

**SIXTY-FIRST DAY'S PROCEEDINGS
HALL OF THE HOUSE OF REPRESENTATIVES**

Little Rock, Arkansas
March 14, 2003

The House was called to order at 10:03 a. 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, 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.

Total98

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

Total02

A quorum was present.

Unanimous leave was granted for Representative(s) Norton, Oglesby.

The House stood and was led in prayer by Reverend Betsy Singleton, Quapaw United Methodist Church, Little Rock, Arkansas.

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

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

COMMITTEE REPORT

	March 14, 2003
JOINT BUDGET	PAUL WEAVER CHAIRPERSON
SENATE BILL NO. 72 JOINT BUDGET COMMITTEE	DO PASS
SENATE BILL NO. 102 JOINT BUDGET COMMITTEE	DO PASS
SENATE BILL NO. 145 JOINT BUDGET COMMITTEE	DO PASS
SENATE BILL NO. 276 JOINT BUDGET COMMITTEE	DO PASS

COMMITTEE REPORT

	March 14, 2003
INSURANCE AND COMMERCE	PAUL BOOKOUT CHAIRPERSON
SENATE BILL NO. 528 SENATOR T. SMITH	DO PASS
SENATE BILL NO. 696 SENATOR T. SMITH	DO PASS

COMMITTEE REPORT

	March 14, 2003
CITY, COUNTY AND LOCAL AFFAIRS	PHILLIP JACOBS CHAIRPERSON
HOUSE BILL NO. 1385 BY REPRESENTATIVE HATHORN	DO PASS, TO CONCUR IN SENATE AMENDMENTS 1, 2
HOUSE BILL NO. 1620 BY REPRESENTATIVE JEFFREY	DO PASS AS AMENDED #3
HOUSE BILL NO. 1730 BY REPRESENTATIVE WEAVER	DO PASS NON CONTROVERSIAL
HOUSE BILL NO. 2321 BY REPRESENTATIVE VERKAMP	DO PASS
HOUSE BILL NO. 2387 BY REPRESENTATIVE MEDLEY	DO PASS NON CONTROVERSIAL

COMMITTEE REPORT, (continued)

HOUSE BILL NO. 2465	DO PASS
BY REPRESENTATIVE JACKSON	
HOUSE BILL NO. 2482	DO PASS
BY REPRESENTATIVE JACKSON	
SENATE BILL NO. 390	DO PASS
BY SENATOR CAPPS	
SENATE BILL NO. 419	DO PASS
BY SENATOR MADISON	NON CONTROVERSIAL

COMMITTEE REPORT

	March 14, 2003
AGING, CHILDREN AND YOUTH, LEGISLATIVE AND MILITARY AFFAIRS	JOYCE DEES CHAIRPERSON
HOUSE BILL NO. 1636	DO PASS
BY REPRESENTATIVE DEES	AS AMENDED #1
HOUSE BILL NO. 1694	DO PASS
BY REPRESENTATIVE JUDY	AS AMENDED #1
HOUSE BILL NO. 2306	DO PASS, AS AMENDED #1
BY REPRESENTATIVE BLEDSOE	NON CONTROVERSIAL
HOUSE BILL NO. 2402	DO PASS
BY REPRESENTATIVE COWLING	
SENATE BILL NO. 159	DO PASS
BY SENATOR HILL	NON-CONTROVERSIAL

COMMITTEE REPORT

	March 14, 2003
AGRICULTURE, FORESTRY AND ECONOMIC DEVELOPMENT	TRAVIS BOYD VICE CHAIRPERSON
HOUSE BILL NO. 1747	DO PASS
BY REPRESENTATIVE MILLIGAN	
HOUSE BILL NO. 1943	DO PASS
BY REPRESENTATIVE CLEVELAND	AS AMENDED #1
HOUSE BILL NO. 2245	DO PASS
BY REPRESENTATIVE L. EVANS	

COMMITTEE REPORT (continued)

HOUSE BILL NO. 2475	DO PASS
BY REPRESENTATIVE MILLIGAN	NON-CONTROVERSIAL
SENATE BILL NO. 268	DO PASS, AS AMENDED #1
BY SENATOR GULLETT	NON CONTROVERSIAL
SENATE BILL NO. 389	DO PASS,
BY SENATOR BOOKOUT	NON CONTROVERSIAL
HOUSE CONCURRENT RESOLUTION NO. 1034	DO PASS
BY REPRESENTATIVE LEDBETTER	

COMMITTEE REPORT

	March 14, 2003
STATE AGENCIES AND GOVERNMENTAL AFFAIRS	SARAH AGEE CHAIRPERSON
HOUSE BILL NO. 2255	DO PASS
BY REPRESENTATIVE PARKS	
HOUSE BILL NO. 2417	DO PASS,
BY REPRESENTATIVE PENIX	AS AMENDED #1 & #2
HOUSE BILL NO. 2619	DO PASS, AS AMENDED #1
BY REPRESENTATIVE MAHONY	
HOUSE CONCURRENT RESOLUTION NO. 1027	DO PASS
BY REPRESENTATIVE KING	
HOUSE CONCURRENT RESOLUTION NO. 1032	DO PASS
REPRESENTATIVE CHILDERS	
HOUSE CONCURRENT RESOLUTION NO. 1037	DO PASS
BY REPRESENTATIVE FERGUSON	
SENATE BILL NO. 690	DO PASS
BY SENATOR MADISON	NON CONTROVERSIAL

***** EXPUNGED*****03/17/03*****

Upon motion of Representative Pate, HOUSE BILL NO. 2310 was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2310

Amend HOUSE BILL NO. 2310 as originally introduced:

“(G) Any other factors deemed relevant by the court.

(H) However, under no circumstances shall the exercise by the juvenile of the right against self-incrimination, the right to a adjudication hearing or appeal, the refusal to admit to an offense for which he or she was adjudicated delinquent, or the refusal to admit to other offenses in the assessment process be considered in the decision whether to require registration.”

/s/ Mark Pate

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

/s/ Ms. Jo Renshaw
Chief Clerk

***** EXPUNGED*****03/17/03*****

Upon motion of Representative Pate, HOUSE BILL NO. 2310 was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 2310

Amend HOUSE BILL NO. 2310 as originally introduced:

Page 5, line 29 delete “January 1, 2001” and substitute “~~January 1, 2001~~ March 1, 2003”

AND

Page 5, line 31 delete “whether as an adult or a juvenile,” and substitute “~~whether as an adult or a juvenile,~~”

AND

Page 6 delete lines 17 through 34

AND

Appropriately renumber subsequent sections

/s/ Mark Pate

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Rosenbaum, **HOUSE BILL NO. 2758** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2758

Amend **HOUSE BILL NO. 2758** as originally introduced:

Page 3, line 18, add a new section to the bill to read as follows:

SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that enforcement officers of the Arkansas Highway Commission are required to enforce the federal motor carrier safety laws and the rules and regulations of the Arkansas Highway Commission with respect to motor carrier safety of operations and equipment; that the enforcement officers must have the authority to stop and require the drivers of commercial vehicles to exhibit and submit for inspection all documents required to be carried in vehicles engaged in interstate or intrastate commerce, including bills of lading, waybills, invoices, or other evidences of the character of the lading being transported in those vehicles; and that this act is immediately necessary because that authority is lacking in current law. 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/ Sid Rosenbaum

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Rosenbaum, **HOUSE BILL NO. 2401** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2401

Amend **HOUSE BILL NO. 2401** as originally introduced:

Page 2, line 13, add new sections to the bill to read as follows:

“SECTION 3. Arkansas Code § 23-13-262 is amended to read as follows:

23-13-262. Actions to recover penalties.

(a) An action to recover a penalty under §§ 23-13-234, 23-13-254, and 23-13-257 - 23-13-264 or to enforce the powers of the Arkansas Transportation Commission [abolished] under this subchapter or any other law may be brought in any circuit court in this state in the name of the State of Arkansas, on relation to the commission, and shall be commenced and prosecuted to final judgment by the counsel to the commission.

(b) In any such action, all penalties incurred up to the time of commencing the action may be sued for and recovered therein.

(c) The commencement of an action to recover a penalty shall not be, or be held to be, a waiver of the right to recover any other penalty.

SECTION 4. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that requiring a motor carrier or broker to report annually to the Arkansas Highway Commission creates an unjustified burden on the motor carrier or broker operating in the State of Arkansas; that other provisions of Arkansas law require a motor carrier or broker to report annually to other authorities; and that this act is immediately necessary because these dual reporting requirements are duplicative and need to be eliminated to reduce the duplication of government efforts. 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/ Sid Rosenbaum

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Penix, **HOUSE BILL NO. 1981** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1981

Amend **HOUSE BILL NO. 1981** as originally introduced:

Page 3, line 4 add the following new SECTION:

"SECTION 2. Arkansas Code § 5-65-111, concerning prison terms under the Omnibus DWI Act, is amended to add an additional subsection to read as follows:

(d) It is an affirmative defense to prosecution under subdivisions (a)(2), (b)(1)(B), (b)(2)(B), (b)(3)(B), and (b)(4)(b) of this section that the person operating or in actual physical control of the motor vehicle was not more than two (2) years older than the passenger."

/s/ Kevin Penix

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Bledsoe, **HOUSE BILL NO. 2307** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2307

Amend **HOUSE BILL NO. 2307** as originally introduced:

Page 3, delete lines 18 and 19 and substitute the following:

"dollars (\$35.00) per hour with a maximum of ~~two thousand dollars (\$2,000)~~ four thousand dollars (\$4,000) in hourly costs per case."

/s/ Cecile Bledsoe

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative House, **HOUSE BILL NO. 2274** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2274

Amend **HOUSE BILL NO. 2274** as originally introduced:

Add Representative J. Johnson as a cosponsor of the bill

AND

Page 2, line 2, delete "the policy be" and substitute "notice of what constitutes bullying, that bullying is prohibited, and the consequences of engaging in bullying be"

AND

Page 2, line 5, delete "policy to be" and substitute "notice of what constitutes bullying, that bullying is prohibited, and the consequences of engaging in bullying be"

AND

Page 2, line 6, delete "and employees." and substitute "and employees. The policies shall require that full copies of the policy must be made available upon request."

AND

Page 2, line 8, delete "cause of action" and substitute "tort liability"

AND

Page 2, line 20, insert the following:

"SECTION 2. Arkansas Code § 6-18-1005(a)(5), pertaining to student services programs to be provided by school guidance and counseling services, is amended to read as follows:

(5) Group conflict resolution services, which shall include, but are not limited to, the following:

(A) Educational and social programs which help students develop skills enabling them to resolve differences and conflicts between groups; ~~and~~

(B) Programs designed to promote understanding, positive communication, and a greater utilization of a race relations specialist or human relations specialist to assist in the development of intergroup skills; and

(C) Programs designed to prevent bullying."

/s/ Don House

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative House, **HOUSE BILL NO. 2463** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2463

Amend **HOUSE BILL NO. 2463** as originally introduced:

Page 2, line 7, delete "1" and substitute "01"

AND

Page 2, delete lines 13 through 26, and substitute the following:

"(3)(A) The number "01" shall appear on the license plate for the Governor;

(B) The number "02" shall appear on the license plate for the Lieutenant Governor;

(C) The number "03" shall appear on the license plate for the Secretary of State;

(D) The number "04" shall appear on the license plate for the Attorney General;

(E) The number "05" shall appear on the license plate for the Treasurer of State;

(F) The number "06" shall appear on the license plate for the Auditor of State; and

(G) The number "07" shall appear on the license plate for the Commissioner of State Lands."

AND

Page 3, delete line 3, and substitute the following:

"more than one hundred dollars (\$100).

27-15-3904. Issuance and transfer of special license plates.

(a) All applications for special Constitutional Officer license plates issued under this subchapter shall contain the following information:

(1) The number of vehicles to which the plate is to be attached; and

(2) The vehicle identification number and the vehicle's regular license plate number issued by the Department of Finance and Administration for each vehicle to which a special license plate is to be attached.

(b) A special license plate will be issued only for a vehicle is properly registered and licensed in Arkansas.

(c)(1) A special license plate, issued under this subchapter, may be transferred to another vehicle, provided that vehicle is properly registered and licensed in Arkansas and the Governor is notified of the transfer.

(2) The notice of transfer shall designate the vehicle to which the plate is to be transferred and the vehicle from which the plate is being transferred, identifying both vehicles by the respective vehicle identification numbers and regular license plate numbers issued by the Department of Finance and Administration.

(d) The Governor shall notify the Department of Finance and Administration of all special license plate transfers, providing the requisite vehicle information specified in

subsection (a) of this section.

27-15-3905. Exemption.

The special Constitutional Officer license plate is exempt from the minimum application limits for license plates under § 27-15-4004."

/s/ Don House

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Bradford, **HOUSE BILL NO. 2885** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2885

Amend **HOUSE BILL NO. 2885** as originally introduced:

Delete everything after the enactment clause and substitute the following:

“SECTION 1. Arkansas Code § 23-64-232(e), concerning the penalty for an insurance producer failing to comply with premium delinquency requirements, is amended to read as follows:

(e) Failure of the insurance producer to comply with the reporting requirements set forth in subdivisions (b)(1) and (2) of subdivision (b)(2) of this section shall constitute a Class A misdemeanor.

SECTION 2. Arkansas Code § 23-64-232, concerning premium delinquencies, is amended to add a new subsection to read as follows:

(f) This section does not create an affirmative defense to, or a limitation on, prosecutions brought under § 23-64-233.”

/s/ Jay Bradford

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Boyd, **HOUSE BILL NO. 2427** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2427

Amend **HOUSE BILL NO. 2427** as originally introduced:

Page 1, delete line 12 and substitute the following:

"ARKANSAS; TO AMEND ARKANSAS CODE § 8-9-405 TO PROVIDE FOR
TIMELY UPDATES"

AND

Page 3, line 6, insert the following:

"SECTION 2. Arkansas Code § 8-9-404(a) is amended to read as follows:

(a) There shall be imposed a fee upon the sale of each original equipment tire new motor vehicle tire sold at retail.

(1) The fee shall be charged by the tire retailer to the person who purchases a new motor vehicle automobile tire for use on a motor vehicle and not for resale. No fee shall be collected on any motor vehicle tire sold by a tire retailer for resale in accordance with subdivision (a)(7) hereon.

(2) The Director of the Department of Finance and Administration acting in his capacity as Commissioner of Motor Vehicles of the State of Arkansas, or his authorized agent, shall collect the fee placed upon original equipment tires at the time a new care or light truck is licensed in the State of Arkansas for the first time to the retail buyer.

~~(2)(A)(3)(A)~~ Such fee shall be imposed at the rate of ~~one dollar and seventy five cents (\$1.75)~~ two dollars (\$2.00) per automobile tire or original equipment tire and truck tire.

~~(B)(i) Solid waste management districts are authorized to enact an additional fee on truck tires provided that their costs of properly removing and disposing of truck tires exceeds one dollar and seventy five cents (\$1.75) per truck tire. Solid waste management districts imposing an additional fee on truck tires may not impose a fee in excess of the costs of properly removing and disposing of such tires less one dollar and seventy five cents (\$1.75) per tire. Fees imposed pursuant to subdivision (a)(2) of this section shall be reviewed and approved by the Arkansas Department of Environmental Quality.~~

~~(ii) Provided, however, in no instance shall the fee prescribed in subdivision (a)(2)(B) of this section exceed four dollars (\$4.00) per tire.~~

(B) A fee shall be imposed at the rate of five dollars (\$5.00) per truck tire.

(C) Solid waste management districts may charge a fee for the collection and disposal of specialty tires.

~~(C)(D)~~ It shall be the responsibility of the tire retailer to accept, at no additional cost to the customer other than those in accordance with subdivision ~~(a)(2)(B) of this section~~ imposed herein, any or all used or waste tires for which a new replacement tire was purchased.

~~(D)(E)~~ For any used or waste tires collected through a tire retailer's business, the retailer shall ensure that said tires are transported by a licensed hauler to a permitted waste tire collection center, a solid waste management facility, a waste tire processing facility, or a registered used tire dealer.

~~(3)(4)~~ Such fees, other than fees on specialty tires, shall be added to the total cost to the purchaser at retail after all applicable sales taxes on the tires have been computed and shall be separately stated on the invoice or bill of sale.

~~(4)(A)~~(5)(A) The fees imposed, except those fees for collection and disposal of specialty tires, shall be paid monthly to the Director of the Department of Finance and Administration.

(B) Provided, however, the tire retailer or new car or light truck dealer may retain five percent (5%) of the fee levied by subdivision ~~(a)(2)(A)~~(a)(4)(A) of this section as an administrative cost.

~~(5)(A)~~(6)(A) The fees remitted in subdivision (a)(5)(A) shall be collected by the Director of the Department of Finance and Administration and shall be subject to the Arkansas Tax Procedure Act, § 26-18-101 et seq.

(B)(i) Each tire retailer ~~and each new motor vehicle dealer~~ shall file a return with the Director of the Department of Finance and Administration and with the applicable solid waste management district on or before the twentieth of each month showing the total fees collected for both ~~passenger~~ automobile and truck tires during the preceding calendar month and shall remit the fees with the return.

(ii) The Director of the Department of Finance and Administration shall prescribe the form and contents of the return. At a minimum, the form must indicate separately the number of ~~passenger~~ automobile tires and number of truck tires sold for which a fee was collected. In addition, the form must indicate which solid waste management district the tires were sold in.

~~(6)(7)~~ The fees imposed by this section do not apply to recapped tires ~~or tires included as part of the equipment of a new motor vehicle~~.

~~(7)(8)~~ The terms "sold at retail" and "retail sales" do not include the sale of new tires to a person solely for the purpose of resale, provided the subsequent retail sale in this state is subject to the fee.

SECTION 3. Arkansas Code § 8-9-404(d) is amended to read as follows:

(d) The Waste Tire Grant Fund shall be administered by the Arkansas Department of Environmental Quality, which shall authorize grants from the Waste Tire Grant Fund according to the provisions of this subchapter. ~~Provided, however, that all subdivision (a)(2)(B) fees levied by solid waste management districts shall be remitted monthly to the solid waste management districts within which the fees were collected.~~

SECTION 4. Arkansas Code § 8-9-405(c) is amended to add a new subdivision (4) to read as follows:

(4) Any formula for distribution of grant funds which takes into account population data shall use data from the latest available federal decennial census."

/s/ Travis Boyd

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. 2720** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2720

Amend **HOUSE BILL NO. 2720** as originally introduced:

Page 4, delete line 34 and substitute the following:

"action shall be brought in the appropriate federal court.

4-75-217. Statute of limitations.

(a) Any action brought by the Attorney General pursuant to this subchapter is barred if it is not commenced within five (5) years after the cause of action accrues.

(b) The statute of limitations described in subsection (a) of this section shall be tolled during any period when the defendant in any action fraudulently concealed the events upon which the cause of action is based.

(c) This section is not intended to allow for the commencement of any action by the Attorney General under the provisions of this subchapter for events occurring prior to the enactment of this section, of which the Attorney General had actual knowledge.

4-75-322. Statute of limitations.

(1) Any action brought by the Attorney General pursuant to this subchapter is barred if it is not commenced within five (5) years after the cause of action accrues.

(2) The foregoing statute of limitations shall be tolled during any period when the defendant in any action fraudulently concealed the events upon which the cause of action is based.

(3) This section is not intended to allow for the commencement of any action by the Attorney General under the provisions of this subchapter for events occurring prior to the enactment of this section, of which the Attorney General had actual knowledge."

AND

Page 12, line 3, insert the following:

"SECTION 5. EMERGENCY CLAUSE. It is found and determined by the Eighty-fourth General Assembly that without the amendments herein, the Attorney General is unable to adequately protect the interests of the consumers of the State of Arkansas under the provisions of the Unfair Trade Practices Act and the chapter on Monopolies Generally for harm they have suffered as indirect purchasers. 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/ Steve Napper

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Childers, **HOUSE BILL NO. 2349** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 2349

Amend **HOUSE BILL NO. 2349** as originally introduced:

Delete the title of the bill and substitute the following:

"AN ACT TO ALLOW FORMATIONS OF, AND CONVERSIONS TO, PUBLIC WATER AUTHORITIES UNDER ARKANSAS CODE § 4-35-101 ET SEQ. TO BE AUTHORIZED AND APPROVED BY THE BOARD OF DIRECTORS AND, IF APPLICABLE, THE MEMBERS; AND FOR OTHER PURPOSES."

AND

Delete the subtitle of the bill and substitute the following:

"TO ALLOW FORMATIONS OF, AND CONVERSIONS TO, PUBLIC WATER AUTHORITIES UNDER ARKANSAS CODE § 4-35-101 ET SEQ. TO BE

AUTHORIZED AND APPROVED BY THE BOARD OF DIRECTORS AND, IF APPLICABLE, THE MEMBERS."

AND

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code Title 4, Chapter 28, Subchapter 2 is amended by adding an additional section to read as follows:

4-28-225. Conversion to public water authority.

(a) A corporation which meets the definition of a qualified corporation, as defined by § 4-35-103, may adopt a plan to convert its entity status from that of a nonprofit corporation to a water authority pursuant to §§ 4-35-101 through 4-35-306, unless the articles or bylaws require otherwise, if the conversion is approved:

(1) By a majority of the members of the board of directors of the corporation; and

(2) If the corporation has members, by two-thirds (2/3) of the votes cast by the members, in person or by proxy, at a regular or special meeting of the members at which a quorum is present.

(b) For purposes of this section, and unless the articles or bylaws provide for a higher or lower quorum, ten percent (10%) of the votes entitled to be cast on a matter must be represented, in person or by proxy, at a meeting of members to constitute a quorum.

SECTION 2. Arkansas Code Title 4, Chapter 33, Subchapter 16 is amended to read as follows:

4-33-1601. Conversion to a public water authority.

A corporation which meets the definition of a qualified corporation, as defined by § 4-35-103, may adopt a plan to convert its entity status from that of a nonprofit corporation to a water authority pursuant to §§ 4-35-101 through 4-35-306, unless the articles or bylaws require otherwise, if the conversion is approved:

(1) By a majority of the members of the board of directors of the corporation; and

(2) If the corporation has members, by the lesser of:

(A) Two-thirds (2/3) of the votes cast by the members, in person or by proxy, at a regular or special meeting of the members at which a quorum, as defined in § 4-33-722, is present; or

(B) A majority of the members.

SECTION 3. Arkansas Code Title 4, Chapter 35 is amended to read as follows:

~~Chapter 35.~~

~~Water Provider Corporations.~~

Subchapter 1. General provisions.

~~4-35-101. Authorization.~~

~~(a) There is authorized the creation of water provider corporations.~~

~~(b) A water provider corporation shall be a public body and a body corporate and politic.~~

~~(c) A water provider corporation shall be organized to provide potable water and other associated service to Arkansas residents.~~

~~4-35-102. Filing for incorporation.~~

~~One (1) or more persons may act as the incorporator or incorporators of a corporation authorized by this subchapter by filing for incorporation in the same manner as for nonprofit corporations under the Arkansas Nonprofit Corporation Act of 1993, § 4-33-101 et seq.~~

~~4-35-103. Conversion of nonprofit corporations.~~

~~(a) A corporation organized under the Arkansas Nonprofit Corporation Act of 1993, § 4-33-101 et seq., or the Arkansas Nonprofit Corporation Act, §§ 4-28-201-4-28-206 and §§ 4-28-209 - 4-28-224, may convert to a corporation authorized by this subchapter by filing, with the circuit court of the county in which the main office or principal place of business of the corporation is located, signed and verified articles of incorporation and a statement that the nonprofit corporation desires to convert to a corporation authorized by this subchapter.~~

~~(b) If the circuit court finds that the articles of incorporation conform to law and that the incorporation is for a lawful purpose and is in the best interests of the public, the court may issue an order approving conversion to a corporation authorized by this subchapter.~~

~~(c) If the court approves the conversion, the articles of incorporation in duplicate, signed and verified, and a copy of the order of the court approving the conversion shall be transmitted to the Secretary of State, who shall, when a fee of one hundred dollars (\$100) has been paid:~~

~~(1) File the original of the articles in his or her office; and~~

~~(2) Issue a certificate of incorporation to which he or she shall affix the other copy of the articles endorsed with the word "filed" and the month, day, and year of the filing and return the certificate of incorporation to the incorporators or their representative.~~

~~(d) The new corporation shall obtain all the assets, liabilities, and obligations of the nonprofit corporation and the obligations of the nonprofit corporation shall cease to exist on the date that the Secretary of State issues the certificate of incorporation.~~

~~4-35-104. Applicability of law.~~

~~(a) A corporation authorized by this subchapter shall be subject to the provisions of the Arkansas Nonprofit Corporation Act of 1993, § 4-33-101 et seq., except to the extent that the provisions of that chapter are in conflict with this subchapter.~~

~~(b) A corporation authorized by this subchapter shall have the right to perpetual succession as a body politic and corporate.~~

~~(c) In addition to other powers, the corporation may own and operate facilities necessary to provide potable water and associated services to Arkansas residents.~~

~~Subchapter 2. Public water authorities.~~

~~4-35-201. Legislative intent.~~

~~It is the intent of the General Assembly to provide a means by which a not-for-profit corporation involved in the sale, transmission, and distribution of potable water to members of the public and others may convert its entity status from that of a body corporate to that of a body politic, thereby allowing such an entity the opportunity to access the tax-exempt capital markets and thereby assuring the State of Arkansas and the customers of such an entity of the lowest water rates possible.~~

~~4-35-202. Definitions.~~

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

~~(1) "Board" means the board of directors of a water authority;~~

~~(2) "Bond" means any bond, promissory note, lease purchase agreement, or other evidence of indebtedness of any nature along with all debt-securing instruments of every nature related thereto;~~

~~(3) "Commission" means the Arkansas Soil and Water Conservation Commission or its successors;~~

~~(4) "Indenture" means a mortgage, indenture of mortgage, deed of trust, trust agreement, loan agreement, security agreement, or trust indenture executed by the water authority as security for any bonds;~~

~~(5)(A) "Project" means any raw or potable water intake, treatment, distribution, transmission, storage, pumping, well site, well field, or other facility, or any combination of the foregoing, which has as its purpose the provision of raw or potable water to members of the public and commercial, industrial, or other users, along with any and all other appurtenances, equipment, betterments, or improvements related thereto.~~

~~(B) The above projects may include any lands or interest therein deemed by the board to be desirable in connection therewith, and necessary equipment for the proper functioning and operation of the buildings or facilities involved;~~

~~(6) "Qualified corporation" means any not for profit corporation which provides, distributes, transmits, treats, pumps, or stores raw or potable water to or for the benefit of members of the general public and commercial, industrial, and other users;~~

~~(7) "State" means the State of Arkansas;~~

~~(8) "United States" means the United States of America or any of its agencies or instrumentalities; and~~

~~(9) "Water authority" means that body politic and governmental entity organized pursuant to the provisions of this subchapter.~~

~~4-35-203. Construction.~~

~~(a) This subchapter shall be liberally construed in conformity with its intent.~~

~~(b) All acts and activities of a water authority performed pursuant to the authority of this subchapter are legislatively determined and declared to be essential governmental functions.~~

~~4-35-204. Authority generally.~~

~~(a) There is conferred upon a water authority the authority to take such action and to do, or cause to be done, such things as shall be necessary or desirable to accomplish and implement the purposes and intent of this subchapter according to the import of this subchapter.~~

~~(b) It is specifically understood that, except for the provisions of this subchapter, no other statutes shall govern or pertain to the creation of a water authority under this subchapter or the issuance of bonds by a water authority.~~

~~4-35-205. Authority and procedure to incorporate.~~

~~Whenever a qualified corporation desires to convert into and become reconstituted and reincorporated as a water authority under and pursuant to this subchapter, the qualified corporation shall present to and file with the Arkansas Soil and Water Conservation Commission:~~

~~(1) Its resolution duly adopted by the board of directors of the qualified corporation which evidences the desire of the qualified corporation to convert into and become reconstituted and reincorporated as a water authority and which shall additionally certify that the qualified corporation:~~

~~(A) Was initially formed as a not for profit corporation;~~

~~(B) Does not have the ability to directly access the tax exempt capital markets other than through a conduit issuer; and~~

~~(C) Desires to realize interest rate savings as a result of its conversion and reconstitution as a water authority pursuant to this subchapter;~~

~~(2) Its application for reconstitution and certificate of incorporation which shall state and include the following information:~~

~~(A) The name of the water authority, which shall be the "Public Water Authority of the State of Arkansas", or some other name of similar import, it being understood that the water authority may adopt a fictitious operational name upon written request to and approval by the commission;~~

~~(B) The location of the water authority's principal office and the number of directors of the water authority, which shall be subject to change and modification as provided in the water authority's bylaws;~~

~~(C) The names and addresses of the initial board of directors of the qualified corporation;~~

~~(D) The name and address of the agent for service of process of the qualified corporation;~~

~~(E) Any other matters that the initial board of directors of the qualified corporation may deem necessary and appropriate; and~~

~~(F) Any other matters that the commission may designate and require;~~

~~(3) A copy of the qualified corporation's bylaws, along with any other information which the initial board of directors of the qualified corporation may deem necessary and appropriate;~~

~~(4) A statement and certification from the Secretary of State that the proposed name of the water authority is not identical to that of any other water authority in the state or so nearly similar as to lead to confusion and uncertainty;~~

~~(5) That filing and review fee that the commission may designate and determine from time to time; and~~

~~(6) Any other information and documents which the commission may designate and require.~~

~~4-35-206. Execution and recording.~~

~~(a) An application for reconstitution and certificate of incorporation shall be signed and acknowledged by a majority of the board of directors of a qualified corporation.~~

~~(b)(1) When an application for reconstitution and certificate of incorporation and other required documents have been so filed with and accepted by the Arkansas Soil and Water Conservation Commission as evidenced by the issuance by the commission of its certificate of existence in that form that the commission may deem appropriate, the water authority referred to therein shall come into existence and shall constitute a body corporate and politic and a political subdivision of the state under the name set forth in the certificate of incorporation, whereupon the water authority shall be vested with the rights and powers granted in this subchapter and contemporaneously therewith, the qualified corporation shall cease to exist and~~

~~all assets and liabilities of every nature, including, without limitation, all real property, personal property, contractual obligations, lending obligations outstanding, rights afforded borrowers of federal and state funds, and other tangible and intangible assets and liabilities of every nature, without need for further action or approval by any third party, shall be vested in and shall accrue to the benefit of the water authority.~~

~~(2) All meetings and records of the water authority shall be subject to the Freedom of Information Act of 1967, § 25-19-101 et seq.~~

~~(3)(A)(i) A copy of a water authority's application for reconstitution and certificate of incorporation shall additionally be filed in the office of the Secretary of State after its receipt, acceptance, and approval by the commission.~~

~~(ii) The Secretary of State may require the payment of a reasonable filing and receipt fee not in excess of the filing fee charged by the Secretary of State in connection with the receipt and filing of a corporation's articles of incorporation.~~

~~(B) Filing a copy of the application for reconstitution and a copy of the certificate of incorporation, as accepted and approved by the commission, with the Secretary of State shall serve to terminate and dissolve the previous corporate existence of the qualified corporation.~~

~~4-35-207. Board of directors.~~

~~(a)(1) A water authority shall have a board of directors composed of the number of directors provided in its certificate of incorporation.~~

~~(2) All powers of a water authority shall be exercised by its board of directors or pursuant to its authorization.~~

~~(b)(1) Directors shall be elected and determined and shall serve in accordance with those procedures that a water authority may specify in its bylaws.~~

~~(2) A water authority's bylaws shall contain provisions and procedures for the election and appointment of its directors that are identical in nature to those same provisions and procedures as contained in the qualified corporation's bylaws, unless approval to modify and amend such procedures is expressly granted in writing by the Arkansas Soil and Water Conservation Commission.~~

~~(c)(1)(A) A majority of the members of a board shall constitute a quorum for the transaction of business.~~

~~(B) No vacancy in the membership of a board shall impair the right of a quorum to exercise all the powers and duties of a water authority.~~

~~(2) A director shall continue in office until the director's successor is properly elected and accepts office.~~

~~(d) The members of a board and the officers of a water authority shall serve without compensation, except that they may be reimbursed for actual expenses incurred in and about the performance of their duties.~~

~~(e) All proceedings of a board shall be reduced to writing by the secretary of the water authority and appropriately recorded and maintained in a well-bound book.~~

~~4-35-208. Officers.~~

~~(a) The officers of a water authority shall consist of a chair, vice chair, secretary, treasurer, and such other officers as a board shall deem necessary to accomplish the purposes for which a water authority is organized.~~

~~(b) All officers of a water authority shall be persons who receive water service from the water authority.~~

~~(c) The offices of secretary and treasurer may, but need not, be held by the same person.~~

~~(d) All officers of a water authority shall be elected by the board and shall serve for those terms of office as specified in the bylaws.~~

~~4-35-209. Powers generally.~~

~~A water authority shall have the following powers, together with all powers incidental thereto or necessary to the discharge thereof:~~

~~(1) To have succession in its designated name;~~

~~(2) To sue and be sued and to prosecute and defend suits in any court having jurisdiction of the subject matter and of the parties;~~

~~(3) To make use of a seal and to alter it at pleasure;~~

~~(4) To adopt and alter bylaws for the regulation and conduct of its affairs and business;~~

~~(5) To acquire, whether by purchase, gift, lease, devise, or otherwise, property of every description which a board of directors may deem necessary to the acquisition, construction, equipment, improvement, enlargement, operation, administration, or maintenance of a project, and to hold title thereto;~~

~~(6) To construct, enlarge, equip, improve, maintain, administer, and operate one (1) or more projects;~~

~~(7) To borrow money for any of its purposes;~~

~~(8) To sell and issue its interest-bearing bonds;~~

~~(9) To sell and issue refunding bonds;~~

~~(10) To secure any of its bonds by pledge and indenture as provided in this subchapter;~~

~~(11) To appoint, employ, and compensate such general managers, executive directors, agents, architects, engineers, attorneys, accountants, and other persons and employees as the business of the water authority may require;~~

~~(12) To provide for such insurance as the board may deem advisable;~~

~~(13) To invest in obligations that are direct or guaranteed obligations of the United States or other securities in which public funds may be invested under the laws of this state, any of its funds that the board may determine are not presently needed for its operational purposes;~~

~~(14) To contract, lease, and make lease agreements respecting its properties, or any part thereof;~~

~~(15) To exercise the power of eminent domain in accordance with the procedures prescribed by § 18-15-301 et seq.; and~~

~~(16) To sell, convey, or otherwise dispose of any of its properties that may have become obsolete or worn out, or that may no longer be needed or useful in connection with, or in the operation of, any project.~~

~~4-35-210. Tax exemption of projects.~~

~~Each project, and all income therefrom, is determined and declared by the General Assembly to be public property used exclusively for a public purpose and shall be exempt from ad valorem taxation by all taxing authorities.~~

