

**SEVENTY-FIFTH DAY'S PROCEEDINGS**  
**HALL OF THE HOUSE OF REPRESENTATIVES**

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Little Rock, Arkansas

March 23, 2001

The House was called to order at 10:30 a.m. by Mr. Broadway, the Speaker.  
The following members answered to the roll call:

Adams, Agee, Altes, Bennett, Bevis, Biggs, Bledsoe, Bolin, Bond, Bookout,  
Borhauer, Boyd, Bradford, Bright, Carson, Childers, Clemons, Cleveland, Cook,  
Cowling, Creekmore, Dangeau, Dees, Duggar, Eason, D.Elliott, J.Elliott, Ferguson,  
Files, Fite, French, Gillespie, Gipson, Glover, Goss, Green, Haak, Hathorn, Hausam,  
Hendren, Hickinbotham, Holt, House, Hunt, Hutchinson, Jackson, Jacobs, Jeffress,  
Johnson, Jones, Judy, King, Ledbetter, Lendall, Lewellen, Lowery, Mack, Magnus,  
Mathis, McMellon, Milligan, Milum, Minton, Moore, Napper, Nichols, Oglesby,  
Ormond, Parks, Prater, Pritchard, Rackley, Rankin, Rodgers, Salmon, Schall,  
Scrimshire, Scroggin, Seawel, Shoffner, M.Smith, R.Smith, M.Steele, T.Steele,  
Stovall, C.Taylor, J.Taylor, Teague, Thomas, Trammell, Verkamp, Walker, Weaver,  
White, Willis, Womack, Wood, Mr. Speaker.

Total .....98

The following member(s) was absent and did not answer to the roll call: Allison,  
Roebuck.

Total .....02

A quorum was present.

Unanimous leave was granted for Representatives Allison, Roebuck.

The House stood and was led in prayer by House Chaplain, Dr. John E.  
Owen, Bryant, Arkansas.

The House stood and gave the Pledge of Allegiance to the Flag.

The reading of the Journal of yesterday's proceedings was dispensed with.

COMMITTEE REPORT

	March 22, 2001
JOINT BUDGET	GEORGE FRENCH
	CHAIRPERSON
HOUSE BILL NO. 2114	DO PASS
BY REPRESENTATIVE CARSON	AS AMENDED #1
HOUSE CONCURRENT RESOLUTION NO. 1034	DO PASS
BY REPRESENTATIVE BOND	
SENATE BILL NO. 582	DO PASS
BY JOINT BUDGET COMMITTEE	
SENATE BILL NO. 601	DO PASS
BY JOINT BUDGET COMMITTEE	
SENATE BILL NO. 675	DO PASS
BY JOINT BUDGET COMMITTEE	

COMMITTEE REPORT

	March 23, 2001
AGING, CHILDREN AND YOUTH, LEGISLATIVE AND MILITARY AFFAIRS	JO CARSON
	CHAIRPERSON
HOUSE BILL NO. 2255	DO PASS
BY REPRESENTATIVE WEAVER	
SENATE BILL NO. 847	DO PASS
BY SENATOR CASH	NON-CONTROVERSIAL

COMMITTEE REPORT

	March 23, 2001
JOINT PUBLIC RETIREMENT AND SOCIAL SECURITY PROGRAMS	ROGER SMITH
	CHAIRPERSON
SENATE BILL NO. 30	DO PASS
BY SENATOR J. JEFFRESS	

COMMITTEE REPORT

	March 23, 2001
STATE AGENCIES AND	MARTHA SHOFFNER
GOVERNMENTAL AFFAIRS	CHAIRPERSON
HOUSE BILL NO. 2607	DO PASS
BY REPRESENTATIVE PARKS	AS AMENDED #1
SENATE BILL NO. 827	DO PASS, AS AMENDED #1
BY SENATOR WEBB	NON-CONTROVERSIAL

COMMITTEE REPORT

	March 23, 2001
CITY, COUNTY AND	PHILLIP T. JACOBS
LOCAL AFFAIRS	CHAIRPERSON
HOUSE BILL NO. 1800	DO PASS, AS AMENDED #1
BY REPRESENTATIVE RODGERS	NON-CONTROVERSIAL
HOUSE BILL NO. 2316	DO PASS
BY REPRESENTATIVE LEDBETTER	NON-CONTROVERSIAL

COMMITTEE REPORT

	March 23, 2001
AGRICULTURE, FORESTRY AND	JIM WOOD
ECONOMIC DEVELOPMENT	CHAIRPERSON
HOUSE BILL NO. 2571	DO PASS
BY REPRESENTATIVE HATHORN	AS AMENDED #1
SENATE BILL NO. 65	DO PASS
BY SENATOR GWATNEY	

COMMITTEE REPORT

	March 23, 2001
INSURANCE AND COMMERCE	STEVE NAPPER
	CHAIRPERSON
HOUSE BILL NO. 1147	DO PASS
BY REPRESENTATIVE NAPPER	AS AMENDED #4
HOUSE BILL NO. 2194	DO PASS
BY REPRESENTATIVE CHILDERS	

Upon motion of Representative C. Johnson, **HOUSE BILL NO. 2545** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2545

Amend **HOUSE BILL NO. 2545** as originally introduced:

Page 1 delete lines 21 through 24 and substitute the following:

"SECTION 2. (a) The General Assembly finds:

(1) Teachers in the delta are not provided adequate professional growth opportunities within the Delta region as may be necessary to improve their teaching and learning.

(2) An alignment of service providers is needed to ensure gains made are monitored and maintained in the classroom.

(3) Delta teachers often do not participate in professional development opportunities designed to support underrepresented and underserved teachers of the Delta because of the travel requirements necessary for participation.

(4) A program is needed to provide services for teachers in the Delta that connect them to their own geographical region; to provide a strong network of individuals that can communicate regional needs for students; and to focus on student achievement.

(b) The General Assembly further finds that such a program is expected to:

(1) Close the achievement gaps between delta schools and the state average on student achievement;

(2) Create a network of teachers to communicate and network on issues related to academic standards;

(3) Provide knowledge and skill building opportunities for career and new teachers that are directly related to areas of need as indicated by data;

(4) Provide professional development planning for the wise use and

convergence of funding federally funded programs, state funds or programs, and local funds or programs; and

(5) Provide grant writing expertise to districts to help them access funding needed to improve the quality of their academic programs.

SECTION 3. (a) The Arkansas Leadership Institute for Teachers of the Delta is created and shall be known as "A-Lift".

(b)(1) A-Lift shall provide for professional development planning, training and implementation of effective teaching strategies in delta school districts.

(2) A-Lift shall also provide mentoring to teachers seeking National Board for Professional Teaching Standards certification.

(3) A-Lift shall target delta school districts in Arkansas that are part of the counties identified as delta counties by the Delta Regional Authority.

(c)(1) A-Lift shall be located in Helena, Pine Bluff, or Monticello, Arkansas at an existing site with space available to house the institute.

(2) An existing site may be a two-year institution, a four-year institution, an education service cooperative or other institution.

(3) Preference for location shall be given to four-year institutions or education service cooperatives in Helena, Pine Bluff, or Monticello, Arkansas which have experience in professional development support mentoring, teacher licensure, and teacher quality.

(4) The State Board of Education shall have authority to issue the requests for proposals site selection, and the selection shall be based upon a response to a request for proposal issued through the State Board of Education.

(d) The State Board of Education may promulgate rules and regulations as necessary for the implementation of this act."

/s/ Calvin Johnson

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw  
Chief Clerk

Upon motion of Representative Milum, **HOUSE BILL NO. 2566** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 2566

Amend **HOUSE BILL NO. 2566** as engrossed, H3/16/01:

Page 1, delete lines 31 through 33 and substitute the following:

"development recognition payment in an amount not to exceed two hundred fifty dollars (\$250).

(B) A Senior (Level 4) Appraiser with four (4) years appraisal experience may serve as an appraisal"

/s/ Jim Milum

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Milum, **HOUSE BILL NO. 2566** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 3 TO HOUSE BILL NO. 2566

Amend **HOUSE BILL NO. 2566** as engrossed, H3/16/01:

Page 1, delete lines 26 and 27 and substitute the following:

"not to exceed five hundred dollars (\$500)."

AND

Page 1, line 29, delete "(Level (3) Appraisers)" and substitute "(Level 4) Appraiser Managers"

AND

Page 1, lines 31 and 32, delete "five hundred dollars (\$500)" and substitute "seven hundred and fifty dollars (\$750)"

AND

Page 1, line 33, delete "Appraiser may" and substitute "Appraiser, with four (4) years of appraisal experience may"

AND

Page 1, line 34, delete "as the position as defined" and substitute "if the appraiser complies with the standards established"

/s/ Jim Milum

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Rodgers, **HOUSE BILL NO. 2428** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 2 TO HOUSE BILL NO. 2428**

Amend **HOUSE BILL NO. 2428** as engrossed H/3/21/01:

Page 2, delete lines 6 and 7 and substitute the following:

"(2) The registration shall be valid for a period of one (1) year after the date of issuance."

/s/ Sandra Rodgers

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Carson, **HOUSE BILL NO. 2459** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 3 TO HOUSE BILL NO. 2459**

Amend **HOUSE BILL NO. 2459** as engrossed, H3/13/01:

Delete Section 2 and substitute

"SECTION 2. Arkansas Code 12-12-903 is amended to read as follows:  
12-12-903. Definitions.

For the purposes of this subchapter:

(1) "Adjudication of guilt" or other words of similar import means a:

- (A) Plea of guilty;
- (B) Plea of nolo contendere;
- (C) Negotiated plea;
- (D) Finding of guilt by a judge; or
- (E) Finding of guilt by a jury;

(2)(A) "Administration of criminal justice" means performing functions of investigation, apprehension, detention, prosecution, adjudication, correctional supervision, or rehabilitation of accused persons or criminal offenders.

(B) The administration of criminal justice also includes criminal identification activities and the collection, maintenance, and dissemination of criminal justice information;

(3) "Aggravated Sex Offense" means offenses in the Arkansas Code substantially equivalent to "aggravated sexual abuse" as defined in 18 U.S.C. 2241 as it existed on January 1, 2001 which principally encompasses:

- (A) Engaging in sexual acts involving penetration with victims of any

age through the use of force or the threat of serious violence; or

(B) Engaging in sexual acts involving the penetration of victims below the age of twelve (12);

~~(3)(4)~~ "Change of address" or other words of similar import means a change of residence or a change for more than thirty (30) days of temporary domicile; change of location of employment, education or training, or any other change that alters where an offender regularly spends a substantial amount of time.

~~(4)(5)~~ "Criminal justice agency" means a government agency or any subunit thereof which is authorized by law to perform the administration of criminal justice and which allocates more than one-half (1/2) of its annual budget to the administration of criminal justice;

~~(5)(6)~~ "Local law enforcement agency having jurisdiction" means the:

(A) Chief law enforcement officer of the municipality in which an offender resides or expects to reside; or

(B) County sheriff, if the municipality does not have a chief law enforcement officer or if an offender resides or expects to reside in an unincorporated area of a county;

~~(6)(7)~~ "Mental abnormality" means a congenital or acquired condition of a person that affects the emotional or volitional capacity of the person in a manner that predisposes that person to the commission of criminally sexual acts to a degree that makes the person a menace to the health and safety of other persons;

~~(7)~~ "Offender" means:

~~(A) A sexually violent predator;~~

~~(B) A sex or child offender; or~~

~~(C) An adjudicated delinquent when ordered to register by the juvenile court judge;~~

~~(8)~~ "Offense against a victim who is a minor" means:

~~(A) Kidnapping pursuant to § 5-11-102(a) when the victim is a minor and the offender is not the parent of the victim;~~

~~(B) False imprisonment in the first degree and false imprisonment in the second degree pursuant to §§ 5-11-103 and 5-11-104 when the victim is a minor and the offender is not the parent of the victim;~~

~~(C) Permanent detention or restraint pursuant to § 5-11-106 when the victim is a minor and the offender is not the parent of the victim;~~

~~(D) Any sex offense when the victim is a minor;~~

~~(E) An attempt, solicitation, or conspiracy to commit any of the offenses enumerated in this subdivision (8);~~

~~(F) An adjudication of guilt for an offense of the law of another state;~~

~~for a federal offense, for a tribal court offense, or for a military offense, which is similar to any of the offenses enumerated in this subdivision (8) or when that adjudication of guilt requires registration under another state's sex offender registration laws; or~~

~~(G) A violation of any former law of this state which is substantially equivalent to any of the offenses enumerated in this subdivision (8);~~

~~(9)~~(8) "Personality disorder" means an enduring pattern of inner experience and behavior that:

(A) Deviates markedly from the expectation of the person's culture;

(B) Is pervasive and inflexible across a broad range of personal and social situations;

(C) Leads to clinically significant distress or impairment in social, occupational, or other important areas of functioning;

(D) Is stable over time;

(E) Has its onset in adolescence or early adulthood;

(F) Is not better accounted for as a manifestation or consequence of another mental disorder; and

(G) Is not due to the direct physiological effects of a substance or a general medical condition;

~~(10)~~(9) "Predatory" means an act directed at a stranger or a person with whom a relationship has been established or promoted for the primary purpose of victimization of that person or individuals over whom that person has control;

~~(11)~~(10) "Residency" means the place where a person lives notwithstanding that there may be an intent to move or return at some future date to another place; residency also includes place of employment, training, or education;

~~(12)~~(11) "Sentencing court" means the judge of the court that sentenced the offender for: the sex offense.

~~(A) The sexually violent offense;~~

~~(B) The sex offense; or~~

~~(C) The offense against a victim who is a minor that triggered registration under this subchapter;~~

~~(13)~~(12) "Sex offense" for the purposes of this subchapter means includes, but is not limited to:

(A)(i) Rape, § 5-14-103;

(ii) Carnal abuse in the first degree, § 5-14-104;

(iii) Carnal abuse in the second degree, § 5-14-105;

(iv) Carnal abuse in the third degree, § 5-14-106;

(v) Sexual misconduct, § 5-14-107;

- (vi) Sexual abuse in the first degree, § 5-14-108;
- (vii) Sexual abuse in the second degree, § 5-14-109;
- (viii) Sexual solicitation of a child, § 5-14-110;
- (ix) Violation of a minor in the first degree, § 5-14-120;
- (x) Violation of a minor in the second degree, § 5-14-121;
- (xi) Incest, § 5-26-202;
- (xii) Engaging children in sexually explicit conduct for use in visual or print medium, § 5-27-303;
- (xiii) Transportation of minors for prohibited sexual conduct, § 5-27-305;
- (xiv) Employing or consenting to use of child in sexual performance, § 5-27-402;
- (xv) Pandering or possessing visual or print medium depicting sexually explicit conduct involving a child, § 5-27-304;
- ~~(xv)~~(xvi) Producing, directing, or promoting sexual performance, § 5-27-403;
- ~~(xvi)~~(xvii) Promoting prostitution in the first degree, § 5-70-104;
- ~~(xvii)~~(xviii) Stalking, when ordered by the sentencing court to register as a sex offender, § 5-71-229;
- ~~(xviii)~~(xix) Indecent exposure to a person under the age of twelve (12) years, § 5-14-112(b); or
- ~~(xix)~~(xx) Exposing another person to human immunodeficiency virus, when ordered by the sentencing court to register as a sex offender, § 5-14-123;
- ~~(xx)~~(xxi) Kidnapping pursuant to § 5-11-102(a) when the victim is a minor and the offender is not the parent of the victim.
- (xxii) False imprisonment in the first and second degree pursuant to §§ 5-11-103 and 5-11-104 when the victim is a minor and the offender is not the parent of the victim;
- (xxiii) Permitting abuse of a child pursuant to § 5-27-221; or
- (xxiv) The sentencing court has the authority to order the registration of any offender shown in court to have the intent to commit a sex offense, even though the offense is not enumerated above. This may include offenses pled down from sex offenses, or offenses that were a prelude to a sex offense when the offender was prevented from attempting or carrying out the sex offense, and offenses enacted or amended at a later date by the legislature unless the legislature expresses its intent not to consider the offense to be a sex offense;
- (B) An attempt, solicitation, or conspiracy to commit any of the

offenses enumerated in subdivision ~~(13)(A)~~(12)(A) of this section;

(C) An adjudication of guilt for an offense of the law of another state, for a federal offense, for a tribal court offense, or for a military offense:

(i) Which is similar to any of the offenses enumerated in subdivision (12)(A) of this section; or

(ii) When that adjudication of guilt requires registration under another state's sex offender registration laws; or

(D) A violation of any former law of this state which is substantially equivalent to any of the offenses enumerated in subdivision ~~(13)(A)~~(12)(A) of this section;

~~(14)~~(13) "Sex ~~or child~~ offender" means a person who is adjudicated guilty of, adjudicated delinquent of and ordered to register by the juvenile court judge, or acquitted on the grounds of mental disease or defect of a sex offense, ~~or an offense against a victim who is a minor~~ Unless otherwise specified, "sex offender" includes those individuals classified by the court as "sexually violent predators";

(14) "Sex Offender Assessment Committee" means a group of citizens appointed by the Governor with a specific composition in conformance with 42 U.S.C. 14071(a)(2)(A) as it existed on January 1, 2001;

(15) "Sex Offender Screening and Risk Assessment" means such individuals or agencies qualified by the Sex Offender Assessment Committee to perform assessments of sex offenders;

~~(15)~~(16) "Sexually violent offense" means any state, federal, tribal, or military offense which includes a sexual act as defined in 18 U.S.C. ~~§ 2246(2)~~ §§ 2241 and 2242, as they existed on January 1, 2001, with another person if the offense is nonconsensual or the person is under the age of twelve ~~(12)~~ regardless of the age of the victim; and

~~(16)~~(17) "Sexually violent predator" means a person who has been adjudicated guilty, adjudicated delinquent of and ordered to register by the juvenile court judge, or acquitted on the grounds of mental disease or defect of a sexually violent offense and who suffers from a mental abnormality or personality disorder that makes the person likely to engage in predatory sexually violent offenses."

AND

Delete Section 4 and substitute

"SECTION 4. Arkansas Code 12-12-905 is amended to read as follows:

12-12-905. Applicability.

(a) The registration requirements of this subchapter apply to:

(1) A person who is adjudicated guilty on or after August 1, 1997, of: a sex offense;

- ~~(A) A sexually violent offense;~~
- ~~(B) A sex offense; or~~
- ~~(C) An offense against a victim who is a minor;~~

(2) A person who is serving a sentence of incarceration, probation, parole, or other form of community supervision as a result of an adjudication of guilt on August 1, 1997, for: a sex offense;

- ~~(A) A sexually violent offense;~~
- ~~(B) A sex offense; or~~
- ~~(C) An offense against a victim who is a minor;~~

(3) A person who is committed following an acquittal on or after August 1, 1997, on the grounds of mental disease or defect for: a sex offense;

- ~~(A) A sexually violent offense;~~
- ~~(B) A sex offense; or~~
- ~~(C) An offense against a victim who is a minor;~~

(4) A person who is serving a commitment as a result of an acquittal on August 1, 1997, on the grounds of mental disease or defect for: a sex offense;

- ~~(A) A sexually violent offense;~~
- ~~(B) A sex offense; or~~
- ~~(C) An offense against a victim who is a minor;~~

(5) A person who was required to be registered under the Habitual Child Sex Offender Registration Act, former § 12-12-901 et seq., enacted by Acts 1987, No. 587, §§ 1-10, which was repealed by Acts 1997, No. 989, § 23;

(6) A juvenile who has been ordered to register by a juvenile court judge after an adjudication of delinquency on or after September 1, 1999, of: a sex offense; and

- ~~(A) A sexually violent offense;~~
- ~~(B) A sex offense; or~~
- ~~(C) An offense against a victim who is a minor; and~~

(7) A juvenile who is serving an order of commitment, transfer of legal custody, probation, court-approved voluntary service in the community, juvenile detention, residential detention, or other form of commitment as prescribed under § 9-27-330 after an adjudication of delinquency for ~~a sexually violent offense~~, a sex offense, ~~or an offense against a victim who is a minor~~, on September 1, 1999, and after being ordered to register by the juvenile court judge having jurisdiction.

(b)(4) A person who has been adjudicated guilty of ~~a sexually violent offense~~, a sex offense, ~~or an offense against a victim who is a minor~~ and whose record of conviction will be expunged under the provisions of §§ 16-93-301 - 16-93-303 is not relieved of the duty to register.

~~(2)(A)(i) — However, a person's obligation to register under this subchapter is terminated upon an expungement of the record by the court.~~

~~(ii) — The burden shall be on the offender to file a petition of expungement with the court having jurisdiction and to present that order to the Arkansas Crime Information Center in order to stop the notification process.~~

~~(B) — Upon receiving the order of expungement, the Arkansas Crime Information Center shall notify the Department of Correction and the appropriate local law enforcement official that the person is no longer required to be registered and to cease notification to the public."~~

Delete Section 5 and substitute

"SECTION 5. Arkansas Code 12-12-906 is amended to read as follows:

12-12-906. Duty to register generally - Review of requirements with offenders.

~~(a)(1)(A) — At the time of an offender's adjudication of guilt, the sentencing court shall require the offender to complete the sex offender registration form in the format prepared by the Director of the Arkansas Crime Information Center pursuant to § 12-12-908.~~

(A) At the time of adjudication of guilt, the sentencing court shall enter on the Judgment and Commitment or Judgment and Disposition form whether or not the offender is required to register as a sex offender.

(B) The Department of Correction shall ensure that offenders received for incarceration complete the registration form prepared by the Director of the Arkansas Crime Information Center under § 12-12-908 .

(C) The Department of Community Punishment shall ensure that offenders placed on probation or another form of community supervision complete the registration form.

(D) The Arkansas State Hospital shall ensure that for any offender found not guilty by reason of insanity the registration form is completed, and shall arrange an evaluation by Sex Offender Screening and Risk Assessment.

(E) The Department of Human Services, Division of Youth Services, shall ensure that juveniles ordered by the juvenile court to register complete the registration form.

(2)(A) ~~A~~ A sex offender moving to or returning to this state from another jurisdiction shall register with the local law enforcement agency having jurisdiction no later than thirty (30) days after August 1, 1997, or thirty (30) days after the offender establishes residency in a municipality or county of this state, whichever is later.

(B)(1) All persons living in this state, who were required to register as

a sex offenders in the jurisdiction in which they were adjudicated guilty of a sex offense, are required to register as sex offenders in this state whether living, working or attending school or other training in Arkansas.

(2) Non-resident workers or students who enter the state for fourteen (14) or more consecutive days to work or study, or who enter the state for an aggregate of thirty (30) days or more a year, are required to register in compliance with 64 Fed. Reg. 585 2nd as it existed on January 1, 2001.

(C) A sex offender sentenced and required to register outside of Arkansas, whether as an adult or juvenile, must submit to reassessment by Sex Offender Screening and Risk Assessment, provide a DNA sample if a sample is not already accessible to the State Crime Lab, and pay the mandatory fee of two hundred fifty (\$250) to the DNA Detection Fund established under §§ 12-12-1101 through 12-12-1120.

(3)(A) After September 1, 1999, a juvenile judge shall require ~~an~~ a sex offender to submit at the time of adjudication of a sex offense to an assessment by the ~~Sex Offenders Assessment Committee~~ Sex Offender Screening and Risk Assessment ~~who is adjudicated delinquent of:~~

~~(i) A sexually violent offense;~~

~~(ii) A sex offense; or~~

~~(iii) An offense against a victim who is a minor.~~

(B)(i) The ~~committee~~ Sex Offender Screening and Risk Assessment shall submit its assessment and recommendation to the juvenile judge and the juvenile judge may order registration ~~with the clerk of the juvenile court~~ by so indicating on the on the proper form.

(ii)(a) Upon the decision by the juvenile judge to order registration by the juvenile, the juvenile shall comply with all the provisions of this subchapter.

(b) The juvenile court judge may order reassessment by the ~~Sex Offenders Assessment Committee~~ Sex Offender Screening and Risk Assessment any time during the juvenile judge's jurisdiction over the juvenile.

(c) The juvenile court judge may order registration of the juvenile adjudicated delinquent of a sex offense ~~with the clerk of the juvenile court~~ at any time during the juvenile judge's jurisdiction over the juvenile.

(b)(1) The registration file of ~~an~~ a sex offender who is confined in a an adult or juvenile correctional facility or serving a commitment following acquittal on the grounds of mental disease or defect shall be inactive until the registration file is updated by the Department of Correction, or the Department of Human Services,

whichever is responsible for supervision.

(2) Immediately prior to release or immediately following an escape or absconding supervision, the Department of Correction, the Department of Community Punishment, or the Department of Human Services shall update the registration file of the sex offender who is to be released or who has escaped or absconded supervision.

