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

Little Rock, Arkansas

March 3, 2009

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

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

ALTES, BAKER, BLEDSOE, BOOKOUT, BROADWAY,
BRYLES, 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 Hendren.

Senator Whitaker requested leave for Senator Capps.

Leave granted.

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On motion of Senator Altes, **Senate Bill No. 9** was withdrawn from the Committee on REVENUE & TAXATION, and placed back on second reading for purpose of Amendment No. 1.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. 9

Amend **Senate Bill No. 9** as originally introduced:

Add Representative Moore as a cosponsor of the bill

AND

Delete everything after the Enacting Clause and substitute the following:

"SECTION 1. Arkansas Code Title 26, Chapter 51 is amended to add an additional subchapter to read as follows:

SUBCHAPTER 22. ARKANSAS HISTORIC REHABILITATION INCOME TAX CREDIT ACT

26-51-2201. Title.

This subchapter shall be known and may be cited as the "Arkansas Historic Rehabilitation Income Tax Credit Act".

26-51-2202. Purpose.

The purpose of this subchapter is to encourage economic development and community revitalization within existing state and federal infrastructure by providing an income tax credit to promote the rehabilitation of historic structures throughout Arkansas.

26-51-2203. Definitions.

As used in this subchapter:

(1) "Arkansas historic rehabilitation income tax credit" means an income tax credit against the income tax imposed by the Income Tax Act of 1929, § 26-51-101 et seq., and the premium tax levied under §§ 26-57-601 – 26-57-605 that includes:

(A) An income tax credit for an income-producing property that qualifies for a federal rehabilitation tax credit; and

(B) An income tax credit for a nonincome-producing property;

(2) "Certified rehabilitation" means a substantial rehabilitation of an eligible property that has been issued an eligibility certificate;

(3) "Certification of completion" means a certificate issued by the Department of Arkansas Heritage certifying that a project is a certified rehabilitation of an eligible property that qualifies for the Arkansas historic rehabilitation income tax credit;

(4) "Eligible property" means property that is located in the state that is:

(A) Income-producing property that:

(i) Qualifies as a certified historic structure under 26

U.S.C. § 47, as it existed on January 1, 2009; or

(ii) Will qualify as a certified historic structure following certified rehabilitation; or

- (B) Nonincome-producing property that is:
- (i) Listed in the National Register of Historic Places;
 - (ii) Designated as contributing to a district listed in the National Register of Historic Places; or
 - (iii) Eligible for designation as contributing to a district listed in the National Register of Historic Places following certified rehabilitation;
- (5) "Federal rehabilitation tax credit" means the federal tax credit as provided under 26 U.S.C. § 47, as it existed on January 1, 2009;
- (6) "Holder" means the holder of a certification of completion that is:
- (A) A person, firm, or corporation subject to the income tax imposed by the Income Tax Act of 1929, § 26-51-101 et seq.; or
 - (B) An insurance company paying the premium tax on its gross premium receipts;
- (7) "Owner" means a person or an entity that owns eligible property and is the initial recipient of the certification of completion from the Department of Arkansas Heritage;
- (8) "Premium tax" means a tax levied under §§ 26-57-603 - 26-57-605;
- and
- (9) "Qualified rehabilitation expenses" means costs and expenses incurred to complete a certified rehabilitation that are qualified rehabilitation expenses under the federal rehabilitation tax credit or under the Arkansas historic rehabilitation income tax credit.

26-51-2204. Arkansas historic rehabilitation income tax credit.

- (a) There is allowed an income tax credit up to the amount of tax imposed by the Income Tax Act of 1929, § 26-51-101 et seq., or the premium tax to a holder of an Arkansas historic rehabilitation income tax credit.
- (b) The Arkansas historic rehabilitation income tax credit shall be in an amount equal to twenty-five percent (25%) of the total qualified rehabilitation expenses incurred by the owner to complete a certified rehabilitation up to the first:
- (1) Five hundred thousand dollars (\$500,000) of qualified rehabilitation expenses on income-producing property; or
 - (2) One hundred thousand dollars (\$100,000) of qualified rehabilitation expenses on nonincome-producing property.
- (c)(1) The Department of Arkansas Heritage shall only issue Arkansas historic rehabilitation income tax credits for up to four million dollars (\$4,000,000) in any one (1) fiscal year.
- (2) Any unused Arkansas historic rehabilitation income tax credits shall not be carried over to the following fiscal year for use by the Department of Arkansas Heritage.
- (3) Any certification of completion that would cause the Arkansas historic rehabilitation income tax credit to exceed the amounts listed in subdivision (c)(1) of this section during the fiscal year will be carried forward for consideration during the following fiscal year.
- (d) The Arkansas historic rehabilitation income tax credit shall be available to an owner of an eligible property that:
- (1) Completes a certified rehabilitation that is placed in service after January 1, 2009;
 - (2) Has a minimum investment of twenty-five thousand dollars (\$25,000) in qualified rehabilitation expenses; and
 - (3) Is not receiving a tax credit under any other state law for the same eligible property.
- (e) Upon completion of a rehabilitation, the owner shall submit documentation required by the Department of Arkansas Heritage to verify that the completed rehabilitation qualifies as a certified rehabilitation.

(f) If the Department of Arkansas Heritage determines that a rehabilitation qualifies as a certified rehabilitation and that the certified rehabilitation is complete, the Department of Arkansas Heritage shall issue a freely transferable certification of completion specifying the total amount of the qualified rehabilitation expenses and Arkansas historic rehabilitation income tax credit allowed.

(g)(1) If the owner requests a review of the Department of Arkansas Heritage's determination under subsection (f) of this section, the owner shall submit a written request for review of the determination.

(2) The owner shall submit the request in writing to the Department of Arkansas Heritage within thirty (30) days of the date of notification to the owner of the determination.

(h)(1) The owner shall certify to the Department of Arkansas Heritage the validity of costs and expenses claimed as qualified rehabilitation expenses and shall maintain a record supporting the claim for at least five (5) years after the issuance of the certification of completion.

(2) An owner's record supporting a claim for qualified rehabilitation expenses may be reviewed by the Department of Arkansas Heritage, the appropriate tax collection authority, or a holder.

26-51-2205. Procedure to claim tax credit — Transferring credit.

