

SENATE AMENDMENT 1 TO SB67.

deleting everything in the Title on lines 8 through 12 of page 1 and substituting therefor the new Title to read as follows:

"_AN ACT TO REQUIRE THE ISSUANCE OF AN ANNUAL PERMIT BY THE ARKANSAS DEPARTMENT OF POLLUTION CONTROL AND ECOLOGY BEFORE ANY NEW CONSTRUCTION OF MOTOR VEHICLE RACING FACILITIES IS PERMITTED; TO REPEAL ARKANSAS CODE § 8-10-302 REGARDING THE CONSTRUCTION OF MOTOR VEHICLE RACING FACILITIES; AND FOR OTHER PURPOSES._";

AND

by deleting everything on lines 22 through 36 of page 1 and lines 1 through 13 of page 2 and substituting therefor the language as follows:

"SECTION 1. (a) (1) Due to the noise pollution and air pollution from the racing vehicles and traffic congestion caused by motor vehicle racing facilities, no motor vehicle racing facility shall be constructed in this state after passage of this act without the consent of at least seventy-five percent (75%) of the property owners and seventy-five percent (75%) of the adult residents within three (3) miles of the outside boundary of the proposed facility and without an annual permit issued by the Arkansas Department of Pollution Control and Ecology.

(2) (A) Consent shall be accomplished by signing petitions which shall be filed with the city clerk if the facility is to be located within the boundaries of any city or town or with the county clerk if the facility is to be located wholly or partially outside the boundaries of any city or town.

(B) The petitions shall indicate:

(i) The name;

(ii) (a) The residence address; or

(b) If a nonresident property owner, the address or legal description of the property located within the three-mile area; and

(iii) The date of the signature.

(C) (i) The petitions must be verified pursuant to § 7-9-109.

(ii) Signatures shall become invalid sixty (60) days after signing.

(iii) It shall be the duty of the county clerk or city clerk, as the case may be, to determine the sufficiency of the signatures.";

AND

by deleting on line 16 of page 2 the language "July 1, 1995" and substituting therefor the new language "the effective date of this act";

AND

by deleting on line 24 of page 3 the language "section" and substituting therefor the new language "act";

AND

by deleting everything on lines 26 and 27 of page 3 and substituting therefor the new language as follows:

"(b) For the purposes of this act, 'motor vehicle' means every motor vehicle as defined by Arkansas Code § 8-9-402.

(c) Within one year of the effective date of this act, each motor vehicle racing facility constructed in Arkansas after July 1, 1995 shall apply for and shall receive an initial annual permit to operate its motor vehicle racing facility. Thereafter, upon the annual renewal date for its permit, the motor vehicle racing facility constructed after July 1, 1995 shall apply for renewal of its annual permit in accordance with all other requirements of this act."

AND

by inserting on line 28 of page 3 a new SECTION 2. to read as follows:

"SECTION 2. Arkansas Code § 8-10-302, concerning the construction of new motor vehicle racing facilities, is repealed.";

AND

by renumbering the subsequent SECTIONs appropriately.