

EIGHTIETH DAY'S PROCEEDINGS
HALL OF THE HOUSE OF REPRESENTATIVES

Little Rock, Arkansas

March 28, 2001

The House was called to order at 1:06 p.m. by Mr. Broadway, the Speaker.
The following members answered to the roll call:

Adams, Agee, Allison, 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, Jones, Judy, King, Ledbetter, Lendall, Lewellen, Lowery, Magnus, Mathis, McMellon, Milligan, Milum, Minton, Moore, Napper, Nichols, Oglesby, Ormond, Parks, Prater, Pritchard, Rackley, Rankin, Rodgers, Roebuck, 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.

Total98

The following member(s) was absent and did not answer to the roll call:
C. Johnson, Hunt.

Total2

A quorum was present.

Unanimous leave was granted for Representatives C. Johnson, Mack.

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 28, 2001
AGING, CHILDREN AND YOUTH, LEGISLATIVE AND MILITARY AFFAIRS	JO CARSON CHAIRPERSON
HOUSE BILL NO. 2303	DO PASS
BY REPRESENTATIVE JUDY	AS AMENDED #1
HOUSE BILL NO. 2557	DO PASS
BY REPRESENTATIVE W. WALKER	

COMMITTEE REPORT

	March 28,2001
AGRICULTURE, FORESTRY AND ECONOMIC DEVELOPMENT	JIM WOOD CHAIRPERSON
HOUSE BILL NO. 2422	DO PASS
BY REPRESENTATIVE BEVIS	
HOUSE BILL NO. 2655	DO PASS
BY REPRESENTATIVE CLEVELAND	AS AMENDED #1

COMMITTEE REPORT

	March 28, 2001
CITY, COUNTY AND LOCAL AFFAIRS	PHILLIP T. JACOBS CHAIRPERSON
HOUSE BILL NO. 1352	DO PASS TO CONCUR IN
BY REPRESENTATIVE HICKINBOTHAM	SENATE AMENDMENT #1
HOUSE BILL NO. 2027	DO PASS
BY REPRESENTATIVE CLEMONS	NON-CONTROVERSIAL
HOUSE BILL NO. 2278	DO PASS
BY REPRESENTATIVE HAUSAM	
HOUSE BILL NO. 2414	DO PASS
BY REPRESENTATIVE BEVIS	AS AMENDED #1
HOUSE BILL NO. 2564	DO PASS
BY REPRESENTATIVE R. SMITH	
SENATE BILL NO. 141	DO PASS
BY SENATOR WILKINSON	
SENATE BILL NO. 774	DO PASS
BY SENATOR BISBEE	
SENATE BILL NO. 908	DO PASS
BY SENATOR RIGGS	NON-CONTROVERSIAL

COMMITTEE REPORT

	March 28, 2001
INSURANCE AND COMMERCE	STEVE NAPPER
	CHAIRPERSON
HOUSE BILL NO. 2178	DO PASS
BY REPRESENTATIVE FRENCH	
HOUSE BILL NO. 2244	DO PASS
BY REPRESENTATIVE FILES	
HOUSE BILL NO. 2376	DO PASS
BY REPRESENTATIVE CLEVELAND	
HOUSE BILL NO. 2378	DO PASS
BY REPRESENTATIVE CLEVELAND	
HOUSE BILL NO. 2404	DO PASS
BY REPRESENTATIVE FILES	
HOUSE BILL NO. 2424	DO PASS
BY REPRESENTATIVE COOK	
HOUSE BILL NO. 2475	DO PASS
BY REPRESENTATIVE NAPPER	
HOUSE BILL NO. 2489	DO PASS
BY REPRESENTATIVE BIGGS	AS AMENDED #1
HOUSE BILL NO. 2601	DO PASS
BY REPRESENTATIVE R. SMITH	
SENATE BILL NO. 286	DO PASS
BY SENATOR T. SMITH	

COMMITTEE REPORT

	March 28, 2001
STATE AGENCIES AND	MARTHA SHOFFNER
GOVERNMENTAL AFFAIRS	CHAIRPERSON
HOUSE BILL NO. 1466	DO PASS
BY REPRESENTATIVE JONES	AS AMENDED #2
HOUSE BILL NO. 1515	DO PASS
BY REPRESENTATIVE BOND	NON-CONTROVERSIAL
HOUSE BILL NO. 2513	DO PASS
BY REPRESENTATIVE HUNT	AS AMENDED #2
HOUSE BILL NO. 2651	DO PASS
BY REPRESENTATIVE SALMON	

COMMITTEE REPORT ON STATE AGENCIES AND GOVERNMENTAL AFFAIRS,
CONTINUED

SENATE BILL NO. 689	DO PASS
BY SENATOR MAHONY	
SENATE BILL NO. 866	DO PASS
BY SENATOR GWATNEY	AS AMENDED #1
SENATE BILL NO. 971	DO PASS
BY SENATOR DELAY	AS AMENDED #1

COMMITTEE REPORT

March 28, 2001

JOINT BUDGET	GEORGE FRENCH CHAIRPERSON
HOUSE BILL NO. 1757	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1829	DO PASS
BY REPRESENTATIVE McMELLON	AS AMENDED #2
HOUSE BILL NO. 1904	DO PASS
BY REPRESENTATIVE BRADFORD	AS AMENDED #1
HOUSE BILL NO. 2048	DO PASS
BY REPRESENTATIVE NAPPER	AS AMENDED #1
HOUSE BILL NO. 2163	DO PASS
BY REPRESENTATIVE PARKS	AS AMENDED #1
HOUSE BILL NO. 2344	DO PASS
BY REPRESENTATIVE FRENCH	AS AMENDED #3
SENATE BILL NO. 128	DO PASS
BY JOINT BUDGET COMMITTEE	
SENATE BILL NO. 290	DO PASS
BY JOINT BUDGET COMMITTEE	
SENATE BILL NO. 321	DO PASS
BY JOINT BUDGET COMMITTEE	
SENATE BILL NO. 323	DO PASS
BY JOINT BUDGET COMMITTEE	
SENATE BILL NO. 324	DO PASS
BY JOINT BUDGET COMMITTEE	
SENATE BILL NO. 350	DO PASS
BY JOINT BUDGET COMMITTEE	

COMMITTEE REPORT ON JOINT BUDGET, CONTINUED

SENATE BILL NO. 610	DO PASS
BY JOINT BUDGET COMMITTEE	
SENATE BILL NO. 611	DO PASS
BY JOINT BUDGET COMMITTEE	
SENATE BILL NO. 616	DO PASS
BY JOINT BUDGET COMMITTEE	
SENATE BILL NO. 648	DO PASS
BY JOINT BUDGET COMMITTEE	
SENATE BILL NO. 649	DO PASS
BY JOINT BUDGET COMMITTEE	
SENATE BILL NO. 653	DO PASS
BY JOINT BUDGET COMMITTEE	
SENATE BILL NO. 654	DO PASS
BY JOINT BUDGET COMMITTEE	
SENATE BILL NO. 666	DO PASS
BY JOINT BUDGET COMMITTEE	
SENATE BILL NO. 696	DO PASS
BY JOINT BUDGET COMMITTEE	
SENATE BILL NO. 721	DO PASS
BY JOINT BUDGET COMMITTEE	
SENATE BILL NO. 730	DO PASS
BY JOINT BUDGET COMMITTEE	

COMMITTEE REPORT

	March 28, 2001
JOINT PUBLIC RETIREMENT	ROGER SMITH
AND SOCIAL SECURITY PROGRAMS	CHAIRPERSON
HOUSE BILL NO. 1278	DO PASS
BY REPRESENTATIVE GLOVER	AS AMENDED #1

COMMITTEE REPORT

	March 28, 2001
ADVANCED COMMUNICATIONS AND	JIM MAGNUS
INFORMATION TECHNOLOGY	CHAIRPERSON
SENATE BILL NO. 828	DO PASS
BY SENATOR P. MALONE	AS AMENDED #2

Upon motion of Representative Agee, **HOUSE BILL NO. 2627** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2627

Amend **HOUSE BILL NO. 2627** as originally introduced;

Page 1, delete lines 25 through 31 and substitute the following:

"(b) The minimum requirements for classroom driver training instruction for noncommercial motor vehicles shall consist of:

(1) Thirty (30) hours or more of classroom instruction on driving techniques and rules of the road in Arkansas, including six (6) hours of classroom instruction on traffic law changes that have occurred within the last ten (10) years; and

(2) Ten (10) hours of behind-the-wheel driving experience.

(c) The minimum requirements of correspondence programs for driver training instruction for noncommercial motor vehicles shall consist of:

(1) A maximum of twenty-eight (28) hours of correspondence work;

(2) A minimum of two (2) hours or more of classroom instruction on driving techniques and rules of the road in Arkansas; and

(3) Ten (10) hours of behind-the-wheel driving experience."

/s/ Sarah Agee

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. 2590** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2590

Amend **HOUSE BILL NO. 2590** as originally introduced:

Add Representative Hunt as a cosponsor to the bill

AND

Page 1, line 27, delete "(B)" and substitute "(B)(1)"

AND

Page 1, delete line 29 and substitute:

“clerk who shall remit the registration to the county assessor.

(2) The registration form shall not be filed by the circuit clerk.”

AND

Page 1, delete line 34 and substitute:

“(4)(A) A parcel of real estate shall qualify as a homestead prior to January 1 of the year after assessment to be eligible for the property tax credit.

(B) Once a parcel of real property is determined to be eligible”

AND

Page 2, delete line 1 and substitute:

“(5)(A) The parties to a transfer of property may pro rate, as between themselves, the”

AND

Page 2, delete line 3 and substitute:

“parties.

(B) If a property qualifies for the tax credit, the credit shall apply regardless of who or what entity pays the property tax.”

AND

Page 2, line 7, delete “assessor” and substitute “assessor.”

AND

Page 2, delete line 8

AND

Page 2, line 9, add:

“SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General Assembly that Amendment 79 to the Constitution of Arkansas went into effect on January 1, 2001 and confusion has arisen as to claiming the property tax credit. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor, it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto.”

/s/ J.P. Verkamp

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Broadway, **HOUSE BILL NO. 2369** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 3 TO HOUSE BILL NO. 2369

Amend **HOUSE BILL NO. 2369** as engrossed, H3/15/01:

Page 2, line 1, delete "an electric" and substitute "an industrial electric"

AND

Page 2, line 5, insert an additional sentence immediately following the period to read as follows:

"For purposes of this subsection (b), an industrial electric utility customer is one whose aggregate maximum peak demand at one or more locations served by the electric utility exceeds 500 kW."

AND

Page 2, delete line 12 and substitute the following:

"classes are adversely affected. The commission shall also determine in implementing this subsection (b) that such implementation produces net economic or societal benefits to the electric utility's customers.

(3) In determining the public interest, the commission shall consider:

(A) The impact upon the electric utility, including but not limited to the electric utility's operations and its rate of return;

(B) Whether the terms and conditions upon which a customer may be allowed to return to generation service provided by the electric utility would adversely affect the reliability or rates of other customers or customer classes;

(C) Whether reasonable provision has been made for the contingency of future statutory changes relative to implementation of retail open access;

(D) Any impact upon existing non-standard agreements for electric service; and

(E) Any impact upon distribution and transmission system reliability."

AND

Page 2, line 13, delete "(3)" and substitute "(4)"

/s/ Shane Broadway

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Broadway, **HOUSE BILL NO. 2369** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 4 TO HOUSE BILL NO. 2369

Amend **HOUSE BILL NO. 2369** as engrossed, H3/15/01:

Page 2, line 5, delete "sources at" and substitute "sources, at"

/s/ Shane Broadway

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. 2277** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2277

Amend **HOUSE BILL NO. 2277** as originally introduced:

Page 1, line 35, delete "and"

AND

Page 2, delete line 17 and substitute:

"income tax; and

(C) Public or Private Conservation Agency means:

(i) Any Arkansas governmental body; and

(ii) Any private not-for-profit charitable corporation or

trust:

(a) Authorized to do business in the state and organized and operated for natural resources, land conservation, or historic preservation purposes;

(b) Having tax-exempt status as a public charity under the United States Internal Revenue Code of 1986, as exists on January 1, 2001; and

(c) Having the power to acquire, hold, and maintain land or interests in land or both for these purposes."

AND

Page 2, line 15, delete "easement to land which" and substitute "easement to land to a public or private conservation agency eligible to hold the land and interests for conservation and preservation purposes and which"

AND

Page 2, line delete line 21 and substitute:

"the year in which the exemption is claimed.

(4)(A) Upon the initial transfer of land or interest in land for the purpose of open-space use, language shall be included within the deed to restrict its use for these purposes.

(B) The restrictions upon the use of the property shall apply to all subsequent purchasers or assignees for the time period provided within the deed."

AND

Page 5, line 36, add:

"(f)(1) Upon the initial transfer of land or interest in land for the purpose of open-space use, language shall be included within the deed to restrict its use for these purposes.

(2) The restrictions upon the use of the property shall apply to all subsequent purchasers or assignees for the time period provided within the deed."

/s/ Jimmy Milligan

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Haak, **HOUSE BILL NO. 2630** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2630

Amend **HOUSE BILL NO. 2630** as originally introduced:

Delete the Title and substitute the following:

"AN ACT TO REPEAL ARKANSAS CODE 27-101-401 THROUGH 27-101-404; TO MODIFY THE MARINE SANITATION LAWS TO CONFORM WITH FEDERAL LAW; AND FOR OTHER PURPOSES. "

AND

Delete the Subtitle and substitute the following:

"AN ACT TO MODIFY THE MARINE SANITATION LAWS TO CONFORM WITH FEDERAL LAW."

AND

Page 1, delete line 23 and substitute the following:

"SECTION 1. Arkansas Code 27-101-401 - 404 is repealed."

AND

Page 3, delete lines 11 through 36 in their entirety

AND

Page 4, delete lines 1 through 36 in their entirety

AND

Page 5, delete lines 1 through 36 and substitute the following:

"SECTION 2. Arkansas Code 27-101-405 is amended to read as follows:

27-101-405. Marine Sanitation Advisory Committee.

(a) There is established a Marine Sanitation Advisory Committee, to consist of ~~twelve (12)~~ thirteen (13) members appointed by the Governor as follows:

(1) Five (5) members shall be marina operators;

(2) One (1) member shall be an operator of a marine repair facility;

(3) ~~Two (2) members shall be employees of the Bureau of Environmental Health Services of the Department of Health as~~ One (1) member shall be nominated by the Director of the Department of Health;

(4) One (1) member shall be nominated by the Director of the Department of Environmental Quality;

(5) One (1) member shall be nominated by the Director of the Game and Fish Commission;

~~(4)~~ (6) Three (3) members shall be boat owners; and

~~(5)~~ (7) One (1) member shall be the Captain of Division 15 of the United States Coast Guard Auxiliary or his or her designee.

(b) The ~~two (2)~~ three (3) members appointed pursuant to ~~subdivision subdivisions~~ (a)(3) through (a)(5) of this section shall serve at the pleasure of the director of each respective agency, and the member appointed pursuant to subdivision ~~(a)(5)~~ (a)(7) of this section shall serve as long as the person remains Captain of Division 15 of the United States Coast Guard Auxiliary or, if the designee of the captain, the designee will serve as long as the person designating him is Captain of Division 15. Of the initial members appointed under subdivisions (a)(1), (a)(2), and ~~(a)(4)~~ (a)(6) of this section, three (3) shall be appointed for one-year terms, three (3) for two-year terms and three (3) for three-year terms. Members shall serve three-year terms except that persons appointed to fill vacancies resulting in an

unexpired term shall serve for the remainder of that unexpired term.

(c) Upon recommendation of the advisory committee made after notice and hearing, the Governor may remove any member of the advisory committee for incompetence, neglect of duty, or malfeasance in office.

(d) Any vacancy on the advisory committee shall be filled by the Governor.

(e) The Governor shall call the first advisory committee meeting. The advisory committee shall elect annually from its membership a chairperson, a vice chairperson, and a secretary. The chairperson shall not serve more than two (2) consecutive terms as chairperson. The advisory committee shall meet as frequently as it deems necessary at such times and places as the advisory committee designates. Additional meetings may be held upon the call of the chairperson or upon written request of five (5) members of the advisory committee.

(f) Seven (7) members of the advisory committee shall constitute a quorum.

(g) The members of the advisory committee shall not be entitled to compensation for their services ~~but may receive expense reimbursement in accordance with § 25-16-902.~~

SECTION 3. Arkansas Code 27-101-407 is amended to read as follows:

27-101-407. Marina operators.

(a) Marina operators shall ~~work~~ cooperate with ~~the Department of Health~~ all applicable state and federal agencies and the Marine Sanitation Advisory Committee to ensure that ~~all boats, marine toilets, marine sanitation systems, and the disposal of marine sewage from boats into impounded waters are in compliance with this subchapter~~ is consistent with state and federal law.

~~(b) Marina operators shall, in accordance with regulations promulgated by the State Board of Health, encourage prompt compliance with this subchapter.~~

(b) When accepting new boat arrivals, marina operators shall inform boat owners and operators of the requirements of ~~this subchapter in accordance with regulations promulgated by the board~~ state and federal law regarding the proper disposal of marine sewage.

SECTION 4. Arkansas Code 27-101-409 is amended to read as follows:

27-101-409. Powers and duties of the Marine Sanitation Advisory Committee.

The Marine Sanitation Advisory Committee shall ~~shall~~ may, subject to the availability of funding:

(a) Review all regulations relating to marine toilets, marine sanitation systems, and disposal of marine sewage from boats as necessary to ~~carry out the provisions of this subchapter and recommend their approval to the State Board of Health~~ inform marina operators and boat owners of all requirements of state and

federal law;

~~(b) Recommend to the Department of Health a timetable for implementation of regulations promulgated under this subchapter so that persons required to comply with its provisions have a reasonable opportunity to bring facilities into compliance;~~

~~(e)(b)~~ Establish a marine sanitation migrant program for the purpose of providing grants to marinas to purchase additional marine equipment to assist with the compliance of this subchapter if funds are available proper disposal of marine sewage; and

~~(d)(c)~~ Conduct ongoing Encourage research to advise the department in regard to technological developments in the discharge of marine sewage.

SECTION 5. Arkansas Code Title 27, Chapter 101, Subchapter 4 is amended by adding an additional section to read as follows:

27-101-410. Cooperation with federal agencies.

The Department of Health, the Arkansas Department of Environmental Quality, and the Arkansas State Game and Fish Commission shall pursue cooperative agreements with all appropriate federal agencies to ensure the proper disposal of marine sewage in Arkansas."

/s/ David Haak

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Allison, **HOUSE BILL NO. 2291** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2291

Amend **HOUSE BILL NO. 2291** as originally introduced:

Page 1, line 29, delete "~~ten (10) five (5)~~" and substitute "ten (10)"

AND

Page 1, line 34, delete "~~justice of the peace or other~~" and substitute "justice of the peace or other"

/s/ Jerry Allison

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Cowling, **HOUSE BILL NO. 1964** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1964

Amend **HOUSE BILL NO. 1964** as originally introduced:

Page 1, delete lines 29 through 32 in their entirety and substitute the following:

"ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
(01) REGULAR SALARIES	\$ 80,000	\$ 82,080
(02) PERSONAL SERV MATCHING	21,600	22,162
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	30,000	30,000
(B) CONF. & TRAVEL	0	0
(C) PROF. FEES	30,000	30,000
(D) CAP. OUTLAY	20,000	20,000
(E) DATA PROC.	<u>15,000</u>	<u>15,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 196,600</u>	<u>\$ 199,242</u>

And

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

" SECTION 2. REGULAR SALARIES. There is hereby established for the Title Insurance Agents' Licensing Board for the 2001-2003 biennium, the following maximum number of regular employees whose salaries shall be governed by the provisions of the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws amendatory thereto. Provided, however, that any position to which a specific maximum annual salary is set out herein in dollars, shall be exempt from the provisions of said Uniform Classification and Compensation Act. All persons occupying positions authorized herein are hereby governed by the provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its successor.

Item No.	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Years	
			2001-2002	2002-2003
(1)	TITLE INSURANCE AGENTS' LICEN. BRD DIR	1	\$50,000	\$51,300
(2)	ADMINISTRATIVE ASSISTANT MAX. NO. OF EMPLOYEES		<u>1</u> 2"	\$30,000 \$30,780

And appropriately renumber the subsequent sections.

s/ Ken Cowling

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative French, **HOUSE BILL NO. 2344** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 2344

Amend **HOUSE BILL NO. 2344** as engrossed, 3/13/2001:

Page 2, line 9 delete "accrual basis;" and substitute "basis of accounting recommended by the Governmental Accounting Standards Board for governmental purposes;"

And

Page 12, lines 11 and 12 delete "~~capital outlay or~~" and substitute "capital outlay or "

And

Page 12, line 13 delete in its entirety and substitute "transfers is provided by law, except for transfers from capital outlay to "

And

Page 12, lines 14-17 remove all strikeouts

And

Page 12, line 17 delete "agency;" and insert "agency; During the biennial period ending June 30, 2003, transfers may be made from capital outlay to other budget classifications of maintenance and general operation only in the event the Department of Finance and Administration has promulgated a regulation increasing the capitalization threshold during that biennial period."

And

Page 15, lines 8-11 remove all strikeouts.

/s/ George French

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative French, **HOUSE BILL NO. 2522** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2522

Amend **HOUSE BILL NO. 2522** as originally introduced;

Page 1, line 9 delete "LEVY AN" and substitute "AMEND THE DISTRIBUTION OF THE"

And

Page 1, line 16 delete "LEVY AN" and substitute "AMEND THE DISTRIBUTION OF THE"

And

Page 1, delete Section 1 and substitute:

" SECTION 1. Arkansas Code 26-57-236(g), as amended by Act 434 of 1997, pertaining to stamp deputies, is amended to read as follows:

(g) A commission shall be paid by the director to stamp deputies for the sales and collection of cigarette tax stamps and for affixing the said tax stamps to each package of cigarettes. The commission shall not be less than ~~four and four tenths percent (4.4%)~~ three and eight tenths percent (3.8%) of the total aggregate cigarette tax collected.

SECTION 2. Arkansas Code 26-57-1103, pertaining to the distribution of the proceeds of an additional tobacco tax, is amended to read as follows:

~~Ten percent (10%)~~ Twenty nine percent (29%) of all moneys collected from the additional tax levied in §§26-57-1101 and 26-57-1102 shall be deposited in the State Treasury as ~~general revenues~~ special revenue, 50% of which shall be credited to the Aging and Adult Services Fund Account of the Department of Human Services Fund to be used to assist the Meals-on-Wheels program; and 50% of which shall be credited to the Department of Human Services Grants Fund Account to be used to implement a Prescription Drug for the Elderly Waiver Program. In the event, however, that the federal government implements a prescription drug assistance program that provides essentially the same benefits or greater to the same eligible clients as the Prescription Drug Waiver for the Elderly Program, the funds set aside herein for the Prescription Drug Waiver for the Elderly Program shall be credited, in lieu thereof, to the Breast Cancer Control Fund and to the Breast Cancer Research Fund in the same proportions as set out in Arkansas Code 26-57-1106(a).

SECTION 3. Arkansas Code 26-57-1106 concerning the distribution of funds for breast cancer research and control, is amended to read as follows:

26-57-1106. Distribution of funds for breast cancer research and control - Allocation of moneys.

(a) ~~Ninety percent (90%) of all~~ All remaining moneys collected from the additional tax levied in §§ 26-57-1101 and 26-57-1102 shall be deposited in the State Treasury as special revenues to be distributed as follows:

(1) Twenty percent (20%) shall be credited to the Breast Cancer Research Fund, which is hereby created on the books of the State Treasurer, State Auditor and the Chief Fiscal Officer of the State to be used exclusively for the purposes set forth in ~~§ 20-15-303~~ §20-15-1303; and

(2) Eighty percent (80%) shall be credited to the Breast Cancer

Control Fund which is hereby created on the books of the State Treasurer, State Auditor and the Chief Fiscal Officer of the State to be used exclusively for the purposes set forth in ~~§ 20-15-304~~ §20-15-1304 and, at the option of the Department of Health in an amount not to exceed the amount appropriated by the General Assembly for such purpose, for cervical cancer control. The Director of the Department of Health shall be the disbursing officer for the Breast Cancer Control Fund and the Chancellor of the University of Arkansas for Medical Sciences shall be the disbursing officer for the Breast Cancer Research Fund.

(b) The moneys in the Breast Cancer Research Fund are to be allocated to the Breast Cancer Research Program for the awarding of grants, chairs and contracts to researchers for research with respect to the cause, cure, treatment, prevention, and earlier detection of breast cancer and for developing leadership in research in Arkansas.

(c) The moneys in the Breast Cancer Control Fund for the control of breast cancer are to be allocated according to the recommendations of the Breast Cancer Control Advisory Board who shall establish the scope of services of the program and programmatic priorities based on the analysis of available information. The advisory board shall also be responsible for developing eligibility criterion to be applied in evaluating requests for breast cancer control financial assistance from screened women who are found to be in need of diagnostic and treatment services. The advisory board shall also review contractual agreements for breast cancer control with providers who will be rendering services through the program.

