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

Little Rock, Arkansas

March 19, 2009

The Senate was called to order at 11:00 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, TRUSTY, WHITAKER, WILKINS, WILKINSON,
WYATT.

The Senate was led in prayer by Bishop Steven Arnold, St. Mark Baptist Church, Little Rock, Arkansas.

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

Leave requested for Senator Thompson by Senator David Johnson.
Leave granted.

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

On motion of SENATOR MADISON, [Senate Bill No. 903](#) was withdrawn from the Committee on EDUCATION, and placed back on second reading for purpose of Amendment No. 1.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. 903](#)

Amend [Senate Bill No. 903](#) as originally introduced:

Delete Section 1 and substitute the following:

"SECTION 1. Arkansas Code Title 6, Chapter 18, is amended to add an additional subchapter to read as follows:

6-18-1701. Title.

This subchapter shall be known as the "International Student Exchange Visitor Placement Organization Registration Act".

6-18-1702. Legislative findings.

The General Assembly finds that:

(1) Many international student exchange visitor placement organizations have been established to provide students from other countries the opportunity to share their histories, languages, and cultures with their counterparts in this state;

(2) International exchange programs give the state's students and school faculty the opportunity to share their histories, languages, and cultures with foreign students;

(3) Arkansas's own former United States Senator James William Fulbright championed efforts to establish international exchange programs, the most famous of which bears his name, the "Fulbright Fellowships"; and

(4) This subchapter is necessary to provide a registration procedure and process for these organizations in order to make information concerning these organizations accessible to the people of Arkansas.

6-18-1703. Definitions.

As used in this subchapter:

(1) "International student exchange visitor placement organization" or "organization" means a person, partnership, corporation, or other entity that regularly arranges the placement of international student exchange visitors for the purpose, in whole or in part, of allowing the student an opportunity to attend school in the United States; and

(2) "Representative" means a natural person who is responsible on behalf of an international student exchange visitor placement organization for:

(A) The selection of a suitable host family for the placement of a foreign exchange student;

(B) The enrollment of a foreign exchange student in a local public or private school; and

(C) The periodic monitoring of the foreign exchange student and his or her living conditions and educational progress.

6-18-1704. Compliance required.

An international student exchange visitor placement organization shall not place a foreign exchange student with a host family or in a public or private school in this state without complying with this subchapter.

6-18-1705. Rules.

The Secretary of State shall adopt by rule necessary regulations concerning the registration of international student exchange visitor placement organizations for the implementation of this subchapter.

6-18-1706. International student exchange visitor placement organization - Registration.

(a)(1)(A) An international student exchange visitor placement organization that proposes to place a foreign exchange student in a public or private school in this state shall submit an application for a certificate of registration with the Secretary of State by January 1 immediately preceding the next regular school year in which the organization proposes to place a foreign exchange student.

(B) The Secretary of State shall issue a certificate of registration to the organization by February 1 if the application is in order, otherwise the application shall be returned to the organization with resubmission instructions.

(2)(A) For the purpose of service of process and service of notices, an international student exchange visitor placement organization shall provide the name, address, and telephone number of an officer or employee of the organization authorized to receive and accept service of process and service of notices.

(B) If service of process and service of notices cannot be reasonably given to the officer as provided by the organization, service of process and service of notices shall be effected by service upon the Secretary of State who shall make a reasonable effort to contact and provide any process and notices to the organization.

(b) An application for registration as an international student exchange visitor placement organization shall be submitted in the form prescribed by the Secretary of State. The application shall include:

(1) The name, address, and telephone number of the organization, its chief executive officer, and the person within the organization who has primary responsibility for supervising placements within the state.

(2) The organization's unified business identification number if any;

(3) Evidence of Council on Standards for International Educational Travel listing if any;

(4) The organization's federal income tax exemption status;

(5) A statement of compliance declaring that all monetary and nonmonetary compensation paid to employees who are residents of Arkansas has been reported in accordance with current state income tax law.

(6) A list of the organization's placements in Arkansas for the previous academic year, including the number of students placed, their home countries, the school districts in which they were placed if placed in a public school or the private school in which they were placed, and the length of time of their placements;

(7) The organization's most recent brochure describing its programs;

(8) Evidence of the organization's health and accident insurance;

(9) The names, addresses, and telephone numbers of the organization's local representatives for Arkansas; and

(10) Any other information the Secretary of State determines is necessary for his or her examination of the request by the organization.

(c) The application must be signed by the chief executive officer of the organization and the person within the organization who has primary responsibility for supervising placements within Arkansas.

(d) Organizations that have registered shall inform the Secretary of State of any changes in the information required under subsection (b) of this section within thirty (30) days of the change.

(e)(1) Registration is valid for one (1) year and may be renewed annually.

(2) Organizations registering for the first time in Arkansas must pay an initial registration fee of one hundred fifty dollars (\$150).

(3) The fee to renew a registration is fifty dollars (\$50) per year.

(f) Fees collected by the Secretary of State under this section shall be deposited into the State Treasury and credited to the General Revenue Fund.

(g) The information provided the Secretary of State under this section is a public record and shall be open to inspection and copying by any citizen of the State of Arkansas during the regular business hours of the Secretary of State's office.

(h) Registration shall not be considered or be represented as an endorsement of the organization by the Secretary of State or the State of Arkansas.

(i)(1) Only an international student exchange visitor placement organization for students from other countries to attend a public or private school approved by the United States Department of State may be considered for approval.

(2) Only an international student exchange visitor placement organization on the Advisory list of the Council on Standards for International Educational Travel may be considered for approval.

(j) An international student exchange visitor placement organization shall have a local representative who lives within one hundred twenty (120) miles of his or her assigned students, and who bears responsibility for the organization and its participants in Arkansas.

(k)(1) An international student exchange visitor placement organization shall not place a foreign exchange student in a home or seek admission of a student in a public or private school until the international student exchange visitor placement organization has been registered with the Secretary of State for that school year.

(2) Each year, the Secretary of State shall publish a list of international student exchange visitor placement organizations registered to place foreign exchange students in host homes.

(3) Unless the Secretary of State determines that an application for registration does not comply with the filing requirements of this chapter, the Secretary of State, upon payment of all filing fees, shall file the application, prepare, sign, and file a certificate of registration, and send a copy of the filed certificate of registration with a receipt for the fees to the organization.

6-18-1707. Informational document.

International student exchange visitor placement organizations that provide services to place students in this state shall provide prior to arrival to each student, host family, and school principal of the school in which the student is being placed, an informational document in English that shall include the following:

(1) An explanation of the services to be performed by the organization for the student, host family, and school district, which shall include:

(A) The name, address, and telephone number of the local representative of the placement organization and the local representative's immediate superior; and

(B) The responsibilities and duties of the local representative of the placement organization and the local representative's immediate superior;

(2) A copy of this subchapter; and

(3)(A) Telephone numbers and email addresses that the student, host family, and school district may use for assistance, which shall include the telephone numbers and email addresses of the following organizations:

(i) The United States Department of State; and

(ii) The Council on Standards for International Educational Travel.

(B) The telephone numbers shall include, at a minimum, a telephone number for the organization and the telephone numbers of the organization's national headquarters if any.

6-18-1708. Violations.

An organization that fails to register as required by this subchapter or that submits false or incorrect information to the Secretary of State in filing statements required by this subchapter, whether or not the statement or report is verified, shall be prohibited from placing students in this state during the following academic year."

(SIGNED) SENATOR MADISON

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 903 was ordered engrossed.

On motion of Senator FARIS, **Senate Bill No. 190** 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. 190

Amend **Senate Bill No. 190** as originally introduced:

Delete SECTION 3 in its entirety and appropriately renumber the remaining sections of the bill

(SIGNED) SENATOR FARIS

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 190 was ordered engrossed.

On motion of Senator Wilkins, [Senate Bill No. 342](#) was withdrawn from the Committee on PUBLIC HEALTH, WELFARE & LABOR and placed back on second reading for purpose of Amendment No. 2.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
[Amendment No. 2 to SENATE BILL NO. 342](#)

Amend [Senate Bill No. 342](#) as engrossed, S2/17/09:

Add Representative Rainey as a cosponsor of the bill

(SIGNED) SENATOR WILKINS

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

(SIGNED) ANN CORNWELL, SECRETARY

[Senate Bill No. 342](#) was ordered engrossed.

On motion of Senator J. Jeffress, [Senate Bill No. 885](#) 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. 885](#)

Amend [Senate Bill No. 885](#) as originally introduced:

Page 1, line 10, delete "HIGHER EDUCATION" and substitute "HIGHER EDUCATION FOR UNDERGRADUATE STUDENTS"

AND

Delete the subtitle in its entirety and substitute:

"TO CREATE AN INTERIM STUDY OF THE AFFORDABILITY OF HIGHER EDUCATION FOR UNDERGRADUATE STUDENTS IN THIS STATE."

AND

Delete everything after the enacting clause and substitute:

"WHEREAS, in recent years, due to the rising costs of higher education, state-supported colleges and universities in Arkansas have increased undergraduate tuition rates and fees by an average that is greater than the rate of inflation; and

WHEREAS, higher education's growing reliance on funding budgets from tuition is causing an increasingly disproportionate financial burden on students and their families; and

WHEREAS, a study is needed to identify the factors influencing the affordability of higher education in this state and to seek ways to address the rising cost of tuition, fees, and other student costs,

NOW THEREFORE

BE IT PROPOSED BY THE SENATE COMMITTEE ON EDUCATION OF THE EIGHTY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

THAT the Senate Committee on Education study issues relating to the affordability of an undergraduate education in this state, including without limitation the:

- (1) Tuition-setting policies of state-supported two-year and four-year colleges and universities;
- (2) Resident and nonresident tuition, all student fees, student room and board costs, and other student costs for undergraduate students attending a state-supported two-year or four-year college or university;
- (3) Reasons for rising tuition rates, student fees, cost of textbooks, and other student costs;
- (4) State's share of funding higher education costs; and
- (5) Methods for addressing rising higher education costs."

(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. 885 was ordered engrossed.

On motion of Senator Pritchard, **House Bill No. 1899** was withdrawn from the Committee on CITY, COUNTY & LOCAL 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 HOUSE BILL NO. 1899

Amend **House Bill No. 1899** as originally introduced:

Delete the title in its entirety and substitute the following:

"AN ACT CONCERNING REIMBURSEMENT FOR COUNTY PERSONNEL; AND FOR OTHER PURPOSES."

AND

Delete the subtitle in its entirety and substitute the following:

"CONCERNING REIMBURSEMENT FOR COUNTY PERSONNEL."

AND

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 14-14-1207, as amended by Act 74 of 2009, is amended to read as follows:

(a) Reimbursement Authorized. ~~All elected county and township officers, district officials and authorized deputies or employees thereof shall be entitled to receive reimbursement of allowable expenses incurred in the conduct of county affairs where the incurrence of expense is not discretionary in the conduct of duties assigned by law official and nondiscretionary duties under an appropriation for the operating expenses of an office, function, or service.~~ Reimbursement of allowable expenses that are incurred in the performance of discretionary functions and services may be permitted ~~where~~ when provided for by a specific appropriation of the county quorum court.

(b)(1) Allowance for Meals, Lodging, and Other Allowable Expenses. All reimbursements for the purchase of meals, meal tips, lodging, and other allowable expenses shall be based on the actual expense incurred or on a per diem basis if approved by the quorum court.

(2) Reimbursement for meal tips under subdivision (b)(1) of this section shall not exceed fifteen percent (15%) of the purchase amount of the meal.

(3) A per diem reimbursement under subdivision (b)(1) of this section shall be made under an accountable plan as defined by Internal Revenue Service regulations as in existence on January 1, 2009.

(c) Reimbursement of Travel Expense.

(1) Privately Owned Motor Vehicles.

(A)(i) Any elected county or ~~township~~ district officer or employee thereof ~~utilizing~~ using a privately owned motor vehicle in the conduct of county affairs may be reimbursed at a per-mile rate established by ordinance.

(ii) Reimbursement shall be based only on official miles driven and legitimate automobile parking fees.

(iii) ~~Where~~ When more than one (1) traveler is transported in the same vehicle, only the owner shall be entitled to mileage reimbursement.

(B) A county shall not assume responsibility ~~whatsoever~~ for any maintenance, operational costs, accidents, and fines incurred by the owner of the vehicle while on official business for the county.

(2) Privately Owned Airplanes.

(A) Reimbursement for travel expense ~~utilizing~~ using privately owned airplanes shall be at the same rate as established for privately owned motor vehicles.

(B) However, reimbursement mileage shall be determined by the shortest highway route to and from the official destination."

(SIGNED) SENATOR PRITCHARD

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 1899 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. 3.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 3 to SENATE BILL NO. 179

Amend **Senate Bill No. 179** as engrossed, S3/3/09:

Page 3, delete lines 31 through 34 and substitute the following:
~~"this section for volunteer service; and~~

SECTION 5. Arkansas Code § 24-10-612, concerning a redetermination of retirement benefits, is amended to add an additional subsection to read as follows:

(c)(1) Effective July 1, 2009, there will be a one-time redetermination of benefits for paid service members who were receiving a benefit on or before June 30, 2009.

(2) The paid service retirants will receive a benefit beginning July 1, 2009, which is the greater of:

(A) The benefit calculated under § 24-10-602, as in effect on July 1, 2009, using the member's final average salary at retirement; or

(B) The monthly benefit that otherwise would be paid on July 1, 2009, under this section.

(3)(A) Except as provided in subdivision (c)(3)(B) of this section, the redetermination under subdivisions (c)(1) and (2) of this section is applicable to all paid service members or their beneficiaries receiving benefits under this subchapter.

(B) The redetermination under subdivisions (c)(1) and (2) of this section does not apply to service members receiving benefits under § 24-10-607.

(4) The Arkansas Local Police and Fire Retirement System shall not make any benefit payments retroactive to a date before July 1, 2009.

SECTION 6. EMERGENCY CLAUSE. It is found and determined by the"

(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 Madison, **Senate Bill No. 464** 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. 464

Amend **Senate Bill No. 464** as originally introduced:

Page 6, delete lines 1 and 2 and substitute:

"(7) "Department" means the Department of Human Services;"

AND

Page 13, delete line 5 and substitute:

"(a)(1) A person employed at a school, Head Start program, or day care facility commits the offense of unlawful restriction of a child"

AND

Page 18, delete lines 6 and 7 and substitute:

"reporter is a medical professional."

