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

Little Rock, Arkansas

February 18, 2009

The Senate was called to order at 10:15 o'clock a.m. by the President.

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

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

The Senate was led in prayer by Senator Teague.

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

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

On motion of Senator Faris, **Senate Bill No. 253** was withdrawn from the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS, and placed back on second reading for purpose of Amendment No. 2.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 2 to SENATE BILL NO. 253

Amend **Senate Bill No. 253** as engrossed, S2/2/09:

Page 7, delete lines 6 through 7 and substitute the following:

"(2) However, on all other elections, including ~~the presidential preferential primary,~~ general primary, and general runoff elections, early"

AND

Page 7, delete lines 13 through 16

AND

Appropriately renumber the sections of the bill

(SIGNED) SENATOR STEVE FARIS

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 253 was ordered engrossed.

On motion of Senator G. Jeffress, **Senate Bill No. 179** was withdrawn from the Committee on JOINT RETIREMENT AND SOCIAL SECURITY, and placed back on second reading for purpose of Amendment No. 1.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. 179

Amend **Senate Bill No. 179** as originally introduced:

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

"SECTION 1. Arkansas Code § 24-10-404(b), concerning a member's contribution to the Local Police and Fire Retirement System, is amended to read as follows:

(b)(1) If a member's covered employment is not also covered by social security, or if his or her covered employment is also covered by social security and his or her political subdivision has elected Benefit Program 2, as provided in § 24-10-602, and if he or she is receiving pays resulting in paid service credit, his or her contributions to the system shall be six percent (6%) of his or her pays.

(2)(A) Beginning July 1, 2009, the contribution for covered members defined in subdivision (b)(1) of this section shall be eight and one-half percent (8.5%) of his or her pay.

(B) Beginning July 1, 2009, the contribution for paid service members not defined in subdivision (b)(1) of this section shall be two and one-half percent (2.5%) of his or her pay.

~~(2)(3)~~ The contributions shall be made notwithstanding that the minimum salary or wages provided by law for any member shall thereby be changed.

~~(3)(4)~~ Each member shall be deemed to consent and agree to the deductions made and provided for in this section.

~~(4)(5)~~ Payment of a member's pay less the deductions shall be a full and complete discharge and acquittance of all claims and demands whatsoever for services rendered by him or her to a political subdivision, except as to benefits provided by this system.

SECTION 2. Arkansas Code § 24-10-602(a)(1)(A), concerning annuities in the Local Police and Fire Retirement System, is amended to read as follows:

(A) For each year of paid service resulting from employment:

(i) In a position not also covered by social security, ~~two and seven-tenths percent (2.7%)~~ two and ninety-four hundredths percent (2.94%) of his or her final average pay; and

(ii) In a position also covered by social security, ~~one and seven-tenths percent (1.7%)~~ one and ninety-four hundredths percent (1.94%) of his or her final average pay.

SECTION 3. Arkansas Code § 24-10-602(a)(2)(A) and (B), concerning annuities in the Local Police and Fire Retirement System, is amended to read as follows:

(A) For each year of paid service rendered on or after the election date of the Benefit Program 2 and before the election is rescinded:

(i) In a position also covered by social security, ~~two and six-tenths percent (2.6%)~~ two and ninety-four hundredths percent (2.94%) of the

member's final average salary; and

(ii) In a position not covered by social security, ~~three and one-tenth percent (3.1%)~~ three and twenty-eight hundredths percent (3.28%) of the member's final average salary.

(B)(i) For each year of paid service rendered before the election date of the Benefit Program 2 or after the election is rescinded:

(a) In a position also covered by social security, ~~one and seven-tenths percent (1.7%)~~ one and ninety-four hundredths percent (1.94%) of the member's final average salary; and

(b) In a position not covered by social security, ~~two and seven-tenths percent (2.7%)~~ two and ninety-four hundredths percent (2.94%) of the member's final average salary.

(ii) A member who has paid service rendered before the election date of Benefit Program 2 or after the election is rescinded and subsequently readopted may have the paid service rendered on or after July 28, 1995, treated as though the paid service had been rendered after the election date of Benefit Program 2 by paying to the system the actuarial cost of the increased benefit by a single contribution or by an agreement to pay an increased rate of contributions if approved by the board.

(iii) As used in subdivision (a)(2)(B)(ii) of this section, "actuarial cost" means an amount that is the actuarial equivalent of the value of the credited service to be purchased at the time of the purchase, as determined by the system's actuary.

SECTION 4. Arkansas Code § 24-10-602(a)(4), concerning annuities in the Local Police and Fire Retirement System, is amended to read as follows:

~~(4)(A)~~ The total benefit amount computed under subdivision subdivisions (a)(1) and (2) of this section shall not exceed at the time of retirement eighty-five percent (85%) one hundred percent (100%) of the final average pay plus the amounts provided in subdivision (a)(5) of this section for volunteer service; and

~~(B) If the member accrued a benefit at any time under Benefit Program 2 described in subdivision (a)(2) of this section, then the total of the amounts computed pursuant to subdivisions (a)(1) and (2) of this section shall not exceed at the time of retirement eighty-five percent (85%) of the final average pay plus the amounts provided in subdivision (a)(5) of this section for volunteer service; and~~

SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that economic conditions have resulted in the need to increase retirement benefits; that it is sound public policy to increase the retirement benefit multiplier; and that the increase should be funded by an increase in the member's contribution. Therefore, an emergency is declared to exist and this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2009."

(SIGNED) SENATOR GENE JEFFRESS

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 179 was ordered engrossed.

On motion of Senator G. Jeffress, **Senate Bill No. 165** was withdrawn from the Committee on JOINT RETIREMENT AND SOCIAL SECURITY, and placed back on second reading for purpose of Amendment No. 3.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 3 to SENATE BILL NO. 165

Amend **Senate Bill No. 165** as engrossed, S2/10/09:

Page 1, line 12 of the Title, delete "RECEIVING"

AND

Page 1, line 13 of the Title, delete "BENEFITS" and substitute the following:

"RETURNING TO WORK WITH A COVERED EMPLOYER OF THE ARKANSAS TEACHER RETIREMENT SYSTEM"

AND

Page 1, line 22 of the Subtitle, delete "RECEIVING BENEFITS" and substitute "RETURNING TO COVERED EMPLOYMENT"

AND

Page 1, line 35, delete "July 1" and substitute "July 2"

AND

Page 5, line 27, delete "rate in" and substitute "rate applicable to active members."

AND

Page 5, line 28, delete in its entirety

AND

Page 6, delete lines 28 through 30, and substitute the following:

"the covered employer shall remit the contributions on all salary paid to the T-DROP participants in amount equal to the employer contribution rate applicable to active members."

(SIGNED) SENATOR GENE JEFFRESS

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 165 was ordered engrossed.

On motion of Senator G. Jeffress, **Senate Bill No. 163** 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. 163

Amend **Senate Bill No. 163** as originally introduced:

Page 2, line 14, delete "twelve (12)" and substitute "three (3)"

AND

Page 2, delete lines 15 through 19, and substitute the following:

"(2) If the member is a state police officer covered"

AND

Page 2, line 21, delete "months" and substitute "months divided by four (4)"

AND

Delete SECTION 3 in its entirety and substitute the following:

"SECTION 3. Arkansas Code § 24-6-216(f), concerning the survivor's pension upon the death of the retirant, is amended to read as follows:

(f) ~~A noncontributory Tier I member may elect prior to~~ Before the date his or her first annuity payment becomes due, but not thereafter, a noncontributory Tier I member may elect to:

(1) receive Receive his or her annuity as a straight life annuity; or

(2)(A) the member may elect to have Have his or her annuity reduced and nominate a beneficiary in accordance with the option provisions of § 24-6-408.

