

SIXTEENTH DAY'S PROCEEDINGS
HALL OF THE HOUSE OF REPRESENTATIVES

Little Rock, Arkansas
January 28, 2003

The House was called to order at 1:33 p. m. by Mr. Cleveland, the Speaker.
The following members answered to the roll call:

Adams, Agee, Anderson, Bennett, Berry, Biggs, Blair, Bledsoe, Bolin, Bond, Bookout, Borhauer, Boyd, Bradford, Bright, Chesterfield, Childers, Clemons, Cowling, Creekmore, Dangeau, Dees, Dickinson, Dobbins, Eason, Edwards, D.Evans, L. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Green, Haak, Hardwick, Harris, Hathorn, Hickinbotham, House, Hutchinson, Jackson, Jacobs, Jeffrey, C.Johnson, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Napper, Nichols, Norton, Oglesby, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, Smith, Stovall, Sullivan, Sumpter, C.Taylor, J.Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood, Mr. Speaker.

Total99

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

Total01

A quorum was present.

Unanimous leave was granted for Representative(s) Elliott.

The House stood and was led in prayer by Representative Susan Schulte.

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

January 28, 2003

JOINT BUDGET

PAUL WEAVER
CHAIRPERSON

HOUSE BILL NO. 1136

DO PASS

BY JOINT BUDGET COMMITTEE

HOUSE BILL NO. 1158

DO PASS

BY JOINT BUDGET COMMITTEE

HOUSE BILL NO. 1159

DO PASS

BY JOINT BUDGET COMMITTEE

HOUSE BILL NO. 1160

DO PASS

BY JOINT BUDGET COMMITTEE

HOUSE BILL NO. 1161

DO PASS

BY JOINT BUDGET COMMITTEE

HOUSE BILL NO. 1162

DO PASS

BY JOINT BUDGET COMMITTEE

HOUSE BILL NO. 1163

DO PASS

BY JOINT BUDGET COMMITTEE

HOUSE BILL NO. 1164

DO PASS

BY JOINT BUDGET COMMITTEE

HOUSE BILL NO. 1166

DO PASS

BY JOINT BUDGET COMMITTEE

HOUSE BILL NO. 1167

DO PASS

BY JOINT BUDGET COMMITTEE

HOUSE BILL NO. 1168

DO PASS

BY JOINT BUDGET COMMITTEE

HOUSE BILL NO. 1169

DO PASS

BY JOINT BUDGET COMMITTEE

HOUSE BILL NO. 1171

DO PASS

BY JOINT BUDGET COMMITTEE

HOUSE BILL NO. 1172

DO PASS

BY JOINT BUDGET COMMITTEE

HOUSE BILL NO. 1175

DO PASS

BY JOINT BUDGET COMMITTEE

HOUSE BILL NO. 1190 DO PASS

BY JOINT BUDGET COMMITTEE

HOUSE BILL NO. 1191 DO PASS

BY JOINT BUDGET COMMITTEE

COMMITTEE REPORT

January 28, 2003

EDUCATION

CALVIN JOHNSON

CHAIRPERSON

SENATE BILL NO. 4

DO PASS

BY SENATOR WHITAKER

COMMITTEE REPORT

January 28, 2003

PUBLIC TRANSPORTATION

JOHNNIE BOLIN

CHAIRPERSON

HOUSE BILL NO. 1072

DO PASS

BY REPRESENTATIVE VERKAMP

COMMITTEE REPORT

January 28, 2003

REVENUE AND TAXATION

BOYD HICKINGBOTHAM

CHAIRPERSON

HOUSE BILL NO. 1030

DO PASS

BY REPRESENTATIVE HOUSE

Upon the request of Representative Danny Ferguson, the chair ordered that the record reflect that **HOUSE BILL NO. 1038, AMENDMENT #2**, by Representative Danny Ferguson be removed from the Member's Own Bills Own Amendment Calendar.