AND

Page 36, line 4, delete "five (5) years." and substitute "one (1) year."

AND

Page 36, line 33, delete "five (5) years." and substitute "one (1) year."

AND

Page 54, delete lines 7 and 8 and substitute:

"since the offender's name was placed on the Child Maltreatment Central Registry."

AND

Page 54, line 12, delete "(2)" and substitute "(2)(A)"

AND

Page 54, delete lines 17 through 19 and substitute:

"subsequent true report of this type for one (1) year and more than one (1) year has passed since the offender's name was placed on the Child Maltreatment Central Registry.

(B) If the department denies the request for removal of the

name from the Child Maltreatment Central Registry, the offender shall wait one (1) year from the date of the request for removal before filing a new petition with the department requesting that the offender's name be removed from the Child Maltreatment Central Registry."

AND

Page 54, delete line 34 and substitute:

"(A) The juvenile has reached the age of eighteen (18) years of age or more than one (1) year has passed from the date of"

AND

Page 55, delete line 3 and substitute:

"evidence that the juvenile offender has been rehabilitated.
(3) If the department denies the request for removal of the name from the Child Maltreatment Central Registry, the offender shall wait one (1) year from the date of the request for removal before filing a new petition with the department requesting that the offender's name be removed from the Child Maltreatment Central Registry."

AND

Page 63, delete lines 6 and 7 and substitute:

"(a) A school, residential facility, hospital, or similar institution where a child may be located shall not require a written order for the"

AND

Page 63, delete line 9 and substitute:

"section or § 9-27-313.
(b) Upon notice by the Department of Human Services that a hold has been taken on a child, a school, residential facility, hospital, or similar institution where the child is located shall:
(1) Retain the child until the department takes a hold on the child;
(2) Not notify the parent until the child has been removed by the department; and
(3) Provide the parent or guardian with the name and contact information of the department employee regarding the hold on the child.

AND

Page 64, line 33, delete "12-18-1010" and substitute "12-18-1011"

(SIGNED) SENATOR MADISON

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 464 was ordered engrossed.

On motion of Senator Elliott, [Senate Bill No. 940](#) was withdrawn from the Committee on INSURANCE & COMMERCE, 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. 940](#)

Amend Senate Bill No. 940 as originally introduced:

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code Title 23, Chapter 86 is amended to add an additional subchapter to read as follows:

23-86-601. Title.

This subchapter shall be known and may be cited as the "Reconstructive Surgery Act of 2009".

23-86-602. Definitions.

As used in this subchapter:

- (1) "Cosmetic surgery" means surgery that is performed to alter or reshape normal structures of the body in order to improve appearance; and
(2)(A) "Reconstructive surgery" means any medically necessary and appropriate surgery performed to correct or repair abnormal structures of the body caused by congenital defects, developmental abnormalities, trauma, infection, tumors, or disease to:
- (i) Improve functions; or
 - (ii) Give the patient a normal appearance, to the extent possible, in the judgment of the physician performing the surgery.
- (B) "Reconstructive surgery" does not include dental surgery.

23-86-603. Coverage for reconstructive surgery.

A group health plan and a health insurance issuer offering group health insurance coverage in connection with a group health plan that provides coverage for surgery shall provide coverage for reconstructive surgery, including medically necessary treatment for preoperative and postoperative care as determined by the treating physician or team of physicians.

23-86-604. Construction.

This subchapter does not require a group health plan or health insurance issuer in connection with a group health plan to provide coverage for cosmetic surgery.

23-86-605. Applicability.

(a) This subchapter applies to health insurance coverage offered, sold, issued, renewed, or in effect on and after the effective date of this act.

(b)(1) For a group health plan maintained under one (1) or more collective bargaining agreements between employee representatives and one (1) or more employers ratified before the effective date of this act, this subchapter does not

apply to plan years beginning before the later of:

(A) The date on which the last collective bargaining agreement relating to the plan terminates; or

(B) January 1, 2010.

(2) A plan amendment made under a collective bargaining agreement relating to the plan that amends the plan solely to conform to any requirement under § 23-86-603 is not a termination of the collective bargaining agreement under subdivision (b)(1)(A) of this section."

(SIGNED) SENATOR ELLIOTT

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 940 was ordered engrossed.

On motion of Senator Elliott, Senate Bill No. 944 was withdrawn from the Committee on PUBLIC HEALTH, WELFARE & LABOR , and placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 944

Amend Senate Bill No. 944 as originally introduced:

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Findings.

The General Assembly finds that:

(1) Asthma diagnosis and treatment continue to increase in Arkansas as well as nationwide;

(2) Asthma has become increasingly problematic in the Arkansas Medicaid population, especially among children;

(3) Arkansas Medicaid has seen steady increases in the use of

emergency medicines to treat asthma, reflecting poor asthma control;

(4) In Arkansas, controller medications are used at a level below the national average;

(5) Medication restrictions imposed on the Medicaid population in Arkansas exceed the restrictions in every other state;

(6) The Department of Human Services has failed to produce outcome data following the implementation of asthma medication restrictive policies imposed in 2006; and

(7) Because of the medication restrictions imposed by the state Medicaid program, controller medications are not available to the Medicaid population at the same or similar levels as they are to privately insured individuals.

SECTION 2. Medicaid coverage for asthma medications.

For a period of one (1) year after the effective date of this act, all medications used to treat asthma shall be available without restriction to Medicaid patients eighteen (18) years of age and younger with a prescription from a qualified medical provider."

(SIGNED) SENATOR ELLIOTT

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 944 was ordered engrossed.

On motion of Senator Whitaker, **Senate Bill No. 820** 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. 820

Amend **Senate Bill No. 820** as engrossed, S3/18/09:

Page 16, line 12, delete "~~even-numbered calendar~~" and substitute "even-numbered calendar"

AND

Page 20, line 1, delete "Biennial report." and substitute "~~Biennial report~~ Report."

(SIGNED) SENATOR WHITAKER

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 820 was ordered engrossed.

On motion of Senator Wyatt, **Senate Bill No. 399** was withdrawn from the Committee on JUDICIARY, and placed back on second reading for purpose of Amendment No. 4.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 4 to SENATE BILL NO. 399

Amend **Senate Bill No. 399** as engrossed, S3/17/09:

Page 6, delete line 1 and substitute the following:
"the maintenance of the road established under this subchapter.

(v) A user of the road does so at his or her own risk and peril and does not have the right to file a cause of action against the petitioner or respondent for any injury to the user or the user's property."

(SIGNED) SENATOR WYATT

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 399 was ordered engrossed.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 19, 2009

Mr. President:

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

SENATE BILL NO. 179, BY SENATOR G. JEFFRESS,
SENATE BILL NO. 190 , 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. 190** was ordered re-referred to the Committee on JOINT RETIREMENT AND SOCIAL SECURITY.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 19, 2009

Mr. President:

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

SENATE BILL NO. 342, BY SENATOR WILKINS,
SENATE BILL NO. 944, 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 Wilkins, **Senate Bill No. 342** was ordered re-referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

On motion of Senator Elliott, **Senate Bill No. 944** was ordered re-referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 19, 2009

Mr. President:

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

SENATE BILL NO. 399, BY SENATOR WYATT,
SENATE BILL NO. 464, BY SENATORS MADISON AND KEY,

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

Respectfully submitted,

(SIGNED) JOHN PAUL CAPPS
CHAIRMAN

On motion of Senator Wyatt, **Senate Bill No. 399** was ordered re-referred to the Committee on JUDICIARY.

On motion of Senator Madison, **Senate Bill No. 464** was ordered re-referred to the Committee on JUDICIARY.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 19, 2009

Mr. President:

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

SENATE BILL NO. 820, BY SENATOR WHITAKER,

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 Whitaker, **Senate Bill No. 820** was ordered re-referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 19, 2009

Mr. President:

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

SENATE BILL NO. 885, BY SENATOR J. JEFFRESS,
SENATE BILL NO. 903, BY SENATOR MADISON,

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 J. Jeffress, **Senate Bill No. 885** was ordered re-referred to the Committee on EDUCATION.

On motion of Senator Madison, **Senate Bill No. 903** was ordered re-referred to the Committee on EDUCATION.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 19, 2009

Mr. President:

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

SENATE BILL NO. 940, BY SENATOR ELLIOTT,

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 Elliott, **Senate Bill No. 940** was ordered re-referred to the Committee on INSURANCE & COMMERCE.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 19, 2009

Mr. President:

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

HOUSE BILL NO. 1899, BY REPRESENTATIVE SLINKARD 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 Pritchard, **House Bill No. 1899** was ordered re-referred to the Committee on CITY, COUNTY & LOCAL AFFAIRS.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 19, 2009

Mr. President:

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

SENATE BILL NO. 312,
BY SENATORS STEELE, BROADWAY ET AL,
SENATE BILL NO. 76, BY SENATOR MADISON,
SENATE BILL NO. 260, BY SENATOR BROADWAY,
SENATE BILL NO. 318, BY SENATOR BOOKOUT,
SENATE BILL NO. 356, BY SENATOR BROADWAY,
SENATE BILL NO. 369, BY SENATOR D. JOHNSON,
SENATE BILL NO. 393, BY SENATOR ELLIOTT,
SENATE BILL NO. 448, BY SENATOR D. JOHNSON,
SENATE BILL NO. 468, BY SENATOR KEY,
SENATE BILL NO. 582, BY SENATOR TEAGUE,
SENATE BILL NO. 764, BY EFFICIENCY COMMITTEE,
SENATE BILL NO. 800, BY SENATOR TEAGUE,
SENATE BILL NO. 824, BY SENATOR WYATT,
SENATE BILL NO. 866, BY SENATOR MADISON,
SENATE BILL NO. 966, BY SENATOR TEAGUE,
SENATE BILL NO.1002, BY SENATOR STEELE,
SENATE BILL NO. 198, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 362, BY SENATOR D. JOHNSON,
SENATE BILL NO. 404, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 658, BY SENATOR FARIS ET AL,
SENATE BILL NO. 676, BY SENATOR HENDREN,

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 8:15 a.m. delivered them to the Governor for his approval.

Respectfully submitted,

(SIGNED) JOHN PAUL CAPPS
CHAIRMAN

GOVERNOR'S BILL RECEIPTS

SENATE BILL NO. 312
SENATE BILL NO. 76
SENATE BILL NO. 260
SENATE BILL NO. 318
SENATE BILL NO. 356
SENATE BILL NO. 369
SENATE BILL NO. 393
SENATE BILL NO. 448
SENATE BILL NO. 468
SENATE BILL NO. 582
SENATE BILL NO. 764
SENATE BILL NO. 800
SENATE BILL NO. 824
SENATE BILL NO. 866
SENATE BILL NO. 966
SENATE BILL NO. 1002
SENATE BILL NO. 198
SENATE BILL NO. 362
SENATE BILL NO. 404
SENATE BILL NO. 658
SENATE BILL NO. 676

RECEIVED the above papers from the Secretary of the Senate this 19th day of
March, 2009 at 8:15 a.m..

(SIGNED) MIKE BEEBE
Governor

(SIGNED) Marc Harrison
Secretary

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 19, 2009

Mr. President:

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

SENATE BILL 806, BY SENATOR T. SMITH,
SENATE BILL 972, BY SENATOR D. JOHNSON,

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

Respectfully submitted,

(SIGNED) SENATOR BARBARA HORN
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 19, 2009

Mr. President:

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

SENATE BILL 809, BY SENATOR HORN,

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 BARBARA HORN
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 19, 2009

Mr. President:

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

HOUSE BILL NO. 1948, BY REPRESENTATIVE J. BROWN,
HOUSE BILL NO. 1979, BY REPRESENTATIVE J. EDWARDS,
HOUSE BILL NO. 2046, BY REPRESENTATIVE WELLS,
HOUSE BILL NO. 2247, BY REPRESENTATIVE J. MALOCH,

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 BARBARA HORN
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 19, 2009

Mr. President:

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

HOUSE BILL NO. 1712, BY REPRESENTATIVE WILLIAMS,

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

Respectfully submitted,

(SIGNED) SENATOR BARBARA HORN
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 19, 2009

Mr. President:

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

HOUSE CONCURRENT RESOLUTION NO. 1020,
BY REPRESENTATIVE BLOUNT

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

Senator Miller moved that the record pertaining to the vote by which **Senate Concurrent Resolution No. 10** was adopted be expunged.

On motion of Senator Miller, the rules were suspended in considering **Senate Concurrent Resolution No. 10** at this time.

On motion of Senator Miller, **Senate Concurrent Resolution No. 10** 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 CONCURRENT RESOLUTION NO. 10

Amend **Senate Concurrent Resolution No. 10** as originally introduced:

Page 1, delete lines 30 through 33 and substitute the following:

"SECTION 1. Section 16 of the Joint Rules of the House of Representatives and Senate is amended to read as follows:

Deadline for the Introduction of Bills

Section 16. (A) An "appropriation bill" means a bill by the General Assembly that authorizes the expenditure of moneys if moneys are available.

~~(B)~~(1) No appropriation bill shall be filed for introduction in either the House of Representatives or the Senate later than the fiftieth (50th) day of a regular session except upon consent of two-thirds (2/3) of the members elected to each house; and, no other bill shall be filed for introduction in either the House of Representatives or the Senate later than the fifty-fifth (55th) day of a regular session, except upon consent of two-thirds (2/3) of the members elected to each house. When the filing deadline for any bills or resolutions ends on Saturday or Sunday, the deadline is hereby extended until the close of business the following Monday.

~~(B)~~(2) Any proposed legislation affecting any publicly supported retirement system or pension plan to be considered by the General Assembly at a regular session shall be introduced in the General Assembly during the first fifteen (15) calendar days of a regular ~~biennial~~ session.

~~(C)~~(3) No such bill shall be introduced after the fifteenth (15th) day of a regular ~~biennial~~ session unless its introduction is first approved by a three-fourths (3/4) vote of the full membership of each house of the General Assembly.

(C)(1) No appropriation bill shall be filed for introduction in either the House of Representatives or the Senate later than the fifteenth (15th) day of a fiscal session except upon consent of two-thirds (2/3) of the members elected to each house.

