BILL FOR AN ACT TO BE ENTITLED *AN ACT TO ESTABLISH THE RATE OF TAX FOR ALCOPOPS; AND FOR OTHER PURPOSES.*

HOUSE BILL ENGROSSED AS TITLE AMENDED
 HOUSE BILL NO. 1993

BY: REPRESENTATIVE ABERNATHY

A BILL FOR AN ACT TO BE ENTITLED *AN ACT TO ALLOW A TWO-YEAR OR FOUR-YEAR COLLEGE OR UNIVERSITY TO PROVIDE CONCURRENT CREDIT COURSES TO HIGH SCHOOL STUDENTS AT A REDUCED TUITION AMOUNT; AND FOR OTHER PURPOSES.*

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2243

BY: REPRESENTATIVE WILLS

BY: SENATOR T. SMITH

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND THE ARKANSAS ACADEMIC CHALLENGE SCHOLARSHIP PROGRAM; TO AMEND THE ARKANSAS SCHOLARSHIP LOTTERY ACT WHICH SUPPLEMENTS FUNDING FOR THE ARKANSAS ACADEMIC CHALLENGE SCHOLARSHIP PROGRAM; AND FOR OTHER PURPOSES.

SENATE BILL ENGROSSED AS TITLE AMENDED
HOUSE 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; AND FOR OTHER PURPOSES.

Upon motion of Representative Allen, SENATE BILL NO. 299 was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO SENATE BILL NO. 299

Amend SENATE BILL NO. 299 as engrossed,

S3/23/09 (version: 03-23-2009 08:37):

Page 1, delete lines 10 through 16 and substitute "AN ACT TO REESTABLISH A TASK FORCE ON RACIAL PROFILING; AND FOR OTHER PURPOSES."

AND

Page 1, delete lines 19 through 23 and substitute "TO REESTABLISH A TASK FORCE ON RACIAL PROFILING."

AND

Delete Sections 2 and 3

/s/ Fred Allen

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

/s/ Ms. Jo Renshaw

Chief Clerk

Morning Hour Expired.

HOUSE BILL NO. 1968

BY: REPRESENTATIVE WEBB

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

AFFIRMATIVE: Adcock, Allen, Baird, T. Baker, Blount, Breedlove, Carroll, Carter, Cash, Clemmer, D. Creekmore, Davis, J. Dickinson, Dismang, J. Edwards, Flowers, Gaskill, Greenberg, Harrelson, House, D. Hutchinson, Hyde, Ingram, Lea, W. Lewellen, Lindsey, M. Martin, McLean, Moore, Pennartz, Powers, Rainey, J. Rogers, Shelby, L. Smith, Tyler, Webb, Mr. Speaker.

Total38

NEGATIVE: Abernathy, Barnett, Betts, J. Brown, J. Burris, Cole, Cook, Cooper, L. Cowling, Dale, Dunn, English, Everett, Garner, Glidewell, R. Green, Hall, Hardy, Hobbs, Hopper, Kerr, Kidd, King, Lovell, Lowery, S. Malone, Maxwell, McCrary, Nickels, Patterson, Perry, Pierce, Pyle, Ragland, Reep, Rice, J. Roebuck, T. Rogers, Sample, Saunders, Slinkard, G. Smith, Stewart, Summers, Wells, B. Wilkins, Word.

Total47

ABSENT OR NOT VOTING: T. Bradford, M. Burris, Cheatham, Davenport, George, Hawkins, Hoyt, Maloch, Nix, Overbey, Reynolds, Wagner, Williams, Woods.

Total14

VOTING PRESENT: Carnine.

Total1

Total number of votes cast86

Total number voting in the affirmative38

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

So the Bill failed.

HOUSE BILL NO. 2169

BY: REPRESENTATIVE R. GREEN

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

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

Total75

NEGATIVE: T. Baker, Barnett, Dunn, Gaskill, Glidewell, Hall, Hoyt, King, Lovell, Reynolds, Rice.

Total11

ABSENT OR NOT VOTING: Adcock, Baird, Blount, J. Burris, M. Burris, Cash, Cole, L. Cowling, Ingram, Maloch, Ragland, Sample, Webb.

