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

Little Rock, Arkansas

February 16, 2009

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

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

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

The Senate was led in prayer by Senator Jimmy Jeffress.

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On motion of Senator Key, **Senate Bill No. 352** was withdrawn from the Committee on JUDICIARY, and placed back on second reading for purpose of Amendment No. 1.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. 352

Amend **Senate Bill No. 352** as originally introduced:

Page 1, delete line 29 and substitute:

"petition may be filed in Arkansas or it may be filed in the state in which the juvenile resides,"

(SIGNED) SENATOR J. KEY

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 352 was ordered engrossed.

On motion of Senator Key, **Senate Bill No. 351** was withdrawn from the Committee on JUDICIARY, and placed back on second reading for purpose of Amendment No. 1.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. 351

Amend **Senate Bill No. 351** as originally introduced:

Page 2, delete lines 11 through 17 and substitute:

"(10) The child:
(A) Is eligible for Title IV-E foster care maintenance payments;

and

(B) While in the custody of the department, resided in the home of the prospective relative guardian for at least six (6) consecutive months and the prospective relative guardian was licensed or approved as meeting the licensure requirements as a foster family home."

(SIGNED) SENTOR J. KEY

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 351 was ordered engrossed.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

February 16, 2009

Mr. President:

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

SENATE BILL NO. 351, BY SENATOR J. KEY,
SENATE BILL NO. 352, BY SENATOR J. KEY,

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 Key, Senate Bill No. 351 was ordered re-referred to the Committee on JUDICIARY.

On motion of Senator Key, **Senate Bill No. 352** was ordered re-referred to the Committee on JUDICIARY.

On motion of Senator Madison, **House Bill No. 1263** 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. 1263

Amend **House Bill No. 1263** as originally introduced:

Page 1, line 30, delete "judge which designating" and substitute "judge, designating"

(SIGNED) SENATOR SUE MADISON

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1263 was ordered engrossed.

On motion of Senator D. Johnson, **House Bill No. 1039** 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. 1039

Amend **House Bill No. 1039** as engrossed, H1/23/09:

Page 1, add Representatives Cash, T. Baker, Hobbs, Lea, Martin, Pyle, Rice, Wagner, and B. Wilkins as co-sponsors to the bill.

AND

Page 1, add Senator D. Johnson as lead sponsor to the bill. Senator Broadway should remain as a co-sponsor to the bill.

(SIGNED) SENATOR DAVID JOHNSON

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1039 was ordered engrossed.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

February 16, 2009

Mr. President:

We, your Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS, to whom was referred:

SENATE BILL NO. 78, BY SENATOR H. WILKINS,
SENATE BILL NO. 251, BY SENATOR ALTES,
SENATE BILL NO. 309, BY SENATOR J. JEFFRESS,

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 JOHN P. CAPPS
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

February 16, 2009

Mr. President:

We, your Committee on TRANSPORTATION, TECHNOLOGY AND
LEGISLATIVE AFFAIRS, to whom was referred:

HOUSE BILL NO. 1318, BY REPRESENTATIVE NIX,

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 JOHN P. CAPPS
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

February 16, 2009

Mr. President:

We, your Committee on JOINT RETIREMENT AND SOCIAL SECURITY, to
whom was referred:

SENATE BILL NO. 186, BY SENATOR G. JEFFRESS,

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 GENE JEFFRESS
CHAIRMAN

Senate Bill No. 35 was returned from the House as passed and ordered enrolled.

Senate Bill No. 301 was returned from the House as passed and ordered enrolled.

Senate Bill No. 302 was returned from the House as passed and ordered enrolled.

STATE OF ARKANSAS
OFFICE OF THE GOVERNOR
STATE CAPITOL
LITTLE ROCK, ARKANSAS

MIKE BEEBE
Governor

February 16, 2009

TO THE PRESIDENT OF THE SENATE

Dear Mr. President:

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

Senate Concurrent Resolution 004

Senate Bill No. 033 - ACT 162,
Senate Bill No. 062 - ACT 163,
Senate Bill No. 069 - ACT 164,
Senate Bill No. 070 - ACT 165,
Senate Bill No. 075 - ACT 166,
Senate Bill No. 080 - ACT 167,
Senate Bill No. 142 - ACT 168,

Sincerely,

(SIGNED) MIKE BEEBE
Governor

The President declared the morning hour to have expired.