SECTION 4. EMERGENCY CLAUSE. It is found and determined by the General Assembly that changes in distributions and funding sources must take place at the beginning of the state fiscal year in order to maintain approved accounting standards and to reduced confusion and that in the event of an extended session, this act may not take effect until after July 1 thereby placing the funding of the breast cancer program in jeopardy. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on July 1, 2001. "

/s/ George French

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative M. Smith, **HOUSE BILL NO. 2466** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2466

Amend **HOUSE BILL NO. 2466** as originally introduced:

Page 2, delete lines 6 and 7 and substitute:

“(2)(A) “Personal computer” means a laptop or desktop computer system, including all computer hardware and software sold together as one component”

AND

Page 2, delete lines 20 through 23 and substitute the following:

“(d) The gross receipts or gross proceeds derived from the sale of a personal computer sold to an individual purchaser during the exclusion period for non-business use is exempt from gross receipts tax if the purchase price is one thousand two hundred dollars (\$1,200) or less.”

/s/ Mark Smith

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative M. Smith, **HOUSE BILL NO. 2466** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 2466

Amend **HOUSE BILL NO. 2466** as originally introduced:

Page 2, delete lines 24 through 36 and substitute:

“(e)(1) On July 1, 2001, the Director of the Department of Finance and Administration shall determine whether the net available general revenues collected during the fiscal year ending June 30, 2001 equaled or exceeded the forecast provided to the Joint Committee on Economic and Tax Policy pursuant to § 10-3-1404 in May 2000. If the condition has been met, the Director of the Department of Finance and Administration shall notify all sales and vendor use tax permit holders of the application of the exemption provided by this section for the August 2001

exclusion period. If the condition has not been met, the exemption shall not apply for the exclusion period.

(2) On July 1, 2002, the Director of the Department of Finance and Administration shall determine whether the net available general revenues collected during the fiscal year ending June 30, 2002 equaled or exceeded the forecast provided to the Joint Committee on Economic and Tax Policy pursuant to § 10-3-1404 in May 2001. If the condition has been met, the Director of the Department of Finance and Administration shall notify all sales and vendor use tax permit holders of the application of the exemption provided by this section for the August 2002 exclusion period. If the condition has not been met, the exemption shall not apply for the exclusion period."

AND

Page 3, delete lines 1 through 7.

/s/ Mark Smith

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Seawel **HOUSE BILL NO. 2394** was placed Back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 2394

Amend **HOUSE BILL NO. 2394** as engrossed, H3/14/01:

Page 1, delete lines 31 through 36 and substitute the following:

~~responsibilities~~ It is unlawful, during regular school hours, and in a place where a public school employee is required to be in the course of his or her duties, for any person to address a public school employee using language which, in its common acceptance, is calculated to:

AND

Page 2, line 1, delete "breach of peace;" and substitute "breach of the peace;"

AND

Page 2, delete lines 4 and 5 and substitute the following:

"(C) Arouse the person to whom it is addressed to anger, to the extent likely to cause imminent retaliation."

/s/ Harmon Seawel

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Files, **HOUSE BILL NO. 2610** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 2610

Amend **HOUSE BILL NO. 2610** as engrossed, H3/14/01:

Page 2, delete lines 8 and 9 and substitute the following:

"contractor, or subcontractor of any such industry, the board shall issue a license permitting such"

AND

Page 2, delete lines 13 through 22 in their entirety

AND

Page 2, line 31, delete "and" and substitute "and"

AND

Page 2, delete line 34 and substitute the following:

"Act, 42 U.S.C. § 4501 et seq.; and

(6) Any industry, as that term is defined in subsection (f) of this section, or group of industries under common ownership or control, with assets in this state of one billion dollars (\$1,000,000,000) or more.

SECTION 2. Arkansas Code 17-28-308 is amended to read as follows:

17-28-308. Electrical apprentices.

(a) Upon proper application and payment of the fee, the Board of Electrical Examiners of the State of Arkansas shall register as an electrical apprentice and issue a certificate of registration to any person who furnishes satisfactory proof that the applicant is enrolled in a school or training course for electrical apprentices certified by the Bureau of Apprenticeship and Training of the U.S. Department of

Labor.

(b) The board shall, upon proper application and payment of a fee, register as an electrical apprentice and issue a certificate of registration to a person who furnishes satisfactory proof that the applicant is enrolled in a school or training course for electrical apprentices certified by the board, which shall not permit supervision of apprentices at a ratio of greater than three (3) apprentices to one (1) journeyman or one (1) master electrician at one (1) time."

/s/ Jake Files

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. 2525** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2525

Amend **HOUSE BILL NO. 2525** as originally introduced:

Page 1, line 28, delete "permits may" and substitute "permits, legal title, and right of ownership may"

/s/ Jeff Gillespie

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. 1051** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 4 TO HOUSE BILL NO. 1051

Amend **HOUSE BILL NO. 1051** as engrossed, H3/16/01:

Add Senator Mahony as a cosponsor of the bill

AND

Page 2, delete lines 13 through 15 and substitute the following:

"and created through an express written grant or reservation of easement which has been duly filed for record in the county or counties in which the lands subject to the easement are located."

AND

Page 2, line 16, delete "to public" and substitute "to easements created in favor of public"

AND

Page 2, line 21, delete "right." and substitute "right, nor shall the provisions of subsection (e) diminish the ingress and egress rights of severed mineral owners."

AND

Page 2, line 24 delete "natural" and substitute "severed mineral owner, natural"

AND

Page 2, line 31, delete "created or" and substitute "created, reserved, or"

AND

Page 2, line 31, delete "been filed" and substitute "been duly filed"

AND

Page 2, delete lines 32 and 33 and substitute the following:

"for record in the county or counties in which the lands subject to the easement are located or by an order or judgement of a circuit court."

/s/ Jim Milum

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative McMellon, **HOUSE BILL NO. 2617** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 2617

Amend **HOUSE BILL NO. 2617** as engrossed, H3/15/01:

Add Senator Wilkinson as a cosponsor of the bill

AND

Page 1, delete lines 9 through 14 and substitute the following:

"AN ACT TO AMEND ARKANSAS CODE TITLE 14, CHAPTER 284, SUBCHAPTER 4 TO ADD AN ADDITIONAL SECTION TO ALLOCATE PREMIUM TAXES TO RURAL AND SMALL TOWN FIRE DEPARTMENTS; TO AMEND ARKANSAS CODE 26-57-611 AND 26-57-614 TO PROVIDE FOR FURTHER DISBURSEMENT OF PREMIUM TAXES FOR FIRE PROTECTION, AND FOR OTHER PURPOSES."

AND

Page 1, delete line 17 through 19 and substitute the following:

"AN ACT TO ALLOCATE PREMIUM TAXES TO RURAL AND SMALL TOWN FIRE DEPARTMENTS FOR FIRE PROTECTION"

AND

Delete Section 1 and substitute the following:

"SECTION 1. Arkansas Code Title 14, Chapter 284, Subchapter 4, is amended to add an additional section to read as follows:

14-284-412. Rural and small town fire departments.

(a) It is hereby found and determined by the General Assembly of the State of Arkansas that:

(1) Additional funding is needed to improve the fire protection services in rural areas and small towns of this state;

(2) Rural and small town fire departments with the highest number of ISO classifications need to receive a larger portion of funding for equipment and training to reduce those classifications; and

(3) Insurance premium taxes being levied should be reallocated to those rural and small fire departments to provide adequate fire protection services for the property of citizens through the use of properly trained and equipped fire fighters.

(b)(1) 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 Rural and Small Town Fire Protection Fund.

(2) This fund shall consist of a portion of the taxes levied on insurers exceeding the amounts allocated after July 1, 2002 designated for support of rural and small town fire departments programs, there to be used for those purposes as set out in subsection (e) of this section.

(c) Beginning on July 1, 2002, and each July 1 thereafter, the Rural and Small Town Fire Department Protection Fund shall have deposited in to the fund the premium taxes collected under §§ 26-57-604, 26-57-605, and 26-57-614 that exceeds the amount of those premium taxes collected during the fiscal year ending June 30, 2001.

(d)(1) Beginning July 1, 2003, a portion of the premium tax moneys allocated to the Rural and Small Town Fire Protection Fund shall be disbursed annually by the Department of Finance and Administration through the Office of Fire Protection Services as follows:

(A) Five percent (5%) of the year ending balance for the prior year shall be divided evenly among the ISO Class 5 rural and small town fire departments;

(B) Five percent (5%) of the year ending balance for the prior year shall be divided evenly among the ISO Class 6 rural and small town fire departments;

(C) Ten percent (10%) of the year ending balance for the prior year shall be divided evenly among the ISO Class 7 rural and small town fire departments;

(D) Twenty-five percent (25%) of the year ending balance for the prior year shall be divided evenly among the ISO Class 8 rural and small town fire departments;

(E) Fifty percent (50%) of the year ending balance for the prior year shall be divided evenly among the ISO Class 9 rural and small town fire departments; and

(F) Five percent (5%) of the year ending balance for the prior year shall be divided evenly among the ISO Class 10 rural and small town fire departments.

(2) For the purpose of distributing funds as described in subdivisions (b)(1)(A) - (E) of this section, fire departments serving areas with split ISO classifications shall be deemed to be included within the highest ISO classification number under subdivisions (b)(1)(A) - (E) of this section in that fire department's split ISO classification.

(e) Funds from the Rural and Small Town Fire Protection Fund shall be used for the purchase of equipment, capital improvements, and training.

(f) As used in this section, "rural and small town fire department" means any volunteer or other fire department which is certified by the Office of Fire Protection Services pursuant to §§ 20-22-801 - 20-22-809 and which serves a rural unincorporated area of a county or which serves an area including an incorporated town, or both.

(g)(1) No rural or small town fire department shall receive payments from the Rural and Small Town Fire Protection Fund until a written proposal stating the following information has been approved by the county quorum court and the Arkansas Fire Protection Services Board:

- (A) Amount of funds requested;
- (B) Purpose for which funds will be expended;
- (C) Plans for training of fire fighters; and
- (D) Anticipated time of completion of project.

(2)(A) Rural and small town fire departments shall supply the necessary statistical and operational information to the Arkansas Fire Protection Services Board and county quorum court as required.

(B) The quorum court of each county shall file reports on January 15 annually with the State Auditor and Department of Finance and Administration stating how these funds were expended during the preceding twelve (12) months.

(C) Each rural or small town fire department which receives these funds shall file reports on December 1 annually with the quorum court stating how the funds were expended during the preceding twelve (12) months.

(D) If any quorum court or rural or small town fire department fails to make the reports, the fire departments shall not be eligible for new or additional funds until the reports are filed.

(E) Any rural or small town fire department which fails to expend funds in compliance with this section shall not be eligible for new or additional funds from the Rural and Small Town Fire Protection Fund until the department reimburses the fund in the exact amount of those moneys improperly retained or expended.

SECTION 2. Arkansas Code 26-57-611 is amended to read as follows:

26-57-611. Disposition of nonallocated funds.

~~The~~ (a) Until July, 1, 2002, the commissioner shall deposit all premium taxes collected under this subchapter which are not allocated and appropriated for the various funds under § 11-9-101 et seq. for the Arkansas Fire and Police Pension Review Board and firemen's relief and pension funds under §§ 24-11-809, 24-11-810, and 26-57-609 and for the Arkansas Fire and Police Pension and Review

Board and police officer's pension and relief funds under § 24-11-301 in the State Treasury as general revenues.

(b)(1) Beginning July 1, 2002 and after, the commissioner shall deposit all premium taxes collected under this subchapter which are not allocated and appropriated for the various funds under § 11-9-101 et seq. for the Arkansas Fire and Police Pension Review Board and firemen's relief and pension funds under §§ 24-11-809, 24-11-810, and 26-57-609 and for the Arkansas Fire and Police Pension and Review Board and police officer's pension and relief funds under § 24-11-301 in the State Treasury as general revenues until the amount equals the amount of funds deposited to general revenues during the fiscal year ending June 30, 2001; and

(2) After the amount equals the amount of funds deposited to general revenues during the fiscal year ending June 30, 2001, the commissioner shall deposit the remaining premium taxes allocated under this section in the State Treasury to the Rural and Small Town Fire Protection Fund."

AND

Page 3, line 21, delete "SECTION 2." and substitute "SECTION 3."

/s/ Terry A. McMellon

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative McMellon, **HOUSE BILL NO. 2617** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 3 TO HOUSE BILL NO. 2617

Amend **HOUSE BILL NO. 2617** as engrossed, H3/15/01:

Add Senator Wilkinson as a cosponsor of the bill

AND

Page 1, delete lines 9 through 14 and substitute the following:

"AN ACT TO AMEND ARKANSAS CODE TITLE 14, CHAPTER 284, SUBCHAPTER 4 TO ADD AN ADDITIONAL SECTION TO ALLOCATE PREMIUM TAXES TO RURAL AND SMALL TOWN FIRE DEPARTMENTS; TO AMEND ARKANSAS CODE 26-57-611 AND 26-57-614 TO PROVIDE FOR FURTHER DISBURSEMENT OF PREMIUM TAXES FOR FIRE PROTECTION, AND FOR OTHER PURPOSES."

AND

Page 1, delete line 17 through 19 and substitute the following:

"AN ACT TO ALLOCATE PREMIUM TAXES TO RURAL AND SMALL TOWN FIRE DEPARTMENTS FOR FIRE PROTECTION"

AND

Delete Section 1 and substitute the following:

"SECTION 1. Arkansas Code Title 14, Chapter 284, Subchapter 4, is amended to add an additional section to read as follows:

14-284-412. Rural and small town fire departments.

(a) It is hereby found and determined by the General Assembly of the State of Arkansas that:

(1) Additional funding is needed to improve the fire protection services in rural areas and small towns of this state;

(2) Rural and small town fire departments with the highest number of ISO classifications need to receive a larger portion of funding for equipment and training to reduce those classifications; and

(3) Insurance premium taxes being levied should be reallocated to those rural and small fire departments to provide adequate fire protection services for the property of citizens through the use of properly trained and equipped fire fighters.

(b)(1) 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 Rural and Small Town Fire Protection Fund.

(2) This fund shall consist of a portion of the taxes levied on insurers exceeding the amounts allocated after July 1, 2002 designated for support of rural and small town fire departments programs, there to be used for those purposes as set out in subsection (e) of this section.

(c) Beginning on July 1, 2002, and each July 1 thereafter, the Rural and Small Town Fire Department Protection Fund shall have deposited in to the fund the premium taxes collected under §§ 26-57-604, 26-57-605, and 26-57-614 that exceeds the amount of those premium taxes collected during the fiscal year ending June 30, 2001.

(d)(1) Beginning July 1, 2003, a portion of the premium tax moneys allocated to the Rural and Small Town Fire Protection Fund shall be disbursed annually by the Department of Finance and Administration through the Office of Fire Protection Services as follows:

(A) Five percent (5%) of the year ending balance for the prior year shall be divided evenly among the ISO Class 5 rural and small town fire

departments;

(B) Five percent (5%) of the year ending balance for the prior year shall be divided evenly among the ISO Class 6 rural and small town fire departments;

(C) Ten percent (10%) of the year ending balance for the prior year shall be divided evenly among the ISO Class 7 rural and small town fire departments;

(D) Twenty-five percent (25%) of the year ending balance for the prior year shall be divided evenly among the ISO Class 8 rural and small town fire departments;

(E) Fifty percent (50%) of the year ending balance for the prior year shall be divided evenly among the ISO Class 9 rural and small town fire departments; and

(F) Five percent (5%) of the year ending balance for the prior year shall be divided evenly among the ISO Class 10 rural and small town fire departments.

(2) For the purpose of distributing funds as described in subdivisions (b)(1)(A) - (E) of this section, fire departments serving areas with split ISO classifications shall be deemed to be included within the highest ISO classification number under subdivisions (b)(1)(A) - (E) of this section in that fire department's split ISO classification.

(e) Funds from the Rural and Small Town Fire Protection Fund shall be used for the purchase of equipment, capital improvements, and training.

(f) As used in this section, "rural and small town fire department" means any volunteer or other fire department which is certified by the Office of Fire Protection Services pursuant to §§ 20-22-801 - 20-22-809 and which serves a rural unincorporated area of a county or which serves an area including an incorporated town, or both.

(g)(1) No rural or small town fire department shall receive payments from the Rural and Small Town Fire Protection Fund until a written proposal stating the following information has been approved by the county quorum court and the Arkansas Fire Protection Services Board:

(A) Amount of funds requested;

(B) Purpose for which funds will be expended;

(C) Plans for training of fire fighters; and

(D) Anticipated time of completion of project.

(2)(A) Rural and small town fire departments shall supply the necessary statistical and operational information to the Arkansas Fire Protection

Services Board and county quorum court as required.

(B) The quorum court of each county shall file reports on January 15 annually with the State Auditor and Department of Finance and Administration stating how these funds were expended during the preceding twelve (12) months.

(C) Each rural or small town fire department which receives these funds shall file reports on December 1 annually with the quorum court stating how the funds were expended during the preceding twelve (12) months.

(D) If any quorum court or rural or small town fire department fails to make the reports, the fire departments shall not be eligible for new or additional funds until the reports are filed.

(E) Any rural or small town fire department which fails to expend funds in compliance with this section shall not be eligible for new or additional funds from the Rural and Small Town Fire Protection Fund until the department reimburses the fund in the exact amount of those moneys improperly retained or expended.

SECTION 2. Arkansas Code 26-57-611 is amended to read as follows:

26-57-611. Disposition of nonallocated funds.

~~The~~ (a) Until July, 1, 2002, the commissioner shall deposit all premium taxes collected under this subchapter which are not allocated and appropriated for the various funds under § 11-9-101 et seq. for the Arkansas Fire and Police Pension

Review Board and firemen's relief and pension funds under §§ 24-11-809, 24-11-810, and 26-57-609 and for the Arkansas Fire and Police Pension and Review Board and police officer's pension and relief funds under § 24-11-301 in the State Treasury as general revenues.

(b)(1) Beginning July 1, 2002 and after, the commissioner shall deposit all premium taxes collected under this subchapter which are not allocated and appropriated for the various funds under § 11-9-101 et seq. for the Arkansas Fire and Police Pension Review Board and firemen's relief and pension funds under §§ 24-11-809, 24-11-810, and 26-57-609 and for the Arkansas Fire and Police Pension and Review Board and police officer's pension and relief funds under § 24-11-301 in the State Treasury as general revenues until the amount equals the amount of funds deposited to general revenues during the fiscal year ending June 30, 2001; and

(2) After the amount equals the amount of funds deposited to general revenues during the fiscal year ending June 30, 2001, the commissioner shall deposit the remaining premium taxes allocated under this section in the State Treasury to the Rural and Small Town Fire Protection Fund."

AND

Page 3, line 21, delete "SECTION 2." and substitute "SECTION 3.

AND

Page 3, lines 33 and 34, delete "Rural and Small Town Fire Protection Fund and"

AND

Page 4, line 20, delete "Rural and Small Town Fire Protection Fund and the"

/s/ Terry A. McMellon

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. 2364** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 2364

Amend **HOUSE BILL NO. 2364** as engrossed, H3/08/01:

Delete everything after the Enacting Clause and substitute the following:

"SECTION 1. Arkansas Code 25-4-102(b) through (d) are amended to read as follows:

(b) The General Assembly further declares its intent to create a state agency to:

(1) Support the information technology initiatives established by the Executive CIO;

~~(1)(2) Plan and manage~~ Provide design and management services for the state's core information technology infrastructures;

~~(2) Increase other state agency awareness of opportunities to share information;~~

(3) Provide information technology services;

~~(4) Increase opportunities~~ Implement appropriate technologies to exchange and share information; and

~~(5) Develop state standards for information technology; and~~ Develop technical standards and provide technical leadership and guidance to support the state's shared technical architecture.

~~(6) Develop a state information technology plan.~~

(c) It is also the intent of the General Assembly that this state agency achieve certain objectives that will better support information technology utilization by other state agencies. These objectives are to:

~~(1) Establish a state plan for an information technology infrastructure;~~

~~(2)(1)~~ Implement increased capabilities for communication and exchange of information;

~~(3)(2)~~ Establish technical standards for information technology; and

~~(4)(3)~~ Develop mechanisms for more timely acquisition of information technology; and

~~(5) Establish policies and procedures that maximize the return on investment of information technology expenditures.~~

(d)(1) The General Assembly further finds and determines that information technology services are readily available in the private sector; that the public interest would be well served by competition for the provision of such services to the state; that public-private partnerships or joint ventures for the provision of such services may be appropriate in certain instances; and that emphasis should be given to encouraging and enabling competition among suppliers of such services wherever possible in the administration of this chapter.

(2) The department shall consider in the development of the department plan and the Joint Committee on Advanced Communications and Information Technology ~~and department steering committees~~ shall emphasize in ~~their~~ its recommendations and policies the availability in the private sector of information technology resources upon a competitive bid basis, with a view to assuring the state of the highest reasonable quality of resources at the lowest reasonable cost.

SECTION 2. Arkansas Code 25-4-103 is amended to read as follows:

25-4-103. Definitions.

As used in this chapter:

(1) "Administrator" means the Administrator of the Office of Information Technology;

(2) "Application" means a separately identifiable and interrelated set of information technology resources that allows ~~a state agency to accomplish~~ information processing to support specifically defined objectives;

(3) "Core information technology infrastructure" means the state data, state network and application interfaces, and state security;

~~(3)(4)~~ "Department" means the Department of Information Systems;

~~(4)~~(5) "Director" means the Director of the Department of Information Systems;

~~(5)~~(6) "Equipment" means the machines, devices, and transmission facilities used in information processing, including computers, word processors, terminals, telephones, cables, software, and related services;

~~(6)~~(7) "Information processing" means the electronic capture, collection, storage, manipulation, transmission, retrieval, and presentation of information in the form of data, text, voice, or image and includes telecommunications and office automation functions;

~~(7)~~(8) "Information technology" means any component related to information processing and telecommunications, including data processing and telecommunications hardware, software, services, planning, personnel, facilities, and training;

~~(8)~~(9) "Information technology resources" means the procedures, equipment, and software that are designed, built, operated, and maintained to collect, record, process, store, retrieve, display, and transmit information, and associated personnel including consultants and contractors;

~~(9)~~(10) "Network infrastructure" means the shared portions of the state's telecommunications transmission facilities, including all transmission lines and all associated equipment and software components necessary for the management and control of the state network;

~~(10)~~ "Office" means the Office of Information Technology;

~~(11)~~(10) "Other governmental entities" means state elected constitutional officers and their staffs, the Supreme Court and the Administrative Office of the Courts, the General Assembly or its committees or staffs, the Arkansas State Highway and Transportation Department, the Arkansas Game and Fish Commission, the federal government, cities, counties, municipalities, and public school districts;

~~(12)~~(11) "Project" means a program to apply information technology resources to functions within or among elements of a state agency, that ideally is characterized by well-defined parameters, specific objectives, common benefits, planned activities, a scheduled completion date, and an established budget with a specified source of funding;

~~(13)~~(12) "Public instrumentality" means any statutorily created entity charged with the responsibility of providing information or services through the use of information technology;

~~(14)~~(13) "State agencies" means all state departments, boards, and commissions, ~~and institutions of higher learning~~ but shall not include the elected

constitutional officers and their staffs, the General Assembly and its committees and staffs, or the Supreme Court and the Administrative Office of the Courts, and public institutions of higher education with respect to academic, research, healthcare, and existing information technology applications and underlying support therefor; and

(14) "State of Arkansas shared technical architecture" means the structure of program or system components, how these components relate to one another, and the principles that govern their design and evolution over time; and

(15) "Telecommunications" means all forms of communications devices and transport media for the conveyance by electronic or electrical means of voice, words, data, signals, or images.

SECTION 3. Arkansas Code 25-4-104 is amended to read as follows:

25-4-104. Department of Information Systems ~~—Office of Information Technology.~~

(a) There is established within the executive department of government a Department of Information Systems.

(b)(1) The department shall be headed by a director to be appointed by the Governor, subject to confirmation by the Senate in the manner provided by law, and shall serve at the pleasure of the Governor.

(2) The director shall be a person who, by education and training, has technical knowledge and management experience in information technology-related equipment, systems, and services.

(3) The director shall qualify by filing the oath of office required in the Constitution of this state with the Secretary of State.

~~(c) The Department of Computer Services, created by Act 884 of 1977, is abolished, and its functions, powers, duties, records, personnel, property, unexpended balances of appropriations, allocations, and obligations are transferred by a type 3 transfer, as defined in § 25-2-106, to the Department of Information Systems.~~

(d) There is established ~~within the Department of Information Systems~~ an Office of Information Technology. The Administrator of the Office of Information Technology shall be appointed by the ~~director of the department~~ the Executive Chief Information Officer.

~~(e) The director shall maintain and fund the Office of Information Technology separate from the services and administrative components of the department.~~

~~(f)(c)~~ The director may establish ~~other~~ divisions and the organizational structure deemed necessary and appropriate for the efficient performance of the duties imposed under the provisions of this chapter, provided the organizational structure of the department shall conform to the positions authorized and limitations

provided therefor in the biennial appropriation of the department.

~~(g)~~(d) The director shall appoint the deputy and division directors and the professional, technical, and clerical assistants and employees as necessary to perform the duties imposed by this chapter. All employees of the department shall be employed by and serve at the pleasure of the director.

~~(h)~~(e) The director shall report to the Governor any matters relating to abuses of this chapter.

~~(i)~~(f) The director shall recommend statutory changes to the Governor.

SECTION 4. Arkansas Code 25-4-105 is amended to read as follows:

25-4-105. Department of Information Systems - General powers and duties.

