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TWENTY-FOURTH DAY'S PROCEEDINGS
SENATE CHAMBER
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION

Little Rock, Arkansas

February 2, 2011

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

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

BAKER, BLEDSOE, BOOKOUT, BURNETT,
CHESTERFIELD, CRUMBLY, DISMANG, ELLIOTT,
FILES, FLETCHER, FLOWERS, HARRELSON,
HENDREN, HOLLAND, HUTCHINSON, IRVIN, G.
JEFFRESS, J. JEFFRESS, JOHNSON, KEY,
LAMOUREUX, LAVERTY, LUKER, MADISON, MALONE,
PRITCHARD, RAPERT, SALMON, SAMPLE, TAYLOR,
TEAGUE, THOMPSON, WHITAKER, WILLIAMS,
WYATT.

The Senate was led in prayer by Senator Jimmy Jeffress.

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

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

On motion of Senator Key, **Senate Bill No. 86** was withdrawn from the Committee on JOINT RETIREMENT AND SOCIAL SECURITY, and placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No.1 to SENATE BILL NO. 86

Amend **Senate Bill No. 86** as originally introduced:

Page 2, delete lines 10-14 and substitute the following language:

"(4)(A)(i) ~~An~~ Before July 1, 2011, an active member shall receive credit for any previous unreported service after July 1, 1937, ~~upon~~ by paying to the system the ~~member~~ employee and employer contributions in effect during the previous service, together with interest from the dates of the service to the date of payment in full.

(ii) On or after July 1, 2011, previous unreported service rendered after July 1, 1937, may be established by paying the actuarial equivalent of the member's benefits to the system."

(SIGNED) SENATOR JOHNNY KEY

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 86 was ordered engrossed.

On motion of Senator Files, **Senate Bill No. 160** was withdrawn from the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS, and placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 160

Amend **Senate Bill No. 160** as originally introduced:

Page 1, delete line 26 and substitute the following:

"suspended."

AND

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

"(2) The elected official's professional license or registration is suspended."

AND

Page 1, line 34, delete "suspending or revoking" and substitute "suspending"

AND

Page 1, delete lines 35 and 36 and substitute the following:

"registration of an elected official, the agency."

AND

Page 2, delete line 10 and substitute the following:

"license or registration has been suspended, the"

AND

Page 2, line 14, delete "(d)" and substitute "(d)(1)"

AND

Page 2, delete line 17 and substitute the following:

"resume."

(2) An elected official who receives an order for the resumption of his or her salary under subdivision (d)(1) of this section shall not receive his or her salary for the period that the salary was withheld."

(SIGNED) SENATOR JAKE FILES

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 160 was ordered engrossed.

ARKANSAS SENATE
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION

February 2, 2011

Mr. President:

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

SENATE BILL NO. 86, BY SENATOR JOHNNY KEY,

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

Respectfully submitted,

(SIGNED) SENATOR LINDA CHESTERFIELD
CHAIRMAN

On motion of Senator Key, Senate Bill No. 86 was ordered re-referred to the Committee on JOINT RETIREMENT AND SOCIAL SECURITY.

ARKANSAS SENATE
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION

February 2, 2011

Mr. President:

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

SENATE BILL NO. 160, BY SENATOR JAKE FILES,

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

Respectfully submitted,

(SIGNED) SENATOR LINDA CHESTERFIELD
CHAIRMAN

On motion of Senator Files, **Senate Bill No. 160** was ordered re-referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

ARKANSAS SENATE
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION

February 2, 2011

Mr. President:

We, your Committee on REVENUE & TAXATION, to whom was referred:

HOUSE BILL NO. 1160, BY REPRESENTATIVE KATHY WEBB,

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

Respectfully submitted,

(SIGNED) SENATOR LARRY TEAGUE
CHAIRMAN

ARKANSAS SENATE
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION

February 2, 2011

Mr. President:

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

SENATE BILL NO. 43, BY SENATOR DAVID JOHNSON,
SENATE BILL NO. 77, BY SENATOR JERRY TAYLOR,
SENATE BILL NO. 165, BY SENATOR DAVID JOHNSON,

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

Respectfully submitted,

(SIGNED) SENATOR PERCY MALONE
CHAIRMAN

ARKANSAS SENATE
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION

February 2, 2011

Mr. President:

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

SENATE BILL NO. 42, BY SENATOR DAVID JOHNSON,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that it do pass as amended No. 3.

