

**THIRTIETH DAY'S PROCEEDINGS  
HALL OF THE HOUSE OF REPRESENTATIVES**

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Little Rock, Arkansas

February 8, 2011

The House was called to order at 1:30 p.m. by Representative Bobby J. Pierce, Speaker Pro Tem. The following members answered to the roll call:

Allen, Altes, Baird, Baker, Barnett, Bell, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carnine, Carter, Catlett, Cheatham, Clemmer, Collins, Collins-Smith, Cowling, Dale, Deffenbaugh, Dickinson, Edwards, Elliott, English, Eubanks, Fielding, Garner, Gaskill, Gillam, Hall, Hammer, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hutchinson, Hyde, Ingram, Jean, Kerr, King, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, McLean, D. Meeks, S. Meeks, Murdock, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Post, Powers, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Walker, Wardlaw, Webb, Westerman, B. Wilkins, H. Wilkins, Williams, Woods, Word, Wren, Wright, Mr. Speaker.

Total .....97

The following member(s) was absent and did not answer to the roll call: Johnston.

Total .....1

A quorum was present.

Unanimous leave was granted for Representative(s) Johnston.

The House stood and was led in prayer by Reverend Otis Davis, Pastor, First Baptist Church, Earle, Arkansas.

The House stood and gave the Pledge of Allegiance to the Flag.

The reading of the Journal of yesterday's proceedings was dispensed with.

COMMITTEE REPORT

EDUCATION  
HOUSE BILL NO. 1254  
BY REPRESENTATIVE WEBB

February 8, 2011  
EDDIE CHEATHAM  
CHAIRPERSON  
DO PASS

COMMITTEE REPORT

JUDICIARY  
HOUSE BILL NO. 1061  
BY REPRESENTATIVE SANDERS

February 8, 2011  
DARRIN WILLIAMS  
CHAIRPERSON  
DO PASS

COMMITTEE REPORT

PUBLIC HEALTH, WELFARE AND LABOR  
HOUSE BILL NO 1299  
BY REPRESENTATIVE LOVELL  
HOUSE BILL NO. 1301  
BY REPRESENTATIVE HYDE  
HOUSE BILL NO. 1317  
BY REPRESENTATIVE TYLER

February 8, 2011  
LINDA S. TYLER  
CHAIRPERSON  
DO PASS  
DO PASS  
DO PASS

COMMITTEE REPORT

PUBLIC TRANSPORTATION  
SENATE BILL NO. 154  
BY SENATOR J. TAYLOR

February 8, 2011  
JONATHAN BARNETT  
CHAIRPERSON  
DO PASS

COMMITTEE REPORT

	February 8, 2011
REVENUE AND TAXATION	DAVY CARTER
	CHAIRPERSON
HOUSE BILL NO. 1255	DO PASS
BY REPRESENTATIVE JEAN	

COMMITTEE REPORT

	February 8, 2011
JOINT BUDGET	KATHY WEBB
	CHAIRPERSON
HOUSE BILL NO. 1326	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1330	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1331	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1332	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1334	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1335	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1336	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1337	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1338	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1339	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1340	DO PASS
BY JOINT BUDGET COMMITTEE	

COMMITTEE REPORT, CONTINUED

## JOINT BUDGET

HOUSE BILL NO. 1341	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1342	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1343	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1344	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1345	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1346	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1349	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1350	DO PASS
BY JOINT BUDGET COMMITTEE	

Upon motion of Representative Carnine, **HOUSE BILL NO. 1296** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1296

Amend **HOUSE BILL NO. 1296** as originally introduced:

Page 2, line 2, delete "calendar year by June 30." and substitute "calendar year."

/s/ Les Carnine

The Amendment was read and adopted by more than 51 votes.

/s/ Mrs. Sherri Stacks

Chief Clerk

Upon motion of Representative Altes, **HOUSE BILL NO. 1051** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 2 TO HOUSE BILL NO. 1051**

Amend **HOUSE BILL NO. 1051** as engrossed,  
H2/2/11 (version: 02/02/2011 09:33:24 AM)

Page 2, line 26 delete "is" and substitute "it is"

/s/ Denny Altes

The Amendment was read and adopted by more than 51 votes.

