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**THIRTY-SECOND DAY'S PROCEEDINGS  
SENATE CHAMBER  
EIGHTY-SEVENTH GENERAL ASSEMBLY  
REGULAR SESSION**

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Little Rock, Arkansas

February 12, 2009

The Senate was called to order at 11:05 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 Rev. Darrell Kobs, St. John's Lutheran Church,  
Russellville. Arkansas.

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On motion of Senator Faris, **Senate Bill No. 127** was withdrawn from the Committee on JOINT RETIREMENT AND SOCIAL SECURITY, and placed back on second reading for purpose of Amendment No. 1.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. 127**

Amend **Senate Bill No. 127** as originally introduced:

Page 1, delete line 36, and substitute the following:  
"Tier Two Benefit Plan under § 24-6-401 et seq.; and"

AND

Page 2, delete lines 2 and 3

AND

Page 2, delete line 9, and substitute the following:  
"For purposes of this subchapter, credited service is limited to the reciprocal provisions of § 24-2-401 et seq. and the actual service included in the"

(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. 127** was ordered engrossed.

On motion of Senator Faris, **Senate Bill No. 38** was withdrawn from the Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS, and placed back on second reading for purpose of Amendment No. 1.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. 1 to SENATE BILL NO. 38

Amend **Senate Bill No. 38** as originally introduced:

Page 1, delete lines 26 through 28 and substitute the following:

"SECTION 1. Arkansas Code § 5-76-101(3), concerning the definition of motorboat for purposes of prohibiting operation of motorboats while intoxicated, is amended to read as follows:

(3)(A) "Motorboat" means any vessel operated upon water and that is propelled by machinery, whether or not the machinery is the principal source of propulsion.

(B) "Motorboat" includes personal watercraft as defined in § 27-101-103(10);

SECTION 2. Arkansas Code § 27-101-205 is amended to add a new subsection to read as follows:

27-101-205. Collision or accident."

AND

Page 2, delete lines 13 through 21 and substitute the following:

"(c) When a person operating a vessel is involved in a collision, accident, or other casualty resulting in loss of human life or when there is reason to believe death may result, or a law enforcement officer has reasonable cause to believe that the person, while operating a vessel, is intoxicated or under the influence of any narcotic drug, barbituate, or marijuana or while under any physical or mental disability so as to be incapable of operating the vessel safely under the prevailing circumstances, a law enforcement officer shall request and the person shall submit to a chemical test of the person's blood, breath, or urine in accordance with the provisions of § 5-76-104, even if the person is fatally injured, for the purpose of determining the alcohol or controlled substance content of his or her blood, breath, or urine."

AND

Delete SECTION 4 in its entirety

AND

Appropriately renumber the sections 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. 38** was ordered engrossed.

On motion of Senator Faris, **Senate Joint Resolution No. 3** was withdrawn from the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS, and placed back on second reading for purpose of Amendment No. 2.

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

**Amendment No. 2 to SENATE JOINT RESOLUTION NO. 3**

Amend **Senate Joint Resolution No. 3** as engrossed, S2/10/09:

Page 1, line 11, delete "GAME" and substitute "WILDLIFE"

AND

Page 1, line 16, delete "GAME" and substitute "WILDLIFE"

AND

Page 1, delete lines 30 through 36 and substitute the following:

"SECTION 1. (a)(1) Citizens of the state of Arkansas have a right to hunt, fish, trap, and harvest wildlife.

(2) The right to hunt, fish, trap, and harvest wildlife shall be subject only to regulations that promote sound wildlife conservation and management and are consistent with Amendment 35 of the Arkansas Constitution.

(b) Public hunting, fishing, and trapping shall be a preferred means of managing and controlling nonthreatened species and citizens may use traditional methods for harvesting wildlife.

(c) Nothing in this amendment shall be construed to alter, repeal, or modify:

(1) Any provision of Amendment 35 to the Arkansas Constitution;

(2) Any common law or statute relating to trespass, private property rights, eminent domain, public ownership of property, or any law concerning firearms unrelated to hunting; or

(3) The sovereign immunity of the State of Arkansas."

AND

Page 2, delete lines 1 through 6

(SIGNED) SENATOR FARIS

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

(SIGNED) ANN CORNWELL, SECRETARY

**Senate Joint Resolution No. 3** was ordered engrossed.

On motion of Senator Thompson, **Senate Bill No. 36** was withdrawn from the Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS, and placed on the Calendar.

Without objection, **Senate Bill No. 36** was withdrawn by the author, Senator Thompson.

ARKANSAS SENATE  
EIGHTY-SEVENTH GENERAL ASSEMBLY  
REGULAR SESSION

February 12, 2009

Mr. President:

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

**SENATE BILL NO. 38**, BY SENATOR FARIS,

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 Faris, **Senate Bill No. 38** was ordered re-referred to the Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS.

ARKANSAS SENATE  
EIGHTY-SEVENTH GENERAL ASSEMBLY  
REGULAR SESSION

February 12, 2009

Mr. President:

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

SENATE BILL NO. 127, BY SENATOR FARIS,

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 Faris, **Senate Bill No. 127** was ordered re-referred to the Committee on JOINT RETIREMENT AND SOCIAL SECURITY.

ARKANSAS SENATE  
EIGHTY-SEVENTH GENERAL ASSEMBLY  
REGULAR SESSION

February 12, 2009

Mr. President:

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

SENATE JOINT RESOLUTION NO. 3, BY SENATOR FARIS,

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 Faris, **Senate Joint Resolution No. 3** was ordered re-referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

On motion of Senator Baker, **Senate Bill No. 55** 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. 55**

Amend **Senate Bill No. 55** as originally introduced:

Add Senator Madison as a cosponsor

AND

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

"SECTION 1. Arkansas Code Title 6, Chapter 63, Subchapter 3 is amended to add an additional section to read as follows:

6-63-316. Reporting of salaries of administrators.

(a) As used in this section, "administrator" means an employee included as executive, administrative, or managerial on the IPEDS/EEO-6 reports.

(b)(1) A state-supported institution of higher education shall submit a report listing each administrator at the state-supported institution of higher education who earns a salary of one hundred thousand dollars (\$100,000) or more to the Higher Education Coordinating Board and the Department of Higher Education by July 1 each year, beginning July 1, 2010.

(2) The report shall be posted on the department website no later than July 15 each year, beginning July 15, 2010.