~~4-35-211. Issuance of bonds.~~

~~(a) A water authority is authorized at any time and from time to time to issue its interest bearing bonds for the purpose of acquiring, constructing, improving, enlarging, completing, and equipping one (1) or more projects.~~

~~(b)(1)(A) Prior to a water authority's proposed issuance of bonds, the water authority shall publish one (1) time in a newspaper of general circulation in the affected county or counties:~~

~~(i) Notice of the proposed issuance of bonds;~~

~~(ii) The approximate principal amount of bonds contemplated to be sold;~~

~~(iii) A general description of the project contemplated to be constructed with bond proceeds; and~~

~~(iv) The date of a public meeting at which members of the public may obtain further information regarding the sale of the bonds and the development of the project.~~

~~(B) Notice under subdivision (b)(1)(A) of this section shall be published at least ten (10) days prior to the date of the hearing described in subdivision (b)(1)(A)(iv) of this section.~~

~~(2) A water authority chair or his or her designee shall be responsible for conducting the hearing and shall require all public comments which might pertain to the proposed issuance of bonds by the water authority.~~

~~(3) Upon compliance with the provisions of this section, no other notice, hearing, or approval by any other entity or governmental unit shall be required as a condition to the issuance by a water authority of its contemplated bonds.~~

~~(c) The principal of and the interest on any bonds may be payable out of the revenues derived from the projects with respect to which the bonds are issued or from any other source available to a water authority.~~

~~(d) None of the bonds of a water authority shall ever constitute an obligation or debt of the state, the city or county in which the water authority operates, the Arkansas Soil and Water Conservation Commission, or any officer or director of the water authority, or a charge against the credit or taxing powers of the state.~~

~~(e) As the water authority shall determine, bonds of the water authority may:~~

~~(1) Be issued at any time and from time to time as may be appropriate and necessary;~~

~~(2) Be in such form and denominations as may be appropriate and necessary;~~

~~(3) Have such date or dates as may be appropriate and necessary;~~

~~(4) Mature at such time or times and in such amount or amounts, provided that no bonds may mature more than forty (40) years after the date of issuance, as may be appropriate and necessary;~~

~~(5) Bear interest payable at such times and at such rate or rates as may be established by the board, as may be appropriate and necessary;~~

~~(6) Be payable at such place or places within or without the State of Arkansas, as may be appropriate and necessary;~~

~~(7) Be subject to such terms of redemption in advance of maturity at such prices, including such premiums, as may be appropriate and necessary; and~~

~~(8) Contain such other terms and provisions as may be appropriate or necessary.~~

~~(f)(1) Bonds of a water authority may be sold at either public or private sale in such manner and from time to time as may be determined by the board of directors to be most advantageous.~~

~~(2) The water authority may pay all expenses, premiums, and commissions that the board may deem necessary or advantageous in connection with the authorization, sale, and issuance of its bonds.~~

~~(g) All bonds shall contain a recital that they are issued pursuant to the provisions of this subchapter, which recital shall be conclusive that they have been duly authorized pursuant to the provisions of this subchapter.~~

~~(h) All bonds issued under the provisions of this subchapter shall be and are declared to be negotiable instruments within the meaning of the negotiable instruments law of the state and shall be in registered form.~~

~~4-35-212. Execution of bonds.~~

~~(a) Bonds shall be executed by the manual or facsimile signature of the chair of the water authority and by the manual or facsimile signature of the secretary of the water authority.~~

~~(b) In case any of the officers whose signatures appear on the bonds shall cease to be such officer before the delivery of the bonds, their signatures shall nevertheless be valid and sufficient for all purposes.~~

~~(c) The bonds shall be sealed with the seal of the water authority.~~

~~4-35-213. Security for bonds.~~

~~(a) The principal of and interest on bonds may be secured by a pledge of the revenues of a water authority of that project financed by the water authority through its issuance of bonds or from any other source that the water authority may deem necessary and appropriate, and may be secured by the creation of a mortgage and security interest encumbering the real property of the water authority, or security interest in all personal property and revenues of the water authority as set forth in the indenture.~~

~~(b) The trustee under any indenture may be a trust company or bank having trust powers, whether located within or without the state.~~

~~(c) The indenture may contain, all as the board of directors shall deem advisable and as shall not be in conflict with the provisions of this subchapter, any agreements and provisions customarily contained in instruments securing evidences of indebtedness, including, without limiting the generality of the foregoing:~~

~~(1) Provisions respecting the nature and extent of the security;~~

~~(2) The collection, segregation, and application of the revenues generated from the operation of any project covered by the indenture;~~

~~(3) Covenants to always operate the project as a revenue producing undertaking and to charge and collect, including the obligation to increase from time to time, sufficient revenue to maintain income at required levels;~~

~~(4) The maintenance and insurance of the project;~~

~~(5) The creation and maintenance of reserve and other special funds;~~

~~and~~

~~(6) The rights and remedies available in the event of default to the holders of the bonds or the trustees under the indenture.~~

~~(d) If there is any default by a water authority in payment of the principal of or the interest on the bonds or in any of the agreements on the part of the water authority that may properly be included in any indenture securing the bonds, the bondholders or the trustee under any indenture, as authorized in such indenture, may either in law or in equity, by suit, action, mandamus, or other proceeding, enforce payment of the principal or interest and compel performance of all duties of the board and officers of the water authority and shall be entitled as a matter of right and regardless of the sufficiency of any such security to the appointment of a receiver in equity with all the powers of such receiver for the operation and maintenance of the project covered by such indenture and the collection, segregation, and applications of income and revenues therefrom.~~

~~(e) The indenture may contain provisions regarding the rights and remedies of any trustee thereunder and the holders of the bonds and the coupons and restricting the individual rights of action of the holders of the bonds and coupons.~~

~~4-35-214. Bonds – Tax exemption.~~

~~(a) The principal of and interest on bonds issued under the authority of this subchapter shall be exempt from all state, county, and municipal taxes.~~

~~(b) This exemption shall include income, inheritance, and estate taxes.~~

~~4-35-215. Proceeds from issuance of bonds.~~

~~(a) The proceeds derived from all of the bonds other than refunding bonds may be used only to pay the costs of acquiring, constructing, improving, enlarging, and equipping the project with respect to which they were issued, as may be specified in the proceedings in which the bonds are authorized to be issued and all costs incidental thereto, including, without limitation:~~

~~(1) The costs of any land forming a part of the project and all easements which may pertain to or be associated with any project;~~

~~(2) The costs of the labor, materials, and supplies used in any construction, improvement, and enlargement, including architect's and engineer's fees and the cost of preparing contract documents and advertising for bids, along with all other reasonable and necessary project costs;~~

~~(3) The purchase price of and the cost of installing equipment for the project;~~

~~(4) Legal, fiscal, accounting, and recording fees and expenses incurred in connection with the authorization, sale, and issuance of the bonds issued in connection with the project;~~

~~(5) Interest on bonds for a reasonable period prior to, during, and after the time required for such construction and equipment;~~

~~(6) The amount necessary to fund a debt service reserve in an amount deemed appropriate by the water authority;~~

~~(7) Costs associated with the obtaining of default insurance, ratings, and other credit enhancements of every nature; and~~

~~(8) Other operational expenses, reserves, and other accounts of every nature.~~

~~(b) If any of the proceeds derived from the issuance of bonds remains undisbursed after completion of the project and the making of all such expenditures, the balance shall be used for the redemption of bonds of the same issue.~~

~~4-35-216. Refunding bonds.~~

~~(a) A water authority, at any time and from time to time, may issue refunding bonds for the purpose of refunding the principal of and interest on any bonds of the water authority theretofore issued under this subchapter and then outstanding, whether or not the principal and interest shall have matured at the time of the refunding under this subchapter, and for the payment of any expenses incurred in connection with the refunding and any premium necessary to be paid in order to redeem or retire the bonds to be refunded.~~

~~(b) The proceeds derived from the sale of any refunding bonds shall be used only for the purposes for which the refunding bonds were authorized to be issued.~~

~~(c)(1) Any such refunding may be effected either by sale of the refunding bonds and the application of the proceeds thereof by immediate application or by escrow deposit, with the right to invest moneys in the escrow deposit until needed for the redemption, or by exchange of the refunding bonds for the bonds or interest coupons to be refunded thereby.~~

~~(2) However, the holders of any bonds so to be refunded shall not be compelled without their consent to surrender their bonds for payment or exchange prior to the date on which they may be paid or redeemed by the water authority under their respective provisions.~~

~~(d) Any refunding bonds of the water authority shall be payable solely from the revenues out of which the bonds to be refunded were payable or from those other sources or other revenues which might be identified in the indenture.~~

~~(e) All provisions of this subchapter pertaining to bonds of the water authority that are not inconsistent with the provisions of this section shall apply also to refunding bonds issued by the water authority, to the extent applicable.~~

~~4-35-217. Dissolution.~~

~~(a) A water authority shall be dissolved upon the expiration of its term of existence as set forth in the water authority's application for reconstitution and certificate of incorporation, if the term of existence is less than perpetual in nature.~~

~~(b) A water authority may additionally be dissolved upon application to, and the approval in writing by, the Arkansas Soil and Water Conservation Commission.~~

CHAPTER 35. WATER AUTHORITY ACT

SUBCHAPTER 1 - GENERAL PROVISIONS

4-35-101. Legislative intent.

It is the intent of the General Assembly to provide a means by which a nonprofit corporation involved in the sale, transmission, and distribution of potable water to members of the general public and commercial, industrial, and other users may form, or convert its entity status from that of a body corporate to that of a public body politic and governmental entity, thereby allowing the entity the opportunity to access the tax-exempt capital markets and assuring the State of Arkansas and the customers of the entity of the lowest water rates possible.

4-35-102. Title.

This chapter shall be known and may be cited as the "Water Authority Act".

4-35-103. Definitions.

As used in this chapter:

(1) "Articles" means the articles of constitution or the articles of conversion and reconstitution of a water authority;

(2) "Board" means the board of directors of a qualified corporation or a water authority;

(3) "Bond" means any bond, promissory note, lease purchase agreement, or other evidence of indebtedness issued, incurred, or entered into by a water authority;

(4) "Commission" means the Arkansas Soil and Water Conservation Commission;

(5) "Indenture" means a mortgage, indenture of mortgage, deed of trust, trust agreement, loan agreement, security agreement, or trust indenture executed by the water authority as security for any bonds;

(6)(A) "Project" means any raw or potable water intake, treatment, distribution, transmission, storage, pumping, well site, well field, or other facility, or any combination of the foregoing, which has as its purpose the provision of raw or potable water to members of the public and commercial, industrial, or other users, along with any and all other appurtenances, equipment, betterments, or improvements related thereto.

(B) A project may include any lands or interest in land deemed by the board to be desirable in connection with the project, and necessary equipment for the proper functioning and operation of the buildings or facilities involved;

(7) "Qualified corporation" means any nonprofit corporation originally formed pursuant to the Arkansas Nonprofit Corporation Act of 1993 codified at § 4-33-101 et seq., the Arkansas Nonprofit Corporation Act codified at § 4-28-201 et seq., or a predecessor statute, which, among other things, provides, distributes, transmits, treats, pumps, or stores raw or potable water to or for the benefit of members of the general public and commercial, industrial, and other users or which proposes to accomplish, develop, or construct any of the foregoing;

(8) "State" means the State of Arkansas;

(9) "United States" means the United States of America or any of its agencies or instrumentalities;

(10) "Water authority" means that public body politic and governmental entity organized pursuant to the provisions of this chapter; and

(11) "Water users" means members of the public and commercial, industrial, and other users who purchase their raw or potable water directly from the water authority.

4-35-104. Construction.

(a) This chapter shall be liberally construed in conformity with its intent. To this end, it shall not be necessary to comply with the general provisions of other laws dealing with public facilities, their acquisition, construction, leasing, encumbering, or disposition, including particularly, without limitation, bidding and appraisal requirements.

(b) All acts and activities of a water authority performed pursuant to the authority of this chapter are legislatively determined and declared to be essential governmental functions.

4-35-105. Authority generally.

(a) There is conferred upon a water authority the authority to take action and to do, or cause to be done, the things that shall be necessary or desirable to accomplish and implement the purposes and intent of this chapter according to the import of this chapter.

(b) It is specifically understood that, except for the provisions of this chapter or the provisions of any other chapter which authorizes the conversion of a qualified corporation to a water authority, no other statutes shall govern or pertain to the creation of a water authority under this chapter or the issuance of bonds by a water authority.

(c) A water authority authorized by this chapter shall have the right to perpetual succession as a public body politic and governmental entity.

(d) The commission shall have the authority, including the powers set forth in § 15-20-206, to promulgate rules and regulations for carrying out the intent of this chapter.

4-35-106. No members.

A water authority shall not have members.

4-35-107. Freedom of Information Act.

All meetings and records of the water authority shall be subject to the Freedom of Information Act of 1967, § 25-19-101 et seq.

4-35-108. Tax exemption of projects.

Each project by a water authority, and all income from each project, is determined and declared by the General Assembly to be public property used exclusively for a public purpose and shall be exempt from ad valorem taxation by all taxing authorities.

4-35-109. Exemption from jurisdiction of Arkansas Public Service Commission.

Water authorities organized under this chapter shall be exempt in any and all respects from the jurisdiction and control of the Arkansas Public Service Commission.

4-35-110. Revenues.

(a) A water authority formed pursuant to this chapter shall be operated without profit, but the rates, fees, rent, or other charges for water and other facilities, supplies, equipment, or services furnished by the water authority shall be sufficient at all times:

(1) To pay all operating and maintenance expenses necessary or desirable for the prudent conduct of its affairs and the principal of and interest on the obligations issued or assumed by the water authority in the performance of the purposes for which it was organized; and

(2) For the creation of adequate reserves.

(b) The revenues of the water authority shall be devoted first to the payment of operating and maintenance expenses and the principal and interest on outstanding obligations, and thereafter to reserves for improvements, new construction, depreciation, and contingencies as the board of directors may from time to time prescribe and to such other purposes approved by the board, including rebates to water users.

4-35-111. Dissolution.

(a)(1) A water authority shall be dissolved upon the expiration of its term of existence as set forth in the water authority's articles, if the term of existence is less than perpetual in nature.

(2) Upon the dissolution, a notice shall be filed with both the Arkansas Soil and Water Conservation Commission and the Secretary of State.

(b)(1) A water authority may also be dissolved upon filing articles of dissolution with, and the approval in writing by the commission.

(2) If approved by the commission, articles of dissolution shall also be filed with the Secretary of State.

(c) Upon dissolution, any assets of a water authority remaining after payment of claims and liabilities of the water authority shall be transferred to another water authority, with approval of the commission, or to the State of Arkansas or a subdivision of the state, including the commission.

SUBCHAPTER 2 - FORMATION OF AND CONVERSION TO
A PUBLIC WATER AUTHORITY

4-35-201. Authority and procedure to form a water authority.

Two (2) or more persons, which may include cities, counties, or other public bodies, may form a water authority authorized by this chapter by presenting to and filing with the Arkansas Soil and Water Conservation Commission the following:

(1) Articles of constitution which shall state and include the following information:

(A) The name of the water authority, which shall include the words "public water authority", it being understood that the water authority may adopt a fictitious operational name upon written request to and approval by the commission and the Secretary of State;

(B) The location of the water authority's principal office;

(C) The number of directors of the water authority, which shall be at least five (5) and shall be subject to change as provided in this chapter or in the water authority's bylaws;

(D) The names and addresses of the proposed initial board of directors of the water authority;

(E) The name and address of the agent for service of process of the water authority;

(F) The proposed geographic service area over which the water authority will have jurisdiction; and

(G) Any other matters that the proposed initial board of directors of the water authority may deem necessary and appropriate;

(2) A copy of the water authority's proposed bylaws, along with any other information which the proposed initial board of directors of the water authority may deem necessary and appropriate;

(3) A statement and certification from the Secretary of State that the proposed name of the water authority is not identical to that of any other water authority in the state or so nearly similar as to lead to confusion and uncertainty;

(4) The filing and review fee that the commission may designate and determine from time to time; and

(5) Any other information and documents which the commission may designate and require.

4-35-202. Authority and procedure to convert to a water authority.

(a) Whenever a qualified corporation desires to convert to and become reconstituted as a water authority under and pursuant to this chapter, the qualified corporation shall present to and file with the Arkansas Soil and Water Conservation Commission:

(1) A resolution adopted by the board of directors of the qualified corporation and, if the qualified corporation has members, the members of the qualified corporation, which evidences the desire of the qualified corporation to convert to and become reconstituted as a water authority and which shall additionally certify that the qualified corporation:

(A) Was initially formed as a nonprofit corporation;

(B) Does not have the ability to directly access the tax-exempt capital markets other than through a conduit issuer; and

(C) Desires to realize interest rate savings as a result of its conversion to and reconstitution as a water authority pursuant to this chapter;

(2) Articles of conversion and reconstitution which shall be signed by a majority of the water authority's proposed initial board of directors and which shall state and include the following information:

(A) The name of the water authority, which shall include the words "public water authority", it being understood that the water authority may adopt a fictitious operational name upon written request to and approval by the commission and the Secretary of State;

(B) The location of the water authority's principal office;

(C) The number of directors of the water authority, which number shall be at least five (5) and shall be subject to change as provided in this chapter or in the water authority's bylaws;

(D) The names and addresses of the proposed initial board of directors of the water authority;

(E) The name and address of the agent for service of process of the water authority;

(F) The proposed geographic service area over which the water authority will have jurisdiction; and

(G) Any other matters that the proposed initial board of directors of the water authority may deem necessary and appropriate;

(3) A copy of the water authority's proposed bylaws, along with any other information which the proposed initial board of directors of the water authority may deem necessary and appropriate;

(4) A statement and certification from the Secretary of State that the proposed name of the water authority is not identical to that of any other water authority in the state or so nearly similar as to lead to confusion and uncertainty;

(5) The filing and review fee that the commission may designate and determine from time to time; and

(6) Any other information and documents which the commission may designate and require.

(b) In the event the qualified corporation has members:

(1)(A) Membership approval is required for the qualified corporation to convert into and become reconstituted as a water authority.

(B) Approval shall be obtained in the manner determined prior to conversion under the qualified corporation's articles, bylaws, or applicable statutes; and

(2) After conversion, the water authority shall have no members.

4-35-203. Effect of formation - Filing with the Secretary of State.

(a) When articles of constitution or articles of conversion and reconstitution and other required documents have been filed with and accepted by the Arkansas Soil and Water Conservation Commission, as evidenced by the issuance by the commission of its certificate of existence in that form that the commission may deem appropriate, the water authority referred to in the articles shall come into existence and shall constitute a public body politic and governmental entity of the State of Arkansas under the name set forth in the certificate of existence, whereupon the water authority shall be vested with the rights and powers granted in this chapter; contemporaneously therewith, with respect to a conversion the qualified corporation shall cease to exist, and all assets and liabilities of every nature, including, without limitation, all real property, personal property, contractual obligations, lending obligations outstanding, rights afforded borrowers of federal and state funds, and other tangible and intangible assets and liabilities of every nature, without need for further action or approval by any third party, shall be vested in and shall accrue to the benefit of the water authority.

(b)(1)(A) A copy of a water authority's articles of constitution or articles of conversion and reconstitution shall additionally be filed in the office of the Secretary of State after its receipt, acceptance, and approval by the commission.

(B) The Secretary of State may require the payment of a reasonable filing and receipt fee not in excess of the filing fee charged by the Secretary of State in connection with the receipt and filing of a corporation's articles of incorporation.

(2) Filing a copy of the articles of constitution or articles of conversion and reconstitution, as accepted and approved by the commission, with the Secretary of State shall serve to terminate and dissolve the previous corporate existence of the qualified corporation, effective as of the date of the issuance of the certificate of existence.

4-35-204. Board of directors.

(a) A water authority shall have a board of directors composed of at least five (5) members. The specific number of initial directors and their terms of office shall be provided in its articles filed with the Arkansas Soil and Water Conservation Commission. Changes to the number and terms of directors may be provided in the articles or bylaws.

(b)(1) The initial directors of a water authority shall be approved by the commission, and they shall serve in accordance with those procedures that a water authority may specify in its bylaws.

(2)(A) A director shall continue in office until the director's successor is properly elected and accepts office.

(B) Successor directors shall be elected either by the board or by the water users, as set forth in the bylaws.

(C) A director may serve successive terms.

(3) It is permissible for the bylaws of a water authority to provide that directors shall be selected from specific geographic areas within the total geographic area serviced by a water authority.

(4) In the event a water authority wants to modify or amend the procedures for election of directors, approval shall be expressly granted in writing by the commission.

(c) Unless otherwise provided in the articles or bylaws, the following shall apply to meetings of the board:

(1)(A) If the time and place of a directors' meeting is fixed by the bylaws or the board, the meeting is a regular meeting. All other meetings are special meetings.

(B) A board may permit any or all directors to participate in a regular or special meeting by, or conduct the meeting through the use of, any means of communication by which all directors participating may simultaneously hear each other during the meeting. A director participating in a meeting by this means is deemed to be present in person at the meeting.

(2)(A) Except as provided in subdivision (c)(2)(C) of this section, regular meetings of the board may be held without notice.

(B) Except as provided in subdivision (c)(2)(C) of this section, special meetings of the board shall be preceded by at least two (2) days' written notice to each director of the date, time, and place, but not the purpose, of the meeting.

(C) Any board action to remove a director shall not be valid unless each director is given at least seven (7) days' written notice that the matter will be voted upon at a directors' meeting or unless notice is waived.

(D) The presiding officer of the board, the president, or twenty percent (20%) of the directors then in office may call and give notice of a meeting of the board.

(3)(A) A director may at any time waive any notice required by this chapter, the articles, or bylaws. Except as provided in subdivision (c)(3)(B) of this section, the waiver shall be in writing, signed by the director entitled to the notice, and filed with the minutes of the water authority's records. A signed waiver delivered by facsimile transmittal shall constitute a valid waiver of notice under this section.

(B) A director's attendance at or participation in a meeting waives any required notice of the meeting unless the director, upon arriving at the meeting or prior to the vote on a matter not noticed in conformity with this chapter, the articles or bylaws, objects to lack of notice and does not thereafter vote for or assent to the objected to action.

(4)(A) Except as provided in the bylaws, a majority of the members of a board shall constitute a quorum for the transaction of business, and a vote of a majority of a quorum shall constitute an act of the board.

(B) No vacancy in the membership of a board shall impair the right of a quorum to exercise all the powers and duties of a water authority.

(C) All powers of a water authority shall be exercised by its board of directors or pursuant to its authorization.

(d)(1)(A) Unless prohibited or limited by the articles or bylaws, a board of directors may create one (1) or more committees of the board and appoint members of the board to serve on them.

(B) Each committee shall have two (2) or more directors who shall serve at the direction of the board.

(2) A committee of the board may not:

(A) Authorize the issuance of bonds or any related matters;

(B) Approve or recommend dissolution or the sale, pledge, or transfer of all or substantially all of the water authority's assets;

(C) Elect, appoint, or remove directors or fill vacancies on the board or on any of its committees; or

(D) Adopt, amend, or repeal the articles or bylaws.

(e)(1) A director shall discharge his or her duties as a director, including his or her duties as a member of a committee:

(A) In good faith;

(B) With the care an ordinarily prudent person in a like position would exercise under similar circumstances; and

(C) In a manner the director reasonably believes to be in the best interests of the water authority.

(2) In discharging his or her duties, a director is entitled to rely on information, opinions, reports, or statements, including financial statements and other financial data, if prepared or presented by:

(A) One (1) or more officers or employees of the water authority whom the director reasonably believes to be reliable and competent in the matters presented;

(B) Legal counsel, public accountants, or other persons as to matters the director reasonably believes are within the person's professional or expert competence; or

(C) A committee of the board of which the director is not a member, as to matters within its jurisdiction, if the director reasonably believes the committee merits confidence.

(f) The members of the board of a water authority shall serve without compensation, except that they may be reimbursed for actual expenses incurred in the performance of their duties.

(g) All proceedings of a board shall be reduced to writing by the secretary of the water authority and appropriately recorded and maintained.

4-35-205. Officers.

(a) The officers of a water authority shall consist of a president, vice president, secretary, treasurer, and such other officers as the board of directors shall deem necessary to accomplish the purposes for which a water authority is organized.

(b) The offices of secretary and treasurer may be held by the same person.

(c) All officers of a water authority shall be elected by the board and shall serve for those terms of office as specified in the bylaws.

(d)(1) An officer may resign at any time by delivering notice to the water authority.

(2)(A) A resignation is effective when the notice is effective unless the notice specifies a future effective date.

(B) If a resignation is made effective at a future date and the water authority accepts the future effective date, its board of directors may fill the pending vacancy before the effective date if the board provides that the successor does not take office until the effective date.

(e) A board may remove any officer at any time with or without cause.

4-35-206. Notice.

(a) Notice may be communicated in person, by telegraph, teletype, telecopier, facsimile, or other similar form of wire or wireless communication, or by mail or private carrier.

(b) Written notice, if in a comprehensible form, is effective at the earliest of the following:

(1) When received;

(2) Two (2) days after its deposit in the United States mail, as evidenced by the postmark, if mailed correctly addressed and with first class postage affixed; or

(3) On the date shown on the return receipt, if sent by registered or certificated mail, return receipt requested, and the receipt is signed by or on behalf of the addressee.

4-35-207. Bylaws.

(a) The persons forming the water authority or the initial board of directors shall adopt bylaws for the water authority and shall file a copy of the executed bylaws with the Arkansas Soil and Water Conservation Commission.

(b) The bylaws may contain any provision for regulating and managing the affairs of the water authority that is not inconsistent with law or the articles.

4-35-208. Amendment to articles or bylaws.

(a) Subject to subdivisions (c)(2) and (d) of this section, a water authority may amend its articles or bylaws at any time by a majority of the members of the board of directors at any regular or special meeting at which a quorum is present.

(b) Any amendment to the articles of a water authority shall be delivered to and filed with both the Arkansas Soil and Water Conservation Commission and the Secretary of State setting forth:

(1) The name of the water authority;
(2) The text of each amendment adopted;
(3) The date of each amendment's adoption; and
(4) A statement that the amendment was approved by a sufficient vote of the board of directors.

(c)(1) Any amendment to the bylaws shall be filed by the secretary of the water authority with the books and records of the water authority.

(2) However, any change with respect to the number of directors or the procedure for electing or nominating directors shall first be approved in writing by the commission and, if approved, shall be filed with the commission.

(d) The commission shall approve in writing any amendment to the articles or bylaws which changes the geographic service area over which the water authority has jurisdiction.

4-35-209. Registered office and registered agent.

(a) Each water authority shall continuously maintain in this state:

(1) A registered office with the same address, which must include a street address, as that of the registered agent; and

(2) A registered agent, who is an individual residing in this state and whose office is identical with the registered office.

(b) A water authority may change its registered office or registered agent by delivering to the commission and the Secretary of State for filing a statement of change that sets forth:

(1) The name of the water authority;

(2) The street address of its current registered office;

(3) If the current registered office is to be changed, the street address of the new registered office;

(4) The name of its current registered agent; and

(5) If the current registered agent is to be changed, the name of the new registered agent.

4-35-210. Powers generally.

A water authority shall have the following powers, together with all powers incidental thereto or necessary to the discharge thereof:

(1) To have succession in its designated name;

(2) To sue and be sued and to prosecute and defend suits in any court having jurisdiction of the subject matter and of the parties;

(3) To make use of a seal and to alter it at pleasure;

(4) To adopt and alter bylaws for the regulation and conduct of its affairs and business;

(5) To acquire, whether by purchase, gift, lease, devise, or otherwise, property of every description which a board of directors may deem necessary to the acquisition, construction, equipment, improvement, enlargement, operation, administration, or maintenance of a project, and to hold title thereto;

(6) To construct, enlarge, equip, improve, maintain, administer, and operate one (1) or more projects;

(7) To borrow money for any of its purposes;

(8) To sell and issue its interest-bearing bonds;

(9) To sell and issue refunding bonds;

(10) To secure any of its bonds by pledge and indenture as provided in this subchapter;

(11) To appoint, employ, and compensate such general managers, executive directors, agents, architects, engineers, attorneys, accountants, and other persons and employees as the business of the water authority may require;

(12) To provide for such insurance as the board may deem advisable;

(13) To invest in obligations that are direct or guaranteed obligations of the United States or other securities in which public funds may be invested under the laws of this state, any of its funds that the board may determine are not presently needed for its operational purposes;

(14) To invest the proceeds of bonds or any debt service reserves or sinking funds securing the payment of the bonds in any obligations, securities, repurchase agreements or investment agreements authorized or permitted by the resolution of the water authority authorizing the same or the indenture securing the same;

(15) To contract, lease, and make lease agreements respecting its properties, or any part thereof, as lessor or lessee, including financing lease agreements;

(16) To exercise the power of eminent domain in accordance with the procedures prescribed by §§ 18-15-301 through 18-15-309;

(17) To sell and convey, mortgage, pledge or otherwise dispose of any of its properties, assets, franchises, rights, privileges, licenses, rights of way and easements;

(18) To own and operate facilities necessary to provide potable water and associated services to Arkansas residents;

(19) To fix, regulate, and collect rates, fees, and rents, or other charges for water and any other facilities, supplies, equipment, or services furnished by the water authority;

(20) To do and perform all acts and things and have and exercise any and all powers as may be convenient or appropriate to effectuate the purposes for which the water authority is formed;

(21) To purchase, receive, or in any manner acquire, own, hold, and use any and all real and personal property or any interest therein on such terms as determined by the board of directors of the water authority to be in the best interest of the water authority; and

(22) To enter into water contracts for the purchase or sale of water on a wholesale basis, on such terms and conditions as the board of directors shall determine is in the best interest of the water authority.

SUBCHAPTER 3 - BOND PROVISIONS

4-35-301. Issuance of bonds.

(a) A water authority is authorized at any time and from time to time to issue its interest-bearing bonds for the purpose of acquiring, constructing, improving, enlarging, completing, and equipping one (1) or more projects.

(b)(1)(A) Prior to a water authority's proposed issuance of bonds, the water authority shall publish one (1) time in a newspaper of general circulation in the affected county or counties in which the project or projects are or will be located:

(i) Notice of the proposed issuance of bonds;

(ii) The maximum principal amount of bonds contemplated to be sold;

(iii) A general description of the project contemplated to be financed or refinanced with bond proceeds; and

(iv) The date, time, and location of a public meeting at which members of the public may obtain further information regarding the bonds and the development of the project.

(B) Notice under subdivision (b)(1)(A) of this section shall be published at least ten (10) days prior to the date of the hearing described in subdivision (b)(1)(A)(iv) of this section.

(2) A water authority president or his or her designee shall be responsible for conducting the hearing and shall require all public comments which might pertain to the proposed issuance of bonds by the water authority.

(3) Upon compliance with the provisions of this section, no other notice, hearing, or approval by any other entity or governmental unit shall be required as a condition to the issuance by a water authority of its contemplated bonds.

(4) The requirements of this subsection shall not apply to the issuance of bonds to refund bonds of the water authority for which a public hearing was held.

(c) The principal of and the interest on any bonds may be payable out of the revenues derived from the projects with respect to which the bonds are issued or from any other source available to a water authority.

(d) None of the bonds of a water authority shall ever constitute an obligation or debt of the state, the city, or county in which the water authority operates, the Arkansas Soil and Water Conservation Commission, or any officer or director of the water authority, or a charge against the credit or taxing powers of the state.

(e) As the water authority shall determine, bonds of the water authority may:

(1) Be issued at any time and from time to time as may be appropriate and necessary;

(2) Be in such form and denominations as may be appropriate and necessary;

(3) Have such date or dates as may be appropriate and necessary;

(4) Mature at such time or times and in such amount or amounts, provided that no bonds may mature more than forty (40) years after the date of issuance, as may be appropriate and necessary;

(5) Bear interest payable at such times and at such rate or rates as may be established by the board, as may be appropriate and necessary;

(6) Be payable at such place or places within or without the State of Arkansas, as may be appropriate and necessary;

(7) Be subject to such terms of redemption in advance of maturity at such prices, including such premiums, as may be appropriate and necessary; and

(8) Contain such other terms and provisions as may be appropriate or necessary.

(f)(1) Bonds of a water authority may be sold at either public or private sale in such manner and from time to time as may be determined by the board of directors to be most advantageous.

(2) The water authority may pay all expenses, premiums, and commissions that the board may deem necessary or advantageous in connection with the authorization, sale, and issuance of its bonds.

(g) All bonds shall contain a recital that they are issued pursuant to the provisions of this chapter, which recital shall be conclusive that they have been authorized pursuant to the provisions of this chapter.

(h) All bonds issued, other than financing leases, under the provisions of this chapter shall be negotiable instruments within the meaning of the negotiable instruments law of the state and shall be in registered form.

(i) All bonds issued under this chapter shall be approved by resolution adopted by the board of directors of the water authority.

4-35-302. Execution of bonds.

(a) Bonds shall be executed by the manual or facsimile signature of the president of the water authority and by the manual or facsimile signature of the secretary of the water authority.

(b) In case an officer whose signature appears on the bonds shall cease to be such officer before the delivery of the bonds, his or her signature shall nevertheless be valid and sufficient for all purposes.

(c) If there is a seal, the bonds shall be sealed with the seal of the water authority.

4-35-303. Security for bonds.

(a) The principal of and interest on bonds may be secured by a pledge of the revenues of a water authority of that project financed by the water authority through its issuance of bonds or from any other source that the water authority may deem necessary and appropriate, and may be secured by the creation of a forecloseable mortgage and security interest encumbering the real property of the water authority, or security interest in all personal property and revenues of the water authority as set forth in the indenture.

(b) The trustee under any indenture may be a trust company or bank having trust powers, whether located within or without the state.

(c) The bond resolution of the water authority authorizing the bonds or indenture may contain, all as the board of directors shall deem advisable and as shall not be in conflict with the provisions of this subchapter, any agreements and provisions customarily contained in instruments securing evidences of indebtedness, including, without limiting the generality of the foregoing:

(1) Provisions respecting the nature and extent of the security;

(2) The collection, segregation, and application of the revenues generated from the operation of any project covered by the bonds, the resolution, or the indenture;

(3) Covenants to always operate the project as a revenue-producing undertaking and to charge and collect, including the obligation to increase from time to time, sufficient revenue to maintain income at required levels;

(4) The maintenance and insurance of the project;

(5) The creation and maintenance of reserve and other special funds;

and

(6) The rights and remedies available in the event of default to the holders of the bonds or the trustees under the indenture, bond, or resolution.