Respectfully submitted,

(SIGNED) SENATOR PERCY MALONE
CHAIRMAN

ARKANSAS SENATE
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION

February 2, 2011

Mr. President:

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

HOUSE BILL NO. 1141, BY REPRESENTATIVE RANDY STEWART,

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

Respectfully submitted,

(SIGNED) SENATOR PERCY MALONE
CHAIRMAN

ARKANSAS SENATE
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION

February 2, 2011

Mr. President:

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

HOUSE BILL NO. 1007, BY REPRESENTATIVE JUSTIN T. HARRIS,
HOUSE BILL NO. 1222, BY REPRESENTATIVE TRACY PENNARTZ,

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

Respectfully submitted,

(SIGNED) SENATOR JIM LUKER
CHAIRMAN

SENATE RESOLUTION NO. 8
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS HOLLAND AND FILES

SENATE RESOLUTION COMMENDING MISS ALYSE EADY ON HER SELECTION AS MISS ARKANSAS 2010 AND AS 1ST RUNNER-UP IN THE MISS AMERICA 2011 PAGEANT.

Senate Resolution No. 8 was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE JOINT RESOLUTION NO. 3
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR E. WILLIAMS

SENATE JOINT RESOLUTION TO AMEND THE ARKANSAS
CONSTITUTION TO REQUIRE THE GENERAL ASSEMBLY TO PASS A BALANCED
BUDGET EVERY YEAR.

Subtitle

TO AMEND THE ARKANSAS
CONSTITUTION TO REQUIRE
THE GENERAL ASSEMBLY TO
PASS A BALANCED BUDGET
EVERY YEAR.

BE IT RESOLVED BY THE SENATE OF THE EIGHTY-EIGHTH GENERAL
ASSEMBLY OF THE STATE OF ARKANSAS AND BY THE HOUSE OF
REPRESENTATIVES, 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. Article 16 of the Arkansas Constitution is amended to add a new
section to read as follows:

§ 17. Balanced budget.

The General Assembly shall pass a balanced budget for each fiscal year allocating
revenues and other state income that are required by law to be deposited in the State
Treasury by enacting a revenue stabilization act.

Senate Joint Resolution No. 3 was read the first time, rules suspended, read the
second time and referred to the Committee on STATE AGENCIES &
GOVERNMENTAL AFFAIRS.

SENATE BILL NO. 209
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION

BY: SENATORS E. WILLIAMS, G. BAKER, BLEDSOE, BURNETT,
L. CHESTERFIELD, CRUMBLY, J. DISMANG, FILES, FLETCHER, HENDREN,
HOLLAND, J. HUTCHINSON, IRVIN, G. JEFFRESS, J. JEFFRESS, J. KEY, M.
LAMOUREUX, RAPERT, SALMON, B. SAMPLE, J. TAYLOR, TEAGUE
& WHITAKER

BY: REPRESENTATIVES BELL, ENGLISH, MAYBERRY & PIERCE

A Bill for an Act to be Entitled: AN ACT TO REQUIRE PERSONS WHO DO NOT HAVE A HIGH SCHOOL DIPLOMA OR HAVE NOT PASSED THE GENERAL EDUCATIONAL DEVELOPMENT TEST TO TAKE ADULT EDUCATION CLASSES TOWARD PASSING THE GENERAL EDUCATIONAL DEVELOPMENT TEST WHILE RECEIVING UNEMPLOYMENT BENEFITS; AND FOR OTHER PURPOSES.