(B) However, in the instance of Option B75 under § 24-6-408(a)(4), the reduced annuity shall be seventy-eight percent (78%) if the retirant's age and his or her beneficiary's age are the same on the first payment due date. The reduced annuity of seventy-eight percent (78%) shall be:

(i) Decreased by three-quarters of one percent (0.75%) for each year the beneficiary's age is less than the retirant's age; or

(ii) Increased by three-quarters of one percent (0.75%), up to a maximum of ninety percent (90%), for each year that the beneficiary's age is more than the retirants' age."

(SIGNED) GENE JEFFRESS

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 163 was ordered engrossed.

On motion of Senator Hendren, **Senate Bill No. 345** 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. 345

Amend **Senate Bill No. 345** as originally introduced:

Page 2, line 33, delete "determination;" and substitute "determination; and"

(SIGNED) SENATOR KIM HENDREN

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 345 was ordered engrossed.

On motion of Senator J. Jeffress, **Senate Bill No. 231** was withdrawn from the Committee on JOINT RETIREMENT AND SOCIAL SECURITY, 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. 231

Amend **Senate Bill No. 231** as engrossed, S2/10/09:

Page 3, delete lines 35 and 36

AND

Page 4, delete lines 1 and 2, and substitute the following:

"(b) If three (3) complete years of service are not available for use in the calculation of a member's final average salary for retirement benefits, the board may promulgate rules and regulations to establish a fair base year for a member's final average salary for purposes of comparison under this subdivision (27)(A)(iii)(a) of this section."

(SIGNED) SENATOR J. JEFFRESS

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 231 was ordered engrossed.

On motion of Senator Faris, **Senate Bill No. 140** was withdrawn from the Committee on JOINT RETIREMENT AND SOCIAL SECURITY, 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. 140

Amend **Senate Bill No. 140** as engrossed, S1/27/09:

Page 1, line 27, delete "(b)" and substitute "(b)(1)"

AND

Page 1, line 29, delete "(1)" and substitute "(1)(A)"

AND

Page 1, line 32, delete "(2)" and substitute "(2)(B)"

AND

Page 1, delete line 36 and substitute the following:
 "date of retirement.

(2) A member participating in the Arkansas Public Employees' Retirement System Deferred Retirement Option Plan on January 1, 2009, shall have the one-hundred eighty-day separation requirement waived and may return to employment otherwise covered by the Arkansas Public Employees Retirement System no sooner than thirty (30) calendar days from the commencement of his or her retirement."

(SIGNED) SENATOR STEVE FARIS

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 140 was ordered engrossed.

On motion of Senator Faris, [Senate Bill No. 129](#) 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. 129](#)

Amend [Senate Bill No. 129](#) as originally introduced:

Page 1, delete the title and substitute the following:

“AN ACT TO AUTHORIZE A ONE-TIME AD HOC BENEFIT INCREASE FOR RETIRANTS, SURVIVORS, AND BENEFICIARIES OF RETIRANTS IN THE ARKANSAS TEACHER RETIREMENT SYTEM; AND FOR OTHER PURPOSES.”

Page 1, delete the subtitle and substitute the following:

“TO AUTHORIZE A ONE-TIME AD HOC BENEFIT INCREASE FOR RETIRANTS, SURVIVORS, AND BENEFICIARIES OF RETIRANTS IN THE ARKANSAS TEACHER RETIREMENT SYTEM.”

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

"SECTION 1. Arkansas Code Title 24, Chapter 7, is amended to add an additional subchapter to read as follows:

24-7-1501. Title.

This act shall be known and may be cited as the "Retirants' Ad hoc Increase Act".

24-7-1502. Benefit generally.

(a) The annual benefit payable to eligible retirees, survivors, and beneficiaries of retirants of the Arkansas Teacher Retirement System shall be subject to a one-time ad hoc increase based on the retirant's years of credited service which is grouped within descending decades as calculated by subtracting the total years of credited service from the date of retirement.

(1) A break in credited service is not considered under this subchapter.

(2) Teacher Deferred Retirement Option Plan (T-DROP) participants shall have the total years of credited service subtracted from the date of entry into T-DROP.

(b)(1) One half (1/2) of the annual dollar increase per year of credited service shall be calculated and provided to all retirees, survivors, and beneficiaries of retirants that are eligible to receive this increase; and

(2) One half (1/2) of the annual dollar increase per year of credited service shall be calculated then prorated based on the amount of contributory service credit to total service on the retirant's:

(A) Retirement date; or

(B) T-DROP entry date.

(3) The amounts under subsection (b) of this section shall be calculated and provided to all retirees, survivors, and beneficiaries of retirants.

(c)(1) The ad hoc benefit is payable to the retirees, survivors, and beneficiaries of retirants of the system beginning on a July 1 that is at least twelve (12) full months after the effective date of a monthly benefit.

(d) The ad hoc benefit for a retirant, survivor, and beneficiary of a retirant shall not increase the retirant's current benefit by more than twenty-five percent (25%) of the annuity benefit payable as of the prior June 30.

24-7-1503. Ad hoc benefit formula.

The schedule of decade dollar amounts per year of credited service is:

<u>Formula</u>	<u>Annual \$</u>
<u>Decades in</u>	<u>Increase Per</u>
<u>Which</u>	<u>Year of Credited</u>
<u>Credited</u>	<u>Service</u>
<u>Service Was</u>	
<u>Accrued</u>	
<u>2000 - and</u>	
<u>later</u>	<u>\$5</u>
<u>1990-1999</u>	<u>\$10</u>
<u>1980-1989</u>	<u>\$20</u>
<u>1970-1979</u>	<u>\$30</u>
<u>1960-1969</u>	<u>\$40</u>
<u>1950-1959</u>	<u>\$30</u>
<u>1940-1949</u>	<u>\$60</u>
<u>1930-1939</u>	<u>\$70</u>
<u>1929-1929</u>	<u>\$80</u>
<u>1910-1919</u>	<u>\$90</u>

24-7-1504. Promulgation of Rules - Duty of board..

(a) The Board of Trustees of the Arkansas Teacher Retirement System shall promulgate rules for the ad hoc benefit under this subchapter.

(b) An ad hoc benefit under this subchapter shall not be implemented if the ad hoc benefit would cause the system's unfunded actuarial accrued liabilities to exceed a thirty-year amortization.

(c) The board shall only authorize an ad hoc benefit that is actuarially appropriate for the system.

(d) Before an increase of retirement benefit through an ad hoc benefit is authorized, the board shall file relevant information with the Joint Interim Committee on Public Retirement and Social Security Programs. regarding the actuarial appropriateness of the increase.

(e) The board may reduce the decade increase formula under § 24-15-103 proportionately on a one-to-one formula basis for each decade when the reduction is actuarially feasible to implement.

(f) The ad hoc benefit increase is a one-time adjustment and shall also be used to increase the base amount of a retirant's benefits when calculating any future additional benefit increases."

(SIGNED) SENATOR STEVE FARIS

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 129 was ordered engrossed.

