

SIXTY-SIXTH DAY'S PROCEEDINGS
HALL OF THE HOUSE OF REPRESENTATIVES

Little Rock, Arkansas
March 19, 2003

The House was called to order at 1:35 p.m. by Mr. Cleveland, the Speaker.
The following members answered to the roll call:

Adams, Agee, Anderson, Bennett, Berry, Biggs, Blair, Bledsoe, Bolin, Bond, Bookout, 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, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Napper, Nichols, Norton, Oglesby, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, Smith, Stovall, Sullivan, Sumpter, C.Taylor, J.Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood, Mr. Speaker.

Total98

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

Total02

A quorum was present.

Unanimous leave was granted for Representative(s) Borhauer, C. Johnson.

The House stood and was led in prayer by Reverend David Lindsey, Pastor, Freeman Heights Baptist Church, Berryville, 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 19, 2003
AGRICULTURE, FORESTRY AND	JIMMY 'RED' MILLIGAN
ECONOMIC DEVELOPMENT	CHAIRPERSON
HOUSE BILL NO. 2790	DO PASS
BY REPRESENTATIVE BOLIN	NON-CONTROVERSIAL

COMMITTEE REPORT

	March 19, 2003
AGING, CHILDREN AND YOUTH,	JOYCE DEES
LEGISLATIVE AND MILITARY AFFAIRS	CHAIRPERSON
HOUSE BILL NO. 1658	DO PASS
BY REPRESENTATIVE DEES	AS AMENDED #1
HOUSE BILL NO. 1694	DO PASS
BY REPRESENTATIVE JUDY	AS AMENDED #2
HOUSE BILL NO. 2262	DO PASS
BY REPRESENTATIVE DEES	AS AMENDED #1
HOUSE CONCURRENT RESOLUTION NO. 1035	DO PASS
BY REPRESENTATIVE DEES	

COMMITTEE REPORT

	March 19, 2003
CITY, COUNTY AND	PHILLIP JACOBS
LOCAL AFFAIRS	CHAIRPERSON
HOUSE BILL NO. 2231	DO PASS
BY REPRESENTATIVE BOYD	
HOUSE BILL NO. 2320	DO PASS
BY REPRESENTATIVE GILLESPIE	
HOUSE BILL NO. 2479	DO PASS
BY REPRESENTATIVE WOOD	
HOUSE BILL NO. 2643	DO PASS
BY REPRESENTATIVE KING	
HOUSE BILL NO. 2819	DO PASS
BY REPRESENTATIVE LAMOUREUX	
SENATE BILL NO. 407	DO PASS
BY SENATOR BAKER	

COMMITTEE REPORT

March 19, 2003

STATE AGENCIES AND GOVERNMENTAL AFFAIRS	BILL SCRIMSHIRE VICE CHAIRPERSON
HOUSE BILL NO. 2289 BY REPRESENTATIVE SCROGGIN	DO PASS
HOUSE BILL NO. 2326 BY REPRESENTATIVE WOOD	DO PASS NON-CONTROVERSIAL
HOUSE BILL NO. 2485 BY REPRESENTATIVE HARDWICK	DO PASS
HOUSE BILL NO. 2774 BY REPRESENTATIVE ORMOND	DO PASS
HOUSE CONCURRENT RESOLUTION NO. 1024 BY REPRESENTATIVE JUDY	DO PASS
SENATE BILL NO. 18 BY SENATOR BAKER	DO PASS
SENATE BILL NO. 316 BY SENATOR FARIS	DO PASS
SENATE BILL NO. 318 BY SENATOR FARIS	DO PASS
SENATE BILL NO. 347 BY SENATOR BAKER	DO PASS
SENATE BILL NO. 404 BY SENATOR J. BOOKOUT	DO PASS
SENATE JOINT RESOLUTION NO. 21 BY SENATOR ALTES	DO PASS

COMMITTEE REPORT

	March 19, 2003
INSURANCE AND COMMERCE	PAUL BOOKOUT
	CHAIRPERSON
HOUSE BILL NO. 2317	DO PASS
BY REPRESENTATIVE C. TAYLOR	
HOUSE BILL NO. 2349	DO PASS
BY REPRESENTATIVE CHILDERS	
HOUSE BILL NO. 2390	DO PASS
BY REPRESENTATIVE PENIX	
HOUSE BILL NO. 2413	DO PASS
BY REPRESENTATIVE NAPPER	
HOUSE BILL NO. 2703	DO PASS
BY REPRESENTATIVE THYER	
HOUSE BILL NO. 2704	DO PASS
BY REPRESENTATIVE MARTIN	NON-CONTROVERSIAL
HOUSE BILL NO. 2720	DO PASS
BY REPRESENTATIVE NAPPER	AS AMENDED #2
SENATE BILL NO. 723	DO PASS
BY SENATOR MILLER	
SENATE BILL NO. 735	DO PASS
BY SENATOR T. SMITH	

Upon motion of Representative Biggs, **HOUSE BILL NO. 2849** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2849

Amend **HOUSE BILL NO. 2849** as originally introduced:

Page 1, delete lines 20 through 23 and substitute the following:

"SECTION 1. Arkansas Code § 21-8-402(5)(B), concerning exclusions to the definition of gift, is amended by an adding additional subdivision to read as follows:

(xvi) Special events.

