

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

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Little Rock, Arkansas  
March 22, 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 Reverend Pat James, Pastor, First Christian Church, Osceola, 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.

On motion of Senator Sample, **Senate Bill No. 779** was withdrawn from the Committee on CITY, COUNTY & LOCAL AFFAIRS, and placed back on second reading for purpose of Amendment No. 1.

**ARKANSAS SENATE**  
**EIGHTY-EIGHTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**Amendment No. 1 to SENATE BILL NO. 779**

Amend **Senate Bill No. 779** as originally introduced:

Delete everything after the enacting clause and substitute:

"SECTION 1. Arkansas Code § 17-23-101 is amended to read as follows:  
 17-23-101. Definitions.

As used in this chapter, ~~unless the context otherwise requires:~~

(1)(A) "Dealer" means a person, corporation, partnership, or other entity that engages in the business of purchasing precious metals or precious items, or both, for the purpose of reselling the items in any form.

(B) "Dealer" does not include a person, corporation, partnership, or other entity engaged in a business that is exempted under § 17-23-102;

(2) "Permanent place of business" means a fixed premises either owned by the dealer or leased by the dealer for a period of at least one (1) year;

~~(4)(3)~~ (3) "Person" means any individual, partnership, corporation, association, or other business entity; and

(4) "Precious items" means precious or semiprecious stones or pearls whether mounted or unmounted;

(5) "Precious metals" means an article made in whole or in part of gold, silver, platinum, or a combination of gold, silver, or platinum;

(6) "Purchase" means the acquisition of a precious metal or a precious item, or both, for a consideration of cash, goods, or other precious metals or precious items; and

~~(2)(7)~~ (7) "Silver" means sterling silver.

SECTION 2. Arkansas Code § 17-23-102 is amended to read as follows:  
 17-23-102. Exemptions.

The provisions of this chapter shall not apply to the following:

(1) Transactions involving the sale or transfer of precious metals from one (1) retail jeweler or licensed dealer under this chapter to another retail jeweler or licensed dealer under this chapter;

(2) Transactions involving the sale or transfer of precious metals by a wholesale jeweler to a retail jeweler or licensed dealer;

~~(3) Transactions involving the acquisition of precious metals as a trade-in on any item where the amount allowed as trade-in for the precious metal is less than fifty percent (50%) of the purchase price of the item purchased;~~

~~(4)(3)~~ (3) Transactions involving coins regardless of whether or not such coins contain precious metals;

~~(5)(4)~~ (4) Any financial institution, which is covered by federal or state deposit insurance, ~~or any person doing business under the laws of this state;~~

~~(6)~~(5) Any person doing business under the laws of this state or the United States relating to any broker-dealer, or commodity futures commission merchant, or commodity trading advisor or agent duly registered and regulated by the State Securities Department or the United States Commodity Futures Trading Commission; or  
~~(7)~~(6) Pawn brokers.

SECTION 3. Arkansas Code § 17-23-201 is amended to read as follows:  
 17-23-201. License Registration required.

No A person shall not engage in the business of buying gold, silver, platinum group metals, or any article containing them, hereinafter referred to as "precious metals", purchasing precious metals or precious items from the general public for the purpose of reselling the precious metals or precious items in any condition without first registering with the local law enforcement agency in the jurisdiction in which business or the seller is located ~~obtaining a license from the Department of Arkansas State Police as provided for in this subchapter.~~

SECTION 4. Arkansas Code § 17-23-202 is amended to read as follows:  
 17-23-202. Application Registration — Bond — Fee — Waiting period — Rules and regulations.

(a)(1) Registering with local law enforcement ~~Applications for license~~ shall be in writing, ~~under oath, and in the form prescribed by the local law enforcement agency at least twenty-four hours prior to conducting business in that jurisdiction~~ Department of Arkansas State Police.

(2) ~~They shall contain~~ The registration shall include:

~~(1)(A)(i) The name and the address, both of the residence and place of business of the applicant, and if the applicant is a co-partnership or association, of every member thereof, and if a corporation, of each officer and director and of the principal owner or owners of the issued and outstanding capital stock thereof; and~~ The name of the registrant.

(ii) If the registrant is a partnership or association, the name of each member of the partnership or association.

(iii) If the registrant is a corporation, the name of each officer and director and of the principal owner or owners of the issued and outstanding capital stock in the corporation;

(B) The residence and business address for each person listed under subdivision (a)(2)(A) of this section;

~~(2)(C)(i) The city or town with the street and number, if any, where the business is to be conducted and, if a nonresident, of the principal place of business without the state and such further information as the department may require;~~

(D) A statement that the registrant has:

(i) A bona fide established place of business used primarily for the purchase of precious metals and precious items; and

(ii) A telephone number listed in the name of the business; and

(E) The name, address, and telephone number of the person designated to receive legal process in the event of the commencement of any legal action in any court against the registrant.

(F) A nonresident applicant shall provide the principal place of business without the state and such further information as the department may require for the administration of its duties under this chapter.

~~(b) If the applicant does not have a permanent business address in the state, evidenced by a lease or rental agreement or proof of ownership of the business, the applicant, as a condition of obtaining a license, shall furnish a surety bond issued by a surety company authorized to do business in Arkansas in a minimum amount of one hundred thousand dollars (\$100,000) in favor of the State of Arkansas. The proceeds of the bond shall be available to assure compliance with all provisions of this chapter, and the payment of any and all taxes due the State of Arkansas or any political subdivision of the state as the result of the business for which the applicant is seeking a license. They shall also be available to satisfy any judgment which may be rendered against the licensee as a result of the operation of the business licensed under this chapter.~~

~~(c) At the time of making his or her initial application, the applicant shall pay to the department the sum of twenty-five dollars (\$25.00) as a fee for investigating the application, and the additional sum of twenty-five dollars (\$25.00) shall be paid for an initial license fee for a period terminating on the last day of the current calendar year. Thereafter, the annual renewal license fee shall be twelve dollars and fifty cents (\$12.50). If the application for an initial license is filed after June 30 in any year, the license fee for the remainder of the year shall be only twelve dollars and fifty cents (\$12.50).~~

~~(d) No initial license shall be issued until the expiration of a period of at least thirty (30) days after the date on which the application therefor is filed with the department.~~

~~(e) The department is authorized to promulgate rules and regulations not inconsistent herewith to provide for the effective discharge of the responsibilities granted by this chapter.~~

SECTION 5. Arkansas Code § 17-23-203 is amended to read as follows:  
17-23-203. Seller identification.

~~(a) Every person A dealer required to register be licensed under this chapter shall require the following from each seller of precious metals or precious items:~~

~~(1) Require proof Proof of identification of every seller from whom precious metals or an article made from or containing a precious metal items is in the form of a valid driver's license, identification card, Armed Services identification card, or other valid photo identification if the item is to be purchased for an amount in excess of fifty dollars (\$50.00);~~

~~(2) Require the seller to sign a A signed statement on a form to be approved by the Department of Arkansas State Police stating that the seller is the legal owner of the property or is the agent of the owner authorized to sell the property, and when and where or in what manner the property was obtained; and~~

~~(3) Require the seller to place a A legible print of his or her right thumb as an identifying mark on a the form to be approved by the department; and~~

~~(4)(b)(1) Before purchasing any precious metal or article made from or containing a precious metal for a price in excess of fifty dollars (\$50.00), require the seller, if a minor, to present written authorization to sell by the parent or legal guardian of the minor, which includes the relationship, address, and telephone number of the parent or guardian A dealer shall not purchase precious metals or precious items from a person under eighteen (18) years of age unless the person is accompanied by a parent or guardian who provides identification that establishes that relationship.~~

~~(3) Both the person under eighteen (18) years of age and the parent or guardian shall submit the identification required under subdivision (a)(1) of this section, and records of the identification of both shall be maintained as provided under § 17-23-206.~~

SECTION 6. Arkansas Code § 17-23-206 is amended to read as follows:  
17-23-206. Records.

~~(a) Every person registered licensed under this chapter shall keep a record book obtained from or under the direction of the Department of Arkansas State~~

~~Police~~ containing a comprehensive record of all transactions concerning precious metals or precious items involving an amount in excess of fifty dollars (\$50.00).

(b) The record shall include:

~~(1) the~~ The name, address, and telephone number of the seller;

(2) The date of birth of the seller;

(3) The signature of the seller;

(4) A description of the seller, including height, weight, race, complexion, and hair color;

(5) The driver's license, identification card, or other photo identification number provided under § 17-23-203(a)(1) and the jurisdiction of issuance; and

(6) a A complete and accurate description of the property purchased, including any serial numbers or other identifying marks or symbols and the date and hour of the transaction.

(c) All persons ~~licensed~~ registered under this chapter shall at least weekly deliver or mail to the chief law enforcement officer of the city or town or the sheriff of the county in which the business is located a written or electronic copy of all entries in the record required to be kept by subsections (a) and (b) of this section during the preceding seven-day period.

(d) All records and reports received by the chief law enforcement officer of the city or town or sheriff of the county shall be available for inspection only by law enforcement officers for law enforcement purposes.

SECTION 7. Arkansas Code § 17-23-207 is amended to read as follows:  
17-23-207. Holding periods.

~~(a)(1)~~ All persons ~~licensed~~ registered under this chapter shall retain possession of precious metals or ~~articles containing precious metals,~~ precious items in an unaltered condition, ~~for the period specified in this section~~ fifteen (15) business days after delivering the list to the chief law enforcement officer of the city or town or sheriff of the county as required under § 17-23-206.

~~(2) All gold and articles containing gold shall be retained in possession for a period of three (3) days.~~

~~(3) All other precious metals or articles containing other precious metals shall be retained for a period of seven (7) days.~~

~~(4) The period of retention shall begin on the date that the acquisition of the precious metal is reported in writing to the chief law enforcement officer of the city or town or sheriff of the county.~~

~~(b)(1)~~ If the chief law enforcement officer of the city or town or sheriff of the county or the prosecuting attorney has probable cause to believe that precious metals or an ~~article made from or containing a precious metal~~ items has have been stolen, he or she may give notice ~~in writing~~ to the licensee registrant to retain the precious metal or ~~article~~ precious item for a specific period of time ~~an additional period of fifteen (15) days.~~ The licensee shall retain the property for the additional fifteen-day period unless the notice is revoked in writing within the fifteen-day period."

(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. 779 was ordered engrossed.

On motion of Senator Dismang, **Senate Bill No. 595** 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. 595**

Amend **Senate Bill No. 595** as originally introduced:

Page 2, line 27, delete "transferred, assigned."

AND

Page 3, line 13, delete "under this" and substitute "in substantial compliance with this"

(SIGNED) SENATOR JONATHAN DISMANG

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

(SIGNED) ANN CORNWELL, SECRETARY

**Senate Bill No. 595** was ordered engrossed.

On motion of Senator DISMANG, **Senate Bill No. 597** 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. 597**

Amend **Senate Bill No. 597** as originally introduced:

Page 3, line 6, delete “(b)(1)” and substitute “(b)”

AND

Page 3, delete lines 9 through 11

AND

Page 4, delete lines 32 through 36, and substitute the following:

~~“(2)(A)(c)(1) Any~~ The claim of a person, firm, corporation, quasi-corporation, association, trustee, or holder of a beneficial interest whose interest in the property is with a properly recorded interest in the real property that but who is not properly served with notice of the confirmation proceedings under this subchapter shall have is barred if not commenced within:

(A) one One (1) year of the posting of a notice of entry of the decree of confirmation under subdivision (c)(2) of this section; or

(B) Three (3) years from and after rendition to attack the date that the decree insofar as it relates to his real property is entered if a notice of entry of the decree of confirmation under subdivision (c)(2) of this section is not posted.

