

--ooOoo--

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

Little Rock, Arkansas

February 4, 2009

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

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

ALTES, 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 Wilkinson.

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

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

On motion of Senator Thompson, **Senate Bill No. 121** was withdrawn from the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS, and placed back on second reading for purpose of Amendment No. 1.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. 121

Amend **Senate Bill No. 121** as originally introduced:

Page 2, line 24, delete "resolution adopted by" and replace with "a"

AND

Page 3, line 30, delete "or this" and replace with "of this"

AND

Page 4, line 3, delete "One hundred dollars (\$100)" and replace with "Fifty dollars (\$50.00)"

AND

Page 4, line 5, delete "One hundred dollars (\$100)" and replace with "Fifty dollars (\$50.00)"

AND

Page 4, line 7, delete "One hundred dollars (\$100)" and replace with "Fifty dollars (\$50.00)"

AND

Immediately following SECTION 5, add additional sections to read as follows:

"SECTION 6. Arkansas Code § 3-4-605 is amended to read as follows:

3-4-605. Wholesalers.

(a) Any person other than a distiller, manufacturer, rectifier, or importer may apply to the Director of the Alcoholic Beverage Control Division for a permit to sell spirituous liquor, vinous (except wines) wine as defined in § 3-9-301(2), beer, or malt liquors at wholesale.

(b) The application shall be in writing and shall set forth in detail such information concerning the applicant for the permit and the premises to be used by the applicant as the director may require.

(c) The application shall be accompanied by a certified check, cash, or postal money order for the amount required by this act for the permit.

(d) If the director ~~shall grant~~ grants the application, he or she shall issue a permit in ~~such form as shall be~~ a form as determined by the rules of the Alcoholic Beverage Control Division.

(e) The permit shall contain a description of the premises permitted and in form and substance shall be a permit to the person ~~therein~~ specifically designated in the permit to sell spirituous liquor, vinous wine as defined in § 3-9-301(2), beer, or malt liquors for beverage purposes.

(f) A person holding a distiller's or rectifier's permit need not obtain a wholesaler's permit in order to sell at wholesale spirituous or ~~vinous liquors~~ wine as defined in § 3-9-301(2).

(g)(1)(A) ~~No A~~ person other than a person holding a distiller's, manufacturer's, or rectifier's, ~~or wholesaler's~~ permit shall not sell spirituous liquor, ~~vinous (except wines)~~ wine as defined in § 3-9-301(2), or malt liquors at wholesale.

(B) A person other than a person holding a wholesaler's permit shall not sell spirituous liquor, wine as defined in § 3-9-301(2), or malt liquors at wholesale.

(2) ~~No A~~ wholesaler holding a permit shall not sell or buy from another unless he or she holds a permit, but a wholesaler may export from or import into this state ~~such liquors under rules and regulations promulgated by the Alcoholic Beverage Control Division.~~

(h) ~~No A~~ wholesaler shall not sell or contract to sell any spirituous liquor, ~~vinous~~ wine as defined in § 3-9-301(2), beer, or malt liquors to any a dispensary, hotel, restaurant, or club if the dispensary, hotel, restaurant, or club is not ~~duly~~ authorized under this act to receive, possess, transport, distribute, or sell spirituous liquor, vinous wine as defined in § 3-9-301(2), beer, or malt liquors.

(i) Further, a licensed wholesaler of any spirituous liquor, beer, or vinous liquors wine as defined in § 3-9-301(2) in Arkansas ~~can~~ may only purchase spirituous liquor, beer, or vinous liquors wine as defined in § 3-9-301(2) from a distiller, importer, rectifier, or a domestic wine producer, ~~provided that.~~ However, this restriction shall does not apply to the purchase of native wines.

(j)(1) For the privilege of storing, transporting, and selling spirituous liquor, vinous wine as defined in § 3-9-301(2), beer, or malt liquors at wholesale, there is assessed and there shall be paid an annual permit fee of and by every person engaged therein. The permit fee shall be in the sum of seven hundred dollars (\$700) for each separate and distinct establishment.

(2) However, this section ~~shall does~~ not apply to residents of Arkansas who store, transport, and sell wine at wholesale manufactured by them in this state.

SECTION 7. Arkansas Code Title 3, Chapter 4, Subchapter 6 is amended to add a new section to read as follows:

3-4-607. Minimum wholesale liquor permit.