On motion of Senator Elliott, **Senate Bill No. 236** 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. 236

Amend **Senate Bill No. 236** as originally introduced:

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

"SECTION 1. Arkansas Code § 24-4-803(a)(2), concerning the deferred benefit of a member of the Arkansas Public Employees' Retirement System, is amended to read as follows:

(2) If the member has less than thirty (30) years of actual service, but at least twenty-eight (28) years of service, the portion of the member's deferred benefit that is contributed to the Arkansas Public Employees' Retirement System Deferred Retirement Option Plan will be:

(A) ~~reduced by~~ Reduced by one-tenth of one percent (0.1%) multiplied by the number of months by which his or her years of service is less than thirty (30) years the percentage established by the Board of Trustees of the Arkansas Public Employees' Retirement System; and

(B) ~~then shall be~~ After the reduction under subdivision (a)(2)(A) of this section, subject to the additional computations as set forth in subsections (b) and (c) of this section."

(SIGNED) SENATOR J. ELLIOTT

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 236 was ordered engrossed.

On motion of Senator Elliott, [Senate Bill No. 237](#) 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. 237](#)

Amend [Senate Bill No. 237](#) as originally introduced:

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

"SECTION 1. Arkansas Code § 24-10-607(c), concerning disability retirement under the Arkansas Local Police and Fire Retirement System, is amended to read as follows:

(c)(1)(A)(i) Any active member who while an active member becomes totally and permanently physically or mentally incapacitated for any suitable duty as an employee as the result of a personal injury or disease that the board finds to have arisen out of and in the course of his or her actual performance of duty as an employee may be retired by the board upon written application filed with the board by or on behalf of the member or former member.

(ii)(a) As used in this subdivision (c)(1)(A)(ii):

(1)(A) "Blood or body fluids" means blood and body fluids containing visible blood and other body fluids to which universal precautions for prevention of occupational transmission of blood-borne pathogens, as established by the Centers for Disease Control, apply.

(B) "Blood or body fluids" includes respiratory, salivary, and sinus fluids, including droplets, sputum, saliva, mucus, and any other fluid through which infectious airborne or blood-borne organisms can be transmitted between persons for the purpose of determining the potential transmission of hepatitis, meningococcal meningitis, HIV, or tuberculosis;

(2) "Hepatitis" means hepatitis A, hepatitis B, hepatitis non-A, hepatitis non-B, hepatitis C, or any other strain of hepatitis generally recognized by the medical community;

(3) "HIV" means the medically recognized retrovirus known as human immunodeficiency virus, type I or type II, causing immunodeficiency syndrome; and

(4) "Occupational exposure" means, in the case of hepatitis, meningococcal meningitis, HIV, or tuberculosis, an exposure that occurs during the performance of job duties that places a police officer or firefighter at risk of infection.

(b) A police officer or firefighter in paid service who becomes totally or permanently incapacitated for any suitable duty as an employee from a condition or impairment of health caused by hepatitis, meningococcal meningitis, HIV, or tuberculosis shall be presumed to have suffered the condition or impairment as one arising out of and in the course of the police officer's or firefighter's actual performance of duty as an employee unless the contrary is shown by medical evidence.

(c) The presumption under subdivision (c)(1)(A)(ii)(b) of this section is conditioned on the police officer or firefighter:

(1) Having successfully passed a physical examination before entering into employment and the examination failing to reveal any evidence of the hepatitis, meningococcal meningitis, HIV, or tuberculosis; and

(2) Having a documented occupational exposure to blood or bodily fluids potentially transmitting hepatitis, meningococcal meningitis, HIV, or tuberculosis.

(B) The employee shall be retired only if, after a medical examination of the member or former member made by or under the direction of a physician or physicians designated by the board, the physician reports to the plan in writing that the member or former member is physically or mentally totally incapacitated for the further performance of any suitable duty, that the incapacity will probably be permanent, and that the member or former member should be retired.

(2)(A) Except as provided in subdivision (c)(2)(B) of this section, the written application that is to be filed with the board by the member or on behalf of the member shall be made to the board not later than one (1) year after the termination of active membership.

(B) If the application is based on a presumed duty disability under subdivision (c)(1)(A)(ii) of this section, then a written application shall be made to the board not later than five (5) years after the termination of active membership.

~~(2)(3)~~ A written application to the board by the member or former member or on behalf of the member shall be filed with the board not later than one (1) year after the termination of active membership.

~~(3)(4)~~ The disability annuity shall be effective the first day of the calendar month next following the later of:

(A) His or her termination of active membership; or

(B) Six (6) months before the date the written application is filed with the board.

SECTION 2. Arkansas Code § 24-11-423(a)(1)(C), concerning benefits for disability retirement under local policemen's pension and relief funds, is amended to read as follows:

(C)(i) If, however, a police officer is injured in the line of duty, the monthly disability benefit shall either be equal to sixty-five percent (65%) of the salary attached to the rank held by the member in the police department or shall be equal to the benefit paid to normal service retirants, whichever is greater.

(ii) ~~For~~ Except as provided under subdivision (a)(1)(C)(iii)(c)(1) of this section, for purposes of this section, "injured in the line of duty" means a disabling injury or disease which occurs while conducting official police department operations or while in training to become a police officer.

(iii)(a) The board shall determine whether the disability occurred in the line of duty and may require any medical evidence, official reports, expert testimony, or other information to be supplied by the applicant in addition to the required physician's examination. The additional benefits provided in this subdivision (a)(1)(C) shall be effective for all qualifying applications first received by the board on or after January 1, 1987.

(b) As used in this subdivision (a)(1)(C)(iii):

(1)(A) "Blood or body fluids" means blood and body fluids containing visible blood and other body fluids to which universal precautions for prevention of occupational transmission of blood-borne pathogens, as established by the Centers for Disease Control, apply.

(B) "Blood or body fluids" includes respiratory, salivary, and sinus fluids, including droplets, sputum, saliva, mucus, and any other fluid through which infectious airborne or blood-borne organisms can be transmitted between persons for the purpose of determining the potential transmission of hepatitis, meningococcal meningitis, HIV, or tuberculosis;

(2) "Hepatitis" means hepatitis A, hepatitis B, hepatitis non-A, hepatitis non-B, hepatitis C, or any other strain of hepatitis generally recognized by the medical community;

(3) "HIV" means the medically recognized retrovirus known as human immunodeficiency virus, type I or type II, causing immunodeficiency syndrome; and

(4) "Occupational exposure" means, in the case of hepatitis, meningococcal meningitis, HIV, or tuberculosis, an exposure that occurs during the performance of job duties that places a police officer at risk of infection.

(c)(1) A member of a police department who becomes disabled or injured by hepatitis, meningococcal meningitis, HIV, or tuberculosis shall be presumed to have been injured in the line of duty unless the contrary is shown by medical evidence.

(2) The presumption under subdivision (a)(1)(C)(iii)(c)(1) of this section is conditioned on the police officer having successfully passed a physical examination before entering into employment and the examination failing to reveal any evidence of the hepatitis, meningococcal meningitis, HIV, or tuberculosis.

SECTION 3. Arkansas Code § 24-11-819(a)(2)(B)(ii), concerning benefits for disability retirement under local firemen's pension and relief funds, is amended to read as follows:

(ii)(a) For Except as provided under subdivision (a)(2)(B)(ii)(c)(2) of this section, for purposes of this section, "injured in the line of duty" means a disabling injury or disease that occurs while conducting official fire department operations or while in training to become a fire fighter.

