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

Little Rock, Arkansas

February 5, 2009

The Senate was called to order at 11:00 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 Key.

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On motion of Senator Faris, **Senate Bill No. 210** was withdrawn from the Committee on JOINT RETIREMENT AND SOCIAL SECURITY, and placed back on second reading for purpose of Amendment No. 1.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. 210

Amend **Senate Bill No. 210** as originally introduced:

Page 1, line 26, delete "termination of active membership" and substitute "~~termination of active membership~~ retirement"

AND

Page 1, line 30, delete "employee" and substitute "employer"

AND

Page 1, line 32, delete "active membership" and substitute "~~active membership~~ their retirement"

AND

Page 3, line 32, insert a new subsection (g) to read as follows:

" (g) The election to rescind under this section may be exercised only once by the member or retirant."

(SIGNED) SENATOR FARIS

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 210 was ordered engrossed.

On motion of Senator Faris, **Senate Bill No. 128** was withdrawn from the Committee on JOINT RETIREMENT AND SOCIAL SECURITY, and placed back on second reading for purpose of Amendments No. 1 and No. 2.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 128

Amend **Senate Bill No. 128** as originally introduced:

Page 3, line 36, delete line 36 in its entirety

AND

Page 4, line 1, delete line 1 in its entirety and appropriately renumber the remaining subdivisions.

(SIGNED) SENATOR FARIS

The Amendment was read for 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. 128

Amend **Senate Bill No. 128** as originally introduced:

Add Senator Wilkinson as a cosponsor of the bill

AND

Add Representative Stewart as a cosponsor of the bill

(SIGNED) SENATOR FARIS

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 128 was ordered engrossed.

On motion of Senator G. Jeffress, **Senate Bill No. 165** 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. 165

Amend **Senate Bill No. 165** as originally introduced:

Page 2, line 4, delete line 4 and substitute the following:

"(B) Has not attained the system's normal retirement age."

(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. 165 was ordered engrossed.

On motion of Senator G. Jeffress, **Senate Bill No. 224** 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. 224

Amend **Senate Bill No. 224** as originally introduced:

Page 4, delete lines 11 and 12, and substitute the following:

"exempt from income tax."

(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. 224 was ordered engrossed.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

February 5, 2009

Mr. President:

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

SENATE BILL NO. 128, BY FARIS,
SENATE BILL NO. 165, BY G. JEFFRESS,
SENATE BILL NO. 210, BY FARIS,
SENATE BILL NO. 224, BY 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 Faris, Senate Bill No. 128 was ordered re-referred to the Committee on JOINT RETIREMENT AND SOCIAL SECURITY.

On motion of Senator G. Jeffress, Senate Bill No. 165 was ordered re-referred to the Committee on JOINT RETIREMENT AND SOCIAL SECURITY.

On motion of Senator Faris, Senate Bill No. 210 was ordered re-referred to the Committee on JOINT RETIREMENT AND SOCIAL SECURITY.

On motion of Senator G. Jeffress, Senate Bill No. 224 was ordered re-referred to the Committee on JOINT RETIREMENT AND SOCIAL SECURITY.

On motion of Senator Steele, the Senate resolved itself into the Committee of the Whole for the purpose of presenting a citation to Fire Chief Joe McCall of North Little Rock.

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

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

February 5, 2009

Mr. President:

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

SENATE BILL NO. 208, BY SENATOR BOOKOUT,

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 HORN
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

February 5, 2009

Mr. President:

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

SENATE BILL NO. 301, BY SENATOR FARIS,

SENATE BILL NO. 302, BY SENATOR FARIS,

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 FARIS
CHAIRMAN

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

February 5, 2009

Mr. President:

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

SENATE BILL NO. 268, BY SENATOR BAKER,

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 Amendment No. 1.

Respectfully submitted,

(SIGNED) SENATOR FARIS
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

February 5, 2009

Mr. President:

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

SENATE BILL NO. 300, BY SENATOR WHITAKER,

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 LUKER
CHAIRMAN

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

SENATE CONCURRENT RESOLUTION NO. 5
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS HENDREN, KEY, TRUSTY, ALTES, WHITAKER, BAKER,
BLED SOE & PRITCHARD

SENATE CONCURRENT RESOLUTION TO RECOGNIZE FEBRUARY 6 AS "RONALD REAGAN DAY" IN THE STATE OF ARKANSAS.