(2) For a fiscal session, a non-appropriation bill shall not be filed for introduction until a concurrent resolution authorizing the introduction of the bill has been approved by a vote of two-thirds (2/3) of the members elected to each house and the concurrent resolution becomes effective.

(3) A concurrent resolution authorizing the introduction of a non-appropriation bill in a fiscal session shall not be filed for introduction in either the House of Representatives or the Senate later than the first (1st) day of a fiscal session.

(4) A non-appropriation bill shall not be filed for introduction in either the House of Representatives or the Senate later than the fifteenth (15th) day of a fiscal session.

(D) When the filing deadline for any bills or resolutions ends on Saturday or Sunday, the deadline is extended until the close of business the following Monday.

~~(D)~~(E) A bill affecting any publicly supported retirement system or systems shall not be introduced or considered at any special session of the General Assembly unless the introduction and consideration of the bill is first approved by a three-fourths (3/4) vote of the full membership of each house of the General Assembly. (Arkansas Code § 10-2-115).

SECTION 2. Section 18(E)(7) of the Joint Rules of the House of Representatives and the Senate is amended to read as follows:

(7) It shall be the duty of the Chairman of the Joint Budget Committee to have a schedule prepared which reflects the amounts approved by the Joint Budget Committee for each category for each fund within the Revenue Stabilization Law to provide funding for the ~~biennial~~ budget enacted by the General Assembly and a schedule reflecting the proposed distribution of General Improvement funds. The schedule reflecting the allocation of funds in the Revenue Stabilization Law ~~and for~~ for the next fiscal year shall be submitted to each body of the Arkansas General Assembly at least three (3) days prior to the day at which the same is to be considered for final passage. The schedule reflecting the allocation of funds in the General Improvement Fund Distribution Law for the next biennium shall be

submitted to each body of the Arkansas General Assembly at least three (3) days prior to the day at which the same is to be considered for final passage.

SECTION 3. Section 21 of the Joint Rules of the House of Representatives and Senate is amended to read as follows:

Joint Committee on Constitutional Amendments

Section 21. The Joint Committee on Constitutional Amendments shall consist of the members of the Senate Committee on State Agencies and Governmental Affairs and the members of the House Committee on State Agencies and Governmental Affairs. No proposed constitutional amendment shall be recommended to either house of the General Assembly except upon the affirmative vote of a majority of the Senate members of the Joint Committee on Constitutional Amendments and an affirmative vote of a majority of the House members of the Joint Committee on Constitutional Amendments. No resolution proposing a constitutional amendment shall be filed in either the House of Representatives or the Senate after the thirty-first (31st) day of each regular session of the General Assembly. All resolutions proposing constitutional amendments shall be referred to the Joint Committee on Constitutional Amendments. Other resolutions proposing constitutional amendments shall not be reported to or considered by either house of the General Assembly until the original recommendations of the Joint Committee on Constitutional Amendments are disposed of by both Houses. A resolution proposing a constitutional amendment may be considered only during a regular session.

SECTION 4. That Section 25 of the Joint Rules of the House of Representatives and Senate is amended to read as follows:

Prefiling of Bills and Resolutions

Section 25. (A) Beginning on November 15th of each year preceding a regular session of the General Assembly, each holdover member of the Senate who will be serving at the next following regular session of the General Assembly, and each member-elect of the General Assembly, as soon as the members-elect of the next General Assembly are certified to the Secretary of State, shall be permitted to prefile bills and resolutions for such regular session with the Chief Clerk of the House and the Secretary of the Senate. (Arkansas Code § 10-2-112).

(B)(1) Beginning on the second Monday of January of each year of a fiscal session of the General Assembly, each member of the House of Representatives and the Senate may prefile appropriation bills and resolutions for the fiscal session with the Chief Clerk of the House and the Secretary of the Senate.

(2) A non-appropriation bill may not be pre-filed prior to a fiscal session due to the requirement in Amendment 86 of the Constitution of Arkansas that a concurrent resolution be approved by a vote of two-thirds (2/3) of the members elected to each house before either body may consider a non-appropriation bill."

(SIGNED) SENATOR WHITAKER

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Concurrent Resolution No. 10 was ordered engrossed.

On motion of Senator Steele, the Senate resolved itself into the Committee of the Whole for the purpose of Senate Resolution No. 20, recognizing 1994 University of Arkansas Razorback NCAA Division I National Championship Basketball Team.

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

On motion of Senator Steele, **Senate Resolution No. 20** was called up for third reading and final disposition.

**SENATE RESOLUTION NO. 20
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR STEELE**

SENATE RESOLUTION TO HONOR THE 1994 UNIVERSITY OF ARKANSAS RAZORBACK NCAA DIVISION I NATIONAL CHAMPIONSHIP BASKETBALL TEAM.

Senate Resolution No. 20 was read the third time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 19, 2009

Mr. President:

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

SENATE BILL NO. 470, BY SENATOR ELLIOTT,
SENATE BILL NO. 812, BY SENATOR FARIS,
SENATE BILL NO. 813, BY SENATOR FARIS,
SENATE BILL NO. 884, BY SENATOR BLEDSOE,
SENATE BILL NO. 901, BY SENATOR MADISON,
SENATE BILL NO. 942, BY SENATOR ELLIOTT,
SENATE BILL NO. 988, BY SENATOR GLOVER,
SENATE BILL NO. 1001, BY SENATOR WILKINS,

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

Respectfully submitted,

(SIGNED) SENATOR FARIS
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 19, 2009

Mr. President:

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

HOUSE BILL NO. 1002, BY REPRESENTATIVE WILLS,
HOUSE BILL NO. 1834, BY REPRESENTATIVE LINDSEY,
HOUSE BILL NO. 1879, BY REPRESENTATIVE PIERCE,
HOUSE BILL NO. 1906, BY REPRESENTATIVE COWLING,
HOUSE BILL NO. 2073, BY REPRESENTATIVE HAWKINS,

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

Respectfully submitted,

(SIGNED) SENATOR FARIS
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 19, 2009

Mr. President:

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

HOUSE CONCURRENT RESOLUTION NO. 1014,
BY REPRESENTATIVE RAGLAND,

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 19, 2009

Mr. President:

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

HOUSE BILL NO. 2029, BY REPRESENTATIVE BROWN,

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

On motion of Senator Laverty, **Senate Bill No. 819** 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. 819

Amend **Senate Bill No. 819** as originally introduced:
Add Senator Steele as a co-sponsor to the bill

AND

Page 3, line 1, delete “is disqualified” and substitute “is or is not disqualified”

AND

Page 3, delete lines 5 through 26 and substitute:

“(3)(A) “Employee” means any person who:

(i) Has unsupervised access to clients of a service provider except as provided in subdivision (3)(B) of this section; and

(ii)(a) Provides care to clients of a service provider on behalf of, under the supervision of, or by arrangement with the service provider;

(b) Is employed by a service provider to provide care to clients of the service provider;

(c) Is a temporary employee placed by an employment agency with a service provider to provide care to clients of the service provider; or

(d) Resides in an alternative living home in which services are provided to individuals with developmental disabilities.

(B) “Employee” does not include a person who:

(i) Is a family member of a client receiving care from a service provider;

(ii) Is a volunteer; or

(iii) Works in an administrative capacity and does not have unsupervised access to clients of a service provider;”

AND

Page 3, delete line 36 and substitute:

“(7) “Registry records check” means the review of one (1) or more database systems maintained by a state agency that contain information relative to a person’s suitability for licensure, certification, exemption from licensure, or any other operating authority to be a service provider or for employment with a service provider to provide care.”

AND

Page 4, delete lines 1 through 5

AND

Page 4, delete line 17 and substitute “(D) An early intervention program provider certified by the”

AND

Page 4, delete lines 26 through 36 and substitute:

“(I) A nonprofit community program as defined by § 20-48-101;

and

(10) “State criminal history records check” means a review of state criminal history records conducted by the bureau.”

AND

Page 5, delete lines 1 through 26 and substitute:

“20-38-102. Criminal history records checks – Operators.

(a)(1)(A) When an operator applies for a license, exemption from licensure, certificate, or other operating authority for a service provider from its licensing or certifying agency, the operator shall submit a criminal history records check form

and a complete set of fingerprints to the Identification Bureau of the Department of Arkansas State Police and request a state criminal history records check and a national criminal history records check on the operator.

(B) The operator shall attach evidence of the request for a criminal history records check to the application for the service provider's license, exemption from licensure, certificate, or other operating authority.

(2)(A) The bureau shall conduct a state criminal records history check and request a national criminal history records check on the operator.

(B) Upon completion of each criminal history records check, the bureau shall issue a report to the licensing or certifying agency.

(3) Based on the criminal history records check, the licensing or certifying agency shall determine whether the operator is or is not disqualified from licensure, exemption from licensure, certification, or other operating authority.

(4) The licensing or certifying agency shall forward its determination to the operator and the service provider seeking licensure, exemption from licensure, certification, or other operating authority.

(b) Operators are required to undergo periodic criminal history records checks no less than one (1) time every five (5) years."

AND

Page 6, line 1, delete "six (6)" and substitute "five (5)"

AND

Page 6, line 10, delete "six (6)" and substitute "five (5)"

AND

Page 6, line 22, delete the word "temporarily" and substitute "conditionally"

AND

Page 6, line 25, delete "as caregivers" and substitute "to provide care"

AND

Page 7, delete lines 1 and 2 and substitute "service provider and shall provide copies of the documentation to the service provider, which shall be made available to the appropriate licensing or certifying agency upon request."

AND

Page 7, delete lines 12 through 16 and substitute:

"(B) When a service provider initiates a request for a national criminal history records check on an applicant for employment with or an employee of the service provider, the bureau shall issue a report to the licensing or certifying agency within ten (10) days after receipt of the results of the national criminal history records check from the Federal Bureau of Investigation."

AND

Page 7, delete lines 32 through 36 and substitute:

"(f)(1) If the subject of a criminal history records check has been offered employment with a child care facility or a church-exempt child care facility, the subject of a criminal history records check shall not be assessed a fee for the statewide criminal records check records check required under this section.

(2) The subject of a criminal history records check shall be responsible for the payment of any fee associated with the nationwide criminal records check.

(g) A person may challenge the completeness or accuracy of his or her criminal history information under § 12-12-1013.”

AND

Page 8, delete lines 1 through 15 and substitute “20-38-104. Request for records check – Requirement.”

AND

Page 8, delete lines 31 through 36 and substitute:

“(5) Informs the person how to object to the content of reports; and
(6) Contains the notarized signature of the person who is the subject of the check.”

AND

Page 9, delete line 1

AND

Page 9, delete lines 9 through 30 and substitute:

“20-38-105. Disqualification from employment – Denial or revocation – Penalties.

(a)(1) Except as provided in subsection (d) of this section, the licensing or certifying agency shall issue a determination that a person is disqualified as a service provider, operator, or from employment with a service provider if the person has pleaded guilty or nolo contendere to or has been found guilty of:

(A) Any of the offenses listed in subsection (b) of this section by any court in the State of Arkansas;

(B) Any similar offense by a court in another state; or

(C) Any similar offense by a federal court.

(2) Except as provided in subsection (d) of this section, a service provider shall not knowingly employ a person and the licensing or certifying agency shall not knowingly contract with, license, exempt from licensure, certify, or otherwise authorize a person to be a service provider if the person has pleaded guilty or nolo contendere to or has been found guilty of:

(A) Any of the offenses listed in subsection (b) of this section by any court in the State of Arkansas;

(B) Any similar offense by a court in another state; or

(C) Any similar offense by a federal court.”

AND

Page 11, delete lines 35 and 36 and substitute:

(c)(1) The provisions of this subsection (c) shall not be waived by the licensing or certifying agency.

(2) Because of the serious nature of the offenses and the close relationship to the type of work that is to be performed, a conviction or plea of guilty or nolo contendere for any of the offenses listed in this subsection (c) whether or not the record of the offense is expunged, pardoned, or otherwise sealed, shall result in permanent disqualification from employment with a service provider or licensure, exemption from licensure, certification, or other operating authority as a service provider and is not subject to subsection (d) of this section:

Arkansas;

- (A) Any of the following offenses by any court in the State of
- (i) Capital murder, § 5-10-101;
 - (ii) Murder in the first degree, § 5-10-102;
 - (iii) Murder in the second degree, § 5-10-103;
 - (iv) Kidnapping, § 5-11-102;
 - (v) Rape, § 5-14-103;
 - (vi) Sexual assault in the first degree, § 5-14-124;
 - (vii) Sexual assault in the second degree, § 5-14-125;
 - (viii) Endangering the welfare of an incompetent person
in the first degree, § 5-27-201;
 - (ix) Abuse of an endangered or impaired person, § 5-28-
103, if it is a felony; and
 - (x) Arson, § 5-38-301;

(B) Any similar offense by a court in another state; or

(C) Any similar offense by a federal court.

(3) For purposes of licensure as a child care facility, exemption from licensure as a church-exempt child care facility, or employment with a child care facility or church-exempt child care facility, a conviction or plea of guilty or nolo contendere for any offense that involves violence or a sexual act whether or not the record of the offense is expunged, pardoned, or otherwise sealed may result in permanent disqualification from licensure as a child care facility, exemption from licensure as a church-exempt child care facility, or employment with a child care facility or church-exempt child care facility and may not subject to subsection (d) of this section.

(d)(1) This section shall not disqualify a person from employment with a service provider or licensure, exemption from licensure, certification, or other operating authority as a service provider if:

(A) The conviction or plea of guilty or nolo contendere was for a misdemeanor offense;

(B) The date of the conviction or plea of guilty or nolo contendere is at least five (5) years from the date of the request for the criminal history records check;

(C) The person has no criminal convictions or pleas of guilty or nolo contendere of any type or nature during the five (5) year period preceding the background check request; and

(D) The person has completed the person's term of confinement, probation, or parole related to the conviction or plea of guilty or nolo contendere.

(2) This section shall not disqualify a person from employment with a service provider or licensure, exemption from licensure, certification, or other operating authority as a service provider if:

(A) The conviction or plea of guilty or nolo contendere was for a felony offense;

(B) The date of the conviction or plea of guilty or nolo contendere is at least ten (10) years from the date of the background check request;

(C) The individual has no criminal convictions or pleas of guilty or nolo contendere of any type or nature during the ten-year period preceding the request for a criminal history records; and

(D) The person has completed the person's term of confinement, probation, or parole related to the conviction or plea of guilty or nolo contendere.