State of Arkansas
Office of the Governor

Mike Huckabee
Governor

January 27, 2003

TO THE SPEAKER OF THE HOUSE

Dear Mr. Speaker:

This is to inform your Honorable Body that on January 27, 2003, I approved the following measures from the Regular Session of the Eighty-Fourth General Assembly:

HB 1052, which is now Act 4 of 2003

HB 1045, which is now Act 5 of 2003

HB 1046, which is now Act 6 of 2003

HB 1047, which is now Act 7 of 2003

HB 1048, which is now Act 8 of 2003

HB 1049, which is now Act 9 of 2003

HB 1051, which is now Act 10 of 2003

HB 1053, which is now Act 11 of 2003

HB 1054, which is now Act 12 of 2003

HB 1055, which is now Act 13 of 2003

HB 1056, which is now Act 14 of 2003

HB 1058, which is now Act 15 of 2003

HB1059, which is now Act 16 of 2003

Sincerely,

/s/ Mike Huckabee

MH: sm

cc: President of the Senate

Upon motion of Representative L. Prater, **HOUSE BILL NO. 1005** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1005

Amend **HOUSE BILL NO. 1005** as originally introduced:

Page 2, delete line 5 and substitute the following:

“during time of war during the ~~two-year~~ five-year period.”

/s/ Larry Prater

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Creekmore, **HOUSE BILL NO. 1151** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1151

Amend **HOUSE BILL NO. 1151** as originally introduced:

Page 1, delete line 29 and substitute the following:

"mail, or registered mail, evidenced by return receipt, or by regular mail supported by an affidavit of"

/s/ Mike Creekmore

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Napper, **HOUSE BILL NO. 1114** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1114

Amend **HOUSE BILL NO. 1114** as originally introduced:

Add Representative Lendall as an additional sponsor

AND

Page 1, delete line 35 and substitute the following:

“SECTION 1. Arkansas Code § 23-2-304(a), listing power of the Public Service Commission, is amended to add additional subdivisions to read as follows:

(9) Assure that retail customers should have access to safe, reliable, and affordable electricity, including protection against service disconnections in extreme weather or in cases of medical emergency or nonpayment for unrelated services; and

(10) Assure that electric utility bills, usage, and payment records should be treated as confidential, unless the retail customer consents to their release or the information is provided only in the aggregate. Notwithstanding this provision, release of such information may be made pursuant to subpoena, court order, or other applicable statute, rule or regulation.

SECTION 2. Arkansas Code § 23-3-102 is amended to read as follows:”

AND

Appropriately renumber the subsequent sections of the bill

AND

Page 2, delete lines 22 and 23 and substitute the following:

“(c) No public utility shall sell, lease, rent, or otherwise transfer, in any manner, control of electric transmission facilities in this state without the approval”

AND

Page 2, line 30, insert the following:

“(e) All transactions among or between a regulated electric public utility and any of its divisions, components or affiliates that are not regulated by the commission shall be subject to such rules as may be promulgated by the commission so that:

(1) All such transactions that involve regulated services shall be subject to the rates, terms and conditions specified in tariffs approved by the commission; and

(2) An electric utility shall not use any revenue from any regulated asset, operation or service to subsidize the provision of any unregulated electric service or any other unregulated activity.

AND

Page 3, delete line 17 and substitute the following:

“(3) In no event shall costs that are allowable in the utility’s regulated cost of service and rates be included as transition costs, and the electric utility shall be required to demonstrate that its requested transition cost recovery does not contain amounts which are otherwise reflected in current rate levels.

(4) Additionally, no electric utility shall recover transition”

AND

Page 4, delete line 21 and substitute the following:

“commission review of the processes and actions by which the utilities:”

AND

Page 4, delete lines 26 through 36 and substitute the following:

“(b) With regard to electric cooperatives formed under the Electric Cooperative Corporation Act, to the extent that an electric distribution cooperative purchases electricity from an electric generation and transmission cooperative pursuant to a wholesale power contract, the authority granted to the Arkansas Public Service Commission by subdivisions (a)(1) and (2) of this section shall not extend to such electric distribution cooperative to the extent of such purchases, but shall only extend to such electric generation and transmission cooperative.

(c) Subsection (a) does not apply to any transaction involving the acquisition of generation assets, which is closed and finalized prior to the adoption of the rules and regulations authorized in subsection (a), or within one (1) year after the effective date of this act of 2003, whichever comes later, and which is the subject of an order or ruling of any federal or state regulatory agency issued on or before January 1, 2003.