/s/ Mrs. Sherri Stacks  
Chief Clerk

Upon motion of Representative Kerr, **HOUSE BILL NO. 1018** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 3 TO HOUSE BILL NO. 1018**

Amend **HOUSE BILL NO. 1018** as engrossed,  
H1/26/11 (version: 1/26/2011 09:33:06 AM)

Add Senators Rapert, B. Sample, J. Key as cosponsors of the bill  
AND

Page 1, line 33, delete "except for functions" and substitute "except for non-compensated functions"

AND

Page 2, line 6, delete "except for functions" and substitute "except for non-compensated functions"

AND

Page 2, delete lines 8 and 9, and substitute the following:

"(3) As used in this section, "terminate" does not mean:

(A) Taking a leave of absence;

(B) Performing job duties or services without remuneration; or

(C) Receiving or accruing additional employment related compensation, reimbursements, benefits, or other emoluments."

/s/ Allen Kerr

The Amendment was read and adopted by more than 51 votes.

/s/ Mrs. Sherri Stacks  
Chief Clerk

Upon motion of Representative Lenderman, **HOUSE BILL NO. 1303** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1303**

Amend **HOUSE BILL NO. 1303** as originally introduced:

Page 1, line 9, delete "COUNTY" and substitute "COUNTY; TO DECLARE AND EMERGENCY"

AND

Page 1, delete line 16 and substitute "COUNTY AND TO DECLARE AN EMERGENCY."

AND

Page 2, line 27, delete "(2)(A)" and substitute "(2)(A)"

AND

Page 2, delete line 32 and substitute the following:

~~"(ii) A quorum shall be sixteen (16) members.~~

SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that Independence County has made the decision to move to a different district fair; that the Northeast Arkansas District Fair needs to be able to ensure that its operations continue to run in an efficient manner; and that this act is immediately necessary because the Northeast Arkansas District Fair Board and executive board need to be able to make the necessary preparations

and advise the participants, vendors, and community of changes in a timely manner. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

- (1) The date of its approval by the Governor;
- (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or
- (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.

/s/ Homer Lenderman

The Amendment was read and adopted by more than 51 votes.

/s/ Mrs. Sherri Stacks  
Chief Clerk

Upon motion of Representative Carnine, **HOUSE BILL NO. 1147** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1147**

Amend **HOUSE BILL NO. 1147** as originally introduced:

Page 4, delete line 6 and substitute the following language:

"intentional nondisclosure, fraud, misrepresentation, or criminal act.

(d) The board or its designee may make adjustments to the employer, member, and system records beyond the look-back period if the board determines that the time limitation imposed by the look-back period will result in a manifest injustice in a specific case."

/s/ Les Carnine

The Amendment was read and adopted by more than 51 votes.

/s/ Mrs. Sherri Stacks  
Chief Clerk

Upon motion of Representative Moore, **SENATE BILL NO. 194** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO SENATE BILL NO. 194**

Amend **SENATE BILL NO. 194** as engrossed,

S2/2/11 (version: 02/02/2011 02:05:03 PM)

Add Representatives Allen, T. Baker, Barnett, Bell, Benedict, Biviano, T. Bradford, Branscum, Carnine, Carter, Catlett, Collins, Collins-Smith, Dale, Deffenbaugh, J. Dickinson, E. Elliott, English, Eubanks, Garner, Gillam, Hall, Hammer, Hickerson, Hobbs, D. Hutchinson, Ingram, Jean, Johnston, Kerr, Lampkin, Lenderman, Linck, Lovell, McCrary, McLean, S. Meeks, Murdock, Nickels, Pennartz, Perry, Powers, Rice, T. Rogers, Shepherd, Slinkard, G. Smith, Steel, Stewart, Stubblefield, Summers, T. Thompson, Vines, Wagner, Wardlaw, Webb, Westerman, H. Wilkins, Williams, Woods, Word, Wright, J. Brown, Gaskill, Harris, Hubbard, Lindsey, Love, S. Malone, Mauch, B. Overbey, Patterson, Post, Ratliff, T. Steele, Walker, B. Wilkins, Wren as cosponsors of the bill

/s/ Robert S. Moore, Jr.

The Amendment was read and adopted by more than 51 votes.

/s/ Mrs. Sherri Stacks  
Chief Clerk

The House gave Representative Linck unanimous leave to withdraw **HOUSE BILL NO. 1293**. Recommended committee study by PUBLIC HEALTH, WELFARE AND LABOR.