(b) The board shall determine whether the disability occurred in the line of duty and may require any medical evidence, official reports, expert testimony, or other information to be supplied by the applicant in addition to the required physician's examination and report.

(c)(1) As used in this subdivision (a)(2)(B)(ii)(c):
(A)(i) "Blood or body fluids" means blood and body fluids containing visible blood and other body fluids to which universal precautions for prevention of occupational transmission of blood-borne pathogens, as established by the Centers for Disease Control, apply.

(ii) "Blood or body fluids" includes respiratory, salivary, and sinus fluids, including droplets, sputum, saliva, mucus, and any other fluid through which infectious airborne or blood-borne organisms can be transmitted between persons for the purpose of determining the potential transmission of hepatitis, meningococcal meningitis, HIV, or tuberculosis;

(B) "Hepatitis" means hepatitis A, hepatitis B, hepatitis non-A, hepatitis non-B, hepatitis C, or any other strain of hepatitis generally recognized by the medical community;

(C) "HIV" means the medically recognized retrovirus known as human immunodeficiency virus, type I or type II, causing immunodeficiency syndrome; and

(D) "Occupational exposure" means, in the case of hepatitis, meningococcal meningitis, HIV, or tuberculosis, an exposure that occurs during the performance of job duties that places a firefighter at risk of infection.

(2) A full-paid firefighter who becomes disabled or injured by hepatitis, meningococcal meningitis, HIV, or tuberculosis shall be presumed to have been injured in the line of duty unless the contrary is shown by medical evidence.

(3) The presumption under subdivision (a)(2)(B)(ii)(c)(2) of this section is conditioned on the firefighter having successfully passed a physical examination before entering into employment and the examination failing to reveal any evidence of the hepatitis, meningococcal meningitis, HIV, or tuberculosis."

(SIGNED) SENATOR J. ELLIOTT

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 237 was ordered engrossed.

On motion of Senator Whitaker the Senate recessed until 10 minutes after the conclusion of the Joint Session.

The Senate reconvened after recess. The Secretary called the roll, and a quorum was present.

JOINT SESSION

Call to order by the Speaker of the House, The Honorable Robbie Wills.

Invocation by the House Chaplain, Pastor Cornell Maltbia, True Holiness Saints Center, Conway, Arkansas.

Pledge of Allegiance led by Representative Bill Abernathy.

Roll Call of the Senate by the Secretary of the Senate 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.

Total number present: 35

Total number absent: 0

Total number on leave: 0

(SIGNED) ANN CORNWELL, SECRETARY

Electronic Roll Call of the House by the Chief Clerk.

Present: 98

Abernathy	Davis	Kidd	Reep
Adcock	Dickinson	King	Reynolds
Allen	Dismang	Lea	Rice
Baird	Dunn	Lewellen	Roebuck
Baker, T	Edwards	Lindsey	Rogers, J
Barnett	English	Lovell	Rogers, T
Betts	Everett	Lowery	Sample
Blount	Flowers	Maloch	Saunders
Bradford	Garner	Malone, S	Shelby
Breedlove	George	Martin	Slinkard
Brown	Glidewell	Maxwell	Smith, G
Burris, J	Green	McCrary	Smith, L
Burris, M	Greenberg	McLean	Stewart
Carnine	Hall	Moore	Summers
Carroll	Hardy	Nickels	Tyler
Cash	Harrelson	Nix	Wagner
Cheatham	Hawkins	Overbey	Webb
Clemmer	Hobbs	Patterson	Wells
Cole	Hopper	Pennartz	Wilkins, B
Cook	House	Perry	Williams
Cooper	Hoyt	Pierce	Woods
Cowling	Hutchinson	Powers	Word
Creekmore	Hyde	Pyle	MR. SPEAKER
Dale	Ingram	Ragland	
Davenport	Kerr	Rainey	

Two Absent: Carter Gaskill

Speaker of the House, Robbie Wills recognizes visiting dignitaries.

President of the Senate, The Honorable Bill Halter appoints the following named Committee as the Committee to notify the Honorable William Jefferson Clinton, 42nd President of the United States that the Joint Session is ready to receive him and to escort the 42nd President of the United States to the Speaker's Rostrum:

Senator Tracy Steele, Chairperson	Senator Randy Laverty
Senator Paul Bookout	Senator Percy Malone
Senator John Paul Capps	Senator Mary Anne Salmon
Senator Steve Faris	Senator Terry Smith
Senator Bobby L. Glover	Senator Henry "Hank" Wilkins, IV

Speaker of the House, The Honorable Robbie Wills appoints the following named Committee as the Committee to notify the Honorable William Jefferson Clinton, 42nd President of the United States that the Joint Session is ready to receive him and to escort the President to the Speaker's Rostrum:

Representative Lindsley Smith, Chairperson

Representative Bill Abernathy

Representative Tommy Lee Baker

Representative Dawn Creekmore

Representative Steve Harrelson

Representative Eddie Hawkins

Representative John Lowery

Representative Gregg Reep

Representative R. D. "Rick" Saunders

Representative Kathy Webb

Request for admittance of the Governor of the State of Arkansas, The Honorable Mike Beebe and the 42nd President of the United States, The Honorable William Jefferson Clinton.

Speaker of the House, The Honorable Robbie Wills, admits Governor Mike Beebe and the 42nd President William Jefferson Clinton to the Chamber.

Governor of the State of Arkansas, The Honorable Mike Beebe, presents the Honorable William Jefferson Clinton, the 42nd President of the United States, for remarks.

Remarks by The Honorable William Jefferson Clinton, the 42nd President of the United States.

Announcements.

Speaker of the House, Robbie Wills Announces that the House will reconvene in fifteen (15) minutes.

President of the Senate, Bill Halter announces that the Senate will reconvene in twenty (20) minutes.

Adjourn.

On motion of Senator D. Johnson, **Senate Concurrent Resolution No. 3** was called up for third reading and final disposition.

SENATE CONCURRENT RESOLUTION NO. 3
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR D. JOHNSON
BY: REPRESENTATIVE WILLS

SENATE CONCURRENT RESOLUTION URGING THE GOVERNMENT OF TURKEY TO GRANT THE ECUMENICAL PATRIARCH APPROPRIATE INTERNATIONAL RECOGNITION, ECCLESIASTICAL SUCCESSION, AND THE RIGHT TO TRAIN CLERGY OF ALL NATIONALITIES AND TO RESPECT THE PROPERTY RIGHTS AND HUMAN RIGHTS OF THE ECUMENICAL PATRIARCHATE.

Senate Concurrent Resolution No. 3 was read the third time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Concurrent Resolution No. 3 was ordered immediately transmitted to the House.

On motion of Senator Bryles, **Senate Bill No. 320** was placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 320

Amend **Senate Bill No. 320** as originally introduced:
Page 2, line 30, delete "month" and substitute "last month"

AND

Page 4, line 1, delete "month" and substitute "last month"

(SIGNED) SENATOR S. BRYLES

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 320 was ordered engrossed.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

February 18, 2009

Mr. President:

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

SENATE BILL NO. 129, BY SENATOR FARIS,
SENATE BILL NO. 140, BY SENATOR FARIS,
SENATE BILL NO. 163, BY SENATOR G. JEFFRESS,
SENATE BILL NO. 165, BY SENATOR G. JEFFRESS,
SENATE BILL NO. 179, BY SENATOR G. JEFFRESS,
SENATE BILL NO. 231, BY SENATOR J. JEFFRESS,

SENATE BILL NO. 236, BY SENATOR ELLIOTT,
SENATE BILL NO. 237, 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 Faris, [Senate Bill No. 129](#) was ordered re-referred to the Committee on JOINT RETIREMENT AND SOCIAL SECURITY.

