

**--ooOoo--**  
**THIRTIETH DAY'S PROCEEDINGS**  
**SENATE CHAMBER**  
**EIGHTY-EIGHTH GENERAL ASSEMBLY**  
**REGULAR SESSION**

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Little Rock, Arkansas  
February 8, 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 Brother Curt Howard, Maple Springs  
Missionary Baptist Church, Smithville, Arkansas.

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.

Senator Bookout made the following announcement:

To satisfy the provisions of Article 5, Section 28 of the Arkansas Constitution, I move that consent be given to the Senate and House of Representatives, allowing the Senate President Pro Tempore and the Speaker of the House to make determination on future reconvening. Consent given.

On motion of Senator Burnett, **Senate Bill No. 156** was withdrawn from the Committee on Judiciary, and placed back on second reading for purpose of Amendment No. 2.

**ARKANSAS SENATE**  
**EIGHTY-EIGHTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**Amendment No. 2 to SENATE BILL NO. 156**

Amend **Senate Bill No. 156** as engrossed, S2/1/11:

Page 2, delete lines 23 and 24 and substitute:

“(iii) Circuit court;  
(iv) District court; or  
(v) County court;”

(SIGNED) SENATOR DAVID BURNETT

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

(SIGNED) ANN CORNWELL, SECRETARY

**Senate Bill No. 156** was ordered engrossed.

## STATE OF ARKANSAS

Mike Beebe

Governor

February 7, 2011

TO THE PRESIDENT OF THE SENATE

Dear Mr. President:

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

Senate Bill 026 - ACT 10

Senate Bill 073 - ACT 11

Sincerely,

(SIGNED) MIKE BEEBE

ARKANSAS SENATE  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION

February 8, 2011

Mr. President:

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

Senate BILL NO. 156, BY SENATOR DAVID BURNETT,

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 Burnett, Senate Bill No. 156 was ordered re-referred to the Committee on JUDICIARY.

ARKANSAS SENATE  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION

February 8, 2011

Mr. President:

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

SENATE BILL NO. 219, BY SENATOR MICHAEL LAMOUREUX,

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 SUE MADISON  
CHAIRMAN

ARKANSAS SENATE  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION

February 8, 2011

Mr. President:

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

SENATE BILL NO. 221, BY SENATOR JONATHAN DISMANG,

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

Respectfully submitted,

(SIGNED) SENATOR SUE MADISON  
CHAIRMAN

ARKANSAS SENATE  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION

February 8, 2011

Mr. President:

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

HOUSE BILL NO. 1120, BY REP. KEITH M. INGRAM,

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 SUE MADISON  
CHAIRMAN

ARKANSAS SENATE  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION

February 8, 2011

Mr. President:

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

HOUSE BILL NO. 1282, BY REP. ROBERT E. DALE,

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

Respectfully submitted,

(SIGNED) SENATOR SUE MADISON  
CHAIRMAN

ARKANSAS SENATE  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION

February 8, 2011

Mr. President:

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

**SENATE BILL NO. 82**, BY SENATOR JIMMY JEFFRESS,

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

Respectfully submitted,

(SIGNED) SENATOR JERRY TAYLOR  
CHAIRMAN

ARKANSAS SENATE  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION

February 8, 2011

Mr. President:

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

**SENATE BILL NO. 115**, BY SENATOR BILL SAMPLE,

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. 2.

Respectfully submitted,

(SIGNED) SENATOR JERRY TAYLOR  
CHAIRMAN

ARKANSAS SENATE  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION

February 8, 2011

Mr. President:

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

**HOUSE BILL NO. 1115**, BY REP. BETTY OVERBEY,

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

Respectfully submitted,

(SIGNED) SENATOR JERRY TAYLOR  
CHAIRMAN

ARKANSAS SENATE  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION

February 8, 2011

Mr. President:

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

**SENATE BILL NO. 175**, BY SENATOR JONATHAN DISMANG,  
**SENATE BILL NO. 176**, BY SENATOR JONATHAN DISMANG,  
**SENATE BILL NO. 177**, BY SENATOR JONATHAN DISMANG,  
**SENATE BILL NO. 178**, BY SENATOR JONATHAN DISMANG,

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 JACK CRUMBLY  
CHAIRMAN

ARKANSAS SENATE  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION

February 8, 2011

Mr. President:

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

**SENATE BILL NO. 56**, BY SENATOR GENE JEFFRESS,

beg leave to report that we have had the same under consideration, and herewith

return the same with the recommendation that it do pass, concur in House

Amendment No. 1.

Respectfully submitted,

(SIGNED) SENATOR JACK CRUMBLY  
CHAIRMAN

**SENATE CONCURRENT RESOLUTION NO. 7**  
**EIGHTY-EIGHTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**BY: SENATOR BOOKOUT**

SENATE CONCURRENT RESOLUTION PROVIDING THAT THE SENATE OF THE EIGHTY-EIGHTH GENERAL ASSEMBLY SHALL RECESS ON WEDNESDAY, FEBRUARY 9, 2011, AND RECONVENE ON MONDAY, FEBRUARY 14, 2011.

**SENATE CONCURRENT RESOLUTION NO. 7** was read the first time.

Without objection, **SENATE CONCURRENT RESOLUTION NO. 7** was withdrawn by the author, Senator Bookout.

SENATE BILL NO. 261  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR J. JEFFRESS  
BY: REPRESENTATIVE LAMPKIN

A Bill for an Act to be Entitled: AN ACT CONCERNING HEALTH INSURANCE COVERAGE FOR TOWNSHIP OFFICERS; AND FOR OTHER PURPOSES.