(c) The report shall include:

(1) Each administrator's:

(A) Name;

(B) Position;

(C) Salary;

(D) Retirement Matching;

(E) Health Insurance Matching;

(F) Life Insurance Matching; and

(G) Social Security Matching.

(2) All special contract provisions for each administrator such as:

(A) A house provided or a housing allowance;

(B) A vehicle provided or a vehicle allowance;

(C) Deferred compensations; or

(D) Other fringe benefits not provided all employees;

(3) The total value of each administrator's compensation package; and

(4) The funding source for each benefit in an administrator's compensation package."

(SIGNED) SENATOR BAKER

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 55 was ordered engrossed.

On motion of Senator Baker, House Bill No. 1357 was placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE  
EIGHTY-SEVENTH GENERAL ASSEMBLY  
REGULAR SESSION  
Amendment No. 1 to HOUSE BILL NO. 1357

Amend House Bill No. 1357 as engrossed, H2/6/09:

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

(SIGNED) SENATOR BAKER

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

(SIGNED) ANN CORNWELL, SECRETARY

On motion of Senator Baker, and without objection, the rules were suspended pertaining to passage of Amendment and Bill on the same day.

On motion of Senator Baker, House Bill No. 1357 was called up for third reading and final disposition.

HOUSE BILL NO. 1357  
*As Engrossed: H2/6/09 S2/12/09*  
 EIGHTY-SEVENTH GENERAL ASSEMBLY  
 REGULAR SESSION

BY: REPRESENTATIVES M. BURRIS, J. ROEBUCK, ABERNATHY, BLOUNT, T. BRADFORD, CARNINE, COOK, J. DICKINSON, EVERETT, HOYT, D. HUTCHINSON, NICKELS, NIX, PERRY, PIERCE, RAINEY, T. ROGERS, STEWART, WAGNER, ALLEN, T. BAKER, BARNETT, BETTS, BREEDLOVE, J. BROWN, CARROLL, CASH, CHEATHAM, CLEMMER, COLE, COOPER, L. COWLING, DAVENPORT, DAVIS, J. EDWARDS, FLOWERS, GEORGE, GLIDEWELL, R. GREEN, HALL, HARDY, HARRELSON, HAWKINS, HOPPER, HOUSE, HYDE, INGRAM, KIDD, LOVELL, LOWERY, MALOCH, S. MALONE, MAXWELL, MCLEAN, MOORE, PENNARTZ, POWERS, RAGLAND, REEP, SAUNDERS, SHELBY, SUMMERS, TYLER, WEBB, B. WILKINS, WILLS, WOODS,

WORD & WELLS

BY: SENATORS G. BAKER, ELLIOTT, J. JEFFRESS, *ALTES, BROADWAY, BRYLES, CAPPS, FARIS, HORN, G. JEFFRESS, D. JOHNSON, J. KEY, LAVERTY, P. MALONE, MILLER, SALMON, T. SMITH, STEELE, J. TAYLOR, TEAGUE, TRUSTY, WILKINSON & D. WYATT*

A Bill for an Act to be Entitled: AN ACT TO CREATE A SYSTEM FOR FULLY TRANSFERABLE CREDIT HOURS FROM DEGREES IN ASSOCIATE OF ARTS, ASSOCIATE OF SCIENCE, AND ASSOCIATE OF ARTS IN TEACHING AMONG PUBLIC INSTITUTIONS OF HIGHER EDUCATION; AND FOR OTHER PURPOSES.

**House Bill No. 1357** 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. 1357 was ordered engrossed.

On motion of Senator Broadway, House Bill No. 1024 was placed back on second reading for purpose of Amendment No.1.

ARKANSAS SENATE  
EIGHTY-SEVENTH GENERAL ASSEMBLY  
REGULAR SESSION  
Amendment No. 1 to HOUSE BILL NO. 1024

Amend House Bill No. 1024 as originally introduced:

Add Senator Broadway as a cosponsor of the bill.

AND

Page 2, delete lines 8 through 10 and substitute the following:

"(b) Compensation for accumulated unused sick leave under this section shall not be used by the:

(1) Arkansas Teacher Retirement System in the calculation of final average salary under § 24-7-202; or

(2) Arkansas Public Employees' Retirement System in the calculation of final average compensation under § 24-4-101."

(SIGNED) SENATOR BROADWAY

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1024 was ordered engrossed.

On motion of Senator Broadway, **House Bill No. 1034** was placed back on second reading for purpose of Amendment No. 1.

**ARKANSAS SENATE**  
**EIGHTY-SEVENTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**Amendment No. 1 to HOUSE BILL NO. 1034**

Amend **House Bill No. 1034** as engrossed, H2/6/09:  
 Page 3, line 6 delete "twelve (12)" and substitute "thirteen (13)"

(SIGNED) SENATOR BROADWAY

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

(SIGNED) ANN CORNWELL, SECRETARY

**House Bill No. 1034** was ordered engrossed.

On motion of Senator Elliott, **House Bill No. 1132** was placed back on second reading for purpose of Amendment No. 1.

**ARKANSAS SENATE**  
**EIGHTY-SEVENTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**Amendment No. 1 to HOUSE BILL NO. 1132**

Amend **House Bill No. 1132** as engrossed, H1/29/09:  
 Add Senator Elliott as a cosponsor of the bill

(SIGNED) SENATOR ELLIOTT

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

(SIGNED) ANN CORNWELL, SECRETARY

**House Bill No. 1132** was ordered engrossed.

On motion of Senator Elliott, **House Bill No. 1133** was placed back on second reading for purpose of Amendment No. 1.

**ARKANSAS SENATE**  
**EIGHTY-SEVENTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**Amendment No. 1 to HOUSE BILL NO. 1133**

Amend **House Bill No. 1133** as engrossed, H1/30/09

Add Senator Elliott as a cosponsor of the bill

AND

Page 1, delete line 27, and substitute

"(2) Be ~~over sixty-five (65)~~ at least sixty-two (62) years of age; and"

(SIGNED) SENATOR ELLIOTT

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

(SIGNED) ANN CORNWELL, SECRETARY

**House Bill No. 1133** was ordered engrossed.

On motion of Senator Bryles, **House Bill No. 1148** was withdrawn from the Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS, and placed on the Calendar.

On motion of Senator Bryles, **House Bill No. 1148** was ordered re-referred to the Committee on AGRICULTURE, FORESTRY & ECONOMIC DEVELOPMENT.