(d) Reasonable and prudent costs incurred in compliance with rules and regulations adopted pursuant to subsection (a) and in compliance with the provisions of §§ 23-3-201 through 23-3-206 and 23-18-501 through 23-18-529 shall be eligible for recovery in the rates of any electric utility making such an acquisition, subject to final approval by the commission. When the utility establishes that the costs were incurred in compliance with rules and regulations adopted pursuant to subsection (a), a rebuttable presumption is established that the costs were reasonable and prudent and incurred in the public interest. Nothing in this subsection shall be deemed to supercede the provisions of § 23-4-103.”

AND

Page 5, delete line 6 and substitute the following:

“reasonable costs. Nothing in this subsection shall be deemed to supercede the provisions of § 23-4-103.”

/s/ Steve Napper

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Hutchinson , **HOUSE BILL NO. 1039** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1039

Amend **HOUSE BILL NO. 1039** as originally introduced:

“AN ACT TO BE KNOWN AS “THE BABY SHARON ACT”; TO
CREATE AN”

AND

Page 1, delete lines 18 through 21 and substitute the following:

“AN ACT TO BE KNOWN AS “THE BABY SHARON ACT”.”

AND

Page 1, delete line 28 and substitute the following:

“26-35-1201. Title.

This subchapter shall be known and may be cited as the “Baby Sharon Act”.

26-35-1202. Creation.”

AND

Page 1, delete line 35 and substitute the following:

“all refund due, of your tax refund for Baby Sharon’s Children’s Catastrophic”

AND

Page 2, delete line 4 and substitute the following:

“amount) for Baby Sharon’s Children’s Catastrophic Illness Grant Program Trust”

AND

Page 2, delete line 6 and substitute the following:

“separate check for the amount of your contribution, payable to Baby Sharon’s”

AND

Page 2, delete line 9 and substitute the following:

“26-35-1203. Administration.

AND

Page 2, delete line 12 and substitute the following:

“made to the State of Arkansas for the purposes of funding Baby Sharon’s”

AND

Page 2, delete line 15 and substitute the following:

“so received into Baby Sharon’s Children’s Catastrophic Illness Grant Program”

AND

Page 2, delete line 28 and substitute the following:

“funding Baby Sharon’s Children’s Catastrophic Illness Grant Program Trust”

AND

Page 2, delete lines 34 through 35 and substitute the following:

“26-35-1204. Effective dates.

“(a) Baby Sharon’s Children’s Catastrophic Illness Grant Program Trust”

AND

Page 3, delete line 4 and substitute the following:

“devises, and donations shall be effective on August 1, 2003.

26-35-1205. Advisory committee.

(a) There is established an advisory committee to be known as the “Baby Sharon’s Children’s Catastrophic Illness Grant Program Advisory Committee”.

(b) The committee shall consist of five (5) members to be appointed by the Governor.

(c) The committee members shall be:

(1) Individuals who have knowledge of children with catastrophic illnesses or injuries; and

(2) Residents of the State of Arkansas at the time of appointment and throughout his or her term.

(d)(1) Except for initial appointments, the appointments to the committee shall be for a term of four (4) years.

(2) For initial appointments, the members shall draw lots to determine the length of their terms as follows:

(A) Two (2) members shall have terms of two (2) years;

(B) Two (2) members shall have terms of three (3) years; and

(C) One (1) member shall have a term of four (4) years.

(e) If a vacancy occurs during a term, the Governor shall appoint a replacement for the unexpired term.

(f) The Governor shall designate the chairperson.

(g)(1) The committee shall meet at times and places as the chairperson deems necessary, but no meetings shall be held outside of the State of Arkansas.

(2) A majority of the members of the committee shall constitute a quorum for the purpose of transacting business.

(3) All action of the committee shall be by a majority vote of the full membership of the committee.

(h) The committee shall:

(1) Consult with the Department of Human Services concerning grant applications related to Baby Sharon's Children's Catastrophic Illness Grant Program; and

(2) Consult with the Department of Human Services concerning rules and regulations that the department promulgates for Baby Sharon's Children's Catastrophic Illness Grant Program.

(i)(1) The Department of Human Services shall provide staff and office space to the committee.

(2)(A) Members of the committee shall serve without pay.

(B) Members of the committee shall not receive expense reimbursement under § 25-16-902."

AND

Page 3, delete line 12 and substitute the following:

“Baby Sharon's Children's Catastrophic Illness Grant Program Trust Fund”.”