(a)(1) Any person other than a distiller, manufacturer, rectifier, or importer may apply to the Director of the Alcoholic Beverage Control Division for a minimum wholesale liquor permit that allows the person to sell spirituous liquors, wine as defined in § 3-9-301(2), and malt liquors at wholesale.

(2) A minimum wholesale liquor permit holder shall not sell more than a combined total of twenty thousand (20,000) cases of spirituous liquors, wine as defined in § 3-9-301(2), or malt liquors.

(3) A case is a container that holds nine (9) liters of beverages.

(b) The application shall be in writing and shall provide information concerning the applicant for the minimum wholesale liquor permit and the premises to be used by the applicant as the director requires.

(c) The application shall be accompanied by a certified check, cash, or postal money order for the amount required by this section for the minimum wholesale liquor permit.

(d) If the director grants the application, he or she shall issue a minimum wholesale liquor permit in a form as determined by the rules of the Alcoholic Beverage Control Division.

(e) The minimum wholesale liquor permit shall contain a description of the premises permitted and in form and substance shall be a minimum wholesale liquor permit to the person specifically designated to sell spirituous liquors, wine as defined in § 3-9-301(2), and malt liquors for beverage purposes.

(f)(1) A person other than a person holding a distiller's, manufacturer's, rectifier's, or minimum wholesale liquor permit shall not sell spirituous liquors, wine as defined in § 3-9-301(2), and malt liquors at wholesale.

(2) A wholesaler holding a minimum wholesale liquor permit shall not sell or buy from another person unless the other person holds a minimum wholesale liquor permit, but a wholesaler may export from or import into this state spirituous liquors, wine as defined in § 3-9-301(2), and malt liquors under rules promulgated by the Alcoholic Beverage Control Division.

(g) A wholesaler holding a minimum wholesale liquor permit shall not sell or contract to sell any spirituous liquors, wine as defined in § 3-9-301(2), and malt liquors to a dispensary, hotel, restaurant, or club if the dispensary, hotel, restaurant, or club is not authorized under § 3-4-601 to receive, possess, transport, distribute, or sell spirituous liquors, wine as defined in § 3-9-301(2), and malt liquors.

(h) A minimum wholesale liquor permittee of any spirituous liquors, wine as defined in § 3-9-301(2), and malt liquors in Arkansas shall purchase spirituous liquors, wine as defined in § 3-9-301(2), and malt liquors only from a distiller, importer, rectifier, or a domestic wine producer. However, this restriction does not apply to the purchase of native wines.

(i)(1) The minimum wholesale liquor permit fee is two thousand five hundred dollars (\$2,500) for each separate establishment.

(2) This section does not apply to residents of Arkansas who store, transport, and sell wine at wholesale manufactured by them in this state.

(j) The provisions of § 3-4-606 shall apply to a wholesaler who has a minimum wholesale liquor permit."

AND

Appropriately renumber the sections of the bill

AND

Page 6, line 23, delete "malt beverages."

AND

Page 6, line 24, delete "§ 3-9-302" and replace with "§ 3-9-301(4)"

AND

Page 6, line 27, delete "shall" and replace with "may"

AND

Page 6, line 35, delete "the"

AND

Delete SECTION 16 in its entirety

AND

Appropriately renumber the sections of the bill

AND

Page 10, delete line 17 and replace with "~~(\$15.00)~~ one hundred dollars (\$100)."

AND

Page 10, line 19, delete "grocery stores, convenience stores, liquor stores, and package stores" and replace with "grocery stores, and convenience stores, ~~liquor stores, and package stores~~"

AND

Page 11, delete line 11 and replace with "~~dollars (\$300)~~ nine thousand three hundred dollars (\$9,300)."

AND

Page 13, delete lines 12 and 13 and replace with "be accompanied by an annual permit fee of seventy-five dollars (\$75.00)."

(SIGNED) SENATOR R. THOMPSON

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 121 was ordered engrossed.

On motion of Senator Altus **Senate Bill No. 20** was withdrawn from the Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS, and 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. 20

Amend **Senate Bill No. 20** as engrossed, S2/3/09:

Page 1, line 35, delete "and for the noncommercial hauling of other" and substitute "and other"

AND

Page 3, line 26, delete "and for the noncommercial hauling of other" and substitute "and other"

(SIGNED) SENATOR DENNY ALTES

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 20 was ordered engrossed.