Senate Bill No. 209 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

SENATE BILL NO. 210
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION

BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE DEPARTMENT OF EDUCATION FOR THE FISCAL YEAR ENDING JUNE 30, 2012; AND FOR OTHER PURPOSES.

Senate Bill No. 210 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 211
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR GRANTS AND AID TO LOCAL SCHOOL DISTRICTS AND SPECIAL PROGRAMS FOR THE DEPARTMENT OF EDUCATION FOR THE FISCAL YEAR ENDING JUNE 30, 2012; AND FOR OTHER PURPOSES.

Senate Bill No. 211 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 212
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS J. DISMANG AND J. KEY

A Bill for an Act to be Entitled: AN ACT TO REQUIRE VOTERS TO REAPPROVE ADVERTISING AND PROMOTION TAXES; FOR OTHER PURPOSES.

Senate Bill No. 212 was read the first time, rules suspended, read the second time and referred to the Committee on REVENUE & TAXATION.

Without objection, **Senate Resolution No. 7** was withdrawn by the author, Senator Holland.

On motion of Senator Lamoureux, **Senate Bill No. 183** was withdrawn from the Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS and placed on the Calendar.

On motion of Senator Lamoureux, **Senate Bill No. 183** was ordered re-referred to the Committee on JOINT RETIREMENT AND SOCIAL SECURITY.

On motion of Senator Thompson, **Senate Concurrent Resolution No. 1** was called up for third reading and final disposition.

SENATE CONCURRENT RESOLUTION NO. 1
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS BOOKOUT, G. BAKER & R. THOMPSON

SENATE CONCURRENT RESOLUTION RECOMMENDING THAT STUDIES OF SPECIFIC ISSUES OCCUR IN THE PERMANENT SUBCOMMITTEES OF THE STANDING COMMITTEES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES RATHER THAN IN TASK FORCES CREATED FOR THAT PURPOSE.

Senate Concurrent Resolution No. 1 was read the third time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Concurrent Resolution No. 1 was ordered immediately transmitted to the House.

On motion of Senator Thompson, **Senate Bill No. 194** was placed back on second reading for purpose of Amendment No. 2, withdraw Amendment No. 1.

ARKANSAS SENATE
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 2 to SENATE BILL NO. 194

Amend **Senate Bill No. 194** as originally introduced:

Add Senators Bledsoe, Burnett, L. Chesterfield, Crumbly, J. Dismang, Elliott, Files, Fletcher, S. Flowers, S. Harrelson, Hendren, Holland, J. Hutchinson, Irvin, G. Jeffress, J. Jeffress, Laverty, Luker, P. Malone, B. Pritchard, Rapert, Salmon, B. Sample, J. Taylor, Teague, Whitaker, E. Williams as cosponsors of the bill

(SIGNED) SENATOR PAUL BOOKOUT

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 194 was ordered engrossed.

The President declared the morning hour to have expired.

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

On motion of Senator J. Jeffress, **Senate Bill No. 69** was called up for third reading and final disposition.

SENATE BILL NO. 69
As Engrossed: S1/27/11
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR J. JEFFRESS

A Bill for an Act to be Entitled: AN ACT TO PROHIBIT THE SALE OF HERBAL SNUFF TO PERSONS UNDER EIGHTEEN (18) YEARS OF AGE; AND FOR OTHER PURPOSES.

Senate Bill No. 69 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: G. Baker, Bledsoe, Bookout, Burnett, L. Chesterfield, Crumbly, J. Dismang, Elliott, Files, Fletcher, S. Flowers, S. Harrelson, Hendren, J. Hutchinson, Irvin, G. Jeffress, J. Jeffress, D. Johnson, J. Key, M. Lamoureux, Luker, Rapert, Salmon, J. Taylor, Teague, R. Thompson, E. Williams, D. Wyatt.

Total28

NEGATIVE: Holland, Lavery, B. Pritchard, B. Sample.

Total4

ABSENT OR NOT VOTING: Madison, P. Malone, Whitaker.

