

**THIRTY-NINTH DAY'S PROCEEDINGS  
HALL OF THE HOUSE OF REPRESENTATIVES**

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Little Rock, Arkansas  
February 20, 2003

The House was called to order at 1:31 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, Elliott, 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, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, Smith, Stovall, Sullivan, Sumpter, C.Taylor, J.Taylor, Thomas, Thomason, Verkamp, Walters, Weaver, White, Wood, Mr. Speaker.

Total .....98

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

Total .....02

A quorum was present.

Unanimous leave was granted for Representative(s) Petrus, Thyer.

The House stood and was led in prayer by House Chaplain, Tim Prock, Pastor, First Baptist Church, Paris, 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

February 20, 2003

## JOINT BUDGET

PAUL WEAVER

CHAIRPERSON

HOUSE BILL NO. 1287	DO PASS
BY REPRESENTATIVE SCROGGIN	
HOUSE BILL NO. 1288	DO PASS
BY REPRESENTATIVE SCROGGIN	
HOUSE BILL NO. 1338	DO PASS
BY REPRESENTATIVE SCROGGIN	
HOUSE BILL NO. 1403	DO PASS
BY REPRESENTATIVE MAHONY, ET AL	
HOUSE BILL NO. 1428	DO PASS
BY REPRESENTATIVE WALTERS AND	
BY SENATOR WILKINSON	
HOUSE BILL NO. 1429	DO PASS
BY REPRESENTATIVE WALTERS AND	
BY SENATOR WILKINSON	
HOUSE BILL NO. 1430	DO PASS
BY REPRESENTATIVE WALTERS AND	
BY SENATOR WILKINSON	
HOUSE BILL NO. 1431	DO PASS
BY REPRESENTATIVE WALTERS AND	
BY SENATOR WILKINSON	
HOUSE BILL NO. 1471	DO PASS
BY REPRESENTATIVE WALTERS AND	
BY SENATOR WILKINSON	
HOUSE BILL NO. 1472	DO PASS
BY REPRESENTATIVE WALTERS AND	
BY SENATOR WILKINSON	
HOUSE BILL NO. 1489	DO PASS
BY REPRESENTATIVE MAHONY AND	
BY SENATOR G. JEFFRESS	
HOUSE BILL NO. 1505	DO PASS
BY REPRESENTATIVES WEAVER,	
HICKINBOTHAM	

COMMITTEE REPORT, JOINT BUDGET (continued)

HOUSE BILL NO. 1517	DO PASS
BY REPRESENTATIVE BOLIN AND	
BY SENATOR J. JEFFRESS	
HOUSE BILL NO. 1518	DO PASS
BY REPRESENTATIVE BOLIN AND	
BY SENATOR J. JEFFRESS	
HOUSE BILL NO. 1519	DO PASS
BY REPRESENTATIVE BOLIN AND	
BY SENATOR J. JEFFRESS	
HOUSE BILL NO. 1521	DO PASS
BY REPRESENTATIVE BOLIN AND	
BY SENATOR J. JEFFRESS	
HOUSE BILL NO. 1537	DO PASS
BY REPRESENTATIVE WEAVER AND	
BY SENATOR MILLER	
HOUSE BILL NO. 1591	DO PASS
BY REPRESENTATIVE WEAVER AND	
BY SENATOR MILLER	
HOUSE BILL NO. 1592	DO PASS
BY REPRESENTATIVE WEAVER AND	
BY SENATOR MILLER	

COMMITTEE REPORT

	February 20, 2003
EDUCATION	HARMON SEAWEL
	VICE CHAIRPERSON
HOUSE BILL NO. 1028	DO PASS, TO CONCUR IN
BY REPRESENTATIVE BLEDSOE	SENATE AMENDMENT #3
HOUSE BILL NO. 1042	DO PASS, TO CONCUR IN
BY REPRESENTATIVE CREEKMORE	SENATE AMENDMENT #1
HOUSE BILL NO. 1512	DO PASS
BY REPRESENTATIVE BRIGHT	AS AMENDED #1
SENATE BILL NO. 213	DO PASS
BY SENATOR MADISON	NON-CONTROVERSIAL

COMMITTEE REPORT

	February 20, 2003
JUDICIARY	MIKE HATHORN
	CHAIRPERSON
HOUSE BILL NO. 1267	DO PASS
BY REPRESENTATIVE HUTCHINSON	AS AMENDED #2
HOUSE BILL NO. 1549	DO PASS
BY REPRESENTATIVE JEFFREY	NON-CONTROVERSIAL
HOUSE BILL NO. 1552	DO PASS
BY REPRESENTATIVE JEFFREY	
SENATE BILL NO. 76	DO PASS
BY SENATOR HENDREN	

COMMITTEE REPORT

	February 20, 2003
PUBLIC HEALTH, WELFARE AND LABOR	GARY BIGGS
	VICE CHAIRPERSON
HOUSE BILL NO. 1483	DO PASS
BY REPRESENTATIVE JUDY	AS AMENDED #1
HOUSE BILL NO. 1513	DO PASS
BY REPRESENTATIVE LEDBETTER	
SENATE BILL NO. 128	DO PASS
BY SENATOR HORN	

COMMITTEE REPORT

	February 20, 2003
PUBLIC TRANSPORTATION	JOHNNIE BOLIN
	CHAIRPERSON
HOUSE BILL NO. 1036	DO PASS, TO CONCUR IN
BY REPRESENTATIVE ROSENBAUM	SENATE AMENDMENT #2
HOUSE BILL NO. 1454	DO PASS
BY REPRESENTATIVE THOMASON	NON-CONTROVERSIAL
HOUSE BILL NO. 1458	DO PASS
BY REPRESENTATIVE C. JOHNSON	
HOUSE BILL NO. 1570	DO PASS
BY REPRESENTATIVE J. TAYLOR	NON-CONTROVERSIAL
SENATE BILL NO. 218	DO PASS
BY SENATOR BISBEE	AS AMENDED #1
SENATE BILL NO. 228	DO PASS
BY SENATOR GLOVER	

COMMITTEE REPORT

	February 20, 2003
REVENUE AND TAXATION	BOYD HICKINBOTHAM
	CHAIRPERSON
SENATE BILL NO. 55	DO PASS
BY SENATOR ALTES	
SENATE BILL NO. 243	DO PASS
BY SENATOR T. SMITH	AS AMENDED #1

Upon motion of Representative L. Prater, **HOUSE BILL NO. 1332** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1332**

Amend **HOUSE BILL NO. 1332** as originally introduced:

Add Representatives Bennett, Berry, Bolin, Chesterfield, Dangeau, Dickinson, Fite, Kenney, Nichols, Oglesby, Petrus, White as cosponsors to the bill

AND

Delete everything after the enacting clause and substitute the following:

“SECTION 1. Arkansas Code Title 26, Chapter 37, Subchapter 2, is amended to add an additional section to read as follows:

26-37-214. Redemption of homestead by taxpayer.

If the taxpayer did not receive actual notice of the sale of his or her homestead, as defined under § 26-26-1118(b), by the Commissioner of State Lands, or his or her designee, by personal service of process sixty (60) days before the date of sale, then the taxpayer may redeem the tax-delinquent land by tendering all taxes, penalties, interests, and costs within thirty (30) days after the date of the sale.

SECTION 2. Arkansas Code § 26-37-301, regarding notice to the owner of tax-delinquent land, is amended to add an additional subsection to read as follows:

(e) The Commissioner of State Lands, or his or her designee, shall provide actual notice to the owner and interested party of a homestead, as defined under § 26-26-1118(b), by personal service of process sixty (60) days before the date of sale.”