The President declared the morning hour to have expired.

STATE OF ARKANSAS  
OFFICE OF THE GOVERNOR

STATE CAPITOL  
LITTLE ROCK, ARKANSAS

MIKE BEEBE  
Governor

February 12, 2009

TO THE PRESIDENT OF THE SENATE

Dear Mr. President:

This is to inform your Honorable Body that on February 12, 2009, I approved the following measures from the Regular Session of the Eighty-seventh General Assembly:

Senate Bill No. 148, - ACT 125,  
Senate Bill No. 245, - ACT 126,  
Senate Bill No. 269, - ACT 127,  
Senate Bill No. 270, - ACT 128,  
Senate Bill No. 271, - ACT 129,  
Senate Bill No. 272, - ACT 130,  
Senate Bill No. 273, - ACT 131,  
Senate Bill No. 275, - ACT 132,  
Senate Bill No. 277, - ACT 133,  
Senate Bill No. 279, - ACT 134,  
Senate Bill No. 280, - ACT 135,  
Senate Bill No. 281, - ACT 136,  
Senate Bill No. 282, - ACT 137,  
Senate Bill No. 283, - ACT 138,  
Senate Bill No. 285, - ACT 139,  
Senate Bill No. 292, - ACT 140,  
Senate Bill No. 293, - ACT 141,  
Senate Bill No. 294, - ACT 142,  
Senate Bill No. 016, - ACT 147,  
Senate Bill No. 027, - ACT 148,  
Senate Bill No. 053, - ACT 149,  
Senate Bill No. 058, - ACT 150,  
Senate Bill No. 085, - ACT 152,  
Senate Bill No. 104, - ACT 153,

Sincerely,

(SIGNED) MIKE BEEBE  
Governor

ARKANSAS SENATE  
EIGHTY-SEVENTH GENERAL ASSEMBLY  
REGULAR SESSION

February 12, 2009

Mr. President:

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

SENATE BILL NO. 149, 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 it do pass.

Respectfully submitted,

(SIGNED) SENATOR BAKER  
CHAIRMAN

ARKANSAS SENATE  
EIGHTY-SEVENTH GENERAL ASSEMBLY  
REGULAR SESSION

February 12, 2009

Mr. President:

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

SENATE BILL NO. 334, BY SENATOR BRYLES,

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

Respectfully submitted,

(SIGNED) SENATOR FARIS  
CHAIRMAN

ARKANSAS SENATE  
EIGHTY-SEVENTH GENERAL ASSEMBLY  
REGULAR SESSION

February 12, 2009

Mr. President:

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

HOUSE BILL NO. 1246, BY REPRESENTATIVE CARROLL,  
HOUSE BILL NO. 1340, BY REPRESENTATIVE MOORE,

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 12, 2009

Mr. President:

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

SENATE BILL NO. 331, BY SENATOR BLEDSOE,

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

Respectfully submitted,

(SIGNED) SENATOR MADISON  
CHAIRMAN

ARKANSAS SENATE  
EIGHTY-SEVENTH GENERAL ASSEMBLY  
REGULAR SESSION

February 12, 2009

Mr. President:

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

HOUSE BILL NO. 1331, BY REPRESENTATIVE WILLIAMS,

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

Respectfully submitted,

(SIGNED) SENATOR MADISON  
CHAIRMAN

ARKANSAS SENATE  
EIGHTY-SEVENTH GENERAL ASSEMBLY  
REGULAR SESSION

February 12, 2009

Mr. President:

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

HOUSE BILL NO. 1263, BY REPRESENTATIVE HOYT,

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

Respectfully submitted,

(SIGNED) SENATOR MADISON  
CHAIRMAN

On motion of Senator Bryles, **Senate Bill No. 267** was called up for third reading and final disposition.

**SENATE BILL NO. 267**  
**EIGHTY-SEVENTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**BY: SENATOR BRYLES**  
**BY: REPRESENTATIVES T. BAKER AND WAGNER**

A Bill for an Act to be Entitled: AN ACT TO ALLOW COUNTIES TO ESTABLISH AN EFFECTIVE DATE FOR THE LEVY OF CERTAIN COUNTY SALES AND USE TAXES; AND FOR OTHER PURPOSES.

**Senate Bill No. 267** 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. 267** was ordered immediately transmitted to the House as passed.

On motion of Senator Key, **Senate Bill No. 256** was called up for third reading and final disposition.

**SENATE BILL NO. 256  
EIGHTY-SEVENTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR J. KEY**

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE § 16-17-1105(a) TO ADD ALPENA AND SALESVILLE TO THE LIST OF CITY COURTS TO BE CONSOLIDATED WITH DISTRICT COURTS; AND FOR OTHER PURPOSES.

**Senate Bill No. 256** 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 **Senate Bill No. 256**, 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. 256** was ordered immediately transmitted to the House.

On motion of Senator Horn, **Senate Bill No. 310** was called up for third reading and final disposition.

**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 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 .....24

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

(SIGNED) ANN CORNWELL, SECRETARY

**Senate Bill No. 310** was ordered immediately transmitted to the House as passed.

On motion of Senator J. Jeffress, **Senate Bill No. 295** was called up for third reading and final disposition.

**SENATE BILL NO. 295  
EIGHTY-SEVENTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR J. JEFFRESS**

A Bill for an Act to be Entitled: AN ACT ENSURE CONSISTENT PUBLIC SCHOOL ATTENDANCE LAWS; AND FOR OTHER PURPOSES.

**Senate Bill No. 295** 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. 295** was ordered immediately transmitted to the House as passed.

On motion of Senator Luker, **Senate Bill No. 341** was called up for third reading and final disposition.

**SENATE BILL NO. 341  
EIGHTY-SEVENTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR LUKER  
BY: REPRESENTATIVE HARRELSON**

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE § 9-9-220(c) CONCERNING THE RELINQUISHMENT AND TERMINATION OF PARENT AND CHILD RELATIONSHIP; AND FOR OTHER PURPOSES.

**Senate Bill No. 341** 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. 341** was ordered immediately transmitted to the House as passed.

On motion of Senator Luker, **Senate Bill No. 339** was called up for third reading and final disposition.