(e) A person shall not be disqualified from employment with a service provider or licensure, exemption from licensure, certification, or other operating authority as a service provider if the person has been found guilty of or has pleaded guilty or nolo contendere to a misdemeanor offense not listed in subsection (b) of

this section, a similar misdemeanor offense in another state, or a similar federal misdemeanor offense.”

AND

Page 12, delete lines 1 through 36

AND

Page 13, delete lines 1 through 9 and substitute “20-38-106. Evidence of records checks.”

AND

Page 13, delete line 16 and substitute “20-38-107. Remedies for failure to comply.”

AND

Page 13, delete line 22 and substitute “20-38-108. Duties of Identification Bureau.”

AND

Page 13, delete line 32 and substitute “20-38-109. Regulations.”

AND

Page 14, delete line 2 and substitute “20-38-110. Confidentiality.”

AND

Page 14, delete line 14 and substitute “20-38-111. Immunity.”

AND

Page 14, delete lines 21 and 22 and substitute “20-38-112. Exclusions – Licensed professionals – Completion of criminal history records check.”

AND

Page 27, delete lines 28 through 36 and substitute:

20-33-213. Criminal history and registry records checks required.

(a) As used in this section:

(1) “Registry records check” means the review of one (1) or more database systems maintained by a state agency that contain information relative to a person’s suitability for licensure or certification as a service provider or employment with a service provider to provide care as defined in § 20-38-101; and

(2) “Service provider” means any of the following:

(A) An Elderchoices provider certified by the Division of Aging and Adult Services of the Department of Human Services;

(B) A home health care service as defined by § 20-10-801;

(C) A hospice program as defined by § 20-7-117; or

(D) A long-term care facility as defined by § 20-10-702.

(b) Beginning September 1, 2009, a service provider is subject to the requirements of this section and § 20-33-201 et seq., concerning criminal history records checks.

(c)(1) A person offered employment with a service provider on or after September 1, 2009, is subject to the requirements of this section and § 20-38-101 et seq., concerning criminal history records checks.

(2)(A) A person who was offered employment by a service provider prior to September 1, 2009, was subject to a criminal history records check under § 20-33-201 et seq., and has continued to be employed by the service provider who initiated the criminal history records check may continue employment with the service provider based on the results of the criminal history records check process conducted under § 20-33-201 et seq.

(B) When the person next undergoes a periodic criminal history records check, the person's continued employment with the service provider is contingent on the results of a criminal history records check under § 20-38-101 et seq.

(d)(1) The person who signs an application for licensure or certification as a service provider on or after September 1, 2009, is subject to the requirements of this section and § 20-38-101 et seq., concerning criminal history records checks.

(2)(A) The person who signed an application for licensure or certification of a service provider prior to September 1, 2009, was subject to a criminal history records check under § 20-33-201 et seq., and has continued to maintain the licensure or certification of the service provider may continue to maintain the licensure or certification of the service provider based on the results of the criminal history records check process conducted under § 20-33-201 et seq.

(B) When the service provider next undergoes a periodic criminal history records check, the service provider's continued licensure or certification is contingent on the results of a criminal history records check under § 20-38-101 et seq.

(e) The division shall establish by rule requirements for registry records checks for:

- (1) An applicant for licensure or certification of a service provider;
- (2) An applicant for employment with service provider; and
- (3) An employee of a service provider."

AND

Page 28, delete lines 1 through 6 and substitute the following:

"SECTION 7. Arkansas Code §§ 20-48-801 through 22-48-811 are repealed."

AND

Page 39, delete lines 22 through 33 and substitute the following:

"20-48-812. Criminal history records checks required.

(a) As used in this section:

(1) "Registry records check" means the review of one (1) or more database systems maintained by a state agency that contain information relative to a person's suitability for licensure or certification as a service provider or employment with a service provider to provide care as defined in § 20-38-101; and

(2) "Service provider" means any of the following:

(A) An Alternative Community Services Waiver Program provider certified by the Division of Developmental Disabilities Services of the Department of Human Services;

(B) An early intervention program provider certified by the division; or

(C) A nonprofit community program as defined by § 20-48-101.

(b) Beginning September 1, 2009, a service provider is subject to the

requirements of this section and § 20-38-101 et seq., concerning criminal history records checks.

(c)(1) A person offered employment with a service provider on or after September 1, 2009, is subject to the requirements of this section and § 20-38-101 et seq., concerning criminal history records checks.

(2)(A) A person who was offered employment by a service provider prior to September 1, 2009, was subject to a criminal history records check under § 20-48-801 et seq., and has continued to be employed by the service provider who initiated the criminal history records check may continue employment with the service provider based on the results of the criminal history records check process conducted under § 20-48-801 et seq.

(B) When the person next undergoes a periodic criminal history records check, the person's continued employment with the service provider is contingent on the results of a criminal history records check under § 20-38-101 et seq.

(d)(1) The person who signs an application for licensure or certification as a service provider on or after September 1, 2009, is subject to the requirements of this section and § 20-38-101 et seq., concerning criminal records checks.

(2)(A) The person who signed an application for licensure or certification of a service provider prior to September 1, 2009, was subject to a criminal history records check under § 20-48-801 et seq., and has continued to maintain the licensure or certification of the service provider may continue to maintain the licensure or certification of the service provider based on the results of the criminal history records check process conducted under § 20-48-801 et seq.

(B) When the service provider next undergoes a periodic criminal history records check, the service provider's continued licensure or certification is contingent on the results of a criminal history records check under § 20-38-101 et seq.

(e) The division shall establish by rule requirements for registry records checks for:

- (1) An applicant for licensure or certification of a service provider;
- (2) An applicant for employment with service provider; and
- (3) An employee of a service provider.

(f) The division shall establish by rule:

- (1) Requirements for criminal history and registry records checks of persons who volunteer for a service provider; and
- (2) The consequences of a determination that a person who proposes to reside in an alternative living home in which services are provided to an individual with developmental disabilities is disqualified from the residency based on the criminal history of the person."

AND

Page 47, delete lines 8 through 19 and substitute the following:

"20-78-606. Criminal history records checks required.

(a) As used in this section:

(1) "Registry records check" means the review of one (1) or more database systems maintained by a state agency that contain information relative to a person's suitability for licensure or certification as a service provider or employment with a service provider to provide care as that term is defined in § 20-38-101; and

(2) "Service provider" means any of the following:

(A) A child care facility as defined by § 20-78-202; and

(B) A church-exempt child care facility as recognized under §

20-78-209.

(b) Beginning September 1, 2009, a service provider is subject to the requirements of this section and § 20-38-101 et seq. concerning criminal history records checks.

(c)(1) A person offered employment with a service provider on or after September 1, 2009, is subject to the requirements of this section and § 20-38-101 et seq., concerning criminal history records checks.

(2)(A) A person who was offered employment by a service provider prior to September 1, 2009, was subject to a criminal history records check under § 20-78-601 et seq., and has continued to be employed by the service provider who initiated the criminal history records check may continue employment with the service provider based on the results of the criminal history records check process conducted under § 20-78-601 et seq.

(B) When the person next undergoes a periodic criminal history records check, the person's continued employment with the service provider is contingent on the results of a criminal history records check under § 20-38-101 et seq.

(d)(1) The person who signs an application for licensure or certification as a service provider on or after September 1, 2009, is subject to the requirements of this section and § 20-38-101 et seq., concerning criminal history records checks.

(2)(A) The person who signed an application for licensure or certification of a service provider prior to September 1, 2009, was subject to a criminal history records check under § 20-78-601 et seq., and has continued to maintain the licensure or certification of the service provider may continue to maintain the licensure or certification of the service provider based on the results of the criminal history records check process conducted under § 20-78-601 et seq.

(B) When the service provider next undergoes a periodic criminal history records check, the service provider's continued licensure or certification is contingent on the results of a criminal history records check under § 20-38-101 et seq.

(e) The Division of Child Care and Early Childhood Education of the Department of Human Services shall establish by rule requirements for registry records checks for:

(1) An applicant for licensure or exemption from licensure as a service provider;

(2) An applicant for employment with service provider; and

(3) An employee of a service provider.

(f) The division shall establish by rule requirements for criminal history and registry records checks of persons who volunteer for a service provider."

AND

Add an additional section to read as follows:

"SECTION 12. This act shall be effective September 1, 2009."

(SIGNED) SENATOR LAVERTY

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 819 was ordered engrossed.

On motion of Senator Teague, **Senate Bill No. 769** 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. 769

Amend **Senate Bill No. 769** as originally introduced:

Page 1, delete line 34, and substitute the following:

“§26-53-101 et seq., or any other state tax law, and a well founded doubt exists concerning the meaning or application of the exemption, deduction or credit, then the tax law providing the”

AND

Page 1, delete line 36 and Page 2, delete line 1, and substitute the following:

“(b) Strict construction under this section shall include requirements that the tax law that provides an exemption, deduction, or credit be”

AND

Page 2, line 12, delete “(1)”

AND

Page 2, delete lines 15-18

AND

Page 2, delete line 31, which is blank

AND

Page 2, on line 33, delete (5) and substitute (3)

(SIGNED) SENATOR TEAGUE

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 769 was ordered engrossed.

On motion of Senator Altes, **Senate Bill No. 882** was 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. 882

Amend **Senate Bill No. 882** as engrossed, S3/12/09:

Page 1, delete line 29 and substitute the following:

"payments on an installment basis"

AND

Page 1, line 32, delete "prosecuting attorney's" and substitute "collecting official"

AND

Page 1, line 33, delete "office"

(SIGNED) SENATOR ALTES

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 882 was ordered engrossed.

On motion of Senator Madison, **Senate Bill No. 410** 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. 410

Amend **Senate Bill No. 410** as originally introduced:

Delete Sections 32, 33, and 34 of the bill

AND

Appropriately renumber the subsequent sections of the bill

(SIGNED) SENATOR MADISON

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 410 was ordered engrossed.

On motion of Senator Madison, **Senate Bill No. 515** was 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. 515

Amend **Senate Bill No. 515** as engrossed, S3/10/09:

Page 1, delete lines 34 through 36 and substitute:

“SECTION 2. Arkansas Code § 9-28-403(e), regarding proceedings brought under the Child Welfare Agency Licensing Act, is amended to read as follows:

(e)(4) The Arkansas Administrative Procedure Act, § 25-15-201 et seq., shall apply to all proceedings brought pursuant to under this subchapter, except that the following provisions shall control during adverse action hearings to the extent that they conflict with the Arkansas Administrative Procedure Act:

(1) All parties to an adverse action shall be entitled to engage in and use formal discovery as provided for in Rules 26, 28, 29, 30, 31, 32, 33, 34 and 36 of the Arkansas Rules of Civil Procedure including:

(A) Requests for admission;

(B) Requests for production of documents and things;

(C) Written interrogatories; and

(D) Oral and written depositions; and

(2) All evidentiary rulings in an adverse action hearing shall be governed by the Arkansas Rules of Evidence with respect to the following types of evidence:

(A) The requirement of personal knowledge of a witness as required by Rule 602;

(B) The admissibility of character evidence as set forth by Rules 608 and 609;

(C) The admissibility of opinion evidence as set forth by Rules 701, 702, and 703; and

(D) The admissibility of hearsay evidence as set forth by Rules 801, 802, 803, 804, 805, and 806.

~~(2) The Arkansas Rules of Civil Procedure and the Arkansas Rules of Evidence shall also apply to adverse action hearings.”~~

AND

Page 2, delete lines 1 through 3 entirely

AND

Page 2, line 34, delete “exclusive the” and substitute “exclusive”

AND

Page 4, delete lines 1 and 2 and substitute:

“(2) This subchapter shall not be construed to prevent a licensed child welfare agency from adopting and applying internal operating procedures that meet or exceed the minimum standards required by the board.”

(SIGNED) SENATOR MADISON

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 515 was ordered engrossed.

On motion of Senator Wilkins, **Senate Bill No. 788** 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. 788

Amend **Senate Bill No. 788** as originally introduced:

Add the following members of the Senate as cosponsors to the bill:

Senators Elliott, Steele

AND

Add the following members of the House of Representatives as cosponsors to the bill:

Representatives Harrelson, L. Smith, Williams

AND

Delete the title in its entirety and substitute:

"AN ACT TO AMEND THE JUVENILE CODE TO ALLOW A COURT TO CONSIDER WHETHER A CONFESSION OR WAIVER OF COUNSEL WAS RECORDED WHEN DETERMINING WHETHER THE CONFESSION OR WAIVER OF COUNSEL WAS MADE FREELY, VOLUNTARILY, AND INTELLIGENTLY; TO CODIFY THE CASE LAW REGARDING THE CIRCUMSTANCES A COURT MAY CONSIDER IN EVALUATING A CONFESSION OF A JUVENILE; AND FOR OTHER PURPOSES."

AND

Delete the subtitle in its entirety and substitute:

"TO AMEND THE JUVENILE CODE REGARDING JUDICIAL DETERMINATIONS OF WHETHER A CONFESSION OR WAIVER OF COUNSEL WAS MADE FREELY, VOLUNTARILY, AND INTELLIGENTLY."

AND

Delete all language after the enacting clause and substitute:

"SECTION 1. Arkansas Code Title 9, Chapter 27, Subchapter 3 is amended to add an additional section to read as follows:

9-27-363. Confessions.

In determining whether a juvenile's confession was voluntarily, knowingly, and intelligently made, the court shall consider all circumstances surrounding the confession, including without limitation the following:

(1) The juvenile's physical, mental, and emotional maturity;

(2) Whether the juvenile understood the consequences of the confession;

(3) In cases in which the custodial parent, guardian, or custodian agreed to the interrogation that led to the confession, whether the custodial parent, guardian, or custodian understood the consequences of the confession or has an interest in the matter that is adverse to the juvenile;

(4) Whether the juvenile and his or her custodial parent, guardian, or custodian were informed of the alleged delinquent act;

(5) Whether the confession was the result of any coercion, force, or inducement;

(6) Whether the juvenile and his or her custodial parent, guardian, or custodian had waived the right to counsel or been provided counsel; and

(7) Whether any of the following occurred:

(A) The oral, written, or sign language confession was electronically recorded in its entirety;

(B) The entire interrogation was electronically recorded;

(C) The audio or video recordings of the interrogation, if available, were used; and

(D) All of the voices on the recording are identified and the names of all persons present during the interrogation are identified.