Total13

VOTING PRESENT: Flowers.

Total1

Total number of votes cast87

Total number voting in the affirmative.....75

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

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

Upon motion of Representative R. Green the Clincher motion prevailed.

Representative R. Green moved to re-refer **HOUSE BILL NO. 2167** back to the INSURANCE AND COMMERCE Committee. Motion carried.

Representative T. Baker moved that the record by which **HOUSE BILL NO. 1393** passed be expunged from the record, which motion prevailed by more than 67 votes.

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, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, J. Rogers, T. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Word, Mr. Speaker.

Total95

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Ingram, Maloch, L. Smith, Woods.

Total4

VOTING PRESENT: Rice.

Total1

Total number of votes cast.....96

Total number voting in the affirmative95

Necessary to the adoption of the motion.....67

So the Motion was adopted.

HOUSE BILL NO. 1930

BY: REPRESENTATIVE ADCOCK

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, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, M. Burris, Carnine, Carroll, Cash, Cheatham, Clemmer, Cole, Cook, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, R. Green, Hall, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde, Kerr, Kidd, Lea, W. Lewellen, Lindsey, Lovell, M. Martin, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, T. Rogers, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, Williams, Woods, Word.

Total80

NEGATIVE: Baird, J. Burris, Carter, Dismang, Maxwell, Sample.

Total6

ABSENT OR NOT VOTING: Allen, Cooper, L. Cowling, Glidewell, Greenberg, Hardy, Ingram, King, Lowery, Maloch, S. Malone, B. Wilkins, Mr. Speaker.

Total13

VOTING PRESENT: Ragland.

Total1

Total number of votes cast87

Total number voting in the affirmative.....80

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

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

Upon motion of Representative Adcock the Clincher motion prevailed.

HOUSE BILL NO. 2069

BY: REPRESENTATIVE HYDE

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, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, Carnine, Carroll, Cash, Cheatham, Cole, Cooper, L. Cowling, Dale, Davenport, Davis, J. Dickinson, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, Harrelson, Hawkins, Hobbs, House, Hoyt, D. Hutchinson, Hyde, Kerr, Kidd, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, J. Rogers, T. Rogers, Saunders, Shelby, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, Williams, Woods, Word, Mr. Speaker.

Total76

NEGATIVE: Baird, J. Burris, Carter, Clemmer, Cook, Dismang, R. Green, Hall, Hopper, King, M. Martin, Sample, Slinkard.

Total13

ABSENT OR NOT VOTING: Adcock, J. Brown, D. Creekmore, Greenberg, Hardy, Ingram, Lea, S. Malone, Rice, B. Wilkins.

Total10

VOTING PRESENT: M. Burris.

Total1

Total number of votes cast.....90

Total number voting in the affirmative76

Necessary to the passage of the bill51

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

There being an Emergency Clause attached to **HOUSE BILL NO. 2069**, 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, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, Carnine, Carroll, Cash, Cheatham, Cole, Cooper, L. Cowling, Dale, Davenport, Davis, J. Dickinson, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, Harrelson, Hawkins, Hobbs, House, Hoyt, D. Hutchinson, Hyde, Kerr, Kidd, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, J. Rogers, T. Rogers, Saunders, Shelby, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, Williams, Woods, Word, Mr. Speaker.

Total76

NEGATIVE: Baird, J. Burris, Carter, Clemmer, Cook, Dismang, R. Green, Hall, Hopper, King, M. Martin, Sample, Slinkard.

Total13

ABSENT OR NOT VOTING: Adcock, J. Brown, D. Creekmore, Greenberg, Hardy, Ingram, Lea, S. Malone, Rice, B. Wilkins.

Total10

VOTING PRESENT: M. Burris.

Total1

Total number of votes cast90

Total number voting in the affirmative76

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

So the Emergency Clause was adopted.

HOUSE BILL NO. 2203

BY: REPRESENTATIVE WILLIAMS

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, 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, 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.

Total	98
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Cole, Ingram.	
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.