(a)(1) A holder shall submit the certification of completion and documents proving an assignment, if any, with the appropriate tax collection authority at the time of filing the holder's income tax return or premium tax return.

(2) The appropriate tax collection authority may refuse to recognize the Arkansas historic rehabilitation income tax credit claimed if the holder fails to submit the certification of completion and any assignment documents.

(b) The amount of the Arkansas historic rehabilitation income tax credit that may be used by a holder for a taxable year may equal but shall not exceed the amount of income tax or premium tax due.

(c) A holder of an unused Arkansas historic rehabilitation income tax credit may carry forward part or all of an Arkansas historic rehabilitation income tax credit for five (5) consecutive taxable years to apply against the holder's income taxes due or the holder's premium tax due.

(d)(1) An owner of an Arkansas historic rehabilitation income tax credit may freely transfer, sell, or assign part or all of the Arkansas historic rehabilitation income tax credit amount identified in the certification of completion.

(2) A subsequent holder may transfer, sell, or assign part or all of the remaining Arkansas historic rehabilitation income tax credit.

(3) The sale of the Arkansas historic rehabilitation income tax credit must be reported as income under the Income Tax Act of 1929, § 26-51-101 et seq., or the premium tax.

(e) An owner may sell the owner's eligible property after the issuance of the certification of completion.

(f) An Arkansas historic rehabilitation income tax credit granted to a partnership, Subchapter S corporation, a limited liability company taxed as a partnership, or multiple owners of property shall be passed through to the partners, members, or owners respectively on a pro rata basis or pursuant to an executed agreement among the partners, members, or owners documenting an alternate distribution method.

(g)(1) A holder may use the Arkansas historic rehabilitation income tax credit to offset up to one hundred percent (100%) of the state income taxes due or premium tax due from the holder.

(2) A holder is not required to have any ownership or other interest in the eligible property for which an Arkansas historic rehabilitation income tax credit is claimed.

(3) An Arkansas historic rehabilitation income tax credit may be used up to its total amount by any holder without limitation and is not subject to limits imposed by federal law or regulation on the use of federal rehabilitation tax credits.

(h) An owner or holder that assigns part or all of an Arkansas historic rehabilitation income tax credit shall perfect the transfer by notifying the Department of Arkansas Heritage and the appropriate tax collection authority in writing within thirty (30) calendar days following the effective date of the transfer and shall provide any information as may be required by the Department of Arkansas Heritage and the appropriate tax collection authority to administer and carry out this subchapter and to ensure proper tracking of the ownership of the unused Arkansas historic rehabilitation income tax credit.

(i)(1) Any consideration received for the transfer of the Arkansas historic rehabilitation income tax credit shall not be included as income taxable by the State of Arkansas.

(2) Any consideration paid for the transfer of the Arkansas historic rehabilitation income tax credit shall not be deducted from income taxable by the State of Arkansas.

26-51-2206. Fees.

(a)(1) The Department of Arkansas Heritage may charge a fee to process:

(A) An application for an Arkansas historic rehabilitation income tax credit; and

(B) A request to record transfers of interests in an Arkansas historic rehabilitation income tax credit to other holders.

(2) The fee for processing an application for an Arkansas historic rehabilitation income tax credit shall not exceed two and one-half percent (2.5%) of the amount of the Arkansas historic rehabilitation income tax credit applied for, or seventy-five hundredths percent (0.75%) of the amount of the Arkansas historic rehabilitation income tax credit transferred, whichever is less.

(b) A fee collected under this subchapter by the Department of Arkansas Heritage shall be considered cash funds of the Department of Arkansas Heritage and shall be used for the administration of this act.

26-51-2207. Rules.

(a) The Department of Arkansas Heritage shall promulgate rules to implement this subchapter that shall include criteria for the prioritizing of the rehabilitation applications and that will stimulate the local economy where the property is located, including without limitation the criteria that the rehabilitation project will be prioritized in the following order:

(1) Result in the creation of a new business;

(2) Result in the expansion of an existing business;

(3) Establish or contribute to the establishment of a tourism attraction as defined by the Department of Parks and Tourism;

(4) Contribute to the revitalization of a specific business district; or

(5) Be a key property in the revitalization of a specific neighborhood.

(b) The Department of Arkansas Heritage shall consult with the Department of Finance and Administration, the Arkansas Economic Development Commission, and the State Insurance Department in promulgating rules under this subchapter.

(c) The Department of Parks and Tourism shall promulgate rules to define a "tourism attraction" as provided in subdivision (a)(3) of this section.

SECTION 2. Arkansas Code Title 26, Chapter 51, Subchapter 5 is amended to add an additional section to read as follows:

26-51-513. Arkansas historic rehabilitation income tax credit.

(a) In addition to any income tax credit not related to the same eligible property for which a taxpayer qualifies, the taxpayer is allowed an income tax credit for the amount of the Arkansas historic rehabilitation income tax credit allowed by the certification of completion issued by the Department of Arkansas Heritage under the Arkansas Historic Rehabilitation Income Tax Credit Act, § 26-51-2201 et seq.

(b) The amount of the income tax credit under this section that may be claimed by the taxpayer in a tax year shall not exceed the amount of state income tax due by the taxpayer.

(c) Any unused income tax credit under this section may be carried forward for a maximum of five (5) consecutive tax years for credit against the state income tax.

(d) The Director of the Department of Finance and Administration shall promulgate rules to implement this section.

SECTION 3. Arkansas Code § 26-57-604, concerning the remittance of premium taxes, is amended to add an additional subsection to read as follows:

(c)(1) In addition to any premium tax credit not related to the same eligible property for which an insurer qualifies under subsection (a) of this section, there is allowed a premium tax credit for the amount of the Arkansas historic rehabilitation income tax credit allowed by the certification of completion issued by the Department of Arkansas Heritage under the Arkansas Historic Rehabilitation Income Tax Credit Act, § 26-51-2201 et seq.

(2) The premium tax credit under this subsection may be used to offset the premium tax imposed by §§ 26-57-603 – 26-57-605.

(3) The amount of the premium tax credit under this section that may be claimed by the taxpayer in a tax year shall not exceed the amount of premium tax due by the taxpayer.

(4) Any unused premium tax credit may be carried forward for a maximum of five (5) consecutive taxable years for credit against the premium tax.

(5) The Insurance Commissioner shall promulgate rules to implement this section.