On motion of Senator Capps, **Senate Bill No. 323** was called up for third reading and final disposition.

**SENATE BILL NO. 323
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR CAPPS**

A Bill for an Act to be Entitled: AN ACT TO INCLUDE A DEFINITION OF DEVELOPMENTAL DISABILITY IN THE ARKANSAS INCOME TAX LAW RATHER THAN BY REFERENCE TO A PROVISION CONTAINED IN TITLE 20 OF THE ARKANSAS CODE; AND FOR OTHER PURPOSES.

Senate Bill No. 323 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. 323 was ordered immediately transmitted to the House as passed.

On motion of Senator Capps, **Senate Bill No. 324** was called up for third reading and final disposition.

SENATE BILL NO. 324
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR CAPPS

A Bill for an Act to be Entitled: AN ACT TO EXTEND THE STATUTE OF LIMITATIONS FOR A VETERAN TO FILE A CLAIM FOR REFUND OF AN OVERPAYMENT OF INCOME TAX THAT RESULTS FROM A RETROACTIVE DETERMINATION BY THE SECRETARY OF VETERANS AFFAIRS THAT THE VETERAN IS ENTITLED TO COMPENSATION FOR A SERVICE-CONNECTED DISABILITY; AND FOR OTHER PURPOSES.

Senate Bill No. 324 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. 324**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 324 was ordered immediately transmitted to the House.

On motion of Senator Taylor, **Senate Bill No. 45** was called up for third reading and final disposition.

SENATE BILL NO. 45
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR J. TAYLOR

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS LAW CONCERNING ANNUAL SCHOOL ELECTIONS; AND FOR OTHER PURPOSES.

Senate Bill No. 45 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. 45 was ordered immediately transmitted to the House as passed.

On motion of Senator Taylor, **Senate Bill No. 303** was called up for third reading and final disposition.

**SENATE BILL NO. 303
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR J. TAYLOR**

A Bill for an Act to be Entitled: AN ACT CONCERNING COURT SECURITY OFFICER TRAINING; AND FOR OTHER PURPOSES.

Senate Bill No. 303 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. 303 was ordered immediately transmitted to the House as passed.

On motion of Senator Bryles, **Senate Bill No. 334** was called up for third reading and final disposition.

SENATE BILL NO. 334
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR BRYLES
BY: REPRESENTATIVE WEBB

A Bill for an Act to be Entitled: AN ACT TO BE KNOWN AS THE ARKANSAS SMALL BREWERY ACT; TO CREATE A NEW CATEGORY OF BEER LICENSES; TO PROVIDE FOR THE OPERATION OF THE LICENSED FACILITIES; AND FOR OTHER PURPOSES.

Senate Bill No. 334 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. 334 was ordered immediately transmitted to the House as passed.

On motion of Senator Baker, **Senate Bill No. 55** was called up for third reading and final disposition.

SENATE BILL NO. 55
As Engrossed: S2/12/09
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS G. BAKER AND MADISON
BY: REPRESENTATIVE J. ROEBUCK

A Bill for an Act to be Entitled: AN ACT TO INCREASE SALARY TRANSPARENCY FOR ADMINISTRATORS IN STATE-SUPPORTED INSTITUTIONS OF HIGHER EDUCATION; AND FOR OTHER PURPOSES.

Senate Bill No. 55 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. 55 was ordered immediately transmitted to the House as passed.

On motion of Senator Bledsoe, **Senate Bill No. 331** was called up for third reading and final disposition.

SENATE BILL NO. 331
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR BLEDSOE
BY: REPRESENTATIVES BAIRD AND SLINKARD

A Bill for an Act to be Entitled: AN ACT TO MODIFY THE LAW CONCERNING THE SERVICE AREA AND DUES OF VOLUNTEER FIRE DEPARTMENTS; AND FOR OTHER PURPOSES.

Senate Bill No. 331 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. 331 was ordered immediately transmitted to the House as passed.

On motion of Senator Whitaker, **House Concurrent Resolution No. 1007** was called up for third reading and final disposition.

HOUSE CONCURRENT RESOLUTION NO. 1007
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE WILLS
BY: SENATOR B. JOHNSON

HOUSE CONCURRENT RESOLUTION FOR A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE IN THE HOUSE CHAMBER AT 10:00 A.M., WEDNESDAY, FEBRUARY 18, 2009, TO HEAR AN ADDRESS BY THE HONORABLE BILL CLINTON, FORMER PRESIDENT OF THE UNITED STATES.