The Department of Information Systems shall be vested with all the powers and duties necessary to administer the department and to enable it to carry out fully and effectively the regulations and laws relating to the department. These powers and duties relate to information technology and include but are not limited to:

(1) ~~Providing oversight of the Office of Information Technology~~
Conceptualizing, designing, developing, building, and maintaining common information technology infrastructure elements used by state agencies and governmental entities;

(2) Providing information technology services to state agencies and other governmental entities;

(3) Entering into contracts with state agencies and other governmental entities for the purpose of providing information technology services;

(4) Establishing fair and reasonable schedules of rates or fees to be paid by state agencies and governmental entities that are provided service to enable the department to defray the cost of providing the services as provided in this chapter;

~~(5) Establishing rates and fees for services provided by the department to assure that the department is self-supporting.~~ A billing rate plan shall be developed for a two-year period to coincide with the budgeting process. The same rate structure will apply to all agencies and entities receiving service;

(6) Acquiring information technology on behalf of state agencies, the cost of which shall be recovered through customer billings ~~at established rates~~ or through direct funding;

(7) Promulgating rules and regulations that are necessary for efficient administration and enforcement of the powers, functions, and duties of the department as provided in this chapter;

(8) Developing a departmental plan to ~~achieve~~ support the goals and objectives set forth ~~for it~~ in the state information technology ~~plan~~ plans and strategies. The department shall seek the advice of ~~appropriate steering committees~~

the Executive CIO in the development of these plans its plan;

(9) Performing any additional powers, functions, and duties which are necessary and appropriate for the proper administration of the provisions of this chapter; and

~~(10) Setting policies by regulation, reviewing applications, and recommending projects to the Governor for consideration for the award of grant or loan funds from the available sources, including the Telecommunications and Information Technology Fund, for the continued development and enhancement of educational opportunities, medical care services, and government operations throughout the State of Arkansas through the use of the state telecommunications network employing advanced communications and information technology.~~

SECTION 5. Arkansas Code 25-45-106 is amended to read as follows:

25-4-106. ~~Report to joint committee Appointment of advisory board and steering committee~~ Reporting requirements.

(a)(1) The director will report periodically ~~and annually~~ to the joint committee on Advanced Communications and Information Technology and the Executive CIO regarding the status of the department's information technology responsibilities in state government.

(2) The director will forward to the joint committee any statutory changes that the department may recommend sufficiently in advance of the convening of the regular session of the Arkansas General Assembly.

(3) The director may report on any factors that are outside the scope of the department but are deemed to inhibit or to promote the ~~effective exchange and use of information in state government~~ department's responsibilities.

~~(b) Subject to the following provisions, the Governor shall appoint the Department of Information Systems Advisory Board to advise the director on information technology:~~

~~(1) Members of the advisory board shall have knowledge and experience in information technology;~~

~~(2) Members of the advisory board shall annually elect a chair;~~

~~(3) The advisory board may be convened by a majority of members, by its chair, or by the director;~~

~~(4) Members shall not receive compensation for service to the board;~~
and

~~(5) Members may receive reimbursement for actual and necessary expenses reasonably incurred in performing board service, subject to applicable limitations on reimbursement as provided by law.~~

~~(c) Subject to the following provisions, the Governor shall appoint the Department of Information Systems Steering Committee to provide advice to the director concerning services provided by the department:~~

~~(1) Members of the committee shall be agency directors or their designee and shall include, but not be limited to:~~

~~(A) Two (2) members from a list of nominees submitted by the presidents and chancellors of the state's public institutions, one (1) of whom shall be employed by a two-year institution and one (1) of whom shall be employed by a four-year institution;~~

~~(B) One (1) member who is employed by a state agency with less than fifty (50) employees;~~

~~(C) One (1) member who is employed by a state agency with between fifty (50) and five hundred (500) employees;~~

~~(D) One (1) member who is employed by a state agency with over five hundred (500) employees and having a state-wide presence; and~~

~~(E) One (1) member who has knowledge and experience regarding information technology in the state's public schools;~~

~~(2) Members of the committee shall annually elect a chair;~~

~~(3) The committee may be convened by a majority of members, by its chair, or by the director;~~

~~(4) Members shall not receive compensation for service on the committee; and~~

~~(5) Members may receive reimbursement for actual and necessary expenses reasonably incurred in performing committee service, subject to applicable limitations on reimbursement as provided by law.~~

~~(d)(b) The director may appoint other committees as are necessary to provide the department with expertise and advice concerning information technology or the services provided by the department.~~

SECTION 6. Arkansas Code 25-4-109(d) is amended to read as follows:

(d) Agencies shall use the state core telecommunications network infrastructure, data, application, and security infrastructures.

SECTION 7. Arkansas Code 25-4-110 is amended to read as follows:

25-4-110. Information technology - Planning.

(a) The Office of Information Technology shall develop the state information technology plan.

(1) The administrator under the direction of the Executive Chief Information Officer shall prepare the draft state information technology plan and periodic updates for the ~~director~~ Governor and shall seek the advice of the working groups.

(2) Before the ~~director~~ administrator submits the plan to the Governor, he shall seek the advice of ~~the steering committee~~ and the Joint Committee on Advanced Communications and Information Technology.

(b) The Office of Information Technology shall develop information technology standards.

(1) The administrator shall prepare the draft standards and periodic updates for the ~~director~~ Governor and shall seek the advice of the working groups.

(2) Before the ~~director~~ administrator submits the state standards to the Governor, he shall seek the advice of the steering committee and the advisory board.

(c) Each state agency shall develop a biennial information technology plan that establishes state agency goals and objectives regarding the development and use of information technology. Plans may be updated by agencies in a timely manner to remain current and must accommodate changes in the evolving state information technology plan and standards.

(d) The ~~administrator~~ Office of Information Technology shall ~~seek the advice of the working groups before distributing~~ distribute criteria, elements, form, and format for agency plans. Plans may include, but not be limited to, the following:

(1) A statement of the agency's mission, goals, and objectives for information technology;

(2) Goals and objectives for achieving electronic access to agency records, information, and services;

(3) Consideration of a variety of information technologies, including those that help transcend geographic locations, standard business hours, economic conditions of users, and disabilities;

(4) Compliance with the Freedom of Information Act of 1967, beginning at § 25-19-101 ~~et seq.~~;

(5) An explanation of how the state agency's mission, goals, and objectives for information technology support and conform to the state information technology plan developed by the Office of Information Technology;

(6) An implementation strategy to include:

(A) Annual implementation objectives of the plan;

(B) Methods to educate both state employees and the public in the effective use of access technologies; and

(C) Agency activities to increase electronic access to public records and information to be implemented within available resources and existing state agency planning processes;

(7) Projects and resources required to meet the objectives of the plan;

(8) Estimated schedules and funding required to implement identified projects;

(9) An evaluation of the agency's performance relating to information technology;

(10) An assessment of progress made toward implementing the agency information technology plan;

(11) A discussion of progress toward electronic access to public information and enabling citizens to have two-way interaction for obtaining information and services from state agencies; and

(12) An inventory of state agency information technology.

(e) Plans developed or updated shall be submitted to the Office of Information Technology. The office may reject, require modification to, or approve

(f) plans as deemed appropriate. Plans shall be modified by the state agency as necessary.

(f) Plans developed or updated by public instrumentalities shall be submitted for review to the Joint Committee on Advanced Communications and Information Technology of the Arkansas General Assembly. The committee may seek the assistance of the Office of Information Technology in conducting this review. Plans shall be modified by the public instrumentality as necessary.

SECTION 8. Arkansas Code 25-4-111 is amended to read as follows:

25-4-111. Information technology - Prerequisites.

(a) Unless the agency first receives approval for a plan or an updated plan as provided for under § 25-4-110, no state agency shall:

(1) Acquire by purchase or lease any new or additional information technology; or

(2) Enter into any contract for information technology.

(b) If an agency desires to acquire information technology not part of an information technology plan approved under § 25-4-110, the requesting agency shall submit a waiver request to the ~~office~~ Executive Chief Information Officer that includes:

(1) Identification of necessary additional services or improvements in information technology;

(2) Relationship of the information technology improvements or additions to the overall goals of the agency;

(3) Resources needed to provide the additional services or improvements; and

(4) Measurement and evaluation criteria.

(c)(1) Upon evaluation of the waiver request, the ~~administrator~~ Executive Chief Information Officer shall notify the agency in writing of his approval or rejection of the request and his reasons therefor.

(2) The ~~administrator~~ Executive Chief Information Officer shall make his evaluation in a timely manner. If the ~~administrator~~ Executive Chief Information Officer requires more than thirty (30) days to complete the evaluation, he shall report in writing to the ~~director~~ Governor his reasons for the delay in completion.

(3) If the ~~administrator~~ Executive Chief Information Officer rejects a request for a waiver, no state agency shall make any expenditure of public funds for the acquisition or expansion of information technology equipment or services, ~~except as provided in § 25-4-118.~~

(4) If the ~~administrator~~ Executive Chief Information Officer determines that the agency needs additional information technology resources, he may:

(A) Authorize the agency to acquire the requested information technology; or

(B) Authorize acquisition of a modified information technology configuration; or

(C) Notify the agency of the availability of department facilities to provide the requested information technology; or

(D) Recommend that the information technology be provided through the facilities of some other designated state agency.

(d) All state agencies shall comply with the provisions of the Arkansas Purchasing Law, § 19-11-201 et seq., and applicable provisions of the General Accounting and Budgetary Procedures Law, § 19-4-101 et seq., in the acquisition, purchase, contracting for the purchase of, and leasing of information technology.

SECTION 9. Arkansas Code 25-4-113 is repealed:

~~25-4-113. Acquisition of information technology by constitutional officers, General Assembly, Supreme Court, or Administrative Office of the Courts.~~

~~(a) The Arkansas State Highway and Transportation Department, the Arkansas Game and Fish Commission, the elected constitutional officers and their staffs, the Supreme Court and the Administrative Office of the Courts, and the General Assembly or its committees or staffs shall be authorized to enter into contracts with the department for information technology.~~

~~(b) A written statement of any proposed acquisition or expansion above one hundred thousand dollars (\$100,000) shall be filed with the Joint Committee on Advanced Communications and Information Technology if the Arkansas State Highway and Transportation Department, the Arkansas Game and Fish Commission, the elected constitutional officers and their staffs, or the Supreme~~

~~Court and the Administrative Office of the Courts shall desire:~~

~~(1) To acquire, by purchase or lease, information technology; or~~

~~(2) To enter into any contract for information technology.~~

SECTION 10. Arkansas Code 25-4-114 is amended to read as follows:

25-4-114. Contracts and agreements for information technology.

~~(a)(1) In the event a state agency and the department are unable to agree upon a fair and reasonable price for the services to be rendered through the department~~ resolve a dispute, ~~the state agency may solicit proposals for information technology required by the state~~ matter shall jointly be referred to the Executive CIO for resolution.

~~(2) Upon receipt of such proposals, in writing, the state agency shall submit the proposals to the Administrator of the Office of Information Technology for review.~~

~~(3) The administrator may make any studies and reviews of the proposals, including the cost thereof, as he may deem appropriate and, within a reasonable time, shall notify the state agency, in writing, of approval or rejection and reasons therefor.~~

~~(4) If the administrator rejects the agency's request to purchase information technology, it shall be unlawful for the state agency to enter into any contract or agreement or to expend any state funds therefor, except as provided in § 25-4-118.~~

~~(b) Each contract entered into by the department and a state agency for services, in addition to establishing the amount and nature of the services to be rendered and the schedule of fees to be paid therefor, shall include any penalty provisions which may be mutually agreed upon by the department and the state agency.~~

~~(1) In establishing penalties for failure of the department to provide services in accordance with the time limits or other provisions set forth in the penalty provision agreement of the contract, the penalties shall be deducted from the system of charges billed to the agency for the services rendered. Penalties charged to the state agency shall be added to the regular schedule of fees for the services.~~

~~(2) The establishment of a system of penalties for failure of the department to perform or render the services contracted for by state agencies is intended by the General Assembly to afford state agencies a degree of flexibility in the acquisition of services and to assure performance by the department of the services contracted for by the state agencies, in accordance with the terms of the agreement, and to assure compliance with the contract or agreement by the state agency.~~

~~(e)(b)~~ Contracts for the provision of information technology are interagency agreements, and are exempt from the provisions of § 19-11-201 et seq. and § 19-4-101 et seq., nor are they required to be submitted to the Legislative Council for advice.

SECTION 11. Arkansas Code 25-4-115(b)(1) is amended to read as follows:

~~(b)(1)(A) Moneys appropriated for the maintenance and operation of the department may be utilized for those purposes.~~

~~(B) In addition, the~~ The department may utilize moneys appropriated for maintenance and operation and payment of regular salaries of the department for the purchase of professional services upon approval thereof by the Chief Fiscal Officer of the State.

SECTION 12. Arkansas Code 25-4-117 is amended to read as follows:

~~25-4-117. Cessation of services to nonpaying users~~ Delinquent accounts.

~~The department is authorized to discontinue information technology service to users who do not make a timely remittance of payment for services rendered, and is specifically prohibited from providing services to state agencies lacking funds or sufficient appropriations to pay for the services.~~

(a) For accounts that are thirty (30) days overdue and have no charges contested by the user, the department may request the Chief Fiscal Officer of the State to transfer all or part of the overdue amount from the user's account to the department's revolving account. The Chief Fiscal Officer shall transfer the amount within ten (10) working days.

(b) For accounts that are sixty (60) days overdue and have charges being contested by the user, the department may request the Chief Fiscal Officer of the State to transfer all or part of the overdue amount from the user's account to the department's revolving account. If the resolution of contested charges favors the user, the user may request the Chief Fiscal Officer of the State to transfer all or part of the overdue amount from the department's revolving account to the user's account.

(c) The department is authorized to discontinue information technology service to users who do not make a timely remittance of payment for services rendered, and is specifically prohibited from providing services to state agencies lacking funds or sufficient appropriations to pay for the services.

SECTION 13. Arkansas Code 25-4-118 is repealed:

~~25-4-118. Appeals.~~

~~(a) With respect to any finding, ruling, or determination that the administrator of the Office of Information Technology is authorized to make under the provisions of this chapter, any state agency aggrieved by any decision of the administrator, or~~

~~undue delay by the administrator in reviewing agency requests or plans under the provisions of this chapter, may appeal therefrom in writing to the director.~~

~~(b) If the director, in reviewing the appeal, decides to uphold the decision of the administrator, he shall offer to the agency to have the Department of Information Systems Steering Committee review and provide advice on the appeal.~~

~~(c)(1) With respect to any finding, ruling, or determination that the director is authorized to make under the provisions of this chapter any state agency aggrieved by any decision of the director or undue delay by the director in reviewing agency requests or plans under the provisions of this chapter may appeal therefrom in writing to the Governor within twenty (20) days after receiving written notice of the director's action. The agency shall simultaneously furnish a copy of the appeal, including a statement of the reasons for the appeal, to the Joint Committee on Advanced Communications and Information Technology and appropriate standing committees of the Arkansas General Assembly.~~

~~(2) The agency shall simultaneously furnish a copy of the appeal, including a statement of the reasons for the appeal, to the Joint Committee on Advanced Communications and Information Technology and appropriate standing committees of the General Assembly.~~

~~(d) Within a reasonable time, the Governor shall make any individual evaluation and study with respect to an appeal which he deems appropriate and, in connection therewith, may enlist the cooperation or technical assistance of other state agencies, departments, or institutions.~~

~~(e) The Governor shall issue his ruling within sixty (60) days, which may be:~~

~~(1) To uphold the decision of the director;~~

~~(2) To reject the decision of the director and approve the action sought by the state agency; or~~

~~(3) To modify the decision of the director in any manner which the Governor deems appropriate.~~

~~(f) The Governor shall notify in writing the Joint Committee on Advanced Communications and Information Technology and the appropriate standing committees of the General Assembly of his decision.~~

~~(g) The review by the committee is intended to be advisory to the Governor, with ultimate responsibility for the decision to rest with the Governor.~~

SECTION 14. Arkansas Code 25-4-119(b) through (d) are amended to read as follows:

(b)(1) When the General Assembly has completed the appropriation process, the director shall oversee budgetary planning for the department for each fiscal year of the biennium and shall assure that planned information technology expenditures for customers can be met from funds appropriated by the General Assembly.

(2) The proposed annual operating budget shall be submitted to the Governor for his approval prior to the beginning of each fiscal year.

(3) During the course of the biennium, the director shall make certain that the expenditures of the department do not exceed the income to be received by the department for the current fiscal year.

(4) If the director determines that rates charged to user agencies should be increased to meet the required expenditure level, he shall submit such proposed rate changes to the Governor for approval before any changes shall be effected.

(c) The quarterly allotment procedures applicable to state agencies, as defined by § 19-4-101 et seq., shall be applicable to ~~the department~~ all appropriations funded directly through general revenue.

~~(d) With the exception of the public institutions of higher learning, prior to the commencement of budget hearings conducted by the Legislative Council, all agencies shall submit to the administrator the information technology portion of their budget. The office shall review and may comment on the agency request.~~

SECTION 15. Arkansas Code 25-4-121 is amended to read as follows:

25-4-121. Department of Information Systems Revolving Fund.

(a) There is created and established on the books of the Treasurer of State, the Auditor of State, and the Department of Finance and Administration the Department of Information Systems Revolving Fund.

~~(b) The moneys credited to the Department of Information Systems Revolving Fund shall be used for major information technology acquisitions, personal services, maintenance, operation, and improvement of only those activities or programs of the department which are responsible for providing the services from which the revenues are derived.~~

~~(c)~~(b) The fund shall consist of nonrevenue receipts derived from services provided to various agencies of the federal, state, city, and county governments, and any other moneys which may be provided by law for credit to the fund.

~~(d)~~(c) All revenues received by the Department of Information Systems for providing information technology services shall be deposited in the State Treasury as nonrevenue receipts, there to be used for the maintenance, operation, and improvement of the department.

~~(e)~~(d) All revenues received from agencies or other governmental entities for information technology services provided by contracts between the Department of Information Systems and outside vendors may be deposited in the State Treasury as refund to expenditures.

SECTION 16. Uncodified Section 3(c) of Act 1042 of 2001 is amended to read as follows:

(c) The Office of Information Technology shall ~~hereafter~~ as soon as the Executive CIO is appointed be under the direction of the Executive CIO and until that appointment the office shall remain under the Department of Information Systems. The powers and duties of the Executive CIO shall not become effective until the appointment of the Executive CIO.

SECTION 17. Uncodified Section 4(f)(1) and (2) of Act 1042 of 2001 are amended to read as follows:

(f)(1) In the event a state agency proposes an information technology project which does not comply with the state information shared architecture or state information technology plan, the agency shall submit documentation to the ~~director~~ Administrator of the Office of Information Technology explaining the reason for noncompliance.

(2) The ~~director~~ administrator shall advance the agency's concerns to the Executive CIO, who shall seek review and advice of the CIO Council.

SECTION 18. Uncodified Section 7(a) of Act 1042 of 2001 are amended to read as follows:

(a) With respect to any finding, ruling, or determination that the ~~director~~ Administrator of the Office of Information Technology is authorized to make under the provisions of this act, any state agency aggrieved by any decision of the administrator, or undue delay by the administrator in reviewing agency requests or plans under the provisions of this act, may appeal therefrom in writing to the Executive CIO.

SECTION 19. EMERGENCY CLAUSE. It is hereby found and determined by the General Assembly that this Act 1042 of 2001 was enacted with an emergency clause; that this act makes changes to current law that are necessitated by Act 1042 of 2001; and that this law should become effective as soon as possible in order to complement and implement Act 1042 of 2001. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor, it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto.

/s/ Bill H. Stovall

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative R. Smith, **HOUSE BILL NO. 1382** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 5 TO HOUSE BILL NO. 1382

Amend **HOUSE BILL NO. 1382** as originally introduced:

Delete everything after the Enacting Clause and substitute the following:

“SECTION 1. It is found and determined by the General Assembly that the cost of claims against long-term care facilities by residents of long-term care facilities is a significant cost for long-term care facilities; that under present law there is no reasonable limitation upon either the amount of recoveries under such claims, or the procedure utilized or evidence considered in respect to the recoveries, if any, under such claims; and that it is necessary to have a reasonable limitation on these matters in order to provide affordable and accessible care for long-term care facility residents. Moreover, it is found that claims brought against long-term care facilities are unique in that in most instances the continuum of care extends over a period of time encompassing repetitive incidents of care-giving for frail and vulnerable patients who are oftentimes suffering from a variety of illnesses so that it is difficult under the circumstances of courtroom presentation of evidence of the claims to distinguish between conditions which were expectable and might normally result from pre-existing conditions unrelated to the quality of care, and those conditions which result directly and proximately from the care given by the long-term care facilities; and as a consequence recoveries in respect to such claims have escalated to the point that it may be impossible for long-term care facilities to obtain general liability insurance for the benefit of their residents. Therefore, it is found and determined by the General Assembly that among other matters requiring curative legislation is the matter of establishing a professional liability insurance pool which will be available for long-term care providers in the event that such insurance is no longer available for the long-term care provider.

SECTION 2. Arkansas Code 16-114-201 is amended to read as follows:

16-114-201. Definitions.

As used in this subchapter, unless the context otherwise requires:

(1) "Action for medical injury" means any action against a medical care provider, whether based in tort, contract, under § 20-10-1209, or otherwise, to recover damages on account of medical injury;

(2) "Medical care provider" means a physician, certified registered nurse anesthetist, physician's assistant, nurse, optometrist, chiropractor, physical therapist, dentist, podiatrist, pharmacist, veterinarian, hospital, long-term care facility as

defined in § 20-10-1202, nursing home, community mental health center, psychologist, clinic, or not-for-profit home health care agency licensed by the state or otherwise lawfully providing professional medical care, ~~or services~~ or custodial services, or an officer, employee or agent thereof acting in the course and scope of employment in the providing of such medical care or medical services; and

(3) "Medical injury" or "injury" means any adverse consequences arising out of or sustained in the course of the professional services, or custodial services as defined in § 20-10-1202, being rendered by a medical care provider, whether resulting from negligence, error, or omission in the performance of such services; or from rendition of such services without informed consent or in breach of warranty or in violation of contract; or from failure to diagnose; or from premature abandonment of a patient or of a course of treatment; or from failure to properly maintain equipment or appliances necessary to the rendition of such services; or otherwise arising out of or sustained in the course of such services.

SECTION 3. Arkansas Code 16-114-203(b) is amended to read as follows:

(b) The date of the accrual of the cause of action shall be the date of the wrongful act complained of and no other time. In the event that the cause of action is based upon a series of wrongful acts complained of, the date of accrual of the cause of action shall be a separate date for each of the series of acts complained of, and any alleged wrongful acts occurring prior to the two-year accrual period shall not be permitted based upon an allegation of a continuing course of conduct. For the purpose of this section the term "wrongful act" shall include any previous act or conduct which is contributory to the injury which results from the specific "wrongful act", and evidence concerning such previous act or conduct shall be admissible even though such act or conduct arose prior to the period otherwise barred by the statute of limitations. However, where the action is based upon the discovery of a foreign object in the body of the injured person which is not discovered and could not reasonably have been discovered within such two-year period, the action may be commenced within one (1) year from the date of discovery or the date the foreign object reasonably should have been discovered, whichever is earlier.

SECTION 4. Arkansas Code 16-46-105 is amended to read as follows:

16-46-105. Records of and testimony before committees reviewing and evaluating quality of medical or hospital care.

(a)(1)(A) The proceedings, minutes, records, or reports of organized committees of hospital, or long-term care facility as defined in § 20-10-1202, medical staffs or medical review committees of local medical societies having the responsibility for reviewing and evaluating the quality of ~~medical or hospital~~ medical, hospital, or long-term care, and any records, other than those records described in

subsection (c) of this section, compiled or accumulated by the administrative staff of such hospitals or long-term care facilities in connection with such review or evaluation, together with all communications or reports originating in such committees, shall not be subject to discovery pursuant to the Arkansas Rules of Civil Procedure or the Freedom of Information Act of 1967, § 25-19-101 et seq., or admissible in any legal proceeding and shall be absolutely privileged communications.

(B) The submission of such proceedings, minutes, records, reports, and communications to a hospital or long-term care governing board shall not operate as a waiver of the privilege.

(2) Neither shall testimony as to events occurring during the activities of such committees be subject to discovery pursuant to the Arkansas Rules of Civil Procedure or the Freedom of Information Act of 1967, § 25-19-101 et seq., or admissible.

(b)(1) Nothing in this section shall be construed to prevent disclosure of the data mentioned in subsection (a) of this section to appropriate state or federal regulatory agencies which by statute or regulation are entitled to access to such data, nor to organized committees of hospital medical staffs, or long-term care provider, or governing boards where the medical practitioner seeks membership or clinical privileges.

(2) Further, nothing in this section shall be construed to prevent discovery and admissibility if the legal action in which such data is sought is brought by a medical practitioner who has been subjected to censure or disciplinary action by such agency or committee or by a hospital medical staff or governing board.

(c) Nothing in this section or § 20-9-308 shall be construed to apply to original hospital medical records, incident reports, or other records with respect to the care or treatment of any patient or to affect the discoverability or admissibility of such records.

SECTION 5. Arkansas Code Title 16, Chapter 46, Subchapter 1 is amended to add an additional section to read as follows:

16-46-109. Records of and pertaining to Office of Long-Term Care surveys, deficiencies, plans of correction and state agencies reviewing and evaluating the quality of long-term care.

(a)(1) Except for subsection (c) of this section, the records or reports of the Office of Long-Term Care, created by § 20-10-1202, inspections and investigations concerning long-term care facilities, notices of deficiencies resulting from Office of Long-Term Care inspections and investigations, plans of correction provided by the long-term care facility in response to inspection reports, and Office of Long-Term

Care complaint investigations generated by agencies having the responsibility for reviewing and evaluating the quality of long-term care, and any records, other than those records described in subsection (c) of this section, compiled or accumulated by the Office of Long-Term Care in connection with such surveys and investigations, shall not be admissible in any civil legal proceeding filed by a resident of a long-term care facility or the resident's representative under § 20-10-1209(3) against the long-term care facility that is the subject of those records or reports.

