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SEVENTH-FOURTH DAY'S PROCEEDINGS
SENATE CHAMBER
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

Little Rock, Arkansas
March 26, 2009

The Senate was called to order at 11:25 o'clock a.m. by the President.

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

ALTES, BAKER, BLEDSOE, BOOKOUT, BROADWAY,
BRYLES, CAPPS, CRUMBLY, ELLIOTT, FARIS,
GLOVER, HENDREN, HORN, G. JEFFRESS, J.
JEFFRESS, B. JOHNSON, D. JOHNSON, KEY,
LAVERTY, LUKER, MADISON, MALONE, MILLER,
PRITCHARD, SALMON, SMITH, STEELE, TAYLOR,
TEAGUE, THOMPSON, TRUSTY, WHITAKER, WILKINS,
WILKINSON, WYATT.

The Senate was led in prayer by Senator Lavery.

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

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

On motion of Senator Wyatt, **Senate Bill No. 949** was withdrawn from the Committee on PUBLIC HEALTH, WELFARE & LABOR, and placed back on second reading for purpose of Amendment No. 2.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 2 to SENATE BILL NO. 949

Amend **Senate Bill No. 949** as engrossed, S3/16/09:

Page 1, delete lines 24 through 26, and substitute the following:

"based upon its' recommended forty-eight-hour didactic training program conducted by criteria-approved instructors with testing coordinated and administered by a Diplomate of the American Chiropractic Board of Radiology who is an on-campus faculty instructor of a chiropractic college accredited by the Council on Chiropractic Education which is sanctioned by the United States Department of Education, or the"

AND

Immediately following SECTION 2, add an additional section to read as follows:

"SECTION 3. Arkansas Code § 17-106-109(b), concerning temporary licenses, is amended to read as follows:

(b)(1) At its discretion, the committee may issue a temporary license to any person whose licensure or relicensure may be pending and when issuance may be justified by special circumstances.

(2) A temporary license shall be issued only if the committee finds that it will not violate the purpose of this chapter or endanger the public health and safety.

(3) A temporary license shall not remain in force longer than one hundred eighty (180) days.

(4)(A) Unless an individual demonstrates to the committee a hardship or a continual progression in fulfilling the educational and certification requirements of a modality recognized by the State Board of Health, no more than two (2) temporary licenses shall be issued to any individual within a specific category.

(B) The continual progression in fulfilling the educational and certification requirements of the American Chiropractic Registry of Radiologic Technologists shall be a minimum of twenty-four (24) hours of didactic educational training per calendar year recommended by that program."

(SIGNED) SENATOR WYATT

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 949 was ordered engrossed.

On motion of Senator Lavery, Senate Bill No. 736 was withdrawn from the Committee on EDUCATION, and placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 736

Amend Senate Bill No. 736 as originally introduced:

Page 1, delete line 12 and substitute:

"TO PROVIDE AN ADJUSTMENT TO THE CALCULATION OF AVERAGE DAILY MEMBERSHIP OF AN ISOLATED SCHOOL FOR THE PURPOSE OF MEETING THE ENROLLMENT THRESHOLD FOR ADMINISTRATIVE REORGANIZATION; AND FOR OTHER PURPOSES."

AND

Delete everything after the enacting clause and substitute:

SECTION 1. Arkansas Code § 6-20-604(c), concerning special needs funding for isolated schools, is amended to read as follows:

(c)(1) A school district meeting the requirements of subsection (b) of this section shall receive an additional amount equal to twenty percent (20%) of the foundation funding received by the school district under § 6-20-2305(a)(2) for the operation of the isolated school areas if the school district has:

~~(1)~~ (A) School facilities open for kindergarten through grade twelve (K-12) in two (2) or more isolated schools meeting the requirements of subsection (b) of this section;

~~(2)~~ (B) A three-quarter average daily membership of five hundred (500) or less in the preceding school year; and

~~(3)~~ (C) A density ratio of one and three-tenths (1.3) students or less per square mile.

(2) The average daily membership calculation under the Public Education Reorganization Act, § 6-13-1601 et seq., for an isolated school district that receives additional funding under this subsection (c) shall be adjusted by an enrollment factor equal to the percentage of additional foundation funding the isolated school district receives under this subsection (c). This adjustment is to ensure that the average daily membership for an isolated school district is fairly and equitably calculated to further the General Assembly's intent to preserve the efficient operations of Arkansas public schools.

(SIGNED) SENATOR LAVERTY

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 736 was ordered engrossed.

On motion of Senator Baker, Senate Bill No. 842 was withdrawn from the Committee on EDUCATION, and placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 842

Amend Senate Bill No. 842 as originally introduced:

Page 1, delete lines 9 and 10 and substitute the following language:
"AN ACT TO ALLOW HOME-SCHOOLED STUDENTS TO PARTICIPATE IN INTERSCHOLASTIC ACTIVITIES; AND FOR OTHER PURPOSES."

AND

Page 1, delete line 13 and substitute the following language:
"TO ALLOW HOME-SCHOOLED STUDENTS TO PARTICIPATE IN INTERSCHOLASTIC ACTIVITIES."

AND

Page 1, delete all language after the enacting clause and substitute the following language:

"SECTION 1. Arkansas Code Title 6, Chapter 15, Subchapter 5 is amended to add an additional section to read as follows:

6-15-509. Participation of home-schooled students in interscholastic activities.

(a) The General Assembly recognizes that all students should have equal access to interscholastic activities as a complement to the academic curriculum.

(b) As used in this section:

(1) "Athletic activities" means a varsity sport and any activity related to a competitive sports contest, game, event, or exhibition that involves an individual student or teams of students whether the activity occurs among schools within the resident school district or between schools outside of the resident school district;

(2) "Interscholastic activity" means any interschool activity that is outside the regular curriculum of a public school district, including without limitation an athletic activity, a fine arts program, and a special interest club or group that is subject to regulations of the Arkansas Activities Association; and

(3) "Resident school district" means the public school district in which the home-schooled student resides.

(c) A resident school district shall permit a home-schooled student to participate in any interscholastic activity, provided that the home-schooled student:

(1) Advises the resident school in writing of the student's intent to participate in the interscholastic activity;

(2) Meets the eligibility criteria for participation in the interscholastic activity that apply to students enrolled in the resident school district, including standards of behavior and codes of conduct;

(3) Meets the tryout criteria for participation in the interscholastic activity that apply to students enrolled in the resident school district;

(4) Demonstrates educational progress by submitting a norm-referenced standardized test score, taken within nine (9) months of advising the resident school of the student's intent to participate in an interscholastic activity, on which the student's composite score is at or above the 35th percentile;

(5) Complies with all policies, rules, and regulations of the Arkansas Activities Association and the governing organization of the interscholastic activity; and

(6) Pays any participation or activity fee equal to the fee charged to students enrolled in the resident school district who participate in the interscholastic activity.

(d)(1) When the interscholastic activity requires completion of a physical examination or medical test as a condition of participation and the resident school district offers the physical examination or medical test to students enrolled in the resident school district, the resident school district shall permit a home-schooled student to take the physical examination or medical test.

(2) The resident school district shall publish the dates and times of the physical examination or medical test on its publicly accessible website.

(e) Insurance coverage provided by a public school district for participants in interscholastic activities shall cover a participating home-schooled student.

(f)(1) A public school team or group shall not be impeded from competing against any other public or nonpublic school team or group because the team or group utilized a home-schooled student as provided under this section.

(2) A public school district is prohibited from membership in an organization which regulates or governs interscholastic activities and discriminates against an eligible student in a public or nonpublic school, including a home-schooled student.

(g) The resident school district may adopt a policy to implement the requirements of this section, provided that the policy applies only to participation in interscholastic activities and does not conflict with this section."

(SIGNED) SENATOR BAKER

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 842 was ordered engrossed.

On motion of Senator G. Jeffress, [Senate Bill No. 990](#) was withdrawn from the Committee on REVENUE & TAXATION, and placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
[Amendment No. 1 to SENATE BILL NO. 990](#)

Amend [Senate Bill No. 990](#) as originally introduced:

Page 1, delete all the language after the enacting clause and substitute:

"SECTION 1. Arkansas Code § 26-52-319(b)-(f), concerning the sales tax on natural gas and electricity used by manufacturers, is amended to read as follows:

(b) As used in this section, "manufacturer" means a:

~~(1) manufacturer~~ Manufacturer classified within sectors 31 through 33 of the North American Industry Classification System, as in effect on January 1, 2007; and

(2) Generator of electric power classified within sector 22 of the North American Industry Classification System that uses natural gas on or after the effective date of this subdivision to operate a generating facility that uses emission reduction technology that emits nitrogen oxides (NOx) less than three and five-tenths parts per million (3.5 ppm) on average annually for all operating hours.

(c) In lieu of the tax rate under subsection (a) of this section, the excise tax rate levied on the gross receipts or gross proceeds derived from the sale of natural gas and electricity to a manufacturer as defined under subdivision (b)(2) of this section is as follows:

(1) Beginning July 1, 2010, five and one-fourth percent (5.25%);

(2) Beginning July 1, 2011, four and one-fourth percent (4.25%); and

(3) Beginning July 1, 2012, the rate under subsection (a) of this

section.

~~(e)~~(d) Natural gas and electricity subject to the reduced tax rate levied in this section shall be separately metered from natural gas and electricity used for any other purpose by the manufacturer or otherwise established in accordance with the rules issued under subsection ~~(e)~~(f) of this section.

~~(d)~~(e) ~~Prior to~~ Before the sale of natural gas or electricity at the reduced excise tax rate levied in this section, the director may require any seller of natural gas or electricity to obtain a certificate from the consumer, in the form prescribed by the director, certifying that the manufacturer is eligible to purchase natural gas and electricity at the reduced excise tax rate.

~~(e)~~(f) The director shall ~~have and be invested with full power and authority to~~ promulgate rules for the proper administration of this section.

~~(f)~~(g) The gross receipts or gross proceeds derived from the sale of natural gas and electricity to a manufacturer shall continue to be subject to:

(1) The excise tax levied under the Arkansas Constitution, Amendment 75, § 2; and

(2) All municipal and county gross receipts taxes.

SECTION 2. Arkansas Code § 26-53-148(b)-(f), concerning the compensating use tax on natural gas and electricity used by manufacturers, is amended to read as follows:

(b) As used in this section, "manufacturer" means a:

(1) manufacturer Manufacturer classified within sectors 31

through 33 of the North American Industry Classification System, as in effect on January 1, 2007; and

(2) Generator of electric power classified within sector 22 of the North American Industry Classification System that uses natural gas on or after the effective date of this subsection to operate a generating facility that uses emission reduction technology that emits nitrogen oxides (NOx) less than three and five-tenths parts per million (3.5 ppm) on average annually for all operating hours.

(c) In lieu of the tax rate under subsection (a) of this section, the excise tax rate levied on the gross receipts or gross proceeds derived from the sale of natural gas and electricity to a manufacturer as defined under subdivision (b)(2) of this section is as follows:

(1) Beginning July 1, 2010, five and one-fourth percent (5.25%);

(2) Beginning July 1, 2011, four and one-fourth percent (4.25%); and

(3) Beginning July 1, 2012, the rate provided in subsection (a) of this

section.

~~(e)~~(d) Natural gas and electricity subject to the reduced tax rate levied in this section shall be separately metered from natural gas and electricity used for any other purpose by the manufacturer or otherwise established in accordance with the rules issued under subsection ~~(e)~~(f) of this section.

~~(d)~~(e) Prior to Before purchasing any natural gas or electricity at the reduced excise tax rate levied in this section, the director may require any seller of natural gas or electricity to obtain a certificate from the consumer, in the form prescribed by the director, certifying that the manufacturer is eligible to purchase natural gas and electricity at the reduced excise tax rate.

~~(e)~~(f) The director shall have and be invested with full power and authority to promulgate rules for the proper administration of this section.

~~(f)~~(g) The purchase of natural gas and electricity by a manufacturer shall continue to be subject to:

(1) The excise tax levied under the Arkansas Constitution, Amendment 75, § 2; and

(2) All municipal and county compensating use taxes.

SECTION 3. Emergency Clause. It is found and determined by the General Assembly of the State of Arkansas that the sales and use taxes that Arkansas imposes on natural gas used in high-efficiency electric generating facilities far exceed the taxes imposed by most surrounding states; that electric power generation has historically been treated as manufacturing for sales and use tax purposes in Arkansas; that the state has an interest in encouraging the use of clean and efficient generating technologies pending the development of alternative energy technologies; that the price of natural gas has been subject to substantial increases in the marketplace resulting in a dramatic increase in the cost of electricity that has been compounded by sales and compensating use tax on natural gas used as fuel, and this trend is likely to continue; and that including high-efficiency power generation in the definition of manufacturing for purposes of the reduced sales and use tax on natural gas will stabilize the tax burden, preserve the funding source, and encourage the use of natural gas in high-efficiency power generating facilities in Arkansas. 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 July 1, 2009."

(SIGNED) SENATOR G. JEFFRESS

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 990 was ordered engrossed.

On motion of Senator Pritchard, **Senate Bill No. 536** was withdrawn from the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS, and placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 536

Amend **Senate Bill No. 536** 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), (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

(SIGNED) SENATOR PRITCHARD

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 536 was ordered engrossed.

On motion of Senator Pritchard, **Senate Bill No. 157** was withdrawn from the Committee on REVENUE & TAXATION, and placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 157

Amend **Senate Bill No. 157** as originally introduced:

Add Representative English as a sponsor of the bill.

AND

Page 3, line 17, delete "Military" and substitute "The first twelve thousand dollars (\$12,000) of military"

(SIGNED) SENATOR PRITCHARD

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 157 was ordered engrossed.

On motion of Senator Bryles, **Senate Bill No. 838** was withdrawn from the Committee on EDUCATION, and placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 838

Amend **Senate Bill No. 838** as originally introduced:

Page 1, delete all language after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 6-15-2602 is amended to read as follows:
 6-15-2602. Legislative intent.

It is the intent of the General Assembly to provide a pilot program affording public school districts and public charter schools the opportunity to develop teacher ~~compensation~~ incentive bonus plans tailored to the public school district's or public charter school's needs to accomplish the following:

- (1) Provide incentives that will encourage teachers to improve their knowledge and instructional skills in order to improve student learning;
- (2) Recruit and retain highly qualified teachers;
- (3) Encourage highly qualified teachers to undertake challenging assignments;
- (4) Support teachers' roles in improving students' educational achievements; and
- (5) Inform policymakers regarding the potential of a restructured teacher professional pay system to improve student achievement across the state.

SECTION 2. Arkansas Code § 6-15-2603 is amended to read as follows:
 6-15-2603. Definitions.

As used in this subchapter:

(1)(A) "Knowledge and skill base portion of bonus compensation" means that portion of a teacher's bonus compensation under a Rewarding Excellence in Achievement plan that considers, but is not limited to, ~~input~~ factors such as ~~years of experience and degree levels~~ teacher evaluations, as set forth in a Rewarding Excellence in Achievement plan.

(B) This portion shall represent ~~forty up to twenty percent (40%)~~ (20%) to sixty percent (60%) of the teacher's ~~total~~ bonus compensation.

(2) "Local board" means a board of directors exercising the control and management of a public school district.

(3)(A) "Performance portion of bonus compensation" means that portion of a teacher's bonus compensation under a Rewarding Excellence in Achievement plan that considers, without limitation, output factors such as ~~teacher evaluations and~~ student performance in the teacher's class or in the teacher's school, as set forth in a Rewarding Excellence in Achievement plan.

(B) This portion shall represent ~~forty percent (40%) to sixty percent (60%)~~ no less than eight percent (80%) of the teacher ~~total~~ bonus compensation.

(4) "Rewarding Excellence in Achievement plan" means an alternative plan for teacher compensation developed by a public school, public school district, or public charter school and selected by the State Board of Education to participate in the Rewarding Excellence in Achievement Program pursuant to this subchapter.

SECTION 3. Arkansas Code § 6-15-2605(d) concerning the application procedure is repealed.