**Senate Bill No. 261** was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY & LOCAL AFFAIRS.

SENATE BILL NO. 262  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR R. THOMPSON  
BY: REPRESENTATIVE STEEL

A Bill for an Act to be Entitled: AN ACT TO PROVIDE SUBPOENA POWER TO THE ATTORNEY GENERAL IN CRIMINAL MATTERS; AND FOR OTHER PURPOSES.

**Senate Bill No. 262** was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

SENATE BILL NO. 263  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR TEAGUE

A Bill for an Act to be Entitled: AN ACT TO REMOVE THE DEAN OF THE UNIVERSITY OF ARKANSAS FOR MEDICAL SCIENCES FROM THE STATE CRIME LABORATORY BOARD; AND FOR OTHER PURPOSES.

Senate Bill No. 263 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

SENATE BILL NO. 264  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATORS LAVERTY AND P. MALONE

A Bill for an Act to be Entitled: AN ACT TO ESTABLISH THE ADMINISTRATIVE RULE AND REGULATION REVIEW SUBCOMMITTEE OF THE JOINT BUDGET COMMITTEE FOR THE PURPOSE OF CONDUCTING ADMINISTRATIVE RULE REVIEW DURING REGULAR, FISCAL, AND EXTRAORDINARY SESSIONS OF THE GENERAL ASSEMBLY; AND FOR OTHER PURPOSES.

Senate Bill No. 264 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

SENATE BILL NO. 265  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATORS SALMON AND J. DISMANG

A Bill for an Act to be Entitled: AN ACT TO CLARIFY THE TIME OF EXPIRATION OF OIL AND GAS LEASES AND THE SEVERANCE OF SECTIONS OR UNITS IN WHICH PRODUCTION HAS NOT BEEN OBTAINED DURING THE PRIMARY TERM OF THE LEASES; AND FOR OTHER PURPOSES.

**Senate Bill No. 265** was read the first time, rules suspended, read the second time and referred to the Committee on AGRICULTURE, FORESTRY & ECONOMIC DEVELOPMENT.

SENATE BILL NO. 266  
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 OUACHITA TECHNICAL COLLEGE FOR THE FISCAL YEAR ENDING JUNE 30, 2012; AND FOR OTHER PURPOSES.

**Senate Bill No. 266** was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE JOINT RESOLUTION NO. 4  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR RAPERT

SENATE JOINT RESOLUTION PROPOSING AN AMENDMENT TO THE ARKANSAS CONSTITUTION TO PROHIBIT THE GENERAL ASSEMBLY FROM ENACTING A LAW TO LEVY A TAX OR FEE OR TO INCREASE THE RATE OF TAXES OR FEES EXCEPT UPON THE VOTE OF THREE-FOURTHS (3/4) OF THE TOTAL MEMBERSHIP OF EACH HOUSE; TO PROHIBIT THE GENERAL ASSEMBLY FROM ENACTING A LAW TO DECREASE THE RATE OF ANY TAX OR PROVIDING A TAX EXCEPTION, CREDIT, EXCLUSION, OR DEDUCTION EXCEPT UPON THE VOTE OF A MAJORITY OF THE MEMBERS ELECTED TO EACH HOUSE; TO PROHIBIT THE GENERAL ASSEMBLY FROM ENACTING A LAW REMOVING A TAX EXEMPTION, CREDIT, EXCLUSION, OR DEDUCTION EXCEPT UPON THE AFFIRMATIVE VOTE OF A MAJORITY OF THE TOTAL MEMBERSHIP OF EACH HOUSE; AND FOR OTHER PURPOSES.

THE TAXPAYERS' PROTECTION  
AMENDMENT.

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. (a) The General Assembly may enact a law to levy a tax or to increase the rate of any tax only upon the affirmative vote of three-fourths (3/4) of the members elected to each house of the General Assembly.

(b) The General Assembly shall not enact a law to decrease the rate of any tax or to provide a tax exemption, credit, exclusion, or deduction except upon the affirmative vote of a majority of the members elected to each house of the General Assembly.

(c) The General Assembly shall not enact a law to remove a tax exemption, credit, exclusion, or deduction except upon the affirmative vote of a majority of the members elected to each house of the General Assembly.

SECTION 2. This amendment shall be known as the "Taxpayers' Protection Amendment".

SECTION 3. This amendment shall become effective January 1, 2013.

**Senate Joint Resolution No. 4** was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

**SENATE BILL NO. 267**  
**EIGHTY-EIGHTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**BY: SENATOR D. JOHNSON**

A Bill for an Act to be Entitled: AN ACT TO EXPAND LEARNING TIME FOR ARKANSAS PUBLIC SCHOOL STUDENTS BY ALLOWING SCHOOL DISTRICTS TO OPERATE A TWO-HUNDRED-DAY SCHOOL YEAR; TO PROVIDE ADDITIONAL FUNDING TO QUALIFIED SCHOOL DISTRICTS; AND FOR OTHER PURPOSES.

**Senate Bill No. 267** was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

SENATE BILL NO. 268  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR D. JOHNSON

A Bill for an Act to be Entitled: AN ACT TO ALLOW PARENTS OF MULTIPLE BIRTH SIBLINGS TO MAKE DECISIONS REGARDING PUBLIC SCHOOL CLASSROOM ASSIGNMENTS FOR THE SIBLINGS; AND FOR OTHER PURPOSES.

