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

Little Rock, Arkansas

February 17, 2009

The Senate was called to order at 1:35 p.m. o'clock 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, SMITH, STEELE, TAYLOR, TEAGUE,
THOMPSON, TRUSTY, WHITAKER, WILKINS,
WILKINSON, WYATT.

Senator Smith requested leave for Senator Salmon.

Leave granted.

The Senate was led in prayer by Reverend Ronnie Morris, First Assembly of God, 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On motion of Senator Wilkins, [Senate Bill No. 342](#) was withdrawn from the Committee on PUBLIC HEALTH, WELFARE & LABOR, and placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 342

Amend [Senate Bill No. 342](#) as originally introduced:

Delete everything after the ENACTING clause and substitute the following:

SECTION 1. Arkansas Code § 12-86-203 is amended to read as follows:

12-86-203. Division of Child Care and Early Childhood Education policies.

The Director of the Division of Child Care and Early Childhood Education of the Department of Human Services shall coordinate efforts with other state agencies and appropriate organizations to:

(1)(A) Share with the Arkansas Department of Emergency Management on a quarterly basis an integrated list of all licensed child care facilities and all known license-exempt child care facilities, including without limitation physical addresses, maximum capacity, emergency contact information, hours of operation, and status as tuition subsidy, meal subsidy, state-funded pre-kindergarten, and quality-rated facilities.

(B) The integrated list is to be sorted by county;

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

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

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

(5) Include early childhood emergency preparedness courses and workshops that address specific risk factors and evacuation procedures in particular geographic areas among approved courses and workshops for meeting requirements for in-service training for licensed child care providers in those geographic areas; ~~and~~

(6) Incorporate specific indicators of emergency preparedness, linked to specific disaster risk factors in providers' geographic areas, into each level of any quality ratings above minimum licensing standards; ~~and~~

(7)(A) Require a child care facility to have a written plan for evacuation in the event of fire, natural disaster, or other threatening situation that may pose a health or safety hazard to the children in the child care facility;

(B) Require the plan to include without limitation:

(i) A designated relocation site and evacuation route;

(ii) Procedures for notifying parents of the relocation and ensuring family reunification;

(iii) Procedures to address the needs of individual children, including children with special needs;

(iv) Instructions relating to the training of staff or the reassignment of staff duties, as appropriate;
(v) Coordination with local emergency management officials; and
(vi) A program to ensure that appropriate staff are familiar with the plan's components."

(SIGNED) SENATOR WILKINS

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 342 was ordered engrossed.

On motion of Senator G. Jeffress, **Senate Bill No. 180** 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. 180

Amend **Senate Bill No. 180** as originally introduced:

Page 1, delete everything after the Enacting Clause and substitute the following:

"SECTION 1. Arkansas Code § 24-10-606(a), concerning early retirement under the Local Police and Fire Retirement System, is amended to read as follows:

(a) Any member in covered employment who has not attained his or her normal retirement age may retire with an early annuity as provided in this section upon his or her written application to the Board of Trustees of the Arkansas Local Police and Fire Retirement System setting forth at what time, not less than thirty (30) days nor more than ninety (90) days subsequent to the execution and filing of his or her application, he or she desires to be retired, but only if, at the time of his or her separation from employment and at the time so specified for his or her retirement, the member shall have:

(1) attained Attained age fifty (50) and have twenty (20) years of credited service in force; or

(2) Twenty-five (25) years of credited paid service in the Arkansas Local Police and Fire Retirement System at any age."

(SIGNED) SENATOR G. JEFFRESS

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 180 was ordered engrossed.

On motion of Senator Smith, Senate Bill No. 307 was withdrawn from the Committee on PUBLIC HEALTH, WELFARE & LABOR, and placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 307

Amend Senate Bill No. 307 as originally introduced:

Page 1, delete line 29 through 32 and substitute the following:

“(B) "Long-term care facility" does not include an adult day care program that:

(i) Provides care and supervision to meet the needs of twelve (12) or fewer functionally impaired adults at any time in a place other than the adult's home;

(ii) Provides services to clients for periods of four (4) hours or less per day for only one (1) day per week;

(iii) Designates an individual to act as the program director to have responsibility for the operation of the program;

(iv) Posts a notice in eighteen-point type that:
(a) Is located at or near the main entrance to the structure in which the program operates;

(b) Lists the name and contact information of the program director;

(c) Lists the name and the contact telephone number for the Adult Protective Services Unit of the Department of Human Services; and

(d) Lists the name and the contact telephone number for the Office of Long-Term Care of the Department of Human Services;

(v) Operates in a building or structure that is at all times in compliance with safety code requirements as determined by the local fire authority; and

(vi) Operates in accordance with the American Alzheimer's Association Standards of Dementia Care Practices or similarly nationally recognized standards for the treatment and care of individuals with Alzheimer's or related dementia, as in existence on January 1, 2009.”

AND

Page 2, delete lines 2 through 4 and substitute the following:
“an adult day care program that is excepted from the definition of long-term care facility under § 20-10-101.”

