

**THIRTY-SIXTH DAY'S PROCEEDINGS  
HALL OF THE HOUSE OF REPRESENTATIVES**

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Little Rock, Arkansas  
February 16, 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, 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, Williams, Woods, Word, Mr. Speaker.

Total .....98

The following member(s) was absent and did not answer to the roll call:  
Gaskill, B. Wilkins.

Total .....2

A quorum was present.

Unanimous leave was granted for Representative(s) Gaskill, B. Wilkins.

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.

Upon motion of Representative Davenport, **HOUSE BILL NO. 1387** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1387**

Amend **HOUSE BILL NO. 1387** as originally introduced:

Page 12, delete lines 29 through 31

/s/ Monty Davenport

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

/s/ Ms. Jo Renshaw

Chief Clerk

\*\*\*\*\* EXPUNGED\*\*\*\*\*02/17/09\*\*\*\*\*

Upon motion of Representative Ragland, HOUSE BILL NO. 1130 was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1130

Amend HOUSE BILL NO. 1130 as engrossed,

H1/28/09 (version: 01-28-2009 09:37):

Page 1, line 11, following the word "CONTRACTS", insert "THAT INCLUDE SERVICES AND";

AND

Page 1, line 19, following the word "CONTRACTS", insert "THAT INCLUDE SERVICES AND";

AND

Page 1, line 33, following the word "that", insert "includes services and";

AND

Page 2, delete line 9 entirely and substitute " (D) The total cost of the contract, the cost of the commodities, and the cost of the services:"

AND

Page 2, line 10, following the word "commodities", insert ", and services"

/s/ Roy Ragland

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

/s/ Ms. Jo Renshaw

Chief Clerk

\*\*\*\*\* EXPUNGED\*\*\*\*\*02/17/09\*\*\*\*\*

Upon motion of Representative Maloch, **HOUSE BILL NO. 1433** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1433**

Amend **HOUSE BILL NO. 1433** as originally introduced:

Page 4, line 9, delete "may not here" and substitute "may"

/s/ Bruce Maloch

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

/s/ Ms. Jo Renshaw

Chief Clerk

The House gave Representative L. Smith unanimous leave to withdraw **HOUSE BILL NO. 1262**. Recommended Committee study by PUBLIC TRANSPORTATION COMMITTEE - House.

**ENGROSSED BILL REPORTS**

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WILHELMINA LEWELLEN, CHAIRPERSON

February 16, 2009

The following bill(s) reported correctly engrossed:

**HOUSE BILL NO. 1387**

**BY REPRESENTATIVE DAVENPORT**

**HOUSE BILL NO. 1433**

**BY REPRESENTATIVE MALOCH**

HOUSE BILL NO. 1431

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BY: REPRESENTATIVE L. COWLING

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

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

Total .....97

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: T. Bradford, Gaskill, B. Wilkins.

Total .....3

VOTING PRESENT:

Total .....0

Total number of votes cast.....97

Total number voting in the affirmative .....97

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

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1431**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

**EMERGENCY CLAUSE**

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

Total .....97

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: T. Bradford, Gaskill, B. Wilkins.

Total .....3

VOTING PRESENT:

Total .....0

Total number of votes cast .....97

Total number voting in the affirmative .....97

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

So the Emergency Clause was adopted.

Morning Hour Expired.

Representative M. Burris moved that the House concur in the following Senate Amendment.

**ARKANSAS SENATE**

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1357**

Amend **HOUSE BILL NO. 1357** as engrossed,

H2/6/09 (version: 02-06-2009 09:17):

Add the following as cosponsors of the bill: Senators Altes, Broadway, Bryles, Capps, Faris, Horn, G. Jeffress, D. Johnson, J. Key, Laverty, P. Malone, Miller, Salmon, T. Smith, Steele, J. Taylor, Teague, Trusty, Wilkinson, D. Wyatt; Representative Wells

/s/Glibert Baker

The Amendment was read and the vote was as follows:

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

Total .....96

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Gaskill, Ragland, B. Wilkins, Mr. Speaker.

Total .....4

VOTING PRESENT:

Total .....0

Total number of votes cast.....96

Total number voting in the affirmative .....96

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

So the Amendment was concurred in.