House Concurrent Resolution No. 1007 was read the third time and concurred in.

(SIGNED) ANN CORNWELL, SECRETARY

House Concurrent Resolution No. 1007 was ordered immediately returned to the House as concurred in.

On motion of Senator Madison, **House Bill No. 1085** was called up for third reading and final disposition.

**HOUSE BILL NO. 1085
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE L. SMITH**

A Bill for an Act to be Entitled: AN ACT TO CLARIFY THE PROCESS FOR SELECTION OF CERTAIN CITY COUNCIL MEMBERS IN CITIES OF THE FIRST CLASS; AND FOR OTHER PURPOSES.

House Bill No. 1085 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. 1085 was ordered immediately transmitted to the House as passed.

On motion of Senator Broadway, **House Bill No. 1024** was called up for third reading and final disposition.

HOUSE BILL NO. 1024
As Engrossed: S2/12/09
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE ABERNATHY
BY: SENATOR BROADWAY

A Bill for an Act to be Entitled: AN ACT TO ALLOW TWO-YEAR COLLEGES TO COMPENSATE NONCLASSIFIED EMPLOYEES FOR UNUSED SICK LEAVE AT RETIREMENT; AND FOR OTHER PURPOSES.

House Bill No. 1024 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. 1024**, 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. 1024 was ordered immediately returned to the House as passed as amended.

On motion of Senator Broadway, **House Bill No. 1034** was called up for third reading and final disposition.

HOUSE BILL NO. 1034

As Engrossed: H1/30/09 H2/4/09 H2/6/06 S2/12/09

EIGHTY-SEVENTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES COOK, ABERNATHY, M. BURRIS, GEORGE, RAINEY, J. ROEBUCK, BETTS, DALE, PERRY, G. SMITH, WAGNER, BLOUNT, BREEDLOVE, J. BROWN, CHEATHAM, J. DICKINSON, NIX, PENNARTZ & TYLER

BY: SENATOR BROADWAY

A Bill for an Act to be Entitled: *AN ACT TO STRENGTHEN THE SYSTEM OF ARKANSAS EDUCATIONAL LEADERSHIP DEVELOPMENT; AND FOR OPTHER PURPOSES.*

House Bill No. 1034 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. 1034**, 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. 1034 was ordered immediately returned to the House as passed as amended.

On motion of Senator Elliott, **House Bill No. 1132** was called up for third reading and final disposition.

HOUSE BILL NO. 1132

As Engrossed: H1/28/09 H1/29/09 S2/12/09

EIGHTY-SEVENTH GENERAL ASSEMBLY

REGULAR SESSION

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

BY: SENATOR ELLIOTT

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

House Bill No. 1132 was 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. 1132 was ordered immediately returned to the House as passed as amended.

On motion of Senator Elliott, **House Bill No. 1133** was called up for third reading and final disposition.

HOUSE BILL NO. 1133

As Engrossed: H1/28/09 H1/30/09 S2/12/09

EIGHTY-SEVENTH GENERAL ASSEMBLY

REGULAR SESSION

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

BY: SENATOR ELLIOTT

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

House Bill No. 1133 was 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. 1133 was ordered immediately returned to the House as passed as amended.

On motion of Senator Broadway, **House Bill No. 1250** was called up for third reading and final disposition.

HOUSE BILL NO. 1250
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE ABERNATHY
BY: SENATOR J. JEFFRESS

A Bill for an Act to be Entitled: AN ACT TO REQUIRE A REVIEW OF THE RECOMMENDATIONS FOR EDUCATIONAL ADEQUACY BEFORE EACH FISCAL SESSION; AND FOR OTHER PURPOSES.

House Bill No. 1250 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. 1250 was ordered immediately returned to the House as passed.

On motion of Senator Broadway, **House Bill No. 1264** was called up for third reading and final disposition.

HOUSE BILL NO. 1264
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE WEBB
BY: SENATOR BROADWAY

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

House Bill No. 1264 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

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

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1264 was ordered immediately returned to the House as passed.

On motion of Senator Baker, **House Bill No. 1050** was called up for third reading and final disposition.