HOUSE BILL NO. 2231

BY: REPRESENTATIVE FLOWERS

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, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, M. Burris, Carnine, Carroll, Cash, Cheatham, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dunn, J. Edwards, English, Everett, Flowers, Gaskill, George, Glidewell, R. Green, Greenberg, Harrelson, Hawkins, Hopper, House, Hoyt, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, S. Malone, McCrary, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Rice, J. Roebuck, J. Rogers, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word.

Total78

NEGATIVE: Baird, Carter, Dismang, Hall, Hobbs, Hyde, Maloch, T. Rogers.

Total8

ABSENT OR NOT VOTING: J. Burris, Clemmer, Garner, Hardy, D. Hutchinson, Ingram, Lowery, M. Martin, McLean, Reynolds, Sample, Summers, Mr. Speaker.

Total13

VOTING PRESENT: Maxwell.

Total1

Total number of votes cast87

Total number voting in the affirmative.....78

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

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

Upon motion of Representative Flowers the Clincher motion prevailed.

HOUSE BILL NO. 2075

BY: REPRESENTATIVE HAWKINS

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, Carroll, Carter, Cash, Cheatham, Clemmer, Cole, Cook, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, 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, Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, T. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, Mr. Speaker.

Total92

NEGATIVE: L. Smith.

Total1

ABSENT OR NOT VOTING: Allen, Cooper, Everett, Hardy, D. Hutchinson, King, Pyle.

Total7

VOTING PRESENT:

Total0

Total number of votes cast93

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.

Upon motion of Representative Hoyt **HOUSE BILL NO. 1451** will be recalled from the Governor's Office.

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, 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, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, Mr. Speaker.

Total	97
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Glidewell, Lea.	
Total	2
VOTING PRESENT: L. Smith.	
Total	1
Total number of votes cast	98
Total number voting in the affirmative	97
Necessary to the adoption of the motion	51

So the Motion was adopted.

STATE OF ARKANSAS
HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH GENERAL ASSEMBLY
350 STATE CAPITOL
500 WOODLANE AVENUE
LITTLE ROCK, ARKANSAS 72201-1089
(501) 682-7771 TDD (501) 682-9148

ROBBIE WILLS, SPEAKER
TIM MASSANELLI, PARLIAMENTARIAN JO RENSHAW, CHIEF CLERK

March 31, 2009

The Honorable Mike Beebe
Governor
State Capitol Building
Little Rock, AR 72201

Dear Mr. Beebe:

The House of Representatives respectfully requests the recall of **HOUSE BILL NO. 1451**.

Respectfully submitted,

Jo Renshaw
Chief Clerk

Representative Allen moved that the House reconsider **HOUSE BILL NO. 2160**.

The vote was as follows:

AFFIRMATIVE: Abernathy, Allen, T. Baker, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carroll, Cash, Cheatham, Cook, L. Cowling, Davis, J. Dickinson, J. Edwards, Everett, Flowers, Gaskill, George, Glidewell, Hardy, Harrelson, Hawkins, House, Hoyt, Hyde, Ingram, Kidd, Lea, W. Lewellen, Lindsey, Lowery, Maloch, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Pierce, Powers, Rainey, Reep, Reynolds, J. Roebuck, T. Rogers, Sample, Saunders, Shelby, G. Smith, L. Smith, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Word, Mr. Speaker.

Total62

NEGATIVE: Adcock, Baird, Barnett, Betts, Carnine, Carter, Clemmer, Cooper, D. Creekmore, Dale, Dismang, Dunn, English, Garner, R. Green, Greenberg, Hall, Hobbs, Hopper, Kerr, King, Lovell, S. Malone, M. Martin, Perry, Pyle, Ragland, Rice, J. Rogers, Slinkard, Stewart, Summers, Woods.

Total33

ABSENT OR NOT VOTING: Cole, Davenport, D. Hutchinson, Maxwell, McCrary.

Total5

VOTING PRESENT:

Total0

Total number of votes cast95

Total number voting in the affirmative62

Necessary to the adoption of the motion51

So the Motion was adopted.

