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## UPDATE House OKs Beebe prison reform plan

Posted By [ldelavan](#) On March 16, 2011 @ 3:17 pm In [Arkansas News Bureau](#), [News](#) | [No Comments](#)

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Arkansas News Bureau

LITTLE ROCK — The House today endorsed Gov. Mike Beebe's plan to rein in prison costs and ease chronic inmate overcrowding.

The 79-14 House vote on Senate Bill 750 assured Beebe a victory on a cornerstone of his legislative agenda.

The Senate approved bill that would prohibit smoking in a car with children 13 years old or younger.

Arkansas' prison system routinely holds thousands more prisoners than it was built to house, with hundreds more state convicts backed up in county jails awaiting bed space among the burgeoning prison population.

SB 750 would lessen sentences for some nonviolent offenses, expand alternative-sentencing programs such as drug courts and allow the state Department of Community Correction to restore 49 positions for parole and probation officers.

The cost of the bill is \$9 million, with a third of the cost coming from an increase in parole and probation fees and the remaining \$6 million from general revenue. The expenses are included in the governor's proposed balanced budget.

Supporters say hardened criminals will do their time under the measure while some nonviolent offenders are diverted to alternatives other than prison. Without the bill, prisons costs are expected to increase by \$1.1 billion over the next decade, but supporters say SB 750 will reduce those costs by \$875 million.

"We have thrown the book at criminals, but unfortunately, it's the state checkbook," Rep. Darrin Williams, D-Little Rock, said on the House floor Wednesday, presenting the bill on behalf of the sponsor, Sen. Jim Luker, D-Wynne.

The bill, which is based on recommendations from a working group, initially drew opposition from prosecutors who feared it would put violent criminals on the street.

After some revisions, the measure won endorsements from the Arkansas Prosecuting Attorneys Association as well as associations representing police chiefs, sheriffs, county judges and circuit judges.

Still, opposition remained.

On the House floor today, Rep. Linda Collins-Smith, D-Pocahontas, said she was concerned the reforms would be too soft on crime.

"To me, this is not a public safety act. It's an act that fools the public with ankle bracelets and lower offenses," she said.

Rep. David Sanders, R-Little Rock, said the state will have to rely too much on a parole system he contended is already too permissive.

"This bill requires us to rely more heavily on parole. Members, we are going to have to work on parole," Sanders said.

The bill goes to the Senate for concurrence in an amendment that added co-sponsors, then to the governor's desk.

In a 26-0 vote, the Senate approved SB 1004 by Sen. Percy Malone, D-Arkadelphia, that prohibits smoking in a vehicle with children 13 or younger.

Malone said the current law prohibits smoking in vehicles with children in passenger seats.

"We know that second-hand smoke is dangerous," Malone said, adding that under the bill the driver of the car could be fined up to \$25.

The senator admitted that the secondary offense will be difficult for law officers to enforce, but he said the goal of the measure is "to tell parents it's not OK to smoke in the car."

Also today, the House approved two budget bills, one for the Arkansas School for the Deaf and one for the Arkansas Natural Resources Commission, that had failed on Tuesday.

The bills, which were voted on together, passed 93-0.

The House also passed a long list of Senate bills to distribute surplus funds to various projects. On Tuesday the House voted down all similar bills by House members in what some members said was a stand against earmarks.

The House approved SB 437 by Malone with a 60-31 vote. The bill would allow only pharmacists to sell cold medicines containing pseudoephedrine and similar compounds, require an Arkansas or military ID for such a purchase and require pharmacists to decide whether a purchase is legitimate.

House members who spoke in support of the bill said it would curb the illegal manufacture of methamphetamine.

"People have died because of this. We have got to do something," said Rep. Terry Rice, R-Waldron.

Members who spoke against the bill said it would require pharmacists to make arbitrary judgments and would pose difficulties for tourists and college students from other states.

"We're passing a bill that punished honest people," said Rep. Les "Skip" Carnine, R-Rogers.

The bill goes to the Senate for concurrence in a House amendment allowing the medicines to be purchased by a person with a military ID.

The House voted 94-0 to approve SB 317 by Sen. Ruth Whitaker, R-Cedarville, which would set minimum safety standards for electrical wiring at boat docks and marinas. The bill also would require the posting of signs to warn of the danger of shock or electrocution while swimming at a dock or marina.

Rep. Mary "Prissy" Hickerson, R-Texarkana, who presented the bill for Whitaker, said the bill is named "Jesse's Law" after a relative of Whitaker who was electrocuted at a boat dock. The bill goes to the governor.

House Bill 1779 by Rep. Kathy Webb, D-Little Rock, passed 94-1 and goes to the Senate. The bill is enabling legislation for a state aid program for city streets that is part of a plan by

House Speaker Robert S. Moore Jr., D-Arkansas, to raise \$2.9 billion over 10 years for highways.

Moore's highway package includes two tax-increase proposals that he wants legislators to refer to voters, one to raise the diesel tax by 5 cents per gallon and one to create a 10-year, half-cent sales tax increase. The street aid program would generate about \$20 million annually from 1 cent of the existing per-gallon motor fuel tax.

The Senate passed HB 1171, by Rep. Mike Patterson, D-Piggott, which would repeal a law passed just two years ago requiring that all mold investigators be licensed and regulated by the state. Previously, home inspectors and pest control personnel who spotted suspected mold in homes could alter the owners without any specific certification.

The bill now goes to the governor.

Sen. Bill Sample, R-Hot Springs, who presented the bill on the Senate floor, reminded lawmakers that earlier this week, SB 531 was passed by the House, which creates an advisory board to study laws regarding mold inspections and remediation. The bill, now waiting to be signed into law by the governor, requires recommendations to be made to the Legislature before the 2013 session.

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