(d) If there is any default by a water authority in payment of the principal of or the interest on the bonds or in any of the agreements on the part of the water authority that may properly be included in any indenture, bond, or resolution securing the bonds, the bondholders or the trustee under any bond, resolution, or indenture, as authorized in the bond, resolution, or indenture, may either in law or in equity, by suit, action, mandamus, or other proceeding, enforce payment of the principal or interest and compel performance of all duties of the board and officers of the water authority and shall be entitled as a matter of right and regardless of the sufficiency of any such security to the appointment of a receiver in equity with all the powers of the receiver for the operation and maintenance of the project covered by the indenture, bond, or resolution and the collection, segregation, and applications of income and revenues therefrom.

(e) The indenture, bond, or resolution may contain provisions regarding the rights and remedies of any trustee thereunder and the holders of the bonds and the coupons and restricting the individual rights of action of the holders of the bonds and coupons.

(f)(1) In the event of a default in the payment of the principal of or interest on any bonds issued under the provisions of this chapter, any court having jurisdiction may appoint a receiver to take charge of the facilities upon or in which there is a mortgage lien or security interest securing the bonds in default.

(2) The receiver shall have the power and authority to operate and maintain the facilities in receivership and to charge and collect payments, fees, rents, and charges sufficient to provide for the payment of any costs of receivership and operating expenses of the project in receivership and to apply the revenues derived from the facilities in receivership in conformity with this chapter and the resolution or trust indenture securing the bonds in default.

(3) When the default has been cured, the receivership shall be ended and the facilities returned to the water authority.

(g) The relief provided for in this section shall be construed to be in addition and supplemental to the other remedies provided for in this chapter and the remedies that may be provided for in the resolution or trust indenture authorizing or securing the bonds, and shall be so granted and administered as to accord full recognition to priority rights of bondholders as to the pledge of revenues from and mortgage lien on or security interest in facilities as specified in and fixed by the resolution or trust indenture authorizing or securing successive issues of bonds.

4-35-304. Bonds - Tax exemption.

(a) The principal of and interest on bonds issued under the authority of this subchapter shall be exempt from all state, county, and municipal taxes.

(b) This exemption shall include income, inheritance, and estate taxes.

4-35-305. Proceeds from issuance of bonds.

(a) The proceeds derived from all of the bonds other than refunding bonds may be used only to pay the costs of acquiring, constructing, improving, enlarging, and equipping the project with respect to which they were issued, as may be specified in the proceedings in which the bonds are authorized to be issued and all costs incidental thereto, including, without limitation:

(1) The costs of any land forming a part of the project and all easements which may pertain to or be associated with any project;

(2) The costs of the labor, materials, and supplies used in any construction, improvement, and enlargement, including architect's and engineer's fees and the cost of preparing contract documents and advertising for bids, along with all other reasonable and necessary project costs;

(3) The purchase price of and the cost of installing equipment for the project;

(4) Legal, fiscal, accounting, and recording fees and expenses incurred in connection with the authorization, sale, and issuance of the bonds issued in connection with the project;

(5) Interest on bonds for a reasonable period prior to, during, and after the time required for the construction and equipment;

(6) The amount necessary to fund a debt service reserve in an amount deemed appropriate by the water authority;

(7) Costs associated with the obtaining of default insurance, ratings, and other credit enhancements of every nature; and

(8) Other operational expenses, reserves, and other accounts of every nature.

(b) If any of the proceeds derived from the issuance of bonds remains undisbursed after completion of the project and the making of all such expenditures, the balance shall be used to pay principal of and interest on the bonds to fund a debt service reserve or for the redemption of bonds of the same issue.

4-35-306. Refunding bonds.

(a) A water authority, at any time and from time to time, may issue refunding bonds for the purpose of refunding the principal of and interest on any bonds of the water authority theretofore issued under this subchapter or bonds originally issued by the qualified corporation and then outstanding, whether or not the principal and interest shall have matured at the time of the refunding under this subchapter, and for the payment of any expenses incurred in connection with the refunding and any premium necessary to be paid in order to redeem or retire the bonds to be refunded.

(b) The proceeds derived from the sale of any refunding bonds shall be used only for the purposes for which the refunding bonds were authorized to be issued.

(c)(1) Any of the refunding may be effected either by sale of the refunding bonds and the application of the proceeds by immediate application or by escrow deposit, with the right to invest moneys in the escrow deposit until needed for the redemption, or by exchange of the refunding bonds for the bonds or interest coupons to be refunded thereby.

(2) However, the holders of any bonds to be refunded shall not be compelled without their consent to surrender their bonds for payment or exchange prior to the date on which they may be paid or redeemed by the water authority under their respective provisions.

(d) Any refunding bonds of the water authority shall be payable solely from the revenues out of which the bonds to be refunded were payable or from those other sources or other revenues which might be identified in the indenture or resolution authorizing the bonds.

(e) All provisions of this chapter pertaining to bonds of the water authority that are not inconsistent with the provisions of this section shall apply also to refunding bonds issued by the water authority, to the extent applicable.

SECTION 4. Transitional rules.

(a)(1) With respect to any water authority which was formerly a qualified corporation, as defined in § 4-35-103, and which converted to and became reconstituted as a water authority pursuant to Act 117 of 2001, had members prior to the conversion, and did not cause a member vote to be taken with respect to the conversion, then in the event any such water authority causes a vote to be taken of its former members to approve the conversion, such vote of the members shall be retroactive to the original date of conversion.

(2) "Former members" means those members who existed as of the day of the conversion.

(3) This transitional rule applies to any water authority that:

(A) Was formed prior to the effective date of this act; and

(B) Causes its former members to vote to ratify and approve its conversion on or before January 1, 2005.

(4) This transitional rule shall have no effect with respect to a water authority formed prior to the effective date of this act and which did not or does not cause a member vote to be taken in connection with a conversion.

(b) With respect to those entities formed pursuant to the provisions of Acts 1999, No. 1003, or Acts 2001, No. 117, prior to the effective date of this act, they shall immediately be governed by the provisions of §§ 4-35-101 through 4-35-306 at the time this act becomes effective.

SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that the statutes relating to water authorities and related laws need amending in order to better reflect the intent and operation of those laws as originally drafted and to be consistent with current trends. 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/ Marvin Childers

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Norton, **HOUSE BILL NO. 2614** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2614

Amend **HOUSE BILL NO. 2614** as originally introduced:

Page 5, line 23 add the following:

"5-54-202. Soliciting material support for terrorism – Providing material support for a terrorist act.

(a)(1)(A) A person commits the offense of soliciting material support for terrorism if the person knowingly raises, solicits, or collects material support or resources knowing that the material support or resources will be used, in whole or in part, to plan, prepare, carry out, or avoid apprehension for committing terrorism or causing a catastrophe, as defined under § 5-38-202, or who knows that the material support or resources so raised, solicited, or collected will be used by an organization designated under § 8 U.S.C. 1189, as it existed March 1, 2003, and which designates foreign terrorist organizations.

(B) It is not an element of the offense that the defendant knows that an organization has been designated under § 8 U.S.C. 1189, as it existed March 1, 2003.

(2) Soliciting material support for terrorism is a Class Y felony.

(b)(1) A person commits the offense of providing material support for a terrorist act if the person knowingly provides material support or resources to a person knowing that the person will use that support or those resources in whole or in part to plan, prepare, carry out, facilitate, or to avoid apprehension for committing an act of terrorism or to cause a catastrophe, as defined under § 5-38-202.

(2) Providing material support for a terrorist act is a Class Y felony.

5-54-203. Making a terrorist threat.

(a) A person commits the offense of making a terrorist threat when, with the purpose to intimidate or coerce a civilian population, influence the policy of a government or a unit of government, the person in any manner knowingly threatens to commit or causes to be committed a terrorist act and thereby causes a reasonable expectation or fear of the imminent commission of a terrorist act or of another terrorist act.

(b) It is not a defense to a prosecution under this section that at the time the person made the terrorist threat, unknown to him or her, it was impossible to carry out the threat, nor is it a defense that the threat was not made to a person who was a subject or intended victim of the threatened act.

(c) Making a terrorist threat is a Class A felony.

5-54-204. Falsely making a terrorist threat.

(a) A person commits the offense of falsely communicating a terrorist threat when, in any manner, the person knowingly makes a threat to commit or cause to be committed a terrorist act or otherwise creates the impression or belief that a terrorist act is about to be or has been committed, or, in any manner, knowingly makes a threat to commit or cause to be committed a catastrophe, as defined under § 5-38-202, which the person knows is false.

(b) Falsely communicating a terrorist threat is a Class B felony.

5-54-205. Terrorism.

(a) A person commits the offense of terrorism when, with the intent to intimidate or coerce a civilian population, influence the policy of a branch of government using intimidation or coercion, affect the conduct of a branch or level of government by intimidation or coercion, retaliate against a civilian population or branch of government for a policy or conduct, or make a statement the person:

(1) Knowingly commits an act of terrorism within this state; or

(2) While outside this state, knowingly commits an act of terrorism that takes effect within this state or produces substantial detrimental effects within this state.

(b) Terrorism is a Class Y felony.

5-54-206. Terrorism - - Enhanced penalties.

(a) Any person who is found guilty of or who pleads guilty or nolo contendere to terrorism, § 5-54-205, may be subject to an enhanced sentence of an additional term of imprisonment of ten (10) years if the person's acts caused serious physical injury to a law enforcement officer, fire fighter, or emergency service technician providing emergency assistance at the scene of the act of terrorism.

(b) The enhanced portion of the sentence shall be consecutive to any other sentence imposed.

(c) Any person sentenced under this section shall not be eligible for early release on parole for the enhanced portion of the sentence.

5-54-207. Hindering prosecution of terrorism.

(a) A person commits the offense of hindering prosecution of terrorism when the person renders criminal assistance to a person who has committed terrorism, as defined in Arkansas Code § 5-54-205, or causing a catastrophe, as defined in § 5-38-202, when he or she knows that the person to whom he or she rendered criminal assistance engaged in an act of terrorism or caused a catastrophe.

(b) Hindering prosecution of terrorism is a Class B felony.

5-54-208. Exposing the public to toxic biological, chemical, or radioactive substances.

(a) A person commits the offense of exposing the public to toxic biological, chemical, or radioactive substances when the person knowingly delivers or causes the delivery of a biological, chemical, or radioactive substance to a governmental facility, school, business, hospital, office building, or similar facility open to the public, with the purpose of causing bodily injury or evacuation of the facility.

(b) Exposing the public to toxic biological, chemical, or radioactive substances is a Class Y felony.

5-54-209. Use of a hoax substance.

(a) A person commits the offense of use of a hoax substance when the person knowingly delivers or causes the delivery of a hoax substance to a governmental facility, school, business, hospital, office building, or similar facility open to the public, or to a person's home, business, or place of work with the purpose of causing anxiety, unrest, fear or personal discomfort or the evacuation of the facility.

(b) Use of a hoax substance is a Class D felony.

5-54-210. Restitution.

The court may order, in addition to any other restitution ordered under § 5-4-205, that a person who violates this section make restitution to the state or any of its political subdivisions for any cleanup costs associated with the commission of any offense in this subchapter.

SECTION 4. Arkansas Code § 5-71-210 is amended to read as follows:

5-71-210. Communicating a false alarm.

(a) A person commits the offense of communicating a false alarm if he or she purposely initiates or circulates a report of a present, past, or impending bombing, fire, offense, catastrophe, or other emergency knowing that the report is false or baseless and knowing that it is likely:

(1) To cause action of any sort by an official or volunteer agency organized to deal with emergencies; or

(2) To place any person in fear of physical injury to himself or another person or of damage to his or her property or that of another person; or

(3) To cause total or partial evacuation of any occupiable structure, vehicle, or vital public facility.

(b)(1) Communicating a false alarm is a Class ~~D~~ B felony if:

(A) Physical injury to a person results; or

(B) Otherwise, it is a Class ~~A misdemeanor~~ D felony.

(c) The court may order, in addition to any other restitution ordered under § 5-4-205, that a person who violates this section make restitution to the state or any of its political subdivisions for any cleanup costs associated with the commission of the offense.

SECTION 5. Arkansas Code § 5-10-101(a) is amended to read as follows:

5-10-101. Capital murder.

(a) A person commits capital murder if:

(1) Acting alone or with one (1) or more other persons, he or she commits or attempts to commit rape, kidnapping, vehicular piracy, robbery, burglary, a felony violation of the Uniform Controlled Substances Act §§ 5-64-101 -- 5-64-608, involving an actual delivery of a controlled substance, or escape in the first degree, and in the course of and in furtherance of the felony, or in immediate flight therefrom, he or she or an accomplice causes the death of any person under circumstances manifesting extreme indifference to the value of human life; or

(2) Acting alone or with one (1) or more other persons, he or she commits or attempts to commit arson, and in the course of and in furtherance of the felony or in immediate flight therefrom, he or she or an accomplice causes the death of any person; or

(3) With the premeditated and deliberated purpose of causing the death of any law enforcement officer, jailer, prison official, fire fighter, judge or other court official, probation officer, parole officer, any military personnel, or teacher or school employee, when such person is acting in the line of duty, he or she causes the death of any person; or

(4) With the premeditated and deliberated purpose of causing the death of another person, he or she causes the death of any person; or

(5) With the premeditated and deliberated purpose of causing the death of the holder of any public office filled by election or appointment or a candidate for public office, he or she causes the death of any person; or

(6) While incarcerated in the Department of Correction or the Department of Community Punishment, he or she purposely causes the death of another person after premeditation and deliberation; or

(7) Pursuant to an agreement that he or she cause the death of another person in return for anything of value, he or she causes the death of any person; or

(8) He or she enters into an agreement whereby one person is to cause the death of another person in return for anything of value, and the person hired, pursuant to the agreement, causes the death of any person; or

(9) Under circumstances manifesting extreme indifference to the value of human life, he or she knowingly causes the death of a person fourteen (14) years of age or younger at the time the murder was committed, provided that the defendant was eighteen (18) years of age or older at the time the murder was committed. It shall be an affirmative defense to any prosecution under this subdivision (a)(9) arising from the failure of the parent, guardian, or person standing in loco parentis to provide specified medical or surgical treatment, that the parent, guardian, or person standing in loco parentis relied solely on spiritual treatment

through prayer in accordance with the tenets and practices of an established church or religious denomination of which he or she is a member; or

(10) He or she purposely discharges a firearm from a vehicle at a person, or at a vehicle, conveyance, or a residential or commercial occupiable structure he or she knows or has good reason to believe to be occupied by a person, and thereby causes the death of another person under circumstances manifesting extreme indifference to the value of human ~~life~~. life; or

(11) Acting alone or with one (1) or more other persons, he or she commits or attempts to commit terrorism, § 5-54-205, and in the course of and in furtherance of the act of terrorism or its attempt, or in immediate flight therefrom, he or she or an accomplice causes the death of any person under circumstances manifesting extreme indifference to the value of human life.

SECTION 6. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that the State of Arkansas' criminal statutes do not adequately address terrorism, as terrorism is known since September 11, 2001. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor; or

(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/ James Norton

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Wood, **HOUSE BILL NO. 2326** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 2326

Amend **HOUSE BILL NO. 2326** as engrossed, 3/13/03:

Add Representative Ferguson as co-sponsor

AND

Page 1, line 28 delete "no"

/s/ Jeff Wood

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Jacobs, **HOUSE BILL NO. 2198** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2198

Amend **HOUSE BILL NO. 2198** as originally introduced:

Page 1, delete line 24 and substitute the following:

“SECTION 1. Arkansas Code § 26-18-102, listing exceptions to the Arkansas Tax Procedure Act, is amended by adding an additional subsection to read as follows:

(8) Ad valorem taxes collected pursuant to § 26-26-1614.

SECTION 2. Arkansas Code § 26-26-1604 is amended to read as follows:”

AND

Page 2, line 10, delete “SECTION 2.” and substitute “SECTION 3.”

AND

Page 3, line 17, insert additional sections to read as follows:

“SECTION 4. Arkansas Code § 26-26-1616(a)(1), concerning the disposition of certain property taxes, is amended to read as follows:

(a)(1) ~~All~~ Except as provided in subsection (c) of this section, all taxes and penalties collected under the provisions of § 26-26-1614 shall be deposited in the State Treasury, as trust fund income, to the credit of the Ad Valorem Tax Fund.

SECTION 5. Arkansas Code § 26-26-1616, concerning the disposition of certain property taxes, is amended by adding an additional subsection to read as follows:

(c)(1) The first one hundred thousand dollars (\$100,000) collected in taxes and penalties under § 26-26-1614 during each fiscal year shall be deposited to the State Treasury as nonrevenue receipts credited to the State Central Services Fund for use by the Revenue Division of the Department of Finance and Administration.

(2) No funds collected pursuant to § 26-26-1614 shall be withheld by the state if those funds were collected under the authority of Amendment 74(b)(1) of the Arkansas Constitution.”

/s/ Phillip Jacobs

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Walters, **HOUSE BILL NO. 2867** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2867

Amend **HOUSE BILL NO. 2867** as originally introduced:

Page 1, delete SECTION 1 in its entirety and substitute the following:

“SECTION 1. Arkansas Code § 26-55-210 is amended to read as follows:

26-55-210. Border tax rate areas generally.

(a)(1) ~~The tax on motor fuel sold in cities, incorporated towns, or planned communities which border on a state line or sold within eight hundred feet (800') of the state line or sold within eight hundred feet (800') of the maximum shore line of a navigable lake, the opposite shore line of which is beyond the Arkansas state line or sold within eight hundred feet (800') of the Arkansas terminal of a bridge spanning a river where the state line is in the center of the main channel of the river, where such sales of motor fuel are made therein and delivered into the storage tanks of retail dealers or where such sales are made therein to consumers and delivered into the storage tanks of such consumers or directly into the standard fuel tank of a motor vehicle, in this state divided by a street-state line from an incorporated city or town in an adjoining state, which city or town in the adjoining state has a population greater~~

than the Arkansas city, shall be at the same rate as the tax levied on motor fuel sold in other areas of the state; but in no event shall the rate of tax on motor fuel sold in such border areas be more than one cent (1¢) per gallon above the rate of tax levied in the adjoining state.

~~(2) Further, no existing city or incorporated town, the corporate limits of which did not on August 1, 1941, or planned community, the limits of which did not on May 18, 1965, extend to within two (2) miles of the state line, shall take advantage of such border rate.~~

~~(3)~~(2) Additionally, no tax is imposed upon or in respect to the transactions exempt from taxation under § 26-55-207.

~~(4) The tax on motor fuel sold from any establishment adjacent to a federal interstate highway and within one (1) mile of a state line shall be at the rate of tax levied in the adjoining state but not exceed the rate levied in this subchapter.~~

~~(b) Whenever any bridge spanning a river where the state line is in the center of the main channel of the river as defined and subject to the provisions of subsection (a) of this section shall have been or shall be abandoned, redesigned, relocated, or otherwise changed so that areas previously within eight hundred feet (800') of the Arkansas terminal of a bridge spanning a river where the state line is in the center of the main channel of the river shall, in whole or in part, no longer be within eight hundred feet (800') of the Arkansas terminal of such bridge, then the tax on motor fuel sold within eight hundred feet (800') of the Arkansas terminal of that bridge prior to its abandonment, redesign, relocation, or other change shall continue to be fixed on the same basis as if no such abandonment, redesign, relocation, or other change of the Arkansas terminal of the bridge had been made or taken place.~~

~~(c)~~(b) Any distributor or dealer of motor fuel who shall sell and deliver any motor fuel within any border rate tax area, except as provided in subsection (a) of this section, shall be guilty of a misdemeanor and upon conviction shall be fined in any sum of not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500) or be imprisoned in the county jail for not to exceed thirty (30) days, or be both so fined and imprisoned.

~~(d) This section shall apply to abandonments, redesign, relocation, and other changes of bridges made both before and after the passage of this section.~~

SECTION 2. Arkansas Code § 26-55-211 is amended to read as follows:

26-55-211. Border tax rate applicable within corporate boundaries.

Whenever any territory included within the boundaries of any city, ~~incorporated town, or planned community~~ in this state is included within the border tax rate on motor fuel, as provided for in § 26-55-210, or by any other law of this state governing the border area tax rate on motor fuel, the same rate of tax on motor

fuel that applies in the border tax area of the city, ~~incorporated town, or planned community~~ shall also apply to all sales of motor fuel within the boundaries of the city, incorporated town, or planned community. ~~Except in a city bordering a state line that is the main channel of the Mississippi, the provisions of this section shall apply only to that territory included within the limits of such city, incorporated town, or planned community on July 1, 2001, and shall not apply to territory added to or annexed to the city, incorporated town, or planned community thereafter.~~

SECTION 3. Arkansas Code § 26-25-104 is repealed.

~~26-25-104. State levy in cities one mile from state line.~~

~~The rate of all taxes levied by the State of Arkansas, not including county, city, and other local tax levies, in cities and incorporated towns whose corporate limits on March 11, 1957, extend to within one (1) mile of the corporate limits of an Arkansas city which adjoins a city in another state and is separated therefrom only by a state line, shall be at the rate at which the tax is levied and collected in the Arkansas city which adjoins a city in another state and is separated therefrom only by a state line."~~

/s/ Shirley Walters

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Schulte, **HOUSE BILL NO. 2336** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 2336

Amend **HOUSE BILL NO. 2336** as engrossed, H3/13/03:

Page 5, delete line 17 and substitute the following:

"(\$15,000) and the board votes to transfer the responsibilities of"

Page 5, delete line 17 and substitute the following:

"(\$15,000) and the board votes to transfer the responsibilities of"

/s/ Susan Schulte

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Pace, **HOUSE BILL NO. 2845** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2845

Amend **HOUSE BILL NO. 2845** as originally introduced:

Delete everything after the Enacting Clause and substitute the following:

"SECTION 1. Arkansas Code Title 14, Chapter 362 is amended to add an additional subchapter to read as follows:

Subchapter 2 - Contracts for Effective Bond Interest Rates

14-362-201. Definitions.

As used in this subchapter:

(1) "Authority" means any authority created under the provisions of Title 14, Chapter 362, Subchapter 1 of the Arkansas Code;

(2) "Bond" means a revenue bond;

(3) "Contract for effective interest rates" means any contract to achieve a desirable effective interest rate, including, but not limited to, an investment contract, a funding agreement, an interest rate swap agreement, a currency swap agreement, a forward payment conversion agreement, a futures contract, a contract providing for payments based on levels of or changes in interest rates, a contract to exchange cash flows or a series of payments, or a contract, including options, puts

or calls, issued to hedge payment rate, spread, or similar interest rate exposure; and

(4) "Revenue bond" means a revenue bond issued by, or on behalf of, an authority under the Arkansas Constitution and under an act of the Arkansas General Assembly, including all bonds, notes, certificates, or other instruments or evidences of indebtedness which constitute a revenue bond as defined in Amendment 65 to the Arkansas Constitution.

14-362-202. Contracts authorized.

(a) In connection with revenue bonds issued by an authority, the authority may enter into a contract for effective interest rates.

(b) A contract for effective interest rates may be entered into at the time the bonds are issued or at any time while the bonds are outstanding.

(c) A contract for effective interest rates may also be entered into by authorities in connection with an agreement that secures bonds or provides liquidity for the bonds.

(d)(1) A contract for effective interest rates shall be made upon the terms and conditions established by the governing body of the authority.

(2) The contract may include terms permitting the authority to pay to, or receive from, a person or entity any loss of benefits under the contract upon an early termination or a default under the contract.

14-362-203. Payments and revenues.

(a) Payments required to be made by an authority under a contract for effective interest rates under this subchapter shall be payable from the same revenue source or sources from which the related bonds are payable.

(b) Revenues derived by an authority from a contract for effective interest rates shall be used for one (1) or more of the following purposes:

(1) The payment of the bond principal, bond premium, interest on the related bonds, or for amounts held in reserve for the bond payment;

(2) The payment of the authority's obligations under the contract; or

(3) Any purpose for which the related bonds were or could have been issued if the contract is authorized by the governing body of the authority in the same manner as the issuance of bonds.

14-362-204. Supplemental.

This subchapter is supplemental to all other provisions of state law governing the issuance of bonds by authorities and the investment of the bond proceeds.

SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that there is an immediate need to facilitate the issuance of revenue bonds by authorities, including the ability of authorities to enter into contracts to achieve a desirable interest rate on the bond.

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/ Daryl Pace

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

/s/ Ms. Jo Renshaw
Chief Clerk

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

AMENDMENT NO. 1 TO HOUSE BILL NO. 2646

Amend **HOUSE BILL NO. 2646** as originally introduced:

Page 1, line 12, delete "TAX COUNTY" and substitute "TAXING COUNTY"
AND

Page 1, line 20, delete "TAX COUNTY" and substitute "TAXING COUNTY"
AND

Delete everything after the Enacting Clause and substitute the following:

"SECTION 1. Arkansas Code § 14-164-336, pertaining to the Local Sales and Use Tax Trust Fund, is amended to add a new subdivision (d) to read as follows:

(d) All revenues that are derived from a tax on aviation fuel, except revenue derived from taxes in effect on December 30, 1987, by a city in which a regional airport as described by the Regional Airport Act, § 14-362-101 et seq. is located after deducting the three percent (3%) for cost of collection shall be remitted by the Treasurer of State directly to the regional airport located within the levying city.

SECTION 2. Arkansas Code § 26-74-214(b)(1), pertaining to the disposition of county sales and use tax, is amended to read as follows:

(b)(1) Except as set forth in subsections (f) and (g) of this section, All all funds received by the Treasurer of State from the sales tax levied by each county after deducting the three percent (3%) for the Constitutional and Fiscal Agencies Fund shall be deposited in the Local Sales and Use Tax Trust Fund and shall be credited to the account of the county in which it was collected.

SECTION 3. Arkansas Code § 26-74-214 is amended to add a new subsection (g) to read as follows:

(g) Any moneys collected that are derived from a tax on aviation fuel, except revenue derived from taxes in effect on December 30, 1987, levied by a county in which a regional airport as described by the Regional Airport Act, § 14-362-101 et seq. is located, shall not be deposited in the State Treasury, but shall be deposited by the Treasurer of State in a bank or banks designated by the regional airport located within the levying county as cash funds and transmitted to the regional airport, subject to the three percent (3%) charge by the state for its services as specified in this section. Charges deducted shall be transmitted to the Treasurer of State as cash funds.

SECTION 4. Arkansas Code § 26-74-313(b), pertaining to the disposition of county sales and use tax, is amended to read as follows:

(b) Except as set forth in ~~subsection~~ subsections (c) and (e) of this section, any tax collected by the director under this subchapter on behalf of any county shall be deposited with the State Treasurer in trust and shall be kept in a separate suspense account.

SECTION 5. Arkansas Code § 26-74-313 is amended to add a new subsection (e) to read as follows:

(e) Any moneys collected that are derived from a tax on aviation fuel, except revenue derived from taxes in effect on December 30, 1987, levied by a county in which a regional airport as described by the Regional Airport Act, § 14-362-101 et seq. is located, shall not be deposited in the State Treasury, but shall be deposited by the Treasurer of State in a bank or banks designated by the regional airport located within the levying county as cash funds and transmitted to the regional airport subject to the three percent (3%) charge by the state for its services as specified in this section. Charges deducted shall be transmitted to the Treasurer of State as cash funds.

SECTION 6. Arkansas Code § 26-74-409(b)(1) is amended to read as follows:

(b)(1) Except as set forth in subsection (g) of this section, All all funds received by the State Treasurer from the sales tax levied by each county, after deducting the amounts required by subsection (a) of this section, shall be credited to the account of the county in which collected.

SECTION 7. Arkansas Code § 26-74-409, pertaining to the disposition of county sales and use tax, is amended to add a new subsection (g) to read as follows:

(g) Any moneys collected that are derived from a tax on aviation fuel, except revenue derived from taxes in effect on December 30, 1987, levied by a county in which a regional airport as described by the Regional Airport Act, § 14-362-101 et seq. is located, shall not be deposited in the State Treasury, but shall be deposited by the Treasurer of State in a bank or banks designated by the regional airport located within the levying county as cash funds and transmitted to the regional airport subject to the three percent (3%) charge by the state for its services as specified in this section. Charges deducted shall be transmitted to the Treasurer of State as cash funds.

SECTION 8. Arkansas Code § 26-75-217, pertaining to the disposition of municipal sales and use tax, is amended to add a new subsection (e) to read as follows:

(e) All revenues collected by the Director of the Department of Finance and Administration that are derived from a tax on aviation fuel, except revenue derived from taxes in effect on December 30, 1987, by a city in which a regional airport as described by the Regional Airport Act, § 14-362-101 et seq. is located after deducting the three percent (3%) for cost of collection shall be remitted by the Treasurer of State to the regional airport located within the levying city at the same time the director remits sales tax revenues to the State Treasury.

SECTION 9. Arkansas Code § 26-75-506, pertaining to the disposition of municipal sales and use tax, is amended to add a new subsection (c) to read as follows:

(c) All revenues collected by the Director of the Department of Finance and Administration that are derived from a tax on aviation fuel, except revenue derived from taxes in effect on December 30, 1987, by a city in which a regional airport as described by the Regional Airport Act, § 14-362-101 et seq. is located after deducting the three percent (3%) for cost of collection shall be remitted by the Treasurer of State to the regional airport located within the levying city at the same time the director remits sales tax revenues to the State Treasury.

SECTION 10. Arkansas Code § 26-81-107(c)(1) is amended to read as follows:

(c)(1) Except as set forth in subsection (d) of this section, All all funds received by the State Treasurer from the sales tax levied by each county after deducting the three percent (3%) for the Constitutional and Fiscal Agencies Fund shall be deposited in the Local Sales and Use Tax Trust Fund and shall be credited to the account of the county in which collected.

SECTION 11. Arkansas Code § 26-81-107 is amended to add a new subsection (d) to read as follows:

(d) Any moneys collected that are derived from a tax on aviation fuel, except revenue derived from taxes in effect on December 30, 1987, levied by a county in which a regional airport as described by the Regional Airport Act, § 14-362-101 et seq. is located, shall not be deposited in the State Treasury, but shall be deposited by the Treasurer of State in a bank or banks designated by the regional airport located within the levying county as cash funds and transmitted to the regional airport subject to the three percent (3%) charge by the state for its services as specified in this section. Charges deducted shall be transmitted to the Treasurer of State as cash funds."

/s/ Daryl Pace

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. 2607** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2607

Amend **HOUSE BILL NO. 2607** as originally introduced

Delete everything after the enactment clause and substitute the following:

"SECTION 1. Title.

This act shall be known as the "Internet Privacy Act".

SECTION 2. Definitions.

For purposes of this act:

(1) "Collect" means to gather personally identifiable information about a consumer by any means, except as otherwise provided in this act;

(2) "Consumer" means a person who uses an Internet service provider for access to the Internet for personal, family, or household purposes, and who does not resell access;

(3) "Disclose" means to release, publish, share, transfer, transmit, disseminate, show, or otherwise divulge personally identifiable information to any person, corporation, company, association, firm, partnership or other entity other than the individual who is the subject of the personally identifiable information;

(4) "Internet" means the global information system, comprising the interconnected world-wide network or networks that:

(A) Is logically linked together by a globally unique address space based on the Internet Protocol (IP) or its subsequent extensions;

(B) Is able to support communications using the Transmission Control Protocol/ Internet Protocol (TCP/IP) suite or its subsequent extensions/follow-ons, or other IP-compatible protocols; and

(C) Provides, uses, or makes accessible, either publicly or privately, high level data services layered on the communications and related infrastructure;

(5) "Internet service provider" means a person or business that provides consumers authenticated access to, or presence on, the Internet, by means of a switched or dedicated telecommunications channel upon which the provider provides transit routing or Internet Protocol (IP) packets for and on behalf of the consumer;

(6)(A) "Personally identifiable information" means information about an individual collected online, including the individual's first and last name, electronic mail address, current and prior address, telephone number, social security number, date of birth, amount of income, account numbers, access codes, security passwords, credit card or debit card numbers, mother's maiden name, equipment or software serial number, and preferences of other designations that are capable of identifying a specific individual.

(B) "Personally identifiable information" does not include information that is collected that cannot be linked to a specific individual;

(7) "Third party" means anyone other than a consumer, Internet service provider, or an employee of the Internet service provider; and

(8) "User" means a person who uses an Internet service provider.

SECTION 3. Internet service providers.

(a) An Internet service provider shall not disclose any personally identifiable information about a user to a third party unless the provider has provided notice to the user as required under this act and has provided the consumer with the ability to electronically request at any time that the provider limit its disclosure of the user's personally identifiable information.

SECTION 4. Notice to consumers.

(a) An Internet service provider that maintains personally identifiable information of its users must provide the user, at the time that personally identifiable information is collected, with a clear and conspicuous notice substantially indicating:

(1) That personally identifiable information is collected, stored, or disclosed to third parties;

(2) What information is or will be collected, stored, or disclosed;

(3) A description of the methods of obtaining information, such as an electronic means of observing Internet browsing history or buying habits;

(4) The intended use of the information including marketing or online profiling;

(5) That the user may at any time direct the provider to limit the collection, disclosure, and storage of personally identifiable information, except to the extent that the information is necessary for the processing, billing, collection, and maintenance of an individual account;

(6) The period of time the information will be maintained; and

(7) A description of the procedures by which a user may correct any erroneous information.

(b) If the user has requested that the provider limit disclosure of any personally identifying information, the provider must comply with the request within a reasonable time period.

SECTION 5. Information security obligations.

In order to prevent the unauthorized access, disclosure, or release of personally identifiable information, each Internet service provider shall prepare and implement an information security policy that is applicable to the information security practices and treatment of personally identifiable information maintained by the provider, which shall be considered and approved by the provider's senior management.

SECTION 6. Permissible disclosure of personally identifiable information.

An Internet service provider may only disclose personally identifiable information under this act when:

(1) The provider has provided proper notice under Section 4 and has provided the user with the ability to electronically request at any time that the provider limit the disclosure of personally identifiable information;

(2) The information is published in response to the court order issued by a court of competent jurisdiction;

(3) The information is required to be disclosed under Arkansas law;

(4) The information will be used to evaluate, detect, or reduce the risk of fraud or other criminal activity, verify personally identifiable information provided by the consumer, or other risk management activity; or

(5) The information may be provided to a third party to perform services for, or functions on behalf of, the provider, if the provider enters into a contractual agreement with the third party that requires the third party to maintain the confidentiality and security of information.

SECTION 7. Enforcement.

(a) A violation of this act or a regulation prescribed under this act, shall be a deceptive and unconscionable trade practice under Arkansas Code § 4-88-107.

(b)(1) All remedies, penalties and authority granted to the Attorney General under Arkansas Code § 4-88-104 are available to the Attorney General for enforcement of this act.

(2) The remedies and penalties provided by this section are cumulative to each other and to the remedies or penalties available under other laws of this state.

SECTION 8. Scope.

This act applies to Internet service providers that supply Internet services to consumers in the State of Arkansas.”