On motion of Senator Faris, [Senate Bill No. 140](#) was ordered re-referred to the Committee on JOINT RETIREMENT AND SOCIAL SECURITY.

On motion of Senator G. Jeffress, [Senate Bill No. 163](#) was ordered re-referred to the Committee on JOINT RETIREMENT AND SOCIAL SECURITY.

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

On motion of Senator G. Jeffress, [Senate Bill No. 179](#) was ordered re-referred to the Committee on JOINT RETIREMENT AND SOCIAL SECURITY.

On motion of Senator J. Jeffress, [Senate Bill No. 231](#) was ordered re-referred to the Committee on JOINT RETIREMENT AND SOCIAL SECURITY.

On motion of Senator Elliott, [Senate Bill No. 236](#) was ordered re-referred to the Committee on JOINT RETIREMENT AND SOCIAL SECURITY.

On motion of Senator Elliott, [Senate Bill No. 237](#) was ordered re-referred to the Committee on JOINT RETIREMENT AND SOCIAL SECURITY.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

February 18, 2009

Mr. President:

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

Senate BILL NO. 253, BY SENATOR FARIS ET AL,

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

Respectfully submitted,

(SIGNED) JOHN PAUL CAPPS
CHAIRMAN

On motion of Senator Faris, **Senate Bill No. 253** was ordered re-referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

February 18, 2009

Mr. President:

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

SENATE BILL NO. 345, BY HENDREN,

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 Hendren, **Senate Bill No. 345** was ordered re-referred to the Committee on EDUCATION.

On motion of Senator Whitaker the Senate recessed until 1:30 p.m.

The Senate reconvened after recess. The Secretary called the roll, and a quorum was present.

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

February 18, 2009

Mr. President:

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

SENATE BILL NO. 320, BY SENATOR BRYLES,

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 Bryles, **Senate Bill No. 320** was ordered re-referred to the Committee on CITY, COUNTY & LOCAL AFFAIRS.

On motion of Senator Salmon, **House Bill No. 1349** was withdrawn from the Committee on AGRICULTURE, FORESTRY & ECONOMIC DEVELOPMENT, 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. 1349

Amend **House Bill No. 1349** as originally introduced:

Page 1, line 23, delete "county" and substitute "quorum"

AND

Page 2, line 14, delete "county" and substitute "quorum"

(SIGNED) SENATOR SALMON

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1349 was ordered engrossed.

On motion of Senator Salmon, **House Bill No. 1011** 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. 1011

Amend **House Bill No. 1011** as engrossed, H1/28/09:

Page 2, delete lines 15 through 20 and substitute

"(i) The person who created the video recording, film, or photo obtained as described in subsection (b) distributed or transmitted it to another person; or

(ii) The person who created the video recording, film, or photo obtained as described in subsection (b) posted it in a format accessible by another person via the internet.

(SIGNED) SENATOR SALMON

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1011 was ordered engrossed.

The President declared the morning hour to have expired.

On motion of Senator Whitaker, **Senate Bill No. 332** was called up for third reading and final disposition.

SENATE BILL NO. 332
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR WHITAKER

A Bill for an Act to be Entitled: AN ACT TO PROVIDE THAT THE DEPARTMENT OF CORRECTION MAY ENTER INTO AN AGREEMENT WITH THE OLD STATE HOUSE COMMISSION TO PRODUCE OR MANUFACTURE ITEMS UTILIZING INMATE LABOR; AND FOR OTHER PURPOSES.

Senate Bill No. 332 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. 332 was ordered immediately transmitted to the House as passed.

On motion of Senator Pritchard, House Bill No. 1373 was called up for third reading and final disposition.

HOUSE BILL NO. 1373
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE STEWART
BY: SENATOR B. PRITCHARD

A Bill for an Act to be Entitled: AN ACT TO ADJUST THE JOB ORDER CONTRACTING BID AWARD AMOUNTS IN ACCORDANCE WITH THE INCREASE IN THE COST OF BUILDING MATERIALS AND PETROLEUM-BASED PRODUCTS; AND FOR OTHER PURPOSES.

House Bill No. 1373 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1373 was ordered immediately returned to the House as passed.

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.

Senator Taylor spoke in favor of the Bill.

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

Total33

NEGATIVE: J. Key, Lavery.

Total2

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. 1048 was ordered immediately returned to the House as passed.

On motion of Senator Smith, **House Bill No. 1410** was called up for third reading and final disposition.

**HOUSE BILL NO. 1410
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION**

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

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

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

House Bill No. 1410 was 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. 1410 was ordered immediately returned to the House as passed.

On motion of Senator G. Jeffress, **House Bill No. 1371** was called up for third reading and final disposition.

**HOUSE BILL NO. 1371
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION**

**BY: REPRESENTATIVES HARDY, ALLEN, GARNER, HALL, LINDSEY, MALOCH,
RAINEY, REEP, SAUNDERS, G. SMITH, TYLER & WILLIAMS
BY: SENATOR G. JEFFRESS**

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE § 12-9-103 TO ADD AN OFFICER OF THE DEPARTMENT OF ARKANSAS STATE POLICE TO THE ARKANSAS COMMISSION ON LAW ENFORCEMENT STANDARDS AND TRAINING; AND FOR OTHER PURPOSES.

House Bill No. 1371 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. 1371 was ordered immediately returned to the House as passed.

On motion of Senator Glover, **House Bill No. 1318** was called up for third reading and final disposition.

HOUSE BILL NO. 1318
As Engrossed: H2/11/09 S2/17/09
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES NIX, M. BURRIS & CARROLL

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

House Bill No. 1318 was 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. 1318**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1318 was ordered immediately returned to the House as passed as amended.

On motion of Senator Elliott, **House Bill No. 1271** was called up for third reading and final disposition.

**HOUSE BILL NO. 1271
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE FLOWERS**

A Bill for an Act to be Entitled: AN ACT TO EXPAND THE MEMBERSHIP FOR THE COMMITTEE ON PERSONNEL POLICIES FOR CLASSIFIED EMPLOYEES IN EACH SCHOOL DISTRICT; AND FOR OTHER PURPOSES.

House Bill No. 1271 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, R. Thompson, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total	34
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Teague.	
Total	1
VOTING PRESENT:	
Total	0
Total number of votes cast	34
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1271 was ordered immediately returned to the House as passed.

SENATE RESOLUTION NO. 10
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

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

SENATE RESOLUTION WELCOMING THE RETURN OF FORMER
PRESIDENT WILLIAM JEFFERSON CLINTON TO THE STATE TO ADDRESS A
JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES AND
HONORING HIS EXTENSIVE PUBLIC SERVICE AND ACHIEVEMENTS AS
GOVERNOR OF THE STATE OF ARKANSAS AND PRESIDENT OF THE UNITED
STATES.

Senate Resolution No. 10 was read the first time, rules suspended, read the
second time and placed on the Calendar.

On motion of Senator Bookout, the rules were suspended in considering **Senate
Resolution No. 10**.