~~(d) The application procedure shall provide for a phase-in process, beginning with a planning phase for a twelve-month minimum period, to allow applicants access to resources that would allow sufficient research of best practices and to garner community and staff support in submitting a Rewarding Excellence in Achievement plan.~~

SECTION 4. Arkansas Code § 6-15-2606(a)(4) and (5) concerning determination of bonus compensation is amended to read as follows:

(4) Describe how the ~~forty percent (40%) to sixty percent (60%)~~ eighty percent (80%) or greater performance portion of ~~compensation~~ the bonus will be determined;

(5) Describe how the ~~forty percent (40%) to sixty percent (60%)~~ twenty percent (20%) or less knowledge and skill base portion of ~~compensation~~ the bonus will be determined;

SECTION 5. Arkansas Code § 6-15-2606(b) and (c) concerning achievement plans is amended to read as follows:

(b) Rewarding Excellence in Achievement plans approved for participation in the Rewarding Excellence in Achievement Program may include provisions regarding the bonus compensation for administrators and other staff members.

(c) ~~Compensation increases~~ Increases for the performance portion of bonus compensation, ~~forty percent (40%) to sixty percent (60%) of the teacher's total compensation,~~ eighty percent (80%) or greater under the Rewarding Excellence in Achievement plan shall include:

(1)(A) Achievement gains of students in each teacher's class on student scores under the statewide assessment program described in § 6-15-433.

(B) Locally selected and Department of Education-approved standardized assessment outcomes for students in each teacher's class may also be included;

(2) Achievement gains of students on a school-wide basis under the statewide assessment program described in § 6-15-433. Locally selected and Department of Education-approved standardized assessment outcomes may also be included; and

(3) ~~The remaining percentage of the performance~~ Increases for the knowledge and skills portion of bonus compensation ~~of the teacher's total compensation~~ shall be based on an objective teacher evaluation program that includes:

(A) An individual objective teacher evaluation conducted by the school principal that is aligned with the comprehensive school improvement plan and professional development plan described in § 6-15-2607; and

(B) ~~Peer~~ If applicable, peer objective evaluations using multiple criteria conducted by locally selected and periodically trained evaluators that understand teaching and learning and that include provisions for integrated ongoing site-based professional development activities to improve instructional skills and learning that are aligned with student needs under § 6-15-2009."

(SIGNED) SENATOR BRYLES

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 838 was ordered engrossed.

On motion of Senator G. Jeffress, **Senate Bill No. 178** was withdrawn from the Committee on JOINT RETIREMENT AND SOCIAL SECURITY, and placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 178

Amend **Senate Bill No. 178** as originally introduced:

Delete everything after the enacting clause and substitute the following
 :

"SECTION 1. Arkansas Code § 24-11-215, concerning the allocation of the insurance premium tax, is amended to add an additional subsection to read as follows:

(e)(1) An additional allocation to cover a cost-of-living increase for plans that are consolidated with the Arkansas Local Police and Fire Retirement System shall be made beginning with the allocations made on or after January 1, 2009.

(2) The additional allocation under subdivision (e)(1) of this section shall be the amount, if any, by which the amount to amortize the added liability created by the addition of a three percent (3%) compound cost-of-living increase at the time the plan consolidates with the Arkansas Local Police and Fire Retirement System exceeds the amount otherwise allocated in § 24-11-214.

(3) The additional allocation under subdivision (e)(1) of this section applies to both current and future consolidations."

(SIGNED) SENATOR G. JEFFRESS

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 178 was ordered engrossed.

On motion of Senator Wilkins, **Senate Bill No. 1553** was withdrawn from the Committee on PUBLIC HEALTH, WELFARE & LABOR, and placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 1553

Amend **House Bill No. 1553** as originally introduced:
 Page 1, line 33, delete "North" and substitute "South"

(SIGNED) SENATOR WILKINS

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1553 was ordered engrossed.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 26, 2009

Mr. President:

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

Senate BILL NO. 157, BY SENATOR PRITCHARD,

Senate BILL NO. 990, BY SENATOR G. JEFFRESS,

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

Respectfully submitted,

(SIGNED) JOHN PAUL CAPPS

CHAIRMAN

On motion of Senator Pritchard, **Senate Bill No. 157** was ordered re-referred to the Committee on REVENUE & TAXATION.

On motion of Senator G. Jeffress, **Senate Bill No. 990** was ordered re-referred to the Committee on REVENUE & TAXATION.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 26, 2009

Mr. President:

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

Senate BILL NO. 178, BY SENATOR G. JEFFRESS,

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

Respectfully submitted,

(SIGNED) JOHN PAUL CAPPS
CHAIRMAN

On motion of Senator G. Jeffress, **Senate Bill No. 178** was ordered re-referred to the Committee on JOINT RETIREMENT AND SOCIAL SECURITY.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 26, 2009

Mr. President:

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

Senate BILL NO. 536, BY SENATOR PRITCHARD,

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

Respectfully submitted,

(SIGNED) JOHN PAUL CAPPS
CHAIRMAN

On motion of Senator Pritchard, **Senate Bill No. 536** was ordered re-referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 26, 2009

Mr. President:

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

SENATE BILL NO. 736, BY SENATOR LAVERTY,
SENATE BILL NO. 838, BY SENATOR BRYLES,
SENATE BILL NO. 842, BY SENATOR BAKER,

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

Respectfully submitted,

(SIGNED) JOHN PAUL CAPPS
CHAIRMAN

On motion of Senator Laverty, **Senate Bill No. 736** was ordered re-referred to the Committee on EDUCATION.

On motion of Senator Bryles, **Senate Bill No. 838** was ordered re-referred to the Committee on EDUCATION.

On motion of Senator Baker, **Senate Bill No. 842** was ordered re-referred to the Committee on EDUCATION.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 26, 2009

Mr. President:

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

Senate BILL NO. 949, BY SENATOR WYATT,

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

Respectfully submitted,

(SIGNED) JOHN PAUL CAPPS
CHAIRMAN

On motion of Senator Wyatt, **Senate Bill No. 949** was ordered re-referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 26, 2009

Mr. President:

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

House BILL NO. 1553, BY REPRESENTATIVE T. BRADFORD ET AL,
BY SENATOR H. WILKINS ET AL,

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

Respectfully submitted,

(SIGNED) JOHN PAUL CAPPS
CHAIRMAN

On motion of Senator Wilkins, **House Bill No. 1553** was ordered re-referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 26, 2009

Mr. President:

We, your Committee on CITY, COUNTY & LOCAL AFFAIRS, to whom was referred:

SENATE BILL NO. 789, BY SENATOR BRYLES,

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

Respectfully submitted,

(SIGNED) SENATOR SUE MADISON
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 26, 2009

Mr. President:

We, your Committee on CITY, COUNTY & LOCAL AFFAIRS, to whom was referred:

HOUSE BILL NO. 2201, BY REPRESENTATIVE LEA,

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

Respectfully submitted,

(SIGNED) SENATOR MADISON
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 26, 2009

Mr. President:

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

SENATE BILL NO. 846, BY SENATOR BROADWAY,
SENATE BILL NO. 1005, BY SENATOR STEELE,

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

Respectfully submitted,

(SIGNED) SENATOR JIM LUKER
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 26, 2009

Mr. President:

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

HOUSE BILL NO. 2076, BY REPRESENTATIVE WEBB,
HOUSE BILL NO. 2256, BY REPRESENTATIVE MAXWELL,

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

Respectfully submitted,

(SIGNED) SENATOR JIM LUKER
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 26, 2009

Mr. President:

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

HOUSE BILL 1984, BY REPRESENTATIVE DUNN,

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

Respectfully submitted,

(SIGNED) SENATOR JIM LUKER
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 26, 2009

Mr. President:

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

SENATE BILL NO. 876, BY SENATOR D. WYATT,

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

Respectfully submitted,

(SIGNED) SENATOR BARBARA HORN
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 26, 2009

Mr. President:

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

SENATE BILL NO. 932, BY SENATOR P. MALONE,

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

Respectfully submitted,

(SIGNED) SENATOR BARBARA HORN
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 26, 2009

Mr. President:

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

HOUSE BILL NO. 1881, BY REPRESENTATIVE WELLS,

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

Respectfully submitted,

(SIGNED) SENATOR BARBARA HORN
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 26, 2009

Mr. President:

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

SENATE BILL 440, BY SENATOR BROADWAY,
SENATE BILL 790, BY SENATOR BROADWAY,
SENATE BILL 820, BY SENATOR WHITAKER,
SENATE BILL 867, BY SENATOR FARIS,
SENATE BILL 868, BY SENATOR FARIS,
SENATE BILL 921, BY SENATOR BROADWAY,

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

Respectfully submitted,

(SIGNED) SENATOR STEVE FARIS
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 26, 2009

Mr. President:

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

SENATE BILL 938, BY SENATOR D. JOHNSON,

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

Respectfully submitted,

(SIGNED) SENATOR STEVE FARIS
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 26, 2009

Mr. President:

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

SENATE RESOLUTION NO. 19, BY SENATOR STEELE,

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

Respectfully submitted,

(SIGNED) SENATOR STEVE FARIS
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 26, 2009

Mr. President:

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

HOUSE BILL NO. 1160, BY REPRESENTATIVE OVERBEY,
HOUSE BILL NO. 1646, BY REPRESENTATIVE RAINEY,
HOUSE BILL NO. 1955, BY REPRESENTATIVE INGRAM,

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

Respectfully submitted,

(SIGNED) SENATOR STEVE FARIS
CHAIRMAN

On motion of Senator Crumbly, **Senate Bill No. 980** was placed back on
second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 980

Amend **Senate Bill No. 980** as originally introduced:

Page 2, delete lines 1 through 6 and substitute:

"(b) In order to further the state's policy of encouraging efficiency and the expansion of available course offerings that might be achieved through the voluntary consolidation or annexation of school districts, qualifying teachers in the resulting school district in an approved voluntary consolidation under §6-13-1404(a)(2) or § 6-13-1603(a) or in a receiving district in an approved voluntary annexation under §6-13-1403(a)(2)-(4) or § 6-13-1603(a) shall continue to receive the funding provided under this section if all school districts in the voluntary consolidation or annexation were high-priority districts in the immediately preceding school year, even if the average daily membership of the resulting or receiving school district is one thousand (1,000) or above."

AND

Page 2, line 7, delete "April 1" and substitute "April 15"

AND

Page 2, line 35, delete "is" and substitute "may be"

AND

Page 4, delete line 14 and substitute:

"requirements of this teacher recruitment and retention program.

(e)(1) The bonus amounts provided under this section are the maximum amounts to be paid to qualifying teachers in high-priority districts, and are subject to the appropriation and availability of funding for the payment of the bonuses.

(2) If the funds appropriated and available for the payment of the bonuses under this section are insufficient to pay the maximum bonus amounts to each qualifying teacher, the Department of Education shall distribute the available funding to qualified teachers on a pro rata basis."

AND

Page 4, delete lines 28 through 34 and substitute:

"on July 1, 2009."

(SIGNED) SENATOR CRUMBLY

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 980 was ordered engrossed.

On motion of Senator Pritchard, **Senate Bill No. 922** was withdrawn from the Committee on PUBLIC HEALTH, WELFARE & LABOR, and placed on the Calendar.

On motion of Senator Pritchard, and without objection, **Senate Bill No. 922** was recommended for study in the Interim Committee on PUBLIC HEALTH, WELFARE & LABOR.

On motion of Senator Broadway, **House Concurrent Resolution No. 1014** was called up for third reading and final disposition.

**HOUSE CONCURRENT RESOLUTION NO. 1014
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE RAGLAND**

HOUSE CONCURRENT RESOLUTION URGING THE SECRETARY OF THE UNITED STATES DEPARTMENT OF AGRICULTURE AND THE CONGRESS OF THE UNITED STATES TO SUPPORT A VOLUNTARY, MARKET-DRIVEN APPROACH TO THE NATIONAL ANIMAL IDENTIFICATION SYSTEM.

House Concurrent Resolution No. 1014 was read the third time and concurred in.

(SIGNED) ANN CORNWELL, SECRETARY

House Concurrent Resolution No. 1014 was ordered immediately returned to the House as concurred in.

On motion of Senator Key, **House Concurrent Resolution No. 1017** was called up for third reading and final disposition.

**HOUSE CONCURRENT RESOLUTION NO. 1017
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE J. DICKINSON**

HOUSE CONCURRENT RESOLUTION TO ENCOURAGE SCHOOLS TO RAISE AWARENESS OF THE SACRIFICES THAT VETERANS HAVE MADE FOR OUR COUNTRY BY HAVING A SCHOOL ASSEMBLY TO COMMEMORATE VETERANS DAY AROUND THE TIME OF THE VETERANS DAY HOLIDAY.

House Concurrent Resolution No. 1017 was read the third time and concurred in.

(SIGNED) ANN CORNWELL, SECRETARY

House Concurrent Resolution No. 1017 was ordered immediately returned to the House as concurred in.

On motion of Senator Wilkins, **Senate Bill No. 342** was placed back on second reading for purpose of Amendment No. 3.

**ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 3 to SENATE BILL NO. 342**

Amend **Senate Bill No. 342** as engrossed, S3/19/09:

Page 1, delete lines 34 and 35 and substitute the following:
"information, hours of operation, and status as tuition subsidy, meal subsidy, state-funded pre-kindergarten, and quality-rated facilities."

AND

Page 2, delete lines 1 through 14 and substitute the following:

~~"(2) Identify designated emergency shelters, including without limitation local shelters and mass evacuation shelters, in proximity to all licensed child care facilities and all known license-exempt facilities, identify three (3) designated shelters in closest proximity to each child care facility, and notify each child care facility annually of the locations of those shelters;~~

~~(3) Coordinate efforts to notify the state emergency management agency of the estimated number of children in child care facilities who could be evacuated to each shelter;~~

~~(4) Require all licensed child care facilities to notify parents annually of the shelters designated by the Division of Child Care and Early Childhood Education of the Department of Human Services as being in closest proximity to those facilities;~~

~~(5)(2) Include early childhood emergency preparedness courses and"~~

AND

Page 2, line 19, delete "(6)" and substitute "~~(6)~~(3)"

AND

Page 2, line 22, delete "~~(7)(A)~~" and substitute "~~(4)~~(A)"

(SIGNED) SENATOR H. WILKINS

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 342 was ordered engrossed.

On motion of Senator Teague, [Senate Bill No. 870](#) was placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
[Amendment No. 1 to SENATE BILL NO. 870](#)

Amend [Senate Bill No. 870](#) as originally introduced:

Delete Section 1 in its entirety and substitute the following:

"SECTION 1. Arkansas Code § 8-6-220 is amended to read as follows:
 8-6-220. Yard waste.

(a)(1)(A) Except as provided in subdivision (a)(2) of this section, it is established by this section that it is illegal for any yard waste to be placed in a solid waste management facility solely for the purpose of disposal, except for fugitive amounts of yard waste.

(B) A permitted solid waste landfill may collect landfill gas from the fugitive amounts of yard waste for conversion to energy.

(2)(A) If authorized by the Arkansas Department of Environmental Quality through a permit modification process including a public notice and comment period, yard waste may be accepted by a permitted solid waste landfill that operates a landfill gas to energy system for the recovery and use of landfill gas as a renewable energy fuel source.

(B) The department shall consider, at a minimum, the following before authorizing yard waste to be accepted by a solid waste landfill for disposal:

(i) The number and types of permitted compost facilities accepting yard waste within the service areas of the solid waste landfill;

(ii) The environmental impact of the proposed change in disposing of yard waste at a solid waste landfill instead of a permitted compost facility;

(iii) The financial impact to each permitted compost facility located within the service area of the solid waste landfill;

(iv) Whether the regional solid waste management board hosting the solid waste landfill and hosting a permitted compost facility within the landfill's service area supports the request;

(v) The amount of yard waste the solid waste landfill intends to accept and the basis for estimating the volume of yard waste to be disposed in the landfill;

(vi) The financial impact to residents and industry within the service area of the solid waste landfill;

(vii) The location of the solid waste landfill;

(viii) The location within the solid waste landfill for the placement of yard waste;

(ix) The plans to offset the effects of disposing of yard waste on the volume reduction for municipal waste disposal;

(x) A description and timeline for the landfill gas collected from the yard waste to become a renewable energy fuel source;

(xi) The design and efficiency of the landfill gas collection system;

(xii) A list of purchase power agreements that guarantee the collection and use of the landfill gas collected from the yard waste for energy conversion; and

(xiii) Other information as may be required by the department.

(C) Landfill gas recovered through the landfill gas to energy system shall be utilized for the generation of electricity or used as a substitute for conventional fuels.