Senate Bill No. 268 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

SENATE BILL NO. 269  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR FILES  
BY: REPRESENTATIVE INGRAM

A Bill for an Act to be Entitled: ACT TO PROMOTE ECONOMIC DEVELOPMENT WITHIN THE STATE BY EXEMPTING FROM THE STATE SALES AND USE TAX FUEL AND ENERGY USED OR CONSUMED IN MANUFACTURING; TO DECLARE AND EMERGENCY; AND FOR OTHER PURPOSES.

Senate Bill No. 269 was read the first time, rules suspended, read the second time and referred to the Committee on REVENUE & TAXATION.

On motion of Senator Taylor, **Senate Concurrent Resolution No. 3** was called up for third reading and final disposition.

**SENATE CONCURRENT RESOLUTION NO. 3**  
**EIGHTY-EIGHTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**BY: SENATOR J. TAYLOR**  
**BY: REPRESENTATIVE T. BRADFORD**

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

**Senate Concurrent Resolution No. 3** was read the third time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

**Senate Concurrent Resolution No. 3** was ordered immediately transmitted to the House.

On motion of Senator Key, **Senate Bill No. 172** was 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. 172**

Amend **Senate Bill No. 172** as originally introduced:

Page 3, delete lines 19 through 24 and substitute the following:

"SECTION 6. Arkansas Code § 24-4-507(a)(2)(B), concerning credited service, is amended to read as follows:

(B) For periods of time prior to July 1, 1991, in no case can less than nine (9) months of service rendered in any fiscal year be credited as a full year of service nor shall more than one (1) year of service be credited any member for all service rendered by him or her in a fiscal year.

SECTION 7. Arkansas Code § 24-4-508, concerning a member's election of retirement, is amended to add an additional subsection to read as follows:

(d) A member's retirement election is irrevocable except under circumstances as may be permitted by the board by regulation.

SECTION 8. Arkansas Code § 24-4-601(b)(2), concerning straight life annuity, is amended to read as follows:

(2) For each year of credited service in the system rendered after June 30, 2007, resulting from employment in a position covered at any time by social security or another federal retirement plan supported wholly or in part by employer contributions, a member shall receive one and seventy-two hundredths percent (1.72%) of the member's final average compensation plus, for each year of credited service in the system rendered after June 30, 2007, resulting from employment in a position never so covered, a member shall receive two and seven hundredths percent (2.07%) of the member's final average compensation. In no event shall service as a district judge in the state division receive less than three percent (3%) of the member's final average compensation.

SECTION 9. Arkansas Code § 24-4-804(c), concerning cessation of"

AND

Page 3, delete line 30 and substitute the following:  
"24-2-401(3), except as provided for in § 24-4-520."

AND

Appropriately renumber the remaining sections of the bill

(SIGNED) SENATOR JOHNNY KEY

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 172 was ordered engrossed.

On motion of Senator Hutchinson, **House Bill No. 1045** was withdrawn from the Committee on JUDICIARY, and placed back on second reading for purpose of Amendment No. 1.

**ARKANSAS SENATE**  
**EIGHTY-EIGHTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**Amendment No. 1 to HOUSE BILL NO. 1045**

Amend **House Bill No. 1045** as engrossed, H1/26/11:

Add Senator J. Hutchinson as a cosponsor of the bill

AND

Page 1, line 26 delete "county recorder" substitute "county recorder or the office of the Secretary of State"

(SIGNED) SENATOR JEREMY HUTCHINSON

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

(SIGNED) ANN CORNWELL, SECRETARY

**House Bill No. 1045** was ordered engrossed.

The President declared the morning hour to have expired.

On motion of Senator LAMOUREUX, **Senate Bill No. 183** was called up for third reading and final disposition.

**SENATE BILL NO. 183  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR M. LAMOUREUX**

A Bill for an Act to be Entitled: AN ACT TO INCREASE TITLE AND REPLACEMENT TITLE FEES TO FUND THE ARKANSAS STATE POLICE RETIREMENT SYSTEM OF THE DEPARTMENT OF ARKANSAS STATE POLICE; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

**Senate Bill No. 183** 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: Bledsoe, Bookout, Burnett, L. Chesterfield, Crumbly, J. Dismang, Elliott, Files, Fletcher, S. Flowers, S. Harrelson, J. Hutchinson, G. Jeffress, J. Jeffress, D. Johnson, J. Key, M. Lamoureux, Lavery, Luker, Madison, Salmon, B. Sample, J. Taylor, Teague, R. Thompson, Whitaker, D. Wyatt.

Total .....27

NEGATIVE: G. Baker, Hendren, Holland, Irvin, B. Pritchard, Rapert, E. Williams.

Total .....7

ABSENT OR NOT VOTING: P. Malone.

Total .....1

VOTING PRESENT:

Total .....0

Total number of votes cast .....34

Necessary to the passage of the bill .....18

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **Senate Bill No. 183**, 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: Bledsoe, Bookout, Burnett, L. Chesterfield, Crumbly, J. Dismang, Elliott, Files, Fletcher, S. Flowers, S. Harrelson, J. Hutchinson, G. Jeffress, J. Jeffress, D. Johnson, J. Key, M. Lamoureux, Laverty, Luker, Madison, Salmon, B. Sample, J. Taylor, Teague, R. Thompson, Whitaker, D. Wyatt.

Total .....27

NEGATIVE: G. Baker, Hendren, Holland, Irvin, B. Pritchard, Rapert, E. Williams.

Total .....7

ABSENT OR NOT VOTING: P. Malone.