(SIGNED) SENATOR SMITH

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 307 was ordered engrossed.

On motion of Senator Elliott, **Senate Bill No. 235** 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. 235

Amend **Senate Bill No. 235** as originally introduced:

Page 1, delete everything after the Enacting Clause and substitute the following:
 “24-2-408. ~~Concurrence prohibited~~ Concurrent employment.

(a) In establishing credited service under § 24-2-401 et seq., persons who receive credited service pursuant to § 24-4-101(17)(B)(xiii) for dual full-time employment in the Arkansas Public Employees' Retirement System and the Arkansas Local Police and Fire Retirement System under the provisions of this act may count periods of credited service covering the same calendar time ~~only once~~ under both the Arkansas Public Employees' Retirement System and the Arkansas Local Police and Fire Retirement System.

(b) To be eligible for retirement benefits under both the Arkansas Local Police and Fire Retirement System and the Arkansas Public Employees' Retirement System, the member shall:

- (1) Be a full-time member of both the Arkansas Local Police and Fire Retirement System and the Arkansas Public Employees' Retirement System; and
(2) Qualify for benefits under either the Arkansas Local Police and Fire Retirement System or the Arkansas Public Employees' Retirement System.”

(SIGNED) SENATOR ELLIOTT

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 235 was ordered engrossed.

On motion of Senator Teague, **Senate Bill No. 255** 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. 255

Amend **Senate Bill No. 255** as originally introduced:

Page 1, line 35, delete "nineteen thousand pounds (19,000 lbs)" and substitute "thirteen thousand pounds (13,000 lbs.)"

AND

Page 2, line 2, delete "nineteen thousand" and substitute "thirteen thousand pounds (13,000 lbs.)"

AND

Page 2, line 3, delete "pounds (19,000 lbs)" entirely

(SIGNED) SENATOR TEAGUE

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 255 was ordered engrossed.

On motion of Senator D. Johnson, **Senate Bill No. 79** was withdrawn from the Committee on PUBLIC HEALTH, WELFARE & LABOR, and placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 79

Amend **Senate Bill No. 79** as originally introduced:

Page 1, delete lines 9 through 11 of the title and substitute the following:
 "AN ACT TO REGULATE RADIOLOGIST ASSISTANTS AND RADIOLOGY PRACTITIONER ASSISTANTS; AND FOR OTHER"

AND

Page 1, delete lines 16 through 18 of the subtitle and substitute the following:
 "ASSISTANTS AND RADIOLOGY PRACTITIONER ASSISTANTS."

AND

Page 1, delete lines 25 through 35 and substitute the following:
"17-106-201. Radiologist assistant and radiology practitioner assistant --
 License required.

(a) The Arkansas State Medical Board shall grant a license to practice as a radiologist assistant and a radiology practitioner assistant to a qualified applicant who complies with the rules for licensure adopted under this subchapter.

(b) An individual shall not practice as a radiologist assistant or a radiology practitioner assistant unless the person is licensed as a radiologist assistant or a radiology practitioner assistant by the board."

AND

Page 2, delete lines 3 through 12 and substitute the following:
"(1) Define the qualifications for licensure of a radiologist assistant or a radiology practitioner assistant;

(2)(A) Define the services that may be performed by a radiologist assistant or a radiology practitioner assistant, and the level of supervision required for the performance of a radiologist assistant or a radiology practitioner assistant.

(B) The rules adopted under subdivision (2)(A) of this section shall specify that a radiologist assistant or radiology practitioner assistant shall not interpret images, make diagnoses, or prescribe medications or therapies;"

AND

Page 2, delete lines 16 and 17 and substitute the following:
"physician must employ when supervising a radiologist assistant or a radiology practitioner;

"(C)(i) Only a physician licensed to practice medicine in the State of Arkansas under § 17-95-401, et seq. who resides in Arkansas or in an immediately contiguous county of an adjacent state and who is a diagnostic radiologist certified by the American Board of Radiology may utilize the services of a

radiologist assistant or a radiology practitioner assistant.

(ii) However, a physician may utilize the services of a radiologist assistant or a radiology practitioner assistant under subdivision (3)(C)(i) of this section only if the physician supervises the radiologist assistant or radiology practitioner assistant;"

AND

Page 2, delete lines 19 and 20 and substitute the following:
"a radiologist assistant and a radiology practitioner assistant;"

AND

Page 2, delete lines 22 and 23 and substitute the following:
"licensure for a radiologist assistant and a radiology practitioner assistant; and"

AND

Page 2, delete lines 25 and 26 and substitute the following:
"assistant and a radiology practitioner assistant."

AND

Page 2, delete lines 34 and 35 and substitute the following:
"If a radiologist assistant or a radiology practitioner assistant is found by the Arkansas State Medical"

AND

Page 3, delete lines 4 and 5 and substitute the following:
"radiologist assistant or radiology practitioner assistant;"

AND

Page 3, delete lines 8 through 12 and substitute the following:
"(3) Recovery from the radiologist assistant or the radiology practitioner assistant of the costs of an investigation and hearing if the radiologist assistant or the radiology practitioner assistant is found to have violated the Arkansas Medical Practices Act, § 17-95-201 et seq., or"

AND

Page 3, delete lines 14 and 15 and substitute the following:
"(4) Placement of the radiologist assistant or the radiology practitioner assistant under"

AND

Page 3, delete line 17 and substitute the following:
"(5) A reprimand."