On motion of Senator Bookout, **Senate Resolution No. 10** was called up for third reading and final disposition.

**SENATE RESOLUTION NO. 10
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION**

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

SENATE RESOLUTION WELCOMING THE RETURN OF FORMER PRESIDENT WILLIAM JEFFERSON CLINTON TO THE STATE TO ADDRESS A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES AND HONORING HIS EXTENSIVE PUBLIC SERVICE AND ACHIEVEMENTS AS GOVERNOR OF THE STATE OF ARKANSAS AND PRESIDENT OF THE UNITED STATES.

Senate Resolution No. 10. was read the read third time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Received from the House

**HOUSE CONCURRENT RESOLUTION NO. 1006
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES OVERBEY AND WELLS
BY: SENATORS WILKINSON AND LAVERTY**

HOUSE CONCURRENT RESOLUTION COMMENDING BOBBY HURLEY OF CLARKSVILLE, ARKANSAS, ON HIS INDUCTION INTO THE PRO RODEO HALL OF FAME.

House Concurrent Resolution No. 1006 was read the first time, rules suspended, read the second time and placed on the Calendar.

On motion of Senator Wilkinson, the Senate resolved itself into the Committee of the Whole for the purpose of recognizing Bobby Hurley.

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

On motion of Senator Wilkinson, the rules were suspended in considering **House Concurrent Resolution No. 1006** at this time.

On motion of Senator Wilkinson, **House Concurrent Resolution No. 1006** was called up for third reading and final disposition.

HOUSE CONCURRENT RESOLUTION NO. 1006

EIGHTY-SEVENTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES OVERBEY AND WELLS

BY: SENATORS WILKINSON AND LAVERTY

HOUSE CONCURRENT RESOLUTION COMMENDING BOBBY HURLEY OF CLARKSVILLE, ARKANSAS, ON HIS INDUCTION INTO THE PRO RODEO HALL OF FAME.

House Concurrent Resolution No. 1006 was read the third time and concurred in by the Senate.

(SIGNED) ANN CORNWELL, SECRETARY

House Concurrent Resolution No. 1006 was ordered immediately returned to the House as concurred in.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

February 18, 2009

Mr. President:

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

SENATE BILL NO. 49, BY SENATORS J. KEY AND BAKER,

beg leave to report that we have carefully compared the enrolled copy with the original and we find the same correctly enrolled and have at 8:25 a.m. delivered them to the Governor for his approval.

Respectfully submitted,

(SIGNED) JOHN PAUL CAPPS
CHAIRMAN

GOVERNOR'S BILL RECEIPTS

SENATE BILL NO. 49

RECEIVED the above papers from the Secretary of the Senate this 18 day of February, 2009 at 8:25 a.m.

(SIGNED) MIKE BEEBE
Governor

(SIGNED) Marc Harrison
Secretary

On motion of Senator Baker, **Senate Bill No. 194** 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. 194

Amend **Senate Bill No. 194** as engrossed, S1/28/09:

Insert an additional SECTION immediately following SECTION 12 to read as follows:

" SECTION 13. Section 7 of Act 102 of the Regular Session of 2009 is hereby amended to read as follows:

SECTION 7. REAPPROPRIATION - SMALL BUSINESS LOAN PROGRAM.

There is hereby appropriated, to the Economic Development Commission, to be payable from the General Improvement Fund or its successor fund or fund accounts, for the Economic Development Commission, the following:

(A) Effective July 1, 2009, the balance of the appropriation provided in Item (A) of Section 4 of Act 414 of 2007, for ~~investments in a competitive pay supplement and related expenses for the Science, Technology, Engineering and Math fund by the Economic Development Commission, the purpose of~~ promoting small business growth by providing loans to qualified small businesses on a matching basis, in a sum not to exceed.....\$291,804."

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. 194 was ordered engrossed.

On motion of Senator Baker, **Senate Bill No. 265** 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. 265

Amend **Senate Bill No. 265** as originally introduced:

Page 2, line 12, delete "State " and substitute "Trial Court Administrative Assistant Fund"

AND

Page 2, line 13, delete "Administration of Justice Fund"

AND

Page 2, immediately following Section 3 insert new Sections to read as follows:

"SECTION 4. FUND CREATED. (a) There is hereby created on the books of the Treasurer of State, Auditor of State, and Chief Fiscal Officer of the State a miscellaneous revenue fund to be known as the Trial Court Administrative Assistant Fund. (b) This fund shall consist of those monies transferred from the State Administration of Justice Fund and other monies as authorized by law. (c) The fund shall be used for paying personal services, Trial Court Assistant expenses and Trial Court Staff Substitutes.

SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CERTIFICATION. Any Trial Court Administrative Assistant who is or becomes certified by the National Center for State Courts as a certified Court Manager shall be entitled to have the annual salary for which he or she is eligible to be increased by ten percent (10%), which shall not exceed the maximum amount for the grade assigned.

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

AND

Appropriately renumber subsequent Section numbers.

(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. 265 was ordered engrossed.

On motion of Senator Baker, **Senate Bill No. 284** was withdrawn from the Committee on JOINT BUDGET, and placed back on second reading for purpose of Amendment No. 2.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 2 to SENATE BILL NO. 284

Amend **Senate Bill No. 284** as engrossed, S2/5/09:

Page 1, line 30 delete ", in a sum not to" and substitute "or for grants to be made to non-profit/government entity owners of perpetual care cemeteries of historic nature, in a sum not to exceed"

And

Page 1, delete line 31 in its entirety

And

Insert a new Section immediately following Section 1 to read as follows:

" SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. As referenced in SECTION 3 of Act 1202 of 2007 and SECTION 3 of Act 1753 of 2007, the authorized funding for the Arkansas Cemetery Board for the project for cemetery maintenance, operations and acquisition costs shall also be deemed to include grants to be made to non-profit/government entity owners of perpetual care cemeteries of historic nature."

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. 284 was ordered engrossed.

On motion of Senator Baker, **Senate Bill No. 123** was called up for third reading and final disposition.

SENATE BILL NO. 123
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR OPERATING AND OTHER EXPENSES OF THE NOAA WEATHER WARNING SYSTEM AND FOR OPERATING AND OTHER EXPENSES OF THE PUBLIC TRANSPORTATION PROGRAM FOR THE ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2010; AND FOR OTHER PURPOSES.

Senate Bill No. 123 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

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

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **Senate Bill No. 123**, 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. 123 was ordered immediately transmitted to the House.

On motion of Senator Baker, **Senate Bill No. 288** was called up for third reading and final disposition.

SENATE BILL NO. 288
As Engrossed: S2/9/09
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL IMPROVEMENT APPROPRIATIONS FOR THE INSTITUTIONS OF HIGHER EDUCATION AND THE DEPARTMENT OF HIGHER EDUCATION; AND FOR OTHER PURPOSES.

Senate Bill No. 288 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

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

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **Senate Bill No. 288**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
Necessary to the adoption of the Emergency Clause	24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 288 was ordered immediately transmitted to the House.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

February 18, 2009

Mr. President:

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

HOUSE BILL NO. 1011, BY REPRESENTATIVE HUTCHINSON,

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 Salmon, **House Bill No. 1011** was ordered re-referred to the Committee on JUDICIARY.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

February 18, 2009

Mr. President:

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

HOUSE BILL NO. 1349, BY REPRESENTATIVES COOK AND
J. ROGERS,

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 Salmon, **House Bill No. 1349** was ordered re-referred to the Committee on AGRICULTURE, FORESTRY & ECONOMIC DEVELOPMENT.