**SENATE BILL NO. 339**  
**EIGHTY-SEVENTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**BY: SENATOR LUKER**

A Bill for an Act to be Entitled: AN ACT TO PROVIDE FOR CERTAIN APPEALS OF THE ARKANSAS PUBLIC SERVICE COMMISSION ORDERS BE MADE DIRECTLY TO THE COURT OF APPEALS; AND FOR OTHER PURPOSES.

**Senate Bill No. 339** 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. 339** was ordered immediately transmitted to the House as passed.

On motion of Senator Thompson, **Senate Bill No. 121** was called up for third reading and final disposition.

**SENATE BILL NO. 121**  
*As Engrossed: S2/4/09 S2/9/09 S2/11/09*  
**EIGHTY-SEVENTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**BY: SENATOR R. THOMPSON**

A Bill for an Act to be Entitled: AN ACT TO INCREASE THE PERMIT FEES FOR THE MANUFACTURE, SALE, AND DISTRIBUTION OF ALCOHOLIC BEVERAGES; TO AMEND THE PENALTY PROVISIONS RELATED TO ALCOHOLIC BEVERAGES; AND FOR OTHER PURPOSES.

**Senate Bill No. 121** 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: 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, Wilkinson, D. Wyatt.

Total .....	33
NEGATIVE: Altes.	
Total .....	1
ABSENT OR NOT VOTING: H. Wilkins.	
Total .....	1
VOTING PRESENT:	
Total .....	0
Total number of votes cast .....	34
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. 121**, 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: 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, Wilkinson, D. Wyatt.

Total .....	33
NEGATIVE: Altes.	
Total .....	1
ABSENT OR NOT VOTING: H. Wilkins.	
Total .....	1
VOTING PRESENT:	
Total .....	0
Total number of votes cast.....	34
Necessary to the adoption of the Emergency Clause .....	24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

**Senate Bill No. 121** was ordered immediately transmitted to the House.

On motion of Senator Thompson, **Senate Bill No. 329** was called up for third reading and final disposition.

**SENATE BILL NO. 329**  
**EIGHTY-SEVENTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**BY: SENATOR R. THOMPSON**  
**BY: REPRESENTATIVE CARTER**

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE § 28-40-111 CONCERNING NOTICE OF APPOINTMENT OF A PERSONAL REPRESENTATIVE AND CLAIMS AGAINST ESTATES; TO AMEND ARKANSAS CODE § 28-50-101 REGARDING THE LIMITATIONS PERIOD AFTER A DECEDENT'S DEATH; AND FOR OTHER PURPOSES.

**Senate Bill No. 329** 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. 329** was ordered immediately transmitted to the House as passed.

On motion of Senator Faris, **Senate Bill No. 311** was called up for third reading and final disposition.

**SENATE BILL NO. 311**  
*As Engrossed: S2/11/09*  
**EIGHTY-SEVENTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**BY: SENATOR FARIS**  
**BY: REPRESENTATIVE RAGLAND**

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 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. 311** was ordered immediately transmitted to the House as passed.

On motion of Senator Faris, **Senate Bill No. 107** was called up for third reading and final disposition.

**SENATE BILL NO. 107**  
*As Engrossed: S2/11/09*  
**EIGHTY-SEVENTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**BY: SENATOR FARIS**  
**BY: REPRESENTATIVE DUNN**

A Bill for an Act to be Entitled: AN ACT TO PROHIBIT APPROVAL OF CERTAIN COSMETOLOGICAL SCHOOLS IN PUBLIC EDUCATIONAL INSTITUTIONS; AND FOR OTHER PURPOSES.

**Senate Bill No. 107** 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, 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 .....	34
NEGATIVE: Hendren.	
Total .....	1
ABSENT OR NOT VOTING:	
Total .....	0
VOTING PRESENT:	
Total .....	0
Total number of votes cast .....	35
Necessary to the passage of the bill .....	18

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

(SIGNED) ANN CORNWELL, SECRETARY

**Senate Bill No. 107** was ordered immediately transmitted to the House as passed.

On motion of Senator Wilkinson, **House Bill No. 1269** was called up for third reading and final disposition.

**HOUSE BILL NO. 1269**  
**EIGHTY-SEVENTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**BY: REPRESENTATIVES OVERBEY, T. BAKER & PYLE**

A Bill for an Act to be Entitled: AN ACT TO REPEAL OUTDATED SECTIONS OF THE CODE DEALING WITH YEAR 2000 COMPUTER ISSUES; AND FOR OTHER PURPOSES.

**House Bill No. 1269** 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. 1269** was ordered immediately returned to the House as passed.

On motion of Senator Wilkinson, **House Bill No. 1270** was called up for third reading and final disposition.

**HOUSE BILL NO. 1270  
EIGHTY-SEVENTH GENERAL ASSEMBLY  
REGULAR SESSION**

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

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE § 16-81-106(c) TO CORRECT A TYPOGRAPHICAL ERROR; AND FOR OTHER PURPOSES.

**House Bill No. 1270** 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. 1270** was ordered immediately returned to the House as passed.

On motion of Senator Elliott, **House Bill No. 1315** was called up for third reading and final disposition.

**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 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. 1315** was ordered immediately transmitted to the House as passed.

On motion of Senator Bryles, **House Bill No. 1005** was called up for third reading and final disposition.

**HOUSE BILL NO. 1005  
EIGHTY-SEVENTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: REPRESENTATIVE ABERNATHY**

A Bill for an Act to be Entitled: AN ACT TO AMEND THE DEFINITION OF MISCELLANEOUS FUNDS USED IN CALCULATING FOUNDATION FUNDING FOR PUBLIC SCHOOL DISTRICTS; AND FOR OTHER PURPOSES.

**House Bill No. 1005** 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. 1005** was ordered immediately returned to the House as passed.

On motion of Senator G. Jeffress, **House Bill No. 1265** was called up for third reading and final disposition.

**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 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. 1265** was ordered immediately returned to the House as passed.

On motion of Senator Bledsoe, **House Bill No. 1274** was called up for third reading and final disposition.

**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 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. 1274** was ordered immediately returned to the House as passed.

On motion of Senator Steele, **House Bill No. 1204** was called up for third reading and final disposition.

**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.

Senator Elliott spoke for the Bill

Senator Lavery spoke for the Bill.

Senator J. Jeffress spoke for the Bill.

Senator Key spoke against the Bill.

Senator Crumbly spoke for the Bill.

Senator Steele closed for his Bill.