(2) If a notice of entry of a decree of confirmation is posted under this subsection:

(A) The notice shall be posted conspicuously on the property;

and

(B) A sworn affidavit evidencing the posting shall be filed with the court in the quiet title action by the party that obtained title to the real property in the quiet title action.”

AND

Page 5, delete lines 1 and 2

(SIGNED) SENATOR JONATHAN DISMANG

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

(SIGNED) ANN CORNWELL, SECRETARY

**Senate Bill No. 597** was ordered engrossed.

On motion of Senator Rapert, **Senate Bill No. 970** 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. 970**

Amend **Senate Bill No. 970** as originally introduced:

Add Senators D. Wyatt, S. Flowers, J. Dismang, Files, Irvin, Burnett as cosponsors of the bill

AND

Add Representatives J. Burris, Carter, English, Garner, Nickels, Sanders, Biviano, S. Meeks as cosponsors of the bill

AND

Page 1, delete lines 26 - 29 and substitute the following:

"(b) Except for public utilities defined in § 23-1-101 or a common carrier, private real property shall not be acquired by eminent domain for a private commercial enterprise, economic development in the private sector, or any other private use."

(SIGNED) SENATOR JASON RAPERT

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

(SIGNED) ANN CORNWELL, SECRETARY

**Senate Bill No. 970** was ordered engrossed.

On motion of Senator J. Jeffress, **Senate Bill No. 436** was withdrawn from the Committee on EDUCATION, 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. 436**

Amend **Senate Bill No. 436** as originally introduced:

Add Senator G. Baker as a cosponsor of the bill

AND

Page 1, line 9, delete "REPORTS;" and substitute "REPORTS; TO AMEND VARIOUS PROVISIONS OF ARKANSAS LAW CONCERNING PUBLIC CHARTER SCHOOLS; TO PROTECT PUBLIC CHARTER SCHOOLS FROM CERTAIN LIABILITIES; TO DECLARE AN EMERGENCY;"

AND

Delete the subtitle in its entirety and substitute:

"TO AMEND VARIOUS PROVISIONS OF ARKANSAS LAW CONCERNING PUBLIC CHARTER SCHOOLS; TO PROTECT PUBLIC CHARTER SCHOOLS FROM CERTAIN LIABILITIES; AND TO DECLARE AN EMERGENCY."

AND

Page 1, delete line 19 and substitute the following:

"SECTION 1. Arkansas Code § 6-17-1113(a), concerning the School Worker Defense Program, is amended to read as follows:

(a)(1) The Department of Education ~~is authorized and directed to shall~~ establish a School Worker Defense Program for the protection under subdivision (a)(2) of this section of:

- ~~(1)~~(A) Education service cooperatives;
- ~~(2)~~(B) Education service cooperative board members;
- ~~(3)~~(C) School districts;
- (D) Public charter schools;
- ~~(4)~~(E) School board members;
- ~~(5)~~(F) School treasurers and bookkeepers;
- ~~(6)~~(G) School nurses;
- ~~(7)~~(H) School secretaries;
- ~~(8)~~(I) Substitute teachers;
- ~~(9)~~(J) Authorized volunteers;
- ~~(10)~~(K) Volunteers in a registered volunteers program;
- ~~(11)~~(L) School custodians;
- ~~(12)~~(M) Food service workers employed by public schools;

- (13)(N) Bus drivers and mechanics employed by public schools;
- (14)(O) Maintenance personnel employed by public schools;
- (15)(P) Each employee of the following who is required to hold a teaching certificate issued by the department:
- (A)(i) A public school district;
  - (ii) A public charter school;
  - (B)(iii) The Arkansas School for Mathematics, Sciences, and the Arts;
  - (C)(iv) The Arkansas School for the Deaf; and
  - (D)(v) The Arkansas School for the Blind;
- ~~who is required to hold a teaching certificate issued by the department;~~
- (16)(Q) Each teacher's aide and each student teacher:
- (A)(i) In a public school district;
  - (ii) In a public charter school;
  - (B)(iii) In the Arkansas School for Mathematics, Sciences, and the Arts;
  - (C)(iv) In the Arkansas School for the Deaf; ~~or~~ and
  - (D)(v) In the Arkansas School for the Blind; and
- (17)(R) Each member of the dormitory staff of:
- (A)(i) The Arkansas School for Mathematics, Sciences, and the Arts;
  - (B)(ii) The Arkansas School for the Deaf; ~~or~~ and
  - (C)(iii) The Arkansas School for the Blind;

(2) This section provides protection against civil liability, attorney's fees, and costs of defense for acts or omissions of each employee or volunteer in the performance of his or her duties as a volunteer or his or her official duties as a school employee, including civil liability for administering corporal punishment to students, in the amount of two hundred fifty thousand dollars (\$250,000) for incidents which occurred prior to July 1, 1999, and one hundred fifty thousand dollars (\$150,000) for each incident which occurs after June 30, 1999.

SECTION 2. Arkansas Code § 6-20-2305(b)(4)(B)(i)(a), concerning national school lunch state categorical funding, is amended to read as follows:

(B)(i)(a)(1) Except as provided under subdivision (b)(4)(B)(i)(c) of this section, National national school lunch state categorical funding under this subdivision (b)(4) shall be based on the number of national school lunch students for the immediately preceding school year determined under § 6-20-2303(12)(A).

(b) If the school district is participating under 42 U.S.C. § 1759a, funding under this subdivision (b)(4) is based on the percentage determined in § 6-20-2303(12)(B) multiplied by the number of enrolled students for the immediately preceding school year.

(c) The per-student national school lunch state categorical funding for an open-enrollment public charter school shall be based upon the current school year enrollment:

- (1) In the initial year of operation for an open-enrollment public charter school; or
- (2) In a year in which an open-enrollment public charter school adds a grade.

SECTION 3. Arkansas Code Title 6, Chapter 23, Subchapter 1 is amended"

AND

Page 2, delete line 23 and substitute the following:

"SECTION 4. Arkansas Code § 6-23-301(c), concerning the requirement for a petition indicating parental support for an open-enrollment public charter school is repealed:

~~(c) As part of the application procedure, the state board may require a petition supporting a charter for an open-enrollment public charter school signed by a specified number of parents or guardians of school-age children residing in the area in which an open-enrollment public charter school is proposed, or it may hold a public hearing to determine parental support for the school.~~

SECTION 5. Arkansas Code § 6-23-302 is amended to read as follows:  
6-23-302. Application for an open-enrollment public charter school.

(a) Pursuant to the provisions of this chapter, an eligible entity may apply to the State Board of Education to grant a charter for an open-enrollment public charter school to operate in a facility of a commercial or nonprofit entity or a public school district.

(b) The application to the state board for an open-enrollment public charter school shall be made in accordance with a schedule approved by the state board.

(c) The application shall:

(1)(A) Describe the results of a public hearing called by the applicant for the purpose of assessing support for an application for an open-enrollment public charter school.

(B)(i) Notice of the public hearing shall be published one (1) time a week for three (3) consecutive weeks in a newspaper having general circulation in ~~each~~ the public school district ~~from~~ in which the open-enrollment public charter school is likely to ~~draw students for the purpose of enrollment~~ be located.

(ii) The last publication of notice shall be no less than seven (7) days prior to the public meeting.

(iii) The notice shall not be published in the classified or legal notice section of the newspaper.

~~(iv) The notice shall be published in no less than ten-point type and shall be no less than two by four inches (2" x 4") or four by two inches (4" x 2").~~

(C)(i) Within seven (7) calendar days following the first publication of notice required under subdivision (c)(1)(B) of this section, letters announcing the public hearing shall be sent to the superintendent of each of the public school districts from which the open-enrollment public charter school is likely to draw students for the purpose of enrollment and the superintendent of any public school district that is contiguous to the public school district in which the open-enrollment public charter school will be located.

(ii) An affected school district may submit written comments concerning the application to the state board to be considered at the time of the state board's review of the application;

(2) Describe a plan for academic achievement that addresses how the open-enrollment public charter school will improve student learning and meet the state education goals;

(3) Outline the proposed performance criteria that will be used during the initial five-year period of the open-enrollment public charter school operation to measure its progress in improving student learning and meeting or exceeding the state education goals;

(4) List the specific provisions of this title and the specific rules and regulations promulgated by the state board from which the open-enrollment public charter school seeks to be exempted;

(5)(A) Describe the facility to be used for the open-enrollment public charter school and state the facility's current use ~~and the facility's use for the immediately preceding three (3) years.~~

(B) If the facility to be used for an open-enrollment public charter school is a public school district facility, the open-enrollment public charter school must operate in the facility in accordance with the terms established by the local school board of the public school district in an agreement governing the relationship between the open-enrollment public charter school and the public school district.

(C) If the facility that will be used for the open-enrollment public charter school is owned by or leased from a sectarian organization, the terms of the facility agreement must be disclosed to the state board; and

(6) Include a detailed budget and a governance plan for the operation of the open-enrollment public charter school.

(d)(1)(A) The application ~~shall be first~~ may be reviewed and approved by the local school board of the public school district in which the proposed open-enrollment public charter school will operate.

(B) The applicant may submit to the state board for expedited review an application approved by the local school board under subdivision (d)(1)(A) of this section.

(2)(A) However, if the local school board disapproves the application, the applicant shall have an immediate right to proceed with a written notice of appeal to the state board.

(B) The state board shall hold a hearing within forty-five (45) calendar days after receipt of the notice of appeal or a request for review.

(C) All interested parties may appear at the hearing and present relevant information regarding the application.

~~(e) A certified teacher employed by a public school district in the school year immediately preceding the effective date of a charter for an open-enrollment public charter school operated at a public school facility may not be transferred to or be employed by the open-enrollment public charter school over the certified teacher's objections.~~

SECTION 6. Arkansas Code § 6-23-304(d), concerning the requirements for approval of an open-enrollment public charter school, is amended to read as follows:

~~(d)(1) The General Assembly recognizes by established relevant demonstrated educational accountability measures that the Knowledge Is Power Program (KIPP) Delta College Preparatory Open-Enrollment Charter School has:~~

~~(A) Improved student learning through innovative ideas and techniques;~~

~~(B) Increased learning opportunities for all students; and~~

~~(C) Created special emphasis on expanded learning experiences for students who were previously identified as low-achieving.~~

~~(2) As a result, the Knowledge Is Power Program is recognized as an effective method for:~~

~~(A) Meeting the statutory intent of this chapter;~~

~~(B) Closing the achievement gap in public schools for economically disadvantaged, racial, and ethnic subgroups, which is addressed by the Arkansas Comprehensive Testing, Assessment, and Accountability Program Act, § 6-15-401 et seq., and § 6-15-1601 et seq.; and~~

~~(C) Otherwise providing an alternative education that has been proven adequate and equitable to Arkansas students.~~

~~(3)(d) Therefore, a A charter applicant that receives an approved open-enrollment public charter may petition the state board for additional licenses to establish an open-enrollment public charter school in any of the various congressional districts in Arkansas if the applicant meets the following conditions, subject to the normal application, review, and approval process of the state board:~~

~~(A)(1) The approved open-enrollment public charter applicant has demonstrated success in student achievement gains, as defined by the state board;~~

~~(B)(2) The approved open-enrollment public charter applicant has not:~~

~~(i)(A)~~ Been subject to any disciplinary action by the state board;  
~~(ii)(B)~~ Been classified as in school improvement or academic or fiscal distress; and  
~~(iii)(C)~~ Had its open-enrollment public charter placed on charter school probation or suspended or revoked under § 6-23-105; and  
~~(C)(3)~~ The state board determines in writing by majority of a quorum of the state board present that the open-enrollment public charter applicant has generally established the educational program results and criteria set forth in this ~~subdivision (d)(3)~~ subsection.

SECTION 7. Arkansas Code § 6-23-306(14), concerning admissions requirements in an application for an open-enrollment public charter school, is amended to read as follows:

(14)(A) Specify methods for applying for admission, enrollment criteria, and student recruitment and selection processes.