/s/ Ms. Jo Renshaw

Chief Clerk

HOUSE BILL NO. 1399

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BY: REPRESENTATIVE HARRELSON

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

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

Total .....98

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Gaskill, B. Wilkins.

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. 1272

BY: REPRESENTATIVE BLOUNT

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

AFFIRMATIVE: 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, George, Glidewell, R. Green, Hall, Hardy, Harrelson, Hawkins, House, Hoyt, Hyde, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, 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, Williams, Woods, Word, Mr. Speaker.

Total .....87

NEGATIVE: Baird, J. Burris, Carter, Dismang, Hobbs, Hopper, S. Malone.

Total .....7

ABSENT OR NOT VOTING: Garner, Gaskill, Greenberg, D. Hutchinson, B. Wilkins.

Total .....5

VOTING PRESENT: Clemmer.

Total .....1

Total number of votes cast .....95

Total number voting in the affirmative .....87

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

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

HOUSE BILL NO. 1030

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BY: REPRESENTATIVE HARRELSON

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, Barnett, Breedlove, J. Brown, J. Burris, Carnine, Carroll, Carter, Cash, Cheatham, Clemmer, Cole, Cook, D. Creekmore, Davenport, Dismang, Dunn, J. Edwards, English, Everett, George, R. Green, Greenberg, Hall, Harrelson, Hawkins, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, W. Lewellen, Lindsey, Lovell, Maloch, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Rainey, Reep, J. Roebuck, T. Rogers, Saunders, Shelby, Slinkard, L. Smith, Stewart, Wagner, Webb, Wells, Woods, Mr. Speaker.

Total .....64

NEGATIVE: Allen, T. Baker, Betts, Blount, T. Bradford, M. Burris, Dale, J. Dickinson, Garner, Glidewell, Hardy, Hobbs, Hopper, Kidd, King, Lea, Lowery, S. Malone, M. Martin, Ragland, Reynolds, Rice, J. Rogers, Sample, G. Smith, Summers, Tyler, Williams, Word.

Total .....29

ABSENT OR NOT VOTING: Baird, Cooper, L. Cowling, Davis, Gaskill, B. Wilkins.

Total .....6

VOTING PRESENT: Flowers.

Total .....1

Total number of votes cast .....94

Total number voting in the affirmative.....64

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

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

HOUSE BILL NO. 1026

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BY: REPRESENTATIVE G. SMITH

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

AFFIRMATIVE: Abernathy, T. Baker, Blount, T. Bradford, Breedlove, J. Brown, Cash, Cole, Cook, Cooper, L. Cowling, Davis, J. Dickinson, J. Edwards, Everett, Hardy, Harrelson, Hawkins, House, Hoyt, Ingram, Kidd, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, Maxwell, McCrary, Moore, Nickels, Patterson, Perry, Powers, Rainey, Reep, Rice, J. Roebuck, T. Rogers, Saunders, Shelby, G. Smith, Stewart, Tyler, Williams, Word, Mr. Speaker.

Total .....47

NEGATIVE: Allen, Baird, Barnett, Betts, J. Burris, Carnine, Carroll, Carter, Clemmer, Dale, Dismang, Dunn, English, Flowers, Garner, Glidewell, R. Green, Greenberg, Hobbs, Hopper, D. Hutchinson, Hyde, Kerr, King, Lea, S. Malone, M. Martin, McLean, Nix, Pennartz, Pierce, Pyle, Reynolds, J. Rogers, Sample, Slinkard, L. Smith, Summers, Wagner, Webb, Woods.

Total .....41

ABSENT OR NOT VOTING: M. Burris, Cheatham, Davenport, Gaskill, George, Hall, Overbey, Ragland, Wells, B. Wilkins.

Total .....10

VOTING PRESENT: Adcock, D. Creekmore.

Total .....2

Total number of votes cast .....90

Total number voting in the affirmative .....47

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

So the Bill failed.

HOUSE BILL NO. 1037

BY: REPRESENTATIVE D. CREEKMORE

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

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

Total .....98

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Gaskill, B. Wilkins.

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.

#### NOTICE OF RECONSIDERATION

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Representative Allen served notice that he will, within the time prescribed by law, move to reconsider the vote by which **HOUSE BILL NO. 1026** failed to pass.

HOUSE BILL NO. 1400

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BY: REPRESENTATIVE ENGLISH

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

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

Total .....97

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Flowers, Gaskill, B. Wilkins.