/s/ Larry Prater

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

/s/ Ms. Jo Renshaw  
Chief Clerk

Upon motion of Representative Green, **HOUSE BILL NO. 1469** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1469**

Amend **HOUSE BILL NO. 1469** as originally introduced:

Page 1, line 9 delete "REQUIRE" and substitute "ALLOW"

AND

Page 1, line 15 delete "REQUIRE" and substitute "ALLOW"

*/s/ Mary Beth Green*

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

*/s/ Ms. Jo Renshaw*

Chief Clerk

Upon motion of Representative Weaver, **HOUSE BILL NO. 1507** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 2 TO HOUSE BILL NO. 1507**

Amend **HOUSE BILL NO. 1507** as engrossed H2/18/03:

Amend House Bill No. 1507 as engrossed H2/18/03:

Add Senator Glover as a cosponsor of the bill.

*/s/ Paul Weaver*

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

*/s/ Ms. Jo Renshaw*

Chief Clerk

Upon motion of Representative Nichols, **HOUSE BILL NO. 1100** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1100

Amend **HOUSE BILL NO. 1100** as engrossed, H2/6/03:

Page 1, delete lines 22 through 25 and substitute the following:

~~"(b)(1)(A) All laborers shall be paid in currency at the place of business of the company, person, or corporation so employing the labor in the state unless the laborer elects to take drafts or checks in lieu of currency for pay. All employees shall be paid in currency, or by check or electronic direct deposit into the employee's account.~~

(B) The employee may opt out of electronic direct deposit by providing the employer a written statement requesting payment by check."

AND

Page 1, line 26 delete "a laborer" and substitute "an employee"

AND

Page 1, line 28 delete "laborer" and substitute "employee"

/s/ Wayne Nichols

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative King, **HOUSE BILL NO. 1014** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1014

Amend **HOUSE BILL NO. 1014** as originally introduced:

Add Representative Clemons

AND

Add Senator Wilkinson as co-sponsors

/s/ Barbara King

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative King, **HOUSE JOINT RESOLUTION NO. 1017** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE JOINT RESOLUTION NO. 1017**

Amend **HOUSE JOINT RESOLUTION NO. 1017** as originally introduced:  
Page 2, delete lines 11 through 20, and substitute the following:

“prizes, without any appropriation required by law, and to supplement, not supplant, appropriations provided by the General Assembly for educational programs and educational purposes, and for a trust fund as provided by this amendment and the General Assembly.

(3) The proceeds after payment of the operating expenses shall be separately accounted for and divided as follows:

(A)(i) Fifty percent (50%) shall be deposited into and held in a trust fund entitled “Education Trust Fund” together with any interest accumulated on the funds until the Education Trust Fund has a balance equal to or exceeding one hundred million dollars (\$100,000,000);

(ii) Any amount in Education Trust Fund balance exceeding one hundred million dollars (\$100,000,000) may be subject to appropriation by the General Assembly solely for educational programs and educational purposes; and

(B) Fifty percent (50%) shall be specifically identified as a separate budget category entitled "Lottery Proceeds", and subject to appropriation by the General Assembly solely for educational programs and educational purposes.

/s/ Barbara King

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

/s/ Ms. Jo Renshaw  
Chief Clerk

Upon motion of Representative Borhauer, HOUSE BILL NO. 1615 was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1615

Amend HOUSE BILL NO. 1615 as originally introduced:

Page 2, line 22 add “and” after the semi-colon (;)

/s/ Shirley Borhauer

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

/s/ Ms. Jo Renshaw  
Chief Clerk

Upon motion of Representative Kenney, HOUSE BILL NO. 1609 was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1609

Amend HOUSE BILL NO. 1609 as originally introduced:

Add Representative Harris as a cosponsor to the bill

AND

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

“(C) “Homestead” includes a mobile home or manufactured home used as the principal place of residence and contiguous land, excluding land valued as agricultural land, pasture land, or timber land.”

/s/ Mike Kenney

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

/s/ Ms. Jo Renshaw  
Chief Clerk

Upon motion of Representative Judy, **HOUSE BILL NO. 1484** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1484**

Amend **HOUSE BILL NO. 1484** as originally introduced:

Delete everything after the enacting clause and substitute the following:

“SECTION 1. Arkansas Code § 9-13-103 is amended to read as follows:

9-13-103. Visitation rights of grandparents when the child is in the custody of a parent.

(a) For purposes of this section:

(1) “Child” means a minor under the age of eighteen (18) for whom the custodian has control; and:

(A) The grandchild of the petitioner; or

(B) The great-grandchild of the petitioner;

(2) “Counseling” means individual counseling, group counseling, or other intervention method;

(3) “Custodian” means the custodial parent of the child with the authority to grant or deny grandparental visitation;

(4) “Mediation service” means any formal or informal mediation; and

(5) “Petitioner” means any individual who may petition for visitation rights under this section.

~~(a)(1)(b)~~ ~~Upon petition by a person properly before it, a circuit court of this state may grant grandparents and great-grandparents~~ A grandparent or great-grandparent may petition a circuit court of this state for reasonable visitation rights with respect to their grandchild or grandchildren or great-grandchild or great-grandchildren under this section at any time if:

~~(A)(1)~~ The marital relationship between the parents of the child has been severed by death, divorce, or legal separation; ~~or~~

~~(B)~~ ~~The child is in the custody or under the guardianship of a person other than one (1) or both of his or her natural or adoptive parents; or~~

~~(C)(2)~~ The child is illegitimate, and the person is a maternal grandparent of the illegitimate child; or

~~(D)(3)~~ The child is illegitimate, and the person is a paternal grandparent of the illegitimate child, and paternity has been established by a court of competent jurisdiction.

~~(2) The visitation rights may only be granted when the court determines that such an order would be in the best interest and welfare of the minor.~~

~~(3)(A) An order denying visitation rights to grandparents and great-grandparents shall be in writing and shall state the reasons for denial.~~

~~(B) An order denying visitation rights is a final order for purposes of appeal.~~

~~(b) If the court denies the petition requesting grandparent visitation rights and determines that the petition for grandparent visitation rights is not well-founded, was filed with malicious intent or purpose, or is not in the best interest and welfare of the child, the court may, upon motion of the respondent, order the petitioner to pay reasonable attorney's fees and court costs to the attorney of the respondent, after taking into consideration the financial ability of the petitioner and the circumstances involved.~~

~~(c) The provisions of subsections (a) and (b) of this section shall only be applicable in situations:~~

~~(1) In which there is a severed marital relationship between the parents of the natural or adoptive children by either death, divorce, or legal separation; or~~

~~(2) In which the child is in the custody or under the guardianship of a person other than one (1) or both of his or her natural or adoptive parents; or~~

~~(3) If the child is illegitimate.~~

(c)(1) There is a rebuttable presumption that a custodian's decision denying or limiting visitation to the petitioner is in the best interest of the child.

(2) To rebut the presumption, the petitioner must prove by a preponderance of the evidence the following:

(A) The petitioner has established a significant and viable relationship with the child for whom he or she is requesting visitation; and

(B) Visitation with the petitioner is in the best interest of the child.

(d) To establish a significant and viable relationship with the child, the petitioner must prove by a preponderance of the evidence the following:

(1) The child resided with the petitioner for at least six (6) consecutive months with or without the current custodian present;

(2) The petitioner was the caregiver to the child on a regular basis for at least six (6) consecutive months;

(3) The petitioner had frequent or regular contact with the child for at least twelve (12) consecutive months; or

(4) Any other facts that establish that the loss of the relationship between the petitioner and the child is likely to harm the child.

(e) To establish that visitation with the petitioner is in the best interest of the child, the petitioner must prove by a preponderance of the evidence the following:

(1) The petitioner has the capacity to give the child love, affection, and guidance;

(2) The loss of the relationship between the petitioner and the child is likely to harm the child; and

(3) The petitioner is willing to cooperate with the custodian if visitation with the child is allowed.