Total .....1

VOTING PRESENT:

Total .....0

Total number of votes cast.....34

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

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

**Senate Bill No. 183** was ordered immediately transmitted to the House as passed.

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

February 8, 2011

Ms. Ann Cornwell, Director  
Secretary of the Senate  
State Capitol, Room 320  
Little Rock, AR 72201

Dear Ms. Cornwell,

During session on Tuesday, February 08, 2011, Senate Bill No. 183 was brought up for 3<sup>rd</sup> reading and vote. I was recorded as voting for this bill but I should have been recorded as voting NO on this piece of legislation. Please file this letter in the Senate Journal along with the roll call that was taken on Senate Bill No. 183.

Thank you.

Senator Jonathan Dismang  
District 29

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

February 8, 2011

Ms. Ann Cornwell, Director  
Secretary of the Senate  
State Capitol, Room 320  
Little Rock, AR 72201

Dear Ms. Cornwell,

During session on Tuesday, February 08, 2011, Senate Bill No. 183 was brought up for 3<sup>rd</sup> reading and vote. I was recorded as voting for this bill but I should have been recorded as voting NO on this piece of legislation. Please file this letter in the Senate Journal along with the roll call that was taken on Senate Bill No. 183.

Thank you.

Senator Cecile Bledsoe  
District 8

On motion of Senator Files, **Senate Bill No. 160** was called up for third reading and final disposition.

**SENATE BILL NO. 160**  
*As Engrossed: S2/2/11 S2/7/11*  
**EIGHTY-EIGHTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**BY: SENATOR FILES**

A Bill for an Act to be Entitled: AN ACT CONCERNING THE WITHHOLDING OF AN ELECTED OFFICIAL'S SALARY AND BENEFITS UPON THE SUSPENSION OF A REQUIRED PROFESSIONAL LICENSE OR REGISTRATION; AND FOR OTHER PURPOSES.

**Senate Bill No. 160** 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.

Total .....35

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING:

Total .....0

VOTING PRESENT:

Total .....0

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

**Senate Bill No. 160** was ordered immediately transmitted to the House as passed.

On motion of Senator Chesterfield, **Senate Bill No. 119** was called up for third reading and final disposition.

**SENATE BILL NO. 119**

*As Engrossed: S2/1/11*

**EIGHTY-EIGHTH GENERAL ASSEMBLY**

**REGULAR SESSION**

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

A Bill for an Act to be Entitled: AN ACT TO CREATE THE COMMISSION ON THE STATUS OF WOMEN; AND FOR OTHER PURPOSES.

**Senate Bill No. 119** 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.

Total .....	35
NEGATIVE:	
Total .....	0
ABSENT OR NOT VOTING:	
Total .....	0
VOTING PRESENT:	
Total .....	0
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

**Senate Bill No. 119** was ordered immediately transmitted to the House as passed.

SENATE BILL NO. 270  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR MADISON

A Bill for an Act to be Entitled: AN ACT TO ACHIEVE FAIRNESS AMONG RETAILERS BY CLARIFYING THE APPLICATION OF THE GROSS RECEIPTS TAX AND COMPENSATING USE TAX TO CONSIGNMENT SALES; AND FOR OTHER PURPOSES.

Senate Bill No. 270 was read the first time, rules suspended, read the second time and referred to the Committee on REVENUE & TAXATION.

Senate Bill No. 55 was returned from the House as passed and ordered enrolled.

Senate Bill No. 112 was returned from the House as passed as amended.

On motion of Senator Bledsoe, SENATE Bill No. 112 was ordered re-referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

Received from the House

HOUSE BILL NO. 1117  
 EIGHTY-EIGHTH GENERAL ASSEMBLY  
 REGULAR SESSION  
 BY: REPRESENTATIVE STEWART

A Bill for an Act to be Entitled: AN ACT TO PERMIT THE ARKANSAS TEACHER RETIREMENT SYSTEM TO CREATE APPROPRIATE ACCOUNTS TO PROPERLY MANAGE THE SYSTEM; TO ACCURATELY REFLECT THE ACCOUNTING OF THE ASSETS OF THE SYSTEM; TO ALLOW THE BOARD OF TRUSTEES OF THE ARKANSAS TEACHER RETIREMENT SYSTEM TO CREATE ADDITIONAL ACCOUNTS AS NEEDED; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

House Bill No. 1117 was read the first time, rules suspended, read the second time and placed on the Calendar.

Received from the House

HOUSE BILL NO. 1211  
 EIGHTY-EIGHTH GENERAL ASSEMBLY  
 REGULAR SESSION  
 BY: REPRESENTATIVES MAYBERRY, T. BAKER, BENEDICT, COLLINS-SMITH,  
 E. ELLIOTT, GILLAM, HAMMER, HICKERSON, HOBBS, HOPPER, LAMPKIN,  
 MURDOCK, POST, RATLIFF, F. SMITH, G. SMITH, T. STEELE, T. THOMPSON,  
 WARDLAW & WESTERMAN  
 BY: SENATORS LAVERTY, BLEDSOE, ELLIOTT & D. JOHNSON

A Bill for an Act to be Entitled: AN ACT TO CLARIFY THE DEFINITION OF A QUALIFYING DIAGNOSIS THAT ESTABLISHES CATEGORICAL ELIGIBILITY FOR DEVELOPMENTAL DISABILITY SERVICES; AND FOR OTHER PURPOSES.