SECTION 2. Arkansas Code § 9-27-317(c), regarding a juvenile's waiver of counsel, is amended to add an additional subdivision to read as follows:

(c) In determining whether a juvenile's waiver of the right to counsel at any stage of the proceeding was made freely, voluntarily, and intelligently, the court shall consider all the circumstances of the waiver, including:

(1) The juvenile's physical, mental, and emotional maturity;

(2) Whether the juvenile understood the consequences of the waiver;

(3) In cases in which the custodial parent, guardian, or custodian agreed with the juvenile's waiver of the right to counsel, whether the parent, guardian, or custodian understood the consequences of the waiver;

(4) Whether the juvenile and his or her custodial parent, guardian, or custodian were informed of the alleged delinquent act;

(5) Whether the waiver of the right to counsel was the result of any coercion, force, or inducement;

(6) Whether the juvenile and his or her custodial parent, guardian, or custodian had been advised of the juvenile's right to remain silent and to the appointment of counsel and had waived such rights; and

(7) Whether the waiver was recorded in audio or video format and the circumstances surrounding the availability or unavailability of the recorded waiver."

(SIGNED) SENATOR WILKINS

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 788 was ordered engrossed.

On motion of Senator Bryles, **Senate Concurrent Resolution No. 12** was called up for third reading and final disposition.

SENATE CONCURRENT RESOLUTION NO. 12

As Engrossed: S3/12/09

EIGHTY-SEVENTH GENERAL ASSEMBLY

REGULAR SESSION

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

BY: REPRESENTATIVES WAGNER, T. BAKER, BETTS, M. BURRIS, CASH, L. COWLING, DAVENPORT, DUNN, GEORGE, INGRAM, KIDD, LOVELL, PATTERSON, PENNARTZ, PIERCE, RAGLAND, REYNOLDS, WEBB & B. WILKINS

SENATE CONCURRENT RESOLUTION REGARDING TRANSITIONAL CLIMATE CHANGE POLICY.

Senate Concurrent Resolution No. 12 was read the third time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Concurrent Resolution No. 12 was ordered immediately transmitted to the House.

On motion of Senator Steele, **House Bill No. 1983** 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. 1983

Amend **House Bill No. 1983** as originally introduced:

Page 1, line 34, delete "medical" and substitute "medical, pharmacy, and nursing"

AND

Page 2, line 9, delete "medical school faculty" and substitute "medical, pharmacy, and nursing school faculties"

AND

Page 2, line 34 delete "medical" and substitute "medical, pharmacy, or nursing"

AND

Page 3, line 6 delete "premedical" and substitute "premedical, prepharmacy, and prenursing"

(SIGNED) SENATOR STEELE

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1983 was ordered engrossed.

On motion of Senator Smith, **House Bill No. 1402** 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. 1402

Amend **House Bill No. 1402** as engrossed, H2/24/09:

Page 7, delete lines 18 through 20 and substitute the following:

"(e)(1)(A) For each brand family of cigarettes listed for certification, a manufacturer shall pay a fee of one thousand dollars (\$1,000) to the Director of the Arkansas Tobacco Control Board.

(B) The fee shall be applied to all cigarettes within the certified brand family and shall include any new cigarette certified within the brand family during the three-year certification period."

AND

Page 11, delete line 18 and substitute the following:

"SECTION 3. This act shall become effective January 1, 2010."

(SIGNED) SENATOR HORN

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1402 was ordered engrossed.

On motion of Senator Wilkins, **House Bill No. 1414** 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. 1414

Amend **House Bill No. 1414** as engrossed, H3/3/09:

Add Senator H. Wilkins as a co-sponsor to the bill

(SIGNED) SENATOR WILKINS

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1414 was ordered engrossed.

On motion of Senator Bryles, **Senate Bill No. 779** 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. 779

Amend **Senate Bill No. 779** as originally introduced:

Page 1, delete lines 23 through 26 entirely

AND

Page 2, line 10, delete "~~(b)(2)(c)(2)~~" and substitute "(b)(2)"

AND

Page 2, line 23, delete "~~(b)(2)(c)(2)~~" and substitute "(b)(2)"

AND

Page 2, line 26, delete "~~(b)(2)(c)(2)~~" and substitute "(b)(2)"

AND

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

AND

Page 2, line 26, delete "~~(b)(1)(c)(1)~~" and substitute "(b)(1)"

AND

Page 2, line 34, delete "~~(c)(d)(1)~~" and substitute "(c)(1)"

AND

Page 3, line 11, delete "evidence." and substitute "evidence and otherwise should be sealed. There is a reasonable expectation of privacy in the following items:

- (i) Audio or videotapes of a child witness;
- (ii) Photographs of a child witness;
- (iii) Name of child victim; and
- (iv) Medical records of child victim."

AND

Page 3, line 16, delete "evidence." and substitute "evidence and otherwise should be sealed. There is a reasonable expectation of privacy in the following items:

- (i) Audio or videotapes of a child witness;
- (ii) Photographs of a child witness;
- (iii) Name of child victim; and
- (iv) Medical records of child victim.

AND

Page 3, line 19, delete "(e)(1)" and substitute "(d)(1)"

AND

Page 3, line 20, delete "first" and substitute "second"

AND

Page 3, line 21, delete "memorandum" and substitute "memoranda"

AND

Page 3, line 25, delete "Class A" and substitute "Class C"

AND

Page 3, line 26, delete "(f)" and substitute "(e)"

AND

Page 3, line 27, delete "second" and substitute "first"

AND

Page 3, line 32, delete "memorandum" and substitute "memoranda"

AND

Page 4, line 1, delete "Class C" and substitute "Class A"

(SIGNED) SENATOR MALONE

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 779 was ordered engrossed.

The President declared the morning hour to have expired.

On motion of Senator D. Johnson, **Senate Bill No. 493** was called up for third reading and final disposition.

SENATE BILL NO. 493
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR D. JOHNSON
BY: REPRESENTATIVE HARRELSON

A Bill for an Act to be Entitled: AN ACT TO CLARIFY THE PROCEDURE FOR PUBLIC DISCLOSURE OF INFORMATION RELATED TO CHILD FATALITIES OR NEAR-FATALITIES; TO CLARIFY REPORTING REQUIREMENTS OF THE DIVISION OF CHILDREN AND FAMILY SERVICES; AND FOR OTHER PURPOSES.

Senate Bill No. 493 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, 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. 493 was ordered immediately transmitted to the House as passed.

On motion of Senator D. Johnson, **Senate Bill No. 494** was called up for third reading and final disposition.

SENATE BILL NO. 494
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR D. JOHNSON
BY: REPRESENTATIVE HARRELSON

A Bill for an Act to be Entitled: AN ACT TO ESTABLISH THE PARAMETERS OF THE PUBLIC DISCLOSURE OF INFORMATION ON FATALITIES AND NEAR FATALITIES IN CHILD MALTREATMENT MATTERS; AND FOR OTHER PURPOSES.

Senate Bill No. 494 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, 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. 494 was ordered immediately transmitted to the House as passed.

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

March 19, 2009

To: Ann Cornwell

FROM: Senator Randy Laverty

On SB 494 by Senator David Johnson, I cast a "yes" vote pertaining to the placement of foster childrens' deaths on the internet. At the time, I cast the vote, I was not aware that circumstances surrounding the death would also be included. I, therefore, would like to go on record as opposing this bill.

(SIGNED) RANDY LAVERTY

On motion of Senator Elliott, **Senate Bill No. 947** was called up for third reading and final disposition.

SENATE BILL NO. 947

As Engrossed: S3/17/09

EIGHTY-SEVENTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATORS ELLIOTT, ALTES, BOOKOUT, BROADWAY, BRYLES, HORN, G. JEFFRESS, J. JEFFRESS, D. JOHNSON, MADISON, MILLER, TEAGUE, TRUSTY, WHITAKER, H. WILKINS, HENDREN, T. SMITH, J. TAYLOR, R. THOMPSON, D. WYATT

BY: REPRESENTATIVE HARDY

A Bill for an Act to be Entitled: THE COLORECTAL CANCER PREVENTION, EARLY DETECTION, AND TREATMENT ACT OF 2009; AND FOR OTHER PURPOSES.

Senate Bill No. 947 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, 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. 947 was ordered immediately transmitted to the House as passed.

On motion of Senator Pritchard, **Senate Bill No. 836** was called up for third reading and final disposition.

**SENATE BILL NO. 836
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR B. PRITCHARD**

A Bill for an Act to be Entitled: AN ACT TO REPEAL THE REQUIREMENT THAT A DECAL BE AFFIXED TO HEAVY EQUIPMENT TO PROVE THAT ARKANSAS TAX WAS PAID ON THE EQUIPMENT OR THAT THE EQUIPMENT IS EXEMPT FROM TAX; TO AMEND THE METHOD IN WHICH SELLERS REPORT TAXABLE AND EXEMPT SALES OF HEAVY EQUIPMENT; AND FOR OTHER PURPOSES.

Senate Bill No. 836 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, 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. 836 was ordered immediately transmitted to the House as passed.

On motion of Senator Key, **Senate Bill No. 975** was called up for third reading and final disposition.

**SENATE BILL NO. 975
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR J. KEY**

A Bill for an Act to be Entitled: AN ACT TO EXEMPT THE PURCHASE OF THERMAL IMAGING EQUIPMENT TO BE USED BY LAW ENFORCEMENT AIRCRAFT WHEN PURCHASED BY A COUNTY GOVERNMENT; AND FOR OTHER PURPOSES.

Senate Bill No. 975 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, 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. 975**, 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, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total1

VOTING PRESENT:

Total0

Total number of votes cast34

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 975 was ordered immediately transmitted to the House.

On motion of Senator Horn, **Senate Bill No. 810** was called up for third reading and final disposition.

SENATE BILL NO. 810
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR HORN

A Bill for an Act to be Entitled: AN ACT CONCERNING INVOLUNTARY ADMISSIONS OF PERSONS WITH MENTAL ILLNESS; AND FOR OTHER PURPOSES.

Senate Bill No. 810 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, 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. 810 was ordered immediately transmitted to the House as passed.

On motion of Senator Madison, **Senate Bill No. 803** was called up for third reading and final disposition.

SENATE BILL NO. 803
As Engrossed: S3/18/09
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MADISON

A Bill for an Act to be Entitled: AN ACT TO LICENSE MOLD INVESTIGATORS; TO ESTABLISH STANDARDS FOR MOLD INVESTIGATIONS; TO ESTABLISH QUALIFICATIONS FOR MOLD INVESTIGATORS; AND FOR OTHER PURPOSES.

Senate Bill No. 803 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, 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. 803 was ordered immediately transmitted to the House as passed.

On motion of Senator Madison, **Senate Bill No. 516** was called up for third reading and final disposition.

SENATE BILL NO. 516
As Engrossed: S3/10/09
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MADISON
BY: REPRESENTATIVE POWERS

A Bill for an Act to be Entitled: AN ACT TO AMEND THE HEARING PROVISIONS OF THE REVISED UNIFORM ADOPTION ACT; AND FOR OTHER PURPOSES.

Senate Bill No. 516 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, 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. 516 was ordered immediately transmitted to the House as passed.

On motion of Senator Madison, **Senate Bill No. 702** was called up for third reading and final disposition.

**SENATE BILL NO. 702
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MADISON**

A Bill for an Act to be Entitled: AN ACT TO CORRECT A CODIFICATION ERROR IN TITLE 23 OF THE ARKANSAS CODE; AND FOR OTHER PURPOSES.

Senate Bill No. 702 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, 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, Steele, J. Taylor, Teague, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total32

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Broadway, T. Smith.

Total3

VOTING PRESENT:

Total0

Total number of votes cast32

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 702 was ordered immediately transmitted to the House as passed.

On motion of Senator Teague, **Senate Bill No. 872** was called up for third reading and final disposition.

**SENATE BILL NO. 872
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR TEAGUE**

A Bill for an Act to be Entitled: AN ACT CONCERNING THE CERTIFICATION STANDARDS OF FIREFIGHTERS; AND FOR OTHER PURPOSES.

Senate Bill No. 872 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, Bookout, Bryles, Capps, Crumbly, Elliott, Faris, Glover, Hendren, Horn, G. Jeffress, J. Jeffress, B. Johnson, D. Johnson, J. Key, Laverty, Luker, Madison, P. Malone, Miller, Salmon, Steele, J. Taylor, Teague, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total30

NEGATIVE: Bledsoe, B. Pritchard.

Total2

ABSENT OR NOT VOTING: Broadway, T. Smith.

Total3

VOTING PRESENT:

Total0

Total number of votes cast32

Necessary to the passage of the bill 18

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

(SIGNED) ANN CORNWELL, SECRETARY

On motion of Senator Teague, **Senate Bill No. 872** was held in the Chamber.

On motion of Senator Altes, the rules were suspended in considering **Senate Bill No. 9** at this time.

On motion of Senator Altes, **Senate Bill No. 9** was called up for third reading and final disposition.

SENATE BILL NO. 9
As Engrossed: S3/3/09 S3/16/09
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR ALTES
BY: REPRESENTATIVE MOORE

A Bill for an Act to be Entitled: AN ACT TO ESTABLISH AN INCOME TAX CREDIT FOR THE REHABILITATION OF HISTORIC STRUCTURES LOCATED IN ARKANSAS; AND FOR OTHER PURPOSES.

Senate Bill No. 9 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, 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, Steele, J. Taylor, Teague, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total	32
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Broadway, T. Smith.	
Total	3
VOTING PRESENT:	
Total	0
Total number of votes cast	32
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

On motion of Senator Altes, **Senate Bill No. 9** was held in the Chamber.

On motion of Senator Altes, the rules were suspended in considering **House Bill No. 1953** at this time.

On motion of Senator Altes, **House Bill No. 1953** was called up for third reading and final disposition.