ENGROSSED BILL REPORTS

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DENNY ALTES, CHAIRPERSON

February 8, 2011

The following bill(s) reported correctly engrossed:

HOUSE BILL NO. 1018 – TITLE - BY REPRESENTATIVE KERR  
 HOUSE BILL NO. 1051 BY REPRESENTATIVE D. ALTES  
 HOUSE BILL NO. 1147 BY REPRESENTATIVE CARNINE  
 HOUSE BILL NO. 1296 BY REPRESENTATIVE CARNINE  
 HOUSE BILL NO. 1303 – TITLE – BY REPRESENTATIVE LENDERMAN  
 SENATE BILL NO. 194 – TITLE – BY SENATOR BOOKOUT (MOORE)

HOUSE BILL ENGROSSED AS TITLE AMENDED  
 HOUSE BILL NO. 1018

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BY: REPRESENTATIVES KERR, ENGLISH, SUMMERS, WESTERMAN, J. EDWARDS, DALE, LINCK, D. HUTCHINSON, HICKERSON, BAIRD, LINDSEY, MAYBERRY, NICKELS, J. ROEBUCK, WREN, CLEMMER, LEA, BENEDICT, HOBBS, HARRIS, S. MEEKS, D. MEEKS, LAMPKIN, CARNINE, EUBANKS, HYDE  
 BY: SENATORS J. HUTCHINSON, D. JOHNSON, *RAPERT, B. SAMPLE, J. KEY*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO DEFINE "TERMINATE" AS THAT TERM APPLIES TO ELIGIBILITY FOR RETIREMENT UNDER THE ARKANSAS PUBLIC EMPLOYEES' RETIREMENT SYSTEM; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED  
 HOUSE BILL NO. 1303

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BY: REPRESENTATIVES LENDERMAN, H. WILKINS, GASKILL, RATLIFF

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ESTABLISH THAT THE NORTHEAST ARKANSAS DISTRICT FAIR SHALL BE HELD IN CRAIGHEAD COUNTY; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

SENATE BILL ENGROSS TITLE AMENDED  
SENATE BILL NO. 194

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BY: SENATORS BOOKOUT, G. BAKER, R. THOMPSON, M. LAMOUREUX, MADISON, J. KEY, D. JOHNSON, D. WYATT, *BLED*SOE, *BURNETT*, *L. CHESTERFIELD*, *CRUMBLY*, *J. DISMANG*, *ELLIOTT*, *FILES*, *FLETCHER*, *S. FLOWERS*, *S. HARRELSON*, *HENDREN*, *HOLLAND*, *J. HUTCHINSON*, *IRVIN*, *G. JEFFRESS*, *J. JEFFRESS*, *LAVERTY*, *LUKER*, *P. MALONE*, *B. PRITCHARD*, *RAPERT*, *SALMON*, *B. SAMPLE*, *J. TAYLOR*, *TEAGUE*, *WHITAKER*, *E. WILLIAMS*  
BY: REPRESENTATIVES MOORE, CLEMMER, PIERCE, J. BURRIS, TYLER, BAIRD, J. EDWARDS, SANDERS, FIELDING, LEA, CHEATHAM, J. ROEBUCK, ALLEN, *T. BAKER*, *BARNETT*, *BELL*, *BENEDICT*, *BIVIANO*, *T. BRADFORD*, *BRANSCUM*, *CARNINE*, *CARTER*, *CATLETT*, *COLLINS*, *COLLINS-SMITH*, *DALE*, *DEFFENBAUGH*, *J. DICKERSON*, *E. ELLIOTT*, *ENGLISH*, *EUBANKS*, *GARNER*, *GILLAM*, *HALL*, *HAMMER*, *HICKERSON*, *HOBBS*, *D. HUTCHINSON*, *INGRAM*, *JEAN*, *JOHNSTON*, *KERR*, *LAMPKIN*, *LENDERMAN*, *LINCK*, *LOVELL*, *MCCRARY*, *MCLEAN*, *S. MEEKS*, *MURDOCK*, *NICKELS*, *PENNARTZ*, *PERRY*, *POWERS*, *RICE*, *T. ROGERS*, *SHEPHERD*, *SLINKARD*, *G. SMITH*, *STEEL*, *STEWART*, *STUBBLEFIELD*, *SUMMERS*, *T. THOMPSON*, *VINES*, *WAGNER*, *WARDLAW*, *WEBB*, *WESTERMAN*, *H. WILKINS*, *WILLIAMS*, *WOODS*, *WORD*, *WRIGHT*, *J. BROWN*, *GASKILL*, *HARRIS*, *HUBBARD*, *LINDSEY*, *LOVE*, *S. MALONE*, *MAUCH*, *B. OVERBEY*, *PATTERSON*, *POST*, *RATLIFF*, *T. STEELE*, *WALKER*, *B. WILKINS*, *WREN*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND SEVERAL PROVISIONS OF THE LAW CONCERNING MEMBERS OF THE GENERAL ASSEMBLY; AND FOR OTHER PURPOSES.