17-106-205. Emerging categories of physician extenders.

(a) For purposes of this section:

- (1) "Imaging sciences" means those disciplines utilizing electromagnetic or sound energies in the diagnosis of human disease; and
- (2) "Therapeutic disciplines" means those disciplines employing sealed and unsealed radioactive sources in the treatment of human disease.

(b) The Arkansas State Medical Board shall adopt rules for the licensure or certification of emerging categories of physician extenders in the imaging sciences and therapeutic disciplines.

(c) This section does not grant authority to the board to regulate other licensed practitioners of the healing arts, including practitioners with radiologic technology licenses as currently defined and regulated by the Department of Health."

(SIGNED) SENATOR D. JOHNSON

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 79 was ordered engrossed.

On motion of Senator Crumbly, **Senate Bill No. 304** was withdrawn from the Committee on EDUCATION, and placed back on second reading for purpose of Amendment No. 1.

**ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 304**

Amend **Senate Bill No. 304** as originally introduced:

Page 1, delete line 11 and substitute the following:
SECONDARY SCHOOLS; TO PROVIDE AN ACCELERATED LEARNING PROGRAM TO STUDENTS WHO DO NOT ACHIEVE GRADE LEVEL PROFICIENCY AT KINDERGARTEN OR BY THE END OF GRADE THREE, GRADE FIVE, OR GRADE SEVEN; AND FOR OTHER PURPOSES.

AND

Page 1, delete lines 31 through 33 and substitute the following:

"(2) Public schools and public school districts participating in the pilot program shall use continuous monitoring and assessment, an accelerated learning program, and student longitudinal data to evaluate and address the needs of students."

AND

Page 2, delete lines 25 through 33 and substitute the following:

"using:

(1) Classroom assessments at the beginning of a school year;

(2) Classroom assessments during a school year; and

(3) Student longitudinal data available through the department.

(g) A participating school shall provide a student who is identified under subsections (i)-(l) of this section with the following:

(1)(A) An accelerated learning program that uses evidence-based intervention strategies and services needed for the students to make satisfactory academic progress toward proficiency by the end of grade three (3), by the end of grade five (5), and by the end of grade seven (7), as determined by the monitoring of student progress under subsection (f) of this section.

(B) A participating school district may fund the accelerated learning program with:

(i) National school lunch student categorical funding under § 6-20-2305;

(ii) Department of Education grants;

(iii) Other federal and state funds available to the participating school district for improving student academic achievement and closing the achievement gap; and

(iv) Private donations.

(C) An accelerated learning program shall include without limitation:

(i) Reading Recovery or other evidence-based reading and literacy intervention programs approved by the department that are designed to accelerate reading and literacy skills of young children;

(ii) Accelerated math instruction;

(iii) After-school tutoring for not less than four (4) days per week for a minimum of twenty-four (24) weeks during the school year;

(iv) A six-week summer program designed to help students focus on areas of need and maintain learning between school years; and

(v) Any other evidence-based intervention strategy approved by the department.

(D)(i) A student identified under subsections (i)-(l) of this section shall attend and remain in the accelerated learning program until the public school determines by the monitoring and assessment conducted under this section that the student is grade-level proficient.

(ii) At the end of a school year in which a student repeats grade three (3), grade five (5), or grade seven (7) under subsections (i)-(l) of this section, the department shall determine the criteria for the student's advancement to the next grade, including without limitation that the student shall remain in the accelerated learning program; and"

AND

Page 3, delete line 4 and substitute the following:

"(h) The department shall develop and make available to a participating school district training for the licensed teachers and nonlicensed employees needed to implement the evidence-based intervention strategies used in an accelerated learning program.

(i) Beginning with the 2010-2011 school year, if a participating school district determines from the school readiness screening administered to a student entering kindergarten under § 6-15-404 that the student is not at grade level for kindergarten, the participating school district shall place the kindergarten student in an accelerated learning program.

(j) Beginning with the 2014-2015 school year, a participating school"

AND

Page 3, line 8, delete "(j)" and substitute "(k)"

AND

Page 3, line 12, delete "(j)" and substitute "(l)"

AND

Page 3, line 16, delete "(k)(1)" and substitute "(m)(1)"

AND

Page 3, line 22, delete "(l)" and substitute "(n)"

AND

Page 3, line 24, delete "(m)(1)" and substitute "(o)(1)"

AND

Page 3, line 30, delete "recommendations" and substitute "recommendations for the pilot program"

(SIGNED) SENATOR CRUMBLY

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 304 was ordered engrossed.

On motion of Senator D. Johnson, **House Bill No. 1040** 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 HOUSE BILL NO. 1040

Amend **House Bill No. 1040** as engrossed, H1/23/09:
Add Senator Wilkins as a co-sponsor to the bill.