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

February 18, 2009

Mr. President:

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

SENATE BILL NO. 320, BY SENATOR BRYLES,

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

Respectfully submitted,

(SIGNED) SENATORS SUE MADISON
CHAIRMAN
J. KEY
J. ELLIOTT
R. THOMPSON
CECILE BLEDSOE

**SENATE BILL NO. 401
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR ALTES
BY: REPRESENTATIVES HYDE, M. MARTIN & GLIDEWELL**

A Bill for an Act to be Entitled: AN ACT TO REQUIRE THE STATE BOARD OF HEALTH TO ALLOW THE USE OF A HARVESTED RAINWATER SYSTEM FOR A NONPOTABLE PURPOSE; AND FOR OTHER PURPOSES.

Senate Bill No. 401 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

SENATE BILL NO. 402
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR P. MALONE

A Bill for an Act to be Entitled: AN ACT TO PROHIBIT ACUPUNCTURISTS FROM ADMINISTERING, DISPENSING, OR PRESCRIBING LEGEND DRUGS; AND FOR OTHER PURPOSES.

Senate Bill No. 402 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

SENATE BILL NO. 403
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR R. THOMPSON

A Bill for an Act to be Entitled: AN ACT TO ESTABLISH ANNUAL REPORTING REQUIREMENTS FOR CERTAIN IMPROVEMENT DISTRICTS; TO REQUIRE COUNTY CLERKS TO PROVIDE NOTICE OF A VACANCY ON A DISTRICT BOARD; TO SET A COUNTY FILING FEE FOR THE IMPROVEMENT DISTRICT REPORT; TO INVESTIGATE A VACANCY ON A DISTRICT BOARD; AND FOR OTHER PURPOSES.

Senate Bill No. 403 was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY & LOCAL AFFAIRS.

SENATE BILL NO. 404
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION WHICH SHALL BE SUPPLEMENTAL AND IN ADDITION TO OTHER APPROPRIATIONS MADE BY THE EIGHTY-SEVENTH GENERAL ASSEMBLY TO PAY THE ARKANSAS STATE CLAIMS COMMISSION – APPROVED CLAIMS AGAINST THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Senate Bill No. 404 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 405
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR CAPPS

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS STATE UNIVERSITY - BEEBE FOR THE ENGLAND CLASSROOM CENTER RENOVATION; AND FOR OTHER PURPOSES.

Senate Bill No. 405 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 406
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR CAPPS
BY: REPRESENTATIVE BETTS

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS STATE UNIVERSITY - BEEBE FOR THE SEARCY MAIN CLASSROOM BUILDING RENOVATION; AND FOR OTHER PURPOSES.

Senate Bill No. 406 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 407
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MADISON

A Bill for an Act to be Entitled: AN ACT TO MAKE VARIOUS CORRECTIONS TO TITLE 15 OF THE ARKANSAS CODE OF 1987 ANNOTATED; AND FOR OTHER PURPOSES.

Senate Bill No. 407 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

SENATE BILL NO. 408
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MADISON

A Bill for an Act to be Entitled: AN ACT TO MAKE VARIOUS CORRECTIONS TO TITLE 18 OF THE ARKANSAS CODE OF 1987 ANNOTATED; AND FOR OTHER PURPOSES.

Senate Bill No. 408 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

SENATE BILL NO. 409
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MADISON

A Bill for an Act to be Entitled: AN ACT TO MAKE VARIOUS CORRECTIONS TO TITLE 27 OF THE ARKANSAS CODE OF 1987 ANNOTATED; AND FOR OTHER PURPOSES.

Senate Bill No. 409 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

SENATE CONCURRENT RESOLUTION NO. 7
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR R. THOMPSON
BY: REPRESENTATIVE HARRELSON

A Bill for an Act to be Entitled: COMMENDING JUDGE WILLIAM JAY RILEY OF THE EIGHTH CIRCUIT COURT OF APPEALS FOR HIS CONTRIBUTIONS TO THE LEGAL PROFESSION.

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

SENATE BILL NO. 410
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MADISON

A Bill for an Act to be Entitled: AN ACT TO MAKE VARIOUS CORRECTIONS TO TITLE 5 OF THE ARKANSAS CODE OF 1987 ANNOTATED; AND FOR OTHER PURPOSES.

Senate Bill No. 410 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

Senate Bill No. 28 was returned from the House as passed and ordered enrolled as amended .

On motion of Senator Hendren, **Senate Bill No. 28** was ordered re-referred to the Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS.

Senate Bill No. 339 was returned from the House as passed and ordered enrolled.

Senate Bill No. 341 was returned from the House as passed and ordered enrolled.

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

February 18, 2009

Mr. President:

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

SENATE BILL NO. 194, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 265, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 284, BY JOINT BUDGET COMMITTEE,

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 Baker, **Senate Bill No. 194** was ordered re-referred to the Committee on JOINT BUDGET.

On motion of Senator Baker, **Senate Bill No. 265** was ordered re-referred to the Committee on JOINT BUDGET.

On motion of Senator Baker, **Senate Bill No. 284** was ordered re-referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 411
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MADISON
BY: REPRESENTATIVE HOUSE

A Bill for an Act to be Entitled: TO ENACT THE ARKANSAS FOREIGN EXCHANGE STUDENT PROGRAM ACT; AND FOR OTHER PURPOSES.

Senate Bill No. 411 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. 1008
As Engrossed: H2/12/09
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE R. GREEN

A Bill for an Act to be Entitled: *AN ACT ALLOWING GRANDPARENTS AND GREAT-GRANDPARENTS VISITATION TO OCCUR WITHOUT REGARD TO WHICH PARENT HAS PHYSICAL CUSTODY OF THE CHILD; AND FOR OTHER PURPOSES.*

House Bill No. 1008 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. 1010
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE D. HUTCHINSON

A Bill for an Act to be Entitled: AN ACT TO PROTECT PUBLIC SCHOOL CHILDREN FROM REGISTERED SEX OFFENDERS; AND FOR OTHER PURPOSES.

House Bill No. 1010 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. 1222
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE HYDE
BY: SENATOR SALMON

A Bill for an Act to be Entitled: AN ACT TO ENSURE CONTINUED ACCOUNTABILITY AND EFFICIENCY FOR SCHOOL DISTRICTS INVOLVED IN DESEGREGATION LITIGATION; AND FOR OTHER PURPOSES.

House Bill No. 1222 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. 1397
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE J. EDWARDS

A Bill for an Act to be Entitled: AN ACT TO AUTHORIZE GOVERNMENT-OWNED AND GOVERNMENT-OPERATED STORAGE FACILITIES FOR MOTOR VEHICLES TO REQUIRE PROOF OF INSURANCE BEFORE RELEASING IMPOUNDED VEHICLES; AND FOR OTHER PURPOSES.

House Bill No. 1397 was read the first time, rules suspended, read the second time and referred to the Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS.

Received from the House

HOUSE BILL NO. 1427
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES INGRAM AND HALL

A Bill for an Act to be Entitled: AN ACT TO EXTEND IMMUNITY TO CERTAIN DENTAL RESIDENTS AND FACULTY; AND FOR OTHER PURPOSES.