**House Bill No. 1204** 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: Bledsoe, Bookout, Broadway, Bryles, Capps, Crumbly, Elliott, Faris, Glover, Hendren, Horn, G. Jeffress, J. Jeffress, B. Johnson, D. Johnson, Lavery, Luker, Madison, P. Malone, Miller, Salmon, T. Smith, Steele, Teague, R. Thompson, H. Wilkins, Wilkinson, D. Wyatt.

Total .....28

NEGATIVE: Altes, G. Baker, J. Key, B. Pritchard, J. Taylor, Trusty, Whitaker.

Total .....7

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. 1204**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

Total .....28

NEGATIVE: Altes, G. Baker, J. Key, B. Pritchard, J. Taylor, Trusty, Whitaker.

Total .....7

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

Senator Steele moved that the vote by which **House Bill No. 1204** passed be reconsidered and that motion be laid upon the table, which motion prevailed and the motion to reconsider was laid on the table.

**House Bill No. 1204** 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, the rules were suspended in considering **House Bill No. 1099** at this time.

On motion of Senator Baker, **House Bill No. 1099** was called up for third reading and final disposition.

**HOUSE BILL NO. 1099  
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 CROWLEY'S RIDGE TECHNICAL INSTITUTE FOR THE FISCAL YEAR ENDING JUNE 30, 2010; AND FOR OTHER PURPOSES.

**House Bill No. 1099** was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total .....	35
NEGATIVE:	
Total .....	0
ABSENT OR NOT VOTING:	
Total .....	0
VOTING PRESENT:	
Total .....	0
Total number of votes cast .....	35
Necessary to the passage of the bill .....	27

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 1099**, 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. 1099** was ordered immediately returned to the House as passed.

On motion of Senator Baker, the rules were suspended in considering **House Bill No. 1198** at this time.

On motion of Senator Baker, **House Bill No. 1198** was called up for third reading and final disposition.

**HOUSE BILL NO. 1198  
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 FINANCE AND ADMINISTRATION - OFFICE OF CHILD SUPPORT ENFORCEMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2010; AND FOR OTHER PURPOSES.

**House Bill No. 1198** was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total .....	35
NEGATIVE:	
Total .....	0
ABSENT OR NOT VOTING:	
Total .....	0
VOTING PRESENT:	
Total .....	0
Total number of votes cast .....	35
Necessary to the passage of the bill .....	27

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 1198**, 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. 1198** was ordered immediately returned to the House as passed.

On motion of Senator Baker, the rules were suspended in considering **House Bill No. 1332** at this time.

On motion of Senator Baker, **House Bill No. 1332** was called up for third reading and final disposition.

**HOUSE BILL NO. 1332  
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 ASSISTANCE TO LOCAL LAW ENFORCEMENT AND EMERGENCY MEDICAL BY THE OFFICE OF THE TREASURER OF STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2010; AND FOR OTHER PURPOSES.

**House Bill No. 1332** was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total .....	35
NEGATIVE:	
Total .....	0
ABSENT OR NOT VOTING:	
Total .....	0
VOTING PRESENT:	
Total .....	0
Total number of votes cast.....	35
Necessary to the passage of the bill .....	27

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 1332**, 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

**House Bill No. 1332** was ordered immediately returned to the House as passed.

On motion of Senator Baker, the rules were suspended in considering **House Bill No. 1365** at this time.

On motion of Senator Baker, **House Bill No. 1365** was called up for third reading and final disposition.

**HOUSE BILL NO. 1365  
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 OPERATING EXPENSES FOR THE OIL AND GAS COMMISSION WHICH SHALL BE SUPPLEMENTAL AND IN ADDITION TO THOSE FUNDS APPROPRIATED BY ACT 325 OF 2007; AND FOR OTHER PURPOSES.

**House Bill No. 1365** was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total .....	35
NEGATIVE:	
Total .....	0
ABSENT OR NOT VOTING:	
Total .....	0
VOTING PRESENT:	
Total .....	0
Total number of votes cast.....	35
Necessary to the passage of the bill .....	27

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 1365**, 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. 1365** was ordered immediately returned to the House as passed.

On motion of Senator Baker, the rules were suspended in considering **House Bill No. 1366** at this time.

On motion of Senator Baker, **House Bill No. 1366** was called up for third reading and final disposition.

**HOUSE BILL NO. 1366  
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 OPERATING, RESEARCH AND DEVELOPMENT EXPENSES FOR THE ARKANSAS SOYBEAN PROMOTION BOARD WHICH SHALL BE SUPPLEMENTAL AND IN ADDITION TO THOSE FUNDS APPROPRIATED BY ACT 7 OF 2007; AND FOR OTHER PURPOSES.

**House Bill No. 1366** was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total .....	35
NEGATIVE:	
Total .....	0
ABSENT OR NOT VOTING:	
Total .....	0
VOTING PRESENT:	
Total .....	0
Total number of votes cast .....	35
Necessary to the passage of the bill .....	27

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 1366**, 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

**House Bill No. 1366** was ordered immediately returned to the House as passed.

On motion of Senator Baker, the rules were suspended in considering **House Bill No. 1388** at this time.

On motion of Senator Baker, **House Bill No. 1388** was called up for third reading and final disposition.

**HOUSE BILL NO. 1388  
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 THE STATE MILITARY DEPARTMENT WHICH SHALL BE SUPPLEMENTAL AND IN ADDITION TO THOSE FUNDS APPROPRIATED BY ACT 1061 OF 2007; AND FOR OTHER PURPOSES.

**House Bill No. 1388** was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total .....	35
NEGATIVE:	
Total .....	0
ABSENT OR NOT VOTING:	
Total .....	0
VOTING PRESENT:	
Total .....	0
Total number of votes cast.....	35
Necessary to the passage of the bill .....	27

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 1388**, 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. 1388** was ordered immediately returned to the House as passed.

ARKANSAS SENATE  
EIGHTY-SEVENTH GENERAL ASSEMBLY  
REGULAR SESSION

February 12, 2009

Mr. President:

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

SENATE CONCURRENT RESOLUTION NO. 4,  
BY SENATORS TEAGUE AND HORN ET AL,  
SENATE BILL NO. 33, BY SENATOR R. THOMPSON  
SENATE BILL NO. 69, BY SENATOR MADISON,  
SENATE BILL NO. 70, BY SENATOR MADISON,  
SENATE BILL NO. 75, BY SENATOR MADISON,  
SENATE BILL NO. 142, BY SENATOR PRITCHARD,

beg leave to report that we have carefully compared the enrolled copies with the original and we find the same correctly enrolled and have at 9:50 a.m. delivered them to the Governor for his approval.