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Concurrent Resolution No. 5 was ordered immediately transmitted to the House.

On motion of Senator Thompson, **Senate Bill No. 34** 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. 34

Amend **Senate Bill No. 34** as engrossed, S1/22/09:

Page 2, line 3, delete "Complaint" and substitute "Complaint — Jurisdiction"

AND

Page 2, line 4, delete "The prosecuting attorney" and substitute "(a) The prosecuting attorney"

AND

Page 2, line 6, delete "circuit court" and substitute "court"

AND

Page 2, delete line 10 and substitute the following:

"502.

(b) A civil action under this subchapter is cognizable before the:

(1) Circuit court of any county in which an act described in § 18-16-501 or § 18-16-502 is committed; and

(2) District court with jurisdiction concurrent with the jurisdiction of the circuit court if permitted by rule or order of the Supreme Court.

(c) As used in this subchapter, "court" means:

(1) A circuit court; and

(2) If permitted by rule or order of the Supreme Court, a district court."

AND

Page 2, line 19, delete "circuit court" and substitute "court"

AND

Page 2, line 22, delete "circuit court" and substitute "court"

AND

Page 2, line 32, delete "circuit clerk" and substitute "clerk"

AND

Page 2, line 33, delete "county" and substitute "court"

AND

Page 3, line 5, delete "circuit court of this county" and substitute "court"

AND

Page 3, line 9, delete "Circuit Clerk of County" and substitute "Clerk of Court"

AND

Page 3, line 17, delete "circuit court" and substitute "court"

AND

Page 3, line 35, delete "circuit court" and substitute "court"

AND

Page 4, delete line 1 and substitute the following:
"court shall order the clerk of the court to immediately issue"

AND

Page 4, line 6, delete "the circuit" and substitute "the"

AND

Page 5, line 4, delete "circuit court" and substitute "court"

AND

Page 5, delete line 17 and substitute the following:
"no bond shall be required unless ordered by the court as a"

(SIGNED SENATOR THOMPSON

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 34 was ordered engrossed.

On motion of Senator Key, **Senate Bill No. 49** was placed back on second reading for purpose of amendment.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 49

Amend **Senate Bill No. 49** as originally introduced:

Page 1, line 34, delete "\$1" and substitute "\$25"

AND

Page 1, line 35, delete "\$5" and substitute "\$50"

AND

Page 1, line 35, delete "\$10" and substitute "\$100"

AND

Page 2, line 7, delete "(2)" and substitute "(3)"

AND

Page 2, line 10, delete "(3)" and substitute "(4)"

(SIGNED) SENATOR KEY

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

(SIGNED) ANN CORNWELL, SECRETARY

Amend **Senate Bill No. 49** as engrossed.

On motion of Senator J. Jeffress, **House Bill No. 1214** 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 HOUSE BILL NO. 1214

Amend **House Bill No. 1** as originally introduced:

Page 3, delete lines 4 through 5, and substitute the following language:

"(B) The chair shall serve as a nonvoting member during his or her term as chair, however the chair may vote in the case of a tie."

(SIGNED) SENATOR J. JEFFRESS

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1214 was ordered engrossed.

The President declared the morning hour to have expired.

On motion of Senator Madison, **Senate Bill No. 60** was called up for third reading and final disposition.

SENATE BILL NO. 60
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MADISON

A Bill for an Act to be Entitled: AN ACT TO MAKE VARIOUS CORRECTIONS TO TITLE 10 OF THE ARKANSAS CODE OF 1987 ANNOTATED; AND FOR OTHER PURPOSES.

Senate Bill No. 60 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

Senate Bill No. 60 was ordered immediately transmitted to the House as passed.

Senator Wilkinson moved that **Senate Bill No. 61, Senate Bill No. 66, Senate Bill No. 67, Senate Bill No. 71, Senate Bill No. 70 and Senate Bill No. 74** be voted in block. Motion passed.

On motion of Senator Madison, the rules were suspended in considering **Senate Bill No. 61** at this time.

On motion of Senator Madison, **Senate Bill No. 61** was called up for third reading and final disposition.

