

**SEVENTY-FOURTH DAY'S PROCEEDINGS
HALL OF THE HOUSE OF REPRESENTATIVES**

Little Rock, Arkansas
March 24, 2011

The House was called to order at 1:02 p.m. by Representative Bobby 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, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, Elliott, English, Eubanks, Fielding, Garner, Gaskill, Gillam, Hall, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hutchinson, Hyde, Ingram, Johnston, Kerr, King, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, 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.

Total96

The following member(s) was absent and did not answer to the roll call:
Hammer, Jean, McLean.

Total3

A quorum was present.

Unanimous leave was granted for Representative(s) Hammer, Jean, McLean.

The House stood and was led in prayer by Pastor Brian Broch, Central Presbyterian Church, Russellville, 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

	March 24, 2011
EDUCATION	EDDIE CHEATHAM
	CHAIRPERSON
HOUSE BILL NO. 1032	DO PASS
BY REPRESENTATIVE D. ALTES	
HOUSE BILL NO. 1592	DO PASS
BY REPRESENTATIVE STEWART	
HOUSE BILL NO. 1896	DO PASS
BY REPRESENTATIVE BRANSCUM	
HOUSE BILL NO. 1901	DO PASS
BY REPRESENTATIVE INGRAM	
HOUSE BILL NO. 2178	DO PASS
BY REPRESENTATIVE J. ROEBUCK	

COMMITTEE REPORT

	March 24, 2011
JUDICIARY	DARRIN WILLIAMS
	CHAIRPERSON
HOUSE BILL NO. 1606	DO PASS
BY REPRESENTATIVE LOVE	
HOUSE BILL NO. 1631	DO PASS
BY REPRESENTATIVE STEWART	CONCUR IN SENATE
	AMENDMENT #1
HOUSE BILL NO. 1701	DO PASS
BY REPRESENTATIVE SUMMERS	
HOUSE BILL NO. 1888	DO PASS
BY REPRESENTATIVE SLINKARD	CONCUR IN SENATE
	AMENDMENT #1
HOUSE BILL NO. 1958	DO PASS
BY REPRESENTATIVE KING	
HOUSE BILL NO. 2096	DO PASS
BY REPRESENTATIVE WILLIAMS	AS AMENDED #2
SENATE BILL NO. 245	DO PASS
BY SENATOR MADISON	

COMMITTEE REPORT, CONTINUED

JUDICIARY

SENATE BILL NO. 254	DO PASS
BY SENATOR MADISON	
SENATE BILL NO. 517	DO PASS
BY SENATOR MADISON	AS AMENDED #1
SENATE BILL NO. 628	DO PASS
BY SENATOR MADISON	
SENATE BILL NO. 703	DO PASS
BY SENATOR R. THOMPSON	
SENATE BILL NO. 707	DO PASS
BY SENATOR B. PRITCHARD	AS AMENDED #1
SENATE BILL NO. 887	DO PASS
BY SENATOR D. JOHNSON	
SENATE BILL NO. 1000	DO PASS
BY SENATOR J. KEY	

COMMITTEE REPORT

	March 24, 2011
PUBLIC HEALTH, WELFARE AND LABOR	LINDA TYLER
	CHAIRPERSON
HOUSE BILL NO. 1810	DO PASS
BY REPRESENTATIVE D. HUTCHINSON	CONCUR IN SENATE
	AMENDMENT #1
HOUSE BILL NO. 1855	DO PASS
BY REPRESENTATIVE B. WILKINS	
HOUSE BILL NO. 1985	DO PASS
BY REPRESENTATIVE BIVIANO	
HOUSE BILL NO. 2056	DO PASS
BY REPRESENTATIVE CLEMMER	
HOUSE BILL NO. 2127	DO PASS
BY REPRESENTATIVE CLEMMER	
SENATE BILL NO. 66	DO PASS
BY SENATOR J. JEFFRESS	

COMMITTEE REPORT

	March 24, 2011
PUBLIC TRANSPORTATION	JONATHAN BARNETT CHAIRPERSON
HOUSE BILL NO. 1775 BY REPRESENTATIVE CATLETT	DO PASS CONCUR IN SENATE AMENDMENT #1
HOUSE BILL NO. 1902 BY REPRESENTATIVE MOORE	DO PASS CONCUR IN SENATE AMENDMENT #1, #2
HOUSE BILL NO. 2196 BY REPRESENTATIVE GARNER	DO PASS
SENATE BILL NO. 255 BY SENATOR MADISON	DO PASS
SENATE BILL NO. 294 BY SENATOR P. MALONE	DO PASS
SENATE BILL NO. 784 BY SENATOR J. KEY	DO PASS
SENATE BILL NO. 848 BY SENATOR TEAGUE	DO PASS

COMMITTEE REPORT

	March 24, 2011
REVENUE AND TAXATION	DAVY CARTER CHAIRPERSON
HOUSE BILL NO. 1760 BY REPRESENTATIVE SUMMERS	DO PASS
HOUSE BILL NO. 2103 BY REPRESENTATIVE KING	DO PASS AS AMENDED #2
SENATE BILL NO. 351 BY SENATOR FILES	DO PASS
SENATE BILL NO. 377 BY SENATOR FILES	DO PASS
SENATE BILL NO. 569 BY SENATOR B. SAMPLE	DO PASS

COMMITTEE REPORT, CONTINUED

REVENUE AND TAXATION

SENATE BILL NO. 594	DO PASS
BY SENATOR J. DISMANG	
SENATE BILL NO. 595	DO PASS
BY SENATOR J. DISMANG	
SENATE BILL NO. 597	DO PASS
BY SENATOR J. DISMANG	

COMMITTEE REPORT

March 24, 2011

RULES

KEITH INGRAM
CHAIRPERSON

HOUSE BILL NO. 2046	DO PASS
BY REPRESENTATIVE GARNER	
HOUSE BILL NO. 2111	DO PASS
BY REPRESENTATIVE J. EDWARDS	AS AMENDED #2
HOUSE BILL NO. 2122	DO PASS
BY REPRESENTATIVE POST	AS AMENDED #2
HOUSE BILL NO. 2135	DO PASS
BY REPRESENTATIVE PIERCE	AS AMENDED #2
HOUSE BILL NO. 2173	DO PASS
BY REPRESENTATIVE D. ALTES	AS AMENDED #1
SENATE BILL NO. 772	DO PASS
BY SENATOR FILES	
SENATE BILL NO. 917	DO PASS
BY SENATOR WILLIAMS	

COMMITTEE REPORT

JOINT BUDGET	March 24, 2011
	KATHY WEBB
	CHAIRPERSON
SENATE BILL NO. 903	DO PASS
BY SENATOR P. MALONE	

COMMITTEE REPORT

JOINT COMMITTEE ON ENERGY	March 24, 2011
	TIFFANY ROGERS
	CHAIRPERSON
SENATE BILL NO. 816	DO PASS
BY SENATOR J. JEFFRESS	
SENATE BILL NO. 823	DO PASS
BY SENATOR J. JEFFRESS	

Upon motion of Representative McLean, **HOUSE BILL NO. 1995** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1995

Amend **HOUSE BILL NO. 1995** as engrossed,
H3/15/11 (version: 3/15/2011 01:39:10 PM)

Page 1, delete lines 33-36 and substitute the following:

"SECTION 2. Arkansas Code § 6-18-220(a)(4), concerning excused absences for participation in FFA, FHA, and 4-H programs, is amended to read as follows:

(4) One method of encouraging participation in such programs is to ~~excuse the grant additional absences of students from regular classes when the students are participating~~ to students who participate in officially sanctioned activities of those organizations.

SECTION 3. Arkansas Code § 6-18-220(c), concerning excused absences for participation in FFA, FHA, and 4-H programs, is amended to read as follows:

(c) Any school district that ~~excuses~~ grants additional absences of FFA member students who attend officially sanctioned FFA activities shall afford equal treatment to FHA and 4-H member students who attend the same or similar officially sanctioned activities.

SECTION 4. Arkansas Code § 6-18-222(a)(2) - (5)(A), concerning the penalty for excessive unexcused absences, are amended to read as follows:

(2) The State Board of ~~Workforce Education and Career Opportunities~~ Career Education shall adopt a student attendance policy for sixteen-year-olds and seventeen-year-olds enrolled in an adult education program. The policy shall require a minimum attendance of ten (10) hours per week to remain in the program.

(3) A copy of the school district's student attendance policy or the ~~board's~~ State Board of Career Education's student attendance policy for sixteen-year-olds and seventeen-year-olds enrolled in adult education shall be provided to the ~~students' parents, guardians, or persons~~ parent, guardian, or person in loco parentis of each student enrolled in an adult education program at the beginning of the school year or upon enrollment, whichever event first occurs.

(4)(A)(i) A student's ~~parents, guardians, or persons~~ parent, guardian, or person in loco parentis and the community truancy board, if the community truancy board has been created, shall be notified when the student has accumulated excessive ~~unexcused~~ absences equal to one-half (½) the total number of absences

permitted per semester under the school district's or the ~~board's~~ State Board of Career Education's student attendance policy.

(ii) Notice shall be by telephonic contact with the student's ~~parents, guardians, or persons~~ parent, guardian, or person in loco parentis by the end of the school day in which the absence occurred or by regular mail with a return address on the envelope sent no later than the following school day.

(iii) Notice to the community truancy board, if the community truancy board has been created, shall be by letter to the chair of the community truancy board.

(B) ~~The~~ If a community truancy board has been created, the community truancy board shall schedule a conference with the ~~parents, guardians, or persons~~ parent, guardian, or person in loco parentis to establish a plan to take steps to eliminate or reduce the student's ~~unexcused~~ absences.

(C) If the community truancy board has scheduled a conference and the student's ~~parents, guardians, or persons~~ parent, guardian, or person in loco parentis ~~de~~ does not attend the ~~scheduled~~ conference, the conference may be conducted with the student and a school official. However, the parent, guardian or person in loco parentis shall be notified of the steps to be taken to eliminate or reduce the ~~child's absence~~ student's absences.

(D)(i) Before a student accumulates the maximum number of absences allowed in a school district's student attendance policy, the student or the student's parent, guardian, or person in loco parentis may petition the school administration or school district administration for special arrangements to address the student's absences.

(ii) If special arrangements are granted by the school administration or the school district administration, the arrangements will be formalized into a written agreement to include the conditions of the agreement and the consequences for failing to fulfill the requirements of the agreement.

(iii) The agreement shall be signed by the:

(a) Designee of the school administration or of the school district administration;

(b) Student's parent, guardian, or person in loco parentis; and

(c) Student.

(5)(A) ~~Whenever~~ When a student exceeds the number of excessive ~~unexcused~~ absences provided for in the district's or the ~~board's~~ State Board of Career Education's student attendance policy, or when a student has violated the conditions of an agreement granting special arrangements under subdivision

(a)(4)(D) of this section, the school district or the adult education program shall notify the prosecuting authority and the community truancy board, if a community truancy board has been created, and the student's ~~parents, guardians, or persons~~ parent, guardian, or person in loco parentis shall be subject to a civil penalty through a family in need of services action in circuit court, as authorized under subdivision (a)(6)(A) of this section, but not to exceed five hundred dollars (\$500) plus costs of court and any reasonable fees assessed by the court.

SECTION 5. Arkansas Code § 6-27-113 is amended to read as follows:

6-27-113. Absence due to military deployment.

A student shall be granted additional ~~excused~~ absences at the discretion of the local educational agency superintendent to visit with his or her parent or legal guardian if the parent or legal guardian is a member of the uniformed services and has:

- (1) Been called to active duty or is on leave from active duty; or
- (2) Returned from deployment to a combat zone or combat support posting.

SECTION 6. Arkansas Code § 7-4-116(c)(1)(A), concerning the election poll workers program for high school students, is amended to read as follows:

(A) Be ~~excused~~ granted an additional absence from school while working as an election page;

SECTION 7. Arkansas Code § 7-4-116(d)(1)(D), concerning the election poll workers program for high school students, is amended to read as follows:

(D) Be ~~excused~~ granted an additional absence from school while working as an election official."

AND

Page 2, delete lines 1-28

/s/ James McLean

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

/s/ Mrs. Sherri Stacks
Chief Clerk

Upon motion of Representative Hobbs, **HOUSE BILL NO. 2085** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 2085

Amend **HOUSE BILL NO. 2085** as engrossed,
H3/22/11 (version: 03/22/2011 10:49:37 AM)

Page 3, delete line 4, and substitute the following:

"state-chartered or federally chartered savings and loan association, state-chartered or federally chartered credit union, or a mortgage loan company"

AND

Page 3, line 6, delete "entity," and substitute "enterprise,"

AND

Page 3, line 7, delete "Commissioner" and substitute "Commissioner,"

AND

Page 3, delete line 10 and substitute the following:

"chartered or federally chartered savings and loan association, state-chartered or federally chartered credit union, or mortgage loan company:"

AND

Page 3, line 13, delete "loan servicer" and substitute "mortgage loan servicer"

/s/ Debra Hobbs

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

/s/ Mrs. Sherri Stacks
Chief Clerk

Upon motion of Representative Vines, **HOUSE BILL NO. 2033** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 2033

Amend **HOUSE BILL NO. 2033** as engrossed,
H3/17/11 (version: 3/17/2011 11:35:34 AM)

Page 1, line 24, delete "video, wireless, or" and substitute "video, or wireless"

AND

Page 1, delete lines 28 and 29 and substitute the following:

"distribution system may provide, directly or indirectly, voice, data, broadband, video, or wireless telecommunications service, and make any telecommunications capacity or associated facilities that it now owns, or may hereafter construct or acquire, available to the"

AND

Page 2, line 5, delete "video, wireless, or" and substitute "video, or wireless"

/s/ John T. Vines

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

/s/ Mrs. Sherri Stacks

Chief Clerk

Upon motion of Representative English, **HOUSE BILL NO. 2109** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2109

Amend **HOUSE BILL NO. 2109** as originally introduced:

Page 1, delete lines 10-11 and substitute the following:

"EIGHTEEN YEARS OF AGE AND ENROLLED IN AN ADULT EDUCATION PROGRAM UNDER THE DIRECTION OF"

AND

Delete the subtitle in its entirety and substitute:

"TO PROVIDE FUNDING TO THE DEPARTMENT OF CAREER EDUCATION FOR STUDENTS WHO ARE SIXTEEN, SEVENTEEN, OR EIGHTEEN YEARS OF AGE AND ENROLLED IN AN ADULT EDUCATION PROGRAM UNDER THE DIRECTION OF THE DEPARTMENT."

AND

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code Title 6, Chapter 20, Subchapter 1, is amended to add an additional section to read as follows:

6-20-108. Funding for students enrolled in an adult education program.

(a) On July 1, 2012, and annually thereafter on July 1, the Department of Education shall transfer to the Department of Career Education from the Public School Fund an amount equal to one thousand six hundred dollars (\$1,600) for each student:

(1) Who by January 31 of the preceding school year enrolled in an adult education program under § 6-18-201(b); and

(2) For whom the school district has signed the waiver required under § 6-18-201(b).

(b) A student who is counted for funding under this section also shall be counted in the school district's average daily membership through the fourth quarter of the school year.

(c) A student who enrolls in an adult education program on or after February 1 shall not be counted in that school year either:

(1) For the school district's third quarter average daily membership from the date after the student enrolls in the adult education program; or

(2) For the funding under this section.

(d) In a school year that a student is released from the adult education program and reenrolls in public school:

(1) The school district shall count the student in its average daily membership based on the date the student reenrolls; and

(2) The Department of Career Education shall not count the student for funding under this section.

(e) The Department of Career Education shall use the funding provided for under this section to support the adult education programs of the Department of Career Education.

(f) The per-student funding amount under this section shall be increased or decreased at the same proportional rate as the per-student foundation funding amount under § 6-20-2305."

/s/ Jane English

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

/s/ Mrs. Sherri Stacks
Chief Clerk

Upon motion of Representative Sanders, **HOUSE BILL NO. 2204** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2204

Amend **HOUSE BILL NO. 2204** as originally introduced:

Page 1, delete lines 23 through 25, and substitute the following:

"SECTION 1. Arkansas Code § 18-44-115(a)(4), concerning the consequences of a residential contractor's failure to give the owner of real property notice of a potential lien, is amended to read as follows:

(4) If a residential contractor fails to give the notice required under this subsection, then the residential contractor is barred from bringing an action either at law or in equity, including without limitation quantum meruit, to enforce any provision of a residential contract unless the residential contractor has substantially complied with the notice requirements of this subsection."

/s/ David Sanders

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

/s/ Mrs. Sherri Stacks
Chief Clerk

Upon motion of Representative Leding, **HOUSE BILL NO. 1881** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1881

Amend **HOUSE BILL NO. 1881** as originally introduced:

Page 2, delete line 7 and substitute the following:

"payday for the pay period worked."

AND

Page 2, delete line 16 and substitute the following:

"regularly scheduled payday for the pay period worked after the employee leaves employment."

AND

Page 2, delete line 26 and substitute the following:

"(2) A collective bargaining agreement or a state law or written policy of the State of Arkansas and any political subdivision of the state."

AND

Page 2, delete line 34 and substitute the following:

"(2) A collective bargaining agreement or a state law or written policy of the State of Arkansas and any political subdivision of the state."

/s/ Greg Leding

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

/s/ Mrs. Sherri Stacks
Chief Clerk

Upon motion of Representative Moore, **HOUSE BILL NO. 1913** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1913

Amend **HOUSE BILL NO. 1913** as originally introduced:

Page 1, line 24 delete "~~Pilet~~" and substitute "Pilot"

AND

Page 1, line 29, delete "developing" and substitute "~~developing~~ continuing"

AND

Page 1, line 30, delete "~~Pilet~~" and substitute "Pilot"

AND

Page 1, line 36, delete "created" and substitute "~~created~~ continued"

AND

Page 2, line 1, delete "~~Pilet~~" and substitute "Pilot"

AND

Page 2, delete SECTION 4 in its entirety

AND

Page 2, line 27, delete "~~Pilet~~" and substitute "Pilot"

AND

Page 2, line 29, delete "created" and substitute "~~created~~ continued"

AND

Page 2, line 30, delete "~~Pilet~~" and substitute "Pilot"

AND

Page 4, delete lines 1 and 2 and substitute:

"available an amount not to exceed one million dollars (\$1,000,000) for fiscal year ~~2009-2010 and one million dollars (\$1,000,000) for fiscal year 2010-2011~~ 2011-2012 for the"

AND

Page 4, line 3, delete "~~Pilet~~" and substitute "Pilot"

AND

Page 4, delete lines 15 - 19 and substitute:

"(4) Future funding for the program is subject to the review under subdivisions (b)(2) and (3) of this section and shall be determined by and distributed from the availability of royalties from oil and gas leases in the Fayetteville Shale that the commission receives or from money from other sources."

AND

Page 4, line 26, delete "~~Pilet~~" and substitute "Pilot"

AND

Page 4, line 35, delete "~~Pilet~~" and substitute "Pilot"

AND

Page 5, line 9, delete "~~Pilet~~" and substitute "Pilot"

AND

Page 5, line 12, delete "~~pilet~~" and substitute "pilot"

AND

Delete SECTION 8 in its entirety

AND

Delete SECTION 9 in its entirety

AND

Delete SECTION 10 in its entirety

AND

Page 6, delete line 33 and 34 and substitute:

"to make available an amount not to exceed ~~one million dollars (\$1,000,000)~~ five hundred thousand dollars (\$500,000) for the fiscal ~~biennium~~ year beginning July 1, ~~2009~~ 2011, and ending June 30, ~~2011~~ 2012, for the Wildlife"

AND

Page 6, line 35, delete "~~Pilet~~" and substitute "Pilot"

AND

Page 7, delete lines 11 - 15 and substitute:

"(4) Future funding for the program is subject to the review under subdivisions (b)(2) and (3) of this section and shall be determined by and distributed from the availability of royalties from oil and gas leases in the Fayetteville Shale that the commission receives or from other sources that are not from the commission."

AND

Delete SECTION 12 in its entirety

AND

Appropriately renumber the sections 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

Upon motion of Representative Ingram, **HOUSE BILL NO. 1743** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1743

Amend **HOUSE BILL NO. 1743** as originally introduced:

Add Representative Perry as a cosponsor of the bill

AND

Page 1, line 26, delete "Athletic training" and substitute "Health and safety"

AND

Page 1, line 27, delete "adopt a policy concerning athletic training" and substitute "develop procedures concerning student physical activity"

AND

Page 1, line 28, delete "training"

AND

Page 1, line 30, delete "activities:" and substitute "physical activities:"

AND

Page 3, line 28, delete "Policies" and substitute "Procedures"

/s/ Keith Ingram

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

/s/ Mrs. Sherri Stacks

Chief Clerk

Upon motion of Representative Baker, **HOUSE BILL NO. 1928** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1928

Amend **HOUSE BILL NO. 1928** as originally introduced:

Page 2, delete lines 15 through 27 and substitute the following:

"(B) The county clerk shall print the designated bearer's name and address beside the voter's name on a register; ~~and~~

(C) The designated bearer shall sign the register under oath indicating delivery of the voter's absentee ballot; and

(D) The county clerk shall not accept an absentee ballot from a designated bearer who does not sign the register under oath.

(7) When providing an absentee ballot to a designated bearer or receiving an absentee ballot from a designated bearer, the county clerk shall provide to the designated bearer a written notice informing the designated bearer that:

(A) A designated bearer may obtain ballots for no more than two (2) voters;

(B) A designated bearer shall at no time have more than two (2) ballots in his or her possession;

(C) A designated bearer may deliver ballots to the county clerk for no more than two (2) voters; and

(D) Possession of an absentee ballot with the intent to defraud a voter or an election official is a felony under § 7-1-104."

/s/ Tommy Baker

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

/s/ Mrs. Sherri Stacks
Chief Clerk

Upon motion of Representative Word, **HOUSE BILL NO. 2171** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2171

Amend **HOUSE BILL NO. 2171** as originally introduced:

Page 1, delete lines 8 - 10 and substitute:

"TO CREATE THE NON-LEGISLATIVE COMMISSION ON THE STUDY OF LANDLORD-TENANT LAWS; AND FOR OTHER PURPOSES."

AND

Delete the subtitle in its entirety and substitute:

"TO CREATE THE NON-LEGISLATIVE COMMISSION ON THE STUDY OF LANDLORD-TENANT LAWS."

AND

Page 1, delete lines 21 and 22 and substitute:

"SECTION 1. DO NOT CODIFY. Non-Legislative Commission on the Study of Landlord-Tenant Laws

(a) The Non-Legislative Commission on the Study of Landlord-Tenant Laws is created.

(b) The commission shall consist of the following non-legislative members:

(1) One (1) member appointed by the Governor;

(2) One (1) member appointed by the President Pro Tempore of the

Senate;

(3) One (1) member appointed by the Speaker of the House of Representatives;

(4) The Dean of the University of Arkansas at Little Rock William H. Bowen School of Law or his or her designee; and

(5) The Dean of the University of Arkansas at Fayetteville School of Law or his or her designee.