House Bill No. 1211 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

Received from the House

HOUSE BILL NO. 1223

*As Engrossed: H2/3/11*

EIGHTY-EIGHTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE B. WILKINS

A Bill for an Act to be Entitled: AN ACT TO MAKE TECHNICAL CORRECTIONS TO TITLE 24, CHAPTER 7, OF THE ARKANSAS CODE CONCERNING THE ARKANSAS TEACHER RETIREMENT SYSTEM; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

House Bill No. 1223 was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 271

EIGHTY-EIGHTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATOR R. THOMPSON

A Bill for an Act to be Entitled: AN ACT TO REQUIRE THE REPORTING OF THE BATTERING OF A PREGNANT FEMALE TO A LAW ENFORCEMENT AGENCY; AND FOR OTHER PURPOSES.

Senate Bill No. 271 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

ARKANSAS SENATE  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION

February 8, 2011

Mr. President:

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

**SENATE BILL NO. 55**, BY SENATORS SAMPLE AND KEY,

beg leave to report that we have carefully compared the enrolled copy with the original and we find the same correctly enrolled and have at 3:00 p.m. delivered them to the Governor for his approval.

Respectfully submitted,

(SIGNED) SENATOR LINDA CHESTERFIELD  
CHAIRMAN

GOVERNOR'S BILL RECEIPTS

**SENATE BILL NO. 55**

RECEIVED the above papers from the Secretary of the Senate this 8<sup>th</sup> day of February, 2011 at 3:00 p.m.

(SIGNED) MIKE BEEBE  
Governor

(SIGNED) SARAH AGEE  
Secretary

ARKANSAS SENATE  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION

February 8, 2011

Mr. President:

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

SENATE BILL NO. 172, 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

ARKANSAS SENATE  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION

February 8, 2011

Mr. President:

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

HOUSE BILL NO. 1045, by REP. DONNA HUTCHINSON

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 Hutchinson, **House Bill No. 1045** was ordered re-referred to the Committee on JUDICIARY.

**SENATE RESOLUTION NO. 11**  
**EIGHTY-EIGHTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**BY: SENATOR BOOKOUT**

SENATE RESOLUTION PROVIDING THAT THE SENATE OF THE EIGHTY-EIGHTH GENERAL ASSEMBLY SHALL RECESS ON WEDNESDAY, FEBRUARY 9, 2011, AND RECONVENE ON MONDAY, FEBRUARY 14, 2011.

**Senate Resolution No. 11** was read the first time, rules suspended, read the second time and placed on the Calendar.

**SENATE JOINT RESOLUTION NO. 5**  
**EIGHTY-EIGHTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**BY: SENATOR FILES**

SENATE JOINT RESOLUTION PROPOSING A CONSTITUTIONAL AMENDMENT TO AUTHORIZE CITIES AND COUNTIES TO CREATE DISTRICTS WITHIN THE CITY OR COUNTY FOR DEVELOPMENT AND REDEVELOPMENT PROJECTS WITHIN THE DISTRICT AND TO ISSUE BONDS PAYABLE FROM THE INCREASED AMOUNT OF STATE SALES AND USE TAX COLLECTED WITHIN THE DISTRICT FOR FINANCING SUCH PROJECTS.

PROPOSING A CONSTITUTIONAL AMENDMENT TO AUTHORIZE CITIES AND COUNTIES TO CREATE DISTRICTS FOR DEVELOPMENT AND REDEVELOPMENT PROJECTS AND TO ISSUE SALES TAX ANTICIPATED REVENUE BONDS FOR FINANCING SUCH PROJECTS.

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. The Arkansas Constitution is amended to read as follows:  
Sales Tax Anticipated Revenue Bonds.

(a) A city or county may form one (1) or more districts for the purpose of financing sales tax anticipated revenue bonds within the district as provided by this amendment.

(b)(1) A city or county which has formed a district under this amendment may issue bonds for the purpose of financing certain costs related to a sales tax anticipated revenue bond project within the district, as determined by the General Assembly.

(2) The bonds may be secured by and be payable from all or a portion of the division of state sales and use taxes collected within the district under subsection (e) of this amendment.

(3) The bonds shall not be:

(A) Considered in calculating debt limits for bonds issued pursuant to Article XII, § 4, of the Arkansas Constitution; or

(B) Subject to the provisions of Article XVI, § 1, of the Arkansas Constitution or Amendments 62 or 65 to the Arkansas Constitution.

(c) For purposes of this amendment, the term "sales tax anticipated revenue bond project" means an undertaking, including without limitation the acquisition, development, redevelopment, and revitalization of land within the district, for eliminating or preventing the development or spread of slums or blighted, deteriorated, or deteriorating areas, for discouraging the loss of commerce, industry, or employment, for increasing employment, or any combination thereof, as may be defined by the General Assembly.

(d) Prior to a district's issuance of bonds for a sales tax anticipated revenue bond project under subsection (b) of this section, the sales tax anticipated revenue bond project shall be approved by an appropriate state agency as may be determined by the General Assembly.

(e)(1) The General Assembly may provide that all or a portion of the state sales and use tax collected within a district may be divided so that all or part of the increase in state sales and use tax collected by taxpayers within the district after the date on which the project plan has been approved by an appropriate state agency shall be used to pay any indebtedness incurred for the sales tax anticipated revenue bond project.

(2) However, there shall be excluded from the division all state sales and use taxes pledged to bond repayment or committed to other uses prior to the approval of the redevelopment project.

(f) Any provision of the Constitution of the State of Arkansas in conflict with this section is repealed insofar as it is in conflict with this amendment.

(g) The General Assembly shall provide for the implementation of this amendment by law.

Senate Joint Resolution No. 5 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

SENATE BILL NO. 272  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR ELLIOTT

A Bill for an Act to be Entitled: AN ACT TO PROHIBIT THE USE OF FLUCTUATING WORKWEEK CALCULATIONS FOR PUBLIC SAFETY EMPLOYEES OF POLITICAL SUBDIVISIONS OF THE STATE; AND FOR OTHER PURPOSES.