(c)(1) When registering an a sex offender as provided in subsection (a) of this section, the Department of Correction, the Department of Community Punishment, the Department of Human Services, ~~the sentencing court~~, or the local law enforcement agency having jurisdiction shall:

(A) Inform the sex offender of the duty to submit to assessment and to register and obtain the information required for registration as described in § 12-12-908;

(B) Inform the offender that if the offender changes ~~address~~ residency, the offender shall give the new address, place of employment, education, or training to the Arkansas Crime Information Center in writing no later than ten (10) days before the offender establishes residency or is temporarily domiciled at the new address;

(C) Inform the offender that if the offender changes ~~address~~ residency to another state, or enters another state for fourteen (14) consecutive days or more or for an aggregate of thirty (30) days or more a year, the offender must also register in that state regardless of permanent residency, the offender shall register the new address, place of employment, education, or training with the Arkansas Crime Information Center and with a designated law enforcement agency in the new state not later than ten (10) days before the offender establishes residence or is temporarily domiciled in the new state, ~~if the new state has a registration requirement~~;

(D)(i) Obtain fingerprints and a photograph of the offender if these have not already been obtained in connection with the offense that triggered registration.

(ii) ~~If the registration is performed by the sentencing court, the arresting law enforcement agency shall provide the court with a copy of the fingerprints and a photograph of the offender~~ Obtain a DNA sample, if one has not already been provided;

(E) Require the offender to complete the entire registration process, including, but not limited to, requiring the offender to read and sign a form stating that the duty of the person to register under this subchapter has been explained;

(F) Inform the offender that if the offender's address changes due to an eviction, natural disaster or any other unforeseen circumstance, the offender shall give the new address to the Arkansas Crime Information Center in writing no later than five (5) business days after the offender establishes residency; and

(G) Inform an offender who has been granted probation, that failure to comply with the provisions of this subchapter shall be grounds for revocation of the offender's probation.

(2) When updating the registration file of an offender, the Department of Correction or the Department of Human Services shall:

(A) Review with the offender the duty to register and obtain current information required for registration as described in § 12-12-908;

(B) Review with the offender the requirement that if the offender changes address, the offender shall give the new address to the Arkansas Crime Information Center in writing no later than ten (10) days before the offender establishes residency or is temporarily domiciled at the new address;

(C) Review with the offender the requirement that if the offender changes address to another state, the offender shall register the new address with the Arkansas Crime Information Center and with a designated law enforcement agency in the new state not later than ten (10) days before the offender establishes residence or is temporarily domiciled in the new state, if the new state has a registration requirement;

(D) Require the offender to read and sign a form stating that the duty of the person to register under this subchapter has been reviewed; and

(E) Inform the offender that if the offender's address changes due to an eviction, natural disaster, or any other unforeseen circumstance, the offender shall give the new address to the Arkansas Crime Information Center in writing no later than five (5) business days after the offender establishes residency.

(d) When registering or updating the registration file of a sexually violent predator, the Department of Correction, the Department of Community Punishment, the Department of Human Services, ~~the sentencing court~~, or the local law enforcement agency having jurisdiction shall, in addition to the requirements of subdivision (c)(1) or (2) of this section, obtain documentation of any treatment received for the mental abnormality or personality disorder of the sexually violent predator."

AND

Page 18, line 8, delete "or child"

AND

Delete Section 12 and substitute

"SECTION 12. Arkansas Code 12-12-917 is amended to read as follows:

12-12-917. Evaluation protocol - Sexually violent predators - Juveniles adjudicated delinquent - Examiners.

(a)(1) The Sex Offenders Assessment Committee shall develop an evaluation protocol for preparing reports to assist courts in making determinations whether or not a person adjudicated guilty of a ~~sexually violent~~ sex offense should be considered a sexually violent predator for purposes of this subchapter.

(2) The committee shall also establish qualifications for and qualify examiners to prepare reports in accordance with the evaluation protocol.

(b)(1) The Sex Offenders Assessment Committee shall develop an evaluation protocol for preparing reports to assist the ~~Sex Offenders Assessment Committee~~ juvenile division of circuit court in making determinations whether or not a juvenile adjudicated delinquent of a sex offense ~~or an offense against a victim who is a minor~~ should be registered under the provisions of this subchapter.

(2) The committee shall also establish qualifications for and qualify examiners to prepare reports in accordance with the evaluation protocol."

AND

Delete Section 14 and substitute

"SECTION 14. Arkansas Code 12-12-919 is amended to read as follows:

12-12-919. Termination of obligation to register.

(a) Lifetime registration is required for sex offenders found to have committed an aggravated sex offense, determined by the court to be a sexually violent predator, or found to have been adjudicated guilty of a second or subsequent sex offense under a separate case number, not multiple counts on the same charge.

~~(a)(1)(A) (b)(1)(A)(i) A Any other sex or child offender required to register under this subchapter may make application for an order terminating the child or sex offender's obligation to register to the sentencing court, if the person was sentenced in the State of Arkansas, or to the circuit court in the county in which the sex or child offender resides, if the offender was sentenced in another state.~~

(ii) Sex offenders sentenced in other states but permanently residing in Arkansas may make an application for an order terminating the obligation to register to the court of the county in which they reside.

(B)(i) The court shall hold a hearing on the application at which the applicant and any interested persons may present witnesses and other evidence.

(ii) No fewer than twenty (20) days prior to the date of the hearing on the application, a copy of the application for termination of the

obligation to register shall be served on the prosecutor of the county in which the adjudication of guilt triggering registration was obtained.

(2) The court shall grant an order terminating the obligation to register upon proof by a preponderance of the evidence that:

(A) The applicant, within fifteen (15) years after the person was released from prison or other institution, placed on parole, supervised release, or probation, has not been adjudicated guilty of: a sex offense, and

~~(i) An offense against a victim who is a minor; or~~

~~(ii) A sex offense; and~~

(B) The applicant is not likely to pose a threat to the safety of others.

~~(b)(1)(A) A sexually violent predator may make application to the sentencing court for an order terminating the sexually violent predator's obligation to register.~~

~~(B)(i) The court shall hold a hearing on the application at which the applicant and any interested persons may present witnesses and other evidence.~~

~~(ii) No fewer than sixty (60) days prior to the date of the hearing on the application, a copy of the application for termination of the obligation to register shall be served on the prosecutor of the county in which the adjudication of guilt triggering registration was obtained and on the members of the Department of Correction.~~

~~(iii) No fewer than ten (10) days prior to the date of the hearing on the application, an examiner qualified by the Sex Offenders Assessment Committee shall submit a report to the court that recommends whether or not the applicant's status as a sexually violent predator should be terminated.~~

~~(2) The court shall grant an order terminating the obligation to register upon proof by a preponderance of the evidence that:~~

~~(A) The applicant, within twenty (20) years after the person was released from a prison or other institution or placed on parole, supervised release, or probation has not been adjudicated guilty of an offense against a victim who is a minor or a sex offense; and~~

~~(B) The applicant no longer suffers from a mental abnormality or personality disorder that would make the person likely to engage in a predatory sexually violent offense."~~

/s/ Jo Carson

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Fite, **HOUSE BILL NO. 2346** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 2346**

Amend **HOUSE BILL NO. 2346** as originally introduced:

Page 1, delete lines 9 through 11 and substitute the following:

"AN ACT TO REQUIRE A STUDY TO REVIEW THE EQUITY IN COMPETITION IN HIGH SCHOOL ACTIVITIES; TO DETERMINE IF EQUITY OF OPPORTUNITY EXISTS; AND FOR OTHER PURPOSES."

AND

Page 1, delete line 14 and substitute the following:

"AN ACT TO REQUIRE A STUDY TO REVIEW THE EQUITY IN COMPETITION IN HIGH SCHOOL ACTIVITIES; AND TO DETERMINE IF EQUITY OF OPPORTUNITY EXISTS."

AND

Page 1, line 22, delete "attendance" and substitute "membership"

AND

Page 1, delete line 25, and substitute the following:

"is three hundred and fifty (350), but in AAAAA the difference is fifteen hundred (1500) or more; and."

AND

Page 1, delete lines 26 through 28

AND

Page 1, delete line 29, and substitute "(3) That the difference in average daily membership between the"

AND

Page 1, delete line 31 and substitute the following:

"narrowed to promote fair competition, or a playoff system that would promote fair competition should be created."

AND

Page 1, delete lines 32 through 36 and substitute the following:

"(b)(1) The House and Senate Interim Committees on Education shall conduct a study to determine how the General Assembly or another entity can ensure all our schools and children are treated equitably in all school activities.

(2) The committee shall file a report of their findings with the Legislative Council on or before October 1, 2002."

AND

Page 2, delete lines 1 through 8

/s/ Dwight Fite

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Green, **HOUSE BILL NO. 2621** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 2 TO HOUSE BILL NO. 2621**

Amend **HOUSE BILL NO. 2621** as originally introduced:

Page 1, delete line 33 and substitute the following:

"discretionary fund pursuant to this subsection (b).

(c) The Department of Education shall have the authority to grant a waiver of the requirements of subsection (b) of this section if a school district requests a waiver and if the actual legal balances of the school district in the previous school year were a minimum of ten percent (10%) less than the actual legal balances in the school year preceding the last school year."

/s/ Mary Beth Green

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative T. Steele, **HOUSE BILL NO. 2159** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 2159**

Amend **HOUSE BILL NO. 2159** as originally introduced:

Page 1, line 10, insert "AND NONPARTISIAN JUDICIAL GENERAL ELECTION EXPENSES" between "WORKERS" and "FOR"

And

Page 1, line 18, insert "AND NONPARTISIAN JUDICIAL GENERAL ELECTION EXPENSES" between "WORKERS" and "APPROPRIATION"

and

Insert an additional section immediately following Section 1 to read as follows:

" SECTION 2. APPROPRIATIONS - NONPARTISIAN JUDICIAL GENERAL ELECTIONS. There is hereby appropriated, to the State Board of Election Commissioners, to be payable from the Judicial Filing Fee Fund, for covering the costs of election expenses of the State Board of Election Commissioners for the biennial period ending June 30,2003, the sum of .....\$600,000."

And

Appropriately renumber the subsequent sections.

/s/ Tracy Steele

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Magnus, **HOUSE BILL NO. 2197** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 2197**

Amend **HOUSE BILL NO. 2197** as originally introduced:

Page 2, line 20, insert the following:

"(c) The fee for an insureds or applicants driver confirmation record shall be ten cents (10¢) per record. This fee shall deposited into the State Central Services Fund as a direct revenue to be used by the Revenue Division of the Department of Finance and Administration. The Information Network of Arkansas may charge an additional fee for the service of transmitting this information electronically."

/s/ J. P. Magnus

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative King, **HOUSE BILL NO. 2497** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 2497**

Amend **HOUSE BILL NO. 2497** as originally introduced:

Delete everything after the Enacting clause and substitute the following:

"SECTION 1. The General Assembly finds that pharmaceutical manufacturer patient assistance programs have the potential to benefit a larger number of low income, uninsured and underinsured Arkansans. However, the current way that such programs are administered has resulted in low participation by health care providers and their patients, and few Arkansans benefit from these programs.

SECTION 2. (a) The Director of the Department of Health shall administer a statewide 2-year pilot program, to be named "The Arkansas Pharmacy Outreach Program," to improve coordination and implementation of pharmaceutical manufacturer patient assistance programs.

(b) The director may contract with one (1) or more public or private organizations to administer the outreach program.

(c)(1) The director may negotiate with pharmaceutical companies to develop a simplified system to assist low income Arkansans in accessing pharmaceutical manufacturer patient assistance programs.

(2) Components of the simplified system may include a simplified, single application process and a voucher system for dispensing drugs through local pharmacies.

(d) The outreach program may assist health care providers in establishing programs for their patients, to provide:

(1) Consultation with participating health care providers regarding changes to the program;

(2) Patients with information regarding their eligibility for pharmaceutical manufacturer patient assistance programs; and

(3) Opportunities to work with representatives of pharmaceutical manufacturers to improve the program.

(e)(1) The director shall report to the Legislative Council on the results of the outreach program before October 2, 2002.

(2) The report shall include information concerning:

(A) The number of Arkansans benefited by patient assistance programs;

- (B) The value of benefits provided through patient assistance programs; and  
(C) Any other information the director deems relevant."

/s/ Barbara King

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw  
 Chief Clerk

Upon motion of Representative Hunt, **HOUSE BILL NO. 2513** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 2513**

Amend **HOUSE BILL NO. 2513** as originally introduced:

Delete everything after the Enacting Clause and substitute:

"SECTION 1. Arkansas Code 12-8-103 is amended to read as follows:

12-8-103. Commission's powers and duties - Restrictions.

(a) The Arkansas State Police Commission is directed to approve or disapprove each promotion or demotion and review each application for employment presented to it by the director for certification to the eligibility list.

(b) The Arkansas State Police Commission is directed to hear appeals ~~and approve or disapprove~~ of any disciplinary action taken against ~~an employee a commissioned officer~~ by the director that results in ~~transfer or loss of rank, pay, or seniority~~ removal, suspension, discharge, demotion, or disciplinary transfer. The appeal shall be heard under § 12-8-204(b).

(c) The members of the Arkansas State Police Commission are granted disciplinary authority equal to that of supervisory and administrative personnel of the department with respect to violations of rules and regulations committed by ~~a state police officer~~ an Arkansas State Police employee in the presence of a commissioner.

(d)(1) In addition to its existing powers and duties, the Arkansas State Police Commission is authorized to administer oaths and to subpoena witnesses, books, records, and other documents deemed necessary for the proper investigation and performance of any powers, functions, or duties of the commission.

(2) All such subpoenas shall be issued by the Chairman of the Arkansas State Police Commission or such other members of the commission as authorized by a majority vote of the membership of the commission.

(3) Any person failing to appear or to produce the books, records, or documents subpoenaed by the Arkansas State Police Commission shall be guilty of contempt. He shall be punished by the circuit court upon petition therefor being filed with the court by the Arkansas State Police Commission, in the same manner as provided by law for punishment of contempt of the circuit court.

(e) The commission shall perform the duties prescribed in this chapter. For such purposes, it is authorized to promulgate and enforce reasonable and necessary rules and regulations.

(f) ~~However, members~~ Members of the commission shall not exercise police powers, ~~or functions, neither shall they identify or equip their personal automobiles as a police car~~ nor shall the appointment qualify a commissioner as a law enforcement officer as defined in § 12-9-102(1).

SECTION 2. Arkansas Code 12-8-104 is amended to read as follows:

12-8-104. Director.

(a)(1) The Governor shall appoint a Director of the Department of Arkansas State Police who shall be the executive and administrative head of the department and shall receive a salary as fixed by law.

(2) The director shall be of good moral character and a resident and a qualified elector of the State of Arkansas.

(3) In addition to all other qualifications contained herein, the director, at the time of his appointment to the position of Director of the Department of Arkansas State Police, shall either:

(A) Be a college graduate with at least a bachelor's degree in criminology, business administration, or a related field; or

(B) Have graduated from a standard high school or vocational school and have eight (8) years of previous experience in law enforcement or a related field with considerable supervisory and administrative experience; or

(C) Have at least ten (10) years of experience in law enforcement.

~~(b) The director shall appoint, with the approval of the Governor, an Executive Secretary of the Department of Arkansas State Police, who shall receive an annual salary to be fixed by law.~~

~~(e)~~(b) The director shall determine the number of other officers and patrolmen to be employed by the department, and they shall be paid salaries according to rank, not exceeding the salaries provided for.

~~(d)~~(c) The director shall promulgate such rules and regulations as are necessary for the efficient operation of the Department of Arkansas State Police and for the enforcement of such duties as are herein prescribed.

~~(e)~~(d) The director shall keep the books and records of the department, which shall be audited as the books and accounts of other state departments.

~~(f)~~(e) An annual report to the Governor and a biannual report to the General Assembly showing the activities, number of arrests, amounts collected by the department, and disposition of all cases shall be made by the director of the department.

~~(g)~~(f) The director shall have supervision and control for the purpose of discipline and proper management of all the members and employees of the Department of Arkansas State Police.

~~(h)~~(g) The Director of the Department of Arkansas State Police may establish such divisions within the ranks of the Arkansas State Police as he may deem necessary and proper.

~~(i)~~(h) The director shall have the authority to transfer, assign, and reassign from one division to another division any member of the Arkansas State Police or other employee of the department, and, subject to the approval of the Arkansas State Police Commission, to promote or demote in rank, ~~subject to the approval of the Arkansas State Police Commission,~~ any member of the Arkansas State Police or any employee of the department whenever in his discretion such a course is necessary for the efficient operation of the department.

~~(j)~~(i) Due to the exacting and special duties of the Director of the Department of Arkansas State Police, the Director of the Department of Arkansas State Police is hereby authorized to draw an expense allowance in an amount not to exceed six hundred dollars (\$600) per month.

SECTION 3. Arkansas Code 12-8-105 is amended to read as follows:

12-8-105. Officers and members - Oath ~~-Bond.~~

(a)~~(1)~~ All members and officers of the Department of Arkansas State Police shall, before entering upon their duties, take oath now provided by law for public officials.

~~(2)~~(b) The director shall take the additional oath that he will not be either directly or indirectly interested in any purchase made by or for the department.

~~(3)~~(c) Any violation of oath shall constitute perjury and upon conviction shall be punished accordingly.

~~(4)~~(d) The oath provided for in this section shall be filed in duplicate, the original filed with the ~~Secretary of State~~ department, and a copy with the Secretary of the Arkansas State Police Commission.

~~(b)~~(1) ~~The director and other officers and patrolmen of the Department of Arkansas State Police shall each furnish a surety bond in a sum prescribed by the commission to be approved by the chairman of the commission and filed with its~~

secretary.

~~(2) The bonds shall be paid for out of the funds of the Department of Arkansas State Police.~~

SECTION 4. Arkansas Code 12-8-106(h), concerning municipal police authority on certain highways, is amended to read as follows:

(h)(1) Municipal police are prohibited from patrolling limited access highways, except as may be authorized by the Director of the Department of Arkansas State Police.

(2) Municipal police may patrol any service roads that are within their jurisdiction situated adjacent to limited access highways.

~~(2)(3) However, nothing~~ Nothing in this subsection shall prohibit a municipal police officer from responding to an accident or other emergency on a limited access highway.

SECTION 5. Arkansas Code 12-8-107 is amended to read as follows:

12-8-107. Arrests and detentions.

~~(a) It shall be the duty of the Department of Arkansas State Police, immediately upon the arrest of any person charged with violating any of the highway laws of this state or any rule or regulation governing the highways or any rule or regulation of the State Highway Commission, the Arkansas State Highway and Transportation Department, and the Revenue Division of the Department of Finance and Administration, or any other crime punishable as a misdemeanor, to take or summons the person before the judge of the municipal court, mayor, or justice of the peace having jurisdiction of the offense charged.~~

~~(b) It shall be the duty of the Department of Arkansas State Police immediately upon the arrest of any person charged with committing a felony to place him in a county jail, and~~ If any Arkansas State Police officer delivers an arrested person to a county jail for detention, it shall be the duty of the jailer to receive the prisoner. The police officer may notify the sheriff or prosecuting officer of the county in which the crime was committed of the arrest and detention of the prisoner and make such lawful disposition of the prisoner as he is directed to do by the sheriff or prosecuting officer.

SECTION 6. Arkansas Code 12-8-111 is amended to read as follows:

12-8-111. Cooperation among agencies.

(a) It shall be the duty of the Department of Arkansas State Police and its officers to cooperate with ~~the heads of the several penal institutions~~ other law enforcement agencies of this state in the investigation and apprehension of criminals and the prevention of crime within the state and to use every means at their disposal in disseminating information that will more effectively expedite the detection of crime,

the apprehension and conviction of criminals, and promote the highest possible degree of efficiency in the enforcement of the ~~penal~~ criminal and traffic laws of the state.

(b) The ~~heads of the several penal institutions~~ law enforcement agencies of the state shall furnish to the Department of Arkansas State Police such information as they may have or shall hereafter acquire upon request of the director of the department relating to crime and criminals and otherwise cooperate with the department for ~~in the proper~~ enforcement of ~~this chapter~~ the criminal and traffic laws of this state.

SECTION 7. Arkansas Code 12-8-120(a), concerning the fee charged by the Arkansas State Police for background investigations, is amended to read as follows:

(a) The Arkansas State Police ~~Commission is~~ are hereby authorized to ~~develop the necessary rules and regulations to establish and~~ charge a fee, not to exceed twenty dollars (\$20.00), for each background investigation requested of and conducted by the Department of Arkansas State Police.

SECTION 8. Arkansas Code 12-8-123 is amended to read as follows:

12-8-123. Accepting surplus U.S. Department of Defense property.

The Director of the Department of Arkansas State Police is hereby designated as the agent of the State of Arkansas for accepting surplus or excess United States Department of Defense property for its own use or for the purpose of distributing the same to city and county law enforcement agencies which have been designated by the office of the United States Department of Defense, Coordinator for Drug Enforcement Policy and Support, to receive property for counter-narcotics operations under the provisions of Section 1208 of Public Law 101-189 of fiscal year 1990-1991, of the National Defense Authorization Act.

SECTION 9. Arkansas Code 12-8-201 is amended to read as follows:

12-8-201. Members of police force - Selection.

(a) The Director of the Department of Arkansas State Police shall appoint all members of the police force, subject to approval of the Arkansas State Police Commission and the director shall select the clerical and stenographic force of the department.

(b) The commission shall promulgate rules and regulations ~~pertaining to civil service~~ setting forth the minimum qualifications for employment as an Arkansas State Police officer and prescribing the manner of examination of applicants for the position.

(c) The director shall receive all applications for positions as Arkansas State Police officers and submit them to the commission for examination as to the physical fitness and mental qualifications of the applicants, and for such other examinations

as ~~the commission may deem proper~~ provided for by the commission's rules and regulations.

(d) All applications and examinations shall be in writing and shall be kept as a permanent file by the commission for not less than five (5) years.

(e) A list containing the names of all applicants who possess the necessary qualifications as determined by the commission shall be certified to the director. From this list, he shall make the final selection for the appointments, and any vacancy occurring in the Department of Arkansas State Police shall be filled from this list.

SECTION 10. Arkansas Code 12-8-202 is amended to read as follows:

12-8-202. Qualifications of members.

(a) All applicants for positions as Arkansas State Police shall be citizens of the United States; however, said applicants must become citizens of the State of Arkansas in order to commence employment. Any applicant shall be employed strictly upon an efficiency basis, irrespective of race, gender, religion, or political affiliation.

(b) No person shall be eligible for a position as a commissioned member of the Department of Arkansas State Police who has been convicted of a felony in any state or federal court, who is prohibited by state or federal law from possessing a weapon, or who is known to be a person of immoral character.

(c) ~~All~~ Arkansas State Police shall ~~be chosen along the lines of civil service and shall~~ not be appointed as patronage or political favor.

SECTION 11. Arkansas Code 12-8-203 is amended to read as follows:

12-8-203. Probationary period.

Each person who is selected as a member of the ~~state police force~~ Arkansas State Police shall be, for a period of one (1) year, a probationer and during that time may be discharged by the Director of the Department of Arkansas State Police with the approval of the Arkansas State Police Commission, ~~except as provided in § 12-8-204~~ with or without cause, and provided further, that the probationary period shall not apply to those who have theretofore served a probationary period.

SECTION 12. Arkansas Code 12-8-204 is amended to read as follows:

12-8-204. Tenure - Removal, suspension, or discharge.

(a) The members of the Department of Arkansas State Police shall hold their offices until and unless removed for cause.

(b) Should the Director of the Department of Arkansas State Police deem it necessary to remove, suspend, ~~or~~ discharge, demote, or transfer for disciplinary reasons any Department of Arkansas State Police officer, he shall do so by written notice.

(c) Any Department of Arkansas State Police officer so removed, suspended, ~~or discharged, demoted, or transferred~~ shall have the right of a ~~hearing before appeal to~~ the Arkansas State Police Commission, provided that notice of the ~~hearing or~~ appeal shall be lodged with the commission within ten (10) days after notice to the officer of his discharge, removal, ~~or suspension, demotion or disciplinary transfer~~. When so filed, the appeal shall be heard and determined by the commission within a reasonable time from the date the appeal is filed with the commission.

(d) An appeal may be taken to the Circuit Court of Pulaski County from any order of the commission discharging, removing, ~~or suspending, demoting, or transferring for disciplinary reasons~~ any member of the Department of Arkansas State Police force, provided the appeal is perfected within thirty (30) days from the date of the final order, made by the commission, and such appeal shall be heard by the circuit court without the introduction of any further testimony.

SECTION 13. Arkansas Code 12-8-206 is repealed.

~~12-8-206. Troopers first class.~~

~~(a) There is created a class for employment within the Department of Arkansas State Police to be identified as "trooper first class".~~

~~(b) To become eligible for classification as a trooper first class, a state police trooper:~~

~~(1) Shall have served for a period of at least five (5) years as a trooper in the Department of Arkansas State Police;~~

~~(2) Must have never received a formal resolution of reprimand from the Arkansas State Police Commission. However, the commission shall review the file of any trooper receiving a resolution of reprimand at least one (1) time per year to determine if the disqualification should be removed.~~

SECTION 14. Arkansas Code 12-8-207 is repealed.

~~12-8-207. Corporals.~~

~~(a) There is created a class for employment within the Department of Arkansas State Police to be identified as "corporal".~~

~~(b) To become eligible for classification as a corporal, a state police trooper shall have served for a period of at least ten (10) years as a trooper or trooper first class or both in the Department of Arkansas State Police.~~

SECTION 15. Arkansas Code 12-8-208 is repealed.