HOUSE RESOLUTION NO.1009

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BY: REPRESENTATIVE INGRAM

COMMENDING DR. TRENT P. PIERCE OF WEST MEMPHIS, ARKANSAS,  
FOR HIS SERVICE TO THE STATE OF ARKANSAS.

THE RESOLUTION WAS READ AND ADOPTED UNANIMOUSLY.

Morning Hour Expired.

HOUSE BILL NO. 1211

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BY: REPRESENTATIVE MAYBERRY

Was read the third time and placed on final passage, the question being shall the Bill pass. The vote was as follows:

AFFIRMATIVE: Allen, Altes, Baird, Baker, Barnett, Bell, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carnine, Carter, Catlett, Cheatham, Clemmer, Collins, Collins-Smith, Cowling, Dale, Deffenbaugh, Dickinson, Edwards, Elliott, English, Eubanks, Fielding, Garner, Gaskill, Gillam, Hall, Hammer, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hutchinson, Hyde, Ingram, Jean, Kerr, King, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, McLean, D. Meeks, S. Meeks, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Post, Powers, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Walker, Wardlaw, Webb, Westerman, B. Wilkins, H. Wilkins, Williams, Woods, Word, Wren, Wright.

Total .....	95
NEGATIVE:	
Total .....	0
ABSENT OR NOT VOTING: Johnston, Murdock, Mr. Speaker.	
Total .....	3
VOTING PRESENT:	
Total .....	0
Total number of votes cast .....	95
Total number voting in the affirmative.....	95
Necessary to the passage of the bill.....	51

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

Upon motion of Representative Mayberry the Clincher motion prevailed.

HOUSE BILL NO. 1117

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**BY: REPRESENTATIVE STEWART**

Was read the third time and placed on final passage, the question being shall the Bill pass and shall the Emergency Clause be adopted. The vote was as follows:

AFFIRMATIVE: Allen, Altes, Baird, Baker, Barnett, Bell, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carnine, Carter, Catlett, Cheatham, Clemmer, Collins, Collins-Smith, Cowling, Dale, Deffenbaugh, Dickinson, Edwards, Elliott, English, Eubanks, Fielding, Garner, Gaskill, Gillam, Hall, Hammer, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hutchinson, Hyde, Ingram, Jean, Kerr, King, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, McLean, D. Meeks, S. Meeks, Murdock, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Post, Powers, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Walker, Wardlaw, Webb, Westerman, B. Wilkins, H. Wilkins, Williams, Woods, Word, Wren, Wright.

Total .....	96
NEGATIVE:	
Total .....	0
ABSENT OR NOT VOTING: Johnston, Mr. Speaker.	
Total .....	2
VOTING PRESENT:	
Total .....	0
Total number of votes cast .....	96
Total number voting in the affirmative .....	96
Necessary to the passage of the bill .....	51

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1117**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

**EMERGENCY CLAUSE**

AFFIRMATIVE: Allen, Altes, Baird, Baker, Barnett, Bell, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carnine, Carter, Catlett, Cheatham, Clemmer, Collins, Collins-Smith, Cowling, Dale, Deffenbaugh, Dickinson, Edwards, Elliott, English, Eubanks, Fielding, Garner, Gaskill, Gillam, Hall, Hammer, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hutchinson, Hyde, Ingram, Jean, Kerr, King, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, McLean, D. Meeks, S. Meeks, Murdock, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Post, Powers, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Walker, Wardlaw, Webb, Westerman, B. Wilkins, H. Wilkins, Williams, Woods, Word, Wren, Wright.

Total .....96

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Johnston, Mr. Speaker.