HOUSE BILL NO. 2160

BY: REPRESENTATIVE ALLEN

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

AFFIRMATIVE: Abernathy, Allen, T. Baker, Blount, T. Bradford, Breedlove, J. Brown, M. Burris, Carroll, Cash, Cheatham, L. Cowling, Davis, J. Dickinson, J. Edwards, Everett, Flowers, Gaskill, George, Hardy, Harrelson, Hawkins, House, Hoyt, Hyde, Ingram, Lea, W. Lewellen, Lindsey, Lowery, Maloch, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pierce, Powers, Rainey, Reep, Reynolds, J. Roebuck, T. Rogers, Saunders, Shelby, G. Smith, L. Smith, Tyler, Webb, Wells, B. Wilkins, Williams, Word, Mr. Speaker.

Total55

NEGATIVE: Adcock, Baird, Barnett, Betts, J. Burris, Carnine, Carter, Clemmer, Cook, Cooper, D. Creekmore, Dale, Dismang, Dunn, English, Garner, R. Green, Greenberg, Hall, Hobbs, Hopper, Kerr, Kidd, King, Lovell, S. Malone, M. Martin, Pennartz, Perry, Pyle, Ragland, Rice, J. Rogers, Sample, Slinkard, Stewart, Summers, Woods.

Total38

ABSENT OR NOT VOTING: Cole, Davenport, Glidewell, Maxwell, McCrary, Wagner.

Total6

VOTING PRESENT: D. Hutchinson.

Total1

Total number of votes cast94

Total number voting in the affirmative55

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

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

Representative J. Edwards moved that the House reconsider **HOUSE BILL NO. 1978**.

The vote was as follows:

AFFIRMATIVE: Abernathy, Adcock, Allen, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, Carnine, Carroll, Cash, Cheatham, Cole, Cook, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, J. Edwards, English, Everett, Flowers, Gaskill, George, Glidewell, Hardy, Harrelson, Hawkins, House, Hoyt, Hyde, Ingram, Kerr, Kidd, W. Lewellen, Lindsey, Lowery, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Perry, Pierce, Powers, Ragland, Rainey, Reep, Reynolds, J. Roebuck, J. Rogers, T. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Webb, B. Wilkins, Williams, Word, Mr. Speaker.

Total74

NEGATIVE: Baird, M. Burris, Carter, Clemmer, Cooper, Dismang, R. Green, Greenberg, Hall, Hobbs, Hopper, King, Lea, Lovell, Maloch, S. Malone, M. Martin, Pennartz, Pyle, Rice.

Total20

ABSENT OR NOT VOTING: Dunn, Garner, D. Hutchinson, Wells, Woods.

Total5

VOTING PRESENT: Wagner.

Total1

Total number of votes cast95

Total number voting in the affirmative74

Necessary to the adoption of the motion51

So the Motion was adopted.

HOUSE BILL NO. 1978

BY: REPRESENTATIVE J. EDWARDS

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

AFFIRMATIVE: Abernathy, Allen, T. Baker, Barnett, Betts, Blount, Breedlove, J. Brown, J. Burris, Carnine, Carroll, Cheatham, Cook, Dale, Davenport, Davis, J. Dickinson, J. Edwards, English, Everett, Flowers, Gaskill, George, Glidewell, Hardy, Harrelson, Hawkins, House, Hoyt, Ingram, W. Lewellen, Lowery, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Perry, Powers, Rainey, Reep, Reynolds, J. Roebuck, J. Rogers, T. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Webb, Williams, Mr. Speaker.

Total59

NEGATIVE: Adcock, Baird, M. Burris, Carter, Clemmer, Cooper, D. Creekmore, Dismang, R. Green, Greenberg, Hall, Hobbs, Hopper, D. Hutchinson, Kidd, King, Lea, Lindsey, Lovell, Maloch, S. Malone, M. Martin, Pennartz, Pierce, Pyle, Rice, Tyler, B. Wilkins, Woods, Word.

Total30

ABSENT OR NOT VOTING: T. Bradford, Cash, Cole, L. Cowling, Dunn, Hyde, Kerr, Wells.

Total8

VOTING PRESENT: Garner, Ragland, Wagner.