~~12-8-208. State police radio operators - Classification.~~

~~The Arkansas State Police Commission shall establish a method of classifying state police radio operators whereby salaries and incidental benefits shall be based upon longevity, tenure, and service.~~

SECTION 16. Arkansas Code 12-8-209 is amended to read as follows:

12-8-209. Salaries, expenses, and allowances.

(a) In addition to the salaries authorized in this section, the officers, patrolmen, and other employees of the Department of Arkansas State Police shall be entitled to and receive actual expenses incurred by them when on duty away from home.

(b)(1)(A)(i) The amounts payable for uniform allowance shall not exceed one thousand five hundred dollars (\$1,500) per annum for each state police colonel, lieutenant colonel, major, captain, lieutenant, sergeant, corporal, trooper first class, drug diversion manager, drug diversion investigator, and trooper.

(ii) However, each ~~state police trooper~~ Arkansas State Police officer in his first year of service may receive up to, but not to exceed, two thousand dollars (\$2,000) for uniform allowance during the first year.

(B) If funds are available, the Director of the Department of Arkansas State Police may increase the uniform allowance to not more than two thousand four hundred dollars (\$2,400) per annum.

(2) Each telecommunications supervisor, telecommunications operator, driver's license examiner, and driver's license or commercial driver's license coordinator may receive up to, but shall not exceed, one thousand dollars (\$1,000) per annum for uniform allowance.

(c) The amounts payable for special travel shall not exceed two thousand dollars (\$2,000) per annum for each state police colonel, lieutenant colonel, major, captain, lieutenant, sergeant, corporal, trooper first class, trooper, electronic technician, communication supervisor, drug diversion manager, and drug diversion investigator.

SECTION 17. Arkansas Code 12-8-210 is amended to read as follows:

12-8-210. Insurance - Medical and hospital.

(a) The Department of Arkansas State Police is authorized and directed to obtain a policy or contract of medical and hospital insurance, or to establish a self-insurance fund in lieu thereof, to provide medical and hospital insurance for all uniformed employees of the department. The department shall pay the premium, fee, or other costs for the policy or contract, or payments into a self-insurance fund, from funds appropriated to the department for personal service matching or which may be specifically appropriated for that purpose.

(b) The Department of Arkansas State Police is authorized to provide hospitalization and medical services coverage under a group health insurance program or may, in lieu thereof, provide a coverage for hospitalization and medical insurance services under a self-insurance program established by the department, for the ~~wives~~ spouses and dependents of uniformed personnel of the Department of

Arkansas State Police and to pay the premium thereon, or payments into the self-insurance fund, from funds appropriated for that purpose.

(c) In the event the Department of Arkansas State Police, acting pursuant to a resolution adopted by the Arkansas State Police Commission therefor, exercises the option to establish a self-insurance program, this program shall provide hospitalization and medical services coverage for uniformed employees of the department and for the spouses and dependents of uniformed personnel of the department, as authorized in this section, and shall be operated in accordance with policies, rules, procedures, and benefits prescribed by the Arkansas State Police Commission.

(d) Members of the Department of Arkansas State Police who retire and receive retirement benefits under the State Police Retirement System after July 1, 1985, shall be eligible to participate in the group health self-insurance program established by the Arkansas State Police Commission for uniformed personnel, and for their ~~wives~~ spouses and dependents, in the same manner and under the same conditions as provided in §§ 21-5-410 - 21-5-412 which authorize retired state employees receiving retirement benefits under the Arkansas Public Employees' Retirement System to participate in the state employees' hospitalization and medical insurance program.

SECTION 18. Arkansas Code 12-8-212 is amended to read as follows:

12-8-212. Death benefits.

(a) When any police officer of the Department of Arkansas State Police, ~~or any police officer of the Arkansas State Highway and Transportation Department or its successor within the Department of Arkansas State Police~~ shall have lost his life in the course of employment, then upon satisfactory proof of such fact made to the Arkansas State Police Commission, a death benefit in the sum of ~~five thousand dollars (\$5,000)~~ twenty-five thousand dollars (\$25,000) shall be paid to the ~~wife~~ spouse of the deceased officer. In case no ~~wife~~ spouse survives ~~him~~ the officer, the death benefit shall be distributed equally among ~~his~~ the officer's children. The sum of ~~five thousand dollars (\$5,000)~~ twenty-five thousand dollars (\$25,000) shall be paid from the Department of Arkansas State Police Fund.

(b) For the purposes of this section, the term "in the course of employment" shall mean at any time when an officer is on duty as a police officer or is performing an act ordinarily performed by a police officer although such officer is not actually on duty at the time.

(c) Nothing herein contained shall be construed to limit or extinguish the right of any police officer or ~~his~~ the officer's survivors to any other benefits provided by law.

SECTION 19. Arkansas Code 22-3-404 is amended to read as follows:

22-3-404. Enforcement.

(a) In order that the provisions of this subchapter might be enforced, ~~the Director of the State Police is directed to assign at least one (1) State Police officer to permanent duty on the State Capitol grounds between the hours of 7:00 a.m. and 6:00 p.m. on all days except Saturdays, Sundays, and holidays, and the Secretary of State is directed to assign one (1) or more State Capitol Police officers. It shall be the responsibility of the Secretary of State to assure that at least one (1) certified law enforcement officer is on duty on the State Capitol grounds twenty-four (24) hours per day, seven (7) days per week.~~

(b) Each ~~State Police officer and~~ State Capitol Police officer so assigned is authorized to issue, upon determining a violation, a uniform traffic citation which shall be returnable in the Pulaski County Municipal Court."

/s/ Russ Hunt

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Cleveland, **HOUSE BILL NO. 2653** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 2653**

Amend **HOUSE BILL NO. 2653** as originally introduced:

Page 2, delete line 18 and substitute the following:

"salary schedule.

(d) Under the provisions of the Educator's Compensation Act of 2001, no school district shall be prohibited from paying certified staff additional salary increases as a supplement to the salary schedule even though the certified staff is not employed an additional time period longer than the period covered by the salary schedule or required to perform duties in addition to the certified employees regular teaching assignments."

AND

Page 2, delete lines 20 through 27

AND

Appropriately renumber the remaining section

/s/ H. W. Cleveland

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Trammell, **HOUSE BILL NO. 1128** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1128**

Amend **HOUSE BILL NO. 1128** as originally introduced:

Page 1, line 9, delete "OFFENDER" and substitute "KINGPIN"

AND

Page 1, line 13, delete "OFFENDER" and substitute "KINGPIN"

AND

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code Title 12, Chapter 12 is amended by adding the following new subchapter:

12-12-1401. Title.

This subchapter shall be known and may be cited as the "Drug Kingpin Registration Act".

12-12-1402. Legislative findings.

The General Assembly finds that protecting the public from drug offenders who commit the offense of engaging in a criminal enterprise, § 5-64-414, which is commonly known as the drug kingpin law, is a primary governmental interest, that the privacy interest of persons adjudicated guilty of engaging in a criminal enterprise is less important than the government's interest in public safety, and that the release of certain information about the offenders to criminal justice agencies and the general public will assist in protecting the public safety.

12-12-1403. Definitions.

For the purposes of this subchapter:

(1) "Adjudication of guilt" or other words of similar import means a plea of guilty, a plea of nolo contendere, a negotiated plea, a finding of guilt by a judge, or a finding of guilt by a jury;

(2)(A) "Administration of criminal justice" means performing functions of investigation, apprehension, detention, prosecution, adjudication, correctional supervision, or rehabilitation of accused persons or criminal offenders.

(B) "Administration of criminal justice" also includes criminal identification activities and the collection, maintenance, and dissemination of criminal justice information;

(3) "Change of address" or other words of similar import means a change of residence or a change for more than thirty (30) days of temporary domicile;

(4) "Criminal justice agency" means a government agency, or any subunit thereof, which is authorized by law to perform the administration of criminal justice, and which allocates more than one-half (1/2) of its annual budget to the

administration of criminal justice;

(5) "Local law enforcement agency having jurisdiction" means the chief law enforcement officer of the municipality in which an offender resides or expects to reside, or the county sheriff if the municipality does not have a chief law enforcement officer, or if an offender resides or expects to reside in an unincorporated area of a county;

(6) "Offender" means a person adjudicated guilty of engaging in a criminal enterprise, § 5-64-414, or acquitted of the offense on the grounds of mental disease or defect;

(7) "Sentencing court" means the judge of the court that sentenced the offender for the offense that triggered registration under this subchapter; and

(8) "Residency" means the place where a person lives notwithstanding that there may be an intent to move or return at some future date to another place.

12-12-1404. Failure to register - Failure to comply with reporting requirements.

(a)(1) A person who fails to register or who fails to report changes of address as required under this subchapter shall be guilty of a Class D felony.

(2) It is an affirmative defense to prosecution if the delay in reporting a change in address is caused by eviction, natural disaster or any other unforeseen circumstance and if the person provides the new address to the Arkansas Crime Information Center in writing no later than five (5) business days after the offender establishes residency.

(b) Any agency or official subject to reporting requirements under this subchapter that knowingly fails to comply with the reporting requirements shall be guilty of a Class B misdemeanor.

12-12-1405. Applicability.

The registration requirements of this subchapter apply to:

(1) A person who is adjudicated guilty of engaging in a criminal enterprise, § 5-64-414, on or after the effective date of this subchapter;

(2) A person who is serving a sentence of incarceration, probation, parole, or other form of community supervision as a result of an adjudication of guilt for engaging in a criminal enterprise, § 5-64-414, on the effective date of this subchapter;

(3) A person who is committed following an acquittal on the grounds of mental disease or defect for engaging in a criminal enterprise, § 5-64-414, on or after the effective date of this subchapter; and

(4) A person who is serving a commitment as a result of an acquittal on the grounds of mental disease or defect for engaging in a criminal enterprise, § 5-

64-414, on or after the effective date of this subchapter.

12-12-1406. Duty to register generally - Review of requirements with offenders.

(a)(1) After the effective date of this subchapter, the sentencing court shall require an offender at the time of the offender's adjudication of guilt to complete the drug offender registration form in the format prepared by the director of the Arkansas Crime Information Center pursuant to § 12-12-1408.

(2) Prior to release, the Department of Correction or the Department of Human Services, whichever is responsible for supervision, shall register an offender who, on the effective date of this subchapter, is confined in a correctional facility or serving a commitment following acquittal on the grounds of mental disease or defect.

(3) No later than thirty (30) days after the effective date of this subchapter, the Department of Correction or the Department of Community Punishment, whichever is responsible for supervision, shall register an offender who, on the effective date of this subchapter, is under supervision in the community on parole, furlough, work release, or a similar program.

(4) An offender moving to or returning to this state from another jurisdiction shall register with the local law enforcement agency having jurisdiction no later than thirty (30) days after the effective date of this subchapter, or thirty (30) days after the offender establishes residency in a municipality or county of this state, whichever is later.

(5) An offender required to register on the basis of an adjudication of guilt prior to the effective date of this subchapter, who is not confined or under supervision on the effective date of this subchapter, shall register with the local law enforcement agency having jurisdiction no later than thirty (30) days after the effective date of this subchapter.

(6) An offender who is under federal supervision in the community on parole, probation, suspended sentence, furlough, work release or a similar program shall register with the local law enforcement agency having jurisdiction no later than thirty (30) calendar days after the effective date of this subchapter.

(b)(1) The registration file of an offender who is confined in a correctional facility or serving a commitment following acquittal on the grounds of mental disease or defect shall be inactive until the registration file is updated by the Department of Correction or the Department of Human Services, whichever is responsible for supervision.

(2) Immediately prior to release or immediately following an escape, the Department of Correction or the Department of Human Services shall update the registration file of the offender who is to be released or who has escaped.

(c)(1) When registering an offender as provided in subsection (a) of this section the Department of Correction, the Department of Community Punishment, the Department of Human Services, the sentencing court, or the local law enforcement agency having jurisdiction shall:

(A) Inform the offender of the duty to register and obtain the information required for registration as described in § 12-12-1407;

(B) Inform the offender that if the offender changes address, the offender shall give the new address to the Arkansas Crime Information Center in writing no later than ten (10) days before the offender establishes residency or is temporarily domiciled at the new address;

(C) Inform the offender that if the offender changes address to another state, the offender shall register the new address with the Arkansas Crime Information Center and with a designated law enforcement agency in the new state not later than ten (10) days before the offender establishes residence or is temporarily domiciled in the new state, if the new state has a registration requirement;

(D) Obtain fingerprints and a photograph of the offender if these have not already been obtained in connection with the offense that triggered registration. If the registration is performed by the sentencing court, the arresting law enforcement agency shall provide the court with a copy of the fingerprints and a photograph of the offender;

(E) Require the offender to complete the entire registration process, including, but not limited to, requiring the offender to read and sign a form stating that the duty of the person to register under this subchapter has been explained;

(F) Inform the offender that if the offender's address changes due to an eviction, natural disaster or any other unforeseen circumstance, the offender shall give the new address to the Arkansas Crime Information Center in writing no later than five (5) business days after the offender establishes residency; and

(G) Inform an offender who has been granted probation, that failure to comply with the provisions of this subchapter shall be grounds for revocation of the offender's probation.

(2) When updating the registration file of an offender, the Department of Correction or the Department of Human Services shall:

(A) Review with the offender the duty to register and obtain current information required for registration as described in § 12-12-1407;

(B) Review with the offender the requirement that if the offender changes address, the offender shall give the new address to the Arkansas Crime Information Center in writing no later than ten (10) days before the offender

establishes residency or is temporarily domiciled at the new address;

(C) Review with the offender the requirement that if the offender changes address to another state, the offender shall register the new address with the Arkansas Crime Information Center and with a designated law enforcement agency in the new state not later than ten (10) days before the offender establishes residence or is temporarily domiciled in the new state, if the new state has a registration requirement;

(D) Require the offender to read and sign a form stating that the duty of the person to register under this subchapter has been reviewed; and

(E) Inform the offender that if the offender's address changes due to an eviction, natural disaster or any other unforeseen circumstance, the offender shall give the new address to the Arkansas Crime Information Center in writing no later than five (5) business days after the offender establishes residency.

12-12-1407. Report to Arkansas Crime Information Center - Report to law enforcement agency.

(a) Within three (3) days after registering or updating the registration file of an offender, the Department of Correction, the Department of Community Punishment, the Department of Human Services, the sentencing court, or the local law enforcement agency having jurisdiction shall report, by written or electronic means, all information obtained from the offender and regarding the offender to the Arkansas Crime Information Center. The Arkansas Crime Information Center shall immediately enter the information into their record system for maintenance in a central registry and notify the local law enforcement agency having jurisdiction.

(b) No later than ten (10) days after release from incarceration or after the date of sentencing, an offender shall report to the local law enforcement agency having jurisdiction and update the information in the registration file. If the offender is not already registered, the local law enforcement agency having jurisdiction shall register the offender in accordance with this subchapter. Within three (3) days after registering an offender or receiving updated registry information on an offender, the local law enforcement agency having jurisdiction shall report, by written or electronic means, all information obtained from the offender to the Arkansas Crime Information Center.

12-12-1408. Registration format - Requirements.

(a) Within sixty (60) days after the effective date of this subchapter, the Director of the Arkansas Crime Information Center shall prepare the format for registration as required in subsection (b) of this section and shall provide instructions for registration to each organized full-time municipal police department, county sheriff's office, the Department of Correction, the Department of Community

Punishment, the Department of Human Services, and the Administrative Office of the Courts.

(b) The registration file required by this subchapter shall include:

(1) The offender's full name and all aliases which the offender has used, or under which the offender has been known;

(2) Date of birth;

(3) Sex;

(4) Race;

(5) Height;

(6) Weight;

(7) Hair and eye color;

(8) Address of any temporary residence;

(9) Anticipated address of legal residence;

(10) Driver's license number or state identification number, if available;

(11) Social Security Number;

(12) Place of employment;

(13) Photograph, if not already obtained;

(14) Fingerprints, if not already obtained;

(15) Date of arrest, arresting agency, offense for which convicted or acquitted, and arrest tracking number for each adjudication of guilt or acquittal on the grounds of mental disease or defect;

(16) A brief description of the crime for which registration is required;

(17) A statement in writing signed by the offender acknowledging that the offender has been advised of the duty to register imposed by this subchapter; and

(18) Any other information that the Arkansas Crime Information Center deems necessary.

12-12-1409. Verification form - Change of address.

(a) For a person required to register as an offender, every six (6) months after the person's initial registration date during the period in which the person is required to register, the following applies:

(1) The Arkansas Crime Information Center shall mail a nonforwardable verification form to the last reported address of the person.

(2) The person shall return the verification form in person to the local law enforcement agency having jurisdiction within ten (10) days after receipt of the form. Within three (3) days after receipt of the form, the local law enforcement agency having jurisdiction shall forward the form to the Arkansas Crime Information Center.

(3) The verification form shall be signed by the person, and state that the person still resides at the address last reported to the Arkansas Crime

Information Center.

(4) If the person fails to return the verification form to the local law enforcement agency having jurisdiction within ten (10) days after receipt of the form, the person shall be in violation of this subchapter, unless the person proves that the person has not changed address.

(b)(1) Before a change of address within the state, an offender shall report the change of address to the Arkansas Crime Information Center no later than ten (10) days before the offender establishes residency or is temporarily domiciled at the new address.

(2) When a change of address within the state is reported to the Arkansas Crime Information Center, the Arkansas Crime Information Center shall immediately report the change of address to the local law enforcement agency having jurisdiction where the offender expects to reside.

(c)(1) Before a change of address to another state, an offender shall register the new address with the Arkansas Crime Information Center and with a designated law enforcement agency in the state to which the person moves not later than ten (10) days before such person establishes residence or is temporarily domiciled in the new state, if the new state has a registration requirement.

(2) When a change of address to another state is reported to the Arkansas Crime Information Center, the Arkansas Crime Information Center shall immediately notify the law enforcement agency with which the offender must register in the new state, if the new state has a registration requirement.

(d) The Arkansas Crime Information Center may require an offender to report a change of address through the local law enforcement agency having jurisdiction.

12-12-1410. Fine.

Unless finding that undue hardship would result, the sentencing court shall assess at the time of sentencing a mandatory fine of two hundred fifty dollars (\$250) on any person who is required to register under this subchapter.

12-12-1411. Drug Offenders Registration Fund.

(a) There is established on the books of the Treasurer of State, Auditor of State, and Chief Fiscal Officer of the State a fund to be known as the Drug Offenders Registration Fund.

(b) This fund shall consist of special revenues collected pursuant to § 12-12-910, there to be used by the Arkansas Crime Information Center for the administration of this subchapter.

(c) Any unexpended balance of this fund shall be carried forward and made available for the same purpose.

12-12-1412. Arrests for violations.

(a) In order for an offender to be charged with the commission of a violation of this subchapter so that an arrest warrant shall be issued, it shall be the duty of the local law enforcement agency having jurisdiction to notify the prosecutor when the local law enforcement agency having jurisdiction has reasonable grounds for believing that an offender is not registered or has not reported a change of address in violation of this subchapter.

(b) The address of an offender as listed in the offender's registration file shall determine which local law enforcement agency has jurisdiction.

(c) A law enforcement officer shall arrest an offender when a warrant has been issued for the offender's arrest or he has reasonable grounds for believing that an offender is not registered or has not reported a change of address in violation of this subchapter.

12-12-1413. Disclosure.

(a) Registration records maintained pursuant to this subchapter shall be open to any criminal justice agency in this state, the United States, or any other state. Registration records may also be open to government agencies authorized by law to conduct confidential background checks.

(b) The name, address, and photograph of the offender shall be public information.

12-12-1414. Notice of release.

(a)(1) The Department of Correction shall provide notice, by written or electronic means, to the Arkansas Crime Information Center of the anticipated release from incarceration in a county or state penal institution of a person serving a sentence for engaging in a criminal enterprise, § 5-64-414.

(2) The Department of Human Services shall provide notice, by written or electronic means, to the Arkansas Crime Information Center of the anticipated release from incarceration of a person committed following an acquittal on the grounds of mental disease or defect for engaging in a criminal enterprise, § 5-64-414.

(b) If available, the notice required in subsection (a) of this section shall be provided to the Arkansas Crime Information Center ninety (90) days before the offender's anticipated release; provided, however, a good faith effort shall be made to provide the notice at least thirty (30) days before release. The notice shall include the person's name, identifying factors, offense history, and anticipated future residence.

(c) Upon receipt of notice, the Arkansas Crime Information Center shall provide notice by written or electronic means to:

(1) The local law enforcement agency having jurisdiction; and

(2) Such other state and local law enforcement agencies as appropriate for public safety.

12-12-1415. Regulations.

(a) The Arkansas Crime Information Center shall promulgate regulations necessary to administer this subchapter.

(b) The Department of Correction, the Department of Community Punishment, the Department of Human Services, and the Administrative Office of the Courts shall promulgate regulations to establish procedures for notifying offenders of the obligation to register pursuant to this subchapter and procedures for registration of those offenders.

12-12-1416. Publication and notice of obligation to register.

(a) The Arkansas Crime Information Center shall cause notice of the obligation to register to be published in a manner reasonably calculated to reach the general public within thirty (30) days after the effective date of this subchapter.

(b) The Office of Driver Services of the Department of Finance and Administration shall provide notice of the obligation to register pursuant to this subchapter in connection with each driver's license issued pursuant to § 27-16-801 and each identification card issued pursuant to § 27-16-805.

12-12-1417. Termination of obligation to register.

(a)(1) An offender required to register under this subchapter may make application to the sentencing court if the person was sentenced in the State of Arkansas, or to the circuit court in the county in which the offender resides if the offender was sentenced in another state, for an order terminating the offender's obligation to register.

(2) The court shall hold a hearing on the application at which the applicant and any interested persons may present witnesses and other evidence.

(3) Not less than twenty (20) days prior to the date of the hearing on the application, a copy of the application for termination of the obligation to register shall be served on the prosecutor of the county in which the adjudication of guilt triggering registration was obtained.

(b) The court shall grant an order terminating the obligation to register upon proof by a preponderance of the evidence that:

(1) The applicant has not been adjudicated guilty a violation of the Uniform Controlled Substance Act within fifteen (15) years after the person was released from prison or other institution, placed on parole, supervised release, or probation; and

(2) The applicant is not likely to pose a threat to the safety of others.

12-12-1418. Immunity from civil liability.

(a) Public officials, public employees, and public agencies are immune from civil liability for good faith conduct under this subchapter.

(b) This section shall also apply to persons or organizations assisting public officials, public employees, and public agencies in performing their official duties upon a written request to assist them by the public official, public employee or public agency."

/s/ Bobby Lee Trammell

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Adams, **HOUSE BILL NO. 2183** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 2183**

Amend **HOUSE BILL NO. 2183** as originally introduced:

Add Senator Faris as a cosponsor of the bill

AND

Page 1, delete lines 28 through 34 and substitute the following:

"(1) Class B Felony if value is one hundred thousand dollars (\$100,000) or more;

(2) Class C Felony if value at least fifty thousand dollars (\$50,000) but less than one hundred thousand dollars (\$100,000);

(3) Class D Felony if value is at least one thousand dollars (\$1,000) but less than fifty thousand dollars (\$50,000); or

(4) Class A misdemeanor if value is less than one thousand dollars (\$1,000)

(c) For purposes of this section, "trade secret" means the whole or any portion of any valuable scientific, technical information including a formula, pattern compilation, program, device, method, technique process, procedure, or improvement that is not accessible to persons other than those selected by the owner and derives independent economic value, actual or potential, from not being generally known and not being readily accessible or ascertainable by proper means."

/s/ Bob Adams

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative T. Steele, **HOUSE BILL NO. 2527** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 2527**

Amend **HOUSE BILL NO. 2527** as originally introduced:

Add Representatives Dees, Lendall, Altes, Bledsoe as co-sponsors of the bill

AND

Page 1, delete line 6 and substitute the following:

"By: Senators B. Walker, Critcher, Fitch, Gullett"

AND

Page 1 delete lines 25 through 36 and substitute the following:

"SECTION 1. Arkansas Code 20-76-105(c) and (d), concerning the creation of the Arkansas Transitional Employment Board, are amended to read as follows:"

AND

Page 2, delete lines 1 through 13 in their entirety

AND

Page 2, delete line 23 and substitute the following:

"(D) ~~Ten (10)~~ Five (5) members of the board shall"

AND

Page 2, delete lines 25 through 28 and substitute the following:

"(E) Only the nine (9) appointed members ~~and the six (6) agency directors will~~ shall serve as voting members."

AND

Page 4, delete line 23 and substitute the following:

"(21) The Arkansas Transitional Employment Board shall utilize the expertise of the Arkansas Workforce Investment Board to jointly:

(A) Develop a plan for contracting with state agencies, two-

AND

Page 4, delete line 25 and substitute the following:

"organizations to establish, using available Temporary Assistance for Needy Families funds, at least three (3) demonstration projects, to"

AND

Page 5, delete lines 15 through 21 and substitute the following:

"(C) The board may authorize one (1) or more of the following actions if the board certifies to the Governor and the Chief Fiscal Officer of the State, and notifies the Legislative Council and the House and Senate Interim Committees on Public Health Welfare, and Labor that the action is necessary to avoid overspending the biennial budget for child care:

(i) An increase in the copayment schedule for transitional child care;

(ii) An allocation of further Temporary Assistance to Needy Families funds;

(iii) A reduction of a total of twenty-four (24) months in the transitional child care assistance available to temporary employment assistance recipients who leave assistance after the reduction; or

(vi) A reduction in the spending cap for low income child care."