**HOUSE BILL NO. 1050
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE GREENBERG**

A Bill for an Act to be Entitled: AN ACT TO REQUIRE AN EXPRESS STATUTORY CROSS-REFERENCE FOR ALL NEW EXEMPTIONS TO THE ARKANSAS FREEDOM OF INFORMATION ACT OF 1967; AND FOR OTHER PURPOSES.

House Bill No. 1050 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, G. Baker, Bledsoe, Bookout, Broadway, Bryles, Capps, Crumbly, Faris, Glover, Hendren, Horn, G. Jeffress, J. Jeffress, B. Johnson, J. Key, 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	33
NEGATIVE: Elliott, D. Johnson.	
Total	2
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. 1050 was ordered immediately returned to the House as passed.

On motion of Senator Teague, **House Bill No. 1116** was called up for third reading and final disposition.

**HOUSE BILL NO. 1116
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE ADCOCK**

A Bill for an Act to be Entitled: AN ACT TO CLARIFY THAT IT IS UNLAWFUL TO REPRODUCE, PAINT, OR ALTER A TEMPORARY CARDBOARD BUYER'S TAG; AND FOR OTHER PURPOSES.

House Bill No. 1116 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. 1116 was ordered immediately returned to the House as passed.

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

On motion of Senator Madison, **House Bill No. 1048** was called up for third reading and final disposition.

**HOUSE BILL NO. 1048
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE WOODS**

A Bill for an Act to be Entitled: AN ACT TO EXTEND TO A MUNICIPAL SEWER ENTITY THE ABILITY TO REQUEST TERMINATION OF WATER SERVICE BY A WATER AUTHORITY FOR DELINQUENT SOLID WASTE SERVICE PAYMENT; AND FOR OTHER PURPOSES.

House Bill No. 1048 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Bookout, Broadway, Bryles, Capps, Crumbly, Elliott, Glover, Hendren, D. Johnson, Luker, Madison, T. Smith, Steele, J. Taylor, Teague, Whitaker.

Total16

NEGATIVE: Altes, J. Key, Lavery, D. Wyatt.

Total4

ABSENT OR NOT VOTING: G. Baker, Bledsoe, Faris, Horn, G. Jeffress, J. Jeffress, B. Johnson, P. Malone, Miller, B. Pritchard, Salmon, R. Thompson, Trusty, H. Wilkins, Wilkinson.

Total15

VOTING PRESENT:

Total0

Total number of votes cast20

Necessary to the passage of the bill18

So the bill failed.

(SIGNED) ANN CORNWELL, SECRETARY

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

Senator Madison moved that the record pertaining to the vote by which **House Bill No. 1048** failed be expunged, the motion was duly seconded and prevailed.

The record pertaining to the vote by which **House Bill No. 1048** failed to pass was expunged, in accordance with a prevailing motion on February 16, 2009.

On motion of Senator Bryles, **House Bill No. 1148** was withdrawn from the Committee on AGRICULTURE, FORESTRY & ECONOMIC DEVELOPMENT, and placed on the Calendar.

On motion of Senator Bryles, **House Bill No. 1148** was ordered re-referred to the Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS.

On motion of Senator Salmon, **House Bill No. 1246** was called up for third reading and final disposition.

HOUSE BILL NO. 1246
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE CARROLL
BY: SENATOR SALMON

A Bill for an Act to be Entitled: AN ACT TO AMEND VARIOUS PROVISIONS OF THE ARKANSAS CODE REGARDING CERTIFICATION OF NEW POLITICAL PARTIES AND INDEPENDENT CANDIDATES; AND FOR OTHER PURPOSES.

House Bill No. 1246 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. 1246 was ordered immediately returned to the House as passed.

On motion of Senator Smith, Senate Bill No. 32 was withdrawn from the Committee on INSURANCE & COMMERCE, and placed on the Calendar.

Without objection, Senate Bill No. 32 was withdrawn by the author.