(c) A vacancy on the commission shall be filled by the appointing authority for the unexpired portion of the term in which it occurs.

(d)(1) The Governor shall designate his or her appointee to the commission to:

(A) Call the first meeting of the commission; and

(B) Serve as chair.

(2) At the first meeting, the members of the commission shall elect from its membership a vice chair.

(3) The commission shall conduct its meetings in Pulaski County at the State Capitol or via teleconference or web conference as technology becomes available and as desired to allow for scheduling flexibility for its members.

(4) The commission shall meet at least quarterly or as decided upon by the commission.

(e) A majority of the members of the commission shall constitute a quorum for transacting business of the commission.

(f) All state agencies shall furnish to the commission and its staff any information and assistance the commission or its staff may reasonably request.

(g) The members of the commission shall not be entitled to compensation for their services or expense reimbursement.

(h) The commission shall study, review, and report on the landlord-tenant laws in Arkansas and other states.

(i) The commission shall report by December 31, 2012, to the Governor, the President Pro Tempore of the Senate, and the Speaker of the House of Representatives the results of its findings and activities and any of its recommendations."

/s/ James L. Word

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

/s/ Mrs. Sherri Stacks

Chief Clerk

Upon motion of Representative Allen, **HOUSE BILL NO. 2138** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 2138

Amend **HOUSE BILL NO. 2138** as engrossed,
H3/21/11 (version: 03/21/2011 12:55:43 PM)

Page 20, line 13, delete "Purpose and intent." and substitute "Purpose."

AND

Page 41, delete line 12, and substitute the following:

"execution of powers and duties of the exchange.

SECTION 8. LEGISLATIVE CONSTRUCTION AND INTENT.

(a) The General Assembly declares that:

(1) This act is not to be construed as either resisting or supporting the Patient Protection and Affordable Care Act, Pub. L. No. 111-148, as amended by the Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111-152; and

(2) The sole intent of this act is to maintain the current localized regulation of health insurance in the State of Arkansas.

(b) If any provision of the Patient Protection and Affordable Care Act, Pub. L. No. 111-148, as amended by the Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111-152, is held to be unconstitutional in a final, nonappealable order or is repealed by the United States Congress, any part of this act affected by the unconstitutional or repealed provision shall be null and void."

/s/ Fred Allen

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

/s/ Mrs. Sherri Stacks
Chief Clerk

Upon motion of Representative Hyde, **HOUSE BILL NO. 2143** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2143

Amend **HOUSE BILL NO. 2143** as originally introduced:

Delete the title in its entirety and substitute:

"AN ACT TO AUTHORIZE THE INSURANCE COMMISSIONER TO ENTER INTO AGREEMENTS WITH OTHER JURISDICTIONS TO AID IN THE ADMINISTRATION OF TAXES ON SURPLUS LINES INSURERS; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES."

AND

Delete the subtitle in its entirety and substitute:

"TO AUTHORIZE THE INSURANCE COMMISSIONER TO ENTER INTO AGREEMENTS WITH OTHER JURISDICTIONS TO AID IN THE ADMINISTRATION OF TAXES ON SURPLUS LINES INSURERS AND TO DECLARE AN EMERGENCY."

AND

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 23-65-103 is amended to read as follows:

23-65-103. Report and tax of independently procured coverages.

(a)(1) ~~Every~~ An insured or self-insured whose home state is this state who ~~in this state~~ directly procures, causes to be procured, ~~or~~ continues, or renews insurance in an unauthorized insurer, ~~upon a subject of insurance resident, located, or to be performed within this state,~~ including surplus line lines insurance when procured without use of a surplus lines broker pursuant to ~~the surplus lines law~~ the insurance laws of this state, within thirty (30) days after the date the insurance was ~~so~~ procured, continued, or renewed, shall file a written report with the Insurance Commissioner on forms designated by the commissioner and furnished to the insured upon request.

(2) The report shall show:

- (A) The name and address of each named insured;
- (B) The name and address of the insurer;
- (C) The subject of the insurance;
- (D) A general description of the coverage;
- (E) The amount of premium currently charged; and
- (F) Such additional pertinent information as is reasonably requested by the commissioner.

(3) If any the insurance also covers subjects of insurance resident, located, or to be performed outside this state, a proper pro rata portion of the entire premium payable for ~~all~~ the insurance shall be allocated as to the subjects of insurance resident, located, or to be performed in this state, for the purposes of this section.

(b) ~~Any insurance~~ Insurance in an unauthorized insurer procured through negotiations or an application, in whole or in part, occurring or made within ~~or from~~ ~~within~~ this state, or for which premiums, ~~in whole or in part,~~ are remitted directly or indirectly from within this state, ~~shall be deemed to be~~ is insurance procured, ~~or~~ continued, or renewed in this state within the intent of subsection (a) of this section.

(c)(1) For the general support of the government of this state there is levied upon the obligation, chose in action, ~~or~~ right represented by the premium charged, ~~or~~ payable for the insurance a tax at the rate of two percent (2%) of the net direct amount of the premium.

(2) The insured shall withhold the amount of the tax from the amount of premium charged by and otherwise payable to the insurer for the insurance, and within thirty (30) days after the insurance was so procured, continued, or renewed, and coincidentally with the filing of the report with the commissioner ~~of the report~~ ~~provided for in~~ required by subsection (a) of this section, the insured shall pay the amount of the tax to the Treasurer of State through the commissioner.

(d) If the insured fails to withhold from the premium the amount of tax levied ~~pursuant to~~ under this section, the insured ~~shall be~~ is liable for the amount thereof and shall pay the amount to the commissioner within the time stated in subsection (c) of this section.

(e) ~~The~~ If the tax imposed ~~pursuant to~~ under this section if is delinquent, it shall bear interest at the rate of six percent (6%) per annum, compounded annually.

(f) The tax ~~shall be~~ is collectible from the insured by civil action brought by the commissioner.

(g) This section does not abrogate or modify and shall not be construed or deemed to abrogate or modify ~~any provision of § 23-65-101, which is unauthorized insurance transactions prohibited, or § 23-65-102, which is suits by unauthorized insurers prohibited,~~ or any other provision of the ~~Arkansas Insurance Code~~ insurance laws of this state.

(h) This section does not apply to life or accident and health insurance.

(i)(1) The tax specified in subsection (c) of this section ~~shall not be~~ is not due and payable to this state ~~in the event~~ if the unlicensed or unauthorized insurer reports and pays premium tax to this state ~~pursuant to~~ under § 26-57-603 et seq., or other applicable premium tax laws for these independently procured coverages.

(2) Upon receipt of a duplicate payment of tax from the insured and the unlicensed or unauthorized insurer, this state shall refund to the insured the amount of the duplicate payment.

SECTION 2. Arkansas Code Title 23, Chapter 65, Subchapter 3 is amended to read as follows:

23-65-301. Title.

This subchapter ~~constitutes~~ shall be known and may be referred to cited as the "Surplus Lines Insurance Law".

23-65-302. Exceptions.

~~The provisions of this~~ This subchapter ~~controlling the placing of insurance with unauthorized insurers~~ shall not apply to reinsurance or to the following insurances when so placed by licensed agents or brokers of this state:

(1) Wet marine and foreign trade insurance;

(2) Insurance on subjects that are:

(A) ~~located~~ Located, resident, or to be performed ~~wholly~~ outside of this state; or

(B) ~~on~~ On vehicles or aircraft ~~owned and~~ principally garaged outside this state;

(3) Insurance on property or operation of railroads engaged in interstate commerce; and

(4) Insurance of aircraft:

(A) ~~owned~~ Owned or operated by manufacturers of aircraft;

(B) ~~or aircraft operated~~ Operated in scheduled interstate flight;

(C) ~~or cargo of the aircraft,~~ Cargo; or

(D) ~~against~~ Against liability, other than workers' compensation and employer's liability, arising out of the ownership, maintenance, or use of the aircraft.

23-65-303. Insurer not admitted.

(a) The permission granted in this law to place any insurance in a nonadmitted insurer shall not be deemed or construed to authorize that insurer to otherwise transact an insurance business in this state. Further, this limited permission shall not be deemed or construed so as to exempt nonadmitted insurers from the principles of the common law of insurance or from the same statutory and common law penalties ~~which~~ that may attach in favor of insureds in the event of disputes or litigation between insureds and admitted insurers.

(b) A contract of insurance carried out by an unauthorized insurer in violation of this subchapter is voidable at the instance of the insurer.

23-65-304. ~~Contracts effectuated by unauthorized insurer voidable~~
Definitions.

~~A contract of insurance effectuated by an unauthorized insurer in violation of the provisions of this subchapter shall be voidable except at the instance of the insurer.~~ As used in this subchapter:

(1) "Affiliated group" means a group of entities in which each entity, with respect to an insured, controls, is controlled by, or is under common control with the insured;

(2) "Alien insurer" means an insurance company incorporated or formed under the laws of a country other than the United States;

(3) "Authorized insurer" means an insurance company qualified and licensed to transact business under Arkansas Code Title 23, Subtitle 3;

(4) "Control" means:

(A) To own, control, or have the power of an entity directly, indirectly, or acting through one (1) or more other persons to vote twenty-five percent (25%) or more of any class of voting securities of another entity; or

(B) To direct, by an entity, in any manner, the election of a majority of the directors or trustees of another entity;

(5)(A) "Exempt commercial purchaser" means a person purchasing commercial insurance that, at the time of placement, meets the following requirements:

(i)(a) The person employs or retains a qualified risk manager to negotiate insurance coverage.

(b) A qualified risk manager with respect to a policyholder of commercial insurance means a person who meets the definition of qualified risk manager in section 527 of the Nonadmitted and Reinsurance Reform Act of 2010, Pub. L. No. 111-203;

(ii) The person has paid aggregate nationwide commercial property and casualty insurance premiums in excess of one hundred thousand dollars (\$100,000) in the immediately preceding twelve (12) months; and

(iii) The person meets at least one (1) of the following criteria:

(a) The person possesses a net worth in excess of twenty million dollars (\$20,000,000), as the amount is adjusted under subdivision (5)(B) of this section;

(b) The person generates annual revenue in excess of fifty million dollars (\$50,000,000), as the amount is adjusted under subdivision (5)(B) of this section;

(c) The person employs more than five hundred (500) full-time or full-time equivalent employees per individual insured or is a member of an affiliated group employing more than one thousand (1,000) employees in the aggregate;

(d) The person is a not-for-profit organization or public entity generating annual budgeted expenditures of at least thirty million dollars (\$30,000,000), as the amount is adjusted under subdivision (5)(B) of this section; or

(e) The person is a municipal corporation with a population in excess of fifty thousand (50,000) inhabitants.

(B) Beginning on January 1, 2015, and one (1) time every five (5) years thereafter, the Insurance Commissioner shall by rule adjust the amounts in subdivisions (5)(A)(iii)(a)-(b) and (5)(A)(iii)(d) of this section to reflect the percentage change in the Consumer Price Index for All Urban Consumers published by the Federal Bureau of Labor Statistics for the five-year period immediately preceding January 1 of the year of adjustment;

(6)(A) "Home state" means, except as provided in subdivision (6)(B) of this section, with respect to an insured:

(i)(a) The state in which an insured maintains its principal place of business; or the state that is an individual's principal residence.

(b) As used in subdivision (6)(A)(i)(a) of this section, "principal place of business" means the state in which the insured maintains its headquarters and where the insured's high-level officers direct, control, and coordinate the business activities of the insured; or

(ii) If one hundred percent (100%) of the insured risk is located out-of-state as referred to in subdivision (6)(A)(i) of this section, the state to which the greatest percentage of the insured's taxable premium for the insurance contract is allocated.

(B) If more than one (1) insured from an affiliated group are named insureds on a single nonadmitted insurance contract, "home state" means the home state of the member of the affiliated group that has the largest percentage of premium attributed to it under the insurance contract as determined under subdivision (6)(A) of this section;

(7) "Nonadmitted insurance" or "surplus lines insurance" means property and casualty insurance policies permitted to be placed directly or through a surplus lines broker with a nonadmitted insurer eligible to accept the insurance;

(8) "Premium tax" means, with respect to surplus lines or independently procured insurance coverage, any tax, fee, assessment, or other charge imposed

by a government entity directly or indirectly based on any payment made as consideration for an insurance contract for the insurance, including premium deposits, assessments, registration fees, and any other compensation given in consideration for a contract of insurance;

(9) “Qualified risk manager” means, with respect to a policyholder of commercial insurance, a person who meets the definition in section 527 of the Nonadmitted and Reinsurance Reform Act of 2010, Pub. L. No. 111-203, and the following requirements:

(A) The person is an employee of or third-party consultant retained by the commercial policyholder;

(B) The person provides skilled services in loss prevention, loss reduction, risk and insurance coverage analysis, or purchase of insurance; and

(C) The person has:

(i) A bachelor’s degree or higher from an accredited college or university in:

(a) Risk management;

(b) Business administration;

(c) Finance;

(d) Economics; or

(e) Any other field determined by a state insurance commissioner or other state regulatory official or entity to demonstrate minimum competence in risk management;

(ii) Three (3) years of experience in:

(a) Risk financing;

(b) Claims administration;

(c) Loss prevention;

(d) Risk and insurance analysis; or

(e) Purchasing commercial lines of insurance;

(iii) A designation as:

(a) A Chartered Property and Casualty Underwriter issued by the American Institute for Chartered Property and Casualty Underwriters/Insurance Institute of America;

(b) An Associate in Risk Management issued by the American Institute for Chartered Property and Casualty Underwriters/Insurance Institute of America;

(c) A Certified Risk Manager issued by the National Alliance for Insurance Education & Research;

(d) A RIMS Fellow issued by the Global Risk Management Institute; or

(e) Any other designation, certification, or license determined by the commissioner to demonstrate minimum competency in risk management;

(iv) At least seven (7) years of experience in risk financing, claims administration, loss prevention, risk and insurance coverage analysis, or purchasing commercial lines of insurance and any one (1) of the designations specified in subsection (9)(C)(iii) of this section;

(v) At least ten (10) years of experience in risk financing, claims administration, loss prevention, risk and insurance coverage analysis, or purchasing commercial lines of insurance; or

(vi) A graduate degree from an accredited college or university in:

(a) Risk management;

(b) Business administration;

(c) Finance;

(d) Economics; or

(e) Any other field determined by a state insurance commissioner or other state regulatory official or entity to demonstrate minimum competence in risk management;

(10) "State" includes any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Northern Marianas Islands, the Virgin Islands, and American Samoa;

(11) "Surplus lines broker" means an individual, firm, or corporation that is licensed in a state to sell, solicit, or negotiate insurance when this state is the home state of the insured;

(12) "Surplus lines insurer" means an unauthorized company in which nonadmitted insurance coverage may be placed; and

(13) "Unauthorized insurer" means an insurance company that is not licensed to engage in the business of insurance in this state.

23-65-305. Conditions of procurement.

(a) If certain insurance coverages cannot be procured from authorized insurers, ~~coverages, hereinafter~~ coverage designated "surplus lines"; may be procured from unauthorized insurers subject to the following conditions:

(1) The insurance ~~must~~ shall be procured through a licensed surplus lines broker;

(2) The If this state is the home state of the insured:

(A) full The full amount of insurance required must shall not be procurable, after diligent effort has been made to do so, from among authorized insurers who are actually marketing that kind or class of insurance in this state; and

(B) the The amount of insurance placed in an unauthorized insurer is only the balance over the amount procurable from authorized insurers; and

(3) The soliciting agent or broker shall maintain written documentation of compliance with these the requirements of this section.

(b) Surplus lines insurance may be placed by a surplus lines broker if the nonadmitted insurer:

(1) Is authorized to write the type of insurance in its domiciliary jurisdiction; and

(2) Meets the following criteria:

(A) The nonadmitted insurer has capital and surplus or its equivalent under the laws of its domiciliary jurisdiction that equals the greater of:

(i) The minimum capital and surplus requirements under the laws of this state; or

(ii) Fifteen million dollars (\$15,000,000); and

(B) The nonadmitted insurer is a nonadmitted insurer domiciled outside the United States that is listed on the Quarterly Listing of Alien Insurers as maintained by the International Insurers Department of the National Association of Insurance Commissioners.

(c)(1) The requirements of subsection (b) of this section may be satisfied by a nonadmitted insurer possessing less than the minimum capital and surplus if the commissioner makes an affirmative finding of acceptability.

(2) The commissioner shall consider the following factors to determine a finding of acceptability for the requirements of subsection (b) of this section:

(A) Quality of management;

(B) Capital and surplus of a parent company;

(C) Company underwriting profit and investment income trends;

(D) Market availability; and

(E) Company record and reputation within the industry.

(3) The commissioner shall not make a finding of acceptability if the nonadmitted insurer's capital and surplus is less than four and a half million dollars (\$4,500,000).

(d) Subdivision (a)(2) of this section does not apply to a surplus lines broker seeking to procure or place nonadmitted insurance in this state for an exempt commercial purchaser if:

(1) The surplus lines broker procuring or placing the surplus lines insurance has disclosed to the exempt commercial purchaser that the insurance may or may not be available from the admitted market that would provide greater protection with more regulatory oversight; and

(2) The exempt commercial purchaser has subsequently requested in writing the surplus lines broker to procure or place the insurance from a nonadmitted insurer.

23-65-306. Brokers' affidavits.

(a) At the time of the procuring of ~~the~~ surplus lines insurance in this state, when this state is considered the home state of the insured, the surplus lines broker shall:

~~(1) execute~~ Execute an affidavit on a form prescribed by the Insurance Commissioner;

~~(2) and containing~~ Provide any information ~~which he or she~~ that the commissioner shall require;

~~(3) as well as setting forth~~ State facts referred to in §§ 23-65-313 and 23-65-314; and

~~(4) shall promptly file~~ File the affidavit with the commissioner within sixty (60) days following the end of the month in which the insurance was procured.

(b) Affidavits or reports filed under this section ~~shall not be~~ are not subject to public inspection, unless the commissioner determines that the public interest or the welfare of the filing broker requires otherwise.

23-65-307. Endorsement of contract.

~~Every~~ An insurance contract procured on behalf of an insured whose home state is this state and delivered as surplus ~~line~~ lines coverage ~~pursuant to~~ under this subchapter shall be initiated by or bear the name of the surplus lines broker who procured it and shall contain a conspicuous statement substantially similar to the following:

“This contract is registered and delivered as a surplus line coverage under the Surplus Lines Insurance Law, and it may in some respects be different from contracts issued by insurers in the admitted markets, and, accordingly, it may, depending upon the circumstances, be more or less favorable to an insured than a contract from an admitted carrier might be. The protection of the Arkansas Property and Casualty Guaranty Act does not apply to this contract. A tax of four percent (4%) is required to be collected from the insured on all surplus lines premiums.”

23-65-308. Licensing of surplus lines broker.

(a) If an insured's home state is this state, a person shall not procure a contract of surplus lines insurance with a nonadmitted insurer unless the insurer possesses a current surplus lines broker's license issued by the Insurance Commissioner.

(b) Any A person, while licensed as a resident insurance producer of this state as to property, casualty, surety, and marine insurance, who has held the license in this or another state, or both, for three (3) years ~~prior to~~ before application for a surplus lines broker's license, and who is deemed by the ~~Insurance Commissioner~~ commissioner to be competent and trustworthy, or a nonresident applicant holding a surplus lines broker license in his or her country of residency, may be licensed as a surplus lines broker as follows:

(1) Application to the commissioner for the license shall be made on forms furnished by the commissioner;

(2) The license fee shall be:

(A) in ~~in~~ the amount stated in § 23-61-401(10) for each license year during any part of which the license is in force; and

(B) shall be paid ~~shall be paid~~ Paid to the commissioner;

(3) The license year shall be from the date of issuance of the license to January 1 next after its issue;

~~(3)(A)~~(4)(A) ~~Prior to~~ Before issuance of the license, a resident applicant shall file with the commissioner securities acceptable to the commissioner in favor of the State of Arkansas in the penal sum of fifty thousand dollars (\$50,000), aggregate liability, with unaffiliated entities approved by the commissioner. Thereafter for as long as the license remains in effect, the resident applicant shall keep the securities in force and unimpaired.

(B) The securities shall be conditioned that the broker ~~will~~ shall conduct business under the license ~~in accordance with~~ according to the provisions of this subchapter and that he or she will promptly remit the taxes provided by the law.

(C) ~~No securities shall~~ Securities shall not be terminated unless ~~not less than~~ at least sixty (60) days' prior written notice ~~thereof~~ is filed with the commissioner.

(D) ~~No security shall~~ Securities shall not be required of a nonresident applicant licensed in the applicant's state of residency;

~~(4)(A)(i)~~(5)(A)(i) ~~Prior to~~ Before issuance of the license, the commissioner shall require the applicant ~~must~~ to pass a written examination as to his or her competence to act as a surplus lines broker, ~~which shall be required by the commissioner.~~

(ii) ~~No examination shall~~ An examination shall not be required of a nonresident applicant duly licensed in the applicant's state of residency.

(B) The commissioner shall give, conduct, and grade all examinations, or he or she may arrange to have examinations administered and graded by an independent testing service as specified by contract in a fair and impartial manner and without unfair discrimination between individuals examined.

(C) The commissioner may require a reasonable waiting period before reexamination of an applicant who failed to pass a previous similar examination.

(D) The examination fee shall be the same as that charged an applicant for license as an agent, broker, or solicitor under § 23-61-401.

(c) The commissioner may utilize the national insurance producer database of the National Association of Insurance Commissioners or any other equivalent uniform national database for the licensure and renewal of an individual or entity as a surplus lines broker for the purposes of carrying out the Nonadmitted and Reinsurance Reform Act of 2010, Pub. L. No. 111-203.

23-65-309. Acceptance of business from agents by surplus lines brokers.

A licensed surplus lines broker may accept and place surplus lines business for ~~any~~ an insurance agent or broker licensed in this state for the kind and class of insurance involved and may compensate the agent or broker therefor.

23-65-310. Surplus lines in solvent insurers.

(a) A surplus lines broker shall place surplus lines insurance only with insurers ~~which~~ that have been approved by the Insurance Commissioner.

(b)(1) The commissioner may maintain a list of approved foreign and alien surplus lines insurers in addition to those alien insurers maintaining status on the current National Association of Insurance Commissioners' nonadmitted insurers' quarterly listing.

(2) The approved list shall not contain:

~~(1)(A)~~ Any An insurer ~~which~~ that is not licensed in at least one (1) state of the United States for the kind of insurance involved;

~~(2)(B)~~ Any A stock insurer having capital and surplus amounting to less than three million dollars (\$3,000,000);

~~(3)(C)~~ Any A type of insurer, other than stock insurers, having surplus of less than three million dollars (\$3,000,000);

~~(4)(D)(i)~~ An alien insurer, unless;

~~(a) the~~ The insurer shall have has an established and effective trust fund within the United States administered by a recognized financial institution and held for the benefit of all its policyholders ~~wherever located in the United States;~~ and

~~(b) the~~ The trust fund ~~to be~~ is in the amount of not less than one million dollars (\$1,000,000).