(b)(1) In addition to composting requirements for regional solid waste management districts set forth in § 8-6-719, each district shall furnish yard waste reduction or usage and/or opportunities to ensure that its residents are provided with the availability to choose, based upon need by population ~~and/or~~ or area, ways and means of usage, reduction, reuse, ~~and/or~~ or composting of yard waste.

(2) Such choices of yard waste reduction ~~and/or~~ or usage shall be submitted to the Arkansas Department of Environmental Quality for approval and shall become an integral part of the district's solid waste management plan.

(c) ~~For purposes of~~ As used in this section:

(1) "Fugitive amounts of yard waste" means small quantities that escape the approved methods of usage, reduction, reuse, or composting of yard waste; ~~and~~

(2) "Landfill gas to energy system" means the process of collecting, storing, and converting landfill gas to electricity for a direct fuel use or other use as a substitute for conventional fuels, including without limitation flaring for system testing, system maintenance, or proving capacity for an intended energy use; and

~~(2)(3)~~ (3) "Yard waste" means grass clippings, leaves, and shrubbery trimmings."

(SIGNED) SENATOR TEAGUE

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 870 was ordered engrossed.

On motion of Senator Teague, **Senate Bill No. 770** was placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 770

Amend **Senate Bill No. 770** as originally introduced:

Delete Section 1

AND

Delete Section 3

AND

Appropriately renumber the sections of the bill.

(SIGNED) SENATOR TEAGUE

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 770 was ordered engrossed.

On motion of Senator Salmon, **Senate Bill No. 839** was placed back on second reading for purpose of Amendment Nos. 1 and 2.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 839

Amend **Senate Bill No. 839** as originally introduced:

Page 2, delete lines 5 through 9 and substitute:

“(6)(A) "Restraints" means any physical restraint or mechanical device used to control the movement of a prisoner's or detainee's body or limbs, including without limitation flex cuffs, soft restraints, hard metal handcuffs, a black box, Chubb cuffs, leg irons, belly chains, a security tether or chain, or a convex shield.

(B) "Restraints" does not mean a door to a room.”

AND

Page 2, line 13, delete “, including”

AND

Page 3, line 15, delete “without the prisoner's or”

AND

Page 3, line 16, delete “detainee's prior written consent”

AND

Page 3, line 22, delete “custody” and insert “custody under § 12-29-702”

AND

Page 4, delete lines 12 through 16 and substitute:

“(6)(A) "Restraints" means any physical restraint or mechanical device used to control the movement of a prisoner's or detainee's body or limbs, including without limitation flex cuffs, soft restraints, hard metal handcuffs, a black box, Chubb cuffs, leg irons, belly chains, a security tether or chain, or a convex shield.

(B) "Restraints" does not mean a door to a room.”

(SIGNED) SENATOR SALMON

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

(SIGNED) ANN CORNWELL, SECRETARY

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 2 to SENATE BILL NO. 839

Amend **Senate Bill No. 839** as originally introduced:

Page 2, delete lines 5 through 9 and substitute:

“(6)(A) “Restraints” means any physical restraint or mechanical device used to control the movement of a prisoner’s or detainee’s body or limbs, including without limitation flex cuffs, soft restraints, hard metal handcuffs, a black box, Chubb cuffs, leg irons, belly chains, a security tether or chain, or a convex shield.

(B) “Restraints” does not mean a door to a room.”

AND

Page 2, line 13, delete “, including”

AND

Page 3, line 15, delete “without the prisoner’s or”

AND

Page 3, line 16, delete “detainee’s prior written consent”

AND

Page 3, line 22, delete “custody” and insert “custody under § 12-29-702”

(SIGNED) SENATOR SALMON

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 839 was ordered engrossed.

On motion of Senator D. Johnson, **House Bill No. 1848** was placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to HOUSE BILL NO. 1848

Amend **House Bill No. 1848** as originally introduced:
 Page 1, line 25, delete "5-10-105" and substitute "5-10-103"

(SIGNED) SENATOR D. JOHNSON

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1848 was ordered engrossed.

On motion of Senator Luker, **House Bill No. 1256** was placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to HOUSE BILL NO. 1256

Amend **House Bill No. 1256** as engrossed, H3/16/09:
 Page 2, line 29, delete "limit; and" and substitute:
"limit;

(2) "Public highway" means a public road, county road, city street, or any paved or unpaved roadway that is owned or maintained by a public entity or municipality; and

AND

Page 2, line 30, delete "(2)" and substitute "(3)"

AND

Page 2, line 31, delete "vehicles" and substitute "vehicles traveling with excessive or at dangerous speeds"

AND

Page 3, line 1, delete "racing" and substitute "racing on a public highway"

AND

Page 3, delete line 2 and substitute "(A) Commits a violation of § 27-50-302(a)(2)-(9) and operates a motor vehicle in a race or drag race on a"

AND

Page 3, delete lines 4 and 5 and substitute:

"(B) Participates in, promotes, solicits, or collects moneys at any location for any race or drag race on a public highway; or"

AND

Page 3, line 8, delete "Racing" and substitute "Racing on a public highway"

AND

Page 3, delete line 15 and substitute "assistance, facilitation, urging, or a request that"

(SIGNED) SENATOR LUKER

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1256 was ordered engrossed.

On motion of Senator J. Jeffress, House Bill No. 1680 was placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to HOUSE BILL NO. 1680

Amend House Bill No. 1680 as originally introduced:

Page 1, delete lines 26 through 29 and substitute the following:

"(d) An employee may be eligible for catastrophic leave when:

(1)(A) The employee has been employed by the state for more than two (2) years or was previously employed by a public school district or state-supported institution of higher learning for more than two (2) years.

(B) A person who was employed by a public school district or state-supported institution of higher learning for less than two (2) years also is eligible for catastrophic leave if:

(i) The person's combined years of employment with the state and with a public school district or state-supported institution of higher learning totals more than two (2) years; and

(ii) The lapse in the person's employment between the state and a public school district or state-supported institution of higher learning is less than six (6) months;"

(SIGNED) SENATOR J. JEFFRESS

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 1680 was ordered engrossed.

On motion of Senator Elliott, House Bill No. 1273 was placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to HOUSE BILL NO. 1273

Amend House Bill No. 1273 as engrossed, H2/27/09:

Page 2, line 20, delete "national school lunch"

AND

Page 2, line 21, delete "student categorical funding under § 6-20-2305."

AND

Page 2, line 22, delete "technology." and substitute "technology"

(SIGNED) SENATOR ELLIOTT

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1273 was ordered engrossed.

On motion of Senator Horn, the rules were suspended in considering Senate Bill No. 808 at this time.

On motion of Senator Horn, Senate Bill No. 808 was withdrawn from the Committee on INSURANCE & COMMERCE, and placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 808

Amend Senate Bill No. 808 as originally introduced:

Delete the title in its entirety and substitute the following:
"AN ACT TO ENCOURAGE INVESTMENT IN TELECOMMUNICATIONS FACILITIES IN RURAL AREAS AND TO ASSIST LOW INCOME TELECOMMUNICATIONS CUSTOMERS; TO PROVIDE AN EMERGENCY EFFECTIVE DATE; AND FOR OTHER PURPOSES."

AND

Delete the subtitle in its entirety and substitute:
"TO ENCOURAGE INVESTMENT IN TELECOMMUNICATIONS FACILITIES IN RURAL AREAS, TO ASSIST LOW INCOME TELECOMMUNICATIONS CUSTOMERS, AND TO PROVIDE AN EMERGENCY EFFECTIVE DATE."

AND

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 23-17-404(b)(2)(A), concerning the preservation and promotion of universal service through the Arkansas High Cost Fund, is amended to read as follows:

~~(2)(A)(i) This AHCF charge for all telecommunications providers shall be proportionate to each provider's Arkansas intrastate retail telecommunications service revenues~~ Every telecommunications provider, and to the extent not prohibited by federal law, every provider of interconnected VOIP service, as defined by 47 C.F.R. 9.3, as it existed on October 1, 2005, shall be assessed the AHCF charge on an equitable and nondiscriminatory basis.

(ii)(a) The AHCF charge shall be proportionate to each telecommunications provider's Arkansas intrastate telecommunications service revenue.

(b) However, interconnected VOIP providers shall identify intrastate revenue subject to the AHCF charge using the inverse of the current FCC safe harbor, for example 35.1% as of March 19, 2009, of all collected revenues, or after approval by the Arkansas Public Service Commission, using either direct assignment or a company-specific traffic study;

SECTION 2. Arkansas Code § 23-17-404(e)(2), concerning the preservation and promotion of universal service through the Arkansas High Cost Fund, is amended to read as follows:

(2)(A) The commission shall provide a report to the Legislative Council by October 31 of the year prior to a regular session of the General Assembly detailing any recommended changes to the universal service list of requirements that are to be supported by the AHCF. This list may be approved by the General Assembly, and if approved, the AHCF support to ETCs may be adjusted, due to the approved changes, to reflect an increase or decrease in the size of the AHCF by increasing or decreasing the overall financial cap on the AHCF to recover the cost of additions or revisions to the universal service list concurrent with any such revisions to the list of universal services identified in § 23-17-403.

(B) In considering revisions to the universal service list, the commission shall consider the need for the addition or removal of a service to the list in order to maintain end-user rates for universal services that are reasonably comparable between urban and rural areas or to reflect changes in the type and quality of telecommunications services considered essential by the public as evidenced, for example, by those telecommunication services that are purchased and used by a majority of single-line urban customers.

(C) A rate case proceeding or earning investigation or analysis shall not be required or conducted in connection with the recovery of the cost of additions or revisions or in connection with the administration of the AHCF;

(D)(i) Beginning July 1, 2009, the AHCF shall consist of the following three (3) separate programs:

(a) The AHCF High Cost Program which is under the upper limit or "CAP" requirements of § 23-17-404;

(b) The State Lifeline Program which is separate from the AHCF High Cost Program and is not under the CAP requirements; and

(c) The AICCLP Funding Program which is separate from the AHCF High Cost Program and the State Lifeline Program and is not under the CAP requirements.

(ii)(a) The State Lifeline Program shall be administered by the AICCLP administrator and is designed to:

(1) Advance the goals of universal service and ensure that low-income residential customers within the State of Arkansas are provided financial assistance in maintaining basic local exchange

telecommunications service; and

(2) Operate in conjunction with the Federal Lifeline Program to provide to qualifying residential subscribers for basic local exchange service:

Common Line Charge; and

subscriber's monthly bill; or

(A) Full waiver of the End-User

(B)(i) A monthly credit to the

(ii) A reduced monthly rate.

(b)(1) The State Lifeline Program shall offer a reimbursement to eligible ETCs of up to three dollars and fifty cents (\$3.50) per month to customers eligible for the Federal Low Income Discount Program.

(2)(A) The customer shall be a participant in the Federal Low Income Discount Program to receive the State Lifeline Program discount or reduced rate.

(B) The discount or reduced rate shall be applied to the customer's monthly bill.

(3) Only ETCs are eligible to provide the State Lifeline Program.

(4) The monthly credit to a qualifying residential subscriber shall not be more than the total amount of the subscriber's End-User Common Line Charge plus the monthly local service charge.

(c)(1) The AICCLP administrator will administer the State Lifeline Program similar to the Federal Low Income Discount Program is administered.

(2) Eligible ETCs shall petition the AICCLP monthly based on the number of Federal Low Income Discount Program recipients.

(3) The AHCF administrator shall transfer to the AICCLP administrator sufficient funds monthly to reimburse the State Lifeline Program.

(4) The AICCLP administrator shall verify that the ETC is eligible for the reimbursement and will then distribute funds to each eligible ETC.

(5) An ETC shall provide its results of the Federal Lifeline Program annual random sample process each year to the AICCLP administrator to verify continuity between the two (2) programs.

SECTION 3. The introductory language of Arkansas Code § 23-17-404(e)(4)(B)(iv)(a), concerning funding for the Extension of Telecommunications Facilities Fund and the Arkansas Calling Plan Fund, is amended to read as follows:

(iv)(a) Through December 31, 2003, the Extension of Telecommunications Facilities Fund and the Arkansas Calling Plan Fund will be funded by the AICCLP assessing one-half (1/2) of the fund to be paid by incumbent local exchange carriers (ILECs) and one-half (1/2) of the fund to be paid by all other telecommunications providers reporting intrastate retail billed minutes of use to the AICCLP. Beginning January 1, 2004, through June 30, 2009, the Extension of Telecommunications Facilities Fund and the Arkansas Calling Plan Fund will be paid by the AICCLP members, exiting ILECs, and underlying carriers as follows:

SECTION 4. Arkansas Code § 23-17-404(e)(4)(B)(v)(b)(2), concerning the administration of telecommunication services and funding, is amended to read as follows:

(2)(A) The administrator of the AICCLP as it existed prior to January 1, 2004, may supervise any audit that is requested and may further take any action deemed reasonable or necessary to finalize the winding-

up process of the AICCLP as it existed prior to January 1, 2004.

(B)(i) Beginning July 1, 2009, the Extension of Telecommunications Facilities Fund and the Arkansas Calling Plan Fund shall be funded through the AHCF under this subdivision (e)(4)(B)(v)(b)(2)(B).

(ii) The AHCF administrator shall calculate the necessary funding for the Extension of Telecommunications Facilities Fund and the Arkansas Calling Plan Fund to the minimum extent of funding necessary not to exceed the maximum specified in this section, to fund any extensions of facilities or calling plans approved by the Commission in accordance with applicable law and this section.

(iii)(a) The funds calculated under subdivision (e)(4)(B)(v)(b)(2)(B)(ii) of this section shall be transferred to the AICCLP administrator monthly in sufficient quantities to fund the monthly commitment levels of the AICCLP administrator's funding obligations.

(b) The AICCLP administrator shall assist the AHCF administrator in developing estimates for the AHCF administrator to use in calculating the necessary funding amounts to be transferred.

SECTION 5. Arkansas Code § 23-17-404(e)(4)(E)(ii), concerning funds available for distribution from the AHCF High Cost Program, is amended to read as follows:

(ii)(a)(1) The funds available for distribution to ETCs from the AHCF High Cost Program shall not exceed and are capped at twenty-two million dollars (\$22,000,000) per year, the total capped fund, until June 30, 2009.

(2)(A) Cost of administrating the AHCF shall first be deducted from the total capped fund prior to allocation of funding to the ETCs.

(B) Transition funds used from the surplus during the five-year transition period are supplemental and are not subject to any cap.

(C) The annual period to be used by the AHCF administrator to adjust support levels and upon which to apply any cap shall be on the calendar year.

(D) In addition to the total fund cap, the funds available from the AHCF shall also be capped based upon size groups using access lines for loop-based ETCs and customers for customer-based ETCs.

(E) Size grouping is used to ensure that funds are targeted to areas most needing high-cost assistance.

(F) For the purpose of calculating the size grouping caps, total customer access base shall be used for loop-based ETCs and total customers for customer-based ETCs.

(b)(1) For all ETCs with a total customer access base or total customer base of five hundred thousand (500,000) or more access lines or customers, the size group cap shall be thirteen and one-half percent (13.5%) of the total capped fund until June 30, 2009.

(2) Beginning July 1, 2009, the total capped amount shall increase by one million three hundred thousand dollars (\$1,300,000) for all ETCs with a total customer access base of five hundred thousand (500,000) or more access lines or customers.

(3)(A) Beginning July 1, 2010, the size group cap shall be increased by four percent (4%) per year for a period of three (3) years.

(B) The CAP shall be increased by four percent (4%) annually to reflect each year's annual adjustment to the increased

funding level of all ETCs with a total customer access base of five hundred thousand (500,000) or more access lines or customers.

(4) Beginning July 1, 2013, the fund CAP shall be increased each year by the annual increase in the Gross Domestic Product Price Index or by three percent (3%) over the previous year's size group's CAP balance, whichever is greater.

(c)(1) For all ETCs with a total customer access base or total customer base of one hundred fifty thousand (150,000) or more access lines or customers and fewer than five hundred thousand (500,000) access lines or customers, the size group cap shall be thirteen and one-half percent (13.5%) of the total capped fund as of June 30, 2009, and shall remain the same through June 30, 2010.

(2)(A) Beginning July 1, 2010, the size group cap for all ETCs with a total customer access base of total customer base of one hundred fifty thousand (150,000) or more access lines or customers and fewer than five hundred thousand (500,000) access lines or customers shall be increased by four percent (4%) per year for a period of three (3) years.