**Senate Bill No. 272** was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

SENATE BILL NO. 273  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR ELLIOTT

A Bill for an Act to be Entitled: AN ACT TO ALLOW A PUBLIC SCHOOL TO EMPLOY A PERSON WHO IS A FAMILY MEMBER OF A BOARD MEMBER AS A TEACHER IN A CRITICAL TEACHING SHORTAGE AREA; AND FOR OTHER PURPOSES.

**Senate Bill No. 273** was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

SENATE BILL NO. 274  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION

BY: SENATORS G. BAKER, BOOKOUT, R. THOMPSON, WHITAKER & M.  
LAMOUREUX

A Bill for an Act to be Entitled: AN ACT TO INCREASE THE AMOUNT BELOW WHICH SALES AND USE TAX IS NOT DUE ON THE PURCHASE OF A MOTOR VEHICLE, TRAILER, OR SEMITRAILER; AND FOR OTHER PURPOSES.

Senate Bill No. 274 was read the first time, rules suspended, read the second time and referred to the Committee on REVENUE & TAXATION.

SENATE BILL NO. 275  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION

BY: SENATORS B. SAMPLE, G. BAKER, BURNETT, J. DISMANG, FILES,  
FLETCHER, G. JEFFRESS, J. JEFFRESS, M. LAMOUREUX, RAPERT, J.  
TAYLOR & TEAGUE

A Bill for an Act to be Entitled: AN ACT TO PROVIDE AN INCENTIVE TO ENCOURAGE THE BUILDING AND OPERATING OF HIGH-EFFICIENCY ELECTRIC POWER GENERATORS BY REVISING THE DEFINITION OF “MANUFACTURER” FOR THE PURPOSE OF REDUCING THE EXCISE TAX RATE ON NATURAL GAS AND ELECTRICITY USED IN MANUFACTURING SUBJECT TO A PHASE-IN OF THE REDUCED RATE OF TAX; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

Senate Bill No. 275 was read the first time, rules suspended, read the second time and referred to the Committee on REVENUE & TAXATION.

SENATE JOINT RESOLUTION NO. 6  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION

BY: SENATORS B. PRITCHARD AND D. WYATT

BY: REPRESENTATIVES PENNARTZ, D. ALTES, T. BAKER, J. BURRIS,  
CARNINE, COLLINS, DALE, GARNER, LEA, LOVELL, MCLEAN, PATTERSON,  
POST, RATLIFF, G. SMITH, STEWART, STUBBLEFIELD, SUMMERS, WAGNER,  
WARDLAW, B. WILKINS, WOODS & WREN

SENATE JOINT RESOLUTION PROPOSING AN AMENDMENT TO AMENDMENT NO. 73, SECTION 2 TO THE CONSTITUTION OF THE STATE OF ARKANSAS TO LIMIT THE TOTAL NUMBER OF YEARS A MEMBER OF THE GENERAL ASSEMBLY MAY SERVE.

PROPOSING AN AMENDMENT TO AMENDMENT NO. 73, SECTION 2 TO THE CONSTITUTION OF THE STATE OF ARKANSAS TO LIMIT THE TOTAL NUMBER OF YEARS A MEMBER OF THE GENERAL ASSEMBLY MAY SERVE.

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. Section 2 of Amendment 73 to the Constitution of Arkansas is amended to read as follows:

§ 2. Legislative Branch.

(a) The Arkansas House of Representatives shall consist of members to be chosen every second year by the qualified electors of the several counties. ~~No member of the Arkansas House of Representatives may serve more than three such two year terms.~~

(b) The Arkansas Senate shall consist of members to be chosen every four years by the qualified electors of the several districts. ~~No member of the Arkansas Senate may serve more than two such four year terms.~~

(c)(1)(A) A member of the General Assembly shall serve no more than fourteen (14) years.

(B) However, a member who completes his or her fourteenth year of office during a term of office for which he or she has been elected may serve until the completion of that term of office.

(2) Service in the General Assembly need not be served consecutively.

(3) The years of service in both the Senate and the House of Representatives shall be added together and included to determine the total number of years in office.

(4) A partial legislative term served as a result of a special election under Article 5, § 6, or a two-year term served as a result of apportionment shall not be included in calculating the total number of years served by a member of the General Assembly.

Senate Joint Resolution No. 6 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

ARKANSAS SENATE  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION

February 8, 2011

Mr. President:

We, your Committee on Public Health, Welfare & Labor , to whom was referred:

**SENATE BILL NO. 130**, BY SENATOR PERCY MALONE,

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

Respectfully submitted,

(SIGNED) SENATOR PERCY MALONE  
CHAIRMAN

SENATE BILL NO. 276  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR TEAGUE

A Bill for an Act to be Entitled: AN ACT TO AMEND THE STATE SALES AND USE TAX RATE ON FOOD AND FOOD INGREDIENTS; TO CONTINUE THE IMPOSITION OF LOCAL SALES AND USE TAX ON FOOD AND FOOD INGREDIENTS; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

Senate Bill No. 276 was read the first time, rules suspended, read the second time and referred to the Committee on REVENUE & TAXATION.