AND

Page 5, delete lines 21 through 36 and substitute the following:

"care.

(23)(A) Oversee and coordinate the operation of the local transitional employment assistance coalitions with the goals of continuing their strong contributions to the success of transitional employment assistance recipients, former transitional employment assistance recipients and the transitional employment assistance program, including recruiting new members, arranging training so that coalition officers and members can understand the resources and services available to further their mission, fostering collaboration with workforce investment boards, and assisting transitional employment assistance coalitions to obtain available funding from state, local, private and non-profit sources to support their activities.

(B) The board shall distribute any state funds available to the transitional employment assistance coalitions on a competitive basis."

AND

Page 6, delete lines 1 through 36 in their entirety

AND

Page 7, delete lines 1 through 36 in their entirety

AND

Page 8, delete lines 1 through 20 in their entirety

AND

Page 9, delete line 24 in its entirety

AND

Page 9, delete lines 25 through 31 and substitute the following:

"SECTION 3. Arkansas Code 20-76-105, concerning the creation of the Arkansas Transitional Employment Board, is amended by adding the following new subsections:

(n) The Department of Human Services shall develop and maintain the indicators for the program outcomes subject to review and approval by the board.

(o)(1) The Department of Human Services shall develop proper targets for each program outcomes by July 1 of each year. Beginning with July 1, 2002, subject to review and approval by the board.

(2) The board shall adopt the targets at the first meeting after July 1 of each year."

AND

Page 9 line 32, delete "(2)" and substitute "(3)"

AND

Page 9, line 34, delete "(3)" and substitute "(4)"

AND

Page 10, delete line 2 and substitute the following:

"the program outcome targets.

(p) Minutes of the board's meetings, including attendance records, shall be submitted to the Governor and to the chairs of the House and Senate Interim Committees on Public Health, Welfare, and Labor after each meeting of the board."

AND

Page 10, line 4, delete "SECTION 3." and substitute "SECTION 4."

AND

Page 14, line 33, delete "SECTION 4." and substitute "SECTION 5."

AND

Page 14 line 34, delete "August" and substitute "September"

AND

Page 16, delete lines 1 and 2 and substitute the following:

~~"(8) Effectiveness of incentives designed to promote business participation in the program;"~~

AND

Page 16, line 3, delete "~~(9)(8)~~" and substitute "~~(9)(7)~~"

AND

Page 16, line 7, delete "~~(10)(9)~~" and substitute "~~(10)(8)~~"

AND

Page 16, line 10, delete "~~(11)(10)~~" and substitute "~~(11)(9)~~"

AND

Page 16, line 14, delete "~~(12)(11)~~" and substitute "(10)"

AND

Page 16, line 21, delete "SECTION 5" and substitute "SECTION 6."

AND

Page 19, delete line 2 and substitute the following:

"SECTION 7. Arkansas Code 20-76-404(e), concerning the duration of

transitional employment assistance, is amended to read as follows:

(e)(1) A recipient who was eligible for Medicaid and loses his or her financial assistance due to earnings and whose income remains below one hundred eighty-five percent (185%) of the federal poverty level shall remain eligible for transitional Medicaid ~~and child care assistance~~ without reapplication during the immediately succeeding twelve-month period if private medical insurance is unavailable from the employer.

(2) A recipient who loses his or her financial assistance due to earnings and who is employed shall be eligible for:

(A) Child care assistance at no cost and without reapplication for a cumulative period of twelve (12) months; and

(B) Twenty-four (24) additional months of child care assistance shall be provided on a sliding fee scale or other cost-sharing arrangement as determined by the ~~department~~ board.

(3) The board may reduce the period of transitional child care to a total of twenty-four (24) months for recipients who lose assistance at a specified date after the board's decision to limit the assistance, if the board certifies to the Governor and the Chief fiscal Officer of the State that the reduction is necessary to avoid overspending the biennial budget for child care.

(4) The transitional child care assistance available to former recipients shall not exceed the cumulative number of months provided under subdivisions (e)(2) and (3) of this subsection, regardless of whether the former recipient re-enters the transitional employment assistance program."

SECTION 8. Arkansas Code 20-76-404(i), concerning home visits"

AND

Page 19, delete lines 14 and 15 and substitute the following:

"(1) By August 1, 2001, the department shall develop a plan, subject to review and approval by the board, to monitor and protect the safety and well-being of the"

AND

Page 19, line 28, delete "board" and substitute "department"

AND

Page 19 delete line 36 in its entirety

AND

And Page 20, delete lines 1 through 7 and substitute the following:

"SECTION 9. Arkansas Code 20-76-410(c)(1) is amended to read as follows:

(c)(1) If a parent is sanctioned for noncompliance with the Transitional Employment Assistance Program requirements, financial assistance for the child or

~~children in a family who are under age eighteen (18) shall may be continued. The Department of Human Services shall develop procedures in such instances to ensure the well-being of the child or children. Such procedures may include, but not be limited to, reduced assistance to the parent, designation of a protective payee, referral to the Division of Children and Family Services of the Department of Human Services as a dependent-neglect case, or any other procedures necessary to protect the child or children from risk of neglect, as defined in § 12-12-503(6).~~

(A)(i) After making reasonable efforts to determine that the transitional employment assistance recipient understands the requirement and does not face unknown barriers to compliance, the department may withhold the family's financial assistance for one (1) month.

(ii) If the parent comes into compliance within thirty (30) days and maintains compliance for two (2) weeks, the full financial assistance shall be paid to the parent.

(iii) During the thirty (30) days, the department shall arrange a home visit to the family to determine the well-being of the child or children, to determine if additional services are required to protect the well-being of the children and to ensure that the parent understands the requirement and the consequences of non-compliance.

(B) If the parent fails to come into compliance in thirty (30) days, the family's financial assistance may be reduced:

(i) By up to twenty-five percent (25%) for the second and third months of noncompliance;

(ii) By up to fifty percent (50%) in the fourth through six months of noncompliance; and

(iii) By up to one hundred percent (100%) after the sixth month of noncompliance.

(C) The department shall arrange a home visit with the family after the sixth month of noncompliance to determine the well-being of the child or children and to determine if additional services are required to protect the well-being of the children.

(D) Medicaid and food stamp benefits shall be continued without need for re-application if the family is being sanctioned and for as long as the family remains eligible under the requirements of those programs.

(E) Department staff may conduct home visits to sanctioned families or they may contract with other state agencies, transitional employment assistance coalitions or appropriate community organizations to perform this function.

(F) The department shall submit biannual reports, beginning January 1, 2002, on the families sanctioned and the outcomes of the home visits to the Governor and the House and Senate Interim Committees on Public Health, Welfare, and Labor."

AND

Page 20, line 9, delete "SECTION 7." and substitute "SECTION 10."

AND

Page 20, line 27, delete "SECTION 8." and substitute "SECTION 11."

AND

Page 20, delete line 29 and substitute the following:

"(a) At the end of each cost allocation close-out period following the end"

/s/ Tracy Steele

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Holt, **HOUSE BILL NO. 2538** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 2 TO HOUSE BILL NO. 2538**

Amend **HOUSE BILL NO. 2538** as engrossed, H3/15/01:

Page 4, line 23, delete "ten (10)" and substitute "twenty (20)"

AND

Page 4, line 24, delete "ten (10)" and substitute "twenty (20)"

AND

Page 4, line 26, delete "stored to" and substitute "stored, or the State Claims Commission if the vehicle was removed by or at the direction of a state agency, to"

AND

Page 4, line 29, delete "petition shall" and substitute "petition filed in circuit court shall"

AND

Page 4, line 31, delete "petition may" and substitute "petition filed in circuit court shall"

AND

Page 4, line 34, delete "court a" and substitute "court or State Claims Commission a"  
AND

Page 5, line 2, delete "court shall" and substitute "court or the State Claims Commission shall"

AND

Page 5, line 11, delete "for loss" and substitute "for known loss"

AND

Page 5, line 14, delete "court shall" and substitute "court or the State Claims Commission shall"

AND

Page 5, line 15, delete "fees, along with reasonable" and substitute "fees, and the circuit court may provide for reasonable"

AND

Page 5, line 16, delete "lienholder or" and substitute "lienholder or the towing company or"

AND

Page 6, line 35, delete "right to" and substitute "right for twenty (20) days to"

AND

Page 6, line 36, delete "jurisdiction." and substitute "jurisdiction or the State Claims Commission."

/s/ Jim L. Holt

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw  
Chief Clerk

Upon motion of Representative King, **HOUSE BILL NO. 2498** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 2498**

Amend **HOUSE BILL NO. 2498** as originally introduced:

Delete the Title and substitute the following:

"AN ACT TO STUDY THE FEASIBILITY OF THE STATE OF ARKANSAS JOINING A REGIONAL CONSORTIUM FOR PURCHASING MEDICINES; TO ESTABLISH THE JOINT LEGISLATIVE COMMISSION ON PRESCRIPTION DRUG COSTS; TO AUTHORIZE THE DEPARTMENT OF HUMAN SERVICES TO SEEK APPROVAL FOR FEDERALLY-QUALIFIED HEALTH CENTERS; AND FOR OTHER PURPOSES."

AND

Delete the Subtitle and substitute the following:

"AN ACT TO STUDY THE STATE'S JOINING A REGIONAL CONSORTIUM FOR PURCHASING MEDICINES AND TO ESTABLISH THE JOINT LEGISLATIVE COMMISSION ON PRESCRIPTION DRUG COSTS."

and

Delete everything after the Enacting clause and substitute the following:

"SECTION 1. (a) There is created the Joint Legislative Commission on Prescription Drug Costs which shall have four (4) legislative members appointed by the Speaker of the House of Representatives and three (3) legislative members appointed by the President Pro Tempore of the Senate.

(b) The commission may:

(1) Explore strategies by which Arkansas and other states in the region might work cooperatively to reduce prescription drug costs and prices for their citizens;

(2) Develop proposals for uniform legislation, interstate compacts, and any other legislative proposals relating to prescription drugs, for introduction in the legislatures of the several states;

(3) Consider the formation of a regional purchasing consortium to use the full purchasing power of the states who are members of the consortium to obtain lower prices for prescription drugs;

(4) Report to the Legislative Council by July 1 of each year on any findings and recommendations relating regional prescription drug purchasing consortium; and

(5) Conduct any other activity the commission deems necessary or desirable in carrying out the purposes of this section.

SECTION 2. (a) The House and Senate Interim Committees on Public Health, Welfare, and Labor shall hire an independent consultant to conduct a study to determine the feasibility of aggregating the purchase and distribution of prescription drugs for all of the following:

- (1) Participants in the Medicaid program;
- (2) Enrollees in the Medicare program;
- (3) Members and others who purchase health care services through the health benefits program of the public employees' benefits board;
- (4) Any other individuals on whose behalf the state, county, or local government entity provides funds or services, in whole or in part, for the purchase of prescription drugs or prescription drug benefits;
- (5) Arkansas residents fifty-five (55) years of age or older who have limited or no insurance coverage for prescription drugs; and
- (6) Arkansas residents less than fifty-five (55) years of age who have limited or no insurance coverage for prescription drugs.

(b) The study shall assess the feasibility of this state joining a regional governmental purchasing consortium for the purpose of purchasing pharmaceuticals and other medical supplies at reduced prices.

(c)(1) The study shall specifically and separately assess the feasibility of including in the aggregate large Arkansas private sector purchasers of prescription drugs.

(2) The study shall assess the possible effects that the inclusion of these purchasers could have on the economy, specifically related to prescription drug manufacturers, biotechnology firms, and pharmacies, and shall evaluate the extent to which inclusion of these purchasers would be marginally cost-effective relative to the aggregate specified in subsection (1) of this section.

(d)(1) The study shall determine the impact that an aggregate purchasing program would have on the Medicaid contract drug program, including the extent to which the purchasing program would increase or reduce the net cost of drugs in the Medicaid program.

(2) The study shall recommend the optimal configuration, if any, of an aggregate purchasing program, based on the following factors:

- (A) The state's funding capabilities;
- (B) The extent to which the program could be implemented in accordance with existing federal law; and
- (C) The extent to which the program would not reduce the scope of benefits, or access to medically necessary medications for program participants.

(e) If an alternative program is deemed feasible, the study shall identify the number of individuals who would be eligible or required to participate in the alternative program, and the specific steps that would be necessary to implement the alternative program, including any necessary changes to state law.

(f) Nothing in this section shall permit, or be construed to permit, a breach of the confidentiality of contracts or agreements between the Medicaid program and pharmaceutical manufacturers.

(g)(1) The commission shall submit the results of the study to the Legislative Council and the Governor by July 1, 2002.

(2) If the results of the study indicate that the program is not feasible or would result in a reduction in the quality of care for program beneficiaries, that fact shall be clearly stated.

(3) A program proposed under this section shall not be implemented without enactment of a statute.

(h) The commission shall expire November 1, 2002.

### SECTION 3. Federally-qualified health centers.

(a) It is the purpose of this section to assist Arkansans to purchase prescription drugs at the lowest possible cost, and to advance Arkansas's goal of affordable access to quality health care for all Arkansans through the expansion and development of federally-qualified health centers throughout this state.

(b) The General Assembly finds that an appropriate expansion of federally-qualified health care centers can:

(1) Empower communities to create a system of universal access to primary health care that people need;

(2) Create a partnership between Arkansans who use health care services and Arkansans who provide those services;

(3) Reduce health care costs for patients through administration of an income-based sliding scale fee schedule for primary health care services;

(4) Expand access to health care in medically-underserved areas, and reduce cost shifting to private health insurance plans through a service-based reimbursement schedule for primary health care providers that is determined by the reasonable cost of the services provided; and

(5) Reduce health care costs for individuals, businesses and government through access to the federal supply schedule's substantially discounted prescription drug prices.

(c)(1) Within forty-five (45) days of the effective date of this act, the Department of Human Services shall request from the federal government medically-underserved area designations, and any other designation or approval

needed to establish federally qualified health centers or other entities permitted to access the federal supply schedule for prescription drugs in all appropriate regions of the state of Arkansas not so designated on the effective date of this act, and to take all steps necessary to secure such designations and approvals.

(2) The department shall submit a report of its progress to the Legislative Council and the Governor by July 1, 2002."

/s/ Barbara King

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw  
Chief Clerk

Upon motion of Representative King, **HOUSE BILL NO. 2499** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 2499**

Amend **HOUSE BILL NO. 2499** as originally introduced:

Page 1, line 12, delete "SIXTY" and substitute "SIXTY-FIVE"

AND

Page 1, line20, delete "SIXTY" and substitute "SIXTY-FIVE"

AND

Delete Everything after the Enacting clause and substitute the following:

"SECTION 1. Definitions.

For purposes of this act:

(1)(A) "Eligible person" means a person, sixty-five (65) years of age or older, with an annual net income of not more than one hundred percent (100%) of the federal poverty level, as defined by the most recent poverty income guidelines published by the United States Department of Health and Human Services; or a person, sixty-five (65) years of age or older, who with the person's spouse has an annual net income of not more than one hundred percent (100%) of the federal poverty level, as defined by the most recent poverty income guidelines published by the United States Department of Health and Human Services.

(B) "Eligible person" does not include a person who is eligible for financial assistance for the purchase of prescription drugs under another local, state, or federal program to the extent that the other program provides financial assistance for the purchase of prescription drugs; and

(2) "Program" means the senior pharmaceutical assistance program established in this act.

SECTION 2. Senior pharmaceutical assistance program established.

(a) A senior pharmaceutical assistance program is established within the Department of Human Services to provide, as funds become available, for subsidization of the prescription drug costs of eligible persons.

(b) The department shall adopt regulations to implement this act, including:

(1) A means to determine the eligibility of a person, including proof or the person's actual and anticipated annual net income, evidence of complete or partial payment for the costs of prescription drugs from a provider other than the program, and other provisions deemed relevant by the department;

(2) The program application form, which shall be accompanied by proof of the date of birth of the person;

(3) Upon approval of an application, issuance by the department of a participation card, which shall act as a form of identification for proving eligibility;

(4) Prescription copayment and deductible amount;

(5) Pharmacist case management;

(6) Outreach efforts to build public awareness of the program and maximize the enrollment of eligible residents; and

(7) Procedures for adjusting the requirements and terms of the program to accommodate any new federally funded prescription drug programs.

(c) In establishing copayment and deductible amounts, the goal of the department shall be to provide a benefit to the greatest number of eligible persons.

(d) The department may negotiate group discounts or utilize other methods to reduce the cost of prescription drugs provided under the program.

(e) The department may establish a pharmaceutical assistance education program to provide information regarding options for pharmaceutical assistance.

(f) The department shall submit a report on its progress to the Legislative Council and the Governor by July 1, 2002."

/s/ Barbara King

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Rodgers, **HOUSE BILL NO. 2271** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 2271**

Amend **HOUSE BILL NO. 2271** as originally introduced:

Page 1, line 10, delete "FLORESCENT" and substitute "FLUORESCENT"

AND

Page 1, line 16, delete "FLORESCENT" and substitute "FLUORESCENT"

AND

Page 1, line 33, delete "florescent" and substitute "fluorescent"

/s/ Sandra Rodgers

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Hendren, **HOUSE BILL NO. 2646** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 2 TO HOUSE BILL NO. 2646**

Amend **HOUSE BILL NO. 2646** as engrossed, H3/12/01:

Page 1, line 33, add "or she" after "he" and before "elects"

AND

Page 3, line 35, delete "both" and substitute "~~both~~"

/s/ Kim Hendren

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Judy, **HOUSE BILL NO. 2511** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2511

Amend **HOUSE BILL NO. 2511** as originally introduced:

Page 1, delete lines 28 through 31 and substitute the following:

"(C) Issue and serve citations for violations of ~~any state law prohibiting the illegal dumping of solid waste with said authority limited to violations of illegal dumping not occurring on an individual's own property~~ the Arkansas Solid Waste Management Act."

/s/ Jan Judy

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Goss, **HOUSE BILL NO. 1973** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1973

Amend **HOUSE BILL NO. 1973** as originally introduced:

Page 3, delete lines 23 through 27 and substitute:

"(b) Upon completion of the examination at a local mental health clinic or center, the court may commit the defendant to the state hospital for further examination and observation if the court determines in its sole discretion that the further examination and observation is warranted. The"

AND

Page 4, delete line 25 and substitute:

"not exceeding one (1) month, or until a time as the Director"

AND

Page 8, line 17, delete "(a)"

AND

Page 8, delete lines 25 through 36

AND

Page 9, delete lines 1 through 12

/s/ Kevin Goss

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Teague, **HOUSE BILL NO. 2397** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 2 TO HOUSE BILL NO. 2397**

Amend **HOUSE BILL NO. 2397** as engrossed, H3/7/01:

Add Representative Milum as a cosponsor of the bill

AND

Page 1, line 11, delete "WIRE, ORAL" and substitute "WIRE, LANDLINE, ORAL"

AND

Page 1, line 17, delete "WIRE, ORAL" and substitute "WIRE, LANDLINE, ORAL"

AND

Page 1, line 26, delete "wire, oral" and substitute "wire, landline, oral"

AND

Page 2, delete line 19 and substitute the following:

"utilities or a Federal Communications Commission licensed amateur radio operator."

AND

Page 2, line 20, insert an additional subsection to read as follows:

"(e) Nothing in this section shall be interpreted to prohibit or restrict a Federal Communications Commission licensed amateur radio operator or anyone operating a police scanner from intercepting communications for pleasure."

/s/ Larry R. Teague

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Verkamp, **HOUSE BILL NO. 1783** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1783**

Amend **HOUSE BILL NO. 1783** as originally introduced:

Delete everything after the Enacting Clause and substitute:

"SECTION 1. For purposes of this act:

(1) "Sex crime" means any offense described in Arkansas Code Title 5, Chapter 14 or Chapter 70; and

(2) "Relevant medical records" means those medical records of the person charged with having committed a sex crime which contain information that may reveal a health risk to the victim.

SECTION 2. (a)(1) The prosecuting attorneys of this state, through a warrant issued by a judicial officer under Rule 13, Arkansas Rules of Criminal Procedure, are entitled access to the relevant medical records of any person charged with having committed a sex crime against another person which act could have exposed the victim to a disease carried by the alleged offender.

(2)(A) An application by a prosecuting attorney for relevant medical records shall describe with particularity the person whose relevant medical records are to be obtained, and shall be supported by one (1) or more affidavits or recorded testimony before a judicial officer particularly setting forth the facts and circumstances tending to show that such a person may present a danger to the health of a victim of a crime.

(B) If the judicial officer finds that the application meets the requirements of this subdivision (2) and that, on the basis of the proceeding before the judicial officer, there is reasonable cause to believe that the relevant medical records should be disclosed, the judicial officer shall issue a warrant directing disclosure of those records to the prosecuting attorney.

(b) Persons having custody of the relevant medical records shall grant access to the prosecuting attorneys, upon service of the warrant, and shall not be subject to any liability for granting the access.

(c)(1) If, after reviewing the medical records, the prosecuting attorney determines that the victim is subject to a health risk as a result of the crime, the prosecuting attorney may convey that health risk information to the victim, and the prosecuting attorney shall not be subject to any liability for disclosing that health risk information to the victim.

(2) The prosecuting attorney may only disclose that health risk information to the victim or, in the event the victim is a minor or is mentally

incompetent, then only to the victim's parents or legal guardians.

(d) The prosecuting attorney shall not be subject to any liability to the victim for failing to obtain the medical records or failing to disclose health risk information to the victim.

(e) This act does not repeal nor supercede any rule of evidence or rule of criminal procedure which would allow the admissibility of medical records as evidence in criminal proceedings."

/s/ John P. Verkamp

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw  
Chief Clerk

Upon motion of Representative Dees, **HOUSE BILL NO. 2454** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 2454**

Amend **HOUSE BILL NO. 2454** as originally introduced:

Delete everything following the enacting clause and substitute the following:

"SECTION 1. (a) The General Assembly of the State of Arkansas designates that the community-based education centers created by Act 228 of 1991, meet the definition of "local education agencies" by virtue of the fact that it is a public authority, legally constituted within this state to perform a service function for a public elementary and secondary school in school districts and other political subdivisions of the state, or such combination of school districts or counties which are recognized by the General Assembly as administrative agents for public elementary and secondary schools.

(b) This act intends to recognize the function of the community-based education centers and to provide eligibility to community-based education centers to receive federal funds."

/s/ Joyce Dees

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw  
Chief Clerk

Upon motion of Representative Bevis, **HOUSE BILL NO. 2422** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 3 TO HOUSE BILL NO. 2422**

Amend **HOUSE BILL NO. 2422** as engrossed, H3/21/01:

Page 3 delete Section 3 and substitute the following:

“SECTION 3. Arkansas Code 15-22-905(2) is amended to read as follows:

(2)(A) ~~There~~ In an alluvial aquifer, there will be no reduction or limitation of the withdrawal of groundwater from wells for which a water right has been issued under § 15-22-910 and for which the person holding the right can demonstrate:

~~(A)~~(i) A reduction of twenty percent (20%) of his or her use of groundwater by either institution of water conservation measures or conversion to surface supplies. ~~(ii)~~ The demonstrated reduction must be based on the use reported in water year 1986 or later; or

~~(B)~~(ii) The implementation of a water conservation plan employing generally accepted water conservation practices approved by the commission;.

(B) In sustaining aquifers, the commission may consider voluntary reductions, water use efficiencies, and implementation of water conservation measures in determining limitations or reduction of withdrawals.”

/s/ Bill Bevis

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw  
Chief Clerk

Upon motion of Representative Gillespie, **HOUSE BILL NO. 2492** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 2492**

Amend **HOUSE BILL NO. 2492** as originally introduced:

Delete the Title and substitute the following:

“AN ACT TO AMEND ARKANSAS CODE 26-52-301 TO EXEMPT CERTAIN LANDSCAPING AND LAWN CARE SERVICES FROM THE ARKANSAS GROSS RECEIPTS TAX; AND FOR OTHER PURPOSES.”

AND

Delete the Subtitle and substitute the following:

“AN ACT TO EXEMPT CERTAIN LANDSCAPING AND LAWN CARE SERVICES FROM THE ARKANSAS GROSS RECEIPTS TAX.”

AND

Delete Section 1 of the Bill and substitute the following:

“SECTION 1. Arkansas Code 26-52-301(3)(E), concerning services subject to Arkansas Gross Receipts Tax, is amended to read as follows:

(E)(i) Service of providing transportation or delivery of money, property, or valuables by armored car; service of providing cleaning or janitorial work; service of pool cleaning and servicing; pager services; telephone answering services; lawn care and landscaping services, unless exempt under subdivision (3)(E)(ii); service of parking a motor vehicle or allowing the motor vehicle to be parked; service of storing a motor vehicle; service of storing furs; service of providing indoor tanning at a tanning salon.