(B)(i)~~(a)~~ Except as provided in subdivision (14)(C) of this section, if more eligible students apply for a first-time admission than the open-enrollment public charter school is able to accept by the annual deadline that the open-enrollment public charter school has established for the receipt of applications for the next school year, the open-enrollment public charter must require the open-enrollment public charter school to use a random, anonymous student selection method that shall be described in the charter application.

(b)(1) If there are still more applications for admissions than the open-enrollment public charter school is able to accept after the completion of the random, anonymous student selection method, then the open-enrollment public charter school shall place the applicants on a waiting list for admission.

(2) The waiting list is valid until the next time the open-enrollment public charter school is required to conduct a random, anonymous student selection.

(ii) However, an open-enrollment public charter school may allow a preference for:

(a)(1) Children of the founding members of the eligible entity.

(2) The number of enrollment preferences granted to children of founding members shall not exceed ten percent (10%) of the total number of students enrolled in the open-enrollment public charter school; and

(b) Siblings of students currently enrolled in the open-enrollment public charter school.

(C) The open-enrollment public charter may ~~allow use of~~ a weighted lottery in the student selection process only when necessary to comply with a:

(i) Federal court order; or

(ii) Federal administrative order issued by an appropriate federal agency having proper authority to enforce remedial measures necessary to comply with Title VI of the federal Civil Rights Act of 1964, Title IX of the federal Education Amendments of 1972, the equal protection clause of the Fourteenth Amendment to the United States Constitution, a court order, or a federal or state law requiring desegregation, as permitted by the Charter Schools Program, Title V, Part B, Non-Regulatory Guidance of the United States Department of Education, July, 2004; and

SECTION 8. Arkansas Code § 6-23-307 is amended to read as follows:  
 6-23-307. Renewal of charter.

After the initial five-year period of an open-enrollment public charter, the State Board of Education ~~is authorized to~~ may renew the open-enrollment public charter on a one-year or multiyear basis, not to exceed ~~five (5)~~ twenty (20) years.

SECTION 9. Arkansas Code § 6-23-402(b)(2), concerning enrollment numbers and deadlines for open-enrollment public charter schools, is amended to read as follows:

(2) However, if a student enrolled by July 30 should no longer choose to attend the open-enrollment public charter school or if the open-enrollment public charter school has not yet met its enrollment cap, the open-enrollment public charter school may enroll a number of replacement student or additional students not to exceed the enrollment cap of the open-enrollment public charter school.

SECTION 10. Arkansas Code § 6-23-404(b), concerning the annual"

AND

Page 3, delete line 3 and substitute the following:

"SECTION 11. Arkansas Code Title 6, Chapter 23, Subchapter 4, is amended to add additional sections to read as follows:

6-23-405. Monthly reports.

An open-enrollment public charter school in its initial school year of operation shall provide monthly reports on its enrollment status and compliance with its approved budget for the current school year to the Department of Education.

6-23-406. Department of Education review.

The Department of Education shall:

(1) Conduct an end-of-semester review of each open-enrollment public charter school that is in its initial school year of operation at the end of the first semester and at the end of the school year; and

(2) Report to the State Board of Education on the open-enrollment public charter school's:

(A) Overall financial condition; and

(B) Overall condition of student enrollment.

SECTION 12. Arkansas Code § 6-23-501(a)(2)(A)(i), concerning funding for open-enrollment public charter schools, is amended to read as follows:

(i) The initial funding estimate shall be based on enrollment as of ~~July 30 preceding the school year in which the students are to attend classes~~ July 1 of the current school year;

SECTION 13. Arkansas Code § 6-23-501(a)(3)(A), concerning funding for open-enrollment public charter schools, is amended to read as follows:

(3) National school lunch state categorical funding under § 6-20-2305(b)(4) shall be provided to an open-enrollment public charter school as follows:

(A) For the first year of operation and in any year when a grade is added, free or reduced-price meal eligibility data as reported by October 1 of the current school year will be used to calculate the national school lunch state categorical funding under the state board rules governing special needs funding; and

SECTION 14. Arkansas Code § 6-23-501(a)(4), concerning professional development funding for open-enrollment public charter schools, is amended to read as follows:

(4) Professional development funding under § 6-20-2305(b)(5) shall be provided to an open-enrollment public charter school for the first year of operation and in any year in which a grade is added as follows:

(A)(i) In the first year of operation the open-enrollment public charter school shall receive professional development funding based upon the initial projected enrollment student count as of ~~July 30 preceding the school year in which the students are to attend,~~ July 1 of the current school year multiplied by the per-student professional development funding amount under § 6-20-2305(b)(5) for that school year.

(ii) For the second year and each school year thereafter, professional development funding will be based upon the previous year's average daily membership multiplied by the per-student professional development funding amount for that school year.

SECTION 15. Arkansas Code § 6-23-601(e)(1), concerning the annual"

AND

Page 3, delete line 12 and substitute the following:  
"6-23-107.

SECTION 16. Arkansas Code § 10-4-413(b)(1), concerning the audits of schools, is amended to read as follows:

(b)(1)(A) A school may retain the services of a licensed certified public accountant or a licensed accountant in public practice in good standing with the Arkansas State Board of Public Accountancy to conduct an annual financial audit in accordance with auditing standards generally accepted in the United States and Government Auditing Standards issued by the Comptroller General of the United States.

(B) If the school is an open-enrollment public charter school in its first year of operation, the Legislative Auditor shall prepare the required annual financial audit for the school unless:

(i) The open-enrollment public charter school chooses to retain the services of a licensed certified public accountant or licensed accountant in public practice under subdivision (b)(1)(A) of this section; and

(ii) The State Board of Education approves the open-enrollment public charter school's use of an entity other than the Legislative Auditor to prepare the annual financial audit.

~~(B)(C)~~ The report shall include a report on internal control over financial reporting and on compliance and other matters based on an audit of financial statements performed in accordance with the Government Auditing Standards.

SECTION 17. Arkansas Code § 21-9-301(a), concerning tort liability and immunity for political subdivisions in the state, is amended to read as follows:

(a) It is declared to be the public policy of the State of Arkansas that all counties, municipal corporations, school districts, public charter schools, special improvement districts, and all other political subdivisions of the state and any of their boards, commissions, agencies, authorities, or other governing bodies shall be immune from liability and from suit for damages except to the extent that they may be covered by liability insurance.

SECTION 18. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that it is the state's constitutional obligation to provide a general, suitable, and efficient free system of public schools in the state; that the public school funding distribution changes in this act are needed to ensure that proper funding is provided to the affected public charter schools; and that this act is immediately necessary so that the affected public charter schools will receive the amount of funding provided under this act for the current school year. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

(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. 436 was ordered engrossed.

ARKANSAS SENATE  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION

March 22, 2011

Mr. President:

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

SENATE BILL NO. 595, BY SENATOR JONATHAN DISMANG,  
SENATE BILL NO. 597, BY SENATOR JONATHAN DISMANG,

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

Respectfully submitted,

(SIGNED) SENATOR LINDA CHESTERFIELD  
CHAIRMAN

On motion of Senator Dismang, **Senate Bill No. 595** was ordered re-referred to the Committee on REVENUE & TAXATION.

On motion of Senator Dismang, **Senate Bill No. 597** was ordered re-referred to the Committee on REVENUE & TAXATION.

ARKANSAS SENATE  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION

March 21, 2011

Mr. President:

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

**SENATE BILL NO. 779**, BY SENATOR BILL SAMPLE,

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. 779** was ordered re-referred to the Committee on CITY, COUNTY & LOCAL AFFAIRS.

ARKANSAS SENATE  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION

March 22, 2011

Mr. President:

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

**SENATE BILL NO. 970**, BY SENATOR JASON RAPERT 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 Rapert, **Senate Bill No. 970** was ordered re-referred to the Committee on JUDICIARY.

ARKANSAS SENATE  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION

March 22, 2011

Mr. President:

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

**SENATE BILL NO. 436**, 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. 436** was ordered re-referred to the Committee on EDUCATION.

ARKANSAS SENATE  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION

March 22, 2011

Mr. President:

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

SENATE BILL NO. 923, BY SENATOR MICHAEL LAMOUREUX,  
SENATE BILL NO. 940, 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 they do pass.

Respectfully submitted,

(SIGNED) SENATOR GENE JEFFRESS  
CHAIRMAN

ARKANSAS SENATE  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION

March 22, 2011

Mr. President:

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

HOUSE BILL NO. 1903, 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 GENE JEFFRESS  
CHAIRMAN

ARKANSAS SENATE  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION

March 22, 2011

Mr. President:

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

HOUSE BILL NO. 1474, BY REPRESENTATIVE JAMES MCLEAN,  
HOUSE BILL NO. 1929, BY REPRESENTATIVE ALLEN KERR,  
HOUSE BILL NO. 2039, BY REPRESENTATIVE BETTY OVERBEY,

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 JERRY TAYLOR  
CHAIRMAN

ARKANSAS SENATE  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION

March 22, 2011

Mr. President:

We, your Committee on JOINT ENERGY, to whom was referred:

SENATE BILL NO. 816, BY SENATOR JIMMY JEFFRESS,  
SENATE BILL NO. 823, 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 they do pass.

Respectfully submitted,

(SIGNED) SENATOR KIM HENDREN  
CHAIRMAN

ARKANSAS SENATE  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION

March 22, 2011

Mr. President:

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

SENATE BILL NO. 378, BY SENATOR JOYCE ELLIOTT,

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 JACK B. CRUMBLY  
CHAIRMAN

ARKANSAS SENATE  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION

March 22, 2011

Mr. President:

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

SENATE BILL NO. 257, BY SENATOR SUE MADISON,

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 GILBERT BAKER  
VICE CHAIRMAN

ARKANSAS SENATE  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION

March 22, 2011

Mr. President:

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

**SENATE BILL NO. 975**, BY SENATOR JAKE FILES,

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

March 22, 2011

Mr. President:

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

**SENATE BILL NO. 677**, BY SENATOR GILBERT BAKER,

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) KIM HENDREN  
MEMBER

ARKANSAS SENATE  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION

March 22, 2011

Mr. President:

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

SENATE BILL NO. 881, BY SENATOR PERCY MALONE,  
SENATE BILL NO. 882, BY SENATOR PERCY MALONE,  
SENATE BILL NO. 883, 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 they do pass as amended No. 1.

Respectfully submitted,

(SIGNED) SENATOR SUE MADISON  
CHAIRMAN

ARKANSAS SENATE  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION

March 22, 2011

Mr. President:

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

**SENATE BILL NO. 290**, BY SENATOR GILBERT BAKER,

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

Respectfully submitted,

(SIGNED) SENATOR SUE MADISON  
CHAIRMAN

ARKANSAS SENATE  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION

March 22, 2011

Mr. President:

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

HOUSE BILL NO. 1493, BY REPRESENTATIVE CLARK HALL,  
HOUSE BILL NO. 1851, BY REPRESENTATIVE DARRIN WILLIAMS,

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

March 22, 2011

Mr. President:

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

HOUSE BILL NO. 1498, BY REPRESENTATIVE KELLEY LINCK,

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 GILBERT BAKER  
VICE CHAIRMAN

SENATE RESOLUTION NO. 35  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR IRVIN

SENATE RESOLUTION COMMENDING THE CALICO ROCK LADY PIRATES BASKETBALL TEAM ON WINNING THE 1A STATE TITLE.

*Senate Resolution No. 35* was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE RESOLUTION NO. 36  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR IRVIN

SENATE RESOLUTION COMMENDING MOUNTAIN VIEW HIGH SCHOOL ATHLETICS.

*Senate Resolution No. 36* was read the first time, rules suspended, read the second time and placed on the Calendar.