(f)(1) An order granting or denying visitation rights to grandparents and great-grandparents shall be in writing and shall state any and all factors considered by the court in its decision to grant or deny visitation under this section.

(2) If the court grants visitation to the petitioner under this section, then the visitation shall be exercised in a manner consistent with all orders regarding custody of or visitation with the child.

(3) An order granting or denying visitation rights under this section is a final order for purposes of appeal.

(g)(1) A court may order mediation services to resolve a visitation issue under this section if:

(A) Mediation services are available;

(B) Both parties agree to participate in mediation services; and

(C) One or both of the parties agree to pay for mediation services.

(2) Records, notes, reports, or discussions related to the mediation service shall not be used by the court to determine visitation under this section.

(h)(1) A court may order counseling to address underlying matters surrounding the visitation issue under this section if:

(A) Counseling is available;

(B) Both parties agree to participate in counseling; and

(C) One or both of the parties agree to pay for counseling.

(2) Records, notes, reports, or discussions related to the counseling shall not be used by the court to determine visitation under this section.

SECTION 2. Arkansas Code Title 9, Chapter 13, Subchapter 1 is amended to add an additional section to read as follows:

9-13-107. Visitation rights of grandparents when the parent does not have custody of the child.

(a) For purposes of this section:

(1) "Child" means a minor under the age of eighteen (18) for whom the guardian has control; and:

(A) The grandchild of the petitioner; or

(B) The great-grandchild of the petitioner; and

(2) "Petitioner" means any individual who may petition for visitation rights under this section.

(b) A grandparent or great-grandparent may petition the circuit court that granted the guardianship or custody for reasonable visitation rights with respect to their grandchild or grandchildren or great-grandchild or great-grandchildren under this section if the child is in the custody or under the guardianship of a person other than one (1) or both of his or her natural or adoptive parents.

(c) Visitation with the child may only be granted if the court determines that visitation with the petitioner is in the best interest and welfare of the child.

(d)(1) An order granting or denying visitation rights to grandparents and great-grandparents under this section shall be in writing and shall state any and all factors considered by the court in its decision to grant or deny visitation.

(2) If the court grants visitation to the petitioner under this section, then the visitation shall be exercised in a manner consistent with all orders regarding custody of or visitation with the child.

(3) An order granting or denying visitation rights under this section is a final order for purposes of appeal."

SECTION 3. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that our grandparents visitation law has been declared substantially unconstitutional by the Arkansas Supreme Court; that the Arkansas Supreme Court has asked the legislature to rewrite the law; that over 55,000 grandparents are raising their grandchildren in this state and they have no right to continue their relationship with their grandchildren if the parent limits or denies contact; that under current law, children are being denied visitation with grandparents with whom they have significant and viable relationships; that it is the public policy of this state to protect the best interest of the child; and that this act is immediately necessary to protect the best interest of children in this state because the denial of visitation with grandparents with whom the children have significant and viable relationships is harming children. 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:

- (1) The date of its approval by the Governor;
- (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or
- (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.

/s/ Jan Judy

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

/s/ Ms. Jo Renshaw  
Chief Clerk

#### ENGROSSED BILL REPORTS

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HERSCHEL W. CLEVELAND, CHAIRMAN

February 20, 2003

The following bill(s) reported correctly engrossed:

HOUSE BILL NO. 1014 - TITLE - BY REPRESENTATIVE KING, ET AL  
 HOUSE BILL NO. 1100 BY REPRESENTATIVE NICHOLS  
 HOUSE BILL NO. 1295 BY JOINT BUDGET COMMITTEE  
 HOUSE BILL NO. 1332 - TITLE - BY REPRESENTATIVE L. PRATER, ET AL  
 HOUSE BILL NO. 1469 - TITLE - BY REPRESENTATIVE GREEN  
 HOUSE BILL NO. 1484 BY REPRESENTATIVE JUDY, ET AL  
 HOUSE BILL NO. 1507 - TITLE - BY REPRESENTATIVE WEAVER  
 HOUSE BILL NO. 1609 - TITLE - BY REPRESENTATIVE KENNEY, ET AL  
 HOUSE BILL NO. 1615 BY REPRESENTATIVE BORHAUER  
 HOUSE JOINT RESOLUTION NO. 1017 BY REPRESENTATIVE KING  
 SENATE BILL NO. 152 BY JOINT BUDGET COMMITTEE

HOUSE BILL ENGROSSED AS TITLE AMENDED  
HOUSE BILL NO. 1014

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BY: REPRESENTATIVES KING, *CLEMONS*  
BY: *SENATOR WILKINSON*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ALLOW FOR THE PARTICIPATION IN THE FEDERAL VOTING ASSISTANCE PROGRAM'S PILOT PROJECT FOR MILITARY AND OVERSEAS VOTERS; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED  
HOUSE BILL NO. 1332

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BY: REPRESENTATIVES L. PRATER, *BENNETT, BERRY, BOLIN, CHESTERFIELD, DANGEAU, DICKINSON, FITE, KENNEY, NICHOLS, OGLESBY, PETRUS, WHITE*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ALLOW A HOMESTEAD OWNER TO REDEEM HIS OR HER LAND IF HE OR SHE DID NOT RECEIVE ACTUAL NOTICE OF THE SALE; TO INCREASE THE LENGTH OF TIME THAT THE OWNERS OF RECORD HAVE TO REDEEM HIS OR HER LAND; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED  
HOUSE BILL NO. 1469

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BY: REPRESENTATIVES GREEN, EDWARDS, HARRIS, KEY, NORTON, OGLESBY, PENIX, C. TAYLOR, WALTERS, WOOD

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ALLOW THE COURT TO CONSIDER THE PREFERENCES OF THE CHILD WHEN AWARDING CHILD CUSTODY AND VISITATION IN A DIVORCE ACTION; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED  
HOUSE BILL NO. 1507

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BY: REPRESENTATIVES WEAVER, MILLIGAN, OGLESBY, L. EVANS,  
HICKINBOTHAM, GIPSON, SCRIMSHIRE, L. PRATER, MACK, BENNETT,  
ADAMS, STOVALL

*BY: SENATOR GLOVER*

A BILL FOR AN ACT TO BE ENTITLED AN ACT PERTAINING TO STATE SCHOOL STANDARDS; TO PROVIDE FOR AN ADEQUATE AND EFFICIENT EDUCATION IN ARKANSAS SCHOOLS; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED  
HOUSE BILL NO. 1609

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BY: REPRESENTATIVES KENNEY, PACE, ANDERSON, BORHAUER,  
HUTCHINSON, KEY, LAMOUREUX, MATAYO, PARKS, PETRUS, *HARRIS*

A BILL FOR AN ACT TO BE ENTITLED THE PROPERTY TAX RELIEF FOR THE ELDERLY ACT; TO PROVIDE A CASH PAYMENT TO ELDERLY LOW INCOME TAXPAYERS FOR REAL PROPERTY TAX RELIEF; AND FOR OTHER PURPOSES.

State of Arkansas  
Office of the Governor

Mike Huckabee  
*Governor*

February 19, 2003

TO THE SPEAKER OF THE HOUSE

Dear Mr. Speaker:

This is to inform your Honorable Body that on February 19, 2003, I approved the following measures from the Regular Session of the Eighty-Fourth General Assembly:

**HB 1153**, which is now Act 178 of 2003, and  
**HB 1280**, which is now Act 179 of 2003

Sincerely,

/s/ Mike Huckabee

MH:sm

cc: President of the Senate

HOUSE CONCURRENT RESOLUTION NO. 1006

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BY: REPRESENTATIVE DICKINSON

ENCOURAGING SCHOOL DISTRICTS TO PROMOTE A HEALTHY SCHOOL ENVIRONMENT BY OFFERING NUTRITIOUS FOOD AND BEVERAGE CHOICES, AND TO PROVIDE PHYSICAL ACTIVITY WHENEVER POSSIBLE.