SECTION 4. This act is effective for tax years beginning on and after January 1, 2009, and ending on or before December 31, 2015."

(SIGNED) SENATOR DANNY ALTES

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 9 was ordered engrossed.

On motion of Senator Smith, **Senate Bill No. 431** was withdrawn from the Committee on JUDICIARY, 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. 431

Amend **Senate Bill No. 431** as engrossed, S2/24/09:

Page 1, delete lines 23 through 33 and substitute the following:

"(a)(1) A person commits the offense of defrauding a secured creditor in the first degree if he or she destroys, removes, cancels, encumbers, transfers, or otherwise disposes of property subject to a security interest with the purpose to hinder enforcement of the security interest.

~~(b)(2)~~ Defrauding a secured creditor in the first degree is a Class D felony.

(b)(1) A person commits the offense of defrauding a secured creditor in the second degree if he or she uses motor vehicle insurance policy proceeds in excess of one thousand dollars (\$1,000) obtained from a settlement of a property damage claim on a motor vehicle subject to a security interest in contravention of the security agreement that creates or provides for the security interest in the motor vehicle.

(2) Defrauding a secured creditor in the second degree is a Class A misdemeanor."

(SIGNED) SENATOR T. SMITH

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 431 was ordered engrossed.

On motion of Senator Wyatt, [Senate Bill No. 473](#) 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. 473](#)

Amend [Senate Bill No. 473](#) as originally introduced:

Page 1, line 26, insert "fire departments," between "to" and "counties"

AND

Page 1, line 29, insert "fire protection" between "centers," and "and"

(SIGNED) SENATOR D. WYATT

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

(SIGNED) ANN CORNWELL, SECRETARY

[Senate Bill No. 473](#) was ordered engrossed.

On motion of Senator Miller, [Senate Bill No. 484](#) 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. 484](#)

Amend [Senate Bill No. 484](#) as originally introduced:

Add Representatives Curren Everett and Eddie Cooper as Co-sponsors to the bill.

(SIGNED) SENATOR PAUL MILLER

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 484 was ordered engrossed.

On motion of Senator Miller, Senate Bill No. 483 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. 483

Amend Senate Bill No. 483 as originally introduced:
Add Representatives Curren Everett and Eddie Cooper as Co-sponsors to the bill.

(SIGNED) SENATOR PAUL MILLER

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 483 was ordered engrossed.

On motion of Senator Faris, [Senate Bill No. 478](#) 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. 478](#)

Amend [Senate Bill No. 478](#) as originally introduced:

Page 1, line 29, delete "\$500,000" and substitute "\$2,000,000".

(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. 478](#) 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. 2.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
[Amendment No. 2 to SENATE BILL NO. 179](#)

Amend [Senate Bill No. 179](#) as engrossed, S2/18/09:

Please add Representative Sample as a co-sponsor.

(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. 179](#) was ordered engrossed.

On motion of Senator Miller, **Senate Bill No. 485** 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. 485

Amend **Senate Bill No. 485** as originally introduced:

Page 1, line, 26, insert "fire departments," between "to" and "counties"

And

Page 1, line 29, insert "fire protection," between "centers," and "and"

(SIGNED) SENATOR PAUL MILLER

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 485 was ordered engrossed.

On motion of Senator Altes, **Senate Bill No. 639** 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. 639

Amend **Senate Bill No. 639** as originally introduced:

Add the following House sponsor to the bill:

"Representative Glidewell".

(SIGNED) SENATOR ALTES

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 639 was ordered engrossed.

On motion of Senator Pritchard, **Senate Bill No. 596** was withdrawn from the Committee on JUDICIARY, and placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 596

Amend **Senate Bill No. 596** as originally introduced:

Page 2, delete lines 15 and 16 and substitute:

"(B) The MAGNUM Drug Court Fund shall consist of ~~user fees~~
~~and any other moneys provided by law.~~"

(SIGNED) SENATOR B. PRITCHARD

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 596 was ordered engrossed.

On motion of Senator Broadway, **Senate Joint Resolution No. 6** was withdrawn from the Committee on STATE AGENCIES & GOVERNMENTAL 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 JOINT RESOLUTION NO. 6

Amend **Senate Joint Resolution No. 6** as originally introduced:

Page 1, delete lines 10 through 17 and substitute "PROPOSING A CONSTITUTIONAL AMENDMENT TO AUTHORIZE GOVERNMENTAL UNITS TO ISSUE REVENUE BONDS TO FINANCE ENERGY EFFICIENCY PROJECTS AND TO AUTHORIZE THE USE OF SAVINGS FROM THE PROJECTS TO REPAY THE BONDS."

AND

Page 1, delete lines 20 through 24 and substitute "PROPOSING A CONSTITUTIONAL AMENDMENT TO AUTHORIZE GOVERNMENTAL UNITS TO ISSUE REVENUE BONDS TO FINANCE ENERGY EFFICIENCY PROJECTS AND TO AUTHORIZE THE USE OF SAVINGS FROM THE PROJECTS TO REPAY THE BONDS."

AND

Page 2, delete Section 1 and substitute the following:

"SECTION 1. Section 1 of Amendment 65 of the Arkansas Constitution is amended to read as follows:

1. Issuance - Terms and conditions.

Subject to the provisions of Section 2 hereof, any governmental unit, pursuant to laws heretofore or hereafter adopted by the General Assembly, may issue revenue bonds for the purpose of financing all or a portion of the costs of capital improvements of a public nature, facilities for the securing and developing of industry or agriculture, energy efficiency projects, and for such other public purposes as may be authorized by the General Assembly. Such bonds may bear such terms, be issued in such manner, and be subject to such conditions, all as may be authorized by the General Assembly; and the General Assembly may, but shall not be required to, condition the issuance of such bonds upon an election.

SECTTION 2. Section 3(a) of Amendment 65 of the Arkansas Constitution is amended to read as follows:

3. Definitions.

(a) The term "revenue bonds" as used herein shall mean all bonds, notes, certificates or other instruments or evidences of indebtedness the repayment of which is secured by rents, user fees, charges, savings generated by energy efficiency projects, or other revenues (other than assessments for local improvements and taxes) derived from the project or improvements financed in whole or in part by such bonds, notes, certificates or other instruments or evidences of indebtedness, from the operations of any governmental unit, or from any other special fund or source other than assessments for local improvements and taxes."