(B) The CAP shall be increased by four percent (4%) annually to reflect each year's annual adjustment to the increased funding level of all ETCs with a total customer access base or total customer base of one hundred fifty thousand (150,000) or more access lines or customers and fewer than five hundred thousand (500,000) access lines or customers.

(3) Beginning July 1, 2013, the fund CAP shall be increased each year by the annual increase in the Gross Domestic Product Price Index or by three percent (3%) over the previous year's size group's CAP balance, whichever is greater.

(d)(1) For all ETCs with a total customer access base or total customer base of fifteen thousand (15,000) or more access lines or customers and fewer than one hundred fifty thousand (150,000) access lines or customers, the size group cap shall be two percent (2%) of the total capped fund until June 30, 2009.

(2) Beginning July 1, 2009, the total capped amount shall increase by five hundred sixty thousand dollars (\$560,000) for all ETCs with a total customer access base or total customer base of fifteen thousand (15,000) or more access lines or customers and fewer than one hundred fifty thousand (150,000) access lines or customers.

(3)(A) Beginning July 1, 2010, the size group cap shall be increased by four percent (4%) per year for a period of three (3) years.

(B) The CAP shall be increased by four percent (4%) annually to reflect each year's annual adjustment to the increased funding level of all ETCs with a total customer access base or total customer base of fifteen thousand (15,000) or more access lines or customers and fewer than one hundred fifty thousand (150,000) access lines or customers.

(4) Beginning July 1, 2013, the fund CAP shall be increased each year by the annual increase in the Gross Domestic Product Price Index or by three percent (3%) over the previous year's size group's CAP balance, whichever is greater.

(e)(1) For all ETCs with a total customer access base or total customer base of fewer than fifteen thousand (15,000) access lines or customers, the size group cap shall be seventy-one percent (71%) of the total capped fund until June 30, 2009.

(2) Beginning on July 1, 2009, the amount of the size group's fund cap shall be the total amount allocated to this size group, as last calculated on or before June 30, 2009, plus one million three hundred thousand

dollars (\$1,300,000).

(3)(A) Beginning July 1, 2010, the size group cap shall be increased by four percent (4%) per year for a period of three (3) years.

(B) The CAP shall be increased by four percent (4%) annually to reflect each year's annual adjustment to the increased funding level of all ETCs with a total customer access base or total customer base of fewer than fifteen thousand (15,000) access lines or customers.

(4) Beginning July 1, 2013, the fund CAP shall be increased each year by the annual increase in the Gross Domestic Product Price Index or by three percent (3%) over the previous year's size group's CAP balance, whichever is greater.

(f) If the Gross Domestic Product Price Index is no longer in use, the price index used to replace the Gross Domestic Product Price Index shall be used to calculate the annual increases required by subdivisions (e)(4)(E)(ii)(b) — (e)(4)(E)(ii)(e) of this section.

(g) If a company's total access base or total customer base increases beyond the company's size group, the company shall continue to be treated as a member of its existing size group for a period of two (2) years from the date of the increase if notice of the increase is provided to the AHCF administrator within thirty (30) days of the increase.

SECTION 6. Arkansas Code § 23-17-416 is amended to read as follows:
23-17-416. Arkansas intrastate carrier common line.

(a)(1) Except as provided in § 23-17-404(e)(4)(D)(i)(b), beginning January 1, 2004, intrastate carrier common line charges billed to ILECs and underlying carriers shall be determined at the rate of one and sixty-five hundredths cents (1.65¢) per intrastate access minute.

(2) The carrier common line charge is not a tax and is not affected by state laws governing taxation.

(b)(1) Through June 30, 2009, the AICCLP operates as follows:

(A) Each underlying carrier's monthly payment to the AICCLP shall include the sum of the underlying carrier's share of the AICCLP's net revenue requirement for the remaining incumbent local exchange carriers, the underlying carrier's portion of the Arkansas Calling Plan Fund and Extension of Telecommunications Facilities Fund expense, and the AICCLP administrative expenses.

~~(2)(B)~~ (B) Each underlying carrier's monthly payment to the AICCLP shall be based upon the underlying carrier's proportionate share of Arkansas intrastate telecommunications services revenues and special intrastate ILEC revenues to the total Arkansas intrastate telecommunications services revenue and special intrastate ILEC revenues of all underlying carriers.

(2)(A) Beginning July 1, 2009, the AHCF administrator shall fund monthly to the AICCLP administrator the net carrier common line revenue requirement of the remaining AICCLP members, the total Arkansas Calling Plan Fund expense, and the total Extension of Telecommunications Facilities Fund expense.

(B) The calculated funds shall be transferred to the AICCLP administrator monthly in sufficient quantities to fund the monthly commitment levels of the AICCLP administrator's funding obligations, including administration fees.

(C) The AICCLP administrator shall notify the AHCF administrator of the funding requirement.

(D) If the net revenue requirement of the members of the AICCLP is reduced by federal or state law or federal or state regulation, the monthly net revenue requirement based on the average of the past three (3) months prior to the event's taking place will be received from the AHCF and shall not be under any cap requirements.

(3)(A)(i) An exiting ILEC that experiences a fixed carrier common line revenue shortfall for its carrier common line net revenue requirements may recover the shortfall through increases in local rates based on the total customer access base of the exiting company.

(ii) AICCLP members shall recover their carrier common line net revenue requirement by AICCLP rate adjustment and through the AICCLP.

(iii) If the fixed carrier common line revenue shortfall is distributed throughout the total customer access base, then each independent ILEC within the total customer access base shall receive from the distribution its share of the shortfall.

(B) An exiting ILEC that seeks to recover its carrier common line revenue shortfall is not required to recover equally from each class of customers.

(C)(i) An exiting ILEC may recover its fixed carrier common line revenue shortfall from any intrastate rate other than access charges.

(ii) Any AICCLP member may recover its AICCLP rate adjustment from any intrastate rate other than access charges.

(D) An exiting ILEC that reduces its carrier common line charge of one and sixty-five hundredths cents (1.65¢) may recover the shortfall through increases in local rates.

(4) This section shall not limit a carrier's ability to adjust its rates under § 23-17-406, § 23-17-407, or § 23-17-408.

(5) This section shall not limit a carrier's ability to increase its local rates under § 23-17-412.

(6) Any AICCLP rate adjustment charge shall not limit an AICCLP member's ability to adjust rates under § 23-17-412.

(7)(A) ~~No~~ A toll reseller shall not be required to pay to an ILEC or to the AICCLP any portion of an underlying carrier's common line net revenue obligation unless the ILEC is the toll reseller's underlying carrier.

(B) Unless agreed to otherwise between the toll reseller and the ILEC, if an ILEC is a toll reseller's underlying carrier, then the toll reseller shall report the special intrastate ILEC revenue to the administrator and shall pay all amounts due the AICCLP for the revenue.

(c)(1) The Arkansas Public Service Commission shall adopt all rules relating to the membership, operation, management, and administration of the AICCLP as it will be constituted after December 31, 2003.

(2) The commission may adopt rules under subdivision (c)(1) of this section after it appoints the members of the Arkansas Intrastate Carrier Common Line Pool Advisory Procedural Board and selects an AICCLP administrator.

(d) The commission may terminate a carrier's certificate of convenience and necessity if the carrier fails to comply with AICCLP procedures or fails to make a payment due under this section.

(e)(1) The commission shall choose an AICCLP administrator on or before June 1, 2003.

(2) The administrator shall manage the collection and distribution of the carrier common line net revenue requirements in accordance with the rules and procedures established by the commission and consistent with this section.

(3) The administrator shall enforce and implement all rules and directives governing the funding, collection, and eligibility for the AICCLP membership.

(4)(A) ~~The~~ Through June 30, 2009, the administrator shall determine the total monthly amount due to the AICCLP from AICCLP members, exiting ILECs, and underlying carriers, based upon the sum of the monthly carrier common line net revenue requirement of AICCLP members, funding requirements for the Arkansas Calling Plan Fund and the Extension of Telecommunications Facilities Fund, and the AICCLP administrative fees.

(B) Beginning July 1, 2009, the AICCLP administrator shall

determine the total monthly amount due to the AICCLP from the AHCF, based upon the sum of the monthly carrier common line net revenue requirement of AICCLP members, funding requirements for the Arkansas Calling Plan Fund and the Extension of Telecommunications Facilities Fund, and the AICCLP administrative fees.

(5) The administrator shall provide monthly and annual reports to the commission concerning the operation of the AICCLP.

(6) Any information considered proprietary by the administrator shall be treated as confidential unless the commission determines that the administrator erred in the determination.

(7) The AICCLP administrator and the Arkansas Universal Service Fund administrator may share confidential information to determine the amounts due or the accuracy of information submitted by ILECs and underlying carriers.

(8)(A) Any ILEC that was designated as a non-tier one ILEC under Acts 1997, No. 77, as of December 31, 1997, and had fewer than fifty thousand (50,000) access lines as of December 31, 1997, shall be eligible to be a member of the AICCLP beginning January 1, 2004.

(B)(i) Based on its total customer access base, the maximum that a non-tier one company under subdivision (e)(8)(A) of this section may draw shall be one million three hundred thousand dollars (\$1,300,000) annually.

(ii) If a non-tier one company under subdivision (e)(8)(A) of this section is entitled to receive more than one million three hundred thousand dollars (\$1,300,000) annually, then the administrator shall assess a prorated charge to each ILEC associated with the total customer access base that is based upon the ILEC's proportionate share of the total net revenue requirement of all ILECs within the total customer base.

(f)(1) Beginning January 1, 2004, no ILEC that had a total customer access base of more than fifty thousand (50,000) access lines as of December 31, 1997, shall be a member of AICCLP.

(2) An ILEC that had a total customer access base of fifty thousand (50,000) or fewer access lines as of December 31, 1997, may terminate its membership in the AICCLP after sixty (60) days' notice to the commission and the administrator and may not thereafter again become a member of the AICCLP.

(g)(1) If an ILEC terminates its membership in the AICCLP after January 1, 2004, its total customer access base must exit the pool as a single unit.

(2) If an ILEC terminates its membership in the AICCLP after January 1, 2004, its fixed carrier common line revenue shortfall shall be calculated using relevant data from the data development period identified in subdivision (h)(4)(B)(ii) of this section.

(h)(1) The administrator shall determine the amounts to be paid to AICCLP members on a monthly basis and shall determine any fixed or varying amounts due the pool from AICCLP members, exiting ILECs, ~~and~~ underlying carriers, and the AHCF.

(2) The administrator shall provide notice to AICCLP members and the AHCF administrator, other ILECs, and underlying carriers concerning calculations related to each entity and shall bill all carriers for any amounts due the pool.

(3) The administrator shall use the appropriate data development period to determine the calculations for AICCLP members' carrier common line net revenue requirement.

(4)(A) For each ILEC exiting the pool on December 31, 2003, the administrator shall use the appropriate data to determine the payment that the exiting ILECs shall pay the pool to fund their portion of the Arkansas Calling Plan Fund and Extension of Telecommunications Facilities Fund.

(B)(i) Except for AICCLP members exiting the pool after January 1, 2004, the data development period for all ILECs shall be the ILECs' billing months of June, July, and August 2003.

(ii) If an AICCLP member exits the AICCLP after January 1, 2004, its data development period to determine the ILEC's fixed carrier common line revenue shortfall shall be the three-month period immediately preceding its exit.

(iii) No later than the twenty-second day or the next business day thereafter of July 2003, if the twenty-second day falls on a weekend or holiday, and no later than the twenty-second day or the next business day of each month thereafter, if the twenty-second day falls on a weekend or holiday, each underlying carrier and AICCLP member shall report to the administrator its previous month's data necessary for AICCLP calculations.

(j)(1) On December 31, 2003, and the last business day of each month thereafter, the administrator shall cause notice to be sent to each underlying carrier, AICCLP member, and exiting ILEC, and the AHCF administrator of the amount due, based on the previous month's data as submitted to the administrator.

(2)(A) Each underlying carrier, AICCLP member, and exiting ILEC shall remit payment due under subdivision (j)(1) of this section to the administrator by no later than the last business day of the following month.

(B) The AHCF administrator shall remit the payment due to the AICCLP administrator by the tenth day of the following month.

(3) The administrator shall make all reasonable efforts to ensure that AICCLP members receive payment of their monthly net carrier common line revenue requirement by February 10, 2004, and by the tenth day of each month thereafter.

SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that rural and economically depressed areas of the state are in need of investment in telecommunications and computer services; that enhanced telecommunications service and the deployment of broadband facilities, technology, and infrastructure to provide broadband service is needed as quickly as the state's resources permit; and that this act contains requirements that need to take effect July 1, 2009, to promote measures designed to stimulate investment and increase the availability of telecommunications and broadband technology to rural and economically depressed areas of the state. Therefore, an emergency is declared to exist and this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2009."

(SIGNED) SENATOR HORN

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 808 was ordered engrossed.

On motion of Senator Malone, the rules were suspended in considering **Senate Bill No. 402** at this time.

On motion of Senator Malone, **Senate Bill No. 402** was withdrawn from the Committee on PUBLIC HEALTH, WELFARE & LABOR, and placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 402

Amend **Senate Bill No. 402** as originally introduced:

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 17-102-104 is amended to read as follows:
17-102-104. False advertising.

(a) ~~No~~ A person defined in § 17-102-104(4) 17-102-102(4) may shall not solicit for patronage or advertise for patronage by any means whatever which is misleading, fraudulent, deceptive, or dishonest.

(b) It constitutes false advertising under this section for an acupuncturist as defined in § 17-102-102(2) to refer to himself or herself other than as a licensed acupuncturist, certified acupuncturist, acupuncture practitioner, or Oriental acupuncture practitioner.

(c) A person licensed or certified under this chapter shall not identify himself or herself as a doctor or physician.

(d) A violation of this section is grounds for disciplinary action under § 17-102-309(a)(4).

SECTION 2. Arkansas Code § 17-102-201(a), concerning the creation of the Arkansas State Board of Acupuncture and Related Techniques, is amended to add an additional subdivision to read as follows:

(5)(A) On a biennial basis beginning in October 2010, the board shall file a written report with the House and Senate Interim Committees on Public Health, Welfare and Labor.

(B) The report shall contain a certified copy of the minutes of all board meetings as required by § 17-102-205 for the calendar years 2009 through October 2010 and thereafter covering the period of time since the last report.

(C) The report shall contain a comprehensive assessment of the board's functionality including without limitation staff and office site adequacy and any other information as may be requested by the committees sufficient for the committees to make a recommendation to the Governor regarding whether the board should be continued or whether the board should be disbanded and abolished in accordance with a proclamation issued by the Governor.

SECTION 3. Arkansas Code § 17-102-206(b), concerning the duties and power of the Arkansas State Board of Acupuncture and Related Techniques, is amended to read as follows:

(b) The board is authorized to:

(1) Make suitable bylaws for carrying out its duties under the provisions of this chapter;

(2) Sue and be sued;

(3) Have an official seal which shall bear the words "Arkansas State Board of Acupuncture and Related Techniques";

(4) Provide a secretary's certificate. The certificate of the Secretary of the Arkansas State Board of Acupuncture and Related Techniques under seal shall be accepted in the courts of the state as the best evidence as to the minutes of the board and shall likewise be accepted in the courts of the state as the best evidence as to the licensure or nonlicensure of any person under the requirements of this chapter;

(5)(A) Adopt, publish, and, from time to time, revise such rules and regulations not inconsistent with the law as may be necessary to enable it to carry into effect the provisions of this chapter.

(B) All rules of the Arkansas State Board of Acupuncture and Related Techniques, including Title I, Title II, Title III, Title IV, Title V, and Title VI are repealed.

(C) All proposed rules after the effective date of this act shall be approved in writing by the Arkansas State Medical Board under Arkansas Administrative Procedure Act, § 25-15-201 et seq., but before submission to the Administrative Rules and Regulations Committee of the Arkansas Legislative Council;

(6) Keep a record of all its proceedings, receipts, and disbursements;

(7) Adopt standards for applicants wishing to take the licensing examination and conduct examinations or contract with persons or entities to conduct examinations of applicants;

(8) Grant, deny, renew, suspend, or revoke licenses to practice acupuncture and related techniques for any cause stated in this chapter. Except as otherwise provided by this chapter, the board shall have exclusive jurisdiction to determine who shall be permitted to practice acupuncture and related techniques in the State of Arkansas; and

(9) Conduct disciplinary proceedings ~~as provided in~~ under this chapter.