(SIGNED) SENATOR D. JOHNSON

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

(SIGNED) ANN CORNWELL,
SECRETARY

House Bill No. 1040 was ordered engrossed.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

February 17, 2009

Mr. President:

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

SENATE BILL NO. 79, BY SENATOR D. JOHNSON,
SENATE BILL NO. 307, BY SENATOR T. SMITH,
SENATE BILL NO. 342, BY SENATOR H. WILKINS,

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

Respectfully submitted,

(SIGNED) JOHN PAUL CAPPS
CHAIRMAN

On motion of Senator D. Johnson, **Senate Bill No. 79** was ordered re-referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

On motion of Senator Smith, **Senate Bill No. 307** was ordered re-referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

On motion of Senator Wilkins, **Senate Bill No. 342** was ordered re-referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

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

February 17, 2009

Mr. President:

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

Senate BILL NO. 180, BY SENATOR G. JEFFRESS,
Senate BILL NO. 235, BY SENATOR ELLIOTT,

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 G. Jeffress, **Senate Bill No. 180** was ordered re-referred to the Committee on JOINT RETIREMENT AND SOCIAL SECURITY.

On motion of Senator Elliott, **Senate Bill No. 235** was ordered re-referred to the Committee on JOINT RETIREMENT AND SOCIAL SECURITY.

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

February 17, 2009

Mr. President:

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

SENATE BILL NO. 255, BY SENATOR TEAGUE,

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

Respectfully submitted,

(SIGNED) JOHN PAUL CAPPS
CHAIRMAN

On motion of Senator Teague, **Senate Bill No. 255** was ordered re-referred to the Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

February 17, 2009

Mr. President:

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

SENATE BILL NO. 304, BY SENATOR CRUMBLY,

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 Crumbly, **Senate Bill No. 304** was ordered re-referred to the Committee on EDUCATION.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

February 17, 2009

Mr. President:

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

HOUSE BILL NO. 1040, BY REPRESENTATIVE CREEKMORE
AND SENATOR D. JOHNSON

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 D. Johnson, **House Bill No. 1040** was ordered re-referred to the Committee on JUDICIARY.

On motion of Senator Bledsoe, the Senate resolved itself into the Committee of the Whole for the purpose of recognizing Dr. David Jacks and Dr. Fletcher who spoke about automatic external defibrillators. Mr. Ben Wellons, CEO of EMed America, donated four of the automatic external defibrillators (AEDs) to the State Capitol - one for each floor.

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

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

MIKE BEEBE
Governor

February 17, 2009

TO THE PRESIDENT OF THE SENATE

Dear Mr. President:

This is to inform your Honorable Body that on February 17, 2009, I approved the following measures from the Regular Session of the Eighty-seventh General Assembly:

Senate Bill No. 101, - ACT 176,
Senate Bill No. 111, - ACT 177,
Senate Bill No. 151, - ACT 178,
Senate Bill No. 306, - ACT 179,

Sincerely,

(SIGNED) MIKE BEEBE
Governor

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

February 17, 2009

Mr. President:

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

SENATE BILL NO. 320, BY SENATOR BRYLES,
SENATE BILL NO. 321, BY SENATOR BRYLES,

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 MADISON
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

February 17, 2009

Mr. President:

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

HOUSE BILL NO. 1370, BY REPRESENTATIVE BREEDLOVE,

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 17, 2009

Mr. President:

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

SENATE CONCURRENT RESOLUTION NO. 3,
BY SENATOR D. JOHNSON,

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

Respectfully submitted,

(SIGNED) SENATOR FARIS
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

February 17, 2009

Mr. President:

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

SENATE BILL NO. 332, BY SENATOR WHITAKER,

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

Respectfully submitted,

(SIGNED) SENATOR FARIS
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

February 17, 2009

Mr. President:

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

HOUSE BILL NO. 1371, BY REPRESENTATIVE HARDY,
HOUSE BILL NO. 1373, BY REPRESENTATIVE STEWART,

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 17, 2009

Mr. President:

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

HOUSE BILL NO. 1363, BY REPRESENTATIVE M. BURRIS,
HOUSE BILL NO. 1410, BY REPRESENTATIVE HOYT,

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 HORN
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

February 17, 2009

Mr. President:

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

SENATE BILL NO. 123, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 288, BY JOINT BUDGET COMMITTEE,

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

Respectfully submitted,

(SIGNED) SENATOR BAKER
CHAIRMAN

On motion of Senator Steele, **House Concurrent Resolution No. 1005** was called up for third reading and final disposition.

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, HAWKINGS, 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

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

House Concurrent Resolution No. 1005 was read the third time and concurred in by the House.

(SIGNED) ANN CORNWELL, SECRETARY

House Concurrent Resolution No. 1005 was ordered immediately returned to the House as concurred in.

On motion of Senator Glover, **House Bill No. 1318** 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. 1318

Amend **House Bill No. 1318** as engrossed, H2/11/09:

Page 7, delete line 6 and substitute:

"(3) Other circumstances as justice may require.