~~(ii)(a) However, the~~ The broker may place casualty insurance with an alien insurer or a pool of alien insurers having combined capital and surplus of five million dollars (\$5,000,000) or more, so long as the insured signs an affidavit accepting the insurance.

~~(b)~~ The affidavit shall include a statement that the insurance is not available to him or her elsewhere.

~~(iii)~~ The alien insurer shall:

~~(a) annually~~ Annually report the location and balance of the trust fund to the commissioner as the commissioner prescribes; and

~~(b) shall promptly report~~ Report to the commissioner any change in the location of the trust fund;

~~(5)(E) Any~~ An insurer owned or controlled by a political sovereign or an agency of a political sovereign; or

~~(6)(F) Any~~ An insurer ~~which that~~ does not maintain on deposit ~~in accordance with~~ pursuant to § 23-63-901 et seq. eligible securities having a market value at all times of not less than one hundred thousand dollars (\$100,000) conditioned on the payment of creditors, or obligees, of the insurer in this state and the prompt payment of all claims arising and accruing to any persons during the term of the securities under any a policy issued by the insurer.

~~(b)(1)(c)(1)(A) Annually on or before March 1 or within any extension of time that the commissioner for good cause may have granted, Each~~ each foreign and alien surplus lines insurer on the approved list maintained by the commissioner shall, ~~annually on or before March 1 or within any extension of time therefor which the commissioner for good cause may have granted~~ file with the commissioner a full and true statement of its financial condition, transactions, and affairs as of the December 31 preceding.

~~(B) The statement shall be in such general form and context, as required or not disapproved by the commissioner, as is in current use for similar reports to states in general with respect to the type of insurer and kinds of insurance to be reported on, and as supplemented for additional information~~ as required by the commissioner.

(C)(i) The statement shall be verified with an oath by the president or vice president of the insurer ~~oath of the insurer's president or vice president and secretary or actuary as applicable.~~

~~(2)(ii)~~ The statement of an alien insurer shall be verified by the United States manager or other officer of the alien insurer authorized to make an oath of the insurer's United States manager or other officer duly authorized and shall relate only to its transactions and affairs in the United States unless the commissioner requires otherwise. If the commissioner requires a statement as to the alien insurer's affairs throughout the world, the insurer shall file the statement with the commissioner as soon as reasonably possible.

~~(3)(2)~~ The commissioner may waive ~~any~~ the requirement under this subsection for verification under oath.

~~(4)(3)(A)~~ The insurer shall be subject to a penalty of one hundred dollars (\$100) for each day of delinquency;

(B) ~~such~~ If the insurer fails to file its report on or before the due date, the penalty to shall be collected by the commissioner, if necessary, by a civil suit ~~therefor~~ brought by the commissioner in the Circuit Court of Pulaski County. The commissioner may waive unless the penalty is waived by the commissioner upon a showing by the insurer of good cause for its failure to file its report on or before the date due.

~~(5)(4)~~ At the time of filing, the insurer shall pay the fee for filing its annual statement as prescribed by § 23-61-401.

~~(6)(5)~~ ~~In addition to information called for and furnished in connection with its annual statement,~~ Upon written request received from the commissioner, an insurer shall promptly furnish to the commissioner ~~as soon as reasonably possible~~ ~~such~~ information with respect to ~~any~~ of its transactions or affairs ~~as the commissioner may from time to time request in writing.~~

23-65-311. Evidence of the insurance — Changes.

(a)(1) Upon placing a surplus lines coverage, the broker shall promptly issue and deliver to the insured evidence of the insurance, consisting either of the policy as issued by the insurer or, ~~if the policy is not then available,~~ the surplus lines broker's certificate if the policy is not available.

(2)(A) The certificate shall be executed by the broker and show:

- (i) ~~the~~ The subject, coverage, conditions, and term of the insurance;
- (ii) ~~the~~ The premium charged;
- (iii) ~~and taxes~~ Taxes collected from the insured, and

~~(iv) the~~ The name and address of the insurer.

(B) If the direct risk is assumed by more than one (1) insurer, the certificate shall state the name, ~~and~~ address, and proportion of the entire direct risk assumed by each ~~such~~ insurer.

(b) If there is a change to the identity of the insurers after the issuance and delivery of the certificate ~~there is any change as to the identity of the insurers, or a change to~~ the proportion of the direct risk assumed by the insurers as stated in the broker's original certificate, or a change in any other material respect as to the insurance coverage evidenced by the certificate, the broker shall promptly issue and deliver to the insured a substitute certificate accurately showing the current status of the coverages and the insurers responsible ~~thereunder~~.

(c) If a policy issued by the insurer is not available upon placement of the insurance and the broker has issued and delivered his or her certificate as provided in subsection (a) of this section, ~~upon request therefor by the insured,~~ the broker shall promptly provide upon a request of the insured, ~~as soon as reasonably possible, procure from the policy of the insurer its policy~~ evidencing ~~such the~~ insurance ~~and deliver the policy to the insured in replacement of the broker's certificate theretofore issued.~~

(d) ~~Any~~ A surplus lines broker who knowingly or negligently issues a false certificate of insurance, or who fails to promptly ~~to~~ notify the insured of any material change with respect to the insurance by delivery to the insured of a substitute certificate as provided in subsection (b) of this section, upon conviction of the surplus lines broker, shall be subject to the penalties provided by § 23-60-108 or to ~~any~~ a greater applicable penalty ~~otherwise~~ provided by law.

(e)(1)(A) Upon written request, each approved but nonadmitted surplus lines insurer shall mail or deliver the policyholder's claim loss information to the policyholder or his or her surplus lines broker within thirty (30) days from the date of receipt of the request from the policyholder.

(B) If the claim loss information is provided to the surplus lines broker, the surplus lines broker shall deliver the claim loss information to the policyholder within seven (7) days from the date of receipt of the claim loss information from the surplus lines insurer.

(C) If the surplus lines broker generates the claim loss information for the surplus lines insurer, the claim loss information shall be provided to the policyholder within thirty (30) days from the date of receipt of the request from the policyholder.

(2)(A) "Claim loss information" as used in this subsection means the:

(i) Date of loss;

- (ii) Property insured; and
- (iii) Amount paid.

(B) "Claim loss information" as used in this subsection does not include supporting claim file documentation, including without limitation copies of claim files, investigation reports, evaluation statements, insured's statements, and documents protected by a common law or statutory privilege.

(3) The surplus lines insurer or the surplus lines broker may charge a reasonable fee for providing the claim loss information as part of the expense of underwriting the policy.

(4) The surplus lines insurer and the surplus lines broker are not required to maintain claim loss information for more than five (5) years following the termination of coverage.

23-65-312. Liability of insurer as to losses and unearned premiums.

(a)(1) ~~As to~~ If a surplus lines risk ~~which~~ has been assumed by an unauthorized insurer pursuant to under this subchapter, and if the premium ~~thereon~~ has been received by the surplus lines broker who placed the insurance, ~~in all questions thereafter arising under the coverage as between the insurer and the insured,~~ the insurer shall be deemed to have received the premium due to it for the coverage.

(2) The insurer shall be liable to the insured ~~as to~~ for:

(A) ~~losses~~ Losses covered by the insurance; and

(B) ~~for unearned~~ Unearned premiums ~~which that~~ may become payable to the insured upon cancellation of the insurance, ~~whether or not in fact the broker is indebted to the insurer with respect to the insurance or for any other cause.~~

(b) Each unauthorized insurer assuming a surplus lines direct risk under ~~this surplus lines~~ the insurance law laws of this state shall be deemed ~~thereby~~ to have subjected itself to the terms of this section.

(c) ~~Nothing in this~~ This section shall not deprive the surplus lines insurer of any right of action against the surplus lines broker.

23-65-313. Records of brokers.

(a) Each surplus lines broker shall keep in his or her office a full and true record of each ~~Arkansas~~ of his or her surplus lines ~~contract~~ contracts procured within this state where this state is the home state of the insured ~~by him or her,~~ including a copy of the daily report, if any, and showing ~~such of~~ the following items as ~~may be~~ applicable:

- (1) Amount of the insurance;
- (2) Gross premium charged;

- (3) Return premium paid, if any;
- (4) Rate of premium charged upon the several items of property;
- (5) Effective date of the contract, and the contract terms thereof;
- (6) Name and address of the insurer;
- (7) Name and address of the insured;
- (8) Brief general description of property insured and where located;

and

(9) Other information as ~~may be~~ required by the Insurance Commissioner.

(b) The records shall ~~at all times~~ be open to examination by the commissioner and shall be kept available and open to inspection by the commissioner for the next five (5) years ~~next~~ following the termination of the contracts.

23-65-314. ~~Annual statement~~ Quarterly statement.

(a) On or before March 1, June 1, September 1, and December 1 of each year ~~Each a~~ surplus lines broker shall ~~on or before March 1 of each year~~ file with the Insurance Commissioner a statement for the preceding ~~calendar year~~ period of the surplus lines insurance transactions of an insured whose home state is the state of Arkansas.

(b) The statement shall be on forms as prescribed and furnished by the commissioner and shall show:

- (1) The gross amount of each kind of insurance transacted;
- (2) The aggregate gross premiums charged, exclusive of sums collected to cover state or federal taxes;
- (3) The aggregate of returned premiums and taxes paid to insureds;
- (4) The aggregate of net premiums; and
- (5) Additional information as required by the commissioner.

23-65-315. Tax on brokers.

(a) No later than sixty (60) days following the end of the month in which surplus ~~line~~ lines insurance was procured, the surplus lines broker shall remit to the Treasurer of State, through the Insurance Commissioner, ~~as a tax imposed for the privilege of transacting business as a surplus lines broker in this state~~, a tax of four percent (4%) on the direct premiums written, less return premiums and exclusive of sums collected to cover state or federal taxes, on surplus lines insurance subject to tax transacted by the surplus lines broker during the preceding months as shown by his or her affidavit filed with the commissioner for the privilege of transacting business as a surplus lines broker in this state.

~~(b) If a surplus lines policy covers risks or exposures only partially in this state, the tax so payable shall be computed on the proportion of the premium which is properly allocable to the risks or exposures located in this state. The commissioner may participate in a multistate agreement or enter into a compact for the purpose of reporting, collecting, and apportioning surplus lines insurance premium taxes.~~

~~(c) If a surplus lines insurance policy covers risks or exposures only partially in this state and the commissioner has entered into an agreement with other states for the apportionment of premium taxes for multistate risks, the tax payable by the surplus lines broker shall be computed and paid on the proportion of the premium that is properly allocable to the risks or exposures located in this state according to the terms of the agreement.~~

23-65-316. Penalty for failure to file ~~annual~~ quarterly statement or remit tax.

~~(a)(1) If any a surplus lines broker fails to file his or her annual quarterly statement by March 4 the due dates in § 23-65-314, he or she shall be liable for a fine of fifty dollars (\$50.00) for each day of delinquency commencing with March 4 the due date.~~

~~(2) For good cause shown and after a written request, the The Insurance Commissioner may grant a reasonable extension of time within which the statement may be filed for good cause shown and after a written request.~~

~~(3) The fine may be recovered by an action instituted by the commissioner in any court of competent jurisdiction.~~

~~(4) The commissioner shall pay to the Treasurer of State any fine so collected.~~

~~(b)(1) If any a surplus lines broker fails to remit the tax as provided by law when the tax is due by the due date, the surplus lines broker shall be liable for a fine of fifty dollars (\$50.00) for each day of delinquency commencing with the sixty-first day after the end of the month in which surplus lines insurance was procured.~~

~~(2) However, for good cause shown, the commissioner after a written request may grant a reasonable extension of time within which the tax may be paid.~~

~~(3) The tax may be collected by distraint, or the tax and fine may be recovered by an action instituted by the commissioner in any court of competent jurisdiction.~~

~~(4) The commissioner shall pay to the Treasurer of State any fine so collected.~~

23-65-317. Revocation of broker's license.

~~(a) The Insurance Commissioner shall revoke any a surplus lines broker's license:~~

(1) If the broker fails to file his or her annual statement or to remit the tax as required by law;

(2) If the broker fails to maintain an office, ~~or to~~ keep records, or ~~to~~ allow the commissioner to examine his or her records as required by law; or

(3) For any ~~of the causes~~ cause for which an agent's license may be revoked.

(b) The commissioner may suspend or revoke ~~any or all licenses~~ a license whenever he or she deems the suspension or revocation to be for the best interest of the people of this state.

(c) The procedures provided by § 23-64-218 for the suspension or revocation of ~~an agents' licenses~~ agent's license shall be applicable to suspension or revocation of a surplus lines broker's license.

(d) ~~No~~ A broker whose license has been ~~so~~ revoked shall not ~~again~~ be ~~so~~ licensed within one (1) year thereafter, ~~nor~~ or until payment of any fines or delinquent taxes ~~owed by him or her have been paid.~~

23-65-318. Action against insurer — Service of process.

(a) When this state is the home state of the insured, ~~An~~ an unauthorized insurer may be sued upon any cause of action arising in this state under any contract issued by it as a surplus lines contract, or certificate thereof issued by the surplus lines broker, ~~pursuant to~~ under the procedure provided in ~~Acts 1939, No. 181~~ ~~[repealed]~~ § 23-65-203.

(b)(1) If this state is the home state of the insured, ~~An~~ an unauthorized insurer issuing the policy or accepting the risk shall be deemed to have authorized service of process against it ~~in the manner and to the effect~~ as provided in this section and to have appointed the Insurance Commissioner as its agent for service of process issuing upon any cause of action arising in this state under any policy.

(2) The policy shall contain a provision stating the substance of this section and designating the person to whom the commissioner shall mail process.

23-65-319. Withdrawal of approval.

(a) The Insurance Commissioner may remove an approved surplus lines insurer if, ~~at any time,~~ the commissioner has reason to believe that the insurer:

(1) Is in unsound financial condition;

(2) Is no longer eligible under § 23-65-310;

(3) Has willfully violated the laws of this state;

(4) Does not make reasonably prompt payment of just losses and claims in this state or elsewhere; or

(5) Has failed to file its annual statement when due.

(b) The commissioner shall promptly mail notice of all removals to each surplus lines broker ~~which~~ that is currently licensed.

SECTION 3. Arkansas Code Title 23, Chapter 65, is amended to add an additional subchapter to read as follows:

23-65-401. Agreement authorized – Requirements.

(a) The Insurance Commissioner may enter into written multistate agreements or compacts with other state jurisdictions on behalf of the State of Arkansas to provide for cooperation and assistance among member jurisdictions in the administration and collection of taxes imposed on multistate surplus lines insurance.

(b) A multistate agreement or compact authorized by this subchapter may provide for:

(1) Determining the home state for surplus lines insurers and surplus lines brokers;

(2) Establishing the record requirements for surplus lines brokers;

(3) Audit procedures;

(4) The exchange of information;

(5) Uniform criteria for eligibility of insurers and eligibility for licensing of surplus lines brokers;

(6) Reporting requirements and reporting periods;

(7) Methods for collecting and forwarding surplus lines taxes;

(8) Penalties to another jurisdiction; and

(9) Rules to facilitate the administration of the multistate agreement or compact.

(c) A multistate agreement or compact authorized by this subchapter:

(1) Shall not preclude the commissioner from auditing the records of a person subject to this subchapter;

(2) Is not effective until filed with the commissioner; and

(3) Shall have the same effect as enacted legislation.

23-65-402. Applicability of multistate agreement or compact.

On and after July 21, 2011, the effective date of the Nonadmitted Reinsurance and Reform Act of 2010, Pub. L. No. 111-203, in the event of a conflict, the terms of a multistate agreement or compact shall prevail over conflicting state law.

SECTION 4. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that the Insurance Commissioner is not able to enter into agreements with other jurisdictions to regulate taxes on surplus

lines insurers. 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/ Barry Hyde

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

/s/ Mrs. Sherri Stacks
Chief Clerk

Upon motion of Representative Hopper, **HOUSE RESOLUTION NO. 1026** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE RESOLUTION NO. 1026

Amend **HOUSE RESOLUTION NO. 1026** as originally introduced:

Page 1, delete lines 25 through 27, and substitute the following:

"WHEREAS, Mr. Jim Gaston, the colorful operator of Gaston's White River Resort at Lakeview for forty-two (42) years, was named Arkansas Business Executive of the Year for 2010; and

WHEREAS, entrants in the Arkansas Business of the Year awards program are nominated by Arkansas Business readers; and

WHEREAS, winners are selected by an independent board of judges; and this year's judges were Joe Chacko, vice president of wealth management with Morgan Stanley Smith Barney in Little Rock, Arkansas; Kathy Manis Findley, executive director of Safe Places and last year's Nonprofit Executive of the Year;

Lynn Wright, area president of Regions Bank; Joe Stanley, principal and CEO of Polk Stanley Wilcox Architects and last year's Business Executive of the Year; and Craig Lair, an attorney with Rose Law Firm; and

WHEREAS, Mr. Gaston said when accepting the award, "You will never have any idea how much this means to me. I feel like I'm in a 1930s or '40s movie about the country boy coming to town."; and

WHEREAS, Mr. Gaston always wanted to be in business, and as he followed that path, he became an ambassador supreme for Arkansas tourism and transformed Gaston's White River Resort into a world-class destination for trout fishing; and

WHEREAS, the once rustic resort consisted of a boat dock, six cottages, and a few acres when his father, Al, bought the property in the winter of 1958; today, Gaston's, located two (2) river-miles below Bull Shoals Dam, covers more than four hundred (400) acres with amenities galore: a dock facility supporting seventy (70) fishing boats, seventy-nine (79) cottages, a 125-seat conference center and its own restaurant that seats three hundred fifty (350), a private club, a three thousand two hundred foot (3,200 ft.) airstrip, marina, swimming pool, tennis court, game room, fly-fishing school, conference lodge, gift shops, and nature trail, all backed by a seasonal staff of seventy-five (75) to one hundred (100) persons; and

WHEREAS, the 69-year-old commissioner emeritus for the Arkansas State Parks, Recreation & Travel Commission has held various leadership positions over the years, including with the Arkansas Hospitality Association and the Mountain Home Chamber of Commerce; serves as a volunteer at the Bull Shoals State Park visitor center that bears his name and has served as president of the Arkansas Tourism Development Foundation since its founding in 1970; and has been a dedicated and dynamic force in the Arkansas travel and tourism industry, including its role in environmental education; and

WHEREAS, his credo is to "simply make the world a better place however I can"; and Mr. Gaston certainly has helped make Arkansas a better place; and

WHEREAS, Mr. Gaston will also soon be inducted into the Arkansas State University-Mountain Home Trout Hall of Fame at the second annual Trout Hall of Fame induction and banquet on April 2, 2011, as he is a living legend in the world of trout and trout conservation; and the Trout Hall of Fame will be located in the Trout Nature Center, which is currently under construction in the Vada Sheid Community Development Center on the ASUMH campus,"

AND

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

"THAT the House of Representatives congratulates Mr. Jim Gaston on his selection as the Arkansas Business Executive of the Year, recognizing his business accomplishments and acumen, and applauds his selection to the Arkansas State University-Mountain Home Trout Hall of Fame."

/s/ Karen S. Hopper

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

/s/ Mrs. Sherri Stacks
Chief Clerk

Upon motion of Representative Dale, **HOUSE BILL NO. 2229** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 2229

Amend **HOUSE BILL NO. 2229** as engrossed,
H3/21/11 (version: 3/21/2011 01:04:04 PM)

Page 2, line 17, delete "relative"

AND

Page 3, line 7, delete "the filing of the petition." and substitute "receiving the notice provided under subdivision (a)(2) of this section."

/s/ Robert E. Dale

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

/s/ Mrs. Sherri Stacks
Chief Clerk

Upon motion of Representative Collins, **HOUSE BILL NO. 2219** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2219

Amend **HOUSE BILL NO. 2219** as originally introduced:

Add Representative Lindsey as a cosponsor of the bill

AND

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Legislative intent.

(a) The purpose of this subchapter is to provide state support for the Electrical Energy Advancement Program for institutions of higher education.

(b) The General Assembly finds that the Electrical Energy Advancement Program:

(1) Is identified as a key competency for Arkansas in the Battelle study commissioned by the Arkansas Research Alliance;

(2) Will focus on education, research, and economic development in the electrical energy sector to capitalize on one (1) of Arkansas's core technology competencies;

(3) Is vital to the economic development of Arkansas; and

(4) Is expected to be a source of tremendous job growth within Arkansas over the next decade.

SECTION 2. Arkansas Code Title 6, Chapter 61, is amended to add an additional subchapter to read as follows:

Subchapter 14 - Electrical Energy Advancement Program

6-61-1401. Arkansas Statewide Energy Consortium.

(a) There is created the Arkansas Statewide Energy Consortium consisting of the:

(1) University of Arkansas, Fayetteville;

(2) University of Arkansas, Little Rock; and

(3) Arkansas State University, Jonesboro.

(b)(1) The consortium shall be headquartered at the University of Arkansas, Fayetteville, National Center for Reliable Electric Power Transmission.

(2) The University of Arkansas, Fayetteville, shall administer the Electrical Energy Advancement Program Fund.

6-61-1402. Electrical Energy Advancement Program Fund Board.

(a) The Electrical Energy Advancement Program Fund Board is created to make recommendations to the Arkansas Statewide Energy Consortium regarding the allocation of funds for the programs approved under this subchapter.

(b) The board is composed of sixteen (16) members as follows:

(1)(A) The executive director of the University of Arkansas, Fayetteville, National Center for Reliable Electric Power Transmission or the director's designee, who shall serve as chair of the board and represent the University of Arkansas, Fayetteville.

(B) The chair shall be a regular voting member with one (1) vote;

(2) Seven (7) of the members from the private electrical energy sector;

(3) Three (3) of the members from the United States Department of Energy national laboratories;

(4) The president of the Arkansas Science and Technology Authority or the president's designee;

(5) One (1) member who is designated by Arkansas State University;

(6) One (1) member who is designated by the University of Arkansas, Little Rock;

(7) The executive director of the Arkansas Economic Development Commission or the executive director's designee; and

(8) One (1) member who is designated by the Arkansas Public Service Commission.

(c)(1) Each private electrical energy sector member of the committee shall:

(A)(i) Be from an organization that is:

(a) Involved in the generation, transmission, or distribution of electricity; or

(b) Engaged in the design or manufacturing of electrical equipment for the generation, transmission, distribution or power conversion of electricity including electrified transportation.

(ii) An individual under this subdivision (c)(1)(A) shall have experience managing an organization that meets the description of this subdivision (c)(1)(A); and

(B) Have obtained at least an undergraduate degree from a four-year institution of higher learning in science or engineering.

(2) Each national laboratory member of the board shall:

(A) Be from a national laboratory group directly involved in the research and development of advanced technologies for the electric power grid; and

(B) Have obtained at least an undergraduate degree from a four-year institution of higher learning in science or engineering.