ARKANSAS SENATE  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION

February 8, 2011

Mr. President:

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

SENATE BILL NO. 61, BY SENATOR SUE MADISON,  
SENATE BILL NO. 168, BY SENATOR DAVID JOHNSON  
SENATE BILL NO. 217, BY SENATOR JIM LUKER

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 RUTH WHITAKER  
VICE CHAIR

ARKANSAS SENATE  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION

February 8, 2011

Mr. President:

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

SENATE BILL NO. 156, BY SENATOR DAVID BURNETT,

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

ARKANSAS SENATE  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION

February 8, 2011

Mr. President:

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

HOUSE BILL NO. 1004, BY REP. JOHN CHARLES EDWARDS,  
HOUSE BILL NO. 1159, BY REP. KATHY WEBB,

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 RUTH WHITAKER  
VICE CHAIR

ARKANSAS SENATE  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION

February 8, 2011

Mr. President:

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

**HOUSE BILL NO. 1224**, 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 JIMMY JEFFRESS  
CHAIRMAN

**SENATE BILL NO. 277**  
**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 UNIVERSITY OF ARKANSAS FOR MEDICAL SCIENCES FOR THE FISCAL YEAR ENDING JUNE 30, 2012; AND FOR OTHER PURPOSES.

**Senate Bill No. 277** was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 278  
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 UNIVERSITY OF CENTRAL ARKANSAS FOR THE FISCAL YEAR ENDING JUNE 30, 2012; AND FOR OTHER PURPOSES.

Senate Bill No. 278 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 279  
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 ARKANSAS STATE UNIVERSITY - NEWPORT FOR THE FISCAL YEAR ENDING JUNE 30, 2012; AND FOR OTHER PURPOSES.

Senate Bill No. 279 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 280  
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 UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT BATESVILLE FOR THE FISCAL YEAR ENDING JUNE 30, 2012; AND FOR OTHER PURPOSES.

**Senate Bill No. 280** was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 281  
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 SOUTHEAST ARKANSAS COLLEGE FOR THE FISCAL YEAR ENDING JUNE 30, 2012; AND FOR OTHER PURPOSES.

**Senate Bill No. 281** was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 282  
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 UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT MORRILTON FOR THE FISCAL YEAR ENDING JUNE 30, 2012; AND FOR OTHER PURPOSES.

Senate Bill No. 282 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 283  
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 UNIVERSITY OF ARKANSAS - ITS VARIOUS DIVISIONS AND THE ARKANSAS ARCHEOLOGICAL SURVEY FOR THE FISCAL YEAR ENDING JUNE 30, 2012; AND FOR OTHER PURPOSES.

Senate Bill No. 283 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE JOINT RESOLUTION NO. 7  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR R. THOMPSON

SENATE JOINT RESOLUTION TO LIMIT THE SIZE OF ARKANSAS GOVERNMENT BY AMENDING THE ARKANSAS CONSTITUTION BY COMBINING THE OFFICE OF TREASURER OF STATE WITH THE OFFICE OF AUDITOR OF STATE; TO COMBINE THE OFFICE OF LIEUTENANT GOVERNOR WITH THE OFFICE OF THE SECRETARY OF STATE; TO ABOLISH THE OFFICE OF COMMISSIONER OF STATE LANDS; AND TO AUTHORIZE THE GENERAL ASSEMBLY TO SET THE SALARIES FOR GOVERNOR, ATTORNEY GENERAL, LIEUTENANT GOVERNOR, AND AUDITOR OF STATE.

TO AMEND THE ARKANSAS  
CONSTITUTION TO COMBINE SEVERAL  
OF THE CONSTITUTIONAL OFFICES;  
TO ABOLISH THE OFFICE OF THE  
COMMISSIONER OF STATE LANDS;  
AND TO ALLOW THE GENERAL  
ASSEMBLY TO SET THE SALARIES  
FOR CONSTITUTIONAL OFFICERS.

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. (a) Effective January 1, 2015, the office of Treasurer of State is abolished and removed from the Arkansas Constitution.

(b) Constitutional, statutory, and otherwise lawful powers and duties of the Treasurer of State are granted and transferred to the Auditor of State.

SECTION 2. (a) Effective January 1, 2019, the office of Secretary of State is abolished and removed from the Arkansas Constitution.

(b) Constitutional, statutory, and otherwise lawful powers and duties of the Secretary of State are granted and transferred to the Lieutenant Governor.

SECTION 3. (a) Effective January 1, 2019, the office of the Commissioner of State Lands is abolished and removed from the Arkansas Constitution.

(b) Constitutional, statutory, and otherwise lawful powers and duties of the Commissioner of State Lands shall be granted and transferred by the General Assembly.

SECTION 4. Sections 1 - 3 of Amendment 70 of the Arkansas Constitution are amended to read as follows:

§ 1. Executive Department and General Assembly — Salaries — Restrictions on reimbursements.

(a) No official of the Executive Department shall be reimbursed by the State of Arkansas for any expenses except those reasonably connected to their official duties and only if such reimbursement is made for documented expenses actually incurred and from the regular budget appropriated for the official's office. Such restrictions on expense reimbursement are of a general application and also are intended specifically to prohibit the appropriation and use of public relations funds. The annual salaries of the Executive Department, ~~which shall be paid in monthly installments, shall be as follows: the Governor, the sum of \$60,000; the Lieutenant Governor, the sum of \$29,000; the Secretary of State, the sum of \$37,500; the Treasurer of State, the sum of \$37,000; the Attorney General, the sum of \$50,000; the Commissioner of State Lands, the sum of \$37,500; and the Auditor of State, the sum of \$37,500~~ shall be set by the General Assembly. Except as provided herein, such officials of the Executive Department shall not receive any other income from the State of Arkansas, whether in the form of salaries or expenses.