ARKANSAS SENATE  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION

March 22, 2011

Mr. President:

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

SENATE BILL NO. 22, BY JOINT BUDGET COMMITTEE,  
SENATE BILL NO. 156, BY SENATOR DAVID BURNETT,  
SENATE BILL NO. 185, BY JOINT BUDGET COMMITTEE,  
SENATE BILL NO. 186, BY JOINT BUDGET COMMITTEE,  
SENATE BILL NO. 301, BY SENATOR DAVID WYATT,  
SENATE BILL NO. 306, BY SENATOR JIMMY JEFFRESS,  
SENATE BILL NO. 344, BY SENATOR BRUCE HOLLAND AND  
SENATOR GILBERT BAKER ET AL,  
SENATE BILL NO. 386, BY SENATOR DAVID JOHNSON,  
SENATE BILL NO. 625, BY SENATOR SUE MADISON,  
SENATE BILL NO. 710, BY SENATOR DAVID JOHNSON,  
SENATE BILL NO. 755, BY SENATOR ROBERT THOMPSON,  
SENATE BILL NO. 769, BY SENATOR BILL SAMPLE,  
SENATE BILL NO. 803, BY SENATOR LARRY TEAGUE,  
SENATE BILL NO. 902, BY SENATOR PERCY MALONE,  
SENATE BILL NO. 437, BY SENATOR PERCY MALONE,  
SENATE BILL NO. 106, BY JOINT BUDGET COMMITTEE,  
SENATE BILL NO. 103, BY JOINT BUDGET COMMITTEE,  
SENATE BILL NO. 332, BY SENATOR JAKE FILES,  
SENATE BILL NO. 404, BY SENATOR BILL SAMPLE AND  
SENATOR LINDA CHESTERFIELD,  
SENATE BILL NO. 512, BY SENATOR DAVID JOHNSON,  
SENATE BILL NO. 598, BY SENATOR JONATHAN DISMANG,  
SENATE BILL NO. 711, BY SENATOR JOHNNY KEY,

beg leave to report that we have carefully compared the enrolled copies with the original and we find the same correctly enrolled and have at 12:00 p.m. delivered them to the Governor for his approval.

Respectfully submitted,  
(SIGNED) LINDA CHESTERFIELD  
CHAIRMAN

GOVERNOR'S BILL RECEIPTS

SENATE BILL NO. 22  
SENATE BILL NO. 156  
SENATE BILL NO. 185  
SENATE BILL NO. 186  
SENATE BILL NO. 301  
SENATE BILL NO. 306  
SENATE BILL NO. 344  
SENATE BILL NO. 386  
SENATE BILL NO. 625  
SENATE BILL NO. 710  
SENATE BILL NO. 755  
SENATE BILL NO. 769  
SENATE BILL NO. 803  
SENATE BILL NO. 902  
SENATE BILL NO. 437  
SENATE BILL NO. 106  
SENATE BILL NO. 103  
SENATE BILL NO. 332  
SENATE BILL NO. 404  
SENATE BILL NO. 512  
SENATE BILL NO. 598  
SENATE BILL NO. 711

RECEIVED the above papers from the Secretary of the Senate this 22nd day of March, 2011 at 12:00 p.m.

(SIGNED) MIKE BEEBE  
Governor

(SIGNED) Rebecca Rains  
Secretary

On motion of Senator Whitaker, **Senate Bill No. 878** was withdrawn from the Committee on EDUCATION, and placed on the Calendar.

Without objection, **Senate Bill No. 878** was withdrawn by the author, Senator Whitaker.

On motion of Senator G. Jeffress, **Senate Bill No. 135** 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. 135**

Amend **Senate Bill No. 135** as originally introduced:

Page 2, line 1, delete "and"

AND

Page 2, delete line 6 and substitute the following language:

"in an alternate retirement plan; and  
(iv) Filed an application for retirement with the  
appropriate system before July 1, 2011."

AND

Page 2, delete lines 10-28 and substitute the following language:

"SECTION 2. EMERGENCY CLAUSE. It is found and determined by the  
General Assembly of the State of Arkansas that the public retirement systems  
provide economic security for eligible citizens of Arkansas; that the statutes need  
amending to clarify existing law; and that this act is immediately necessary to  
promote good public policy. Therefore, an emergency is declared to exist and this  
act being immediately necessary for the preservation of the public peace, health,  
and safety shall become effective on:  
(1) The date of its approval by the Governor;  
(2) If the bill is neither approved nor vetoed by the Governor, the  
expiration of the period of time during which the Governor may veto the bill; or  
(3) If the bill is vetoed by the Governor and the veto is overridden, the  
date the last house overrides the veto."

(SIGNED) SENATOR GENE JEFFRESS

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

(SIGNED) ANN CORNWELL, SECRETARY

**Senate Bill No. 135** was ordered engrossed.

On motion of Senator Dismang, **Senate Bill No. 594** 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. 594**

Amend **Senate Bill No. 594** as originally introduced:

Page 1, line 27, delete "under" and substitute "in substantial compliance with"

AND

Page 1, line 29, delete "under" and substitute "in substantial compliance with"

(SIGNED) SENATOR JONATHAN DISMANG

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

(SIGNED) ANN CORNWELL, SECRETARY

**Senate Bill No. 594** was ordered engrossed.

On motion of Senator Malone, **Senate Bill No. 323** was 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. 323**

Amend **Senate Bill No. 323** as engrossed, S3/9/11:

Page 1, line 29, delete "shall" and substitute "and the superintendent of the school district shall"

AND

Page 1, line 30, delete "abuse" and substitute "abuse and relating to public schools"

AND

Page 1, delete line 34 and substitute the following:  
"regarding child abuse and relating to public schools, the board of directors shall"

AND

Page 1, line 35, delete "district superintendent to"

(SIGNED) SENATOR JIMMY JEFFRESS

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

(SIGNED) ANN CORNWELL, SECRETARY

**Senate Bill No. 323** was ordered engrossed.

On motion of Senator Malone, **Senate Bill No. 759** 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. 759**

Amend **Senate Bill No. 759** as originally introduced:

Page 1, delete line 21 and substitute the following:

"SECTION 1. Arkansas Code § 20-10-1902(3), concerning the definition of impartial decision maker for dispute resolution for long-term care facilities, is amended to read as follows:

(3)(A) "Impartial decision maker" means an individual employed by a state agency to conduct an informal dispute resolution hearing for the agency.

(B) "Impartial decision maker" does not include an individual who is presently or has been within the previous twenty-four (24) months actively involved in any survey process under the Department of Human Services;

SECTION 2. Arkansas Code § 20-10-1906(a), concerning scheduling"

AND

Page 1, delete lines 27 and 28 and substitute the following:

"(2) If a deficiency in dispute concerns a pharmacy, a pharmacist, a pharmacy tag, or a deficiency where the expertise of a pharmacist is required, the informal decision maker shall:"

AND

Page 1, line 34, delete "SECTION 2." and substitute "SECTION 3."

AND

Page 2, line 7, delete "SECTION 3." and substitute "SECTION 4."

AND

Page 2, delete lines 13 through 16 and substitute the following:

"(a) Unless the facility chooses another order of presentation of arguments:

(1) The Office of Long-Term Care shall present the initial arguments at the hearing; and

(2) After the office completes its arguments, the facility shall present its arguments.

(b)(1) As a matter of fairness to all parties, the impartial decision maker shall determine in conjunction with all parties."

AND

Page 2, line 17, delete "(B)" and substitute "(A)"

AND

Page 2, line 19, delete "(C)" and substitute "(B)"

AND

Page 2, delete lines 26 and 27 and substitute the following:  
 "by the impartial decision maker in conjunction with all parties.  
 (c)(1) Rules of evidence or procedure shall not apply except as"

AND

Page 2, line 34, delete "~~(d)(1)~~(c)(1)" and substitute "(d)(1)"

AND

Page 3, line 1, delete "~~(e)~~(d)" and substitute "(e)"

AND

Page 3, line 7, delete "~~(f)~~(e)" and substitute "(f)"

AND

Page 3, delete line 9 and substitute the following:  
"(g) A person authorized under subsection (e) or (f) of this section to participate in the hearing may present direct questions to an opposing participant during the rebuttal argument.  
(h)(1) Within fourteen (14) days of a final decision concerning the issues presented in the hearing and any related matters, the Department of Health shall provide the parties with a report concerning the hearing, all decisions made on the basis of the hearing, and any related matters.  
(2) The report required under subdivision (h)(1) of this section shall include without limitation:  
(A) Information concerning any change to the disputed deficiency; and  
(B) A listing of each specific item of the deficiency and all changes made to the deficiency.  
(i)(1) The Department of Human Services shall compile and make available to all facilities subject to this section a quarterly report that shall include without limitation the number of informal dispute resolutions during the previous quarter that were:  
(A) Heard;  
(B) Decided in favor of the state agency; and  
(C) Decided in favor of the facility.  
(2) The office shall review the reports under subdivision (i)(1) of this section and shall:

(A) Determine what patterns of sustained and overturned deficiencies exist; and

(B) Evaluate the training process to address the identified patterns.

~~(g)~~(j) No A party ~~may~~ shall not be represented by an attorney."

(SIGNED) SENATOR PERCY MALONE

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 759 was ordered engrossed.

On motion of Senator Harrelson, Senate Bill No. 973 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. 973

Amend Senate Bill No. 973 as originally introduced:

Page 1, line 24, delete "shall" and substitute "may"

(SIGNED) SENATOR STEVE HARRELSON

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 973 was ordered engrossed.

On motion of Senator Bledsoe, **House Bill No. 1810** was 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. 1810**

Amend **House Bill No. 1810** as originally introduced:

Page 2, line 1, delete "Commission;" and substitute "Commission; and"

AND

Page 2, delete lines 2 through 10 entirely

AND

Page 2, line 11, delete "(8)" and substitute "(6)"

AND

Delete SECTIONS 2 and 3 in their entirety and substitute:

"SECTION 2. Arkansas Code Title 20, Chapter 7, Subchapter 1 is amended to add an additional section to read as follows:

20-7-136. Soccer goal safety.

(a)(1) As used in this section, "public recreation area" means an area that is used by members of the public for recreational activities.

(2) "Public recreation area" includes a privately owned or publicly owned:

(A) Park;

(B) Sports field;

(C) Auditorium;

(D) School playground; or

(E) Other school facility.

(b) A soccer goal in a public recreation area shall be anchored according to the Guidelines for Movable Soccer Goal Safety promulgated by the United States Consumer Product Safety Commission as in effect on February 1, 2011, or the guidelines adopted by the Department of Health.

(c) The Department of Health shall develop and adopt guidelines for soccer goal safety as provided under this section."

(SIGNED) SENATOR CECILE BLEDSOE

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

(SIGNED) ANN CORNWELL, SECRETARY

**House Bill No. 1810** was ordered engrossed.

On motion of Senator Wyatt, **House Bill No. 1775** was 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. 1775

Amend **House Bill No. 1775** as originally introduced:

Page 3, line 1, delete "January 1, 1973" and substitute "the effective date of this act"

(SIGNED) SENATOR DAVID WYATT

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

(SIGNED) ANN CORNWELL, SECRETARY

**House Bill No. 1775** was ordered engrossed.

On motion of Senator Harrelson, **House Bill No. 1888** was 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. 1888

Amend **House Bill No. 1888** as originally introduced:

Page 2, delete line 2, and substitute:

"(1) be Be authorized to issue to himself or herself a deed of"

AND

Page 2, delete line 5, and substitute:

"(2) Deliver notice of the transfer of ownership to the county assessor of each county"

(SIGNED) SENATOR STEVE HARRELSON

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1888 was ordered engrossed.

The President declared the morning hour to have expired.

On motion of Senator Harrelson, House Bill No. 1859 was ordered re-referred to the Committee on JUDICIARY.