Total3

VOTING PRESENT:

Total0

Total number of votes cast32

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

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

The record pertaining to the vote by which **Senate Bill No. 69** passed was expunged, in accordance with a prevailing motion on February 16, 2011.

On motion of Senator J. Jeffress, **Senate Bill No. 172** was called up for third reading and final disposition.

SENATE BILL NO. 172
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR J. KEY

A Bill for an Act to be Entitled: AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE PUBLIC RETIREMENT SYSTEMS; TO BRING THE PUBLIC RETIREMENT SYSTEMS INTO COMPLIANCE WITH FEDERAL LAW; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

On motion of Senator Key, **Senate Bill No. 172** was ordered re-referred to the Committee on JOINT RETIREMENT AND SOCIAL SECURITY.

On motion of Senator Key, **Senate Bill No. 58** was called up for third reading and final disposition.

SENATE BILL NO. 58
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR J. KEY

A Bill for an Act to be Entitled: AN ACT TO AMEND VARIOUS STATUTES CONCERNING THE ARKANSAS LOCAL POLICE AND FIRE RETIREMENT SYSTEM; AND FOR OTHER PURPOSES.

Senate Bill No. 58 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: G. Baker, Bledsoe, Bookout, Burnett, L. Chesterfield, Crumbly, J. Dismang, Elliott, Files, Fletcher, S. Flowers, S. Harrelson, Hendren, Holland, J. Hutchinson, Irvin, G. Jeffress, J. Jeffress, D. Johnson, J. Key, M. Lamoureux, Laverty, Luker, Madison, P. Malone, B. Pritchard, Rapert, Salmon, B. Sample, J. Taylor, Teague, R. Thompson, Whitaker, E. Williams, D. Wyatt.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **Senate Bill No. 58**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

AFFIRMATIVE: G. Baker, Bledsoe, Bookout, Burnett, L. Chesterfield, Crumbly, J. Dismang, Elliott, Files, Fletcher, S. Flowers, S. Harrelson, Hendren, Holland, J. Hutchinson, Irvin, G. Jeffress, J. Jeffress, D. Johnson, J. Key, M. Lamoureux, Lavery, Luker, Madison, P. Malone, B. Pritchard, Rapert, Salmon, B. Sample, J. Taylor, Teague, R. Thompson, Whitaker, E. Williams, D. Wyatt.

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

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 58 was ordered immediately transmitted to the House.

On motion of Senator Key, **Senate Bill No. 139** was called up for third reading and final disposition.

SENATE BILL NO. 139
As Engrossed: S1/27/11 S2/1/11
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR J. KEY

A Bill for an Act to be Entitled: AN ACT TO CLARIFY THE MEANING OF THE TERM "COMPENSATION" FOR PURPOSES OF RETIREMENT; AND FOR OTHER PURPOSES.

Senate Bill No. 139 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: G. Baker, Bledsoe, Bookout, Burnett, L. Chesterfield, Crumbly, J. Dismang, Elliott, Files, Fletcher, S. Flowers, S. Harrelson, Hendren, Holland, J. Hutchinson, Irvin, G. Jeffress, J. Jeffress, D. Johnson, J. Key, M. Lamoureux, Laverty, Luker, Madison, P. Malone, B. Pritchard, Rapert, Salmon, B. Sample, J. Taylor, Teague, R. Thompson, Whitaker, E. Williams, D. Wyatt.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **Senate Bill No. 139**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

AFFIRMATIVE: G. Baker, Bledsoe, Bookout, Burnett, L. Chesterfield, Crumbly, J. Dismang, Elliott, Files, Fletcher, S. Flowers, S. Harrelson, Hendren, Holland, J. Hutchinson, Irvin, G. Jeffress, J. Jeffress, D. Johnson, J. Key, M. Lamoureux, Lavery, Luker, Madison, P. Malone, B. Pritchard, Rapert, Salmon, B. Sample, J. Taylor, Teague, R. Thompson, Whitaker, E. Williams, D. Wyatt.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 139 was ordered immediately transmitted to the House.