**HOUSE BILL NO. 1953
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION**

**BY: REPRESENTATIVES MOORE, HYDE, ABERNATHY, ADCOCK, ALLEN, T. BAKER, BARNETT, BETTS, BLOUNT, T. BRADFORD, BREEDLOVE, J. BROWN, J. BURRIS, M. BURRIS, CARNINE, CARROLL, CARTER, CASH, CHEATHAM, CLEMMER, COLE, COOK, COOPER, L. COWLING, D. CREEKMORE, DALE, DAVENPORT, DAVIS, J. DICKINSON, DISMANG, DUNN, J. EDWARDS, ENGLISH, EVERETT, FLOWERS, GARNER, GASKILL, GEORGE, GLIDEWELL, R. GREEN, HALL, HARDY, HARRELSON, HAWKINS, HOBBS, HOPPER, HOUSE, HOYT, D. HUTCHINSON, INGRAM, KERR, KIDD, KING, LEA, W. LEWELLEN, LINDSEY, LOVELL, LOWERY, MALOCH, S. MALONE, M. MARTIN, MAXWELL, MCCRARY, MCLEAN, NICKELS, NIX, OVERBEY, PATTERSON, PENNARTZ, PERRY, PIERCE, POWERS, PYLE, RAGLAND, RAINEY, REEP, REYNOLDS, RICE, J. ROEBUCK, J. ROGERS, T. ROGERS, SAMPLE, SAUNDERS, SHELBY, SLINKARD, G. SMITH, L. SMITH, STEWART, SUMMERS, TYLER, WAGNER, WEBB, WELLS, B. WILKINS, WILLIAMS, WILLS, WOODS & WORD
BY: SENATORS ALTES, G. JEFFRESS, J. JEFFRESS & J. KEY**

A Bill for an Act to be Entitled: AN ACT TO ENCOURAGE AND FOSTER ECONOMIC DEVELOPMENT AND REVITALIZE COMMUNITIES BY ALLOWING A TAX CREDIT FOR THE REHABILITATION OF HISTORIC STRUCTURES LOCATED IN ARKANSAS; AND FOR OTHER PURPOSES.

House Bill No. 1953 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, 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, Steele, J. Taylor, Teague, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total32

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Broadway, T. Smith.

Total3

VOTING PRESENT:

Total0

Total number of votes cast32

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1953 was ordered immediately transmitted to the House as passed.

On motion of Senator Luker, Senate Bill No. 801 was called up for third reading and final disposition.

SENATE BILL NO. 801

As Engrossed: S3/17/09

EIGHTY-SEVENTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATOR LUKER

BY: REPRESENTATIVES J. EDWARDS AND G. SMITH

A Bill for an Act to be Entitled: AN ACT TO CREATE A TASK FORCE TO STUDY THE FUNDING OF THE JUDICIAL SYSTEM OF THE STATE OF ARKANSAS AND ITS RELATED SERVICES AND FUNCTIONS; AND FOR OTHER PURPOSES.

Senate Bill No. 801 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, 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, Steele, J. Taylor, Teague, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total	32
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Broadway, T. Smith.	
Total	3
VOTING PRESENT:	
Total	0
Total number of votes cast.....	32
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. 801 was ordered immediately transmitted to the House.

On motion of Senator Taylor, **House Bill No. 1744** was called up for third reading and final disposition.

**HOUSE BILL NO. 1744
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE MALOCH**

A Bill for an Act to be Entitled: AN ACT CONCERNING THE KILLING OR INJURING ANIMALS USED BY LAW ENFORCEMENT; AND FOR OTHER PURPOSES.

House Bill No. 1744 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, 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, Steele, J. Taylor, Teague, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total32

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Broadway, T. Smith.

Total3

VOTING PRESENT:

Total0

Total number of votes cast32

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1744 was ordered immediately transmitted to the House as passed.

On motion of Senator Faris, **House Bill No. 1420** was called up for third reading and final disposition.

HOUSE BILL NO. 1420
As Engrossed: S3/2/09
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE SAUNDERS

A Bill for an Act to be Entitled: *AN ACT TO ALLOW EMPLOYEES OF SCHOOL DISTRICTS AND PUBLIC AGENCIES TO PURCHASE GOODS PRODUCED BY THE DEPARTMENT OF CORRECTION; AND FOR OTHER PURPOSES.*

House Bill No. 1420 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, 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, Steele, J. Taylor, Teague, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total32

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Broadway, T. Smith.

Total3

VOTING PRESENT:

Total0

Total number of votes cast.....32

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. 1420 was ordered immediately returned to the House as passed.

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

On motion of Senator Crumbly, **House Bill No. 1393** was called up for third reading and final disposition.

HOUSE BILL NO. 1393

As Engrossed: S3/2/09

EIGHTY-SEVENTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES T. BAKER, MOORE, ALLEN, BLOUNT, CARROLL, CASH, DAVIS, EVERETT, GASKILL, PYLE, RAINEY, WAGNER & WORD

A Bill for an Act to be Entitled: AN ACT TO MODIFY THE AMOUNT OF VOTES REQUIRED TO BE ELECTED TO A MUNICIPAL POSITION WITHOUT A RUNOFF; AND FOR OTHER PURPOSES.

Senator Taylor spoke against the Bill.

Senator Steele spoke for the Bill.

Senator Madison spoke against the Bill

Senator Wilkins spoke for the Bill.

House Bill No. 1393 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Bookout, Bryles, Capps, Crumbly, Elliott, Steele, H. Wilkins.

Total7

NEGATIVE: Altes, G. Baker, Bledsoe, Glover, Hendren, D. Johnson, Madison, Miller, B. Pritchard, Salmon, J. Taylor, Trusty.

Total12

ABSENT OR NOT VOTING: Broadway, Faris, Horn, G. Jeffress, J. Jeffress, B. Johnson, J. Key, Laverty, Luker, P. Malone, T. Smith, Teague, Whitaker, Wilkinson, D. Wyatt.

Total16

VOTING PRESENT:

Total	0
Total number of votes cast.....	19
Necessary to the passage of the bill	18

So the bill failed.

(SIGNED) ANN CORNWELL, SECRETARY

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

Senator Crumbly moved that the record pertaining to the vote by which **House Bill No. 1393** failed be expunged.

On motion of Senator Crumbly, **House Bill No. 1393** was ordered re-referred to the Committee on CITY, COUNTY & LOCAL AFFAIRS.

On motion of Senator Bryles, **House Bill No. 1451** was called up for third reading and final disposition.

HOUSE BILL NO. 1451

As Engrossed: H2/23/09 S3/10/09 S3/12/09 S3/18/09

EIGHTY-SEVENTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES HOYT, REYNOLDS, T. BAKER, BREEDLOVE, J. BROWN, COLE, L. COWLING, DISMANG, GEORGE, HALL, HARRELSON, HAWKINS, HOUSE, LOVELL, MCCRARY, OVERBEY, PERRY, PIERCE, POWERS, SAUNDERS, SLINKARD, STEWART, SUMMERS, TYLER, WAGNER, WEBB, WELLS, B. WILKINS, J. ROEBUCK, PYLE, M. BURRIS, M. MARTIN & RAGLAND

BY: SENATORS BRYLES, J. JEFFRESS, G. JEFFRESS, J. TAYLOR & D. WYATT

A Bill for an Act to be Entitled: AN ACT TO ENSURE AN ADEQUATE SUPPLY OF ARKANSAS MILK FOR ARKANSAS CONSUMERS; TO STABILIZE AND STIMULATE DAIRY FARMS IN ARKANSAS; TO CREATE THE DAIRY STABILIZATION FUND; AND FOR OTHER PURPOSES.

House Bill No. 1451 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, 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, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total32

NEGATIVE: Altes.

Total1

ABSENT OR NOT VOTING: Broadway.

Total2

VOTING PRESENT:

Total0

Total number of votes cast33

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. 1451 was ordered immediately returned to the House as passed as amended.

On motion of Senator Wyatt, **Senate Bill No. 934** was called up for third reading and final disposition.

SENATE BILL NO. 934

As Engrossed: S3/12/09 S3/18/09

EIGHTY-SEVENTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATOR D. WYATT

BY: REPRESENTATIVES HOYT, REYNOLDS, L. COWLING, HOUSE, HAWKINS, MCCRARY, PIERCE, J. ROEBUCK, STEWART, TYLER, WAGNER, WEBB & B. WILKINS

A Bill for an Act to be Entitled: AN ACT TO PROVIDE FOR GRANTS AND INCENTIVES TO ASSIST ARKANSAS DAIRY FARMERS IN CONTINUING TO PRODUCE MILK IN THIS STATE; TO CREATE THE ARKANSAS AGRICULTURE DEPARTMENT DAIRY STABILIZATION PROGRAM FUND; AND FOR OTHER PURPOSES.

Senate Bill No. 934 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, 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, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total	33
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Broadway.	
Total	2
VOTING PRESENT:	
Total	0
Total number of votes cast.....	33
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. 934 was ordered immediately transmitted to the House as passed.

On motion of Senator Bledsoe, **House Bill No. 1569** was called up for third reading and final disposition.

**HOUSE BILL NO. 1569
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE HOBBS
BY: SENATOR BLEDSOE**

A Bill for an Act to be Entitled: AN ACT TO AMEND VARIOUS SECTIONS OF THE ADULT MALTREATMENT CUSTODY ACT; AND FOR OTHER PURPOSES.

House Bill No. 1569 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, 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, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total	33
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Broadway.	
Total	2
VOTING PRESENT:	
Total	0
Total number of votes cast.....	33
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. 1569 was ordered immediately returned to the House as passed.

On motion of Senator Bledsoe, **House Bill No. 1568** was called up for third reading and final disposition.

**HOUSE BILL NO. 1568
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE HOBBS
BY: SENATOR BLEDSOE**

A Bill for an Act to be Entitled: AN ACT TO AMEND VARIOUS PROVISIONS OF THE ADULT AND LONG-TERM CARE FACILITY RESIDENT MALTREATMENT ACT; AND FOR OTHER PURPOSES.

House Bill No. 1568 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, 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, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total	33
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Broadway.	
Total	2
VOTING PRESENT:	
Total	0
Total number of votes cast	33
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. 1568 was ordered immediately returned to the House as passed.

On motion of Senator Bledsoe, **House Bill No. 1967** was called up for third reading and final disposition.

**HOUSE BILL NO. 1967
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES WAGNER, REEP & SHELBY**

A Bill for an Act to be Entitled: AN ACT TO REQUIRE AN INTERIM STUDY OF WAYS TO ENCOURAGE PHYSICIANS TO PRACTICE MEDICINE IN RURAL AREAS OF ARKANSAS; AND FOR OTHER PURPOSES.

House Bill No. 1967 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, 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, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total	33
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Broadway.	
Total	2
VOTING PRESENT:	
Total	0
Total number of votes cast	33
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. 1967 was ordered immediately returned to the House as passed.

On motion of Senator Glover, **House Bill No. 1831** was called up for third reading and final disposition.

HOUSE BILL NO. 1831
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES T. ROGERS, HOYT, REYNOLDS, HAWKINS & STEWART

A Bill for an Act to be Entitled: AN ACT TO REPEAL THE LAW CONCERNING THE COST OF COLLECTING AD VALOREM TAXES ON MINERAL INTERESTS; AND FOR OTHER PURPOSES.

House Bill No. 1831 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, 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, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total	33
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Broadway.	
Total	2
VOTING PRESENT:	
Total	0
Total number of votes cast.....	33
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. 1831 was ordered immediately returned to the House as passed.

On motion of Senator Teague, **House Bill No. 1478** was called up for third reading and final disposition.

**HOUSE BILL NO. 1478
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE PATTERSON**

A Bill for an Act to be Entitled: AN ACT TO AMEND THE ARKANSAS TAX PROCEDURE ACT AND THE DEPARTMENT OF WORKFORCE SERVICES LAW TO ALLOW THE DEPARTMENT OF FINANCE AND ADMINISTRATION AND THE DEPARTMENT OF WORKFORCE SERVICES TO SHARE INFORMATION TO ENHANCE EACH AGENCY'S RESPECTIVE AUDIT AND COMPLIANCE RESPONSIBILITIES; AND FOR OTHER PURPOSES.

House Bill No. 1478 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, 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, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total	33
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Broadway.	
Total	2
VOTING PRESENT:	
Total	0
Total number of votes cast	33
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. 1478 was ordered immediately returned to the House as passed.

On motion of Senator Teague, **House Bill No. 1957** was called up for third reading and final disposition.

**HOUSE BILL NO. 1957
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES REEP AND MALOCH**

A Bill for an Act to be Entitled: AN ACT TO CLARIFY THE BOND REQUIREMENT FOR A STAMP DEPUTY; AND FOR OTHER PURPOSES.

House Bill No. 1957 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, 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, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total	33
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Broadway.	
Total	2
VOTING PRESENT:	
Total	0
Total number of votes cast	33
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. 1957**, 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, 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, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total33

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Broadway.

Total2

VOTING PRESENT:

Total0

Total number of votes cast33

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1957 was ordered immediately returned to the House as passed.

On motion of Senator Salmon, **Senate Bill No. 373** was called up for third reading and final disposition.

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

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

Senate Bill No. 373 was 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, 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, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total	33
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Broadway.	
Total	2
VOTING PRESENT:	
Total	0
Total number of votes cast	33
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. 373 was ordered immediately transmitted to the House as passed.

On motion of Senator D. Johnson, **House Bill No. 1392** was called up for third reading and final disposition.

**HOUSE BILL NO. 1392
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES SUMMERS AND LINDSEY**

A Bill for an Act to be Entitled: AN ACT CONCERNING PRIORITY OF LIENS IN MUNICIPAL PROPERTY OWNERS' IMPROVEMENT DISTRICTS; AND FOR OTHER PURPOSES.

House Bill No. 1392 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, 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, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total	33
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Broadway.	
Total	2
VOTING PRESENT:	
Total	0
Total number of votes cast	33
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. 1392 was ordered immediately returned to the House as passed.

On motion of Senator Smith, **Senate Bill No. 873** was called up for third reading and final disposition.

SENATE BILL NO. 873
As Engrossed: S3/17/09
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR T. SMITH

A Bill for an Act to be Entitled: *AN ACT TO AMEND THE TERM OF OFFICE OF THE DIRECTOR OF THE DEPARTMENT OF LABOR; AND FOR OTHER PURPOSES.*

Senate Bill No. 873 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, 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, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total33

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Broadway.