(SIGNED) SENATOR BROADWAY

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Joint Resolution No. 6 was ordered engrossed.

On motion of Senator Luker, Senate Bill No. 605 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. 605

Amend Senate Bill No. 605 as originally introduced:

Page 1, line 11 delete "- WYNNE"
AND
Page 1, line 16 delete "- WYNNE"
AND
Page 1, line 22 delete "- WYNNE"
AND
Page 1, line 27 delete "at Wynne".

(SIGNED) SENATOR LUKER

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 605 was ordered engrossed.

On motion of Senator Faris, **Senate Bill No. 191** 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. 191

Amend **Senate Bill No. 191** as engrossed, S2/24/09:

Page 9, line 5, delete "unless" and substitute the following:

" however under no circumstance shall the required employer contribution rate exceed the maximum percentage rate under subdivision (c)(4) of this section."

AND

Page 9, delete line 6

AND

Page 10, delete lines 25 through 36.

(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. 191 was ordered engrossed.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 3, 2009

Mr. President:

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

SENATE JOINT RESOLUTION NO. 6, BY SENATOR BROADWAY,

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 Broadway, **Senate Joint Resolution No. 6** was ordered re-referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 3, 2009

Mr. President:

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

SENATE BILL NO. 9, BY SENATOR ALTES,

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 Altes, **Senate Bill No. 9** was ordered re-referred to the Committee on REVENUE & TAXATION.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 3, 2009

Mr. President:

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

SENATE BILL NO. 179, BY SENATOR G. JEFFRESS,
SENATE BILL NO. 191, BY SENATOR FARIS,

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. 179** was ordered re-referred to the Committee on JOINT RETIREMENT AND SOCIAL SECURITY.

On motion of Senator Faris, **Senate Bill No. 191** was ordered re-referred to the Committee on JOINT RETIREMENT AND SOCIAL SECURITY.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 3, 2009

Mr. President:

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

SENATE BILL NO. 431, BY SENATOR T. SMITH,
SENATE BILL NO. 596, BY SENATOR B. PRITCHARD,

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 Smith, **Senate Bill No. 431** was ordered re-referred to the Committee on JUDICIARY

On motion of Senator B. Pritchard, **Senate Bill No. 596** was ordered re-referred to the Committee on JUDICIARY.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 3, 2009

Mr. President:

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

SENATE BILL NO. 473, BY SENATOR D. WYATT,
SENATE BILL NO. 478, BY SENATOR FARIS,
SENATE BILL NO. 483, BY SENATOR MILLER,
SENATE BILL NO. 484, BY SENATOR MILLER,
SENATE BILL NO. 485, BY SENATOR MILLER,
SENATE BILL NO. 605, BY SENATOR LUKER,
SENATE BILL NO. 639, BY SENATOR ALTES,

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 Wyatt, **Senate Bill No. 473** was ordered re-referred to the Committee on JOINT BUDGET.

On motion of Senator Faris, **Senate Bill No. 478** was ordered re-referred to the Committee on JOINT BUDGET.

On motion of Senator Miller, [Senate Bill No. 483](#) was ordered re-referred to the Committee on JOINT BUDGET.

On motion of Senator Miller, [Senate Bill No. 484](#) was ordered re-referred to the Committee on JOINT BUDGET.

On motion of Senator Miller, [Senate Bill No. 485](#) was ordered re-referred to the Committee on JOINT BUDGET.

On motion of Senator Luker, [Senate Bill No. 605](#) was ordered re-referred to the Committee on JOINT BUDGET.

On motion of Senator Altes, [Senate Bill No. 639](#) was ordered re-referred to the Committee on JOINT BUDGET.

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

MIKE BEEBE
Governor

March 3, 2009

TO THE PRESIDENT OF THE SENATE

Dear Mr. President:

This is to inform your Honorable Body that on March 3, 2009, I approved the following measures from the Regular Session of the Eighty-seventh General Assembly:

Senate Concurrent Memorial Resolution No. 001
Senate Bill No. 015, - ACT 290,
Senate Bill No. 040, - ACT 291,
Senate Bill No. 045, - ACT 292,
Senate Bill No. 059, - ACT 293,
Senate Bill No. 121, - ACT 294,
Senate Bill No. 128, - ACT 295,
Senate Bill No. 200, - ACT 296,
Senate Bill No. 225, - ACT 297,
Senate Bill No. 267, - ACT 298,
Senate Bill No. 288, - ACT 299,
Senate Bill No. 331, - ACT 300,
Senate Bill No. 352, - ACT 301,
Senate Bill No. 355, - ACT 302,
Senate Bill No. 392, - ACT 303,

Sincerely,

(SIGNED) MIKE BEEBE
Governor

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 2, 2009

Mr. President:

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

SENATE BILL NO. 393, BY SENATOR ELLIOTT,

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

Respectfully submitted,

(SIGNED) SENATOR ROBERT THOMPSON
VICE CHAIRMAN

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 2, 2009

Mr. President:

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

HOUSE BILL NO. 1384, BY REPRESENTATIVE MCLEAN,
HOUSE BILL NO. 1393, BY REPRESENTATIVE T. BAKER,
HOUSE BILL NO. 1443, BY REPRESENTATIVE PYLE,
HOUSE BILL NO. 1444, BY REPRESENTATIVE PYLE,
HOUSE BILL NO. 1465, BY REPRESENTATIVE T. BAKER,
HOUSE BILL NO. 1468, BY REPRESENTATIVE SLINKARD,
HOUSE BILL NO. 1469, BY REPRESENTATIVE SLINKARD,

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 ROBERT THOMPSON
VICE CHAIRMAN

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 3, 2009

Mr. President:

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

SENATE BILL NO. 446, BY SENATOR T. SMITH,

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 JERRY TAYLOR
VICE CHAIRMAN

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 3, 2009

Mr. President:

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

HOUSE BILL NO. 1477, BY REPRESENTATIVE ABERNATHY,

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 JIM LUKER
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 3, 2009

Mr. President:

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

HOUSE BILL NO. 1445, BY REPRESENTATIVE PYLE,
HOUSE BILL NO. 1551, BY REPRESENTATIVE MAXWELL,

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 STEVE FARIS
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 3, 2009

Mr. President:

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

SENATE BILL NO. 284, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 305, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 495, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 525, 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 GILBERT BAKER
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 3, 2009

Mr. President:

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

SENATE BILL NO. 357, BY SENATOR BOOKOUT,

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

Respectfully submitted,

(SIGNED) SENATOR BARBARA HORN
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 3, 2009

Mr. President:

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

HOUSE BILL NO. 1362, BY REPRESENTATIVE M. BURRIS,

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 BARBARA HORN
CHAIRMAN

The President declared the morning hour to have expired.