(ii) ~~[Repealed]~~. The tax levied by this section does not apply to lawn care and landscaping services performed for the state or for a county or municipality on the right-of-way of a public road, street, or highway.

(iii) For purposes of this section:

(a) "Landscaping" means the installation, preservation, or enhancement of ground covering by planting trees, bushes and shrubbery, grass, flowers, and other types of decorative plants; and

(b) "Lawn care" means the maintenance, preservation, or enhancement of ground covering of nonresidential property and does not include planting trees, bushes and shrubbery, grass, flowers, and other types of decorative plants.

(c) "Residential" means a single family residence used solely as the principal place of residence of the owner;”

/s/ Jeff Gillespie

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Hausam, **HOUSE BILL NO. 2451** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 2451**

Amend **HOUSE BILL NO. 2451** as originally introduced:

Page 2, line 12, delete "forty-five (45)" and substitute "sixty (60)"

AND

Page 2, line 13, delete "twenty (20)" and substitute "thirty (30)"

/s/ David Hausam

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative David Hausam, **HOUSE BILL NO. 2278** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 2278**

Amend **HOUSE BILL NO. 2278** as originally introduced:

Add Senator Brown as a cosponsor of the bill

AND

Page 1, line 28, insert an additional sentence immediately following the period to read as follows: "In the case of pre-payments, the maximum commission shall be the lesser of one and one-half percent (1-1/2%) or fifty dollars (\$50.00)."

AND

Page 1, line 35, add an additional sentence immediately following the period to read as follows: "In the case of pre-payments, the maximum commission shall be the lesser of one and one-half percent (1-1/2%) or fifty dollars (\$50.00)."

AND

Page 2, line 6, insert an additional sentence immediately following the period to read as follows: "In the case of pre-payments, the maximum commission shall be the lesser of one and one-half percent (1-1/2%) or fifty dollars (\$50.00)."

/s/ David Hausam

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Hunt, **HOUSE BILL NO. 2500** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 2500**

Amend **HOUSE BILL NO. 2500** as originally introduced:

Page 3, delete lines 5 through 13 and substitute the following:

"(1) Funds approved by the General Assembly;

(2) Grants, gifts and donations received by the state for the purposes of this act;

(3) Agency investments toward enterprise projects; and

(4) Savings accrued as a result of centralized multiple agency projects into an enterprise project."

/s/ Russ Hunt

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Womack, **HOUSE BILL NO. 2579** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 2579**

Amend **HOUSE BILL NO. 2579** as originally introduced:

Delete everything after the enacting clause and substitute:

"SECTION 1. Arkansas Code 7-2-102 is amended to read as follows:

7-2-102. First Congressional District.

The First Congressional District shall be composed of the counties of: ~~Arkansas~~, Baxter, Clay, Cleburne, Craighead, Crittenden, Cross, Fulton, Greene, Independence, IZARD, Jackson, Lawrence, ~~Lee~~, Lonoke, Marion, Mississippi, ~~Monroe~~, ~~Phillips~~, Poinsett, Prairie, Randolph, ~~St. Francis~~, Searcy, Sharp, Stone, Van Buren, White, and Woodruff; and the qualified electors residing therein shall elect one (1) member of the House of Representatives of the United States.

SECTION 2. Arkansas Code 7-2-103 is amended to read as follows:

7-2-103. Second Congressional District.

The Second Congressional District shall be composed of the counties of: Conway, Faulkner, Johnson, Newton, Perry, Pope, Pulaski, Saline, ~~Van Buren~~, ~~White~~, and Yell; and the qualified electors residing therein shall elect one (1) member of the House of Representatives of the United States.

SECTION 3. Arkansas Code 7-2-104 is amended to read as follows:

7-2-104. Third Congressional District.

The Third Congressional District shall be composed of the counties of: ~~Baxter~~, Benton, Boone, Carroll, Crawford, Franklin, Howard, Little River, ~~Johnson~~, Logan, Madison, ~~Marion~~, ~~Newton~~, Polk, ~~Pope~~, Scott, Sebastian, Sevier, and Washington; and the qualified electors residing therein shall elect one (1) member of the House of Representatives of the United States.

SECTION 4. Arkansas Code 7-2-105 is amended to read as follows:

7-2-105. Fourth Congressional District.

The Fourth Congressional District shall be composed of the counties of: Arkansas, Ashley, Bradley, Calhoun, Chicot, Clark, Cleveland, Columbia, Dallas, Desha, Drew, Garland, Grant, Hempstead, Hot Spring, ~~Howard~~, Jefferson, Lafayette, ~~Little River~~, Lee, Lincoln, Miller, Monroe, Montgomery, Nevada, Ouachita, Phillips, Pike, ~~Sevier~~, St. Francis, and Union; and the qualified electors residing therein shall elect one (1) member of the House of Representatives of the United States."

/s/ Shawn Womack

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Womack, **HOUSE BILL NO. 1020** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1020**

Amend **HOUSE BILL NO. 1020** as originally introduced:

Page 1, line 10, delete "ELECTED" and substitute "COUNTY"

AND

Page 1, line 14, delete "ELECTED" and substitute "COUNTY"

AND

Delete Section 1 and substitute:

"SECTION 1. (a) Each county may impose term limits upon county officials.

(b)(1) The county quorum courts may call an election to establish term limits for county officials.

(2) The election shall be held within one hundred twenty (120) days of the ordinance calling the election.

(c)(1) If petitions are filed requesting an election on the question of establishing term limits, the quorum court shall submit the question to the electors.

(2) The petitions must be signed by a number of the legal voters in the county which shall be no less than fifteen percent (15%) of the number of votes cast for the office of circuit clerk at the last preceding general election.

(3) The election shall be held within one hundred twenty (120) days of the filing of the petitions.

(d) The quorum courts shall notify their respective county boards of election commissioners that the measure has been referred to the vote of the people and shall submit a copy of the ballot title to their respective boards.

(e) The ballot title to be used shall be substantially in the following form:

[ ] "FOR adoption of term limits for ..... years."

[ ] "AGAINST adoption of term limits for ..... years.""

/s/ Shawn Womack

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Carson, **HOUSE BILL NO. 2585** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 2 TO HOUSE BILL NO. 2585**

Amend **HOUSE BILL NO. 2585** as engrossed, H3/19/01:

Page 1, line 12, between the semicolon and "AND", add:

"TO AMEND ARKANSAS CODE 26-52-401 CONCERNING EXEMPTIONS FOR VARIOUS PRODUCTS FROM THE ARKANSAS GROSS RECEIPTS TAX;"

AND

Page 3, delete line 4 and substitute the following:

"for a railroad rehabilitation and improvement financing loan from the Federal Railroad Administration and that who has applied to the authority for a credit risk premium loan under this subchapter;"

AND

Page 3, lines 22 and 23, delete "by majority vote of the Board of Directors of the Arkansas Development Finance Authority"

AND

Page 5, line 23, delete "motor fuel" and substitute "distillate special fuel and petroleum products"

AND

Page 6, line 6, add "under this subchapter" between "loan" and the period

AND

Page 6, line 12, delete "of the state"

AND

Page 6, line 23, delete "year" and substitute "year together with a reasonable reserve for future losses"

AND

Page 7, line 25, add the following:

"SECTION 2. Arkansas Code 26-52-401(11), concerning an exemption from the Arkansas Gross Receipts Tax Act, is amended to read as follows:

(11)(A) Gross receipts or gross proceeds derived from the sale of:

(i) Gasoline or motor vehicle fuel on which the motor vehicle fuel or gasoline tax has been paid to the State of Arkansas; and

(ii) Special fuel or petroleum products sold for consumption by vessels, barges, and other commercial watercraft ~~and railroads~~.

(B) Nothing in this subdivision shall exempt gasoline from the wholesale gross receipts tax imposed pursuant to Act 1005 of 1995."

/s/ Jo Carson

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Judy, **HOUSE BILL NO. 1044** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 2 TO HOUSE BILL NO. 1044**

Amend **HOUSE BILL NO. 1044** as engrossed, 03/20/2001:  
delete on page one the sponsor(s) and substituting therefor "Joint Budget Committee".

/s/ George French

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw  
Chief Clerk

Upon motion of Representative Milligan, **HOUSE BILL NO. 1668** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1668**

Amend **HOUSE BILL NO. 1668** as originally introduced:  
delete on page one the sponsor(s) and substituting therefor "Joint Budget Committee".

/s/ George French

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw  
Chief Clerk

Upon motion of Representative House, **HOUSE BILL NO. 1718** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1718**

Amend **HOUSE BILL NO. 1718** as originally introduced:

Delete on page one the sponsor(s) and substituting therefor "Joint Budget Committee".

/s/ George French

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Biggs, **HOUSE BILL NO. 1742** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1742**

Amend **HOUSE BILL NO. 1742** as originally introduced:

Delete on page one the sponsor(s) and substituting therefor "Joint Budget Committee".

/s/ George French

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Verkamp, **HOUSE BILL NO. 1782** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1782**

Amend **HOUSE BILL NO. 1782** as originally introduced:  
delete on page one the sponsor(s) and substituting therefor "Joint Budget Committee".

/s/ George French

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw  
Chief Clerk

Upon motion of Representative Carson, **HOUSE BILL NO. 1893** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1893**

Amend **HOUSE BILL NO. 1893** as originally introduced:  
delete on page one the sponsor(s) and substituting therefor "Joint Budget Committee".

/s/ George French

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw  
Chief Clerk

Upon motion of Representative C. Taylor, **HOUSE BILL NO. 1933** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1933**

Amend **HOUSE BILL NO. 1933** as originally introduced:  
delete on page one the sponsor(s) and substituting therefor "Joint Budget Committee".

/s/ George French

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw  
Chief Clerk

Upon motion of Representative Stovall, **HOUSE BILL NO. 1990** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1990**

Amend **HOUSE BILL NO. 1990** as originally introduced:  
delete on page one the sponsor(s) and substituting therefor "Joint Budget Committee".

/s/ George French

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw  
Chief Clerk

Upon motion of Representative Stovall, **HOUSE BILL NO. 1991** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1991**

Amend **HOUSE BILL NO. 1991** as originally introduced:  
delete on page one the sponsor(s) and substituting therefor "Joint Budget Committee".

/s/ George French

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw  
Chief Clerk

Upon motion of Representative Stovall, **HOUSE BILL NO. 1992** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1992**

Amend **HOUSE BILL NO. 1992** as originally introduced:  
delete on page one the sponsor(s) and substituting therefor "Joint Budget Committee".

/s/ George French

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw  
Chief Clerk

Upon motion of Representative C. Taylor, **HOUSE BILL NO. 2022** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 2022**

Amend **HOUSE BILL NO. 2022** as originally introduced:

Delete on page one the sponsor(s) and substituting therefor "Joint Budget Committee".

/s/ George French

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Carson, **HOUSE BILL NO. 2052** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 2052**

Amend **HOUSE BILL NO. 2052** as originally introduced:

delete on page one the sponsor(s) and substituting therefor "Joint Budget Committee".

/s/ George French

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Carson, **HOUSE BILL NO. 2053** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 2053**

Amend **HOUSE BILL NO. 2053** as originally introduced:  
delete on page one the sponsor(s) and substituting therefor "Joint Budget Committee".

/s/ George French

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw  
Chief Clerk

Upon motion of Representative Jones, **HOUSE BILL NO. 2129** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 2129**

Amend **HOUSE BILL NO. 2129** as originally introduced:  
delete on page one the sponsor(s) and substituting therefor "Joint Budget Committee".

/s/ George French

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw  
Chief Clerk

Upon motion of Representative Jones, **HOUSE BILL NO. 2152** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 2 TO HOUSE BILL NO. 2152**

Amend **HOUSE BILL NO. 2152** as engrossed, 03/01/2001:  
delete on page one the sponsor(s) and substituting therefor "Joint Budget Committee".

/s/ George French

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw  
Chief Clerk

The House gave Representative Minton unanimous leave to withdraw **HOUSE BILL NO. 1028**.

The House gave Representative Minton unanimous leave to withdraw **HOUSE BILL NO. 1190**.

The House gave Representative C. Johnson unanimous leave to withdraw **HOUSE BILL NO. 2485**. Recommended Committee referral to the Committee on REVENUE AND TAXATION.

Upon motion of Representative Hathorn, **SENATE BILL NO. 964** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO SENATE BILL NO. 964**

Amend **SENATE BILL NO. 964** as originally introduced: by  
Page 2, line 7, add "serious" before "physical"  
AND  
Page 2, line 8, add "serious" after "any" and before "physical"

/s/ Mike Hathorn

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw  
Chief Clerk

**HOUSE CONCURRENT RESOLUTION NO. 1045**

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**BY: REPRESENTATIVE BOOKOUT**

REQUESTING THE HOUSE INTERIM COMMITTEE ON AGRICULTURE AND ECONOMIC DEVELOPMENT AND THE SENATE INTERIM COMMITTEE ON AGRICULTURE, ECONOMIC AND INDUSTRIAL DEVELOPMENT TO CONDUCT A JOINT INTERIM STUDY CONCERNING TERMITE TREATMENT AND INSURANCE COVERAGE FOR TERMITE INFESTATION AND DAMAGE IN THIS STATE.

THE RESOLUTION WAS READ AND ADOPTED BY MORE THAN 51 VOTES.

**HOUSE RESOLUTION NO. 1027**

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**BY: REPRESENTATIVE CLEVELAND**

PROVIDING FOR AN INTERIM STUDY OF THE FEASIBILITY AND DESIRABILITY OF ABOLISHING OR REORGANIZING THE ALCOHOLIC BEVERAGE CONTROL BOARD; TO STUDY THE CURRENT LIQUOR LICENSING LAWS AND PROCEDURES TO DETERMINE THEIR AFFECT ON COMPETITION INCLUDING, BUT NOT LIMITED TO, ANTITRUST ISSUES; AND TO STUDY THE FEASIBILITY AND DESIRABILITY OF ESTABLISHING STATE OWNED AND OPERATED PACKAGE STORES, AND THE APPROPRIATE ROLE OF LIQUOR WHOLESALERS.

THE RESOLUTION WAS READ AND ADOPTED BY MORE THAN 51 VOTES.

Representative Rackley moved that the record by which **AMENDMENT 1 TO HOUSE JOINT RESOLUTION NO. 1016** passed be expunged from the record.

The vote was as follows:

AFFIRMATIVE: Adams, Agee, Bennett, Bevis, Biggs, Bledsoe, Bolin, Bond, Bookout, Borhauer, Boyd, Bradford, Bright, Carson, Childers, Clemons, Cleveland, Cook, Cowling, Creekmore, Dangeau, Dees, Eason, D. Elliott, J. Elliott, Ferguson, Files, French, Gillespie, Gipson, Glover, Goss, Haak, Hathorn, Hausam, Hendren, Hickinbotham, Holt, House, Hunt, Jackson, Jacobs, G. Jeffress, C. Johnson, Judy, King, Ledbetter, Lendall, Lewellen, Lowery, Magnus, Mathis, McMellon, Milligan, Milum, Minton, Moore, Napper, Ormond, Parks, Pritchard, Rackley, Rankin, Rodgers, Salmon, Schall, Scrimshire, Scroggin, Shoffner, M. Smith, R. Smith, M. Steele, T. Steele, Stovall, J. Taylor, C. Taylor, Teague, Thomas, Trammell, Verkamp, W. Walker, Weaver, White, Willis, Womack, Wood.

Total .....86

NEGATIVE: Altes, Mack, Nichols, Seawel.

Total .....4

ABSENT OR NOT VOTING: Allison, Duggar, Fite, Green, Hutchinson, Jones, Oglesby, Prater, Roebuck, Mr. Speaker.

Total .....10

VOTING PRESENT:

Total .....0

Total number of votes cast .....90

Necessary to the adoption of the motion .....67

So the motion was adopted.

Upon motion of Representative Rackley, **HOUSE JOINT RESOLUTION NO. 1016** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 2 TO HOUSE JOINT RESOLUTION NO. 1016**

Amend **HOUSE JOINT RESOLUTION NO. 1016** as originally introduced:

Add Representative Rodgers as a cosponsor of the resolution

AND

Page 1, line 13, delete "BINGO." and substitute "BINGO; TO AUTHORIZE NON-PROFIT ORGANIZATIONS TO CONDUCT RAFFLES."

AND

Page 1, delete the subtitle and substitute the following:

"PROPOSED CONSTITUTIONAL AMENDMENT TO ALLOW CHARITABLE BINGO; TO AUTHORIZE GENERAL ASSEMBLY TO ADOPT LAW REGULATING AND TAXING CHARITABLE BINGO; TO AUTHORIZE RAFFLES BY NON-PROFIT ORGANIZATIONS."

AND

Insert an additional section immediately following Section 1 to read as follows;

"SECTION 2. Raffles permitted by non-profit organizations.

(a) For purposes of this amendment:

(1) "Non-profit organization" means an entity which qualifies as a non-profit organization under § 501(c)(3) of the federal Internal Revenue Code or its successor; and

(2) "Raffle" means a game in which a participant buys a ticket for a chance at a prize with the winner determined by a random drawing.

(b) Notwithstanding § 14 of Article 19 of the Constitution of the State of Arkansas or any law of this state to the contrary, raffles may hereafter be conducted in this state by non-profit organizations."

/s/ David Rackley

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw  
Chief Clerk

SENATE CONCURRENT RESOLUTION NO. 10

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BY: SENATOR WILKINSON

REQUESTING THE SENATE AND HOUSE INTERIM COMMITTEES ON PUBLIC TRANSPORTATION TO CONDUCT A STUDY OF THE FEASIBILITY AND DESIRABILITY OF ESTABLISHING A PRIVATE SECTOR PROGRAM FOR THE VOLUNTARY PLANTING OF TREES ALONG STATE HIGHWAY RIGHT-OF-WAYS AND OTHER HIGHWAY RELATED LANDS OWNED BY THE STATE.

THE RESOLUTION WAS READ AND ADOPTED BY MORE THAN 51 VOTES.

ENGROSSED BILL REPORTS

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SHANE BROADWAY, CHAIRMAN

March 23, 2001

The following bill(s) reported correctly engrossed:

HOUSE BILL NO. 1044 – TITLE – BY JOINT BUDGET COMMITTEE  
 HOUSE BILL NO. 1128 – TITLE – BY REPRESENTATIVE TRAMMELL  
 HOUSE BILL NO. 1520 BY JOINT BUDGET COMMITTEE  
 HOUSE BILL NO. 1668 – TITLE – BY JOINT BUDGET COMMITTEE  
 HOUSE BILL NO. 1718 – TITLE – BY JOINT BUDGET COMMITTEE  
 HOUSE BILL NO. 1742 – TITLE – BY JOINT BUDGET COMMITTEE  
 HOUSE BILL NO. 1782 – TITLE – BY JOINT BUDGET COMMITTEE  
 HOUSE BILL NO. 1783 BY REPRESENTATIVE VERKAMP  
 HOUSE BILL NO. 1893 – TITLE – BY JOINT BUDGET COMMITTEE  
 HOUSE BILL NO. 1933 – TITLE – BY JOINT BUDGET COMMITTEE  
 HOUSE BILL NO. 1973 BY REPRESENTATIVE GOSS  
 HOUSE BILL NO. 1992 – TITLE – BY JOINT BUDGET COMMITTEE  
 HOUSE BILL NO. 1990 – TITLE – BY JOINT BUDGET COMMITTEE  
 HOUSE BILL NO. 1991 – TITLE – BY JOINT BUDGET COMMITTEE  
 HOUSE BILL NO. 2022 – TITLE – BY JOINT BUDGET COMMITTEE  
 HOUSE BILL NO. 2052 – TITLE – BY JOINT BUDGET COMMITTEE  
 HOUSE BILL NO. 2053 – TITLE – BY JOINT BUDGET COMMITTEE  
 HOUSE BILL NO. 2129 – TITLE – BY JOINT BUDGET COMMITTEE  
 HOUSE BILL NO. 2152 – TITLE – BY JOINT BUDGET COMMITTEE  
 HOUSE BILL NO. 2159 – TITLE – BY REPRESENTATIVE T. STEELE  
 HOUSE BILL NO. 2183 – TITLE – BY REPRESENTATIVE ADAMS

ENGROSSED BILL REPORTS, CONTINUED

HOUSE BILL NO. 2197 BY REPRESENTATIVE MAGNUS  
HOUSE BILL NO. 2271 – TITLE – BY REPRESENTATIVE RODGERS  
HOUSE BILL NO. 2278 – TITLE – BY REPRESENTATIVE HAUSAM  
HOUSE BILL NO. 2346 – TITLE – BY REPRESENTATIVE FITE  
HOUSE BILL NO. 2397 – TITLE – BY REPRESENTATIVE TEAGUE  
HOUSE BILL NO. 2422 BY REPRESENTATIVE BEVIS  
HOUSE BILL NO. 2428 BY REPRESENTATIVE RODGERS  
HOUSE BILL NO. 2454 BY REPRESENTATIVE DEES  
HOUSE BILL NO. 2459 BY REPRESENTATIVE CARSON  
HOUSE BILL NO. 2492 – TITLE – BY REPRESENTATIVE GILLESPIE  
HOUSE BILL NO. 2498 – TITLE – BY REPRESENTATIVE KING  
HOUSE BILL NO. 2499 – TITLE – BY REPRESENTATIVE KING  
HOUSE BILL NO. 2513 BY REPRESENTATIVE HUNT  
HOUSE BILL NO. 2520 – TITLE – BY REPRESENTATIVE T. STEELE  
HOUSE BILL NO. 2538 BY REPRESENTATIVE HOLT  
HOUSE BILL NO. 2545 – TITLE – BY REPRESENTATIVE C. JOHNSON  
HOUSE BILL NO. 2451 BY REPRESENTATIVE HAUSAM  
HOUSE BILL NO. 2497 BY REPRESENTATIVE KING  
HOUSE BILL NO. 2500 BY REPRESENTATIVE HUNT  
HOUSE BILL NO. 2511 BY REPRESENTATIVE JUDY  
HOUSE BILL NO. 2566 – TITLE – BY REPRESENTATIVE MILUM  
HOUSE BILL NO. 2579 BY REPRESENTATIVE WOMACK  
HOUSE BILL NO. 2585 – TITLE – BY REPRESENTATIVE CARSON  
HOUSE BILL NO. 2621 BY REPRESENTATIVE GREEN  
HOUSE BILL NO. 2646 BY REPRESENTATIVE HENDREN  
HOUSE BILL NO. 2653 BY REPRESENTATIVE CLEVELAND  
HOUSE JOINT RESOLUTION NO. 1016 – TITLE –  
BY REPRESENTATIVE RACKLEY  
HOUSE JOINT RESOLUTION NO. 1020 – TITLE –  
BY REPRESENTATIVE WOMACK  
SENATE BILL NO. 964 BY SENATOR CRITCHER

HOUSE BILL ENGROSSED AS TITLE AMENDED  
HOUSE BILL NO. 1044

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BY: *JOINT BUDGET COMMITTEE*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR GRANTS FOR OPERATING EXPENSES OF DOMESTIC VIOLENCE SHELTERS AND STAND-ALONE SEXUAL ASSAULT PROGRAMS LOCATED THROUGHOUT THE STATE OF ARKANSAS FOR THE ARKANSAS COMMISSION ON CHILD ABUSE, RAPE, AND DOMESTIC VIOLENCE FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2003; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED  
HOUSE BILL NO. 1128

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BY: REPRESENTATIVE TRAMMELL

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO BE KNOWN AS THE "DRUG KINGPIN REGISTRATION ACT"; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED  
HOUSE BILL NO. 1668

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BY: *JOINT BUDGET COMMITTEE*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION - DISBURSING OFFICER FOR FIRE DEPARTMENTS AND VOLUNTEER FIRE DEPARTMENTS IN THE NORTH CENTRAL ARKANSAS AREA; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED  
HOUSE BILL NO. 1718

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*BY: JOINT BUDGET COMMITTEE*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR THE EXPENSES OF THE PREPAID FUNERAL CONTRACTS RECOVERY PROGRAM FOR THE STATE INSURANCE DEPARTMENT FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2003; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED  
HOUSE BILL NO. 1742

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*BY: JOINT BUDGET COMMITTEE*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR OPERATING EXPENSES FOR THE ARKANSAS STATE BOARD OF ATHLETIC TRAINING FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2003; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED  
HOUSE BILL NO. 1782

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*BY: JOINT BUDGET COMMITTEE*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR HEIRLOOM MARRIAGE CERTIFICATES FOR THE STATE CHILD ABUSE AND NEGLECT PREVENTION BOARD FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2003; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED  
HOUSE BILL NO. 1893

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**BY: *JOINT BUDGET COMMITTEE***

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF VETERANS' AFFAIRS FOR THE RENOVATION AND CONSTRUCTION OF A STATE VERERANS' HOME IN FAYETTEVILLE ARKANSAS AND ASSOCIATED COST; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED  
HOUSE BILL NO. 1933

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**BY: *JOINT BUDGET COMMITTEE***

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT BATESVILLE FOR CONSTRUCTING, EQUIPPING AND ASSOCIATED COSTS OF A LIBRARY/CLASSROOM BUILDING; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED  
HOUSE BILL NO. 1990