On motion of Senator G. Jeffress, **Senate Bill No. 74** was called up for third reading and final disposition.

**SENATE BILL NO. 74
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR G. JEFFRESS**

A Bill for an Act to be Entitled: AN ACT TO AMEND THE DEFINITIONS REGARDING THE ARKANSAS STATE HIGHWAY EMPLOYEES' RETIREMENT SYSTEM; AND FOR OTHER PURPOSES.

Senate Bill No. 74 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: G. Baker, Bledsoe, Bookout, Burnett, L. Chesterfield, Crumbly, J. Dismang, Elliott, Files, Fletcher, S. Flowers, S. Harrelson, Hendren, Holland, J. Hutchinson, Irvin, G. Jeffress, J. Jeffress, D. Johnson, J. Key, M. Lamoureux, Laverty, Luker, Madison, P. Malone, B. Pritchard, Rapert, Salmon, B. Sample, J. Taylor, Teague, R. Thompson, Whitaker, E. Williams, D. Wyatt.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 74 was ordered immediately transmitted to the House as passed.

On motion of Senator Sample, **Senate Bill No. 55** was called up for third reading and final disposition.

SENATE BILL NO. 55
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS B. SAMPLE AND J. KEY
BY: REPRESENTATIVES CARNINE, B. WILKINS & SUMMERS

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

On motion of Senator Sample, **Senate Bill No. 55** was pulled down.

On motion of Senator Johnson, **Senate Bill No. 4** was called up for third reading and final disposition.

SENATE BILL NO. 4
As Engrossed: S1/25/11
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR D. JOHNSON
BY: REPRESENTATIVE J. EDWARDS

A Bill for an Act to be Entitled: AN ACT TO ADOPT THE UNIFORM ADULT GUARDIANSHIP AND PROTECTIVE PROCEEDINGS JURISDICTION ACT; AND FOR OTHER PURPOSES.

Senate Bill No. 4 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: G. Baker, Bledsoe, Bookout, Burnett, L. Chesterfield, Crumbly, J. Dismang, Elliott, Files, Fletcher, S. Flowers, S. Harrelson, Hendren, Holland, J. Hutchinson, Irvin, G. Jeffress, J. Jeffress, D. Johnson, J. Key, M. Lamoureux, Laverty, Luker, Madison, P. Malone, B. Pritchard, Rapert, Salmon, B. Sample, J. Taylor, Teague, R. Thompson, Whitaker, E. Williams, D. Wyatt.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 4 was ordered immediately transmitted to the House as passed.

On motion of Senator Taylor, **Senate Bill No. 154** was called up for third reading and final disposition.

**SENATE BILL NO. 154
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR J. TAYLOR
BY: REPRESENTATIVE ALLEN**

A Bill for an Act to be Entitled: AN ACT TO IMPROVE THE SAFETY OF HIGHWAYS AND ROADS BY PROHIBITING WIRELESS TELEPHONE USE IN SCHOOL ZONES AND HIGHWAY WORK ZONES; AND FOR OTHER PURPOSES.

Senate Bill No. 154 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Bookout, Burnett, L. Chesterfield, Crumbly, Elliott, Fletcher, S. Flowers, S. Harrelson, Hendren, J. Jeffress, D. Johnson, Laverty, Madison, Salmon, J. Taylor, R. Thompson, Whitaker, D. Wyatt.

Total 18

NEGATIVE: G. Baker, Bledsoe, J. Dismang, Holland, J. Hutchinson, J. Key, M. Lamoureux, P. Malone, B. Pritchard, Rapert, Teague, E. Williams.

Total 12

ABSENT OR NOT VOTING: Files, Irvin, G. Jeffress, Luker, B. Sample.

Total 5

VOTING PRESENT:

Total 0

Total number of votes cast 30

Necessary to the passage of the bill 18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 154 was ordered immediately transmitted to the House as passed.