(d)(1) The chair shall seek nominations for the initial list of private electrical energy sector and national laboratory board members from:

(A) Each member of the board who is not from the private electrical energy sector or a national laboratory; and

(B) The Governor.

(2) From the recommendations, the chair will nominate the initial private electrical energy sector and national laboratory board members to the balance of the board for consideration and appointment to the board.

(e)(1) Except for the initial terms identified under this subsection, each private electrical energy sector and national laboratory board member shall serve a four-year term, with a maximum of two (2) consecutive four-year terms.

(2) The initial terms of the private electrical energy sector board members shall be as follows:

(A) One (1) member shall serve a one-year term;

(B) Two (2) members shall serve a two-year term;

(C) Two (2) members shall serve a three-year term; and

(D) Two (2) members shall serve a four-year term.

(3) The initial terms of the national laboratory board members shall be as follows:

(A) One (1) member shall serve a two-year term;

(B) One (1) member shall serve a three-year term; and

(C) One (1) member shall serve a four-year term.

(4) The chair shall determine the terms of the initial private and national laboratory members of the board.

(5) Each member may be reappointed from time to time thereafter to serve no more than a maximum of (8) consecutive years including his or her initial term.

(f) Successors to the initial private electrical energy sector and national laboratory board members shall be nominated by the chair upon recommendation by the board.

(g) Members of the board who are not private electrical energy sector or national laboratory board members shall serve at the pleasure of the entity where they are employed.

(h)(1) The chair shall call the first meeting of the board not less than three (3) months after funding is received in the Electrical Energy Advancement Program Fund.

(2) Subsequent meetings shall be held on the call of the chair and shall convene at the National Center for Reliable Electric Power Transmission.

(i) A quorum shall consist of not less than a majority of the voting membership of the board, and the affirmative vote of that number is necessary for the disposition of the board's business.

(j)(1) Members of the board shall receive no pay for services with respect to attendance at each regular or special meeting of the board.

(2)(A) However, if funds are appropriated for the purpose and subject to board approval, members are entitled to reimbursement under § 25-16-902 for each day the board is in session.

(B) Reimbursement is in an amount equal to the maximum daily allowance for meals and lodging paid as provided by law to a state employee for in-state travel plus mileage at the rate per mile provided by law for the reimbursement of mileage expense for state employees for travel from their homes to the place of the meeting and their return.

(k) The National Center for Reliable Electric Power Transmission shall provide staff for the board.

6-61-1403. Duties.

(a)(1) The Electrical Energy Advancement Program Fund Board shall make recommendations to the Arkansas Statewide Energy Consortium concerning the funding, funding ratios, and maximum amounts to be made available among the proposals and programs for:

(A) Competitive undergraduate scholarships for Arkansas residents in the field of electrical and electronic engineering at the member universities of the consortium to be given in accordance with institutional guidelines; and

(B) Competitive graduate fellowships for master's and doctoral students in electrical and electronic engineering at member universities of the consortium to be given in accordance with institutional guidelines with preference given to Arkansas residents.

(2) One-time project costs may include without limitation the cost of:

(A) Facilitating the hiring of new tenure-track faculty at each of the consortium member institutions to increase the capacity and expertise of each university to:

(i) Perform research; and

(ii) Successfully return that research to the classroom for the benefit of the entire consortium;

(B) Expediting economic development through research by providing startup funds for successful applicants;

(C) Continuing education programs to serve practicing engineers in the energy sector whose professional licensure or registration requires at least fifteen (15) hours of continuing education annually; and

(D) Collaborative research projects between and among the consortium member institutions.

(b) The board may base its recommendations for use of the funds on a proposal's:

(1) Technical merit;

(2) Potential impact on the state's economic growth; and

(3) Potential for strengthening the state's electrical energy education programs.

(c)(1) Annually by June 30, the board shall:

(A) Report its actions to the Governor; and

(B) Provide a copy of the report to the agencies included in the report's recommendations.

(2) The board may provide the report required under this subsection by electronic means or by a printed copy.

(d) The board shall promulgate rules to implement this section.

SECTION 3. Arkansas Code Title 19, Chapter 5, Subchapter 12 is amended to add an additional section to read as follows:

19-5-1243. Electrical Energy Advancement Program Fund.

(a) There is created on the books of the Treasurer of State, the Auditor of State, and the Chief Fiscal Officer of the State a miscellaneous fund to be known as the "Electrical Energy Advancement Program Fund".

(b) The fund shall consist of:

(1) Funds provided by law;

(2) Grants made by any person or federal government agency; and

(3) Other funds that become available through energy programs.

(c) The fund shall be used by the Arkansas Statewide Energy Consortium under the Electrical Energy Advancement Program, § 6-61-1401 et seq., to provide opportunities for Arkansas citizens to legitimately pursue high-technology and knowledge-based jobs in the electrical energy sector of Arkansas by providing a statewide, collaborative educational system focused on this sector.

SECTION 4. DO NOT CODIFY. The provisions of this act shall expire six (6) years from the effective date of the act unless extended by the General Assembly."

/s/ Charlie Collins

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

/s/ Mrs. Sherri Stacks
Chief Clerk

Upon motion of Representative Hall, **HOUSE BILL NO. 1836** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1836

Amend **HOUSE BILL NO. 1836** as originally introduced:

Page 1, delete lines 21 and 22 and substitute:

"SECTION 1. Arkansas Code §§ 7-2-102 — 7-2-105 are amended to read as follows:

7-2-102. First Congressional District.

(a) The First Congressional District shall be composed of:

(1) ~~the~~ The counties of: Arkansas, ~~Baxter,~~ Chicot, Clay, Cleburne, Craighead, Crittenden, Cross, Desha, Drew, Fulton, Greene, Independence, Izard, Jackson, Lawrence, Lee, Lonoke, Mississippi, Monroe, Phillips, ~~Prairie, Poinsett,~~ Poinsett, Prairie, Randolph, St. Francis, Searcy, Sharp, Stone, Van Buren, and Woodruff; and

(2) The following voting districts of Lincoln County as they existed on January 1, 2011:

- (A) Cane Creek #1 voting district;
- (B) Cane Creek #2 voting district;
- (C) Gould voting district;
- (D) Gould ward #1 voting district;

- (E) Gould ward #2 voting district;
- (F) Gould ward #3 voting district;
- (G) Lone Pine Mountain Home voting district;
- (H) Lone Pine Garnett voting district;
- (I) Mill Creek voting district;
- (J) Owen Glendale voting district;
- (K) Owen Palmyra voting district;
- (L) Smith voting district;
- (M) Spring #1 voting district;
- (N) Spring #2 voting district;
- (O) Star City ward #1;
- (P) Star City ward #2;
- (Q) Star City ward #3;
- (R) Tarry voting district;
- (S) Wells Bayou Garrett Bridge voting district;
- (T) Wells Bayou Norris Shop voting district; and
- (U) York Town voting district; and

(3) The following voting districts of White County as they existed on January 1, 2011:

- (A) Bald Knob North voting district;
- (B) Bald Knob ward #1;
- (C) Bald Knob ward #2;
- (D) Bald Knob ward #3;
- (E) Bradford ward #1;
- (F) Bradford ward #2;
- (G) Bradford ward #3;
- (H) Coldwell voting district;
- (I) Cypert voting district;
- (J) Denmark voting district;
- (K) Dog Wood voting district;
- (L) Francure voting district;
- (M) Georgetown city voting district;
- (N) Griffithville city voting district;
- (O) Guthrie voting district;
- (P) Harrison East voting district;
- (Q) Hartsell voting district;
- (R) Jackson voting district;

- (S) Liberty voting district;
- (T) Russell City voting district;
- (U) Russell Township voting district; and
- (V) Velvet Ridge voting district.

(b) The the qualified electors residing therein in the counties and portions of Lincoln County and White County listed under subsection (a) of this section shall elect one (1) member of the House of Representatives of the United States.

7-2-103. Second Congressional District.

(a) The Second Congressional District shall be composed of:

(1) the The counties of: Conway, Faulkner, Perry, Pulaski, Saline, Van Buren, White, and Yell; and

(2) The following voting districts of Garland County as they existed on January 1, 2011:

- (A) Hot Springs Village North voting district;
- (B) Hot Springs Village South voting district; and
- (C) Phillips voting district; and

(3) The following voting districts of White County as they existed on January 1, 2011:

- (A) Albion voting district;
- (B) Antioch voting district;
- (C) Beebe ward #1;
- (D) Beebe ward #2;
- (E) Beebe ward #3;
- (F) Beebe ward #3C;
- (G) Big Creek voting district;
- (H) Cadron voting district;
- (I) Cane voting district;
- (J) Clay voting district;
- (K) Cleveland voting district;
- (L) Coffey voting district;
- (M) Crisp voting district;
- (N) Crosby voting district;
- (O) Des Arc voting district;
- (P) El Paso voting district;
- (Q) Garner city voting district;
- (R) Garner Township voting district;
- (S) Gravel Hill voting district;
- (T) Gray A voting district;

(U) Gray B voting district;
(V) Gum Springs voting district;
(W) Harrison voting district;
(X) Higginson city voting district;
(Y) Higginson Township voting district;
(Z) Jefferson voting district;
(AA) Joy voting district;
(BB) Judsonia ward #1;
(CC) Judsonia ward #2;
(DD) Judsonia ward #3;
(EE) Kensett Township voting district;
(FF) Kentucky voting district;
(GG) Letona city voting district;
(HH) Marion voting district;
(II) Marshall voting district;
(JJ) McRae Township voting district;
(KK) McRae ward #1;
(LL) McRae ward #2;
(MM) Mount Pisgah voting district;
(NN) Pangburn ward #1;
(OO) Pangburn ward #2;
(PP) Red River voting district;
(QQ) Rose Bud voting district;
(RR) Royal voting district;
(SS) Searcy ward #1A;
(TT) Searcy ward #1B;
(UU) Searcy ward #1C;
(VV) Searcy ward #1D;
(WW) Searcy ward #2A;
(XX) Searcy ward #2B;
(YY) Searcy ward #2C;
(ZZ) Searcy ward #2D;
(AAA) Searcy ward #2E;
(BBB) Searcy ward #3A;
(CCC) Searcy ward #3B;
(DDD) Searcy ward #3C;
(EEE) Searcy ward #3D;

- (FFF) Searcy ward #4A;
- (GGG) Searcy ward #4C;
- (HHH) Union voting district; and
- (III) Walker voting district.
- (JJJ) West Point city voting district.

(b) the The qualified electors residing therein in the counties and portions of Garland County and White County listed under subsection (a) of this section shall elect one (1) member of the House of Representatives of the United States.

7-2-104. Third Congressional District.

(a) The Third Congressional District shall be composed of:

(1) the The counties of: ~~Baxter,~~ Benton, Boone, Carroll, ~~Crawford,~~ Franklin, ~~Johnson,~~ Madison, Marion, Newton, Pope, and Sebastian, ~~and~~ Washington; and

(2) The following voting districts of Crawford County as they existed on January 1, 2011:

- (A) Alma #1 voting district;
- (B) Alma #2 voting district;
- (C) Alma #3 voting district;
- (D) Alma #4 voting district;
- (E) Cedar Creek voting district;
- (F) Cedarville voting district;
- (G) Chester voting district;
- (H) Cove City voting district;
- (I) Dean Springs voting district;
- (J) Dora voting district;
- (K) Dyer voting district;
- (L) Eagle Crest voting district;
- (M) Figure Five voting district;
- (N) Jasper voting district;
- (O) Kibler voting district;
- (P) Lancaster voting district;
- (Q) Lee Creek voting district;
- (R) Locke voting district;
- (S) Oliver Springs voting district;
- (T) Mountain voting district;
- (U) Mulberry #1 voting district;
- (V) Mulberry #2 voting district;
- (W) Mulberry #3 voting district;

- (X) Porter voting district;
- (Y) Rudy voting district;
- (Z) Union voting district;
- (AA) Upper voting district;
- (BB) Van Buren #1-1 voting district;
- (CC) Van Buren #1-2 voting district;
- (DD) Van Buren #1-3 voting district;
- (EE) Van Buren #2-1 voting district;
- (FF) Van Buren #2-2 voting district;
- (GG) Van Buren #3-1 voting district;
- (HH) Van Buren #3-2 voting district;
- (II) Van Buren #3-3 voting district;
- (JJ) Van Buren #3-4 voting district;
- (KK) Van Buren #3-5 voting district;
- (LL) Van Buren #3-6 voting district;
- (MM) Van Buren #4-1 voting district;
- (NN) Vine Prairie voting district; and
- (OO) Whitley voting district; and

(3) The following voting districts of Washington County as they existed on January 1, 2011:

- (A) Boston voting district;
- (B) Brush Creek voting district;
- (C) Cane Hill voting district;
- (D) Cove Creek voting district;
- (E) Dutch Mills voting district;
- (F) Elm Springs voting district;
- (G) Fayetteville Precinct #17;
- (H) Fayetteville Precinct #30;
- (J) Goshen city voting district;
- (K) Goshen Township voting district;
- (L) Greenland voting district;
- (M) Harmon voting district;
- (N) Illinois voting district;
- (O) Johnson voting district;
- (P) Lees Creek voting district;
- (Q) Lincoln city voting district;
- (R) Litteral voting district;

(S) Mars Hill voting district;
(T) Morrow voting district;
(U) Prairie Grove voting district;
(V) Prairie Grove Senate voting district;
(W) Rheas Mill voting district;
(X) Springdale Precinct #1;
(Y) Springdale Precinct #2;
(Z) Springdale Precinct #3;
(AA) Springdale Precinct #4;
(BB) Springdale Precinct #5;
(CC) Springdale Precinct #6;
(DD) Springdale Precinct #7;
(EE) Springdale Precinct #9;
(FF) Springdale Precinct #10;
(GG) Springdale Precinct #11;
(HH) Springdale Precinct #12;
(II) Springdale Precinct #13;
(JJ) Springdale Precinct #14;
(KK) Springdale Precinct #15;
(LL) Springdale Precinct #16;
(MM) Springdale Precinct #17;
(NN) Springdale Precinct #18;
(OO) Springdale Precinct #19;
(PP) Springdale Precinct #20;
(QQ) Springdale Precinct #21;
(RR) Springdale Precinct #22;
(SS) Springdale Precinct #23;
(TT) Springdale Precinct #24;
(UU) Springdale Township voting district;
(VV) Starr Hill voting district;
(WW) Tontitown voting district;
(XX) Tontitown city voting district;
(YY) Valley voting district;
(ZZ) Vineyard voting district;
(AAA) Wedington voting district;
(BBB) West Fork voting district; and
(CCC) Wheeler voting district.

(b) the The qualified electors residing therein in the counties and portions of Crawford County and Washington County listed under subsection (a) of this section shall elect one (1) member of the House of Representatives of the United States.

7-2-105. Fourth Congressional District.

(a) The Fourth Congressional District shall be composed of:

(1) the The counties of: Ashley, Bradley, Calhoun, Chicot, Clark, Cleveland, Columbia, Dallas, Desha, Drew, Franklin, Garland, Grant, Hempstead, Hot Spring, Howard, Jefferson, Johnson, Lafayette, Little River, Lincoln, Logan, Miller, Montgomery, Nevada, Ouachita, Pike, Polk, Scott, Sevier, and Union; and

(2) The following voting districts of Crawford County as they existed on January 1, 2011:

(A) Bidville voting district; and

(B) Winfrey voting district;

(3) The following voting districts of Garland County as they existed on January 1, 2011:

(A) Antioch A voting district;

(B) Antioch B voting district;

(C) Bain voting district;

(D) Baxter voting district;

(E) Hale voting district;

(F) Hot Springs #1A voting district;

(G) Hot Springs #1B voting district;

(H) Hot Springs #1C voting district;

(I) Hot Springs #2A voting district;

(J) Hot Springs #2B voting district;

(K) Hot Springs #2C voting district;

(L) Hot Springs #3A voting district;

(M) Hot Springs #3B voting district;

(N) Hot Springs #3C voting district;

(O) Hot Springs #4A voting district;

(P) Hot Springs #4B voting district;

(Q) Hot Springs #4C voting district;

(R) Hot Springs #5A voting district;

(S) Hot Springs #5B voting district;

(T) Hot Springs #5C voting district;

(U) Hot Springs #6A voting district;

(V) Hot Springs #6B voting district;

- (W) Hot Springs TWP voting district;
- (X) Jessievile voting district;
- (Y) Lake Hamilton voting district;
- (Z) Lee voting district;
- (AA) Mafran voting district;
- (BB) Mill voting district;
- (CC) Mountain Pine voting district;
- (DD) Sulfur voting district;
- (EE) Union voting district;
- (FF) Valley voting district; and
- (GG) Whittington voting district; and

(4) The following voting districts of Lincoln County as they existed on January 1, 2011:

- (A) Auburn voting district;
- (B) Choctaw voting district;
- (C) Grady ward #1;
- (D) Grady ward #2; and
- (E) Kimbrough voting district;

(5) The following voting districts of Washington County as they existed on January 1, 2011:

- (A) Center voting district;
- (B) Center House voting district;
- (C) Crawford voting district;
- (D) Durham voting district;
- (E) Elkins City voting district;
- (F) Farmington voting district;
- (G) Fayetteville 20 voting district;
- (H) Fayetteville Precinct #1;
- (I) Fayetteville Precinct #2;
- (J) Fayetteville Precinct #3;
- (K) Fayetteville Precinct #4;
- (L) Fayetteville Precinct #5;
- (M) Fayetteville Precinct #6;
- (N) Fayetteville Precinct #7;
- (O) Fayetteville Precinct #8;
- (P) Fayetteville Precinct #9;
- (Q) Fayetteville Precinct #10;
- (R) Fayetteville Precinct #11;

(S) Fayetteville Precinct #12;
(T) Fayetteville Precinct #13;
(U) Fayetteville Precinct #14;
(V) Fayetteville Precinct #15;
(X) Fayetteville Precinct #16;
(Y) Fayetteville Precinct #18;
(Z) Fayetteville Precinct #19;
(AA) Fayetteville Precinct #21;
(BB) Fayetteville Precinct #22;
(CC) Fayetteville Precinct #23;
(DD) Fayetteville Precinct #24;
(EE) Fayetteville Precinct #25;
(FF) Fayetteville Precinct #26;
(GG) Fayetteville Precinct #27;
(HH) Fayetteville Precinct #28;
(II) Fayetteville Precinct #29;
(JJ) Fayetteville Precinct #31;
(KK) Fayetteville Precinct #32;
(LL) Fayetteville Precinct #33;
(MM) Fayetteville Precinct #34;
(NN) Fayetteville Precinct #35;
(OO) Fayetteville Precinct #36;
(PP) Fayetteville Precinct #37;
(QQ) Fayetteville Precinct #38;
(RR) Fayetteville Precinct #39;
(SS) Fayetteville Precinct #40;
(TT) Prairie #1 voting district;
(UU) Prairie #2 voting district;
(VV) Prairie #3 voting district;
(WW) Prairie #4 voting district;
(XX) Reed voting district;
(YY) Richland voting district;
(ZZ) Richland Senate voting district;
(AAA) White River voting district;
(BBB) Winslow voting district; and
(CCC) Wyman voting district.

(b) the The qualified electors residing therein in the counties and portions of Crawford County, Garland County, Lincoln County and Washington County listed under subsection (a) of this section shall elect one (1) member of the House of Representatives of the United States."

/s/ Clark Hall

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

/s/ Mrs. Sherri Stacks
Chief Clerk

HOUSE CONCURRENT MEMORIAL RESOLUTION NO. 1001

BY: REPRESENTATIVE CARTER

IN RESPECTFUL MEMORY OF MR. JAMES "ED" GILBERT AND IN RECOGNITION OF HIS MANY CONTRIBUTIONS TO THE STATE OF ARKANSAS AND HIS LOCAL COMMUNITY.

Was read and adopted by more than 51 votes.

The House gave Representative Fielding unanimous leave to withdraw **HOUSE BILL NO. 2180**. Recommended Committee study by the Committee on INSURANCE AND COMMERCE - HOUSE.

The House gave Representative Carter unanimous leave to withdraw **HOUSE BILL NO. 1769**.

The House gave Representative Webb unanimous leave to withdraw **HOUSE BILL NO. 1911**. Recommended Committee study by the Committee on CITY, COUNTY AND LOCAL AFFAIRS - HOUSE.

The House gave Representative Mauch unanimous leave to withdraw **HOUSE BILL NO. 1442**. Recommended Committee study by the Committee on EDUCATION - HOUSE.

The House gave Representative Collins unanimous leave to withdraw **HOUSE BILL NO. 1931**. Recommended Committee study by the Committee on CITY, COUNTY AND LOCAL AFFAIRS - HOUSE.

The House gave Representative G. Smith unanimous leave to withdraw **HOUSE BILL NO. 1712**. Recommended Committee study by the Committee on AGRICULTURE, FORESTRY AND ECONOMIC DEVELOPMENT - HOUSE.

The House gave Representative Lenderman unanimous leave to withdraw **HOUSE BILL NO. 1394**. Recommended Committee study by the Committee on AGRICULTURE, FORESTRY AND ECONOMIC DEVELOPMENT - HOUSE.

The House gave Representative Benedict unanimous leave to withdraw **HOUSE BILL NO. 1803**. Recommended Committee study by the Committee on AGRICULTURE, FORESTRY AND ECONOMIC DEVELOPMENT - HOUSE.

The House gave Representative Wardlaw unanimous leave to withdraw **HOUSE BILL NO. 2106**.

The House gave Representative Hammer unanimous leave to withdraw **HOUSE BILL NO. 2117**. Recommended Committee study by the Committee on INSURANCE AND COMMERCE - HOUSE.