Total3

Total number of votes cast92

Total number voting in the affirmative59

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

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

SENATE BILL NO. 897

BY: SENATOR GLOVER

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, R. Green, Greenberg, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Ingram, Kerr, Kidd, Lea, W. Lewellen, Lindsey, Lovell, S. Malone, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Rice, J. Roebuck, J. Rogers, T. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Webb, Wells, B. Wilkins, Woods, Word, Mr. Speaker.

Total90

NEGATIVE: Lowery.

Total1

ABSENT OR NOT VOTING: Glidewell, Hall, Hyde, King, Maloch, M. Martin, Williams.

Total7

VOTING PRESENT: Reynolds, Wagner.

Total2

Total number of votes cast93

Total number voting in the affirmative90

Necessary to the passage of the bill51

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

There being an Emergency Clause attached to **SENATE BILL NO. 897**, 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, R. Green, Greenberg, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Ingram, Kerr, Kidd, Lea, W. Lewellen, Lindsey, Lovell, S. Malone, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Rice, J. Roebuck, J. Rogers, T. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Webb, Wells, B. Wilkins, Woods, Word, Mr. Speaker.

Total90

NEGATIVE: Lowery.

Total1

ABSENT OR NOT VOTING: Glidewell, Hall, Hyde, King, Maloch, M. Martin, Williams.

Total7

VOTING PRESENT: Reynolds, Wagner.

Total2

Total number of votes cast.....93

Total number voting in the affirmative90

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

So the Emergency Clause was adopted.

SENATE BILL NO. 993

BY: SENATOR R. THOMPSON

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, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, 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.

Total96

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Hardy, Hyde, Maloch, Saunders.

Total4

VOTING PRESENT:

Total0

Total number of votes cast96

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.

There being an Emergency Clause attached to **SENATE BILL NO. 993**, 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, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, 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.

Total96

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Hardy, Hyde, Maloch, Saunders.

Total4

VOTING PRESENT:

Total0

Total number of votes cast96

Total number voting in the affirmative96

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

So the Emergency Clause was adopted.

SENATE BILL NO. 972

BY: SENATOR D. JOHNSON

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, Ingram, Kerr, Kidd, Lea, W. Lewellen, Lindsey, Lovell, Lowery, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, J. Rogers, T. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Wagner, Webb, Wells, Woods, Word, Mr. Speaker.

Total91

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Cash, D. Hutchinson, Hyde, King, Maloch, Rice, Tyler, B. Wilkins, Williams.

Total9

VOTING PRESENT:

Total0

Total number of votes cast91

Total number voting in the affirmative91

Necessary to the passage of the bill51

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

There being an Emergency Clause attached to **SENATE BILL NO. 972**, 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, Ingram, Kerr, Kidd, Lea, W. Lewellen, Lindsey, Lovell, Lowery, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, J. Rogers, T. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Wagner, Webb, Wells, Woods, Word, Mr. Speaker.

Total91

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Cash, D. Hutchinson, Hyde, King, Maloch, Rice, Tyler, B. Wilkins, Williams.

Total9

VOTING PRESENT:

Total0

Total number of votes cast.....91

Total number voting in the affirmative91

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. 1930	BY REPRESENTATIVE ADCOCK
HOUSE BILL NO. 1978	BY REPRESENTATIVE J. EDWARDS
HOUSE BILL NO. 2069	BY REPRESENTATIVE HYDE
HOUSE BILL NO. 2075	BY REPRESENTATIVE HAWKINS
HOUSE BILL NO. 2160	BY REPRESENTATIVE ALLEN
HOUSE BILL NO. 2169	BY REPRESENTATIVE R. GREEN
HOUSE BILL NO. 2203	BY REPRESENTATIVE WILLIAMS
HOUSE BILL NO. 2231	BY REPRESENTATIVE FLOWERS

 SENATE BILLS ORDERED RETURNED TO THE SENATE AS PASSED

SENATE BILL NO. 897	BY SENATOR GLOVER
SENATE BILL NO. 972	BY SENATOR D. JOHNSON
SENATE BILL NO. 993	BY SENATOR R. THOMPSON