**SENATE BILL NO. 61
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MADISON**

A Bill for an Act to be Entitled: AN ACT TO MAKE VARIOUS CORRECTIONS TO TITLE 1 OF THE ARKANSAS CODE OF 1987 ANNOTATED; AND FOR OTHER PURPOSES.

Senate Bill No. 61 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

Senate Bill No. 61 was ordered immediately transmitted to the House as passed.

On motion of Senator Madison, the rules were suspended in considering **Senate Bill No. 66** at this time.

On motion of Senator Madison, **Senate Bill No. 66** was called up for third reading and final disposition.

SENATE BILL NO. 66
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MADISON

A Bill for an Act to be Entitled: AN ACT TO MAKE VARIOUS CORRECTIONS TO TITLE 7 OF THE ARKANSAS CODE OF 1987 ANNOTATED; AND FOR OTHER PURPOSES.

Senate Bill No. 66 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. 66 was ordered immediately transmitted to the House as passed.

On motion of Senator Madison, the rules were suspended in considering **Senate Bill No. 67** at this time.

On motion of Senator Madison, **Senate Bill No. 67** was called up for third reading and final disposition.

**SENATE BILL NO. 67
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MADISON**

A Bill for an Act to be Entitled: AN ACT TO MAKE VARIOUS CORRECTIONS TO TITLE 3 OF THE ARKANSAS CODE OF 1987 ANNOTATED; AND FOR OTHER PURPOSES.

Senate Bill No. 67 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. 67 was ordered immediately transmitted to the House as passed.

On motion of Senator Madison, the rules were suspended in considering **Senate Bill No. 71** at this time.

On motion of Senator Madison, **Senate Bill No. 71** was called up for third reading and final disposition.

SENATE BILL NO. 71
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MADISON

A Bill for an Act to be Entitled: AN ACT TO MAKE VARIOUS CORRECTIONS TO TITLE 19 OF THE ARKANSAS CODE OF 1987 ANNOTATED; AND FOR OTHER PURPOSES.

Senate Bill No. 71 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. 71 was ordered immediately transmitted to the House as passed.

On motion of Senator Madison, the rules were suspended in considering **Senate Bill No. 70** at this time.

On motion of Senator Madison, **Senate Bill No. 70** was called up for third reading and final disposition.

SENATE BILL NO. 70
As Engrossed: S1/29/09
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MADISON

A Bill for an Act to be Entitled: AN ACT TO MAKE VARIOUS CORRECTIONS TO TITLE 12 OF THE ARKANSAS CODE OF 1987 ANNOTATED; AND FOR OTHER PURPOSES.

Senate Bill No. 70 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. 70 was ordered immediately transmitted to the House as passed.

On motion of Senator Madison, the rules were suspended in considering **Senate Bill No. 74** at this time.

On motion of Senator Madison, **Senate Bill No. 74** was called up for third reading and final disposition.

SENATE BILL NO. 74
As Engrossed: S2/4/09
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MADISON

A Bill for an Act to be Entitled: AN ACT TO MAKE VARIOUS CORRECTIONS TO TITLE 21 OF THE ARKANSAS CODE OF 1987 ANNOTATED; AND FOR OTHER PURPOSES.

Senate Bill No. 74 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. 74 was ordered immediately transmitted to the House as passed.

On motion of Senator Madison, **Senate Bill No. 59** was called up for third reading and final disposition.

**SENATE BILL NO. 59
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION**

BY: SENATORS MADISON, PRITCHARD, HENDREN & WHITAKER

**BY: REPRESENTATIVES SMITH, BARNETT, HOBBS, HOUSE, HUTCHINSON,
KING, LINDSEY, RAGLAND, SLINKARD & SUMMERS**

A Bill for an Act to be Entitled: AN ACT TO CREATE A NEW CIRCUIT JUDGESHIP IN THE FOURTH JUDICIAL DISTRICT; AND FOR OTHER PURPOSES.

Senate Bill No. 59 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

Senate Bill No. 59 was ordered immediately transmitted to the House as passed.

On motion of Senator Thompson, **Senate Bill No. 33** was called up for third reading and final disposition.