On motion of Senator Smith, **Senate Bill No. 113** was called up for third reading and final disposition.

SENATE BILL NO. 113
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR T. SMITH
BY: REPRESENTATIVE SAUNDERS

A Bill for an Act to be Entitled: AN ACT TO AMEND TITLE 20, CHAPTER 22, SUBCHAPTER 6 OF THE ARKANSAS CODE; CONCERNING FIRE EXTINGUISHERS, FIXED FIRE PROTECTION SYSTEMS, AND FIRE PROTECTION SPRINKLER SYSTEMS; AND FOR OTHER PURPOSES.

Senate Bill No. 113 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, 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	34
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
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

Senate Bill No. 113 was ordered immediately transmitted to the House as passed.

On motion of Senator Broadway, **Senate Bill No. 226** was called up for third reading and final disposition.

SENATE BILL NO. 226
As Engrossed: S2/26/09
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR BROADWAY
BY: REPRESENTATIVES T. ROGERS, NIX & SAUNDERS

A Bill for an Act to be Entitled: AN ACT TO ESTABLISH A COMMON SPRING BREAK FOR ALL ARKANSAS PUBLIC SCHOOLS; AND FOR OTHER PURPOSES.

Senate Bill No. 226 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total	28
NEGATIVE: Lavery, Madison.	
Total	2
ABSENT OR NOT VOTING: Altes, B. Johnson, Luker, Teague.	
Total	5
VOTING PRESENT:	
Total	0
Total number of votes cast.....	30
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 226 was ordered immediately transmitted to the House as passed.

On motion of Senator Elliott, **House Bill No. 1272** 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. 1272

Amend **House Bill No. 1272** as engrossed, H2/13/09:

Page 2, delete lines 1 through 7, and substitute the following:

"(ii) Provide instruction to a parent on how to incorporate developmentally appropriate learning activities in the home environment, including without limitation:"

AND

Page 2, line 8, delete "(1)" and one tab before it and substitute "(a)"

AND

Page 2, line 10, delete "(2)" and one tab before it and substitute "(b)"

AND

Page 2, line 12, delete "(3)" and one tab before it and substitute "(c)"

AND

Page 2, line 14, delete "(4)" and one tab before it and substitute "(d)"

(SIGNED) SENATOR ELLIOTT

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1272 was ordered engrossed.

On motion of Senator Lavery, **Senate Bill No. 238** was called up for third reading and final disposition.

SENATE BILL NO. 238
As Engrossed: S2/11/09
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR LAVERTY

A Bill for an Act to be Entitled: AN ACT TO ENSURE STUDENTS CATEGORIZED WITH BEHAVIORAL DISABILITIES IN OTHER STATES ARE PROMPTLY AND ADEQUATELY PLACED IN THE ARKANSAS PUBLIC SCHOOL SYSTEM; AND FOR OTHER PURPOSES.

Senate Bill No. 238 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, 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	34
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
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

Senate Bill No. 238 was ordered immediately transmitted to the House as passed.

On motion of Senator Laverty, the rules were suspended in considering **Senate Bill No. 223** at this time.

On motion of Senator Laverty, **Senate Bill No. 223** 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. 223

Amend **Senate Bill No. 223** as originally introduced:

Page 1, line 32, delete "hay" and substitute "agricultural products"

(SIGNED) SENATOR R. LAVERTY

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

(SIGNED) ANN CORNWELL, SECRETARY

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

On motion of Senator Laverty, **Senate Bill No. 223** was called up for third reading and final disposition.

SENATE BILL NO. 223
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR LAVERTY

A Bill for an Act to be Entitled: AN ACT TO PROVIDE A SALES AND USE TAX EXEMPTION FOR MATERIALS USED BY FARMERS TO BALE HAY; AND FOR OTHER PURPOSES.

Senate Bill No. 223 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, 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	34
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
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

Senate Bill No. 223 was ordered engrossed.

On motion of Senator D. Johnson, **Senate Bill No. 252** was called up for third reading and final disposition.

SENATE BILL NO. 252
As Engrossed: S2/26/09
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR D. JOHNSON
BY: REPRESENTATIVES SAUNDERS AND WEBB

A Bill for an Act to be Entitled: AN ACT TO ENSURE THE ENROLLMENT AGE IN PREKINDERGARTEN IS CONSISTENT WITH THE ENROLLMENT CRITERIA FOR ENTRY INTO PUBLIC SCHOOL; TO ENSURE ADEQUATE NOTICE IS GIVEN TO PREKINDERGARTEN PROGRAM PROVIDERS; AND FOR OTHER PURPOSES.

Senate Bill No. 252 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, 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	34
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	1
VOTING PRESENT:	
Total	0
Total number of votes cast	34
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **Senate Bill No. 252**, 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, 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	34
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	1
VOTING PRESENT:	
Total	0
Total number of votes cast.....	34
Necessary to the adoption of the Emergency Clause	24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 252 was ordered immediately transmitted to the House.

On motion of Senator D. Johnson, **Senate Bill No. 313** was called up for third reading and final disposition.

SENATE BILL NO. 313
As Engrossed: S2/11/09
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS D. JOHNSON AND D. WYATT

A Bill for an Act to be Entitled: AN ACT TO CLARIFY APPLICABLE KINDERGARTEN AND PREKINDERGARTEN PROGRAMS; AND FOR OTHER PURPOSES.

Senate Bill No. 313 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total28

NEGATIVE: Altes, J. Key, Teague.

Total3

ABSENT OR NOT VOTING: Crumbly, B. Johnson, B. Pritchard.

Total4

VOTING PRESENT:

Total0

Total number of votes cast31

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

On motion of Senator Thompson, **Senate Bill No. 403** was called up for third reading and final disposition.