On motion of Senator Wilkins, Senate Bill No. 78 was withdrawn from the Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS, and placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 78 to SENATE BILL NO. 78

Amend Senate Bill No. 78 as originally introduced:

By adding Senators Elliott, Crumbly, and Steele as cosponsors of the bill

AND

By adding Representatives Allen, Baker, Word, Rainey, Davis, Lewellen, Carroll, Williams, and Blount as cosponsors of the bill.

(SIGNED) SENATOR HENRY "HANK" WILKINS

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 78 was ordered engrossed.

On motion of Senator Altes, Senate Bill No. 25 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. 25

Amend **Senate Bill No. 25** as originally introduced:

Add Representative Glidewell as a cosponsor of the bill

AND

Page 1, line 25, delete "thirty-eight percent (38%)" and insert "fifty-one percent (51%)"

AND

Page 1, line 26, delete "thirty-eight percent (38%)" and insert "fifty-one percent (51%)"

(SIGNED) SENATOR DENNY ALTES

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 25 was ordered engrossed.

ARKANSAS SENATE
 EIGHTY-SEVENTH GENERAL ASSEMBLY
 REGULAR SESSION

February 4, 2009

Mr. President:

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

SENATE BILL NO. 20, BY SENATOR ALTES,

SENATE BILL NO. 78, BY SENATOR H. WILKINS ET AL,

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

Respectfully submitted,

(SIGNED) JOHN PAUL CAPPS
 CHAIRMAN

On motion of Senator Altes, **Senate Bill No. 20** was ordered re-referred to the Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS.

On motion of Senator Wilkins, **Senate Bill No. 78** was ordered re-referred to the Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS.

**ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION**

February 4, 2009

Mr. President:

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

SENATE BILL NO. 25, BY SENATOR ALTES,

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 Altes, **Senate Bill No. 25** was ordered re-referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

February 4, 2009

Mr. President:

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

SENATE BILL NO. 121, BY SENATOR R. THOMPSON,

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 Thompson, **Senate Bill No. 121** was ordered re-referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

On motion of Senator Trusty, the Senate resolved itself into the Committee of the Whole for the purpose of presentation of citation to Winthrop P. Rockefeller family and Kevin Kresse.

Without objection, the Committee of the Whole was dissolved, and the Senate took up its regular order of business.

On motion of Senator Horn, **Senate Resolution No. 5** was called up for third reading and final disposition.

SENATE RESOLUTION NO. 5
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR HORN

SENATE RESOLUTION RECOGNIZING NATIONAL WEAR RED DAY.

Senate Resolution No. 5 was read the third time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

STATE OF ARKANSAS
OFFICE OF THE GOVERNOR

STATE CAPITOL
LITTLE ROCK, ARKANSAS

MIKE BEEBE
Governor

February 4, 2009

TO THE PRESIDENT OF THE SENATE

Dear Mr. President:

This is to inform your Honorable Body that on February 4, 2009, I approved the following measures from the Regular Session of the Eighty-seventh General Assembly:

- Senate Bill No. 37, - ACT 10,
- Senate Bill No. 42, - ACT 11,
- Senate Bill No. 44, - ACT 12,
- Senate Bill No. 51, - ACT 13,
- Senate Bill No. 84, - ACT 14,
- Senate Bill No. 92, - ACT 15,
- Senate Bill No. 98, - ACT 16,
- Senate Bill No. 99, - ACT 17,
- Senate Bill No. 114, - ACT 18,
- Senate Bill No. 145, - ACT 19,
- Senate Bill No. 147, - ACT 20,
- Senate Bill No. 150, - ACT 21,
- Senate Bill No. 196, - ACT 22,
- Senate Bill No. 207, - ACT 23,
- Senate Bill No. 232, - ACT 24,

Sincerely,

(SIGNED) MIKE BEEBE
Governor

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

February 4, 2009

Mr. President:

We, your Committee on JUDICIARY, to whom was referred:

SENATE BILL NO. 33, BY SENATOR R. THOMPSON,
SENATE BILL NO. 35, BY SENATOR R. THOMPSON,
SENATE BILL NO. 59, BY SENATOR MADISON,
SENATE BILL NO. 70, BY SENATOR MADISON,

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 RUTH WHITAKER
VICE CHAIR

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

February 4, 2009

Mr. President:

We, your Committee on JUDICIARY, to whom was referred:

SENATE BILL NO. 296, BY SENATOR LUKER,

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 ED WILKINSON
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

February 4, 2009

Mr. President:

We, your Committee on JUDICIARY, to whom was referred:

SENATE BILL NO. 34, BY SENATOR R. THOMPSON,

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 RUTH WHITAKER
VICE CHAIR

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

February 4, 2009

Mr. President:

We, your Committee on JUDICIARY, to whom was referred:

HOUSE BILL NO. 1171, BY REPRESENTATIVE MALOCH,

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 ED WILKINSON
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

February 4, 2009

Mr. President:

We, your Committee on PUBLIC HEALTH, WELFARE & LABOR, to whom was referred:

HOUSE BILL NO. 1109, BY REPRESENTATIVE HARRELSON,
HOUSE BILL NO. 1146, BY REPRESENTATIVE J. BURRIS,
HOUSE BILL NO. 1147, BY REPRESENTATIVE J. BURRIS,
HOUSE BILL NO. 1152, BY REPRESENTATIVE J. BURRIS,

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 PERCY MALONE
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

February 5, 2009

Mr. President:

We, your Committee on REVENUE & TAXATION, to whom was referred:

SENATE BILL NO. 88, BY SENATOR GLOVER,

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 PAUL MILLER
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

February 5, 2009

Mr. President:

We, your Committee on REVENUE & TAXATION, to whom was referred:

SENATE BILL NO. 49, 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 pas, as amended No. 1.

Respectfully submitted,

(SIGNED) SENATOR PAUL MILLER
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

February 5, 2009

Mr. President:

We, your Committee on REVENUE & TAXATION, to whom was referred:

HOUSE BILL NO. 1035, BY REPRESENTATIVE NICKELS,
HOUSE BILL NO. 1170, BY REPRESENTATIVE LOWERY,

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

Respectfully submitted,

(SIGNED) SENATOR PAUL MILLER
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

February 4, 2009

Mr. President:

We, your Committee on EDUCATION, to whom was referred:

SENATE BILL NO. 226, BY SENATOR BROADWAY,

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 S. BRYLES
VICE CHAIRMAN

On motion of Senator Madison, **Senate Bill No. 74** 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. 74

Amend **Senate Bill No. 74** as originally introduced: Page 2, line 3, delete "§24-7-807" and substitute "§24-7-801"

(SIGNED) SENATOR MADISON

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

(SIGNED) ANN CORNWELL, SECRETARY

Amend **Senate Bill No. 74** as engrossed.

On motion of Senator Bryles, **Senate Bill No. 91** 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. 91

Amend **Senate Bill No. 91** as originally introduced:

Add Senators Bryles, B. Johnson, Faris, Altes, G. Baker, Bledsoe, Bookout, Crumbly, Elliott, Glover, Hendren, Horn, G. Jeffress, J. Jeffress, B. Johnson, D. Johnson, Lavery, Luker, P. Malone, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, Teague, Trusty, Whitaker, Wilkinson, and D. Wyatt as Senate cosponsors of the bill

AND

Add Representatives Allen, T. Baker, Blount, Cook, Davis, Flowers, Gaskill, W. Lewellen, Rainey, Saunders, Williams, and Word as House cosponsors of the bill

AND

Page 2, delete lines 32 through 36 and substitute the following:

"(C) One (1) member shall serve a term of three (3) years; and
(D) Two (2) members shall serve terms of four (4) years;"

AND

Page 3, delete lines 1 through 4

AND

Page 3, delete line 22 and substitute the following:

"section, all succeeding appointments shall be for terms of four (4) years.

(6) The Governor shall select annually a chair from the membership of the commission."

AND

Page 3, delete lines 31 through 33 and substitute the following:

"(e)(f)(1) Members of the commission shall be subject to removal from office by the ~~co~~chairs appointing authority when the actions or condition of a member shall be considered as ~~sufficient~~ good cause for removal.

(2) "Good cause" means the same as defined in § 25-16-804."

AND

Page 3, line 36, delete "but," and substitute "but"

AND

Page 4, delete line 1 and substitute the following:

"to the extent moneys are appropriated therefor, may receive expense"

AND

Page 4, delete lines 22 through 24 and substitute the following:

"(6)(A) To establish a Martin Luther King, Jr. Youth Commission to educate young persons on the principles and legacy of Martin Luther King, Jr.