(2) Neither shall testimony as to events occurring during the Office of Long-Term Care inspections and investigations be admissible.

(b) Nothing in this section shall be construed to prevent admissibility of the records and reports mentioned in subsection (a) of this section if the legal action in which such records and reports are sought to be admitted is a proceeding concerning fines, sanctions or other regulatory actions by the Office of Long-Term Care or a state or federal agency.

(c)(1) Nothing in this section shall be construed to apply to original long-term care facility medical records, or to reports referred to in subdivision (a)(1) of this section which are found by the court or arbitration panel or other tribunal having jurisdiction over the matter, to be directly related to the claim of the resident who has brought a claim against the facility, and to the damages which are alleged to have been the proximate result thereof.

(2) Furthermore, nothing in this section is intended to render any of the records or reports referred to in § 16-46-109(a)(1) to be excluded from the definition of "public records", as defined in § 25-19-103(1), or to be unavailable for examination or copying under the Freedom of Information Act of 1967, beginning at § 29-19-101. However, the introduction of, or reference to the reports or records referred to in § 16-46-109(a)(1) is intended to be prohibited except as specifically set forth herein.

SECTION 6. Arkansas Code 20-10-1209 is amended, to read as follows:

20-10-1209. Civil enforcement.

(a)(1) Any resident who incurs a medical injury or an injury as defined in § 16-114-201(3) may bring a cause of action against any licensee responsible therefor as provided in this section ~~is injured by a deprivation or infringement of his or her rights as specified in this subchapter may bring a cause of action against any licensee responsible for the deprivation or infringement.~~

(2)(A) The action may be brought by the resident or his or her guardian or by the personal representative of the estate of a deceased resident.

~~(3)~~ (B) The action may be brought in any court of competent

jurisdiction in the county in which the injury occurred or where the licensee is located to enforce such rights and to recover actual and punitive damages.

(3)(A) In the action the resident shall be entitled to recovery of civil damages under § 16-114-208. Otherwise, a resident shall not have a private cause of action for a medical injury; the cause of action provided for hereunder shall be the sole and exclusive remedy of the resident for a medical injury, and the resident's rights shall be governed by the provisions of §§ 16-114-201 through 16-114-209, which shall supersede and subsume any other cause of action based on the facts giving rise to the action for medical injury, whether under a theory of tort, negligence, or other statutory or common law right of action.

~~(4) The resident may seek to recover actual damages when there is a finding that an employee of the long-term care facility failed to do something which a reasonably careful person would do or did something which a reasonable person would not do under circumstances similar to those shown by the evidence in the case, which caused an injury due to an infringement or a deprivation of the resident's rights.~~

~~(5)(B) No separate award of attorney's fees may be made by the court, especially including those provided in § 16-22-308.~~

(b)(4) A licensee shall not be liable for the medical negligence of any physician rendering care or treatment to the resident, except for the services of a medical director as required in this subchapter.

~~(2) Nothing in this subsection shall be construed to protect a licensee from liability for failure to provide a resident with appropriate observation, assessment, nursing diagnosis, planning, intervention, and evaluation of care by nursing staff.~~

(c) For the purpose of this section, punitive damages may be awarded for conduct which is willful, wanton, gross or flagrant, reckless, or consciously indifferent to the rights of the resident.

SECTION 7. Arkansas Code Title 23, Chapter 91 is amended by adding an additional subchapter to read as follows:

Subchapter 3.

23-91-301.

If after notice and opportunity for hearing the State Insurance Department determines that insurance for professional liability is unavailable for a substantial number of the long-term care providers in Arkansas, then the department shall be authorized to establish the Arkansas Long-Term Care Liability Pool as provided in § 23-91-303.

23-91-302

(a) The Arkansas Long-Term Care Liability Pool shall provide coverage for professional liability for any long-term care providers licensed by the State of Arkansas and receiving Medicare or Medicaid funds administered by the Department of Human Services which shall elect to be covered by the pool.

(b)(1) The pool shall provide insurance for professional liability for long-term care providers for actual damages under § 16-114-208(a)(1) and for noneconomic compensatory damages under § 16-114-208(a)(2).

(2) Subject to the twenty-five thousand dollar (\$25,000) deductible provided for in § 23-91-303(3)(A)(i), the pool shall be the exclusive source of recovery of actual damages under § 16-114-208(a)(1) and for noneconomic compensatory damages under § 16-114-208(a)(2) recoverable from long-term care providers who elect to be covered by the pool.

(c)(1) Except as provided in subdivision (c)(2) of this section, nothing in this section shall preclude recovery of punitive damages against the long-term care provider if permitted under Arkansas law.

(2) However, in the action for punitive damages no evidence of any settlement of damages relating to actual or non-economic compensatory damages shall be admissible in any proceeding for punitive damages.

23-91-303.

The State Insurance Department shall adopt the following rules and regulations to implement the provisions of this subchapter:

(1) The State Insurance Department must find that professional liability insurance coverage is not available in Arkansas for a substantial number of the long-term care providers licensed by the State of Arkansas and receiving Medicare or Medicaid funds administered by the Department of Human Services;

(2)(A) The Arkansas Long-Term Care Liability Pool will be established as a separate, independent trust created by the state for the sole and exclusive benefit of claimants against long-term care providers who elect to be covered by the pool.

(B) Neither contributions to the pool nor payments from the pool shall be commingled with or be limited or governed by the provision of Arkansas law relating to expenditures of general revenue;

(3)(A)(i) The pool shall be established and maintained through a periodic premium payments by the insureds in an amount determined by the governing board of the pool to be sufficient to render the pool self-supporting and actuarially sound to fund the pool risks assumed by the pool with a twenty-five thousand dollar (\$25,000) deductible amount payable by the insured and to fund expenses of the pool.

(ii) The risks assumed by the pool shall include the absolute obligation to pay all actual damages determined to be due from the claimants to the

insureds under § 16-114-208(a)(1), the amount payable for noneconomic compensatory damages under § 16-114-208(a)(2), and cost of defense incurred by the insureds.

(iii)(a) Except as provided in subdivision (3)(A)(iii)(b) of this section, the amount of actual damages under § 16-114-208(a)(1) shall be paid when determined by a final order after the period for appeal has expired.

(b) Any portion of such payment to which the state or federal government is entitled under state or federal law shall be paid as a priority to the respective state or federal agency.

(iv) Payment of the noneconomic compensatory damages under § 16-114-208(a)(2) may be deferred by the pool in the event that the aggregate noneconomic compensatory damages awarded or allowed for the claimants against the covered insureds exceeds the actuarial reserve established therefor. In that event the pool shall be authorized to pay the deferred portion of any such noneconomic compensatory damages over a period of up to five years, and be payable, with interest thereon, at six percent (6%) per annum in installments to be determined by the pool.

(B) The pool administrator shall have the sole and exclusive right to defend all covered claims and to make all determinations as to settlement of covered claims;

(4) The pool shall not be authorized to assess covered providers in an amount in excess of the annual premium established by the pool;

(5) Provision shall be made for administration of the pool, including:

(A) The contracting for administration with private insurance carriers or others;

(B) The employment of attorneys, actuaries, and other advisors to the pool; and

(C) The payment of agent's commissions for the service of the accounts of the long-term care providers;

(6) Provision shall be made for adjustment of contributions for individual long-term care providers based on cost of living index increases and experience rating adjustments for covered providers based on their loss experience;

(7) The coverage provided by the pool shall not be mandatory for all long-term care providers licensed by the State of Arkansas and receiving Medicaid and Medicare funds structured by the Department of Human Services, but rather shall be optional for such providers; and

(8) Provision shall be made for orderly termination of the pool in the event that coverage becomes available from private carriers for substantially all of the providers.

SECTION 8. EMERGENCY CLAUSE. It is found and determined by the General Assembly that an emergency exists due to the existence of a significant number of lawsuits and claims which may become lawsuits against long-term care facilities; and that if this act is not made effective at the earliest practicable date then the outcome of these claims and lawsuits will jeopardize the financial stability of the long-term care providers, and, therefore, become a threat to the continuing provision for care for the elderly and others requiring long-term care in Arkansas. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor, it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto."

/s/ Roger Smith

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

/s/ Ms. Jo Renshaw
Chief Clerk

The House gave Representative Nichols unanimous leave to withdraw **HOUSE BILL NO. 2167**. Recommended referral to the House Committee on AGRICULTURE, FORESTRY AND ECONOMIC DEVELOPMENT.

The House gave Representative Lewellen unanimous leave to withdraw **HOUSE BILL NO. 1277**.

The House gave Representative Bradford unanimous leave to withdraw **HOUSE BILL NO. 2078**. Recommended referral to the House Committee on AGRICULTURE, FORESTRY AND ECONOMIC DEVELOPMENT.

The House gave Representative Parks unanimous leave to withdraw **HOUSE BILL NO. 2608**.

The House gave Representative M. Steele unanimous leave to withdraw **HOUSE BILL NO. 1372**.

The House gave Representative Parks unanimous leave to withdraw **HOUSE BILL NO. 2609**.

The House gave Representative Jackson unanimous leave to withdraw **HOUSE BILL NO. 2312**.

The House gave Representative Lendall unanimous leave to withdraw **HOUSE BILL NO. 1299**.

ENGROSSED BILL REPORTS

SHANE BROADWAY, CHAIRMAN

March 28, 2001

The following bill(s) reported correctly engrossed:

HOUSE BILL NO. 1051-TITLE-BY REPRESENTATIVE MILUM
HOUSE BILL NO. 1382 BY REPRESENTATIVE R. SMITH
HOUSE BILL NO. 1490 BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1520 BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1745 BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1746 BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1754 BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1964 BY REPRESENTATIVE COWLING
HOUSE BILL NO. 2277 BY REPRESENTATIVE MILLIGAN
HOUSE BILL NO. 2291 BY REPRESENTATIVE ALLISON
HOUSE BILL NO. 2344 BY REPRESENTATIVE FRENCH
HOUSE BILL NO. 2364 BY REPRESENTATIVE STOVALL
HOUSE BILL NO. 2369 BY REPRESENTATIVE BROADWAY
HOUSE BILL NO. 2394 BY REPRESENTATIVE SEAWEL
HOUSE BILL NO. 2466 BY REPRESENTATIVE M. SMITH
HOUSE BILL NO. 2522-TITLE-BY REPRESENTATIVE FRENCH
HOUSE BILL NO. 2525 BY REPRESENTATIVE GILLESPIE
HOUSE BILL NO. 2590-TITLE-BY REPRESENTATIVE VERKAMP
HOUSE BILL NO. 2610 BY REPRESENTATIVE FILES
HOUSE BILL NO. 2617-TITLE-BY REPRESENTATIVE McMELLON
HOUSE BILL NO. 2627 BY REPRESENTATIVE AGEE
HOUSE BILL NO. 2630-TITLE-BY REPRESENTATIVE HAAK
SENATE BILL NO. 438 BY SENATOR P. MALONE
SENATE BILL NO. 494 BY SENATOR BROWN
SENATE BILL NO. 707 BY SENATOR EVERETT
SENATE BILL NO. 766 BY SENATOR GULLETT
SENATE BILL NO. 807-TITLE-BY SENATOR K. SMITH
SENATE BILL NO. 874 BY SENATOR EVERETT
SENATE BILL NO. 967-TITLE-BY SENATOR CASH

SENATE BILL ENGROSSED AS TITLE AMENDED
SENATE BILL NO. 967

BY: SENATOR CASH

BY: REPRESENTATIVES BOOKOUT, ALLISON, TRAMMELL

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PROVIDE A SALES TAX EXEMPTION ON NATURAL GAS AND ELECTRICITY USED IN THE MANUFACTURING OF WALL AND FLOOR TILE BY MANUFACTURERS CLASSIFIED IN STANDARD INDUSTRIAL CLASSIFICATION 3253; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 1051

BY: REPRESENTATIVES MILUM, WEAVER, MILLIGAN, OGLESBY, RANKIN, HICKINBOTHAM, PRATER, SHOFFNER, DUGGAR

BY: *SENATOR MAHONY*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND ARKANSAS CODE ANNOTATED 18-61-101 TO PROVIDE THAT EASEMENTS MAY ONLY BE ACQUIRED THROUGH AN EXPRESS WRITTEN GRANT OF EASEMENT; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2394

BY: REPRESENTATIVE SEAWEL, *C. JOHNSON, OGLESBY, SALMON, FITE, MOORE, CLEMONS, J. ELLIOTT*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND ARKANSAS CODE 6-17-106(a) TO MAKE IT UNLAWFUL FOR ANY PERSON TO USE PROFANE, VIOLENT, VULGAR, ABUSIVE OR INSULTING LANGUAGE TOWARD ANY PUBLIC SCHOOL *EMPLOYEE* DURING THE COURSE OF HIS OR HER DUTIES; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2522

BY: REPRESENTATIVE FRENCH

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND THE DISTRIBUTION OF THE ADDITIONAL TAX ON CIGARETTES AND TOBACCO PRODUCTS TO ENSURE FUNDING OF THE BREAST CANCER RESEARCH FUND AND ADDITIONAL PROGRAMS; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2590

BY: REPRESENTATIVE VERKAMP, HUNT

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND ARKANSAS CODE 26-26-1118 CONCERNING THE PROPERTY TAX CREDIT; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2617

BY: REPRESENTATIVE McMELLON

BY: SENATOR WILKINSON

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND ARKANSAS CODE TITLE 14, CHAPTER 284, SUBCHAPTER 4 TO ADD AN ADDITIONAL SECTION TO ALLOCATE PREMIUM TAXES TO RURAL AND SMALL TOWN FIRE DEPARTMENTS; TO AMEND ARKANSAS CODE 26-57-611 AND 26-57-614 TO PROVIDE FOR FURTHER DISBURSEMENT OF PREMIUM TAXES FOR FIRE PROTECTION, AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2630

BY: REPRESENTATIVE HAAK

A BILL FOR AN ACT TO BE ENTITLED *AN ACT TO REPEAL ARKANSAS CODE 27-101-401 THROUGH 27-101-404; TO MODIFY THE MARINE SANITATION LAWS TO CONFORM WITH FEDERAL LAW; AND FOR OTHER PURPOSES.*

SENATE BILL ENGROSSED AS TITLE AMENDED
SENATE BILL NO. 807

BY: SENATOR K. SMITH

BY: REPRESENTATIVE ALTES

A BILL FOR AN ACT TO BE ENTITLED *AN ACT CONCERNING COMPUTER AND ELECTRONIC SOLID WASTE MANAGEMENT FOR THE STATE OF ARKANSAS; AND FOR OTHER PURPOSES.*

Upon motion of Representative Altes, **SENATE BILL NO. 807** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO SENATE BILL NO. 807

Amend **SENATE BILL NO. 807** as engrossed, S3/14/01:

Add Representative Altes as a co-sponsor

AND

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

"(a)(1) Unsold surplus computer and electronic equipment may be donated by the owning agency to Arkansas public schools if the agency policy so provides.

(2) Arkansas public schools are not required to, but may choose to, accept unsold surplus computer and electronic equipment donated by the owning agency."

/s/ Jim Magnus

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Dees, **SENATE BILL NO. 766** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO SENATE BILL NO. 766

Amend **SENATE BILL NO. 766** as engrossed, S3/7/01:

Page 2, delete lines 34 through 36

/s/ Joyce Dees

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Ledbetter, **SENATE BILL NO. 707** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO SENATE BILL NO. 707

Amend **SENATE BILL NO. 707** as originally introduced:

Delete everything after the Enacting Clause and substitute

"SECTION 1. Arkansas Code 16-87-211 is amended to read as follows:

16-87-211. Compensation.

(a) ~~At~~ On an interim basis in complex cases or at the conclusion of each case, the appointed attorney shall submit his bill to the appointing court which shall issue an order ~~for appropriate~~ authorizing compensation.

(b) An application for compensation shall be submitted to the Arkansas Public Defender Commission and accompanied by the affidavit of the appointed attorney detailing the hours spent on the case and the services rendered and whether compensation was received or has been applied for from any other source; the Arkansas Public Defender Commission shall determine and set the compensation award based upon guidelines established by the commission.

(c) There shall be no maximum amount of compensation in capital cases.

~~(d) Any attorney dissatisfied with the decision of the appointing court may appeal to the Arkansas Supreme Court.~~

~~(e) The state may also have the right of appeal.~~

SECTION 2. Arkansas Code 16-87-212 is amended to read as follows:

16-87-212. Court fees and expenses.

(a)(1) The commission is authorized to pay for certain expenses regarding the defense of indigents.

(2) The expenses shall include, but shall not necessarily be limited to, fees for appointed counsel, expert witnesses, temporary investigators, testing, and travel.

(3) Whenever, in a case involving an indigent person, a judge orders an authorized payment, a copy of the order, accompanied by a detailed explanation of services rendered, time spent and expenses incurred, shall be transmitted to the commission, and the commission shall set the amount of compensation. ~~the payment of funds for the aforementioned expenses, the judge shall transmit a copy of the order to the commission, which is authorized in its discretion to pay the funds.~~ Orders as authorized throughout this chapter shall be paid by the commission provided sufficient funds are available.

(b)(1) With the approval of the executive director, trial public defenders, appointed private attorneys, and the Capital, Conflicts, and Appellate Office are hereby authorized to utilize the services of the State Crime Laboratory for pathology and biology, toxicology, criminalistics, raw drug analysis, latent fingerprint identification, questioned documents examination, firearms and toolmarks identification, and in other such areas as the trial judge may deem necessary and appropriate.

(2) If approved by the executive director, the State Crime Laboratory shall provide the requested services.

(c) At the discretion of the Arkansas Public Defender Commission, capital murder cases and all proceedings under the Arkansas Rules of Criminal Procedure, Rule 37.5, shall be paid entirely by the Arkansas Public Defender Commission.

/s/ Mike Hathorn

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative T. Steele, **SENATE BILL NO. 494** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO SENATE BILL NO. 494

Amend **SENATE BILL NO. 494** as engrossed, S3/1/01:

Page 1, delete line 28 and sub

"accommodation, board, care, or treatment of ~~two (2) or more~~ than three (3) unrelated"

AND

Page 2, line 27, delete "hours as"

AND

Page 6, delete line 33 and substitute the following:

"nursing facility or nursing home to be out of compliance with §§ 20-10-1401 through 20-10-1409, the office, in"

AND

Page 10, delete lines 3 and 4 and substitute the following:

"to fund the costs, as defined as direct-care costs by the Long Term Care Cost Reimbursement Methodology of the Long Term Care Provider Reimbursement Manual as in effect January 12, 2001, to be incurred by the proposed changes to the minimum staffing standards."

/s/ Tracy Steele

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative White, **SENATE BILL NO. 438** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO SENATE BILL NO. 438

Amend **SENATE BILL NO. 438** as originally introduced:

Page 1, delete line 31 and substitute the following:

"whichever is lower, but in no event less than one percent (1%), provided:"

/s/ Robert White

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Bookout, **SENATE BILL NO. 967** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO SENATE BILL NO. 967

Amend **SENATE BILL NO. 967** as originally introduced:

Add the following Representatives as co-sponsors of the bill: Bookout, Allison, Trammell

/s/ Paul Bookout

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Rodgers, **SENATE BILL NO. 874** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO SENATE BILL NO. 874

Amend **SENATE BILL NO. 874** as originally introduced:

Page 1, line 25, delete "(1) and (2)" and substitute "(1), (2) and (3)"

AND

Page 2, line 8, add

"(3) Persons employed as full-time public defenders who are not provided a state funded secretary, may also seek compensation for appellate work from the Arkansas Supreme Court or the Arkansas Court of Appeals.

/s/ Sandra Rodgers

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

/s/ Ms. Jo Renshaw
Chief Clerk

HOUSE CONCURRENT RESOLUTION NO. 1044

BY: REPRESENTATIVE HOLT

URGING THE UNITED STATES CONGRESS TO REVIEW, WITH THE GOAL OF REDUCING, THE PAPERWORK CREATED BY FEDERAL LAWS AND REGULATIONS RELATED TO SPECIAL EDUCATION.

THE RESOLUTION WAS READ AND ADOPTED BY MORE THAN 51 VOTES.

***** EXPUNGED***** 04/03/01*****

SENATE CONCURRENT RESOLUTION NO. 12

BY: SENATOR WILKINSON

RECOGNIZING ARKANSAS' NATIVE AMERICANS FOR THEIR PROUD HERITAGE AND THEIR CONTRIBUTIONS TO THE DEVELOPMENT OF THIS STATE.

THE RESOLUTION WAS READ AND ADOPTED BY MORE THAN 51 VOTES.

***** EXPUNGED***** 04/03/01*****

HOUSE BILL NO. 2550

BY: REPRESENTATIVE AGEE

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, Allison, Altes, Bennett, Bevis, Biggs, Bledsoe, Bond, Bookout, Borhauer, Boyd, Bradford, Bright, 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, Hendren, Hickinbotham, Holt, House, Hutchinson, Jackson, Jacobs, G. Jeffress, Jones, Judy, King, Ledbetter, Lendall, Lewellen, Magnus, Mathis, McMellon, Milligan, Milum, Minton, Moore, Napper, Nichols, Oglesby, Ormond, Parks, Prater, Pritchard, Rackley, Rankin, Roebuck, Salmon, Schall, Scrimshire, Scroggin, Seawel, Shoffner, M. Smith, M. Steele, T. Steele, Stovall, J. Taylor, C. Taylor, Teague, Thomas, Trammell, Verkamp, W. Walker, Weaver, White, Willis, Womack, Wood.

Total90

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Bolin, Carson, Hausam, Hunt, C. Johnson, Lowery, Mack, Rodgers, R. Smith, Mr. Speaker.

Total10

VOTING PRESENT:

Total0

Total number of votes cast.....90

Necessary to the passage of the bill51

So the Bill passed and the title as read was agreed to.

HOUSE BILL NO. 2213

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, Allison, Altes, Bennett, Bevis, Biggs, Bledsoe, 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, Hutchinson, Jackson, Jacobs, G. Jeffress, Jones, Judy, King, Ledbetter, Lendall, Lewellen, Lowery, Mathis, McMellon, Milligan, Milum, Minton, Moore, Nichols, Oglesby, Ormond, Parks, Prater, Pritchard, Rackley, Rankin, Rodgers, Roebuck, Salmon, Schall, Scrimshire, Scroggin, Seawel, Shoffner, M. Smith, M. Steele, T. Steele, Stovall, J. Taylor, Teague, Thomas, Trammell, Verkamp, W. Walker, Weaver, White, Willis, Womack, Wood.

Total90

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Bolin, Haak, Hunt, C. Johnson, Mack, Magnus, Napper, R. Smith, C. Taylor, Mr. Speaker.

Total10

VOTING PRESENT:

Total0

Total number of votes cast90

Necessary to the passage of the bill51

So the Bill passed and the title as read was agreed to.

HOUSE BILL NO. 2634

BY: REPRESENTATIVE WOMACK

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

Total88

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Bolin, Bradford, J. Elliott, Ferguson, Gipson, Haak, C. Johnson, Mack, R. Smith, M. Steele, W. Walker, Mr. Speaker.

Total12

VOTING PRESENT:

Total0

Total number of votes cast88

Necessary to the passage of the bill51

So the Bill passed and the title as read was agreed to.

SENATE BILL NO. 827

BY: SENATOR WEBB

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, Allison, 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, Jacobs, G. Jeffress, Jones, Judy, King, Ledbetter, Lendall, Lewellen, Lowery, Magnus, Mathis, McMellon, Milligan, Milum, Minton, Moore, Napper, Nichols, Oglesby, Ormond, Parks, Pritchard, Rackley, Rankin, Rodgers, Roebuck, Salmon, Schall, Scrimshire, Scroggin, Seawel, Shoffner, M. Smith, M. Steele, T. Steele, Stovall, J. Taylor, C. Taylor, Teague, Thomas, Trammell, Verkamp, Weaver, White, Willis, Womack, Wood.

Total93

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Haak, C. Johnson, Mack, Prater, R. Smith, W. Walker, Mr. Speaker.

Total7

VOTING PRESENT:

Total0

Total number of votes cast93

Necessary to the passage of the bill51

So the Bill passed and the title as read was agreed to.

SENATE BILL NO. 765

BY: SENATOR GULLETT

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, Allison, 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, Haak, Hathorn, Hausam, Hendren, Hickinbotham, House, Hunt, Hutchinson, Jackson, Jacobs, G. Jeffress, Jones, Judy, King, Ledbetter, Lendall, Lewellen, Lowery, Magnus, Mathis, McMellon, Milligan, Milum, Minton, Moore, Napper, Nichols, Oglesby, Ormond, Parks, Prater, Pritchard, Rackley, Rodgers, Roebuck, Schall, Scrimshire, Scroggin, Seawel, Shoffner, M. Smith, M. Steele, T. Steele, Stovall, J. Taylor, C. Taylor, Teague, Thomas, Trammell, Verkamp, W. Walker, Weaver, White, Willis, Womack, Wood.

Total92

NEGATIVE:

Total0

ABSENT OR NOT VOTING: J. Elliott, Holt, C. Johnson, Mack, Salmon, R. Smith, Mr. Speaker.

Total7

VOTING PRESENT: Rankin.

Total1

Total number of votes cast.....93

Necessary to the passage of the bill51

So the Bill passed and the title as read was agreed to.

Morning Hour Expired.

The House gave Representative Ledbetter unanimous leave to withdraw **HOUSE BILL NO. 2265.**

Representative Adams moved that the House concur in the following Senate Amendment.