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

HOUSE RESOLUTION NO.1005

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BY: REPRESENTATIVE BLAIR

ACKNOWLEDGING JUNETEENTH AS ONE OF THE OLDEST AFRICAN AMERICAN CELEBRATIONS DURING THIS BLACK HISTORY MONTH OF FEBRUARY 2003 AND ASKS THAT ALL ARKANSANS RECOGNIZE AND NOTE THIS IMPORTANT DAY WITH KNOWLEDGE AND APPRECIATION OF AFRICAN AMERICAN HISTORY AND CULTURE.

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

HOUSE BILL NO. 1529

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BY: REPRESENTATIVE HUTCHINSON

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

Total .....92

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Bright, Mack, Moore, Petrus, Scrimshire, Thyer, Mr. Speaker.

Total .....7

VOTING PRESENT: House.

Total .....1

Total number of votes cast.....93

Total number voting in the affirmative .....92

Necessary to the passage of the bill .....51

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

Morning Hour Expired.

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

ARKANSAS SENATE

AMENDMENT NO. 1 TO HOUSE BILL NO. 1114

Amend **HOUSE BILL NO. 1114** as engrossed, H1/30/03:

Add an additional section at the end of the bill to read as follows:

"SECTION 19. EMERGENCY CLAUSE. It is found and determined by the Eighty-fourth General Assembly that certain provisions of the Electric Consumer Choice Act of 1999, as amended by Act 324 of 2001, for the implementation of retail electric competition may take effect prior to ninety-one (91) days after the adjournment of this session; that this act is intended to prevent such implementation; and that unless this emergency clause is adopted, this act may not go into effect until further steps have been taken toward retail electric competition, which the General Assembly has found not to be in the public interest. The General Assembly further finds that uncertainty surrounding the implementation of the Electric Consumer Choice Act during the ninety (90) days following the adjournment of this session and uncertainty regarding the recovery of reasonable generation costs, could discourage electric utilities from acquiring additional generation resources; that retail electric customers will require such resources; and that this act, in Section 11 and elsewhere, provides procedures to facilitate the acquisition of these resources. 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:

- (1) The date of its approval by the Governor;
- (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or
- (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

/s/ B. Johnson

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Adams, Agee, Anderson, Bennett, Berry, Biggs, Blair, Bledsoe, Bolin, Bond, P. Bookout, Borhauer, Boyd, Bradford, Bright, Chesterfield, Childers, Cowling, Creekmore, Dangeau, Dees, Dickinson, Dobbins, Eason, Edwards, Elliott, 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, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Stovall, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Verkamp, Walters, Weaver, White, Wood.

Total .....96

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Clemons, Petrus, Thyer, Mr. Speaker.

Total .....4

VOTING PRESENT:

Total .....0

Total number of votes cast .....96

Total number voting in the affirmative .....96

Necessary to concur in the amendment .....51

So the Amendment was concurred in.

/s/ Ms. Jo Renshaw

Chief Clerk

There being an Emergency Clause attached to **SENATE AMENDMENT NO. 1 TO HOUSE BILL NO. 1114**, 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, Cowling, Creekmore, Dangeau, Dees, Dickinson, Dobbins, Eason, Edwards, Elliott, 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, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Stovall, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Verkamp, Walters, Weaver, White, Wood.

Total .....96

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Clemons, Petrus, Thyer, Mr. Speaker.

Total .....4

VOTING PRESENT:

Total .....0

Total number of votes cast.....96

Total number voting in the affirmative .....96

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

So the Emergency Clause was adopted.

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

ARKANSAS SENATE

AMENDMENT NO. 1 TO HOUSE BILL NO. 1021

Amend HOUSE BILL NO. 1021 as originally introduced:

Add Senator Faris as a cosponsor of the bill.

/s/ Steve Faris

The Amendment was read and 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, Elliott, 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, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Stovall, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Verkamp, Walters, Weaver, White, Wood.

Total .....97

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Petrus, Thyer, Mr. Speaker.

Total .....3

VOTING PRESENT:

Total .....0

Total number of votes cast .....97

Total number voting in the affirmative .....97

Necessary to concur in the amendment .....51

So the Amendment was concurred in.

/s/ Ms. Jo Renshaw

Chief Clerk

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

ARKANSAS SENATE

AMENDMENT NO. 1 TO HOUSE BILL NO. 1009

Amend HOUSE BILL NO. 1009 as originally introduced:

Add Senator Faris as a cosponsor of the bill.

/s/ Steve Faris

The Amendment was read and 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, Elliott, 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, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Stovall, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Verkamp, Walters, Weaver, White, Wood.

Total .....95

NEGATIVE: D. Evans.

Total .....1

ABSENT OR NOT VOTING: Jackson, Petrus, Thyer, Mr. Speaker.

Total .....4

VOTING PRESENT:

Total .....0

Total number of votes cast.....96

Total number voting in the affirmative .....95

Necessary to concur in the amendment.....51

So the Amendment was concurred in.

/s/ Ms. Jo Renshaw

Chief Clerk

HOUSE BILL NO. 1213

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BY: REPRESENTATIVE GILLESPIE

There being an Emergency Clause attached to HOUSE BILL NO. 1213, 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, Boyd, Childers, Clemons, Cowling, Dangeau, Dees, Dickinson, Dobbins, Eason, D. Evans, L. Evans, Ferguson, Gillespie, Gipson, Goss, Green, Haak, Hardwick, Harris, Hickinbotham, House, Jackson, Jacobs, C. Johnson, J. Johnson, Jones, Kenney, Key, King, Mahony, Matayo, Mathis, Medley, Milligan, Nichols, Norton, Oglesby, Ormond, Pace, Parks, Penix, L. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Scroggin, Seawel, R. Smith, Sullivan, Sumpter, J. Taylor, Thomas, Walters, Weaver, White.

Total .....65

NEGATIVE: Bond, P. Bookout, Borhauer, Bradford, Bright, Edwards, Elliott, Fite, Hathorn, Jeffrey, Judy, Lamoureux, Ledbetter, Lendall, Lewellen, Martin, Napper, Pate, Pickett, S. Prater, Schulte, Scrimshire, Stovall, C. Taylor, Thomason, Wood.

Total .....26

ABSENT OR NOT VOTING: Chesterfield, Creekmore, Hutchinson, Mack, Moore, Petrus, Thyer, Verkamp, Mr. Speaker.

Total .....9

VOTING PRESENT:

Total .....0

Total number of votes cast .....91

Total number voting in the affirmative .....65

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

So the Emergency Clause was not adopted.

HOUSE BILL NO. 1525

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BY: REPRESENTATIVE ANDERSON

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, Bledsoe, Bond, P. Bookout, Borhauer, Boyd, Bright, Childers, Cowling, Creekmore, Dangeau, Dees, Dickinson, Dobbins, Eason, D. Evans, Ferguson, Fite, Gillespie, Goss, Green, Haak, Hardwick, Harris, Hathorn, Hickinbotham, House, Hutchinson, Jackson, Jacobs, Jeffrey, C. Johnson, J. Johnson, Jones, Kenney, Key, King, Lamoureux, Mack, Martin, Matayo, Medley, Milligan, Moore, Nichols, Norton, Oglesby, Ormond, Pace, Parks, Pate, Penix, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomason, Walters, Weaver, White, Wood.

Total .....77

NEGATIVE: Clemons, Elliott, Judy, Ledbetter, Lendall, Lewellen, Napper, Thomas.