SENATE BILL NO. 33
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR THOMPSON
BY: REPRESENTATIVE HARRELSON

A Bill for an Act to be Entitled: AN ACT TO AMEND SUPREME COURT RULE 5-2 AS AUTHORIZED BY SECTION 9 OF AMENDMENT 80 TO THE ARKANSAS CONSTITUTION TO PERMIT UNPUBLISHED OPINIONS OF THE COURT OF APPEALS TO BE CITED BY COURTS OR IN MATERIALS PRESENTED TO COURTS; AND FOR OTHER PURPOSES.

Senate Bill No. 33 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. 33 was ordered immediately transmitted to the House as passed.

On motion of Senator Thompson, **Senate Bill No. 35** was called up for third reading and final disposition.

**SENATE BILL NO. 35
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR THOMPSON
BY: REPRESENTATIVE J. BROWN**

A Bill for an Act to be Entitled: AN ACT TO PROVIDE A PROCEDURE FOR TERMINATING AN ORAL LEASE OF FARMLANDS; AND FOR OTHER PURPOSES.

Senate Bill No. 35 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. 35 was ordered immediately transmitted to the House as passed.

On motion of Senator Glover, **Senate Bill No. 88** was called up for third reading and final disposition.

SENATE BILL NO. 88

As Engrossed: S1/22/09

EIGHTY-SEVENTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATORS GLOVER, BROADWAY, ALTES, BAKER, BLEDSOE, BOOKOUT, BRYLES, CAPPS, CRUMBLY, ELLIOTT, FARIS, HENDREN, J. JEFFRESS, G. JEFFRESS, B. JOHNSON, J. KEY, LAVERTY, LUKER, MALONE, MILLER, SALMON, STEELE, THOMPSON, WILKINS, WILKINSON, WYATT & HORN

A Bill for an Act to be Entitled: AN ACT TO REDUCE THE STATE SALES AND USE TAX RATE ON FOOD AND FOOD INGREDIENTS; AND FOR OTHER PURPOSES.

Senator Taylor spoke against the Bill.

Senator Glover closed for his Bill.

Senate Bill No. 88 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, D. Johnson, J. Key, Laverty, Luker, Madison, P. Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, Teague, R. Thompson, Trusty, Whitaker, Wilkinson, D. Wyatt.

Total	32
NEGATIVE: J. Taylor.	
Total	1
ABSENT OR NOT VOTING: Elliott, H. Wilkins.	
Total	2
VOTING PRESENT:	
Total	0
Total number of votes cast.....	33
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. 88**, 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, 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, Teague, R. Thompson, Trusty, Whitaker, Wilkinson, D. Wyatt.

Total32

NEGATIVE: J. Taylor.

Total1

ABSENT OR NOT VOTING: Elliott, H. Wilkins.

Total2

VOTING PRESENT:

Total0

Total number of votes cast33

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 88 was ordered immediately transmitted to the House.

On motion of Senator Luker, **Senate Bill No. 296** was ordered re-referred to the Committee on JUDICIARY.

On motion of Senator Thompson, **House Bill No. 1171** was called up for third reading and final disposition.

**HOUSE BILL NO. 1171
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE MALOCH**

A Bill for an Act to be Entitled: AN ACT TO MAKE THE PROSECUTING ATTORNEY OF THE THIRTEENTH JUDICIAL DISTRICT A DIVISION A PROSECUTOR; AND FOR OTHER PURPOSES.

House Bill No. 1171 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. 1171**, 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

House Bill No. 1171 was ordered immediately returned to the House as passed.

On motion of Senator Horn, **House Bill No. 1109** was called up for third reading and final disposition.

**HOUSE BILL NO. 1109
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE HARRELSON**

A Bill for an Act to be Entitled: AN ACT TO ENSURE THE STATE BOARD OF HEALTH POSSESSES SUBPOENA POWER; AND FOR OTHER PURPOSES.

House Bill No. 1109 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 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. 1109 was ordered immediately returned to the House as passed.

On motion of Senator Faris, **House Bill No. 1118** was called up for third reading and final disposition.

**HOUSE BILL NO. 1118
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE WILLS**

A Bill for an Act to be Entitled: AN ACT TO PROVIDE THAT THE SPEAKER OF THE HOUSE OF REPRESENTATIVES MAY SELECT A DESIGNEE TO SERVE ON HIS OR HER BEHALF ON THE JOINT COMMITTEE ON LEGISLATIVE PRINTING REQUIREMENTS AND SPECIFICATIONS AND ON THE JOINT INTERIM COMMITTEE ON LEGISLATIVE FACILITIES; AND FOR OTHER PURPOSES.