On motion of Senator Lamoureux, the rules were suspended in considering **Senate Bill No. 348** at this time.

On motion of Senator Lamoureux, **Senate Bill No. 348** was 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. 348**

Amend **Senate Bill No. 348** as engrossed, S3/3/11:  
Add Representative Eubanks as a cosponsor of the bill

(SIGNED) SENATOR MICHAEL LAMOUREUX

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

(SIGNED) ANN CORNWELL, SECRETARY

**Senate Bill No. 348** was ordered engrossed.

On motion of Senator Lamoureux, and without objection, the rules were suspended pertaining to passage of Amendment and Bill on the same day.

\* \* \* \* \* **EXPUNGED** \* \* \* \* \*

On motion of Senator Lamoureux, **Senate Bill No. 348** was called up for third reading and final disposition.

**SENATE BILL NO. 348**  
*As Engrossed: S3/3/11*  
**EIGHTY-EIGHTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**BY: SENATOR M. LAMOUREUX**

A Bill for an Act to be Entitled: AN ACT TO PROVIDE THAT THE ARKANSAS AGRICULTURAL MARKETING GRANTS FUND SHALL ALSO BE USED TO PROVIDE FUNDING TO VITICULTURE AND ENOLOGY PROGRAMS AT PUBLIC *INSTITUTIONS OF HIGHER EDUCATION*; TO DECLARE AN *EMERGENCY*; AND FOR OTHER PURPOSES.

**Senate Bill No. 348** 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, Burnett, Elliott, Files, Fletcher, S. Flowers, S. Harrelson, Hendren, Irvin, J. Jeffress, D. Johnson, J. Key, M. Lamoureux, Laverty, Luker, Madison, P. Malone, B. Pritchard, Rapert, Salmon, B. Sample, J. Taylor, R. Thompson, Whitaker, E. Williams, D. Wyatt.

Total .....27

NEGATIVE: Holland.

Total .....1

ABSENT OR NOT VOTING: Bookout, L. Chesterfield, Crumbly, J. Dismang, J. Hutchinson, G. Jeffress, Teague.

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

There being an emergency clause attached to **Senate Bill No. 348**, 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, Burnett, Elliott, Files, Fletcher, S. Flowers, S. Harrelson, Hendren, Irvin, J. Jeffress, D. Johnson, J. Key, M. Lamoureux, Laverty, Luker, Madison, P. Malone, B. Pritchard, Rapert, Salmon, B. Sample, J. Taylor, R. Thompson, Whitaker, E. Williams, D. Wyatt.

Total .....27

NEGATIVE: Holland.

Total .....1

ABSENT OR NOT VOTING: Bookout, L. Chesterfield, Crumbly, J. Dismang, J. Hutchinson, G. Jeffress, Teague.

Total .....7

VOTING PRESENT:

Total .....0

Total number of votes cast .....28

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

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

**\* \* \* \* \* EXPUNGED \* \* \* \* \***

The record pertaining to the vote by which **Senate Bill No. 348** passed and the emergency clause adopted was expunged, in accordance with a prevailing motion on March 28, 2011.

On motion of Senator Lamoureux, **Senate Bill No. 349** was called up for third reading and final disposition.

**SENATE BILL NO. 349**  
**EIGHTY-EIGHTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**BY: SENATOR LAMOUREUX**

A Bill for an Act to be Entitled: AN ACT TO CREATE THE VITICULTURE AND ENOLOGY FUND TO BE USED FOR THE RESEARCH AND PROMOTION OF VITICULTURE AND ENOLOGY IN ARKANSAS; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

**Senate Bill No. 349** 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. 349**, 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. 349** was ordered immediately transmitted to the House.

On motion of Senator Malone, **Senate Bill No. 901** was ordered re-referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

On motion of Senator Malone, **Senate Bill No. 328** was called up for third reading and final disposition.

**SENATE BILL NO. 328**

*As Engrossed: S3/16/11 S3/17/11*

**EIGHTY-EIGHTH GENERAL ASSEMBLY**

**REGULAR SESSION**

**BY: SENATORS P. MALONE, J. DISMANG, IRVIN, LAVERTY, G. JEFFRESS, J. JEFFRESS, MADISON, SALMON, FLETCHER, ELLIOTT, TEAGUE, J. TAYLOR, L. CHESTERFIELD, CRUMBLY, D. WYATT & J. KEY**

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 RECEIVES EDUCATIONAL MATERIALS 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 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, 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 .....	34
NEGATIVE: Bledsoe.	
Total .....	1
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. 328** was ordered immediately transmitted to the House as passed.

On motion of Senator Madison, **Senate Bill No. 244** was called up for third reading and final disposition.

**SENATE BILL NO. 244**  
**EIGHTY-EIGHTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**BY: SENATORS MADISON AND D. JOHNSON**  
**BY: REPRESENTATIVES WILLIAMS AND J. EDWARDS**

A Bill for an Act to be Entitled: AN ACT TO MAKE VARIOUS CORRECTIONS TO TITLE 11 OF THE ARKANSAS CODE OF 1987 CONCERNING LABOR AND INDUSTRIAL RELATIONS; AND FOR OTHER PURPOSES.

**Senate Bill No. 244** 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. 244** was ordered immediately transmitted to the House as passed.

On motion of Senator Madison, **Senate Bill No. 249** was called up for third reading and final disposition.

**SENATE BILL NO. 249**  
**EIGHTY-EIGHTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**BY: SENATORS MADISON AND D. JOHNSON**  
**BY: REPRESENTATIVES WILLIAMS AND J. EDWARDS**

A Bill for an Act to be Entitled: AN ACT TO MAKE VARIOUS CORRECTIONS TO TITLE 20 OF THE ARKANSAS CODE OF 1987 CONCERNING PUBLIC HEALTH AND WELFARE; AND FOR OTHER PURPOSES.

**Senate Bill No. 249** 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. 249** was ordered immediately transmitted to the House as passed.

On motion of Senator Key, **Senate Bill No. 41** was called up for third reading and final disposition.

**SENATE BILL NO. 41  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR J. KEY**

A Bill for an Act to be Entitled: AN ACT TO EXTEND THE TERMINATION PERIOD REQUIRED FOR RETIREMENT PURPOSES FOR INDIVIDUALS WHO RECEIVE AT LEAST TWO-FOR-ONE SERVICE CREDIT UNDER THE ARKANSAS PUBLIC EMPLOYEES' RETIREMENT SYSTEM; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

**Senate Bill No. 41** 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, Burnett, L. Chesterfield, J. Dismang, Elliott, Files, Fletcher, S. Harrelson, Hendren, Holland, Irvin, D. Johnson, J. Key, Laverty, Luker, Madison, P. Malone, B. Pritchard, Rapert, Salmon, J. Taylor, Teague, R. Thompson, D. Wyatt.

Total .....25

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Bookout, Crumbly, S. Flowers, J. Hutchinson, G. Jeffress, J. Jeffress, M. Lamoureux, B. Sample, Whitaker, E. Williams.

Total .....10

VOTING PRESENT:

Total .....0

Total number of votes cast .....25

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. 41**, 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, Burnett, L. Chesterfield, J. Dismang, Elliott, Files, Fletcher, S. Harrelson, Hendren, Holland, Irvin, D. Johnson, J. Key, Laverty, Luker, Madison, P. Malone, B. Pritchard, Rapert, Salmon, J. Taylor, Teague, R. Thompson, D. Wyatt.

Total .....25

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Bookout, Crumbly, S. Flowers, J. Hutchinson, G. Jeffress, J. Jeffress, M. Lamoureux, B. Sample, Whitaker, E. Williams.

Total .....10

VOTING PRESENT:

Total .....0

Total number of votes cast .....25

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

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

**Senate Bill No. 41** was ordered immediately transmitted to the House.

On motion of Senator Teague, **Senate Bill No. 848** was called up for third reading and final disposition.

**SENATE BILL NO. 848**  
*As Engrossed: S3/17/11*  
**EIGHTY-EIGHTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**BY: SENATOR TEAGUE**

A Bill for an Act to be Entitled: AN ACT TO AUTHORIZE THE ISSUANCE, RENEWAL, AND REPLACEMENT OF SPECIAL LICENSE PLATES FOR CONSERVATION DISTRICTS; TO HAVE THE FUND-RAISING PROCEEDS DIRECTED TO THE ARKANSAS ASSOCIATION OF CONSERVATION DISTRICTS; AND FOR OTHER PURPOSES.

**Senate Bill No. 848** 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. 848** was ordered immediately transmitted to the House as passed.

On motion of Senator Salmon, **Senate Bill No. 762** was called up for third reading and final disposition.

**SENATE BILL NO. 762  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR SALMON**

A Bill for an Act to be Entitled: AN ACT TO REDUCE THE COST OF PREPARING A CASE RECORD ON APPEAL; AND FOR OTHER PURPOSES.

**Senate Bill No. 762** 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. 762** was ordered immediately transmitted to the House as passed.

On motion of Senator, D. Johnson, **Senate Bill No. 887** was called up for third reading and final disposition.

**SENATE BILL NO. 887  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR D. JOHNSON**

A Bill for an Act to be Entitled: AN ACT TO CREATE THE UNIFORM POWER OF ATTORNEY ACT; AND FOR OTHER PURPOSES.

**Senate Bill No. 887** 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. 887** was ordered immediately transmitted to the House as passed.

On motion of Senator Irvin, the rules were suspended in considering **Senate Bill No. 839** at this time.

On motion of Senator Irvin, **Senate Bill No. 839** was withdrawn from the Committee on PUBLIC HEALTH, WELFARE & LABOR, 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. 839**

Amend **Senate Bill No. 839** as engrossed, S3/15/11:

Amend SB839 as engrossed S3/15/11 (version: 03-03-2011 14:36:02):

Page 1, line 36 delete "Medicaid."

AND

Page 2, delete line 5 and substitute the following:  
"compensation plans or Medicaid;"

AND

Page 2, line 8 delete "in Arkansas"

AND

Page 3, line 20 delete "licensed in Arkansas"

AND

Page 3, delete line 30 and substitute the following:  
"requesting the prior authorization by fax or hard copy letter sent by regular mail, as requested by the patient's healthcare provider."

AND

Page 4, line 4 delete "criteria, and" and substitute "criteria, if any, and"

AND

Page 4, delete line 19 and substitute the following:  
"process.

(C) The information required under subdivision (f)(4)(A) of this section shall include addresses and telephone numbers to be used by health care providers and patients to make complaints to the Arkansas Medical Board, the State Board of Health, and the State Insurance Department.

AND

Page 4, delete lines 26 through 36 and substitute the following:

"(2) Upon request, the patient's health care provider shall be provided contact information, including a phone number, for the person or persons who should be contacted to initiate the request for an expeditious override of the restriction or denial."

AND

Page 5, delete lines 1 through 13.

(SIGNED) SENATOR MISSY IRVIN

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 839 was ordered engrossed.

On motion of Senator Key, **House Bill No. 1924** was called up for third reading and final disposition.

**HOUSE BILL NO. 1924**  
*As Engrossed: H3/10/11*  
**EIGHTY-EIGHTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**BY: REPRESENTATIVE J. ROEBUCK**  
**BY: SENATORS G. BAKER AND J. KEY**

A Bill for an Act to be Entitled: AN ACT TO REVISE THE PAYROLL DEDUCTIONS FOR STATE EMPLOYEES TO INCLUDE DEPOSITS INTO A TAX-DEFERRED COLLEGE SAVINGS PLAN ESTABLISHED UNDER § 6-84-101 ET SEQ. OR A TAX-DEFERRED TUITION SAVINGS PROGRAM ESTABLISHED BY ANOTHER STATE UNDER 26 U.S.C. § 529; AND FOR OTHER PURPOSES.

**House Bill No. 1924** 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. 1924** was ordered immediately returned to the House as passed.