ARKANSAS SENATE

AMENDMENT NO. 1 TO HOUSE BILL NO. 1843

Amend HOUSE BILL NO. 1843 as engrossed, S2/23/01:

Page 2, line 2, add "or at a location ordered by the court," after "Laboratory" and before "in"

/s/ Steve Faris

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Adams, Agee, Allison, Altes, Bennett, Bevis, Biggs, Bledsoe, Bond, Bookout, Borhauer, Boyd, Bradford, Bright, 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, G. Jeffress, Jones, Judy, King, Ledbetter, Lendall, Lewellen, Lowery, Magnus, Mathis, McMellon, Milligan, Milum, Minton, Napper, Nichols, Oglesby, Ormond, Parks, Prater, Pritchard, Rackley, Rankin, Roebuck, Salmon, Schall, Scrimshire, 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.

Total92

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Bolin, Carson, C. Johnson, Mack, Moore, Rodgers, Scroggin, Mr. Speaker.

Total8

VOTING PRESENT:

Total0

Total number of votes cast92

Necessary to concur in the Amendment51

So the Amendment was concurred in.

/s/ Ms. Jo Renshaw

Chief Clerk

Representative Dangeau moved that the House concur in the following Senate Amendment.

ARKANSAS SENATE

AMENDMENT NO. 1 TO HOUSE BILL NO. 2233

Amend **HOUSE BILL NO. 2233** as originally introduced:

Page 1, line 31, delete "Arkansas"

/s/ Mike Everett

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Adams, Agee, Allison, Altes, Bennett, Bevis, Biggs, Bledsoe, Bolin, Bond, Bookout, Borhauer, Boyd, Bradford, Bright, 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, Magnus, Mathis, McMellon, Milligan, Milum, Minton, Napper, Nichols, Oglesby, Ormond, Parks, Prater, Pritchard, Rackley, Rankin, Rodgers, Roebuck, 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.

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Carson, Holt, C. Johnson, Mack, Moore, Mr. Speaker.

Total6

VOTING PRESENT:

Total0

Total number of votes cast94

Necessary to concur in the Amendment51

So the Amendment was concurred in.

/s/ Ms. Jo Renshaw
Chief Clerk

Representative Dangeau moved that the House concur in the following Senate Amendment.

ARKANSAS SENATE

AMENDMENT NO. 3 TO HOUSE BILL NO. 2233

Amend **HOUSE BILL NO. 2233** as originally introduced:

Page 1, line 33, delete "(2)(A)" and substitute "(2)"

AND

Page 1, delete lines 35 and 36

/s/ Mike Everett

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Adams, Agee, Allison, 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, G. Jeffress, Jones, Judy, King, Ledbetter, Lendall, Lewellen, Lowery, Magnus, Mathis, McMellon, Milligan, Milum, Minton, Moore, Napper, Nichols, Oglesby, Ormond, Parks, Prater, Pritchard, Rackley, Rankin, Rodgers, Roebuck, 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.

Total96

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Altes, C. Johnson, Mack, Mr. Speaker.

Total4

VOTING PRESENT:

Total0

Total number of votes cast.....96

Necessary to concur in the Amendment51

So the Amendment was concurred in.

/s/ Ms. Jo Renshaw

Chief Clerk

Representative Hausam moved that the House concur in the following Senate Amendment.

ARKANSAS SENATE

AMENDMENT NO. 1 TO HOUSE BILL NO. 1462

Amend **HOUSE BILL NO. 1462** as engrossed, H2/16/01:

Page 1, delete lines 33 through 36, and substitute the following:

"(2) That state has jurisdiction to subject the taxpayer to a net income tax regardless of whether, in fact, the state does or does not."

AND

Page 2, delete lines 1 through 3.

/s/ B. Johnson

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Adams, Agee, Allison, Bennett, Bevis, Biggs, Bledsoe, Bolin, Bond, Bookout, Borhauer, Boyd, Bradford, Bright, 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, G. Jeffress, Jones, Judy, King, Ledbetter, Lendall, Lewellen, Lowery, Magnus, Mathis, McMellon, Milligan, Milum, Minton, Napper, Nichols, Oglesby, Ormond, Parks, Prater, Pritchard, Rackley, Rankin, Rodgers, Roebuck, 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.

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Altes, Carson, C. Johnson, Mack, Moore, Mr. Speaker.

Total6

VOTING PRESENT:

Total0

Total number of votes cast94

Necessary to concur in the Amendment51

So the Amendment was concurred in.

/s/ Ms. Jo Renshaw

Chief Clerk

Representative Hausam moved that the House concur in the following Senate Amendment.

ARKANSAS SENATE

AMENDMENT NO. 1 TO HOUSE BILL NO. 1439

Amend HOUSE BILL NO. 1439 as engrossed, H2/16/01:

Page 2, delete lines 9 through 12 and substitute the following:

"members of the consolidated group."

/s/ B. Johnson

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Adams, Agee, Allison, Altes, Bennett, Bevis, Biggs, Bledsoe, Bolin, Bond, Bookout, Borhauer, Boyd, Bradford, Bright, Childers, Clemons, Cleveland, Cook, Cowling, Creekmore, Dees, Duggar, Eason, D. Elliott, J. Elliott, Ferguson, Files, Fite, French, Gillespie, Gipson, Glover, Haak, Hathorn, Hausam, Hendren, Hickenbotham, Holt, House, Hunt, Hutchinson, Jackson, Jacobs, G. Jeffress, Jones, Judy, King, Ledbetter, Lendall, Lewellen, Lowery, Mathis, McMellon, Milligan, Milum, Minton, Napper, Nichols, Oglesby, Ormond, Parks, Pritchard, Rackley, Rankin, Rodgers, Roebuck, 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.

Total90

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Carson, Dangeau, Goss, Green, C. Johnson, Mack, Magnus, Moore, Prater, Mr. Speaker.

Total10

VOTING PRESENT:

Total0

Total number of votes cast.....90

Necessary to concur in the Amendment51

So the Amendment was concurred in.

/s/ Ms. Jo Renshaw
Chief Clerk

Motion was made by Representative Magnus to limit debate on **HOUSE BILL NO. 2068** to five minutes on the side. Ayes have it. Motion adopted.

HOUSE BILL NO. 2068

BY: REPRESENTATIVE PARKS

Was read the third time and placed on final passage, the question being shall the Bill pass. The vote was as follows:

AFFIRMATIVE: Bevis, Bolin, Boyd, Cowling, Creekmore, Dangeau, D. Elliott, Files, Fite, Gillespie, Gipson, Hathorn, Hickenbotham, Holt, House, G. Jeffress, Lendall, Lowery, Mathis, McMellon, Milligan, Minton, Oglesby, Ormond, Parks, Prater, Rankin, Rodgers, Scrimshire, Scroggin, Stovall, Weaver, Womack.

Total33

NEGATIVE: Adams, Agee, Allison, Altes, Bledsoe, Bond, Bookout, Borhauer, Bradford, Bright, Childers, Clemons, Cook, Dees, Eason, J. Elliott, Ferguson, French, Glover, Goss, Green, Haak, Hausam, Hendren, Hutchinson, Jackson, Jones, King, Ledbetter, Lewellen, Magnus, Milum, Moore, Napper, Nichols, Pritchard, Rackley, Roebuck, Schall, Shoffner, M. Smith, R. Smith, M. Steele, T. Steele, J. Taylor, C. Taylor, Thomas, Trammell, Verkamp, W. Walker, White, Willis, Wood.

Total53

ABSENT OR NOT VOTING: Carson, Duggar, Hunt, C. Johnson, Mack, Seawel, Mr. Speaker.

Total7

VOTING PRESENT: Bennett, Biggs, Cleveland, Jacobs, Judy, Salmon, Teague.

Total7

Total number of votes cast.....93

Necessary to the passage of the bill51

So the Bill failed .

NOTICE OF RECONSIDERATION

Representative Hutchinson served notice that he will, within the time prescribed by law, move to reconsider the vote by which **HOUSE BILL NO. 2068** failed to pass.

HOUSE BILL NO. 2362

BY: REPRESENTATIVE CLEMONS

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

Total88

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Childers, Creekmore, Hendren, C. Johnson, Mack, Ormond, Rankin, Schall, Seawel, Shoffner, M. Smith, Mr. Speaker.

Total12

VOTING PRESENT:

Total0

Total number of votes cast88

Necessary to the passage of the bill51

HOUSE BILL NO. 2653

BY: REPRESENTATIVE CLEVELAND

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, Allison, Altes, Bennett, Bevis, Biggs, Bledsoe, Bolin, Bond, Bookout, Borhauer, Bradford, Bright, Carson, 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, G. Jeffress, Jones, Judy, King, Ledbetter, Lendall, Lewellen, Lowery, Magnus, Mathis, McMellon, Milligan, Milum, Moore, Napper, Nichols, Oglesby, Parks, Prater, Pritchard, Rackley, Rankin, Rodgers, Roebuck, 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.

Total92

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Boyd, Childers, C. Johnson, Mack, Minton, Ormond, Seawel, Mr. Speaker.

Total8

VOTING PRESENT:

Total0

Total number of votes cast92

Necessary to the passage of the bill51

So the Bill passed and the title as read was agreed to.

There being an Emergency Clause attached to **HOUSE BILL NO. 2653**, 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, Allison, Altes, Bennett, Bevis, Biggs, Bledsoe, Bolin, Bond, Bookout, Borhauer, Bradford, Bright, Carson, 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, G. Jeffress, Jones, Judy, King, Ledbetter, Lendall, Lewellen, Lowery, Magnus, Mathis, McMellon, Milligan, Milum, Moore, Napper, Nichols, Oglesby, Parks, Prater, Pritchard, Rackley, Rankin, Rodgers, Roebuck, 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.

Total92

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Boyd, Childers, C. Johnson, Mack, Minton, Ormond, Seawel, Mr. Speaker.

Total8

VOTING PRESENT:

Total0

Total number of votes cast.....92

Necessary to the adoption of the Emergency Clause67

So the Emergency Clause was adopted.

HOUSE BILL NO. 2366

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, Allison, Altes, Bennett, Bevis, Biggs, Bledsoe, Bond, Bookout, Borhauer, Boyd, Bright, Carson, Clemons, Cleveland, Cowling, Creekmore, Dangeau, Dees, Duggar, Eason, D. Elliott, J. Elliott, Ferguson, Files, Fite, Gillespie, Gipson, Glover, Goss, Green, Haak, Hausam, Hendren, Holt, Hunt, Hutchinson, Jackson, G. Jeffress, Jones, Judy, King, Lendall, Lewellen, Lowery, Magnus, Mathis, McMellon, Milligan, Milum, Minton, Moore, Napper, Oglesby, Ormond, Prater, Pritchard, Rackley, Rankin, Roebuck, Salmon, Schall, Scrimshire, Shoffner, M. Smith, R. Smith, T. Steele, Stovall, J. Taylor, C. Taylor, Trammell, Verkamp, W. Walker, Weaver, White, Willis, Womack, Wood.

Total79

NEGATIVE: Bolin, Bradford, French, Hathorn, Hickinbotham, Ledbetter, Nichols, Rodgers, Scroggin, Seawel, Teague.

Total11

ABSENT OR NOT VOTING: Childers, Cook, House, Jacobs, C. Johnson, Mack, Parks, M. Steele, Thomas, Mr. Speaker.

Total10

VOTING PRESENT:

Total0

Total number of votes cast90

Necessary to the passage of the bill51

So the Bill passed and the title as read was agreed to.

Upon motion of Representative R. Smith the Clincher motion prevailed.

HOUSE BILL NO. 2262

BY: REPRESENTATIVE VERKAMP

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

Total86

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Childers, Creekmore, Ferguson, French, Goss, G. Jeffress, C. Johnson, Lowery, Mack, Seawel, R. Smith, M. Steele, Wood, Mr. Speaker.

Total14

VOTING PRESENT:

Total0

Total number of votes cast86

Necessary to the passage of the bill51

So the Bill passed and the title as read was agreed to.

HOUSE BILL NO. 2313

BY: REPRESENTATIVE CHILDERS

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, Allison, 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, Jones, Judy, King, Ledbetter, Lendall, Lewellen, Lowery, Mathis, McMellon, Milligan, Milum, Moore, Napper, Nichols, Oglesby, Ormond, Parks, Prater, Pritchard, Rackley, Rankin, Rodgers, Roebuck, 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.

Total92

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Holt, G. Jeffress, C. Johnson, Mack, Magnus, Minton, Seawel, Mr. Speaker.

Total8

VOTING PRESENT:

Total0

Total number of votes cast92

Necessary to the passage of the bill51

So the Bill passed and the title as read was agreed to.

HOUSE BILL NO. 2498

BY: REPRESENTATIVE KING

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, Allison, 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, Glover, Goss, Green, Haak, Hathorn, Hausam, Hendren, Hickinbotham, House, Hunt, Hutchinson, Jackson, Jacobs, G. Jeffress, Jones, Judy, King, Ledbetter, Lendall, Lewellen, Magnus, Mathis, McMellon, Milligan, Milum, Moore, Napper, Nichols, Oglesby, Ormond, Parks, Prater, Pritchard, Rackley, Rankin, Rodgers, Roebuck, Salmon, Schall, Scrimshire, Scroggin, Shoffner, R. Smith, M. Steele, T. Steele, Stovall, J. Taylor, C. Taylor, Teague, Thomas, Trammell, Verkamp, W. Walker, Weaver, White, Willis, Womack, Wood.

Total91

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Gipson, Holt, C. Johnson, Lowery, Mack, Minton, Seawel, M. Smith, Mr. Speaker.

Total9

VOTING PRESENT:

Total0

Total number of votes cast.....91

Necessary to the passage of the bill51

So the Bill passed and the title as read was agreed to.

HOUSE BILL NO. 2580

BY: REPRESENTATIVE HATHORN

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, Allison, Altes, Bennett, Bevis, Biggs, Bolin, Bond, Bookout, Borhauer, Boyd, Bradford, Carson, Childers, Clemons, Cleveland, Cook, Cowling, Creekmore, Dangeau, Dees, Eason, J. Elliott, Ferguson, Fite, Gillespie, Gipson, Glover, Goss, Green, Haak, Hathorn, Hausam, Hendren, Hickinbotham, House, Jackson, Jacobs, Jones, Judy, King, Lendall, Lewellen, Lowery, Mathis, McMellon, Milligan, Milum, Moore, Nichols, Oglesby, Ormond, Prater, Pritchard, Rackley, Rodgers, Roebuck, Salmon, Schall, 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, Wood.

Total79

NEGATIVE: Duggar, D. Elliott, French, Ledbetter, Minton, Parks, Scrimshire.

Total7

ABSENT OR NOT VOTING: Bledsoe, Bright, Files, Holt, Hunt, Hutchinson, G. Jeffress, C. Johnson, Mack, Magnus, Napper, Rankin, Womack, Mr. Speaker.

Total14

VOTING PRESENT:

Total0

Total number of votes cast.....86

Necessary to the passage of the bill51

So the Bill passed and the title as read was agreed to.

Upon motion of Representative Hathorn the Clincher motion prevailed.

HOUSE BILL NO. 1147

BY: REPRESENTATIVE NAPPER

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, Bond, Bookout, Borhauer, Bradford, Bright, Carson, Childers, Clemons, Cook, Cowling, Creekmore, Dees, Duggar, Eason, D. Elliott, J. Elliott, Ferguson, Files, Fite, French, Gillespie, Gipson, Goss, Green, Haak, Hathorn, Hausam, Hendren, Hunt, Hutchinson, Jackson, Jacobs, G. Jeffress, Judy, King, Ledbetter, Lendall, Lewellen, Lowery, Magnus, Mathis, McMellon, Minton, Napper, Nichols, Oglesby, Ormond, Parks, Pritchard, Rackley, Roebuck, 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, White, Willis, Womack, Wood.

Total80

NEGATIVE: Bolin, Boyd, Dangeau, Glover, Hickinbotham, Milligan, Prater, Rankin, Weaver.

Total9

ABSENT OR NOT VOTING: Allison, Holt, House, C. Johnson, Jones, Mack, Milum, Moore, Rodgers, Mr. Speaker.

Total10

VOTING PRESENT: Cleveland.

Total1

Total number of votes cast.....90

Necessary to the passage of the bill51

So the Bill passed and the title as read was agreed to.

Upon motion of Representative Napper the Clincher motion prevailed.

SENATE BILL NO. 964

BY: SENATOR CRITCHER

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, Allison, 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, Jones, Judy, King, Ledbetter, Lendall, Lewellen, Lowery, Magnus, Mathis, McMellon, Milligan, Milum, Minton, Moore, Napper, Nichols, Oglesby, Ormond, Parks, Prater, Pritchard, Rackley, Rankin, Roebuck, 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.

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Jacobs, G. Jeffress, C. Johnson, Mack, Rodgers, Mr. Speaker.

Total6

VOTING PRESENT:

Total0

Total number of votes cast94

Necessary to the passage of the bill51

So the Bill passed and the title as read was agreed to.

SENATE BILL NO. 567

BY: SENATOR BAKER

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, Allison, Altes, Bennett, Bevis, Biggs, Bledsoe, Bolin, 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, G. Jeffress, Jones, Judy, King, Ledbetter, Lendall, Lewellen, Lowery, Magnus, Mathis, McMellon, Milligan, Milum, Minton, Moore, Napper, Nichols, Oglesby, Ormond, Parks, Prater, Pritchard, Rackley, Rankin, Rodgers, Roebuck, Salmon, Schall, Scrimshire, Scroggin, Seawel, Shoffner, M. Smith, R. Smith, M. Steele, T. Steele, Stovall, J. Taylor, C. Taylor, Thomas, Trammell, Verkamp, W. Walker, Weaver, White, Willis, Womack, Wood.

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Bond, Jacobs, C. Johnson, Mack, Teague, Mr. Speaker.

Total6

VOTING PRESENT:

Total0

Total number of votes cast.....94

Necessary to the passage of the bill51

So the Bill passed and the title as read was agreed to.

SENATE BILL NO. 602

BY: SENATOR MAHONY

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, Allison, Bevis, Biggs, Bond, Bookout, Borhauer, Bradford, Carson, Childers, Clemons, Cleveland, Cook, Cowling, Creekmore, Dees, Eason, D. Elliott, J. Elliott, Ferguson, Files, Gillespie, Gipson, Goss, Green, Haak, Hathorn, Hausam, Hendren, Hickinbotham, House, Hunt, Jackson, Jacobs, G. Jeffress, Jones, Judy, King, Ledbetter, Lendall, Lewellen, Lowery, Magnus, Mathis, McMellon, Milligan, Milum, Moore, Napper, Nichols, Oglesby, Ormond, Prater, Rankin, Rodgers, Roebuck, Salmon, Scrimshire, Shoffner, R. Smith, M. Steele, T. Steele, Stovall, J. Taylor, C. Taylor, Thomas, Trammell, Verkamp, W. Walker, Weaver, White, Willis, Womack, Wood.

Total75

NEGATIVE: Bennett, Bledsoe, Bolin, Bright, Fite, French, Glover, Holt, Hutchinson, Parks, Pritchard, Schall, Teague.

Total13

ABSENT OR NOT VOTING: Altes, Boyd, Dangeau, Duggar, C. Johnson, Mack, Minton, Rackley, Scroggin, Seawel, M. Smith, Mr. Speaker.

Total12

VOTING PRESENT:

Total0

Total number of votes cast.....88

Necessary to the passage of the bill51

So the Bill passed and the title as read was agreed to.

Upon motion of Representative R. Smith the Clincher motion prevailed.

SENATE BILL NO. 283

BY: SENATOR TRUSTY

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

Total87

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Boyd, Dangeau, French, Jacobs, G. Jeffress, C. Johnson, King, Lewellen, Lowery, Mack, Mathis, R. Smith, Mr. Speaker.

Total13

VOTING PRESENT:

Total0

Total number of votes cast.....87

Necessary to the passage of the bill51

So the Bill passed and the title as read was agreed to.

SENATE BILL NO. 23

BY: SENATOR BEEBE

Was read the third time and placed on final passage, the question being shall the Bill pass. The vote was as follows:

AFFIRMATIVE: Adams, Allison, Altes, Bennett, Bevis, Bledsoe, Bolin, Bond, Bookout, Borhauer, Bradford, Bright, Carson, Childers, Clemons, Cook, Cowling, Creekmore, Dees, Duggar, Eason, D. Elliott, Ferguson, Files, Fite, French, Gillespie, Gipson, Glover, Goss, Green, Haak, Hathorn, Hausam, Hendren, Hickinbotham, Holt, House, Hunt, Hutchinson, Jackson, Jacobs, G. Jeffress, Jones, Judy, Lendall, Lewellen, Milligan, Milum, Minton, Moore, Nichols, Oglesby, Ormond, Parks, Prater, Pritchard, Rankin, Roebuck, Salmon, Schall, Scrimshire, Scroggin, Seawel, Shoffner, M. Smith, M. Steele, T. Steele, Stovall, J. Taylor, C. Taylor, Teague, Thomas, Trammell, W. Walker, Weaver, White, Willis, Womack, Wood.

Total80

NEGATIVE: J. Elliott, Ledbetter, Napper, Rodgers, Verkamp.

Total5

ABSENT OR NOT VOTING: Agee, Biggs, Boyd, Cleveland, Dangeau, C. Johnson, King, Lowery, Mack, Magnus, Mathis, McMellon, Rackley, R. Smith, Mr. Speaker.

Total15

VOTING PRESENT:

Total0

Total number of votes cast.....85

Necessary to the passage of the bill51

So the Bill passed and the title as read was agreed to.

Upon motion of Representative Shoffner the Clincher motion prevailed.

SENATE BILL NO. 65

BY: SENATOR GWATNEY

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, Allison, Bennett, Bevis, Biggs, Bledsoe, Bolin, Bond, Bookout, Borhauer, Bright, Carson, Clemons, Cleveland, Cook, Cowling, Creekmore, Dees, Eason, J. Elliott, Ferguson, Files, French, Gillespie, Gipson, Glover, Green, Haak, Hathorn, Hausam, Hendren, Hickinbotham, House, Hunt, Hutchinson, Jackson, Jacobs, G. Jeffress, Jones, Judy, Ledbetter, Lendall, Lewellen, Magnus, McMellon, Milligan, Milum, Minton, Moore, Napper, Nichols, Oglesby, Ormond, Prater, Pritchard, Rankin, Rodgers, Roebuck, Salmon, Schall, Scrimshire, Scroggin, Seawel, Shoffner, M. Smith, R. Smith, M. Steele, T. Steele, J. Taylor, C. Taylor, Teague, Thomas, Trammell, Verkamp, W. Walker, Weaver, White, Willis, Womack, Wood.

Total81

NEGATIVE: Childers.

Total1

ABSENT OR NOT VOTING: Altes, Boyd, Bradford, Dangeau, Duggar, D. Elliott, Fite, Goss, Holt, C. Johnson, King, Lowery, Mack, Mathis, Parks, Rackley, Stovall, Mr. Speaker.

Total18

VOTING PRESENT:

Total0

Total number of votes cast82

Necessary to the passage of the bill51

So the Bill passed and the title as read was agreed to.

Upon motion of Representative Bevis the Clincher motion prevailed.

SENATE BILL NO. 763

BY: SENATOR GULLETT

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, Allison, Altes, Bennett, Bevis, Biggs, Bledsoe, Bolin, Bond, Bookout, Borhauer, Bradford, Bright, Carson, Childers, Clemons, Cleveland, Cook, Cowling, Creekmore, Dees, Duggar, Eason, D. Elliott, J. Elliott, Ferguson, Files, Fite, French, Gipson, Glover, Goss, Green, Haak, Hathorn, Hausam, Hendren, Hickinbotham, Holt, House, Hunt, Hutchinson, Jackson, Jacobs, Jones, Judy, Ledbetter, Lendall, Lewellen, Magnus, McMellon, Milligan, Milum, Minton, Moore, Napper, Nichols, Oglesby, Ormond, Parks, Prater, Pritchard, Rankin, Roebuck, 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.

Total88

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Boyd, Dangeau, Gillespie, G. Jeffress, C. Johnson, King, Lowery, Mack, Mathis, Rackley, Rodgers, Mr. Speaker.

Total12

VOTING PRESENT:

Total0

Total number of votes cast.....88

Necessary to the passage of the bill51

So the Bill passed and the title as read was agreed to.

Upon motion of Representative Broadway the House recessed at 3:02 p.m. until 4:01 p.m.

The House reconvened at 3:54 p.m.

SENATE BILL NO. 764

BY: SENATOR GULLETT

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

Total89

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Boyd, Dangeau, Gillespie, Hausam, C. Johnson, Mack, Milum, Rackley, Scroggin, J. Taylor, Mr. Speaker.

Total11

VOTING PRESENT:

Total0

Total number of votes cast.....89

Necessary to the passage of the bill51

So the Bill passed and the title as read was agreed to.

SENATE BILL NO. 796

BY: SENATOR D. MALONE

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, Allison, Bennett, Bevis, Biggs, Bledsoe, Bolin, Bond, Bookout, Borhauer, Bradford, Bright, Carson, Childers, Clemons, Cleveland, Cook, Cowling, Creekmore, Dees, Duggar, Eason, D. Elliott, J. Elliott, Ferguson, Files, Fite, French, Gipson, Glover, Green, Hathorn, Hendren, Hickinbotham, Holt, House, Hunt, Hutchinson, Jackson, Jacobs, G. Jeffress, Jones, Judy, King, Ledbetter, Lendall, Lowery, Magnus, Mathis, McMellon, Milligan, Milum, Minton, Moore, Napper, Nichols, Oglesby, Ormond, Parks, Prater, Pritchard, Rodgers, Roebuck, 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.