Total .....3

VOTING PRESENT:

Total .....0

Total number of votes cast .....97

Total number voting in the affirmative.....97

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

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

SENATE BILL NO. 208

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BY: SENATOR BOOKOUT

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

AFFIRMATIVE: Abernathy, Adcock, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Carter, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Flowers, Garner, George, Glidewell, R. Green, Greenberg, Hall, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, 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, Williams, Woods, Word.

Total .....95

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Everett, Gaskill, Nix, B. Wilkins, Mr. Speaker.

Total .....5

VOTING PRESENT:

Total .....0

Total number of votes cast.....95

Total number voting in the affirmative .....95

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

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

Representative Maloch moved that the House pass over HOUSE BILL NO. 1078 and leave it on the Calendar. Motion carried.

Representative Maloch moved that the House pass over HOUSE BILL NO. 1194 and leave it on the Calendar. Motion carried.

HOUSE BILLS ORDERED TRANSMITTED TO THE SENATE AS PASSED

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|                     |                                |
|---------------------|--------------------------------|
| HOUSE BILL NO. 1030 | BY REPRESENTATIVE HARRELSON    |
| HOUSE BILL NO. 1037 | BY REPRESENTATIVE D. CREEKMORE |
| HOUSE BILL NO. 1272 | BY REPRESENTATIVE BLOUNT       |
| HOUSE BILL NO. 1399 | BY REPRESENTATIVE HARRELSON    |
| HOUSE BILL NO. 1400 | BY REPRESENTATIVE ENGLISH      |

SENATE BILLS ORDERED RETURNED TO THE SENATE AS PASSED

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|                     |                    |
|---------------------|--------------------|
| SENATE BILL NO. 208 | BY SENATOR BOOKOUT |
|---------------------|--------------------|

ARKANSAS SENATE  
HOUSE BILLS RETURNED FROM THE SENATE AS PASSED

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|                                       |                             |
|---------------------------------------|-----------------------------|
| HOUSE BILL NO. 1024<br>AS AMENDED # 1 | BY REPRESENTATIVE ABERNATHY |
| HOUSE BILL NO. 1034<br>AS AMENDED # 1 | BY REPRESENTATIVE COOK      |
| HOUSE BILL NO. 1050                   | BY REPRESENTATIVE GREENBERG |
| HOUSE BILL NO. 1085                   | BY REPRESENTATIVE L. SMITH  |
| HOUSE BILL NO. 1116                   | BY REPRESENTATIVE ADCOCK    |
| HOUSE BILL NO. 1132<br>AS AMENDED # 1 | BY REPRESENTATIVE BLOUNT    |
| HOUSE BILL NO. 1133<br>AS AMENDED # 1 | BY REPRESENTATIVE BLOUNT    |
| HOUSE BILL NO. 1246                   | BY REPRESENTATIVE CARROLL   |
| HOUSE BILL NO. 1250                   | BY REPRESENTATIVE ABERNATHY |
| HOUSE BILL NO. 1264                   | BY REPRESENTATIVE WEBB      |

ARKANSAS SENATE  
HOUSE CONCURRENT RESOLUTIONS CONCURRED IN  
AND RETURNED TO THE HOUSE

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|   |                         |
|---|-------------------------|
| HOUSE CONCURRENT RESOLUTION<br>NO. 1007 | BY REPRESENTATIVE WILLS |
|---|-------------------------|

ARKANSAS SENATE  
SENATE BILLS RECEIVED FROM SENATE

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|                     |                           |
|---------------------|---------------------------|
| SENATE BILL NO. 45  | BY SENATOR J. TAYLOR      |
| SENATE BILL NO. 55  | BY SENATOR G. BAKER       |
| SENATE BILL NO. 149 | BY JOINT BUDGET COMMITTEE |
| SENATE BILL NO. 303 | BY SENATOR J. TAYLOR      |
| SENATE BILL NO. 323 | BY SENATOR CAPPS          |
| SENATE BILL NO. 324 | BY SENATOR CAPPS          |
| SENATE BILL NO. 331 | BY SENATOR BLEDSOE        |
| SENATE BILL NO. 334 | BY SENATOR BRYLES         |

