

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

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Little Rock, Arkansas

February 15, 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 Pastor Shane Williams, Hector Assembly of God Church, Hector, AR.

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On motion of Senator Sample, **Senate Bill No. 275** was withdrawn from the Committee on REVENUE & TAXATION, and placed back on second reading for purpose of Amendment No. 1.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. 275**

Amend **Senate Bill No. 275** as originally introduced:

Add Senators J. Hutchinson, Luker as cosponsors of the bill

AND

Page 1, line 11, delete "GENERATORS BY" and substitute "GENERATORS UTILIZING COMBINED-CYCLE TECHNOLOGY BY"

AND

Page 2, line 6, delete "high-efficiency electric" and substitute "high-efficiency, combined-cycle technology electric"

AND

Page 2, delete line 10 and substitute "natural gas used in manufacturing, and these high-efficiency, combined-cycle technology electric power"

AND

Page 2, line 23, delete "a generating" and substitute "a new or existing generating"

AND

Page 2, delete lines 24 through 26 and substitute "combined-cycle gas turbine technology."

AND

Page 3, line 30, delete "a generating" and substitute "a new or existing generating"

AND

Page 3, delete lines 31 through 33 and substitute "combined-cycle gas turbine technology."

AND

Page 4, line 28, delete "will be" and substitute "is"

AND

Page 4, line 29, delete "additional electric" and substitute "additional clean and efficient electric"

AND

Page 5, delete lines 1 through 5 and substitute "technologies pending the development of alternate energy technologies; and that including high-efficiency power"

AND

Page 5, line 11, delete "May" and substitute "July"

(SIGNED) SENATOR BILL SAMPLE

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

(SIGNED) ANN CORNWELL, SECRETARY

**Senate Bill No. 275** was ordered engrossed.

On motion of Senator Key, **Senate Bill No. 138** was withdrawn from the Committee on EDUCATION, 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. 138**

Amend **Senate Bill No. 138** as engrossed, S1/31/11:

Add Representative Williams as a cosponsor of the bill

AND

Page 1, delete lines 34 and 35 and substitute the following language:

"(4) YMCAs;  
(5) 4-H Clubs; and  
(6) School-Age Care programs."

AND

Page 4, delete lines 5-7 and substitute the following language:

"(i) The applicant operates or will operate the program within the geographic boundaries of a public school district that contains at least one (1) school in school improvement, as designated by the Department of Education; and"

(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. 138** was ordered engrossed.

On motion of Senator J. Jeffress, **Senate Bill No. 293** was withdrawn from the Committee on PUBLIC HEALTH, WELFARE & LABOR, and placed back on second reading for purpose of Amendment No. 1.

**ARKANSAS SENATE**  
**EIGHTY-EIGHTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**Amendment No. 1 to SENATE BILL NO. 293**

Amend **Senate Bill No. 293** as originally introduced:

Page 1, delete line 30 and substitute the following:

"(1) "Cancer" means cancer of the brain, breast, colon, liver  
or"

(SIGNED) SENATOR JIMMY JEFFRESS

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

(SIGNED) ANN CORNWELL, SECRETARY

**Senate Bill No. 293** was ordered engrossed.

ARKANSAS SENATE  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION

February 15, 2011

Mr. President:

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

**SENATE BILL NO.138**, BY SENATOR JOHNNY KEY 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

On motion of Senator Key, **Senate Bill No. 138** was ordered re-referred to the Committee on EDUCATION.

ARKANSAS SENATE  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION

February 15, 2011

Mr. President:

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

**SENATE BILL NO. 275**, BY SENATOR BILL SAMPLE 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

On motion of Senator Sample, **Senate Bill No. 275** was ordered re-referred to the Committee on REVENUE & TAXATION.

ARKANSAS SENATE  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION

February 15, 2011

Mr. President:

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

**SENATE BILL NO. 293**, BY SENATOR JIMMY JEFFRESS,

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 J. Jeffress, **Senate Bill No. 293** was ordered re-referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

ARKANSAS SENATE  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION

February 15, 2011

Mr. President:

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

SENATE BILL NO. 263, BY SENATOR LARRY TEAGUE,  
SENATE BILL NO. 264, BY SENATOR RANDY LAVERTY,

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

Respectfully submitted,

(SIGNED) SENATOR SUE MADISON  
CHAIRMAN

ARKANSAS SENATE  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION

February 15, 2011

Mr. President:

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

SENATE BILL NO. 260, BY SENATOR MISSY IVRIN,

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 15, 2011

Mr. President:

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

**HOUSE BILL NO. 1284**, BY REP. ROBERT S. MOORE, JR.,

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 15, 2011

Mr. President:

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

**HOUSE BILL NO. 1235**, BY REPRESENTATIVE FRED ALLEN,

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 15, 2011

Mr. President:

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

**HOUSE BILL NO. 1091**, BY REP. SHEILLA E. LAMPKIN,

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 15, 2011

Mr. President:

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

**HOUSE BILL NO. 1062**, BY REPRESENTATIVE BUDDY LOVELL,

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 JACK B. CRUMBLY  
CHAIRMAN

ARKANSAS SENATE  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION

February 15, 2011

Mr. President:

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

**SENATE BILL NO. 222**, 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.

Respectfully submitted,

(SIGNED) SENATOR GENE JEFFRESS  
CHAIRMAN

**SENATE RESOLUTION NO. 13**  
**EIGHTY-EIGHTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**BY: SENATOR L. CHESTERFIELD**

A Bill for an Act to be Entitled: AN ACT TO COMMEMORATE DAISY GATSON BATES ON MONDAY, FEBRUARY 21, 2011.

**Senate Resolution No. 13** was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 304  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR B. PRITCHARD  
BY: REPRESENTATIVE T. ROGERS

A Bill for an Act to be Entitled: AN ACT TO AMEND PROVISIONS OF ARKANSAS LAW CONCERNING THE AWARD OF CAPITAL IMPROVEMENT CONTRACTS BY THE ARKANSAS BUILDING AUTHORITY; AND FOR OTHER PURPOSES.

**Senate Bill No. 304** was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

SENATE BILL NO. 305  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR J. HUTCHINSON

A Bill for an Act to be Entitled: AN ACT TO CREATE THE UNEMPLOYMENT TRUST FUND FINANCING ACT OF 2011; TO ENSURE THE ECONOMIC STABILITY OF THE STATE BY PROVIDING FOR BOND ISSUANCE FOR THE UNEMPLOYMENT TRUST FUND; TO AUTHORIZE THAT THE REPAYMENT OF THE BONDS BE GUARANTEED BY THE FULL FAITH AND CREDIT OF THE STATE; AND FOR OTHER PURPOSES.

**Senate Bill No. 305** was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE & COMMERCE.

SENATE BILL NO. 306  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR J. JEFFRESS

A Bill for an Act to be Entitled: AN ACT TO DEFINE "PREKINDERGARTEN" FOR PURPOSES OF STATE EMPLOYEE LEAVE FOR PARTICIPATION IN CHILDREN'S EDUCATIONAL ACTIVITIES; AND FOR OTHER PURPOSES.

**Senate Bill No. 306** was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

SENATE BILL NO. 307  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATORS S. FLOWERS, BURNETT, L. CHESTERFIELD, CRUMBLY,  
J. DISMANG, ELLIOTT, S. HARRELSON, J. HUTCHINSON, D. JOHNSON,  
MADISON, P. MALONE & D. WYATT  
BY: REPRESENTATIVES H. WILKINS, J. EDWARDS, HALL, PATTERSON,  
B. WILKINS & WRIGHT

A Bill for an Act to be Entitled: AN ACT TO AMEND THE PENALTIES FOR FAILURE TO APPEAR; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

**Senate Bill No. 307** was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

SENATE BILL NO. 308  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION

BY: SENATORS S. FLOWERS, BURNETT, L. CHESTERFIELD, CRUMBLY,  
J. DISMANG, J. HUTCHINSON, D. JOHNSON, RAPERT, P. MALONE & D. WYATT  
BY: REPRESENTATIVES T. BAKER, PATTERSON, STEEL, B. WILKINS &  
WRIGHT

A Bill for an Act to be Entitled: AN ACT TO CREATE THE OFFENSE OF PROVOKING A PERSON TO VIOLATE AN ORDER OF PROTECTION; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

**Senate Bill No. 308** was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

SENATE BILL NO. 309  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION

BY: SENATORS TEAGUE, BURNETT, CRUMBLY, J. DISMANG, D. WYATT,  
J. HUTCHINSON, J. JEFFRESS & RAPERT  
BY: REPRESENTATIVES WILLIAMS, VINES, CARNINE, CATLETT, E. ELLIOTT,  
KING, LOVELL, MURDOCK, PATTERSON, WOODS & WESTERMAN

A Bill for an Act to be Entitled: AN ACT TO REGULATE THE ISSUANCE OF CLOSING PROTECTION LETTERS; AND FOR OTHER PURPOSES.

**Senate Bill No. 309** was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE & COMMERCE.

SENATE BILL NO. 310  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR LUKER  
BY REPRESENTATIVE WILLIAMS

A Bill for an Act to be Entitled: AN ACT REGARDING THE PAYMENT OF SPECIAL JUDGES; AND FOR OTHER PURPOSES.