House Bill No. 1118 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. 1118 was ordered immediately returned to the House as passed.

On motion of Senator Horn, **House Bill No. 1014** was called up for third reading and final disposition.

HOUSE BILL NO. 1014

As Engrossed: H1/16/09

EIGHTY-SEVENTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES CREEKMORE, ALLEN, BURRIS, WILKINS, BREEDLOVE, GASKILL, HUTCHINSON, MOORE, POWERS, REEP, J. ROEBUCK, SAUNDERS, STEWART, ADCOCK, COLE, DUNN, GARNER, R. GREEN, KERR, LOVELL, NICKELS, NIX, OVERBEY, PENNARTZ, PYLE, & L. SMITH

BY: SENATORS HORN, BROADWAY, FARIS, MALONE, T. SMITH & TEAGUE

A Bill for an Act to be Entitled: AN ACT TO ESTABLISH THE TASK FORCE ON THE EFFECT OF ALZHEIMER'S DISEASE IN ARKANSAS; AND FOR OTHER PURPOSES.

House Bill No. 1014 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. 1014 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. 284** 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. 284

Amend **Senate Bill No. 284** as originally introduced:

Page 1, line 29, delete "on" and substitute "one"

(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. 284 was ordered engrossed.

On motion of Senator Baker, the rules were suspended in considering **House Bill No. 1258** at this time.

On motion of Senator Baker, **House Bill No. 1258** was called up for third reading and final disposition.

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 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. 1258**, 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

House Bill No. 1258 was ordered immediately returned to the House as passed.

On motion of Senator Baker, the rules were suspended in considering **House Bill No. 1260** at this time.

On motion of Senator Baker, **House Bill No. 1260** was called up for third reading and final disposition.

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 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. 1260**, 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. 1260 was ordered immediately returned to the House as passed.

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

February 5, 2009

Mr. President:

We, your Committee on JOINT BUDGET, to whom was referred:

SENATE BILL NO. 148, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 245, BY JOINT BUDGET COMMITTEE,

SENATE BILL NO. 269, BY JOINT BUDGET COMMITTEE,
 SENATE BILL NO. 270, BY JOINT BUDGET COMMITTEE,
 SENATE BILL NO. 271, BY JOINT BUDGET COMMITTEE,
 SENATE BILL NO. 272, BY JOINT BUDGET COMMITTEE,
 SENATE BILL NO. 273, BY JOINT BUDGET COMMITTEE,
 SENATE BILL NO. 274, BY JOINT BUDGET COMMITTEE,
 SENATE BILL NO. 275, BY JOINT BUDGET COMMITTEE,
 SENATE BILL NO. 277, BY JOINT BUDGET COMMITTEE,
 SENATE BILL NO. 279, BY JOINT BUDGET COMMITTEE,
 SENATE BILL NO. 280, BY JOINT BUDGET COMMITTEE,
 SENATE BILL NO. 281, BY JOINT BUDGET COMMITTEE,
 SENATE BILL NO. 282, BY JOINT BUDGET COMMITTEE,
 SENATE BILL NO. 283, BY JOINT BUDGET COMMITTEE,
 SENATE BILL NO. 285, BY JOINT BUDGET COMMITTEE,
 SENATE BILL NO. 292, BY JOINT BUDGET COMMITTEE,
 SENATE BILL NO. 293, BY JOINT BUDGET COMMITTEE,
 SENATE BILL NO. 294, BY JOINT BUDGET COMMITTEE,

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 BAKER
CHAIRMAN

SENATE JOINT RESOLUTION NO. 4
 EIGHTY-SEVENTH GENERAL ASSEMBLY
 REGULAR SESSION
 BY: SENATOR PRITCHARD

PROPOSING AN AMENDMENT TO AMENDMENT NO. 73, SECTION 2 TO THE CONSTITUTION OF THE STATE OF ARKANSAS TO LIMIT THE TOTAL NUMBER OF YEARS A MEMBER OF THE GENERAL ASSEMBLY MAY SERVE.