ENROLLED AND DELIVERY TO GOVERNOR REPORTS

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Little Rock, Arkansas

February 16, 2009

MR. SPEAKER:

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

|   |                                    |
|---|------------------------------------|
| HOUSE BILL NO. 1050                     | BY REPRESENTATIVE GREENBERG        |
| HOUSE BILL NO. 1085                     | BY REPRESENTATIVE L. SMITH         |
| HOUSE BILL NO. 1116                     | BY REPRESENTATIVE ADCOCK           |
| HOUSE BILL NO. 1246                     | BY REPRESENTATIVE CARROLL          |
| HOUSE BILL NO. 1250                     | BY REPRESENTATIVE ABERNATHY        |
| HOUSE BILL NO. 1264                     | BY REPRESENTATIVE WEBB             |
| HOUSE BILL NO. 1357                     | BY REPRESENTATIVE M. BURRIS, ET AL |
| HOUSE CONCURRENT<br>RESOLUTION NO. 1007 | BY REPRESENTATIVE WILLS            |

beg leave to report that we have carefully compared the enrolled copies with the original and we find the same correctly enrolled and have at 3:45 p.m. delivered them to the Governor for his approval.

Respectfully submitted,

/s/ Wilhelmina Lewellen,  
Chairperson

RECEIPT FROM THE GOVERNOR

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## RECEIVED FROM THE HOUSE:

|   |                                    |
|---|------------------------------------|
| HOUSE BILL NO. 1050                     | BY REPRESENTATIVE GREENBERG        |
| HOUSE BILL NO. 1085                     | BY REPRESENTATIVE L. SMITH         |
| HOUSE BILL NO. 1116                     | BY REPRESENTATIVE ADCOCK           |
| HOUSE BILL NO. 1246                     | BY REPRESENTATIVE CARROLL          |
| HOUSE BILL NO. 1250                     | BY REPRESENTATIVE ABERNATHY        |
| HOUSE BILL NO. 1264                     | BY REPRESENTATIVE WEBB             |
| HOUSE BILL NO. 1357                     | BY REPRESENTATIVE M. BURRIS, ET AL |
| HOUSE CONCURRENT<br>RESOLUTION NO. 1007 | BY REPRESENTATIVE WILLS            |

/s/ Mike Beebe - Governor

TIME: 3:45 P.M.

By: J. D. Lowery

**STATE OF ARKANSAS**

MIKE BEEBE

GOVERNOR

February 16, 2009

TO THE SPEAKER OF THE HOUSE

Dear Mr. Speaker:

This is to inform you that on February 16, 2009, I approved the following measures from the Regular Session of the Eighty-seventh General Assembly:

HOUSE BILL NO. 1005 - ACT 154

HOUSE BILL NO. 1261 - ACT 155

HOUSE BILL NO. 1265 - ACT 156

HOUSE BILL NO. 1269 - ACT 157

HOUSE BILL NO. 1270 - ACT 158

HOUSE BILL NO. 1274 - ACT 159

HOUSE BILL NO. 1276 - ACT 160

HOUSE BILL NO. 1315 - ACT 161

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](http://www.governor.arkansas.gov)

HOUSE BILL NO. 1460

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BY: REPRESENTATIVE DAVENPORT

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND THE DEFINITIONS OF "MANUFACTURED HOME" AND "MOBILE HOME" UNDER THE UNIFORM MOTOR VEHICLE ADMINISTRATION, CERTIFICATE OF TITLE, AND ANTITHEFT ACT; AND FOR OTHER PURPOSES.

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

HOUSE BILL NO. 1461

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BY: REPRESENTATIVE DAVENPORT

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND THE PENALTY FOR VIOLATING THE UNIFORM MOTOR VEHICLE ADMINISTRATION, CERTIFICATE OF TITLE, AND ANTITHEFT ACT; AND FOR OTHER PURPOSES.

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

HOUSE BILL NO. 1462

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BY: REPRESENTATIVE J. EDWARDS

BY: SENTATOR R. THOMPSON

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND THE ARKANSAS BUSINESS CORPORATION ACT, § 4-26-101 ET SEQ., THE ARKANSAS BUSINESS CORPORATION ACT, § 4-27-101 ET SEQ., THE SMALL BUSINESS ENTITY TAX PASS THROUGH ACT, § 4-32-101 ET SEQ., AND § 4-46-101 ET SEQ. ENACTING THE UNIFORM PARTNERSHIP ACT (1996) TO ALLOW ANY BUSINESS ENTITY TO CONVERT TO OR MERGE WITH ANY OTHER BUSINESS ENTITY; TO MAKE RELATED TECHNICAL CORRECTIONS; AND FOR OTHER PURPOSES.