ENGROSSED BILL REPORTS

DENNY ALTES, CHAIRPERSON

March 24, 2011

The following bill(s) reported correctly engrossed:

HOUSE BILL NO. 1094	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1226	BY REPRESENTATIVE WEBB
HOUSE BILL NO. 1263	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1290	BY REPRESENTATIVE WEBB
HOUSE BILL NO. 1310	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1311	BY REPRESENTATIVE WEBB
HOUSE BILL NO. 1364	BY REPRESENTATIVE WEBB
HOUSE BILL NO. 1506	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1743 – TITLE –	BY REPRESENTATIVE INGRAM
HOUSE BILL NO. 1836	BY REPRESENTATIVE HALL
HOUSE BILL NO. 1881	BY REPRESENTATIVE LEDING
HOUSE BILL NO. 1913	BY REPRESENTATIVE MOORE
HOUSE BILL NO. 1928	BY REPRESENTATIVE BAKER
HOUSE BILL NO. 1995	BY REPRESENTATIVE MCLEAN
HOUSE BILL NO. 2033	BY REPRESENTATIVE VINES
HOUSE BILL NO. 2085	BY REPRESENTATIVE HOBBS
HOUSE BILL NO. 2109 – TITLE –	BY REPRESENTATIVE ENGLISH
HOUSE BILL NO. 2138	BY REPRESENTATIVE ALLEN
HOUSE BILL NO. 2143 – TITLE –	BY REPRESENTATIVE HYDE
HOUSE BILL NO. 2171 – TITLE –	BY REPRESENTATIVE WORD
HOUSE BILL NO. 2204	BY REPRESENTATIVE SANDERS
HOUSE BILL NO. 2219 – TITLE –	BY REPRESENTATIVE COLLINS
HOUSE BILL NO. 2229	BY REPRESENTATIVE DALE
HOUSE RESOLUTION NO. 1026	BY REPRESENTATIVE HOPPER
SENATE BILL NO. 265	BY SENATOR SALMON
SENATE BILL NO. 946	BY SENATOR S. HARRELSON

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 1743

BY: REPRESENTATIVES INGRAM, *PERRY*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PROMOTE THE HEALTH AND SAFETY OF STUDENTS IN PUBLIC SCHOOL ATHLETIC ACTIVITIES THROUGH THE USE OF ATHLETIC TRAINERS AND PROFESSIONAL DEVELOPMENT FOR COACHES; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2109

BY: REPRESENTATIVE ENGLISH

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PROVIDE FUNDING TO THE DEPARTMENT OF CAREER EDUCATION FOR STUDENTS WHO ARE SIXTEEN, SEVENTEEN, OR *EIGHTEEN YEARS OF AGE AND ENROLLED IN AN ADULT EDUCATION PROGRAM UNDER THE DIRECTION OF THE DEPARTMENT OF CAREER EDUCATION*; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2143

BY: REPRESENTATIVE HYDE

BY: SENATOR TEAGUE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AUTHORIZE THE INSURANCE COMMISSIONER TO ENTER INTO AGREEMENTS WITH OTHER JURISDICTIONS TO AID IN THE ADMINISTRATION OF TAXES ON SURPLUS LINES INSURERS; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2171

BY: REPRESENTATIVE WORD

A BILL FOR AN ACT TO BE ENTITLED TO CREATE THE NON-LEGISLATIVE COMMISSION ON THE STUDY OF LANDLORD-TENANT LAWS; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2219

BY: REPRESENTATIVES COLLINS, *LINDSEY*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PROVIDE STATE SUPPORT FOR THE ELECTRICAL ENERGY ADVANCEMENT PROGRAM FOR INSTITUTIONS OF HIGHER EDUCATION; AND FOR OTHER PURPOSES.

Upon motion of Representative Lindsey, **HOUSE BILL NO. 1094** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1094

Amend **HOUSE BILL NO. 1094** as originally introduced:

Page 1, Line 30, delete "N914" and substitute "N918"

AND

Page 1, Line 31, delete "N912" and substitute N914"

/s/ Kathy Webb

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Allen, Baird, Baker, Barnett, Bell, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carnine, Carter, Catlett, Cheatham, Clemmer, Collins, Collins-Smith, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, Elliott, English, Eubanks, Garner, Gaskill, Gillam, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hutchinson, Hyde, Ingram, Johnston, Kerr, Lampkin, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, 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.

Total91

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Altes, Fielding, Hall, Hammer, Jean, King, McLean.

Total7

VOTING PRESENT: Lea.

Total1

Total number of votes cast92

Total number voting in the affirmative91

Necessary to the adoption of the amendment.....51

So the Amendment was adopted.

/s/ Mrs. Sherri Stacks
Chief Clerk

Upon motion of Representative Lindsey, **HOUSE BILL NO. 1226** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1226

Amend **HOUSE BILL NO. 1226** as originally introduced:

Page 4, line 10, delete "20,000" and substitute "155,000"

AND

Page 4, line 14, delete " \$12,118,350" and substitute " \$12,253,350".

/s/ Kathy Webb

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Allen, Baird, Baker, Barnett, Bell, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carnine, Carter, Catlett, Cheatham, Clemmer, Collins, Collins-Smith, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, Elliott, English, Eubanks, Garner, Gaskill, Gillam, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hutchinson, Hyde, Ingram, Johnston, Kerr, Lampkin, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, 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.

Total91

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Altes, Fielding, Hall, Hammer, Jean, King, McLean.

Total7

VOTING PRESENT: Lea.

Total1

Total number of votes cast.....92

Total number voting in the affirmative91

Necessary to the adoption of the amendment.....51

So the Amendment was adopted.

/s/ Mrs. Sherri Stacks
Chief Clerk

Upon motion of Representative Lindsey, **HOUSE BILL NO. 1263** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1263

Amend **HOUSE BILL NO. 1263** as originally introduced:

Immediately following SECTION 31 of the bill, insert the following:

" SECTION 32. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. BREAST CARE PROGRAM. The Arkansas Department of Health shall annually budget, allocate, and expend for the Breast Care Program as appropriated in Section 5, the sum of at least four million seven hundred fifty-five thousand dollars (\$4,755,000) for Breast Cancer screening, diagnosis, treatment and outreach expenses of the Breast Care Program.

The Arkansas Department of Health shall file an annual progress report by each January 1 preceding a session of the General Assembly to the Co-Chairs of the Legislative Women's Caucus. This report shall include amounts budgeted, allocated and expended for the Breast Care Program for testing, diagnosis, treatment and outreach expenses.

The provisions of this section shall be in effect only from July 1, 2011 through June 30, 2012."

AND

Appropriately renumber subsequent SECTION numbers of the bill.

/s/ Kathy Webb

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Allen, Baird, Baker, Barnett, Bell, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carnine, Carter, Catlett, Cheatham, Clemmer, Collins, Collins-Smith, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, Elliott, English, Eubanks, Garner, Gaskill, Gillam, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hutchinson, Hyde, Ingram, Johnston, Kerr, Lampkin, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, 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.

Total91

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Altes, Fielding, Hall, Hammer, Jean, King, McLean.

Total7

VOTING PRESENT: Lea.

Total1

Total number of votes cast.....92

Total number voting in the affirmative91

Necessary to the adoption of the amendment.....51

So the Amendment was adopted.

/s/ Mrs. Sherri Stacks

Chief Clerk

Upon motion of Representative Lindsey, **HOUSE BILL NO. 1290** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1290

Amend **HOUSE BILL NO. 1290** as originally introduced:

Page 2, delete lines 2 through 5 in their entirety and substitute the following:

- " (7) E061C ACE PROGRAM COORDINATOR 15 GRADE C123"
- " (8) E062C ACE PROGRAM ADVISOR 33 GRADE C122"
- " (9) R014C PERSONNEL MANAGER 1 GRADE C121"
- "(10) R019C BUDGET MANAGER 1 GRADE C120"

/s/ Kathy Webb

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Allen, Baird, Baker, Barnett, Bell, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carnine, Carter, Catlett, Cheatham, Clemmer, Collins, Collins-Smith, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, Elliott, English, Eubanks, Garner, Gaskill, Gillam, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hutchinson, Hyde, Ingram, Johnston, Kerr, Lampkin, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, 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.

Total91

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Altes, Fielding, Hall, Hammer, Jean, King, McLean.

Total7

VOTING PRESENT: Lea.

Total1

Total number of votes cast.....92

Total number voting in the affirmative91

Necessary to the adoption of the amendment.....51

So the Amendment was adopted.

/s/ Mrs. Sherri Stacks
Chief Clerk

Upon motion of Representative Lindsey, **HOUSE BILL NO. 1310** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 3 TO HOUSE BILL NO. 1310

Amend **HOUSE BILL NO. 1310** as engrossed,
H3/18/11 (version: 03/18/2011 01:05:39 PM)

Insert an additional SECTION immediately following SECTION 80 to read as follows:

" SECTION 81. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDING - GRANTS TO FIRE DEPARTMENTS. After funds collected pursuant to §26-57-614 are distributed in accordance with §14-284-403, any remaining balance of authorized funding for grants to fire departments for Crittenden County during the 2010-2011 fiscal year in the amount of one hundred fifty-three thousand eight hundred and ninety-four dollars (\$153,894) or above, shall be distributed as follows:

(a) sixteen percent (16%) shall be distributed to the Edmonson Fire Department up to a maximum of twenty-four thousand five hundred thirty two dollars (\$24,532), and
(b) thirty-two percent (32%) shall be distributed to the Earle Fire Department up to a maximum of forty-nine thousand seventy dollars (\$49,070), and
(c) fifty-two percent (52%) shall be distributed to the Marion Fire Department up to a maximum of eighty thousand two hundred ninety-two dollars (\$80,292).

Any balances remaining for Crittenden County following the distribution in subsections (a) through (c) of this Section, shall be distributed to active fire departments based on population."

AND

Delete SECTION 83 in its entirety and substitute the following"

" SECTION 83. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year period; that the effectiveness of this Act on July 1, 2011, with the exception that Section 80 in this Act shall be in full force and effect from and after the date of its passage and approval, is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the legislative session, the delay in the effective date of this Act beyond July 1, 2011, with the exception that Section 80 in this Act shall be in full force and effect from and after the date of its passage and approval, could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public

peace, health and safety shall be in full force and effect from and after July 1, 2011, with the exception that Section 80 in this Act shall be in full force and effect from and after the date of its passage and approval."

AND

Appropriately renumber the SECTION numbers of the bill.

/s/ Kathy Webb

The vote Amendment was read and the vote was as follows:

AFFIRMATIVE: Allen, Baird, Baker, Barnett, Bell, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carnine, Carter, Catlett, Cheatham, Clemmer, Collins, Collins-Smith, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, Elliott, English, Eubanks, Garner, Gaskill, Gillam, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hutchinson, Hyde, Ingram, Johnston, Kerr, Lampkin, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, 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.

Total91

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Altes, Fielding, Hall, Hammer, Jean, King, McLean.

Total7

VOTING PRESENT: Lea.

Total1

Total number of votes cast92

Total number voting in the affirmative91

Necessary to the adoption of the amendment.....51

So the Amendment was adopted.

/s/ Mrs. Sherri Stacks

Chief Clerk

Upon motion of Representative Lindsey, **HOUSE BILL NO. 1311** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1311

Amend **HOUSE BILL NO. 1311** as originally introduced:

Page 1, line 33 delete "6" and insert "4"

AND

Page 3, line 35 delete "989" and insert "987"

AND

Page 4, line 17 delete "\$44,505,139" and insert "\$44,383,519"

AND

Page 4, line 19 delete "22,798,282" and insert "22,745,476"

AND

Page 4, line 28 delete " \$77,105,391" and insert " \$76,930,965"

/s/ Kathy Webb

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Allen, Baird, Baker, Barnett, Bell, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carnine, Carter, Catlett, Cheatham, Clemmer, Collins, Collins-Smith, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, Elliott, English, Eubanks, Garner, Gaskill, Gillam, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hutchinson, Hyde, Ingram, Johnston, Kerr, Lampkin, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, 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.

Total91

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Altes, Fielding, Hall, Hammer, Jean, King, McLean.

Total7

VOTING PRESENT: Lea.

Total1

Total number of votes cast.....92

Total number voting in the affirmative91

Necessary to the adoption of the amendment.....51

So the Amendment was adopted.

/s/ Mrs. Sherri Stacks
Chief Clerk

Upon motion of Representative Lindsey, **HOUSE BILL NO. 1364** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1364

Amend **HOUSE BILL NO. 1364** as originally introduced:

Page 1, delete SECTION 1 in its entirety and substitute the following:

" SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established for the Northwest Arkansas Community College for the 2011-2012 fiscal year, the following maximum number of regular employees.

Item No.	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2011-2012
<u>TWELVE MONTH EDUCATIONAL AND GENERAL ADMINISTRATIVE POSITIONS</u>			
(001)	President, NWACC	1	\$137,340
(002)	Chief Academic Officer	1	\$110,233
(003)	Chief Fiscal Officer	1	\$103,371
(004)	Chief Student Affairs Officer	1	\$103,371
(005)	Chief Information Officer	1	\$103,371
(006)	Chief Planning & Assessment Officer	1	\$103,371
(007)	Chief of External & Advanced Programs	1	\$103,371
(008)	Director of College Relations	1	\$103,371
(009)	Dir. of Community & Government Rel.	1	\$87,584
(010)	Dir. of Fac. Planning & Construction	1	\$87,584
(011)	Director of Human Resources	1	\$87,584
(012)	Director of Institutional Research	1	\$87,584
(013)	Director of Admin Services	1	\$86,325
(014)	Dean of Workforce Development	1	\$85,665
(015)	Counselor	5	\$84,137
(016)	Registrar	1	\$80,666
(017)	Dir. of Public Rel. & Marketing	1	\$80,666
(018)	Coord. of Cont. Ed. & Bus. Outreach	1	\$80,666
(019)	Dir. of Financial Aid	1	\$80,506
(020)	Dean of Students	1	\$80,162
(021)	Director of Major Gifts	1	\$80,107
(022)	Dir. of Planning & Assessment	1	\$79,789
(023)	Project/Program Administrator	21	

	Project/Program Director		\$79,789
	Project/Program Manager		\$66,814
	Project/Program Specialist		\$60,315
(024)	Director of Academic Computing	1	\$79,160
(025)	Director of Admin. Computing	1	\$79,160
(026)	Dir. of Off-Campus Operations	2	\$79,104
(027)	Director of Distance Learning	1	\$79,104
(028)	Business Manager	1	\$77,322
(029)	Controller	1	\$77,322
(030)	Dean of Advanced Studies	1	\$76,661
(031)	Director of Physical Plant	1	\$74,631
(032)	Director of Police & Public Safety	1	\$74,631
(033)	Director of Enrollment Management	1	\$73,543
(034)	Director of Admissions	1	\$73,543
(035)	Coordinator of Student Recruitment	1	\$73,483
(036)	Director of Special Programs	1	\$73,482
(037)	Coord., Occupational Ed. & Tech. Prep.	1	\$70,305
(038)	Instructional Designer	3	\$70,000
(039)	Administrator of Grants & Contracts	1	\$68,295
(040)	Assistant to the President	1	\$68,295
(041)	Dir. of Student Activities/Org.	1	\$67,268
(042)	Director of Disability Services	1	\$60,223
(043)	Academic Advisor	8	\$50,930

TWELVE MONTH EDUCATIONAL AND GENERAL

CLASSIFIED POSITIONS

(044)	Computer Support Manager	1	GRADE C124
(045)	Database Administrator	3	GRADE C124
(046)	Information Systems Coordinator	1	GRADE C124
(047)	Systems Specialist	1	GRADE C124
(048)	Systems Applications Supervisor	2	GRADE C124
(049)	Information Systems Business Manager	1	GRADE C122
(050)	Accounting Coordinator	2	GRADE C121
(051)	Campus Construction Coordinator	1	GRADE C120
(052)	Education & Instruction Coordinator	2	GRADE C120
(053)	Information Technology Manager	2	GRADE C120
(054)	Systems Coordination Analyst	4	GRADE C120
(055)	Database Analyst	1	GRADE C119

(056)	Computer Support Specialist	3	GRADE C119
(057)	Grants Coordinator	1	GRADE C119
(058)	Education & Instruction Analyst	1	GRADE C118
(059)	Fiscal Support Supervisor	1	GRADE C118
(060)	Network Support Analyst	3	GRADE C118
(061)	Accountant II	5	GRADE C117
(062)	Asst. Dir. of Financial Aid	1	GRADE C117
(063)	Budget Specialist	2	GRADE C117
(064)	HE Public Safety Supervisor	1	GRADE C117
(065)	Human Resources Analyst	1	GRADE C117
(066)	Production Artist	1	GRADE C117
(067)	Buyer	1	GRADE C116
(068)	HEI Program Coordinator	15	GRADE C116
(069)	Media Specialist	2	GRADE C116
(070)	Public Safety Officer	8	GRADE C116
(071)	Skilled Trades Supervisor	1	GRADE C116
(072)	Administrative Analyst	3	GRADE C115
(073)	Assistant Registrar	3	GRADE C115
(074)	Financial Aid Analyst	6	GRADE C115
(075)	Help Desk Specialist	1	GRADE C115
(076)	Human Resources Program Rep.	1	GRADE C115
(077)	Institution Human Resources Coord.	1	GRADE C115
(078)	Maintenance Supervisor	1	GRADE C115
(079)	Payroll Service Specialist	1	GRADE C115
(080)	Purchasing Specialist	1	GRADE C115
(081)	Skilled Tradesman	4	GRADE C115
(082)	Special Events Manager	1	GRADE C115
(083)	Call Center Analyst	1	GRADE C114
(084)	Computer Operator	1	GRADE C114
(085)	HE Pub Safety Officer II	3	GRADE C114
(086)	Financial Aid Specialist	1	GRADE C113
(087)	Human Resources Specialist	1	GRADE C113
(088)	Landscape Supervisor	1	GRADE C113
(089)	Administrative Specialist III	29	GRADE C112
(090)	Fiscal Support Specialist	4	GRADE C112
(091)	Human Resources Assistant	1	GRADE C110
(092)	Public Safety Security Officer	7	GRADE C110
(093)	Warehouse Specialist	2	GRADE C110

(094)	Administrative Specialist II	15	GRADE C109
(095)	Library Technician	3	GRADE C109
(096)	Admission Specialist	1	GRADE C108
(097)	Cashier	3	GRADE C108
(098)	Maintenance Assistant	8	GRADE C108
(099)	Mail Services Coordinator	1	GRADE C107
(100)	Registrar's Assistant	2	GRADE C107
(101)	Administrative Specialist I	10	GRADE C106
(102)	Academic Laboratory Asst	2	GRADE C105
(103)	Equipment Operator	1	GRADE C105
(104)	Shipping & Receiving Clerk	1	GRADE C105
(105)	Institutional Services Assistant	10	GRADE C103

TWELVE MONTH EDUCATIONAL AND GENERAL

ACADEMIC POSITIONS

(106)	Division Chairperson/Dean	8	\$96,471
(107)	Director of Nursing	1	\$95,449
(108)	Librarian	1	\$87,584
(109)	Director of Allied Health	1	\$84,849
(110)	Director of Adult Education	1	\$84,138
(111)	Special Instructor	15	\$73,483
(112)	Assistant Librarian	5	\$54,546
(113)	Lab. Supervisor	6	\$45,793

NINE MONTH EDUCATIONAL AND GENERAL

ACADEMIC POSITIONS

(114)	Faculty	207	\$73,483
(115)	Part-Time Faculty	<u>513</u>	\$36,982
	MAX. NO. OF EMPLOYEES		1,034"

/s/ Kathy Webb

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Allen, Baird, Baker, Barnett, Bell, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carnine, Carter, Catlett, Cheatham, Clemmer, Collins, Collins-Smith, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, Elliott, English, Eubanks, Garner, Gaskill, Gillam, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hutchinson, Hyde, Ingram, Johnston, Kerr, Lampkin, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, 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.

Total91

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Altes, Fielding, Hall, Hammer, Jean, King, McLean.

Total7

VOTING PRESENT: Lea.

Total1

Total number of votes cast92

Total number voting in the affirmative91

Necessary to the adoption of the amendment.....51

So the Amendment was adopted.

/s/ Mrs. Sherri Stacks
Chief Clerk

Upon motion of Representative Lindsey, **HOUSE BILL NO. 1506** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 3 TO HOUSE BILL NO. 1506

Amend **HOUSE BILL NO. 1506** as engrossed,

H3/18/11 (version: 3/18/2011 12:59:19 PM)

Immediately following SECTION 8 of the bill, insert an additional SECTION to read as follows:

" SECTION 9. APPROPRIATION - ARKANSAS ACCELERATION FUND. There is hereby appropriated, to the Arkansas Science and Technology Authority, to be payable from the Arkansas Acceleration Fund, for grants and incentives to accelerate the economy of the State through technology and knowledge-based development, in a sum not to exceed..... \$61,000,000."

AND

Appropriately renumber subsequent SECTION numbers of the bill.

/s/ Kathy Webb

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Allen, Baird, Baker, Barnett, Bell, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carnine, Carter, Catlett, Cheatham, Clemmer, Collins, Collins-Smith, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, Elliott, English, Eubanks, Garner, Gaskill, Gillam, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hutchinson, Hyde, Ingram, Johnston, Kerr, Lampkin, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, 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.

Total91

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Altes, Fielding, Hall, Hammer, Jean, King, McLean.

Total7

VOTING PRESENT: Lea.

Total1

Total number of votes cast92

Total number voting in the affirmative91

Necessary to the adoption of the amendment.....51

So the Amendment was adopted.

/s/ Mrs. Sherri Stacks
Chief Clerk

Representative Eubanks moved to pass over **SENATE BILL NO. 348** and leave it on the Calendar. Motion carried.

Upon motion of Representative Shepherd, **SENATE BILL NO. 265** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO SENATE BILL NO. 265

Amend **SENATE BILL NO. 265** as engrossed,
S2/21/11 (version: 02/21/2011 02:41:34 PM)

Page 1, delete lines 26 through 34 and substitute the following:

"(a) The term of an oil and gas, or oil or gas, lease extended by ~~production in quantities in activities on~~ lands in one (1) section or pooling unit, ~~in which there is production~~ whether established by rule or by order of the Oil and Gas Commission or the lease, shall not be extended ~~in lands in~~ to sections or pooling units under the lease where there has been no ~~production or exploration~~ activity.

(b) ~~This section shall not apply when drilling operations have commenced on any part of lands in sections or pooling units under the lease within one (1) year after the expiration of the primary term, or within one (1) year after the completion of a well on any part of lands in sections or pooling units under the lease. Subsection (a) of this section does not prevent the parties to the lease from agreeing to a continuous drilling provision in order to extend the lease term to additional lands drilled or included in another section or unit if the lessor's waiver of the right to terminate the lease to the additional lands, sections, or units where no activity has occurred before the expiration of the lease is fully set forth in the lease or another agreement in bold, enlarged, or other distinctive print.~~

(c) ~~The provisions of this section shall apply to all oil and gas, or oil or gas, leases entered into on and after July 4, 1983. After the primary term of a lease in an uncontrolled oil field with no spacing requirements, a producing well shall contain a maximum of one (1) governmental quarter-quarter section as a production unit."~~

/s/ Matthew Shepherd

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

/s/ Mrs. Sherri Stacks
Chief Clerk

Upon motion of Representative Thompson, **SENATE BILL NO. 946** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO SENATE BILL NO. 946

Amend **SENATE BILL NO. 946** as originally introduced:

Page 1, line 24 delete "a county ordinance" and substitute "an existing agreement or county ordinance"

AND

Page 1, delete line 29 and substitute:

"or the Arkansas Freedom of Information Act of 1967, § 25-19-109.

(c) As used in this section, "existing agreement" means a contract, custom, practice, or dealings that were in use as of January 1, 2011."

/s/ Tommy Thompson

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

/s/ Mrs. Sherri Stacks
Chief Clerk

HOUSE JOINT RESOLUTION NO. 1001

BY: REPRESENTATIVE BARNETT

Was read the third time and placed on final passage, the question being shall the Resolution pass.