**Senate Bill No. 310** was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

SENATE BILL NO. 311  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR TEAGUE

A Bill for an Act to be Entitled: AN ACT TO ENHANCE STATEWIDE PARCEL MAPPING; TO AUTHORIZE THE ARKANSAS GEOGRAPHIC INFORMATION OFFICE TO CREATE A PROGRAM TO ASSIST COUNTIES WITH STATEWIDE PARCEL MAPPING; TO CREATE A FUNDING MECHANISM FOR A STATEWIDE MAPPING GRANT PROGRAM; TO DECLARE AND EMERGENCY AND FOR OTHER PURPOSES.

**Senate Bill No. 311** was read the first time, rules suspended, read the second time and referred to the Committee on AGRICULTURE, FORESTRY & ECONOMIC DEVELOPMENT.

SENATE BILL NO. 312  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR TEAGUE  
BY: REPRESENTATIVE POWERS

A Bill for an Act to be Entitled: AN ACT REGARDING THE PROSECUTING ATTORNEYS FOR THE NINTH JUDICIAL DISTRICT-WEST AND THE EIGHTH JUDICIAL DISTRICT-NORTH; AND FOR OTHER PURPOSES.

Senate Bill No. 312 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

SENATE BILL NO. 313  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR MADISON

A Bill for an Act to be Entitled: AN ACT TO MAKE VARIOUS CORRECTIONS TO TITLE 17 OF THE ARKANSAS CODE OF 1987 CONCERNING THE REGULATION OF PROFESSIONS, OCCUPATIONS, AND BUSINESSES; AND FOR OTHER PURPOSES.

Senate Bill No. 313 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

SENATE BILL NO. 314  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR SALMON

A Bill for an Act to be Entitled: AN ACT TO ESTABLISH A LANDOWNER'S SURFACE PROPERTY RIGHTS IN RELATION TO A MINERAL EXPLORATION OR DEVELOPMENT COMPANY; AND FOR OTHER PURPOSES.

**Senate Bill No. 314** was read the first time, rules suspended, read the second time and referred to the Committee on AGRICULTURE, FORESTRY & ECONOMIC DEVELOPMENT.

SENATE BILL NO. 315  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR SALMON

A Bill for an Act to be Entitled: AN ACT TO AMEND ACT 1366 OF 2003, CONCERNING HOMELAND SECURITY AND THREAT ASSESSMENT PLANS; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

**Senate Bill No. 315** 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 15, 2011

Mr. President:

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

SENATE BILL NO. 172, BY SENATOR JOHNNY 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 11:25 a.m. delivered it to the Governor for his approval.

Respectfully submitted,

(SIGNED) SENATOR LINDA CHESTERFIELD  
CHAIRMAN

GOVERNOR'S BILL RECEIPTS

SENATE BILL NO. 172

RECEIVED the above papers from the Secretary of the Senate this 15th day of February , 2011 at 11:25 a.m.

(SIGNED) MIKE BEEBE  
Governor

(SIGNED) Rebecca Rains  
Secretary

On motion of Senator J. Jeffress, and without objection, the Senate was requested to return **Senate Bill No. 69** for further consideration.

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

ANN CORNWELL  
Secretary of the Senate  
Senate Fiscal Officer  
State Capitol, Room 320  
Little Rock, Arkansas 72201

February 15, 2011

The Honorable Sherri Stacks

Chief Clerk

State Capitol

Little Rock, AR

Dear Mrs. Stacks:

The Senate respectfully requests the return of **SENATE BILL NO. 69**.

Respectfully submitted,

(SIGNED) ANN CORNWELL  
Secretary of the Senate

AC:as

On motion of Senator Whitaker, [House Concurrent Resolution No. 1005](#) was called up for third reading and final disposition.

[HOUSE CONCURRENT RESOLUTION NO. 1005](#)  
[EIGHTY-EIGHTH GENERAL ASSEMBLY](#)  
[REGULAR SESSION](#)  
[BY: REPRESENTATIVE INGRAM](#)  
[BY: SENATOR WHITAKER](#)

HOUSE CONCURRENT RESOLUTION TO ADOPT THE JOINT RULES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-EIGHTH GENERAL ASSEMBLY.

[House Concurrent Resolution No. 1005](#) was read the third time and concurred in.

(SIGNED) ANN CORNWELL, SECRETARY

[House Concurrent Resolution No. 1005](#) was ordered immediately returned to the House as concurred in.

On motion of Senator Burnett, [House Bill No. 1060](#) was withdrawn from the Committee on PUBLIC HEALTH, WELFARE & LABOR, and placed back on second reading for purpose of Amendment No. 1.