AND

Page 3, line 13, delete “26-35-1201” and substitute “26-35-1202”

AND

Page 3, line 22, delete “26-35-1202” and substitute “26-35-1203”

AND

Page 3, delete line 29 and substitute the following:

“each fiscal year of the biennium for Baby Sharon's Children's Catastrophic”

AND

Page 3, delete lines 33 through 34 and substitute the following:

“Baby Sharon’s Children’s Catastrophic Illness Grant Program Trust Fund” to establish Baby Sharon’s Children’s Catastrophic Illness Grant Program.”

AND

Page 4, line 2, add the following:

“(c) The department shall consult with Baby Sharon’s Children’s Catastrophic Illness Grant Program Advisory Committee concerning:

(1) Grant applications related to Baby Sharon’s Children’s Catastrophic Illness Grant Program; and

(2) Rules and regulations promulgated by the department for Baby Sharon’s Children’s Catastrophic Illness Grant Program.”

/s/ Jeremy Hutchinson

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Jackson , **HOUSE BILL NO. 1029** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1029

Amend **HOUSE BILL NO. 1029** as originally introduced:

Delete Rep. Medley as sponsor;

and

Add as additional sponsors Representatives Haak, Goss, Roebuck, Thomas, Lewellen;

And

Page 1 line 33 immediately following "citizens." the following:

"State agencies shall not attempt to circumvent the restrictions in this act by any actions, including raising and depositing additional funds into bank accounts, other than those actions which would have occurred without these restrictions.";

and

Page 2 line 1 delete ", or bank account";

And

Page 2 line 22 adding the following at the end of the line:

“The bonus authorized by this section shall only be available after all eligible employees in the state agency, board, commission, office or institution have received the maximum cost of living increase allowed by law.”

/s/ Phillip Jackson

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Scroggin, **HOUSE BILL NO. 1109** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1109

Amend **HOUSE BILL NO. 1109** as originally introduced:

Page 1, delete line 27, and substitute the following:

“Committee to consist of seven (7) members.”

AND

Page 1, line 28, delete “four (4)” and substitute “~~four (4)~~ five (5)”

AND

Page 1, line 30, delete “four (4)” and substitute “~~four (4)~~ five (5)”

AND

Page 1, delete lines 32-34, and substitute the following:

“organizations that represent the residential construction industry. At least one (1) of the five (5) residential construction members shall reside in each congressional district.”

AND

Page 2, delete line 13, and substitute the following:

“so that ~~two (2)~~ three (3) serve a one-year term, two (2) serve a two-year term, and two”

Page 2, line 36, delete “may” and substitute “shall”

/s/ Preston Scroggin

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

/s/ Ms. Jo Renshaw

Chief Clerk

ENGROSSED BILL REPORTS

HERSCHEL W. CLEVELAND, CHAIRMAN

January 28, 2003

The following bill(s) reported correctly engrossed:

HOUSE BILL NO. 1005	BY REPRESENTATIVE L. PRATER
HOUSE BILL NO. 1029	BY REPRESENTATIVE JACKSON, ET AL
HOUSE BILL NO. 1039	BY REPRESENTATIVE HUTCHINSON
HOUSE BILL NO. 1109	BY REPRESENTATIVE SCROGGIN
HOUSE BILL NO. 1114	BY REPRESENTATIVE NAPPER, ET AL
HOUSE BILL NO. 1151	BY REPRESENTATIVE CREEKMORE AND BY SENATOR BROADWAY

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 1029

BY: REPRESENTATIVES JACKSON, STOVALL, BENNETT, BOLIN, BORHAUER, CREEKMORE, FITE, GIPSON, HATHORN, HICKINBOTHAM, HUTCHINSON, KING, PARKS, L. PRATER, SCROGGIN, SULLIVAN, BLEDSOE, RANKIN, BIGGS, NICHOLS, WEAVER, MILLIGAN, MATHIS, ANDERSON, ADAMS, JACOBS, *HAAK, GOSS, ROEBUCK, THOMAS, LEWELLEN*

BY: SENATOR WOMACK

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO INSURE THAT FUNDING IS AVAILABLE FOR EDUCATION, CORRECTIONS AND MEDICAID BY LIMITING EXPENDITURES OF STATE GOVERNMENT IN ORDER TO MORE EFFECTIVELY UTILIZE SCARCE RESOURCES; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 1039