Total .....8

ABSENT OR NOT VOTING: Blair, Bolin, Bradford, Chesterfield, Edwards, L. Evans, Gipson, Mahony, Mathis, Petrus, R. Smith, Stovall, Thyer, Verkamp, Mr. Speaker.

Total .....15

VOTING PRESENT:

Total .....0

Total number of votes cast.....85

Total number voting in the affirmative .....77

Necessary to the passage of the bill .....51

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

Upon motion of Representative Anderson the Clincher motion prevailed.

HOUSE BILL NO. 1374

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BY: REPRESENTATIVE MATAYO

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, Bolin, Bond, P. Bookout, Borhauer, Boyd, Bradford, Bright, Childers, Clemons, Cowling, Creekmore, Dangeau, Dees, Dickinson, Dobbins, Eason, Elliott, 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, Napper, Nichols, Norton, Oglesby, Ormond, Pace, Parks, Pate, Penix, Pickett, L. Prater, S. Prater, Pritchard, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Verkamp, Walters, Weaver, White, Wood.

Total .....92

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Chesterfield, Edwards, Moore, Petrus, Rankin, Stovall, Thyer, Mr. Speaker.

Total .....8

VOTING PRESENT:

Total .....0

Total number of votes cast.....92

Total number voting in the affirmative .....92

Necessary to the passage of the bill .....51

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

HOUSE BILL NO. 1386

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

Total .....80

NEGATIVE: Agee, Mathis, Scrimshire.

Total .....3

ABSENT OR NOT VOTING: Biggs, Blair, Bolin, Bradford, Chesterfield, House, Hutchinson, Jones, Mack, Matayo, Moore, Nichols, Petrus, Scroggin, Stovall, Thyer, Mr. Speaker.

Total .....17

VOTING PRESENT:

Total .....0

Total number of votes cast.....83

Total number voting in the affirmative .....80

Necessary to the passage of the bill .....51

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

Upon motion of Representative Napper the Clincher motion prevailed.

HOUSE BILL NO. 1413

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

Total .....91

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Bolin, Chesterfield, Hutchinson, Mahony, Petrus, R. Smith, Stovall, Thyer, Mr. Speaker.

Total .....9

VOTING PRESENT:

Total .....0

Total number of votes cast.....91

Total number voting in the affirmative .....91

Necessary to the passage of the bill .....51

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

Upon motion of Representative Dobbins the Clincher motion prevailed.

HOUSE BILL NO. 1554

BY: REPRESENTATIVE BLEDSOE

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

Total .....88

NEGATIVE: Key.

Total .....1

ABSENT OR NOT VOTING: Chesterfield, Elliott, Gillespie, House, Moore, Napper, Pate, Petrus, Stovall, Thyer, Mr. Speaker.

Total .....11

VOTING PRESENT:

Total .....0

Total number of votes cast.....89

Total number voting in the affirmative .....88

Necessary to the passage of the bill .....51

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

NOTICE OF RECONSIDERATION

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Representative Lewellen served notice at 2:17 p.m. that he will, within the time prescribed by law, move to reconsider the vote by which **HOUSE BILL NO. 1213** failed to pass.

HOUSE BILL NO. 1504

BY: REPRESENTATIVE J. TAYLOR

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

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

Total .....81

NEGATIVE: Clemons, Green, C. Johnson, Sullivan, Thomas.

Total .....5

ABSENT OR NOT VOTING: Chesterfield, Gillespie, Napper, Petrus, L. Prater, C. Taylor, Thyer, Weaver, Mr. Speaker.

Total .....9

VOTING PRESENT: Hathorn, King, Martin, Milligan, White.

Total .....5

Total number of votes cast.....91

Total number voting in the affirmative .....81

Necessary to the passage of the bill .....51

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

Upon motion of Representative J. Taylor the Clincher motion prevailed.

HOUSE BILL NO. 1514

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BY: REPRESENTATIVE LENDALL

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, Bolin, Bond, P. Bookout, Boyd, Bradford, Bright, Chesterfield, Childers, Clemons, Cowling, Creekmore, Dangeau, Dees, Dickinson, Dobbins, Eason, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Green, Haak, Hardwick, Harris, Hathorn, Hickinbotham, House, 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, Oglesby, Pace, Parks, Pate, Penix, Pickett, L. Prater, S. Prater, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Seawel, R. Smith, Stovall, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Walters, White, Wood.

Total .....88

NEGATIVE: Borhauer, Edwards, Norton, Pritchard.

Total .....4

ABSENT OR NOT VOTING: Hutchinson, Petrus, Scroggin, Thyer, Verkamp, Weaver, Mr. Speaker.

Total .....7

VOTING PRESENT: Ormond.

Total .....1

Total number of votes cast .....93

Total number voting in the affirmative .....88

Necessary to the passage of the bill .....51

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

Upon motion of Representative Lendall the Clincher motion prevailed.

HOUSE BILL NO. 1325

BY: REPRESENTATIVE 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, Anderson, Bennett, Berry, Biggs, Blair, Bledsoe, Bond, P. Bookout, Borhauer, Boyd, Bradford, Bright, Chesterfield, Childers, Clemons, Cowling, Creekmore, Dangeau, Dees, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Gipson, Green, Haak, Hardwick, Harris, Hathorn, Hickinbotham, House, Hutchinson, Jackson, Jacobs, Jeffrey, C. 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, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Stovall, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Verkamp, Walters, Weaver, White, Wood.

Total .....94

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Bolin, Goss, J. Johnson, Petrus, Thyer, Mr. Speaker.

Total .....6

VOTING PRESENT:

Total .....0

Total number of votes cast.....94

Total number voting in the affirmative .....94

Necessary to the passage of the bill .....51

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

HOUSE BILL NO. 1465

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BY: REPRESENTATIVE HAAK

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

Total .....85

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Bennett, Lewellen, Milligan, Ormond, Petrus, Scroggin, R. Smith, J. Taylor, Thyer, White, Mr. Speaker.

Total .....11

VOTING PRESENT: Dickinson, Fite, House, Martin.

Total .....4

Total number of votes cast .....89

Total number voting in the affirmative .....85

Necessary to the passage of the bill .....51

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

SENATE BILL NO. 219

BY: SENATOR WOOLDRIDGE

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, Bolin, Bond, P. Bookout, Borhauer, Boyd, Bradford, Bright, Chesterfield, Childers, Clemons, Cowling, Creekmore, Dangeau, Dees, Dickinson, Dobbins, Eason, Edwards, Elliott, 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, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Napper, Nichols, Norton, Oglesby, Ormond, Pace, Parks, Pate, Penix, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Stovall, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Verkamp, Walters, Weaver, White, Wood.

Total .....96

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Lewellen, Petrus, Thyer, Mr. Speaker.

Total .....4

VOTING PRESENT:

Total .....0

Total number of votes cast.....96

Total number voting in the affirmative .....96

Necessary to the passage of the bill .....51

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

SENATE BILL NO. 107

BY: SENATOR FARIS

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, Elliott, 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, Mack, Mahony, Martin, Matayo, Mathis, Medley, Moore, Napper, Nichols, Norton, Oglesby, Ormond, Pace, Parks, Pate, Penix, Pickett, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Verkamp, Walters, Weaver, White, Wood.

Total .....93

NEGATIVE: L. Prater, Stovall.

Total .....2

ABSENT OR NOT VOTING: Lewellen, Milligan, Petrus, Thyer, Mr. Speaker.

Total .....5

VOTING PRESENT:

Total .....0

Total number of votes cast .....95

Total number voting in the affirmative .....93

Necessary to the passage of the bill .....51

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

There being an Emergency Clause attached to **SENATE BILL NO. 107**, 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, Elliott, 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, Mack, Mahony, Martin, Matayo, Mathis, Medley, Moore, Napper, Nichols, Norton, Oglesby, Ormond, Pace, Parks, Pate, Penix, Pickett, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Verkamp, Walters, Weaver, White, Wood.