Senate Joint Resolution No. 4 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

SENATE BILL NO. 315
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR STEELE
BY: REPRESENTATIVE SHELBY

A Bill for an Act to be Entitled: AN ACT TO AMEND THE TRAUMA SYSTEM ACT, § 20-13-801 ET SEQ.; AND FOR OTHER PURPOSES.

Senate Bill No. 315 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

SENATE BILL NO. 316
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR BAKER
BY: REPRESENTATIVES ABERNATHY AND J. ROEBUCK

A Bill for an Act to be Entitled: AN ACT TO LIMIT THE AMOUNT OF UNRESTRICTED EDUCATIONAL AND GENERAL TUITION AND FEE INCOME AN INSTITUTION OF HIGHER EDUCATION CAN SPEND ON ACADEMIC AND PERFORMANCE SCHOLARSHIPS; AND FOR OTHER PURPOSES.

Senate Bill No. 316 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

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

A Bill for an Act to be Entitled: PROPOSING AN AMENDMENT TO THE ARKANSAS CONSTITUTION INCREASING THE LENGTH OF TERMS FOR CERTAIN COUNTY OFFICIALS; TO PROVIDE THAT THE ELECTION OF CERTAIN COUNTY OFFICIALS SHALL BE ON A NONPARTISAN BASIS; AND FOR OTHER PURPOSES.

Senate Joint Resolution No. 5 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

February 5, 2009

Mr. President:

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

SENATE BILL NO. 34, BY SENATOR THOMPSON,
SENATE BILL NO. 49, BY SENATORS KEY AND 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

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

February 5, 2009

Mr. President:

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

SENATE BILL NO. 284, 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. 284** was ordered re-referred to the Committee on JOINT BUDGET.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

February 5, 2009

Mr. President:

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

HOUSE BILL NO. 1214, BY REPRESENTATIVE ROEBUCK 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 J. Jeffress, **HOUSE Bill No. 1214** was ordered re-referred to the Committee on EDUCATION.

SENATE BILL NO. 317
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR FARIS
BY: REPRESENTATIVE SAUNDERS

A Bill for an Act to be Entitled: AN ACT TO AMEND PROVISIONS OF THE ARKANSAS CODE RELATING TO ETHICS; AMENDING PORTIONS OF ARKANSAS LAW RESULTING FROM INITIATED ACT 1 OF 1988, INITIATED ACT 1 OF 1990, AND INITIATED ACT 1 OF 1996; AND FOR OTHER PURPOSES.

Senate Bill No. 317 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

SENATE BILL NO. 318
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR BOOKOUT

A Bill for an Act to be Entitled: AN ACT CONCERNING LICENSE FEES FOR BURIAL ASSOCIATIONS; AND FOR OTHER PURPOSES.

Senate Bill No. 318 was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE & COMMERCE.

SENATE BILL NO. 319
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR LAVERTY

A Bill for an Act to be Entitled: AN ACT TO REMOVE THE MISCELLANEOUS FUNDS RECEIVED BY A SCHOOL DISTRICT FROM THE CALCULATION OF STATE FUNDING ASSISTANCE; AND FOR OTHER PURPOSES.

Senate Bill No. 319 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. 1267
 EIGHTY-SEVENTH GENERAL ASSEMBLY
 REGULAR SESSION
 BY: REPRESENTATIVE SHELBY
 BY: SENATOR STEELE

A Bill for an Act to be Entitled: AN ACT TO AMEND THE ARKANSAS ORTHOTICS, PROSTHETICS, AND PEDORTHICS PRACTICE ACT OF 2007; AND FOR OTHER PURPOSES.

House Bill No. 1267 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. 1204
As Engrossed: H2/2/09
 EIGHTY-SEVENTH GENERAL ASSEMBLY
 REGULAR SESSION

BY: REPRESENTATIVES REEP, WILLS, SHELBY, *EVERETT, ALLEN*, T. BAKER, J. BROWN, CARROLL, CHEATHAM, COOK, J. EDWARDS, GASKILL, R. GREEN, HARRELSON, HOUSE, HYDE, LINDSEY, MALOCH, MAXWELL, MOORE, PENNARTZ, POWERS, RAINEY, J. ROEBUCK, L. SMITH, TYLER, WEBB, WELLS, *MCCRARY, PATTERSON, BLOUNT, PIERCE, DUNN, ABERNATHY & SAUNDERS*

BY: SENATORS STEELE AND J. JEFFRESS

A Bill for an Act to be Entitled: AN ACT TO INCREASE THE TAX ON CIGARETTES AND OTHER TOBACCO PRODUCTS; TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO PAY THE COMMISSION TO THE STAMP DEPUTIES FOR CERTAIN CIGARETTE TAXES; AND FOR OTHER PURPOSES.