SENATE BILL NO. 403
As Engrossed: S3/2/09
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 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, 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	34
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
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

Senate Bill No. 403 was ordered immediately transmitted to the House as passed.

On motion of Senator J. Jeffress, **House Bill No. 1400** was called up for third reading and final disposition.

HOUSE BILL NO. 1400
As Engrossed: S3/2/09
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE ENGLISH
BY: SENATOR J. JEFFRESS

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

House Bill No. 1400 was 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, 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	34
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
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. 1400 was ordered immediately returned to the House as passed as amended.

On motion of Senator G. Jeffress, **House Bill No. 1026** was called up for third reading and final disposition.

HOUSE BILL NO. 1026
As Engrossed: H2/9/09 S3/2/09
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES G. SMITH AND LOWERY
BY: SENATORS WHITAKER AND G. JEFFRESS

A Bill for an Act to be Entitled: AN ACT TO REQUIRE THAT A MAJORITY OF THE MEMBERS OF THE OIL AND GAS COMMISSION BE EXPERIENCED IN THE DEVELOPMENT, PRODUCTION, AND TRANSPORTATION OF OIL AND GAS; AND FOR OTHER PURPOSES.

House Bill No. 1026 was placed on third reading and final disposition, the question being: Shall the Bill pass?

Senator Elliott spoke against the Bill.

Senator Taylor spoke for the Bill.

Senator Salmon spoke against the Bill.

Senator Miller spoke for the Bill.

Senator Gene Jeffress closed for his Bill.

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

AFFIRMATIVE: Altes, G. Baker, Bledsoe, Bookout, Broadway, Crumbly, Glover, Hendren, Horn, G. Jeffress, J. Jeffress, P. Malone, Miller, B. Pritchard, T. Smith, Steele, J. Taylor, Whitaker, Wilkinson, D. Wyatt.

Total20

NEGATIVE: Elliott, D. Johnson, J. Key, Laverty, Madison, Salmon, R. Thompson.

Total7

ABSENT OR NOT VOTING: Bryles, Faris, B. Johnson, Luker, Teague, Trusty, H. Wilkins.

Total8

VOTING PRESENT:

Total0

Total number of votes cast27

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. 1026 was ordered immediately returned to the House as passed as amended.

On motion of Senator Madison, and without objection, The Governor was requested to return Senate Bill No. 359 for further consideration.

STATE OF ARKANSAS
ARKANSAS SENATE
State Capitol
Little Rock, Arkansas 72201

ANN CORNWELL
Secretary of the Senate
State Capitol, Room 320
Little Rock, Arkansas 72201

March 3, 2009

The Honorable Mike Beebe
Governor of Arkansas
Executive Chamber
State Capitol
Little Rock, Arkansas

Dear Governor Beebe:

The Senate respectfully requests the return to the Senate, of Senate Bill No. 359.

Respectfully submitted,

(SIGNED) ANN CORNWELL
Secretary of the Senate

AC:as

Returned Senate Bill No. 359 from the Governor as requested.

On motion of Senator Altes, **Senate Bill No. 333** was ordered re-referred to the Committee on REVENUE & TAXATION.

On motion of Senator Baker, **Senate Bill No. 525** was ordered re-referred to the Committee on JOINT BUDGET.

On motion of Senator Baker, **Senate Bill No. 628** 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. 628

Amend **Senate Bill No. 628** as originally introduced:

Page 1, line 25, delete "taxed" and substitute "taxes"

AND

Page 4, line 12, insert "of School Age Children" between "Care" and "for"

(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. 628 was ordered engrossed.

On motion of Senator Baker, the Senate resolved itself into the Committee of the Whole for the purpose of Joint Budget Committee bills.

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

On motion of Senator Baker, the rules were suspended in considering **House Bill No. 1066** at this time.

On motion of Senator Baker, **House Bill No. 1066** was called up for third reading and final disposition.

**HOUSE BILL NO. 1066
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE**

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR OPERATING EXPENSES FOR THE STATE BOARD OF REGISTERED INTERIOR DESIGNERS FOR THE FISCAL YEAR ENDING JUNE 30, 2010; AND FOR OTHER PURPOSES.

House Bill No. 1066 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, 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.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total1

VOTING PRESENT:

Total0

Total number of votes cast.....34

Necessary to the passage of the bill27

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 1066**, 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, 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.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total1

VOTING PRESENT:

Total0

Total number of votes cast.....34

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1066 was ordered immediately returned to the House as passed.

On motion of Senator Baker, the rules were suspended in considering **House Bill No. 1081** at this time.

On motion of Senator Baker, **House Bill No. 1081** was called up for third reading and final disposition.

**HOUSE BILL NO. 1081
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 MOTOR VEHICLE COMMISSION FOR THE FISCAL YEAR ENDING JUNE 30, 2010; AND FOR OTHER PURPOSES.

House Bill No. 1081 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, 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	34
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	1
VOTING PRESENT:	
Total	0
Total number of votes cast	34
Necessary to the passage of the bill	27

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 1081**, 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, 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.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total1

VOTING PRESENT:

Total0

Total number of votes cast.....34

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1081 was ordered immediately returned to the House as passed.

On motion of Senator Baker, the rules were suspended in considering **House Bill No. 1189** at this time.

On motion of Senator Baker, **House Bill No. 1189** was called up for third reading and final disposition.

**HOUSE BILL NO. 1189
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE**

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

House Bill No. 1189 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, 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	34
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	1
VOTING PRESENT:	
Total	0
Total number of votes cast	34
Necessary to the passage of the bill	27

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 1189**, 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, 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.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total1

VOTING PRESENT:

Total0

Total number of votes cast.....34

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1189 was ordered immediately returned to the House as passed.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 3, 2009

Mr. President:

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

SENATE BILL NO. 55, BY SENATORS BAKER, MADISON,
SENATE BILL NO. 255, BY SENATOR TEAGUE,
SENATE BILL NO. 316, BY SENATOR BAKER,

beg leave to report that we have carefully compared the enrolled copies with the original and we find the same correctly enrolled and have at 9:45 a.m. delivered them to the Governor for his approval.

Respectfully submitted,

(SIGNED) JOHN PAUL CAPPS
CHAIRMAN

GOVERNOR'S BILL RECEIPTS

SENATE BILL NO. 55
SENATE BILL NO. 255
SENATE BILL NO. 316

RECEIVED the above papers from the Secretary of the Senate this 3rd day of March, 2009 at 9:45 a.m.