Respectfully submitted,

(SIGNED) JOHN PAUL CAPPS  
CHAIRMAN

GOVERNOR'S BILL RECEIPTS

SENATE CONCURRENT RESOLUTION NO. 4,  
SENATE BILL NO. 33,  
SENATE BILL NO. 69,  
SENATE BILL NO. 70,  
SENATE BILL NO. 75,  
SENATE BILL NO. 142,

RECEIVED the above papers from the Secretary of the Senate this 12th day of February, 2009 at 9:50 a.m.

(SIGNED) MIKE BEEBE  
Governor

(SIGNED) J. D. Lowery  
Secretary

ARKANSAS SENATE  
EIGHTY-SEVENTH GENERAL ASSEMBLY  
REGULAR SESSION

February 12, 2009

Mr. President:

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

**SENATE BILL NO. 55**, BY SENATOR BAKER,

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

Respectfully submitted,

(SIGNED) JOHN PAUL CAPPS  
CHAIRMAN

ARKANSAS SENATE  
EIGHTY-SEVENTH GENERAL ASSEMBLY  
REGULAR SESSION

February 12, 2009

Mr. President:

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

**HOUSE BILL NO. 1024**, BY REPRESENTATIVE ABERNATHY,  
**HOUSE BILL NO. 1034**, BY REPRESENTATIVE COOK ET AL,  
**HOUSE BILL NO. 1132**, BY REPRESENTATIVE BLOUNT,  
**HOUSE BILL NO. 1133**, BY REPRESENTATIVE BLOUNT 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

ARKANSAS SENATE  
EIGHTY-SEVENTH GENERAL ASSEMBLY  
REGULAR SESSION

February 12, 2009

Mr. President:

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

**HOUSE BILL NO. 1357**, BY REPRESENTATIVE M. BURRIS 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

**House Bill No. 1357** was returned to the House as passed as amended.

SENATE BILL NO. 356  
EIGHTY-SEVENTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR BROADWAY

A Bill for an Act to be Entitled: AN ACT TO ENSURE THAT PATIENTS CAN BE TRANSPORTED TO THE FACILITY OF CHOICE WITHOUT REGARD TO SERVICE AREA RESTRICTIONS; AND FOR OTHER PURPOSES.

**Senate Bill No. 356** was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

SENATE BILL NO. 357  
EIGHTY-SEVENTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR BOOKOUT  
BY: REPRESENTATIVE HAWKINS

A Bill for an Act to be Entitled: AN ACT TO ALLOW UPON CERTAIN CONDITIONS A VENDOR CHOSEN BY THE DIRECTOR OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO REPORT MOTOR VEHICLE INSURANCE POLICIES AND POLICY CANCELLATIONS IN LIEU OF THE REPORTING REQUIREMENTS FOR INSURANCE COMPANIES; AND FOR OTHER PURPOSES.

**Senate Bill No. 357** was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE & COMMERCE.

SENATE BILL NO. 358  
EIGHTY-SEVENTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR G. JEFFRESS

A Bill for an Act to be Entitled: AN ACT TO ALLOW REASONABLE ACCOMMODATION FOR A STUDENT WHO HAS DIFFICULTY WITH SENSORY PROCESSING IN REACTION TO OVERSENSITIVITY TO FULL SPECTRUM LIGHT WHEN TAKING STATE REQUIRED TESTS; AND FOR OTHER PURPOSES.

**Senate Bill No. 358** was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

SENATE BILL NO. 359  
EIGHTY-SEVENTH GENERAL ASSEMBLY  
REGULAR SESSION

BY: SENATORS MADISON, SALMON, TEAGUE, J. KEY, D. JOHNSON, BRYLES,  
R. THOMPSON, P. MALONE, GLOVER & WHITAKER  
BY: REPRESENTATIVE POWERS

A Bill for an Act to be Entitled: AN ACT TO CREATE THE ARKANSAS  
FOSTER YOUTH TRANSITIONAL PLAN; AND FOR OTHER PURPOSES.

Senate Bill No. 359 was read the first time, rules suspended, read the second  
time and referred to the Committee on JUDICIARY.

SENATE BILL NO. 360  
EIGHTY-SEVENTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR LUKER

A Bill for an Act to be Entitled: AN ACT CONCERNING THE PROCEDURE  
FOR SEALING CRIMINAL RECORDS; AND FOR OTHER PURPOSES.

Senate Bill No. 360 was read the first time, rules suspended, read the second  
time and referred to the Committee on JUDICIARY.

SENATE BILL NO. 361  
EIGHTY-SEVENTH GENERAL ASSEMBLY  
REGULAR SESSION

BY: SENATORS LUKER, BROADWAY, J. JEFFRESS & WHITAKER  
BY: REPRESENTATIVES J. BROWN, BETTS, BREEDLOVE, DALE, GEORGE,  
HALL, HOUSE, HYDE, INGRAM, MOORE, PENNARTZ, RAGLAND, REEP, T.  
ROGERS, SAMPLE, SAUNDERS & WAGNER

A Bill for an Act to be Entitled: AN ACT TO INCREASE THE FEE FOR THE MONTHLY FERTILIZER TONNAGE REPORTS; TO CLARIFY THAT THE FEES ARE TO BE DEPOSITED IN THE UNIVERSITY OF ARKANSAS, DIVISION OF AGRICULTURE, SOIL TESTING AND RESEARCH FUND; AND FOR OTHER PURPOSES.

**Senate Bill No. 361** was read the first time, rules suspended, read the second time and referred to the Committee on AGRICULTURE, FORESTRY & ECONOMIC DEVELOPMENT.

SENATE BILL NO. 362  
EIGHTY-SEVENTH GENERAL ASSEMBLY  
REGULAR SESSION

BY: SENATOR D. JOHNSON  
BY: REPRESENTATIVE CASH

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR LEGAL COUNSEL EXPENSES FOR THE ARKANSAS COURT OF APPEALS WHICH SHALL BE SUPPLEMENTAL AND IN ADDITION TO THOSE FUNDS APPROPRIATED BY ACT 781 OF 2007; AND FOR OTHER PURPOSES.