(B) Members of the Martin Luther King, Jr. Youth Commission may receive expense reimbursement in accordance with § 25-16-901 et seq.; and"

AND

Page 4, delete line 28 and substitute the following:
"oriented.

SECTION 3. Arkansas Code § 25-24-103 is amended to read as follows:
 25-24-103. ~~Powers~~ Staff of commission.

(a) The Governor shall appoint an executive director of the Martin Luther King, Jr. Commission.

(2) The executive director shall serve at the pleasure of the Governor.

(b) The Martin Luther King, Jr. Commission may employ ~~such~~ staff and consultants as authorized by law and fix their compensation, duties, authority, and responsibilities."

AND

Appropriately renumber the remaining sections of the bill

(SIGNED) SENATOR HENRY "HANK" WILKINS IV

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

(SIGNED) ANN CORNWELL, SECRETARY

Amend **Senate Bill No. 91** as engrossed.

The President declared the morning hour to have expired.

On motion of Senator Hendren, **Senate Bill No. 28** was called up for third reading and final disposition.

SENATE BILL NO. 28

As Engrossed: S1/29/09

EIGHTY-SEVENTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATOR HENDREN

A Bill for an Act to be Entitled: AN ACT TO PROHIBIT A DRIVER UNDER EIGHTEEN (18) YEARS OF AGE FROM OPERATING A MOTOR VEHICLE WHILE USING A *WIRELESS* TELEPHONE DEVICE; AND FOR OTHER PURPOSES.

Senate Bill No. 28 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, Faris, Glover, Hendren, Horn, G. Jeffress, J. Jeffress, B. Johnson, J. Key, Laverty, Madison, P. Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, Teague, R. Thompson, Trusty, Whitaker, Wilkinson, D. Wyatt.

Total31

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Elliott, Luker, H. Wilkins.

Total3

VOTING PRESENT: D. Johnson, .

Total1

Total number of votes cast32

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 28 was ordered immediately transmitted to the House as passed.

On motion of Senator D. Johnson, **House Bill No. 1119** was called up for third reading and final disposition.

HOUSE BILL NO. 1119
As Engrossed: H1/23/09 S2/3/09
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES KERR, ENGLISH & J. BURRIS
BY: SENATOR D. JOHNSON

A Bill for an Act to be Entitled: AN ACT TO PROHIBIT *WIRELESS* TELEPHONE USE BY DRIVERS WHO ARE UNDER EIGHTEEN YEARS OF AGE; TO REQUIRE DRIVERS WHO ARE EIGHTEEN TO TWENTY YEARS OF AGE TO USE HANDS-FREE *WIRELESS* TELEPHONES; TO PROHIBIT DRIVERS WHO ARE EIGHTEEN TO TWENTY YEARS OF AGE FROM USING HANDHELD *WIRELESS* TELEPHONES; AND FOR OTHER PURPOSES.

On motion of Senator D. Johnson, **House Bill No. 1119** was pulled down at this time and ordered re-referred to the Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS.

On motion of Senator Luker, **House Bill No. 1144** was called up for third reading and final disposition.

HOUSE BILL NO. 1144
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE INGRAM

A Bill for an Act to be Entitled: AN ACT CONCERNING THE SELECTION OF MEMBERS OF MUNICIPAL AIRPORT COMMISSIONS; AND FOR OTHER PURPOSES.

House Bill No. 1144 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. 1144 was ordered immediately returned to the House as passed.

On motion of Senator Elliott, House Bill No. 1182 was called up for third reading and final disposition.

HOUSE BILL NO. 1182
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE WILLIAMS

A Bill for an Act to be Entitled: AN ACT CONCERNING THE REIMBURSEMENT OF TIPS FOR COUNTY PERSONNEL; AND FOR OTHER PURPOSES.

House Bill No. 1182 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 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. 1182 was ordered immediately returned to the House as passed.

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, Senate Bill No. 205 was withdrawn from JOINT BUDGET, 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. 205

Amend **Senate Bill No. 205** as originally introduced:

Page 3, line 14, delete the number "0" and substitute "25,000";

AND

Page 3, line 18, delete "3,587,435" and substitute "3,612,435".

(SIGNED) SENATOR GILBERT BAKER

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 205 was ordered engrossed.

On motion of Senator Baker, the rules were suspended in considering **Senate Bill No. 83** at this time.