(SIGNED) MIKE BEEBE
Governor

(SIGNED) Marc Harrison
Secretary

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 3, 2009

Mr. President:

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

SENATE BILL NO. 223, BY SENATOR LAVERTY,

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. 223 was ordered immediately transmitted to the House.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 3, 2009

Mr. President:

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

HOUSE BILL NO. 1272, BY REPRESENTATIVE BLOUNT 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. 154 was returned from the House as passed and ordered enrolled.

Senate Bill No. 311 was returned from the House as passed as amended.

On motion of Senator Faris, Senate Bill No. 311 was ordered re-referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

Senate Bill No. 350 was returned from the House as passed and ordered enrolled.

Senate Bill No. 351 was returned from the House as passed and ordered enrolled.

Senate Bill No. 361 was returned from the House as passed and ordered enrolled.

SENATE BILL NO. 765
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR T. SMITH

A Bill for an Act to be Entitled: AN ACT TO INCREASE THE MAXIMUM WEIGHT ALLOWED ON THE FRONT OR STEERING AXLE OF A VEHICLE; AND FOR OTHER PURPOSES.

Senate Bill No. 765 was read the first time, rules suspended, read the second time and referred to the Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS.

SENATE BILL NO. 766
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR J. JEFFRESS

A Bill for an Act to be Entitled: AN ACT TO AMEND THE ARKANSAS PUBLIC SCHOOL CHOICE LAWS; AND FOR OTHER PURPOSES.

Senate Bill No. 766 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

SENATE BILL NO. 767
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR FARIS

A Bill for an Act to be Entitled: AN ACT TO AMEND THE RESOLUTION OF PROTESTED SOLICITATIONS AND AWARDS FOR STATE CONTRACTS TO PROVIDE FOR A DEADLINE TO PROTEST THE SOLICITATION PROCESS BEFORE TO OPENING THE SOLICITATION RESPONSES; AND FOR OTHER PURPOSES.

Senate Bill No. 767 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

SENATE BILL NO. 768
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

BY: SENATORS J. TAYLOR, T. SMITH, TRUSTY, WILKINSON, FARIS,
BOOKOUT, D. WYATT & J. KEY
BY: REPRESENTATIVE STEWART

A Bill for an Act to be Entitled: AN ACT TO REMOVE THE ABILITY OF A LOCAL UNIT OF GOVERNMENT TO REGULATE FIREARMS FOLLOWING A PROCLAMATION BY THE GOVERNOR OF A STATE OF EMERGENCY; AND FOR OTHER PURPOSES.

Senate Bill No. 768 was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY & LOCAL AFFAIRS.

SENATE BILL NO. 769
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

BY: SENATOR TEAGUE
BY: REPRESENTATIVE INGRAM

A Bill for an Act to be Entitled: AN ACT TO AMEND THE TAXPAYER BILL OF RIGHTS TO PROVIDE UNIFORM GUIDELINES FOR THE STRICT CONSTRUCTION OF A TAX EXEMPTION, DEDUCTION OR CREDIT; TO SET THE STANDARD FOR REVIEW OF ADMINISTRATIVE TAX DETERMINATIONS ON APPEAL; AND FOR OTHER PURPOSES.

Senate Bill No. 769 was read the first time, rules suspended, read the second time and referred to the Committee on REVENUE & TAXATION.

SENATE BILL NO. 770
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR TEAGUE
BY: REPRESENTATIVE INGRAM

A Bill for an Act to be Entitled: AN ACT TO CLARIFY THAT PARTIAL REPLACEMENT OF MANUFACTURING MACHINERY AND EQUIPMENT THAT IMPROVE MANUFACTURING EFFICIENCY, MODERNIZE EXISTING MACHINERY, OR ECONOMICALLY OR PHYSICALLY EXPAND AN EXISTING FACILITY, INCLUDING THE MACHINERY AND EQUIPMENT THAT ACT AS A MOLD OR DIE TO DETERMINE THE PHYSICAL CHARACTERISTICS OF A PRODUCT, ARE EXEMPT FROM THE SALES AND USE TAX; AND FOR OTHER PURPOSES.

Senate Bill No. 770 was read the first time, rules suspended, read the second time and referred to the Committee on REVENUE & TAXATION.

SENATE BILL NO. 771
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR BRYLES

A Bill for an Act to be Entitled: AN ACT TO ALLOW THE STATE HIGHWAY COMMISSION TO ISSUE SPECIAL PERMITS FOR THE MOVEMENT OF SEALED CONTAINERIZED CARGO BETWEEN TWO (2) CONTIGUOUS COUNTIES OF THE STATE; AND FOR OTHER PURPOSES.

Senate Bill No. 771 was read the first time, rules suspended, read the second time and referred to the Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS.

SENATE BILL NO. 772
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MADISON

A Bill for an Act to be Entitled: AN ACT CONCERNING ENTRIES INTO THE JUDGMENT BOOK; AND FOR OTHER PURPOSES.

Senate Bill No. 772 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

SENATE BILL NO. 773
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MADISON

A Bill for an Act to be Entitled: AN ACT TO CLARIFY THAT THE COUNTY JUDGE MAY INSTITUTE CIVIL ACTIONS ON BEHALF OF THE COUNTY; AND FOR OTHER PURPOSES.

Senate Bill No. 773 was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY & LOCAL AFFAIRS.

SENATE BILL NO. 774
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MADISON

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

Senate Bill No. 774 was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY & LOCAL AFFAIRS.

SENATE BILL NO. 775
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MADISON

A Bill for an Act to be Entitled: AN ACT CONCERNING THE POSTING OF RETURN RECORDS FOR VOTING MACHINES; AND FOR OTHER PURPOSES.

Senate Bill No. 775 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

SENATE BILL NO. 776
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MADISON
BY: REPRESENTATIVE POWERS

A Bill for an Act to be Entitled: AN ACT CONCERNING JUVENILES, THE JUVENILE CODE, AND JUVENILE JUSTICE; AND FOR OTHER PURPOSES.

Senate Bill No. 776 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

SENATE BILL NO. 777
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MADISON

A Bill for an Act to be Entitled: AN ACT TO PROMOTE COMPETITION AMONG BOOKSTORES AT STATE-SUPPORTED INSTITUTIONS OF HIGHER EDUCATION; AND FOR OTHER PURPOSES.