House Bill No. 1204 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 5, 2009

Mr. President:

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

SENATE BILL NO. 52, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 57, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 86, BY SENATOR FARIS,
SENATE BILL NO. 139, BY SENATOR FARIS,
SENATE BILL NO. 250, 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 3:35 p.m. delivered them to the Governor for his approval.

Respectfully submitted,

(SIGNED) JOHN PAUL CAPPS
CHAIRMAN

GOVERNOR'S BILL RECEIPTS

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

RECEIVED the above papers from the Secretary of the Senate this 5th day of February, 2009 at 3:35 p.m.

(SIGNED) MIKE BEEBE
Governor

(SIGNED) Sarah S. Agee
Secretary

Received from the House

HOUSE BILL NO. 1239
 EIGHTY-SEVENTH GENERAL ASSEMBLY
 REGULAR SESSION
 BY: REPRESENTATIVES COLE AND MOORE
 BY: SENATORS ALTES, TEAGUE & WYATT

A Bill for an Act to be Entitled: AN ACT TO PROVIDE OPTIONS FOR THE AGRICULTURE INDUSTRY TO USE MORE FUEL-EFFICIENT VEHICLES TO REDUCE COSTS; TO ALLOW MINI-TRUCKS TO BE REGISTERED AND LICENSED; AND FOR OTHER PURPOSES.

House Bill No. 1239 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. 1261
As Engrossed: H2/4/09
 EIGHTY-SEVENTH GENERAL ASSEMBLY
 REGULAR SESSION

BY: REPRESENTATIVES BREEDLOVE, PENNARTZ, ABERNATHY, ADCOCK, ALLEN, T. BAKER, BLOUNT, T. BRADFORD, J. BROWN, CARNINE, CARROLL, CARTER, CASH, CHEATHAM, CLEMMER, COLE, COOPER, L. COWLING, D. CREEKMORE, DALE, DAVENPORT, DUNN, EVERETT, GASKILL, R. GREEN, HALL, HAWKINS, HOBBS, HOPPER, HOYT, D. HUTCHINSON, HYDE, INGRAM, KIDD, KING, LEA, LINDSEY, LOVELL, LOWERY, M. MARTIN, MCCRARY, MOORE, NICKELS, OVERBEY, PATTERSON, PIERCE, POWERS, RAGLAND, RAINEY, REEP, REYNOLDS, RICE, J. ROGERS, T. ROGERS, SHELBY, SLINKARD, G. SMITH, L. SMITH, STEWART, SUMMERS, WAGNER, B. WILKINS, WILLS, WOODS, WORD & J. ROEBUCK
 BY: SENATORS WHITAKER, HORN, T. SMITH, CAPPS, PRITCHARD, BLEDSOE
 BAKER & HENDREN

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE § 12-8-214 TO ALLOW THE SPOUSE OF AN ARKANSAS STATE POLICE OFFICER TO PURCHASE THE OFFICER'S SERVICE SHOTGUN; AND FOR OTHER PURPOSES.

House Bill No. 1261 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. 1263
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES HOYT AND REYNOLDS

A Bill for an Act to be Entitled: AN ACT TO PROVIDE FOR THE INTERIM FILLING OF VACANCIES FOR THE OFFICE OF COUNTY JUDGE AND SHERIFF DURING TIMES OF EMERGENCY; AND FOR OTHER PURPOSES.

House Bill No. 1263 was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY & LOCAL AFFAIRS.

Received from the House

HOUSE BILL NO. 1265
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES HARDY, MALOCH, REEP & G. SMITH
BY: SENATOR G. JEFFRESS

A Bill for an Act to be Entitled: AN ACT TO RENAME THE SAU-TECH ENVIRONMENTAL CONTROL CENTER TO THE ARKANSAS ENVIRONMENTAL TRAINING ACADEMY; AND FOR OTHER PURPOSES.