On motion of Senator Baker, **Senate Bill No. 83** was called up for third reading and final disposition.

SENATE BILL NO. 83
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 AND OPERATING EXPENSES FOR THE ARKANSAS APPRAISER LICENSING AND CERTIFICATION BOARD FOR THE FISCAL YEAR ENDING JUNE 30, 2010; AND FOR OTHER PURPOSES.

Senate Bill No. 83 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. 83**, 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 cast35

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 83 was ordered immediately transmitted to the House.

On motion of Senator Baker, the rules were suspended in considering Senate Bill No. 199 at this time.

On motion of Senator Baker, Senate Bill No. 199 was called up for third reading and final disposition.

SENATE BILL NO. 199
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 AND OPERATING EXPENSES FOR THE DEPARTMENT OF LABOR FOR THE FISCAL YEAR ENDING JUNE 30, 2010; AND FOR OTHER PURPOSES.

Senate Bill No. 199 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:

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. 199**, 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.

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. 199 was ordered immediately transmitted to the House.

On motion of Senator Baker, the rules were suspended in considering **Senate Bill No. 261** at this time.

On motion of Senator Baker, **Senate Bill No. 261** was called up for third reading and final disposition.

**SENATE BILL NO. 261
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 MAINTAINING AND OPERATING A CONTINUING EDUCATION PROGRAM FOR THE COUNTY CLERKS, CIRCUIT CLERKS, COUNTY TREASURERS, AND COUNTY COLLECTORS FOR THE FISCAL YEAR ENDING JUNE 30, 2010; AND FOR OTHER PURPOSES.

Senate Bill No. 261 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. 261**, 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. 261 was ordered immediately transmitted to the House.

On motion of Senator Baker, the rules were suspended in considering **Senate Bill No. 264** at this time.

On motion of Senator Baker, **Senate Bill No. 264** was called up for third reading and final disposition.

SENATE BILL NO. 264
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 ALLOCATION OF THE FEDERAL BANKHEAD-JONES GRANTS AND

FEDERAL TURNBACK FOR ROADS BY THE AUDITOR OF STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2010; AND FOR OTHER PURPOSES.

Senate Bill No. 264 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 Senate Bill No. 264, 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

Senate Bill No. 264 was ordered immediately transmitted to the House.

Senate Bill No. 52 was returned from the House as passed and ordered enrolled.

Senate Bill No. 57 was returned from the House as passed and ordered enrolled.

Senate Bill No. 86 was returned from the House as passed and ordered enrolled.

Senate Bill No. 139 was returned from the House as passed and ordered enrolled.

Senate Bill No. 250 was returned from the House as passed and ordered enrolled.

SENATE BILL NO. 305
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 AND OPERATING EXPENSES FOR THE DEPARTMENT OF HEALTH WHICH SHALL BE SUPPLEMENTAL AND IN ADDITION TO THOSE FUNDS APPROPRIATED BY ACT 1283 OF 2007; AND FOR OTHER PURPOSES.

Senate Bill No. 305 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 306
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 GRANTS TO CITIES AND COUNTIES FOR THE ARKANSAS DEPARTMENT OF AERONAUTICS WHICH SHALL BE SUPPLEMENTAL AND IN ADDITION TO THOSE FUNDS APPROPRIATED BY ACT 572 OF 2007; AND FOR OTHER PURPOSES.

Senate Bill No. 306 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 307
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR T. SMITH

A Bill for an Act to be Entitled: AN ACT TO EXEMPT FROM LICENSURE THOSE ADULT DAY CARE CENTERS THAT CARE FOR IMPAIRED ADULTS FOR PERIODS OF FOUR (4) OR LESS HOURS PER DAY; AND FOR OTHER PURPOSES.

Senate Bill No. 307 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

SENATE BILL NO. 308
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 AND OPERATING EXPENSES FOR THE ADMINISTRATIVE OFFICE OF THE COURTS FOR THE FISCAL YEAR ENDING JUNE 30, 2010; AND FOR OTHER PURPOSES.