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**BY: *JOINT BUDGET COMMITTEE***

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION - DISBURSING OFFICER FOR VARIOUS VOLUNTEER FIRE DEPARTMENTS WITHIN WHITE, CLEBURNE AND VAN BUREN COUNTIES; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED  
HOUSE BILL NO. 1991

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**BY: *JOINT BUDGET COMMITTEE***

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION - DISBURSING OFFICER FOR STATE SUPPORT TO THE LITTLE RED LITERACY COUNCIL; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED  
HOUSE BILL NO. 1992

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**BY: *JOINT BUDGET COMMITTEE***

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION - DISBURSING OFFICER FOR CLEBURNE COUNTY FOR IMPROVEMENTS TO THE CLEBURNE COUNTY FAIR GROUNDS; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED  
HOUSE BILL NO. 2022

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**BY: *JOINT BUDGET COMMITTEE***

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS LIVESTOCK AND POULTRY COMMISSION TO PROVIDE FINANCIAL SUPPORT TO UPDATE FACILITIES OF THE VAN BUREN COUNTY LIVESTOCK SHOW AND FAIR ASSOCIATION; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED  
HOUSE BILL NO. 2052

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BY: *JOINT BUDGET COMMITTEE*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION - DISBURSING OFFICER FOR EXPANSION OF THE NATIONAL CEMETERY IN FORT SMITH; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED  
HOUSE BILL NO. 2053

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BY: *JOINT BUDGET COMMITTEE*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION - DISBURSING OFFICER FOR A GRANT TO THE WESTERN ARKANSAS PLANNING AND DEVELOPMENT DISTRICT FOR THE REHABILITATION OF A RAILROAD BRIDGE BETWEEN FORT SMITH AND VAN BUREN; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED  
HOUSE BILL NO. 2129

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BY: *JOINT BUDGET COMMITTEE*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF EDUCATION FOR THE EASTERN ARKANSAS EDUCATIONAL CONSORTIUM REMEDIAL INSTRUCTION STRENGTHENS EDUCATION/MOTIVATIONAL OPPORTUNITIES FOR A VITAL EDUCATION (RISE/MOVE) PROGRAM; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED  
HOUSE BILL NO. 2152

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BY: *JOINT BUDGET COMMITTEE*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION - DISBURSING OFFICER FOR STATE ASSISTANCE TO COMMUNITIES OF CRITTENDEN COUNTY; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED  
HOUSE BILL NO. 2159

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BY: REPRESENTATIVE T. STEELE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR TRAINING FOR ELECTION POLL WORKERS AND NONPARTISIAN JUDICIAL GENERAL ELECTION EXPENSES FOR THE STATE BOARD OF ELECTION COMMISSIONERS FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2003; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED  
HOUSE BILL NO. 2183

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BY: REPRESENTATIVE ADAMS

BY: *SENATOR FARIS*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND ARKANSAS CODE 5-36-107 TO INCREASE THE PENALTIES FOR THEFT OF TRADE SECRET; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED  
HOUSE BILL NO. 2271

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BY: REPRESENTATIVE RODGERS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND ARKANSAS CODE 27-37-204 TO ALLOW THE USE OF *FLUORESCENT* ORANGE FLAGS ON MOTOR VEHICLES CARRYING PROJECTING LOADS; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED  
HOUSE BILL NO. 2278

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BY: REPRESENTATIVE HAUSAM

BY: *SENATOR BROWN*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AUTHORIZE COLLECTORS TO RETAIN A COLLECTION FEE FOR PREPAYMENTS OF CERTAIN IMPROVEMENT DISTRICT ASSESSMENTS; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED  
HOUSE BILL NO. 2346

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BY: REPRESENTATIVES FITE, HUTCHINSON, DUGGAR, WHITE, G. JEFFRESS

A BILL FOR AN ACT TO BE ENTITLED *AN ACT TO REQUIRE A STUDY TO REVIEW THE EQUITY IN COMPETITION IN HIGH SCHOOL ACTIVITIES; TO DETERMINE IF EQUITY OF OPPORTUNITY EXISTS; AND FOR OTHER PURPOSES.*

HOUSE BILL ENGROSSED AS TITLE AMENDED  
HOUSE BILL NO. 2397

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BY: REPRESENTATIVES TEAGUE, *MILUM*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND ARKANSAS CODE 5-60-120(a) CONCERNING THE INTERCEPTION AND RECORDING OF WIRE, LANDLINE, ORAL, TELEPHONIC AND WIRELESS COMMUNICATIONS; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED  
HOUSE BILL NO. 2492

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BY: REPRESENTATIVE GILLESPIE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND ARKANSAS CODE 26-52-301 TO EXEMPT CERTAIN LANDSCAPING AND LAWN CARE SERVICES FROM THE ARKANSAS GROSS RECEIPTS TAX; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED  
HOUSE BILL NO. 2498

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BY: REPRESENTATIVE KING

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO STUDY THE FEASIBILITY OF THE STATE OF ARKANSAS JOINING A REGIONAL CONSORTIUM FOR PURCHASING MEDICINES; TO ESTABLISH THE JOINT LEGISLATIVE COMMISSION ON PRESCRIPTION DRUG COSTS; TO AUTHORIZE THE DEPARTMENT OF HUMAN SERVICES TO SEEK APPROVAL FOR FEDERALLY-QUALIFIED HEALTH CENTERS; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED  
HOUSE BILL NO. 2499

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BY: REPRESENTATIVE KING

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ESTABLISH A PRESCRIPTION MEDICATIONS PURCHASING PROGRAM TO PROVIDE ACCESS TO MEDICATIONS AT THE LOWEST MARKET RATE TO INDIVIDUALS AGED SIXTY-FIVE AND OLDER; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED  
HOUSE BILL NO. 2527

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BY: REPRESENTATIVES T. STEELE, BIGGS, BRADFORD, CREEKMORE, GOSS, C. JOHNSON, JUDY, WHITE, DEES, LENDALL, ALTES, BLEDSOE  
BY: SENATORS B. WALKER, CRITCHER, FITCH, GULLETT

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND VARIOUS SECTIONS OF THE TRANSITIONAL EMPLOYMENT ASSISTANCE PROGRAM; TO CLARIFY AND IMPROVE REPORTING OF PERFORMANCE STANDARDS; TO PROVIDE FOR PRE-TERMINATION REVIEW; TO CLARIFY AND IMPROVE MONITORING; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED  
HOUSE BILL NO. 2545

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BY: REPRESENTATIVE C. JOHNSON

A BILL FOR AN ACT TO BE ENTITLED THE ARKANSAS DELTA LEADERSHIP ACT OF 2001.

HOUSE BILL ENGROSSED AS TITLE AMENDED  
HOUSE BILL NO. 2566

---

BY: REPRESENTATIVES MILUM, MINTON, STOVALL, MILLIGAN, WEAVER

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND ARKANSAS CODE 14-15-205 CONCERNING SENIOR APPRAISERS; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED  
HOUSE BILL NO. 2585

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BY: REPRESENTATIVE CARSON

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND ARKANSAS CODE TITLE 15, CHAPTER 5 TO ADD A SUBCHAPTER 14 TO ESTABLISH THE ARKANSAS DEVELOPMENT FINANCE AUTHORITY RAILROAD FINANCING ACT; *TO AMEND ARKANSAS CODE 26-52-401 CONCERNING EXEMPTIONS FOR VARIOUS PRODUCTS FROM THE ARKANSAS GROSS RECEIPTS TAX; AND FOR OTHER PURPOSES.*

HOUSE JOINT RESOLUTION ENGROSSED AS TITLE AMENDED  
HOUSE JOINT RESOLUTION NO. 1016

---

BY: REPRESENTATIVE RACKLEY, *RODGERS*

A BILL FOR AN ACT TO BE ENTITLED FOR A PROPOSED AMENDMENT TO THE CONSTITUTION TO ALLOW CHARITABLE BINGO TO BE CONDUCTED BY AUTHORIZED ORGANIZATIONS; TO AUTHORIZE THE GENERAL ASSEMBLY TO ADOPT LAW CONCERNING THE LICENSURE, REGULATION, OR TAXATION OF CHARITABLE *BINGO*; *TO AUTHORIZE NON-PROFIT ORGANIZATIONS TO CONDUCT RAFFLES.*

HOUSE JOINT RESOLUTION ENGROSSED AS TITLE AMENDED  
HOUSE JOINT RESOLUTION NO. 1020

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BY: REPRESENTATIVE WOMACK

A BILL FOR AN ACT TO BE ENTITLED PROPOSING A CONSTITUTIONAL AMENDMENT CONCERNING TERM LIMITS FOR ALL *COUNTY* OFFICIALS.

HOUSE BILL NO. 2272

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BY: REPRESENTATIVE R. SMITH

Was read the third time and placed on final passage, the question being shall the Bill pass. The vote was as follows:

AFFIRMATIVE: Adams, Agee, Altes, Bennett, Bevis, Biggs, Bledsoe, Bolin, Bond, Bookout, Borhauer, Boyd, Bradford, Bright, Carson, Childers, Clemons, Cleveland, Cook, Cowling, Creekmore, Dangeau, Dees, Eason, D. Elliott, J. Elliott, Ferguson, Files, Fite, French, Gillespie, Gipson, Glover, Goss, Green, Haak, Hathorn, Hausam, Hendren, Hickinbotham, House, Hunt, Jackson, Jacobs, G. Jeffress, C. Johnson, Judy, King, Ledbetter, Lendall, Lewellen, Lowery, Mack, Magnus, Mathis, McMellon, Milligan, Milum, Minton, Napper, Nichols, Oglesby, Ormond, Parks, Prater, Pritchard, Rackley, Rankin, Rodgers, Salmon, Schall, Scrimshire, Scroggin, Seawel, Shoffner, M. Smith, R. Smith, M. Steele, T. Steele, Stovall, J. Taylor, C. Taylor, Teague, Thomas, Trammell, Verkamp, W. Walker, Weaver, White, Willis, Womack.

Total .....91

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Allison, Duggar, Holt, Hutchinson, Jones, Moore, Roebuck, Wood, Mr. Speaker.

Total .....9

VOTING PRESENT:

Total .....0

Total number of votes cast .....91

Necessary to the passage of the bill .....51

So the Bill passed and the title as read was agreed to.

Morning Hour Expired.

Representative McMellon moved that the House concur in the following Senate Amendment.

ARKANSAS SENATE

AMENDMENT NO. 1 TO HOUSE BILL NO. 1185

Amend **HOUSE BILL NO. 1185** as engrossed, h2/7/01:

Delete everything after the enacting clause and substitute

"SECTION 1. (a) Any attachment, claim, encumbrance, financing statement, lien, mortgage or security agreement filed of record against any real or personal property, and any judgment filed of record against any person, firm or corporation, shall display the name, address, and telephone number of the claim holder, lien holder or the judgment creditor, together with the name and title of the person authorized to release the claim, lien or judgment, or the person's successor.

(b) Subsection (a) of this section shall not be applicable to any claim holder, lien holder or judgment creditor which is a financial institution insured by the Federal Deposit Insurance Corporation.

(c) Subsection (a) of this section shall not be applicable to motor vehicle titles.

(d) Clerks responsible for recording the documents enumerated in subsection (a) of this section, shall ensure the documents presented for filing display the information required by subsection (a) of this section.

(e) The validity or priority of any attachment, claim, encumbrance, financing statement, lien, mortgage, or security agreement currently on file, or filed of record after the effective date of this act, shall not be affected by the failure of any person to comply with the requirements of this section."

/s/ Ed Wilkinson

ARKANSAS SENATE  
AMENDMENT NO. 1 TO HOUSE BILL NO. 1185

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Adams, Agee, Altes, Bennett, Bevis, Biggs, Bledsoe, Bond, Bookout, Borhauer, Boyd, Bradford, Bright, Carson, Childers, Clemons, Cleveland, Cowling, Creekmore, Dees, Duggar, Eason, D. Elliott, J. Elliott, Ferguson, Files, Fite, French, Gillespie, Gipson, Glover, Goss, Green, Hathorn, Hausam, Hickinbotham, Holt, House, Hunt, Hutchinson, Jackson, G. Jeffress, C. Johnson, Jones, Judy, King, Ledbetter, Lendall, Lewellen, Lowery, Mack, Magnus, Mathis, McMellon, Milligan, Milum, Minton, Napper, Nichols, Oglesby, Ormond, Parks, Prater, Pritchard, Rackley, Rankin, Rodgers, Salmon, Schall, Scrimshire, Scroggin, Seawel, Shoffner, M. Smith, R. Smith, M. Steele, T. Steele, Stovall, J. Taylor, C. Taylor, Teague, Thomas, Trammell, Verkamp, W. Walker, Weaver, White, Willis, Womack, Wood.

Total .....90

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Allison, Bolin, Cook, Dangeau, Haak, Hendren, Jacobs, Moore, Roebuck, Mr. Speaker.

Total .....10

VOTING PRESENT:

Total .....0

Total number of votes cast.....90

Necessary to concur in the Amendment .....51

So the Amendment was concurred in.

/s/ Ms. Jo Renshaw  
 Chief Clerk

Representative Hathorn moved that the House concur in the following Senate Amendment.

**ARKANSAS SENATE**

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1695**

Amend **HOUSE BILL NO. 1695** as originally introduced:

Page 1, line 32, insert:

“(3) A violation of this subsection shall constitute a Class D felony.”

/s/ Doyle Webb

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Adams, Agee, Altes, Bennett, Bevis, Biggs, Bledsoe, Bolin, Bond, Bookout, Borhauer, Boyd, Bradford, Bright, Childers, Clemons, Cleveland, Cowling, Creekmore, Dangeau, Dees, Duggar, Eason, D. Elliott, J. Elliott, Ferguson, Files, Fite, French, Gillespie, Gipson, Glover, Goss, Green, Hathorn, Hausam, Hendren, Hickinbotham, Holt, House, Hunt, Hutchinson, Jackson, Jacobs, G. Jeffress, C. Johnson, Jones, Judy, King, Ledbetter, Lendall, Lewellen, Lowery, Mack, Magnus, Mathis, McMellon, Milligan, Milum, Napper, Nichols, Oglesby, Ormond, Parks, Prater, Pritchard, Rackley, Rankin, Rodgers, Salmon, Schall, Scrimshire, Scroggin, Seawel, Shoffner, M. Smith, R. Smith, M. Steele, T. Steele, Stovall, J. Taylor, C. Taylor, Teague, Thomas, Verkamp, W. Walker, Weaver, White, Willis, Womack, Wood.

Total .....91

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Allison, Carson, Cook, Haak, Minton, Moore, Roebuck, Trammell, Mr. Speaker.

Total .....9

VOTING PRESENT:

Total .....0

Total number of votes cast.....91

Necessary to concur in the Amendment .....51

So the Amendment was concurred in.

/s/ Ms. Jo Renshaw  
Chief Clerk

Representative Bradford moved that the House concur in the following Senate Amendment.

**ARKANSAS SENATE**

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1383**

Amend **HOUSE BILL NO. 1383** as engrossed, H2/8/01:

Insert an additional section immediately following Section 2 to read as follows:

"SECTION 3. This act shall not apply to any case based upon facts which occurred prior to the effective date of this act."

/s/ Doyle Webb

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Adams, Agee, Altes, Bennett, Bevis, Biggs, Bledsoe, Bolin, Bond, Bookout, Borhauer, Boyd, Bradford, Bright, Carson, Childers, Clemons, Cleveland, Cook, Cowling, Creekmore, Dees, Duggar, Eason, D. Elliott, J. Elliott, Ferguson, Files, Fite, French, Gillespie, Gipson, Glover, Goss, Green, Hathorn, Hausam, Hickinbotham, Holt, House, Hunt, Hutchinson, Jackson, G. Jeffress, C. Johnson, Jones, Judy, King, Ledbetter, Lendall, Lewellen, Lowery, Mack, Magnus, Mathis, McMellon, Milligan, Milum, Minton, Napper, Nichols, Oglesby, Ormond, Parks, Prater, Pritchard, Rackley, Rankin, Rodgers, Salmon, Schall, Scrimshire, Scroggin, Seawel, Shoffner, M. Smith, R. Smith, M. Steele, T. Steele, Stovall, J. Taylor, C. Taylor, Teague, Thomas, Trammell, Verkamp, W. Walker, Weaver, White, Willis, Womack, Wood.

Total .....92

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Allison, Dangeau, Haak, Hendren, Jacobs, Moore, Roebuck, Mr. Speaker.

Total .....8

VOTING PRESENT:

Total .....0

Total number of votes cast .....92

Necessary to concur in the Amendment .....51

So the Amendment was concurred in.

/s/ Ms. Jo Renshaw  
Chief Clerk

Representative King moved that the House concur in the following Senate Amendment.

**ARKANSAS SENATE**

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1105**

Amend **HOUSE BILL NO. 1105** as engrossed, h2/21/01:

Page 1, line 36, delete "If" and substitute the following: "When"

/s/ Brenda B. Gullett

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Adams, Agee, Altes, Bennett, Bevis, Biggs, Bledsoe, Bolin, Bond, Bookout, Borhauer, Boyd, Bradford, Bright, Carson, Childers, Clemons, Cleveland, Cook, Cowling, Creekmore, Dangeau, Dees, Duggar, Eason, J. Elliott, Ferguson, Files, Fite, French, Gillespie, Gipson, Glover, Goss, Green, Hathorn, Hausam, Hickinbotham, Holt, House, Hunt, Jackson, Jacobs, G. Jeffress, C. Johnson, Jones, Judy, King, Ledbetter, Lendall, Lewellen, Lowery, Mack, Magnus, Mathis, McMellon, Milligan, Milum, Minton, Moore, Napper, Nichols, Oglesby, Ormond, Prater, Pritchard, Rackley, Rankin, Rodgers, Schall, Scrimshire, Scroggin, Seawel, Shoffner, M. Smith, R. Smith, M. Steele, T. Steele, Stovall, J. Taylor, C. Taylor, Teague, Thomas, Trammell, Verkamp, W. Walker, Weaver, White, Willis, Womack, Wood.

Total .....91

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Allison, D. Elliott, Haak, Hendren, Hutchinson, Parks, Roebuck, Salmon, Mr. Speaker.

Total .....9

VOTING PRESENT:

Total .....0

Total number of votes cast.....91

Necessary to the passage of the bill .....51

So the Amendment was concurred in.

/s/ Ms. Jo Renshaw

Chief Clerk

Representative Glover moved that the House concur in the following Senate Amendment.

**ARKANSAS SENATE**

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1494**

Amend **HOUSE BILL NO. 1494** as engrossed, H2/13/01:

Page 3, line 16, add

"(e) For purposes of this act, "moving traffic violation" shall include, but not be limited to:

- (1) Careless or prohibited driving;
- (2) Driving while intoxicated;
- (3) Underage driving under the influence;
- (4) Refusal to submit;
- (5) Leaving the scene of an accident;
- (6) Driving with lights off;
- (7) Driving on an expired, suspended or revoked license;
- (8) Improper use of lighting equipment;
- (9) Failure to obey traffic control devices and signs;
- (10) Failure to operate vehicle in accordance with "Rules of the Road";
- (11) Failure to stop and render aid;
- (12) Following too closely;
- (13) Driving the wrong way on a one way;
- (14) Hazardous driving;
- (15) Impeding the flow of traffic;
- (16) Improper backing;
- (17) Improper lane change;
- (18) Improper entrance or exit to avoid intersection;
- (19) Improper towing;
- (20) Improper turning;
- (21) Passing stopped school bus;
- (22) Racing on the highway;
- (23) Reckless driving;
- (24) Exceeding the speed limit;"

/s/ Claud Cash

ARKANSAS SENATE  
AMENDMENT NO. 1 TO HOUSE BILL NO. 1494

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Adams, Agee, Altes, Bennett, Bevis, Bledsoe, Bolin, Bond, Borhauer, Boyd, Bradford, Bright, Carson, Childers, Clemons, Cleveland, Cook, Cowling, Creekmore, Dangeau, Dees, Eason, J. Elliott, Ferguson, Files, Fite, French, Gillespie, Gipson, Glover, Goss, Green, Haak, Hathorn, Hausam, Hickinbotham, Holt, House, Hunt, Hutchinson, Jackson, Jacobs, G. Jeffress, C. Johnson, Jones, Judy, King, Ledbetter, Lendall, Lewellen, Lowery, Mack, Magnus, Mathis, McMellon, Milligan, Milum, Minton, Moore, Napper, Nichols, Oglesby, Ormond, Prater, Pritchard, Rackley, Rankin, Rodgers, Schall, Scrimshire, Scroggin, Seawel, Shoffner, M. Smith, R. Smith, M. Steele, Stovall, J. Taylor, C. Taylor, Teague, Thomas, Trammell, Verkamp, W. Walker, Weaver, White, Willis, Womack.

Total .....88

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Allison, Biggs, Bookout, Duggar, D. Elliott, Hendren, Parks, Roebuck, Salmon, T. Steele, Wood, Mr. Speaker.

Total .....12

VOTING PRESENT:

Total .....0

Total number of votes cast.....88

Necessary to concur in the Amendment .....51

So the Amendment was concurred in.

/s/ Ms. Jo Renshaw

Chief Clerk

Representative Bookout moved that the House concur in the following Senate Amendment.

**ARKANSAS SENATE**

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1771**

Amend **HOUSE BILL NO. 1771** as originally introduced:

Page 2, delete line 28 and substitute "(B) The manufacturer's authorized dealer"

AND

Page 2, delete line 32 and substitute "(C) The manufacturer's authorized dealer"

AND

Page 2, line 35, delete "and acknowledgement form"

AND

Page 3, delete line 26 and substitute "of the term of protection."

AND

Page 4, line 3, delete "consumer" and substitute "consumer with a reasonable opportunity to repair"

AND

Page 4, delete line 5 and substitute "repair order.

(C)(i) However, in the case of a motor vehicle that is a motor home, where two (2) or more manufacturers contributed to the construction of the motor home, it shall not count as a repair attempt if the repair facility at which the consumer presented the vehicle, is not authorized by the manufacturer to provide warranty to service on that vehicle.

(ii) In addition, it shall count as only one (1) repair attempt for a motor vehicle that is a motor home if the same nonconformity is being addressed a second time due to the consumer's decision to continue traveling and to seek the repair of that same nonconformity at another repair facility rather than wait for the repair to be completed at the initial repair facility."

AND

Page 4, line 13, delete "any" and substitute "a manufacturer through its"

AND

Page 4, delete lines 27 and 28 and substitute "(b) The written disclosure required by this section applies to the first resale to a retail customer of the vehicle in Arkansas by the manufacturer or its authorized dealer."

/s/ Ed Wilkinson

ARKANSAS SENATE  
AMENDMENT NO. 1 TO HOUSE BILL NO. 1771

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Adams, Agee, Altes, Bennett, Bevis, Biggs, Bledsoe, Bolin, Bond, Bookout, Borhauer, Boyd, Bradford, Bright, Carson, Childers, Clemons, Cleveland, Cook, Cowling, Creekmore, Dangeau, Dees, Duggar, Eason, D. Elliott, J. Elliott, Ferguson, Files, French, Gillespie, Gipson, Glover, Goss, Green, Haak, Hathorn, Hausam, Hickinbotham, Holt, House, Hunt, Hutchinson, Jackson, Jacobs, G. Jeffress, C. Johnson, Jones, Judy, King, Ledbetter, Lendall, Lewellen, Lowery, Mack, Magnus, Mathis, McMellon, Milligan, Milum, Minton, Moore, Napper, Nichols, Oglesby, Ormond, Parks, Prater, Pritchard, Rackley, Rankin, Rodgers, Salmon, Schall, Scrimshire, Scroggin, Seawel, Shoffner, M. Smith, R. Smith, M. Steele, T. Steele, Stovall, J. Taylor, C. Taylor, Teague, Thomas, Trammell, Verkamp, W. Walker, Weaver, White, Willis, Womack, Wood.

Total .....95

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Allison, Fite, Hendren, Roebuck, Mr. Speaker.

Total .....5

VOTING PRESENT:

Total .....0

Total number of votes cast .....95

Necessary to concur in the Amendment .....51

So the Amendment was concurred in.

/s/ Ms. Jo Renshaw  
 Chief Clerk

Representative Milum moved that the House concur in the following Senate Amendment.

**ARKANSAS SENATE**

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1230**

Amend **HOUSE BILL NO. 1230** as engrossed, H2/6/01:

Page 1, delete line 7 and substitute the following: "By: Senators Hill, Hunter, Wilkinson"

AND

Page 6, line 9, delete "shall, at" and substitute "shall direct"

AND

Page 6, delete line 10 and substitute the following:

"and supervise a detailed market value and"

AND

Page 6, line 13, delete "Once" and substitute "When"

AND

Page 6, line 15, delete "upon" and substitute "on"

AND

Page 6, line 17, insert two additional sentences immediately following the period at the end of line 17 to read as follows: "The Assessment Coordination Department and counties employing contracted appraisal services shall bear no additional expense for correcting a failed ratio study. The contractor shall bear the cost of these additional services."