SECTION 4. Arkansas Code Title 17, Chapter 102, Subchapter 3 is amended to add additional section to read as follows:

17-102-312. Legend drugs.

An acupuncturist as defined in 17-102-102(2) shall not prescribe, dispense, or administer a legend drug as defined under § 20-64-503.

17-102-313. Injections.

An acupuncturist as defined in §17-102-102(2) shall not administer an injection of a substance."

(SIGNED) SENATOR MALONE

Senate Bill No. 402 was ordered engrossed.

The President declared the morning hour to have expired.

On motion of Senator Baker, **Senate Bill No. 845** was withdrawn from the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS, and placed on the Calendar.

On motion of Senator Baker, and without objection, **Senate Bill No. 845** was recommended for study in the Interim Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

On motion of Senator Baker, **Senate Bill No. 974** was withdrawn from the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS and placed on the Calendar.

On motion of Senator Baker, **Senate Bill No. 974** was recommended for study in the Interim Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

On motion of Senator Miller, **Senate Bill No. 898** was called up for third reading and final disposition.

SENATE BILL NO. 898

EIGHTY-SEVENTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATORS MILLER, LAVERTY & BROADWAY

**BY: REPRESENTATIVES ABERNATHY, CHEATHAM, COOK, COOPER,
EVERETT, HOYT, PERRY & STEWART**

A Bill for an Act to be Entitled: AN ACT TO AMEND PROVISIONS OF THE ARKANSAS CODE RELATING TO FUNDING FOR ISOLATED SCHOOLS; AND FOR OTHER PURPOSES.

Senate Bill No. 898 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, G. Baker, Bledsoe, Bookout, Broadway, Bryles, Capps, Crumbly, Elliott, Faris, Glover, Hendren, Horn, G. Jeffress, J. Jeffress, B.

Johnson, D. Johnson, J. Key, Lavery, Luker, Madison, P. Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, Teague, R. Thompson, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **Senate Bill No. 898**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

AFFIRMATIVE: Altes, G. Baker, Bledsoe, Bookout, Broadway, Bryles, Capps, Crumbly, Elliott, Faris, Glover, Hendren, Horn, G. Jeffress, J. Jeffress, B. Johnson, D. Johnson, J. Key, Lavery, Luker, Madison, P. Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, Teague, R. Thompson, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 898 was ordered immediately transmitted to the House.

On motion of Senator Altes, **Senate Bill No. 896** was called up for third reading and final disposition.

SENATE BILL NO. 896
As Engrossed: S3/11/09 S3/16/09
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR ALTES

A Bill for an Act to be Entitled: AN ACT TO AMEND TITLE 6 RELATED TO PUBLIC SCHOOL FINANCE; AND FOR OTHER PURPOSES.

Senate Bill No. 896 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, G. Baker, Bledsoe, Bookout, Broadway, Bryles, Capps, Crumbly, Elliott, Faris, Glover, Hendren, Horn, G. Jeffress, J. Jeffress, B. Johnson, D. Johnson, J. Key, Lavery, Luker, Madison, P. Malone, Miller, B.

Pritchard, Salmon, T. Smith, Steele, J. Taylor, Teague, R. Thompson, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **Senate Bill No. 896**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

AFFIRMATIVE: Altes, G. Baker, Bledsoe, Bookout, Broadway, Bryles, Capps, Crumbly, Elliott, Faris, Glover, Hendren, Horn, G. Jeffress, J. Jeffress, B. Johnson, D. Johnson, J. Key, Lavery, Luker, Madison, P. Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, Teague, R. Thompson, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 896 was ordered immediately transmitted to the House.

On motion of Senator Steele, **Senate Bill No. 429** was called up for third reading and final disposition.

SENATE BILL NO. 429
As Engrossed: S3/17/09
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR STEELE
BY: REPRESENTATIVE ALLEN

A Bill for an Act to be Entitled: AN ACT TO AMEND VARIOUS PROVISIONS OF THE DEPARTMENT OF WORKFORCE SERVICES LAW; AND FOR OTHER PURPOSES.

Senate Bill No. 429 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Bookout, Broadway, Bryles, Capps, Crumbly, Elliott, Glover, G. Jeffress, J. Jeffress, D. Johnson, Lavery, Luker, Madison, Steele, Teague, R. Thompson, H. Wilkins, Wilkinson, D. Wyatt.

Total19

NEGATIVE: Altes, Bledsoe, Hendren, J. Key, B. Pritchard, Trusty, Whitaker.

Total7

ABSENT OR NOT VOTING: G. Baker, Faris, Horn, B. Johnson, P. Malone, Miller, Salmon, T. Smith, J. Taylor.

Total9

VOTING PRESENT:

Total0

Total number of votes cast.....26

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

* * * * * **EXPUNGED** * * * * *

There being an emergency clause attached to **Senate Bill No. 429**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

AFFIRMATIVE: Bookout, Broadway, Bryles, Capps, Crumbly, Elliott, Glover, G. Jeffress, J. Jeffress, D. Johnson, Laverty, Luker, Madison, Steele, Teague, R. Thompson, H. Wilkins, Wilkinson, D. Wyatt.

Total19

NEGATIVE: Altes, Bledsoe, Hendren, J. Key, B. Pritchard, Trusty, Whitaker.

Total7

ABSENT OR NOT VOTING: G. Baker, Faris, Horn, B. Johnson, P. Malone, Miller, Salmon, T. Smith, J. Taylor.

Total9

VOTING PRESENT:

Total0

Total number of votes cast26

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause failed.

(SIGNED) ANN CORNWELL, SECRETARY

* * * * * **EXPUNGED** * * * * *

Senator Steele moved that the record pertaining to the vote by which the emergency clause on **Senate Bill 429** failed be expunged.

The record pertaining to the vote by which the emergency clause on **Senate Bill 429** failed was expunged on March 26, 2009.

Senator Steele moved that the vote by which the emergency clause on **Senate Bill No. 429** failed be reconsidered.

There being an emergency clause attached to **Senate Bill No. 429**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

AFFIRMATIVE: Bledsoe, Bookout, Broadway, Bryles, Capps, Crumbly, Elliott, Faris, Glover, Hendren, Horn, G. Jeffress, J. Jeffress, B. Johnson, D. Johnson, Lavery, Luker, Madison, P. Malone, B. Pritchard, Salmon, Steele, J. Taylor, Teague, R. Thompson, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total30

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Altes, G. Baker, J. Key, Miller, T. Smith.

Total5

VOTING PRESENT:

Total0

Total number of votes cast.....30

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 429 was ordered immediately transmitted to the House.

On motion of Senator Bryles, **Senate Bill No. 889** was called up for third reading and final disposition.

**SENATE BILL NO. 889
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR BRYLES
BY: REPRESENTATIVE RAINEY**

A Bill for an Act to be Entitled: AN ACT TO REQUIRE THE DEPARTMENT OF EDUCATION TO PROVIDE A DETAILED REPORT OF NATIONAL SCHOOL LUNCH STUDENT CATEGORICAL FUND EXPENDITURES AND RESULTS FROM PROGRAMS FUNDED BY NATIONAL SCHOOL LUNCH STUDENT CATEGORICAL FUNDS; AND FOR OTHER PURPOSES.

Senate Bill No. 889 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, G. Baker, Bledsoe, Bookout, Broadway, Bryles, Capps, Crumbly, Elliott, Faris, Glover, Hendren, Horn, G. Jeffress, J. Jeffress, B. Johnson, D. Johnson, J. Key, Lavery, Luker, Madison, P. Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, Teague, R. Thompson, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 889 was ordered immediately transmitted to the House as passed.

On motion of Senator Hendren, **Senate Bill No. 345** was called up for third reading and final disposition.

SENATE BILL NO. 345
As Engrossed: S2/18/09
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR HENDREN

A Bill for an Act to be Entitled: AN ACT TO ALLOW A SUPERINTENDENT’S EMPLOYMENT CONTRACT WITH A SCHOOL DISTRICT TO BE TERMINATED FOR CAUSE AND WITHOUT THE SCHOOL DISTRICT HAVING ANY FURTHER FINANCIAL OBLIGATION TO THE SUPERINTENDENT UNDER CERTAIN CIRCUMSTANCES; AND FOR OTHER PURPOSES.

Senate Bill No. 345 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, G. Baker, Bledsoe, Bookout, Broadway, Bryles, Capps, Crumbly, Elliott, Faris, Glover, Hendren, Horn, G. Jeffress, J. Jeffress, B. Johnson, D. Johnson, J. Key, Laverty, Luker, Madison, P. Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, Teague, R. Thompson, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 345 was ordered immediately transmitted to the House as passed.

On motion of Senator Hendren, **Senate Bill No. 499** was called up for third reading and final disposition.

SENATE BILL NO. 499
As Engrossed: S3/17/09
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR HENDREN

A Bill for an Act to be Entitled: AN ACT TO IMPROVE THE REPORTING OF MOTOR VEHICLE OPERATORS WHO PASS A SCHOOL BUS ILLEGALLY; AND FOR OTHER PURPOSES.

Senate Bill No. 499 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, G. Baker, Bledsoe, Bookout, Broadway, Bryles, Capps, Crumbly, Elliott, Faris, Glover, Hendren, Horn, G. Jeffress, J. Jeffress, B. Johnson, D. Johnson, J. Key, Laverty, Luker, Madison, P. Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, Teague, R. Thompson, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 499 was ordered immediately transmitted to the House as passed.

On motion of Senator Hendren, **Senate Bill No. 500** was called up for third reading and final disposition.

SENATE BILL NO. 500
As Engrossed: S3/17/09
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR HENDREN

A Bill for an Act to be Entitled: AN ACT TO CREATE THE SCHOOL BUS SAFETY EQUIPMENT GRANT PILOT PROGRAM TO ASSIST SCHOOL DISTRICTS IN EQUIPPING SCHOOL BUSES WITH VIDEO RECORDING DEVICES OR OTHER ELECTRONIC WARNING DEVICES TO REDUCE THE INCIDENTS OF DRIVERS WHO ILLEGALLY *PASS A SCHOOL BUS*; TO CLARIFY THE USE OF A NOTICE OR WARNING DEVICE ON A SCHOOL BUS; AND FOR OTHER PURPOSES.

Senate Bill No. 500 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, G. Baker, Bledsoe, Bookout, Broadway, Bryles, Capps, Crumbly, Elliott, Faris, Glover, Hendren, Horn, G. Jeffress, J. Jeffress, B. Johnson, D. Johnson, J. Key, Laverty, Luker, Madison, P. Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, Teague, R. Thompson, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 500 was ordered immediately transmitted to the House as passed.

On motion of Senator J. Jeffress, **Senate Bill No. 885** was called up for third reading and final disposition.

SENATE BILL NO. 885
As Engrossed: S3/19/09
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR J. JEFFRESS

A Bill for an Act to be Entitled: AN ACT TO CREATE AN INTERIM STUDY OF THE AFFORDABILITY OF *HIGHER EDUCATION FOR UNDERGRADUATE STUDENTS* IN THIS STATE; AND FOR OTHER PURPOSES.

Senate Bill No. 885 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, G. Baker, Bledsoe, Bookout, Broadway, Bryles, Capps, Crumbly, Elliott, Faris, Glover, Hendren, Horn, G. Jeffress, J. Jeffress, B. Johnson, D. Johnson, J. Key, Laverty, Luker, Madison, P. Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, Teague, R. Thompson, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 885 was ordered immediately transmitted to the House as passed.

On motion of Senator G. Jeffress, **Senate Bill No. 880** was called up for third reading and final disposition.

**SENATE BILL NO. 880
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR G. JEFFRESS**

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE CONCERNING THE DEFINITIONS REGARDING PRIVATE RESIDENT AND CORRESPONDENCE SCHOOLS; AND FOR OTHER PURPOSES.

Senate Bill No. 880 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, G. Baker, Bledsoe, Bookout, Broadway, Bryles, Capps, Crumbly, Elliott, Faris, Glover, Hendren, Horn, G. Jeffress, J. Jeffress, B. Johnson, D. Johnson, J. Key, Laverty, Luker, Madison, P. Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, Teague, R. Thompson, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 880 was ordered immediately transmitted to the House as passed.

On motion of Senator Teague, the rules were suspended in considering **Senate Bill No. 871** at this time.

On motion of Senator Teague, **Senate Bill No. 871** was placed back on second reading for purpose of Amendment No. 2.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 2 to SENATE BILL NO. 871

Amend **Senate Bill No. 871** as engrossed, S3/25/09:
Page 1, line 36, delete "Services" and substitute "Systems"

(SIGNED) SENATOR TEAGUE

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 871 was ordered engrossed.

On motion of Senator Madison, **Senate Bill No. 903** was called up for third reading and final disposition.

SENATE BILL NO. 903
EIGHTY-SEVENTH GENERAL ASSEMBLY
As Engrossed: S3/19/09 S3/24/09
REGULAR SESSION
BY: SENATOR MADISON

A Bill for an Act to be Entitled: TO ENACT THE INTERNATIONAL STUDENT EXCHANGE VISITOR PLACEMENT ORGANIZATION REGISTRATION ACT; AND FOR OTHER PURPOSES.

Senate Bill No. 903 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, G. Baker, Bledsoe, Bookout, Broadway, Bryles, Capps, Crumbly, Elliott, Faris, Glover, Hendren, Horn, G. Jeffress, J. Jeffress, B. Johnson, D. Johnson, J. Key, Lavery, Luker, Madison, P. Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, Teague, R. Thompson, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 903 was ordered immediately transmitted to the House as passed.

On motion of Senator Crumbly, **Senate Bill No. 955** was called up for third reading and final disposition.

**SENATE BILL NO. 955
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR CRUMBLY**

A Bill for an Act to be Entitled: AN ACT TO STRENGTHEN VOCATIONAL AND TECHNICAL EDUCATION IN PUBLIC HIGH SCHOOLS; AND FOR OTHER PURPOSES.

Senate Bill No. 955 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, G. Baker, Bledsoe, Bookout, Broadway, Bryles, Capps, Crumbly, Elliott, Faris, Glover, Hendren, Horn, G. Jeffress, J. Jeffress, B. Johnson, D. Johnson, J. Key, Laverty, Luker, Madison, P. Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, Teague, R. Thompson, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 955 was ordered immediately transmitted to the House as passed.

On motion of Senator Bookout, **Senate Bill No. 926** was called up for third reading and final disposition.

**SENATE BILL NO. 926
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION**

BY: SENATORS BOOKOUT, CAPPS, HORN, D. JOHNSON & R. THOMPSON

BY: REPRESENTATIVES R. GREEN, CASH, INGRAM, KIDD & B. WILKINS

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS LAW CONCERNING THE AWARD PROCEDURE FOR PUBLIC IMPROVEMENTS BY INSTITUTIONS OF HIGHER EDUCATION; AND FOR OTHER PURPOSES.

Senate Bill No. 926 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, G. Baker, Bledsoe, Bookout, Broadway, Bryles, Capps, Crumbly, Elliott, Faris, Glover, Hendren, Horn, G. Jeffress, J. Jeffress, B. Johnson, D. Johnson, J. Key, Laverty, Luker, Madison, P. Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, Teague, R. Thompson, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 926 was ordered immediately transmitted to the House as passed.

On motion of Senator Key, **Senate Bill No. 904** was called up for third reading and final disposition.

**SENATE BILL NO. 904
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR J. KEY**

A Bill for an Act to be Entitled: AN ACT TO ESTABLISH THE REVIEW OF LEGISLATIVE JOINT AUDITING COMMITTEE FINDINGS BY THE PROFESSIONAL LICENSURE STANDARDS BOARD FOR TEACHERS; AND FOR OTHER PURPOSES.

Senate Bill No. 904 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, G. Baker, Bledsoe, Bookout, Broadway, Bryles, Capps, Crumbly, Elliott, Faris, Glover, Hendren, Horn, G. Jeffress, J. Jeffress, B. Johnson, D. Johnson, J. Key, Laverty, Luker, Madison, P. Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, Teague, R. Thompson, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 904 was ordered immediately transmitted to the House as passed.

Without objection, **Senate Bill No. 792** was withdrawn by the author, Senator Pritchard.

On motion of Senator Faris, **House Bill No. 1892** was called up for third reading and final disposition.