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. 93** was withdrawn from the Committee on JOINT BUDGET, and placed back on second reading for purpose of Amendment No. 2.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 2 to SENATE BILL NO. 93

Amend **Senate Bill No. 93** as engrossed, S1/22/09:

Page 2, line 32, delete "37,477" and substitute "57,477"

And

Page 3, line 3, delete "Nursing Student" and substitute "cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State,"

And

Page 3, line 4, delete "Loan Revolving Fund, to make loans"

And

Page 3, line 4, delete "Nursing Scholarships" and substitute "the Nursing Student Loan Program to make student loans"

And

Page 3, delete line 9 in its entirety, and substitute the following:

" (01) NURSING STUDENT LOAN PROGRAM \$ 550,000"

And

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

"SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL OR TEMPORARY LAW. FUNDING TRANSFER. Immediately upon the effective date of this act, the Chief Fiscal Officer of the State shall transfer on his or her books and those of the State Treasurer and the Auditor of the State the sum of five hundred thousand dollars (\$500,000) from the State Board of Nursing Fund to the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State to provide funds for the Student Loan Program appropriation provided herein.

The provisions of this section shall be in effect only from July 1, 2009 through June 30, 2010.

SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL OR TEMPORARY LAW. FUNDING TRANSFER. Immediately upon the effective date of this act, the Chief Fiscal Officer of the State shall transfer on his or her books and those of the State Treasurer and the Auditor of the State the remaining balance of un-obligated funds from the Nursing Student Loan Revolving Fund to the cash fund

deposited in the State Treasury as determined by the Chief Fiscal Officer of the State to provide funds for the Student Loan Program appropriation provided herein.

The provisions of this section shall be in effect only from July 1, 2009 through June 30, 2010."

And

Appropriately renumber the subsequent sections of the bill.

(SIGNED) SENATOR GILBERT BAKER

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 93 was ordered engrossed.

On motion of Senator Baker, Senate Bill No. 198 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. 198

Amend Senate Bill No. 198 as originally introduced:

Page 4, immediately following Section 4 insert a new section to read as follows:

"SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PRINTING. The appropriation for Printing and Binding provided for in Section 3 of this Act may be utilized by the Supreme Court for the payment of printing costs for the hardbound publication of the Arkansas Reports or for the purchase of hardware, software and related expenses for the electronic publication of the Arkansas Reports."

AND

Appropriately renumber subsequent sections.

(SIGNED) SENATOR GILBERT BAKER

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 198 was ordered engrossed.

On motion of Senator Baker, **Senate Bill No. 200** 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. 200

Amend **Senate Bill No. 200** as originally introduced:

Page 1, line 10, delete "OFFICE OF" and substitute "ARKANSAS"

And

Page 1, line 11, delete "SERVICES" and substitute "OFFICE"

And

Page 1, line 17, delete "OFFICE OF" and substitute "ARKANSAS"

And

Page 1, line 18, delete "SERVICES" and substitute "OFFICE"

And

Page 1, line 24, delete "Office" and substitute "Arkansas"

And

Page 1, line 25, delete "of"

And

Page 1, line 25, delete "Services" and substitute "Office"

And

Page 2, line 10, delete "Office of" and substitute "Arkansas"

And

Page 2, line 11, delete "Services" and substitute "Office"

And

Page 2, line 19, delete "Office of" and substitute "Arkansas"

And

Page 2, line 19, delete "Services" and substitute "Office"

And

Page 2, line 21, delete "Office of" and substitute "Arkansas"

And

Page 2, line 21, delete "Services" and substitute "Office"

And

Page 3, line 2, delete "Office of" and substitute "Arkansas"

And

Page 3, line 2, delete "Services" and substitute "Office"

And

Page 3, line 15, delete "Office of" and substitute "Arkansas"

And

Page 3, line 15, delete "Services" and substitute "Office"

And

Page 3, line 17, delete "Department of" and substitute "Arkansas"

And

Page 3, line, 18, delete "Services" and substitute "Office"

And

Page 3, line 32, delete "Office of" and substitute "Arkansas"

And

Page 3, line 32, delete "Services" and substitute "Office"

And

Page 3, line 35, delete "Office of" and substitute "Arkansas"

And

Page 3, line 35, delete "Services" and substitute "Office"

(SIGNED) SENATOR GILBERT BAKER

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 200 was ordered engrossed.

On motion of Senator Baker, Senate Bill No. 149 was called up for third reading and final disposition.

SENATE BILL NO. 149
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS BUILDING AUTHORITY FOR THE FISCAL YEAR ENDING JUNE 30, 2010; AND FOR OTHER PURPOSES.

Senate Bill No. 149 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the passage of the bill27

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **Senate Bill No. 149**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 149 was ordered immediately transmitted to the House.