23-16-511. Right of railroad to contract.

(a) This subchapter is not intended to limit, and shall not be construed as limiting, the right of a railroad to contract with a contract carrier that certifies to the railroad that it is in compliance with the provisions of this subchapter or any applicable federal requirements.

(b) The railroad is entitled to rely on a contract carrier's certification that it is operating in compliance with this subchapter without further inquiry.

SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that safety issues have arisen where the contract carrier that transports railroad employees have operated under less than ideal circumstances; that by establishing standards in state law that are consistent with federal law, railroad employees will be provided transportation that complies with recognized safety standards; and that this act is immediately necessary to ensure the safe transportation of railroad employees by contract carriers. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

(SIGNED) SENATOR GLOVER

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1318 was ordered engrossed.

On motion of Senator D. Johnson, [House Bill No. 1058](#) 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 HOUSE BILL NO. 1058](#)

Amend [House Bill No. 1058](#) as engrossed, H2/06/09:
Add Senator Wilkins as a co-sponsor to the bill.

(SIGNED) SENATOR D. JOHNSON

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

(SIGNED) ANN CORNWELL, SECRETARY

[House Bill No. 1058](#) was ordered engrossed.

On motion of Senator D. Johnson, [House Bill No. 1041](#) 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 HOUSE BILL NO. 1041](#)

Amend [House Bill No. 1041](#) as engrossed, H1/28/09:
Add Senator Wilkins as a co-sponsor to the bill.

(SIGNED) SENATOR JOHNSON

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

(SIGNED) ANN CORNWELL, SECRETARY

[House Bill No. 1041](#) was ordered engrossed.

On motion of Senator J. Jeffress, **Senate Bill No. 309** was called up for third reading and final disposition.

SENATE BILL NO. 309
As Engrossed: S2/09/09 S2/11/09
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

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

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

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

Senate Bill No. 309 was 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, Glover, Hendren, Horn, G. Jeffress, J. Jeffress, D. Johnson, J. Key, Laverty, P. Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, R. Thompson, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total30

NEGATIVE: Luker, Teague.

Total2

ABSENT OR NOT VOTING: Faris, B. Johnson, Madison.

Total3

VOTING PRESENT:

Total0

Total number of votes cast32

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 309 was ordered immediately transmitted to the House as passed.

On motion of Senator Altes, **Senate Bill No. 251** was called up for third reading and final disposition.

SENATE BILL NO. 251

As Engrossed: S2/3/09 S2/10/09

EIGHTY-SEVENTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATOR ALTES

A Bill for an Act to be Entitled: AN ACT TO PROVIDE THAT MOTOR VEHICLE ACCIDENT REPORTS SHALL NOT BE USED FOR COMMERCIAL PURPOSES FOR NINETY (90) DAYS AFTER THE ACCIDENT; AND FOR OTHER PURPOSES.

Senate Bill No. 251 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, Capps, Glover, Hendren, Horn, G. Jeffress, J. Jeffress, J. Key, Lavery, B. Pritchard, T. Smith, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total20

NEGATIVE: D. Johnson, R. Thompson.

Total2

ABSENT OR NOT VOTING: Bryles, Crumbly, Elliott, Faris, B. Johnson, Luker, Madison, P. Malone, Miller, Salmon, Steele, J. Taylor, Teague.

Total13

VOTING PRESENT:

Total0

Total number of votes cast.....22

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. 251 was ordered immediately transmitted to the House as passed.

On motion of Senator Wilkins, Senate Bill No. 78 was called up for third reading and final disposition.

SENATE BILL NO. 78

As Engrossed: S2/4/09

EIGHTY-SEVENTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATORS H. WILKINS, ELLIOTT, CRUMBLY & STEELE

BY: REPRESENTATIVES ALLEN, T. BAKER, WORD, RAINEY, DAVIS, W.

LEWELLEN, CARROLL, WILLIAMS & BLOUNT

A Bill for an Act to be Entitled: AN ACT TO IMPROVE THE SAFETY OF MOTORISTS ON HIGHWAYS AND ROADS IN THE STATE OF ARKANSAS BY MAKING THE MANDATORY SEAT BELT LAW A PRIMARY LAW FOR ENFORCEMENT PURPOSES; AND FOR OTHER PURPOSES.

Senate Bill No. 78 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

Total29

NEGATIVE: J. Key, Madison, P. Malone, B. Pritchard, J. Taylor, Whitaker.

Total6

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0
 Total number of votes cast.....35
 Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **Senate Bill No. 78**, 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, Lavery, Luker, Miller, Salmon, T. Smith, Steele, Teague, R. Thompson, Trusty, H. Wilkins, Wilkinson, D. Wyatt.

Total29

NEGATIVE: J. Key, Madison, P. Malone, B. Pritchard, J. Taylor, Whitaker.

Total6

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 78 was ordered immediately transmitted to the House.

On motion of Senator Baker, **House Bill No. 1018** was called up for third reading and final disposition.