**HOUSE BILL NO. 1892
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE DUNN**

A Bill for an Act to be Entitled: AN ACT TO ALLOW SCHOOLS OF COSMETOLOGY TO EXTEND THE HOURS OF INSTRUCTION DURING A SCHOOL DAY; AND FOR OTHER PURPOSES.

House Bill No. 1892 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, G. Baker, Bledsoe, Bookout, Broadway, Bryles, Capps, Crumbly, Elliott, Faris, Glover, Hendren, Horn, G. Jeffress, J. Jeffress, B. Johnson, D. Johnson, J. Key, Lavery, Luker, Madison, P. Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, Teague, R. Thompson, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1892 was ordered immediately transmitted to the House as passed.

On motion of Senator Altes, **House Bill No. 2050** was called up for third reading and final disposition.

HOUSE BILL NO. 2050
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE MAXWELL

A Bill for an Act to be Entitled: AN ACT TO AUTHORIZE A SETOFF AGAINST AN ARKANSAS INDIVIDUAL INCOME TAX REFUND FOR A TAX DEBT OWED BY AN ARKANSAS TAXPAYER TO THE INTERNAL REVENUE SERVICE; TO PROVIDE A PROCEDURE FOR A NONDEBTOR TAXPAYER TO CHALLENGE THE SETOFF OF A JOINT INCOME TAX REFUND; AND FOR OTHER PURPOSES.

House Bill No. 2050 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, G. Baker, Bledsoe, Bookout, Broadway, Bryles, Capps, Crumbly, Elliott, Faris, Glover, Hendren, Horn, G. Jeffress, J. Jeffress, B. Johnson, D. Johnson, J. Key, Laverty, Luker, Madison, P. Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, Teague, R. Thompson, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2050 was ordered immediately transmitted to the House as passed.

On motion of Senator D. Johnson, **House Bill No. 2039** was called up for third reading and final disposition.

**HOUSE BILL NO. 2039
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE WELLS**

A Bill for an Act to be Entitled: AN ACT REGARDING SALES LIMITS FOR EPHEDRINE; AND FOR OTHER PURPOSES.

House Bill No. 2039 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, G. Baker, Bledsoe, Bookout, Broadway, Bryles, Capps, Crumbly, Elliott, Faris, Glover, Hendren, Horn, G. Jeffress, J. Jeffress, B. Johnson, D. Johnson, J. Key, Lavery, Luker, Madison, P. Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, Teague, R. Thompson, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2039 was ordered immediately transmitted to the House as passed.

On motion of Senator Faris, **House Bill No. 1893** was called up for third reading and final disposition.

**HOUSE BILL NO. 1893
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE DUNN**

A Bill for an Act to be Entitled: AN ACT TO REQUIRE THAT THE APPLICATION PROCESS FOR APPROVAL OF COSMETOLOGICAL SCHOOLS IN PUBLIC EDUCATIONAL INSTITUTIONS IS THE SAME APPLICATION PROCESS THAT IS REQUIRED FOR APPROVAL OF ALL OTHER COSMETOLOGICAL SCHOOLS; AND FOR OTHER PURPOSES.

House Bill No. 1893 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, G. Baker, Bledsoe, Bookout, Broadway, Bryles, Capps, Crumbly, Elliott, Faris, Glover, Hendren, Horn, G. Jeffress, J. Jeffress, B. Johnson, D. Johnson, J. Key, Laverty, Luker, Madison, P. Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, Teague, R. Thompson, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1893 was ordered immediately returned to the House as passed.

On motion of Senator Steele, **House Bill No. 2032** was called up for third reading and final disposition.

**HOUSE BILL NO. 2032
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE ALLEN**

A Bill for an Act to be Entitled: AN ACT TO AMEND THE ARKANSAS EARTHQUAKE PROGRAM BY INCREASING DISASTER PREPAREDNESS AND DISASTER EVACUATION, SHELTERS, STOCKPILES, AND REBUILDING PLANS; AND FOR OTHER PURPOSES.

House Bill No. 2032 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, G. Baker, Bledsoe, Bookout, Broadway, Bryles, Capps, Crumbly, Elliott, Faris, Glover, Hendren, Horn, G. Jeffress, J. Jeffress, B. Johnson, D. Johnson, J. Key, Laverty, Luker, Madison, P. Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, Teague, R. Thompson, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2032 was ordered immediately returned to the House as passed.

On motion of Senator Bledsoe, **House Bill No. 1920** was called up for third reading and final disposition.

**HOUSE BILL NO. 1920
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE MALOCH**

A Bill for an Act to be Entitled: AN ACT TO PLACE REASONABLE RESTRICTIONS ON YOUTHFUL CONSUMERS WHO UTILIZE TANNING FACILITIES; TO REQUIRE RECORD KEEPING AT TANNING FACILITIES; AND FOR OTHER PURPOSES.

House Bill No. 1920 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, G. Baker, Bledsoe, Bookout, Broadway, Bryles, Capps, Crumbly, Elliott, Faris, Glover, Hendren, Horn, G. Jeffress, J. Jeffress, B. Johnson, D. Johnson, Laverty, Luker, Madison, P. Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, Teague, R. Thompson, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total34

NEGATIVE: J. Key.

Total1

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1920 was ordered immediately returned to the House as passed.

On motion of Senator Bledsoe, **House Bill No. 1354** was called up for third reading and final disposition.

**HOUSE BILL NO. 1354
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE SHELBY**

A Bill for an Act to be Entitled: AN ACT TO MODERNIZE THE ROLE OF THE COUNTY HEALTH OFFICERS; AND FOR OTHER PURPOSES.

House Bill No. 1354 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, G. Baker, Bledsoe, Bookout, Broadway, Bryles, Capps, Crumbly, Elliott, Faris, Glover, Hendren, Horn, G. Jeffress, J. Jeffress, B. Johnson, D. Johnson, J. Key, Lavery, Luker, Madison, P. Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, Teague, R. Thompson, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1354 was ordered immediately returned to the House as passed.

On motion of Senator Bledsoe, **House Bill No. 1703** was called up for third reading and final disposition.

**HOUSE BILL NO. 1703
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE SHELBY**

A Bill for an Act to be Entitled: AN ACT TO CLARIFY THE PATIENT PROTECTION AND ANY WILLING PROVIDER LAWS; TO REQUIRE THE STATE EMPLOYEE AND PUBLIC SCHOOL PERSONNEL SELF-FUNDED HEALTH BENEFIT PLANS TO COMPLY WITH ARKANSAS'S PATIENT PROTECTION AND ANY WILLING PROVIDER LAWS; AND FOR OTHER PURPOSES.

House Bill No. 1703 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, G. Baker, Bledsoe, Bookout, Broadway, Bryles, Capps, Crumbly, Elliott, Faris, Glover, Hendren, Horn, G. Jeffress, J. Jeffress, B. Johnson, D. Johnson, J. Key, Lavery, Luker, Madison, P. Malone, Miller, Salmon, T. Smith, Steele, J. Taylor, Teague, R. Thompson, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total	34
NEGATIVE: B. Pritchard.	
Total	1
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1703 was ordered immediately returned to the House as passed.

On motion of Senator Taylor, **House Bill No. 1879** was called up for third reading and final disposition.

**HOUSE BILL NO. 1879
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE PIERCE**

A Bill for an Act to be Entitled: AN ACT CONCERNING THE PREPARATION OF A SPECIAL ABSENTEE BALLOT FOR QUALIFIED ELECTORS WHO ARE TEMPORARILY RESIDING OUTSIDE THE TERRITORIAL LIMITS OF THE UNITED STATES; AND FOR OTHER PURPOSES.

House Bill No. 1879 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, G. Baker, Bledsoe, Bookout, Broadway, Bryles, Capps, Crumbly, Elliott, Faris, Glover, Hendren, Horn, G. Jeffress, J. Jeffress, B. Johnson, D. Johnson, J. Key, Laverty, Luker, Madison, P. Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, Teague, R. Thompson, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1879 was ordered immediately returned to the House as passed.

On motion of Senator Malone, **House Bill No. 1985** was called up for third reading and final disposition.

**HOUSE BILL NO. 1985
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE CLEMMER**

A Bill for an Act to be Entitled: AN ACT TO CLARIFY LIABILITY FOR FAILURE TO RECEIVE WRITTEN APPROVAL FROM THE DEPARTMENT OF HUMAN SERVICES BEFORE DISPOSING OF FUNDS THAT SHOULD BE HELD FOR REIMBURSEMENT OF MEDICAID COSTS; AND FOR OTHER PURPOSES.

House Bill No. 1985 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, G. Baker, Bledsoe, Bookout, Broadway, Bryles, Capps, Crumbly, Elliott, Faris, Glover, Hendren, Horn, G. Jeffress, J. Jeffress, B. Johnson, D. Johnson, J. Key, Laverty, Luker, Madison, P. Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, Teague, R. Thompson, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1985 was ordered immediately returned to the House as passed.

On motion of Senator Malone, **House Bill No. 1633** was called up for third reading and final disposition.

**HOUSE BILL NO. 1633
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE REEP**

A Bill for an Act to be Entitled: AN ACT TO CLARIFY THE AUTHORITY OF FOSTER PARENTS AND PREADOPTIVE PARENTS REGARDING CONSENT TO MEDICAL TREATMENT; AND FOR OTHER PURPOSES.

House Bill No. 1633 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, G. Baker, Bledsoe, Bookout, Broadway, Bryles, Capps, Crumbly, Elliott, Faris, Glover, Hendren, Horn, G. Jeffress, J. Jeffress, B. Johnson, D. Johnson, J. Key, Laverty, Luker, Madison, P. Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, Teague, R. Thompson, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1633 was ordered immediately returned to the House as passed.

On motion of Senator Horn, **House Bill No. 2212** was called up for third reading and final disposition.

HOUSE BILL NO. 2212
As Engrossed: H3/16/09
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE SHELBY

A Bill for an Act to be Entitled: AN ACT TO CLARIFY WHEN EMPLOYEES OF NURSING FACILITIES ARE NOT REQUIRED TO INITIATE CARDIOPULMONARY RESUSCITATION FOR UNWITNESSED DEATHS; AND FOR OTHER PURPOSES.

House Bill No. 2212 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, G. Baker, Bledsoe, Bookout, Broadway, Bryles, Capps, Crumbly, Elliott, Faris, Glover, Hendren, Horn, G. Jeffress, J. Jeffress, B. Johnson, D. Johnson, J. Key, Laverty, Luker, Madison, P. Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, Teague, R. Thompson, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2212 was ordered immediately returned to the House as passed.

On motion of Senator Broadway, **House Bill No. 2081** was called up for third reading and final disposition.

HOUSE BILL NO. 2081
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE DUNN

A Bill for an Act to be Entitled: AN ACT TO REPEAL CERTAIN TAX CREDITS FOR BIOTECHNOLOGY AND ADVANCED FUELS; TO REPEAL THE ARKANSAS EMERGING TECHNOLOGY DEVELOPMENT ACT OF 1999; TO AMEND THE CONSOLIDATED INCENTIVE ACT OF 2003; TO ADDRESS ELIGIBLE BUSINESSES; TO ESTABLISH A TIME FRAME FOR MEETING ELIGIBILITY; TO LIMIT THE ABILITY TO COMBINE INCENTIVES; AND FOR OTHER PURPOSES.

House Bill No. 2081 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, G. Baker, Bledsoe, Bookout, Broadway, Bryles, Capps, Crumbly, Elliott, Faris, Glover, Hendren, Horn, G. Jeffress, J. Jeffress, B. Johnson, D. Johnson, J. Key, Laverty, Luker, Madison, P. Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, Teague, R. Thompson, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2081 was ordered immediately returned to the House as passed.

On motion of Senator Broadway, **House Bill No. 1939** was called up for third reading and final disposition.

HOUSE BILL NO. 1939

As Engrossed: H3/12/09 S3/25/09

EIGHTY-SEVENTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES SAUNDERS, WEBB, BARNETT, M. BURRIS, LOWERY, REEP, J. ROGERS, BREEDLOVE, J. BROWN, CARROLL, COLE, COOPER, L. COWLING, R. GREEN, M. MARTIN, MOORE, NICKELS, RAGLAND & J. ROEBUCK

BY: SENATORS BROADWAY, SALMON, T. SMITH, FARIS & WHITAKER

A Bill for an Act to be Entitled: AN ACT TO REPEAL THE SUNSETTED MOTION PICTURE INCENTIVE ACT OF 1997; TO ESTABLISH THE DIGITAL PRODUCT AND MOTION PICTURE INDUSTRY DEVELOPMENT ACT OF 2009; AND FOR OTHER PURPOSES.

House Bill No. 1939 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, G. Baker, Bledsoe, Bookout, Broadway, Bryles, Capps, Crumbly, Elliott, Faris, Glover, Hendren, Horn, G. Jeffress, J. Jeffress, B. Johnson, D. Johnson, J. Key, Laverty, Luker, Madison, P. Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, Teague, R. Thompson, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 1939**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

AFFIRMATIVE: Altes, G. Baker, Bledsoe, Bookout, Broadway, Bryles, Capps, Crumbly, Elliott, Faris, Glover, Hendren, Horn, G. Jeffress, J. Jeffress, B. Johnson, D. Johnson, J. Key, Laverty, Luker, Madison, P. Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, Teague, R. Thompson, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
Necessary to the adoption of the Emergency Clause	24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1939 was ordered immediately returned to the House as passed as amended.

On motion of Senator Thompson, **House Bill No. 1488** was called up for third reading and final disposition.

**HOUSE BILL NO. 1488
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE CARTER**

A Bill for an Act to be Entitled: AN ACT TO CLARIFY THE RIGHTS AND RESPONSIBILITIES OF PARTIES IN AN ASSET FORFEITURE ACTION; AND FOR OTHER PURPOSES.

House Bill No. 1488 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, G. Baker, Bledsoe, Bookout, Broadway, Bryles, Capps, Crumbly, Elliott, Faris, Glover, Hendren, Horn, G. Jeffress, J. Jeffress, B. Johnson, D. Johnson, J. Key, Laverty, Luker, Madison, P. Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, Teague, R. Thompson, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1488 was ordered immediately returned to the House as passed.

On motion of Senator D. Johnson, **House Bill No. 1950** was called up for third reading and final disposition.

HOUSE BILL NO. 1950
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE SHELBY
BY: SENATOR D. JOHNSON

A Bill for an Act to be Entitled: AN ACT TO AUTHORIZE COMMUNITY MATCH INCOME INCENTIVE PROGRAM THROUGH THE ARKANSAS RURAL MEDICAL PRACTICE STUDENT LOAN AND SCHOLARSHIP BOARD; AND FOR OTHER PURPOSES.

House Bill No. 1950 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, G. Baker, Bledsoe, Bookout, Broadway, Bryles, Capps, Crumbly, Elliott, Faris, Glover, Hendren, Horn, G. Jeffress, J. Jeffress, B. Johnson, D. Johnson, J. Key, Laverty, Luker, Madison, P. Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, Teague, R. Thompson, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1950 was ordered immediately returned to the House as passed.

On motion of Senator Faris, and without objection, **Senate Bill No. 253** was recommended for study in the interim by Senate Interim Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

On motion of Senator Glover, and without objection, the Senate was requested to return **Senate Bill No. 988** for further consideration.

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

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

March 26, 2009

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

Dear Ms. Renshaw:

The Senate respectfully requests the return to the Senate, of Senate Bill 988.

Respectfully submitted,

(SIGNED) ANN CORNWELL
Secretary of the Senate

On motion of Senator Glover, and without objection, the Senate was requested to return **Senate Bill No. 989** for further consideration.

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

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

March 26, 2009

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

Dear Ms. Renshaw:

The Senate respectfully requests the return to the Senate, of Senate Bill 989.

Respectfully submitted,

(SIGNED) ANN CORNWELL
Secretary of the Senate

On motion of Senator Baker, **House Bill No. 2052** was called up for third reading and final disposition.

**HOUSE BILL NO. 2052
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE DISMANG**

A Bill for an Act to be Entitled: AN ACT TO ENSURE SUFFICIENT DEPOSITS INTO A CEMETERY COMPANY'S PERMANENT MAINTENANCE FUND; TO DEFINE A LAWN CRYPT; AND FOR OTHER PURPOSES.