State of Arkansas
88th General Assembly

Regular Session, 2011

HJR 1001

HOUSE JOINT RESOLUTION

FOR A PROPOSED CONSTITUTIONAL AMENDMENT TO LEVY A TEMPORARY SALES AND USE TAX OF ONE-HALF (0.5%) FOR STATE HIGHWAYS AND BRIDGES, COUNTY ROADS, BRIDGES AND OTHER SURFACE TRANSPORTATION, AND CITY STREETS, BRIDGES AND OTHER SURFACE TRANSPORTATION, WITH THE STATE'S PORTION TO SECURE STATE OF ARKANSAS GENERAL OBLIGATION FOUR-LANE HIGHWAY CONSTRUCTION AND IMPROVEMENT BONDS IN THE TOTAL PRINCIPAL AMOUNT NOT TO EXCEED ONE BILLION THREE HUNDRED MILLION DOLLARS (\$1,300,000,000) FOR THE PURPOSE OF CONSTRUCTING AND IMPROVING FOUR-LANE HIGHWAYS IN THE STATE OF ARKANSAS; PRESCRIBING THE TERMS AND CONDITIONS FOR THE ISSUANCE OF SUCH BONDS WHICH WILL MATURE AND BE PAID IN FULL IN APPROXIMATELY TEN (10) YEARS, WHICH PAYMENT IN FULL SHALL TERMINATE THE TEMPORARY SALES AND USE TAX; DESCRIBING THE SOURCES OF REPAYMENT OF THE BONDS; PERMANENTLY DEDICATING A PORTION OF THE PROCEEDS DERIVED FROM THE EXISTING MOTOR FUEL AND DISTILLATE FUEL TAXES TO THE STATE AID STREET FUND; AND PRESCRIBING OTHER MATTERS PERTAINING THERETO.

Subtitle

A TEMPORARY ONE-HALF PERCENT
SALES AND USE TAX FOR STATE
HIGHWAYS AND BRIDGES AND
COUNTY AND CITY ROADS, BRIDGES
AND OTHER SURFACE
TRANSPORTATION WITH STATE
REVENUES SECURING FOUR-LANE
HIGHWAY CONSTRUCTION AND
IMPROVEMENT BONDS.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ARKANSAS AND BY THE SENATE, A MAJORITY OF ALL MEMBERS ELECTED TO EACH HOUSE AGREEING THERETO:

That the following is proposed as an amendment to the Constitution of the State of Arkansas, and upon being submitted to the electors of the state for approval or rejection at the next general election for Representatives and Senators, if a majority of the electors voting thereon at the election adopt the amendment, the amendment shall become a part of the Constitution of the State of Arkansas, to wit:

SECTION 1. Intent. The people of the State of Arkansas find that:

(a) The state has an outdated and inadequate system of highway funding that is unable to meet the severe and pressing needs to maintain and improve the state's system of state highways, county roads, and city streets;

(b) Increasing investment in the state highway system, county roads, and city streets will create jobs, aid in economic development, improve quality of life, and provide additional transportation infrastructure, including specifically, a four-lane highway construction plan designed to connect all regions of the state; and

(c) To provide additional funding for the state's four-lane highway system, county roads, and city streets, this amendment levies a temporary sales and use tax and authorizes general obligation highway construction and improvement bonds for the state's four-lane highway system.

SECTION 2. Definitions.

As used in this amendment:

(a) "Bonds" means the State of Arkansas General Obligation Four-Lane Highway Construction and Improvement Bonds as authorized in this amendment;

(b) "Chairman" means the chair of the Arkansas Highway Commission;

(c) "Chief fiscal officer" means the Director of the Department of Finance and Administration;

(d) "Commission" means the State Highway Commission;

(e) "Debt service" means all amounts required for the payment of principal of, interest on, and premium, if any, due with respect to the bonds in any fiscal year, along with all associated costs, including without limitation the fees and costs of paying agents and trustees, and remarketing agent fees;

(f) "Designated tax revenues" means:

(1) Taxes collected under this amendment and apportioned to the Arkansas State Highway and Transportation Department Fund under § 27-70-206 collected over an approximate ten-year period; and

(2) Other fees or taxes that are dedicated to the repayment of the bonds; and

(g)(1) "Four-lane highway improvements" means construction of and improvements to:

(A) Four-lane roadways;

(B) Bridges;

(C) Tunnels;

(D) Engineering;

(E) Rights-of-way; and

(F) Other related capital improvements and facilities appurtenant or pertaining thereto, including costs of rights-of-way acquisition and utility adjustments.

(2) "Four-lane highway improvements" also means the maintenance of four-lane highway improvements constructed with proceeds of the bonds.

SECTION 3. Levy of Temporary Tax.

(a)(1) Except for food and food ingredients, a temporary additional excise tax of one-half percent (0.5%) is levied on all taxable sales of property and services subject to the tax levied by the Arkansas Gross Receipts Act of 1941.

(2) The tax shall be collected, reported, and paid in the same manner and at the same time as is prescribed by law for the collection, reporting and payment of all other Arkansas gross receipts taxes.

(b)(1) Except for food and food ingredients, a temporary additional excise tax of one-half percent (0.5%) is levied on all tangible personal property subject to the tax levied by the Arkansas Compensating Tax Act of 1949.

(2) The tax shall be collected, reported, and paid in the same manner and at the same time as is prescribed by law for the collection, reporting and payment of Arkansas compensating taxes.

SECTION 4. Authorization and purpose.

(a) The State Highway Commission may issue State of Arkansas Four-Lane Highway Construction and Improvement General Obligation Bonds ("bonds") in a total principal amount not to exceed one billion, three hundred million dollars (\$1,300,000,000) for the purpose of:

(1) Accelerating four-lane highway improvements in progress or scheduled as of January 1, 2011;

(2) Funding new four-lane highway improvements not in progress or scheduled as of January 1, 2011;

(3) Providing matching funds in connection with federal highway programs for four-lane highway improvements; and

(4) Paying the costs of issuance of the bonds.

(b) The bonds may be issued in one (1) or more series at times, in amounts, and bearing the designations as the commission in consultation with the chief fiscal officer determines.

(c)(1) The bonds shall be general obligations of the State of Arkansas, secured by and payable from the general revenues of the state as set forth in Section 15 of this amendment.

(2) The bonds shall be payable first from the following designated revenues:

(A) Portion of the proceeds of the additional one-half of percent (0.5%) excise tax on gross proceeds or gross receipts; and

(B) Portion of the proceeds of the additional one-half percent (0.5%) compensating excise tax; and

(C) Other revenues designated by the General Assembly for this purpose.

(d)(1) If the amendment is approved, the sales tax and the use tax will be collected over an approximate ten-year period, and so long as the bonds are outstanding.

(2) The sales and use tax shall terminate upon payment in full of the bonds.

(3) If the amendment is not approved, the sales and use taxes shall not be levied and collected.

SECTION 5. Use of proceeds.

(a) There is established on the books of the Treasurer of State, Auditor of State, and the chief fiscal officer of the State a special account within the State Highway and Transportation Department Fund to be designated as the Arkansas Four-Lane Highway Construction and Improvement Bond Account.

(b)(1) On the last day of each month, the Treasurer of State, after making the deductions required from the net special revenues as set out in § 19-5-203(b)(1), shall transfer the revenues derived by the one-half cent (0.5¢) taxes levied under this amendment to the State Highway and Transportation Department Fund, the County Aid Fund and the Municipal Aid Fund in the percentages provided in the Arkansas Highway Revenue Distribution Law, § 27-70-201 and § 27-70-206.

(2) The proceeds of the excise taxes transferred to the State Highway and Transportation Department Fund shall be set aside and transferred to the Arkansas Four-Lane Highway Construction and Improvement Bond Account and used for the purposes provided for in this amendment.

(3) The tax revenues accruing from this amendment shall not be designated as special revenues for deposit to the Arkansas Department of Aeronautics Fund under § 27-115-110.

SECTION 6. The Arkansas Highway Revenue Distribution Law, which defines highway revenues, shall include taxes levied and collected by this amendment.

SECTION 7. Effective Date.

(a) The taxes levied by this amendment shall not become effective until after a majority of the qualified electors of the state voting on the question approve the issuance of Four-Lane Highway Construction and Improvement General Obligation Bonds to be repaid in part by the taxes levied by this amendment and deposited to the Arkansas Four-Lane Highway Construction and Improvement Bond Account in the State Highway and Transportation Department Fund.

(b) If the tax levies and the issuance of the bonds are approved, the effective date of the temporary taxes levied by this amendment shall be July 1, 2013.

SECTION 8. Termination of tax.

(a) If bonds are issued under this amendment, the temporary taxes levied under this amendment shall be abolished when there are no bonds outstanding to which tax collections are pledged as provided in this amendment.

(b)(1) To provide for the accomplishment of the administrative duties of the chief fiscal officer and to protect the owners of the bonds, the tax shall be abolished on the first day of the calendar month after the expiration of thirty (30) days from the date a written statement identifying the tax and the bonds is signed by the chairman

and by the trustee for the bondholders, if a trustee is serving in this capacity, and is filed with the chief fiscal officer.

(2) The written statement shall certify that:

(A) The trustee has or will have sufficient funds set aside to pay the principal of and interest on the bonds when due at maturity or at redemption prior to maturity, and the chairman certifies that the tax is not pledged to any other highway bonds; or

(B) There are no longer any bonds outstanding payable from tax collections.

(c) The Department of Finance and Administration shall continue to collect taxes levied under this section during the time the tax levies were in force but unpaid and remit the tax collections under the Arkansas Highway Revenue Distribution Law.

SECTION 9. (a) The General Assembly shall provide for the proper administration and enforcement of this amendment by law.

(b) Unless the General Assembly provides another procedure by law, the provisions of the Arkansas Tax Procedure Act, § 26-18-101 et seq., shall apply to the taxes levied under this amendment and to the reporting, remitting, and enforcement of the tax.

SECTION 10. Procedure for issuing bonds

Before any series of bonds may be issued:

(1)(A) The commission shall, in consultation with the chief fiscal officer, determine the estimated amount of designated tax revenues to be collected by the state in the remainder of the then current fiscal biennium.

(B) The estimated amount of designated tax revenues shall be reported to the commission and Governor;

(2) The commission shall present a report to the Governor that includes the:

(A) Highway construction and improvements to be financed with the proceeds of such series of bonds;

(B) Estimated cost of the four-lane highway construction and improvements;

(C) Amount of bonds necessary to finance such four-lane highway construction and improvements; and

(D) Estimated amount of debt service required to pay the bonds;

(3) Upon receipt of the report required under subdivision (2) of this section, the Governor shall, if he and the Commission determine that the estimated designated tax revenues and any other revenues appropriated by the General

Assembly for repayment of bonds will be sufficient to pay the debt service on the series of bonds, by proclamation authorize the commission to proceed with the issuance of such series of bonds.

(4)(A) After the Governor has issued his or her proclamation with respect to one (1) or more series of bonds, the commission shall adopt a resolution authorizing the issuance of the bonds.

(B) Each such resolution shall contain the terms, covenants, and conditions as are desirable and consistent with this amendment, including without limitation the:

(i) Establishment and maintenance of funds and accounts;

(ii) Deposit and investment of tax collections and of bond proceeds; and

(iii) Rights and obligations of the state, its officers and officials, the commission, and the registered owners of the bonds.

(C)(i) Each such resolution of the commission may provide for the execution and delivery by the commission of a trust indenture or trust indentures, with one (1) or more banks or trust companies located within or outside the state, containing any of the terms, covenants, and conditions provided for in this section and other terms and conditions deemed necessary by the commission.

(ii) The trust indenture or trust indentures shall be binding upon the commission, the state, and their respective officers and officials.

SECTION 11. Terms of bonds.

(a)(1) The bonds shall be issued in series as provided for in this section in amounts sufficient to finance all or part of the costs of four-lane highway construction and improvements provided under Section 10 of this amendment.

(2) Each series shall be designated by the year in which the series was issued, and if more than one (1) series is issued in a particular year then by alphabetical designation.

(b) The bonds of each series shall have the date or dates the commission determines and shall mature, or be subject to mandatory sinking fund redemption, over a period ending not later than ten (10) years after the date of implementation of the temporary sales and use tax.

(c)(1) The bonds of each series shall bear interest at the rate or rates determined by the commission at the sale of the bonds.

(2)(A) The bonds may bear interest at either a fixed or a variable rate.

(B) The interest may be taxable or tax-exempt or may be convertible from one (1) interest rate mode to another.

(C) The interest shall be payable at a time determined by the commission.

(d) The bonds:

(1) Shall be issued in the form of bonds registered as to both principal and interest without coupons;

(2) May be in such denominations;

(3) May be made exchangeable for bonds of another form or denomination, bearing the same rate of interest;

(4) May be made payable at places within or outside the state;

(5) May be made subject to redemption prior to maturity in such manner and for such redemption prices; and

(6) May contain other terms and conditions established by the commission.

(e)(1) Each bond shall be executed with the facsimile signatures of the Governor, the chairman, and the Treasurer of the State, and shall have affixed or imprinted on the bond the seal of the State of Arkansas.

(2) Delivery of the executed bonds shall be valid, notwithstanding any change in persons holding the offices occurring after the bonds have been executed.

SECTION 12. Sale of bonds.

(a)(1) The bonds may be sold at a private sale or public sale and at terms as the commission determines to be reasonable and expedient.

(2) The bonds may be sold at a price acceptable to the commission, and the price may include a discount or a premium.

(b)(1) If the bonds are sold at a public sale, the commission shall provide notice of the offering of the bonds in a manner reasonably designed to notify the public finance industry that the offering is being made.

(2) The commission shall set the terms and conditions of bidding, including the basis on which the winning bid will be selected.

(c)(1) The commission may structure the sale of bonds utilizing financing techniques that are recommended by its professional advisors to take advantage of market conditions and obtain the most favorable interest rates consistent with the purposes of this amendment.

(2) The commission may enter into ancillary agreements in connection with the sale of the bonds as necessary and advisable, including without limitation bond purchase agreements, remarketing agreements, letter of credit and reimbursement agreements, and bond insurance agreements.

SECTION 13. Employment of professionals.

The commission may retain professionals it determines are necessary to issue and sell the bonds, including without limitation legal counsel, financial advisors, underwriters, trustees, paying agents, and remarketing agents.

SECTION 14. Investment of proceeds.

Prior to expenditure of the proceeds from the issuance of the bonds, the proceeds from the issuance of the bonds shall be held, maintained, and invested by the trustee as provided in a resolution of the commission or as provided in a trust indenture securing the bonds.

SECTION 15. General obligation.

(a)(1) The bonds issued under this amendment shall be direct general obligations of the State of Arkansas for the payment of the debt service on which the full faith and credit of the State of Arkansas is irrevocably pledged as long as the bonds are outstanding.

(2) The bonds shall be payable from:

(A) The Arkansas Four-Lane Highway Construction and Improvement Bond Account; and

(B) General revenues of the state as that term is defined in the Revenue Stabilization Law, § 19-5-101 et seq.

(3) As necessary, the amount of general revenues is pledged to the payment of debt service on the bonds and shall be and remain pledged for these purposes.

(b)(1) This amendment shall constitute a contract between the State of Arkansas and the registered owners of all bonds issued under this amendment which shall never be impaired, and any violation of its terms, whether under purported legislative authority or otherwise, may be enjoined by the Circuit Court of Pulaski County upon the complaint of a bond owner or a taxpayer.

(2) The court shall, in any suit against the commission, the Treasurer of State, or other officer or official of the state prevent a diversion of any funds pledged under this amendment and shall compel the restoration of diverted funds, by injunction or mandamus.

(3) Without limitation as to any other appropriate remedy at law or in equity, a bond owner may, by an appropriate action, including without limitation injunction or mandamus, compel the performance of all covenants and obligations of the state, its officers, and officials.

(c) This amendment shall not create a right of any character with respect to the bonds, and a right of any character with respect to the bonds shall not arise

under the amendment, unless the first series of bonds authorized by this amendment has been sold and delivered.

SECTION 16. Sources of repayment.

(a) Without in any way limiting the general obligation of the state to repay the bonds, the designated tax revenues are pledged to the payment of the debt service on the bonds.

(b)(1) The Treasurer of State shall establish in the State Highway and Transportation Department a special account known as the Arkansas Four-Lane Highway Construction and Improvement Bond Account.

(2) The Treasurer of State shall deposit in the Arkansas Four-Lane Highway Construction and Improvement Bond Account all designated tax revenues.

(3) The commission may pledge to the repayment of the bonds the full faith and credit of the state and may grant a lien upon the funds on deposit in the Arkansas Four-Lane Highway Construction and Improvement Bond Account.

(c)(1) On or before commencement of each fiscal year, the commission in consultation with the chief fiscal officer shall determine the estimated amount required for payment of debt service due on each series of bonds issued and outstanding under this amendment during the fiscal year and shall certify the estimated amount to the Treasurer of State.

(2) The Treasurer of State shall then make transfers from the Arkansas Four-Lane Highway Construction and Improvement Bond Account in the State Highway and Transportation Department Fund to the trustees of each series of bonds, in such amounts and at such times as shall be specified in the indentures, to:

(A) Pay the maturing debt service on each series of bonds issued and outstanding under this amendment; and

(B) Establish and maintain with the trustee for each series of bonds a reserve or reserves for payment of debt service on each series of bonds.

(d) The obligation to make transfers from the Arkansas Four-Lane Highway Construction and Improvement Bond Account in the State Highway and Transportation Department Fund for the payment of debt service on, and, if applicable, a reserve for, each series of bonds is a first charge against amounts on deposit.

(e) Funds on deposit in the Arkansas Four-Lane Highway Construction and Improvement Bond Account in the State Highway and Transportation Department Fund that are in excess of the obligations set forth in (d) above may be used to:

(1) Redeem bonds prior to maturity in the manner and in accordance with the provisions pertaining to redemption prior to maturity as set forth in the trust indentures authorizing or securing each series of bonds; or

(2) Fund additional four-lane highway construction and improvements in the manner and in accordance with the provisions set forth in the trust indentures authorizing or securing each series of bonds.

(f) If there are insufficient amounts in the Arkansas Four-Lane Highway Construction and Improvement Bond Account in the State Highway and Transportation Department Fund to pay the debt service on bonds issued and outstanding under this amendment or to fund any necessary reserves at the required level, the State Treasurer shall transfer additional amounts to the Arkansas Four-Lane Highway Construction and Improvement Bond Account in the State Highway and Transportation Department Fund from the general revenues of the State.

SECTION 17. Investment of revenues.

(a) Moneys held in the Arkansas Four-Lane Highway Construction and Improvement Bond Account in the State Highway and Transportation Department Fund and any fund in the State Treasury created under this amendment shall be invested by the State Board of Finance to the full extent practicable pending disbursement for the purposes intended.

(b) Notwithstanding any other provision of law, the investments and disbursements shall be in accordance with the terms of the resolution or trust indenture authorizing or securing the series of bonds to which the fund appertains to the extent the terms of the resolution or trust indenture are applicable.

SECTION 18. Refunding bonds.

(a) The commission may issue bonds for the purpose of refunding bonds previously issued under this amendment if the total amount of bonds outstanding after the refunding is completed does not exceed the total amount authorized by this amendment, and the final maturity of such refunding bonds shall not exceed ten (10) years from the date of implementation of the tax.

(b) The refunding bonds shall be general obligations of the State of Arkansas and shall be secured and sold in accordance with the provisions of this amendment.

SECTION 19. Tax Exemption.

(a)(1) All bonds issued under this amendment and interest on the bonds shall be exempt from all taxes of the State of Arkansas, including income, inheritance, and property taxes.

(2) Profits from the sale of the bonds shall also be exempt from income taxes.

(b) The bonds shall be eligible to secure deposits of all public funds and shall be legal for investment of municipal, county, bank, fiduciary, insurance company, and trust funds.

SECTION 20. State Aid Street Fund.

(a) Upon the adoption of this amendment, the Department of Finance and Administration shall:

(1) Deposit a total of one cent (1¢) per gallon from revenues distributed under the Arkansas Highway Revenue Distribution Law from the proceeds derived from existing motor fuel taxes and distillate fuel taxes; and

(2) Permanently dedicate the revenues to the State Aid Street Fund created under § 27-72-407.

(b) The State Aid Street Funds shall aid city streets under the law.

SECTION 21. Powers of the commission.

(a) All powers granted to the commission under this amendment shall be in addition to the powers as already exist under Amendment 42 to the Arkansas Constitution and the laws of the State of Arkansas.

(b) A member of the commission or other state official shall not be liable personally for any reason arising from the issuance of bonds under this amendment unless the person acts with corrupt intent.

SECTION 22. Form of submission to the electors.

The proposition set forth shall be submitted for approval or rejection by the electors in substantially the following form:

"A TEMPORARY ONE-HALF PERCENT (0.5%) SALES AND USE TAX FOR STATE HIGHWAYS AND BRIDGES, COUNTY ROADS, BRIDGES AND OTHER SURFACE TRANSPORTATION, AND CITY STREETS, BRIDGES AND OTHER SURFACE TRANSPORTATION, WITH THE STATE'S PORTION TO SECURE STATE OF ARKANSAS GENERAL OBLIGATION FOUR-LANE HIGHWAY CONSTRUCTION AND IMPROVEMENT BONDS AND PERMANENTLY DEDICATING ONE CENT (1¢) PER GALLON OF THE PROCEEDS DERIVED FROM THE EXISTING MOTOR FUEL AND DISTILLATE FUEL TAXES TO THE STATE AID STREET FUND"

On each ballot there shall be printed the following:

"FOR a proposed constitutional amendment to levy a temporary sales and use tax of one-half percent (0.5%) for state highways and bridges, county roads, bridges and other surface transportation, and city streets, bridges and other surface transportation, with the state's portion to secure State of Arkansas General Obligation Four-Lane Highway Construction and Improvement Bonds in the total principal amount not to exceed \$1,300,000,000 for the purpose of constructing and improving four-lane highways in the State of Arkansas, prescribing the terms and conditions for the issuance of such bonds which will mature and be paid in full in approximately ten (10) years, which payment in full shall terminate the temporary

sales and use tax, describing the sources of repayment of the bonds and permanently dedicating one cent (1¢) per gallon of the proceeds derived from the existing motor fuel and distillate fuel taxes to the State Aid Street Fund."

"AGAINST a proposed constitutional amendment to levy a temporary sales and use tax of one-half percent (0.5%) for state highways and bridges, county roads, bridges and other surface transportation, and city streets, bridges and other surface transportation, with the state's portion to secure State of Arkansas General Obligation Four-Lane Highway Construction and Improvement Bonds in the total principal amount not to exceed \$1,300,000,000 for the purpose of constructing and improving four-lane highways in the State of Arkansas, prescribing the terms and conditions for the issuance of such bonds which will mature and be paid in full in approximately ten (10) years, which payment in full shall terminate the temporary sales and use tax, describing the sources of repayment of the bonds and permanently dedicating one cent (1¢) per gallon of the proceeds derived from the existing motor fuel and distillate fuel taxes to the State Aid Street Fund."