/s/ Mike Creekmore

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Mahony, **HOUSE BILL NO. 2836** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2836

Amend **HOUSE BILL NO. 2836** as originally introduced:

Page 1, delete line 5 and substitute the following:
"By: Representative Elliott"

/s/ Jodie Mahony

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Key, **HOUSE BILL NO. 2599** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2599

Amend **HOUSE BILL NO. 2599** as originally introduced:

Delete everything after the enactment clause and substitute the following:

"SECTION 1. Arkansas Code Title 14, Chapter 237, Chapter 1, is amended to add an additional section to read as follows:

14-236-119. Bond.

(a) The State Board of Health may require all designated representatives to post a designated representative contractor's bond.

(b)(1) The State Board of Health may establish and promulgate rules establishing the amount of designated representative contractor's bonds, based on the designated representative's past performance or violations of the rules and regulations of this chapter, construction methods, and business practices.

(2) However, the bond under this section shall not be less than two thousand dollars (\$2,000), unless exempted by other provisions under this chapter."

/s/ Johnny Key

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. 1876** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1876

Amend **HOUSE BILL NO. 1876** as originally introduced:

Page 1, delete lines 24 through 26 and substitute the following:

"SECTION 1. As used in this act, the following terms shall have the following meanings:

(1) "Seller" means a person who is the seller of real property pursuant to the provisions of a real estate contract;

(2) "Purchaser" means a person who is the purchaser of real property pursuant to the provisions of a real estate contract; and

(3) "Real estate contract" means a written agreement pursuant to which a seller agrees to sell and a purchaser agrees to purchase certain real property that is described in the agreement.

SECTION 2. Upon failure by a purchaser to complete the purchase of real property and fulfill the purchaser's obligations as set forth in a real estate contract, the seller shall be entitled to the"

AND

Page 1, delete lines 28 through 30 and substitute the following:

"(1) The difference between the contract price of the subject real property that is provided in the real estate contract and a lesser price for which the seller subsequently sells the subject real property, less any retained earnest money deposit;"

AND

Page 1, line 31, delete "expense incurred" and substitute "expense reasonably insured"

AND

Page 1, line 33, delete "Real" and substitute "Reasonable real"

AND

Page 2, line 4, delete "SECTION 2" and substitute "SECTION 3".

/s/ Jeremy Hutchinson

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. 2179** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2179

Amend **HOUSE BILL NO. 2179** as originally introduced:

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

"that do not degrade the level of service or working conditions and which are verifiable by comparing ~~expenditures~~ energy usage that occur after the improvements with the same type or ~~expenditures~~ energy usage occurring before the improvements are made;"

AND

Page 1, delete lines 35 and 36

AND

Page 2, delete lines 1 through 4 and substitute the following:

"(4) "Energy conservation measures" means the improvement, installation, repair, or alteration of any equipment, fixture, furnishing, or other improvement to be added to"

AND

Page 2, line 8, delete "(i)" and substitute "(A)"

AND

Page 2, line 10, delete "(ii)" and substitute "(B)"

AND

Page 2, line 15, delete "(iii)" and substitute "(C)"

AND

Page 2, line 17, delete "(iv)" and substitute "(D)"

AND

Page 2, line 22, delete "(v)" and substitute "(E)"

AND

Page 2, line 24, delete "(vi)" and substitute "(F)"

AND

Page 2, line 26, delete "(vii)" and substitute "(G)"

AND

Page 2, line 30, delete "(viii)" and substitute "(H)"

AND

Page 3, line 28, delete "measures;" and substitute "measures who is properly licensed as a contractor in the State of Arkansas;"

AND

Page 4, delete line 31 and substitute the following:

"the guaranteed energy usage savings."

AND

Page 5, line 13, delete "~~shall~~ may" and substitute "shall"

AND

Page 6, delete line 21 and substitute the following:

"shortfall of guaranteed energy usage savings. The amount of the reimbursement shall be based upon averaged energy rates in effect during the calendar year in which the shortfall occurred."

AND

Page 7, delete lines 5 through 8 and substitute the following:

"(k) Title to all energy conservation measures that are constructed or installed under this section shall pass to the agency upon installation or implementation, and the agency is authorized and empowered to grant a security interest and pledge its rights in and to the energy conservation measures to the qualified provider of its assignees to secure those financial obligations incurred by the agency under this section.

(l) All plans and specifications associated with the construction and installation of energy conservation measures shall be submitted to State Building Services for review."

/s/ Jeremy Hutchinson

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. 2377** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2377

Amend **HOUSE BILL NO. 2377** as originally introduced:

Page 1, line 10, delete "COMPUTER" and substitute "SYSTEM"

AND

Page 1, line 11, delete "SOFTWARE" and substitute "SYSTEM SOFTWARE"

AND

Page 1, line 12, delete "COMPUTER" and substitute "SYSTEM"

AND

Page 1, line 13, delete "SOFTWARE, APPLICATION SOFTWARE, OR" and substitute "SOFTWARE OR SYSTEM"

AND

Delete all language after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 15-4-2703, as amended by Act 182 of 2003, is amended to add an additional subdivision to read as follows:

(39)(1) "Application software" means the programming system or technical language designed either for application in a specialized use or upon which, or by means of which, a plan for the solution of a particular problem is based.

(2) "Application software" can typically be transferred from one computer to another.

(3) Examples of application software include:

(A) Payroll processing;

(B) General ledger;

(C) Sales management;

(D) Spreadsheets; and

(E) Word processing.

(40) "System software" means:

(A) All of the software used to operate, maintain, and manage a computer system, including the operating system, utility programs, and other programs that help to operate, maintain, and manage one (1) or more resources on a computer system; and

(B) Programs used to analyze, organize, sort, correlate, format, standardize, cleanse, or correct data that is being prepared, organized, or stored for use by application programs.

(41) "System software maintenance" means any, all, or a combination of the following:

(A) Technical consultation or support service provided by telephone or onsite visits;

(B) Corrections of errors, malfunctions, or bugs in the system software;

(C) Provisions for enhancement of, or upgrades to, the system software;

(D) Revisions to operating manuals for the system software; or

(E) Training services.

SECTION 2. Arkansas Code § 15-4-2706(d)(2), as amended by Act 182 of 2003, is amended to add an additional subdivision to read as follows:

(C)(i)(a) A sales or use tax refund on the purchase or license of system software or system software maintenance for a qualified computer-related business shall be authorized by the Director of the Department of Finance and Administration.

(b) A refund of sales and use taxes imposed by a municipality or county shall be allowed if the municipality or county has authorized the refund in an endorsement resolution that was submitted along with the application to the Department of Economic Development.

(c) Sales tax refunds shall not be available for application software.

(ii) "Qualified computer-related business" means a business that has an annual payroll of over five million dollars (\$5,000,000) and pays average hourly wages that exceed one hundred fifty percent (150%) of the county average wage in which the business is located."

/s/ Preston Scroggin

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Mahony, **HOUSE BILL NO. 2835** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2835

Amend **HOUSE BILL NO. 2835** as originally introduced:

Page 1, delete line 5 and substitute the following:

"By: Representative Elliott"

/s/ Jodie Mahony

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Hathorn, **HOUSE BILL NO. 2828** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2828

Amend **HOUSE BILL NO. 2828** as originally introduced:

Page 4, delete line 8 and substitute:

~~"Division of Mental Health Services~~ Department of Human Services;"

/s/ Mike Hathorn

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Matayo, **HOUSE BILL NO. 2729** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2729

Amend **HOUSE BILL NO. 2729** as originally introduced:

Delete everything after the enacting clause and substitute the following:

“SECTION 1. Arkansas Code § 8-7-805(b)(2), concerning Arkansas license or permit bonds for individuals to be certified for the installation or testing of an underground storage tank, is amended to read as follows:

(2) The bond must be issued by a company licensed to do business in the State of Arkansas and executed by a resident an Arkansas agent. ~~The mere countersigning by an Arkansas agent will not suffice.~~

SECTION 2. Arkansas Code § 23-64-202(a) and (b), concerning general qualifications for licensure, is amended to read as follows:

(a) For the protection of the people of this state, the Insurance Commissioner shall not, at or before completion of application processing, issue, continue, or permit to exist any license as to insurance unless the licensee is in compliance with this chapter and other applicable laws of this state, and as to any individual who does not also meet the following qualifications:

(1) To obtain a license as an agent or broker, he or she shall have complied with § 23-64-501 et seq. and subsection (b) of this section; and

(2) To obtain a license as an adjuster or insurance consultant, he or she must be:

(A) Of legal age of majority, or must have had disabilities of minority removed for all general purposes and provide evidence of same;

(B)(i) A resident of this state, or of a city or town through which passes the boundary of this state, qualified as to residence under § 23-64-102(2)(B) and must have been a resident for not less than the thirty (30) days immediately prior to the date of application for the license;

(ii) However, upon written request by the applicant, the commissioner in his or her discretion may waive the thirty-day residence requirement as to any applicant for license who is a bona fide resident of this state, and who furnishes proof satisfactory to the commissioner that he or she is, and intends to be, a permanent resident of Arkansas; and

(C)(i) Deemed by the commissioner to be competent, trustworthy, financially responsible, and of good personal and business reputation, and these qualifications must continue in order to remain licensed.

(ii) The commissioner may require a credit report and a background check, including fingerprinting, of all resident applicants for licensure.

(iii) The commissioner may rely upon fingerprints for the resident applicant that are accessible from any state or federal authority, including the Federal Bureau of Investigation, the National Association of Securities Dealers, or the Securities and Exchange Commission.

(b) All applicants for a license as an agent, broker, adjuster, or insurance consultant shall:

(1) Pass a written examination for the license if required under this chapter and attest that he or she is familiar with the insurance laws of this state and will keep himself or herself familiar despite changes in the law; and

(2)(A)(i) Before licensure or examination, if examination is required, complete specific courses of instruction in the field of insurance as the commissioner shall by regulation prescribe for the license.

(ii) Proof of completion must be presented before testing is administered.

(iii)(a) The courses of instruction shall in the aggregate consist of not less than thirty-six (36) hours of ~~classroom~~ instruction; at least eighteen (18) of which are classroom hours.

(b) All instruction shall be administered by or under the supervision of persons qualifying with and approved by the commissioner for that purpose.

(c) An instructor deemed qualified and approved by the commissioner shall monitor attendance and participation and shall sign a certificate evidencing the licensee's completion of nonclassroom hours that are taken via computer or other electronic media.

(d) Applicants for adjuster and consultant licenses are exempt from prelicensing education, as are nonresident applicants for producer licenses from states that engage in reciprocal licensing with Arkansas.

(iv) Successful completion of the courses of instruction shall be certified to the commissioner, on forms prescribed by him or her, by the person under whose supervision the instruction was administered.

(v) The courses of instruction shall provide the applicant with basic knowledge of the broad principles of insurance, licensing and regulatory laws of this state, and the obligations and duties of an agent, broker, or consultant.

(vi) Programs of instruction may be provided by any authorized insurer, agents' association, or trade association recognized by the commissioner or by any university, college, or any other institution in this state having a comprehensive course of instruction approved and certified by the commissioner.

(vii) The commissioner shall issue appropriate regulations to implement the educational requirements and standards prescribed in this subdivision (b)(2) and to prescribe the general curriculum of courses of instruction.

(viii) The curriculum shall include not fewer than five (5) hours of instruction relative to the licensing of agents and insurance regulatory laws of this state, criteria for approval of the providers of the courses of instruction, and certifications contemplated hereunder.

(B) None of the provisions of this subsection shall apply to, and no examination or educational requirements contained in this subsection shall be required of, any applicant for a license presently exempted by law from an examination.

(C) The provisions of subdivision (b)(2)(A) of this section shall not apply to persons making application for license as an agent or broker for crop hail insurance, mobile home physical damage insurance, mortgagor's decreasing term life and disability insurance, prepaid legal insurance, and fire and marine insurance written in connection with credit transactions, or any line exempted by law, for which only a limited license is issued, nor any other insurance for which only a limited license may be issued and the commissioner, by order or regulation, exempts from the educational requirements of subdivision (b)(2)(A) of this section.

SECTION 3. Arkansas Code § 23-64-216(a) as it appears on page 312 of Title 23 of the Arkansas Code, concerning sanctions for insurance producer, broker, or producer misconduct, is amended to read as follows:

(a) The Insurance Commissioner may suspend for up to thirty-six (36) months, or may revoke or refuse to continue, or may place in probationary status, any license issued by him or her if, after notice to the licensee and after hearing, he or she finds any one (1) or more of the following causes exist:

(1) In the case of an ~~agent~~ insurance producer or broker licensed as an insurance producer, for any of the causes under § 23-64-512; or

(2) In the case of an adjuster or insurance consultant licensed under this subchapter:

(A) Providing incorrect, misleading, incomplete, or materially untrue information in the license application;

(B) Violating any insurance laws or violating any regulation, subpoena, or order of the commissioner or of another state's insurance commissioner;

(C) Obtaining or attempting to obtain a license through misrepresentation or fraud;

(D) Improperly withholding, misappropriating, or converting any moneys or properties received in the course of doing insurance business;

(E) Intentionally misrepresenting the terms of an actual or proposed insurance contract or application for insurance;

(F) Having been convicted of a felony;

(G) Having admitted or been found to have committed any insurance unfair trade practice or fraud;

(H) Using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in this state or elsewhere;

(I) Having an insurance producer, insurance consultant, or adjuster license, or its equivalent, denied, suspended, or revoked in any other state, province, district, or territory;

(J) Forging another's name to an application for insurance or to any document related to an insurance transaction;

(K) Improperly using notes or any other reference material to complete an examination for an insurance license;

(L) Knowingly accepting insurance business from an individual who is not licensed;

(M) Failing to comply with an administrative or court order imposing a child support obligation; or

(N) Failing to pay state income tax or comply with any administrative or court order directing payment of state income tax.

SECTION 4. Arkansas Code § 23-64-216, concerning the suspension or revocation of an insurance license, is amended by adding an additional subsection to read as follows:

(h) For purposes of this section, "probationary status" means the suspended imposition of insurance license sanctions which the commissioner may impose by law or by informed consent on a licensee subject to this chapter, upon disclosed terms and for a specified period, contingent upon the compliance and good conduct of the licensee during that period, and which would result in imposition of insurance license sanctions upon the licensee's failure to successfully complete the specified period.

SECTION 5. Arkansas Code § 23-64-217(a), concerning notice to insurance producers regarding licensing sanctions, is amended to read as follows:

(a)(1) Upon the suspension or revocation of a license, the Insurance Commissioner shall immediately notify the licensee of the suspension or revocation either in person or by mail addressed to the licensee at the licensee's address last of record with the commissioner: or by electronic notice.

(2) Notice by mail or by electronic mail shall be deemed effectuated when so mailed.

(3) The commissioner shall give like notice to the insurers represented by the agent in the case of an agent's license. Upon receipt of notice from the commissioner that the license has been revoked, each insurer represented by the agent shall take appropriate and prompt action necessary to:

(A) Retrieve from the agent all solicitation materials, policy applications, binders, and any and all other materials in the possession of the agent which are the property of such an insurer; and

(B) Retrieve the agent's policyholder files and records for policies in force at the time such an insurer receives notice of the revocation.

SECTION 6. Arkansas Code § 23-64-219 is amended to read as follows:

23-64-219. Appointment of agent - Continuation ~~and~~ or termination of appointment.

(a) Each insurer appointing an agent in this state shall file with the Insurance Commissioner the initial appointment setting out the kinds of insurance to be transacted by the agent and pay the fee therefor. The appointment means the notification filed with the commissioner that an insurer has established an agency relationship with a producer. The appointing insurer's appointment of an agent shall be an indication to the commissioner that the insurer has reviewed the agent's background and fitness to be an agent.

(b) ~~Subject to a biennial continuation by the insurer not later than June 1, commencing on January 1, 1988, for life and accident and health insurers and commencing on January 1, 1989, for all other insurers, each~~ Each appointment shall remain in effect until the agent's license is revoked or otherwise terminated unless written notice of earlier termination of the appointment is filed with the commissioner by the insurer or agent.

(c)(1) Biennially, prior to June 1 of each even-numbered year, each insurer maintaining a certificate of authority to transact life and accident and health insurance and, prior to June 1 of each odd-numbered year, all other insurers maintaining a certificate of authority to transact insurance in this state shall file with the commissioner an alphabetical list of the names and addresses of all its agents whose appointments in this state are to remain in effect, accompanied by payment of the biennial continuation of appointment fee as provided in § 23-61-401. At the same time, the insurer shall also file with the commissioner an alphabetical list of the names and addresses of all its agents whose appointments in this state are not to remain in effect, accompanied by any documentation the commissioner shall require.

(2) The procedures for renewal and termination of appointments under subsection (c) of this section shall terminate on December 31, 2003.

~~(d)(1) Subject to the terms of the agency contract, an insurer may terminate an agent's appointment at any time. The insurer shall promptly give written notice of such termination to the commissioner and thirty (30) days' advance notice to the agent by certified mail, return receipt requested. The return receipt shall be retained as part of the insurer's records. However, less than thirty (30) days' notice of cancellation may be given to the agent when the termination is for cause relating to the misconduct of the agent.~~

~~(2) Any information as to the cause of termination of any such appointment furnished the commissioner as part of the notice of termination shall be deemed a privileged communication and shall not be admissible in evidence in any action or proceedings other than those brought by the commissioner, nor shall any agent whose appointment has been so terminated have a cause of action against the insurer or any of its officers, directors, or employees by reason of the furnishing of such information to the commissioner.~~

(d) Beginning January 1, 2004, the following annual procedures apply for appointment terminations and renewals only:

(1)(A) No later than June 1, 2004, and no later than June 1 annually thereafter, while maintaining a certificate of authority to transact insurance in the state, the insurance company shall terminate any appointments the company does not desire to continue by use of written or electronic notice to the commissioner on forms prescribed by the commissioner.

(B) The terminations shall be transmitted after the insurer reviews its own agent or agency appointments via the State Insurance Department website, the National Association of Insurance Commissioners producer database, or a list requested of the department's Information Systems Division;

(2)(A) After June 1, 2004, and after June 1 annually thereafter, the State Insurance Department shall issue a written or electronic payment invoice to the insurer, based on all agent appointments the insurer chose to renew and keep active after June 1, 2004, and annually thereafter, in the procedures set out in subdivision (d)(1) of this section.

(B) The invoice under this section may not be altered or amended, or used for appointing or terminating producers;

(3)(A) The insurer shall return monetary payment for the department invoices to the commissioner no later than thirty (30) days after the department issues the invoice, unless, at the request of the appointing insurer, the commissioner grants an extension for good cause in writing.

(B) An insurer's failure to remit timely invoice payments in the correct amount may be penalized by the commissioner with a monetary penalty in an amount not to exceed double the appointment fee; and

(4)(A) If the insurer disagrees with the annual invoice amount for the renewed agent appointments, it shall timely remit the invoice amount to the department, but may mail or electronically mail under separate cover adequate documentation to substantiate its proposed invoice for the department's review.

(B) If the insurer underpaid, it shall promptly remit the monetary balance due the department.

(C) If the insurer overpaid, it shall so state in a written filing to the commissioner.

(D) If the department determines that the insurer is correct as to the overpayment amount, the department shall process a refund of the excess fees to the prevailing insurer.

(E) However, if the department determines the insurer is not correct, then the department may issue a written notice to the insurer.

~~(e) The insurer shall promptly give written notice of non-renewal of the agent's appointment to the agent by certified mail, return receipt requested, and the return receipt shall be retained as part of the insurer's records. The insurer shall give notice, in any written or electronic method prescribed by the commissioner, of nonrenewal or termination of agent or producer appointments to the commissioner and to the producer, and shall retain the notices or electronic transmittals as part of the insurer's records for compliance under this section and under § 23-64-515.~~

SECTION 7. Arkansas Code § 23-64-221(a), concerning insurance producer licenses for vending machines, is amended to read as follows:

(a) A licensed resident-agent producer may solicit applications for and issue policies of personal travel and accident insurance by means of mechanical vending machines supervised by him or her and placed at airports, railroad stations, bus stations, hotels, and similar places of convenience to the traveling public if the Insurance Commissioner finds that:

(1) The policy to be so sold provides reasonable coverage and benefits, is reasonably suited for sale and issuance through vending machines, and that use of such a machine therefor in a particular proposed location would be of material convenience to the public;

(2) The type of vending machine proposed to be used is reasonably suitable and practical for the purpose;

(3) Reasonable means are provided for informing the prospective purchaser of the policy of the coverage and restrictions of the policy; and

(4) Reasonable means are provided for refund to the applicant or prospective applicant of money inserted in defective machines and for which no insurance, or a less amount than that paid for, is actually received.

SECTION 8. Arkansas Code § 23-64-222 is repealed.

~~23-64-222. Payment of commissions.~~

~~(a) No insurer shall directly or indirectly pay, and no person shall so receive, any fee, commission, or other compensation for services as agent or broker in connection with any insurance of a subject resident, located, or to be performed in this state, or for obtaining any such insurance, unless at the time of the service to which the compensation is related, the person was licensed and appointed as an agent or licensed as a broker or licensed as a nonresident broker or licensed and appointed as a nonresident agent.~~

~~(b) No licensee shall directly or indirectly share his or her commission or other compensation received or to be received on account of a transaction under his or her license with any person not also licensed under this chapter as to the same kinds of insurance involved in the transaction. This provision shall not affect payment of the regular salaries due employees of the licensee or the distribution in regular course of business of compensation and profits among members or stockholders if the licensee is a firm, limited liability company, or corporation.~~

~~(c) If a licensed nonresident broker or nonresident agent resides in a state which requires its resident agents to retain all or a stipulated percentage of the commission on coverages placed in such a state by nonresident agents or brokers, the Arkansas agent shall retain not less than a like percentage of the commission for his or her services for like coverage placed in Arkansas by residents of the other state.~~

~~(d) This section shall not apply as to those transactions with surplus line brokers that are lawful under § 23-65-310 nor to life or accident and health insurance placed as provided in § 23-64-225.~~

SECTION 9. Arkansas Code § 23-64-304, concerning the failure to report and maintain mandated educational requirements for insurance licensees, is amended by adding an additional subsection to read as follows:

(e)(1) Any licensee fined under subsection (d) of this section may request that the commissioner seal the licensee's records regarding the fine.

(2) The underlying conduct of any licensee whose record has been sealed under this section shall be deemed as a matter of law to have never occurred, and the licensee may state that the conduct or fine ever occurred.

SECTION 10. Arkansas Code § 23-64-506 is amended to read as follows:

23-64-506. Application for license. [Effective July 1, 2002 - provisional date.]

(a) A person applying for a resident insurance producer license shall make application to the Insurance Commissioner on the Uniform Application and declare under penalty of refusal, suspension, or revocation of the license that the statements made in the application are true, correct, and complete to the best of the individual's knowledge and belief. Before approving the application, the commissioner shall find that the individual:

(1) Is at least eighteen (18) years of age;

(2)(A) Has not committed any act that is a ground for denial, suspension, or revocation set forth in § 23-64-512;

(B) The commissioner may require a credit report and a background check, including the fingerprinting of all resident applicants for licensure.

(C) The commissioner may rely upon fingerprints for the resident applicant that are accessible from any state or federal authority, including the Federal Bureau of Investigation, the National Association of Securities Dealers, or the Securities and Exchange Commission;

(3) Where required by the commissioner, has completed a pre-licensing course of study for the lines of authority for which the person has applied;

(4) Has paid the fees set forth in § 23-61-401 and any existing or future rule and regulation; and

(5) Has successfully passed the examinations for the lines of authority for which the person has applied.

(b) A business entity acting as an insurance producer is required to obtain an insurance producer license. Application shall be made using the Uniform Business Entity Application. Before approving the application, the commissioner shall find that:

(1) The business entity has paid the fees set forth in § 23-61-401 and any existing or future rule and regulation; and

(2) The business entity has designated a licensed producer responsible for the business entity's compliance with the insurance laws, rules, and regulations of this state.

(c) The commissioner may require any documents reasonably necessary to verify the information contained in an application.

(d) Each insurer that sells, solicits, or negotiates any form of limited line credit insurance shall provide to each individual whose duties will include selling, soliciting, or negotiating limited line credit insurance a program of instruction that may be approved by the commissioner.

(e) To obtain or renew an insurance producer's license, a resident applicant or producer must be deemed by the commissioner to be competent, trustworthy, financially responsible, and of good personal and business reputation.

SECTION 11. Arkansas Code § 23-64-512(a) and (b), concerning the license, denial, nonrenewal, or revocation of an insurance producer's license, is amended to read as follows:

(a) The Insurance Commissioner may place on probation, suspend, revoke, or refuse to issue or renew an insurance producer's license or may levy a civil penalty in accordance with § 23-64-216 or any combination of actions, for any one (1) or more of the following causes:

(1) Providing incorrect, misleading, incomplete, or materially untrue information in the license application;

(2) Violating any insurance laws, or violating any regulation, subpoena or order of the commissioner or of another state's insurance commissioner;

(3) Obtaining or attempting to obtain a license through misrepresentation or fraud;

(4) Improperly withholding, misappropriating, or converting any moneys or properties received in the course of doing insurance business;

(5) Intentionally misrepresenting the terms of an actual or proposed insurance contract or application for insurance;

(6) Having been convicted of a felony;

(7) Having admitted or been found to have committed any insurance unfair trade practice or fraud;

(8) Using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness, lack of good personal or business reputation, or financial irresponsibility ~~in the conduct of business in this state or elsewhere;~~

(9) Having an insurance producer license, or its equivalent, denied, suspended, or revoked in any other state, province, district, or territory;

(10) Forging another's name to an application for insurance or to any document related to an insurance transaction;

(11) Improperly using notes or any other reference material to complete an examination for an insurance license;

(12) Knowingly accepting insurance business from an individual who is not licensed;

(13) Failing to provide a written response after receipt of a written inquiry from the commissioner or his representative as to transactions under the license within thirty (30) days after receipt thereof, unless the timely written response is knowingly waived in writing by the commissioner;

(14) Failing to comply with an administrative or court order imposing a child support obligation; or

(15) Failing to pay state income tax or comply with any administrative or court order directing payment of state income tax.

(b) In the event that the action by the commissioner is to nonrenew or to deny an application for a license, the commissioner shall notify the applicant or licensee and advise, in writing, by mail or electronic mail, the applicant or licensee of the reason for the denial or nonrenewal of the applicant's or licensee's license. The applicant or licensee may make written demand by mail or electronic mail upon the commissioner within thirty (30) days for a hearing before the commissioner to determine the reasonableness of the commissioner's action. The hearing shall be held within thirty (30) days and shall be held pursuant to § 23-64-217 and the Arkansas Administrative Procedure Act, § 25-15-201 et seq.

SECTION 12. Arkansas Code § 23-64-513(d), concerning the payment and sharing of insurance producer commissions and fees, is amended to read as follows:

(d) An insurer or insurance producer may pay or assign commissions, service fees, brokerages, or other valuable consideration to an insurance agency or to persons who do not sell, solicit, or negotiate insurance in this state, unless the payment would ~~violate the Trade Practices Act, § 23-66-201 et seq. or § 23-66-301 et seq. so long as the payment is not allowed by any provisions of the federal Gramm-Leach-Bliley Act of 1999, Pub. L. 106-102, 113 Stat. 1338.~~ constitute:

(1) A rebate, in violation of § 23-66-206(10) or § 23-66-308;

(2) A violation of §§ 23-66-201 – 23-66-214, commonly referred to as the Trade Practices Act, or a violation of miscellaneous trade practices under §§ 23-66-301 – 23-66-316; or

(3) A violation of the federal Gramm-Leach-Bliley Act, Pub. L. 106-102.

SECTION 13. Arkansas Code § 23-65-308(3), concerning required surplus line broker deposits, is amended to read as follows:

(3)(A) Prior to issuance of the license, ~~the~~ a resident applicant shall file with the commissioner ~~a bond or other securities~~ acceptable to the commissioner in favor of the State of Arkansas in the penal sum of fifty thousand dollars (\$50,000), aggregate liability, with unaffiliated entities approved by the commissioner. Thereafter for as long as the license remains in effect, the resident applicant shall keep the ~~bond or other securities~~ in force and unimpaired.

(B) The securities shall be conditioned that the broker will conduct business under the license in accordance with the provisions of this subchapter and that he or she will promptly remit the taxes provided by the law.

(C) No securities shall be terminated unless not less than sixty (60) days' prior written notice thereof is filed with the commissioner.

(D) No security shall be required of a nonresident applicant licensed in the applicant's state of residency.

SECTION 14. Arkansas Code § 23-66-513, is amended to read as follows:

23-66-513. Initial appointment investigation. [Effective July 1, 2002 - provisional date.]

(a)(1)(A) Prior to the approval of any application or request for appointment by an insurer or company to be added to the license obtained by an individual resident agent or producer who has had no previous appointments on his or her Arkansas license prior to this request, the insurer shall conduct or secure at its expense an investigation as to the applicant's identity, residence, experience, or instruction as to the kinds of insurance to be transacted, and as to the agent's or producer's character, financial condition, and financial history.

(B) The commissioner may accept a background check performed by the National Association of Securities Dealers for any required broker or producer background check required by this section.

(2) The investigation shall include, at a minimum, the following information disclosed by the investigation:

(A) Whether the applicant has been convicted of a felony, and, if so, the date and nature of the conviction, the name and location of the court, and the penalty imposed or other disposition of the case, for review in compliance with the provisions of § 23-66-502(c) and other applicable state or federal laws;

(B) Whether, at the time of the application, the agent or applicant is a named party in any lawsuit, and, if so, the style of the lawsuit, a brief description of the litigation, and the name and location of the court;

(C) Whether a judgment for monetary damages has been entered against the applicant within the last five (5) years, and, if so, the date of the judgment, the amount of the judgment, whether the judgment has been paid or otherwise satisfied, the name and location of the court, and the style of the case; and

(D) Such other information as the Insurance Commissioner shall require.

(3) The forms and the requirements of this subsection shall not apply to:

(A) Any limited or restricted license as defined in § 23-64-502(7) or (9), any limited or restricted license which the commissioner may exempt, or any temporary license the commissioner may issue;

(B) Corporations, partnerships, limited liability companies, and partnerships licensed as insurance agencies under this chapter; and

(C) Any individual requesting a renewal license or requesting his or her second or subsequent insurer appointments added after the first-time license or appointment.

(b) The requirements for broker or producer background checks of subdivisions (a)(1) and (2) of this section shall apply to each first-time original license applicant for a resident broker's or producer's license in this state. However, those requirements shall not be required for any renewal broker's or producer's license, and all filings shall exclude appointment forms for first or renewal licenses for brokers or producers.

SECTION 15. Arkansas Code § 23-69-114, concerning licensure of non-life mutual insurer agents, is amended to read as follows:

(e) Solicitation for qualifying applications for insurance shall be by licensed agents of the corporation, and the commissioner shall, upon the corporation's application therefor, issue temporary agent's licenses expiring on the date specified pursuant to subdivision (c)(3) of this section to individuals qualified as for ~~a resident~~ an agent's or producer's license except as to the taking or passing of an examination. The commissioner may suspend or revoke any license for any of the causes and pursuant to the same procedures as are applicable to suspension or revocation of licenses of agents and producers in general under §§ 23-64-101 ~~et seq~~ through 23-64-232 and §§ 23-64-501 through 23-64-519."

/s/ Doug Matayo

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Lamoureaux, **HOUSE BILL NO. 2246** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 2246

Amend **HOUSE BILL NO. 2246** as engrossed, 3/11/03:

Delete everything after the enacting clause and substitute:

"SECTION 1. Arkansas Code § 16-90-901(b), concerning expungement and sealing of criminal records, is amended to read as follows:

(b) For purposes of this subchapter, "sexual offense" shall be defined as conduct prohibited by ~~§§ 5-14-103, 5-14-108, 5-14-110, 5-14-120, and 5-14-121. §§ 5-14-101 through 5-14-127, 5-26-202, 5-27-602, 5-27-603, 5-27-605, 16-93-303(a)(1)(B), and any other subsequently enacted criminal law prohibiting sexual conduct with a child.~~

SECTION 2. Arkansas Code § 16-93-303(a)(1)(B), concerning probation for first offenders, is amended to read as follows:

(B) Provided, however, that no person who pleads guilty or nolo contendere to, or is found guilty of, a sexual offense as defined by §§ 5-14-101 ~~et seq.~~, through 5-14-127, 5-26-202, 5-27-602, 5-27-603, and 5-27-605 in which the victim was under eighteen (18) years of age shall be eligible for expungement of the record under this subchapter.”

/s/ Michael Lamoureux

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Lamoureux, **HOUSE BILL NO. 2430** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2430

Amend **HOUSE BILL NO. 2430** as originally introduced:

Page 3, line 11 add the following sections:

“SECTION 3. Arkansas Code § 8-6-404(d), relating to disposition of fines for unlawful littering, is amended to read as follows:

(d)(1) All or any portion of the fines, community service, and imprisonment penalties provided by this section may be suspended by the judge if the violator agrees to remove litter from alongside highways and at other appropriate locations for a prescribed period.

(2) All fines collected under this section shall be deposited as follows:

(A) If a municipality or county where the offense occurs is a certified affiliate of Keep Arkansas Beautiful or Keep America Beautiful, Inc., and participates in litter control programs conducted by these organizations, then the moneys from fines collected for offenses in that jurisdiction shall be deposited, according to accounting procedures prescribed by law, into the city general fund or the county general fund to be used for the purpose of community improvement as determined by the municipal or county governing body; or

(B) If the municipality or county where the offense occurs is not a certified affiliate of Keep Arkansas Beautiful or Keep America Beautiful, Inc., or does not participate in litter-control programs conducted by these organizations, then the moneys from fines collected for offenses in those jurisdictions shall be ~~deposited as special revenues into the State Treasury and credited to~~ remitted by the tenth day of each month to the Administration of Justice Funds Section of the Department of Finance and Administration, on a form provided by that office, for deposit in the Keep Arkansas Beautiful Fund Account to be used by the Keep Arkansas Beautiful Commission, as appropriated by the General Assembly, for the purposes of encouraging litter prevention and anti-litter education and increasing awareness of litter law enforcement statewide.

SECTION 4. Arkansas Code § 12-12-910 is amended to read as follows:

12-12-910. Fine.

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

(b) The fine provided in subsection (a) of this section and collected in circuit court, district court, city court, or police court shall be remitted, by the tenth day of each month to the Department of Finance and Administration, Administration of Justice Funds Section, on a form provided by that office, for deposit in the Sex and Child Offenders Registration Fund as established by § 12-12-911.

SECTION 5. Arkansas Code § 12-12-1118 is amended to read as follows:

12-12-1118. Mandatory cost.