**Senate Bill No. 362** was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

Senate Bill No. 62 was returned from the House as passed and ordered enrolled.

Senate Bill No. 80 was returned from the House as passed and ordered enrolled.

Senate Bill No. 101 was returned from the House as passed and ordered enrolled.

Senate Bill No. 111 was returned from the House as passed and ordered enrolled.

Senate Bill No. 151 was returned from the House as passed and ordered enrolled.

Senate Bill No. 306 was returned from the House as passed and ordered enrolled.

Received from the House

HOUSE CONCURRENT RESOLUTION NO. 1005  
EIGHTY-SEVENTH GENERAL ASSEMBLY  
REGULAR SESSION

BY: REPRESENTATIVES BLOUNT, ABERNATHY, ADCOCK, ALLEN, T. BAKER,  
BETTS, T. BRADFORD, BREEDLOVE, J. BROWN, M. BURRIS, J. BURRIS,  
CARNINE, CARROLL, CASH, CHEATHAM, COOK, D. CREEKMORE,  
DAVENPORT, DAVIS, EVERETT, FLOWERS, GASKILL, GEORGE, R. GREEN,  
HALL, HARDY, HARRELSON, HAWKINS, HOPPER, HOUSE, HOYT, HYDE,  
INGRAM, KIDD, W. LEWELLEN, LINDSEY, LOWERY, M. MARTIN, MAXWELL,  
MCLEAN, MOORE, OVERBEY, PENNARTZ, PIERCE, POWERS, PYLE, RAINEY,  
REEP, J. ROEBUCK, SAUNDERS, SHELBY, L. SMITH, SUMMERS, TYLER,  
WAGNER, WEBB, WELLS, WILLIAMS, WILLS, WOODS & WORD

BY: SENATOR STEELE

COMMEMORATING THE CENTENNIAL OF THE NATIONAL ASSOCIATION  
FOR THE ADVANCEMENT OF COLORED PEOPLE (NAACP).

**House Concurrent Resolution No. 1005** was read the first time, rules  
suspended, read the second time and placed on the Calendar.

Received from the House

**HOUSE BILL NO. 1113**

*As Engrossed: H2/3/09 H2/11/09*

**EIGHTY-SEVENTH GENERAL ASSEMBLY  
REGULAR SESSION**

**BY: REPRESENTATIVES D. CREEKMORE, LEA, DISMANG, ENGLISH,  
GREENBERG, G. SMITH, RICE, J. BURRIS, S. MALONE, CLEMMER, M. MARTIN,  
RAGLAND, BARNETT, GARNER, BAIRD, BREEDLOVE, J. DICKINSON,  
GLIDEWELL, LOWERY, SUMMERS, WELLS, ADCOCK, MALOCH & DALE  
BY: SENATORS BLEDSOE, GLOVER, G. BAKER, TRUSTY, J. TAYLOR & ALTES**

A Bill for an Act to be Entitled: AN ACT TO PROHIBIT PARTIAL-BIRTH  
ABORTIONS; AND FOR OTHER PURPOSES.

**House Bill No. 1113** 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. 1161  
 EIGHTY-SEVENTH GENERAL ASSEMBLY  
 REGULAR SESSION  
 BY: REPRESENTATIVE L. SMITH  
 BY: SENATOR D. JOHNSON

A Bill for an Act to be Entitled: AN ACT TO CREATE THE OFFENSE OF FRAUDULENT FILING OF A UNIFORM COMMERCIAL CODE FINANCING STATEMENT; AND FOR OTHER PURPOSES.

**House Bill No. 1161** was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

Received from the House

HOUSE BILL NO. 1232  
*As Engrossed: H1/27/09 H1/28/09 H2/4/09 H2/5/09 H2/9/09*  
 EIGHTY-SEVENTH GENERAL ASSEMBLY  
 REGULAR SESSION

BY: REPRESENTATIVES OVERBEY, T. BAKER, BREEDLOVE, COOPER, DALE, DAVIS, DUNN, EVERETT, GASKILL, GEORGE, GLIDEWELL, R. GREEN, HALL, HOYT, LEA, LOVELL, S. MALONE, RAGLAND, RICE, SHELBY, WELLS, WOODS, WORD, CARNINE, KIDD, J. ROGERS, SAMPLE, SAUNDERS, SUMMERS, BARNETT, CLEMMER, B. WILKINS, *GARNER & HOPPER*  
 BY: SENATORS HORN, J. TAYLOR, D. WYATT, ALTES, CRUMBLY, T. SMITH, STEELE, J. KEY & H. WILKINS

A Bill for an Act to be Entitled: AN ACT TO CREATE THE LONG-TERM CARE QUALITY IMPROVEMENT ACT; AND FOR OTHER PURPOSES.

**House Bill No. 1232** 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. 1318**  
**EIGHTY-SEVENTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**BY: REPRESENTATIVES NIX, M. BURRIS & CARROLL**

A Bill for an Act to be Entitled: AN ACT TO ENSURE THE SAFE TRANSPORTATION OF RAILROAD EMPLOYEES BY CONTRACT CARRIERS BY ESTABLISHING STANDARDS FOR DRIVERS EMPLOYED BY THE CONTRACT CARRIERS AND THE MOTOR VEHICLES USED BY THE CONTRACT CARRIERS; AND FOR OTHER PURPOSES.

**House Bill No. 1318** 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. 1353**  
**EIGHTY-SEVENTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**BY: REPRESENTATIVES WELLS, GEORGE, HARRELSON, OVERBEY, T.**  
**ROGERS & TYLER**

A Bill for an Act to be Entitled: AN ACT TO PROVIDE A STRUCTURE FOR THE PERPETUAL STAFFING AND OPERATION OF THE AUTOMATED COURT MANAGEMENT SYSTEM; TO ENSURE THAT THE AUTOMATED COURT SYSTEM IS SELF-SUPPORTING; TO PROVIDE THAT ALL FUNDING IS GENERATED BY AND THROUGH THE USE OF THE AUTOMATED COURT SYSTEM TO THE EXCLUSION OF ANY USE OF GENERAL REVENUE FUNDS OF THE STATE OF ARKANSAS; AND FOR OTHER PURPOSES.