On motion of Senator Bledsoe, **House Bill No. 1943** was called up for third reading and final disposition.

**HOUSE BILL NO. 1943**  
*As Engrossed: H3/10/11*  
**EIGHTY-EIGHTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**BY: REPRESENTATIVE DALE**

A Bill for an Act to be Entitled: AN ACT TO PROVIDE THE ARKANSAS NATURAL RESOURCES COMMISSION WITH AUTHORITY TO ACT AS OR APPOINT A RECEIVER FOR PUBLIC WATER OR SEWER SYSTEMS THAT FAIL TO COMPLY WITH PUBLIC HEALTH LAWS OR FAIL TO ADEQUATELY OPERATE THEIR SYSTEM; AND FOR OTHER PURPOSES.

**House Bill No. 1943** 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. 1943** was ordered immediately returned to the House as passed.

On motion of Senator, J. Jeffress **Senate Bill No. 1878** was called up for third reading and final disposition.

**SENATE BILL NO. 1878**  
**EIGHTY-EIGHTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**BY: REPRESENTATIVES PIERCE AND WEBB**

A Bill for an Act to be Entitled: AN ACT TO PROVIDE OVERSIGHT OF AND ACCOUNTABILITY FOR STATE DESEGREGATION FUNDING RECEIVED AND EXPENDED BY THE PULASKI COUNTY SCHOOL DISTRICTS; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

**Senate Bill No. 1878** 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, L. Chesterfield, Crumbly, Files, Fletcher, S. Flowers, S. Harrelson, Hendren, Holland, J. Hutchinson, Irvin, G. Jeffress, J. Jeffress, D. Johnson, J. Key, M. Lamoureux, Laverty, Luker, P. Malone, B. Pritchard, Rapert, B. Sample, J. Taylor, Teague, R. Thompson, Whitaker, E. Williams, D. Wyatt.

Total .....	30
NEGATIVE: Burnett, J. Dismang, Elliott, Madison, Salmon.	
Total .....	5
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. 1878**, 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, L. Chesterfield, Crumbly, Files, Fletcher, S. Flowers, S. Harrelson, Hendren, Holland, J. Hutchinson, Irvin, G. Jeffress, J. Jeffress, D. Johnson, J. Key, M. Lamoureux, Laverty, Luker, P. Malone, B. Pritchard, Rapert, B. Sample, J. Taylor, Teague, R. Thompson, Whitaker, E. Williams, D. Wyatt.

Total .....30

NEGATIVE: Burnett, J. Dismang, Elliott, Madison, Salmon.

Total .....5

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. 1878** was ordered immediately transmitted to the House.

On motion of Senator Thompson, **House Bill No. 1563** was called up for third reading and final disposition.

**HOUSE BILL NO. 1563**  
**EIGHTY-EIGHTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**BY: REPRESENTATIVES INGRAM, CARTER, J. EDWARDS, HYDE, VINES**  
**& WALKER**  
**BY: SENATORS R. THOMPSON, BLEDSOE, M. LAMOUREUX & SALMON**

A Bill for an Act to be Entitled: AN ACT TO AMEND JULI'S LAW; TO REQUIRE THAT A DNA SAMPLE BE TAKEN FROM A PERSON ARRESTED FOR RAPE; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

**House Bill No. 1563** 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. 1563**, 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. 1563** was ordered immediately returned to the House as passed.

On motion of Senator Madison, **House Bill No. 1966** was called up for third reading and final disposition.

**HOUSE BILL NO. 1966**  
**EIGHTY-EIGHTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**BY: REPRESENTATIVE LEDING**

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS LAW CONCERNING BURIAL FURNITURE ASSOCIATED WITH HUMAN SKELETAL BURIAL REMAINS; AND FOR OTHER PURPOSES.

**House Bill No. 1966** 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. 1966** was ordered immediately returned to the House as passed.

On motion of Senator Dismang, **House Bill No. 1488** was called up for third reading and final disposition.

**HOUSE BILL NO. 1488  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: REPRESENTATIVE WILLIAMS**

A Bill for an Act to be Entitled: AN ACT TO EXTEND THE STATUTE OF LIMITATIONS FOR MUNICIPAL CODE VIOLATIONS; AND FOR OTHER PURPOSES.

**House Bill No. 1488** 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. 1488** was ordered immediately returned to the House as passed.

On motion of Senator Dismang, **House Bill No. 1949** was called up for third reading and final disposition.

**HOUSE BILL NO. 1949  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: REPRESENTATIVE PERRY**

A Bill for an Act to be Entitled: AN ACT TO ALLOW AN EMPLOYEE OF A UTILITY, TELECOMMUNICATIONS, OR CABLE COMPANY WORKING DURING A TIME OF EMERGENCY OR SEVERE WEATHER TO OPERATE AN ALL-TERRAIN VEHICLE ON A PUBLIC STREET OR HIGHWAY; AND FOR OTHER PURPOSES.

**House Bill No. 1949** 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. 1949** was ordered immediately returned to the House as passed.

On motion of Senator Files, **House Bill No. 1767** was called up for third reading and final disposition.

**HOUSE BILL NO. 1767**  
*As Engrossed: H3/9/11*  
**EIGHTY-EIGHTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**BY: REPRESENTATIVE BARNETT**

A Bill for an Act to be Entitled: AN ACT TO AUTHORIZE THE ESTABLISHMENT OF ALTERNATIVE REAL ESTATE TRANSFER TAX DOCUMENTARY SYMBOLS AND ELECTRONIC AFFIDAVITS OF COMPLIANCE; AND FOR OTHER PURPOSES.

**House Bill No. 1767** 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. 1767** was ordered immediately returned to the House as passed.

On motion of Senator Wyatt, **House Bill No. 2048** was called up for third reading and final disposition.

**HOUSE BILL NO. 2048**

*As Engrossed: H3/11/11*

**EIGHTY-EIGHTH GENERAL ASSEMBLY**

**REGULAR SESSION**

**BY: REPRESENTATIVE LINDSEY ET AL**

**BY: SENATORS D. WYATT, BOOKOUT, G. BAKER, BURNETT, L. CHESTERFIELD, J. DISMANG, ELLIOTT, FLETCHER, J. HUTCHINSON, D. JOHNSON, J. KEY, M. LAMOUREUX, LUKER, P. MALONE, SALMON, TEAGUE, R. THOMPSON & WHITAKER**

A Bill for an Act to be Entitled: AN ACT TO CREATE THE ARKANSAS ACCELERATION FUND WITHIN THE ARKANSAS SCIENCE AND TECHNOLOGY AUTHORITY FOR THE PURPOSE OF ADVANCING THE GROWTH OF HIGH-WAGE, KNOWLEDGE-BASED, AND HIGH-TECHNOLOGY JOBS IN ARKANSAS; TO CREATE THE ARKANSAS ACCELERATION FUND COMMITTEE; AND FOR OTHER PURPOSES.

**House Bill No. 2048** was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

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. 2048 was ordered immediately returned to the House as passed.

On motion of Senator Wyatt, House Bill No. 1774 was called up for third reading and final disposition.

HOUSE BILL NO. 1774

*As Engrossed: H3/10/11*

EIGHTY-EIGHTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES TYLER, D. MEEKS & BARNETT

BY: SENATORS D. WYATT, G. BAKER & BOOKOUT

A Bill for an Act to be Entitled: AN ACT TO DEFINE "PUBLIC TRANSPORTATION" RELATED TO CITY AND COUNTY TURNBACK FUNDS UNDER THE ARKANSAS HIGHWAY REVENUE DISTRIBUTION LAW; AND FOR OTHER PURPOSES.

House Bill No. 1774 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

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. 1774 was ordered immediately returned to the House as passed.

On motion of Senator Madison, **House Bill No. 1457** was called up for third reading and final disposition.

**HOUSE BILL NO. 1457**  
*As Engrossed: H3/3/11*  
**EIGHTY-EIGHTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**BY: REPRESENTATIVE HOBBS ET AL**  
**BY: SENATOR BLEDSOE**

A Bill for an Act to be Entitled: AN ACT TO MAKE ILLEGAL THE DEFRAUDING OF PROSPECTIVE ADOPTIVE PARENTS; AND FOR OTHER PURPOSES.

**House Bill No. 1457** 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. 1457** was ordered immediately returned to the House as passed.

On motion of Senator Thompson, the rules were suspended in considering **House Bill No. 1438** at this time.

On motion of Senator Thompson, **House Bill No. 1438** was called up for third reading and final disposition.

**HOUSE BILL NO. 1438**  
*As Engrossed: H/1/11 H3/711*  
**EIGHTY-EIGHTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**BY: REPRESENTATIVES WILLIAMS AND STEEL**  
**BY: SENATOR R. THOMPSON**

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

**House Bill No. 1438** 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. 1438** was ordered immediately returned to the House as passed.

On motion of Senator Teague, [Senate Bill No. 754](#) was withdrawn from the Committee on INSURANCE & COMMERCE, and placed on the Calendar.

On motion of Senator Teague, and without objection, [Senate Bill No. 754](#) was recommended for study in the interim by Senate Interim Committee on INSURANCE & COMMERCE.

On motion of Senator J. Jeffress, [Senate Bill No. 566](#) was withdrawn from the Committee on PUBLIC HEALTH, WELFARE & LABOR, and placed on the Calendar.

On motion of Senator J. Jeffress, and without objection, [Senate Bill No. 566](#) was recommended for study in the interim by Senate Interim Committee on PUBLIC HEALTH, WELFARE & LABOR.

On motion of Senator J. Jeffress, [Senate Bill No. 567](#) was withdrawn from the Committee on PUBLIC HEALTH, WELFARE & LABOR, and placed on the Calendar.

On motion of Senator J. Jeffress, and without objection, [Senate Bill No. 567](#) was recommended for study in the interim by Senate Interim Committee on PUBLIC HEALTH, WELFARE & LABOR.

On motion of Senator Luker, the rules were suspended in considering **House Bill No. 2016** at this time.

On motion of Senator Luker, **House Bill No. 2016** was called up for third reading and final disposition.

**HOUSE BILL NO. 2016**  
**EIGHTY-EIGHTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**BY: REPRESENTATIVE INGRAM**

A Bill for an Act to be Entitled: AN ACT TO CLARIFY THE NOTICE REQUIRED BEFORE FILING A MECHANIC'S OR MATERIALMAN'S LIEN; AND FOR OTHER PURPOSES.

**House Bill No. 2016** pulled down on motion of Senator Luker.

On motion of Senator Baker, **House Bill No. 1454** was called up for third reading and final disposition.

**HOUSE BILL NO. 1454**  
**EIGHTY-EIGHTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**BY: REPRESENTATIVE J. ROEBUCK**  
**BY: SENATOR G. BAKER**

A Bill for an Act to be Entitled: AN ACT TO AMEND THE COMPREHENSIVE ARKANSAS HIGHER EDUCATION ANNUAL REPORT; TO CLARIFY WHAT INFORMATION SPECIFIC HIGHER EDUCATION RELATED REPORTS SHOULD CONTAIN; TO REQUIRE SOME HIGHER EDUCATION RELATED REPORTS TO BE UPDATED ANNUALLY; AND FOR OTHER PURPOSES.

**House Bill No. 1454** 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. 1454** was ordered immediately returned to the House as passed.

On motion of Senator Baker, the Senate resolved itself into the Committee of the Whole for the purpose of JOINT BUDGET Bills & Amendment.

Without objection, the Committee of the Whole was dissolved, and the Senate took up its regular order of business.

On motion of Senator Baker, the rules were suspended in considering **Senate Bill No. 37** at this time.

On motion of Senator Baker, **Senate Bill No. 37** was called up for third reading and final disposition.

**SENATE BILL NO. 37**  
*As Engrossed: S3/21/11*  
**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 STATE BOARD OF COLLECTION AGENCIES FOR THE FISCAL YEAR ENDING JUNE 30, 2012; AND FOR OTHER PURPOSES.