(a) Unless finding that undue hardship would result, the sentencing court shall assess at the time of sentencing a mandatory fine of not less than two hundred fifty dollars (\$250) on any person who is required to provide a deoxyribonucleic acid (DNA) sample under this subchapter.

(b) The fine provided in subsection (a) of this section and collected in circuit court, district court, city court, or police court shall be remitted by the tenth day of each month to the Administration of Justice Funds Section of the Department of Finance and Administration on a form provided by that office, for deposit in the DNA Detection Fund as established by § 12-12-1119.

SECTION 6. Arkansas Code § 12-14-105 is amended to read as follows:

12-14-105. Enforcement - Fines.

The prosecuting attorney or the city attorney, as may be appropriate, shall appear and prosecute all actions arising in any court under the provisions of this chapter. All fines which may be collected by any court on account of the violation of this chapter shall be ~~paid~~ remitted by the tenth day of each month to the Department of Finance and Administration, Administration of Justice Funds Section, on a form provided by that office, to be deposited into the State Treasury and placed to the credit of the State Capitol Police.

SECTION 7. Arkansas Code § 16-10-209 is amended to read as follows:

16-10-209. Court clerk - Activities and clerical duties.

The following activities and clerical duties relating to court functions shall be required of all court clerks:

(1) COLLECTION, RECEIPT, AND DEPOSIT PROCEDURES:

(A) All receipt books must be prenumbered by the printer, and a printer's certificate or other evidence shall be furnished to the court clerk, which shall be made available for inspection;

(B) All void or spoiled receipts must be accounted for by attaching the original copy of the receipt to the duplicate copy of the receipt in the receipt book;

(C)(i) For those checks forwarded with the arrest reports, the receipt shall be issued in the name of the police department, marshal's office, or sheriff's office.

(ii) For those receipts issued at court date, the court clerk shall issue such receipts in the name of the defendant, regardless of who paid the bond or fine or who collected the bond or fine.

(D) A prenumbered receipt shall be issued for all moneys collected, and such receipts shall be deposited intact daily into the separate bank account maintained by the court clerk;

(E)(i) The bank deposit slips prepared by the court clerk shall contain the range or receipt numbers evidencing such collections.

(ii) Additionally, the receipts issued shall be reconciled with the monthly bank deposits.

(F) A bank reconciliation shall be made at the end of each month, and any balance remaining in the bank account shall be identified with receipt numbers for cases not yet adjudicated and the payments made on all unpaid individual time accounts;

(G) The court clerk may maintain separate bank accounts for city cases and for county cases;

(2) PREPARATION AND SUBMISSION OF COURT REPORT:

(A) The court report shall contain columns for the following information:

- (i) Uniform traffic ticket number;
- (ii) Defendant's name;
- (iii) Nature of the offense;
- (iv) Name of arresting officer;
- (v) Court docket number;
- (vi) Disposition or date continued;
- (vii) Receipt number;
- (viii) Total fine and costs collected;
- (ix) Fine;
- (x) Costs itemized, including all prosecuting attorney's fees;
- (xi) Bond refund amount;
- (xii) Bond refund check number; and
- (xiii) ~~Time~~ Installment payment amount.

(B) The court clerk at each court date shall prepare the court report from the arrest report supplied by the police department, marshal's office, or sheriff's office;

(C) At the end of each court date, the court clerk shall complete the court report for the court date and total the dollar amounts contained therein;

(D) The court reports prepared each court date shall be summarized at least monthly;

(E)(i) The court clerk shall make a direct monetary settlement on or before the ~~fifth~~ tenth day of the next following month with each of the following:

- (a) The city treasurer;
- (b) The county treasurer;
- (c) The prosecuting attorney; and
- (d) If applicable, the treasurer of the policemen's pension and relief fund and the municipal judge and clerk's retirement fund.

(ii) For those fines, penalties, and other charges arising from tickets issued by the Arkansas Highway Police Division of the Arkansas State Highway and Transportation Department the court clerk shall make a direct monetary settlement with them at the time the appropriate billing notice is received;

(F) The court clerk, in conjunction with the making of the monetary settlement in subdivision (2)(E)(ii) of this section, will make reports in quadruplicate of the applicable individual court reports and distribute the reports in the following manner:

- (i) One (1) copy to the mayor;
- (ii) One (1) copy to the county clerk;
- (iii) One (1) copy to the Administrative Office of the Courts; and
- (iv) One (1) copy to be retained by the clerk and made available for inspection;

(3) MINIMUM BOOKKEEPING REQUIREMENTS:

(A)(i) The court clerk shall maintain a separate cash receipts and disbursements journal for city cases and county cases.

(ii) The journal shall consist of sufficient columns in order to properly classify all moneys receipted as to their proper nature, i.e., fines, administration of justice fund, etc.

(iii) The journal shall also contain sufficient columns to properly classify all moneys disbursed as to their proper nature, i.e., general fund, county treasurer, bond refunds, etc.

(B) The court clerk shall total and balance the receipts and disbursements journal monthly and establish and maintain year-to-date totals monthly;

(C)(i) The court clerk shall prepare monthly bank reconciliations for each court bank account.

(ii) The cash receipts and disbursements journal shall be utilized in effecting the bank reconciliations;

(D) Copies of bank reconciliations shall be furnished to the court's presiding judge, county judge, and mayor;

(4) BOND REFUNDS:

(A) All bond refunds shall be made only upon the authorization of the presiding judge and shall be indicated as such on the court docket;

(B)(i) All bond refunds shall be made only by a check drawn on the court's bank account.

(ii) Additionally, the check shall indicate the court docket number for authorization;

(C) The court clerk shall enter all bond refunds on the applicable court report;

(5) ~~TIME OR PARTIAL~~ INSTALLMENT PAYMENTS:

(A) ~~Time~~ Installment payments shall be allowed only upon the authorization of the presiding judge and shall be indicated as such on the court docket;

(B)(i) The court clerk shall establish and maintain individual ~~time~~ installment payment account ledger cards, with a duplicate copy of the ledger card being furnished to and maintained by the ~~appropriate police department, marshal's office, or sheriff's office~~ county or city official, agency, or department designated under § 16-13-709 as primarily responsible for the collection of fines assessed in district courts and city courts.

(ii) The ledger cards shall contain the following minimum information:

- (a) Name of individual;
- (b) Court docket number and court date;
- (c) Nature of violation;
- (d) Total fine and costs assessed;
- (e) Receipt number, date, and amount of

payment; and

- (f) Unpaid balance of fine, fees, and costs;

(C) The ~~police department, marshal's office, or sheriff's office~~ county or city official, agency, or department designated under § 16-13-709 as primarily responsible for the collection of fines assessed in district courts and city courts shall be responsible for collecting all ~~time~~ installment payments and shall enter all collected ~~time~~ installment payments on each applicable arrest report;

(D)(i) The court clerk shall establish and maintain a control total for ~~time~~ installment payments, which is a summary of all unpaid individual ~~time~~ installment payment accounts.

(ii) The control total shall be reconciled monthly with the individual ~~time~~ installment payment accounts;

(E)(i) The court clerk shall furnish the county or city official, agency, or department designated under § 16-13-709 as primarily responsible for the collection of fines assessed in district courts and city courts, and the presiding judge and the police department, marshal's office, or sheriff's office monthly with a list of all unpaid ~~time~~ installment payment accounts for which a payment has not been received within the past thirty (30) days.

(ii) The presiding judge shall then take the necessary action deemed appropriate in the circumstances;

(F)(i)(a) All ~~time~~ installment payments shall initially be deemed to be collections of court costs until the costs have been collected in full, with any remaining ~~time~~ installment payments representing collections of fines.

(b) The court clerk shall prepare at least monthly a separate court report for all ~~time~~ installment payments made on accounts.

(c) The monetary settlement for this separate court report shall be made on or before the ~~fifth~~ tenth day of the next-following month.

(ii) A municipal or county governing body may provide by appropriate municipal or county legislation an alternative method of ~~time~~ installment payment allocation as follows:

(a) All ~~time~~ installment payments shall be allocated fifty percent (50%) to court costs and fifty percent (50%) to fines. Whenever either court costs or fines are fully paid, all remaining ~~time~~ installment payments shall be allocated to remaining amounts due;

(b) The court clerk shall prepare at least monthly a separate court report for all ~~time~~ installment payments made on accounts. The monetary settlement for this separate court report shall be made on or before the ~~fifth~~ tenth day of the next-following month;

(6) RECONCILIATION OF COMPLETED TICKET BOOKS TO ARREST REPORT:

(A) The court clerk shall, on a quarterly basis, on or before the fifteenth day of the month following the end of the calendar quarter, reconcile the individual tickets in the completed ticket book to the individual tickets as reflected on the arrest reports;

(B) For any discrepancies noted in the reconciliation in subdivision (6)(A) of this section, the court clerk shall prepare a written list and present this list to the court's judge for his appropriate action.

SECTION 8. Arkansas Code § 16-13-701 is amended to read as follows:

16-13-701. Scope.

(a) The procedures established by this subchapter shall apply to the assessment and collection of all monetary fines, however designated, imposed by circuit courts, ~~municipal courts~~, district courts, city courts, or police courts for criminal convictions, traffic convictions, civil violations, and juvenile delinquency adjudications and shall be utilized to obtain prompt and full payment of all such fines.

(b) For purposes of this subchapter, the term "fine" or "fines" means all monetary penalties imposed by the courts of this state, which include fines, court costs, restitution, probation fees, and public service work supervisory fees.

SECTION 9. Arkansas Code § 16-13-703 is amended to read as follows:

16-13-703. Imprisonment.

(a) When a defendant sentenced to pay a fine defaults in the payment thereof, or of any installment, the court, upon its own motion or that of the prosecuting attorney, may require him to show cause why he should not be imprisoned for nonpayment.

(b) The court may issue a warrant of arrest or summons for his appearance.

(c)(1) Unless the defendant shows that his default was not attributable to a purposeful refusal to obey the sentence of the court or to a failure on his part to make a good-faith effort to obtain the funds required for payment, the court may order the defendant imprisoned in the county jail or other authorized institution designated by the court until the fine ~~or costs~~ or specified part thereof is paid.

(2)(A) The period of imprisonment shall not exceed one (1) day for each ~~ten dollars (\$10.00)~~ forty dollars (\$40.00) of the fine ~~or costs~~, thirty (30) days if the fine ~~or costs were~~ was imposed upon conviction of a misdemeanor, or one (1) year if the fine ~~or costs were~~ was imposed upon conviction of a felony, whichever is the shorter period.

(B) The total amount of fine owed shall not automatically be reduced by the period of imprisonment, but the court may credit forty dollars (\$40.00) for each day of imprisonment against the total fine the defendant has been sentenced to pay.

(3) The provisions of this subsection shall be an addition to the revocation options contained in § 5-4-301 et seq.

(d) If the court determines that the default in payment of the fine ~~or costs~~ is not attributable to the causes specified in subsection (c) of this section, the court may enter an order allowing the defendant additional time for payment, reducing the amount of each installment, or revoking the fine ~~or costs~~ or the unpaid portion thereof in whole or in part.

SECTION 10. Arkansas Code § 16-13-704 is amended to read as follows:

16-13-704. Installment payments.

(a)(1) If the court concludes that the defendant has the ability to pay the fine, but that requiring the defendant to make immediate payment in full would cause a severe and undue hardship for the defendant and the defendant's dependents, the court may authorize payment of the fine by means of installment payments in accordance with this subchapter.

(2)(A) When a court authorizes payment of a fine by means of installment payments, it shall issue, without a separate disclosure hearing, an order that the fine be paid in full by a date certain and that in default of payment the defendant must appear in court to explain the failure to pay.

(B) In fixing the date of payment, the court shall issue an order which will complete payment of the fine as promptly as possible without creating a severe and undue hardship for the defendant and the defendant's dependents.

(b)(1) In addition to the fine and any other assessments authorized by this subchapter, an installment fee of five dollars (\$5.00) per month shall be assessed on each person who is authorized to pay a fine on an installment basis.

(2) One-half (1/2) of the installment fee collected in circuit court shall be remitted ~~monthly~~ by the tenth day of each month to the ~~Department of Finance and Administration,~~ Administration of Justice Funds Section of the Department of Finance and Administration, on a form provided by that office, for deposit in the Judicial Fine Collection Enhancement Fund, as established by § 16-13-712, and the other half of the installment fee shall be remitted ~~monthly~~ by the tenth day of each month to the county treasurer to be deposited in a fund entitled the court automation fund to be used solely for court-related technology.

(3)(A) One-half (1/2) of the installment fee collected in ~~municipal court,~~ district court, city court, or police court shall be remitted ~~monthly~~ by the tenth day of each month to the ~~Department of Finance and Administration,~~ Administration of Justice Funds Section of the Department of Finance and Administration, on a form provided by that office, for deposit in the Judicial Fine Collection Enhancement Fund as established by § 6-13-712.

(B) The other half of the installment fee shall be remitted ~~monthly~~ by the tenth day of each month to the city treasurer to be deposited in a fund entitled the court automation fund to be used solely for court related technology.

(C) In any ~~municipal court or~~ district court which is funded solely by the county, the other half of this fee shall be remitted ~~monthly~~ by the tenth day of each month to the county treasurer to be deposited in the ~~municipal court or~~ district court automation fund to be used solely for ~~municipal court-related or~~ district court-related technology.

(c) Any defendant who has been authorized by the court to pay a fine by installments shall be considered to have irrevocably appointed the clerk of the court as his or her agent upon whom all papers affecting his or her liability may be served, and the clerk shall forthwith notify the defendant thereof by ordinary mail at his or her last known address.

(d) "Ability to pay" means that the resources of the defendant, including all available income and resources, are sufficient to pay the fine and provide the defendant and his or her dependents with a reasonable subsistence compatible with health and decency.

SECTION 11. Arkansas Code § 16-13-706 is amended to read as follows:

16-13-706. Credit card payments.

(a) The court or the agency designated pursuant to § 16-13-709 may accept payment of fines and associated costs by an approved credit card.

(b)(1) The court or designated agency is authorized to enter into contracts with credit card companies and to pay those companies fees normally charged by those companies for allowing the court to accept their credit cards in payment as authorized by subsection (a) of this section.

~~(2)(A) Where the offender pays fines by credit card, the court shall assess a service fee equal to the amount charged to the court by the credit card issuer. The total fine owed is reduced by the service fee charged to the court by the credit card.~~

~~(B) This charge may be added to, and become a part of, any underlying obligation.~~

SECTION 12. Arkansas Code § 16-13-707 is amended to read as follows:

16-13-707. Lien on property.

(a) When a defendant sentenced to pay a fine defaults in the payment thereof or of any installment, the fine may be collected by any means authorized for the enforcement of money judgments in civil actions.

(b) A judgment that the defendant pay a fine shall constitute a lien on the real and personal property of the defendant in the same manner and to the same extent as a money judgment in a civil action.

(c) A judgment entered by a ~~municipal court~~ or district court shall not become a lien against real property unless a certified copy of the judgment, showing the name of the judgment debtor and the date and amount thereof, shall be filed in the office of the circuit clerk of the county in which the land is situated.

SECTION 13. Arkansas Code § 16-13-709 is amended to read as follows:

16-13-709. Responsibility for collection.

(a)(1)(A) The quorum court of each county of the state, ~~on or before January 1 of each year,~~ shall designate a county official, agency, or department, ~~or private contractor~~ who shall be primarily responsible for the collection of fines assessed in the circuit courts of this state.

~~(B)(i) In the event the quorum court delegates such responsibility to a private contractor, the contractor may receive, pursuant to state accounting laws, a portion agreed upon in advance by the county as commission for the collection of any and all delinquent fines assessed in the circuit courts of this state. The quorum court may delegate the responsibility for the collection of delinquent fines assessed in circuit court to a private contractor.~~

~~(ii) The contractor may receive, under a written contract, a commission on delinquent fines collected for circuit court.~~

~~(C)(i) The commission agreed to be received by the private contractor shall be a portion of the total fine owed by a defendant.~~

~~(ii) The court shall credit the defendant with the gross amount remitted to the private contractor.~~

~~(iii) The private contractor shall remit the gross amounts collected to the county official, agency, or department designated under subsection (a)(1)(A) of this section on at least a monthly basis.~~

~~(iv) Payment of the commission shall be through the county claims process.~~

~~(v) The county shall make a pro rata disbursement of the remaining fines.~~

~~(2)(A) The quorum court of each county of the state or the governing body of the city in which the court is located, or both, on or before January 1 of each year, The governing body, or, if applicable, each governing body of a political subdivision which contributes to the expenses of a district court, or the governing body of the city in which a city or police court is located, shall designate a county or city official, agency, or department, or private contractor who shall be primarily responsible for the collection of fines assessed in the municipal courts, district courts, city courts, or police courts of this state.~~

~~(B)(i) In the event the quorum court or the governing body of the city in which the court is located, or both, delegates such responsibility to a private contractor, such contractor may receive, pursuant to state accounting laws, a portion agreed upon in advance by the quorum court or the governing body of the city in which the court is located, or both, as commission for the collection of any and all delinquent fines assessed in the municipal courts, district courts, city courts, or police courts of this state. The governing body, or, if applicable, each governing body of a political subdivision which contributes to the expenses of a district court, or the governing body of the city in which a city or police court is located, may delegate the responsibility for the collection of delinquent fines assessed in district court, city court, or police court, to a private contractor.~~

(ii) The contractor may receive, under a written contract, a commission on delinquent fines collected for district court, city court, or police court.

(C)(i) The commission agreed to be received by the private contractor shall be a portion of the total fine owed by a defendant.

(ii) The court shall credit the defendant with the gross amount remitted to the private contractor.

(iii) The private contractor shall remit the gross amounts collected to the county or city official, agency, or department designated under subsection (a)(2)(A) on a monthly basis.

(iv) The commission expense shall be apportioned among each governing body of a political subdivision which contributes to the expenses of a district court in proportion to the gross amount of fines collected for that political subdivision.

(v) Payment of the commission shall be according to accounting procedures prescribed by law.

(vi) Payment of the commission for city courts and police courts shall be made by the governing body of the city in which the court is located.

(v) The remainder of fines received shall be disbursed under §§ 16-10-209, 16-10-308, 16-17-707, 16-18-104, 14-44-108 and 14-45-106.

~~(ii)(3)~~ "Delinquent" means any fines assessed in the circuit courts, ~~municipal courts~~, district courts, city courts, or police courts of this state which have not been paid as ordered for a period of ninety (90) days or three (3) payments, either consecutive or concurrent, since payment was ordered or since last partial payment was received.

~~(3)(4)~~ A copy of the ordinance making such designation shall be provided to the Administrative Office of the Courts ~~by the first day of February of each year.~~

(b)(1) If a private contractor is selected to collect delinquent fines, then, to ensure the integrity of the court and to protect the county or city, the contractor shall register with the Secretary of State and shall file with the Secretary of State a surety bond or certificate of deposit.

(2) The amount of the surety bond or certificate of deposit shall be fifty thousand dollars (\$50,000).

(3) The county, city, or any person suffering damage by reason of the acts or omissions of the contractor may bring action on the bond for damages.

(4) A contractor shall be ineligible to provide such services if the owner, operator, partner, or employee shall have been convicted of a felony.

SECTION 14. Arkansas Code § 16-13-710 is amended to read as follows:

16-13-710. Automated collection procedures.

The Administrative Office of the Courts shall have the responsibility to assist circuit courts, ~~municipal courts~~, district courts, city courts, and police courts in the assessment and collection of fines and the management and reporting of fine revenue.

SECTION 15. Arkansas Code § 16-17-124 is amended to read as follows:

16-17-124. Fee for appeal transcript - Disposition.

(a) When required to make a certification of disposition of court proceedings including certified copies of the docket, certified copies of civil or small claims judgments, and appeal transcripts, the ~~municipal~~ district court shall collect a fee of not less than five dollars (\$5.00) per case for preparation of the original.

(b) All funds derived from such fee shall be ~~used~~ paid into the city treasury to be appropriated for any permissible use in the administration ~~by~~ of the ~~municipal~~ district court.

SECTION 16. Arkansas Code § 16-17-126 is amended to read as follows:

16-17-126. Fee for filing and issuing writs of garnishment and
executions - Disposition.

~~(a)(1) The General Assembly finds that due to a recent constitutional amendment and subsequent legislative enactments increasing the jurisdictional limit of municipal courts, case filings have increased substantially.~~

~~(2) The General Assembly further finds that municipal courts are issuing and filing writs of garnishment for which no fee is currently authorized, in such numbers that a strain is being placed on the administration of these courts.~~

~~(3) The General Assembly also finds that circuit courts are authorized to collect ten dollars (\$10.00) for filing similar actions.~~

~~(b) It is therefore the intent of the General Assembly to authorize municipal courts to collect a fee for filing and issuing writs of garnishments.~~

~~(c)(a)~~ (a) The ~~municipal~~ district court clerk shall collect a fee of ten dollars (\$10.00) for filing or issuing writs of garnishment and executions. This fee is in addition to those fees and costs established by law for specific purposes, or where authorized by the county quorum court or municipality.

~~(d)(b)~~ (b) All funds derived from such fee shall be ~~used~~ paid into the city treasury to be appropriated for any permissible use in the administration ~~by~~ of the ~~municipal~~ district court.

SECTION 17. Arkansas Code § 16-17—127 is amended to read as follows:

16-17-127. Contractors providing certain services.

(a) To ensure the integrity of the court and to protect city and county officials before services regulated by this section are rendered, a person shall register with the Secretary of State and shall file with the Secretary of State a surety bond or certificate of deposit if a ~~municipal court~~, district court, city court, or police court, upon approval of the governing body or governing bodies exercising control over the court, contracts with a person for the person to provide any of the following services:

- (1) Probation services;
- (2) Pretrial supervised release programs;
- (3) Alternate sentencing programs; or
- (4) The collection and enforcement of delinquent fines and costs.

(b)(1) The amount of the surety bond or certificate of deposit shall be fifty thousand dollars (\$50,000).

(2) The city or county or any person suffering damage by reason of the acts or omissions of the person or an employee of the person in the performance of services subject to this section may bring action on the bond for damages.

(c) A person shall be ineligible to provide services subject to this section if the person or an owner, operator, or any stockholder has been convicted of a felony.

(d) For the purposes of this section, "person" means any individual, corporation, partnership, firm, association, or other business entity.

SECTION 18. Arkansas Code § 16-17-211 is amended to read as follows:

16-17-211. District Court clerks generally.

(a) The judge of any ~~municipal~~ district court may appoint a clerk for the court, who shall be designated and known as the ~~municipal~~ district court clerk.

(b) The city council of the city in which the court is located shall fix the salary of the ~~municipal~~ district court clerk at a reasonable sum, the salary to be computed on an annual basis and payable in equal monthly installments. However, where the county in which the court is located is to pay any portion of the clerk's salary, the salary must also be approved by the quorum court of that county. Further, if the expenses and salaries of any ~~municipal~~ district court are paid entirely by the county in which the court is located, the salary of the clerk shall be fixed by the quorum court of the county and not by the city council.

(c) The ~~municipal~~ district court clerk shall keep a fair record of all the acts done and proceedings had in the court and shall enter all judgments of the court, under the direction of the judge.

(d) The ~~municipal~~ district court clerk shall:

- (1) Administer oaths;
- (2) Take affidavits required or permitted in the progress of the action;
- (3) Approve bond in criminal cases in the absence of the judge;

(4) Keep a complete docket of all proceedings to the extent and in the manner directed by the judge;

(5) Seasonably record the judgments, rules, orders, and other civil or criminal proceedings of the court and keep an alphabetical index thereof;

(6) Keep such other dockets, books, and indices as may be required by law or by the judge; and

(7) Issue and attest all process;

~~(8) Tax and collect the same fees and costs allowed by law to justices of the peace for similar clerical services.~~

(e) The ~~municipal~~ district court clerk shall render for each month, not later than the ~~fifth~~ tenth day of the succeeding month, reports in triplicate of all civil and criminal cases tried. These reports shall show all fines, penalties, forfeitures, fees, and costs taxed, assessed, and collected during the month and also show the nature of each case. One (1) copy of such report is to be forwarded or delivered to the mayor of the city and one (1) copy to the clerk of the county court.

(f) Where the duties of the office of ~~municipal~~ district court clerk do not require a full-time employee, the city council may require that the duties of the clerk be performed by any other officer of the city.

SECTION 19. Arkansas Code § 16-17-214 is amended to read as follows:

16-17-214. Collection of fines ~~and costs by police chief~~ in district court - Reports to mayor.

(a) The ~~chief of police~~ county or city official, agency, or department designated under § 16-13-709 as primarily responsible for the collection of fines assessed in district courts shall collect all fines, penalties, forfeitures, fees, and costs assessed in ~~municipal district court arising out of the violation of city ordinances and of state laws committed within the corporate limits of the city in which the court sits where the arresting officer was a policeman~~ and shall pay over to the ~~municipal district~~ district court clerk daily all sums collected ~~by him~~.

(b) The ~~chief of police~~ county or city official, agency, or department designated under § 16-13-709 shall render to the mayor for each month, not later than the ~~fifth~~ tenth day of the ensuing month, a report, under oath, of all fines, penalties, forfeitures, fees, and costs collected ~~by him~~ during the month, giving the title of the cause and the arresting officer, and attaching to the report receipts of the ~~municipal district~~ district court clerk for all sums collected during the period.

SECTION 20. Arkansas Code § 16-17-215 is repealed.

~~16-17-215. Return of fines and costs by sheriff and constables. The sheriff and constables who may collect any fines, penalties, forfeitures, fees, and costs arising out of any cause in the municipal court shall make the same return as required in § 16-17-214 of the chief of police and shall pay to the municipal court clerk all fines, penalties, forfeitures, fees, and costs collected by them, except for such part as is due to them for service rendered in such causes.~~

SECTION 21. Arkansas Code § 16-17-603 is amended to read as follows:

16-17-603. Referees - Appointment - Qualifications - Compensation.

(a) If in the judgment of the judge or judges of the ~~municipal~~ district court it is necessary for the prompt and efficient disposal of cases filed in the small claims division to have a referee take the testimony, the judge or a majority of the judges may appoint a referee to conduct hearings and take testimony in small claims cases and make recommendations of law and fact to the judge.

(b) The referee shall have the same qualifications as are required of the ~~municipal~~ district judge.

(c)(1) The referee shall serve at the pleasure of the judge or judges who appointed him and shall receive as compensation the sum of seven dollars (\$7.00) per case, to be paid ~~out of the uniform filing fee as provided in § 16-17-705~~ from funds appropriated for this purpose by each governing body of a political subdivision which contributes to the expenses of a district court.

(2) This referee fee shall not be in addition to the uniform filing fee under § 16-17-705.

(d) Under no circumstances shall the ~~municipal~~ district judge or judges of the ~~municipal~~ district court receive the compensation for the referee in those cases heard by the court.

SECTION 22. Arkansas Code § 16-17-707 is amended to read as follows:

16-17-707. Separate accounts of fines, etc. - Disbursements.

(a) The ~~municipal~~ district court clerk shall keep three (3) separate accounts of all fines, penalties, forfeitures, fees, and costs received by him the court for any of the officers of the city, state, township, or county, as provided in this subchapter:

(1) The first class of accounts shall embrace all sums collected in the municipal district court in all criminal nontraffic cases arising out of which are misdemeanors or violations of the city ordinances and all cases arising out of violation of state laws which are misdemeanors or violations under state law or traffic offenses which are misdemeanors or violations under state law or local ordinance committed within the corporate limits of the city where the court sits, where the arresting officer was a police officer or other officer of the city, or where the arresting officer was a state police officer; or an officer of a private or public college or university located within the corporate limits of the city where the court sits.

(2) The second class of accounts shall embrace ~~all cases arising out of violation~~ all sums collected in all cases which are misdemeanors or violations of any of the laws of the state where the arresting officer was the county sheriff or a deputy sheriff, or was not a police officer or other officer of the municipality, or where and the offense was committed outside the corporate limits of the city and the arrest was made by a state police officer, and in all other criminal proceedings not specifically enumerated in this section; and

(3)(A) The third class shall embrace all sums collected in the municipal district court in all civil and small claims cases.

(B) The uniform filing fee under § 16-17-705 shall be remitted to the city administration of justice fund.

(C) All other fees shall be disbursed to the treasurers of the political subdivisions which contribute to the expenses of the district court in accordance with a written agreement between the political subdivisions.

~~(b) After deduction and remittance of those fees permitted and authorized in this subchapter, the balance shall be disbursed to the treasurers of the political subdivisions which contribute to the expenses of the municipal court in proportionate amounts as each pays to the court.~~

~~(e)(b)(1)~~ After deducting the fees and costs due the sheriff and constables, the municipal district court shall pay into the city treasury all sums arising from the first class of accounts, and the court shall pay all sums arising out of the second class of accounts into the county treasury. (2) Direct monetary settlements shall be made with state entities or agencies as provided by law.

~~(d)(c)~~ All disbursements from all three (3) classes shall be pursuant to the provisions set forth in §§ 16-10-201 - 16-10-210.

SECTION 23. Arkansas Code § 16-87-213(a)(2)(B), relating to Public Defender User Fees, is amended to read as follows:

(B)(i)(a) At the time of appointment of counsel, the court shall assess fee of not less than ten dollars (\$10.00) nor more than one hundred dollars (\$100) to be paid to the commission in order to defray the costs of the public defender system.

(b) The fee may be waived if the court finds such an assessment to be too burdensome.

~~(ii) The fee shall be collected by the individual or entity designated pursuant to § 16-13-709 to collect fines, costs, and restitution.~~

~~(iii)(a) All such user fees shall be forwarded to the county treasurer to the credit of the public defender user fee fund, who shall then remit 100% of such fees monthly to the commission on forms provided by the commission.~~

(iii)(a) All the user fees shall be collected by the county or city official, agency, or department, designated under § 16-13-709 as primarily responsible for the collection of fines assessed in the circuit courts and district courts of this state who shall, by the tenth day of each month, remit all of the fees collected to the Arkansas Public Defender Commission on forms provided by the commission.

(b) The commission ~~will~~ shall deposit the money collected into a separate account with State Central Services entitled "Public Defender User Fees".

SECTION 24. Arkansas Code § 16-92-115 is repealed.

~~16-92-115. Fines—Duties of sheriffs and circuit clerks.~~

~~(a) The sheriffs or circuit clerks of counties are authorized to collect fines, penalties, and forfeitures adjudged against defendants in circuit courts of the state. The sheriffs or circuit clerks, at the time of their quarterly settlements with the county court, shall turn over to the county treasurer all moneys received by them.~~

~~(b)(1) The clerk of the county court shall further charge the sheriff or circuit clerk with all fines, penalties, and forfeitures adjudged in the circuit courts.~~

~~(2) The sheriff or circuit clerk shall not be credited with any deficit on fines or penalties imposed in the circuit courts unless he shall be able to show the death of the party against whom the fine or penalty was adjudged, or imprisonment in default of fine, as provided by law in those cases.~~

~~(c) The sheriff shall not be credited with any deficit or forfeited bail bond or on recognizances unless the return of the officer charged with the execution of the judgment shall show that the defendant had no property subject to execution, in which case a certified copy of the return shall be filed with the clerk of the county court by the sheriff.~~

~~(d) The sheriff of each county shall be responsible for collecting fines, penalties, and forfeitures for the county unless the circuit judge of the county shall designate by judicial order the circuit clerk to be responsible for the collecting of fines, penalties, and forfeitures for that count.~~

SECTION 25. Arkansas Code § 16-96-403 is amended to read as follows:

16-96-403. Imposition by circuit court on appeal - Costs.

The fines, penalties, forfeitures, and costs imposed by the circuit court for offenses which are misdemeanors or violations under state law or local ordinance or for traffic offenses which are misdemeanors or violations under state law or local ordinance, in cases appealed from ~~the municipal, city or police courts of this state~~ any court of limited jurisdiction, shall be collected and disbursed in the following manner:

(1) If the appeal proceeds to a de novo bench trial or jury trial, the fines, penalties, forfeitures and costs imposed by the circuit court shall be collected pursuant to § 16-13-709 and paid to the county treasurer;

(2) If the defendant pleads guilty or nolo contendere or the circuit court dismisses the appeal, the judgment of the ~~municipal, city or police court~~ from which the appeal originated shall be affirmed;

(i) The circuit court clerk shall, within thirty (30) days, of the affirmance or dismissal, notify in writing the ~~municipal, city or police court~~ from which the appeal originated, of the affirmance or dismissal;

(ii) Upon receipt of the notice of affirmance or dismissal, the ~~municipal, city or police court~~ from which the appeal originated shall collect and disburse the fines, penalties, forfeitures and costs pursuant to ~~§ 16-17-707~~ §§ 16-10-209, 16-10-308, 16-17-707, 16-18-104, 14-44-108 and 14-45-106.

(3) Nothing in this section shall affect the right of ~~municipal, city or police courts~~ a court of limited jurisdiction to require a supersedeas bond for an appeal to circuit court nor the ability of these courts to collect any fine, penalty, forfeiture or costs imposed in the absence of a supersedeas bond.

SECTION 26. Arkansas Code § 21-6-402 is amended to read as follows:

21-6-402. Circuit ~~and chancery~~ court clerks -- Miscellaneous fees.

The fees for clerks of circuit ~~and chancery~~ courts in this state shall be as follows:

- (1) For drawing and issuing, sealing any summons, subpoena\$ 2.50
- (2) For taking and entering a bond, civil or criminal..... .60
- (3) For every motion, rule, answer, interrogatories, or other miscellaneous filings60
- (4) For entering every order or decree 2.00
- (5) For entering each judgment 3.00
- (6) For swearing jury2.00
- (7) For trial before court1.00
- (8) For scire facias15.00
- (9) For writs or executions~~4.00~~ 10.00
- (10) For certificate and seal 2.00
- (11) For each page in making and preparing any transcript 1.50
- (12) For indexing each page10
- (13) For certifying costs 1.00
- (14) For issuing juror or witness certificates50

SECTION 27. Arkansas Code § 21-6-403 is amended to read as follows:

21-6-403. Circuit ~~and chancery~~ court clerks - Uniform filing fees.

(a)(1) The uniform filing fees to be charged by the clerks of the circuit ~~and chancery~~ courts for initiating or reopening a cause of action in the circuit ~~and chancery~~ courts in the state shall be as prescribed in this section.

(2) No portion of the filing fees shall be refunded.

(b)(1) For initiating a cause of action in the circuit court, including appeals \$100.00

~~(2) For initiating a cause of action in the chancery court 100.00~~

~~(3)(2)~~ (2) For reopening a cause of action in the ~~chancery~~ circuit court 30.00

~~(4)(A)(3)~~ (3) For any cause of action which by court order is transferred from any ~~municipal, district or circuit, or chancery~~ court to a circuit ~~or chancery~~ court 50.00.