House Bill No. 2052 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, G. Baker, Bledsoe, Bookout, Broadway, Bryles, Capps, Crumbly, Elliott, Faris, Glover, Hendren, Horn, G. Jeffress, J. Jeffress, B. Johnson, D. Johnson, J. Key, Laverty, Luker, Madison, P. Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, Teague, R. Thompson, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2052 was ordered immediately returned to the House as passed.

On motion of Senator Baker, **House Bill No. 2055** was called up for third reading and final disposition.

**HOUSE BILL NO. 2055
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE DISMANG**

A Bill for an Act to be Entitled: AN ACT TO AMEND THE CEMETERY ACT FOR PERPETUALLY MAINTAINED CEMETERIES, § 20-17-1001 ET SEQ.; AND FOR OTHER PURPOSES.

House Bill No. 2055 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, G. Baker, Bledsoe, Bookout, Broadway, Bryles, Capps, Crumbly, Elliott, Faris, Glover, Hendren, Horn, G. Jeffress, J. Jeffress, B. Johnson, D. Johnson, J. Key, Laverty, Luker, Madison, P. Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, Teague, R. Thompson, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2055 was ordered immediately returned to the House as passed.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 26, 2009

Mr. President:

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

SENATE BILL NO. 871, BY SENATOR TEAGUE,

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

Respectfully submitted,

(SIGNED) JOHN PAUL CAPPS
CHAIRMAN

On motion of Senator Teague, **Senate Bill No. 871** was ordered re-referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 26, 2009

Mr. President:

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

SENATE BILL NO. 871, BY SENATOR TEAGUE,

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

Respectfully submitted,

(SIGNED) SENATOR STEVE FARIS
CHAIRMAN
SENATOR GILBERT BAKER
SENATOR STEVE BRYLES
SENATOR RANDY LAVERTY
SENATOR BOBBY GLOVER

On motion of Senator Baker, **Senate Bill No. 290** was withdrawn from the Committee on JOINT BUDGET, and placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 290

JBC 03/25/09(1)

Amend **Senate Bill No. 290** as originally introduced:

Page 2, delete line 21 in its entirety and substitute the following:

"(19) E060C ED ASSOCIATE DIR CHILD NUTRITION	1	GRADE C129
(20) G012C ADE ASSISTANT TO COMMISSIONER	1	GRADE C129"

And

Page 2, line 24, (in Maximum No. of Employees Column) delete "12" and substitute "13"

And

Page 2, line 31, (in Maximum No. of Employees Column) delete "27" and substitute "28"

And

Page 3, line 2, (in Maximum No. of Employees Column) delete "8" and substitute "9"

And

Page 3, line 24, (in Maximum No. of Employees Column) delete "39" and substitute "43"

And

Page 3, delete line 25 in its entirety

And

Page 3, line 26, (in Maximum No. of Employees Column) delete "350" and substitute "354"

And

Appropriately renumber the items in SECTION 1

And

Page 6, line 12, delete "\$ 595,191" and substitute "\$ 706,261"

And

Page 6, line 13, delete "205,598" and substitute "238,656"

And

Page 6, line 15, delete "647,600" and substitute "672,100"

And

Page 6, delete line 21 in its entirety and substitute the following:

"(05) REFUNDS/REIMBURSEMENTS	399,600
(06) AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009	<u>1,250,000</u>

And

Page 6, line 22, delete "\$ 167,264,989" and substitute "\$ 168,683,617"

And

Page 6, line 32, delete "\$ 13,000,000" and substitute "\$ 20,000,000"

And

Page 7, delete line 26 in its entirety and substitute the following:

"(06) REFUNDS/REIMBURSEMENTS	1,110,000
(07) AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009	<u>314,600,000</u>

And

Page 7, line 27, delete "\$ 523,777,555" and substitute "\$ 838,377,555"

(SIGNED) SENATOR GILBERT BAKER

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 290 was ordered engrossed.

On motion of Senator Baker, **Senate Bill No. 390** was ordered re-referred to the Committee on JOINT BUDGET.

On motion of Senator Baker, **Senate Bill No. 391** was ordered re-referred to the Committee on JOINT BUDGET.

On motion of Senator Baker, **House Bill No. 1735** was ordered re-referred to the Committee on JOINT BUDGET.

On motion of Senator Baker, the Senate resolved itself into the Committee of the Whole for the purpose of Joint Budget Bills.

Without objection, the Committee of the Whole was dissolved, and the Senate took up its regular order of business.

On motion of Senator Baker, the rules were suspended in considering **House Bill No. 1305** at this time.

On motion of Senator Baker, **House Bill No. 1305** was called up for third reading and final disposition.

HOUSE BILL NO. 1305
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR GEOGRAPHIC INFORMATION SYSTEM FOR THE DEPARTMENT OF INFORMATION SYSTEMS WHICH SHALL BE SUPPLEMENTAL AND IN

ADDITION TO THOSE FUNDS APPROPRIATED BY ACT 794 OF 2007; AND FOR OTHER PURPOSES.

House Bill No. 1305 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, G. Baker, Bledsoe, Bookout, Broadway, Bryles, Capps, Crumbly, Elliott, Faris, Glover, Hendren, Horn, G. Jeffress, J. Jeffress, B. Johnson, D. Johnson, J. Key, Laverty, Luker, Madison, P. Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, Teague, R. Thompson, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
Necessary to the passage of the bill	27

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 1305**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

AFFIRMATIVE: Altes, G. Baker, Bledsoe, Bookout, Broadway, Bryles, Capps, Crumbly, Elliott, Faris, Glover, Hendren, Horn, G. Jeffress, J. Jeffress, B. Johnson, D. Johnson, J. Key, Laverty, Luker, Madison, P. Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, Teague, R. Thompson, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1305 was ordered immediately returned to the House as passed.

On motion of Senator Baker, the rules were suspended in considering **House Bill No. 1654** at this time.

On motion of Senator Baker, **House Bill No. 1654** was called up for third reading and final disposition.

**HOUSE BILL NO. 1654
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE**

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES, SUBSTITUTE EXPENSES, AND EXPENSE ALLOWANCE OF THE TRIAL COURT ADMINISTRATIVE ASSISTANTS OF THE CIRCUIT COURTS WHICH SHALL BE SUPPLEMENTAL AND IN ADDITION TO THOSE FUNDS APPROPRIATED BY ACT 481 OF 2007; AND FOR OTHER PURPOSES.

House Bill No. 1654 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, G. Baker, Bledsoe, Bookout, Broadway, Bryles, Capps, Crumbly, Elliott, Faris, Glover, Hendren, Horn, G. Jeffress, J. Jeffress, B. Johnson, D. Johnson, J. Key, Lavery, Luker, Madison, P. Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, Teague, R. Thompson, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
Necessary to the passage of the bill	27

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 1654**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

AFFIRMATIVE: Altes, G. Baker, Bledsoe, Bookout, Broadway, Bryles, Capps, Crumbly, Elliott, Faris, Glover, Hendren, Horn, G. Jeffress, J. Jeffress, B. Johnson, D. Johnson, J. Key, Laverty, Luker, Madison, P. Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, Teague, R. Thompson, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1654 was ordered immediately returned to the House as passed.

On motion of Senator Baker, the rules were suspended in considering **Senate Bill No. 745** at this time.

On motion of Senator Baker, **Senate Bill No. 745** was called up for third reading and final disposition.

SENATE BILL NO. 745
As Engrossed: S3/25/09
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR BROADWAY

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR THE ECONOMIC DEVELOPMENT COMMISSION FOR INVESTMENT INCENTIVES TO ENHANCE THE ECONOMY OF THE STATE THROUGH TECHNOLOGY DEVELOPMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2010; AND FOR OTHER PURPOSES.

Senate Bill No. 745 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, G. Baker, Bledsoe, Bookout, Broadway, Bryles, Capps, Crumbly, Elliott, Faris, Glover, Hendren, Horn, G. Jeffress, J. Jeffress, B. Johnson, D. Johnson, J. Key, Laverty, Luker, Madison, P. Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, Teague, R. Thompson, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
Necessary to the passage of the bill	27

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **Senate Bill No. 745**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

AFFIRMATIVE: Altes, G. Baker, Bledsoe, Bookout, Broadway, Bryles, Capps, Crumbly, Elliott, Faris, Glover, Hendren, Horn, G. Jeffress, J. Jeffress, B. Johnson, D. Johnson, J. Key, Laverty, Luker, Madison, P. Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, Teague, R. Thompson, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
Necessary to the adoption of the Emergency Clause	24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 745 was ordered immediately transmitted to the House.

On motion of Senator Baker, the rules were suspended in considering **House Bill No. 1364** at this time.

On motion of Senator Baker, **House Bill No. 1364** was called up for third reading and final disposition.

HOUSE BILL NO. 1364

As Engrossed: H3/3/09

EIGHTY-SEVENTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES M. BURRIS, COOPER, DALE, GEORGE, R. GREEN, LEA, LOVELL, LOWERY, M. MARTIN, OVERBEY, POWERS, PYLE, SAUNDERS, SHELBY & WELLS

BY: SENATORS G. BAKER AND FARIS

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR GRANTS AND AID TO LOCAL SCHOOL DISTRICTS AND SPECIAL PROGRAMS FOR THE DEPARTMENT OF EDUCATION WHICH SHALL BE SUPPLEMENTAL AND IN ADDITION TO THOSE FUNDS APPROPRIATED BY ACT 229 OF 2007; AND FOR OTHER PURPOSES.

House Bill No. 1364 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, G. Baker, Bledsoe, Bookout, Broadway, Bryles, Capps, Crumbly, Elliott, Faris, Glover, Hendren, Horn, G. Jeffress, J. Jeffress, B. Johnson, D. Johnson, J. Key, Laverty, Luker, Madison, P. Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, Teague, R. Thompson, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the passage of the bill27

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 1364**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

AFFIRMATIVE: Altes, G. Baker, Bledsoe, Bookout, Broadway, Bryles, Capps, Crumbly, Elliott, Faris, Glover, Hendren, Horn, G. Jeffress, J. Jeffress, B. Johnson, D. Johnson, J. Key, Laverty, Luker, Madison, P. Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, Teague, R. Thompson, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
Necessary to the adoption of the Emergency Clause	24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1364 was ordered immediately returned to the House as passed.

On motion of Senator Baker, the rules were suspended in considering **House Bill No. 1685** at this time.

On motion of Senator Baker, **House Bill No. 1685** was called up for third reading and final disposition.

**HOUSE BILL NO. 1685
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE REYNOLDS**

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR ADDITIONAL PILOT STATE DISTRICT COURT JUDGESHIPS FOR THE AUDITOR OF STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2010; AND FOR OTHER PURPOSES.

House Bill No. 1685 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, G. Baker, Bledsoe, Bookout, Broadway, Bryles, Capps, Crumbly, Elliott, Faris, Glover, Hendren, Horn, G. Jeffress, J. Jeffress, B. Johnson, D. Johnson, J. Key, Laverty, Luker, Madison, P. Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, Teague, R. Thompson, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the passage of the bill27

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 1685**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

AFFIRMATIVE: Altes, G. Baker, Bledsoe, Bookout, Broadway, Bryles, Capps, Crumbly, Elliott, Faris, Glover, Hendren, Horn, G. Jeffress, J. Jeffress, B. Johnson, D. Johnson, J. Key, Laverty, Luker, Madison, P. Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, Teague, R. Thompson, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
Necessary to the adoption of the Emergency Clause	24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1685 was ordered immediately returned to the House as passed.

On motion of Senator Baker, the rules were suspended in considering **House Bill No. 1919** at this time.

On motion of Senator Baker, **House Bill No. 1919** was called up for third reading and final disposition.

**HOUSE BILL NO. 1919
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE MALOCH**

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS LAW TO MEET THE REQUIREMENTS AND DEADLINES OF THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009; AND FOR OTHER PURPOSES.

House Bill No. 1919 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, G. Baker, Bledsoe, Bookout, Broadway, Bryles, Capps, Crumbly, Elliott, Faris, Glover, Hendren, Horn, G. Jeffress, J. Jeffress, B. Johnson, D. Johnson, J. Key, Laverty, Luker, Madison, P. Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, Teague, R. Thompson, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 1919**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

AFFIRMATIVE: Altes, G. Baker, Bledsoe, Bookout, Broadway, Bryles, Capps, Crumbly, Elliott, Faris, Glover, Hendren, Horn, G. Jeffress, J. Jeffress, B. Johnson, D. Johnson, J. Key, Laverty, Luker, Madison, P. Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, Teague, R. Thompson, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1919 was ordered immediately returned to the House as passed.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 26, 2009

Mr. President:

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

SENATE CONCURRENT RESOLUTION NO. 13,
BY SENATOR WHITAKER,
SENATE BILL NO. 3, BY SENATOR KEY,
SENATE BILL NO. 353, BY SENATOR FARIS,
SENATE BILL NO. 493, BY SENATOR D. JOHNSON,
SENATE BILL NO. 494, BY SENATOR D. JOHNSON,
SENATE BILL NO. 780, BY SENATORS PRITCHARD AND
ALTES ET AL,
SENATE BILL NO. 810, BY SENATOR HORN,
SENATE BILL NO. 836, BY SENATOR PRITCHARD,
SENATE BILL NO. 841, BY SENATOR BAKER,
SENATE BILL NO. 878, BY SENATOR G. JEFFRESS,
SENATE BILL NO. 961, BY SENATOR BLEDSOE,
SENATE BILL NO. 93, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 412, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 413, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 414, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 415, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 420, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 421, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 422, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 423, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 424, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 425, BY JOINT BUDGET COMMITTEE,

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 9:55 a.m. delivered them to the Governor for his approval.

Respectfully submitted,

(SIGNED) JOHN PAUL CAPPS
CHAIRMAN

GOVERNOR'S BILL RECEIPTS

SENATE CONCURRENT RESOLUTION NO. 13

SENATE BILL NO. 3

SENATE BILL NO. 353

SENATE BILL NO. 493

SENATE BILL NO. 494

SENATE BILL NO. 780

SENATE BILL NO. 810

SENATE BILL NO. 836

SENATE BILL NO. 841

SENATE BILL NO. 878

SENATE BILL NO. 961

SENATE BILL NO. 93

SENATE BILL NO. 412

SENATE BILL NO. 413

SENATE BILL NO. 414

SENATE BILL NO. 415

SENATE BILL NO. 420

SENATE BILL NO. 421

SENATE BILL NO. 422

SENATE BILL NO. 423

SENATE BILL NO. 424

SENATE BILL NO. 425

RECEIVED the above papers from the Secretary of the Senate this 26th day of
March, 2009 at 9:55 a.m.