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. 1039, BY REPRESENTATIVE CREEKMORE,

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 16, 2009

Mr. President:

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

HOUSE BILL NO. 1263, BY REPRESENTATIVES HOYT AND
REYNOLDS,

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

SENATE BILL NO. 363
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR TEAGUE

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE § 26-51-423 TO CLARIFY THAT A DEDUCTION FOR INTEREST OR INTANGIBLE-RELATED EXPENSES PAID BY THE TAXPAYER TO A RELATED PARTY REQUIRES AN ARM'S LENGTH CONTRACT OR AN ARM'S LENGTH RATE OF INTEREST.

Senate Bill No. 363 was read the first time, rules suspended, read the second time and referred to the Committee on REVENUE & TAXATION.

SENATE BILL NO. 364
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR T. SMITH

A Bill for an Act to be Entitled: AN ACT TO PROVIDE FOR THE CLOSURE OF BUSINESSES THAT FAIL TO REPORT OR REMIT STATE WITHHOLDING TAXES FOR THREE MONTHS DURING A TWENTY-FOUR CONSECUTIVE MONTH PERIOD; AND FOR OTHER PURPOSES.

Senate Bill No. 364 was read the first time, rules suspended, read the second time and referred to the Committee on REVENUE & TAXATION.

SENATE BILL NO. 365
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS ALTES AND B. PRITCHARD
BY: REPRESENTATIVES GLIDEWELL, BARNETT & BAIRD

A Bill for an Act to be Entitled: AN ACT TO REQUIRE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO NOTIFY VEHICLE OWNERS THAT MOTOR VEHICLES WILL NOT BE REGISTERED OR RENEWED UNTIL ALL OUTSTANDING WARRANTS HAVE BEEN DISPOSED OF IN ACCORDANCE WITH THE LAW; AND FOR OTHER PURPOSES.

Senate Bill No. 365 was read the first time, rules suspended, read the second time and referred to the Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS.

SENATE RESOLUTION NO. 8
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR BROADWAY

A Bill for an Act to be Entitled: SUPPORTING THE GOALS AND IDEALS OF MULTIPLE SCLEROSIS AWARENESS WEEK.

Senate Resolution No. 8 was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 366
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MADISON

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR THE SPECIAL COLLECTIONS DIVISION OPERATIONS OF THE UNIVERSITY OF ARKANSAS LIBRARY FOR THE FISCAL YEAR ENDING JUNE 30, 2010; AND FOR OTHER PURPOSES.

Senate Bill No. 366 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 367
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MADISON

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE UNIVERSITY OF ARKANSAS - CENTER FOR ADVANCED SPATIAL TECHNOLOGIES FOR MAPPING AND DATA PROJECTS; AND FOR OTHER PURPOSES.

Senate Bill No. 367 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 368
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MADISON

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE UNIVERSITY OF ARKANSAS FOR THE COLLEGE OF ARTS AND SCIENCES DEBATE TEAM OPERATIONS; AND FOR OTHER PURPOSES.

Senate Bill No. 368 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 369
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR D. JOHNSON

A Bill for an Act to be Entitled: AN ACT TO ESTABLISH UNIFORM REQUIREMENTS FOR DISTRAINT OF GOODS OR CHATTELS; AND FOR OTHER PURPOSE.

Senate Bill No. 369 was read the first time, rules suspended, read the second time and referred to the Committee on REVENUE & TAXATION.

SENATE BILL NO. 370
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

BY: SENATOR D. JOHNSON

BY: REPRESENTATIVES WEBB, ADCOCK, GREENBERG, WILLS &
HARRELSON

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION - DISBURSING OFFICER FOR LITTLE ROCK ZOO IMPROVEMENTS; AND FOR OTHER PURPOSES.

Senate Bill No. 370 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 371
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

BY: SENATOR D. JOHNSON

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF HUMAN SERVICES - DIVISION OF VOLUNTEERISM FOR A STATEWIDE MEMBERSHIP-BASED NONPROFIT ASSOCIATION DEDICATED TO IMPROVING THE PERFORMANCE AND CAPACITY OF THE ARKANSAS NONPROFIT SECTOR; AND FOR OTHER PURPOSES.