~~(B) This subdivision (b)(4) does not apply to transfers between circuit and chancery courts within the same county for which there shall be no additional filing fee.~~

(c) No fee shall be charged or collected by the clerks of the circuit ~~and chancery~~ courts when the court, by order, pursuant to Arkansas Rules of Civil Procedure, Rule 72, allows an indigent person to prosecute a cause of action in forma pauperis.

(d) No initial filing fee shall be charged for domestic violence petitions filed pursuant to § 9-15-201 et seq. Established filing fees may be assessed pursuant to Act 401 of 1995.

(e) No fee shall be charged or collected by the clerks of the circuit ~~and chancery~~ courts for reopening a cause of action in the ~~chancery~~ circuit court under the following circumstances:

(1) Application is made for revocation of conditional release of insanity acquittees under § 5-2-316; or

~~(1)(A)~~(2)(A) An agreed order or an order of income withholding is presented to be filed; or,

~~(B) An order of income withholding is to be filed; and~~

~~(2)(B)~~ No service of process is required.

(f) No county shall authorize, and no circuit ~~or chancery~~ court clerk shall assess or collect, any other filing fees than those authorized by this section, unless specifically provided by state law.

(g) The circuit court may waive the filing fee in cases of involuntary admission upon a finding that the petition is being brought for the benefit of the respondent and it would be inequitable to require the petitioner to pay the fee.

(h) For purposes of this section, the term "circuit court clerk" means the circuit clerk and, with respect to probate matters, any county clerk who serves as ex officio clerk of the probate division of the circuit court.

SECTION 28. Arkansas Code Title 21, Chapter 6, Subchapter 4 is amended to add an additional section to read as follows:

21-6-413. Probate and county matters - Miscellaneous court fees.

(a) Miscellaneous court fees are established as follows:

- (1) Dissolutions of incorporation \$25.00;
- (2) Articles of incorporation \$25.00;
- (3) Amendments to articles of incorporation \$25.00;
- (4) Filing last will and testament for safekeeping \$5.00;
- (5) Authentication certificate \$5.00;
- (6) Certify and seal document \$5.00;

- (7) Marriage license \$30.00;
- (8) Certified copy of marriage license \$5.00;
- (9) Underage marriages -- Petition and order \$10.00;
- (10) Small estates \$25.00;
- (11) Assumed names \$25.00;
- (12) Limited partnerships \$25.00;
- (13) Alcoholics and insane persons \$25.00;
- (14) Clerk's tax deed \$5.00;
- (15) Recording doctors' and nurses' credentials \$5.00;
- (16) Recording ministers' credentials \$5.00;
- (17) Filing affidavit of claim against an estate \$5.00;
- (18) Filing power of attorney \$10.00;
- (19) Filing and recording all accounts and settlements.. \$50.00;
- (20) Certified copies of all letters \$5.00;
- (21) Issuing subpoena or summons \$5.00;
- (22) Putting up advertisement of settlement of executors, administrators, and guardians \$5.00;
- (23) Preparing notices of settlements to be published in paper each month \$5.00; and
- (24) Filing exceptions \$5.00.

(b) With respect to probate matters, this section applies to circuit clerks and any county clerk who serves as ex officio clerk of the probate division of the circuit court.

(c) Any fee not specifically provided for in subsection (a) of this section shall be set by the circuit court if it is a probate matter or by the county judge if it is a county court matter.

(d) The fee provisions provided for in subsection (a) of this section shall be in lieu of any or all fees now established by law.

(e)(1)(A) Fees collected under this section shall be paid into the county treasury to the credit of the fund to be known as the "county clerk's cost fund".

(B) With the exception of those funds referred to in subdivision (e)(2) of this section, all funds deposited into the county clerk's cost fund are general revenues of the county and may be used for any legitimate county purpose.

(2)(A) At least thirty-five percent (35%) of the moneys collected annually shall be used to purchase, maintain, and operate an automated records system.

(B) The acquisition and update of software for the automated records system shall be a permitted use of these funds.

(C) Funds set aside for automation may be allowed to accumulate from year to year, or at the discretion of the clerk, may be transferred to the county general fund by a budgeted appropriated transfer.

(3)(A)(i) In those counties having combined offices of circuit clerk and county clerk, the clerk shall elect to use the automation fund authorized by this section or the automation fund allowed by § 21-6-306, the county recorder's cost fund.

(ii) In those counties having combined offices of county clerk and recorder, the clerk shall elect to use the automation fund authorized by this section or the automation fund allowed by § 21-6-306, the county recorder's cost fund.

(B) The clerk's election shall be made in writing and filed in the office of the circuit clerk.

(C) Under no circumstances shall the clerk be allowed to utilize both the automation fund as authorized by § 21-6-306 and the county clerk's cost fund as authorized in this subchapter.

SECTION 29. Arkansas Code Title 21, Chapter 6 is amended by adding the following new Section as follows:

21-6-414. County court clerks - Uniform filing fees.

(a) The uniform filing fees to be charged by the clerks of the county court for initiating a cause of action in the county court shall be thirty dollars (\$30.00), and no portion of the filing fee shall be refunded.

(b) No county shall authorize, and no county court clerk shall assess or collect, any other filing fees than those authorized, unless specifically provided by state law.

(c) The provisions of § 21-6-414(e) shall apply to filing fees collected under this section.

SECTION 30. Arkansas Code § 23-112-603(c), relating to the disposition of fines for violations of the Used Motor Vehicle Buyer Protection Act, is amended to read as follows:

(c)(1) If the arresting officer is an officer of the Department of Arkansas State Police, one-half (1/2) of the fine collected shall be deposited in the State Treasury and ~~credited to~~ remitted by the tenth day of each month to the Department of Finance and Administration, Administration of Justice Funds Section, on a form provided by that office, for deposit in the Department of Arkansas State Police Fund to be used for the purchase and maintenance of state police vehicles.

(2) If the arresting officer is a county law enforcement officer, one-half (1/2) of the fine collected shall be deposited in that county fund used for the purchase and maintenance of rescue, emergency medical, and law enforcement vehicles, communications equipment, animals owned or used by law enforcement agencies, life-saving medical apparatus, and law enforcement apparatus to be used for those purposes.

(3) If the arresting officer is a municipal law enforcement officer, one-half (1/2) of the fine collected shall be deposited in that municipal fund used for the purchase and maintenance of rescue, emergency medical, and law enforcement vehicles, communications equipment, animals owned or used by law enforcement agencies, life-saving medical apparatus, and law enforcement apparatus to be used for those purposes.

SECTION 31. Arkansas Code § 24-8-318 is amended to read as follows:

24-8-318. Additional funding sources for retirement benefits.

In addition to the funds for the municipal court judges and clerk retirement fund provided for by § 16-10-308(a)-(d), if the municipal judges retirement board of trustees determines by actuarial valuation that the account will not be able to meet its financial objective of paying for its current and any projected retirement benefits, a municipality may, ~~beginning January 1, 1998,~~ also add to the account, by city ordinance, any, or all, of the following moneys:

(1)(A) Up to five percent (5%) of all fines and forfeitures collected by the ~~municipal~~ district court or by the city for violations of municipal ordinances or state laws;

(B) This five percent (5%) shall not be taken from court costs collected;

(2) An annual contribution from the city's general fund in an amount recommended by actuarial valuation to meet its projected financial obligation; and

(3) A one-time or occasional lump-sum payment from the city's general fund in an amount determined by the city's governing body, along with any payments or contributions from the county when the city and county share expenses and costs of a county-wide court.

SECTION 32. Arkansas Code § 27-14-314(c), relating to the disposition of fines for failure to register, is amended to read as follows:

(c)(1) If the arresting officer is an officer of the Department of Arkansas State Police, the fine collected shall be ~~deposited in the State Treasury and credited to~~ remitted by the tenth day of each month to the Department of Finance and Administration, Administration of Justice Funds Section, on a form provided by that office, for deposit in the Department of Arkansas State Police Fund to be used for the purchase and maintenance of state police vehicles.

(2) If the arresting officer is a county law enforcement officer, the fine collected shall be deposited in that county fund used for the purchase and maintenance of rescue, emergency medical, and law enforcement vehicles, communications equipment, animals owned or used by law enforcement agencies, life-saving medical apparatus, and law enforcement apparatus to be used for those purposes.

(3) If the arresting officer is a municipal law enforcement officer, the fine collected shall be deposited in that municipal fund used for the purchase and maintenance of rescue, emergency medical, and law enforcement vehicles, communications equipment, animals owned or used by law enforcement agencies, life-saving medical apparatus, and law enforcement apparatus to be used for those purposes.

SECTION 33. Arkansas Code § 27-15-305(c), relating to the disposition of fines for illegal parking in area for disabled, is amended to read as follows:

(c) Thirty percent (30%) of every fine and fee collected under this section by a law enforcement agency and court of competent jurisdiction shall be for the purpose of funding activities of the Governor's Commission on People with Disabilities and shall be collected and ~~paid to~~ remitted by the tenth day of each month to the, Administration of Justice Funds Section of the Department of Finance and Administration, on a form provided by that office, for deposit in a special fund established and maintained by the Treasurer of State. Seventy percent (70%) of the funds collected from fines and fees collected under this section shall be paid by the tenth day of each month to the city general fund of the local municipality in which the violation occurred to assist that political subdivision in paying the expenses it incurs in complying with requirements of the Americans with Disabilities Act.

SECTION 34. Arkansas Code § 27-22-103(c), relating to the disposition of fines for no liability insurance, is amended to read as follows:

(c)(1) If the arresting officer ~~was~~ is an officer of the Department of Arkansas State Police, the fine collected shall be ~~deposited in the State Treasury and credited to~~ remitted by the tenth day of each month to the Administration of Justice Funds Section of the Department of Finance and Administration, on a form provided by that office, for deposit in the Department of Arkansas State Police Fund to be used for the purchase and maintenance of state police vehicles.

(2) If the arresting officer ~~was~~ is a county law enforcement officer, the fine collected shall be deposited in that county fund used for the purchase and maintenance of rescue, emergency medical, and law enforcement vehicles, communications equipment, animals owned or used by law enforcement agencies, life-saving medical apparatus, and law enforcement apparatus to be used for those purposes.

(3) If the arresting officer ~~was~~ is a municipal law enforcement officer, the fine collected shall be deposited in that municipal fund used for the purchase and maintenance of rescue, emergency medical, and law enforcement vehicles, communications equipment, animals owned or used by law enforcement agencies, life-saving medical apparatus, and law enforcement apparatus to be used for those purposes.

SECTION 35. Arkansas Code § 27-34-107 is amended to read as follows:

27-34-107. Child Passenger Protection Fund.

(a) A special fund is created which shall be known as the "Arkansas Child Passenger Protection Fund".

(1) The fund shall consist of seventy-five percent (75%) of all fines which are collected for violations of this chapter, which shall be remitted by the tenth day of each month to the Administration of Justice Funds Section of the Department of Finance and Administration, on a form provided by that office, to be deposited in the "Arkansas Child Passenger Protection Fund" and other moneys that may be appropriated, allocated, or donated for the purpose of being placed in the fund.

(2) Twenty-five percent (25%) of the fines collected shall be retained by the municipalities wherein they are collected to be used for promotion of public safety.

(b)(1) The Arkansas Highway Safety Program shall purchase child passenger safety seats from the fund established in this section.

(2) The seats purchased by the Arkansas Highway Safety Program shall be loaned or rented to hospitals or other groups or individuals, who may lend or rent such seats to others for the purpose of transporting children.

SECTION 36. Arkansas Code § 27-37-705 is amended to read as follows:
27-37-705. Reduction of fine.

When any motor vehicle operator is stopped by a law enforcement officer and the law enforcement officer notes that the provisions of this subchapter have not been violated, any fine levied for a moving traffic violation against the motor vehicle operator as a result of being stopped shall be reduced by ten dollars (\$10.00) as an incentive to comply with this subchapter.

SECTION 37. Arkansas Code § 27-50-311(e), relating to the disposition of fines for large trucks exceeding speed limits, is amended to read as follows:

(e)(1) The circuit, district, and city courts levying and collecting the fines prescribed by this section may retain two percent (2%) of the fines as a collection fee. Any collection fee retained, pursuant to state accounting laws, shall be deposited ~~monthly~~ by the tenth day of each month in the ~~county treasurer's court~~ automation fund as established by § 16-13-704 of the city or county to be used solely for court-related technology.

(2) After deducting the collection fee provided in subdivision (e)(1) of this section, the court shall remit ~~to the Treasurer of State~~ the balance of the fines levied and collected under this section by the tenth day of each month to the Administration of Justice Funds Section of the Department of Finance and Administration, on a form provided by that office, for deposit as general revenues ~~the balance of the fines levied and collected under this section.~~ of the state.

SECTION 38. Arkansas Code § 28-41-101(b)(1), relating to the filing fee for small estates, is amended to read as follows:

(b)(1) The clerk shall file the affidavit, assign it a number, and index it as required by § 28-1-108 (1). He shall make a charge of ~~ten dollars (\$10.00)~~ twenty-five dollars (\$25.00) for filing the affidavit and three dollars (\$3.00) for each certified copy. No order of the court or other proceeding shall be necessary. No additional fees shall be charged if a will is attached to the affidavit.”

/s/ Michael Lamoureux

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Gillespie, **HOUSE BILL NO. 2423** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2423

Amend **HOUSE BILL NO. 2423** as originally introduced:

Page 1, delete line 36 and substitute the following:

“health services in the area.

20-10-1902. (a) There shall be no monetary liability on the part of, and no cause of action for damages shall arise against, any member of a quality assurance committee for any act or proceeding undertaken or performed within the scope of the functions of the committee if the committee member acts without malice or fraud.

(b) This subchapter shall not be construed to confer immunity from liability on any professional association or upon any health professional while performing services other than as a member of a quality assurance committee.

20-10-1903. (a)(1) The proceedings and records of a quality assurance committee, as defined in section 1 of this act, shall not be subject to discovery or introduction into evidence in any civil action against a provider of professional health services arising out of the matters which are subject to evaluation and review by the committee.

(2) No person who was in attendance at a meeting of the committee shall be permitted or required to testify in any such civil action as to any evidence or other matters produced or presented during the proceedings of the committee or as to any findings, recommendations, evaluations, opinions, or other actions of the committee or any members thereof.

(b)(1) However, information, documents, or records otherwise available from original sources are not to be construed as immune from discovery or use in any such action merely because they were presented during the proceedings of the committee.

(2) Nor shall any person who testifies before the committee or who is a member of the committee be prevented from testifying as to matters within his or her knowledge, but the witness shall not be asked about his or her testimony before the committee or about opinions formed by him or her as a result of the committee hearings.

(c) The submission of the quality assurance proceedings, minutes, records, reports, and communications to a long-term care facility governing board shall not operate as a waiver of the privilege.

20-10-1904. Any physician, administrator, nurse, certified nurse's aid, nurse's aid in training, and any other person engaged in work in or about a long-term care facility and having any information or knowledge relating to the care provided in the long-term care facility or to the efficient use of the long-term care facility shall be obligated, when requested, to advise committees reviewing the matters with respect to all the facts or information possessed by the individual with reference to the care or use.

SECTION 2. Title 16, Chapter 46, Subchapter 1, relating to documentary evidence, is amended by adding the following section:

16-46-109. (a)(1)(A) The proceedings, minutes, records, or reports of organized communities of long-term care facilities having the responsibility for reviewing and evaluating the quality of medical, nursing, or other care delivered in a long-term care facility, and any records, other than those records described in subsection (c) of this section, compiled or accumulated by the administrative staff of the facilities in connection with the review or evaluation, together with all communications or reports originating in the committees, shall not be subject to discovery pursuant to the Arkansas Rules of Civil Procedure or the Freedom of Information Act of 1967, § 25-19-101 et seq., or admissible in any legal proceeding and shall be absolutely privileged communications.

(B) The submission of the proceedings, minutes, records, reports, and communications to a facility governing board shall not operate as a waiver of the privilege.

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

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

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

(c) Nothing in this section shall be construed to apply to original long-term care facility medical records, incident reports, or other records with respect to the care or treatment of any resident or to affect the discoverability or admissibility of such records.

SECTION 3. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that in order to ensure candor, objectivity, and the presentation of all pertinent information sought by committees reviewing the quality of care in long-term care facilities and thus contribute to the effective functioning of committees striving to determine and improve such care, an absolute privilege of confidentiality should be afforded to data elicited during the course of such inquiries and that the privilege of confidentiality should be provided for as soon as possible. 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/ Jeff Gillespie

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Gillespie, **HOUSE BILL NO. 2419** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2419

Amend **HOUSE BILL NO. 2419** as originally introduced:

Page 2, line 18, insert the following:

“SECTION 3. Arkansas Code § 16-56-105, pertaining to actions with limitation of three (3) years, is amended to read as follows:

16-56-105. Actions with limitation of three years.

(a) The following actions shall be commenced within three (3) years after the cause of action accrues:

(1) All actions founded upon any contract, obligation, or liability not under seal and not in writing, excepting such as are brought upon the judgment or decree of some court of record of the United States or of this or some other state;

(2) All actions for arrearages of rent not reserved by some instrument in writing, under seal;

(3) All actions founded on any contract or liability, expressed or implied;

(4) All actions for trespass on lands;

(5) All actions for libels; and

(6) All actions for taking or injuring any goods or chattels.

(b) This section shall not apply to an action founded upon any liability arising out of resident care provided in a long-term care facility.

SECTION 4. Arkansas Code § 16-56-111 is amended to read as follows:

6-56-111. Notes and instruments in writing and other writings.

(a) Actions to enforce written obligations, duties, or rights, except those to which § 4-4-111 is applicable, shall be commenced within five (5) years after the cause of action shall accrue.

(b) However, partial payment or written acknowledgment of default shall toll this statute of limitations.

(c) This section shall not apply to any action founded upon any liability arising out of resident care provided in a long-term care facility.

SECTION 5. Arkansas Code § 20-10-1209, pertaining to civil enforcement of resident rights, is amended by adding the following new subdivision:

(d) Any action founded upon any liability arising out of deprivation or infringement of resident rights under this subchapter shall be commenced within two (2) years after the cause of action accrues, or from the date the alleged harm, breach, injury, deprivation infringement, loss, or damage was known or reasonably should have been known.

SECTION 6. (a) If a Notice of Violation, a Statement of Deficiencies, or any other similar document alleging violations of state or federal statutory or regulatory laws that is issued by the Office of Long-term Care or by the federal government against a long-term care facility is the subject of a state or federal administration appeal or civil action, then the notice, statement, or other similar document shall not be admissible as evidence of a deficient practice, a failure to act in accordance with the appropriate standard of care, or a violation of any federal or state law or regulation in any legal proceeding.

(b) If a long-term care facility has entered into a settlement agreement with the Office of Long-Term Care or the federal government to resolve allegations made in a Notice of Violation, a Statement of Deficiencies, or any other similar document alleging violations of state or federal statutory or regulatory laws that is issued by the Office of Long-term Care or by the federal government against a long-term care facility, then the settlement agreement shall not be admissible as evidence of a deficient practice, a failure to act in accordance with the appropriate standard of care, or a violation of any federal or state law or regulation in any legal proceeding.

SECTION 7. Notwithstanding any law to the contrary, the prevailing party in any civil action to recover on any liability arising out of resident care provided in a long-term care facility may be allowed a reasonable attorney's fee to be assessed by the court and collected as costs.

SECTION 8. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that in order to alleviate confusion in the law regarding the commencement of actions against long-term care facilities and to minimize unnecessary expenditures, clarification in the limitations on actions arising out of resident care in a long-term care facility should be provided for as soon as possible. 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/ Jeff Gillespie

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

/s/ Ms. Jo Renshaw

Chief Clerk

The House gave Representative Haak unanimous leave to withdraw **HOUSE BILL NO. 2522.**

ENGROSSED BILL REPORTS

HERSCHEL W. CLEVELAND, CHAIRMAN

March 14, 2003

The following bill(s) reported correctly engrossed:

HOUSE BILL NO. 1138 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 1510 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 1616 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 1715 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 1719 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 1829 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 1876 BY REPRESENTATIVE HUTCHINSON
 HOUSE BILL NO. 1981 BY REPRESENTATIVE PENIX
 HOUSE BILL NO. 2179 BY REPRESENTATIVE HUTCHINSON
 HOUSE BILL NO. 2198 BY REPRESENTATIVE JACOBS
 HOUSE BILL NO. 2269-TITLE-BY REPRESENTATIVE VERKAMP, ET AL
 HOUSE BILL NO. 2274-TITLE-BY REPRESENTATIVE HOUSE, ET AL
 HOUSE BILL NO. 2307 BY REPRESENTATIVE BLEDSOE
 HOUSE BILL NO. 2326-TITLE-BY REPRESENTATIVE WOOD, ET AL
 HOUSE BILL NO. 2336 BY REPRESENTATIVE SCHULTE, ET AL
 HOUSE BILL NO. 2349-TITLE-BY REPRESENTATIVE CHILDERS
 HOUSE BILL NO. 2377-TITLE-BY REPRESENTATIVE SCROGGIN
 HOUSE BILL NO. 2401 BY REPRESENTATIVE ROSENBAUM
 HOUSE BILL NO. 2419 BY REPRESENTATIVE GILLESPIE
 HOUSE BILL NO. 2423 BY REPRESENTATIVE GILLESPIE
 HOUSE BILL NO. 2427-TITLE-BY REPRESENTATIVE BOYD
 HOUSE BILL NO. 2430 BY REPRESENTATIVE LAMOUREUX
 HOUSE BILL NO. 2463 BY REPRESENTATIVE HOUSE
 HOUSE BILL NO. 2599 BY REPRESENTATIVE KEY
 HOUSE BILL NO. 2607 BY REPRESENTATIVE CREEKMORE
 HOUSE BILL NO. 2614 BY REPRESENTATIVE NORTON
 HOUSE BILL NO. 2646-TITLE-BY REPRESENTATIVE PACE
 HOUSE BILL NO. 2720 BY REPRESENTATIVE NAPPER, ET AL
 HOUSE BILL NO. 2729 BY REPRESENTATIVE MATAYO
 HOUSE BILL NO. 2758 BY REPRESENTATIVE ROSENBAUM
 HOUSE BILL NO. 2828 BY REPRESENTATIVE HATHORN
 HOUSE BILL NO. 2835-TITLE-BY REPRESENTATIVE ELLIOTT

ENGROSSED BILL REPORTS (continued)

HOUSE BILL NO. 2836-TITLE-BY REPRESENTATIVE MAHONY

HOUSE BILL NO. 2845 BY REPRESENTATIVE PACE

HOUSE BILL NO. 2867 BY REPRESENTATIVE WALTERS

HOUSE BILL NO. 2885 BY REPRESENTATIVE BRADFORD

SENATE BILL NO. 115-TITLE-BY SENATOR J. JEFFRESS AND
REPRESENTATIVE BOLIN, ET AL

SENATE BILL NO. 452 BY SENATOR STEELE, ET AL

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2269

BY: REPRESENTATIVES VERKAMP, LAMOUREUX, PATE, STOVALL, THYER,
THOMASON, WOOD

BY: SENATOR WILKINSON

A BILL FOR AN ACT TO BE ENTITLED AN ACT CONCERNING THE
SALARIES OF THE JUDGES AND OTHER PERSONNEL OF THE VARIOUS
DISTRICT COURTS; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2274

BY: REPRESENTATIVES HOUSE, WEAVER, GREEN, ELLIOTT, BOLIN, P.
BOOKOUT, OGLESGBY, SEAWEL, L. PRATER, HUTCHINSON, MACK, FITE,
CHESTERFIELD, DICKINSON, DANGEAU, BOYD, BLAIR, RANKIN, PARKS,
HATHORN, MOORE, SUMPTER, J. JOHNSON

BY: SENATORS J. JEFFRESS, WILKINS, J. BOOKOUT, WOOLDRIDGE, BAKER,
G. JEFFRESS, FARIS, BRYLES

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REQUIRE SCHOOL
DISTRICTS TO ADOPT ANTI-BULLYING POLICIES; TO REQUIRE THE POLICIES
TO BE FILED WITH THE DEPARTMENT OF EDUCATION; AND FOR OTHER
PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2326

BY: REPRESENTATIVES WOOD, *FERGUSON*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ALLOW CITIES TO ESTABLISH FILING DEADLINES FOR CANDIDATES THAT ARE INDEPENDENT OR OTHERWISE NONPARTISAN IN AN ELECTION FOR MUNICIPAL OFFICE; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2349

BY: REPRESENTATIVE CHILDERS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ALLOW FORMATIONS OF, AND CONVERSIONS TO, PUBLIC WATER AUTHORITIES UNDER ARKANSAS CODE § 4-35-101 ET SEQ. TO BE AUTHORIZED AND APPROVED BY THE BOARD OF DIRECTORS AND, IF APPLICABLE, THE MEMBERS; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2377

BY: REPRESENTATIVE SCROGGIN

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND ACT 182 OF 2003 TO DEFINE "SYSTEM SOFTWARE", "APPLICATION SOFTWARE", AND "SYSTEM SOFTWARE MAINTENANCE"; TO ALLOW A SALES OR USE TAX CREDIT ON THE PURCHASE OR LICENSE OF *SYSTEM SOFTWARE OR SYSTEM SOFTWARE MAINTENANCE* FOR A QUALIFIED COMPUTER-RELATED BUSINESS; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2835

BY: REPRESENTATIVE ELLIOTT

A BILL FOR AN ACT TO BE ENTITLED THE ARKANSAS ECONOMIC DEVELOPMENT EXPANSION ACT.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2427

BY: REPRESENTATIVE BOYD

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND ARKANSAS CODE §§ 8-9-402 AND 8-9-404 TO PROVIDE FOR AN ADEQUATE FEE FOR COLLECTION AND DISPOSAL OF WASTE TIRES IN THE STATE OF ARKANSAS; TO AMEND ARKANSAS CODE § 8-9-405 TO PROVIDE FOR TIMELY UPDATES OF FORMULAS FOR DISTRIBUTION OF WASTE TIRE GRANT FUNDS; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2646

BY: REPRESENTATIVE PACE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND VARIOUS SECTIONS OF THE ARKANSAS CODE TO PROVIDE THAT CERTAIN COUNTY TAXES ON AVIATION FUEL BE REMITTED TO A REGIONAL AIRPORT LOCATED IN THE *TAXING COUNTY*; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2836

BY: REPRESENTATIVE ELLIOTT

A BILL FOR AN ACT TO BE ENTITLED THE EMERGENCY CONTRACEPTION FOR SEXUAL ASSAULT SURVIVORS ACT.

SENATE BILL ENGROSSED AS TITLE AMENDED
SENATE BILL NO. 115

BY: SENATORS J. JEFFRESS, T. SMITH, FARIS, STEELE, G. JEFFRESS, BROADWAY, SALMON, WILKINSON, HORN, WHITAKER, ALTES, HOLT, WOMACK, J. BOOKOUT

BY: REPRESENTATIVES BOLIN, R. SMITH, KING, RANKIN, JUDY, CREEKMORE, BORHAUER, WOOD, P. BOOKOUT, HAAK, WHITE, *KEY, GREEN*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO RESTRUCTURE THE ARKANSAS STATE BOARD OF ACUPUNCTURE AND RELATED TECHNIQUES; AND FOR OTHER PURPOSES.

Upon motion of Representative Verkamp, **HOUSE BILL NO. 2269** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2269

Amend **HOUSE BILL NO. 2269** as originally introduced:

Page 12, delete lines 35 and 36 and substitute:

“annual salary of not less than ~~fourteen thousand dollars (\$14,000)~~ sixteen thousand dollars (\$16,000) nor more than ~~twenty four thousand dollars (\$24,000)~~ thirty thousand dollars (\$30,000).”

AND

Page 13, delete lines 11 through 14 and substitute:

“annual salary of not less than ~~twelve thousand five hundred dollars (\$12,500)~~ thirteen thousand dollars (\$13,000) nor more than ~~sixteen thousand dollars (\$16,000)~~ twenty thousand dollars (\$20,000), and the clerk shall receive an annual salary of not less than ~~ten thousand eight hundred dollars (\$10,800)~~ eleven thousand dollars (\$11,000) nor more than ~~twelve thousand dollars (\$12,000)~~ fifteen thousand dollars (\$15,000).”

AND

Page 15, delete lines 24 through 27 and substitute:

“receive an annual salary of not less than ~~fifteen thousand dollars (\$15,000)~~ sixteen thousand dollars (\$16,000) nor more than twenty-five thousand dollars (\$25,000), and the clerk of the court shall receive an annual salary of not less than ~~thirteen thousand dollars (\$13,000)~~ thirteen thousand five hundred dollars (\$13,500) nor more than ~~fifteen thousand dollars (\$15,000)~~ eighteen thousand dollars (\$18,000),”

/s/ Mike Hathorn

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Verkamp, **HOUSE BILL NO. 2269** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 2269

Amend **HOUSE BILL NO. 2269** as originally introduced:

Page 19, delete lines 7 through 9 and substitute:

“annual salary of not less than twenty-two thousand six hundred dollars (\$22,600) nor more than ~~thirty thousand dollars (\$30,000)~~ thirty-five thousand dollars (\$35,000). The salaries and costs may be set and the”

/s/ John Verkamp

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Verkamp, **HOUSE BILL NO. 2269** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 3 TO HOUSE BILL NO. 2269

Amend **HOUSE BILL NO. 2269** as originally introduced:

Add Representatives Lamoureux, Pate, Stovall, Thyer, Thomason and Wood as cosponsors of the bill

AND

Add Sen. Wilkinson as a cosponsor of the bill

AND

Page 4, line 9 delete “thirty-nine thousand five hundred dollars (\$39,500)” and substitute “~~thirty-nine thousand five hundred dollars (\$39,500)~~ fifty thousand dollars (\$50,000)”

AND

Page 23, line 24 delete “fifty thousand dollars (\$50,000)” and substitute “~~fifty thousand dollars (\$50,000)~~ sixty thousand dollars (\$60,000)”

AND

Page 23, line 25 delete “sixty thousand dollars (\$60,000)” and substitute “~~sixty thousand dollars (\$60,000)~~ seventy thousand dollars (\$70,000)”

AND

Page 23, line 26 delete “thirty-five thousand dollars”

AND

Page 23, delete line 27 and substitute “~~(\$35,000)~~ fifty thousand dollars (\$50,000) nor more than ~~forty five thousand dollars (\$45,000)~~ sixty thousand dollars (\$60,000). The salaries”

/s/ John Verkamp

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Steele, **SENATE BILL NO. 452** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO SENATE BILL NO. 452

Amend **SENATE BILL NO. 452** as originally introduced:

Page 1, line 32, delete "(B)" and substitute "(B)(i)"

AND

Page 1, line 33, delete "terrorists attacks and war;" and substitute "terrorists attacks, specifically including contingency plans for attacks using biological agents, nerve gas, or similar chemical agents, and war;"

(ii) To the extent practical, the model plans should include practice drills."

AND

Page 2, line 6, delete "On or before" and substitute "(a) On or before"

AND

Page 2, lines 8 and 9, delete "terrorist attack affecting the school and in the event of war affecting the school." and substitute "terrorist attack, specifically including contingency plans for attacks using biological agents, the use of nerve gas, or similar chemical agents, affecting the school and in the event of war affecting the school."

(b) To the extent practical, students should participate in practice drills executing the plans."

/s/ Dwight Fite

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Jeffress, **SENATE BILL NO. 115** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO SENATE BILL NO. 115

Amend **SENATE BILL NO. 115**

as engrossed, S2/11/03:

Add Representatives Key and Green as cosponsors of the bill

Page 1, line 36, delete "~~of healing arts~~ of oriental medicine" and substitute "of healing arts"

AND

Page 2 line 23, delete "(i)" and substitute "(i)(a)"

AND

Page 2, delete line 24 and substitute the following:

"position provided to the Governor by any professional association of acupuncture that is qualified under Internal Revenue Code Section (c)(3) or (c)(6), as in effect January 1, 2003, and is licensed in Arkansas.

(b) The persons whose names are submitted to the Governor need not be members of any professional group; and"

AND

Page 2, line 25, delete "(ii)" and substitute "(ii)(a)"

AND

Page 2, delete lines 27 through 29 and substitute the following:

"certification in a recognized Oriental specialty.

(b) The specialty training shall consist of a minimum of one hundred forty-four (144) hours completed in not more than two (2) years."

AND

Page 3, line 33, delete "salary as" and substitute "salary or dividends as"

AND

Page 4, line 7 delete "two (2) years" and substitute "one (1) year"

AND

Page 4, delete lines 17 and 18 and substitute the following:

"~~certified by have passed either the National Commission for the Certification of Acupuncturists~~ National Certification Commission for Acupuncturists and Oriental Medicine exam, or another exam approved by the board and with standards that equal or exceed the standards of the exam given by the National Certification Commission for Acupuncturists and Oriental Medicine."

AND

Page 5, delete line 18 and substitute the following:

"(8) Grant, deny, renew, suspend, or revoke licenses to"

AND

Page 5, delete line 31 and substitute the following:

"applicant under either § 17-102-302 or 304.

(2) No person holding a current license as of the effective date of this subsection (d) may be required by the Secretary of State to show proof of certification or to be recertified."

AND

Page 6, line 4, delete "each of the types of"

AND

Page 6, delete lines 17 and 18 and substitute the following:

"~~acupuncturist validly certified by the National Commission for the Certification of Acupuncturists~~ National Certification Commission for Acupuncturists and Oriental Medicine as of August 1, 1997, and residing and"

AND

Page 6, line 31 delete "(D)" and substitute "(D)(i)"

AND

Page 6 delete lines 33 through 36 and substitute the following:

"certification in a recognized Oriental medical specialty.

(ii) The specialty shall consist of a minimum of one hundred forty-four (144) hours of education completed in not more than two (2) years; or"

AND

Page 7, line 2, delete "state;" and substitute "state with comparable licensure standards as determined by the board;"

AND

Page 7, line 3, delete "(B)" and substitute "(B)(i)"

AND

Page 7 delete lines 5 through 8 and substitute the following:

"certification in a recognized Oriental medical specialty.

(ii) The specialty shall consist of a minimum of one hundred forty-four (144) hours of education completed in not more than two (2) years; and"

AND

Page 7, line 24, delete "National Commission for the Certification of"

AND

Page 7, line 25 delete "Acupuncturists" and substitute "National Certification Commission for Acupuncturists and Oriental Medicine"

AND

Page 8, delete lines 11 and 12 and substitute the following:

"Oriental Medicine, or the National Certification Commission for Acupunctures and Oriental Medicine; and"

AND

Page 9, line 14, delete "Examinations." and substitute "Examinations in lieu of the National Certification Commission for Acupunctures and Oriental Medicine examination."

AND

Page 10, line 1 delete "board." and substitute "board with standards that equal or exceed the standards of the exam given by the National Certification Commission for Acupuncturists and Oriental Medicine."