ARKANSAS SENATE

 HOUSE BILLS RETURNED FROM THE SENATE AS PASSED

HOUSE BILL NO. 1052	BY REPRESENTATIVE GREENBERG
HOUSE BILL NO. 1160	BY REPRESENTATIVE OVERBEY
HOUSE BILL NO. 1167	BY REPRESENTATIVE COOPER
HOUSE BILL NO. 1327	BY REPRESENTATIVE ALLEN
HOUSE BILL NO. 1764	BY REPRESENTATIVE D. HUTCHINSON
HOUSE BILL NO. 1845	BY REPRESENTATIVE STEWART
HOUSE BILL NO. 1895	BY REPRESENTATIVE KERR
HOUSE BILL NO. 1932	BY REPRESENTATIVE J. ROEBUCK
HOUSE BILL NO. 1948	BY REPRESENTATIVE J. BROWN
HOUSE BILL NO. 1984	
AS AMENDED #1	BY REPRESENTATIVE DUNN
HOUSE BILL NO. 2023	BY REPRESENTATIVE OVERBEY
HOUSE BILL NO. 2074	BY REPRESENTATIVE HAWKINS
HOUSE BILL NO. 2076	BY REPRESENTATIVE WEBB

ARKANSAS SENATE

HOUSE BILLS RETURNED FROM THE SENATE AS PASSED, CONTINUED

HOUSE BILL NO. 2114	BY REPRESENTATIVE J. ROEBUCK
HOUSE BILL NO. 2170	BY REPRESENTATIVE CARNINE

ARKANSAS SENATE

SENATE BILLS RECEIVED FROM SENATE

SENATE BILL NO. 138	BY SENATOR FARIS
SENATE BILL NO. 164	BY SENATOR G. JEFFRESS
SENATE BILL NO. 182	BY SENATOR G. JEFFRESS
SENATE BILL NO. 209	BY SENATOR FARIS
SENATE BILL NO. 918	BY SENATOR SALMON
SENATE BILL NO. 932	BY SENATOR MALONE
SENATE BILL NO. 938	BY SENATOR D. JOHNSON

ENROLLED AND DELIVERY TO GOVERNOR REPORTS

Little Rock, Arkansas

March 31, 2009

MR. SPEAKER:

We, your committee on Enrolled Bills, to whom was referred the following:

HOUSE BILL NO. 1712	BY REPRESENTATIVE WILLIAMS
HOUSE BILL NO. 1808	BY REPRESENTATIVE ALLEN, ET AL
HOUSE BILL NO. 1881	BY REPRESENTATIVE WELLS
HOUSE BILL NO. 1899	BY REPRESENTATIVE SLINKARD, ET AL
HOUSE BILL NO. 1939	BY REPRESENTATIVE SAUNDERS, ET AL
HOUSE BILL NO. 1996	BY REPRESENTATIVE J. ROEBUCK, ET AL
HOUSE BILL NO. 2007	BY REPRESENTATIVE HYDE
HOUSE BILL NO. 2014	BY REPRESENTATIVE M. BURRIS
HOUSE BILL NO. 2201	BY REPRESENTATIVE LEA
HOUSE BILL NO. 2230	BY REPRESENTATIVE WEBB
HOUSE BILL NO. 2256	BY REPRESENTATIVE MAXWELL
HOUSE CONCURRENT RESOLUTION NO. 1023	BY REPRESENTATIVE WILLIAMS

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 9:40 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. 1712	BY REPRESENTATIVE WILLIAMS
HOUSE BILL NO. 1808	BY REPRESENTATIVE ALLEN, ET AL
HOUSE BILL NO. 1881	BY REPRESENTATIVE WELLS
HOUSE BILL NO. 1899	BY REPRESENTATIVE SLINKARD, ET AL
HOUSE BILL NO. 1939	BY REPRESENTATIVE SAUNDERS, ET AL
HOUSE BILL NO. 1996	BY REPRESENTATIVE J. ROEBUCK, ET AL
HOUSE BILL NO. 2007	BY REPRESENTATIVE HYDE
HOUSE BILL NO. 2014	BY REPRESENTATIVE M. BURRIS
HOUSE BILL NO. 2201	BY REPRESENTATIVE LEA
HOUSE BILL NO. 2230	BY REPRESENTATIVE WEBB
HOUSE BILL NO. 2256	BY REPRESENTATIVE MAXWELL
HOUSE CONCURRENT RESOLUTION NO. 1023	BY REPRESENTATIVE WILLIAMS

/s/ Mike Beebe - Governor

TIME: 9:40 a.m.