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

HOUSE BILL NO. 1463

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BY: REPRESENTATIVE GREENBERG

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MODIFY THE FINANCIAL ASSURANCE REQUIREMENTS FOR NONMUNICIPAL DOMESTIC SEWAGE TREATMENT WORKS AND FACILITIES IN CHRONIC NONCOMPLIANCE IN THE STATE OF ARKANSAS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

HOUSE BILL NO. 1464

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BY: REPRESENTATIVE NICKELS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND THE MINIMUM WAGE TO PARALLEL THE FEDERAL MINIMUM WAGE LAW; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

HOUSE BILL NO. 1465

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BY: REPRESENTATIVE T. BAKER

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO UPDATE PROCEDURES FOR VIOLATIONS OF COUNTY ORDINANCES; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on CITY, COUNTY AND LOCAL AFFAIRS.

HOUSE BILL NO. 1466

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BY: REPRESENTATIVES T. BAKER, OVERBEY, PYLE, CARROLL

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND NOTICE PROCEDURES TO VIOLATORS OF MUNICIPAL ORDINANCES CONCERNING UNSANITARY CONDITIONS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on CITY, COUNTY AND LOCAL AFFAIRS.

HOUSE BILL NO. 1467

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BY: REPRESENTATIVE EVERETT

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO INCREASE THE MINIMUM AND MAXIMUM COMPENSATION FOR ELECTED COUNTY OFFICERS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on CITY, COUNTY AND LOCAL AFFAIRS.

HOUSE BILL NO. 1468

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BY: REPRESENTATIVE SLINKARD

A BILL FOR AN ACT TO BE ENTITLED AN ACT CONCERNING THE DESIGNATION OF THE PREPARER OF COUNTY TAX BOOKS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on CITY, COUNTY AND LOCAL AFFAIRS.

HOUSE BILL NO. 1469

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BY: REPRESENTATIVE SLINKARD

A BILL FOR AN ACT TO BE ENTITLED AN ACT CONCERNING THE COUNTY CLERKS' COST FUND; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on CITY, COUNTY AND LOCAL AFFAIRS.

HOUSE BILL NO. 1470

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BY: REPRESENTATIVES SLINKARD, LINDSEY, L. SMITH

BY: SENATORS B. PRITCHARD, HENDREN

A BILL FOR AN ACT TO BE ENTITLED AN ACT CONCERNING ELECTIONS OF BOARDS OF DIRECTORS OF REGIONAL WATER DISTRICTS; 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.

HOUSE BILL NO. 1471

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BY: REPRESENTATIVES MOORE, BLOUNT, CHEATHAM, DUNN, HALL, MAXWELL, RAINEY, REEP, T. ROGERS

BY: SENATORS J. JEFFRESS, J. TAYLOR

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND THE DELTA GEOTOURISM INCENTIVE ACT OF 2007 TO ALLOW A GEOTOURISM INCOME TAX CREDIT TO TRANSFER TO OTHER TOURSIM PROJECTS; TO ALLOW A GEOTOURISM INCOME TAX CREDIT TO CARRY FORWARD; AND FOR OTHER PURPOSES.

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

HOUSE BILL NO. 1472

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BY: REPRESENTATIVES R. GREEN, BREEDLOVE, GLIDEWELL, S. MALONE, PENNARTZ, PYLE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO IMPROVE THE LOCAL CONTROL OF SOLID WASTE MANAGEMENT BY ALLOWING FOR AN ALTERNATIVE FORMATION OF A SOLID WASTE MANAGEMENT DISTRICT; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

HOUSE BILL NO. 1473

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BY: REPRESENTATIVES D. CREEKMORE, MAXWELL, ADCOCK, GARNER, ENGLISH, MCLEAN, J. DICKINSON, BARNETT, T. BAKER, J. BROWN, GEORGE, R. GREEN, HOUSE, HOYT, INGRAM, KIDD, NIX, PYLE, RAGLAND, G. SMITH, SUMMERS, B. WILKINS, LEA

BY: SENATOR BROADWAY

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO BE KNOWN AS JULI'S LAW; TO PROVIDE FOR THE COLLECTION OF A DNA SAMPLE FOLLOWING AN ARREST OR A CRIMINAL CHARGE FOR CERTAIN OFFENSES; TO ESTABLISH PROCEDURES FOR THE COLLECTION, MAINTENANCE, AND DISSEMINATION OF DNA SAMPLES SUBMITTED FOLLOWING AN ARREST OR A CRIMINAL CHARGE; AND FOR OTHER PURPOSES.