Senate Bill No. 308 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 309
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

BY: SENATORS J. JEFFRESS, ALTES, BLEDSOE, BRYLES, CRUMBLY,
ELLIOTT, GLOVER, HENDREN, G. JEFFRESS, D. JOHNSON, MILLER,
R. THOMPSON, TRUSTY, H. WILKINS, WILKINSON & D. WYATT

BY: REPRESENTATIVES SHELBY, ADCOCK, ALLEN, BLOUNT, CHEATHAM,
J. EDWARDS, ENGLISH, HARRELSON, HOYT, W. LEWELLEN, MAXWELL, NIX,
J. ROEBUCK, SAUNDERS, SUMMERS, TYLER, WEBB & WILLS

A Bill for an Act to be Entitled: AN ACT TO IMPROVE THE SAFETY OF ROADS AND HIGHWAYS IN THE STATE BY ADDRESSING ISSUES RELATED TO THE LICENSING OF YOUTHFUL DRIVERS; TO AMEND THE LAW REGARDING RESTRICTED DRIVER'S LICENSES, LEARNER'S LICENSES, AND INTERMEDIATE LICENSES; AND FOR OTHER PURPOSES.

Senate Bill No. 309 was read the first time, rules suspended, read the second time and referred to the Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS.

Received from the House

HOUSE BILL NO. 1132
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

BY: REPRESENTATIVES BLOUNT, ABERNATHY, T. BAKER, M. BURRIS, COOK,
DAVIS, HARDY, W. LEWELLEN, RAINEY, SAUNDERS, WILLIAMS & WORD

A Bill for an Act to be Entitled: AN ACT TO CREATE A BIRTH THROUGH PREKINDERGARTEN TEACHING CREDENTIAL; AND FOR OTHER PURPOSES.

House Bill No. 1132 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

SENATE BILL NO. 310
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR HORN

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS LAW CONCERNING THE SALE AND LICENSURE OF LONG-TERM CARE FACILITIES; AND FOR OTHER PURPOSES.

Senate Bill No. 310 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

SENATE BILL NO. 311
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR FARIS

A Bill for an Act to be Entitled: AN ACT TO AMEND THE MAKEUP OF THE COSMETOLOGY TECHNICAL ADVISORY COMMITTEE; AND FOR OTHER PURPOSES.

Senate Bill No. 311 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. 1133
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

BY: REPRESENTATIVES BLOUNT, ABERNATHY, T. BAKER, COOK, DAVIS,
FLOWERS, HARDY, HOUSE, W. LEWELLEN, MCLEAN, RAINEY, SAUNDERS,
WAGNER, WILLIAMS & WORD

A Bill for an Act to be Entitled: AN ACT TO AMEND ELIGIBILITY AND APPLICATION REQUIREMENTS FOR THE LIFETIME TEACHING LICENSE; AND FOR OTHER PURPOSES.

House Bill No. 1133 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. 1264
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

BY: REPRESENTATIVE WEBB
BY: SENATOR BROADWAY

A Bill for an Act to be Entitled: AN ACT TO EXEMPT FROM LANDFILL FEES THE LITTER COLLECTED DURING THE KEEP ARKANSAS BEAUTIFUL AND THE KEEP AMERICA BEAUTIFUL CAMPAIGNS; AND FOR OTHER PURPOSES.

House Bill No. 1264 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

Received from the House

HOUSE BILL NO. 1258
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 AND OPERATING EXPENSES FOR THE STATE INSURANCE DEPARTMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2010; AND FOR OTHER PURPOSES.

House Bill No. 1258 was read the first time, rules suspended, read the second time and placed on the Calendar.

Received from the House

HOUSE BILL NO. 1260
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 AND OPERATING EXPENSES FOR THE DEPARTMENT OF INFORMATION SYSTEMS FOR THE FISCAL YEAR ENDING JUNE 30, 2010; AND FOR OTHER PURPOSES.

House Bill No. 1260 was read the first time, rules suspended, read the second time and placed on the Calendar.

Received from the House

HOUSE BILL NO. 1274
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES ADCOCK, PYLE, GREENBERG, L. SMITH, WEBB,
HOUSE & POWERS
BY: SENATOR BLEDSOE

A Bill for an Act to be Entitled: AN ACT TO MODERNIZE ARKANSAS'S RABIES CONTROL ACT; TO EMPOWER THE STATE BOARD OF HEALTH TO ESTABLISH REASONABLE VACCINATION REQUIREMENTS AGAINST RABIES; AND FOR OTHER PURPOSES.

