

Session sees new bills on seat belts, lending

Lawmakers revisit past years' debates

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This week, lawmakers in Little Rock are expected to decide the fate of bills such as those aimed at cracking down on payday lenders and allowing law enforcement to pull over drivers for not wearing seat belts.

Today's the 50th day of the 86th General Assembly.

This means this legislative session is more than half over if it tracks with the length of regular sessions in recent years.

But several major matters of business remain incomplete, some involving decisions that typically are made in the waning few weeks of a session.

These include approving a state budget for the next two fiscal years, measures for public school operations and buildings, and possibly referring three proposed constitutional amendments to voters.

The most significant legislative actions so far involve five bills that would grant about \$200 million a year in tax cuts.

Three of them have been signed into law, including Gov. Mike Beebe's bill to halve the state's 6 percent sales tax on groceries, effective July 1.

The pace of the session has been slow. It's been marked by a general lack of controversy.

The Senate Committee on Insurance and Commerce on Tuesday will consider the bill aimed at payday lenders.

It's House Bill 1036 by Rep. David Johnson, D-Little Rock. It would authorize a \$300 fine for anyone convicted of knowingly charging an annual interest rate above 17 percent in a transaction involving a consumer loan. Each transaction would be a separate offense.

The bill would exempt consumer loans made by a financial institution, which the bill defines as federally insured depositories, including state banks, out-of-state state-chartered banks, savings banks, savings and loan associations, or credit unions organized under state or federal laws and subject to state or federal regulation.

In 2005, similar legislation narrowly failed in the Senate Judiciary Committee after some senators questioned whether it would adversely affect pawnshops, the rent-to-own field or credit-card companies.

The bill faces an uphill battle in the Insurance and Commerce Committee.

Sen. Jack Critcher, D-Batesville, who's a committee member, said he's unsure how he'll vote.

"We have a group of individuals out there who need an option to get small amounts of money and at the same time we need to make sure they are not being taken advantage of," he said. "It's a complicated issue that's not easy to fix." But Sen. Jim Argue, D-Little Rock, said he supports the bill. "I hear the arguments about this being the only source of borrowing for low-income desperate folks," he said. But he said he isn't sure that loaning \$100 to a person and then collecting a few hundred dollars in return is doing anybody a favor. "I think it is predatory."

SEAT BELTS

Today, the Senate Transportation, Technology and Legislative Affairs Committee will consider a bill that would make not wearing a seat belt a primary offense. This is Senate Bill 227 by Sen. Hank Wilkins, D-Pine Bluff.

Current law requires motorists to buckle up but allows police to write a \$30 ticket for the offense of not buckling up only after stopping vehicles on some other violation.

The bill's supporters say that it would save lives, prevent serious injuries and save medical costs.

While the Legislature has rejected similar bills in recent years, the bill's supporters said they believe the momentum is on their side.

PRESCRIPTION MONITOR

Legislation that would create a state monitoring program for prescription drugs has lingered on and off the Senate calendar for a few weeks.

But Critcher said he believes that the bill will narrowly clear the 35-member Senate.

The bill is SB20 by Sen. Denny Altes, R-Fort Smith. It would require the Health Division in the state Department of Health and Human Services to monitor Schedule II-V prescription drugs and any other drugs identified by the division as demonstrating a potential for abuse.

Altes has maintained the bill would save lives by monitoring the use of dangerous drugs and preventing overdoses. But foes contend it would lead to the monitoring of too many prescription drugs, including Ritalin, and invade privacy rights.

Critcher said 32 states have such monitoring programs and he worries that there has been an influx of drugs into the state since Arkansas doesn't have one.

SCHOOL FUNDS

In the House of Representatives, Budget Committee Co-Chairman Chris Thyer, D-Jonesboro, said he expects two House bills that would distribute state tax dollars to school districts will move off the House floor and to the Senate as early as today.

HB1632 would set per-student funding at \$5,719 for the 2007-2008 school year, and \$5,789 for the following school year. HB1633 creates a new funding category called "enhanced educational funding," something House Education Committee Chairman Mike Kenney, R-Siloam Springs, said goes beyond a state Supreme Court mandate from the court for an "adequate" education.

This category adds \$26 million beyond the additions to base perstudent funding for fiscal 2008 and \$32 million in fiscal 2009. Legislators consider the funding to be "adequate."

Argue said the Senate Education Committee could consider the legislation as early as Wednesday.

"I think the governor deserves a lot of credit for putting together an adequate [public school] budget," said Argue.

This action comes as masters, appointed by the state Supreme Court, are reviewing the Legislature's actions in the special session last April to determine whether the state is providing an adequate and equitable education to the state's 450,000 or so public school students.

Legislative action has been slow in part because state officials don't know how much of the state's projected \$844.5 million surplus to set aside for the state's share of school building improvements.

"Everything hinges on that," said Critcher. "Once we get that, we'll see how to put together the rest of the budget."

Sen. Shane Broadway, D-Bryant, who helped design the state's fledgling school facilities program, said state officials are getting closer to having an estimate for the state's share.

"I would love to have it next week, but I don't want to commit myself to it," he said. He said he hopes to have a final estimate within the next two weeks.



Argue