On motion of Senator Williams, **Senate Bill No. 149** was called up for third reading and final disposition.

**SENATE BILL NO. 149
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR E. WILLIAMS**

A Bill for an Act to be Entitled: AN ACT CONCERNING A MUNICIPAL PETITION FOR INCORPORATION; AND FOR OTHER PURPOSES.

Senator Hutchinson spoke against the Bill.

Senator Whitaker spoke on the Bill.

On motion of Senator Williams, **Senate Bill No. 149** was pulled down.

On motion of Senator Wyatt, **Senate Bill No. 96** was called up for third reading and final disposition.

**SENATE BILL NO. 96
As Engrossed: S1/31/11
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR D. WYATT
BY: REPRESENTATIVES MCLEAN AND WREN**

A Bill for an Act to be Entitled: AN ACT TO MOVE INDEPENDENCE COUNTY TO THE NORTH CENTRAL ARKANSAS DISTRICT FAIR AND LIVESTOCK SHOW IN *IZARD COUNTY*; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

Senator Irvin spoke for the Bill.

Senate Bill No. 96 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: G. Baker, Bledsoe, Bookout, Burnett, L. Chesterfield, Crumbly, J. Dismang, Elliott, Files, Fletcher, S. Flowers, S. Harrelson, Hendren, Holland, J. Hutchinson, Irvin, G. Jeffress, J. Jeffress, D. Johnson, J. Key, M. Lamoureux, Lavery, Luker, Madison, P. Malone, B. Pritchard, Rapert, Salmon, B. Sample, J. Taylor, Teague, R. Thompson, Whitaker, E. Williams, D. Wyatt.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35

Necessary to the passage of the bill 18

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **Senate Bill No.96**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

AFFIRMATIVE: G. Baker, Bledsoe, Bookout, Burnett, L. Chesterfield, Crumbly, J. Dismang, Elliott, Files, Fletcher, S. Flowers, S. Harrelson, Hendren, Holland, J. Hutchinson, Irvin, G. Jeffress, J. Jeffress, D. Johnson, J. Key, M. Lamoureux, Lavery, Luker, Madison, P. Malone, B. Pritchard, Rapert, Salmon, B. Sample, J. Taylor, Teague, R. Thompson, Whitaker, E. Williams, D. Wyatt.

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

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 96 was ordered immediately transmitted to the House.

On motion of Senator Sample, House Bill No. 1157 was called up for third reading and final disposition.

HOUSE BILL NO. 1157
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES WESTERMAN AND CATLETT
BY: SENATOR B. SAMPLE

A Bill for an Act to be Entitled: AN ACT TO INCREASE THE PROBATIONARY PERIOD OF POLICE OFFICERS SELECTED FOR THE ARKANSAS STATE POLICE; AND FOR OTHER PURPOSES.

House Bill No. 1157 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: G. Baker, Bledsoe, Bookout, Burnett, L. Chesterfield, Crumbly, J. Dismang, Elliott, Files, Fletcher, S. Flowers, S. Harrelson, Hendren, Holland, J. Hutchinson, Irvin, G. Jeffress, J. Jeffress, D. Johnson, J. Key, M. Lamoureux, Laverty, Luker, Madison, P. Malone, B. Pritchard, Rapert, Salmon, B. Sample, J. Taylor, Teague, R. Thompson, Whitaker, E. Williams, D. Wyatt.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1157 was ordered immediately returned to the House as passed.

On motion of Senator Sample, House Bill No. 1151 was called up for third reading and final disposition.