/s/ R. Smith

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

/s/ Ms. Jo Renshaw

Chief Clerk

HOUSE RESOLUTION NO.1020

BY: REPRESENTATIVE CHESTERFIELD

COMMENDING LITTLE ROCK HENDERSON MIDDLE SCHOOL ON WINNING THE LITTLE ROCK CITY CHAMPIONSHIP IN BASKETBALL WHILE STUDENT PATICIPANTS MAINTAINED A COMPOSITE GRADE POINT AVERAGE OF THREE POINT FIVE (3.5).

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

HOUSE RESOLUTION NO.1018

BY: REPRESENTATIVE LEDBETTER

COMMENDING WOODRUFF ELEMENTARY SCHOOL FOR ACHIEVING A RECORD FOUR HUNDRED FORTY-EIGHT (448) CONTINUOUS DAYS WITHOUT VIOLENCE.

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

HOUSE RESOLUTION NO.1017

BY: REPRESENTATIVE MEDLEY

REQUESTING THE HOUSE INTERIM COMMITTEE ON PUBLIC HEALTH, WELFARE, AND LABOR TO CONDUCT A STUDY OF UTILIZING UNUSED PRESCRIPTION DRUGS IN LONG TERM CARE FACILITIES FOR INDIGENT HEALTH CARE.

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

HOUSE CONCURRENT RESOLUTION NO.1011

BY: REPRESENTATIVE THOMAS

URGING THE ARKANSAS HIGHWAY AND TRANSPORTATION DEPARTMENT AND THE ARKANSAS HIGHWAY COMMISSION TO DESIGNATE THE GREAT RIVER BRIDGE AS THE CHARLES W. DEAN BRIDGE.

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

HOUSE CONCURRENT RESOLUTION NO. 1017

BY: REPRESENTATIVE JUDY

EXPRESSING THE SENSE OF THE HOUSE AND SENATE OF THE GENERAL ASSEMBLY OF ARKANSAS CONCERNING THE DANGERS POSED TO THE PUBLIC HEALTH OF ARKANSANS BY THE DISEASE OF SEVERE SEPSIS.

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

***** EXPUNGED *****03/17/03*****

HOUSE BILL NO. 2823

BY: REPRESENTATIVE MEDLEY

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, 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, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Napper, Nichols, 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.

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Clemons, Hutchinson, Norton, Oglesby, Mr. Speaker.

Total5

VOTING PRESENT: Ledbetter.

Total1

Total number of votes cast95

Total number voting in the affirmative94

Necessary to the passage of the bill51

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

***** EXPUNGED *****03/17/03*****

*****EXPUNGED*****03/17/03*****

There being an Emergency Clause attached to HOUSE BILL NO. 2823, 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, Jackson, Jacobs, Jeffrey, C. Johnson, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Napper, Nichols, 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.

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Clemons, Hutchinson, Norton, Oglesby, Mr. Speaker.

Total5

VOTING PRESENT: Ledbetter.

Total1

Total number of votes cast.....95

Total number voting in the affirmative94

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

So the Emergency Clause was adopted.

*****EXPUNGED*****03/17/03*****

HOUSE BILL NO. 2606

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, 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, 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: Norton, Oglesby, Mr. Speaker.

Total3

VOTING PRESENT:

Total0

Total number of votes cast97

Total number voting in the affirmative97

Necessary to the passage of the bill51

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

HOUSE BILL NO. 2197

BY: REPRESENTATIVE KEY

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, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Napper, Nichols, 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: Norton, Oglesby, Mr. Speaker.

Total3

VOTING PRESENT:

Total0

Total number of votes cast97

Total number voting in the affirmative97

Necessary to the passage of the bill51

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

HOUSE BILL NO. 2275

BY: REPRESENTATIVE THOMASON

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, 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, Ormond, Pace, Parks, Penix, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Seawel, R. Smith, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood.

Total92

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Bolin, Gipson, Norton, Oglesby, Pate, Scroggin, Stovall, Mr. Speaker.

Total8

VOTING PRESENT:

Total0

Total number of votes cast92

Total number voting in the affirmative92

Necessary to the passage of the bill51

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

Motion was made by Representative Hathorn to refer **HOUSE BILL NO. 2561** back to the Committee on JUDICIARY. The motion carried.

HOUSE BILL NO. 1014

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, 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, Ormond, Parks, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Seawel, R. Smith, Stovall, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood.

Total95

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Norton, Oglesby, Pace, Scroggin, Mr. Speaker.

Total5

VOTING PRESENT:

Total0

Total number of votes cast95

Total number voting in the affirmative95

Necessary to the passage of the bill51

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

SENATE BILL NO. 348

BY: SENATOR BAKER

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

AFFIRMATIVE: Adams, Agee, 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, 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	96
NEGATIVE: Elliott.	
Total	1
ABSENT OR NOT VOTING: Norton, Oglesby, Mr. Speaker.	
Total	3
VOTING PRESENT:	
Total	0
Total number of votes cast	97
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.

Morning Hour Expired.

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

ARKANSAS SENATE

AMENDMENT NO. 1 TO HOUSE BILL NO. 1040

Amend HOUSE BILL NO. 1040 as engrossed, H1/23/03:

Page 2, delete lines 28 through 30 and substitute the following:

"(iii) Complete forms, for children with disabilities, that are not necessary to ensure compliance with federal statutes and regulations, including, but not limited to, the Individuals with Disabilities Education Act, as amended, and state mandates and corresponding appropriations governing the provision of special education services to students with disabilities."

/s/ Shane Broadway

The Amendment was read and 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, Dees, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Green, Haak, 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, 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, Dangeau, Hardwick, Moore, Norton, Oglesby, Mr. Speaker.

Total7

VOTING PRESENT:

Total0

Total number of votes cast93

Total number voting in the affirmative93

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

So the Amendment was concurred in.

/s/ Ms. Jo Renshaw
Chief Clerk

HOUSE BILL NO. 2201

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, Bolin, Bond, Borhauer, 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, 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, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood.

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: P. Bookout, Norton, Oglesby, Stovall, Mr. Speaker.

Total5

VOTING PRESENT: Edwards.

Total1

Total number of votes cast.....95

Total number voting in the affirmative94

Necessary to the passage of the bill51

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

HOUSE BILL NO. 2221

BY: REPRESENTATIVE R. SMITH

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

AFFIRMATIVE: Adams, Agee, Anderson, Bennett, 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, Goss, Green, Haak, Hardwick, Hathorn, Hickinbotham, House, Hutchinson, Jackson, Jacobs, Jeffrey, C. Johnson, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lewellen, Mack, Mathis, Medley, Milligan, Moore, Napper, Nichols, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, L. Prater, Pritchard, Rankin, Rosenbaum, Scrimshire, Scroggin, Seawel, R. Smith, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood.

Total86

NEGATIVE: Lendall, Martin, S. Prater, Roebuck.

Total4

ABSENT OR NOT VOTING: Bolin, Mahony, Norton, Oglesby, Stovall, Mr. Speaker.

Total6

VOTING PRESENT: Berry, Harris, Matayo, Schulte.

Total4

Total number of votes cast94

Total number voting in the affirmative86

Necessary to the passage of the bill51

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

HOUSE BILL NO. 2192

BY: REPRESENTATIVE R. SMITH

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

AFFIRMATIVE: Adams, Agee, 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, Goss, Green, Haak, Hardwick, Harris, Hathorn, Hickinbotham, House, Hutchinson, Jackson, Jacobs, Jeffrey, C. Johnson, J. Johnson, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Napper, Nichols, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, R. Smith, Stovall, Sullivan, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood.

Total92

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Bolin, Jones, Norton, Oglesby, Pritchard, Seawel, Sumpter, Mr. Speaker.

Total8

VOTING PRESENT:

Total0

Total number of votes cast.....92

Total number voting in the affirmative92

Necessary to the passage of the bill51

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

HOUSE BILL NO. 1571

BY: REPRESENTATIVE NAPPER

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

AFFIRMATIVE: Adams, Agee, 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, Pace, Parks, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Stovall, Sullivan, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, White, Wood.

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Norton, Oglesby, Ormond, Sumpter, Weaver, Mr. Speaker.

Total6

VOTING PRESENT:

Total0

Total number of votes cast94

Total number voting in the affirmative94

Necessary to the passage of the bill51

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

HOUSE BILL NO. 1982

BY: REPRESENTATIVE NAPPER

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, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Napper, Nichols, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, 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, Wood.

Total95

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Norton, Oglesby, L. Prater, White, Mr. Speaker.

Total5

VOTING PRESENT:

Total0

Total number of votes cast95

Total number voting in the affirmative95

Necessary to the passage of the bill51

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1982**, 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, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Napper, Nichols, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Stovall, Sullivan, Sumpster, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, Wood.

Total95

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Norton, Oglesby, L. Prater, White, Mr. Speaker.

Total5

VOTING PRESENT:

Total0

Total number of votes cast95

Total number voting in the affirmative95

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

So the Emergency Clause was adopted.

HOUSE BILL NO. 2778

BY: REPRESENTATIVE DEES

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, 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, Jones, Judy, Kenney, Key, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Napper, Nichols, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Stovall, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Weaver, White, Wood.

Total91

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Bright, Chesterfield, J. Johnson, King, Norton, Oglesby, L. Prater, Walters, Mr. Speaker.

Total9

VOTING PRESENT:

Total0

Total number of votes cast91

Total number voting in the affirmative91

Necessary to the passage of the bill51

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

There being an Emergency Clause attached to **HOUSE BILL NO. 2778**, 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, 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, Jones, Judy, Kenney, Key, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Napper, Nichols, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Stovall, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Weaver, White, Wood.

Total91

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Bright, Chesterfield, J. Johnson, King, Norton, Oglesby, L. Prater, Walters, Mr. Speaker.

Total9

VOTING PRESENT:

Total0

Total number of votes cast91

Total number voting in the affirmative91

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

So the Emergency Clause was adopted.

HOUSE BILL NO. 2756

BY: REPRESENTATIVE WALTERS

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, D. Evans, L. Evans, Ferguson, Fite, Gillespie, 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, Moore, Napper, Nichols, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scroggin, Seawel, R. Smith, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Walters, Weaver, White, Wood.

Total91

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Elliott, Gipson, Milligan, Norton, Oglesby, Scrimshire, Stovall, Verkamp, Mr. Speaker.

Total9

VOTING PRESENT:

Total0

Total number of votes cast.....91

Total number voting in the affirmative91

Necessary to the passage of the bill51

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

HOUSE BILL NO. 2422

BY: REPRESENTATIVE DANGEAU

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, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Green, Haak, Hardwick, Harris, Hathorn, Hickinbotham, House, Hutchinson, Jackson, Jacobs, Jeffrey, C. Johnson, Jones, Judy, Kenney, Key, King, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Napper, Nichols, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, R. Smith, Stovall, Sullivan, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood.

Total92

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Chesterfield, J. Johnson, Lamoureux, Norton, Oglesby, Seawel, Sumpter, Mr. Speaker.

Total8

VOTING PRESENT:

Total0

Total number of votes cast92

Total number voting in the affirmative92

Necessary to the passage of the bill51

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

HOUSE BILL NO. 2375

BY: REPRESENTATIVE WHITE

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

Total95

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Norton, Oglesby, Stovall, Verkamp, Mr. Speaker.

Total5

VOTING PRESENT:

Total0

Total number of votes cast.....95

Total number voting in the affirmative95

Necessary to the passage of the bill51

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

HOUSE BILL NO. 2308

BY: REPRESENTATIVE WOOD

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, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Moore, Napper, Nichols, 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.

Total96

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Milligan, Norton, Oglesby, Mr. Speaker.

Total4

VOTING PRESENT:

Total0

Total number of votes cast96

Total number voting in the affirmative96

Necessary to the passage of the bill51

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

HOUSE BILL NO. 2674

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, 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, Moore, Napper, Nichols, 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.

Total96

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Milligan, Norton, Oglesby, Mr. Speaker.

Total4

VOTING PRESENT:

Total0

Total number of votes cast.....96

Total number voting in the affirmative96

Necessary to the passage of the bill51

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

HOUSE BILL NO. 2466

BY: REPRESENTATIVE PRITCHARD

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, Dees, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, 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, 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, Thyer, Verkamp, Walters, Weaver, White, Wood.

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Dangeau, Green, Norton, Oglesby, Petrus, Mr. Speaker.

Total6

VOTING PRESENT:

Total0

Total number of votes cast94

Total number voting in the affirmative94

Necessary to the passage of the bill51

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

HOUSE BILL NO. 2559

BY: REPRESENTATIVE S. PRATER

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, 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, 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.

Total95

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Dangeau, Norton, Oglesby, Mr. Speaker.

Total4

VOTING PRESENT: Ormond.

Total1

Total number of votes cast.....96

Total number voting in the affirmative95

Necessary to the passage of the bill51

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

HOUSE BILL NO. 2560

BY: REPRESENTATIVE S. PRATER

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

AFFIRMATIVE: Agee, Anderson, Bennett, 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, 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, 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.

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Adams, Berry, Goss, Norton, Oglesby, Mr. Speaker.

Total6

VOTING PRESENT:

Total0

Total number of votes cast.....94

Total number voting in the affirmative94

Necessary to the passage of the bill51

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

HOUSE BILL NO. 2343

BY: REPRESENTATIVE PETRUS

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, 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, 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.

Total95

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Hardwick, Norton, Oglesby, Mr. Speaker.

Total4

VOTING PRESENT: Ormond.

Total1

Total number of votes cast.....96

Total number voting in the affirmative95

Necessary to the passage of the bill51

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

HOUSE BILL NO. 2234

BY: REPRESENTATIVE DOBBINS

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, Blair, Bledsoe, Bolin, Bond, Borhauer, Boyd, Bradford, Bright, Chesterfield, Childers, Clemons, Cowling, Creekmore, Dangeau, Dickinson, Dobbins, Eason, Edwards, Elliott, L. Evans, Ferguson, Gillespie, Gipson, Goss, Haak, Hardwick, Harris, Hathorn, Hickinbotham, House, Hutchinson, Jeffrey, C. Johnson, J. Johnson, Jones, Judy, Kenney, Key, Ledbetter, Lendall, Mack, Martin, Matayo, Mathis, Medley, Moore, Napper, Nichols, Ormond, Pace, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Sullivan, C. Taylor, J. Taylor, Thomason, Thyer, White, Wood.

Total74

NEGATIVE: Agee, Berry, Dees, D. Evans, Fite, Green, Jackson, Lamoureux, Mahony, Rankin, Thomas, Verkamp, Walters.

Total13

ABSENT OR NOT VOTING: Biggs, P. Bookout, Jacobs, King, Lewellen, Milligan, Norton, Oglesby, Parks, Stovall, Sumpter, Weaver, Mr. Speaker.

Total13

VOTING PRESENT:

Total0

Total number of votes cast87

Total number voting in the affirmative74

Necessary to the passage of the bill51

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

Upon motion of Representative Dobbins the Clincher motion prevailed.

HOUSE BILL NO. 2830

BY: REPRESENTATIVE HATHORN

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

AFFIRMATIVE: Adams, Agee, 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, 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: Norton, Oglesby, Mr. Speaker.

Total3

VOTING PRESENT:

Total0

Total number of votes cast.....97

Total number voting in the affirmative97

Necessary to the passage of the bill51

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

HOUSE BILL NO. 2702

BY: REPRESENTATIVE THYER

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, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Napper, Nichols, 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, White, Wood.

Total95

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Norton, Oglesby, Walters, Weaver, Mr. Speaker.

Total5

VOTING PRESENT:

Total0

Total number of votes cast95

Total number voting in the affirmative95

Necessary to the passage of the bill51

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

Upon motion of Representative Thyer the Clincher motion prevailed.

HOUSE BILL NO. 2345

BY: REPRESENTATIVE LEDBETTER

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, Jeffrey, C. Johnson, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Napper, Nichols, Pace, Parks, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood.

Total93

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Jacobs, Norton, Oglesby, Ormond, Roebuck, Stovall, Mr. Speaker.

Total7

VOTING PRESENT:

Total0

Total number of votes cast93

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.

HOUSE BILL NO. 2527

BY: REPRESENTATIVE PETRUS

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, Eason, Elliott, D. Evans, L. Evans, Ferguson, Fite, 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, Nichols, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Stovall, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Weaver, White, Wood.

Total91

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Dobbins, Edwards, Gillespie, Napper, Norton, Oglesby, Roebuck, Walters, Mr. Speaker.

Total9

VOTING PRESENT:

Total0

Total number of votes cast.....91

Total number voting in the affirmative91

Necessary to the passage of the bill51

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

There being an Emergency Clause attached to **HOUSE BILL NO. 2527**, 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, Eason, Elliott, D. Evans, L. Evans, Ferguson, Fite, 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, Nichols, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Stovall, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Weaver, White, Wood.

Total91

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Dobbins, Edwards, Gillespie, Napper, Norton, Oglesby, Roebuck, Walters, Mr. Speaker.

Total9

VOTING PRESENT:

Total0

Total number of votes cast.....91

Total number voting in the affirmative91

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

So the Emergency Clause was adopted.

HOUSE BILL NO. 2530

BY: REPRESENTATIVE JUDY

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, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Goss, Green, Haak, Hardwick, Harris, Hathorn, Hickinbotham, House, Hutchinson, Jackson, Jacobs, Jeffrey, C. Johnson, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Napper, Nichols, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Stovall, Sumpter, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, White, Wood.

Total90

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Bennett, Gipson, Ledbetter, Norton, Oglesby, Roebuck, Sullivan, C. Taylor, Weaver, Mr. Speaker.

Total10

VOTING PRESENT:

Total0

Total number of votes cast.....90

Total number voting in the affirmative90

Necessary to the passage of the bill51

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

HOUSE BILL NO. 2529

BY: REPRESENTATIVE AGEE

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

AFFIRMATIVE: Adams, Agee, 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, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Napper, Nichols, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Stovall, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, White, Wood.

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Ledbetter, Norton, Oglesby, Roebuck, Weaver, Mr. Speaker.

Total6

VOTING PRESENT:

Total0

Total number of votes cast.....94

Total number voting in the affirmative94

Necessary to the passage of the bill51

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

HOUSE BILL NO. 2244

BY: REPRESENTATIVE BOND

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, Dees, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Green, Haak, 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, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Stovall, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood.

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Dangeau, Hardwick, Norton, Oglesby, Roebuck, Mr. Speaker.

Total6

VOTING PRESENT:

Total0

Total number of votes cast.....94

Total number voting in the affirmative94

Necessary to the passage of the bill51

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

SENATE BILL NO. 190

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, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Napper, Nichols, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Scrimshire, Scroggin, Seawel, R. Smith, Stovall, Sullivan, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood.

Total95

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Norton, Oglesby, Schulte, Sumpter, Mr. Speaker.

Total5

VOTING PRESENT:

Total0

Total number of votes cast.....95

Total number voting in the affirmative95

Necessary to the passage of the bill51

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

SENATE BILL NO. 349

BY: SENATOR T. SMITH

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

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

Total91

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Berry, Borhauer, Green, Lamoureux, Norton, Oglesby, Sumpter, White, Mr. Speaker.

Total9

VOTING PRESENT:

Total0

Total number of votes cast.....91

Total number voting in the affirmative91

Necessary to the passage of the bill51

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

Upon motion of Representative Napper, **HOUSE BILL NO. 1138** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 3 TO HOUSE BILL NO. 1138

Amend **HOUSE BILL NO. 1138** as engrossed, 03/10/03:

By adding a new Section immediately after Section 40 of the bill to read as follows:

"SECTION 41. APPROPRIATION. GENERAL IMPROVEMENT - ARKANSAS TECHNICAL CAREER STUDENT LOAN FORGIVENESS PROGRAM. There is hereby appropriated, to the Department of Workforce Education, to be payable from the General Improvement Fund, or its successor fund or fund account, for Loans for the Department of Workforce Education - Arkansas Technical Career Student Loan Forgiveness Program for the biennial period ending June 30, 2005, the following:

ITEM NO.	FISCAL YEARS	
	2003-04	2004-05
(01) LOANS	<u>\$2,000,000</u>	<u>\$2,000,000"</u>

AND

By renumbering the subsequent 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 Napper, **HOUSE BILL NO. 1510** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1510

Amend **HOUSE BILL NO. 1510** as originally introduced:

Page 3, delete Section 4 in its entirety and substitute:

"SECTION 4. APPROPRIATION - ABC ADMINISTRATION - STATE OPERATIONS. There is hereby appropriated, to the Department of Finance and Administration - Alcoholic Beverage Control Division, to be payable from the State General Services Fund Account, for personal services and operating expenses of the Department of Finance and Administration - Alcoholic Beverage Control Division for the biennial period ending June 30, 2005, the following:

ITEM NO.	FISCAL YEARS	
	2003-2004	2004-2005
(01) REGULAR SALARIES	\$ 401,078	\$ 411,908
(02) EXTRA HELP	2,600	2,600
(03) PERSONAL SERV MATCH	104,832	106,749
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	85,000	85,000
(B) CONF. & TRAVEL	4,986	4,986
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	0	0
TOTAL AMOUNT APPROPRIATED	<u>\$ 598,496</u>	<u>\$ 611,243</u>

/s/ Paul Weaver

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. 1616** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1616

Amend **HOUSE BILL NO. 1616** as originally introduced:

Delete SECTION 3 in its entirety and substitute the following:

" SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated, to the Office of Attorney General, to be payable from the State Central Services Fund, for personal services and operating expenses of the Office of Attorney General for the biennial period ending June 30, 2005, the following:

ITEM NO.	FISCAL YEARS	
	2003-2004	2004-2005
(01) REGULAR SALARIES	\$ 5,986,321	\$ 6,147,954
(02) EXTRA HELP	19,336	19,336
(03) PERSONAL SERV MATCH	1,499,473	1,529,392
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	1,430,466	1,456,924
(B) CONF. & TRAVEL	86,500	87,970
(C) PROF. FEES	171,000	166,500
(D) CAP. OUTLAY	129,000	131,000
(E) DATA PROC.	0	0
(05) REAPPORTIONMENT EXPENSES	<u>495,000</u>	<u>495,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 9,817,096</u>	<u>\$ 10,034,076</u>

AND

Delete SECTION 6 in its entirety and substitute the following:

" SECTION 6. APPROPRIATION - CRIME VICTIMS REPARATIONS PROGRAM - SPECIAL. There is hereby appropriated, to the Office of Attorney General, to be payable from the Crime Victims Reparations Revolving Fund, for personal services, operating expenses and payment of claims by the Office of Attorney General - Crime Victims Reparations Program for the biennial period ending June 30, 2005, the following:

ITEM NO.	FISCAL YEARS	
	2003-2004	2004-2005
(01) REGULAR SALARIES	\$ 313,956	\$ 322,433
(02) EXTRA HELP	10,000	10,000
(03) PERSONAL SERV MATCH	85,844	87,413

(04) MAINT. & GEN. OPERATION

(A) OPER. EXPENSE	53,970	53,970
(B) CONF. & TRAVEL	15,200	15,200
(C) PROF. FEES	23,000	23,000
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	0	0

(05) CLAIMS	<u>2,527,426</u>	<u>2,517,380</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 3,029,396</u>	<u>\$ 3,029,396"</u>

AND

Delete SECTION 8 in its entirety and substitute the following:

" SECTION 8. APPROPRIATION - CRIME VICTIMS REPARATIONS PROGRAM - FEDERAL. There is hereby appropriated, to the Office of Attorney General, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for personal services, operating expenses and payment of claims by the Office of Attorney General - Crime Victims Reparations Program - Federal for the biennial period ending June 30, 2005, the following:

ITEM NO.	FISCAL YEARS	
	2003-2004	2004-2005
(01) REGULAR SALARIES	\$ 25,406	\$ 26,092
(02) PERSONAL SERV MATCH	8,063	8,190
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	25,300	25,300
(B) CONF. & TRAVEL	0	0
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	0	0
(04) CLAIMS	<u>1,098,096</u>	<u>1,098,096</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 1,156,865</u>	<u>\$ 1,157,678"</u>

AND

Page 7, line 16, delete "one (1)" and substitute "two (2)"

AND

Delete SECTION 11 in its entirety and substitute the following:

" SECTION 11. APPROPRIATION - MEDICAID FRAUD DIVISION - FEDERAL. There is hereby appropriated, to the Office of Attorney General, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Office of Attorney General - Medicaid Fraud Division - Federal for the biennial period ending June 30, 2005, the following:

ITEM NO.	FISCAL YEARS	
	2003-2004	2004-2005
(01) REGULAR SALARIES	\$ 878,419	\$ 902,136
(02) EXTRA HELP	25,000	25,000
(03) PERSONAL SERV MATCH	221,843	226,233
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	167,750	169,521
(B) CONF. & TRAVEL	31,275	31,275
(C) PROF. FEES	21,000	21,000
(D) CAP. OUTLAY	23,658	23,658
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 1,368,945</u>	<u>\$ 1,398,823</u>

AND

Delete SECTION 13 in its entirety and substitute the following:

" SECTION 13. APPROPRIATION - MEDICAID FRAUD DIVISION - STATE. There is hereby appropriated, to the Office of Attorney General, to be payable from the State Central Services Fund, for personal services and operating expenses of the Office of Attorney General - Medicaid Fraud Division - State for the biennial period ending June 30, 2005, the following:

ITEM NO.	FISCAL YEARS	
	2003-2004	2004-2005
(01) REGULAR SALARIES	\$ 296,619	\$ 304,628
(02) PERSONAL SERV MATCH	71,704	73,187
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	57,581	57,781
(B) CONF. & TRAVEL	10,425	10,425
(C) PROF. FEES	7,000	7,000
(D) CAP. OUTLAY	6,261	6,261
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 449,590</u>	<u>\$ 459,282</u>

AND

Delete SECTION 15 in its entirety and substitute the following:

" SECTION 15. APPROPRIATION - DO NOT CALL - SPECIAL. There is hereby appropriated, to the Office of Attorney General, to be payable from direct revenue credited to the State Central Services Fund as described by Arkansas Code 4-99-404, for operating expenses of the Office of Attorney General - Do Not Call Program for the biennial period ending June 30, 2005, the following:

ITEM NO.	FISCAL YEARS	
	2003-2004	2004-2005
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	\$ 154,000	\$ 154,000
(B) CONF. & TRAVEL	0	0
(C) PROF. FEES	40,000	40,000
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 194,000</u>	<u>\$ 194,000"</u>

AND

Immediately following SECTION 17, add an additional section to read as follows:

“ SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPENDING FLEXIBILITY. In the event that the Office of the Attorney General determines that it is in the best interest of the State to use some portion of its total appropriation authority as approved by the General Assembly for a different line item than that for which it was appropriated, then the Office of Attorney General is authorized to do so. The Attorney General may transfer funds and appropriations among line items so long as the total expenditures for the Office do not exceed the total appropriation authorized for the Attorney Generals Office. The provisions of this section shall be in effect only from July 1, 2003 through June 30, 2005.”

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 Napper, **HOUSE BILL NO. 1715** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1715

Amend **HOUSE BILL NO. 1715** as originally introduced:

Page 2, delete line 1 in its entirety and substitute the following:

"	LEGISLATURES	102,926	102,926
(03)	NATIONAL CENTER FOR STATE COURTS	101,565	101,565"

AND

Appropriately renumber the ITEM NUMBERS

AND

Page 2, line 13, delete "\$ 485,076 \$ 485,076" and substitute

" \$ 586,641 \$ 586,641"

/s/ Paul Weaver

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. 1715 was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 3 TO HOUSE BILL NO. 1715

Amend HOUSE BILL NO. 1715 as engrossed, 3/11/03:

Page 32, insert an additional section immediately following section 74 to read as follows:

" SECTION 75. APPROPRIATION - COLUMBIA COUNTY COURTHOUSE ANNEX. There is hereby appropriated to the Department of Finance and Administration - Disbursing Officer, to be payable from the General Improvement Fund or its successor fund or fund accounts, the following:

(A) For state assistance to Columbia County for installation and equipping of an elevator in the Columbia County Courthouse Annex, the sum of\$30,000."

AND appropriately renumber the subsequent sections.

/s/ Paul Weaver

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. 1719 was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1719

Amend HOUSE BILL NO. 1719 as originally introduced:

Immediately following SECTION 6 add a new section to read as follows:

"Section 7. APPROPRIATION - ARKANSAS MULTI-AGENCY INSURANCE TRUST FUND. There is hereby appropriated, to the State Insurance Department, to be payable from the Arkansas Multi-Agency Insurance Trust Fund ("AMAIT"), for operating expenses and payment of claims of the participating state agencies of the AMAIT Fund for each fiscal year of the biennial period ending June 30, 2005, a sum not to exceed \$10,000,000."

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 Napper, HOUSE BILL NO. 1829 was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1829

Amend HOUSE BILL NO. 1829 as originally introduced:

Page 2, delete lines 11 and 12 in their entirety and substitute the following:

"(7) 9297 AUDIT MANAGER	1	\$85,352	\$87,374
(8) 9881 FIELD AUDIT SUPERVISOR	16	\$82,093	\$84,053"

AND

Page 2, delete lines 14 and 15 in their entirety and substitute the following:

"(10) 9998 INFORMATION SYSTEMS CONSULTANT	1	\$75,183	\$77,011
(11) 9296 DATA VERIFICATION MANAGER	1	\$ 0	\$76,150
(12) SOUTHERN LEGISLATIVE CONFERENCE COORD	1	\$50,000	\$12,500"

AND

Appropriately renumber the Item Numbers

AND

Page 2, line 25, "1" and substitute "2"

AND

Page 3, line 4, delete "246" and substitute "248"

AND

Page 3, line 15, delete "\$ 15,015,739 \$ 15,015,739" and substitute "\$ 15,506,900 \$ 15,980,580"

AND

Page 3, line 16, delete "3,370,606 3,370,606" and substitute "3,572,054 3,665,395"

AND

Page 3, line 18, delete "1,432,000 1,432,000" and substitute "1,672,894 1,683,231"

AND

Page 3, line 23, delete "\$ 21,134,345 \$ 21,134,345" and substitute "\$ 22,067,848 \$ 22,645,206"

AND

Page 3, line 36, delete "\$ 371,500 \$ 371,500" and substitute "\$ 600,000 \$ 500,000"

AND

Immediately following SECTION 10, add an additional section 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. SUPPLEMENT CAFR APPROPRIATION. Because the audit of the State's financial statements is essential to provide adequate information to the General Assembly to determine the needs and legislative requirements of the state, to provide adequate information to the Governor for proper management of the affairs of the State, and to issue bonds from time to time, the payment of the cost for securing the services of an independent auditor to audit the State of Arkansas' Comprehensive Annual Financial Report (CAFR AUDIT) appropriation authorized in Section 3 herein may be supplemented through the transfer of any other appropriations and funds available to the Division of Legislative Audit in the event that the appropriation or funding provided for the audit of the CAFR is inadequate. The provisions of this section shall be in effect only from July 1, 2003 through June 30, 2005."

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 Napper the rules were suspended. Considered in the Committee of the Whole. Returned with the recommendation that it "DO PASS".

HOUSE BILL NO. 1400

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, Borhauer, Boyd, Bradford, Bright, Chesterfield, Childers, Clemons, Cowling, Creekmore, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Haak, Hardwick, Harris, Hathorn, Hickinbotham, House, Jeffrey, J. Johnson, Jones, Judy, Kenney, Key, King, Ledbetter, Lendall, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Nichols, 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, Thomason, Thyer, Verkamp, Walters, Weaver, Wood.

Total83

NEGATIVE:

Total0

ABSENT OR NOT VOTING: P. Bookout, Dangeau, Dees, L. Evans, Green, Hutchinson, Jacobs, C. Johnson, Lamoureux, Lewellen, Napper, Norton, Oglesby, Thomas, White, Mr. Speaker.

Total16

VOTING PRESENT: Jackson.

Total1

Total number of votes cast84

Total number voting in the affirmative83

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1400**, 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, Borhauer, Boyd, Bradford, Bright, Chesterfield, Childers, Clemons, Cowling, Creekmore, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Haak, Hardwick, Harris, Hathorn, Hickinbotham, House, Jeffrey, J. Johnson, Jones, Judy, Kenney, Key, King, Ledbetter, Lendall, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Nichols, 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, Thomason, Thyer, Verkamp, Walters, Weaver, Wood.

Total83

NEGATIVE:

Total0

ABSENT OR NOT VOTING: P. Bookout, Dangeau, Dees, L. Evans, Green, Hutchinson, Jacobs, C. Johnson, Lamoureux, Lewellen, Napper, Norton, Oglesby, Thomas, White, Mr. Speaker.

Total 16

VOTING PRESENT: Jackson.

Total 1

Total number of votes cast.....84

Total number voting in the affirmative83

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

So the Emergency Clause was adopted.

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

HOUSE BILL NO. 1401

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

Total85

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Bond, Dangeau, Elliott, L. Evans, Green, Hardwick, C. Johnson, Mathis, Moore, Norton, Oglesby, S. Prater, Sullivan, White, Mr. Speaker.

Total15

VOTING PRESENT:

Total0

Total number of votes cast85

Total number voting in the affirmative85

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1401**, 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, P. Bookout, Borhauer, Boyd, Bradford, Bright, Chesterfield, Childers, Clemons, Cowling, Creekmore, Dees, Dickinson, Dobbins, Eason, Edwards, D. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Haak, Harris, Hathorn, Hickinbotham, House, Hutchinson, Jackson, Jacobs, Jeffrey, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Medley, Milligan, Napper, Nichols, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, L. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Stovall, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, Wood.

Total85

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Bond, Dangeau, Elliott, L. Evans, Green, Hardwick, C. Johnson, Mathis, Moore, Norton, Oglesby, S. Prater, Sullivan, White, Mr. Speaker.

Total15

VOTING PRESENT:

Total0

Total number of votes cast.....85

Total number voting in the affirmative85

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

So the Emergency Clause was adopted.

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

HOUSE BILL NO. 1404

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

Total86

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Bolin, Dangeau, Gillespie, Green, C. Johnson, Lamoureux, Napper, Norton, Oglesby, Penix, L. Prater, Thomas, White, Mr. Speaker.

Total14

VOTING PRESENT:

Total0

Total number of votes cast86

Total number voting in the affirmative86

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1404**, 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, Bond, P. Bookout, Borhauer, Boyd, Bradford, Bright, Chesterfield, Childers, Clemons, Cowling, Creekmore, Dees, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gipson, Goss, Haak, Hardwick, Harris, Hathorn, Hickinbotham, House, Hutchinson, Jackson, Jacobs, Jeffrey, J. Johnson, Jones, Judy, Kenney, Key, King, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Nichols, Ormond, Pace, Parks, Pate, Petrus, Pickett, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Stovall, Sullivan, Sumpster, C. Taylor, J. Taylor, Thomason, Thyer, Verkamp, Walters, Weaver, Wood.