(b) The members of the General Assembly shall receive as their annual salary the sum of \$12,500, except the President Pro Tempore of the Senate and the Speaker of the House of Representatives, who shall each receive the sum of \$14,000 annually, with such salaries to be payable in equal monthly installments. Except as provided herein, no member of the General Assembly shall receive any other income for service in the General Assembly, whether in the form of salaries or expenses, including, but not limited to, public relations funds. Provided further, that no member of the General Assembly shall be entitled to per diem unless authorized by law, or to reimbursement for expenses or mileage unless authorized by law, documented, and reasonably related to their official duties.

§ 2. Additional Constitutional amendments authorized.

In addition to the three amendments to the Constitution allowed pursuant to Article 19, § 22, either branch of the General Assembly at a regular session thereof may propose an amendment to the Constitution to change the salaries for ~~the offices of Governor, Lieutenant Governor, Attorney General, Secretary of State, Treasurer of State, Commissioner of State Lands, and Auditor of State~~ and for members of the General Assembly. If the same be agreed to by a majority of all members elected to each house, such proposed amendment shall be entered on the journals with the yeas and nays, and published in at least one newspaper in each county, where a newspaper is published, for six months immediately preceding the next general election for Senators and Representatives, at which time the same shall be submitted to the electors of the State for approval or rejection. If a majority of the electors voting at such election adopt the amendment the same shall become a part of this Constitution. Only one amendment to the Constitution may be referred pursuant to this section.

§ 3. Salary adjustments.

The salaries of the ~~Executive Department officials and~~ members of the General Assembly provided for in Section 1 or 2 of this amendment or adjusted pursuant to this section may be increased annually through subsequent appropriations by the General Assembly by an amount not to exceed the average percentage increase in the Consumer Price Index for All Urban Consumers or its successor, as published by the United States Department of Labor, for the two years immediately preceding the year of the salary appropriation.

SECTION 5. The General Assembly shall enact laws to implement the provisions of this amendment.

**Senate Joint Resolution No. 7** was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

**SENATE BILL NO. 284**  
**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 UNIVERSITY OF ARKANSAS AT PINE BLUFF FOR THE FISCAL YEAR ENDING JUNE 30, 2012; AND FOR OTHER PURPOSES.

**Senate Bill No. 284** was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 285  
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 UNIVERSITY OF ARKANSAS AT MONTICELLO FOR THE FISCAL YEAR ENDING JUNE 30, 2012; AND FOR OTHER PURPOSES.

Senate Bill No. 285 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 286  
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 SAU-TECH FOR THE FISCAL YEAR ENDING JUNE 30, 2012; AND FOR OTHER PURPOSES.

Senate Bill No. 286 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 287  
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 ARKANSAS STATE UNIVERSITY - BEEBE FOR THE FISCAL YEAR ENDING JUNE 30, 2012; AND FOR OTHER PURPOSES.

**Senate Bill No. 287** was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 288  
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 ARKANSAS STATE UNIVERSITY FOR THE FISCAL YEAR ENDING JUNE 30, 2012; AND FOR OTHER PURPOSES.

**Senate Bill No. 288** was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

ARKANSAS SENATE  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION

February 8, 2011

Mr. President:

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

SENATE BILL NO. 196, BY JOINT BUDGET COMMITTEE,  
SENATE BILL NO. 223, BY JOINT BUDGET COMMITTEE,  
SENATE BILL NO. 224, BY JOINT BUDGET COMMITTEE,  
SENATE BILL NO. 225, BY JOINT BUDGET COMMITTEE,  
SENATE BILL NO. 230, BY JOINT BUDGET COMMITTEE,  
SENATE BILL NO. 231, BY JOINT BUDGET COMMITTEE,  
SENATE BILL NO. 232, BY JOINT BUDGET COMMITTEE,  
SENATE BILL NO. 233, BY JOINT BUDGET COMMITTEE,  
SENATE BILL NO. 234, BY JOINT BUDGET COMMITTEE,  
SENATE BILL NO. 235, BY JOINT BUDGET COMMITTEE,  
SENATE BILL NO. 236, BY JOINT BUDGET COMMITTEE,  
SENATE BILL NO. 237, BY JOINT BUDGET COMMITTEE,  
SENATE BILL NO. 238, BY JOINT BUDGET COMMITTEE,  
SENATE BILL NO. 239, BY JOINT BUDGET COMMITTEE,  
SENATE BILL NO. 240, BY JOINT BUDGET COMMITTEE,  
SENATE BILL NO. 241, BY JOINT BUDGET COMMITTEE,

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

Respectfully submitted,

(SIGNED) SENATOR GILBERT BAKER  
CHAIRMAN

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SENATE BILLS TRANSMITTED TO THE HOUSE

AS PASSED

SENATE BILL NO. 119

SENATE BILL NO. 160

SENATE BILL NO. 183

SENATE CONCURRENT RESOLUTION TRANSMITTED

TO THE HOUSE AS ADOPTED

SENATE CONCURRENT RESOLUTION NO. 3

SENATE BILL RETURNED FROM THE HOUSE

AS PASSED

SENATE BILL NO. 55

SENATE BILL RETURNED FROM THE HOUSE

AS PASSED AS AMENDED

SENATE BILL NO. 112

HOUSE BILLS TRANSMITTED TO THE SENATE

AS PASSED

HOUSE BILL NO. 1117

HOUSE BILL NO. 1211

HOUSE BILL NO. 1223

On motion of Senator Whitaker, the Senate adjourned until 8:00 a.m.,  
Wednesday, February 9, 2011.

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PRESIDENT OF THE SENATE

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SECRETARY OF THE SENATE