/s/ Jonathan Barnett

The vote was as follows:

AFFIRMATIVE: Allen, Baker, Barnett, Bradford, Branscum, Brown, Carnine, Catlett, Cheatham, Cowling, Dale, Dickinson, Edwards, Eubanks, Fielding, Gaskill, Gillam, Hall, Hickerson, Hyde, Ingram, King, Lampkin, Leding, Lenderman, Lindsey, Love, Lovell, Malone, McCrary, Murdock, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Post, Powers, Rice, Roebuck, Rogers, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Summers, Thompson, Tyler, Vines, Wagner, Wardlaw, Webb, B. Wilkins, H. Wilkins, Williams, Word, Wren, Wright, Mr. Speaker.

Total62

NEGATIVE: Baird, Bell, Benedict, Biviano, Burris, Clemmer, Collins, Collins-Smith, Cozart, Deffenbaugh, English, Garner, Harris, Hobbs, Hubbard, Lea, Linck, Mauch, Mayberry, D. Meeks, S. Meeks, Sanders, Walker, Westerman, Woods.

Total25

ABSENT OR NOT VOTING: Altes, Carter, Elliott, Hammer, Hutchinson, Jean, Johnston, Kerr, McLean, Ratliff, Stubblefield.

Total11

VOTING PRESENT: Hopper.

Total1

Total number of votes cast88

Total number voting in the affirmative62

Necessary to the adoption of the resolution51

So the Resolution was adopted.

Upon motion of Representative Barnett the Clincher motion prevailed.

HOUSE RESOLUTION NO. 1006

BY: REPRESENTATIVE LAMPKIN

TO RECOGNIZE AND COMMEMORATE THE 100TH YEAR OF THE
OCCUPANCY OF THE HOUSE OF REPRESENTATIVES CHAMBER.

THE RESOLUTION WAS READ AND ADOPTED UNANIMOUSLY.

Representative Hyde moved that the House concur in the following Senate Amendment.

ARKANSAS SENATE

AMENDMENT NO. 1 TO HOUSE BILL NO. 1806

Amend HOUSE BILL NO. 1806 as originally introduced:

Page 45, delete lines 7 and 8

AND

Page 45, line 9, delete "~~(9)~~(10)" and substitute "(9)"

AND

Page 45, line 11, delete "~~(10)~~(11)" and substitute "(10)"

AND

Page 45, line 13, delete "~~(11)~~(12)" and substitute "(11)"

AND

Page 45, line 15, delete "~~(12)~~(13)" and substitute "(12)"

AND

Page 45, line 18, delete "~~(13)~~(14)" and substitute "(13)"

AND

Page 45, line 20, delete "~~(14)~~(15)" and substitute "(14)"

AND

Page 45, line 24, delete "~~(15)~~(16)" and substitute "(15)"

/s/ Larry Teague

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Allen, Altes, Baker, Barnett, Biviano, Bradford, Branscum, Brown, Burris, Carnine, Carter, Catlett, Cheatham, Clemmer, Collins, Collins-Smith, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, English, Fielding, Garner, Gaskill, Gillam, Hall, Hickerson, Hobbs, Hopper, Hubbard, Hutchinson, Hyde, Johnston, Kerr, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Mauch, Mayberry, McCrary, D. Meeks, S. Meeks, Murdock, Overbey, Patterson, Pennartz, Perry, Pierce, Post, Powers, 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.

Total83

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Baird, Benedict, Elliott, Eubanks, Hammer, Ingram, Jean, King, Malone, McLean, Nickels, Ratliff, Wright, Mr. Speaker.

Total14

VOTING PRESENT: Bell, Harris.

Total2

Total number of votes cast85

Total number voting in the affirmative83

Necessary to the concur in the amendment51

So the Amendment was concurred in.

/s/ Mrs. Sherri Stacks
 Chief Clerk

Representative Shepherd moved that the House concur in the following Senate Amendment.

ARKANSAS SENATE

AMENDMENT NO. 1 TO HOUSE BILL NO. 1369

Amend HOUSE BILL NO. 1369 as engrossed,
H2/21/11 (version: 02/21/2011 10:55:31 AM)

Add Representatives Allen, Baird, Biviano, T. Bradford, Carnine, Carter, Cheatham, Clemmer, Collins, Cozart, Dale, J. Dickinson, J. Edwards, English, Garner, Gaskill, Hobbs, Hopper, D. Hutchinson, Hyde, Ingram, Johnston, Kerr, King, Lampkin, Lea, Lenderman, Mayberry, McCrary, McLean, D. Meeks, S. Meeks, Murdock, Nickels, B. Overbey, Perry, Post, Ratliff, J. Roebuck, T. Rogers, Slinkard, T. Steele, Summers, T. Thompson, Tyler, Wagner, Wardlaw, Webb as cosponsors of the bill

/s/ Steve Harrelson

The Amendment was read and 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, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, English, Eubanks, Fielding, Garner, Gaskill, Gillam, Hall, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hutchinson, Ingram, Johnston, Kerr, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, D. Meeks, S. Meeks, Murdock, Overbey, Patterson, Pennartz, Perry, Pierce, Post, Powers, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Walker, Wardlaw, Westerman, B. Wilkins, H. Wilkins, Williams, Woods, Word, Wren, Wright.

Total88

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Elliott, Hammer, Hyde, Jean, King, Lampkin, McLean, Nickels, Ratliff, Webb, Mr. Speaker.

Total11

VOTING PRESENT:

Total0

Total number of votes cast88

Total number voting in the affirmative88

Necessary to the concur in the amendment51

So the Amendment was concurred in.

/s/ Mrs. Sherri Stacks
Chief Clerk

Representative Hall moved to remove **HOUSE BILL NO. 1490** from the Calendar. Motion carried.

HOUSE BILL NO. 1953

BY: REPRESENTATIVE J. ROEBUCK

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, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, English, Eubanks, Fielding, Garner, Gaskill, Gillam, Hall, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hutchinson, Hyde, Ingram, Kerr, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, D. Meeks, S. Meeks, Murdock, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Ratliff, Roebuck, Rogers, Sanders, Shepherd, Slinkard, Steel, Steele, Stewart, Stubblefield, Thompson, Tyler, Vines, Wagner, Walker, Wardlaw, Webb, Westerman, B. Wilkins, H. Wilkins, Woods, Wren, Wright.

Total86

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Elliott, Hammer, Jean, Johnston, King, McLean, Post, Rice, G. Smith, Summers, Williams, Word, Mr. Speaker.

Total13

VOTING PRESENT:

Total0

Total number of votes cast86

Total number voting in the affirmative86

Necessary to the passage of the bill51

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

HOUSE BILL NO. 2153

BY: REPRESENTATIVE JOHNSTON

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, Baker, Barnett, Bell, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carter, Catlett, Cheatham, Clemmer, Collins, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, English, Eubanks, Garner, Gaskill, Gillam, Hall, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hyde, Ingram, Johnston, Kerr, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Mauch, Mayberry, McCrary, D. Meeks, S. Meeks, Murdock, Overbey, Patterson, Pennartz, Perry, 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.

Total85

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Baird, Carnine, Collins-Smith, Elliott, Fielding, Hammer, Hutchinson, Jean, King, Malone, McLean, Nickels, Pierce, Mr. Speaker.

Total14

VOTING PRESENT:

Total0

Total number of votes cast85

Total number voting in the affirmative85

Necessary to the passage of the bill51

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

HOUSE BILL NO. 2188

BY: REPRESENTATIVE L. COWLING

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

AFFIRMATIVE: Allen, Baird, Baker, Barnett, Biviano, Bradford, Branscum, Brown, Burris, Carnine, Carter, Catlett, Cheatham, Clemmer, Collins, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, English, Eubanks, Garner, Gaskill, Gillam, Hall, Hickerson, Hubbard, Hutchinson, Hyde, Ingram, Johnston, Kerr, King, Lampkin, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, 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, H. Wilkins, Williams, Woods, Word, Wren, Wright, Mr. Speaker.

Total85

NEGATIVE: Benedict, Harris, Hobbs, Hopper.

Total4

ABSENT OR NOT VOTING: Altes, Collins-Smith, Elliott, Fielding, Hammer, Jean, McLean, B. Wilkins.

Total8

VOTING PRESENT: Bell, Lea.

Total2

Total number of votes cast91

Total number voting in the affirmative85

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

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

Representative G. Smith moved to pass over HOUSE BILL NO. 2185 and leave it on the Calendar. Motion carried.

HOUSE BILL NO. 1604

BY: REPRESENTATIVE MURDOCK

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

Total	91
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Branscum, English, Hammer, Jean, McLean, Patterson, Stewart, Mr. Speaker.	
Total	8
VOTING PRESENT:	
Total	0
Total number of votes cast	91
Total number voting in the affirmative.....	91
Necessary to the passage of the bill.....	51

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

HOUSE BILL NO. 1811

BY: REPRESENTATIVE T. ROGERS

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, Baker, Barnett, Benedict, Bradford, Branscum, Carnine, Catlett, Cheatham, Clemmer, Collins-Smith, Cowling, Cozart, Deffenbaugh, Dickinson, Edwards, Elliott, English, Eubanks, Fielding, Gaskill, Gillam, Hall, Hickerson, Hopper, Hyde, Kerr, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Lovell, Malone, Mauch, Mayberry, McCrary, S. Meeks, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Post, Powers, Ratliff, Roebuck, Rogers, Shepherd, Slinkard, G. Smith, Steele, Stewart, Summers, Tyler, Vines, Wagner, Walker, Wardlaw, Webb, Westerman, B. Wilkins, H. Wilkins, Woods, Word, Wren, Wright.

Total70

NEGATIVE: Collins, Dale, Garner, Harris, Hubbard, D. Meeks, Steel.

Total7

ABSENT OR NOT VOTING: Baird, Biviano, Brown, Burris, Hammer, Hutchinson, Ingram, Jean, Johnston, King, McLean, Murdock, Rice, Sanders, Stubblefield, Thompson, Williams, Mr. Speaker.

Total18

VOTING PRESENT: Bell, Carter, Hobbs, Love.

Total4

Total number of votes cast81

Total number voting in the affirmative70

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

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

HOUSE BILL NO. 2029

BY: REPRESENTATIVE PERRY

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, Bradford, Branscum, Burris, Catlett, Cheatham, Collins, Collins-Smith, Cowling, Cozart, Deffenbaugh, Edwards, English, Fielding, Garner, Gaskill, Hall, Harris, Hickerson, Hobbs, Hutchinson, Hyde, Ingram, Kerr, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, D. Meeks, S. Meeks, Nickels, Overbey, Patterson, Perry, Pierce, Post, Powers, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Summers, Thompson, Tyler, Vines, Wagner, Walker, Webb, Westerman, B. Wilkins, H. Wilkins, Williams, Woods, Wren, Wright.

Total73

NEGATIVE: Benedict, Hopper, Johnston, Stubblefield.

Total4

ABSENT OR NOT VOTING: Biviano, Brown, Carnine, Carter, Dale, Dickinson, Elliott, Eubanks, Gillam, Hammer, Hubbard, Jean, King, Lampkin, McCrary, McLean, Murdock, Pennartz, Wardlaw, Word, Mr. Speaker.

Total21

VOTING PRESENT: Clemmer.

Total1

Total number of votes cast78

Total number voting in the affirmative73

Necessary to the passage of the bill51

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

HOUSE BILL NO. 2032

BY: REPRESENTATIVE J. ROEBUCK

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, Carnine, Catlett, Cheatham, Clemmer, Collins-Smith, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, English, Eubanks, Fielding, Garner, Gaskill, Gillam, Hall, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hutchinson, Ingram, Kerr, King, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, D. Meeks, Nickels, Overbey, Patterson, Pennartz, Perry, Post, Powers, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Walker, Webb, Westerman, B. Wilkins, H. Wilkins, Williams, Woods, Wren, Wright.

Total82

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Brown, Burris, Carter, Collins, Edwards, Elliott, Hammer, Hyde, Jean, Johnston, McLean, S. Meeks, Murdock, Pierce, Wardlaw, Word, Mr. Speaker.

Total17

VOTING PRESENT:

Total0

Total number of votes cast82

Total number voting in the affirmative82

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

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

HOUSE BILL NO. 2050

BY: REPRESENTATIVE J. ROEBUCK

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, Bradford, Branscum, Brown, Carnine, Catlett, Cheatham, Clemmer, Collins-Smith, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, English, Fielding, Gillam, Hall, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hutchinson, Hyde, Ingram, Kerr, King, Lea, Leding, Lenderman, Linck, Lindsey, Lovell, Malone, Mauch, Mayberry, McCrary, 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, Webb, Westerman, B. Wilkins, H. Wilkins, Williams, Woods, Word, Wren, Wright.

Total81

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Biviano, Burris, Carter, Collins, Elliott, Eubanks, Garner, Gaskill, Hammer, Jean, Johnston, Lampkin, Love, McLean, Murdock, Walker, Wardlaw, Mr. Speaker.

Total18

VOTING PRESENT:

Total0

Total number of votes cast.....81

Total number voting in the affirmative81

Necessary to the passage of the bill51

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

HOUSE BILL NO. 2088

BY: REPRESENTATIVE ALLEN

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, Catlett, Cheatham, Clemmer, Collins, Collins-Smith, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, English, Eubanks, Fielding, Garner, Gaskill, Gillam, Hall, Hickerson, Hobbs, Hopper, Hubbard, Hutchinson, Hyde, Ingram, Johnston, Kerr, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, D. Meeks, S. Meeks, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Post, Powers, Ratliff, Rice, Roebuck, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Wardlaw, Webb, Westerman, B. Wilkins, H. Wilkins, Williams, Woods, Word, Wren, Wright.

Total87

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Carter, Elliott, Hammer, Harris, Jean, King, McLean, Murdock, Rogers, Stewart, Walker, Mr. Speaker.

Total12

VOTING PRESENT:

Total0

Total number of votes cast87

Total number voting in the affirmative87

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

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

HOUSE BILL NO. 1991

BY: REPRESENTATIVE COZART

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, Baker, Bell, Benedict, Biviano, Bradford, Branscum, Burris, Carnine, Carter, Collins, Collins-Smith, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, English, Eubanks, Fielding, Garner, Gaskill, Gillam, Hall, Harris, Hickerson, Hopper, Hubbard, Hyde, Ingram, Johnston, Lampkin, Lea, Leding, Lenderman, Linck, Malone, Mauch, Mayberry, McCrary, D. Meeks, S. Meeks, Nickels, Pennartz, Perry, Powers, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, Steel, Steele, Stubblefield, Summers, Thompson, Tyler, Vines, Walker, Wardlaw, Webb, Westerman, H. Wilkins, Williams, Woods, Wren, Wright.

Total70

NEGATIVE: Baird, Barnett, Catlett, Cheatham, Hobbs, Kerr, Lindsey, Lovell, Patterson, Ratliff, Stewart, Wagner, B. Wilkins, Word.

Total14

ABSENT OR NOT VOTING: Brown, Clemmer, Elliott, Hammer, Hutchinson, Jean, King, Love, McLean, Murdock, Overbey, Pierce, Post, G. Smith, Mr. Speaker.

Total15

VOTING PRESENT:

Total0

Total number of votes cast84

Total number voting in the affirmative.....70

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

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

Upon motion of Representative Cozart the Clincher motion prevailed.

HOUSE BILL NO. 2068

BY: REPRESENTATIVE EUBANKS

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

AFFIRMATIVE: Altes, Baker, Barnett, Bell, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carnine, Carter, Catlett, Cheatham, Collins, Collins-Smith, Cozart, Dale, Deffenbaugh, English, Eubanks, Garner, Gaskill, Gillam, Hall, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hutchinson, Johnston, King, Lampkin, Lea, Lenderman, Lovell, Malone, Mauch, Mayberry, D. Meeks, S. Meeks, Patterson, Ratliff, Rice, Sanders, Shepherd, Slinkard, G. Smith, Steel, Stubblefield, Summers, Vines, Wagner, Wardlaw, B. Wilkins, H. Wilkins, Woods, Word, Wren.

Total60

NEGATIVE: Fielding, Ingram, Leding, Lindsey, Love, McCrary, Nickels, Perry, Post, Powers, Roebuck, Rogers, Stewart, Walker, Westerman.

Total15

ABSENT OR NOT VOTING: Allen, Baird, Clemmer, Cowling, Dickinson, Edwards, Elliott, Hammer, Hyde, Jean, Kerr, McLean, Murdock, Overbey, Pennartz, Pierce, Steele, Thompson, Tyler, Webb, Williams, Wright, Mr. Speaker.

Total23

VOTING PRESENT: Linck.

Total1

Total number of votes cast76

Total number voting in the affirmative60

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

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

Upon motion of Representative Eubanks the Clincher motion prevailed.

HOUSE BILL NO. 2070

BY: REPRESENTATIVE SLINKARD

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, Cozart, Dale, Deffenbaugh, Dickinson, Elliott, English, Eubanks, Garner, Gaskill, Gillam, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hutchinson, Hyde, Ingram, Johnston, Kerr, King, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, D. Meeks, S. Meeks, Overbey, Patterson, Pennartz, Perry, Pierce, Post, Powers, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steel, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Walker, Wardlaw, Webb, Westerman, B. Wilkins, H. Wilkins, Williams, Word, Wren, Wright.

Total88

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Edwards, Fielding, Hall, Hammer, Jean, McLean, Murdock, Nickels, Steele, Woods, Mr. Speaker.

Total11

VOTING PRESENT:

Total0

Total number of votes cast88

Total number voting in the affirmative88

Necessary to the passage of the bill51

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

HOUSE BILL NO. 2045

BY: REPRESENTATIVE GARNER

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, Baker, Barnett, Bell, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carnine, Carter, Catlett, Cheatham, Clemmer, Collins, Collins-Smith, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, Elliott, English, Eubanks, Garner, Gaskill, Gillam, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hutchinson, Johnston, Kerr, King, Lampkin, Lea, Leding, Lenderman, Linck, Love, Lovell, Malone, Mauch, Mayberry, McCrary, D. Meeks, S. Meeks, Overbey, Patterson, Pennartz, Post, Powers, Rice, Roebuck, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Wardlaw, Webb, Westerman, B. Wilkins, H. Wilkins, Williams, Woods, Word, Wren, Wright.

Total82

NEGATIVE: Fielding, Walker.

Total2

ABSENT OR NOT VOTING: Baird, Hall, Hammer, Hyde, Ingram, Jean, Lindsey, McLean, Murdock, Nickels, Perry, Pierce, Ratliff, Rogers, Mr. Speaker.

Total15

VOTING PRESENT:

Total0

Total number of votes cast84

Total number voting in the affirmative82

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

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

HOUSE BILL NO. 1545

BY: REPRESENTATIVE KING

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

Total85

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Baird, Bradford, Burris, Collins-Smith, Elliott, Hammer, Jean, McLean, Murdock, Post, Roebuck, Rogers, Wardlaw, Mr. Speaker.

Total14

VOTING PRESENT:

Total0

Total number of votes cast85

Total number voting in the affirmative.....85

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

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

HOUSE BILL NO. 1544

BY: REPRESENTATIVE STEWART

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

Total91

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Baird, Hammer, Jean, McLean, Murdock, G. Smith, Word, Mr. Speaker.

Total8

VOTING PRESENT:

Total0

Total number of votes cast91

Total number voting in the affirmative91

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

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

HOUSE BILL NO. 1738

BY: REPRESENTATIVE INGRAM

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, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, English, Eubanks, Garner, Gaskill, Gillam, Hall, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hutchinson, Hyde, Ingram, Johnston, Kerr, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, D. Meeks, S. Meeks, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Post, Powers, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Walker, Wardlaw, Webb, Westerman, B. Wilkins, H. Wilkins, Williams, Woods, Word, Wren, Wright.

Total89

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Collins-Smith, Elliott, Fielding, Hammer, Jean, King, McLean, Murdock, Steel, Mr. Speaker.

Total10

VOTING PRESENT:

Total0

Total number of votes cast89

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 House stood in recess at 2:31 p.m. until 3:37 p.m.

The Chair requested that **HOUSE BILL NO. 2229** be transferred from the Committee on CITY, COUNTY AND LOCAL AFFAIRS to the Committee on AGRICULTURE, FORESTRY AND ECONOMIC DEVELOPMENT.

HOUSE BILL NO. 1955

BY: REPRESENTATIVE MCCRARY

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, Bradford, Branscum, Brown, Carnine, Catlett, Cheatham, Clemmer, Collins-Smith, Cowling, Cozart, Dale, Deffenbaugh, Edwards, Eubanks, Garner, Gaskill, Gillam, Harris, Hickerson, Hopper, Hubbard, Hutchinson, Hyde, Ingram, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, D. Meeks, S. Meeks, Nickels, Overbey, Patterson, Pennartz, Pierce, Post, Powers, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steel, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Walker, Wardlaw, Webb, Westerman, B. Wilkins, H. Wilkins, Williams, Woods, Word, Wren, Wright.

Total79

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Biviano, Burris, Carter, Collins, Dickinson, Elliott, English, Fielding, Hall, Hammer, Hobbs, Jean, Johnston, Kerr, King, McLean, Murdock, Perry, Steele, Mr. Speaker.

Total20

VOTING PRESENT:

Total0

Total number of votes cast79

Total number voting in the affirmative79

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

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

HOUSE BILL NO. 1980

BY: REPRESENTATIVE WESTERMAN

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-Smith, Cowling, Cozart, Dale, Deffenbaugh, Edwards, Eubanks, Fielding, Garner, Gaskill, Gillam, Harris, Hickerson, Hopper, Hubbard, Hutchinson, Hyde, Ingram, Johnston, Kerr, King, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, D. Meeks, S. Meeks, Overbey, Patterson, Pennartz, Perry, Pierce, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Westerman, B. Wilkins, H. Wilkins, Williams, Woods, Word, Wren, Wright.

Total82

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Collins, Dickinson, Elliott, English, Hall, Hammer, Hobbs, Jean, McLean, Murdock, Nickels, Post, Powers, Walker, Wardlaw, Webb, Mr. Speaker.

Total17

VOTING PRESENT:

Total0

Total number of votes cast82

Total number voting in the affirmative.....82

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

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

HOUSE BILL NO. 1947

BY: REPRESENTATIVE PERRY

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, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carnine, Carter, Catlett, Cheatham, Clemmer, Collins, Cowling, Cozart, Dale, Deffenbaugh, Edwards, Eubanks, Fielding, Gaskill, Gillam, Hopper, Hutchinson, Hyde, Ingram, Kerr, King, Lea, Leding, Lenderman, Linck, Lindsey, Lovell, Malone, Mayberry, McCrary, S. Meeks, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Post, Powers, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Summers, Thompson, Tyler, Vines, Wagner, Walker, Webb, Westerman, B. Wilkins, H. Wilkins, Williams, Word, Wren, Wright.

Total75

NEGATIVE: Bell, English, Harris, Hubbard, Mauch, D. Meeks, Stubblefield.