AND

Page 6, line 19, delete "must" and substitute "may"

/s/ Jim Hill

ARKANSAS SENATE  
AMENDMENT NO. 1 TO HOUSE BILL NO. 1230

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Adams, Agee, Altes, Bennett, Bevis, Biggs, Bledsoe, Bolin, Bond, Borhauer, Boyd, Bradford, Bright, Carson, Childers, Clemons, Cleveland, Cook, Cowling, Creekmore, Dangeau, Dees, Eason, J. Elliott, Ferguson, Files, Fite, French, Gillespie, Gipson, Glover, Goss, Green, Hathorn, Hausam, Hendren, Hickinbotham, Holt, House, Hunt, Hutchinson, Jackson, Jacobs, G. Jeffress, C. Johnson, Jones, Judy, King, Ledbetter, Lendall, Lewellen, Lowery, Mack, Magnus, Mathis, McMellon, Milligan, Milum, Minton, Moore, Napper, Nichols, Oglesby, Ormond, Parks, Prater, Pritchard, Rackley, Rankin, Rodgers, Salmon, Schall, Scrimshire, Scroggin, Seawel, Shoffner, M. Smith, R. Smith, M. Steele, T. Steele, Stovall, J. Taylor, C. Taylor, Teague, Thomas, Trammell, Verkamp, W. Walker, Weaver, White, Willis, Womack, Wood.

Total .....93

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Allison, Bookout, Duggar, D. Elliott, Haak, Roebuck, Mr. Speaker.

Total .....7

VOTING PRESENT:

Total .....0

Total number of votes cast .....93

Necessary to concur in the Amendment .....51

So the Amendment was concurred in.

/s/ Ms. Jo Renshaw

Chief Clerk

Representative Milum moved that the House concur in the following Senate Amendment.

**ARKANSAS SENATE**

**AMENDMENT NO. 2 TO HOUSE BILL NO. 1230**

Amend **HOUSE BILL NO. 1230** as engrossed, S2/21/01:

Page 2, delete line 2 and substitute:

“(iii) No later than January 31 of every year, all counties shall report, by electronic transmission, sales data to the Assessment Coordination Department. The sales data shall include a listing of each property transferred under a warranty or special warranty deed, the consideration paid, the date of the sale, the parcel number, the legal description, the names of the grantor and grantee, the most recent assessed value of the property, and the other data prescribed by the Assessment Coordination Department.

(iv) The sales to assessment ratio study shall”

AND

Page 2, line 9, delete “February” and substitute “~~February~~ March”

AND

Page 6, line 8, delete “(f)” and substitute “(f)(1)”

AND

Page 6, delete lines 18 and 19 substitute:

“a failed ratio study if the failure is found to be the fault of the contractor. The contractor shall bear the cost of these additional services.

(2) In the case where a county fails to place the assessment value adjustments on the assessment rolls of the county as directed by the department, the department is authorized to notify the disbursing agents of the State of Arkansas to withhold the funds accruing to the county from all sources until the time as the adjustments are made. If the adjustments are not made for one (1) year the withheld funds shall not be reimbursed to the county and shall be deposited in the State General Fund and withholding shall begin for the following year.”

/s/ Jim Hill

ARKANSAS SENATE  
AMENDMENT NO. 2 TO HOUSE BILL NO. 1230

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Adams, Agee, Altes, Bennett, Bevis, Biggs, Bledsoe, Bolin, Bond, Bookout, Borhauer, Boyd, Bradford, Bright, Childers, Clemons, Cleveland, Cook, Cowling, Creekmore, Dangeau, Dees, Eason, J. Elliott, Ferguson, Files, Fite, French, Gillespie, Gipson, Glover, Goss, Green, Hathorn, Hausam, Hendren, Hickinbotham, Holt, House, Hunt, Hutchinson, Jackson, Jacobs, G. Jeffress, C. Johnson, Jones, Judy, King, Ledbetter, Lendall, Lewellen, Lowery, Mack, Magnus, Mathis, McMellon, Milligan, Milum, Minton, Napper, Nichols, Oglesby, Ormond, Prater, Pritchard, Rackley, Rankin, Rodgers, Salmon, Schall, Scrimshire, Scroggin, Seawel, Shoffner, M. Smith, R. Smith, M. Steele, T. Steele, Stovall, J. Taylor, C. Taylor, Teague, Thomas, Trammell, Verkamp, W. Walker, Weaver, White, Willis, Womack.

Total .....90

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Allison, Carson, Duggar, D. Elliott, Haak, Moore, Parks, Roebuck, Wood, Mr. Speaker.

Total .....10

VOTING PRESENT:

Total .....0

Total number of votes cast.....90

Necessary to concur in the Amendment .....51

So the Amendment was concurred in.

/s/ Ms. Jo Renshaw  
 Chief Clerk

HOUSE BILL NO. 2276

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BY: REPRESENTATIVE JACKSON

Was read the third time and placed on final passage, the question being shall the Bill pass. The vote was as follows:

AFFIRMATIVE: Adams, Agee, Altes, Bennett, Bevis, Biggs, Bledsoe, Bolin, Bond, Bookout, Borhauer, Boyd, Bradford, Bright, Carson, Childers, Clemons, Cleveland, Cook, Cowling, Creekmore, Dees, Eason, D. Elliott, J. Elliott, Ferguson, Files, Fite, French, Gillespie, Gipson, Glover, Goss, Green, Haak, Hathorn, Hausam, Hendren, Hickinbotham, Holt, House, Hunt, Hutchinson, Jackson, Jacobs, G. Jeffress, C. Johnson, Jones, Judy, King, Ledbetter, Lendall, Lowery, Mack, Magnus, Mathis, McMellon, Milligan, Milum, Minton, Moore, Napper, Nichols, Oglesby, Ormond, Parks, Prater, Pritchard, Rackley, Rankin, Rodgers, Salmon, Schall, Scrimshire, Scroggin, Seawel, Shoffner, M. Smith, R. Smith, M. Steele, T. Steele, Stovall, J. Taylor, C. Taylor, Teague, Thomas, Trammell, Verkamp, W. Walker, Weaver, White, Willis, Womack, Wood.

Total .....94

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Allison, Dangeau, Duggar, Lewellen, Roebuck, Mr. Speaker.

Total .....6

VOTING PRESENT:

Total .....0

Total number of votes cast .....94

Necessary to the passage of the bill .....51

So the Bill passed and the title as read was agreed to.

HOUSE BILL NO. 2446

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**BY: REPRESENTATIVE GOSS**

Was read the third time and placed on final passage, the question being shall the Bill pass. The vote was as follows:

AFFIRMATIVE: Adams, Agee, Altes, Bennett, Bevis, Biggs, Bledsoe, Bolin, Bond, Bookout, Borhauer, Boyd, Bradford, Bright, Carson, Childers, Clemons, Cleveland, Cook, Cowling, Creekmore, Dees, Eason, D. Elliott, J. Elliott, Ferguson, Files, Fite, French, Gillespie, Gipson, Glover, Goss, Green, Haak, Hathorn, Hausam, Hendren, Hickinbotham, House, Hunt, Hutchinson, Jackson, Jacobs, G. Jeffress, C. Johnson, King, Ledbetter, Lendall, Lewellen, Lowery, Mack, Magnus, Mathis, McMellon, Milligan, Milum, Minton, Moore, Napper, Nichols, Oglesby, Ormond, Parks, Prater, Pritchard, Rackley, Rankin, Rodgers, Schall, Scrimshire, Scroggin, Seawel, Shoffner, M. Smith, R. Smith, M. Steele, T. Steele, Stovall, J. Taylor, C. Taylor, Teague, Thomas, Trammell, Verkamp, W. Walker, Weaver, White, Willis, Womack, Wood.

Total .....91

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Allison, Dangeau, Duggar, Holt, Jones, Judy, Roebuck, Salmon, Mr. Speaker.

Total .....9

VOTING PRESENT:

Total .....0

Total number of votes cast.....91

Necessary to the passage of the bill .....51

So the Bill passed and the title as read was agreed to.

HOUSE BILL NO. 2449

---

BY: REPRESENTATIVE R. SMITH

Was read the third time and placed on final passage, the question being shall the Bill pass. The vote was as follows:

AFFIRMATIVE: Adams, Agee, Altes, Bennett, Bevis, Biggs, Bledsoe, Bolin, Bond, Bookout, Borhauer, Boyd, Bradford, Bright, Carson, Childers, Clemons, Cleveland, Cook, Cowling, Creekmore, Dangeau, Dees, Duggar, Eason, J. Elliott, Ferguson, Files, Fite, French, Gillespie, Gipson, Glover, Goss, Green, Haak, Hathorn, Hausam, Hendren, Hickinbotham, House, Hunt, Jackson, Jacobs, G. Jeffress, Jones, Judy, King, Ledbetter, Lendall, Lowery, Mack, Magnus, Mathis, McMellon, Milligan, Milum, Moore, Napper, Nichols, Oglesby, Ormond, Parks, Prater, Pritchard, Rackley, Rankin, Rodgers, Salmon, Schall, Scrimshire, Scroggin, Seawel, Shoffner, R. Smith, M. Steele, T. Steele, Stovall, J. Taylor, C. Taylor, Teague, Trammell, Verkamp, W. Walker, Weaver, White, Willis, Womack, Wood.

Total .....89

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Allison, D. Elliott, Holt, Hutchinson, C. Johnson, Lewellen, Minton, Roebuck, M. Smith, Thomas, Mr. Speaker.

Total .....11

VOTING PRESENT:

Total .....0

Total number of votes cast .....89

Necessary to the passage of the bill .....51

So the Bill passed and the title as read was agreed to.

HOUSE BILL NO. 2648

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**BY: REPRESENTATIVE TRAMMELL**

Was read the third time and placed on final passage, the question being shall the Bill pass. The vote was as follows:

AFFIRMATIVE: Adams, Agee, Altes, Bennett, Bevis, Biggs, Bledsoe, Bolin, Bond, Bookout, Borhauer, Boyd, Carson, Childers, Clemons, Cleveland, Cook, Cowling, Creekmore, Dangeau, Dees, Eason, D. Elliott, J. Elliott, Ferguson, Files, Fite, French, Gillespie, Gipson, Glover, Goss, Green, Haak, Hathorn, Hausam, Hendren, Hickinbotham, Holt, House, Hunt, Hutchinson, Jackson, Jacobs, G. Jeffress, C. Johnson, Jones, Judy, King, Ledbetter, Lendall, Lewellen, Lowery, Mack, Magnus, Mathis, McMellon, Milligan, Milum, Minton, Napper, Nichols, Oglesby, Ormond, Parks, Prater, Pritchard, Rackley, Rankin, Rodgers, Salmon, Schall, Scrimshire, Scroggin, Seawel, Shoffner, M. Smith, R. Smith, M. Steele, T. Steele, Stovall, J. Taylor, C. Taylor, Teague, Trammell, W. Walker, Weaver, White, Willis, Womack, Wood.

Total .....91

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Allison, Bradford, Bright, Duggar, Moore, Roebuck, Thomas, Verkamp, Mr. Speaker.

Total .....9

VOTING PRESENT:

Total .....0

Total number of votes cast.....91

Necessary to the passage of the bill .....51

So the Bill passed and the title as read was agreed to.

HOUSE BILL NO. 2606

---

BY: REPRESENTATIVE C. TAYLOR

Was read the third time and placed on final passage, the question being shall the Bill pass. The vote was as follows:

AFFIRMATIVE: Adams, Agee, Bennett, Biggs, Bledsoe, Bolin, Bookout, Boyd, Bradford, Carson, Childers, Clemons, Cleveland, Cook, Dangeau, Dees, Duggar, Eason, D. Elliott, Files, Fite, Gillespie, Gipson, Glover, Goss, Green, Hendren, Hickinbotham, Hunt, C. Johnson, Judy, King, Ledbetter, Lendall, Lewellen, Lowery, Milum, Minton, Moore, Nichols, Oglesby, Ormond, Parks, Prater, Pritchard, Rackley, Rodgers, Salmon, Schall, Scrimshire, Seawel, Shoffner, M. Smith, M. Steele, T. Steele, J. Taylor, C. Taylor, Trammell, Weaver, White, Willis, Womack, Wood.

Total .....63

NEGATIVE: Bevis, Bond, Borhauer, Bright, Cowling, Creekmore, Haak, Hathorn, Hausam, Hutchinson, Jackson, Jacobs, G. Jeffress, Jones, Mack, Mathis, McMellon, Rankin, Thomas.

Total .....19

ABSENT OR NOT VOTING: Allison, Altes, J. Elliott, Ferguson, French, Holt, House, Magnus, Napper, Roebuck, Scroggin, R. Smith, Stovall, Teague, Verkamp, W. Walker, Mr. Speaker.

Total .....17

VOTING PRESENT: Milligan.

Total .....1

Total number of votes cast .....83

Necessary to the passage of the bill .....51

So the Bill passed and the title as read was agreed to.

Upon motion of Representative C. Taylor the Clincher motion prevailed.

HOUSE BILL NO. 2532

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BY: REPRESENTATIVE J. ELLIOTT

Was read the third time and placed on final passage, the question being shall the Bill pass. The vote was as follows:

AFFIRMATIVE: Adams, Agee, Altes, Bennett, Bevis, Biggs, Bledsoe, Bolin, Bond, Bookout, Borhauer, Boyd, Bradford, Bright, Carson, Childers, Clemons, Cleveland, Cook, Cowling, Creekmore, Dangeau, Dees, Duggar, Eason, D. Elliott, J. Elliott, Files, Fite, French, Gillespie, Gipson, Glover, Goss, Green, Haak, Hathorn, Hausam, Hendren, Hickinbotham, House, Hunt, Hutchinson, Jackson, Jacobs, G. Jeffress, C. Johnson, Jones, Judy, King, Ledbetter, Lendall, Lewellen, Lowery, Mack, Magnus, Mathis, McMellon, Milligan, Milum, Minton, Moore, Napper, Nichols, Oglesby, Ormond, Parks, Prater, Pritchard, Rackley, Rankin, Rodgers, Salmon, Schall, Scrimshire, Scroggin, Seawel, Shoffner, M. Smith, R. Smith, M. Steele, T. Steele, Stovall, J. Taylor, C. Taylor, Teague, Thomas, Trammell, Verkamp, W. Walker, Weaver, White, Willis, Womack, Wood.

Total .....95

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Allison, Ferguson, Holt, Roebuck, Mr. Speaker.

Total .....5

VOTING PRESENT:

Total .....0

Total number of votes cast .....95

Necessary to the passage of the bill .....51

So the Bill passed and the title as read was agreed to.

\*\*\*\*\* EXPUNGED \*\*\*\*\* 04/12/01\*\*\*\*\*

Motion was made by Representative W. Walker to limit debate to five minutes on the side. Motion adopted.

HOUSE BILL NO. 2548

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BY: REPRESENTATIVE HOLT

Was read the third time and placed on final passage, the question being shall the Bill pass. The vote was as follows:

AFFIRMATIVE: Adams, Agee, Altes, Bennett, Bledsoe, Bright, Childers, Cleveland, Creekmore, Duggar, D. Elliott, Files, Fite, Gillespie, Gipson, Glover, Green, Haak, Hausam, Hendren, Hickinbotham, Holt, House, Hutchinson, Jackson, G. Jeffress, Lowery, Mack, Magnus, Minton, Nichols, Oglesby, Ormond, Parks, Prater, Pritchard, Rackley, Rodgers, Scrimshire, Scroggin, M. Smith, J. Taylor, Trammell, Verkamp, Womack.

Total .....45

NEGATIVE: Bevis, Biggs, Bond, Bookout, Borhauer, Bradford, Carson, Clemons, Cook, Cowling, Eason, J. Elliott, Goss, Hunt, C. Johnson, Jones, Judy, King, Ledbetter, Lendall, Lewellen, McMellon, Moore, Napper, Rankin, Salmon, Shoffner, T. Steele, Stovall, C. Taylor, Thomas, W. Walker, Weaver, White, Willis, Wood.

Total .....36

ABSENT OR NOT VOTING: Allison, French, Roebuck, Schall, Seawel, R. Smith, Mr. Speaker.

Total .....7

VOTING PRESENT: Bolin, Boyd, Dangeau, Dees, Ferguson, Hathorn, Jacobs, Mathis, Milligan, Milum, M. Steele, Teague.

Total .....12

Total number of votes cast.....93

Necessary to the passage of the bill .....51

So the Bill failed.

\*\*\*\*\* EXPUNGED \*\*\*\*\* 04/12/01\*\*\*\*\*

Motion was made by Representative Minton to Re-refer **HOUSE BILL NO. 1031** back to the Committee on STATE AGENCIES AND GOVERNMENTAL AFFAIRS.

The vote was as follows:

AFFIRMATIVE: Adams, Agee, Altes, Bennett, Bevis, Biggs, Bledsoe, Bolin, Bond, Bookout, Borhauer, Bradford, Bright, Carson, Childers, Cleveland, Cook, Cowling, Creekmore, Dangeau, Dees, Duggar, Eason, D. Elliott, J. Elliott, Ferguson, Files, Fite, French, Gillespie, Gipson, Glover, Goss, Green, Haak, Hathorn, Hausam, Hendren, Hickinbotham, House, Hunt, Hutchinson, Jackson, Jacobs, G. Jeffress, C. Johnson, Jones, Judy, King, Ledbetter, Lendall, Lewellen, Lowery, Magnus, Mathis, McMellon, Milligan, Milum, Minton, Napper, Oglesby, Ormond, Parks, Prater, Pritchard, Rackley, Rodgers, Salmon, Scrimshire, Scroggin, Seawel, M. Smith, R. Smith, M. Steele, Stovall, J. Taylor, C. Taylor, Teague, Thomas, Trammell, Verkamp, W. Walker, Weaver, White, Willis, Womack, Wood.

Total .....87

NEGATIVE: Boyd, Clemons, Mack, Nichols, Rankin, T. Steele.

Total .....6

ABSENT OR NOT VOTING: Allison, Holt, Moore, Roebuck, Schall, Shoffner, Mr. Speaker.

Total .....7

VOTING PRESENT:

Total .....0

Total number of votes cast.....93

Necessary to the adoption of the motion.....51

So the motion was adopted.

HOUSE BILL NO. 1805

---

BY: REPRESENTATIVE CARSON

Was read the third time and placed on final passage, the question being shall the Bill pass. The vote was as follows:

AFFIRMATIVE: Adams, Agee, Altes, Bennett, Bevis, Biggs, Bledsoe, Bolin, Bond, Bookout, Borhauer, Boyd, Bradford, Bright, Carson, Childers, Clemons, Cleveland, Cook, Cowling, Creekmore, Dangeau, Dees, Duggar, Eason, D. Elliott, Ferguson, Files, Fite, French, Gillespie, Gipson, Glover, Goss, Green, Hathorn, Hausam, Hendren, Hickinbotham, House, Hunt, Jackson, Jacobs, G. Jeffress, C. Johnson, Jones, Judy, King, Ledbetter, Lendall, Lewellen, Lowery, Mack, Mathis, McMellon, Milligan, Milum, Minton, Moore, Nichols, Ormond, Parks, Prater, Pritchard, Rackley, Rankin, Rodgers, Salmon, Scrimshire, Scroggin, Seawel, Shoffner, M. Smith, R. Smith, M. Steele, T. Steele, Stovall, J. Taylor, C. Taylor, Teague, Thomas, Trammell, Verkamp, W. Walker, Weaver, White, Willis, Womack, Wood.

Total .....89

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Allison, J. Elliott, Haak, Holt, Hutchinson, Magnus, Napper, Oglesby, Roebuck, Schall, Mr. Speaker.

Total .....11

VOTING PRESENT:

Total .....0

Total number of votes cast .....89

Necessary to the passage of the bill .....51

So the Bill passed and the title as read was agreed to.

Upon motion of Representative French, **HOUSE BILL NO. 1520** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 7 TO HOUSE BILL NO. 1520**

Amend **HOUSE BILL NO. 1520** as engrossed, 03/20/2001:

delete on page one the sponsor(s) and substituting therefor "Joint Budget Committee".

AND

Insert an additional section immediately following Section 32, to read as follows:

"Section 33. APPROPRIATION - NEWTON COUNTY. There is hereby appropriated, to the Department of Finance and Administration - Disbursing Officer, to be payable from the General Improvement Fund or its successor fund or fund accounts, the following:

(A) For the Jasper Fire Department in Newton County, for the purchase of fire fighting equipment, the sum of .....\$10,000."

And appropriately renumber the subsequent sections

/s/ George French

The Amendment was read and adopted by more than 67 votes.

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative French, **HOUSE BILL NO. 1520** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 8 TO HOUSE BILL NO. 1520**

Amend **HOUSE BILL NO. 1520** as engrossed, 03/20/2001:

delete on page one the sponsor(s) and substituting therefor "Joint Budget Committee".

AND

Page 15, insert a new section immediately following Section 32 to read as follows:

"Section 33. APPROPRIATION - SEBASTIAN COUNTY. There is hereby appropriated, to the Department of Finance and Administration - Disbursing Officer, to be payable from the General Improvement Fund or its successor fund or fund accounts, for a grant to Sebastian County for the creation of a drug court, for the biennial period ending June 30, 2003, the sum of .....\$100,000."

And appropriately renumber the subsequent sections

/s/ George French

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw

Chief Clerk

Representative French moved that the House concur in the following Senate Amendment.

**ARKANSAS SENATE**

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1977**

Amend **HOUSE BILL NO. 1977** as engrossed, 3/2/01:

Page 6 line 31, delete "\$ 301,756 \$ 309,602" and substitute

"\$ 287,556 \$ 295,002"

AND

Page 6 line 33, delete "80,291 81,680" and substitute

"74,791 76,130"

AND

Page 7 line 5, delete "\$ 1,319,948 \$ 1,329,183" and substitute

"\$ 1,300,248 \$ 1,309,033"

AND

Page 8 line 18, delete "\$ 596,532 \$ 612,042" and substitute

"\$ 610,732 \$ 626,642"

AND

Page 8 line 20, delete "172,057 174,806" and substitute

"177,557 180,356"

AND

Page 8 line 27, delete "\$ 1,024,190 \$ 1,042,449" and substitute

"\$ 1,043,890 \$ 1,062,599"

AND

Page 12, delete lines 20 through 23 in their entirety and substitute as follows:

" (C) PROF. FEES	20,000	20,000
(D) CAP. OUTLAY	22,000	0
(E) DATA PROC.	0	0
(04) LAND ACQUISITION	<u>441,500</u>	<u>441,500</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 500,217</u>	<u>\$ 478,217"</u>

AND

Page 15, line 1, delete "\$ 1,200,000 \$ 1,200,000" and substitute

"\$ 2,000,000 \$ 2,000,000"

/s/ J. Argue

ARKANSAS SENATE  
AMENDMENT NO. 1 TO HOUSE BILL NO. 1977

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Adams, Agee, Altes, Bennett, Bevis, Biggs, Bledsoe, Bolin, Bond, Bookout, Borhauer, Boyd, Bradford, Bright, Carson, Childers, Clemons, Cleveland, Cook, Cowling, Creekmore, Dangeau, Dees, Duggar, Eason, D. Elliott, J. Elliott, Ferguson, Files, Fite, French, Gillespie, Gipson, Glover, Goss, Green, Haak, Hathorn, Hausam, Hendren, Hickinbotham, House, Hunt, Hutchinson, Jackson, Jacobs, G. Jeffress, Jones, Judy, King, Ledbetter, Lendall, Lewellen, Lowery, Mack, Magnus, Mathis, McMellon, Milligan, Milum, Minton, Napper, Nichols, Oglesby, Ormond, Parks, Prater, Pritchard, Rackley, Rankin, Rodgers, Salmon, Schall, Scrimshire, Scroggin, Seawel, Shoffner, M. Smith, R. Smith, M. Steele, T. Steele, Stovall, Teague, Thomas, Verkamp, W. Walker, Weaver, White, Willis, Womack, Wood.

Total .....91

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Allison, Holt, C. Johnson, Moore, Roebuck, J. Taylor, C. Taylor, Trammell, Mr. Speaker.

Total .....9

VOTING PRESENT:

Total .....0

Total number of votes cast.....91

Necessary to concur in the Amendment .....51

So the Amendment was concurred in.

/s/ Ms. Jo Renshaw  
 Chief Clerk

Upon motion of Representative French the rules were suspended. Considered in the Committee of the Whole. Returned with the recommendation that it "DO PASS".

HOUSE BILL NO. 1625

---

BY: JOINT BUDGET COMMITTEE

Was read the third time and placed on final passage, the question being shall the Bill pass and shall the Emergency Clause be adopted. The vote was as follows:

AFFIRMATIVE: Adams, Agee, Altes, Bennett, Bevis, Biggs, Bledsoe, Bolin, Bond, Bookout, Borhauer, Boyd, Bradford, Bright, Carson, Childers, Clemons, Cleveland, Cowling, Creekmore, Dangeau, Dees, Eason, D. Elliott, J. Elliott, Ferguson, Files, French, Gillespie, Gipson, Glover, Goss, Green, Haak, Hathorn, Hausam, Hendren, Hickinbotham, House, Hunt, Jackson, G. Jeffress, C. Johnson, Jones, Judy, King, Ledbetter, Lendall, Lewellen, Lowery, Magnus, Mathis, McMellon, Milligan, Milum, Minton, Napper, Nichols, Oglesby, Ormond, Parks, Prater, Pritchard, Rackley, Rankin, Rodgers, Salmon, Schall, Scrimshire, Scroggin, Seawel, Shoffner, M. Smith, R. Smith, M. Steele, T. Steele, Stovall, C. Taylor, Teague, Thomas, Trammell, Verkamp, W. Walker, Weaver, White, Willis, Womack, Wood.