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

HOUSE BILL NO. 1474

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BY: REPRESENTATIVES L. SMITH, NIX, WOODS, D. CREEKMORE

BY: SENATORS ELLIOTT, H. WILKINS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PROHIBIT UNFAIR DISCRIMINATION IN THE INSURANCE OF VICTIMS OF DOMESTIC ABUSE; AND FOR OTHER PURPOSES.

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

HOUSE BILL NO. 1475

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BY: REPRESENTATIVE L. SMITH

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR BIRTH CERTIFICATE EXPENSES FOR THE DEPARTMENT OF HEALTH FOR THE FISCAL YEAR ENDING JUNE 30, 2010; AND FOR OTHER PURPOSES.

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

HOUSE BILL NO. 1476

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BY: REPRESENTATIVE L. SMITH

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION - REVENUE SERVICES DIVISION FOR PERSONAL SERVICES AND OPERATING EXPENSES OF PROVIDING IDENTIFICATION CARDS; AND FOR OTHER PURPOSES.

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

**HOUSE BILL NO. 1477**

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**BY: REPRESENTATIVE ABERNATHY****BY: SENATOR TEAGUE**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO INCREASE CERTAIN FEES OF THE COMMISSION ON WATER WELL CONSTRUCTION; TO PROVIDE FOR NEW CATEGORIES OF LICENSE AND REGISTRATION FEES TO BE COLLECTED BY THE COMMISSION; 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.

**HOUSE BILL NO. 1478**

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**BY: REPRESENTATIVE PATTERSON**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND THE ARKANSAS TAX PROCEDURE ACT AND THE DEPARTMENT OF WORKFORCE SERVICES LAW TO ALLOW THE DEPARTMENT OF FINANCE AND ADMINISTRATION AND THE DEPARTMENT OF WORKFORCE SERVICES TO SHARE INFORMATION TO ENHANCE EACH AGENCY'S RESPECTIVE AUDIT AND COMPLIANCE RESPONSIBILITIES; AND FOR OTHER PURPOSES.

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

HOUSE BILL NO. 1479

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BY: REPRESENTATIVES WILLIAMS, J. EDWARDS, PIERCE, T. BAKER, ADCOCK, ALLEN, BLOUNT, J. BROWN, CARROLL, CARTER, CASH, CLEMMER, COLE, D. CREEKMORE, DAVIS, DISMANG, GREENBERG, HARDY, HYDE, LEA, W. LEWELLEN, MCLEAN, MOORE, NICKELS, RAGLAND, RAINEY, RICE, J. ROEBUCK, T. ROGERS, SAMPLE, G. SMITH, TYLER, B. WILKINS, WORD  
BY: SENATOR WILKINSON

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND ARKANSAS LAW CONCERNING SCRAP METAL DEALERS; AND FOR OTHER PURPOSES.

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

HOUSE BILL NO. 1480

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BY: REPRESENTATIVE MALOCH

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE ARKANSAS INCOME TAX LAWS BY ADOPTING RECENT CHANGES TO THE INTERNAL REVENUE CODE; AND FOR OTHER PURPOSES.

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

HOUSE BILL NO. 1481

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BY: REPRESENTATIVE SHELBY

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND ARKANSAS CODE § 27-20-104(b) TO INCREASE THE AGE REQUIREMENTS FOR MOTORCYCLE PASSENGERS AND OPERATORS TO WEAR PROTECTIVE HEADGEAR; AND FOR OTHER PURPOSES.