House Bill No. 1265 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. 1276
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

BY: REPRESENTATIVES PENNARTZ, GLIDEWELL, BREEDLOVE & S. MALONE
BY: SENATORS ALTES AND WILKINSON

A Bill for an Act to be Entitled: AN ACT CONCERNING COUNTY RECORDERS; AND FOR OTHER PURPOSES.

House Bill No. 1276 was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY & LOCAL AFFAIRS.

Received from the House

HOUSE BILL NO. 1279
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE INGRAM

A Bill for an Act to be Entitled: AN ACT TO AUTHORIZE THE ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY ACCESS TO CERTAIN INFORMATION OF THE DEPARTMENT OF WORKFORCE SERVICES; AND FOR OTHER PURPOSES.

House Bill No. 1279 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. 1315
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

BY: REPRESENTATIVES T. BAKER, OVERBEY, PYLE & REEP

A Bill for an Act to be Entitled: AN ACT REGARDING THE REQUIREMENTS OF ANNUAL REPORTS BY MAYORS OF CITIES OF THE FIRST CLASS; AND FOR OTHER PURPOSES.

House Bill No. 1315 was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY & LOCAL AFFAIRS.

Received from the House

HOUSE BILL NO. 1340
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

BY: REPRESENTATIVE MOORE

A Bill for an Act to be Entitled: AN ACT TO BROADEN THE LIST OF RECIPIENTS THAT MAY RECEIVE SURPLUS CAMPAIGN FUNDS TO INCLUDE CITIES OF THE FIRST CLASS, CITIES OF THE SECOND CLASS, AND INCORPORATED TOWNS; AND FOR OTHER PURPOSES.

House Bill No. 1340 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

February 5, 2009

Mr. President:

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

SENATE BILL NO. 112, BY SENATOR THOMPSON
SENATE BILL NO. 133, BY SENATOR SMITH ET AL
SENATE BILL NO. 206, BY SENATOR MILLER

Be leave to report that we have carefully compared the enrolled copies with the original and we find the same correctly enrolled and have at 3:25 p.m. delivered them to the Governor for his approval.

Respectfully submitted,

(SIGNED) JOHN PAUL CAPPS
CHAIRMAN

GOVERNOR'S BILL RECEIPTS

SENATE BILL NO. 112
SENATE BILL NO. 133
SENATE BILL NO. 206

RECEIVED the above papers from the Secretary of the Senate this 5th day of February, 2009 at 3:25 p.m.

(SIGNED) MIKE BEEBE
Governor

(SIGNED) J. D. Lowery
Secretary

SENATE BILLS TRANSMITTED TO THE HOUSE

AS PASSED

SENATE BILL NO. 33
SENATE BILL NO. 35
SENATE BILL NO. 59
SENATE BILL NO. 60
SENATE BILL NO. 61
SENATE BILL NO. 66
SENATE BILL NO. 67
SENATE BILL NO. 70
SENATE BILL NO. 71
SENATE BILL NO. 74
SENATE BILL NO. 88

SENATE CONCURRENT RESOLUTION TRANSMITTED

TO THE HOUSE AS ADOPTED

SENATE CONCURRENT RESOLUTION NO. 5

HOUSE BILLS RETURNED TO THE HOUSE

AS PASSED

HOUSE BILL NO. 1014
HOUSE BILL NO. 1109
HOUSE BILL NO. 1118
HOUSE BILL NO. 1171
HOUSE BILL NO. 1258
HOUSE BILL NO. 1260

SENATE BILLS RETURNED FROM THE HOUSE

AS PASSED AND ORDERED ENROLLED

SENATE BILL NO. 112
SENATE BILL NO. 133
SENATE BILL NO. 206

HOUSE BILLS TRANSMITTED TO THE SENATE

AS PASSED

HOUSE BILL NO. 1204

HOUSE BILL NO. 1239

HOUSE BILL NO. 1261

HOUSE BILL NO. 1263

HOUSE BILL NO. 1265

HOUSE BILL NO. 1267

HOUSE BILL NO. 1276

HOUSE BILL NO. 1279

HOUSE BILL NO. 1315

HOUSE BILL NO. 1340

On motion of Senator Whitaker, the Senate adjourned until 1:30 p.m., February 9, 2009.

PRESIDENT OF THE SENATE

SECRETARY OF THE SENATE