House Bill No. 1427 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

February 18, 2009

Mr. President:

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

SENATE BILL NO. 339, BY SENATOR LUKER,
SENATE BILL NO. 341, BY SENATOR LUKER,

beg leave to report that we have carefully compared the enrolled copies with the original and we find the same correctly enrolled and have at 3:35 p.m. delivered them to the Governor for his approval.

Respectfully submitted,

(SIGNED) JOHN PAUL CAPPS
CHAIRMAN

GOVERNOR'S BILL RECEIPTS

SENATE BILL NO. 339
SENATE BILL NO. 341

RECEIVED the above papers from the Secretary of the Senate this 18 day of February, 2009 at 3:35 p.m.

(SIGNED) MIKE BEEBE
Governor

(SIGNED) J. D. Lowery
Secretary

SENATE BILL NO. 412
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 UNIVERSITY OF ARKANSAS AT MONTICELLO FOR THE FISCAL YEAR ENDING JUNE 30, 2010; AND FOR OTHER PURPOSES.

Senate Bill No. 412 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 413
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 SAU-TECH FOR THE FISCAL YEAR ENDING JUNE 30, 2010; AND FOR OTHER PURPOSES.

Senate Bill No. 413 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 414
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 SOUTH ARKANSAS COMMUNITY COLLEGE FOR THE FISCAL YEAR ENDING JUNE 30, 2010; AND FOR OTHER PURPOSES.

Senate Bill No. 414 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 415
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 UNIVERSITY OF CENTRAL ARKANSAS FOR THE FISCAL YEAR ENDING JUNE 30, 2010; AND FOR OTHER PURPOSES.

Senate Bill No. 415 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 416
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 UNIVERSITY OF ARKANSAS - ITS VARIOUS DIVISIONS AND THE ARKANSAS ARCHEOLOGICAL SURVEY FOR THE FISCAL YEAR ENDING JUNE 30, 2010; AND FOR OTHER PURPOSES.

Senate Bill No. 416 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 417
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 UNIVERSITY OF ARKANSAS FOR MEDICAL SCIENCES FOR THE FISCAL YEAR ENDING JUNE 30, 2010; AND FOR OTHER PURPOSES.

Senate Bill No. 417 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 418
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 STATE UNIVERSITY FOR THE FISCAL YEAR ENDING JUNE 30, 2010; AND FOR OTHER PURPOSES.

Senate Bill No. 418 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 419
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 SOUTHEAST ARKANSAS COLLEGE FOR THE FISCAL YEAR ENDING JUNE 30, 2010; AND FOR OTHER PURPOSES.

Senate Bill No. 419 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 420
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 UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT BATESVILLE FOR THE FISCAL YEAR ENDING JUNE 30, 2010; AND FOR OTHER PURPOSES.

Senate Bill No. 420 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 421
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 STATE UNIVERSITY - BEEBE FOR THE FISCAL YEAR ENDING JUNE 30, 2010; AND FOR OTHER PURPOSES.

Senate Bill No. 421 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 422
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 UNIVERSITY OF ARKANSAS AT PINE BLUFF FOR THE FISCAL YEAR ENDING JUNE 30, 2010; AND FOR OTHER PURPOSES.

Senate Bill No. 422 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 423
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 OUACHITA TECHNICAL COLLEGE FOR THE FISCAL YEAR ENDING JUNE 30, 2010; AND FOR OTHER PURPOSES.

Senate Bill No. 423 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 424
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 STATE UNIVERSITY - NEWPORT FOR THE FISCAL YEAR ENDING JUNE 30, 2010; AND FOR OTHER PURPOSES.

Senate Bill No. 424 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 425
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 UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT MORRILTON FOR THE FISCAL YEAR ENDING JUNE 30, 2010; AND FOR OTHER PURPOSES.

Senate Bill No. 425 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 18, 2009

Mr. President:

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

HOUSE BILL NO. 1232, BY REPRESENTATIVE OVERBEY,
HOUSE BILL NO. 1267, BY REPRESENTATIVE SHELBY,
HOUSE BILL NO. 1367, BY REPRESENTATIVE PENNARTZ,
HOUSE BILL NO. 1375, BY REPRESENTATIVE PENNARTZ,

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

Respectfully submitted,

(SIGNED) SENATOR PERCY MALONE
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

February 18, 2009

Mr. President:

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

HOUSE BILL NO. 1113, BY REPRESENTATIVE D. CREEKMORE,

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 PERCY MALONE
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

February 18, 2009

Mr. President:

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

SENATE BILL NO. 15, BY SENATOR J. JEFFRESS,
SENATE BILL NO. 156, BY SENATOR J. JEFFRESS,
SENATE BILL NO. 350, BY SENATOR KEY,
SENATE BILL NO. 351, BY SENATOR KEY,
SENATE BILL NO. 352, BY SENATOR KEY,
SENATE BILL NO. 395, BY SENATOR MADISON,

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

Respectfully submitted,

(SIGNED) SENATOR ED WILKINSON
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

February 18, 2009

Mr. President:

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

HOUSE BILL NO. 1011, BY REPRESENTATIVE HUTCHINSON,
HOUSE BILL NO. 1033, BY REPRESENTATIVE HARRELSON,

HOUSE BILL NO. 1280, BY REPRESENTATIVE HYDE,
 HOUSE BILL NO. 1341, BY REPRESENTATIVE MOORE,
 HOUSE BILL NO. 1374, BY REPRESENTATIVE STEWART,
 HOUSE BILL NO. 1382, BY REPRESENTATIVE HYDE,

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 ED WILKINSON
 CHAIRMAN

SENATE BILLS TRANSMITTED TO THE HOUSE

AS PASSED

SENATE BILL NO. 123

SENATE BILL NO. 288

SENATE BILL NO. 332

SENATE CONCURRENT RESOLUTION TRANSMITTED
 TO THE HOUSE AS ADOPTED

SENATE CONCURRENT RESOLUTION NO. 3

HOUSE BILLS RETURNED TO THE HOUSE

AS PASSED

HOUSE BILL NO. 1048

HOUSE BILL NO. 1271

HOUSE BILL NO. 1371

HOUSE BILL NO. 1373

HOUSE BILL NO. 1410

HOUSE BILL RETURNED TO THE HOUSE

AS PASSED AS AMENDED

HOUSE BILL NO. 1318 AS AMENDED NO. 1

HOUSE CONCURRENT RESOLUTION RETURNED
TO THE HOUSE AS CONCURRED IN
HOUSE CONCURRENT RESOLUTION NO. 1006

SENATE BILLS RETURNED FROM THE HOUSE
AS PASSED AND ORDERED ENROLLED
SENATE BILL NO. 339
SENATE BILL NO. 341

SENATE BILL RETURNED FROM THE HOUSE
AS PASSED AS AMENDED
SENATE BILL NO. 28 AS AMENDED NO. 1

HOUSE BILLS TRANSMITTED TO THE SENATE
AS PASSED
HOUSE BILL NO. 1008
HOUSE BILL NO. 1010
HOUSE BILL NO. 1222
HOUSE BILL NO. 1397
HOUSE BILL NO. 1427

HOUSE CONCURRENT RESOLUTION TRANSMITTED
TO THE SENATE AS ADOPTED
HOUSE CONCURRENT RESOLUTION NO. 1006

On motion of Senator Whitaker, the Senate adjourned until 11:00 a.m.,
Thursday, February 19, 2009.

PRESIDENT OF THE SENATE

SECRETARY OF THE SENATE