Senate Bill No. 777 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. 1462
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE J. EDWARDS
BY: SENATOR R. THOMPSON

A Bill for an Act to be Entitled: AN ACT TO AMEND THE ARKANSAS BUSINESS CORPORATION ACT, § 4-26-101 ET SEQ., THE ARKANSAS BUSINESS CORPORATION ACT, § 4-27-101 ET SEQ., THE SMALL BUSINESS ENTITY TAX PASS THROUGH ACT, § 4-32-101 ET SEQ., AND § 4-46-101 ET SEQ. ENACTING THE UNIFORM PARTNERSHIP ACT (1996) TO ALLOW ANY BUSINESS ENTITY TO CONVERT TO OR MERGE WITH ANY OTHER BUSINESS ENTITY; TO MAKE RELATED TECHNICAL CORRECTIONS; AND FOR OTHER PURPOSES.

House Bill No. 1462 was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE & COMMERCE.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 3, 2009

Mr. President:

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

SENATE BILL NO. 628, BY JOINT BUDGET COMMITTEE,

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

Respectfully submitted,

(SIGNED) JOHN PAUL CAPPS
CHAIRMAN

On motion of Senator Baker, **Senate Bill No. 628** was ordered re-referred to the Committee on JOINT BUDGET.

SENATE RESOLUTION NO. 12
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR ELLIOTT

SENATE RESOLUTION TO SUPPORT THE ARKANSAS WHOLE CHILD INITIATIVE.

Senate Resolution No. 12 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

SENATE BILL NO. 778
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR J. KEY

A Bill for an Act to be Entitled: AN ACT TO AMEND THE STATUTE OF IMPAIRING THE OPERATION OF A VITAL PUBLIC FACILITY; AND FOR OTHER PURPOSES.

Senate Bill No. 778 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

SENATE BILL NO. 779
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR P. MALONE
BY: REPRESENTATIVE D. HUTCHINSON

A Bill for an Act to be Entitled: AN ACT TO AMEND THE LAW REGARDING THE AVAILABILITY OF RECORDS OF CHILDREN'S ADVOCACY CENTERS; AND FOR OTHER PURPOSES.

Senate Bill No. 779 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

SENATE BILL NO. 780
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

BY: SENATORS B. PRITCHARD, ALTES, G. BAKER, BLEDSOE, BOOKOUT, FARIS, GLOVER, HORN, J. JEFFRESS, D. JOHNSON, J. KEY, T. SMITH, J. TAYLOR, R. THOMPSON, TRUSTY, WILKINSON & D. WYATT

BY: REPRESENTATIVES SAMPLE, M. MARTIN, J. ROGERS, J. BURRIS, M. BURRIS, CARTER, CLEMMER, DALE, DISMANG, DUNN, EVERETT, GASKILL, GLIDEWELL, R. GREEN, HOYT, KING, LOWERY, NICKELS, PYLE, RAGLAND, J. ROEBUCK, T. ROGERS & WELLS

A Bill for an Act to be Entitled: AN ACT TO PROVIDE FORFEITURE OF OR DISQUALIFICATION FROM PUBLIC EMPLOYMENT ON CONVICTION OF AN OFFENSE RELATED TO PUBLIC EMPLOYMENT; AND FOR OTHER PURPOSES.

Senate Bill No. 780 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

March 3, 2009

Mr. President:

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

SENATE BILL NO. 217, BY SENATOR ALTES,
SENATE BILL NO. 348, BY SENATOR R. THOMPSON,
SENATE BILL NO. 381, BY SENATOR R. THOMPSON,
SENATE BILL NO. 399, BY SENATOR D. WYATT,
SENATE BILL NO. 407, BY SENATOR MADISON,
SENATE BILL NO. 408, BY SENATOR MADISON,
SENATE BILL NO. 431, BY SENATOR T. SMITH,
SENATE BILL NO. 486, BY SENATOR J. KEY,

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

March 3, 2009

Mr. President:

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

SENATE BILL NO. 409, BY SENATOR MADISON,

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

Respectfully submitted,

(SIGNED) SENATOR ED WILKINSON
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 3, 2009

Mr. President:

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

HOUSE BILL NO. 1038, BY REPRESENTATIVE CREEKMORE,
HOUSE BILL NO. 1040, BY REPRESENTATIVE CREEKMORE,
HOUSE BILL NO. 1041, BY REPRESENTATIVE CREEKMORE,
HOUSE BILL NO. 1161, BY REPRESENTATIVE L. SMITH,
HOUSE BILL NO. 1353, BY REPRESENTATIVE WELLS,
HOUSE BILL NO. 1398, BY REPRESENTATIVE POWERS,

HOUSE BILL NO. 1399, BY REPRESENTATIVE HARRELSON,
HOUSE BILL NO. 1493, BY REPRESENTATIVE OVERBEY,

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. 113
SENATE BILL NO. 223
SENATE BILL NO. 226
SENATE BILL NO. 238
SENATE BILL NO. 252
SENATE BILL NO. 313
SENATE BILL NO. 403

HOUSE BILLS RETURNED TO THE HOUSE

AS PASSED

HOUSE BILL NO. 1066
HOUSE BILL NO. 1081
HOUSE BILL NO. 1189

HOUSE BILLS RETURNED TO THE HOUSE

AS PASSED AS AMENDED

HOUSE BILL NO. 1026 AS AMENDED NOS. 1 &. 2
HOUSE BILL NO. 1400 AS AMENDED NO. 1

SENATE BILLS RETURNED FROM THE HOUSE

AS PASSED AND ORDERED ENROLLED

SENATE BILL NO. 350

SENATE BILL NO. 351

SENATE BILL NO. 361

SENATE BILL NO. 154

SENATE BILL RETURNED FROM THE HOUSE

AS PASSED AS AMENDED

SENATE BILL NO. 311 AS AMENDED NO. 1

HOUSE BILL TRANSMITTED TO THE SENATE

AS PASSED

HOUSE BILL NO. 1462

On motion of Senator Whitaker, the Senate adjourned until 1:30 p.m.,
Wednesday, March 4, 2009.

PRESIDENT OF THE SENATE

SECRETARY OF THE SENATE