BY: REPRESENTATIVE HUTCHINSON

A BILL FOR AN ACT TO BE ENTITLED *AN ACT TO BE KNOWN AS "THE BABY SHARON ACT"*; TO CREATE AN INCOME TAX RETURN CHECKOFF FOR THE ARKANSAS CHILDREN'S CATASTROPHIC ILLNESS GRANT PROGRAM TRUST FUND; TO CREATE THE ARKANSAS CHILDREN'S CATASTROPHIC ILLNESS GRANT PROGRAM TRUST FUND; TO CREATE THE ARKANSAS CHILDREN'S CATASTROPHIC ILLNESS GRANT PROGRAM; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 1114

BY: REPRESENTATIVE NAPPER, *LENDALL*

BY: SENATOR B. JOHNSON

A BILL FOR AN ACT TO BE ENTITLED THE ELECTRIC UTILITY REGULATORY REFORM ACT OF 2003.

HOUSE BILL NO. 1017

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, Anderson, Bennett, Berry, Biggs, Blair, Bledsoe, P. Bookout, Borhauer, Boyd, Bradford, Bright, Clemons, Cowling, Creekmore, Dangeau, Dees, Dickinson, Dobbins, Eason, Edwards, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Gipson, Green, Haak, Hardwick, Harris, Hathorn, Hickinbotham, House, Hutchinson, Jackson, Jacobs, Jeffrey, C. Johnson, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Napper, Nichols, Norton, Oglesby, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Stovall, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood.

Total93

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Bolin, Bond, Chesterfield, Childers, Elliott, Goss, Mr. Speaker.

Total7

VOTING PRESENT:

Total0

Total number of votes cast.....93

Total number voting in the affirmative93

Necessary to the passage of the bill51

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

Morning Hour Expired.

Upon motion of Representative Weaver the rules were suspended. Considered in the Committee of the Whole. Returned with the recommendation that it "DO PASS".

HOUSE BILL NO. 1118

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, Anderson, Bennett, Berry, Biggs, Blair, Bledsoe, Bolin, Bond, P. Bookout, Borhauer, Boyd, Bradford, Bright, Chesterfield, Childers, Clemons, Cowling, Creekmore, Dangeau, Dees, Dickinson, Dobbins, Eason, Edwards, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Green, Haak, Hardwick, Harris, Hathorn, Hickinbotham, House, Hutchinson, Jackson, Jacobs, Jeffrey, C. Johnson, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Napper, Nichols, Norton, Oglesby, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Stovall, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood.

Total	98
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Elliott, Mr. Speaker.	
Total	2
VOTING PRESENT:	
Total	0
Total number of votes cast	98
Total number voting in the affirmative	98
Necessary to the passage of the bill	75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1118**, 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, Anderson, Bennett, Berry, Biggs, Blair, Bledsoe, Bolin, Bond, P. Bookout, Borhauer, Boyd, Bradford, Bright, Chesterfield, Childers, Clemons, Cowling, Creekmore, Dangeau, Dees, Dickinson, Dobbins, Eason, Edwards, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Green, Haak, Hardwick, Harris, Hathorn, Hickinbotham, House, Hutchinson, Jackson, Jacobs, Jeffrey, C. Johnson, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Napper, Nichols, Norton, Oglesby, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Stovall, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood.

Total	98
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Elliott, Mr. Speaker.	
Total	2
VOTING PRESENT:	
Total	0
Total number of votes cast.....	98
Total number voting in the affirmative	98
Necessary to the adoption of the emergency clause.....	67

So the Emergency Clause was adopted.

Upon motion of Representative Weaver the rules were suspended. Considered in the Committee of the Whole. Returned with the recommendation that it "DO PASS."

SENATE BILL NO. 14

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, Anderson, Bennett, Berry, Biggs, Blair, Bledsoe, Bolin, Bond, P. Bookout, Borhauer, Boyd, Bradford, Bright, Chesterfield, Childers, Clemons, Cowling, Creekmore, Dangeau, Dees, Dickinson, Dobbins, Eason, Edwards, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Green, Haak, Hardwick, Harris, Hathorn, Hickinbotham, House, Hutchinson, Jackson, Jacobs, Jeffrey, C. Johnson, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Napper, Nichols, Norton, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Stovall, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood.

Total97

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Elliott, Oglesby, Mr. Speaker.