By: Sarah Agee

STATE OF ARKANSAS

MIKE BEEBE

GOVERNOR

March 31, 2009

TO THE SPEAKER OF THE HOUSE

Dear Mr. Speaker:

This is to inform you that on March 31, 2009, I returned **HOUSE BILL NO. 1451** as requested by the House.

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 31, 2009

TO THE SPEAKER OF THE HOUSE

Dear Mr. Speaker:

This is to inform you that on March 31, 2009, I approved the following measure from the Regular Session of the Eighty-seventh General Assembly.

HOUSE BILL NO. 2009 - ACT 728

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 31, 2009

TO THE SPEAKER OF THE HOUSE

Dear Mr. Speaker:

This is to inform you that on March 31, 2009, I approved the following measure from the Regular Session of the Eighty-seventh General Assembly.

HOUSE CONCURRENT RESOLUTION NO.1014

HOUSE CONCURRENT RESOLUTION NO.1017

HOUSE BILL NO. 1354 - ACT 696 HOUSE BILL NO. 1892 - ACT 704 HOUSE BILL NO. 2039 - ACT 712
HOUSE BILL NO. 1402 - ACT 697 HOUSE BILL NO. 1893 - ACT 705 HOUSE BILL NO. 2050 - ACT 713
HOUSE BILL NO. 1414 - ACT 698 HOUSE BILL NO. 1919 - ACT 706 HOUSE BILL NO. 2052 - ACT 714
HOUSE BILL NO. 1488 - ACT 699 HOUSE BILL NO. 1920 - ACT 707 HOUSE BILL NO. 2055 - ACT 715
HOUSE BILL NO. 1633 - ACT 700 HOUSE BILL NO. 1950 - ACT 708 HOUSE BILL NO. 2081 - ACT 716
HOUSE BILL NO. 1634 - ACT 701 HOUSE BILL NO. 1983 - ACT 709 HOUSE BILL NO. 2112 - ACT 717
HOUSE BILL NO. 1703 - ACT 702 HOUSE BILL NO. 1985 - ACT 710 HOUSE BILL NO. 2212 - ACT 718
HOUSE BILL NO. 1879 - ACT 703 HOUSE BILL NO. 2032 - ACT 711 HOUSE BILL NO. 2247 - ACT 719

Sincerely,

/s/ Mike Beebe

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SENATE BILL NO. 164

BY: SENATOR G. JEFFRESS**BY: REPRESENTATIVE OVERBEY**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND THE CALCULATIONS FOR BENEFITS AND FOR STRAIGHT LIFE ANNUITY UNDER THE ARKANSAS PUBLIC EMPLOYEES' RETIREMENT SYSTEM; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on JOINT COMMITTEE ON PUBLIC RETIREMENT AND SOCIAL SECURITY PROGRAMS.

SENATE BILL NO. 182

BY: SENATOR G. JEFFRESS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE ADJUSTMENTS TO THE LOCAL POLICE AND FIRE PENSION AND RELIEF FUNDS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on JOINT COMMITTEE ON PUBLIC RETIREMENT AND SOCIAL SECURITY PROGRAMS.

SENATE BILL NO. 209

BY: SENATOR FARIS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND ARKANSAS CODE § 24-7-733 TO COMPLY WITH SECTION 415 OF THE INTERNAL REVENUE CODE CONCERNING BENEFITS PAID TO A MEMBER OF THE ARKANSAS TEACHER RETIREMENT SYSTEM UNDER A LIFE ANNUITY; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on JOINT COMMITTEE ON PUBLIC RETIREMENT AND SOCIAL SECURITY PROGRAMS.