Senate Bill No. 371 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

Received from the House

HOUSE BILL NO. 1213
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE PATTERSON

A Bill for an Act to be Entitled: AN ACT TO AMEND AND CLARIFY VARIOUS PROVISIONS OF THE ARKANSAS RESIDENTIAL-LANDLORD TENANT ACT OF 2007 THAT CONCERN LANDLORD REMEDIES AND EVICTION PROCEEDINGS; FOR OTHER PURPOSES.

House Bill No. 1213 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. 1280
As Engrossed: H2/4/09
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES HYDE AND SLINKARD

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE §§ 9-9-209(b) AND 9-9-220(b) TO PROVIDE A PARENT WITH AN OPTION TO WAIVE THE NUMBER OF DAYS FROM TEN TO FIVE TO WITHDRAW CONSENT OR RELINQUISHMENT OF PARENTAL RIGHTS FOR AN ADOPTION; AND FOR OTHER PURPOSES.

House Bill No. 1280 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. 1374
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE STEWART
BY: SENATOR TEAGUE

A Bill for an Act to be Entitled: AN ACT TO AMEND THE MILITARY CODE OF ARKANSAS TO MAKE SEXUAL MISCONDUCT AND SEXUAL HARASSMENT OFFENSES PUNISHABLE BY COURT MARTIAL; AND FOR OTHER PURPOSES.

House Bill No. 1374 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. 1376
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE STEWART
BY: SENATOR FARIS

A Bill for an Act to be Entitled: AN ACT TO AMEND THE MILITARY CODE OF ARKANSAS TO CLARIFY THE GOVERNOR'S POWER TO ORDER THE ORGANIZED MILITIA INTO ACTIVE SERVICE FOR THE PURPOSE OF WORKING WITH STATE AGENCIES TO RESPOND TO EMERGENCIES OR DISASTERS; AND FOR OTHER PURPOSES.

House Bill No. 1376 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

Senate Bill No. 208 was returned from the House as passed and ordered enrolled.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

February 16, 2009

Mr. President:

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

SENATE BILL NO. 198, 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. 198 was ordered re-referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 372
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR HENDREN

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE NORTHWEST ARKANSAS COMMUNITY COLLEGE FOR ENERGY CONSERVING CRITICAL MAINTENANCE; AND FOR OTHER PURPOSES.

Senate Bill No. 372 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

February 16, 2009

Mr. President:

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

SENATE BILL NO. 35, BY SENATOR THOMPSON ET AL,
SENATE BILL NO. 301, BY SENATOR FARIS,
SENATE BILL NO. 302, BY SENATOR FARIS,
SENATE BILL NO. 208, BY SENATOR BOOKOUT,

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 2:50 P.M. delivered them to the Governor for his approval.

Respectfully submitted,

(SIGNED) JOHN PAUL CAPPS
CHAIRMAN

GOVERNOR'S BILL RECEIPTS

SENATE BILL NO. 35

SENATE BILL NO. 301

SENATE BILL NO. 302

SENATE BILL NO. 208

RECEIVED the above papers from the Secretary of the Senate this 16 day of February 16, 2009, at 2:50 p.m.

(SIGNED) MIKE BEEBE
Governor

(SIGNED) J. D. Lowery
Secretary

SENATE BILL NO. 373
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR SALMON

A Bill for an Act to be Entitled: AN ACT TO INCREASE THE STIPEND FOR MEMBERS OF THE ARKANSAS STATE BOARD OF NURSING; AND FOR OTHER PURPOSES.

Senate Bill No. 373 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. 1030
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE HARRELSON
BY: SENATOR D. JOHNSON

A Bill for an Act to be Entitled: AN ACT TO GRANT THE DEPARTMENT OF COMMUNITY CORRECTION THE AUTHORITY TO SHUT DOWN UNLICENSED TRANSITIONAL HOUSING FOR CRIMINAL OFFENDERS WHO HAVE BEEN TRANSFERRED, PAROLED, OR PLACED ON PROBATION THROUGH THE ARKANSAS CRIMINAL JUSTICE SYSTEM; TO ALLOW FOR CIVIL PENALTIES FOR OPERATION OF UNLICENSED TRANSITIONAL HOUSING; AND FOR OTHER PURPOSES.