Total3

VOTING PRESENT:

Total0

Total number of votes cast97

Total number voting in the affirmative97

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. 14** 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, Anderson, Bennett, Berry, Biggs, Blair, Bledsoe, Bolin, Bond, P. Bookout, Borhauer, Boyd, Bradford, Bright, Chesterfield, Childers, Clemons, Cowling, Creekmore, Dangeau, Dees, Dickinson, Dobbins, Eason, Edwards, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Green, Haak, Hardwick, Harris, Hathorn, Hickenbotham, House, Hutchinson, Jackson, Jacobs, Jeffrey, C. Johnson, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Napper, Nichols, Norton, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Stovall, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood.

Total	97
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Elliott, Oglesby, Mr. Speaker.	
Total	3
VOTING PRESENT:	
Total	0
Total number of votes cast.....	97
Total number voting in the affirmative	97
Necessary to the adoption of the emergency clause.....	67

So the Emergency Clause was adopted.

Upon motion of Representative Weaver the rules were suspended. Considered in the Committee of the Whole. Returned with the recommendation that it "DO PASS."

SENATE BILL NO. 15

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, Anderson, Bennett, Berry, Biggs, Blair, Bledsoe, Bolin, Bond, P. Bookout, Borhauer, Boyd, Bradford, Bright, Chesterfield, Childers, Clemons, Cowling, Creekmore, Dangeau, Dees, Dickinson, Dobbins, Eason, Edwards, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Green, Haak, Hardwick, Harris, Hathorn, Hickinbotham, House, Hutchinson, Jacobs, Jeffrey, C. Johnson, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Napper, Nichols, Norton, Oglesby, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Stovall, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood.

Total97

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Elliott, Jackson, Mr. Speaker.

Total3

VOTING PRESENT:

Total0

Total number of votes cast97

Total number voting in the affirmative97

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. 15**, 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, Anderson, Bennett, Berry, Biggs, Blair, Bledsoe, Bolin, Bond, P. Bookout, Borhauer, Boyd, Bradford, Bright, Chesterfield, Childers, Clemons, Cowling, Creekmore, Dangeau, Dees, Dickinson, Dobbins, Eason, Edwards, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Green, Haak, Hardwick, Harris, Hathorn, Hickinbotham, House, Hutchinson, Jacobs, Jeffrey, C. Johnson, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Napper, Nichols, Norton, Oglesby, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Stovall, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood.

Total	97
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Elliott, Jackson, Mr. Speaker.	
Total	3
VOTING PRESENT:	
Total	0
Total number of votes cast.....	97
Total number voting in the affirmative	97
Necessary to the adoption of the emergency clause.....	67

So the Emergency Clause was adopted.

Upon motion of Representative Weaver the rules were suspended. Considered in the Committee of the Whole. Returned with the recommendation that it "DO PASS."

SENATE BILL NO. 16

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, Anderson, Bennett, Berry, Biggs, Blair, Bledsoe, Bolin, Bond, P. Bookout, Borhauer, Boyd, Bradford, Bright, Chesterfield, Childers, Clemons, Cowling, Creekmore, Dangeau, Dees, Dickinson, Dobbins, Eason, Edwards, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Green, Haak, Hardwick, Harris, Hathorn, Hickinbotham, House, Hutchinson, Jackson, Jacobs, Jeffrey, C. Johnson, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Napper, Nichols, Norton, Oglesby, Ormond, Pace, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Stovall, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood.

Total97

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Elliott, Parks, Mr. Speaker.

Total3

VOTING PRESENT:

Total0

Total number of votes cast97

Total number voting in the affirmative97

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. 16**, 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, Anderson, Bennett, Berry, Biggs, Blair, Bledsoe, Bolin, Bond, P. Bookout, Borhauer, Boyd, Bradford, Bright, Chesterfield, Childers, Clemons, Cowling, Creekmore, Dangeau, Dees, Dickinson, Dobbins, Eason, Edwards, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Green, Haak, Hardwick, Harris, Hathorn, Hickinbotham, House, Hutchinson, Jackson, Jacobs, Jeffrey, C. Johnson, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Napper, Nichols, Norton, Oglesby, Ormond, Pace, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Stovall, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood.

Total97

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Elliott, Parks, Mr. Speaker.

Total3

VOTING PRESENT:

Total0

Total number of votes cast.....97

Total number voting in the affirmative97

Necessary to the adoption of the emergency clause.....67

So the Emergency Clause was adopted.