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

**HOUSE BILL NO. 1482**

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**BY: REPRESENTATIVE FLOWERS**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REQUIRE THAT MOTOR VEHICLES BE INSPECTED BEFORE REGISTRATION; TO ESTABLISH THE FEE FOR THE INSPECTION; TO PROVIDE THAT THE MONEYS FROM THE MOTOR VEHICLE INSPECTIONS BE USED TO FUND THE AUTISM SUPPORT FUND, THE COMMUNITY HEALTH CENTERS FUND, AND THE NON-MEDICARE PRIMARY RETIREE FUND; TO CREATE THE AUTISM SUPPORT FUND, THE COMMUNITY HEALTH CENTERS FUND, AND THE NON-MEDICARE PRIMARY RETIREE FUND; AND FOR OTHER PURPOSES.

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

**HOUSE RESOLUTION NO. 1016**

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**BY: REPRESENTATIVE WILLS**

A BILL FOR AN ACT TO BE ENTITLED RECOGNIZING ARKANSAS JAYCEES DAY.

Was read the first time, rules suspended, read the second time and referred to the Committee on AGING, CHILDREN AND YOUTH, LEGISLATIVE AND MILITARY AFFAIRS.

HOUSE CONCURRENT RESOLUTION NO. 1008

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BY: REPRESENTATIVES LEA, OVERBEY

BY: SENATOR TRUSTY

A BILL FOR AN ACT TO BE ENTITLED COMMENDING CPL. BLAKE WILSON OF RUSSELLVILLE, ARKANSAS, ON HIS SELECTION AS THE AMERICAN ASSOCIATION OF STATE TROOPERS 2008 NATIONAL TROOPER OF THE YEAR.

Was read the first time, rules suspended, read the second time and referred to the Committee on AGING, CHILDREN AND YOUTH, LEGISLATIVE AND MILITARY AFFAIRS.

SENATE BILL NO. 45

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BY: SENATOR J. TAYLOR

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND ARKANSAS LAW CONCERNING ANNUAL SCHOOL ELECTIONS; 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. 55

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BY: SENATORS G. BAKER, *MADISON*

BY: REPRESENTATIVE J. ROEBUCK

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO INCREASE SALARY TRANSPARENCY FOR ADMINISTRATORS IN STATE-SUPPORTED INSTITUTIONS OF HIGHER EDUCATION; 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. 149**

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**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 BUILDING AUTHORITY 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. 303**

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**BY: SENATOR J. TAYLOR**

A BILL FOR AN ACT TO BE ENTITLED AN ACT CONCERNING COURT SECURITY OFFICER TRAINING; AND FOR OTHER PURPOSES.

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

**SENATE BILL NO. 323**

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**BY: SENATOR CAPPS**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO INCLUDE A DEFINITION OF DEVELOPMENTAL DISABILITY IN THE ARKANSAS INCOME TAX LAW RATHER THAN BY REFERENCE TO A PROVISION CONTAINED IN TITLE 20 OF THE ARKANSAS CODE; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 324

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BY: SENATOR CAPPS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO EXTEND THE STATUTE OF LIMITATIONS FOR A VETERAN TO FILE A CLAIM FOR REFUND OF AN OVERPAYMENT OF INCOME TAX THAT RESULTS FROM A RETROACTIVE DETERMINATION BY THE SECRETARY OF VETERANS AFFAIRS THAT THE VETERAN IS ENTITLED TO COMPENSATION FOR A SERVICE-CONNECTED DISABILITY; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 331

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BY: SENATOR BLEDSOE

BY: REPRESENTATIVES BAIRD, SLINKARD

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MODIFY THE LAW CONCERNING THE SERVICE AREA AND DUES OF VOLUNTEER FIRE DEPARTMENTS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY AND LOCAL AFFAIRS.

SENATE BILL NO. 334

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BY: SENATOR BRYLES

BY: REPRESENTATIVE WEBB

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO BE KNOWN AS THE ARKANSAS SMALL BREWERY ACT; TO CREATE A NEW CATEGORY OF BEER LICENSES; TO PROVIDE FOR THE OPERATION OF THE LICENSED FACILITIES; AND FOR OTHER PURPOSES.

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

Upon motion of Representative Curren Everett, the House adjourned at 4:05 p.m. until 1:30 p.m., Tuesday, February 17, 2009.

ATTEST:

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Robbie Wills  
Speaker of the House of Representatives

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Jo Renshaw  
Chief Clerk