Total .....93

NEGATIVE: L. Prater, Stovall.

Total .....2

ABSENT OR NOT VOTING: Lewellen, Milligan, Petrus, Thyer, Mr. Speaker.

Total .....5

VOTING PRESENT:

Total .....0

Total number of votes cast.....95

Total number voting in the affirmative .....93

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

So the Emergency Clause was adopted.

SENATE BILL NO. 238

BY: SENATOR WOOLDRIDGE

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, Childers, Clemons, Cowling, Creekmore, Dees, Dickinson, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Green, Haak, Harris, Hathorn, Hickinbotham, House, Hutchinson, Jacobs, Jeffrey, C. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Napper, Nichols, Norton, Oglesby, Ormond, Pace, Parks, Pate, Penix, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Stovall, Sullivan, Sumpter, J. Taylor, Thomas, Thomason, Walters, Weaver, White, Wood.

Total .....84

NEGATIVE: Dobbins, J. Johnson, Pickett, S. Prater, C. Taylor, Verkamp.

Total .....6

ABSENT OR NOT VOTING: Chesterfield, Dangeau, Hardwick, Jackson, Lendall, Moore, Petrus, L. Prater, Thyer, Mr. Speaker.

Total .....10

VOTING PRESENT:

Total .....0

Total number of votes cast .....90

Total number voting in the affirmative .....84

Necessary to the passage of the bill .....51

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

There being an Emergency Clause attached to **SENATE BILL NO. 238**, 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, Childers, Clemons, Cowling, Creekmore, Dees, Dickinson, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Green, Haak, Harris, Hathorn, Hickinbotham, House, Hutchinson, Jacobs, Jeffrey, C. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Napper, Nichols, Norton, Oglesby, Ormond, Pace, Parks, Pate, Penix, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Stovall, Sullivan, Sumpter, J. Taylor, Thomas, Thomason, Walters, Weaver, White, Wood.

Total .....84

NEGATIVE: Dobbins, J. Johnson, Pickett, S. Prater, C. Taylor, Verkamp.

Total .....6

ABSENT OR NOT VOTING: Chesterfield, Dangeau, Hardwick, Jackson, Lendall, Moore, Petrus, L. Prater, Thyer, Mr. Speaker.

Total ..... 10

VOTING PRESENT:

Total .....0

Total number of votes cast.....90

Total number voting in the affirmative .....84

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

So the Emergency Clause was adopted.

Upon motion of Representative Weaver, **HOUSE BILL NO. 1295** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1295**

Amend **HOUSE BILL NO. 1295** as originally introduced:

Delete SECTION 3 in its entirety

AND

Immediately following SECTION 2, add an additional section to read as follows:

" SECTION 3. Arkansas Code 16-10-133 (c) concerning Trial Court Staff entry level salary and salary increases is amended to read as follows:

(c) The entry level salary of a trial court staff person shall be equal to that established in the state pay plan at grade 16. ~~No trial court staff person authorized by this section shall receive a salary from the state in excess of twenty five thousand dollars (\$25,000); provided, however, that beginning July 1, 1997, those persons who have reached the maximum salary limit may receive such increases in salary as are recommended for other state employees in the personnel pay plan adopted by the General Assembly.~~"

AND

Appropriately renumber the sections of the bill.

/s/ Paul Weaver

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Weaver, **SENATE BILL NO. 152** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO SENATE BILL NO. 152**

Amend **SENATE BILL NO. 152** as engrossed, 2/3/03:

Page 6, Line 22 delete "State General Services Fund Account" and substitute therefore "Department of Human Services Grants Fund Account"

And

Insert an additional section immediately following Section 10 to read as follows:

"SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDING RESTRICTIONS. The appropriation and funding authorized in Section 9 of this Act shall only be utilized in the event that funding is not provided from the General Improvement Fund or its successor fund or fund accounts for the development of a Veteran's Home in Fayetteville, Arkansas."

And

Appropriately renumbering the subsequent sections.

/s/ Paul Weaver

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

/s/ Ms. Jo Renshaw

Chief Clerk

HOUSE BILLS ORDERED TRANSMITTED TO THE SENATE AS PASSED

---

HOUSE BILL NO. 1325 BY REPRESENTATIVE MAHONY  
 HOUSE BILL NO. 1374 BY REPRESENTATIVE MATAYO  
 HOUSE BILL NO. 1386 BY REPRESENTATIVE NAPPER  
 HOUSE BILL NO. 1413 BY REPRESENTATIVE CHILDERS  
 HOUSE BILL NO. 1415 BY REPRESENTATIVE P. BOOKOUT  
 HOUSE BILL NO. 1465 BY REPRESENTATIVE HAAK  
 HOUSE BILL NO. 1504 BY REPRESENTATIVE J. TAYLOR  
 HOUSE BILL NO. 1514 BY REPRESENTATIVE LENDALL  
 HOUSE BILL NO. 1525 BY REPRESENTATIVE ANDERSON  
 HOUSE BILL NO. 1554 BY REPRESENTATIVE BLEDSOE

HOUSE CONCURRENT RESOLUTIONS ADOPTED AND  
 ORDERED TRANSMITTED TO THE SENATE

---

HOUSE CONCURRENT RESOLUTION NO. 1006  
 BY REPRESENTATIVE DICKINSON

SENATE BILLS ORDERED RETURNED TO THE SENATE AS PASSED

---

SENATE BILL NO. 107 BY SENATOR FARIS  
 SENATE BILL NO. 219 BY SENATOR WOOLDRIDGE

ARKANSAS SENATE  
 HOUSE BILLS RETURNED FROM THE SENATE AS PASSED

---

HOUSE BILL NO. 1142, AS AMENDED #1 BY REPRESENTATIVE PRITCHARD  
 HOUSE BILL NO. 1147 BY REPRESENTATIVE R. SMITH  
 HOUSE BILL NO. 1340 BY REPRESENTATIVE MATHIS  
 HOUSE BILL NO. 1352 BY REPRESENTATIVE HAAK  
 HOUSE BILL NO. 1369 BY REPRESENTATIVE S. PRATER

ARKANSAS SENATE  
HOUSE CONCURRENT RESOLUTIONS CONCURRED IN  
AND RETURNED TO THE HOUSE

---

HOUSE CONCURRENT RESOLUTION NO. 1005 BY REPRESENTATIVE JUDY

ARKANSAS SENATE  
SENATE BILLS RECEIVED FROM SENATE

---

SENATE BILL NO. 194 BY SENATOR J. BOOKOUT  
SENATE BILL NO. 264 BY SENATOR WILKINSON  
SENATE BILL NO. 266 BY SENATOR MALONE  
SENATE BILL NO. 269 BY SENATOR HILL  
SENATE BILL NO. 290 BY SENATOR ARGUE  
SENATE BILL NO. 302 BY SENATOR CRITCHER

ENROLLED AND DELIVERY TO GOVERNOR REPORTS

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Little Rock, Arkansas

February 20, 2003

MR. SPEAKER:

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

HOUSE BILL NO. 1022 BY REPRESENTATIVE L. PRATER, ET AL  
 HOUSE BILL NO. 1109 BY REPRESENTATIVE SCROGGIN  
 HOUSE BILL NO. 1148 BY REPRESENTATIVE MAHONY, ET AL  
 HOUSE BILL NO. 1264 BY REPRESENTATIVE MEDLEY, ET AL  
 HOUSE BILL NO. 1284 BY REPRESENTATIVE PICKETT, ET AL  
 HOUSE BILL NO. 1285 BY REPRESENTATIVE JACKSON  
 HOUSE BILL NO. 1286 BY REPRESENTATIVE JACKSON  
 HOUSE BILL NO. 1290 BY REPRESENTATIVE CHILDERS  
 HOUSE BILL NO. 1328 BY REPRESENTATIVE WALTERS  
 HOUSE BILL NO. 1364 BY REPRESENTATIVE WALTERS  
 HOUSE BILL NO. 1365 BY REPRESENTATIVE WALTERS  
 HOUSE BILL NO. 1382 BY REPRESENTATIVE C. TAYLOR  
 HOUSE BILL NO. 1436 BY REPRESENTATIVE LAMOUREUX  
 HOUSE BILL NO. 1437 BY REPRESENTATIVE LAMOUREUX  
 HOUSE BILL NO. 1438 BY REPRESENTATIVE LAMOUREUX  
 HOUSE BILL NO. 1440 BY REPRESENTATIVE BOLIN  
 HOUSE BILL NO. 1441 BY REPRESENTATIVE BOLIN  
 HOUSE BILL NO. 1442 BY REPRESENTATIVE BOLIN  
 HOUSE BILL NO. 1443 BY REPRESENTATIVE BOLIN

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 11:15 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. 1022 BY REPRESENTATIVE L. PRATER, ET AL  
 HOUSE BILL NO. 1109 BY REPRESENTATIVE SCROGGIN  
 HOUSE BILL NO. 1148 BY REPRESENTATIVE MAHONY, ET AL  
 HOUSE BILL NO. 1264 BY REPRESENTATIVE MEDLEY, ET AL  
 HOUSE BILL NO. 1284 BY REPRESENTATIVE PICKETT, ET AL  
 HOUSE BILL NO. 1285 BY REPRESENTATIVE JACKSON  
 HOUSE BILL NO. 1286 BY REPRESENTATIVE JACKSON  
 HOUSE BILL NO. 1290 BY REPRESENTATIVE CHILDERS  
 HOUSE BILL NO. 1328 BY REPRESENTATIVE WALTERS  
 HOUSE BILL NO. 1364 BY REPRESENTATIVE WALTERS  
 HOUSE BILL NO. 1365 BY REPRESENTATIVE WALTERS  
 HOUSE BILL NO. 1382 BY REPRESENTATIVE C. TAYLOR  
 HOUSE BILL NO. 1436 BY REPRESENTATIVE LAMOUREUX  
 HOUSE BILL NO. 1437 BY REPRESENTATIVE LAMOUREUX  
 HOUSE BILL NO. 1438 BY REPRESENTATIVE LAMOUREUX  
 HOUSE BILL NO. 1440 BY REPRESENTATIVE BOLIN  
 HOUSE BILL NO. 1441 BY REPRESENTATIVE BOLIN  
 HOUSE BILL NO. 1442 BY REPRESENTATIVE BOLIN  
 HOUSE BILL NO. 1443 BY REPRESENTATIVE BOLIN

/s/ Mike Huckabee - Governor

TIME: 11:15 a.m.

By: Cory Cox

ENROLLED AND DELIVERY TO GOVERNOR REPORTS

---

Little Rock, Arkansas  
February 20, 2003

MR. SPEAKER:

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

HOUSE CONCURRENT RESOLUTION NO. 1005

BY REPRESENTATIVE JUDY, ET AL

HOUSE BILL NO. 1147 BY REPRESENTATIVE R. SMITH

HOUSE BILL NO. 1340 BY REPRESENTATIVE MATHIS, ET AL

HOUSE BILL NO. 1352 BY REPRESENTATIVE HAAK, ET AL

HOUSE BILL NO. 1369 BY REPRESENTATIVE S. PRATER, ET AL

beg leave to report that we have carefully compared the enrolled copies with the original and we find the same correctly enrolled and have at 2:51 p.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 CONCURRENT RESOLUTION NO. 1005

BY REPRESENTATIVE JUDY, ET AL

HOUSE BILL NO. 1147 BY REPRESENTATIVE R. SMITH

HOUSE BILL NO. 1340 BY REPRESENTATIVE MATHIS, ET AL

HOUSE BILL NO. 1352 BY REPRESENTATIVE HAAK, ET AL

HOUSE BILL NO. 1369 BY REPRESENTATIVE S. PRATER, ET AL

/s/ Mike Huckabee - Governor

TIME: 2:51 p.m.

By: Sarah Martin

ENROLLED AND DELIVERY TO GOVERNOR REPORTS

---

Little Rock, Arkansas

February 20, 2003

MR. SPEAKER:

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

HOUSE BILL NO. 1009 BY REPRESENTATIVE SCROGGIN

HOUSE BILL NO. 1021 BY REPRESENTATIVE SCROGGIN

HOUSE BILL NO. 1114 BY REPRESENTATIVES NAPPER, LENDALL

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 3:25 p.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. 1009 BY REPRESENTATIVE SCROGGIN

HOUSE BILL NO. 1021 BY REPRESENTATIVE SCROGGIN

HOUSE BILL NO. 1114 BY REPRESENTATIVES NAPPER, LENDALL

/s/ Mike Huckabee - Governor

TIME: 3:25 p.m.

By: Sarah Martin

HOUSE BILL NO. 1638

---

BY: REPRESENTATIVES PICKETT, BOND

BY: SENATOR ARGUE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CREATE PROPERTY LAWS APPLICABLE TO RELIGIOUS ASSOCIATIONS OR RELIGIOUS CORPORATIONS IN THE STATE OF ARKANSAS THAT ARE ORGANIZED UNDER RELIGIOUS DENOMINATIONS IN WHICH PROPERTY IS HELD IN TRUST FOR THE GENERAL RELIGIOUS DENOMINATION; 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. 1639

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BY: REPRESENTATIVE PICKETT

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF EDUCATION - ARKANSAS STATE LIBRARY FOR STATE AID TO THE FAULKNER COUNTY LIBRARY; 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. 1640

---

BY: REPRESENTATIVE MATAYO

BY: SENATOR BISBEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ADOPT THE FEDERAL INCOME TAX DEDUCTION FOR CERTAIN EXPENSES OF ELEMENTARY AND SECONDARY SCHOOL TEACHERS, NOT TO EXCEED TWO HUNDRED AND FIFTY DOLLARS (\$250); TO REPEAL THE TAX CREDITS FOR CERTAIN INDIVIDUAL POLITICAL CONTRIBUTIONS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on REVENUE AND TAXATION.

HOUSE BILL NO. 1641

---

BY: REPRESENTATIVE KENNEY

BY: SENATOR HENDREN

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION - DISBURSING OFFICER FOR IMPROVEMENTS AND RENOVATIONS FOR THE CITY OF SILOAM SPRINGS; 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. 1642

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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 STATE PLANT BOARD 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. 1643

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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 STATE FORESTRY 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. 1644

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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 PHILLIPS COMMUNITY COLLEGE OF THE UNIVERSITY OF ARKANSAS 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. 1645

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BY: REPRESENTATIVE COWLING

BY: SENATOR HORN

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION - DISBURSING OFFICER FOR VARIOUS FIRE DEPARTMENTS IN LITTLE RIVER COUNTY, ARKANSAS; 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. 1646

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BY: REPRESENTATIVE BENNETT

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PROVIDE THAT THE MURDER OF A PERSON SIXTY-TWO YEARS OF AGE OR OLDER IS AN AGGRAVATING CIRCUMSTANCE FOR THE PURPOSE OF IMPOSING THE DEATH PENALTY; AND FOR OTHER PURPOSES.

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

HOUSE BILL NO. 1647

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BY: REPRESENTATIVES ORMOND, GILLESPIE, THOMAS, MILLIGAN

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO LIMIT LIABILITY IN RAIL INCIDENTS OR ACCIDENTS INVOLVING A FOR-PROFIT PASSENGER EXCURSION TRAIN; TO REQUIRE INSURANCE COVERAGE FOR A FOR-PROFIT PASSENGER EXCURSION TRAIN; AND FOR OTHER PURPOSES.