Total .....2

VOTING PRESENT:

Total .....0

Total number of votes cast .....96

Total number voting in the affirmative .....96

Necessary to the adoption of the emergency clause.....67

So the Emergency Clause was adopted.

HOUSE BILL NO. 1223

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**BY: REPRESENTATIVE B. WILKINS**

Was read the third time and placed on final passage, the question being shall the Bill pass and shall the Emergency Clause be adopted. The vote was as follows:

**AFFIRMATIVE:** Allen, Altes, Baird, Baker, Barnett, Bell, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carnine, Carter, Catlett, Cheatham, Clemmer, Collins, Collins-Smith, Cowling, Dale, Deffenbaugh, Dickinson, Edwards, Elliott, English, Eubanks, Fielding, Garner, Gaskill, Gillam, Hall, Hammer, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hyde, Ingram, Jean, Kerr, King, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, McLean, D. Meeks, S. Meeks, Murdock, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Post, Powers, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Walker, Wardlaw, Webb, Westerman, B. Wilkins, H. Wilkins, Williams, Woods, Word, Wren, Wright.

Total .....95

**NEGATIVE:**

Total .....0

**ABSENT OR NOT VOTING:** Hutchinson, Johnston, Mr. Speaker.

Total .....3

**VOTING PRESENT:**

Total .....0

Total number of votes cast .....95

Total number voting in the affirmative .....95

Necessary to the passage of the bill .....51

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1223**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

**EMERGENCY CLAUSE**

AFFIRMATIVE: Allen, Altes, Baird, Baker, Barnett, Bell, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carnine, Carter, Catlett, Cheatham, Clemmer, Collins, Collins-Smith, Cowling, Dale, Deffenbaugh, Dickinson, Edwards, Elliott, English, Eubanks, Fielding, Garner, Gaskill, Gillam, Hall, Hammer, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hyde, Ingram, Jean, Kerr, King, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, McLean, D. Meeks, S. Meeks, Murdock, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Post, Powers, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Walker, Wardlaw, Webb, Westerman, B. Wilkins, H. Wilkins, Williams, Woods, Word, Wren, Wright.

Total .....95

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Hutchinson, Johnston, Mr. Speaker.

Total .....3

VOTING PRESENT:

Total .....0

Total number of votes cast .....95

Total number voting in the affirmative .....95

Necessary to the adoption of the emergency clause.....67

So the Emergency Clause was adopted.

SENATE BILL NO. 112

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**BY: SENATOR BLEDSOE**

Was read the third time and placed on final passage, the question being shall the Bill pass. The vote was as follows:

AFFIRMATIVE: Allen, Altes, Baird, Baker, Barnett, Bell, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carnine, Carter, Catlett, Cheatham, Clemmer, Collins, Collins-Smith, Cowling, Dale, Deffenbaugh, Dickinson, Edwards, Elliott, English, Eubanks, Fielding, Garner, Gaskill, Gillam, Hall, Hammer, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hyde, Ingram, Jean, Kerr, King, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, McLean, D. Meeks, S. Meeks, Murdock, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Post, Powers, Ratliff, Rice, Roebuck, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Walker, Wardlaw, Webb, Westerman, B. Wilkins, H. Wilkins, Williams, Woods, Word, Wren, Wright.

Total .....94

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Hutchinson, Johnston, Rogers, Mr. Speaker.

Total .....4

VOTING PRESENT:

Total .....0

Total number of votes cast .....94

Total number voting in the affirmative .....94

Necessary to the passage of the bill .....51

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

SENATE BILL NO. 55

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BY: SENATOR B. SAMPLE

Was read the third time and placed on final passage, the question being shall the Bill pass. The vote was as follows:

AFFIRMATIVE: Allen, Altes, Baird, Baker, Barnett, Benedict, Biviano, Bradford, Brown, Burris, Carnine, Carter, Catlett, Cheatham, Collins, Collins-Smith, Cowling, Dale, Deffenbaugh, Dickinson, Edwards, Elliott, Eubanks, Fielding, Garner, Gaskill, Gillam, Hall, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hyde, Ingram, Jean, Kerr, King, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, McLean, S. Meeks, Murdock, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Post, Powers, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Walker, Wardlaw, Webb, Westerman, B. Wilkins, H. Wilkins, Williams, Woods, Word, Wren, Wright.