HOUSE BILLS ORDERED TRANSMITTED TO THE SENATE AS PASSED

HOUSE BILL NO. 1017 BY REPRESENTATIVE KING
HOUSE BILL NO. 1037 BY REPRESENTATIVE NAPPER
HOUSE BILL NO. 1118 BY JOINT BUDGET COMMITTEE

SENATE BILLS ORDERED RETURNED TO THE SENATE AS PASSED

SENATE BILL NO. 14 BY JOINT BUDGET COMMITTEE
SENATE BILL NO. 15 BY JOINT BUDGET COMMITTEE
SENATE BILL NO. 16 BY JOINT BUDGET COMMITTEE

ARKANSAS SENATE
SENATE BILLS RECEIVED FROM SENATE

SENATE BILL NO. 13 BY SENATOR J. JEFFRESS

ENROLLED AND DELIVERY TO GOVERNOR REPORTS

Little Rock, Arkansas
January 28, 2003

MR. SPEAKER:

We, your committee on Enrolled Bills, to whom was referred the following:

HOUSE BILL NO. 1043 BY REPRESENTATIVE CLEVELAND

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 9:20 a.m. delivered them to the Governor for his approval.

Respectfully submitted,

/s/ Herschel W. Cleveland

Chairman

RECEIPT FROM THE GOVERNOR

RECEIVED FROM THE HOUSE:

HOUSE BILL NO. 1043 REPRESENTATIVE CLEVELAND

/s/ Mike Huckabee - Governor

TIME: 9:21 a.m.

By: Sarah Martin

Motion was made by Representative Weaver to refer **HOUSE BILL NO. 1166** back to the Committee on JOINT BUDGET. Motion was granted.

HOUSE BILL NO. 1257

BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL IMPROVEMENT APPROPRIATIONS FOR THE DEPARTMENT OF CORRECTION AND THE DEPARTMENT OF COMMUNITY CORRECTION; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on JOINT BUDGET.

HOUSE BILL NO. 1258

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 ARKANSAS SPINAL CORD COMMISSION FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2005; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on JOINT BUDGET.

HOUSE BILL NO. 1259

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 ARKANSAS VETERANS' CHILD WELFARE SERVICE OFFICE FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2005; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on JOINT BUDGET.

HOUSE BILL NO. 1260

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 HEALTH SERVICES PERMIT AGENCY FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2005; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on JOINT BUDGET.

HOUSE BILL NO. 1261

BY: REPRESENTATIVES OGLESBY, BOLIN, MACK, L. PRATER, SCROGGIN, SULLIVAN

BY: SENATOR G. JEFFRESS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PROHIBIT TREATING HORSES WITH BEHAVIOR ALTERING SUBSTANCES WITHIN TWENTY-FOUR (24) HOURS OF A SALE; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on AGRICULTURE, FORESTRY AND ECONOMIC DEVELOPMENT.

HOUSE BILL NO. 1262

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 DISABLED VETERANS' SERVICE OFFICE FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2005; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on JOINT BUDGET.

HOUSE BILL NO. 1263

BY: REPRESENTATIVES HATHORN, C. TAYLOR, LEDBETTER, VERKAMP, CHILDERS, THYER, LAMOUREUX

A BILL FOR AN ACT TO BE ENTITLED UNIFORM APPORTIONMENT OF TORT RESPONSIBILITY ACT.

Was read the first time, rules suspended, read the second time, and referred to the Committee on JUDICIARY.

HOUSE BILL NO. 1264

BY: REPRESENTATIVES MEDLEY, AGEE, BLAIR, GOSS, GREEN, HARRIS, JUDY, KEY, MATAYO, ORMOND, PENIX, THOMAS, WALTERS, WHITE
BY: SENATOR ALTES

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PERMIT DISABLED VETERANS PARKING PRIVILEGES IN THOSE AREAS DESIGNATED FOR PARKING ONLY BY PERSONS WITH DISABILITIES; 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.

HOUSE BILL NO. 1265

BY: REPRESENTATIVE KING

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND ARKANSAS CODE § 7-5-411 CONCERNING METHODS OF VOTING ABSENTEE; 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.

Upon motion of Representative Gillespie, the House adjourned at 2:00 p.m. until 1:30 p.m., Wednesday, January 29, 2003.

ATTEST:

Herschel W. Cleveland
Speaker of the House of Representatives

Jo Renshaw
Chief Clerk