House Bill No. 1274 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

Received from the House

HOUSE BILL NO. 1277
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE INGRAM

A Bill for an Act to be Entitled: AN ACT TO AMEND THE CONFIDENTIALITY PROVISIONS OF THE ARKANSAS TAX PROCEDURE ACT TO ALLOW DISCLOSURE TO THE OFFICE OF A STANDING CHAPTER 13 BANKRUPTCY TRUSTEE WHETHER OR NOT A TAXPAYER FILED STATE TAX RETURNS FOR THE FOUR YEARS PRIOR TO THE DATE OF THE FILING OF THE CHAPTER 13 BANKRUPTCY PETITION; AND FOR OTHER PURPOSES.

House Bill No. 1277 was read the first time, rules suspended, read the second time and referred to the Committee on REVENUE & TAXATION.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

February 4, 2009

Mr. President:

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

SENATE BILL NO. 74, BY SENATOR MADISON,
SENATE BILL NO. 91, BY SENATOR WILKINS,

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

February 4, 2009

Mr. President:

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

SENATE BILL NO. 205, 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. 205** was ordered re-referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 312
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

BY: SENATORS STEELE, BROADWAY, CRUMBLY & LAVERTY
BY: REPRESENTATIVES ABERNATHY, ALLEN, GASKILL, GEORGE,
HARRELSON, REEP, SAUNDERS, WILLIAMS, WORD, FLOWERS, CARROLL &
T. BAKER

A Bill for an Act to be Entitled: AN ACT TO CREATE "THE ANTONY HOBBS III ACT"; TO CREATE SCHOOL-BASED AUTOMATED EXTERNAL DEFIBRILLATOR AND CARDIOPULMONARY RESUSCITATION PROGRAMS; AND FOR OTHER PURPOSES.

Senate Bill No. 312 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

SENATE BILL NO. 313
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

BY: SENATOR D. JOHNSON

A Bill for an Act to be Entitled: AN ACT TO CLARIFY APPLICABLE KINDERGARTEN AND PREKINDERGARTEN PROGRAMS; AND FOR OTHER PURPOSES.

Senate Bill No. 313 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

STATE OF ARKANSAS
OFFICE OF THE GOVERNOR

STATE CAPITOL
LITTLE ROCK, ARKANSAS

MIKE BEEBE
Governor

February 4, 2009

TO THE PRESIDENT OF THE SENATE

Dear Mr. President:

This is to inform your Honorable Body that on February 4, 2009, I approved the following measures from the Regular Session of the Eighty-seventh General Assembly:

Senate Bill No. 77, - ACT 33,

Sincerely,

(SIGNED) MIKE BEEBE
Governor

**SENATE BILL NO. 314
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR J. JEFFRESS**

A Bill for an Act to be Entitled: AN ACT TO REMOVE BARRIERS TO EDUCATIONAL SUCCESS FOR MILITARY CHILDREN; AND FOR OTHER PURPOSES.

Senate Bill No. 314 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

February 4, 2009

Mr. President:

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

SENATE CONCURRENT RESOLUTION NO. 5,
BY SENATOR HENDREN ET AL,

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 KIM HENDREN
SENATOR STEVE BRYLES
SENATOR BILL PRITCHARD
SENATOR GILBERT BAKER

SENATE BILLS TRANSMITTED TO THE HOUSE

AS PASSED

SENATE BILL NO. 28
SENATE BILL NO. 83
SENATE BILL NO. 199
SENATE BILL NO. 261
SENATE BILL NO. 264

HOUSE BILLS RETURNED TO THE HOUSE

AS PASSED

HOUSE BILL NO. 1144
HOUSE BILL NO. 1182

SENATE BILLS RETURNED FROM THE HOUSE
AS PASSED AND ORDERED ENROLLED

SENATE BILL NO. 52
SENATE BILL NO. 57
SENATE BILL NO. 86
SENATE BILL NO. 139
SENATE BILL NO. 250

HOUSE BILLS TRANSMITTED TO THE SENATE
AS PASSED

HOUSE BILL NO. 1132
HOUSE BILL NO. 1133
HOUSE BILL NO. 1258
HOUSE BILL NO. 1260
HOUSE BILL NO. 1264
HOUSE BILL NO. 1274
HOUSE BILL NO. 1277

On motion of Senator J. Jeffress, the Senate adjourned until 11:00 a.m.,
Thursday, February 5, 2009.

PRESIDENT OF THE SENATE

SECRETARY OF THE SENATE