Total .....89

NEGATIVE: Bell, Clemmer, English, Hammer, D. Meeks.

Total .....5

ABSENT OR NOT VOTING: Branscum, Hutchinson, Johnston, Mr. Speaker.

Total .....4

VOTING PRESENT:

Total .....0

Total number of votes cast .....94

Total number voting in the affirmative .....89

Necessary to the passage of the bill .....51

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

The Chair requested that **HOUSE BILL NO. 1306** be transferred from the Committee on AGRICULTURE, FORESTRY AND ECONOMIC DEVELOPMENT to Committee on CITY, COUNTY AND LOCAL AFFAIRS.

The Chair requested that **HOUSE BILL NO. 1352** be transferred from the Committee on PUBLIC HEALTH, WELFARE AND LABOR to the Committee on JUDICIARY.

#### HOUSE BILLS ORDERED TRANSMITTED TO THE SENATE AS PASSED

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HOUSE BILL NO. 1117	BY REPRESENTATIVE STEWART
HOUSE BILL NO. 1211	BY REPRESENTATIVE MAYBERRY
HOUSE BILL NO. 1223	BY REPRESENTATIVE B. WILKINS

#### SENATE BILLS ORDERED RETURNED TO THE SENATE AS PASSED

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SENATE BILL NO. 55	BY SENATOR B. SAMPLE
SENATE BILL NO. 112 AS AMENDED # 1	BY SENATOR BLEDSOE

#### ARKANSAS SENATE

#### SENATE BILLS RECEIVED FROM SENATE

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SENATE BILL NO. 119	BY SENATOR L. CHESTERFIELD
SENATE BILL NO. 160	BY SENATOR FILES
SENATE BILL NO. 183	BY SENATOR M. LAMOUREUX

ARKANSAS SENATE  
SENATE CONCURRENT RESOLUTIONS ADOPTED AND  
TRANSMITTED TO THE HOUSE

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SENATE CONCURRENT  
RESOLUTION NO. 3

BY SENATOR J. TAYLOR

ENROLLED AND DELIVERY TO GOVERNOR REPORTS

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Little Rock, Arkansas

February 8, 2011

MR. SPEAKER:

We, your committee on Enrolled Bills, to whom was referred the following:

HOUSE BILL NO. 1065	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1069	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1070	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1071	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1074	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1088	BY REPRESENTATIVE EDWARDS
HOUSE BILL NO. 1101	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1104	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1141	BY REPRESENTATIVE STEWART
HOUSE BILL NO. 1156	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1269	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1270	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1272	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1273	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1275	BY JOINT BUDGET COMMITTEE
HOUSE CONCURRENT RESOLUTION NO. 1003	BY REPRESENTATIVE MOORE, ET ALL

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 10:00 a.m. delivered them to the Governor for his approval.

Respectfully submitted,

/s/ Denny Altes,  
Chairperson

RECEIPT FROM THE GOVERNOR

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RECEIVED FROM THE HOUSE:

HOUSE BILL NO. 1065	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1069	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1070	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1071	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1074	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1088	BY REPRESENTATIVE EDWARDS
HOUSE BILL NO. 1101	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1104	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1141	BY REPRESENTATIVE STEWART
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HOUSE BILL NO. 1273	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1275	BY JOINT BUDGET COMMITTEE
HOUSE CONCURRENT RESOLUTION NO. 1003	BY REPRESENTATIVE MOORE, ET ALL

/s/ Mike Beebe - Governor

TIME: 10:00 a.m.

By: Sarah Agee

**STATE OF ARKANSAS**

MIKE BEEBE

GOVERNOR

February 7, 2011

TO THE SPEAKER OF THE HOUSE

Dear Mr. Speaker:

This is to inform you that on February 7, 2011, I approved the following measures from the Regular Session of the Eighty-eighth General Assembly:

HOUSE BILL NO. 1014 - ACT 12

HOUSE BILL NO. 1151 – ACT 13

HOUSE BILL NO. 1157 – ACT 14

HOUSE BILL NO. 1222 – ACT 15

Sincerely,

/s/ Mike Beebe

STATE CAPITOL, SUITE 250 • LITTLE ROCK, AR 72201  
TELEPHONE (501) 682-2345 • FAX (501) 682-1382  
INTERNET WEB SITE • [www.governor.arkansas.gov](http://www.governor.arkansas.gov)

HOUSE BILL NO. 1352

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BY: REPRESENTATIVE TYLER

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND THE CIVIL RIGHTS ACT OF 1993; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

HOUSE BILL NO. 1353

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BY: REPRESENTATIVES TYLER, KERR

BY: SENATOR BURNETT

A BILL FOR AN ACT TO BE ENTITLED AN ACT REGARDING THE FUNCTION, POWERS, AND DUTIES OF THE DEPARTMENT OF CORRECTION; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on STATE AGENCIES AND GOVERNMENTAL AFFAIRS.