**HOUSE BILL NO. 1018
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE GREENBERG**

A Bill for an Act to be Entitled: AN ACT TO CLARIFY THAT THE AUCTIONEER'S LICENSING ACT, § 17-17-101 ET SEQ., DOES NOT APPLY TO AUCTIONS CONDUCTED BY MEANS OF THE INTERNET; AND FOR OTHER PURPOSES.

House Bill No. 1018 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. 1018 was ordered immediately returned to the House as passed.

On motion of Senator Madison, **House Bill No. 1263** was called up for third reading and final disposition.

HOUSE BILL NO. 1263
As Engrossed: S2/16/09
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES HOYT AND REYNOLDS

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

House Bill No. 1263 was 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. 1263 was ordered immediately returned to the House as passed as amended.

On motion of Senator D. Johnson, **House Bill No. 1039** was called up for third reading and final disposition.

HOUSE BILL NO. 1039
As Engrossed H1/23/09 S2/16/09
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

BY: REPRESENTATIVES D. CREEKMORE, CASH, T. BAKER, HOBBS, LEA, M. MARTIN, PYLE, RICE, WAGNER & B. WILKINS
BY: SENATORS BROADWAY AND D. JOHNSON

A Bill for an Act to be Entitled: AN ACT TO AMEND DOMESTIC BATTERING IN THE FIRST AND SECOND DEGREE; AND FOR OTHER PURPOSES.

House Bill No. 1039 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. 1039 was ordered immediately returned to the House as passed as amended.

On motion of Senator G. Jeffress, Senate Bill No. 186 was called up for third reading and final disposition.

SENATE BILL NO. 186
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR G. JEFFRESS

A Bill for an Act to be Entitled: AN ACT TO AMEND THE PREMIUM TAX ALLOCATIONS SO THAT A LOCAL PLAN THAT CONSOLIDATES WITH THE ARKANSAS LOCAL POLICE AND FIRE RETIREMENT SYSTEM CONTINUES TO RECEIVE THE SAME PREMIUM TAX DOLLAR AMOUNT AND OTHER INCOME; AND FOR OTHER PURPOSES.

Senate Bill No. 186 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. 186 was ordered immediately transmitted to the House as passed.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

February 17, 2009

Mr. President:

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

HOUSE BILL NO. 1041, BY REPRESENTATIVE CREEKMORE AND
SENATOR D. JOHNSON

HOUSE BILL NO. 1058, BY REPRESENTATIVE CREEKMORE AND
SENATOR D. JOHNSON

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 D. Johnson, House Bill No. 1041 was ordered re-referred to the Committee on JUDICIARY.

On motion of Senator D. Johnson, House Bill No. 1058 was ordered re-referred to the Committee on JUDICIARY.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

February 17, 2009

Mr. President:

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

HOUSE BILL NO. 1318, BY REPRESENTATIVE NIX 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

SENATE BILL NO. 375
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR J. TAYLOR
BY: REPRESENTATIVE DAVENPORT

A Bill for an Act to be Entitled: AN ACT INCREASING THE PENALTY FOR ESCAPING FROM THE CUSTODY OF THE DEPARTMENT OF CORRECTION, THE DEPARTMENT OF COMMUNITY CORRECTION, OR A LAW ENFORCEMENT AGENCY, AND FOR FURNISHING AN IMPLEMENT FOR ESCAPE; AND FOR OTHER PURPOSES.

Senate Bill No. 375 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

SENATE BILL NO. 376
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR J. TAYLOR
BY: REPRESENTATIVE DAVENPORT

A Bill for an Act to be Entitled: AN ACT TO INCLUDE CELLULAR TELEPHONES OR OTHER COMMUNICATIONS DEVICES AS ARTICLES INMATES AT THE DEPARTMENT OF CORRECTION ARE PROHIBITED FROM POSSESSING OR USING; AND FOR OTHER PURPOSES.

Senate Bill No. 376 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. 1431
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE L. COWLING

A Bill for an Act to be Entitled: AN ACT TO CHANGE THE SUBMISSION DATE FOR THE ARKANSAS PUBLIC SERVICE COMMISSION'S ANNUAL REPORT TO THE GOVERNOR TO THE MONTH OF JUNE; AND FOR OTHER PURPOSES.

House Bill No. 1431 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. 1433
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE MALOCH

A Bill for an Act to be Entitled: AN ACT TO AUTHORIZE THE BANK COMMISSIONER TO TAKE APPROPRIATE ACTIONS TO DEAL WITH EMERGENCIES; AND FOR OTHER PURPOSES.

House Bill No. 1433 was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE & COMMERCE.

Senate Bill No. 49 was returned from the House as passed and ordered enrolled.

SENATE RESOLUTION NO. 9
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR R. THOMPSON

RECOGNIZING ARKANSAS JAYCEES DAY.