(SIGNED) MIKE BEEBE
Governor

(SIGNED) Sarah Agee
Secretary

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 26, 2009

Mr. President:

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

SENATE BILL NO. 342, BY SENATOR WILKINS,
SENATE BILL NO. 770, BY SENATOR TEAGUE,
SENATE BILL NO. 839, BY SENATOR SALMON,
SENATE BILL NO. 980, BY SENATOR CRUMBLY,

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

Respectfully submitted,

(SIGNED) JOHN PAUL CAPPS
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 26, 2009

Mr. President:

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

SENATE BILL NO. 808, BY SENATOR HORN,

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

Respectfully submitted,

(SIGNED) JOHN PAUL CAPPS
CHAIRMAN

On motion of Senator Horn, **Senate Bill No. 808** was ordered re-referred to the Committee on INSURANCE & COMMERCE.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 26, 2009

Mr. President:

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

HOUSE BILL NO. 1273, BY REPRESENTATIVE BLOUNT ET AL,
HOUSE BILL NO. 1680, BY REPRESENTATIVE MALOCH,
HOUSE BILL NO. 1848, BY REPRESENTATIVE NICKELS,

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

Respectfully submitted,

(SIGNED) JOHN PAUL CAPPS
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 26, 2009

Mr. President:

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

SENATE BILL NO. 366, BY SENATOR MADISON,
SENATE BILL NO. 458, BY SENATOR G. JEFFRESS,
SENATE BILL NO. 475, BY SENATOR G. JEFFRESS,
SENATE BILL NO. 550, BY SENATOR G. JEFFRESS,
SENATE BILL NO. 552, BY SENATOR G. JEFFRESS,
SENATE BILL NO. 553, BY SENATOR G. JEFFRESS,
SENATE BILL NO. 554, BY SENATOR WHITAKER,

SENATE BILL NO. 555, BY SENATOR BRYLES,
SENATE BILL NO. 591, BY SENATOR WHITAKER,
SENATE BILL NO. 592, BY SENATOR WHITAKER,

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

Respectfully submitted,

(SIGNED) SENATOR GILBERT BAKER
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 26, 2009

Mr. President:

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

SENATE BILL NO. 613, BY SENATOR BAKER,
SENATE BILL NO. 614, BY SENATOR BAKER,
SENATE BILL NO. 615, BY SENATOR BAKER,
SENATE BILL NO. 616, BY SENATOR BAKER,
SENATE BILL NO. 621, BY SENATOR SALMON,
SENATE BILL NO. 622, BY SENATOR SALMON,
SENATE BILL NO. 623, BY SENATOR SALMON,
SENATE BILL NO. 624, BY SENATOR SALMON,
SENATE BILL NO. 625, BY SENATOR SALMON,
SENATE BILL NO. 642, BY SENATOR WHITAKER,
SENATE BILL NO. 643, BY SENATOR WHITAKER,
SENATE BILL NO. 670, BY SENATOR BAKER,
SENATE BILL NO. 671, BY SENATOR BAKER,

SENATE BILL NO. 684, BY SENATOR BLEDSOE,
 SENATE BILL NO. 699, BY SENATOR BOOKOUT,

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

Respectfully submitted,

(SIGNED) SENATOR GILBERT BAKER
 CHAIRMAN

ARKANSAS SENATE
 EIGHTY-SEVENTH GENERAL ASSEMBLY
 REGULAR SESSION

March 26, 2009

Mr. President:

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

SENATE BILL NO. 700, BY SENATOR BOOKOUT,
 SENATE BILL NO. 704, BY SENATOR MALONE,
 SENATE BILL NO. 706, BY SENATOR SALMON,
 SENATE BILL NO. 707, BY SENATOR SALMON ET AL,
 SENATE BILL NO. 710, BY SENATOR BRYLES,
 SENATE BILL NO. 729, BY SENATOR ELLIOTT,
 SENATE BILL NO. 731, BY SENATOR ELLIOTT,
 SENATE BILL NO. 733, BY SENATOR ELLIOTT AND,
 BY SENATOR D. JOHNSON
 SENATE BILL NO. 752, BY SENATOR MALONE,
 SENATE BILL NO. 758, BY SENATOR SALMON,
 SENATE BILL NO. 759, BY SENATOR BLEDSOE,

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

Respectfully submitted,

(SIGNED) SENATOR GILBERT BAKER
 CHAIRMAN

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 26, 2009

Mr. President:

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

SENATE BILL NO. 488, BY SENATOR KEY,

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

Respectfully submitted,

(SIGNED) SENATOR GILBERT BAKER
CHAIRMAN

SENATE RESOLUTION NO. 24
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR SALMON

SENATE RESOLUTION URGING THE DEPARTMENT OF WORKFORCE SERVICES TO EXPAND THE AVAILABILITY OF SERVICES TO RELATIVE CAREGIVERS OF TRANSITIONAL EMPLOYMENT ASSISTANCE CHILD-ONLY CASES.

Senate Resolution No. 24 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

SENATE RESOLUTION NO. 25
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR H. WILKINS

SENATE RESOLUTION RECOGNIZING AND HONORING DR. JOSETTA WILKINS FOR A LIFETIME OF SERVICE TO ARKANSAS AND HER DEDICATED PASSION TO SAVE THE LIVES OF WOMEN WITH BREAST CANCER.

Senate Resolution No. 25 was read the first time, rules suspended, read the second time and placed on the Calendar.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 26, 2009

Mr. President:

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

SENATE BILL NO. 402, BY SENATOR P. MALONE,

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

Respectfully submitted,

(SIGNED) JOHN PAUL CAPPS
CHAIRMAN

On motion of Senator Malone, **Senate Bill No. 402** was ordered re-referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 26, 2009

Mr. President:

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

SENATE BILL NO. 870, BY SENATOR TEAGUE,

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

Respectfully submitted,

(SIGNED) JOHN PAUL CAPPS
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 26, 2009

Mr. President:

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

HOUSE BILL NO. 1256, BY REPRESENTATIVE GREENBERG,

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

Respectfully submitted,

(SIGNED) JOHN PAUL CAPPS
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 26, 2009

Mr. President:

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

SENATE BILL NO. 290, BY JOINT BUDGET COMMITTEE,

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

Respectfully submitted,

(SIGNED) JOHN PAUL CAPPS
CHAIRMAN

On motion of Senator Baker, **Senate Bill No. 290** was ordered re-referred to the Committee on JOINT BUDGET.

Senate Bill No. 988 was returned from the House as requested.

Senate Bill No. 989 was returned from the House as requested.

Senate Concurrent Resolution No. 12 returned from the House as concurred in and ordered enrolled.

Senate Bill No. 804 returned from the House as passed and ordered enrolled.

Received from the House

HOUSE CONCURRENT RESOLUTION NO. 1013
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE TYLER
BY: SENATOR G. BAKER

HOUSE CONCURRENT RESOLUTION COMMENDING MR. JIM DAVIDSON OF CONWAY, ARKANSAS, ON FOUNDING AND CHAIRING THE BOOKCASE FOR EVERY CHILD PROJECT AND FOR THE INVALUABLE ASSISTANCE OF EACH MEMBER OF THE CONWAY BOOKCASE PROJECT COMMITTEE.

House Concurrent Resolution No. 1013 was read the first time, rules suspended, read the second time and placed on the Calendar.

Received from the House

HOUSE BILL NO. 1649
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE KIDD

A Bill for an Act to be Entitled: AN ACT TO CREATE THE PRIVATE PROPERTY PROTECTION ACT TO ENHANCE THE PENALTIES FOR THEFT OF CERTAIN PROPERTY IN AN AREA DECLARED TO BE UNDER A STATE OF EMERGENCY BY THE GOVERNOR; AND FOR OTHER PURPOSES.

House Bill No. 1649 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

Received from the House

HOUSE BILL NO. 1799
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE HARRELSON

A Bill for an Act to be Entitled: AN ACT REGARDING DWI IGNITION INTERLOCK DEVICES; AND FOR OTHER PURPOSES.

House Bill No. 1799 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

Received from the House

HOUSE BILL NO. 1830
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE B. WILKINS

A Bill for an Act to be Entitled: AN ACT TO AMEND THE FLEEING STATUTE; AND FOR OTHER PURPOSES.

House Bill No. 1830 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

Received from the House

HOUSE BILL NO. 1943
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE B. WILKINS

A Bill for an Act to be Entitled: AN ACT TO INCREASE THE PENALTIES FOR AGGRAVATED ASSAULT AND MISDEMEANOR ASSAULT IF COMMITTED AGAINST CERTAIN PERSONS; AND FOR OTHER PURPOSES.

House Bill No. 1943 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

Received from the House

HOUSE BILL NO. 1975
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE WILLIAMS

A Bill for an Act to be Entitled: AN ACT CONCERNING BONDS OF REDEVELOPMENT DISTRICTS; AND FOR OTHER PURPOSES.

House Bill No. 1975 was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE & COMMERCE.

Received from the House

HOUSE BILL NO. 2082
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE REYNOLDS

A Bill for an Act to be Entitled: AN ACT TO REQUIRE PERSONS CONVICTED OF DRIVING WHILE INTOXICATED TO ATTEND A VICTIM IMPACT PANEL; AND FOR OTHER PURPOSES.

House Bill No. 2082 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

Received from the House

HOUSE BILL NO. 2086
As Engrossed: H3/25/09
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE B. WILKINS

A Bill for an Act to be Entitled: *AN ACT TO AMEND THE CRIME OF FINANICAL IDENTITY FRAUD; AND FOR OTHER PURPOSES.*

House Bill No. 2086 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

Received from the House

HOUSE BILL NO. 2113
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE HAWKINS

A Bill for an Act to be Entitled: AN ACT TO ENACT THE LIFE SETTLEMENTS ACT BASED UPON THE MODEL LEGISLATION OF THE NATIONAL CONFERENCE OF INSURANCE LEGISLATORS; TO REPEAL THE VIATICAL SETTLEMENTS ACT, ARKANSAS CODE § 23-81-601 ET SEQ.; AND FOR OTHER PURPOSES.

House Bill No. 2113 was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE & COMMERCE.

Received from the House

HOUSE BILL NO. 2170
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES CARNINE, ABERNATHY, B. WILKINS, G. SMITH &
MCCRARY
BY: SENATOR J. JEFFRESS

A Bill for an Act to be Entitled: AN ACT TO PROVIDE INTERVENTION AND PROFESSIONAL CONSULTATION UPON EARLY INDICATORS OF THE FISCAL DISTRESS OR FACILITIES DISTRESS OF A PUBLIC SCHOOL DISTRICT; AND FOR OTHER PURPOSES.

House Bill No. 2170 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

Received from the House

HOUSE BILL NO. 2217
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE FLOWERS

A Bill for an Act to be Entitled: AN ACT TO IMPROVE SAFETY ON PUBLIC ROADS AND HIGHWAYS BY CLARIFYING THE PROCEDURE TO BE USED WHEN A LAW ENFORCEMENT OFFICER STOPS A DRIVER WHO IS IN VIOLATION OF THE REQUIREMENT TO MAINTAIN A VEHICLE IN SAFE MECHANICAL CONDITION; AND FOR OTHER PURPOSES.

House Bill No. 2217 was read the first time, rules suspended, read the second time and referred to the Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS.

Senate Bill No. 179 was returned from the House as passed and ordered enrolled.

Senate Bill No. 449 was returned from the House as passed and ordered enrolled.

Senate Bill No. 460 was returned from the House as passed and ordered enrolled.

Senate Bill No. 470 was returned from the House as passed and ordered enrolled.

Senate Bill No. 515 was returned from the House as passed and ordered enrolled.

Senate Bill No. 516 was returned from the House as passed and ordered enrolled.

Senate Bill No. 806 was returned from the House as passed and ordered enrolled.

Senate Bill No. 873 was returned from the House as passed and ordered enrolled.

Senate Bill No. 934 was returned from the House as passed and ordered enrolled as amended.

On motion of Senator Wyatt, Senate Bill No. 934 was ordered re-referred to the Committee on AGRICULTURE, FORESTRY & ECONOMIC DEVELOPMENT.

Received from the House

HOUSE BILL NO. 1858
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE BETTS

A Bill for an Act to be Entitled: AN ACT TO AMEND VARIOUS ARKANSAS LAWS CONCERNING THE REGULATION OF TOBACCO PRODUCTS; AND FOR OTHER PURPOSES.

House Bill No. 1858 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

Received from the House

HOUSE BILL NO. 1913

As Engrossed: H3/24/09

EIGHTY-SEVENTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES LOWERY AND HARRELSON

A Bill for an Act to be Entitled: AN ACT TO ESTABLISH A FORFEITURE PROCEDURE FOR TOBACCO PRODUCTS; TO ESTABLISH A TOBACCO CONTROL FUND; AND FOR OTHER PURPOSES.

House Bill No. 1913 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

Received from the House

HOUSE BILL NO. 2013

As Engrossed: H3/20/09

EIGHTY-SEVENTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE M. BURRIS

A Bill for an Act to be Entitled: *AN ACT TO PROVIDE A MECHANISM FOR NONPARENTAL RELATIVES TO CONTINUE THEIR RIGHTS AND VISITATION WITH A CHILD WHO IS INVOLVED IN TERMINATION OF PARENTAL RIGHTS PROCEEDINGS AND IN THE CUSTODY OF THE DIVISION OF CHILDREN AND FAMILY SERVICES; AND FOR OTHER PURPOSES.*

House Bill No. 2013 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

Received from the House

HOUSE BILL NO. 2251

As Engrossed: H3/20/09

EIGHTY-SEVENTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES LOWERY, G. SMITH & REEP

BY: SENATOR G. JEFFRESS

A Bill for an Act to be Entitled: AN ACT TO GRANT THE POWER OF EMINENT DOMAIN TO MUNICIPAL GOVERNMENTS FOR THE CONDEMNATION OF INDUSTRIAL MANUFACTURING PLANTS EMPLOYING FIFTY OR MORE RESIDENTS OF THE CITY FOR THE PURPOSE OF PROTECTING JOBS AND PROMOTING INDUSTRIAL AND ECONOMIC DEVELOPMENT; AND FOR OTHER PURPOSES.

House Bill No. 2251 was read the first time, rules suspended, read the second time and referred to the Committee on AGRICULTURE, FORESTRY & ECONOMIC DEVELOPMENT.

Received from the House

HOUSE BILL NO. 2252

EIGHTY-SEVENTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE KING

A Bill for an Act to be Entitled: AN ACT TO IMPROVE SALES OPPORTUNITIES FOR ARKANSAS SMALL FARM WINERIES; AND FOR OTHER PURPOSES

House Bill No. 2252 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

SENATE BILLS TRANSMITTED TO THE HOUSEAS PASSED

SENATE BILL NO. 345
SENATE BILL NO. 429
SENATE BILL NO. 499
SENATE BILL NO. 500
SENATE BILL NO. 745
SENATE BILL NO. 880
SENATE BILL NO. 885
SENATE BILL NO. 889
SENATE BILL NO. 896
SENATE BILL NO. 898
SENATE BILL NO. 903
SENATE BILL NO. 904
SENATE BILL NO. 926
SENATE BILL NO. 955

HOUSE BILLS RETURNED TO THE HOUSEAS PASSED

HOUSE BILL NO. 1305
HOUSE BILL NO. 1354
HOUSE BILL NO. 1364
HOUSE BILL NO. 1488
HOUSE BILL NO. 1633
HOUSE BILL NO. 1654
HOUSE BILL NO. 1685
HOUSE BILL NO. 1703
HOUSE BILL NO. 1879
HOUSE BILL NO. 1892
HOUSE BILL NO. 1893
HOUSE BILL NO. 1919
HOUSE BILL NO. 1920
HOUSE BILL NO. 1950
HOUSE BILL NO. 1985
HOUSE BILL NO. 2032

HOUSE BILL NO. 2039
HOUSE BILL NO. 2050
HOUSE BILL NO. 2052
HOUSE BILL NO. 2055
HOUSE BILL NO. 2081
HOUSE BILL NO. 2212

HOUSE BILL RETURNED TO THE HOUSE
AS PASSED AS AMENDED
HOUSE BILL NO. 1939 AS AMENDED NO. 1

HOUSE CONCURRENT RESOLUTIONS RETURNED
TO THE HOUSE AS CONCURRED IN
HOUSE CONCURRENT RESOLUTION NO. 1014
HOUSE CONCURRENT RESOLUTION NO. 1017

SENATE BILLS RETURNED FROM THE HOUSE
AS PASSED AND ORDERED ENROLLED
SENATE BILL NO. 179
SENATE BILL NO. 449
SENATE BILL NO. 460
SENATE BILL NO. 470
SENATE BILL NO. 515
SENATE BILL NO. 516
SENATE BILL NO. 804
SENATE BILL NO. 806
SENATE BILL NO. 873

SENATE BILL RETURNED FROM THE HOUSE

AS PASSED AS AMENDED

SENATE BILL NO. 934 AS AMENDED NO. 1

SENATE CONCURRENT RESOLUTION RETURNED FROM THE HOUSE

AS CONCURRED IN ORDERED ENROLLED

SENATE CONCURRENT RESOLUTION NO. 12

SENATE BILLS RETURNED FROM THE HOUSE AS REQUESTED

SENATE BILL NO. 988

SENATE BILL NO. 989

HOUSE BILLS TRANSMITTED TO THE SENATE

AS PASSED

HOUSE BILL NO. 1649

HOUSE BILL NO. 1799

HOUSE BILL NO. 1830

HOUSE BILL NO. 1858

HOUSE BILL NO. 1913

HOUSE BILL NO. 1943

HOUSE BILL NO. 1975

HOUSE BILL NO. 2013

HOUSE BILL NO. 2082

HOUSE BILL NO. 2086

HOUSE BILL NO. 2113

HOUSE BILL NO. 2170

HOUSE BILL NO. 2217

HOUSE BILL NO. 2251

HOUSE BILL NO. 2252

HOUSE CONCURRENT RESOLUTION TRANSMITTED
TO THE SENATE AS ADOPTED
HOUSE CONCURRENT RESOLUTION NO. 1013

On motion of Senator Whitaker, the Senate adjourned until 1:30 p.m., Monday, March 30, 2009.

PRESIDENT OF THE SENATE

SECRETARY OF THE SENATE