HOUSE BILL NO. 1151

EIGHTY-EIGHTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES PERRY, HYDE, D. ALTES, BAIRD, BENEDICT, BIVIANO, J. BROWN, J. BURRIS, CATLETT, J. EDWARDS, E. ELLIOTT, HICKERSON, HUBBARD, JOHNSTON, MCCRARY, D. MEEKS, MURDOCK, B. OVERBEY, POST, SANDERS, STUBBLEFIELD & T. THOMPSON

BY: SENATORS SALMON, D. WYATT, L. CHESTERFIELD, FILES, FLETCHER, HOLLAND, IRVIN, G. JEFFRESS, J. KEY, M. LAMOUREUX & B. SAMPLE

A Bill for an Act to be Entitled: AN ACT TO ALLOW AN ON-DUTY LAW ENFORCEMENT OFFICER OR A PERSON PERFORMING AN OFFICIAL LAW ENFORCEMENT FUNCTION TO OPERATE AN ALL-TERRAIN VEHICLE ON A PUBLIC STREET OR HIGHWAY; AND FOR OTHER PURPOSES.

House Bill No. 1151 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: G. Baker, Bledsoe, Bookout, Burnett, L. Chesterfield, Crumbly, J. Dismang, Elliott, Files, Fletcher, S. Flowers, S. Harrelson, Hendren, Holland, J. Hutchinson, Irvin, G. Jeffress, J. Jeffress, D. Johnson, J. Key, M. Lamoureux, Laverty, Luker, Madison, P. Malone, B. Pritchard, Rapert, Salmon, B. Sample, J. Taylor, Teague, R. Thompson, Whitaker, E. Williams, D. Wyatt.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1151 was ordered immediately returned to the House as passed.

On motion of Senator Key, **House Bill No. 1014** was called up for third reading and final disposition.

HOUSE BILL NO. 1014
As Engrossed: H1/13/11 S2/1/11
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE J. EDWARDS
BY: SENATOR J. KEY

A Bill for an Act to be Entitled: AN ACT TO HONOR VETERANS OF THE UNITED STATES ARMED FORCES BY ALLOWING VETERAN STATUS DESIGNATION ON ARKANSAS DRIVER'S LICENSES AND IDENTIFICATION CARDS; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

Senator Fletcher spoke for the Bill.

House Bill No. 1014 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: G. Baker, Bledsoe, Bookout, Burnett, L. Chesterfield, Crumbly, Elliott, Files, Fletcher, S. Flowers, S. Harrelson, Hendren, Holland, J. Hutchinson, Irvin, G. Jeffress, J. Jeffress, J. Key, M. Lamoureux, Lavery, Luker, Madison, P. Malone, B. Pritchard, Rapert, Salmon, B. Sample, J. Taylor, Teague, R. Thompson, Whitaker, E. Williams, D. Wyatt.

Total	33
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: J. Dismang, D. Johnson.	
Total	2
VOTING PRESENT:	
Total	0
Total number of votes cast.....	33
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 1014**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

AFFIRMATIVE: G. Baker, Bledsoe, Bookout, Burnett, L. Chesterfield, Crumbly, Elliott, Files, Fletcher, S. Flowers, S. Harrelson, Hendren, Holland, J. Hutchinson, Irvin, G. Jeffress, J. Jeffress, J. Key, M. Lamoureux, Laverty, Luker, Madison, P. Malone, B. Pritchard, Rapert, Salmon, B. Sample, J. Taylor, Teague, R. Thompson, Whitaker, E. Williams, D. Wyatt.

Total..... 33

NEGATIVE:

Total..... 0

ABSENT OR NOT VOTING: J. Dismang, D. Johnson.

Total..... 2

VOTING PRESENT:

Total..... 0

Total number of votes cast 33

Necessary to the adoption of the Emergency Clause 24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1014 was ordered immediately returned to the House as passed as amended.

ARKANSAS SENATE
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION

February 2, 2011

Mr. President:

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

SENATE BILL NO. 194, BY SENATOR PAUL BOOKOUT ET AL,

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

Respectfully submitted,

(SIGNED) SENATOR LINDA CHESTERFIELD
CHAIRMAN

SENATE BILL NO. 213
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR J. KEY

A Bill for an Act to be Entitled: AN ACT TO REGULATE COVERAGE OF IN VITRO FERTILIZATION PROCEDURES; AND FOR OTHER PURPOSES.