Total7

ABSENT OR NOT VOTING: Collins-Smith, Dickinson, Elliott, Garner, Hall, Hammer, Hickerson, Hobbs, Jean, Johnston, Lampkin, Love, McLean, Murdock, Woods, Mr. Speaker.

Total16

VOTING PRESENT: Wardlaw.

Total1

Total number of votes cast83

Total number voting in the affirmative75

Necessary to the passage of the bill51

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1947**, 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, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carnine, Carter, Catlett, Cheatham, Clemmer, Collins, Cowling, Cozart, Dale, Deffenbaugh, Edwards, Eubanks, Fielding, Gaskill, Gillam, Hopper, Hutchinson, Hyde, Ingram, Kerr, King, Lea, Leding, Lenderman, Linck, Lindsey, Lovell, Malone, Mayberry, McCrary, S. Meeks, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Post, Powers, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Summers, Thompson, Tyler, Vines, Wagner, Walker, Webb, Westerman, B. Wilkins, H. Wilkins, Williams, Word, Wren, Wright.

Total75

NEGATIVE: Bell, English, Harris, Hubbard, Mauch, D. Meeks, Stubblefield.

Total7

ABSENT OR NOT VOTING: Collins-Smith, Dickinson, Elliott, Garner, Hall, Hammer, Hickerson, Hobbs, Jean, Johnston, Lampkin, Love, McLean, Murdock, Woods, Mr. Speaker.

Total16

VOTING PRESENT: Wardlaw.

Total1

Total number of votes cast83

Total number voting in the affirmative75

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

So the Emergency Clause was adopted.

HOUSE BILL NO. 1952

BY: REPRESENTATIVE J. ROEBUCK

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, Cozart, Dale, Deffenbaugh, Edwards, English, Eubanks, Fielding, Garner, Gaskill, Gillam, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hutchinson, Hyde, Ingram, Johnston, Kerr, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, D. Meeks, S. Meeks, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, 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.

Total89

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Dickinson, Elliott, Hall, Hammer, Jean, King, McLean, Murdock, Post, Mr. Speaker.

Total10

VOTING PRESENT:

Total0

Total number of votes cast89

Total number voting in the affirmative89

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

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

HOUSE BILL NO. 2179

BY: REPRESENTATIVE J. ROEBUCK

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, Cowling, Cozart, Dale, Deffenbaugh, Edwards, Eubanks, Fielding, Garner, Gaskill, Gillam, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hutchinson, Hyde, Ingram, Johnston, Kerr, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, 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.

Total88

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Collins-Smith, Dickinson, Elliott, English, Hall, Hammer, Jean, King, McLean, Murdock, Mr. Speaker.

Total11

VOTING PRESENT:

Total0

Total number of votes cast88

Total number voting in the affirmative.....88

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

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

HOUSE BILL NO. 2202

BY: REPRESENTATIVE SANDERS

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

AFFIRMATIVE: Altes, Baird, Baker, Barnett, Bell, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carnine, Carter, Catlett, Cheatham, Clemmer, Collins, Collins-Smith, Cozart, Dale, Deffenbaugh, Edwards, English, Eubanks, Garner, Gaskill, Gillam, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hutchinson, Hyde, Ingram, Kerr, King, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, 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, Wren, Wright.

Total86

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Allen, Cowling, Dickinson, Elliott, Fielding, Hall, Hammer, Jean, Johnston, McLean, Murdock, Word, Mr. Speaker.

Total13

VOTING PRESENT:

Total0

Total number of votes cast86

Total number voting in the affirmative86

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

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

HOUSE BILL NO. 1783

BY: REPRESENTATIVE KING

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

AFFIRMATIVE: Altes, Baird, Baker, Bell, Benedict, Biviano, Bradford, Branscum, Burris, Carnine, Carter, Catlett, Cheatham, Clemmer, Collins, Cozart, Dale, Deffenbaugh, Edwards, English, Eubanks, Garner, Gaskill, Gillam, Harris, Hobbs, Hopper, Hubbard, Hutchinson, Hyde, Johnston, Kerr, King, Lampkin, Lea, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, D. Meeks, S. Meeks, Nickels, Pennartz, Perry, Pierce, Rice, Sanders, Shepherd, Slinkard, Steel, Steele, Stubblefield, Summers, Vines, Wagner, Wardlaw, Webb, Westerman, B. Wilkins, H. Wilkins, Woods, Wren, Wright.

Total67

NEGATIVE: Fielding, Hickerson, Leding, McCrary, Patterson, Powers, Ratliff, Roebuck, Rogers.

Total9

ABSENT OR NOT VOTING: Allen, Barnett, Brown, Collins-Smith, Cowling, Dickinson, Elliott, Hall, Hammer, Ingram, Jean, McLean, Murdock, Overbey, Post, G. Smith, Stewart, Thompson, Tyler, Walker, Williams, Word, Mr. Speaker.

Total23

VOTING PRESENT:

Total0

Total number of votes cast76

Total number voting in the affirmative.....67

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

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

Upon motion of Representative Garner the Clincher motion prevailed.

HOUSE BILL NO. 1784

BY: REPRESENTATIVE KING

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

AFFIRMATIVE: Altes, Baird, Baker, Bell, Benedict, Biviano, Bradford, Branscum, Burris, Carnine, Carter, Catlett, Cheatham, Clemmer, Collins, Collins-Smith, Cozart, Dale, Deffenbaugh, Edwards, English, Eubanks, Garner, Gaskill, Gillam, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hutchinson, Hyde, Johnston, Kerr, King, Lampkin, Lea, Lenderman, Linck, Love, Lovell, Malone, Mauch, Mayberry, D. Meeks, S. Meeks, Murdock, Nickels, Pennartz, Perry, Pierce, Rice, Rogers, Sanders, Shepherd, Slinkard, Steel, Steele, Stubblefield, Vines, Wagner, Walker, Wardlaw, Westerman, B. Wilkins, Woods, Wren.

Total67

NEGATIVE: Fielding, Leding, Lindsey, Patterson, Powers, Ratliff, Roebuck, Stewart.

Total8

ABSENT OR NOT VOTING: Allen, Brown, Cowling, Dickinson, Elliott, Hall, Hammer, Ingram, Jean, McCrary, McLean, Overbey, Post, G. Smith, Summers, Thompson, Tyler, Webb, H. Wilkins, Williams, Word, Wright, Mr. Speaker.

Total23

VOTING PRESENT: Barnett.

Total1

Total number of votes cast76

Total number voting in the affirmative67

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

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

HOUSE BILL NO. 2128

BY: REPRESENTATIVE WOODS

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, Catlett, Cheatham, Clemmer, Collins, Collins-Smith, Cowling, Cozart, Dale, Deffenbaugh, Edwards, English, Eubanks, Garner, Gillam, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hutchinson, Hyde, Johnston, Kerr, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, D. Meeks, S. Meeks, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Post, Powers, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Walker, Wardlaw, Webb, Westerman, B. Wilkins, H. Wilkins, Williams, Woods, Word, Wren, Wright.

Total83

NEGATIVE: McCrary, G. Smith.

Total2

ABSENT OR NOT VOTING: Carter, Dickinson, Elliott, Fielding, Gaskill, Hall, Hammer, Ingram, Jean, King, McLean, Murdock, Steel, Mr. Speaker.

Total14

VOTING PRESENT:

Total0

Total number of votes cast85

Total number voting in the affirmative.....83

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

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

HOUSE BILL NO. 1450

BY: REPRESENTATIVE BARNETT

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, Barnett, Bell, Benedict, Biviano, Bradford, Branscum, Brown, Carnine, Carter, Catlett, Cheatham, Clemmer, Collins, Collins-Smith, Cowling, Cozart, Dale, Deffenbaugh, Edwards, Elliott, English, Eubanks, Garner, Gillam, Hickerson, Hobbs, Hopper, Hutchinson, Hyde, Ingram, Johnston, Kerr, King, Lampkin, Lea, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, S. Meeks, Nickels, Patterson, Perry, Pierce, Post, Powers, Ratliff, Rice, Roebuck, Rogers, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Wardlaw, Westerman, H. Wilkins, Woods, Word, Wren, Wright.

Total76

NEGATIVE: Baird, Harris, Hubbard, D. Meeks, Pennartz, Walker, Webb, Williams.

Total8

ABSENT OR NOT VOTING: Baker, Burris, Dickinson, Fielding, Gaskill, Hall, Hammer, Jean, Leding, McLean, Murdock, Overbey, Sanders, B. Wilkins, Mr. Speaker.

Total15

VOTING PRESENT:

Total0

Total number of votes cast84

Total number voting in the affirmative76

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

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

Upon motion of Representative Barnett the Clincher motion prevailed.

HOUSE BILLS ORDERED TRANSMITTED TO THE SENATE AS PASSED

HOUSE BILL NO. 1450	BY REPRESENTATIVE BARNETT
HOUSE BILL NO. 1544	BY REPRESENTATIVE STEWART
HOUSE BILL NO. 1545	BY REPRESENTATIVE KING
HOUSE BILL NO. 1604	BY REPRESENTATIVE MURDOCK
HOUSE BILL NO. 1738	BY REPRESENTATIVE INGRAM
HOUSE BILL NO. 1783	BY REPRESENTATIVE KING
HOUSE BILL NO. 1784	BY REPRESENTATIVE KING
HOUSE BILL NO. 1811	BY REPRESENTATIVE T. ROGERS
HOUSE BILL NO. 1947	BY REPRESENTATIVE PERRY
HOUSE BILL NO. 1952	BY REPRESENTATIVE J. ROEBUCK
HOUSE BILL NO. 1953	BY REPRESENTATIVE J. ROEBUCK
HOUSE BILL NO. 1955	BY REPRESENTATIVE MCCRARY
HOUSE BILL NO. 1980	BY REPRESENTATIVE WESTERMAN
HOUSE BILL NO. 1991	BY REPRESENTATIVE COZART
HOUSE BILL NO. 2029	BY REPRESENTATIVE PERRY
HOUSE BILL NO. 2032	BY REPRESENTATIVE J. ROEBUCK
HOUSE BILL NO. 2045	BY REPRESENTATIVE GARNER
HOUSE BILL NO. 2050	BY REPRESENTATIVE J. ROEBUCK
HOUSE BILL NO. 2068	BY REPRESENTATIVE EUBANKS
HOUSE BILL NO. 2070	BY REPRESENTATIVE SLINKARD
HOUSE BILL NO. 2088	BY REPRESENTATIVE ALLEN
HOUSE BILL NO. 2128	BY REPRESENTATIVE WOODS
HOUSE BILL NO. 2153	BY REPRESENTATIVE JOHNSTON
HOUSE BILL NO. 2179	BY REPRESENTATIVE J. ROEBUCK
HOUSE BILL NO. 2188	BY REPRESENTATIVE L. COWLING
HOUSE BILL NO. 2202	BY REPRESENTATIVE SANDERS

HOUSE CONCURRENT MEMORIAL RESOLUTION ADOPTED AND
ORDERED TRANSMITTED TO THE SENATE

HOUSE MEMORIAL CONCURRENT RESOLUTION NO. 1001	BY REPRESENTATIVE CARTER
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HOUSE JOINT RESOLUTION ADOPTED AND
ORDERED TRANSMITTED TO THE SENATE

HOUSE JOINT

RESOLUTION NO. 1001

BY REPRESENTATIVE BARNETT

ARKANSAS SENATE

HOUSE BILLS RETURNED FROM THE SENATE AS PASSED

HOUSE BILL NO. 1081

BY JOINT BUDGET COMMITTEE

HOUSE BILL NO. 1902

BY REPRESENTATIVE MOORE

AS AMENDED #1, #2

ARKANSAS SENATE

SENATE BILLS RECEIVED FROM SENATE

SENATE BILL NO. 60

BY JOINT BUDGET COMMITTEE

SENATE BILL NO. 246

BY SENATOR MADISON

SENATE BILL NO. 389

BY SENATOR LAVERTY

SENATE BILL NO. 399

BY SENATOR J. DISMANG

SENATE BILL NO. 550

BY SENATOR SALMON

SENATE BILL NO. 663

BY SENATOR CRUMBLY

SENATE BILL NO. 679

BY SENATOR LUKER

SENATE BILL NO. 690

BY SENATOR B. SAMPLE

SENATE BILL NO. 737

BY SENATOR L. CHESTERFIELD

SENATE BILL NO. 765

BY SENATOR D. WYATT

SENATE BILL NO. 788

BY SENATOR J. KEY

SENATE BILL NO. 791

BY SENATOR P. MALONE

SENATE BILL NO. 806

BY SENATOR ELLIOTT

SENATE BILL NO. 839

BY SENATOR IRVIN

SENATE BILL NO. 840

BY SENATOR IRVIN

SENATE BILL NO. 845

BY SENATOR RAPERT

SENATE BILL NO. 863

BY SENATOR S. HARRELSON

SENATE BILL NO. 881

BY SENATOR P. MALONE

SENATE BILL NO. 882

BY SENATOR P. MALONE

SENATE BILL NO. 883

BY SENATOR P. MALONE

ENROLLED AND DELIVERY TO GOVERNOR REPORTS

Little Rock, Arkansas

March 24, 2011

MR. SPEAKER:

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

HOUSE BILL NO. 1056	BY REPRESENTATIVE LINDSEY, ET AL
HOUSE BILL NO. 1206	BY REPRESENTATIVE BELL, ET AL
HOUSE BILL NO. 1421	BY REPRESENTATIVE PATTERSON, ET AL
HOUSE BILL NO. 1433	BY REPRESENTATIVE J. ROEBUCK, ET AL
HOUSE BILL NO. 1474	BY REPRESENTATIVE MCLEAN
HOUSE BILL NO. 1493	BY REPRESENTATIVE HALL
HOUSE BILL NO. 1498	BY REPRESENTATIVE LINCK, ET AL
HOUSE BILL NO. 1605	BY HOUSE MANAGEMENT
HOUSE BILL NO. 1620	BY REPRESENTATIVE CHEATHAM
HOUSE BILL NO. 1637	BY REPRESENTATIVE MCCRARY
HOUSE BILL NO. 1693	BY REPRESENTATIVE J. BROWN
HOUSE BILL NO. 1765	BY REPRESENTATIVE WREN
HOUSE BILL NO. 1772	BY REPRESENTATIVE J. ROEBUCK, ET AL
HOUSE BILL NO. 1778	BY REPRESENTATIVE LEDING, ET AL
HOUSE BILL NO. 1851	BY REPRESENTATIVE WILLIAMS
HOUSE BILL NO. 1903	BY REPRESENTATIVE MOORE, ET AL
HOUSE BILL NO. 2063	BY REPRESENTATIVE PATTERSON

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 10:15 a.m. delivered them to the Governor for his approval.

Respectfully submitted,

/s/ Denny Altes,
Chairperson

RECEIPT FROM THE GOVERNOR

RECEIVED FROM THE HOUSE:

HOUSE BILL NO. 1056	BY REPRESENTATIVE LINDSEY, ET AL
HOUSE BILL NO. 1206	BY REPRESENTATIVE BELL, ET AL
HOUSE BILL NO. 1421	BY REPRESENTATIVE PATTERSON, ET AL
HOUSE BILL NO. 1433	BY REPRESENTATIVE J. ROEBUCK, ET AL
HOUSE BILL NO. 1474	BY REPRESENTATIVE MCLEAN
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HOUSE BILL NO. 1851	BY REPRESENTATIVE WILLIAMS
HOUSE BILL NO. 1903	BY REPRESENTATIVE MOORE, ET AL
HOUSE BILL NO. 2063	BY REPRESENTATIVE PATTERSON

/s/ Mike Beebe - Governor

TIME: 10:20 a.m.

By: Rebecca Rains

STATE OF ARKANSAS

MIKE BEEBE
GOVERNOR

March 24 2011

TO THE SPEAKER OF THE HOUSE

Dear Mr. Speaker:

This is to inform you that on March 24, 2011, I approved the following measures from the Regular Session of the Eighty-eighth General Assembly:

- | | |
|-------------------------------|-------------------------------|
| HOUSE BILL NO. 1131 – ACT 690 | HOUSE BILL NO. 1563 – ACT 699 |
| HOUSE BILL NO. 1198 – ACT 691 | HOUSE BILL NO. 1767 – ACT 700 |
| HOUSE BILL NO. 1260 – ACT 692 | HOUSE BILL NO. 1878 – ACT 701 |
| HOUSE BILL NO. 1327 – ACT 693 | HOUSE BILL NO. 1924 – ACT 702 |
| HOUSE BILL NO. 1542 – ACT 694 | HOUSE BILL NO. 1943 – ACT 703 |
| HOUSE BILL NO. 1438 – ACT 695 | HOUSE BILL NO. 1949 – ACT 704 |
| HOUSE BILL NO. 1454 – ACT 696 | HOUSE BILL NO. 1966 – ACT 705 |
| HOUSE BILL NO. 1457 – ACT 697 | HOUSE BILL NO. 2048 – ACT 706 |
| HOUSE BILL NO. 1488 – ACT 698 | |

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

STATE OF ARKANSAS

HOUSE OF REPRESENTATIVES

March 24, 2011

To Whom It May Concern:

I am writing this letter in regards to my present vote on **HOUSE BILL NO. 1991** on March 24, 2011. It was my intention to vote **no**.

Please see that this matter is noted in the journal.

Thank you,

/s/ Jody Dickinson
State Representative
District 58

JD: prs

SENATE BILL NO. 60

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 FAIR HOUSING COMMISSION 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.

SENATE BILL NO. 246

BY: SENATORS MADISON, D. JOHNSON

BY: REPRESENTATIVES WILLIAMS, J. EDWARDS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE VARIOUS CORRECTIONS TO TITLE 6 OF THE ARKANSAS CODE OF 1987 CONCERNING EDUCATION; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 389

BY: SENATOR LAVERTY

BY: REPRESENTATIVE RICE

A BILL FOR AN ACT TO BE ENTITLED AN ACT REGARDING THE RELEASE OF AN ACQUITEE FOR MENTAL DISEASE OR DEFECT; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 399

BY: SENATOR J. DISMANG

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PROHIBIT TOWING OF VEHICLES BY CHAIN, ROPE, OR CABLE; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 550

BY: SENATOR SALMON

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REQUIRE PETS ADOPTED THROUGH A POUND, SHELTER, HUMANE ORGANIZATION, OR ANIMAL RESCUE GROUP TO BE STERILIZED BEFORE THE ADOPTION IS COMPLETE; 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.

SENATE BILL NO. 663

BY: SENATOR CRUMBLY

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND ARKANSAS CODE § 6-17-811 CONCERNING THE HIGH-PRIORITY SCHOOL DISTRICT TEACHER INCENTIVES; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 679

BY: SENATOR LUKER

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ALLOW A DISTRICT COURT TO ADMINISTER A DRUG COURT PROGRAM, PRESIDE OVER A PROBATION *SUPERVISION PROGRAM*, OR PRESIDE OVER A PAROLE *SUPERVISION PROGRAM* IN CERTAIN CIRCUMSTANCES; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 690

BY: SENATOR B. SAMPLE

BY: REPRESENTATIVES WOODS, GASKILL

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND ARKANSAS LAW CONCERNING FEES FOR THE SALE OF PROPERTY UNDER JUDICIAL DECREE; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 737

BY: SENATOR L. CHESTERFIELD

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REQUIRE THE ANNUAL SCHOOL PERFORMANCE REPORT TO BE SUBMITTED TO THE SENATE COMMITTEE ON EDUCATION AND THE HOUSE COMMITTEE ON EDUCATION; TO REQUIRE THE ANNUAL SCHOOL PERFORMANCE REPORT TO BE MADE AVAILABLE ON THE WEBSITES OF THE DEPARTMENT OF EDUCATION AND SCHOOL DISTRICTS; TO REQUIRE INFORMATION ABOUT STUDENT PARTICIPATION IN ACT OR SAT TESTING AND COLLEGE PREPARATORY ENRICHMENT PROGRAMS (CPEP) IN THE ANNUAL SCHOOL PERFORMANCE REPORT; AND FOR OTHER PURPOSES.

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

.SENATE BILL NO. 765

BY: SENATOR D. WYATT

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND THE ARKANSAS MOTOR VEHICLE COMMISSION ACT; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 788

BY: SENATOR J. KEY

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND THE ARKANSAS OPPORTUNITY PUBLIC SCHOOL CHOICE ACT OF 2004; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 791

BY: SENATOR P. MALONE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO EXTEND THE OPERATIONS OF THE ARKANSAS LEGISLATIVE TASK FORCE ON ABUSED AND NEGLECTED *CHILDREN UNTIL JUNE 30, 2013; AND THE ARKANSAS LEGISLATIVE TASK FORCE ON SICKLE CELL DISEASE UNTIL OCTOBER 1, 2013; 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.

SENATE BILL NO. 806

BY: SENATOR ELLIOTT

BY: REPRESENTATIVE MURDOCK

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO BE TITLED THE ARKANSAS RESTORATIVE JUSTICE RESPONSIBILITY ACT; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 839

BY: SENATOR IRVIN

A BILL FOR AN ACT TO BE ENTITLED *AN ACT TO PROTECT PATIENTS BY ENSURING THAT PRIOR AUTHORIZATION PROCEDURES DO NOT INTRUDE ON THE PHYSICIAN-PATIENT RELATIONSHIP OR PUT COST SAVINGS AHEAD OF OPTIMAL PATIENT CARE; TO DECLARE AN EMERGENCY; 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.

SENATE BILL NO. 840

BY: SENATOR IRVIN

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CREATE THE ABORTION-INDUCING DRUGS SAFETY ACT; 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.

SENATE BILL NO. 845

BY: SENATOR RAPERT

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CREATE THE ABORTION PATIENTS' ENHANCED SAFETY ACT; TO DECLARE AN EMERGENCY; 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.

SENATE BILL NO. 863

BY: SENATOR S. HARRELSON

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR ABUSE OF A CORPSE; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 881

BY: SENATOR P. MALONE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND ARKANSAS LAW CONCERNING RULES PROMULGATED UNDER THE ARKANSAS ADMINISTRATIVE PROCEDURE ACT; 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.

SENATE BILL NO. 882

BY: SENATOR P. MALONE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND ARKANSAS LAW CONCERNING THE AUTHORITY OF A STATE AGENCY TO IMPOSE FEES AND PENALTIES; 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.

SENATE BILL NO. 883

BY: SENATOR P. MALONE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND ARKANSAS LAW CONCERNING EMERGENCY RULES PROMULGATED UNDER THE ARKANSAS ADMINISTRATIVE PROCEDURE ACT; 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.

SENATE BILL NO. 901

BY: SENATOR P. MALONE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PROTECT THE PUBLIC HEALTH BY REGULATING THE PRIVATE OWNERSHIP OF NONHUMAN PRIMATES; 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.

Upon motion of Representative Larry Cowling, the House adjourned at 5:03 p.m. until 10:00 a.m., Friday, March 25, 2011.

ATTEST:

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

Sherri Stacks
Chief Clerk