[ARKANSAS SENATE](#)  
[EIGHTY-EIGHTH GENERAL ASSEMBLY](#)  
[REGULAR SESSION](#)  
[Amendment No. 1 to HOUSE BILL NO. 1060](#)

Amend [House Bill No. 1060](#) as engrossed, H1/24/11:

Delete section 2 in its entirety and substitute the following:

"SECTION 2. Arkansas Code § 8-6-714 is amended to read as follows:  
8-6-714. Rents, fees, and charges.

(a)(1)(A) A regional solid waste management board may fix, charge, and collect rents, fees, and charges for the disposal, treatment, or other handling of solid waste by the district of no more than two dollars (\$2.00) per ton of solid waste related to the movement or disposal of solid waste within the district, including without limitation fees and charges:

(i) Related to the district's direct involvement with the district's disposal or treatment; or

(ii) That support the district's management of the solid waste needs of the district.

(B) The board may fix, charge, and collect fees or charges under subdivision (a)(1)(A)(ii) of this section only if the board:

(i) Employs or otherwise makes available from another agency an enforcement officer to:

(a) Enforce all statutes and rules regarding solid waste including without limitation the Illegal Dump Eradication and Corrective Action Program Act, § 8-6-501 et seq.; and

(b) Seek to prevent and to identify and eliminate illegal dump sites;

(ii) Has a program for household hazardous waste collection and disposal; and

(iii) Has a program for recycling that includes rural areas of the district and the recycling of bulky waste.

(2) The board may fix, charge, and collect fees or charges for solid waste generated:

(A) Within or without the district delivered to a landfill or transfer station within the district, regardless of whether the disposal facilities are owned or operated by the district; or

(B) Within the district but delivered to a location outside the district.

(3) The board may fix, charge, and collect penalties from entities that fail to timely remit rents, fees, and charges under this section.

(4) Solid waste generated within one district and delivered to another district for disposal may be assessed a fee as follows:

(A) Either the district in which the solid waste was generated or a district in which the same solid waste is transported, stored, managed, or disposed may assess the fee;

(B) The fee may be assessed against the generator, transporter, or disposal facility; and

(C) Each ton or cubic yard of waste may be assessed only one (1) fee.

(b) The fees created in this section do not apply to:

(1)(A) Solid waste generated by private industry if the private industry bears the expense of operating and maintaining the disposal facility for the waste; or

(B) Non-municipal solid waste generated by private industry and shipped to another state for recycling, treatment, or disposal;

(2) Solid waste recycled, used, or generated by steel mills or related facilities classified within Subsector 331 of the 2007 North American Industrial Classification System, as it existed on January 1, 2011;

(3) Recyclable materials that are transported, processed, or marketed for recycling;

(4) Organic materials that are delivered to a permitted composting facility;

(5) Materials that are removed from solid waste and processed for recycling;

(6) Waste tires processed through a district's waste tire program; or

(7) Household hazardous waste collected through a district's household hazardous waste program.

(c)(1) The fee created in subsection (b) of this section shall not exceed two dollars (\$2.00) per ton of solid waste.

(2) However, if weight tickets are not available, the fee shall be calculated on a volume basis at twenty-five cents (25¢) per uncompacted cubic yard or forty-five cents (45¢) per compacted cubic yard.

(3) Districts shall determine by interlocal agreement how the districts shall:

(A) Assess and administer the fee; and

(B) Divide the fees.

~~(b)~~(d) The board may levy a service fee on each residence or business for which the board makes solid waste collection or disposal services available.

~~(c)(1)(A)~~(e)(1)(A) The board may, by majority vote, require fees or delinquent fees to be collected with the real and personal property taxes of any county within the district.

(B) If the board elects to collect such fees in this manner, it shall so notify the county tax collector, who shall enter such fees on tax notices to be collected with the real and personal property taxes of the county.

(C) No county tax collector shall accept payment of any property taxes where the taxpayer has been billed for solid waste collection services unless the service fee is also receipted.

(2) If a property owner fails to pay the service fee, it shall become a lien on the property.

(f) If the district that generates the solid waste cannot agree with the district where disposal is to take place on an equitable splitting of the waste assessment fee, either district may initiate binding arbitration of the dispute under § 16-7-203 before:

(1) A person certified by the Arkansas Alternative Dispute Resolution Commission; or

(2) Another recognized voluntary or nonprofit program of dispute resolution, including without limitation, the American Arbitration Association."

(SIGNED) SENATOR DAVID BURNETT

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1060 was ordered engrossed.

On motion of Senator Teague, the rules were suspended in considering **Senate Bill No. 276** at this time.

On motion of Senator Teague, **Senate Bill No. 276** was withdrawn from the Committee on REVENUE & TAXATION, 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. 276**

Amend **Senate Bill No. 276** as originally introduced:

Add Senators 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, R. Thompson, Whitaker, E. Williams, D. Wyatt as cosponsors of the bill.