House Bill No. 1030 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. 1037
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES D. CREEKMORE AND WOODS
BY: SENATOR BROADWAY

A Bill for an Act to be Entitled: AN ACT TO INCREASE THE IDENTITY THEFT PROTECTION AVAILABLE UNDER THE ARKANSAS CONSUMER REPORT SECURITY FREEZE ACT; TO PERMIT PLACEMENT OF A SECURITY FREEZE PRIOR TO BECOMING A VICTIM OF IDENTITY THEFT; TO REDUCE THE FEES CHARGED FOR THE PLACEMENT, REMOVAL, OR TEMPORARY LIFTING OF A SECURITY FREEZE; TO ELIMINATE THE SECURITY FREEZE FEES CHARGED TO IDENTITY THEFT VICTIMS, INDIVIDUALS ON ACTIVE MILITARY DUTY, AND INDIVIDUALS OVER SIXTY-FIVE (65) YEARS OF AGE; AND FOR OTHER PURPOSES.

House Bill No. 1037 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. 1272

As Engrossed: H2/13/09

EIGHTY-SEVENTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES BLOUNT, ALLEN, T. BAKER, CASH, DAVIS, HARDY,
HOUSE, HOYT, RAINEY, J. ROEBUCK, SHELBY & STEWART
BY: SENATORS ELLIOTT AND STEELE

A Bill for an Act to be Entitled: AN ACT TO INCREASE PARENTAL INVOLVEMENT IN ARKANSAS PUBLIC SCHOOLS; AND FOR OTHER PURPOSES.

House Bill No. 1272 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. 1399

EIGHTY-SEVENTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE HARRELSON

BY: SENATOR D. JOHNSON

A Bill for an Act to be Entitled: AN ACT TO AMEND THE ARKANSAS VERSION OF THE UNIFORM DISCLAIMER OF PROPERTY INTERESTS ACT; AND FOR OTHER PURPOSES.

House Bill No. 1399 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. 1400
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE ENGLISH

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

House Bill No. 1400 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

February 16, 2009

Mr. President:

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

SENATE BILL NO. 93, 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. 93 was ordered re-referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 374
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR H. WILKINS

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF HUMAN SERVICES - DIVISION OF CHILD CARE AND EARLY CHILDHOOD EDUCATION FOR AFTER SCHOOL PROGRAM GRANTS; AND FOR OTHER PURPOSES.

Senate Bill No. 374 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

February 16, 2009

Mr. President:

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

SENATE BILL NO. 200, 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. 200** was ordered re-referred to the Committee on JOINT BUDGET.

SENATE BILLS TRANSMITTED TO THE HOUSE

AS PASSED

SENATE BILL NO. 45

SENATE BILL NO. 55

SENATE BILL NO. 149

SENATE BILL NO. 303

SENATE BILL NO. 323

SENATE BILL NO. 324

SENATE BILL NO. 331

SENATE BILL NO. 334

HOUSE BILLS RETURNED TO THE HOUSE

AS PASSED

HOUSE BILL NO. 1050

HOUSE BILL NO. 1085

HOUSE BILL NO. 1116

HOUSE BILL NO. 1246

HOUSE BILL NO. 1250

HOUSE BILL NO. 1264

HOUSE BILLS RETURNED TO THE HOUSE

AS PASSED AS AMENDED

HOUSE BILL NO. 1024 AS AMENDED NO. 1

HOUSE BILL NO. 1034 AS AMENDED NO. 1

HOUSE BILL NO. 1132 AS AMENDED NO. 1

HOUSE BILL NO. 1133 AS AMENDED NO. 1

HOUSE CONCURRENT RESOLUTION RETURNED

TO THE HOUSE AS CONCURRED IN

HOUSE CONCURRENT RESOLUTION NO. 1007

SENATE BILLS RETURNED FROM THE HOUSE
AS PASSED AND ORDERED ENROLLED

SENATE BILL NO. 35
SENATE BILL NO. 208
SENATE BILL NO. 301
SENATE BILL NO. 302

HOUSE BILLS TRANSMITTED TO THE SENATE
AS PASSED

HOUSE BILL NO. 1030
HOUSE BILL NO. 1037
HOUSE BILL NO. 1213
HOUSE BILL NO. 1272
HOUSE BILL NO. 1280
HOUSE BILL NO. 1374
HOUSE BILL NO. 1376
HOUSE BILL NO. 1399
HOUSE BILL NO. 1400

On motion of Senator Whitaker, the Senate adjourned until 1:30 p.m., Tuesday,
February 17, 2009.

PRESIDENT OF THE SENATE

SECRETARY OF THE SENATE