Senate Resolution No. 9 was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 377
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR ELLIOTT
BY: REPRESENTATIVE HARRELSON

A Bill for an Act to be Entitled: AN ACT TO PROVIDE A STREAMLINED METHOD TO RESTORE A CITIZEN'S RIGHTS AFTER COMPLETING A CRIMINAL SENTENCE; TO PROVIDE INFORMATION AND ASSISTANCE IN SEALING A CITIZEN'S CRIMINAL RECORD; TO PROVIDE FOR PROTOCOLS DESIGNED TO HELP A CITIZEN ACQUIRE PROFESSIONAL OR OCCUPATIONAL LICENSES; TO PROVIDE FOR STANDARDS OF FAIRNESS IN EMPLOYMENT WITH STATE AGENCIES; TO PROVIDE INCENTIVES TO PRIVATE BUSINESSES WHO PARTICIPATE IN A CITIZEN'S RESTORATION PROCESS; TO ASSURE ACCESS TO STATE FUNDING FOR EDUCATION AND JOB TRAINING; TO ASSESS EFFICACY OF A CITIZEN'S RESTORATION OF RIGHTS LAW IN ORDER TO CONSIDER MAINTAINING OR CHANGING THE PROCEDURES; AND FOR OTHER PURPOSES.

Senate Bill No. 377 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

SENATE BILL NO. 378
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MALONE

A Bill for an Act to be Entitled: AN ACT TO PLACE THE ARKANSAS STATE BOARD OF ACUPUNCTURE AND RELATED TECHNIQUES WITHIN AND UNDER THE AUTHORITY OF THE DEPARTMENT OF HEALTH; AND FOR OTHER PURPOSES.

Senate Bill No. 378 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

SENATE BILL NO. 379
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR STEELE

A Bill for an Act to be Entitled: AN ACT TO CREATE THE CURTIS H. SYKES MEMORIAL GRANT PROGRAM; AND FOR OTHER PURPOSES.

Senate Bill No. 379 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

SENATE BILL NO. 380
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MILLER

A Bill for an Act to be Entitled: AN ACT TO SEPARATE THE COUNTY AND CIRCUIT CLERKS CONTINUING EDUCATION BOARDS; AND FOR OTHER PURPOSES.

Senate Bill No. 380 was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY & LOCAL AFFAIRS.

SENATE BILL NO. 381
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR R. THOMPSON

A Bill for an Act to be Entitled: AN ACT TO CREATE THE OFFENSE OF SEXUAL SOLICITATION; AND FOR OTHER PURPOSES.

Senate Bill No. 381 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

SENATE BILL NO. 382
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE SECRETARY OF STATE FOR CAPITAL IMPROVEMENT PROJECTS; AND FOR OTHER PURPOSES.

Senate Bill No. 382 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 383
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE WAR MEMORIAL STADIUM COMMISSION FOR THE PRESS BOX RENOVATION CAPITAL IMPROVEMENT PROJECT; AND FOR OTHER PURPOSES.

Senate Bill No. 383 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 384
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS BUILDING AUTHORITY FOR CONSTRUCTION, RENOVATION, MAINTENANCE AND REPAIR ASSISTANCE; AND FOR OTHER PURPOSES.

Senate Bill No. 384 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 385
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF ARKANSAS HERITAGE FOR GENERAL IMPROVEMENT PROJECTS; AND FOR OTHER PURPOSES.

Senate Bill No. 385 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 386
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS SCIENCE AND TECHNOLOGY AUTHORITY FOR TECHNOLOGY DEVELOPMENT GRANTS AND SEED CAPITAL INVESTMENTS; AND FOR OTHER PURPOSES.

Senate Bill No. 386 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 387
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR CAPITAL IMPROVEMENT PROJECTS; AND FOR OTHER PURPOSES.

Senate Bill No. 387 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 388
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE STATE CRIME LABORATORY FOR LABORATORY SCIENTIFIC AND SECURITY EQUIPMENT; AND FOR OTHER PURPOSES.

Senate Bill No. 388 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 389
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF WORKFORCE EDUCATION - ARKANSAS REHABILITATION SERVICES FOR MAINTENANCE, RENOVATION, EQUIPPING, CONSTRUCTION, ACQUISITION, IMPROVEMENT, UPGRADE AND REPAIR PROJECTS; AND FOR OTHER PURPOSES.

Senate Bill No. 389 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 390
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF EDUCATION - ARKANSAS SCHOOL FOR THE DEAF FOR MAINTENANCE, RENOVATION, EQUIPPING, CONSTRUCTION, ACQUISITION, IMPROVEMENT, UPGRADE AND REPAIR PROJECTS; AND FOR OTHER PURPOSES.

Senate Bill No. 390 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 391
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF EDUCATION - ARKANSAS SCHOOL FOR THE BLIND FOR MAINTENANCE, RENOVATION, EQUIPPING, CONSTRUCTION, ACQUISITION, IMPROVEMENT, UPGRADE AND REPAIR PROJECTS; AND FOR OTHER PURPOSES.

Senate Bill No. 391 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 392
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE WORKERS' COMPENSATION COMMISSION FOR MAINTENANCE, RENOVATION, EQUIPPING, CONSTRUCTION, IMPROVEMENT, UPGRADE AND REPAIR PROJECTS FOR THE WORKERS' COMPENSATION COMMISSION BUILDING; AND FOR OTHER PURPOSES.