(SIGNED) SENATOR LARRY TEAGUE

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

(SIGNED) ANN CORNWELL, SECRETARY

**Senate Bill No. 276** was ordered engrossed.

The President declared the morning hour to have expired.

On motion of Senator Luker, **Senate Bill No. 217** was called up for third reading and final disposition.

**SENATE BILL NO. 217**  
**EIGHTY-EIGHTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**BY: SENATORS LUKER AND M. LAMOUREUX**  
**BY: REPRESENTATIVES CARTER AND WRIGHT**

A Bill for an Act to be Entitled: AN ACT TO AMEND THE UNIFORM PRINCIPAL AND INCOME ACT TO BRING IT INTO COMPLIANCE WITH THE INTERNAL REVENUE SERVICE POSITION FOR ALLOCATING INDIVIDUAL RETIREMENT ACCOUNT DISTRIBUTIONS; TO PROVIDE A FORMULA FOR CALCULATING TRUST DISTRIBUTIONS; TO CLARIFY PAYMENT OF TAXES; AND FOR OTHER PURPOSES.

**Senate Bill No. 217** 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, Luker, Madison, B. Pritchard, Rapert, Salmon, J. Taylor, R. Thompson, D. Wyatt.

Total .....28

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: M. Lamoureux, Lavery, P. Malone, B. Sample, Teague, Whitaker, E. Williams.

Total .....7

VOTING PRESENT:

Total .....0

Total number of votes cast .....28

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. 217** was ordered immediately transmitted to the House as passed.

On motion of Senator Dismang, **Senate Bill No. 221** was called up for third reading and final disposition.

**SENATE BILL NO. 221**

*As Engrossed: S2/9/11*

**EIGHTY-EIGHTH GENERAL ASSEMBLY**

**REGULAR SESSION**

**BY: SENATORS J. DISMANG, D. JOHNSON, G. BAKER, BLEDSOE, FILES, FLETCHER, S. FLOWERS, S. HARRELSON, HENDREN, HOLLAND, J. HUTCHINSON, IRVIN, J. JEFFRESS, J. KEY, M. LAMOUREUX, MADISON, P. MALONE, B. PRITCHARD, RAPERT, B. SAMPLE, TEAGUE, R. THOMPSON, WHITAKER, E. WILLIAMS & D. WYATT**

**BY: REPRESENTATIVES MCLEAN, BAIRD, BARNETT, BIVIANO, ET. AL.**

A Bill for an Act to be Entitled: AN ACT TO REQUIRE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO PUBLISH A DATABASE OF STATE GOVERNMENT EXPENDITURES.

**Senate Bill No. 221** 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, Crumbly, J. Dismang, Elliott, Files, Fletcher, S. Flowers, S. Harrelson, Hendren, Holland, J. Hutchinson, Irvin, G. Jeffress, J. Jeffress, D. Johnson, J. Key, Luker, Madison, B. Pritchard, Rapert, Salmon, B. Sample, J. Taylor, R. Thompson, Whitaker, D. Wyatt.

Total .....29

NEGATIVE: L. Chesterfield.

Total .....1

ABSENT OR NOT VOTING: M. Lamoureux, Laverty, P. Malone, Teague, E. Williams.

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

On motion of Senator Key, Senate Bill No. 57 was called up for third reading and final disposition.

SENATE BILL NO. 57  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR J. KEY

A Bill for an Act to be Entitled: AN ACT CONCERNING SERVICE CREDIT FOR FORMER MILITARY PERSONNEL UNDER THE ARKANSAS LOCAL POLICE AND FIRE RETIREMENT SYSTEM; AND FOR OTHER PURPOSES.

Senate Bill No. 57 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

There being an emergency clause attached to **Senate Bill No. 57**, 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, 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 adoption of the Emergency Clause .....24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

**Senate Bill No. 57** was ordered immediately transmitted to the House.

On motion of Senator Hutchinson, **House Bill No. 1018** was called up for third reading and final disposition.

**HOUSE BILL NO. 1018**  
*As Engrossed: H1/19/11 H1/26/11 H2/8/11*  
**EIGHTY-EIGHTH GENERAL ASSEMBLY**  
**REGULAR SESSION**

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

**BY: SENATORS J. HUTCHINSON, D. JOHNSON, *RAPERT, B. SAMPLE & J. KEY***

A Bill for an Act to be Entitled: AN ACT TO DEFINE "TERMINATE" AS THAT TERM APPLIES TO ELIGIBILITY FOR RETIREMENT UNDER THE ARKANSAS PUBLIC EMPLOYEES' RETIREMENT SYSTEM; AND FOR OTHER PURPOSES.