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

HOUSE BILL NO. 1648

---

BY: REPRESENTATIVE JUDY

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND ARKANSAS CODE § 12-27-125, CONCERNING THE FUNCTIONS AND POWERS OF THE DEPARTMENT OF COMMUNITY CORRECTION, TO LIMIT THE LOCATION OF COMMUNITY CORRECTION FACILITIES AND PROBATION OFFICES NEAR ANY SCHOOLHOUSES OR DAY CARE FACILITIES; 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. 1649

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BY: REPRESENTATIVE BOYD

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION - DISBURSING OFFICER FOR VARIOUS STATE ASSISTANCE PROJECTS IN CLAY COUNTY; 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. 1650

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BY: REPRESENTATIVE BOYD

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION - DISBURSING OFFICER FOR STATE ASSISTANCE TO FIRE DEPARTMENTS IN GREENE COUNTY; 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. 1651

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BY: REPRESENTATIVE BOYD

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION - DISBURSING OFFICER FOR STATE ASSISTANCE TO VARIOUS FIRE DEPARTMENTS IN CLAY COUNTY; 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. 1652

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BY: REPRESENTATIVES SCROGGIN, AGEE, BERRY, GILLESPIE, BORHAUER, EDWARDS, JUDY

BY: SENATORS BAKER, HORN, WHITAKER

A BILL FOR AN ACT TO BE ENTITLED ARKANSAS SOIL NUTRIENT MANAGEMENT PLANNER AND APPLICATOR CERTIFICATION ACT; 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. 1653

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BY: REPRESENTATIVES SCROGGIN, AGEE, BERRY, GILLESPIE, BORHAUER,  
EDWARDS, JUDY

BY: SENATORS BAKER, HORN, WHITAKER

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REGISTER POULTRY FEEDING OPERATIONS; 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. 1654

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BY: REPRESENTATIVES SCROGGIN, AGEE, BERRY, GILLESPIE, BORHAUER,  
EDWARDS, JUDY

BY: SENATORS BAKER, HORN, WHITAKER

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REQUIRE PROPER APPLICATION OF NUTRIENTS AND UTILIZATION OF POULTRY LITTER IN NUTRIENT SURPLUS AREAS; 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. 1655

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BY: REPRESENTATIVE VERKAMP

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CLARIFY RESPONSIBILITIES OF REAL ESTATE LICENSEES AND APPRAISERS; 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. 1656

---

BY: REPRESENTATIVE PRITCHARD

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND § 11(c) OF AMENDMENT 51 TO THE ARKANSAS CONSTITUTION REGARDING THE CANCELLATION OF VOTER REGISTRATION; 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 RESOLUTION NO. 1006

---

BY: REPRESENTATIVES MATAYO, BENNETT, DICKINSON, ANDERSON, KENNEY, BLEDSOE, KEY, MATHIS, NORTON, HARRIS

EXPRESSING THE SENTIMENT OF THE HOUSE OF REPRESENTATIVES THAT STATE GOVERNMENT SPENDING BE LIMITED TO 2001-2002 BASELINE LEVELS AND AN EMPLOYEE HIRING FREEZE BE IMPLEMENTED UNTIL FINAL EDUCATIONAL EXPENDITURES ARE DETERMINED.

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

SENATE BILL NO. 194

---

BY: SENATOR J. BOOKOUT

BY: REPRESENTATIVE LAMOUREUX

A BILL FOR AN ACT TO BE ENTITLED AN ACT CONCERNING THE CRIMINAL OFFENSE OF AGGRAVATED ASSAULT UPON AN EMPLOYEE OF A CORRECTIONAL FACILITY; 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. 244

---

**BY: JOINT BUDGET COMMITTEE**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION OF FUNDS TO ALLEVIATE CONDITIONS ARISING IN PUBLIC EMERGENCIES FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2005; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 245

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**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 OFFICE OF THE GOVERNOR FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2005; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 248

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**BY: JOINT BUDGET COMMITTEE**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE WORKERS' COMPENSATION COMMISSION FOR MAJOR MAINTENANCE, RENOVATION AND REPAIR OF THE WORKERS' COMPENSATION COMMISSION BUILDING; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 249

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BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS DEPARTMENT OF EMERGENCY MANAGEMENT FOR CONSTRUCTION PROJECTS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 250

---

BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR CAPITAL IMPROVEMENT PROJECTS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 252

---

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 DEPARTMENT OF PARKS AND TOURISM - ARKANSAS HISTORY 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 placed on the Calendar.

SENATE BILL NO. 260

---

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 WORKERS' COMPENSATION 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 placed on the Calendar.

SENATE BILL NO. 264

---

BY: SENATORS WILKINSON, ARGUE, *J. JEFFRESS*, *WILKINS*, *G. JEFFRESS*, *BROADWAY*

BY: REPRESENTATIVES VERKAMP, BLAIR, FITE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND THE UNIFORM ATTENDANCE AND LEAVE POLICY ACT FOR STATE EMPLOYEES TO PROVIDE A DIFFERENT RATE OF ANNUAL AND SICK LEAVE FOR FIRE AND EMERGENCY SERVICE EMPLOYEES; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

SENATE BILL NO. 266

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BY: SENATOR MALONE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND ARKANSAS CODE § 8-5-504 CONCERNING THE CHLORIDE STANDARD APPLICABLE TO STREAMS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

## SENATE BILL NO. 268

BY: SENATOR GULLETT

BY: REPRESENTATIVES SCROGGIN, J. TAYLOR

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PROVIDE FOR THE APPOINTMENT OF A FLOODPLAIN ADMINISTRATOR IN A MUNICIPAL OR COUNTY GOVERNMENT AND TO AUTHORIZE THE ACCREDITATION OF THE FLOODPLAIN ADMINISTRATOR BY THE ARKANSAS SOIL AND WATER CONSERVATION COMMISSION; 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.

## SENATE BILL NO. 269

BY: SENATORS HILL, LUKER

BY: REPRESENTATIVES THYER, LAMOUREUX, CLEVELAND, MAHONY

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CLARIFY THE CIRCUMSTANCES UNDER WHICH THE STATE WAIVES ITS SOVEREIGN IMMUNITY; 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. 285

BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR THE ARKANSAS MINORITY HEALTH COMMISSION FOR THE MINORITY HEALTH INITIATIVE OF THE TARGETED STATE NEEDS PROGRAMS FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2005; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 286

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**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 MINORITY HEALTH 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 placed on the Calendar.

SENATE BILL NO. 287

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**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 DEPARTMENT OF FINANCE AND ADMINISTRATION - ALCOHOLIC BEVERAGE CONTROL ENFORCEMENT DIVISION FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2005; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 288

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**BY: JOINT BUDGET COMMITTEE**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR GRANTS TO CITIES AND COUNTIES FOR THE DEPARTMENT OF ECONOMIC DEVELOPMENT WHICH SHALL BE SUPPLEMENTAL AND IN ADDITION TO THOSE FUNDS APPROPRIATED BY ACT 498 OF 2001; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 290

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BY: SENATOR ARGUE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REPEAL THE STATUTE PROHIBITING NURSING FACILITIES FROM LISTING THE QUALITY ASSURANCE FEE AS A SEPARATE CHARGE ON BILLING STATEMENTS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

SENATE BILL NO. 302

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BY: SENATOR CRITCHER

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND THE LICENSING REQUIREMENTS OF OPTOMETRISTS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

Upon motion of Representative Gillespie, the House adjourned at 3:08 p.m. until 10:00 a.m. Friday, February 21, 2003.

ATTEST:

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Herschel W. Cleveland  
Speaker of the House of Representatives

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Jo Renshaw  
Chief Clerk