**Senate Bill No. 37** 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 .....27

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. 37**, 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. 37** was ordered immediately transmitted to the House.

On motion of Senator Baker, and without objection, the Senate was requested to return **Senate Bill No. 227** for further consideration.

On motion of Senator Baker, **Senate Bill No. 227** was called up for third reading and final disposition.

**SENATE BILL NO. 227**  
*As Engrossed: S3/7/11 S3/21/11*  
**EIGHTY-EIGHTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**BY: JOINT BUDGET COMMITTEE**

A Bill for an Act to be Entitled: AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL IMPROVEMENT APPROPRIATIONS FOR THE INSTITUTIONS OF HIGHER EDUCATION AND THE DEPARTMENT OF HIGHER EDUCATION; AND FOR OTHER PURPOSES.

**Senate Bill No. 227** was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

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 .....	27

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. 227**, 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. 227** was ordered immediately transmitted to the House.

On motion of Senator Baker, the rules were suspended in considering **House Bill No. 1131** at this time.

On motion of Senator Baker, **House Bill No. 1131** was called up for third reading and final disposition.

**HOUSE BILL NO. 1131  
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 DEVELOPMENT FINANCE AUTHORITY FOR THE FISCAL YEAR ENDING JUNE 30, 2012; AND FOR OTHER PURPOSES.

**House Bill No. 1131** 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 .....	27

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. 1131**, 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. 1131** was ordered immediately returned to the House as passed.

On motion of Senator Baker, the rules were suspended in considering **House Bill No. 1198** at this time.

On motion of Senator Baker, **House Bill No. 1198** was called up for third reading and final disposition.

**HOUSE BILL NO. 1198**  
*As Engrossed: H3/15/11*  
**EIGHTY-EIGHTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**BY: JOINT BUDGET COMMITTEE**

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

**House Bill No. 1198** 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 .....	27

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. 1198**, 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 passage of the bill .....24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

**House Bill No. 1198** was ordered immediately returned to the House as passed.

On motion of Senator Baker, the rules were suspended in considering **House Bill No. 1260** at this time.

On motion of Senator Baker, **House Bill No. 1260** was called up for third reading and final disposition.

**HOUSE BILL NO. 1260**  
*As Engrossed: H3/17/11*  
**EIGHTY-EIGHTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**BY: JOINT BUDGET COMMITTEE**

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

**House Bill No. 1260** 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
<b>NEGATIVE:</b>	
Total .....	0
<b>ABSENT OR NOT VOTING:</b>	
Total .....	0
<b>VOTING PRESENT:</b>	
Total .....	0
Total number of votes cast .....	35
Necessary to the passage of the bill .....	27

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. 1260**, 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. 1260** was ordered immediately returned to the House as passed.

On motion of Senator Baker, the rules were suspended in considering **House Bill No. 1327** at this time.

On motion of Senator Baker, **House Bill No. 1327** was called up for third reading and final disposition.

**HOUSE BILL NO. 1327**  
*As Engrossed: H3/7/11*  
**EIGHTY-EIGHTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**BY: JOINT BUDGET COMMITTEE**

A Bill for an Act to be Entitled: AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL IMPROVEMENT APPROPRIATIONS FOR THE INSTITUTIONS OF HIGHER EDUCATION; AND FOR OTHER PURPOSES.

**House Bill No. 1327** 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 .....	27

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. 1327**, 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. 1327** was ordered immediately returned to the House as passed.

On motion of Senator Baker, the rules were suspended in considering **Senate Bill No. 133** at this time.

On motion of Senator Baker, **Senate Bill No. 133** was called up for the purpose of considering **Amendment No. 1** thereto, adopted by the House.

**HALL OF THE HOUSE OF REPRESENTATIVES  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION**

**Amendment No. 1 to SENATE BILL NO. 133**

JBC 03/17/11 (87)

Amend **Senate Bill No. 133** as originally introduced:

Page 4, line 5, insert a new section immediately following Section 6 to read as follows:

" SECTION 7. APPROPRIATION - COUNTY LIBRARY GRANTS. There is hereby appropriated, to the Department of Rural Services, to be payable from the General Improvement fund or its successor fund or fund accounts, the following:  
(A) for grants to county libraries for acquisition, construction, improvements, equipment, and renovation associated with the provision of library services, in a sum not to exceed.....\$2,000,000."

And

Appropriately renumber the subsequent Sections of the bill.

(SIGNED) REP. KATHY WEBB

**Amendment No. 1 to Senate Bill No. 133**, adopted by the House, was read the first time, rules suspended, read the second time and concurred in, by the Senate.

(SIGNED) ANN CORNWELL, SECRETARY

On motion of Senator Baker, and without objection, the rules were suspended pertaining to passage of Amendment and Bill on the same day.

On motion of Senator Baker, **Senate Bill No. 133** was called up for third reading and final disposition.

**SENATE BILL NO. 133**  
*As Engrossed: H3/18/11*  
**EIGHTY-EIGHTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**BY: JOINT BUDGET COMMITTEE**

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

**Senate Bill No. 133** 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 .....	27

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. 133**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

Total .....35

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING:

Total .....0

VOTING PRESENT:

Total .....0

Total number of votes cast.....35

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

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

**Senate Bill No. 133** was ordered enrolled.

On motion of Senator Baker, the rules were suspended in considering **Senate Bill No. 455** at this time.

On motion of Senator Baker, **Senate Bill No. 455** was called up for third reading and final disposition.

**SENATE BILL NO. 455**  
*As Engrossed: S3/21/11*  
**EIGHTY-EIGHTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**BY: SENATOR S. FLOWERS**

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF ARKANSAS HERITAGE FOR GRANTS; AND FOR OTHER PURPOSES.

**Senate Bill No. 455** 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 .....	27

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. 455**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

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

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

**Senate Bill No. 455** was ordered immediately transmitted to the House.

On motion of Senator Baker, the rules were suspended in considering **Senate Bill No. 574** at this time.

On motion of Senator Baker, **Senate Bill No. 574** was called up for third reading and final disposition.

**SENATE BILL NO. 574**  
*As Engrossed: S3/21/11*  
**EIGHTY-EIGHTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**BY: SENATORS ELLIOTT, BOOKOUT, D. JOHNSON & G. BAKER**

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS DEVELOPMENT FINANCE AUTHORITY - ARKANSAS HOUSING TRUST FUND ADVISORY COMMITTEE FOR THE FISCAL YEAR ENDING JUNE 30, 2012; AND FOR OTHER PURPOSES.

**Senate Bill No. 574** 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 .....	27

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. 574**, 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. 574** was ordered immediately transmitted to the House.

On motion of Senator Baker, the rules were suspended in considering **House Bill No. 1542** at this time.

On motion of Senator Baker, **House Bill No. 1542** was called up for third reading and final disposition.

**HOUSE BILL NO. 1542**  
*As Engrossed: H3/4/11*  
**EIGHTY-EIGHTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**BY: REPRESENTATIVE TYLER**

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS SCIENCE AND TECHNOLOGY AUTHORITY - OFFICE OF HEALTH INFORMATION TECHNOLOGY FOR THE FISCAL YEAR ENDING JUNE 30, 2012; AND FOR OTHER PURPOSES.

**House Bill No. 1542** 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 .....	27

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. 1542**, 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. 1542** was ordered immediately returned to the House as passed.

ARKANSAS SENATE  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION

March 22, 2011

Mr. President:

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

SENATE BILL NO. 135, BY SENATOR GENE JEFFRESS ET AL,  
SENATE BILL NO. 594, BY SENATOR JONATHAN DISMANG,  
SENATE BILL NO. 759, BY SENATOR PERCY MALONE,  
SENATE BILL NO. 973, BY SENATOR STEVE HARRELSON,

beg leave to report that we have carefully compared the engrossed copies 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

March 22, 2011

Mr. President:

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

**SENATE BILL NO. 348**, BY SENATOR MICHAEL LAMOUREUX,

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

Respectfully submitted,

(SIGNED) SENATOR LINDA CHESTERFIELD  
CHAIRMAN

**Senate Bill No. 348** was ordered immediately transmitted to the House.

ARKANSAS SENATE  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION

March 22, 2011

Mr. President:

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

HOUSE BILL NO. 1775, BY REP. JOHN CATLETT,  
HOUSE BILL NO. 1810, BY REP. DONNA HUTCHINSON,  
HOUSE BILL NO. 1888, BY REP. MARY L. SLINKARD,

beg leave to report that we have carefully compared the engrossed copies 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

March 22, 2011

Mr. President:

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

SENATE BILL NO. 323, BY SENATOR PERCY MALONE 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

ARKANSAS SENATE  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION

March 22, 2011

Mr. President:

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

**SENATE BILL NO. 839**, BY SENATOR MISSY IRVIN,

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 Irvin, **Senate Bill No. 839** was ordered re-referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

Received from the House

HOUSE BILL NO. 1206

*As Engrossed: H3/18/11*

EIGHTY-EIGHTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES BELL AND COLLINS-SMITH

A Bill for an Act to be Entitled: AN ACT TO CLARIFY THAT HEALTH CARE FACILITIES OWNED BUT NOT OPERATED BY COUNTIES SHALL HAVE EQUAL TREATMENT AS HOSPITALS UNDER THE ARKANSAS PUBLIC EMPLOYEES' RETIREMENT SYSTEM LAWS; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

**House Bill No. 1206** was read the first time, rules suspended, read the second time and placed on the Calendar.

Received from the House

HOUSE BILL NO. 1611

*As Engrossed: H3/8/11 H3/15/11*

EIGHTY-EIGHTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE PIERCE

A Bill for an Act to be Entitled: AN ACT TO PROTECT AN OWNER, LESSEE, OR OCCUPANT OF LAND FROM LIABILITY TO A TRESPASSER; AND FOR OTHER PURPOSES.

**House Bill No. 1611** 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. 1780  
*As Engrossed: H3/21/11*  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: REPRESENTATIVE G. SMITH

A Bill for an Act to be Entitled: AN ACT TO AUTHORIZE THE CREATION OF THE SOUTHERN ARKANSAS UNIVERSITY SCHOOL OF VETERINARY MEDICINE; AND FOR OTHER PURPOSES.

**House Bill No. 1780** was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

Received from the House

HOUSE BILL NO. 1790  
*As Engrossed: H3/9/11 H3/11/11 H3/21/11*  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: REPRESENTATIVE J. EDWARDS

A Bill for an Act to be Entitled: AN ACT TO AUTHORIZE A PREFERENCE FOR SERVICE-DISABLED VETERANS IN THE AWARDING OF STATE CONTRACTS; AND FOR OTHER PURPOSES.

**House Bill No. 1790** was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

Received from the House

HOUSE BILL NO. 1821  
*As Engrossed: H3/21/11*  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: REPRESENTATIVE MAYBERRY

A Bill for an Act to be Entitled: AN ACT TO GIVE PRIORITY FOR AN ARKANSAS ACADEMIC CHALLENGE SCHOLARSHIP TO A STUDENT WHOSE PARENT WAS A MEMBER OF THE UNITED STATES ARMED FORCES AND WAS KILLED WHILE PERFORMING MILITARY DUTY; AND FOR OTHER PURPOSES.

House Bill No. 1821 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

Received from the House

HOUSE BILL NO. 1889  
*As Engrossed: H3/21/11*  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: REPRESENTATIVE SLINKARD

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS LAW CONCERNING CERTAIN ELECTIONS FOR LOCAL BOARDS OF COMMUNITY COLLEGES; AND FOR OTHER PURPOSES.

House Bill No. 1889 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

Received from the House

HOUSE BILL NO. 1971  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: REPRESENTATIVE J. EDWARDS

A Bill for an Act to be Entitled: AN ACT TO AMEND THE MINORITY BUSINESS ECONOMIC DEVELOPMENT ACT TO INCLUDE SERVICE-DISABLED VETERANS; AND FOR OTHER PURPOSES.