Total2

VOTING PRESENT:

Total0

Total number of votes cast.....33

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

On motion of Senator G. Jeffress, [Senate Bill No. 138](#) 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. 138](#)

Amend [Senate Bill No. 138](#) as originally introduced:

Delete everything after the Enacting Clause and substitute the following:

"SECTION 1. Arkansas Code § 24-4-104(b), concerning the Arkansas Public Employees' Retirement System Board of Trustees, is amended to read as follows:

(b) The board shall consist of ~~nine (9)~~ the following trustees, ~~as follows~~:

(1) The Auditor of State, the Treasurer of State, the Director of the Department of Arkansas State Police or his or her designee, and the Director of the Department of Finance and Administration shall be ex officio members; and

(2) Three (3) members who are state employees and three (3) members who are nonstate employees to be appointed by the Governor; each nonstate employee trustee and each state employee trustee shall have at least ten (10) continuous years of service with a public employer or employers, and shall be a member or retired member of the system.

SECTION 2. Arkansas Code Title 24, Chapter 4, Subchapter 7 is amended to add an additional section to read as follows:

24-4-752. State Police Retirement System abolished -- Powers, duties, and plan liabilities transferred to Arkansas Public Employees' Retirement System -- State Police Division.

(a)(1) There is created under the Arkansas Public Employees' Retirement System, a division that will be known as the State Police Division.

(2) The authority for the Arkansas Public Employees' Retirement System -- State Police Division is with the Arkansas Public Employees' Retirement System Board of Trustees.

(b) The State Police Retirement System, established by § 24-6-201 et seq., is abolished and its powers, duties, and plan liabilities are transferred to the Arkansas Public Employees' Retirement System -- State Police Division by a type 3 transfer under § 25-2-106.

(c) For purposes of this section, the Arkansas Public Employees' Retirement System shall be considered a principal department established by Acts 1971, No. 38.

(d)(1) As employer, the Department of Arkansas State Police shall make contributions to the Arkansas Public Employees' Retirement System -- State Police Division, based on a percentage of each active state police officer's salary at the rate established to fund the State Police Retirement System's benefit program before the effective date of this act unless the Arkansas Public Employees' Retirement System's actuary determines that a different required contribution rate should be applied.

(2) All other sources of revenue regularly accruing to the State Police Retirement System shall be payable to the Arkansas Public Employees' Retirement System -- State Police Division.

(e)(1) A member of the State Police Retirement System on the date of the transfer of the State Police Retirement System to the Arkansas Public Employees' Retirement System – State Police Division shall continue to accrue the same program of benefits received before the transfer.

(2) A state police officer joining the Arkansas Public Employees' Retirement System – State Police Division after the date of transfer to the Arkansas Public Employees' Retirement System shall be provided with the same benefits currently available under § 24-6-401 et seq.

(3) A state police officer covered under the Arkansas Public Employees' Retirement System – State Police Division that is otherwise covered by § 24-6-401 shall have access to the Deferred Retirement Option Plan provisions of § 24-4-801 et seq.

SECTION 3. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that due to the economic condition of the financial market, every opportunity to contain costs must be pursued, that combining the State Police Retirement System with the Arkansas Public Employees' Retirement System would save administrative costs, and that the Arkansas Public Employees' Retirement System's fiscal year begins on July 1, 2009. 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 STEVE FARIS

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

(SIGNED) ANN CORNWELL, SECRETARY

On motion of Senator G. Jeffress, the Senate resolved itself into the Committee of the Whole for the purpose of Retirement Bills.

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

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

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

On motion of Senator G. Jeffress, **Senate Bill No. 138** was called up for third reading and final disposition.

**SENATE BILL NO. 138
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR FARIS**

A Bill for an Act to be Entitled: AN ACT TO COMBINE THE STATE POLICE RETIREMENT SYSTEM WITH THE ARKANSAS PUBLIC EMPLOYEES' RETIREMENT SYSTEM; AND FOR OTHER PURPOSES.

Senate Bill No. 138 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, 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, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total	33
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Broadway.	
Total	2
VOTING PRESENT:	
Total	0
Total number of votes cast	33
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. 138**, 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, 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, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total	33
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Broadway.	
Total	2
VOTING PRESENT:	
Total	0
Total number of votes cast.....	33
Necessary to the adoption of the Emergency Clause	24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

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

The record pertaining to the vote by which **Senate Bill No. 138** passed and the emergency clause adopted was expunged, in accordance with a prevailing motion on March 25, 2009.

On motion of Senator G. Jeffress, the rules were suspended in considering **Senate Bill No. 165** at this time.

On motion of Senator G. Jeffress, **Senate Bill No. 165** was called up for third reading and final disposition.

SENATE BILL NO. 165

As Engrossed: S2/5/09 S2/10/09 S2/18/09 S2/24/09

EIGHTY-SEVENTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATOR G. JEFFRESS

A Bill for an Act to be Entitled: AN ACT TO ADJUST THE AMOUNT OF TIME FROM THIRTY (30) DAYS TO ONE HUNDRED EIGHTY (180) DAYS THAT A RETIRED MEMBER OF THE ARKANSAS TEACHER RETIREMENT SYSTEM SHALL REMAIN RETIRED BEFORE *RETURNING TO WORK WITH A COVERED EMPLOYER OF THE ARKANSAS TEACHER RETIREMENT SYSTEM*; TO CLARIFY VARIOUS SECTIONS OF ARKANSAS CODE TITLE 24, CHAPTER 7 PERTAINING TO THE TERMINATION OF COVERED EMPLOYMENT REQUIREMENTS; AND FOR OTHER PURPOSES.

Senate Bill No. 165 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, 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, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total	33
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Broadway.	
Total	2
VOTING PRESENT:	
Total	0
Total number of votes cast	33
Necessary to the passage of the bill	24

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. 165**, 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, 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, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total33

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Broadway.

Total2

VOTING PRESENT:

Total0

Total number of votes cast.....33

Necessary to the adoption of the Emergency Clause.....24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 165 was ordered immediately transmitted to the House.

On motion of Senator G. Jeffress, the rules were suspended in considering **Senate Bill No. 243** at this time.

On motion of Senator G. Jeffress, **Senate Bill No. 243** was called up for third reading and final disposition.

SENATE BILL NO. 243
As Engrossed: S3/10/09 S3/17/09
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR FARIS

A Bill for an Act to be Entitled: *AN ACT TO ALLOW THE ARKANSAS TEACHER RETIREMENT SYSTEM AND THE ARKANSAS PUBLIC EMPLOYEES' RETIREMENT SYSTEM TO ADOPT RULES AND REGULATIONS TO REMAIN IN COMPLIANCE WITH FEDERAL LAWS AND REGULATIONS; AND FOR OTHER PURPOSES.*

Senate Bill No. 243 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, 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, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total	33
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Broadway.	
Total	2
VOTING PRESENT:	
Total	0
Total number of votes cast	33
Necessary to the passage of the bill	24

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 243 was ordered immediately transmitted to the House as passed.

On motion of Senator Wilkins, **House Bill No. 2112** was called up for third reading and final disposition.

HOUSE BILL NO. 2112
As Engrossed: S3/18/09
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES HAWKINS AND REYNOLDS
BY: SENATORS HORN AND H. WILKINS

A Bill for an Act to be Entitled: AN ACT TO BROADEN THE INSURANCE COMMISSIONER'S CEASE AND DESIST POWERS; AND FOR OTHER PURPOSES.

House Bill No. 2112 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, 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, Trusty, Whitaker, H. Wilkins, Wilkinson, D. Wyatt.

Total	33
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Broadway.	
Total	2
VOTING PRESENT:	
Total	0
Total number of votes cast	33
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. 2112 was ordered immediately returned to the House as passed as amended.

Senator Faris moved that the record pertaining to the vote by which **Senate Bill No. 163** passed be expunged, the motion was duly seconded and prevailed.

On motion of Senator Faris, **Senate Bill No. 163** was ordered re-referred to the Committee on JOINT RETIREMENT AND SOCIAL SECURITY.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 19, 2009

Mr. President:

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

Senate BILL NO. 138, BY SENATOR FARIS,

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

Respectfully submitted,

(SIGNED) JOHN PAUL CAPPS
CHAIRMAN

Senate Bill No. 138 was ordered transmitted to the House.

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

MIKE BEEBE
Governor

March 18, 2009

TO THE PRESIDENT OF THE SENATE

Dear Mr. President:

This is to inform your Honorable Body that on March 18, 2009, I approved the following measures from the Regular Session of the Eighty-seventh General Assembly:

Senate Concurrent Resolution No. 003

Senate Bill No. 088 - ACT 436

Senate Bill No. 034 - ACT 464

Senate Bill No. 155 - ACT 465

Senate Bill No. 156 - ACT 466

Senate Bill No. 170 - ACT 467

Senate Bill No. 191 - ACT 468

Senate Bill No. 218 - ACT 469

Senate Bill No. 227 - ACT 470

Sincerely,

(SIGNED) MIKE BEEBE
Governor

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

MIKE BEEBE
Governor

March 19, 2009

TO THE PRESIDENT OF THE SENATE

Dear Mr. President:

This is to inform your Honorable Body that on March 18, 2009, I approved the following measures from the Regular Session of the Eighty-seventh General Assembly:

- Senate Bill No. 230 - ACT 471
- Senate Bill No. 239 - ACT 472
- Senate Bill No. 317 - ACT 473
- Senate Bill No. 330 - ACT 474
- Senate Bill No. 348 - ACT 475
- Senate Bill No. 357 - ACT 476
- Senate Bill No. 360 - ACT 477
- Senate Bill No. 375 - ACT 478
- Senate Bill No. 376 - ACT 479
- Senate Bill No. 380 - ACT 480
- Senate Bill No. 407 - ACT 481
- Senate Bill No. 408 - ACT 482
- Senate Bill No. 409 - ACT 483
- Senate Bill No. 426 - ACT 484
- Senate Bill No. 431 - ACT 485
- Senate Bill No. 450 - ACT 486
- Senate Bill No. 486 - ACT 487
- Senate Bill No. 505 - ACT 488
- Senate Bill No. 544 - ACT 489
- Senate Bill No. 596 - ACT 490
- Senate Bill No. 641 - ACT 491
- Senate Bill No. 681 - ACT 492
- Senate Bill No. 765 - ACT 493
- Senate Bill No. 815 - ACT 494
- Senate Bill No. 831 - ACT 495
- Senate Bill No. 312 - ACT 496

Sincerely,

(SIGNED) MIKE BEEBE
Governor

On motion of Senator Glover, **House Bill No. 1904** was withdrawn from the Committee on INSURANCE & COMMERCE, and placed on the Calendar.

On motion of Senator Glover, **House Bill No. 1904** was ordered re-referred to the Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS.

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 19, 2009

Mr. President:

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

SENATE CONCURRENT RESOLUTION NO. 10,
BY SENATOR WHITAKER,

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

Respectfully submitted,

(SIGNED) JOHN PAUL CAPPS
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 19, 2009

Mr. President:

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

SENATE BILL NO. 410, BY SENATOR MADISON,
SENATE BILL NO. 515, BY SENATOR MADISON,
SENATE BILL NO. 779, BY SENATOR P. MALONE,
SENATE BILL NO. 788, BY SENATOR WILKINS,
SENATE BILL NO. 819, BY SENATOR LAVERTY,
SENATE BILL NO. 882, 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

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 19, 2009

Mr. President:

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

HOUSE BILL NO. 1402, BY REPRESENTATIVE HARRELSON,
HOUSE BILL NO. 1414, BY REPRESENTATIVE D. CREEKMORE ET AL,
HOUSE BILL NO. 1983, BY REPRESENTATIVE ALLEN,

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

Respectfully submitted,

(SIGNED) JOHN PAUL CAPPS
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION

March 19, 2009

Mr. President:

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

SENATE BILL NO. 144, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 489, BY SENATOR TEAGUE,
SENATE BILL NO. 490, BY SENATOR TEAGUE,
SENATE BILL NO. 491, BY SENATOR TEAGUE,
SENATE BILL NO. 492, BY SENATOR TEAGUE,

SENATE BILL NO. 501, BY SENATOR HORN,
SENATE BILL NO. 502, BY SENATOR HORN,
SENATE BILL NO. 503, BY SENATOR STEELE,
SENATE BILL NO. 512, BY SENATOR LAVERTY,
SENATE BILL NO. 513, BY SENATOR LAVERTY,
SENATE BILL NO. 527, BY SENATOR TEAGUE,
SENATE BILL NO. 528, BY SENATOR TEAGUE,
SENATE BILL NO. 529, BY SENATOR TEAGUE,

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 19, 2009

Mr. President:

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

SENATE BILL NO. 530, BY SENATOR TEAGUE,
SENATE BILL NO. 531, BY SENATOR TEAGUE,

SENATE BILL NO. 532, BY SENATOR TEAGUE,
SENATE BILL NO. 541, BY SENATOR TEAGUE,
SENATE BILL NO. 545, BY SENATOR HORN,
SENATE BILL NO. 546, BY SENATOR HORN,
SENATE BILL NO. 547, BY SENATOR HORN,
SENATE BILL NO. 548, BY SENATOR HORN,
SENATE BILL NO. 549, BY SENATOR HORN,
SENATE BILL NO. 562, BY SENATOR STEELE,
SENATE BILL NO. 577, BY SENATOR LAVERTY,

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 19, 2009

Mr. President:

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

SENATE BILL NO. 578, BY SENATOR LAVERTY,
SENATE BILL NO. 579, BY SENATOR LAVERTY,
SENATE BILL NO. 597, BY SENATOR STEELE,
SENATE BILL NO. 598, BY SENATOR STEELE,
SENATE BILL NO. 599, BY SENATOR STEELE,
SENATE BILL NO. 600, BY SENATOR STEELE,
SENATE BILL NO. 601, BY SENATOR STEELE,
SENATE BILL NO. 602, BY SENATOR STEELE,
SENATE BILL NO. 633, BY SENATOR TEAGUE,
SENATE BILL NO. 634, BY SENATOR TEAGUE,
SENATE BILL NO. 635, BY SENATOR TEAGUE,
SENATE BILL NO. 636, BY SENATOR TEAGUE,
SENATE BILL NO. 637, BY SENATOR TEAGUE,

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 19, 2009

Mr. President:

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

SENATE BILL NO. 645, BY SENATOR TRUSTY,
SENATE BILL NO. 646 BY SENATOR TRUSTY,
SENATE BILL NO. 647, BY SENATOR TRUSTY,
SENATE BILL NO. 648, BY SENATOR TRUSTY,
SENATE BILL NO. 649, BY SENATOR TRUSTY,
SENATE BILL NO. 650, BY SENATOR TRUSTY,
SENATE BILL NO. 651, BY SENATOR TRUSTY,
SENATE BILL NO. 652, BY SENATOR TRUSTY,
SENATE BILL NO. 653, BY SENATOR TRUSTY,
SENATE BILL NO. 659, BY SENATOR SMITH,
SENATE BILL NO. 661, BY SENATOR SMITH,
SENATE BILL NO. 662, BY SENATOR SMITH,
SENATE BILL NO. 677, BY SENATOR WILKINSON,
SENATE BILL NO. 678, BY SENATOR WILKINSON,
SENATE BILL NO. 679, BY SENATOR WILKINSON,

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 19, 2009

Mr. President:

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

SENATE BILL NO. 680, BY SENATOR WILKINSON,
SENATE BILL NO. 682, BY SENATOR STEELE,
SENATE BILL NO. 708, BY SENATOR SMITH,
SENATE BILL NO. 713, BY SENATOR CRUMBLY,
SENATE BILL NO. 715, BY SENATOR CRUMBLY,
SENATE BILL NO. 716, BY SENATOR CRUMBLY,
SENATE BILL NO. 717, BY SENATOR CRUMBLY,
SENATE BILL NO. 718, BY SENATOR CRUMBLY,
SENATE BILL NO. 719, BY SENATOR CRUMBLY,
SENATE BILL NO. 720, BY SENATOR CRUMBLY,

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 19, 2009

Mr. President:

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

SENATE BILL NO. 721, BY SENATOR CRUMBLY,
SENATE BILL NO. 722, BY SENATOR CRUMBLY,
SENATE BILL NO. 723, BY SENATOR CRUMBLY,
SENATE BILL NO. 724, BY SENATOR CRUMBLY,
SENATE BILL NO. 737, BY SENATOR LAVERTY,
SENATE BILL NO. 744, BY SENATOR BROADWAY,
SENATE BILL NO. 747, BY SENATOR BROADWAY,
SENATE BILL NO. 748, BY SENATOR CRUMBLY,
SENATE BILL NO. 755, BY SENATOR CRUMBLY,
SENATE BILL NO. 756, BY SENATOR CRUMBLY,
SENATE BILL NO. 757, BY SENATOR STEELE,
SENATE BILL NO. 760, BY SENATOR STEELE,

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 19, 2009

Mr. President:

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

SENATE BILL NO. 769, BY SENATOR TEAGUE,

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

Respectfully submitted,

(SIGNED) JOHN PAUL CAPPS
CHAIRMAN

Senate Bill No. 38 was returned from the House as passed as amended.

Senate Bill No. 67 was returned from the House as passed and ordered enrolled.

Senate Bill No. 454 was returned from the House as passed and ordered enrolled.

Senate Bill No. 467 was returned from the House as passed and ordered enrolled.

Senate Bill No. 701 was returned from the House as passed and ordered enrolled.

Senate Bill No. 771 was returned from the House as passed and ordered enrolled.

Senate Bill No. 797 was returned from the House as passed and ordered enrolled.

Senate Bill No. 843 was returned from the House as passed and ordered enrolled.

Received from the House

HOUSE CONCURRENT RESOLUTION NO. 1018
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE HOPPER
BY: SENATOR J. KEY

HOUSE CONCURRENT RESOLUTION COMMENDING DOUG SMALL ON HIS SELECTION AS THE ARKANSAS STATE GAME AND FISH COMMISSION 2009 BOATING LAW ENFORCEMENT OFFICER OF THE YEAR.

House Concurrent Resolution No. 1018 was read the first time, rules suspended, read the second time and placed on the Calendar.

Received from the House

HOUSE BILL NO. 1110
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE KERR

A Bill for an Act to be Entitled: AN ACT TO AMEND THE DEFINITION OF COMPENSATION UNDER THE ARKANSAS PUBLIC EMPLOYEES' RETIREMENT SYSTEM TO INCLUDE A BONUS PAID TO A COUNTY OR MUNICIPAL EMPLOYEE; AND FOR OTHER PURPOSES.

House Bill No. 1110 was read the first time, rules suspended, read the second time and placed on the Calendar.

Received from the House

HOUSE BILL NO. 1256
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE GREENBERG

A Bill for an Act to be Entitled: AN ACT CONCERNING RACING MOTOR VEHICLES ON PUBLIC HIGHWAYS, OBSERVING A RACE AS A SPECTATOR; AND FOR OTHER PURPOSES.

House Bill No. 1256 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. 1625
 EIGHTY-SEVENTH GENERAL ASSEMBLY
 REGULAR SESSION
 BY: REPRESENTATIVE DUNN

A Bill for an Act to be Entitled: AN ACT TO AMEND THE CONSOLIDATED INCENTIVE ACT OF 2003 TO REQUIRE ELIGIBLE BUSINESSES TO CLAIM PAYMENTS TO WHICH THEY ARE ENTITLED UNDER THE PAYROLL REBATE INCENTIVE PROGRAM ON AN ANNUAL BASIS; TO PROVIDE FOR A REDUCTION OF THE AVAILABLE REBATE IF NOT CLAIMED WITHIN TWELVE (12) MONTHS; TO PROVIDE FOR FORFEITURE OF THE AVAILABLE REBATE IF NOT CLAIMED WITHIN TWENTY-FOUR (24) MONTHS; AND FOR OTHER PURPOSES.

House Bill No. 1625 was read the first time, rules suspended, read the second time and referred to the Committee on AGRICULTURE, FORESTRY & ECONOMIC DEVELOPMENT.

Received from the House

HOUSE BILL NO. 1694
As Engrossed: H3/16/09
 EIGHTY-SEVENTH GENERAL ASSEMBLY
 REGULAR SESSION
 BY: REPRESENTATIVE HYDE

A Bill for an Act to be Entitled: *AN ACT TO PROVIDE FOR THE REGISTRATION AND REGULATION OF APPRAISAL MANAGEMENT COMPANIES; TO MAKE CONFORMING AMENDMENTS TO THE ARKANSAS APPRAISER LICENSING AND CERTIFICATION ACT, § 17-14-101 ET SEQ.; AND FOR OTHER PURPOSES.*

House Bill No. 1694 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. 1715
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES D. CREEKMORE AND GARNER

A Bill for an Act to be Entitled: AN ACT TO EXPAND THE LIST OF MANDATED REPORTERS OF SUSPECTED ABUSE OR NEGLECT; AND FOR OTHER PURPOSES.

House Bill No. 1715 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

Received from the House

HOUSE BILL NO. 1867
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE J. EDWARDS

A Bill for an Act to be Entitled: AN ACT TO REQUIRE NOTICE TO BE GIVEN TO A MOTOR VEHICLE LIENHOLDER BEFORE THE ISSUANCE OF A DUPLICATE MOTOR VEHICLE TITLE; AND FOR OTHER PURPOSES.

House Bill No. 1867 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. 1885
 EIGHTY-SEVENTH GENERAL ASSEMBLY
 REGULAR SESSION
 BY: REPRESENTATIVE HYDE

A Bill for an Act to be Entitled: AN ACT TO ENCOURAGE FAIR DEALING IN CONTRACTS BY REQUIRING HOLD HARMLESS LANGUAGE IN A CONTRACT TO BE CLEAR AND CONSPICUOUS; AND FOR OTHER PURPOSES.

House Bill No. 1885 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. 1902
As Engrossed: H3/17/09
 EIGHTY-SEVENTH GENERAL ASSEMBLY
 REGULAR SESSION
 BY: REPRESENTATIVES CASH, WEBB, BLOUNT, CARROLL, R. GREEN,
 HARRELSON, KIDD, MOORE, J. ROEBUCK, L. SMITH, WAGNER & B. WILKINS
 BY: SENATOR BOOKOUT

A Bill for an Act to be Entitled: AN ACT TO AUTHORIZE ELECTRIC AUTOCYCLES TO BE LICENSED AND REGISTERED AS MOTORCYCLES; TO PROVIDE STANDARDS FOR AUTOCYCLES; TO CREATE THE ELECTRIC AUTOCYCLE ACT; AND FOR OTHER PURPOSES.

House Bill No. 1902 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. 1984
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE DUNN

A Bill for an Act to be Entitled: AN ACT TO PROVIDE CENTRAL FILING WITH THE SECRETARY OF STATE FOR AGRICULTURAL LIENS AND FARM-RELATED SECURITY INTERESTS; TO PROVIDE FOR FILING FEES WITH THE SECRETARY OF STATE AND THE DISTRIBUTION OF FILING FEES; AND FOR OTHER PURPOSES.

House Bill No. 1984 was read the first time, rules suspended, read the second time and referred to the Committee on AGRICULTURE, FORESTRY & ECONOMIC DEVELOPMENT.

Received from the House

HOUSE BILL NO. 2007
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE HYDE

A Bill for an Act to be Entitled: THE ARKANSAS CLEAN AIR ON CAMPUS ACT OF 2009; AN ACT TO PROTECT STUDENTS, EMPLOYEES, AND VISITORS AT STATE-SUPPORTED INSTITUTIONS OF HIGHER EDUCATION FROM SECONDHAND SMOKE ON CAMPUS; AND FOR OTHER PURPOSES.

House Bill No. 2007 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. 2020
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE OVERBEY

A Bill for an Act to be Entitled: AN ACT TO CLARIFY THE REQUIREMENTS FOR LICENSING AND REGISTERING A MOTOR VEHICLE; AND FOR OTHER PURPOSES.

House Bill No. 2020 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. 2032
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE ALLEN

A Bill for an Act to be Entitled: AN ACT TO AMEND THE ARKANSAS EARTHQUAKE PROGRAM BY INCREASING DISASTER PREPAREDNESS AND DISASTER EVACUATION, SHELTERS, STOCKPILES, AND REBUILDING PLANS; AND FOR OTHER PURPOSES.

House Bill No. 2032 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

Received from the House

HOUSE BILL NO. 2050
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE MAXWELL

A Bill for an Act to be Entitled: AN ACT TO AUTHORIZE A SETOFF AGAINST AN ARKANSAS INDIVIDUAL INCOME TAX REFUND FOR A TAX DEBT OWED BY AN ARKANSAS TAXPAYER TO THE INTERNAL REVENUE SERVICE; TO PROVIDE A PROCEDURE FOR A NONDEBTOR TAXPAYER TO CHALLENGE THE SETOFF OF A JOINT INCOME TAX REFUND; AND FOR OTHER PURPOSES.

House Bill No. 2050 was read the first time, rules suspended, read the second time and referred to the Committee on REVENUE & TAXATION.

Received from the House

HOUSE BILL NO. 2076
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE WEBB

A Bill for an Act to be Entitled: AN ACT TO AMEND THE NONPROFIT INCENTIVE ACT TO SPECIFY THAT THE NONPROFIT CORPORATION BE A (501)(c) ORGANIZATION; TO CHANGE THE PAYROLL THRESHOLD FOR QUALIFICATION; TO CHANGE THE INVESTMENT THRESHOLD FOR QUALIFICATION; AND FOR OTHER PURPOSES.

House Bill No. 2076 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. 2151
EIGHTY-SEVENTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE GREENBERG

A Bill for an Act to be Entitled: AN ACT TO ALLOW THE SERVING OF AN ALCOHOLIC BEVERAGE FOR USE IN A RELIGIOUS CEREMONY OR RITE; AND FOR OTHER PURPOSES.

House Bill No. 2151 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

SENATE BILLS TRANSMITTED TO THE HOUSE

AS PASSED

SENATE BILL NO. 138
SENATE BILL NO. 165
SENATE BILL NO. 243
SENATE BILL NO. 373
SENATE BILL NO. 493
SENATE BILL NO. 494
SENATE BILL NO. 516
SENATE BILL NO. 702
SENATE BILL NO. 801
SENATE BILL NO. 803
SENATE BILL NO. 810
SENATE BILL NO. 836
SENATE BILL NO. 872
SENATE BILL NO. 873
SENATE BILL NO. 934
SENATE BILL NO. 947
SENATE BILL NO. 975

HOUSE BILLS RETURNED TO THE HOUSE

AS PASSED

HOUSE BILL NO. 1392
HOUSE BILL NO. 1420
HOUSE BILL NO. 1478
HOUSE BILL NO. 1568
HOUSE BILL NO. 1569
HOUSE BILL NO. 1744
HOUSE BILL NO. 1831
HOUSE BILL NO. 1953
HOUSE BILL NO. 1957
HOUSE BILL NO. 1967

HOUSE BILLS RETURNED TO THE HOUSE

AS PASSED AS AMENDED

HOUSE BILL NO. 1451 AS AMENDED NOS. 1, 2 & 3
HOUSE BILL NO. 2112 AS AMENDED NO. 1

SENATE BILLS RETURNED FROM THE HOUSE

AS PASSED AND ORDERED ENROLLED

SENATE BILL NO. 67
SENATE BILL NO. 454
SENATE BILL NO. 467
SENATE BILL NO. 701
SENATE BILL NO. 771
SENATE BILL NO. 797
SENATE BILL NO. 843

SENATE BILL RETURNED FROM THE HOUSE

AS PASSED AS AMENDED

SENATE BILL NO. 38 AS AMENDED NO. 1

HOUSE BILLS TRANSMITTED TO THE SENATE

AS PASSED

HOUSE BILL NO. 1110

HOUSE BILL NO. 1256

HOUSE BILL NO. 1625

HOUSE BILL NO. 1694

HOUSE BILL NO. 1715

HOUSE BILL NO. 1867

HOUSE BILL NO. 1885

HOUSE BILL NO. 1902

HOUSE BILL NO. 1984

HOUSE BILL NO. 2007

HOUSE BILL NO. 2020

HOUSE BILL NO. 2032

HOUSE BILL NO. 2050

HOUSE BILL NO. 2076

HOUSE BILL NO. 2151

HOUSE CONCURRENT RESOLUTION TRANSMITTED

TO THE SENATE AS ADOPTED

HOUSE CONCURRENT RESOLUTION NO. 1018

SENATE CONCURRENT RESOLUTION TRANSMITTED
TO THE HOUSE AS ADOPTED

SENATE CONCURRENT RESOLUTION NO. 12

On motion of Senator Smith, the Senate adjourned until 1:30 p.m., Monday
March 23, 2009.

PRESIDENT OF THE SENATE

SECRETARY OF THE SENATE