**Senate Bill No. 1018** 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

There being an emergency clause attached to **House Bill No. 1018**, 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, 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 adoption of the Emergency Clause .....24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

**House Bill No. 1018** was ordered immediately returned to the House as passed.

On motion of Senator Hutchinson, **House Bill No. 1159** was called up for third reading and final disposition.

**HOUSE BILL NO. 1159  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: REPRESENTATIVE WEBB**

A Bill for an Act to be Entitled: AN ACT TO PROVIDE THAT COURTS ARE NOT REQUIRED TO PROVIDE WRITTEN RECORDS OF CONVICTIONS TO THE OFFICE OF DRIVER SERVICES WHEN THE CONVICTION IS REPORTED ELECTRONICALLY; AND FOR OTHER PURPOSES.

**House Bill No. 1159** 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

House Bill No. 1159 was ordered immediately returned to the House as passed.

On motion of Senator Key, House Bill No. 1117 was called up for third reading and final disposition.

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 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

There being an emergency clause attached to **House Bill No. 1117**, 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, 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 adoption of the Emergency Clause ..... 24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

**House Bill No. 1117** was ordered immediately returned to the House as passed.

On motion of Senator Key, **House Bill No. 1223** was called up for third reading and final disposition.

**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 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

There being an emergency clause attached to **House Bill No. 1223**, 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, 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 adoption of the Emergency Clause ..... 24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

**House Bill No. 1223** was ordered immediately returned to the House as passed.

SENATE BILL NO. 316  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR J. KEY  
BY: REPRESENTATIVE HOPPER

A Bill for an Act to be Entitled: AN ACT TO CLARIFY THE PROVISIONS CONCERNING A SETOFF OF DEBTS FROM STATE INCOME TAX REFUNDS; AND FOR OTHER PURPOSES.

**Senate Bill No. 316** was read the first time, rules suspended, read the second time and referred to the Committee on REVENUE & TAXATION.

**Senate Bill No. 69** returned from the House as requested.

ARKANSAS SENATE  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION

February 15, 2011

Mr. President:

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

**SENATE BILL NO. 276**, BY SENATOR LARRY TEAGUE,

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

Respectfully submitted,

(SIGNED) SENATOR LINDA CHESTERFIELD  
CHAIRMAN

On motion of Senator Teague, **Senate Bill No. 276** was ordered re-referred to the Committee on REVENUE & TAXATION.

ARKANSAS SENATE  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION

February 15, 2011

Mr. President:

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

**HOUSE BILL NO. 1060**, BY REPRESENTATIVE LINDSEY 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

On motion of Senator Burnett, **House Bill No. 1060** was ordered re-referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

**Senate Bill No. 154** returned from the House as passed and ordered enrolled.

ARKANSAS SENATE  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION

February 15, 2011

Mr. President:

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

**SENATE BILL NO. 154**, BY SENATOR JERRY TAYLOR,

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 3:05 p.m. delivered it to the Governor for his approval.

Respectfully submitted,

(SIGNED) SENATOR LINDA CHESTERFIELD  
CHAIRMAN

GOVERNOR'S BILL RECEIPTS

**SENATE BILL NO. 154**

RECEIVED the above papers from the Secretary of the Senate this 15th day of February, 2011 at 3:05 p.m.

(SIGNED) MIKE BEEBE  
Governor

(SIGNED) Rebecca Rains  
Secretary

Received from the House

HOUSE BILL NO. 1111  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: REPRESENTATIVE STEWART

A Bill for an Act to be Entitled: AN ACT TO ALLOW MEMBERS OF THE ARKANSAS TEACHER RETIREMENT SYSTEM TO PURCHASE ARMED FORCES RESERVE SERVICE CREDIT; TO ALLOW THE PURCHASE OF ONE YEAR OF CREDIT IN THE ARKANSAS TEACHER RETIREMENT SYSTEM FOR ONE YEAR OF SERVICE IN THE NATIONAL GUARD AND ARMED FORCES RESERVE UP TO A MAXIMUM OF FIVE YEARS; AND FOR OTHER PURPOSES.

House Bill No. 1111 was read the first time, rules suspended, read the second time and placed on the Calendar.

Received from the House

HOUSE BILL NO. 1145  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: REPRESENTATIVE HALL

A Bill for an Act to be Entitled: AN ACT TO CLARIFY WHAT INFORMATION IS SHARED WITH A NONCUSTODIAL PARENT WHO IS AWARDED VISITATION RIGHTS; AND FOR OTHER PURPOSES.