House Bill No. 1971 was read the first time, rules suspended, read the second time and referred to the Committee on AGRICULTURE, FORESTRY & ECONOMIC DEVELOPMENT.

Received from the House

HOUSE BILL NO. 2002  
*As Engrossed: H3/16/11 H3/21/11*  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: REPRESENTATIVES LINCK ET AL

A Bill for an Act to be Entitled: AN ACT TO CREATE THE ARKANSAS GREAT PLACES PROGRAM TO PROVIDE SUPPORT FOR COMMUNITY DEVELOPMENT EFFORTS AND ECONOMIC DEVELOPMENT; AND FOR OTHER PURPOSES.

House Bill No. 2002 was read the first time, rules suspended, read the second time and referred to the Committee on AGRICULTURE, FORESTRY & ECONOMIC DEVELOPMENT.

Received from the House

HOUSE BILL NO. 2142

*As Engrossed: H3/21/11*

EIGHTY-EIGHTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE HYDE

A Bill for an Act to be Entitled: AN ACT TO ESTABLISH THE ARKANSAS POSTSECONDARY RESEARCH DATABASE; TO PROVIDE FOR THE RESEARCH AND ANALYSIS OF POSTSECONDARY STUDENT DATA TO INFORM THE GENERAL ASSEMBLY FOR ITS DELIBERATIONS CONCERNING SCHOLARSHIPS FOR HIGHER EDUCATION; AND FOR OTHER PURPOSES.

**House Bill No. 2142** was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

Received from the House

HOUSE BILL NO. 2207

*As Engrossed: H3/21/11*

EIGHTY-EIGHTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE WRIGHT

A Bill for an Act to be Entitled: AN ACT REGARDING THE FUNDING OF PUBLIC DEFENDERS; AND FOR OTHER PURPOSES.

**House Bill No. 2207** 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

March 22, 2011

Mr. President:

We, your Committee on TRANSPORTATION, TECHNOLOGY AND  
LEGISLATIVE AFFAIRS, to whom was referred:

**SENATE BILL NO. 399**, 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 LINDA CHESTERFIELD  
CHAIRMAN

ARKANSAS SENATE  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION

March 22, 2011

Mr. President:

We, your Committee on TRANSPORTATION, TECHNOLOGY AND  
LEGISLATIVE AFFAIRS, to whom was referred:

**SENATE BILL NO. 765**, BY SENATOR DAVID WYATT,

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

Respectfully submitted,

(SIGNED) SENATOR LINDA CHESTERFIELD  
CHAIRMAN

ARKANSAS SENATE  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION

March 22, 2011

Mr. President:

We, your Committee on TRANSPORTATION, TECHNOLOGY AND  
LEGISLATIVE AFFAIRS, to whom was referred:

HOUSE BILL NO. 1410, BY REP. TIM SUMMERS,  
HOUSE BILL NO. 1902, 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 they do pass.

Respectfully submitted,

(SIGNED) SENATOR LINDA CHESTERFIELD  
CHAIRMAN

## STATE OF ARKANSAS

Mike Beebe

Governor

March 22, 2011

TO THE PRESIDENT OF THE SENATE

Dear Mr. President:

This is to inform you that on March 22, 2011, I approved the following measures from the Regular Session of the Eighty-Eighth General Assembly:

Senate Bill No. 561 - ACT 526  
Senate Bill No. 631 - ACT 527  
Senate Bill No. 644 - ACT 528  
Senate Bill No. 079 - ACT 556  
Senate Bill No. 120 - ACT 557  
Senate Bill No. 127 - ACT 558  
Senate Bill No. 311 - ACT 559  
Senate Bill No. 381 - ACT 560  
Senate Bill No. 701 - ACT 561  
Senate Bill No. 750 - ACT 570  
Senate Bill No. 317 - ACT 571

Sincerely,

(SIGNED) MIKE BEEBE

Senate Bill No. 356 returned from the House as passed and ordered enrolled.

Senate Bill No. 357 returned from the House as passed and ordered enrolled.

Senate Bill No. 358 returned from the House as passed and ordered enrolled.

Senate Bill No. 361 returned from the House as passed and ordered enrolled.

Senate Bill No. 424 returned from the House as passed and ordered enrolled.

Senate Bill No. 425 returned from the House as passed and ordered enrolled.

Senate Bill No. 434 returned from the House as passed and ordered enrolled.

Senate Bill No. 435 returned from the House as passed and ordered enrolled.

Senate Bill No. 439 returned from the House as passed and ordered enrolled.

Senate Bill No. 440 returned from the House as passed and ordered enrolled.

Senate Bill No. 441 returned from the House as passed and ordered enrolled.

Senate Bill No. 449 returned from the House as passed and ordered enrolled.

Senate Bill No. 450 returned from the House as passed and ordered enrolled.

Senate Bill No. 451 returned from the House as passed and ordered enrolled.

Senate Bill No. 463 returned from the House as passed and ordered enrolled.

Senate Bill No. 465 returned from the House as passed and ordered enrolled.

Senate Bill No. 468 returned from the House as passed and ordered enrolled.

Senate Bill No. 474 returned from the House as passed and ordered enrolled.

Senate Bill No. 519 returned from the House as passed and ordered enrolled.

Senate Bill No. 520 returned from the House as passed and ordered enrolled.

Senate Bill No. 521 returned from the House as passed and ordered enrolled.

Senate Bill No. 522 returned from the House as passed and ordered enrolled.

Senate Bill No. 523 returned from the House as passed and ordered enrolled.

Senate Bill No. 532 returned from the House as passed and ordered enrolled.

Senate Bill No. 533 returned from the House as passed and ordered enrolled.

Senate Bill No. 534 returned from the House as passed and ordered enrolled.

Senate Bill No. 546 returned from the House as passed and ordered enrolled.

Senate Bill No. 554 returned from the House as passed and ordered enrolled.

Senate Bill No. 555 returned from the House as passed and ordered enrolled.

Senate Bill No. 577 returned from the House as passed and ordered enrolled.

Senate Bill No. 610 returned from the House as passed and ordered enrolled.

Senate Bill No. 611 returned from the House as passed and ordered enrolled.

Senate Bill No. 612 returned from the House as passed and ordered enrolled.

Senate Bill No. 613 returned from the House as passed and ordered enrolled.

Senate Bill No. 614 returned from the House as passed and ordered enrolled.

Senate Bill No. 615 returned from the House as passed and ordered enrolled.

Senate Bill No. 617 returned from the House as passed and ordered enrolled.

Senate Bill No. 635 returned from the House as passed and ordered enrolled.

Senate Bill No. 658 returned from the House as passed and ordered enrolled.

Senate Bill No. 671 returned from the House as passed and ordered enrolled.

Senate Bill No. 672 returned from the House as passed and ordered enrolled.

Senate Bill No. 674 returned from the House as passed and ordered enrolled.

Senate Bill No. 683 returned from the House as passed and ordered enrolled.

Senate Bill No. 695 returned from the House as passed and ordered enrolled.

Senate Bill No. 697 returned from the House as passed and ordered enrolled.

Senate Bill No. 698 returned from the House as passed and ordered enrolled.

Senate Bill No. 699 returned from the House as passed and ordered enrolled.

Senate Bill No. 700 returned from the House as passed and ordered enrolled.

ARKANSAS SENATE  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION

March 22, 2011

Mr. President:

We, your Committee on JOINT COMMITTEE ON CONSTITUTIONAL AMENDMENTS, to whom was referred:

**SENATE JOINT RESOLUTION NO. 5**, BY SENATOR JAKE FILES,

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. 4.

Respectfully submitted,

(SIGNED) SENATOR SUE MADISON  
CHAIRMAN

ARKANSAS SENATE  
EIGHTY-EIGHTH GENERAL ASSEMBLY  
REGULAR SESSION

March 22, 2011

Mr. President:

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

**HOUSE BILL NO. 1998**, BY REPRESENTATIVE BOBBY J. PIERCE,

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

SENATE BILLS TRANSMITTED TO THE HOUSE

AS PASSED

SENATE BILL NO. 37  
SENATE BILL NO. 41  
SENATE BILL NO. 227  
SENATE BILL NO. 244  
SENATE BILL NO. 249  
SENATE BILL NO. 328  
SENATE BILL NO. 348  
SENATE BILL NO. 349  
SENATE BILL NO. 455  
SENATE BILL NO. 574  
SENATE BILL NO. 762  
SENATE BILL NO. 848  
SENATE BILL NO. 887

HOUSE BILLS RETURNED TO THE HOUSE

AS PASSED

HOUSE BILL NO. 1131  
HOUSE BILL NO. 1198  
HOUSE BILL NO. 1260  
HOUSE BILL NO. 1327  
HOUSE BILL NO. 1438  
HOUSE BILL NO. 1454  
HOUSE BILL NO. 1457  
HOUSE BILL NO. 1488  
HOUSE BILL NO. 1542  
HOUSE BILL NO. 1563  
HOUSE BILL NO. 1767  
HOUSE BILL NO. 1774  
HOUSE BILL NO. 1878  
HOUSE BILL NO. 1924  
HOUSE BILL NO. 1943  
HOUSE BILL NO. 1949  
HOUSE BILL NO. 1966  
HOUSE BILL NO. 2048

SENATE BILLS RETURNED FROM THE HOUSE  
AS PASSED AND ORDERED ENROLLED

SENATE BILL NO. 356  
SENATE BILL NO. 357  
SENATE BILL NO. 358  
SENATE BILL NO. 361  
SENATE BILL NO. 424  
SENATE BILL NO. 425  
SENATE BILL NO. 434  
SENATE BILL NO. 435  
SENATE BILL NO. 439  
SENATE BILL NO. 440  
SENATE BILL NO. 441  
SENATE BILL NO. 449  
SENATE BILL NO. 450  
SENATE BILL NO. 451  
SENATE BILL NO. 463  
SENATE BILL NO. 465  
SENATE BILL NO. 468  
SENATE BILL NO. 474  
SENATE BILL NO. 519  
SENATE BILL NO. 520  
SENATE BILL NO. 521  
SENATE BILL NO. 522  
SENATE BILL NO. 523  
SENATE BILL NO. 532  
SENATE BILL NO. 533  
SENATE BILL NO. 534  
SENATE BILL NO. 546  
SENATE BILL NO. 554  
SENATE BILL NO. 555  
SENATE BILL NO. 577  
SENATE BILL NO. 610  
SENATE BILL NO. 611  
SENATE BILL NO. 612  
SENATE BILL NO. 613  
SENATE BILL NO. 614  
SENATE BILL NO. 615

SENATE BILL NO. 617  
SENATE BILL NO. 635  
SENATE BILL NO. 658  
SENATE BILL NO. 671  
SENATE BILL NO. 672  
SENATE BILL NO. 674  
SENATE BILL NO. 683  
SENATE BILL NO. 695  
SENATE BILL NO. 697  
SENATE BILL NO. 698  
SENATE BILL NO. 699  
SENATE BILL NO. 700

HOUSE BILLS TRANSMITTED TO THE SENATE

AS PASSED

HOUSE BILL NO. 1206  
HOUSE BILL NO. 1611  
HOUSE BILL NO. 1780  
HOUSE BILL NO. 1790  
HOUSE BILL NO. 1821  
HOUSE BILL NO. 1889  
HOUSE BILL NO. 1971  
HOUSE BILL NO. 2002  
HOUSE BILL NO. 2142  
HOUSE BILL NO. 2207

On motion of Senator Williams, the Senate adjourned until 1:30 p.m.,  
Wednesday, March 23, 2011.

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PRESIDENT OF THE SENATE

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SECRETARY OF THE SENATE