Senate Bill No. 213 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

SENATE BILL NO. 214
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR L. CHESTERFIELD

A Bill for an Act to be Entitled: AN ACT TO ESTABLISH THE CRIME OF CYBERBULLYING; AND FOR OTHER PURPOSES.

Senate Bill No. 214 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

Received from the House

HOUSE BILL NO. 1009
As Engrossed: H1/27/11
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES WOODS, HARRIS & LEA

A Bill for an Act to be Entitled: AN ACT TO PROVIDE FOR PUBLIC NOTIFICATION OF SEX OFFENDERS REGISTERED IN ANOTHER STATE; AND FOR OTHER PURPOSES.

House Bill No. 1009 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

Received from the House

HOUSE BILL NO. 1099
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION

BY: REPRESENTATIVES LENDERMAN, RATLIFF & B. WILKINS

A Bill for an Act to be Entitled: TO ALLOW PUBLIC SCHOOL DISTRICTS FLEXIBILITY IN SCHOOL START DATES; AND FOR OTHER PURPOSES.

House Bill No. 1099 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

Received from the House

HOUSE BILL NO. 1224
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION

BY: REPRESENTATIVE STEWART

A Bill for an Act to be Entitled: AN ACT TO EXTEND THE LAW CONCERNING COMMON SPRING BREAK FOR PUBLIC SCHOOLS; TO EXTEND THE TERM AND DUTIES OF THE ADVISORY COMMITTEE ON COMMON SPRING BREAK; AND FOR OTHER PURPOSES.

House Bill No. 1224 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

Received from the House

HOUSE BILL NO. 1248
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE B. WILKINS

A Bill for an Act to be Entitled: AN ACT TO REMOVE THE SUNSET PROVISION PERTAINING TO FOOD SERVICE ESTABLISHMENT PERMIT FEES; AND FOR OTHER PURPOSES.

House Bill No. 1248 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

SENATE BILL NO. 215
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR HENDREN

A Bill for an Act to be Entitled: AN ACT TO REQUIRE COVERS FOR LOADS OF SAND, GRAVEL, AND ROCK; AND FOR OTHER PURPOSES.

Senate Bill No. 215 was read the first time, rules suspended, read the second time and referred to the Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS.

SENATE RESOLUTION NO. 9
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR WHITAKER

A Bill for an Act to be Entitled: TO ADOPT THE RULES OF THE SENATE OF THE EIGHTY-EIGHTH GENERAL ASSEMBLY.

Senate Resolution No. 9 was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 216
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR J. KEY

A Bill for an Act to be Entitled: AN ACT TO REGULATE NONRECOURSE CIVIL LITIGATION ADVANCES; AND FOR OTHER PURPOSES.

Senate Bill No. 216 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

SENATE BILLS TRANSMITTED TO THE HOUSE

AS PASSED

SENATE BILL NO. 4
SENATE BILL NO. 58
SENATE BILL NO. 69
SENATE BILL NO. 74
SENATE BILL NO. 96
SENATE BILL NO. 139
SENATE BILL NO. 154

SENATE CONCURRENT RESOLUTION TRANSMITTED
TO THE HOUSE AS ADOPTED
SENATE CONCURRENT RESOLUTION NO. 1

HOUSE BILLS RETURNED TO THE HOUSE
AS PASSED
HOUSE BILL NO. 1151
HOUSE BILL NO. 1157

HOUSE BILL RETURNED TO THE HOUSE
AS PASSED AS AMENDED
HOUSE BILL NO. 1014 AS AMENDED NO. 1

HOUSE BILLS TRANSMITTED TO THE SENATE
AS PASSED
HOUSE BILL NO. 1009
HOUSE BILL NO. 1099
HOUSE BILL NO. 1224
HOUSE BILL NO. 1248

On motion of Senator Whitaker, the Senate adjourned until 10:00 a.m.,
Thursday, February 3, 2011.

PRESIDENT OF THE SENATE

SECRETARY OF THE SENATE