Total86

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Bolin, Dangeau, Gillespie, Green, C. Johnson, Lamoureux, Napper, Norton, Oglesby, Penix, L. Prater, Thomas, White, Mr. Speaker.

Total14

VOTING PRESENT:

Total0

Total number of votes cast.....86

Total number voting in the affirmative86

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

So the Emergency Clause was adopted.

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

HOUSE BILL NO. 1486

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, Bond, P. Bookout, Boyd, Bradford, Bright, Chesterfield, Childers, Clemons, Cowling, Creekmore, Dees, Dobbins, Eason, Edwards, D. Evans, Ferguson, Fite, Gipson, Goss, Haak, Hardwick, Harris, Hathorn, Hickinbotham, Jackson, Jacobs, Jeffrey, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lewellen, Mack, Mahony, Matayo, Medley, Milligan, Moore, Nichols, Ormond, Pace, Parks, Pate, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Stovall, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomason, Thyer, Verkamp, Walters, Weaver, Wood.

Total79

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Bolin, Borhauer, Dangeau, Dickinson, Elliott, L. Evans, Gillespie, Green, House, Hutchinson, C. Johnson, Lendall, Martin, Mathis, Napper, Norton, Oglesby, Penix, Thomas, White, Mr. Speaker.

Total21

VOTING PRESENT:

Total0

Total number of votes cast79

Total number voting in the affirmative79

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1486**, 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, Bond, P. Bookout, Boyd, Bradford, Bright, Chesterfield, Childers, Clemons, Cowling, Creekmore, Dees, Dobbins, Eason, Edwards, D. Evans, Ferguson, Fite, Gipson, Goss, Haak, Hardwick, Harris, Hathorn, Hickinbotham, Jackson, Jacobs, Jeffrey, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lewellen, Mack, Mahony, Matayo, Medley, Milligan, Moore, Nichols, Ormond, Pace, Parks, Pate, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Stovall, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomason, Thyer, Verkamp, Walters, Weaver, Wood.

Total79

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Bolin, Borhauer, Dangeau, Dickinson, Elliott, L. Evans, Gillespie, Green, House, Hutchinson, C. Johnson, Lendall, Martin, Mathis, Napper, Norton, Oglesby, Penix, Thomas, White, Mr. Speaker.

Total21

VOTING PRESENT:

Total0

Total number of votes cast.....79

Total number voting in the affirmative79

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

So the Emergency Clause was adopted.

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

HOUSE BILL NO. 1611

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, Biggs, Blair, Bledsoe, Bolin, Bond, P. Bookout, Borhauer, Boyd, Bradford, Bright, Chesterfield, Childers, Clemons, Cowling, Creekmore, Dees, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gipson, Goss, Green, Haak, Harris, Hathorn, Hickinbotham, House, Hutchinson, Jackson, Jacobs, Jeffrey, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Nichols, 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, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood.

Total90

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Berry, Dangeau, Gillespie, Hardwick, C. Johnson, Napper, Norton, Oglesby, Thomas, Mr. Speaker.

Total10

VOTING PRESENT:

Total0

Total number of votes cast90

Total number voting in the affirmative90

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1611**, 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, Biggs, Blair, Bledsoe, Bolin, Bond, P. Bookout, Borhauer, Boyd, Bradford, Bright, Chesterfield, Childers, Clemons, Cowling, Creekmore, Dees, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gipson, Goss, Green, Haak, Harris, Hathorn, Hickinbotham, House, Hutchinson, Jackson, Jacobs, Jeffrey, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Nichols, 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, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood.

Total90

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Berry, Dangeau, Gillespie, Hardwick, C. Johnson, Napper, Norton, Oglesby, Thomas, Mr. Speaker.

Total10

VOTING PRESENT:

Total0

Total number of votes cast.....90

Total number voting in the affirmative90

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

So the Emergency Clause was adopted.

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

HOUSE BILL NO. 1639

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, 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, Gipson, Green, Haak, Hardwick, Harris, Hathorn, Hickinbotham, House, Hutchinson, Jackson, Jacobs, Jeffrey, C. Johnson, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Nichols, Ormond, Pace, Parks, Pate, 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, Wood.

Total89

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Bledsoe, Elliott, Gillespie, Goss, Lendall, Napper, Norton, Oglesby, Penix, White, Mr. Speaker.

Total11

VOTING PRESENT:

Total0

Total number of votes cast89

Total number voting in the affirmative89

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1639**, 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, 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, Gipson, Green, Haak, Hardwick, Harris, Hathorn, Hickinbotham, House, Hutchinson, Jackson, Jacobs, Jeffrey, C. Johnson, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Nichols, Ormond, Pace, Parks, Pate, 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, Wood.

Total89

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Bledsoe, Elliott, Gillespie, Goss, Lendall, Napper, Norton, Oglesby, Penix, White, Mr. Speaker.

Total11

VOTING PRESENT:

Total0

Total number of votes cast.....89

Total number voting in the affirmative89

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

So the Emergency Clause was adopted.

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

HOUSE BILL NO. 1660

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, Elliott, D. Evans, L. Evans, Fite, 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, Nichols, Ormond, Pace, Parks, Pate, 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, Wood.

Total91

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Ferguson, Gillespie, Goss, Napper, Norton, Oglesby, Penix, White, Mr. Speaker.

Total9

VOTING PRESENT:

Total0

Total number of votes cast91

Total number voting in the affirmative91

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to HOUSE BILL NO. 1660, 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, Fite, 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, Nichols, Ormond, Pace, Parks, Pate, 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, Wood.

Total91

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Ferguson, Gillespie, Goss, Napper, Norton, Oglesby, Penix, White, Mr. Speaker.

Total9

VOTING PRESENT:

Total0

Total number of votes cast.....91

Total number voting in the affirmative91

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

So the Emergency Clause was adopted.

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

HOUSE BILL NO. 1661

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, Dees, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Fite, Gipson, Haak, Harris, Hathorn, Hickinbotham, Hutchinson, Jackson, Jacobs, Jeffrey, J. Johnson, Jones, Judy, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Nichols, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Stovall, Sullivan, Sumpster, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, Wood.

Total85

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Dangeau, Ferguson, Gillespie, Goss, Green, Hardwick, House, C. Johnson, Kenney, Moore, Napper, Norton, Oglesby, White, Mr. Speaker.

Total15

VOTING PRESENT:

Total0

Total number of votes cast85

Total number voting in the affirmative85

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1661**, 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, Dees, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Fite, Gipson, Haak, Harris, Hathorn, Hickinbotham, Hutchinson, Jackson, Jacobs, Jeffrey, J. Johnson, Jones, Judy, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Nichols, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Stovall, Sullivan, Sumpster, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, Wood.

Total85

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Dangeau, Ferguson, Gillespie, Goss, Green, Hardwick, House, C. Johnson, Kenney, Moore, Napper, Norton, Oglesby, White, Mr. Speaker.

Total15

VOTING PRESENT:

Total0

Total number of votes cast.....85

Total number voting in the affirmative85

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

So the Emergency Clause was adopted.

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

HOUSE BILL NO. 1664

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, Bradford, Bright, Chesterfield, Clemons, Cowling, Creekmore, Dees, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Fite, Gipson, Goss, Green, Haak, Harris, Hathorn, Hickinbotham, House, Jacobs, Jeffrey, C. Johnson, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Nichols, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Stovall, Sullivan, Sumpster, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood.

Total85

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Boyd, Childers, Dangeau, Ferguson, Gillespie, Hardwick, Hutchinson, Jackson, Moore, Napper, Norton, Oglesby, Pritchard, Rankin, Mr. Speaker.

Total15

VOTING PRESENT:

Total0

Total number of votes cast85

Total number voting in the affirmative85

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1664**, 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, Bradford, Bright, Chesterfield, Clemons, Cowling, Creekmore, Dees, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Fite, Gipson, Goss, Green, Haak, Harris, Hathorn, Hickinbotham, House, Jacobs, Jeffrey, C. Johnson, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Nichols, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Stovall, Sullivan, Sumpster, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood.

Total85

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Boyd, Childers, Dangeau, Ferguson, Gillespie, Hardwick, Hutchinson, Jackson, Moore, Napper, Norton, Oglesby, Pritchard, Rankin, Mr. Speaker.

Total15

VOTING PRESENT:

Total0

Total number of votes cast.....85

Total number voting in the affirmative85

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

So the Emergency Clause was adopted.

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

HOUSE BILL NO. 1665

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, Bradford, Bright, Chesterfield, Cowling, Creekmore, Dees, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gipson, Goss, Green, Haak, Harris, Hathorn, Hickinbotham, Jacobs, Jeffrey, C. Johnson, J. Johnson, Jones, Judy, Kenney, King, Lamoureux, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Nichols, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Stovall, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood.

Total82

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Boyd, Childers, Clemons, Dangeau, Gillespie, Hardwick, House, Hutchinson, Jackson, Key, Ledbetter, Moore, Napper, Norton, Oglesby, Pritchard, Rankin, Mr. Speaker.

Total18

VOTING PRESENT:

Total0

Total number of votes cast82

Total number voting in the affirmative82

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1665**, 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, Bradford, Bright, Chesterfield, Cowling, Creekmore, Dees, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gipson, Goss, Green, Haak, Harris, Hathorn, Hickinbotham, Jacobs, Jeffrey, C. Johnson, J. Johnson, Jones, Judy, Kenney, King, Lamoureux, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Nichols, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Stovall, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood.

Total82

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Boyd, Childers, Clemons, Dangeau, Gillespie, Hardwick, House, Hutchinson, Jackson, Key, Ledbetter, Moore, Napper, Norton, Oglesby, Pritchard, Rankin, Mr. Speaker.

Total18

VOTING PRESENT:

Total0

Total number of votes cast.....82

Total number voting in the affirmative82

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

So the Emergency Clause was adopted.

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

HOUSE BILL NO. 1666

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, Bright, Chesterfield, Cowling, Creekmore, Dees, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Green, Harris, Hathorn, Hickinbotham, 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, Ormond, Pace, Parks, Pate, Penix, Pickett, L. Prater, S. Prater, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Stovall, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood.

Total84

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Boyd, Bradford, Childers, Clemons, Dangeau, Haak, Hardwick, House, Hutchinson, Jackson, Norton, Oglesby, Petrus, Pritchard, Rankin, Mr. Speaker.

Total16

VOTING PRESENT:

Total0

Total number of votes cast84

Total number voting in the affirmative84

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1666**, 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, Bright, Chesterfield, Cowling, Creekmore, Dees, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Green, Harris, Hathorn, Hickinbotham, 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, Ormond, Pace, Parks, Pate, Penix, Pickett, L. Prater, S. Prater, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Stovall, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood.

Total84

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Boyd, Bradford, Childers, Clemons, Dangeau, Haak, Hardwick, House, Hutchinson, Jackson, Norton, Oglesby, Petrus, Pritchard, Rankin, Mr. Speaker.

Total16

VOTING PRESENT:

Total0

Total number of votes cast.....84

Total number voting in the affirmative84

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

So the Emergency Clause was adopted.

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

HOUSE BILL NO. 1667

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, Bradford, Bright, Chesterfield, Childers, Clemons, Cowling, Creekmore, Dees, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Green, Haak, Harris, Hathorn, Hickinbotham, 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, 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.

Total92

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Boyd, Dangeau, Hardwick, House, Moore, Norton, Oglesby, Mr. Speaker.

Total8

VOTING PRESENT:

Total0

Total number of votes cast92

Total number voting in the affirmative92

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1667**, 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, Bradford, Bright, Chesterfield, Childers, Clemons, Cowling, Creekmore, Dees, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Green, Haak, Harris, Hathorn, Hickinbotham, 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, 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.

Total92

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Boyd, Dangeau, Hardwick, House, Moore, Norton, Oglesby, Mr. Speaker.

Total8

VOTING PRESENT:

Total0

Total number of votes cast.....92

Total number voting in the affirmative92

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

So the Emergency Clause was adopted.

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

HOUSE BILL NO. 1699

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, 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, Haak, Hardwick, Harris, Hathorn, Hickinbotham, Hutchinson, Jackson, Jacobs, Jeffrey, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Napper, Nichols, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Stovall, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Weaver, White, Wood.

Total91

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Blair, Green, House, C. Johnson, Norton, Oglesby, Sullivan, Walters, Mr. Speaker.

Total9

VOTING PRESENT:

Total0

Total number of votes cast91

Total number voting in the affirmative91

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to HOUSE BILL NO. 1699, 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, 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, Haak, Hardwick, Harris, Hathorn, Hickinbotham, Hutchinson, Jackson, Jacobs, Jeffrey, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Napper, Nichols, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Stovall, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Weaver, White, Wood.

Total91

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Blair, Green, House, C. Johnson, Norton, Oglesby, Sullivan, Walters, Mr. Speaker.

Total9

VOTING PRESENT:

Total0

Total number of votes cast.....91

Total number voting in the affirmative91

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

So the Emergency Clause was adopted.

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

HOUSE BILL NO. 1700

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, 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, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Stovall, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood.

Total96

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Norton, Oglesby, Roebuck, Mr. Speaker.

Total4

VOTING PRESENT:

Total0

Total number of votes cast96

Total number voting in the affirmative96

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to HOUSE BILL NO. 1700, 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, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Napper, Nichols, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Stovall, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood.

Total96

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Norton, Oglesby, Roebuck, Mr. Speaker.

Total4

VOTING PRESENT:

Total0

Total number of votes cast.....96

Total number voting in the affirmative96

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

So the Emergency Clause was adopted.

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

HOUSE BILL NO. 1701

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, 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, Hardwick, Harris, Hickinbotham, House, Hutchinson, Jackson, Jacobs, Jeffrey, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Napper, Nichols, 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.

Total92

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Bledsoe, Green, Haak, Hathorn, C. Johnson, Norton, Oglesby, Mr. Speaker.

Total8

VOTING PRESENT:

Total0

Total number of votes cast92

Total number voting in the affirmative92

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1701**, 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, 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, Hardwick, Harris, Hickinbotham, House, Hutchinson, Jackson, Jacobs, Jeffrey, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Napper, Nichols, 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.

Total92

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Bledsoe, Green, Haak, Hathorn, C. Johnson, Norton, Oglesby, Mr. Speaker.

Total8

VOTING PRESENT:

Total0

Total number of votes cast.....92

Total number voting in the affirmative92

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

So the Emergency Clause was adopted.

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

HOUSE BILL NO. 1711

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, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Green, Hardwick, Harris, Hathorn, Hickinbotham, Hutchinson, Jackson, Jacobs, Jeffrey, C. Johnson, J. Johnson, Jones, Judy, Kenney, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Napper, Nichols, 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, Verkamp, Walters, Weaver, White, Wood.

Total93

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Haak, House, Key, Norton, Oglesby, Thyer, Mr. Speaker.

Total7

VOTING PRESENT:

Total0

Total number of votes cast93

Total number voting in the affirmative93

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1711**, 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, Hardwick, Harris, Hathorn, Hickinbotham, Hutchinson, Jackson, Jacobs, Jeffrey, C. Johnson, J. Johnson, Jones, Judy, Kenney, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Napper, Nichols, 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, Verkamp, Walters, Weaver, White, Wood.

Total93

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Haak, House, Key, Norton, Oglesby, Thyer, Mr. Speaker.

Total7

VOTING PRESENT:

Total0

Total number of votes cast.....93

Total number voting in the affirmative93

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

So the Emergency Clause was adopted.

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

HOUSE BILL NO. 1712

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, Dees, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Green, Haak, 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, Napper, Nichols, 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.

Total92

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Dangeau, Hardwick, J. Johnson, Moore, Norton, Oglesby, Parks, Mr. Speaker.

Total8

VOTING PRESENT:

Total0

Total number of votes cast92

Total number voting in the affirmative92

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1712**, 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, Dees, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Green, Haak, 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, Napper, Nichols, 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.

Total92

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Dangeau, Hardwick, J. Johnson, Moore, Norton, Oglesby, Parks, Mr. Speaker.

Total8

VOTING PRESENT:

Total0

Total number of votes cast.....92

Total number voting in the affirmative92

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

So the Emergency Clause was adopted.

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

HOUSE BILL NO. 1727

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, 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, Ormond, Pace, Pate, 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.

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Bolin, Norton, Oglesby, Parks, Penix, Mr. Speaker.

Total6

VOTING PRESENT:

Total0

Total number of votes cast94

Total number voting in the affirmative94

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1727**, 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, 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, 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, Ormond, Pace, Pate, 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.

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Bolin, Norton, Oglesby, Parks, Penix, Mr. Speaker.

Total6

VOTING PRESENT:

Total0

Total number of votes cast.....94

Total number voting in the affirmative94

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

So the Emergency Clause was adopted.

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

HOUSE BILL NO. 1761

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, Bond, 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, Haak, Hardwick, Harris, Hathorn, Hickinbotham, Hutchinson, Jackson, Jacobs, Jeffrey, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Napper, Nichols, 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.

Total92

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Bolin, P. Bookout, Green, House, C. Johnson, Norton, Oglesby, Mr. Speaker.

Total8

VOTING PRESENT:

Total0

Total number of votes cast92

Total number voting in the affirmative92

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1761**, 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, Bond, 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, Haak, Hardwick, Harris, Hathorn, Hickinbotham, Hutchinson, Jackson, Jacobs, Jeffrey, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Napper, Nichols, 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.

Total92

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Bolin, P. Bookout, Green, House, C. Johnson, Norton, Oglesby, Mr. Speaker.

Total8

VOTING PRESENT:

Total0

Total number of votes cast.....92

Total number voting in the affirmative92

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

So the Emergency Clause was adopted.

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

HOUSE BILL NO. 1767

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, Dees, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Green, Haak, Harris, Hathorn, Hickinbotham, House, Hutchinson, Jackson, Jacobs, Jeffrey, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Napper, Nichols, 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: Dangeau, Hardwick, C. Johnson, Moore, Norton, Oglesby, Mr. Speaker.

Total7

VOTING PRESENT:

Total0

Total number of votes cast93

Total number voting in the affirmative93

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1767**, 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, Dees, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Green, Haak, Harris, Hathorn, Hickinbotham, House, Hutchinson, Jackson, Jacobs, Jeffrey, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Napper, Nichols, 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: Dangeau, Hardwick, C. Johnson, Moore, Norton, Oglesby, Mr. Speaker.

Total7

VOTING PRESENT:

Total0

Total number of votes cast.....93

Total number voting in the affirmative93

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

So the Emergency Clause was adopted.

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

HOUSE BILL NO. 1768

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, 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, Matayo, Mathis, Medley, Milligan, Moore, Napper, Nichols, 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.

Total95

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Clemons, Martin, Norton, Oglesby, Mr. Speaker.

Total5

VOTING PRESENT:

Total0

Total number of votes cast95

Total number voting in the affirmative95

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1768**, 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, Matayo, Mathis, Medley, Milligan, Moore, Napper, Nichols, 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.

Total95

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Clemons, Martin, Norton, Oglesby, Mr. Speaker.

Total5

VOTING PRESENT:

Total0

Total number of votes cast.....95

Total number voting in the affirmative95

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

So the Emergency Clause was adopted.

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

HOUSE BILL NO. 1769

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, 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, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Napper, Nichols, 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	96
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: House, Norton, Oglesby, 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	75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1769**, 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, 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, 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	96
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: House, Norton, Oglesby, 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.

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

HOUSE BILL NO. 1770

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, Dees, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Green, Haak, 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, 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, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood.

Total92

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Dangeau, Hardwick, Moore, Norton, Oglesby, Petrus, J. Taylor, Mr. Speaker.

Total8

VOTING PRESENT:

Total0

Total number of votes cast92

Total number voting in the affirmative92

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1770**, 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, Dees, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Green, Haak, 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, 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, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood.

Total92

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Dangeau, Hardwick, Moore, Norton, Oglesby, Petrus, J. Taylor, Mr. Speaker.

Total8

VOTING PRESENT:

Total0

Total number of votes cast.....92

Total number voting in the affirmative92

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

So the Emergency Clause was adopted.

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

HOUSE BILL NO. 1772

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, Bond, P. Bookout, Borhauer, Bradford, Bright, Chesterfield, Childers, Clemons, Cowling, Creekmore, Dees, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Green, Haak, 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, Napper, Nichols, 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, Thyer, Verkamp, Walters, Weaver, White, Wood.

Total90

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Bolin, Boyd, Dangeau, Hardwick, Jackson, Moore, Norton, Oglesby, Petrus, Mr. Speaker.

Total10

VOTING PRESENT:

Total0

Total number of votes cast90

Total number voting in the affirmative90

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1772**, 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, Bond, P. Bookout, Borhauer, Bradford, Bright, Chesterfield, Childers, Clemons, Cowling, Creekmore, Dees, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Green, Haak, 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, Napper, Nichols, 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, Thyer, Verkamp, Walters, Weaver, White, Wood.

Total90

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Bolin, Boyd, Dangeau, Hardwick, Jackson, Moore, Norton, Oglesby, Petrus, Mr. Speaker.

Total10

VOTING PRESENT:

Total0

Total number of votes cast.....90

Total number voting in the affirmative90

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

So the Emergency Clause was adopted.

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

HOUSE BILL NO. 1787

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, Dees, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Fite, Gillespie, Gipson, Goss, Green, Haak, 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, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, Stovall, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood.

Total92

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Dangeau, Ferguson, Hardwick, Moore, Norton, Oglesby, R. Smith, Mr. Speaker.

Total8

VOTING PRESENT:

Total0

Total number of votes cast92

Total number voting in the affirmative92

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1787**, 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, Dees, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Fite, Gillespie, Gipson, Goss, Green, Haak, 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, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, Stovall, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood.

Total92

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Dangeau, Ferguson, Hardwick, Moore, Norton, Oglesby, R. Smith, Mr. Speaker.

Total8

VOTING PRESENT:

Total0

Total number of votes cast.....92

Total number voting in the affirmative92

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

So the Emergency Clause was adopted.

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

HOUSE BILL NO. 1802

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

Total91

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Bolin, P. Bookout, Gillespie, Jacobs, Napper, Norton, Oglesby, Mr. Speaker.

Total8

VOTING PRESENT: Seawel.

Total1

Total number of votes cast92

Total number voting in the affirmative91

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1802**, 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, Bond, Borhauer, Boyd, Bradford, Bright, Chesterfield, Childers, Clemons, Cowling, Creekmore, Dangeau, Dees, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gipson, Goss, Green, Haak, Hardwick, Harris, Hathorn, Hickinbotham, House, Hutchinson, Jackson, Jeffrey, C. Johnson, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Nichols, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, R. Smith, Stovall, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood.

Total91

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Bolin, P. Bookout, Gillespie, Jacobs, Napper, Norton, Oglesby, Mr. Speaker.

Total8

VOTING PRESENT: Seawel.

Total1

Total number of votes cast.....92

Total number voting in the affirmative91

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

So the Emergency Clause was adopted.

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

HOUSE BILL NO. 1811

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, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Haak, Hardwick, Harris, Hickinbotham, Hutchinson, Jackson, Jeffrey, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Napper, Nichols, 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, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood.

Total91

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Green, Hathorn, House, Jacobs, C. Johnson, Norton, Oglesby, Thomas, Mr. Speaker.

Total9

VOTING PRESENT:

Total0

Total number of votes cast91

Total number voting in the affirmative91

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1811**, 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, Haak, Hardwick, Harris, Hickenbotham, Hutchinson, Jackson, Jeffrey, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Napper, Nichols, 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, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood.

Total91

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Green, Hathorn, House, Jacobs, C. Johnson, Norton, Oglesby, Thomas, Mr. Speaker.

Total9

VOTING PRESENT:

Total0

Total number of votes cast.....91

Total number voting in the affirmative91

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

So the Emergency Clause was adopted.

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

HOUSE BILL NO. 1812

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

Total86

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Bledsoe, Dangeau, Dees, Green, Haak, Hardwick, Hathorn, C. Johnson, Moore, Norton, Oglesby, Penix, White, Mr. Speaker.

Total14

VOTING PRESENT:

Total0

Total number of votes cast86

Total number voting in the affirmative86

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1812**, 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, Bolin, Bond, P. Bookout, Borhauer, Boyd, Bradford, Bright, Chesterfield, Childers, Clemons, Cowling, Creekmore, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Harris, Hickinbotham, House, Hutchinson, Jackson, Jacobs, Jeffrey, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Napper, Nichols, Ormond, Pace, Parks, Pate, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Stovall, Sullivan, Sumpster, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, Wood.

Total86

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Bledsoe, Dangeau, Dees, Green, Haak, Hardwick, Hathorn, C. Johnson, Moore, Norton, Oglesby, Penix, White, Mr. Speaker.

Total 14

VOTING PRESENT:

Total0

Total number of votes cast.....86

Total number voting in the affirmative86

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

So the Emergency Clause was adopted.

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

HOUSE BILL NO. 1813

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, Dees, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Green, Haak, Harris, Hathorn, Hickinbotham, Hutchinson, Jackson, Jacobs, Jeffrey, C. Johnson, J. Johnson, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Napper, Nichols, 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, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood.

Total92

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Dangeau, Hardwick, House, Jones, Norton, Oglesby, J. Taylor, Mr. Speaker.

Total8

VOTING PRESENT:

Total0

Total number of votes cast92

Total number voting in the affirmative92

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1813**, 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, Dees, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Green, Haak, Harris, Hathorn, Hickinbotham, Hutchinson, Jackson, Jacobs, Jeffrey, C. Johnson, J. Johnson, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Napper, Nichols, 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, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood.

Total92

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Dangeau, Hardwick, House, Jones, Norton, Oglesby, J. Taylor, Mr. Speaker.

Total8

VOTING PRESENT:

Total0

Total number of votes cast.....92

Total number voting in the affirmative92

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

So the Emergency Clause was adopted.

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

HOUSE BILL NO. 1814

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, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gipson, Goss, Green, Haak, Hardwick, Harris, Hathorn, Hickinbotham, Jackson, Jeffrey, C. Johnson, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Nichols, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, 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.

Total90

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Dees, Gillespie, House, Hutchinson, Jacobs, Napper, Norton, Oglesby, L. Prater, Mr. Speaker.

Total10

VOTING PRESENT:

Total0

Total number of votes cast90

Total number voting in the affirmative90

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to HOUSE BILL NO. 1814, 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, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gipson, Goss, Green, Haak, Hardwick, Harris, Hathorn, Hickenbotham, Jackson, Jeffrey, C. Johnson, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Nichols, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, 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.

Total90

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Dees, Gillespie, House, Hutchinson, Jacobs, Napper, Norton, Oglesby, L. Prater, Mr. Speaker.

Total10

VOTING PRESENT:

Total0

Total number of votes cast.....90

Total number voting in the affirmative90

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

So the Emergency Clause was adopted.

HOUSE BILL NO. 2269 by Representative Verkamp was referred back to the Committee on JUDICIARY.

HOUSE BILL NO. 1715 was referred back to the Committee on JOINT BUDGET.

HOUSE BILL NO. 1138 was referred back to the Committee on JOINT BUDGET.

HOUSE BILL NO. 1510 was referred back to the Committee on JOINT BUDGET.

State of Arkansas
Office of the Governor

Mike Huckabee
Governor

March 14, 2003

TO THE SPEAKER OF THE HOUSE

Dear Mr. Speaker:

This is to inform your Honorable Body that on March 13, 2003, I approved the following measures from the Regular Session of the Eighty-Fourth General Assembly:

HB 1193, which is now Act 362 of 2003, and
HB 1261, which is now Act 363 of 2003, and
HB 1325, which is now Act 364 of 2003, and
HB 1412, which is now Act 365 of 2003, and
HB 1413, which is now Act 366 of 2003 and
HB 1415, which is now Act 367 of 2003, and
HB 1426, which is now Act 368 of 2003, and
HB 1465, which is now Act 369 of 2003, and
HB 1494, which is now Act 370 of 2003, and
HB 1523, which is now Act 371 of 2003, and
HB 1593, which is now Act 372 of 2003 and
HB 1595, which is now Act 373 of 2003, and
HB 1614, which is now Act 374 of 2003, and
HB 1656, which is now Act 375 of 2003, and
HB 1718, which is now Act 376 of 2003, and
HB 1743, which is now Act 377 of 2003, and
House Concurrent Resolution 1007.

Sincerely,

/s/ Mike Huckabee

MH:sm

cc: President of the Senate

HOUSE BILLS ORDERED TRANSMITTED TO THE SENATE AS PASSED

HOUSE BILL NO. 1400 BY REPRESENTATIVE L. PRATER
HOUSE BILL NO. 1401 BY REPRESENTATIVE L. PRATER
HOUSE BILL NO. 1404 BY REPRESENTATIVE BOLIN
HOUSE BILL NO. 1486 BY REPRESENTATIVE THOMASON
HOUSE BILL NO. 1571 BY REPRESENTATIVE NAPPER
HOUSE BILL NO. 1611 BY REPRESENTATIVE J. TAYLOR
HOUSE BILL NO. 1639 BY REPRESENTATIVE PICKETT
HOUSE BILL NO. 1660 BY REPRESENTATIVE SCROGGIN
HOUSE BILL NO. 1661 BY REPRESENTATIVE SCROGGIN
HOUSE BILL NO. 1664 BY REPRESENTATIVE NORTON
HOUSE BILL NO. 1665 BY REPRESENTATIVE NORTON
HOUSE BILL NO. 1666 BY REPRESENTATIVE NORTON
HOUSE BILL NO. 1667 BY REPRESENTATIVE NORTON
HOUSE BILL NO. 1699 BY REPRESENTATIVE J. TAYLOR
HOUSE BILL NO. 1700 BY REPRESENTATIVE J. TAYLOR
HOUSE BILL NO. 1701 BY REPRESENTATIVE J. TAYLOR
HOUSE BILL NO. 1711 BY REPRESENTATIVE DICKINSON
HOUSE BILL NO. 1712 BY REPRESENTATIVE THOMASON
HOUSE BILL NO. 1727 BY REPRESENTATIVE HICKINBOTHAM
HOUSE BILL NO. 1761 BY REPRESENTATIVE L. PRATER
HOUSE BILL NO. 1767 BY REPRESENTATIVE MACK
HOUSE BILL NO. 1768 BY REPRESENTATIVE MACK
HOUSE BILL NO. 1769 BY REPRESENTATIVE MACK
HOUSE BILL NO. 1770 BY REPRESENTATIVE MACK
HOUSE BILL NO. 1772 BY REPRESENTATIVE DICKINSON
HOUSE BILL NO. 1787 BY REPRESENTATIVE DICKINSON
HOUSE BILL NO. 1802 BY REPRESENTATIVE PETRUS
HOUSE BILL NO. 1811 BY REPRESENTATIVE BOND
HOUSE BILL NO. 1812 BY REPRESENTATIVE PICKETT
HOUSE BILL NO. 1813 BY REPRESENTATIVE PICKETT
HOUSE BILL NO. 1814 BY REPRESENTATIVE MAHONY
HOUSE BILL NO. 1982 BY REPRESENTATIVE NAPPER
HOUSE BILL NO. 1984 BY REPRESENTATIVE SCRIMSHIRE
HOUSE BILL NO. 2192 BY REPRESENTATIVE R. SMITH
HOUSE BILL NO. 2201 BY REPRESENTATIVE KING

HOUSE BILLS ORDERED TRANSMITTED TO THE SENATE AS PASSED.(continued)

HOUSE BILL NO. 2221 BY REPRESENTATIVE R. SMITH
 HOUSE BILL NO. 2234 BY REPRESENTATIVE DOBBINS
 HOUSE BILL NO. 2244 BY REPRESENTATIVE BOND
 HOUSE BILL NO. 2287 BY REPRESENTATIVE MACK
 HOUSE BILL NO. 2288 BY REPRESENTATIVE THYER
 HOUSE BILL NO. 2308 BY REPRESENTATIVE WOOD
 HOUSE BILL NO. 2330 BY REPRESENTATIVE MARTIN
 HOUSE BILL NO. 2343 BY REPRESENTATIVE PETRUS
 HOUSE BILL NO. 2345 BY REPRESENTATIVE LEDBETTER
 HOUSE BILL NO. 2375 BY REPRESENTATIVE WHITE
 HOUSE BILL NO. 2422 BY REPRESENTATIVE DANGEAU
 HOUSE BILL NO. 2466 BY REPRESENTATIVE PRITCHARD
 HOUSE BILL NO. 2527 BY REPRESENTATIVE PETRUS
 HOUSE BILL NO. 2529 BY REPRESENTATIVE AGEE
 HOUSE BILL NO. 2530 BY REPRESENTATIVE JUDY
 HOUSE BILL NO. 2559 BY REPRESENTATIVE S. PRATER
 HOUSE BILL NO. 2560 BY REPRESENTATIVE S. PRATER
 HOUSE BILL NO. 2674 BY REPRESENTATIVE MAHONY
 HOUSE BILL NO. 2702 BY REPRESENTATIVE THYER
 HOUSE BILL NO. 2756 BY REPRESENTATIVE WALTERS
 HOUSE BILL NO. 2778 BY REPRESENTATIVE DEES
 HOUSE BILL NO. 2830 BY REPRESENTATIVE HATHORN

HOUSE CONCURRENT RESOLUTIONS ADOPTED AND
 ORDERED TRANSMITTED TO THE SENATE

HOUSE CONCURRENT RESOLUTION NO. 1011

BY REPRESENTATIVE THOMAS

HOUSE CONCURRENT RESOLUTION NO. 1017

BY REPRESENTATIVE JUDY

SENATE BILLS ORDERED RETURNED TO THE SENATE AS PASSED

SENATE BILL NO. 185 BY SENATOR CRITCHER
AS AMENDED #1

SENATE BILL NO. 190 BY SENATOR WOOLDRIDGE
AS AMENDED #1

SENATE BILL NO. 349 BY SENATOR T. SMITH

SENATE CONCURRENT RESOLUTIONS CONCURRED IN
AND ORDERED RETURNED TO THE SENATE

SENATE CONCURRENT RESOLUTION NO. 17 BY SENATOR FARIS
AS AMENDED #1

ENROLLED AND DELIVERY TO GOVERNOR REPORTS

Little Rock, Arkansas
March 14, 2003

MR. SPEAKER:

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

HOUSE BILL NO. 1040 BY REPRESENTATIVE CHESTERFIELD, 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 1:24 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. 1040 BY REPRESENTATIVE CHESTERFIELD, ET AL

/s/ Mike Huckabee - Governor

TIME: 1:24 p.m.

By: Cory Cox

Upon motion of Representative Biggs, the House adjourned at 12:10 p.m. until 1:30 p.m. Monday, March 17, 2003.

Motion was made by Representative Pace for the House to convene at 1:00 p.m. on Monday, March 17, 2003. Motion carried.

ATTEST:

Herschel W. Cleveland
Speaker of the House of Representatives

Jo Renshaw
Chief Clerk