Senate Bill No. 392 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 393
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR ELLIOTT
BY: REPRESENTATIVE WEBB

A Bill for an Act to be Entitled: AN ACT TO AUTHORIZE CODE ENFORCEMENT OFFICERS TO MAIL CITATIONS; AND FOR OTHER PURPOSES.

Senate Bill No. 393 was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY & LOCAL AFFAIRS.

SENATE BILL NO. 394
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS J. JEFFRESS, G. JEFFRESS & MADISON
BY: REPRESENTATIVES M. BURRIS, M. MARTIN & CHEATHAM

A Bill for an Act to be Entitled: AN ACT TO ALLOW PERSONS WITH A BIRTH-THROUGH-KINDERGARTEN TEACHING LICENSE TO TEACH IN ARKANSAS PUBLIC SCHOOL OR EDUCATION SERVICE COOPERATIVE PREKINDERGARTEN AND KINDERGARTEN PROGRAMS; TO REQUIRE THE PROFESSIONAL LICENSURE STANDARDS BOARD TO DEVELOP REQUIREMENTS FOR A BIRTH-THROUGH-KINDERGARTEN TEACHING LICENSE; TO REQUIRE THE DEPARTMENT OF EDUCATION TO PROMULGATE RULES FOR A BIRTH-THROUGH-KINDERGARTEN TEACHING LICENSE; AND FOR OTHER PURPOSES.

Senate Bill No. 394 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

SENATE BILL NO. 395
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR FARIS

A Bill for an Act to be Entitled: AN ACT TO AMEND VARIOUS PROVISIONS REGARDING LEGISLATIVE PROCEEDINGS; TO CLARIFY THE SUBPOENA POWER OF THE SENATE AND THE HOUSE OF REPRESENTATIVES AND THE COMMITTEES THEREOF; AND FOR OTHER PURPOSES.

Senate Bill No. 395 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

SENATE BILL NO. 396
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS ELLIOT AND BRYLES
BY: REPRESENTATIVES W. LEWELLEN AND RAINEY

A Bill for an Act to be Entitled: AN ACT TO CREATE THE ARKANSAS HOUSING TRUST FUND; TO CREATE A HOUSING TRUST FUND ADVISORY COMMITTEE; TO PROVIDE FOR THE ADMINISTRATION OF THE HOUSING TRUST FUND BY THE ARKANSAS DEVELOPMENT FINANCE AUTHORITY; AND FOR OTHER PURPOSES.

Senate Bill No. 396 was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE & COMMERCE.

SENATE BILL NO. 397
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR BOOKOUT
BY: REPRESENTATIVE KIDD

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS STATE UNIVERSITY - NEWPORT FOR JONESBORO TECHNICAL CENTER COSTS OF AN INSTRUCTIONAL AND GENERAL PURPOSE BUILDING ADDITION; AND FOR OTHER PURPOSES.

Senate Bill No. 397 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 398
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR D. WYATT
BY: REPRESENTATIVE J. DICKINSON

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS STATE UNIVERSITY - NEWPORT FOR CRITICAL MAINTENANCE, LIBRARY HOLDINGS, TECHNOLOGY AND EQUIPMENT PURCHASES; AND FOR OTHER PURPOSES.

Senate Bill No. 398 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 399
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR WYATT

A Bill for an Act to be Entitled: AN ACT TO UPDATE THE PROCEDURE FOR ACQUIRING AN ACCESS EASEMENT; AND FOR OTHER PURPOSES.

Senate Bill No. 399 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

SENATE BILL NO. 400
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS GEOGRAPHIC INFORMATION OFFICE FOR GEOSTOR AND TO UPDATE THE STATE'S AERIAL PHOTOGRAPHY DATABASE; AND FOR OTHER PURPOSES.

Senate Bill No. 400 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILLS TRANSMITTED TO THE HOUSE

AS PASSED

SENATE BILL NO. 78

SENATE BILL NO. 186

SENATE BILL NO. 251

SENATE BILL NO. 309

HOUSE BILL RETURNED TO THE HOUSE

AS PASSED

HOUSE BILL NO. 1018

HOUSE BILLS RETURNED TO THE HOUSE

AS PASSED AS AMENDED

HOUSE BILL NO. 1039 AS AMENDED NO. 1

HOUSE BILL NO. 1263 AS AMENDED NO. 1

HOUSE CONCURRENT RESOLUTION RETURNED

TO THE HOUSE AS CONCURRED IN

HOUSE CONCURRENT RESOLUTION 1005

SENATE BILLS RETURNED FROM THE HOUSE

AS PASSED AND ORDERED ENROLLED

SENATE BILL NO. 49

HOUSE BILLS TRANSMITTED TO THE SENATE

AS PASSED

HOUSE BILL NO. 1431

HOUSE BILL NO. 1433

On motion of Senator Whitaker, the Senate adjourned until 9:45 a.m.,
Wednesday, February 18, 2009.

PRESIDENT OF THE SENATE

SECRETARY OF THE SENATE