Total .....88

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Allison, Cook, Duggar, Fite, Holt, Hutchinson, Jacobs, Mack, Moore, Roebuck, J. Taylor, Mr. Speaker.

Total .....12

VOTING PRESENT:

Total .....0

Total number of votes cast .....88

Necessary to the passage of the bill .....75

So the Bill passed and the title as read was agreed to.

There being an Emergency Clause attached to **HOUSE BILL NO. 1625**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: Adams, Agee, Altes, Bennett, Bevis, Biggs, Bledsoe, Bolin, Bond, Bookout, Borhauer, Boyd, Bradford, Bright, Carson, Childers, Clemons, Cleveland, Cowling, Creekmore, Dangeau, Dees, Eason, D. Elliott, J. Elliott, Ferguson, Files, French, Gillespie, Gipson, Glover, Goss, Green, Haak, Hathorn, Hausam, Hendren, Hickinbotham, House, Hunt, Jackson, G. Jeffress, C. Johnson, Jones, Judy, King, Ledbetter, Lendall, Lewellen, Lowery, Magnus, Mathis, McMellon, Milligan, Milum, Minton, Napper, Nichols, Oglesby, Ormond, Parks, Prater, Pritchard, Rackley, Rankin, Rodgers, Salmon, Schall, Scrimshire, Scroggin, Seawel, Shoffner, M. Smith, R. Smith, M. Steele, T. Steele, Stovall, C. Taylor, Teague, Thomas, Trammell, Verkamp, W. Walker, Weaver, White, Willis, Womack, Wood.

Total .....88

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Allison, Cook, Duggar, Fite, Holt, Hutchinson, Jacobs, Mack, Moore, Roebuck, J. Taylor, Mr. Speaker.

Total .....12

VOTING PRESENT:

Total .....0

Total number of votes cast.....88

Necessary to the adoption of the Emergency Clause .....67

So the Emergency Clause was adopted.

Upon motion of Representative French the rules were suspended. Considered in the Committee of the Whole. Returned with the recommendation that it "DO PASS".

HOUSE BILL NO. 1786

---

BY: JOINT BUDGET COMMITTEE

Was read the third time and placed on final passage, the question being shall the Bill pass and shall the Emergency Clause be adopted. The vote was as follows:

AFFIRMATIVE: Adams, Agee, Altes, Bennett, Bevis, Biggs, Bledsoe, Bolin, Bond, Bookout, Borhauer, Boyd, Bradford, Bright, Childers, Clemons, Cleveland, Cowling, Creekmore, Dangeau, Dees, Eason, D. Elliott, J. Elliott, Ferguson, Files, Fite, French, Gillespie, Gipson, Glover, Goss, Green, Haak, Hathorn, Hausam, Hendren, Hickinbotham, Holt, House, Hunt, Hutchinson, Jackson, G. Jeffress, C. Johnson, Jones, King, Ledbetter, Lendall, Lewellen, Lowery, Mack, Magnus, Mathis, McMellon, Milligan, Milum, Minton, Napper, Nichols, Oglesby, Ormond, Parks, Prater, Pritchard, Rackley, Rankin, Rodgers, Salmon, Schall, Scrimshire, Scroggin, Seawel, Shoffner, M. Smith, R. Smith, M. Steele, T. Steele, Stovall, C. Taylor, Teague, Trammell, Verkamp, W. Walker, Weaver, White, Willis, Womack, Wood.

Total .....89

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Allison, Carson, Cook, Duggar, Jacobs, Judy, Moore, Roebuck, J. Taylor, Thomas, Mr. Speaker.

Total .....11

VOTING PRESENT:

Total .....0

Total number of votes cast .....89

Necessary to the passage of the bill .....75

So the Bill passed and the title as read was agreed to.

There being an Emergency Clause attached to **HOUSE BILL NO. 1786**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: Adams, Agee, Altes, Bennett, Bevis, Biggs, Bledsoe, Bolin, Bond, Bookout, Borhauer, Boyd, Bradford, Bright, Childers, Clemons, Cleveland, Cowling, Creekmore, Dangeau, Dees, Eason, D. Elliott, J. Elliott, Ferguson, Files, Fite, French, Gillespie, Gipson, Glover, Goss, Green, Haak, Hathorn, Hausam, Hendren, Hickinbotham, Holt, House, Hunt, Hutchinson, Jackson, G. Jeffress, C. Johnson, Jones, King, Ledbetter, Lendall, Lewellen, Lowery, Mack, Magnus, Mathis, McMellon, Milligan, Milum, Minton, Napper, Nichols, Oglesby, Ormond, Parks, Prater, Pritchard, Rackley, Rankin, Rodgers, Salmon, Schall, Scrimshire, Scroggin, Seawel, Shoffner, M. Smith, R. Smith, M. Steele, T. Steele, Stovall, C. Taylor, Teague, Trammell, Verkamp, W. Walker, Weaver, White, Willis, Womack, Wood.

Total .....89

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Allison, Carson, Cook, Duggar, Jacobs, Judy, Moore, Roebuck, J. Taylor, Thomas, Mr. Speaker.

Total .....11

VOTING PRESENT:

Total .....0

Total number of votes cast .....89

Necessary to the adoption of the Emergency Clause .....67

So the Emergency Clause was adopted.

Upon motion of Representative French the rules were suspended. Considered in the Committee of the Whole. Returned with the recommendation that it "DO PASS".

**HOUSE BILL NO. 1905**

---

**BY: JOINT BUDGET COMMITTEE**

Was read the third time and placed on final passage, the question being shall the Bill pass and shall the Emergency Clause be adopted. The vote was as follows:

AFFIRMATIVE: Adams, Agee, Altes, Bennett, Bevis, Biggs, Bledsoe, Bolin, Bond, Bookout, Borhauer, Boyd, Bradford, Bright, Carson, Childers, Clemons, Cleveland, Cook, Cowling, Creekmore, Dangeau, Dees, Eason, D. Elliott, J. Elliott, Ferguson, Files, Fite, French, Gillespie, Gipson, Glover, Goss, Green, Haak, Hathorn, Hausam, Hendren, Hickinbotham, House, Hunt, Hutchinson, Jackson, G. Jeffress, C. Johnson, Jones, Judy, King, Ledbetter, Lendall, Lewellen, Lowery, Mack, Magnus, Mathis, McMellon, Milligan, Milum, Minton, Napper, Nichols, Oglesby, Ormond, Prater, Pritchard, Rackley, Rankin, Rodgers, Salmon, Schall, Scrimshire, Scroggin, Seawel, Shoffner, M. Smith, R. Smith, M. Steele, T. Steele, Stovall, C. Taylor, Teague, Thomas, Trammell, Verkamp, W. Walker, Weaver, White, Willis, Womack.

Total .....90

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Allison, Duggar, Holt, Jacobs, Moore, Parks, Roebuck, J. Taylor, Wood, Mr. Speaker.

Total .....10

VOTING PRESENT:

Total .....0

Total number of votes cast .....90

Necessary to the passage of the bill .....75

So the Bill passed and the title as read was agreed to.

There being an Emergency Clause attached to **HOUSE BILL NO. 1905**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: Adams, Agee, Altes, Bennett, Bevis, Biggs, Bledsoe, Bolin, Bond, Bookout, Borhauer, Boyd, Bradford, Bright, Carson, Childers, Clemons, Cleveland, Cook, Cowling, Creekmore, Dangeau, Dees, Eason, D. Elliott, J. Elliott, Ferguson, Files, Fite, French, Gillespie, Gipson, Glover, Goss, Green, Haak, Hathorn, Hausam, Hendren, Hickinbotham, House, Hunt, Hutchinson, Jackson, G. Jeffress, C. Johnson, Jones, Judy, King, Ledbetter, Lendall, Lewellen, Lowery, Mack, Magnus, Mathis, McMellon, Milligan, Milum, Minton, Napper, Nichols, Oglesby, Ormond, Prater, Pritchard, Rackley, Rankin, Rodgers, Salmon, Schall, Scrimshire, Scroggin, Seawel, Shoffner, M. Smith, R. Smith, M. Steele, T. Steele, Stovall, C. Taylor, Teague, Thomas, Trammell, Verkamp, W. Walker, Weaver, White, Willis, Womack.

Total .....90

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Allison, Duggar, Holt, Jacobs, Moore, Parks, Roebuck, J. Taylor, Wood, Mr. Speaker.

Total .....10

VOTING PRESENT:

Total .....0

Total number of votes cast.....90

Necessary to the adoption of the Emergency Clause .....67

So the Emergency Clause was adopted.

Upon motion of Representative French the rules were suspended. Considered in the Committee of the Whole. Returned with the recommendation that it "DO PASS".

**HOUSE BILL NO. 1987**

---

**BY: JOINT BUDGET COMMITTEE**

Was read the third time and placed on final passage, the question being shall the Bill pass and shall the Emergency Clause be adopted. The vote was as follows:

AFFIRMATIVE: Adams, Agee, Altes, Bennett, Bevis, Biggs, Bledsoe, Bolin, Bond, Bookout, Borhauer, Boyd, Bradford, Bright, Carson, Childers, Clemons, Cleveland, Cook, Cowling, Creekmore, Dangeau, Dees, Eason, D. Elliott, J. Elliott, Ferguson, Files, Fite, French, Gillespie, Gipson, Glover, Goss, Green, Haak, Hathorn, Hausam, Hendren, Hickinbotham, House, Hunt, Hutchinson, Jackson, G. Jeffress, C. Johnson, Jones, Judy, King, Ledbetter, Lendall, Lewellen, Lowery, Mack, Magnus, Mathis, McMellon, Milligan, Milum, Minton, Moore, Napper, Nichols, Ormond, Parks, Pritchard, Rackley, Rankin, Rodgers, Salmon, Schall, Scrimshire, Scroggin, Seawel, Shoffner, M. Smith, R. Smith, M. Steele, T. Steele, Stovall, C. Taylor, Teague, Thomas, Trammell, Verkamp, W. Walker, Weaver, White, Willis, Womack, Wood.

Total .....91

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Allison, Duggar, Holt, Jacobs, Oglesby, Prater, Roebuck, J. Taylor, Mr. Speaker.

Total .....9

VOTING PRESENT:

Total .....0

Total number of votes cast .....91

Necessary to the passage of the bill .....75

So the Bill passed and the title as read was agreed to.

There being an Emergency Clause attached to **HOUSE BILL NO. 1987**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: Adams, Agee, Altes, Bennett, Bevis, Biggs, Bledsoe, Bolin, Bond, Bookout, Borhauer, Boyd, Bradford, Bright, Carson, Childers, Clemons, Cleveland, Cook, Cowling, Creekmore, Dangeau, Dees, Eason, D. Elliott, J. Elliott, Ferguson, Files, Fite, French, Gillespie, Gipson, Glover, Goss, Green, Haak, Hathorn, Hausam, Hendren, Hickinbotham, House, Hunt, Hutchinson, Jackson, G. Jeffress, C. Johnson, Jones, Judy, King, Ledbetter, Lendall, Lewellen, Lowery, Mack, Magnus, Mathis, McMellon, Milligan, Milum, Minton, Moore, Napper, Nichols, Ormond, Parks, Pritchard, Rackley, Rankin, Rodgers, Salmon, Schall, Scrimshire, Scroggin, Seawel, Shoffner, M. Smith, R. Smith, M. Steele, T. Steele, Stovall, C. Taylor, Teague, Thomas, Trammell, Verkamp, W. Walker, Weaver, White, Willis, Womack, Wood.

Total .....91

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Allison, Duggar, Holt, Jacobs, Oglesby, Prater, Roebuck, J. Taylor, Mr. Speaker.

Total .....9

VOTING PRESENT:

Total .....0

Total number of votes cast.....91

Necessary to the adoption of the Emergency Clause .....67

So the Emergency Clause was adopted.

Upon motion of Representative French the rules were suspended. Considered in the Committee of the Whole. Returned with the recommendation that it "DO PASS".

**HOUSE BILL NO. 1988**

---

**BY: JOINT BUDGET COMMITTEE**

Was read the third time and placed on final passage, the question being shall the Bill pass and shall the Emergency Clause be adopted. The vote was as follows:

AFFIRMATIVE: Adams, Agee, Altes, Bennett, Bevis, Biggs, Bledsoe, Bolin, Bond, Bookout, Borhauer, Boyd, Bradford, Bright, Carson, Childers, Clemons, Cleveland, Cook, Cowling, Creekmore, Dangeau, Dees, Duggar, Eason, D. Elliott, J. Elliott, Ferguson, Files, Fite, French, Gillespie, Gipson, Glover, Goss, Green, Hathorn, Hausam, Hendren, Hickinbotham, Holt, House, Hunt, Hutchinson, Jackson, G. Jeffress, C. Johnson, Jones, Judy, King, Ledbetter, Lendall, Lewellen, Lowery, Mack, Magnus, Mathis, McMellon, Milligan, Milum, Minton, Moore, Nichols, Oglesby, Ormond, Parks, Prater, Pritchard, Rackley, Rankin, Rodgers, Schall, Scrimshire, Scroggin, Seawel, Shoffner, M. Smith, R. Smith, M. Steele, T. Steele, Stovall, C. Taylor, Teague, Thomas, Trammell, Verkamp, W. Walker, Weaver, White, Willis, Womack, Wood.

Total .....92

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Allison, Haak, Jacobs, Napper, Roebuck, Salmon, J. Taylor, Mr. Speaker.

Total .....8

VOTING PRESENT:

Total .....0

Total number of votes cast .....92

Necessary to the passage of the bill .....75

So the Bill passed and the title as read was agreed to.

There being an Emergency Clause attached to **HOUSE BILL NO. 1988**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: Adams, Agee, Altes, Bennett, Bevis, Biggs, Bledsoe, Bolin, Bond, Bookout, Borhauer, Boyd, Bradford, Bright, Carson, Childers, Clemons, Cleveland, Cook, Cowling, Creekmore, Dangeau, Dees, Duggar, Eason, D. Elliott, J. Elliott, Ferguson, Files, Fite, French, Gillespie, Gipson, Glover, Goss, Green, Hathorn, Hausam, Hendren, Hickinbotham, Holt, House, Hunt, Hutchinson, Jackson, G. Jeffress, C. Johnson, Jones, Judy, King, Ledbetter, Lendall, Lewellen, Lowery, Mack, Magnus, Mathis, McMellon, Milligan, Milum, Minton, Moore, Nichols, Oglesby, Ormond, Parks, Prater, Pritchard, Rackley, Rankin, Rodgers, Schall, Scrimshire, Scroggin, Seawel, Shoffner, M. Smith, R. Smith, M. Steele, T. Steele, Stovall, C. Taylor, Teague, Thomas, Trammell, Verkamp, W. Walker, Weaver, White, Willis, Womack, Wood.

Total .....92

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Allison, Haak, Jacobs, Napper, Roebuck, Salmon, J. Taylor, Mr. Speaker.

Total .....8

VOTING PRESENT:

Total .....0

Total number of votes cast.....92

Necessary to the adoption of the Emergency Clause .....67

So the Emergency Clause was adopted.

Upon motion of Representative French the rules were suspended. Considered in the Committee of the Whole. Returned with the recommendation that it "DO PASS".

HOUSE BILL NO. 2098

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BY: JOINT BUDGET COMMITTEE

Was read the third time and placed on final passage, the question being shall the Bill pass and shall the Emergency Clause be adopted. The vote was as follows:

AFFIRMATIVE: Adams, Agee, Altes, Bennett, Bevis, Biggs, Bledsoe, Bolin, Bond, Borhauer, Boyd, Bradford, Bright, Carson, Childers, Clemons, Cleveland, Cook, Cowling, Creekmore, Dangeau, Dees, Duggar, Eason, D. Elliott, J. Elliott, Ferguson, Files, Fite, French, Gillespie, Gipson, Glover, Goss, Green, Hathorn, Hausam, Hendren, Hickinbotham, Holt, Hunt, Hutchinson, Jackson, G. Jeffress, C. Johnson, Jones, Judy, King, Ledbetter, Lendall, Lewellen, Lowery, Mack, Magnus, Mathis, Milligan, Milum, Minton, Moore, Nichols, Oglesby, Ormond, Prater, Pritchard, Rackley, Rankin, Salmon, Schall, Scrimshire, Scroggin, Seawel, Shoffner, M. Smith, R. Smith, M. Steele, T. Steele, Stovall, C. Taylor, Teague, Thomas, Trammell, Verkamp, W. Walker, Weaver, White, Willis, Womack, Wood.

Total .....88

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Allison, Bookout, Haak, House, Jacobs, McMellon, Napper, Parks, Rodgers, Roebuck, J. Taylor, Mr. Speaker.

Total .....12

VOTING PRESENT:

Total .....0

Total number of votes cast .....88

Necessary to the passage of the bill .....75

So the Bill passed and the title as read was agreed to.

There being an Emergency Clause attached to **HOUSE BILL NO. 2098**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: Adams, Agee, Altes, Bennett, Bevis, Biggs, Bledsoe, Bolin, Bond, Borhauer, Boyd, Bradford, Bright, Carson, Childers, Clemons, Cleveland, Cook, Cowling, Creekmore, Dangeau, Dees, Duggar, Eason, D. Elliott, J. Elliott, Ferguson, Files, Fite, French, Gillespie, Gipson, Glover, Goss, Green, Hathorn, Hausam, Hendren, Hickinbotham, Holt, Hunt, Hutchinson, Jackson, G. Jeffress, C. Johnson, Jones, Judy, King, Ledbetter, Lendall, Lewellen, Lowery, Mack, Magnus, Mathis, Milligan, Milum, Minton, Moore, Nichols, Oglesby, Ormond, Prater, Pritchard, Rackley, Rankin, Salmon, Schall, Scrimshire, Scroggin, Seawel, Shoffner, M. Smith, R. Smith, M. Steele, T. Steele, Stovall, C. Taylor, Teague, Thomas, Trammell, Verkamp, W. Walker, Weaver, White, Willis, Womack, Wood.

Total .....88

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Allison, Bookout, Haak, House, Jacobs, McMellon, Napper, Parks, Rodgers, Roebuck, J. Taylor, Mr. Speaker.

Total .....12

VOTING PRESENT:

Total .....0

Total number of votes cast.....88

Necessary to the adoption of the Emergency Clause .....67

So the Emergency Clause was adopted.

HOUSE BILLS ORDERED TRANSMITTED TO THE SENATE AS PASSED

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HOUSE BILL NO. 1625 BY JOINT BUDGET COMMITTEE  
HOUSE BILL NO. 1786 BY JOINT BUDGET COMMITTEE  
HOUSE BILL NO. 1805 BY REPRESENTATIVE CARSON  
HOUSE BILL NO. 1905 BY JOINT BUDGET COMMITTEE  
HOUSE BILL NO. 1987 BY JOINT BUDGET COMMITTEE  
HOUSE BILL NO. 1988 BY JOINT BUDGET COMMITTEE  
HOUSE BILL NO. 2098 BY JOINT BUDGET COMMITTEE  
HOUSE BILL NO. 2272 BY REPRESENTATIVE R. SMITH  
HOUSE BILL NO. 2276 BY REPRESENTATIVE JACKSON  
HOUSE BILL NO. 2446 BY REPRESENTATIVE GOSS  
HOUSE BILL NO. 2449 BY REPRESENTATIVE R. SMITH  
HOUSE BILL NO. 2532 BY REPRESENTATIVE J. ELLIOTT  
HOUSE BILL NO. 2606 BY REPRESENTATIVE C. TAYLOR  
HOUSE BILL NO. 2648 BY REPRESENTATIVE TRAMMELL

HOUSE CONCURRENT RESOLUTIONS ADOPTED AND  
ORDERED TRANSMITTED TO THE SENATE

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HOUSE CONCURRENT RESOLUTION NO. 1045  
BY REPRESENTATIVE BOOKOUT

SENATE CONCURRENT RESOLUTIONS CONCURRED IN  
AND ORDERED RETURNED TO THE SENATE

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SENATE CONCURRENT RESOLUTION NO. 10  
BY SENATOR WILKINSON

ENROLLED AND DELIVERY TO GOVERNOR REPORTS

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Little Rock, Arkansas

March 23, 2001

MR. SPEAKER:

We, your committee on Enrolled Bills, to whom was referred the following:

HOUSE BILL NO. 1084 BY REPRESENTATIVE BIGGS, ET AL

HOUSE BILL NO. 1251 BY REPRESENTATIVE R. SMITH

HOUSE BILL NO. 1254 BY REPRESENTATIVE R. SMITH

HOUSE BILL NO. 1272 BY REPRESENTATIVE COOK, ET AL

HOUSE CONCURRENT RESOLUTION NO. 1023

BY REPRESENTATIVE HOUSE, ET AL

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 2:20 p.m. delivered them to the Governor for his approval.

Respectfully submitted,

/s/ Shane Broadway

Chairman

ENROLLED AND DELIVERY TO GOVERNOR REPORTS

---

Little Rock, Arkansas

March 23, 2001

MR. SPEAKER:

We, your committee on Enrolled Bills, to whom was referred the following:

HOUSE BILL NO. 1105 BY REPRESENTATIVE KING  
HOUSE BILL NO. 1185 BY REPRESENTATIVE McMELLON, ET AL  
HOUSE BILL NO. 1230 BY REPRESENTATIVE MILUM, ET AL  
HOUSE BILL NO. 1383 BY REPRESENTATIVE BRADFORD, ET AL  
HOUSE BILL NO. 1494 BY REPRESENTATIVE GLOVER  
HOUSE BILL NO. 1695 BY REPRESENTATIVE HATHORN, ET AL  
HOUSE BILL NO. 1771 BY REPRESENTATIVE BOOKOUT  
HOUSE BILL NO. 1977 BY JOINT BUDGET COMMITTEE

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 2:20 p.m. delivered them to the Governor for his approval.

Respectfully submitted,

/s/ Shane Broadway  
Chairman

RECEIPT FROM THE GOVERNOR

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## RECEIVED FROM THE HOUSE:

HOUSE BILL NO. 1084 BY REPRESENTATIVE BIGGS, ET AL

HOUSE BILL NO. 1251 BY REPRESENTATIVE R. SMITH

HOUSE BILL NO. 1254 BY REPRESENTATIVE R. SMITH

HOUSE BILL NO. 1272 BY REPRESENTATIVE COOK, ET AL

HOUSE CONCURRENT RESOLUTION NO. 1023

BY REPRESENTATIVE HOUSE, ET AL

HOUSE BILL NO. 1105 BY REPRESENTATIVE KING

HOUSE BILL NO. 1185 BY REPRESENTATIVE McMELLON, ET AL

HOUSE BILL NO. 1230 BY REPRESENTATIVE MILUM, ET AL

HOUSE BILL NO. 1383 BY REPRESENTATIVE BRADFORD, ET AL

HOUSE BILL NO. 1494 BY REPRESENTATIVE GLOVER

HOUSE BILL NO. 1695 BY REPRESENTATIVE HATHORN, ET AL

HOUSE BILL NO. 1771 BY REPRESENTATIVE BOOKOUT

HOUSE BILL NO. 1977 BY JOINT BUDGET COMMITTEE

/s/ Mike Huckabee - Governor

TIME: 2:20 p.m.

By: Barb Meyer

STATE OF ARKANSAS  
OFFICE OF THE GOVERNOR

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Little Rock, Arkansas  
March 23, 2001

TO THE SPEAKER OF THE HOUSE

Dear Mr. Speaker:

This is to inform you that on March 23, 2001, I approved the following measure from the Session of the Eighty-third General Assembly:

House Bill 1371, which is now Act 1057 of 2001.

Sincerely,

/s/ Mike Huckabee

MH:bbm

cc: President of the Senate

STATE OF ARKANSAS  
HOUSE OF REPRESENTATIVES

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March 23, 2001

The Honorable Shane Broadway  
Speaker of the Arkansas House of Representatives  
State Capitol, Room 350  
Little Rock, AR 72201

Dear Mr. Speaker:

Please accept this letter as notice to enter into the House of Representatives' journal for the vote taken on HB 1694 on March 22, 2001. My "YES" button was pushed inadvertently, and I wanted to vote "NAY" on this bill.

Thank you for your assistance.

Sincerely,

/s/ Jan Judy  
State Representative

cc: Alan Sugg  
John White  
Frank Broyles

JJ/jlh

Upon motion of Representative Cook, the House adjourned at 12:40 p.m. until 1:00 p.m., Monday, March 26, 2001.

ATTEST:

\_\_\_\_\_  
Shane Broadway  
Speaker of the House of Representatives

\_\_\_\_\_  
Jo Renshaw  
Chief Clerk