SENATE BILL NO. 246

BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS MINORITY HEALTH COMMISSION 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. 440

BY: SENATOR BROADWAY

BY: REPRESENTATIVE WEBB

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO EXTEND THE LEGISLATIVE TASK FORCE ON SUSTAINABLE BUILDING DESIGN AND PRACTICES; 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. 643

BY: SENATOR WHITAKER

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR OPERATING EXPENSES FOR THE DEPARTMENT OF RURAL SERVICES 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. 671

BY: SENATOR G. BAKER

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND ACT 117 OF 2009, THE ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL IMPROVEMENT APPROPRIATIONS FOR THE DEPARTMENT OF EDUCATION - AND ITS VARIOUS DIVISIONS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 710

BY: SENATOR BRYLES

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS AGRICULTURE DEPARTMENT WHICH SHALL BE SUPPLEMENTAL AND IN ADDITION TO THOSE FUNDS APPROPRIATED BY ACT 1242 OF 2007; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed back on the Calendar.

SENATE BILL NO. 820

BY: SENATOR WHITAKER**BY: REPRESENTATIVE MALOCH**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CORRECT REFERENCES TO BIENNIAL SESSIONS IN THE ARKANSAS CODE TO CONFORM TO ARKANSAS CONSTITUTION, AMENDMENT 86; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on RULES.

SENATE BILL NO. 867

BY: SENATORS FARIS, G. BAKER, GLOVER, P. MALONE, R. THOMPSON,
WILKINSON, *D. JOHNSON*

BY: REPRESENTATIVES MCLEAN, NICKELS, J. ROEBUCK

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND ARKANSAS LAW CONCERNING ETHICS REQUIREMENTS FOR LOBBYISTS AND PUBLIC OFFICIALS; AMENDING PORTIONS OF ARKANSAS LAW RESULTING FROM INITIATED ACT 1 OF 1988, INITIATED ACT 1 OF 1990, AND INITIATED ACT 1 OF 1996; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on RULES.

SENATE BILL NO. 868

BY: SENATOR FARIS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO SIMPLIFY AND CLARIFY THE METHOD OF DISTRIBUTION OF MONEYS RECEIVED BY THE TREASURER OF STATE FROM THE FEDERAL GOVERNMENT FOR A SALE, LEASE, ROYALTY, BONUS, OR RENTAL OF OIL, GAS, OR MINERAL LANDS BELONGING TO THE FEDERAL GOVERNMENT AND LOCATED IN THIS STATE; 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. 871

BY: SENATOR TEAGUE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CREATE THE ARKANSAS ELECTRONIC RECORDS STUDY COMMISSION TO MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY ON AMENDING THE FREEDOM OF INFORMATION ACT OF 1967; TO SPECIFICALLY ADDRESS THE ISSUE OF BULK COMMERCIAL ACCESS TO ELECTRONIC OR COMPUTERIZED RECORDS; 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. 918

BY: SENATOR SALMON

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO INCREASE PUBLIC SCHOOL STUDENT PARTICIPATION IN THE ARKANSAS SMART CORE CURRICULUM; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

SENATE BILL NO. 921

BY: SENATOR BROADWAY**BY: REPRESENTATIVE WEBB**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CREATE THE SUSTAINABLE BUILDING DESIGN PROGRAM FOR STATE AGENCIES; 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. 932

BY: SENATOR P. MALONE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REVISE THE CAP ON REIMBURSEMENT TO VOLUNTEER FIRE DEPARTMENTS FOR SERVICES PROVIDED INVOLVING FIRES AND PERSONAL PROPERTY; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE AND COMMERCE.

SENATE BILL NO. 938

BY: SENATORS D. JOHNSON, SALMON

BY: REPRESENTATIVE LINDSEY

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CREATE THE LEGISLATIVE TASK FORCE ON AUTISM; TO PROVIDE FOR THE APPOINTMENT OF ITS MEMBERS; TO DESCRIBE ITS MISSION AND RESPONSIBILITIES; 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. 1005

BY: SENATOR STEELE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND ARKANSAS LAW CONCERNING ECONOMIC DEVELOPMENT FOR MINORITY BUSINESSES; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on AGRICULTURE, FORESTRY AND ECONOMIC DEVELOPMENT.

Upon motion of Representative Curren Everett, the House adjourned at 4:00 p.m. until 1:30 p.m., Wednesday, April 1, 2009.

ATTEST:

Robbie Wills
Speaker of the House of Representatives

Jo Renshaw
Chief Clerk