Total85

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Altes, Boyd, Dangeau, Gillespie, Goss, Haak, Hausam, C. Johnson, Lewellen, Mack, Rackley, Rankin, J. Taylor, Thomas, Mr. Speaker.

Total15

VOTING PRESENT:

Total0

Total number of votes cast85

Necessary to the passage of the bill51

So the Bill passed and the title as read was agreed to.

SENATE BILL NO. 603

BY: SENATOR MAHONY

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, Allison, Altes, Bennett, Bevis, Biggs, Bledsoe, 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, Green, Haak, Hathorn, Hausam, Hendren, Hickinbotham, Holt, House, Hunt, Hutchinson, Jackson, Jacobs, G. Jeffress, Jones, Judy, King, Ledbetter, Lendall, Lowery, Magnus, Mathis, McMellon, Milligan, Milum, Minton, Moore, Napper, Nichols, Oglesby, Ormond, Parks, Prater, Pritchard, Rackley, Rankin, Rodgers, Roebuck, 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.

Total92

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Bolin, Bond, Dangeau, Goss, C. Johnson, Lewellen, Mack, Mr. Speaker.

Total8

VOTING PRESENT:

Total0

Total number of votes cast.....92

Necessary to the passage of the bill51

So the Bill passed and the title as read was agreed to.

There being an Emergency Clause attached to **SENATE BILL NO. 603**, 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, Allison, Altes, Bennett, Bevis, Biggs, Bledsoe, 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, Green, Haak, Hathorn, Hausam, Hendren, Hickinbotham, Holt, House, Hunt, Hutchinson, Jackson, Jacobs, G. Jeffress, Jones, Judy, King, Ledbetter, Lendall, Lowery, Magnus, Mathis, McMellon, Milligan, Milum, Minton, Moore, Napper, Nichols, Oglesby, Ormond, Parks, Prater, Pritchard, Rackley, Rankin, Rodgers, Roebuck, 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.

Total92

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Bolin, Bond, Dangeau, Goss, C. Johnson, Lewellen, Mack, Mr. Speaker.

Total8

VOTING PRESENT:

Total0

Total number of votes cast92

Necessary to the adoption of the Emergency Clause67

So the Emergency Clause was adopted.

SENATE BILL NO. 960

BY: SENATOR SIMES

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, Allison, Altes, Bennett, Bevis, Biggs, Bledsoe, Bond, Bookout, Borhauer, Carson, Childers, Clemons, Cleveland, Cook, Cowling, Creekmore, Dees, Duggar, Eason, D. Elliott, J. Elliott, Ferguson, Files, Fite, French, Gillespie, Gipson, Glover, Green, Haak, Hathorn, Hausam, Hendren, Hickinbotham, Holt, House, Hunt, Hutchinson, Jackson, Jacobs, G. Jeffress, Jones, Judy, King, Ledbetter, Lendall, Lowery, Mathis, McMellon, Milligan, Milum, Minton, Moore, Oglesby, Ormond, Parks, Prater, Rackley, Rankin, Rodgers, Roebuck, Salmon, Schall, Scrimshire, Scroggin, Seawel, Shoffner, M. Smith, R. Smith, M. Steele, T. Steele, Stovall, J. Taylor, C. Taylor, Teague, Thomas, Trammell, W. Walker, Weaver, White, Willis, Womack, Wood.

Total85

NEGATIVE: Boyd, Bradford, Pritchard.

Total3

ABSENT OR NOT VOTING: Bolin, Bright, Dangeau, Goss, C. Johnson, Lewellen, Mack, Magnus, Napper, Nichols, Verkamp, Mr. Speaker.

Total12

VOTING PRESENT:

Total0

Total number of votes cast88

Necessary to the passage of the bill51

So the Bill passed and the title as read was agreed to.

There being an Emergency Clause attached to **SENATE BILL NO. 960**, 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, Allison, Altes, Bennett, Bevis, Biggs, Bledsoe, Bond, Bookout, Borhauer, Carson, Childers, Clemons, Cleveland, Cook, Cowling, Creekmore, Dees, Duggar, Eason, D. Elliott, J. Elliott, Ferguson, Files, Fite, French, Gillespie, Gipson, Glover, Green, Haak, Hathorn, Hausam, Hendren, Hickinbotham, Holt, House, Hunt, Hutchinson, Jackson, Jacobs, G. Jeffress, Jones, Judy, King, Ledbetter, Lendall, Lowery, Mathis, McMellon, Milligan, Milum, Minton, Moore, Oglesby, Ormond, Parks, Prater, Rackley, Rankin, Rodgers, Roebuck, Salmon, Schall, Scrimshire, Scroggin, Seawel, Shoffner, M. Smith, R. Smith, M. Steele, T. Steele, Stovall, J. Taylor, C. Taylor, Teague, Thomas, Trammell, W. Walker, Weaver, White, Willis, Womack, Wood.

Total85

NEGATIVE: Boyd, Bradford, Pritchard.

Total3

ABSENT OR NOT VOTING: Bolin, Bright, Dangeau, Goss, C. Johnson, Lewellen, Mack, Magnus, Napper, Nichols, Verkamp, Mr. Speaker.

Total12

VOTING PRESENT:

Total0

Total number of votes cast88

Necessary to the adoption of the Emergency Clause67

So the Emergency Clause was adopted.

SENATE BILL NO. 856

BY: SENATOR FARIS

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, Allison, Altes, Bennett, Bevis, Biggs, Bledsoe, Bolin, Bond, 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, Green, Haak, Hathorn, Hausam, Hendren, Hickinbotham, Holt, House, Hunt, Hutchinson, Jackson, Jones, Judy, King, Ledbetter, Lendall, Lewellen, Lowery, Magnus, Mathis, McMellon, Milligan, Milum, Minton, Moore, Napper, Nichols, Oglesby, Ormond, Parks, Prater, Pritchard, Rackley, Rankin, Rodgers, Roebuck, Salmon, Schall, Scrimshire, Scroggin, Seawel, Shoffner, R. Smith, M. Steele, T. Steele, Stovall, J. Taylor, C. Taylor, Teague, Thomas, Trammell, Verkamp, W. Walker, Weaver, White, Willis, Womack, Wood.

Total91

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Bookout, Dangeau, Goss, Jacobs, G. Jeffress, C. Johnson, Mack, M. Smith, Mr. Speaker.

Total9

VOTING PRESENT:

Total0

Total number of votes cast.....91

Necessary to the passage of the bill51

So the Bill passed and the title as read was agreed to.

SENATE BILL NO. 818

BY: SENATOR FITCH

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, Allison, 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, G. Jeffress, Jones, Judy, King, Ledbetter, Lendall, Lewellen, Lowery, Magnus, Mathis, McMellon, Milligan, Milum, Minton, Moore, Napper, Nichols, Oglesby, Ormond, Parks, Prater, Pritchard, Rackley, Rankin, Roebuck, 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.

Total93

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Dangeau, Duggar, Jacobs, C. Johnson, Mack, Rodgers, Mr. Speaker.

Total7

VOTING PRESENT:

Total0

Total number of votes cast93

Necessary to the passage of the bill51

So the Bill passed and the title as read was agreed to.

SENATE BILL NO. 819

BY: SENATOR FITCH

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

Total87

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Bright, Carson, Dangeau, Duggar, Fite, Hutchinson, Jacobs, C. Johnson, Mack, Moore, W. Walker, Willis, Mr. Speaker.

Total13

VOTING PRESENT:

Total0

Total number of votes cast.....87

Necessary to the passage of the bill51

So the Bill passed and the title as read was agreed to.

Representative Hathorn moved that **SENATE BILL NO. 190** be Re-referred back to the Committee on JUDICIARY.

The vote was as follows:

AFFIRMATIVE: Adams, Agee, Allison, Altes, Bennett, Bevis, Biggs, Bledsoe, Bolin, Bond, Bookout, Borhauer, Boyd, Bradford, Bright, 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, Holt, House, Hunt, Hutchinson, Jackson, G. Jeffress, Jones, Judy, King, Ledbetter, Lendall, Lewellen, Lowery, Magnus, Mathis, McMellon, Milligan, Milum, Minton, Moore, Napper, Nichols, Oglesby, Ormond, Parks, Prater, Pritchard, Rackley, Rankin, Rodgers, Roebuck, Salmon, Schall, Scrimshire, Scroggin, Seawel, Shoffner, M. Smith, R. Smith, M. Steele, Stovall, J. Taylor, C. Taylor, Teague, Thomas, Trammell, Verkamp, Weaver, White, Womack, Wood.

Total90

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Carson, Duggar, Hickinbotham, Jacobs, C. Johnson, Mack, T. Steele, W. Walker, Willis, Mr. Speaker.

Total10

VOTING PRESENT:

Total0

Total number of votes cast90

Necessary to the adoption of the motion51

So the motion was adopted.

SENATE BILL NO. 896

BY: SENATOR MAHONY

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, Allison, 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, Hutchinson, Jackson, G. Jeffress, Jones, Judy, King, Ledbetter, Lendall, Lewellen, Lowery, Magnus, Mathis, McMellon, Milligan, Milum, Minton, Moore, Napper, Nichols, Oglesby, Ormond, Parks, Prater, Pritchard, Rackley, Rankin, Rodgers, Roebuck, 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.

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Haak, Hunt, Jacobs, C. Johnson, Mack, Mr. Speaker.

Total6

VOTING PRESENT:

Total0

Total number of votes cast.....94

Necessary to the passage of the bill51

So the Bill passed and the title as read was agreed to.

Motion was made by Representative J. Taylor for immediate consideration of **SENATE BILL NO. 944**. Motion adopted.

SENATE BILL NO. 944

BY: SENATOR T. 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, Allison, Bennett, Bevis, Bledsoe, Bolin, Bond, Bookout, Borhauer, Boyd, Bradford, Bright, Carson, Childers, Clemons, Cook, Cowling, Creekmore, Dangeau, Dees, Duggar, Eason, J. Elliott, Ferguson, Fite, Gillespie, Gipson, Glover, Goss, Green, Haak, Hathorn, Hausam, Hickinbotham, House, Jackson, Jacobs, Jones, Judy, King, Ledbetter, Lendall, Lewellen, Lowery, Magnus, Mathis, McMellon, Milligan, Moore, Napper, Oglesby, Parks, Pritchard, Rankin, Rodgers, Roebuck, Salmon, Schall, Scrimshire, Scroggin, Seawel, Shoffner, M. Steele, T. Steele, Stovall, J. Taylor, C. Taylor, Thomas, Trammell, Verkamp, Weaver, White, Willis, Wood.

Total74

NEGATIVE: Agee, Biggs, D. Elliott, Files, Hendren, Hutchinson, Milum, Minton, Nichols, Womack.

Total10

ABSENT OR NOT VOTING: Altes, Cleveland, French, Holt, Hunt, G. Jeffress, C. Johnson, Mack, Prater, Rackley, M. Smith, R. Smith, Teague, W. Walker, Mr. Speaker.

Total15

VOTING PRESENT: Ormond.

Total1

Total number of votes cast85

Necessary to the passage of the bill51

So the Bill passed and the title as read was agreed to.

Upon motion of Representative T. Moore the Clincher motion prevailed.

SENATE BILL NO. 892

BY: SENATOR MAHONY

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, Allison, Biggs, Bolin, Bond, Bookout, Borhauer, Boyd, Bradford, Carson, Childers, Clemons, Cleveland, Cook, Cowling, Creekmore, Dangeau, Dees, Eason, Ferguson, Files, Gillespie, Gipson, Glover, Goss, Green, Haak, Hausam, Hendren, House, Hunt, Jackson, Jacobs, Jones, Judy, Ledbetter, Lendall, Lewellen, Lowery, Magnus, McMellon, Milum, Minton, Napper, Nichols, Oglesby, Ormond, Pritchard, Rankin, Rodgers, Roebuck, Salmon, Schall, Scrimshire, Scroggin, Seawel, Shoffner, M. Smith, M. Steele, T. Steele, Stovall, J. Taylor, C. Taylor, Teague, Thomas, Trammell, Verkamp, Weaver, White, Willis.

Total71

NEGATIVE: Duggar, D. Elliott, Fite, French, Holt, Hutchinson, Mathis, Parks, Womack.

Total9

ABSENT OR NOT VOTING: Altes, Bennett, Bevis, Bledsoe, Bright, J. Elliott, Hickinbotham, G. Jeffress, C. Johnson, King, Mack, Milligan, Moore, Prater, Rackley, R. Smith, W. Walker, Wood, Mr. Speaker.

Total19

VOTING PRESENT: Hathorn.

Total1

Total number of votes cast.....81

Necessary to the passage of the bill51

So the Bill passed and the title as read was agreed to.

Upon motion of Representative French, **HOUSE BILL NO. 1490** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 5 TO HOUSE BILL NO. 1490

Amend **HOUSE BILL NO. 1490** as engrossed, 02/23/2001:

Page 22, insert a new section immediately following Section 42 to read as follows"

"SECTION 43. APPROPRIATION - ENVIRONMENTAL SETTLEMENT TRUST.

There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the ADEQ Environmental Settlement Trust Fund, for expenses as authorized through various settlement agreements benefiting the State of Arkansas as administered through the Arkansas Department of Environmental Quality for the biennial period ending June 30, 2003, the sum of \$3,000,000.

SECTION 44. FUND CREATED. ADEQ ENVIRONMENTAL SETTLEMENT TRUST

FUND. There is hereby created on the books of the State Treasurer, State Auditor and Chief Fiscal Officer of the State, the "ADEQ Environmental Settlement Trust Fund" to consist of funds received by the State of Arkansas pursuant to settlement agreements for environmental or natural resources damages, interest earnings, and any other moneys designated to be deposited into this fund, there to be administered by the Director of the Department of Environmental Quality.

SECTION 45. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. APPROPRIATIONS RESTRICTIONS.

No expenditure from the Environmental Settlement Trust Fund for information technology needs may be made without prior approval of the Chief Fiscal Officer of the State, after seeking review of the Arkansas Legislative Council. Further, utilization of this appropriation for information technology needs of the Arkansas Department of Environmental Quality must also be approved by the Executive Chief Information Officer after the project is evaluated on the methodology recommended by the Chief Information Officer and the CIO Council, including an analysis of the return on investment and linkage to the Department's business objectives. Any approved projects and expenditures for information technology from the Environmental Settlement Trust Fund shall be reported annually to the Joint Committee on Advanced Communications and Information Technology."

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

Upon motion of Representative French, **HOUSE BILL NO. 1520** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 10 TO HOUSE BILL NO. 1520

Amend **HOUSE BILL NO. 1520** as engrossed, 3/20/01:

Delete Section 34 in its entirety and substitute:

" SECTION 34. SPECIAL LANGUAGE. ARKANSAS PURCHASING CARD SERVICES PROGRAM - LEGISLATIVE FINDING AND INTENT. The state is initiating the Arkansas Purchasing Card Services Program in which program participants will work to streamline the purchasing of goods, equipment, materials, supplies and services and to expedite the payment process to merchants. Participation by any state entity in the Arkansas Purchasing Card Services Program will be voluntary and in addition to participating in the Arkansas Purchasing Card Services Program, an agency may participate in the Arkansas Purchasing Card Services Program Fund by designating that expenditures incurred be funded from the transfer of designated appropriation and funds to the Arkansas Purchasing Card Services Fund, upon the agency's inclusion in the fund program.

SECTION 35. APPROPRIATION. There is hereby appropriated, to the Department of Finance and Administration – Disbursing Officer, to be payable from the Arkansas Purchasing Card Services Program Fund, for the payment of obligations by the Arkansas Purchasing Card Services Program for participating agencies by the Department of Finance and Administration – Disbursing Officer for the biennial period ending June 30, 2003, the following:

ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
(01) Purchasing Card Payments	\$ <u> 0 </u>	\$ <u> 0 </u>

SECTION 36. SPECIAL LANGUAGE. FUND CREATED. There is hereby created 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 Arkansas Purchasing Card Services Program Fund. This fund shall be used for the payment of obligations for participating agencies by the Department of Finance – Disbursing Officer. These expenditures shall be funded by transfers from the participating agencies' funds.

SECTION 37. SPECIAL LANGUAGE. APPROPRIATION TRANSFER PROCEDURES. In order that the Department of Finance and Administration – Disbursing Officer may ensure timely payment of obligations assigned to the Arkansas Purchasing Card Services Program for various state agencies,

appropriations and funds are authorized to be transferred from the participating state agency's appropriation to the appropriation provided by the General Assembly to the Department of Finance and Administration - Disbursing Officer for such purpose. The participating agency shall designate the appropriation and funds from which the transfers are to occur, upon inclusion in the Arkansas Purchasing Card Services Program Fund."

And

Renumber all sections in the bill appropriately.

/s/ George French

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative French, **HOUSE BILL NO. 1745** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1745

Amend **HOUSE BILL NO. 1745** as originally introduced:

Insert the following additional sections immediately following Section 3 to read as follows:

" SECTION 4. SPECIAL LANGUAGE . NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER RESTRICTIONS. The appropriations provided in this act shall not be transferred under the provisions of Arkansas Code 19-4-522 or the provisions of Arkansas Code 6-62-104, but only as provided by this act.

SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER PROVISIONS. The state-supported institution of higher education in this act may transfer appropriations between the various line items within each appropriation contained in this appropriation act. Such transfers shall be made only after the approval of the Department of Higher

Education and the Chief Fiscal Officer of the State, and the approval of the Legislative Council.

The General Assembly has determined that the institution in this act could be operated more efficiently if some flexibility is given to that institution and that flexibility is being accomplished by providing authority to transfer between items of appropriation made by this act. Since the General Assembly has granted the institution broad powers under the transfer of appropriations, it is both necessary and appropriate that the General Assembly maintain oversight of the utilization of the transfers by requiring prior approval of the Legislative Council in the utilization of the transfer authority. Therefore, the requirement of approval by the Legislative Council is not a severable part of this section. If the requirement of approval by the Legislative Council is ruled unconstitutional by a court jurisdiction, this entire section is void.

SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. POSITIONS. Nothing in this act shall be construed as a commitment of the State of Arkansas or any of its agencies or institutions to continue funding any position paid from the proceeds of the Tobacco Settlement in the event that Tobacco Settlement funds are not sufficient to finance the position.

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

Upon motion of Representative French, **HOUSE BILL NO. 1746** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1746

Amend **HOUSE BILL NO. 1746** as originally introduced;

Insert additional sections immediately following Section 3 to read as follows:

" SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. The Arkansas Tobacco Settlement Commission shall hire an independent third party, not receiving tobacco settlement funding in any other contract or grant, to perform monitoring and evaluation of program expenditures made from tobacco settlement funds. This independent third party shall have appropriate experience in health, preventive resources, health statistics and evaluation expertise. The third party retained to perform such services shall prepare a biennial report to be delivered to the General Assembly and the Governor by each August 1 preceding a general session of the General Assembly. The report shall be accompanied by a recommendation from the Arkansas Tobacco Settlement Commission as to the continued funding for each program.

SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER RESTRICTIONS. The appropriations provided in this act shall not be transferred under the provisions of Arkansas Code 19-4-522 or the provisions of Arkansas code 6-62-104, but only as provided by this act.

SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFERS OF APPROPRIATIONS. In the event the amount of any of the budget classifications of maintenance and general operation in this act are found by the administrative head of the agency to be inadequate, then the agency head may request, upon forms provided for such purpose by the Chief Fiscal Officer of the State, a modification of the amounts of the budget classification. In that event, he shall set out on the forms the particular classifications for which he is requesting an increase or decrease, the amounts thereof, and his reasons therefor. In no event shall the total amount of the budget exceed either the amount of the appropriation or the amount of the funds available, nor shall any transfer be made from the capital outlay or data processing subclassifications unless specific authority for such transfers is provided by law, except for transfers from capital

outlay to data processing when determined by the Department of Information Systems that data processing services for a state agency can be performed on a more cost-efficient basis by the Department of Information Systems than through the purchase of data processing equipment by that state agency. In considering the proposed modification as prepared and submitted by each state agency, the Chief Fiscal Officer of the State shall make such studies as he deems necessary. The Chief Fiscal Officer of the State shall, after obtaining the approval of the Legislative Council, approve the requested transfer if in his opinion it is in the best interest of the state.

The General Assembly has determined that the agency in this act could be operated more efficiently if some flexibility is given to that agency and that flexibility is being accomplished by providing authority to transfer between certain items of appropriation made by this act. Since the General Assembly has granted the agency broad powers under the transfer of appropriations, it is both necessary and appropriate that the General Assembly maintain oversight of the utilization of the transfers by requiring prior approval of the Legislative Council in the utilization of the transfer authority. Therefore, the requirement of approval by the Legislative Council is not a severable part of this section. If the requirement of approval by the Legislative Council is ruled unconstitutional by a court jurisdiction, this entire section is void.

SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. POSITIONS. Nothing in this act shall be construed as a commitment of the State of Arkansas or any of its agencies or institutions to continue funding any position paid from the proceeds of the Tobacco Settlement in the event that Tobacco Settlement funds are not sufficient to finance the position.

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

Upon motion of Representative French, **HOUSE BILL NO. 1747** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1747

Amend **HOUSE BILL NO. 1747** as originally introduced:

Insert additional sections immediately following Section 3 to read as follows:

" SECTION 4. SPECIAL LANGUAGE . NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER RESTRICTIONS. The appropriations provided in this act shall not be transferred under the provisions of Arkansas Code 19-4-522 or the provisions of Arkansas Code 6-62-104, but only as provided by this act.

SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFERS OF APPROPRIATIONS. In the event the amount of any of the budget classifications of maintenance and general operation in this act are found by the administrative head of the agency to be inadequate, then the agency head may request, upon forms provided for such purpose by the Chief Fiscal Officer of the State, a modification of the amounts of the budget classification. In that event, he shall set out on the forms the particular classifications for which he is requesting an increase or decrease, the amounts thereof, and his reasons therefor. In no event shall the total amount of the budget exceed either the amount of the appropriation or the amount of the funds available, nor shall any transfer be made from the capital outlay or data processing subclassifications unless specific authority for such transfers is provided by law, except for transfers from capital outlay to data processing when determined by the Department of Information Systems that data processing services for a state agency can be performed on a more cost-efficient basis by the Department of Information Systems than through the purchase of data processing equipment by that state agency. In considering the proposed modification as prepared and submitted by each state agency, the Chief Fiscal Officer of the State shall make such studies as he deems necessary. The Chief Fiscal Officer of the State shall, after obtaining the approval of the Legislative Council, approve the requested transfer if in his opinion it is in the best interest of the state.

The General Assembly has determined that the agency in this act could be operated more efficiently if some flexibility is given to that agency and that flexibility is being accomplished by providing authority to transfer between certain items of appropriation made by this act. Since the General Assembly has granted the agency

broad powers under the transfer of appropriations, it is both necessary and appropriate that the General Assembly maintain oversight of the utilization of the transfers by requiring prior approval of the Legislative Council in the utilization of the transfer authority. Therefore, the requirement of approval by the Legislative Council is not a severable part of this section. If the requirement of approval by the Legislative Council is ruled unconstitutional by a court jurisdiction, this entire section is void.

SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

POSITIONS. Nothing in this act shall be construed as a commitment of the State of Arkansas or any of its agencies or institutions to continue funding any position paid from the proceeds of the Tobacco Settlement in the event that Tobacco Settlement funds are not sufficient to finance the position."

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

Upon motion of Representative French, **HOUSE BILL NO. 1748** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1748

Amend **HOUSE BILL NO. 1748** as originally introduced:

Insert additional sections immediately following Section 3 to read as follows:

" SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER RESTRICTIONS. The appropriations provided in this act shall not be transferred under the provisions of Arkansas Code 19-4-522 or the provisions of Arkansas code 6-62-104, but only as provided by this act.

SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO

THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFERS OF APPROPRIATIONS. In the event the amount of any of the budget classifications of maintenance and general operation in this act are found by the administrative head of the agency to be inadequate, then the agency head may request, upon forms provided for such purpose by the Chief Fiscal Officer of the State, a modification of the amounts of the budget classification. In that event, he shall set out on the forms the particular classifications for which he is requesting an increase or decrease, the amounts thereof, and his reasons therefor. In no event shall the total amount of the budget exceed either the amount of the appropriation or the amount of the funds available, nor shall any transfer be made from the capital outlay or data processing subclassifications unless specific authority for such transfers is provided by law, except for transfers from capital outlay to data processing when determined by the Department of Information Systems that data processing services for a state agency can be performed on a more cost-efficient basis by the Department of Information Systems than through the purchase of data processing equipment by that state agency. In considering the proposed modification as prepared and submitted by each state agency, the Chief Fiscal Officer of the State shall make such studies as he deems necessary. The Chief Fiscal Officer of the State shall, after obtaining the approval of the Legislative Council, approve the requested transfer if in his opinion it is in the best interest of the state.

The General Assembly has determined that the agency in this act could be operated more efficiently if some flexibility is given to that agency and that flexibility is being accomplished by providing authority to transfer between certain items of appropriation made by this act. Since the General Assembly has granted the agency broad powers under the transfer of appropriations, it is both necessary and appropriate that the General Assembly maintain oversight of the utilization of the transfers by requiring prior approval of the Legislative Council in the utilization of the transfer authority. Therefore, the requirement of approval by the Legislative Council is not a severable part of this section. If the requirement of approval by the Legislative Council is ruled unconstitutional by a court jurisdiction, this entire section is void.

SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

POSITIONS. Nothing in this act shall be construed as a commitment of the State of Arkansas or any of its agencies or institutions to continue funding any position paid from the proceeds of the Tobacco Settlement in the event that Tobacco Settlement funds are not sufficient to finance the position.

SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ADVERTISING. No advertising targeting the prevention or reduction of tobacco use shall include the name, voice, or likeness of any elected official or their immediate family."

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

Upon motion of Representative French, **HOUSE BILL NO. 1749** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1749

Amend **HOUSE BILL NO. 1749** as engrossed, 3/22/01:

Insert additional sections immediately following Section 3 to read as follows:

" SECTION 4. SPECIAL LANGUAGE . NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER RESTRICTIONS. The appropriations provided in this act shall not be transferred under the provisions of Arkansas Code 19-4-522 or the provisions of Arkansas Code 6-62-104, but only as provided by this act.

SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFERS OF APPROPRIATIONS. In the event the amount of any of the budget classifications of maintenance and general operation in this act are found by the administrative head of the agency to be inadequate, then the agency head may request, upon forms provided for such purpose by the Chief Fiscal Officer of the State, a modification of the amounts of the budget classification. In that

event, he shall set out on the forms the particular classifications for which he is requesting an increase or decrease, the amounts thereof, and his reasons therefor. In no event shall the total amount of the budget exceed either the amount of the appropriation or the amount of the funds available, nor shall any transfer be made from the capital outlay or data processing subclassifications unless specific authority for such transfers is provided by law, except for transfers from capital outlay to data processing when determined by the Department of Information Systems that data processing services for a state agency can be performed on a more cost-efficient basis by the Department of Information Systems than through the purchase of data processing equipment by that state agency. In considering the proposed modification as prepared and submitted by each state agency, the Chief Fiscal Officer of the State shall make such studies as he deems necessary. The Chief Fiscal Officer of the State shall, after obtaining the approval of the Legislative Council, approve the requested transfer if in his opinion it is in the best interest of the state.

The General Assembly has determined that the agency in this act could be operated more efficiently if some flexibility is given to that agency and that flexibility is being accomplished by providing authority to transfer between certain items of appropriation made by this act. Since the General Assembly has granted the agency broad powers under the transfer of appropriations, it is both necessary and appropriate that the General Assembly maintain oversight of the utilization of the transfers by requiring prior approval of the Legislative Council in the utilization of the transfer authority. Therefore, the requirement of approval by the Legislative Council is not a severable part of this section. If the requirement of approval by the Legislative Council is ruled unconstitutional by a court jurisdiction, this entire section is void.

SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

POSITIONS. Nothing in this act shall be construed as a commitment of the State of Arkansas or any of its agencies or institutions to continue funding any position paid from the proceeds of the Tobacco Settlement in the event that Tobacco Settlement funds are not sufficient to finance the position."

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

Upon motion of Representative French, **HOUSE BILL NO. 1750** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1750

Amend **HOUSE BILL NO. 1750** as originally introduced:

Page 5, line 9, insert:

" SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. POSITIONS. Nothing in this act shall be construed as a commitment of the State of Arkansas or any of its agencies or institutions to continue funding any position paid from the proceeds of the Tobacco Settlement in the event that Tobacco Settlement funds are not sufficient to finance the position.

SECTION 10. SPECIAL LANGUAGE . NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER RESTRICTIONS. The appropriations provided in this act shall not be transferred under the provisions of Arkansas Code 19-4-522 or the provisions of Arkansas code 6-62-104, but only as provided by this act.

SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFERS OF APPROPRIATIONS. In the event the amount of any of the budget classifications of maintenance and general operation in this act are found by the administrative head of the agency to be inadequate, then the agency head may request, upon forms provided for such purpose by the Chief Fiscal Officer of the State, a modification of the amounts of the budget classification. In that event, he shall set out on the forms the particular classifications for which he is requesting an increase or decrease, the amounts thereof, and his reasons therefor. In no event shall the total amount of the budget exceed either the amount of the appropriation or the amount of the funds available, nor shall any transfer be made from the capital outlay or data processing subclassifications unless specific authority for such transfers is provided by law, except for transfers from capital outlay to data processing when determined by the Department of Information Systems that data processing services for a state agency can be performed on a more cost-efficient basis by the Department of Information Systems than through the purchase of data processing equipment by that state agency. In considering the proposed modification as prepared and submitted by each state agency, the Chief Fiscal Officer of the State shall make such studies as he deems necessary. The Chief Fiscal Officer of the State shall, after obtaining the approval of the Legislative

Council, approve the requested transfer if in his opinion it is in the best interest of the state.

The General Assembly has determined that the agency in this act could be operated more efficiently if some flexibility is given to that agency and that flexibility is being accomplished by providing authority to transfer between certain items of appropriation made by this act. Since the General Assembly has granted the agency broad powers under the transfer of appropriations, it is both necessary and appropriate that the General Assembly maintain oversight of the utilization of the transfers by requiring prior approval of the Legislative Council in the utilization of the transfer authority. Therefore, the requirement of approval by the Legislative Council is not a severable part of this section. If the requirement of approval by the Legislative Council is ruled unconstitutional by a court jurisdiction, this entire section is _____ void.”

And renumber subsequent sections accordingly.

/s/ George French

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative French, **HOUSE BILL NO. 1751** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1751

Amend **HOUSE BILL NO. 1751** as engrossed, 3/22/01:

Insert the following additional sections immediately following Section 3 to read as follows:

" SECTION 4. SPECIAL LANGUAGE . NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER RESTRICTIONS. The appropriations provided in this act shall not be transferred under the provisions of Arkansas Code 19-4-522 or the provisions of Arkansas Code 6-62-104, but only as provided by this act.

SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL

AND TEMPORARY LAW. TRANSFER PROVISIONS. The state-supported institution of higher education in this act may transfer appropriations between the various line items within each appropriation contained in this appropriation act. Such transfers shall be made only after the approval of the Department of Higher Education and the Chief Fiscal Officer of the State, and the approval of the Legislative Council.

The General Assembly has determined that the institution in this act could be operated more efficiently if some flexibility is given to that institution and that flexibility is being accomplished by providing authority to transfer between items of appropriation made by this act. Since the General Assembly has granted the institution broad powers under the transfer of appropriations, it is both necessary and appropriate that the General Assembly maintain oversight of the utilization of the transfers by requiring prior approval of the Legislative Council in the utilization of the transfer authority. Therefore, the requirement of approval by the Legislative Council is not a severable part of this section. If the requirement of approval by the Legislative Council is ruled unconstitutional by a court jurisdiction, this entire section is void.

SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. POSITIONS. Nothing in this act shall be construed as a commitment of the State of Arkansas or any of its agencies or institutions to continue funding any position paid from the proceeds of the Tobacco Settlement in the event that Tobacco Settlement funds are not sufficient to finance the position.”

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

Upon motion of Representative French, **HOUSE BILL NO. 1752** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1752

Amend **HOUSE BILL NO. 1752** as engrossed, 3/22/01:

Insert the following additional sections immediately following Section 3 to read as follows:

" SECTION 4. SPECIAL LANGUAGE . NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER RESTRICTIONS. The appropriations provided in this act shall not be transferred under the provisions of Arkansas Code 19-4-522 or the provisions of Arkansas Code 6-62-104, but only as provided by this act.

SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER PROVISIONS. The state-supported institution of higher education in this act may transfer appropriations between the various line items within each appropriation contained in this appropriation act. Such transfers shall be made only after the approval of the Department of Higher Education and the Chief Fiscal Officer of the State, and the approval of the Legislative Council.

The General Assembly has determined that the institution in this act could be operated more efficiently if some flexibility is given to that institution and that flexibility is being accomplished by providing authority to transfer between items of appropriation made by this act. Since the General Assembly has granted the institution broad powers under the transfer of appropriations, it is both necessary and appropriate that the General Assembly maintain oversight of the utilization of the transfers by requiring prior approval of the Legislative Council in the utilization of the transfer authority. Therefore, the requirement of approval by the Legislative Council is not a severable part of this section. If the requirement of approval by the Legislative Council is ruled unconstitutional by a court jurisdiction, this entire section is void.

SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. POSITIONS. Nothing in this act shall be construed as a commitment of the State of Arkansas or any of its agencies or institutions to continue funding any position paid from the proceeds of the Tobacco Settlement in the event

that Tobacco Settlement funds are not sufficient to finance the position.”

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

Upon motion of Representative French, **HOUSE BILL NO. 1753** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1753

Amend **HOUSE BILL NO. 1753** as originally introduced:

Insert the following additional sections immediately following Section 4 to read as follows:

" SECTION 5. SPECIAL LANGUAGE . NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER RESTRICTIONS. The appropriations provided in this act shall not be transferred under the provisions of Arkansas Code 19-4-522 or the provisions of Arkansas Code 6-62-104, but only as provided by this act.

SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER PROVISIONS. The state-supported institution of higher education in this act may transfer appropriations between the various line items within each appropriation contained in this appropriation act. Such transfers shall be made only after the approval of the Department of Higher Education and the Chief Fiscal Officer of the State, and the approval of the Legislative Council.

The General Assembly has determined that the institution in this act could be operated more efficiently if some flexibility is given to that institution and that flexibility is being accomplished by providing authority to transfer between items of appropriation made by this act. Since the General Assembly has granted the

institution broad powers under the transfer of appropriations, it is both necessary and appropriate that the General Assembly maintain oversight of the utilization of the transfers by requiring prior approval of the Legislative Council in the utilization of the transfer authority. Therefore, the requirement of approval by the Legislative Council is not a severable part of this section. If the requirement of approval by the Legislative Council is ruled unconstitutional by a court jurisdiction, this entire section is void.

SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. POSITIONS. Nothing in this act shall be construed as a commitment of the State of Arkansas or any of its agencies or institutions to continue funding any position paid from the proceeds of the Tobacco Settlement in the event that Tobacco Settlement funds are not sufficient to finance the position."

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

Upon motion of Representative French, **HOUSE BILL NO. 1754** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1754

Amend **HOUSE BILL NO. 1754** as originally introduced:

Insert the following additional sections immediately following Section 3 to read as follows:

" SECTION 4. SPECIAL LANGUAGE . NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER RESTRICTIONS. The appropriations provided in this act shall not be transferred under the provisions of Arkansas Code 19-4-522 or the provisions of Arkansas Code 6-62-104, but only as provided by this act.

SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER PROVISIONS. The state-supported institution of higher education in this act may transfer appropriations between the various line items within each appropriation contained in this appropriation act. Such transfers shall be made only after the approval of the Department of Higher Education and the Chief Fiscal Officer of the State, and the approval of the Legislative Council.

The General Assembly has determined that the institution in this act could be operated more efficiently if some flexibility is given to that institution and that flexibility is being accomplished by providing authority to transfer between items of appropriation made by this act. Since the General Assembly has granted the institution broad powers under the transfer of appropriations, it is both necessary and appropriate that the General Assembly maintain oversight of the utilization of the transfers by requiring prior approval of the Legislative Council in the utilization of the transfer authority. Therefore, the requirement of approval by the Legislative Council is not a severable part of this section. If the requirement of approval by the Legislative Council is ruled unconstitutional by a court jurisdiction, this entire section is void.

SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. POSITIONS. Nothing in this act shall be construed as a commitment of the State of Arkansas or any of its agencies or institutions to continue funding any position paid from the proceeds of the Tobacco Settlement in the event that Tobacco Settlement funds are not sufficient to finance the position."

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

Upon motion of Representative French, **HOUSE BILL NO. 1755** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1755

Amend **HOUSE BILL NO. 1755** as originally introduced:

Insert the following additional sections immediately following Section 2 to read as follows:

" SECTION 3. SPECIAL LANGUAGE . NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER RESTRICTIONS. The appropriations provided in this act shall not be transferred under the provisions of Arkansas Code 19-4-522 or the provisions of Arkansas Code 6-62-104, but only as provided by this act.

SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER PROVISIONS. The state-supported institution of higher education in this act may transfer appropriations between the

various line items within each appropriation contained in this appropriation act. Such transfers shall be made only after the approval of the Department of Higher Education and the Chief Fiscal Officer of the State, and the approval of the Legislative Council.

The General Assembly has determined that the institution in this act could be operated more efficiently if some flexibility is given to that institution and that flexibility is being accomplished by providing authority to transfer between items of appropriation made by this act. Since the General Assembly has granted the institution broad powers under the transfer of appropriations, it is both necessary and appropriate that the General Assembly maintain oversight of the utilization of the transfers by requiring prior approval of the Legislative Council in the utilization of the transfer authority. Therefore, the requirement of approval by the Legislative Council is not a severable part of this section. If the requirement of approval by the Legislative Council is ruled unconstitutional by a court jurisdiction, this entire section is void.

SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. POSITIONS. Nothing in this act shall be construed as a commitment of the State of Arkansas or any of its agencies or institutions to continue funding any position paid from the proceeds of the Tobacco Settlement in the event that Tobacco Settlement funds are not sufficient to finance the position.

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

Upon motion of Representative French, **HOUSE BILL NO. 1756** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1756

Amend **HOUSE BILL NO. 1756** as originally introduced:

Insert the following additional sections immediately following Section 3 to read as follows:

" SECTION 4. SPECIAL LANGUAGE . NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER RESTRICTIONS. The appropriations provided in this act shall not be transferred under the provisions of Arkansas Code 19-4-522 or the provisions of Arkansas Code 6-62-104, but only as provided by this act.

SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER PROVISIONS. The state-supported institution of higher education in this act may transfer appropriations between the various line items within each appropriation contained in this appropriation act. Such transfers shall be made only after the approval of the Department of Higher Education and the Chief Fiscal Officer of the State, and the approval of the Legislative Council.

The General Assembly has determined that the institution in this act could be operated more efficiently if some flexibility is given to that institution and that flexibility is being accomplished by providing authority to transfer between items of appropriation made by this act. Since the General Assembly has granted the institution broad powers under the transfer of appropriations, it is both necessary and appropriate that the General Assembly maintain oversight of the utilization of the transfers by requiring prior approval of the Legislative Council in the utilization of the transfer authority. Therefore, the requirement of approval by the Legislative Council is not a severable part of this section. If the requirement of approval by the Legislative Council is ruled unconstitutional by a court jurisdiction, this entire section is void.

SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. POSITIONS. Nothing in this act shall be construed as a commitment of the State of Arkansas or any of its agencies or institutions to continue funding any position paid from the proceeds of the Tobacco Settlement in the event that Tobacco Settlement funds are not sufficient to finance the position.

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

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. 2123

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, Allison, Altes, Bennett, Bevis, Biggs, Bledsoe, Bond, Bookout, Borhauer, Boyd, Bradford, Bright, Carson, Clemons, Cleveland, Cook, Cowling, Creekmore, Dangeau, Dees, Eason, D. Elliott, J. Elliott, Ferguson, Files, Fite, French, Gillespie, Gipson, Glover, Green, Hathorn, Hausam, Hickinbotham, Holt, House, Hunt, Jackson, Jacobs, G. Jeffress, Jones, Judy, King, Ledbetter, Lendall, Lewellen, Lowery, Mathis, McMellon, Milligan, Milum, Minton, Nichols, Oglesby, Ormond, Parks, Prater, Pritchard, Rankin, Rodgers, Roebuck, Salmon, Schall, Scrimshire, Scroggin, Shoffner, R. Smith, M. Steele, T. Steele, Stovall, C. Taylor, Teague, Thomas, Trammell, Verkamp, W. Walker, Weaver, White, Willis, Womack, Wood.

Total83

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Bolin, Childers, Duggar, Goss, Haak, Hendren, Hutchinson, C. Johnson, Mack, Magnus, Moore, Napper, Rackley, Seawel, M. Smith, J. Taylor, Mr. Speaker.

Total17

VOTING PRESENT:

Total0

Total number of votes cast83

Necessary to the passage of the bill75

So the Bill passed and the title as read was agreed to.

There being an Emergency Clause attached to **HOUSE BILL NO. 2123**, 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, Allison, Altes, Bennett, Bevis, Biggs, Bledsoe, Bond, Bookout, Borhauer, Boyd, Bradford, Bright, Carson, Clemons, Cleveland, Cook, Cowling, Creekmore, Dangeau, Dees, Eason, D. Elliott, J. Elliott, Ferguson, Files, Fite, French, Gillespie, Gipson, Glover, Green, Hathorn, Hausam, Hickinbotham, Holt, House, Hunt, Jackson, Jacobs, G. Jeffress, Jones, Judy, King, Ledbetter, Lendall, Lewellen, Lowery, Mathis, McMellon, Milligan, Milum, Minton, Nichols, Oglesby, Ormond, Parks, Prater, Pritchard, Rankin, Rodgers, Roebuck, Salmon, Schall, Scrimshire, Scroggin, Shoffner, R. Smith, M. Steele, T. Steele, Stovall, C. Taylor, Teague, Thomas, Trammell, Verkamp, W. Walker, Weaver, White, Willis, Womack, Wood.

Total83

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Bolin, Childers, Duggar, Goss, Haak, Hendren, Hutchinson, C. Johnson, Mack, Magnus, Moore, Napper, Rackley, Seawel, M. Smith, J. Taylor, Mr. Speaker.

Total17

VOTING PRESENT:

Total0

Total number of votes cast.....83

Necessary to the adoption of the Emergency Clause67

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".

SENATE BILL NO. 456

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, Allison, Bennett, Bevis, Biggs, Bledsoe, Bolin, Bond, Bookout, Borhauer, Boyd, Bradford, Bright, Carson, Clemons, Cleveland, Cook, Cowling, Creekmore, Dangeau, Dees, Duggar, Eason, D. Elliott, Ferguson, Files, Fite, French, Gillespie, Gipson, Glover, Green, Hathorn, Hausam, Hickinbotham, Holt, House, Hunt, Hutchinson, Jackson, Jacobs, G. Jeffress, Jones, Judy, King, Ledbetter, Lendall, Lewellen, Lowery, Magnus, Mathis, McMellon, Milligan, Milum, Minton, Nichols, Oglesby, Ormond, Parks, Prater, Pritchard, Rackley, Rankin, Rodgers, Roebuck, Salmon, 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.

Total87

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Altes, Childers, J. Elliott, Goss, Haak, Hendren, C. Johnson, Mack, Moore, Napper, Schall, J. Taylor, Mr. Speaker.

Total13

VOTING PRESENT:

Total0

Total number of votes cast87

Necessary to the passage of the bill75

So the Bill passed and the title as read was agreed to.

There being an Emergency Clause attached to **SENATE BILL NO. 456**, 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, Allison, Bennett, Bevis, Biggs, Bledsoe, Bolin, Bond, Bookout, Borhauer, Boyd, Bradford, Bright, Carson, Clemons, Cleveland, Cook, Cowling, Creekmore, Dangeau, Dees, Duggar, Eason, D. Elliott, Ferguson, Files, Fite, French, Gillespie, Gipson, Glover, Green, Hathorn, Hausam, Hickinbotham, Holt, House, Hunt, Hutchinson, Jackson, Jacobs, G. Jeffress, Jones, Judy, King, Ledbetter, Lendall, Lewellen, Lowery, Magnus, Mathis, McMellon, Milligan, Milum, Minton, Nichols, Oglesby, Ormond, Parks, Prater, Pritchard, Rackley, Rankin, Rodgers, Roebuck, Salmon, 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.

Total87

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Altes, Childers, J. Elliott, Goss, Haak, Hendren, C. Johnson, Mack, Moore, Napper, Schall, J. Taylor, Mr. Speaker.

Total13

VOTING PRESENT:

Total0

Total number of votes cast.....87

Necessary to the adoption of the Emergency Clause67

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".

SENATE BILL NO. 548

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

Total87

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Childers, Goss, Hendren, G. Jeffress, C. Johnson, Mack, Moore, Oglesby, Ormond, Seawel, M. Smith, J. Taylor, Mr. Speaker.

Total13

VOTING PRESENT:

Total0

Total number of votes cast87

Necessary to the passage of the bill75

So the Bill passed and the title as read was agreed to.

There being an Emergency Clause attached to **SENATE BILL NO.548**, 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, Allison, Altes, Bennett, Bevis, Biggs, Bledsoe, Bolin, Bond, Bookout, Borhauer, Boyd, Bradford, Bright, Carson, Clemons, Cleveland, Cook, Cowling, Creekmore, Dangeau, Dees, Duggar, Eason, D. Elliott, J. Elliott, Ferguson, Files, Fite, French, Gillespie, Gipson, Glover, Green, Haak, Hathorn, Hausam, Hickinbotham, Holt, House, Hunt, Hutchinson, Jackson, Jacobs, Jones, Judy, King, Ledbetter, Lendall, Lewellen, Lowery, Magnus, Mathis, McMellon, Milligan, Milum, Minton, Napper, Nichols, Parks, Prater, Pritchard, Rackley, Rankin, Rodgers, Roebuck, Salmon, Schall, Scrimshire, Scroggin, Shoffner, R. Smith, M. Steele, T. Steele, Stovall, C. Taylor, Teague, Thomas, Trammell, Verkamp, W. Walker, Weaver, White, Willis, Womack, Wood.

Total87

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Childers, Goss, Hendren, G. Jeffress, C. Johnson, Mack, Moore, Oglesby, Ormond, Seawel, M. Smith, J. Taylor, Mr. Speaker.

Total13

VOTING PRESENT:

Total0

Total number of votes cast.....87

Necessary to the adoption of the Emergency Clause67

So the Emergency Clause was adopted.

Motion was made by Representative Judy to Re-refer **SENATE BILL NO. 553** back to the Committee on JOINT BUDGET for Amendment.

On this motion the vote was as follows:

AFFIRMATIVE: Adams, Agee, Allison, Altes, Bennett, Bevis, Biggs, Bledsoe, 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, Green, Haak, Hathorn, Hausam, Hendren, Hickinbotham, Holt, House, Hunt, Hutchinson, Jackson, Jacobs, G. Jeffress, Jones, Judy, King, Ledbetter, Lendall, Lewellen, Lowery, Magnus, Mathis, McMellon, Milligan, Milum, Minton, Napper, Nichols, Oglesby, Ormond, Parks, Prater, Pritchard, Rankin, Rodgers, Roebuck, 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, Womack, Wood.

Total91

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Bolin, Goss, C. Johnson, Mack, Moore, Rackley, J. Taylor, Willis, Mr. Speaker.

Total9

VOTING PRESENT:

Total0

Total number of votes cast91

Necessary to the adoption of the motion51

So the motion 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".

SENATE BILL NO. 584

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

Total87

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Altes, Bolin, Clemons, Goss, Hendren, C. Johnson, Mack, Moore, Rackley, Rankin, J. Taylor, C. Taylor, Mr. Speaker.

Total13

VOTING PRESENT:

Total0

Total number of votes cast87

Necessary to the passage of the bill75

So the Bill passed and the title as read was agreed to.

There being an Emergency Clause attached to **SENATE BILL NO. 584**, 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, Allison, Bennett, Bevis, Biggs, Bledsoe, Bond, Bookout, Borhauer, Boyd, Bradford, Bright, Carson, Childers, Cleveland, Cook, Cowling, Creekmore, Dangeau, Dees, Duggar, Eason, D. Elliott, J. Elliott, Ferguson, Files, Fite, French, Gillespie, Gipson, Glover, Green, Haak, Hathorn, Hausam, Hickinbotham, Holt, House, Hunt, Hutchinson, Jackson, Jacobs, G. Jeffress, Jones, Judy, King, Ledbetter, Lendall, Lewellen, Lowery, Magnus, Mathis, McMellon, Milligan, Milum, Minton, Napper, Nichols, Oglesby, Ormond, Parks, Prater, Pritchard, Rodgers, Roebuck, Salmon, Schall, Scrimshire, Scroggin, Seawel, Shoffner, M. Smith, R. Smith, M. Steele, T. Steele, Stovall, Teague, Thomas, Trammell, Verkamp, W. Walker, Weaver, White, Willis, Womack, Wood.

Total87

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Altes, Bolin, Clemons, Goss, Hendren, C. Johnson, Mack, Moore, Rackley, Rankin, J. Taylor, C. Taylor, Mr. Speaker.

Total13

VOTING PRESENT:

Total0

Total number of votes cast87

Necessary to the adoption of the Emergency Clause67

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. 1266

BY: REPRESENTATIVE FRENCH

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, Allison, Altes, Bennett, Bevis, Biggs, Bledsoe, Bolin, Bond, Bookout, Borhauer, Boyd, Bradford, Bright, Carson, Childers, Cleveland, Cook, Cowling, Creekmore, Dangeau, Dees, Duggar, Eason, D. Elliott, J. Elliott, Ferguson, Files, Fite, French, Gillespie, Gipson, Glover, Green, Haak, Hathorn, Hausam, Hendren, Hickinbotham, Holt, House, Hunt, Hutchinson, Jackson, Jacobs, G. Jeffress, Jones, Judy, King, Ledbetter, Lendall, Lewellen, Lowery, Magnus, Mathis, McMellon, Milligan, Milum, Minton, Napper, Nichols, Oglesby, Ormond, Parks, Prater, Pritchard, Rankin, Rodgers, Roebuck, Salmon, 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.

Total91

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Clemons, Goss, C. Johnson, Mack, Moore, Rackley, Schall, J. Taylor, Mr. Speaker.

Total9

VOTING PRESENT:

Total0

Total number of votes cast91

Necessary to the passage of the bill75

So the Bill passed and the title as read was agreed to.