**House Bill No. 1353** was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

Received from the House

HOUSE BILL NO. 1363  
EIGHTY-SEVENTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: REPRESENTATIVE M. BURRIS

A Bill for an Act to be Entitled: AN ACT TO CLARIFY STANDARDS FOR INSURANCE COVERAGE FOR CANCER AND OTHER MEDICATIONS; TO PROVIDE THE SECRETARY OF THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES OR THE INSURANCE COMMISSIONER WITH DISCRETION IN THE CHOICE OF STANDARDS; AND FOR OTHER PURPOSES.

House Bill No. 1363 was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE & COMMERCE.

Received from the House

HOUSE BILL NO. 1370  
EIGHTY-SEVENTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: REPRESENTATIVE BREEDLOVE

A Bill for an Act to be Entitled: AN ACT TO EXEMPT COUNTY INSPECTORS AND CODE ENFORCEMENT OFFICERS FROM LAW ENFORCEMENT TRAINING REQUIREMENTS; AND FOR OTHER PURPOSES.

House Bill No. 1370 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. 1390  
EIGHTY-SEVENTH GENERAL ASSEMBLY  
REGULAR SESSION

BY: REPRESENTATIVES G. SMITH, GLIDEWELL, PATTERSON & BARNETT

A Bill for an Act to be Entitled: AN ACT TO CLARIFY THE AUTHORITY OF THE BOARD OF ELECTRICAL EXAMINERS WITH RESPECT TO THE ISSUANCE OF A TEMPORARY ELECTRICIAN'S LICENSE; AND FOR OTHER PURPOSES.

House Bill No. 1390 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. 1410  
EIGHTY-SEVENTH GENERAL ASSEMBLY  
REGULAR SESSION

BY: REPRESENTATIVES HOYT, REYNOLDS, BREEDLOVE, J. BROWN, DUNN,  
EVERETT, GLIDEWELL, KIDD, M. MARTIN, PERRY, PIERCE, SAUNDERS &  
WELLS

BY: SENATORS T. SMITH, R. THOMPSON, BOOKOUT, B. JOHNSON & BRYLES

A Bill for an Act to be Entitled: AN ACT TO CLARIFY THE DEFINITION OF CASUALTY INSURANCE TO INCLUDE MORTGAGE LIEN PROTECTION; AND FOR OTHER PURPOSES.

House Bill No. 1410 was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE & COMMERCE.

ARKANSAS SENATE  
EIGHTY-SEVENTH GENERAL ASSEMBLY  
REGULAR SESSION

February 12, 2009

Mr. President:

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

SENATE BILL NO. 62, BY SENATOR MADISON,  
SENATE BILL NO. 80, BY SENATOR D. JOHNSON,  
SENATE BILL NO. 101, BY JOINT BUDGET COMMITTEE,  
SENATE BILL NO. 111, BY JOINT BUDGET COMMITTEE,  
SENATE BILL NO. 151, BY JOINT BUDGET COMMITTEE,  
SENATE BILL NO. 306, 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 3:45 p.m. delivered them to the Governor for his approval.

Respectfully submitted,

(SIGNED) JOHN PAUL CAPPS  
CHAIRMAN

GOVERNOR'S BILL RECEIPTS

SENATE BILL NO. 62,  
SENATE BILL NO. 80,  
SENATE BILL NO. 101,  
SENATE BILL NO. 111,  
SENATE BILL NO. 151,  
SENATE BILL NO. 306,

RECEIVED the above papers from the Secretary of the Senate this 12 day of February, 2009 at 3:45 p.m.

(SIGNED) MIKE BEEBE  
Governor

(SIGNED) J. D. Lowery  
Secretary

SENATE RESOLUTION NO. 7  
EIGHTY-SEVENTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR LUKER

SENATE RESOLUTION COMMENDING ARKANSAS FARMERS FOR THEIR VITAL CONTRIBUTIONS TO THE SECURITY AND ECONOMIC WELL-BEING OF THE STATE AND THE NATION, AND FOR PRODUCING THE FOOD AND FIBER THAT IS ESSENTIAL TO THE HEALTH AND SECURITY OF THE CITIZENS OF THIS STATE AND PEOPLE THROUGHOUT THE WORLD.

**Senate Resolution No. 7** was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILLS TRANSMITTED TO THE HOUSE

AS PASSED

SENATE BILL NO. 107  
SENATE BILL NO. 121  
SENATE BILL NO. 256  
SENATE BILL NO. 267  
SENATE BILL NO. 295  
SENATE BILL NO. 310  
SENATE BILL NO. 311  
SENATE BILL NO. 329  
SENATE BILL NO. 339  
SENATE BIL NO. 341

HOUSE BILLS RETURNED TO THE HOUSE

AS PASSED

HOUSE BILL NO. 1005  
HOUSE BILL NO. 1099  
HOUSE BILL NO. 1198  
HOUSE BILL NO. 1204  
HOUSE BILL NO. 1265  
HOUSE BILL NO. 1269  
HOUSE BILL NO. 1270  
HOUSE BILL NO. 1274  
HOUSE BILL NO. 1315  
HOUSE BILL NO. 1332  
HOUSE BILL NO. 1365  
HOUSE BILL NO. 1366  
HOUSE BILL NO. 1388

HOUSE BILL RETURNED TO THE HOUSE

AS PASSED AS AMENDED

HOUSE BILL NO. 1357 AS AMENDED NO. 1

SENATE BILLS RETURNED FROM THE HOUSE

AS PASSED AND ORDERED ENROLLED

SENATE BILL NO. 62

SENATE BILL NO. 80

SENATE BILL NO. 101

SENATE BILL NO. 111

SENATE BILL NO. 151

SENATE BILL NO. 306

HOUSE BILLS TRANSMITTED TO THE SENATE

AS PASSED

HOUSE BILL NO. 1113

HOUSE BILL NO. 1161

HOUSE BILL NO. 1232

HOUSE BILL NO. 1318

HOUSE BILL NO. 1353

HOUSE BILL NO. 1363

HOUSE BILL NO. 1370

HOUSE BILL NO. 1390

HOUSE BILL NO. 1410

HOUSE CONCURRENT RESOLUTION TRANSMITTED

TO THE SENATE AS ADOPTED

HOUSE CONCURRENT RESOLUTION NO. 1005

On motion of Senator Whitaker, the Senate adjourned until 1:30 p.m., Monday, February 16, 2009.

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PRESIDENT OF THE SENATE

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SECRETARY OF THE SENATE