House Bill No. 1145 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. 1212  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: REPRESENTATIVE CARNINE

A BILL FOR AN ACT TO BE ENTITLED: AN ACT TO PROVIDE THAT THE ACTUARIAL EQUIVALENT SHALL BE USED FOR THE PURCHASE OF SERVICE CREDIT IN THE ARKANSAS TEACHER RETIREMENT SYSTEM; TO SIMPLIFY ACCOUNTING PROCEDURES BY ALLOWING EXISTING SERVICE PURCHASE ACCOUNTS AT THE ARKANSAS TEACHER RETIREMENT SYSTEM TO BE PAID WITHIN A TIME CERTAIN; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

**House Bill No. 1212** was read the first time, rules suspended, read the second time and placed on the Calendar.

Received from the House

HOUSE BILL NO. 1316  
*As Engrossed: H2/14/11*  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: REPRESENTATIVE CATLETT

A Bill for an Act to be Entitled: AN ACT TO ALLOW THE ARKANSAS DEPARTMENT OF HEALTH TO UTILIZE RADIO ENCRYPTION TO PROTECT CONFIDENTIAL PATIENT DATA; AND FOR OTHER PURPOSES.

**House Bill No. 1316** was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

SENATE BILL NO. 317  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR WHITAKER

A Bill for an Act to be Entitled: AN ACT TO ENSURE THE SAFETY OF BOAT DOCKS AND MARINAS BY ESTABLISHING MINIMUM ELECTRICAL STANDARDS AND PENALTIES FOR VIOLATIONS; AND FOR OTHER PURPOSES.

**Senate Bill No. 317** was read the first time, rules suspended, read the second time and referred to the Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS.

SENATE BILL NO. 318  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR P. MALONE

A Bill for an Act to be Entitled: AN ACT TO CREATE CRIMINAL PENALTIES FOR DISCLOSURE OF RECORDS OF A CHILDREN'S ADVOCACY CENTER; AND FOR OTHER PURPOSES.

**Senate Bill No. 318** was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

SENATE BILL NO. 319  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR P. MALONE

A Bill for an Act to be Entitled: AN ACT TO LIMIT FORENSIC EXAMINATIONS OF ALLEGEDLY ABUSED CHILDREN TO CHILD SAFETY CENTERS; AND FOR OTHER PURPOSES.

**Senate Bill No. 319** was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

SENATE BILL NO. 320  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR P. MALONE

A Bill for an Act to be Entitled: AN ACT TO REMOVE THE STATUTE OF LIMITATIONS ON SEXUAL OFFENSES; AND FOR OTHER PURPOSES.

**Senate Bill No. 320** was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

SENATE BILL NO. 321  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR P. MALONE

A Bill for an Act to be Entitled: AN ACT TO AUTHORIZE PARENTAL MONITORS ON SCHOOL BUSES; AND FOR OTHER PURPOSES.

Senate Bill No. 321 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

SENATE BILL NO. 322  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR P. MALONE

A Bill for an Act to be Entitled: AN ACT TO REQUIRE EACH COUNTY COURTHOUSE TO PROVIDE FOR CLOSED-CIRCUIT TELEVISION BROADCAST OF CHILD TESTIMONY IN CHILD MALTREATMENT CASES; AND FOR OTHER PURPOSES.

Senate Bill No. 322 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

SENATE BILL NO. 323  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR P. MALONE

A Bill for an Act to be Entitled: AN ACT TO REQUIRE SCHOOL DISTRICTS TO UPDATE SCHOOL POLICIES WHEN A LAW REGARDING CHILD ABUSE IS AMENDED OR IS ADDED TO THE ARKANSAS CODE; AND FOR OTHER PURPOSES.

**Senate Bill No. 323** was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

SENATE BILL NO. 324  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR P. MALONE

A Bill for an Act to be Entitled: AN ACT TO EXPEDITE DNA ANALYSIS IN CASES OF ALLEGED CHILD ABUSE AND CHILD MALTREATMENT, AND FOR OTHER PURPOSES.

**Senate Bill No. 324** was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

SENATE BILL NO. 325  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR P. MALONE

A Bill for an Act to be Entitled: AN ACT TO PROVIDE CRIMINAL PENALTIES FOR UNLAWFUL DISCLOSURE OF INTERVIEW INFORMATION FROM A CHILD SAFETY CENTER OR CHILD ADVOCACY CENTER; AND FOR OTHER PURPOSES.

**Senate Bill No. 325** was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

SENATE BILL NO. 326  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR P. MALONE

A Bill for an Act to be Entitled: AN ACT TO REQUIRE THE CHILD ABUSE HOTLINE TO ACCEPT REPORTS OF INJURY TO A CHILD'S INTELLECTUAL, EMOTIONAL, OR PSYCHOLOGICAL DEVELOPMENT FROM A GUIDANCE COUNSELOR LICENSED AS A TEACHER; AND FOR OTHER PURPOSES.