There being an Emergency Clause attached to **HOUSE BILL NO. 1266**, 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, Allison, Altes, Bennett, Bevis, Biggs, Bledsoe, Bolin, Bond, Bookout, Borhauer, Boyd, Bradford, Bright, Carson, Childers, Cleveland, Cook, Cowling, Creekmore, Dangeau, Dees, Duggar, Eason, D. Elliott, J. Elliott, Ferguson, Files, Fite, French, Gillespie, Gipson, Glover, Green, Haak, Hathorn, Hausam, Hendren, Hickinbotham, Holt, House, Hunt, Hutchinson, Jackson, Jacobs, G. Jeffress, Jones, Judy, King, Ledbetter, Lendall, Lewellen, Lowery, Magnus, Mathis, McMellon, Milligan, Milum, Minton, Napper, Nichols, Oglesby, Ormond, Parks, Prater, Pritchard, Rankin, Rodgers, Roebuck, Salmon, 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.

Total91

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Clemons, Goss, C. Johnson, Mack, Moore, Rackley, Schall, J. Taylor, Mr. Speaker.

Total9

VOTING PRESENT:

Total0

Total number of votes cast.....91

Necessary to the adoption of the Emergency Clause67

So the Emergency Clause was adopted.

HOUSE BILLS ORDERED TRANSMITTED TO THE SENATE AS PASSED

HOUSE BILL NO. 1147 BY REPRESENTATIVE NAPPER
 HOUSE BILL NO. 1266 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 2123 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 2213 BY REPRESENTATIVE CARSON
 HOUSE BILL NO. 2262 BY REPRESENTATIVE VERKAMP
 HOUSE BILL NO. 2313 BY REPRESENTATIVE CHILDERS
 HOUSE BILL NO. 2362 BY REPRESENTATIVE CLEMONS
 HOUSE BILL NO. 2366 BY REPRESENTATIVE R. SMITH
 HOUSE BILL NO. 2498 BY REPRESENTATIVE KING
 HOUSE BILL NO. 2550 BY REPRESENTATIVE AGEE
 HOUSE BILL NO. 2580 BY REPRESENTATIVE HATHORN
 HOUSE BILL NO. 2634 BY REPRESENTATIVE WOMACK
 HOUSE BILL NO. 2653 BY REPRESENTATIVE CLEVELAND

HOUSE CONCURRENT RESOLUTIONS ADOPTED AND
 ORDERED TRANSMITTED TO THE SENATE

HOUSE CONCURRENT RESOLUTION NO. 1044
 BY REPRESENTATIVE HOLT

SENATE BILLS ORDERED RETURNED TO THE SENATE AS PASSED

SENATE BILL NO. 23 BY SENATOR BEEBE, AS AMENDED #1
 SENATE BILL NO. 65 BY SENATOR GWATNEY, AS AMENDED #1
 SENATE BILL NO. 283 BY SENATOR TRUSTY, AS AMENDED #1
 SENATE BILL NO. 456 BY JOINT BUDGET COMMITTEE
 SENATE BILL NO. 548 BY JOINT BUDGET COMMITTEE
 SENATE BILL NO. 567 BY SENATOR BAKER
 SENATE BILL NO. 584 BY JOINT BUDGET COMMITTEE
 SENATE BILL NO. 602 BY SENATOR T. SMITH
 SENATE BILL NO. 603 BY SENATOR MAHONY
 SENATE BILL NO. 763 BY SENATOR GULLETT

SENATE BILLS ORDERED RETURNED TO THE SENATE AS PASSED,
CONTINUED

SENATE BILL NO. 764 BY SENATOR GULLETT, AS AMENDED
 SENATE BILL NO. 765 BY SENATOR GULLETT
 SENATE BILL NO. 796 BY SENATOR D. MALONE
 SENATE BILL NO. 818 BY SENATOR FITCH
 SENATE BILL NO. 819 BY SENATOR FITCH
 SENATE BILL NO. 827 BY SENATOR WEBB, AS AMENDED
 SENATE BILL NO. 856 BY SENATOR FARIS
 SENATE BILL NO. 892 BY SENATOR MAHONY
 SENATE BILL NO. 896 BY SENATOR MAHONY
 SENATE BILL NO. 944 BY SENATOR T. SMITH
 SENATE BILL NO. 960 BY SENATOR SIMES
 SENATE BILL NO. 964 BY SENATOR CRITCHER, AS AMENDED

ARKANSAS SENATE
 SENATE CONCURRENT RESOLUTIONS ADOPTED AND
 TRANSMITTED TO THE HOUSE

SENATE CONCURRENT RESOLUTION NO. 12
 BY SENATOR WILKINSON, AS AMENDED #1

ARKANSAS SENATE
 HOUSE BILLS RETURNED FROM THE SENATE AS PASSED

HOUSE BILL NO. 1297 BY REPRESENTATIVE LENDALL
 HOUSE BILL NO. 1550 BY REPRESENTATIVE JONES, AS AMENDED #1
 HOUSE BILL NO. 1580 BY REPRESENTATIVE CLEVELAND
 HOUSE BILL NO. 1635 BY REPRESENTATIVE T. STEELE
 HOUSE BILL NO. 1636 BY REPRESENTATIVE LEDBETTER
 HOUSE BILL NO. 1647 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 1685 BY REPRESENTATIVE KING, AS AMENDED #2,# 3,# 4
 HOUSE BILL NO. 1716 BY REPRESENTATIVE HENDREN, AS AMENDED
 HOUSE BILL NO. 1717 BY REPRESENTATIVE RODGERS, AS AMENDED
 HOUSE BILL NO. 1729 BY REPRESENTATIVE GOSS
 HOUSE BILL NO. 1740 BY REPRESENTATIVE SALMON
 HOUSE BILL NO. 1772 BY REPRESENTATIVE BOOKOUT, AS AMENDED #1

ARKANSAS SENATE, HOUSE BILLS RETURNED FROM THE SENATE AS
PASSED, CONTINUED

HOUSE BILL NO. 1801 BY REPRESENTATIVE COOK, AS AMENDED #1
 HOUSE BILL NO. 1871 BY REPRESENTATIVE GLOVER
 HOUSE BILL NO. 1901 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 1931 BY REPRESENTATIVE FERGUSON, AS AMENDED #1
 HOUSE BILL NO. 2002 BY REPRESENTATIVE PRITCHARD, AS AMENDED
 HOUSE BILL NO. 2003 BY REPRESENTATIVE PRITCHARD, AS AMENDED
 HOUSE BILL NO. 2114 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 2173 BY REPRESENTATIVE LEDBETTER
 HOUSE BILL NO. 2227 BY REPRESENTATIVE HUNT
 HOUSE BILL NO. 2228 BY REPRESENTATIVE HUNT
 HOUSE BILL NO. 2254 BY REPRESENTATIVE M. SMITH
 HOUSE BILL NO. 2280 BY REPRESENTATIVE CLEVELAND
 HOUSE BILL NO. 2326 BY REPRESENTATIVE JUDY
 HOUSE BILL NO. 2399 BY REPRESENTATIVE TEAGUE
 HOUSE BILL NO. 2416 BY REPRESENTATIVE McMELLON
 HOUSE BILL NO. 2521 BY REPRESENTATIVE FRENCH
 HOUSE BILL NO. 2565 BY REPRESENTATIVE M. SMITH
 HOUSE BILL NO. 2593 BY REPRESENTATIVE BRIGHT

ARKANSAS SENATE
 SENATE BILLS RECEIVED FROM SENATE

SENATE BILL NO. 380 BY SENATOR CRITCHER
 SENATE BILL NO. 471 BY JOINT BUDGET COMMITTEE
 SENATE BILL NO. 575 BY SENATOR T. SMITH
 SENATE BILL NO. 599 BY JOINT BUDGET COMMITTEE
 SENATE BILL NO. 627 BY JOINT BUDGET COMMITTEE
 SENATE BILL NO. 630 BY JOINT BUDGET COMMITTEE
 SENATE BILL NO. 657 BY JOINT BUDGET COMMITTEE
 SENATE BILL NO. 676 BY JOINT BUDGET COMMITTEE
 SENATE BILL NO. 677 BY JOINT BUDGET COMMITTEE
 SENATE BILL NO. 701 BY JOINT BUDGET COMMITTEE
 SENATE BILL NO. 715 BY JOINT BUDGET COMMITTEE
 SENATE BILL NO. 722 BY JOINT BUDGET COMMITTEE
 SENATE BILL NO. 725 BY JOINT BUDGET COMMITTEE

ARKANSAS SENATE, SENATE BILLS RECEIVED FROM SENATE, CONTINUED

SENATE BILL NO. 726 BY JOINT BUDGET COMMITTEE
SENATE BILL NO. 772 BY SENATOR ARGUE
SENATE BILL NO. 779 BY SENATOR ARGUE
SENATE BILL NO. 788 BY SENATOR EVERETT
SENATE BILL NO. 837 BY SENATOR FARIS
SENATE BILL NO. 860 BY SENATOR EVERETT
SENATE BILL NO. 877 BY SENATOR B. WALKER
SENATE BILL NO. 886 BY JOINT BUDGET COMMITTEE
SENATE BILL NO. 934 BY SENATOR BISBEE

ARKANSAS SENATE
HOUSE CONCURRENT RESOLUTIONS CONCURRED IN
AND RETURNED TO THE HOUSE

HOUSE CONCURRENT RESOLUTION NO. 1034
BY REPRESENTATIVE BOND
HOUSE CONCURRENT RESOLUTION NO. 1047
BY REPRESENTATIVE SALMON

ARKANSAS SENATE
SENATE CONCURRENT RESOLUTIONS ADOPTED AND
TRANSMITTED TO THE HOUSE

SENATE CONCURRENT RESOLUTION NO. 22
BY SENATOR K. SMITH

ENROLLED AND DELIVERY TO GOVERNOR REPORTS

Little Rock, Arkansas

March 28, 2001

MR. SPEAKER:

We, your committee on Enrolled Bills, to whom was referred the following:

HOUSE BILL NO. 1044 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 1063 BY REPRESENTATIVE FRENCH, ET AL
 HOUSE BILL NO. 1625 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 1668 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 1718 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 1742 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 1782 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 1786 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 1893 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 1905 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 1933 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 1987 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 1988 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 1990 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 1991 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 1992 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 2022 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 2052 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 2053 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 2098 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 2129 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 2152 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 2317 BY REPRESENTATIVE LEDBETTER, ET AL
 HOUSE CONCURRENT RESOLUTION NO. 1021
 BY REPRESENTATIVE BLEDSOE, ET AL
 HOUSE CONCURRENT RESOLUTION NO. 1033
 BY REPRESENTATIVE RODGERS

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 9:30 a.m. delivered them to the Governor for his approval.

Respectfully submitted,

/s/ Shane Broadway, Chairman

RECEIPT FROM THE GOVERNOR

RECEIVED FROM THE HOUSE:

HOUSE BILL NO. 1044 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 1063 BY REPRESENTATIVE FRENCH, ET AL
 HOUSE BILL NO. 1625 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 1668 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 1718 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 1742 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 1782 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 1786 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 1893 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 1905 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 1933 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 1987 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 1988 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 1990 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 1991 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 1992 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 2022 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 2052 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 2053 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 2098 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 2129 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 2152 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 2317 BY REPRESENTATIVE LEDBETTER, ET AL
 HOUSE CONCURRENT RESOLUTION NO. 1021
 BY REPRESENTATIVE BLEDSOE, ET AL
 HOUSE CONCURRENT RESOLUTION NO. 1033
 BY REPRESENTATIVE RODGERS

/s/ Mike Huckabee - Governor

TIME: 9:30 a.m.

By: Barb Meyer

ENROLLED AND DELIVERY TO GOVERNOR REPORTS

Little Rock, Arkansas

March 28, 2001

MR. SPEAKER:

We, your committee on Enrolled Bills, to whom was referred the following:

HOUSE BILL NO. 1417 BY REPRESENTATIVE JUDY, ET AL
HOUSE BILL NO. 1653 BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1765 BY REPRESENTATIVE DEES, ET AL
HOUSE BILL NO. 1804 BY REPRESENTATIVE CARSON
HOUSE BILL NO. 1919 BY REPRESENTATIVE DEES
HOUSE BILL NO. 1927 BY REPRESENTATIVE PRITCHARD
HOUSE BILL NO. 2180 BY REPRESENTATIVE CARSON
HOUSE BILL NO. 2184 BY REPRESENTATIVE ADAMS
HOUSE BILL NO. 2185 BY REPRESENTATIVE ADAMS
HOUSE BILL NO. 2192 BY REPRESENTATIVE GLOVER
HOUSE BILL NO. 2214 BY REPRESENTATIVE CARSON
HOUSE BILL NO. 2240 BY REPRESENTATIVE GREEN, ET AL
HOUSE BILL NO. 2249 BY REPRESENTATIVE MACK
HOUSE BILL NO. 2258 BY REPRESENTATIVE WHITE
HOUSE BILL NO. 2275 BY REPRESENTATIVE DANGEAU, ET AL
HOUSE BILL NO. 2504 BY REPRESENTATIVE W. WALKER, 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 11:30 A.M. delivered them to the Governor for his approval.

Respectfully submitted,

/s/ Shane Broadway

Chairman

RECEIPT FROM THE GOVERNOR

RECEIVED FROM THE HOUSE:

HOUSE BILL NO. 1417 BY REPRESENTATIVE JUDY, ET AL
HOUSE BILL NO. 1653 BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1765 BY REPRESENTATIVE DEES, ET AL
HOUSE BILL NO. 1804 BY REPRESENTATIVE CARSON
HOUSE BILL NO. 1919 BY REPRESENTATIVE DEES
HOUSE BILL NO. 1927 BY REPRESENTATIVE PRITCHARD
HOUSE BILL NO. 2180 BY REPRESENTATIVE CARSON
HOUSE BILL NO. 2184 BY REPRESENTATIVE ADAMS
HOUSE BILL NO. 2185 BY REPRESENTATIVE ADAMS
HOUSE BILL NO. 2192 BY REPRESENTATIVE GLOVER
HOUSE BILL NO. 2214 BY REPRESENTATIVE CARSON
HOUSE BILL NO. 2240 BY REPRESENTATIVE GREEN, ET AL
HOUSE BILL NO. 2249 BY REPRESENTATIVE MACK
HOUSE BILL NO. 2258 BY REPRESENTATIVE WHITE
HOUSE BILL NO. 2275 BY REPRESENTATIVE DANGEAU, ET AL
HOUSE BILL NO. 2504 BY REPRESENTATIVE W. WALKER, ET AL

/s/ Mike Huckabee - Governor

TIME: 11:30 a.m.

By: Barb Meyer

STATE OF ARKANSAS
OFFICE OF THE GOVERNOR

Little Rock, Arkansas

March 28, 2001

TO THE SPEAKER OF THE HOUSE

Dear Mr. Speaker:

This is to inform your Honorable Body that on March 28, 2001, I approved the following measures from the Session of the Eighty-third General Assembly:

House Bill 1044, which is now Act 1145 of 2001,
House Bill 1272, which is now Act 1146 of 2001,
House Bill 1625, which is now Act 1147 of 2001,
House Bill 1668, which is now Act 1148 of 2001,
House Bill 1718, which is now Act 1149 of 2001,
House Bill 1742, which is now Act 1150 of 2001,
House Bill 1782, which is now Act 1151 of 2001,
House Bill 1786, which is now Act 1152 of 2001,
House Bill 1804, which is now Act 1153 of 2001,
House Bill 1893, which is now Act 1154 of 2001,
House Bill 1905, which is now Act 1155 of 2001,
House Bill 1927, which is now Act 1156 of 2001,
House Bill 1933, which is now Act 1157 of 2001,
House Bill 1987, which is now Act 1158 of 2001, and
House Bill 1988, which is now Act 1159 of 2001.

Sincerely,

/s/ Mike Huckabee

MH:bbm

STATE OF ARKANSAS
OFFICE OF THE GOVERNOR

Little Rock, Arkansas

March 28, 2001

TO THE SPEAKER OF THE HOUSE

Dear Mr. Speaker:

This is to inform your Honorable Body that on March 28, 2001, I approved the following measures from the Session of the Eighty-third General Assembly:

House Bill 1990, which is now Act 1160 of 2001,
House Bill 1991, which is now Act 1161 of 2001,
House Bill 1992, which is now Act 1162 of 2001,
House Bill 2022, which is now Act 1163 of 2001,
House Bill 2052, which is now Act 1164 of 2001,
House Bill 2053, which is now Act 1165 of 2001,
House Bill 2129, which is now Act 1166 of 2001,
House Bill 2152, which is now Act 1167 of 2001,
House Bill 2320, which is now Act 1168 of 2001,
House Bill 2400, which is now Act 1169 of 2001, and
House Bill 2611, which is now Act 1170 of 2001.

Sincerely,

/s/ Mike Huckabee

MH:bbm

cc: President of the Senate

STATE OF ARKANSAS
OFFICE OF THE GOVERNOR

Little Rock, Arkansas

March 28, 2001

TO THE SPEAKER OF THE HOUSE

Dear Mr. Speaker:

This is to inform your Honorable Body that on March 28, 2001, I approved the following measures from the Session of the Eighty-third General Assembly:

House Bill 1230, which is now Act 1131 of 2001,
House Bill 1251, which is now Act 1132 of 2001,
House Bill 1254, which is now Act 1133 of 2001,
House Bill 1771, which is now Act 1134 of 2001,
House Bill 2401, which is now Act 1135 of 2001,
House Bill 2510, which is now Act 1136 of 2001,
House Bill 2536, which is now Act 1137 of 2001,
House Bill 2553, which is now Act 1138 of 2001, and
House Bill 2632, which is now Act 1139 of 2001.

Sincerely,

/s/ Mike Huckabee

MH:bbm

cc: President of the Senate

HOUSE BILL NO. 1685

BY: REPRESENTATIVE KING

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND ARKANSAS CODE 7-5-701 PERTAINING TO THE DECLARATION OF RESULTS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on STATE AGENCIES AND GOVERNMENTAL AFFAIRS.

HOUSE BILL NO. 1772

BY: REPRESENTATIVES BOOKOUT, NAPPER, MAGNUS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND ARKANSAS CODE 19-8-101 TO DEFINE BANK AND BANKING INSTITUTION; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on INSURANCE AND COMMERCE.

HOUSE BILL NO. 1931

BY: REPRESENTATIVE FERGUSON

BY: SENATOR T. SMITH

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PREVENT FILINGS WITH THE SECRETARY OF STATE IF FRANCHISE TAXES ARE OWED; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on STATE AGENCIES AND GOVERNMENTAL AFFAIRS.

HOUSE BILL NO. 2002

BY: REPRESENTATIVES PRITCHARD, HUNT

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND ARKANSAS CODE 21-2-704(b)(1) TO CLARIFY THAT THE GOVERNMENTAL BONDING BOARD MAY ISSUE FIDELITY BOND COVERAGE IN AMOUNTS NO GREATER THAN THREE HUNDRED THOUSAND DOLLARS PER OCCURRENCE; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on INSURANCE AND COMMERCE.

SENATE BILL NO. 380

BY: SENATOR CRITCHER

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PERMIT THE ATTORNEY GENERAL TO INSTITUTE A *CIVIL ACTION AGAINST A LONG-TERM CARE FACILITY WITH A PENALTY OF UP TO FIFTY THOUSAND DOLLARS (\$50,000) FOR A SINGLE ADULT ABUSE VIOLATION RESULTING IN A DEATH; AND FOR OTHER PURPOSES.*

Was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

SENATE BILL NO. 471

BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS SOIL AND WATER CONSERVATION COMMISSION FOR DEGRAY LAKE WATER STORAGE AND *DEVELOPMENT AND FOR CONSTRUCTING AND EQUIPPING BUILDINGS FOR THE CLARK COUNTY CONSERVATION DISTRICT*; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 575

BY: SENATOR T. SMITH

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PROVIDE BAILIFFS FOR THE CIRCUIT, CHANCERY, AND CIRCUIT-CHANCERY COURTS OF THE EIGHTEENTH JUDICIAL DISTRICT; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

SENATE BILL NO. 592

BY: SENATORS MAHONY, BAKER, BROWN, BRYLES, GULLETT, HILL, HORN, HUNTER, J. JEFFRESS, MILLER, RIGGS, K. SMITH, WEBB, WHITAKER, WILKINS, *FARIS*

BY: REPRESENTATIVES CARSON, BRADFORD, BOLIN, BORHAUER, BRIGHT, CLEMONS, COOK, DEES, EASON, J. ELLIOTT, FITE, GLOVER, GREEN, JACKSON, HUNT, G. JEFFRESS, JONES, JUDY, KING, LENDALL, LEWELLEN, LOWERY, MILLIGAN, NAPPER, SALMON, SCHALL, SHOFFNER, W. WALKER, WHITE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND ARKANSAS CODE 16-10-305 TO INCREASE MISDEMEANOR OFFENSES COURT COSTS IN MUNICIPAL, CITY AND POLICE COURTS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY, AND LOCAL AFFAIRS.

SENATE BILL NO. 599

BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS SOIL AND WATER CONSERVATION COMMISSION FOR COSTS ASSOCIATED WITH THE LAKE BOYDSVILLE PROJECT; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 627

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 COSTS ASSOCIATED WITH THE CONSTRUCTION OF A SENIOR CITIZEN CENTER IN CLEBURNE COUNTY; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 630

BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE UNIVERSITY OF ARKANSAS - ARKANSAS ARCHEOLOGICAL SURVEY RESEARCH STATION AT BLYTHEVILLE FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2003; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 657

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 THE CITY OF CORNING, ARKANSAS FOR IMPROVEMENTS TO THE CORNING COMMUNITY CENTER AND RECREATIONAL FACILITIES; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 676

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 CONSTRUCTION AND MAINTENANCE OF FACILITIES FOR THE CLARK, NEVADA, OUACHITA AND COLUMBIA COUNTY FAIR ASSOCIATIONS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 677

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 DEGRAY ARKANSAS RADIO CLUB, CLARK COUNTY; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 701

BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF EDUCATION FOR ECONOMIC EDUCATION GRANTS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 715

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 POPE, CLEBURNE, CONWAY AND VAN BUREN COUNTIES; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 722

BY: *JOINT BUDGET COMMITTEE*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE PETIT JEAN COLLEGE FOR CONSTRUCTION OF A CAMPUS CENTER AND RENOVATIONS OF CLASSROOMS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 725

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 FOR THE CITY OF CAMDEN; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 726

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 ASSISTANCE GRANTS FOR VOLUNTEER AND RURAL FIRE DEPARTMENTS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 772

BY: SENATOR ARGUE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND THE ARKANSAS PUBLIC SCHOOL CHOICE ACT; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

SENATE BILL NO. 779

BY: SENATOR ARGUE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PROHIBIT CONFLICTS OF INTEREST BY THE FAMILIES OF MEMBERS OF STATE BOARDS AND COMMISSIONS AND TO PROVIDE THE ARKANSAS ETHICS COMMISSION WITH AUTHORITY TO INVESTIGATE COMPLAINTS AND FIND VIOLATIONS OF THE CONFLICT OF INTEREST LAWS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on RULES.

SENATE BILL NO. 788

BY: SENATOR EVERETT

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND VARIOUS SECTIONS OF THE JUVENILE CODE TO ASSIST IN THE IMPLEMENTATION OF AMENDMENT 80; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

SENATE BILL NO. 837

BY: SENATOR FARIS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND VARIOUS PROVISIONS OF THE ADMINISTRATIVE PROCEDURE ACT; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES AND GOVERNMENTAL AFFAIRS.

SENATE BILL NO. 860

BY: SENATOR EVERETT**BY: REPRESENTATIVE CARSON**

A BILL FOR AN ACT TO BE ENTITLED AN ACT AMEND AND REPEAL VARIOUS SECTIONS OF THE ARKANSAS CODE TO REVISE AND UPDATE THE LAW GOVERNING THE OPERATION OF THE DIVISION OF YOUTH SERVICES; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on AGING, CHILDREN AND YOUTH, LEGISLATIVE AND MILITARY AFFAIRS.

SENATE BILL NO. 877

BY: SENATOR B. WALKER

A BILL FOR AN ACT TO BE ENTITLED AN ACT CONCERNING THE BOUNDARIES OF THE CAPITOL ZONING DISTRICT; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES AND GOVERNMENTAL AFFAIRS.

SENATE BILL NO. 886

BY: *JOINT BUDGET COMMITTEE*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ESTABLISH A "GROWTH POOL" OF POSITIONS FOR THE TWO-YEAR INSTITUTIONS OF HIGHER EDUCATION; TO REPEAL ARKANSAS CODE 29-30-105; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 934

BY: SENATOR BISBEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT ESTABLISH THE TERM OF IMPRISONMENT FOR VIOLATIONS ASSOCIATED WITH DRIVER'S LICENSES; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

SENATE CONCURRENT RESOLUTION NO. 22

BY: SENATOR K. SMITH

BY: REPRESENTATIVE MAGNUS

A RESOLUTION REQUESTING THE JOINT COMMITTEE ON ADVANCED COMMUNICATIONS AND INFORMATION TECHNOLOGY TO PERFORM AN INTERIM STUDY ON *THE FEASIBILITY OF LICENSED LAND SURVEYORS TO FILE LAND SURVEYS ELECTRONICALLY*; AND TO MAKE RECOMMENDATIONS TO THE EIGHTY-FOURTH GENERAL ASSEMBLY.

Was read the first time, rules suspended, read the second time and referred to the Committee on ADVANCED COMMUNICATION AND INFORMATION TECHNOLOGY.

Upon motion of Representative Cook, the House adjourned at 5:08 p.m. until 1:00 p.m. Thursday, March 29, 2001.

ATTEST:

Shane Broadway
Speaker of the House of Representatives

Jo Renshaw
Chief Clerk