HOUSE BILL NO. 1354

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BY: REPRESENTATIVE VINES

BY: SENATOR BURNETT

A BILL FOR AN ACT TO BE AN ACT TO CLARIFY THE REQUIREMENTS FOR AMENDING COVENANTS RESTRICTING THE USE OR DEVELOPMENT OF REAL PROPERTY; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on INSURANCE AND COMMERCE.

**HOUSE BILL NO. 1355**

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**BY: JOINT BUDGET COMMITTEE**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE NORTH ARKANSAS COLLEGE FOR THE FISCAL YEAR ENDING JUNE 30, 2012; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on JOINT BUDGET.

**HOUSE BILL NO. 1356**

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**BY: JOINT BUDGET COMMITTEE**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE NATIONAL PARK COMMUNITY COLLEGE FOR THE FISCAL YEAR ENDING JUNE 30, 2012; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on JOINT BUDGET.

**HOUSE BILL NO. 1357**

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**BY: JOINT BUDGET COMMITTEE**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE MID-SOUTH COMMUNITY COLLEGE FOR THE FISCAL YEAR ENDING JUNE 30, 2012; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on JOINT BUDGET.

HOUSE BILL NO. 1358

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BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE EAST ARKANSAS COMMUNITY COLLEGE FOR THE FISCAL YEAR ENDING JUNE 30, 2012; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on JOINT BUDGET.

HOUSE BILL NO. 1359

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BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE COSSATOT COMMUNITY COLLEGE OF THE UNIVERSITY OF ARKANSAS FOR THE FISCAL YEAR ENDING JUNE 30, 2012; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on JOINT BUDGET.

HOUSE BILL NO. 1360

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BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE BLACK RIVER TECHNICAL COLLEGE FOR THE FISCAL YEAR ENDING JUNE 30, 2012; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on JOINT BUDGET.

**HOUSE BILL NO. 1361**

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**BY: JOINT BUDGET COMMITTEE**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS NORTHEASTERN COLLEGE FOR THE FISCAL YEAR ENDING JUNE 30, 2012; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on JOINT BUDGET.

**HOUSE BILL NO. 1362**

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**BY: JOINT BUDGET COMMITTEE**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE OZARKA COLLEGE FOR THE FISCAL YEAR ENDING JUNE 30, 2012; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on JOINT BUDGET.

**HOUSE BILL NO. 1363**

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**BY: JOINT BUDGET COMMITTEE**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE PHILLIPS COMMUNITY COLLEGE OF THE UNIVERSITY OF ARKANSAS FOR THE FISCAL YEAR ENDING JUNE 30, 2012; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on JOINT BUDGET.

HOUSE BILL NO. 1364

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BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE NORTHWEST ARKANSAS COMMUNITY COLLEGE FOR THE FISCAL YEAR ENDING JUNE 30, 2012; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on JOINT BUDGET.

HOUSE BILL NO. 1365

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BY: REPRESENTATIVES H. WILKINS, ALLEN

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REQUIRE BACKSEAT PASSENGERS OF MOTOR VEHICLES TO COMPLY WITH THE CURRENT MANDATORY SEATBELT LAW; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on PUBLIC TRANSPORTATION.

HOUSE BILL NO. 1366

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BY: REPRESENTATIVE CHEATHAM

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CLARIFY PROVISIONS RELATED TO TEACHERS' SALARY SUPPLEMENTS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on EDUCATION.

HOUSE BILL NO. 1367

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BY: REPRESENTATIVE J. BROWN

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO INCREASE THE AMOUNT OF COMPENSATION OF DIRECTORS AND ASSESSORS OF LEVEE IMPROVEMENT DISTRICTS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on CITY, COUNTY AND LOCAL AFFAIRS.