**Senate Bill No. 326** was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

SENATE BILL NO. 327  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR P. MALONE

A Bill for an Act to be Entitled: AN ACT TO PROHIBIT EXPOSING A CHILD TO RECORDED OR PRINTED PORTRAYALS OF SEX ACTS; AND FOR OTHER PURPOSES.

**Senate Bill No. 327** was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

SENATE BILL NO. 328  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR P. MALONE

A Bill for an Act to be Entitled: AN ACT TO ENSURE THAT EACH WOMAN WHO GIVES BIRTH IN A HOSPITAL OR A FREE-STANDING BIRTHING CLINIC VIEWS A VIDEO PRESENTATION DESCRIBING THE NATURE OF, THE DANGERS OF, AND METHODS FOR THE PREVENTION OF SHAKEN BABY SYNDROME BEFORE THE WOMAN IS DISCHARGED; AND FOR OTHER PURPOSES.

**Senate Bill No. 328** was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

SENATE BILL NO. 329  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR P. MALONE

A Bill for an Act to be Entitled: AN ACT TO INCLUDE SCHOOL PRINCIPALS, ATHLETIC COACHES, AND COUNSELORS AMONG PERSONS WHO ARE GUILTY OF SEXUAL ASSAULT IN THE SECOND DEGREE FOR SEXUAL CONTACT WITH A STUDENT LESS THAN TWENTY-ONE (21) YEARS OF AGE; AND FOR OTHER PURPOSES.

Senate Bill No. 329 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

SENATE BILL NO. 330  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR J. JEFFRESS

A Bill for an Act to be Entitled: AN ACT TO AMEND THE CONTINUING ADEQUACY EVALUATION ACT OF 2004; AND FOR OTHER PURPOSES.

Senate Bill No. 330 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

SENATE BILL NO. 331  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR FILES

A Bill for an Act to be Entitled: AN ACT TO CLARIFY THE EXEMPTION FROM SALES AND USE TAX FOR REPLACEMENTS OF MANUFACTURING MACHINERY AND EQUIPMENT THAT IMPROVE, MODERNIZE, AND EXPAND EXISTING FACILITIES; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

**Senate Bill No. 331** was read the first time, rules suspended, read the second time and referred to the Committee on REVENUE & TAXATION.

SENATE BILL NO. 332  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR FILES

A Bill for an Act to be Entitled: AN ACT TO EXPEDITE ADMINISTRATIVE TAX APPEALS AND PROMOTE ACCESS TO JUSTICE; AND FOR OTHER PURPOSES.

**Senate Bill No. 332** was read the first time, rules suspended, read the second time and referred to the Committee on REVENUE & TAXATION.

SENATE BILL NO. 333  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION

BY: SENATORS J. DISMANG, BURNETT, FILES, S. FLOWERS, S. HARRELSON,  
HOLLAND, J. HUTCHINSON, J. KEY, LUKER & R. THOMPSON

BY: REPRESENTATIVES CARTER, CLEMMER, J. EDWARDS, ENGLISH, JEAN,  
SANDERS, SHEPHERD, VINES, WOODS & WRIGHT

A Bill for an Act to be Entitled: AN ACT REGARDING THE AMOUNT IN  
CONTROVERSY IN A CIVIL ACTION; TO DECLARE AN EMERGENCY; AND FOR  
OTHER PURPOSES.

Senate Bill No. 333 was read the first time, rules suspended, read the second  
time and referred to the Committee on JUDICIARY.

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SENATE BILLS TRANSMITTED TO THE HOUSE

AS PASSED

SENATE BILL NO. 57

SENATE BILL NO. 217

SENATE BILL NO. 221

HOUSE BILLS RETURNED TO THE HOUSE

AS PASSED

HOUSE BILL NO. 1018

HOUSE BILL NO. 1117

HOUSE BILL NO. 1159

HOUSE BILL NO. 1223

HOUSE CONCURRENT RESOLUTION RETURNED  
TO THE HOUSE AS CONCURRED IN

HOUSE CONCURRENT RESOLUTION NO. 1005

SENATE BILL RETURNED FROM THE HOUSE  
AS PASSED AND ORDERED ENROLLED

SENATE BILL NO. 154

SENATE BILL RETURNED FROM THE HOUSE AS REQUESTED

SENATE BILL NO. 69

HOUSE BILLS TRANSMITTED TO THE SENATE  
AS PASSED

HOUSE BILL NO. 1111

HOUSE BILL NO. 1145

HOUSE BILL NO. 1212

HOUSE BILL NO. 1316

On motion of Senator Whitaker, the Senate adjourned until 1:30 p.m.,  
Wednesday, February 16, 2011.

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PRESIDENT OF THE SENATE

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SECRETARY OF THE SENATE