HOUSE BILL NO. 1368

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BY: REPRESENTATIVE EUBANKS, BAIRD, BELL, BENEDICT, J. BURRIS, CATLETT, COLLINS, COLLINS-SMITH, DEFFENBAUGH, J. EDWARDS, E. ELLIOTT, GILLAM, HICKERSON, HOPPER, HUBBARD, D. HUTCHINSON, JOHNSTON, KING, LAMPKIN, LENDERMAN, LINCK, MAUCH, D. MEEKS, RICE, SHEPHERD, STEWART, STUBBLEFIELD, VINES, WARDLAW, WESTERMAN

A BILL FOR AN ACT TO BE ENTITLED AN ACT CONCERNING VISITATION RIGHTS WITH A MINOR CHILD FOR A PARENT LISTED ON THE SEX OFFENDER REGISTRY; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on AGING, CHILDREN AND YOUTH, LEGISLATIVE AND MILITARY AFFAIRS.

HOUSE JOINT RESOLUTION NO. 1004

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BY: REPRESENTATIVE NICKELS

PROPOSING AN AMENDMENT TO THE ARKANSAS CONSTITUTION TO REPEAL ANNUAL SESSIONS OF THE GENERAL ASSEMBLY AND PROVIDE THAT THE GENERAL ASSEMBLY SHALL MEET IN REGULAR SESSION ONE TIME EVERY TWO YEARS; TO REPEAL CONSTITUTIONAL PROVISIONS REGARDING FISCAL SESSIONS OF THE GENERAL ASSEMBLY; TO PROVIDE THAT APPROPRIATION BILLS ARE VALID FOR TWO YEARS; AND TO MAKE CONFORMING AMENDMENTS TO REFLECT THE CHANGES PROPOSED IN THIS AMENDMENT.

Was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES AND GOVERNMENTAL AFFAIRS.

HOUSE JOINT RESOLUTION NO. 1005

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BY: REPRESENTATIVE CLEMMER

TO AMEND THE CONSTITUTION TO REQUIRE THAT THIRTY-FIVE PERCENT (35%) OF THE TOTAL LOTTERY PROCEEDS SHALL BE USED TO FUND SCHOLARSHIPS.

Was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES AND GOVERNMENTAL AFFAIRS.

SENATE BILL NO. 119

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BY: SENATORS L. CHESTERFIELD, *BLEDSON*, *CRUMBLY*, *ELLIOTT*, *S. FLOWERS*, *J. HUTCHINSON*, *IRVIN*, *G. JEFFRESS*, *J. JEFFRESS*, *LAVERTY*, *LUKER*, *SALMON*, *E. WILLIAMS*, *D. WYATT*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CREATE THE COMMISSION ON THE STATUS OF WOMEN; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on AGING, CHILDREN AND YOUTH, LEGISLATIVE AND MILITARY AFFAIRS.

SENATE BILL NO. 160

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BY: SENATOR FILES

A BILL FOR AN ACT TO BE ENTITLED AN ACT CONCERNING THE WITHHOLDING OF AN ELECTED OFFICIAL'S SALARY AND BENEFITS UPON THE SUSPENSION OF A REQUIRED PROFESSIONAL LICENSE OR REGISTRATION; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY AND LOCAL AFFAIRS.

SENATE BILL NO. 183

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BY: SENATOR M. LAMOUREUX

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO INCREASE TITLE AND REPLACEMENT TITLE FEES TO FUND THE ARKANSAS STATE POLICE RETIREMENT SYSTEM OF THE DEPARTMENT OF ARKANSAS STATE POLICE; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE CONCURRENT RESOLUTION NO. 3

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BY: SENATOR J. TAYLOR

BY: REPRESENTATIVE T. BRADFORD

COMMENDING THE SUCCESSFUL ELIMINATION OF THE CHEMICAL WEAPONS STOCKPILE AT THE PINE BLUFF ARSENAL.

Was read the first time, rules suspended, read the second time and referred to the Committee on AGING, CHILDREN AND YOUTH, LEGISLATIVE AND MILITARY AFFAIRS.

Upon motion of Representative Fred Allen, the House adjourned at 4:38 p.m. until 9:00 a.m., Wednesday, February 9, 2011.

ATTEST:

\_\_\_\_\_  
Robert S. Moore, Jr.  
Speaker of the House of Representatives

\_\_\_\_\_  
Sherri Stacks  
Chief Clerk