SECTION 2. Arkansas Code § 21-8-402(20), definition used in the Disclosure Act for Lobbyists and State and Local Officials, is amended to read as follows:

(20)(A) "Special event" means a planned activity ~~to which a specific governmental body or identifiable group of public servants is invited;~~ and includes parties, dinners, athletic events, entertainment, and other functions to which a specific governmental body or identifiable group of public servants are invited.

(B) "Specific governmental body or identifiable group of public servants" includes, but is not limited to, members of:

(i) A department or agency of state, county, or city government and any other governmental body;

(ii) The Arkansas General Assembly;

(iii) A legislative committee or subcommittee;

(iv) A congressional district caucus or party caucus of the Arkansas General Assembly;

(v) The Arkansas House of Representatives or the Arkansas Senate by their class, such as freshman class or term limited class;

(vi) The Black Caucus or the Women's Caucus of the Arkansas House of Representatives or the Arkansas Senate;

(vii) A legislative delegation and employees of the General Assembly registered at a legislative conference such as the American Legislative Exchange Council, Southern Legislative Conference, National Conference of State Legislatures, the South West Energy Council, the Speaker's and President Pro Tempore Conferences, or any combination.

SECTION 3. Arkansas Code § 21-8-801(a) is amended to read as follows:

(a)(1) ~~No~~ Except as provided in subdivision (a)(2), no public servant shall:

~~(1)(A) Receive a gift or compensation as defined in § 21-8-401 et seq., other than income and benefits from the governmental body to which he or she is duly entitled, for~~ in exchange for an official act by the public servant in the

performance of the duties and responsibilities of his or her office or position; or

(2)(B) Purposely use or disclose to any other person or entity confidential government information acquired by him or her in the course of and by reason of the public servant's official duties, to secure anything of material value or benefit for himself or herself or his or her family.

(2) A gift may be given to and received by a public servant if the gift is disclosed as required by law.

SECTION 4. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that the present law pertaining to special events for purposes of the Disclosure Act for Lobbyists and State and Local Officials is confusing and ambiguous; that this act clarifies that provision; and that until this act becomes effective, unnecessary and undesirable confusion will remain. 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/ Gary Biggs

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

/s/ Ms. Jo Renshaw

Chief Clerk

***** EXPUNGED*****03/20/03*****

Upon motion of Representative Bright, HOUSE BILL NO. 2447 was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2447

Amend HOUSE BILL NO. 2447 as originally introduced:

“(c) Persons nineteen (19) years of age and older, with the written consent of a parent or guardian, may sell and handle alcoholic beverages at an establishment which is licensed for on-premises consumption of alcoholic beverages under §§ 3-9-202(8), 3-9-202(9), 3-9-301 or 3-9-501.”

/s/ S. Bright

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

/s/ Ms. Jo Renshaw
Chief Clerk

***** EXPUNGED*****03/20/03*****

Upon motion of Representative Bradford, HOUSE BILL NO. 1980 was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 3 TO HOUSE BILL NO. 1980

Amend HOUSE BILL NO. 1980 as engrossed, H3/11/03:

Page 1, delete lines 29 through 31 and substitute the following:

“(b)(1) The clerks shall deposit two dollars (\$2.00) of the moneys collected under this section to the credit of the county general fund as special revenue to be used exclusively for the operation of the office of county clerk.

(2) The clerks shall transmit eleven dollars (\$11.00) of the moneys collected under this section to the Treasurer of State who shall deposit it in The Domestic Peace Fund as special revenue.”

AND

Page 2, delete line 3 and substitute the following:

“(b)(1)(A) The moneys collected under § 16-14-110, as designated under § 16-14-110(b)(2), shall be deposited”

/s/ Jay Bradford

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. 1652** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 3 TO HOUSE BILL NO. 1652

Amend **HOUSE BILL NO. 1652** as engrossed, H3/13/03:

Page 1, line 36, delete "waters of the state" and substitute "waters within the state"
AND

Page 2, line 33, delete "waters of the state" and substitute "waters within the state"
AND

Page 2, delete lines 34 through 36 and Page 3, delete lines 1 and 2 and substitute the following:

"(10) "Nutrient surplus area" means: the Illinois River watershed, included within Benton, Washington, and Crawford counties; the Spavinaw Creek watershed, included within Benton County; the Honey Creek watershed, included within Benton County; the Little Sugar Creek watershed, included within Benton County; the upper Arkansas River watershed which includes Lee Creek within Crawford and Washington counties, and Massard Creek within Sebastian County; the Poteau River watershed, included within Scott, Sebastian, and Polk counties; the Mountain Fork of the Little River watershed, included within Polk County; and the upper White River watershed above its confluence with the Buffalo River, included within Benton, Carroll, Washington, Madison, Franklin, Newton, Searcy, Marion, and Boone counties. No additional areas may be added unless the areas are added as nutrient surplus areas pursuant to Arkansas Code Title 15, Chapter 20, Subchapter 11."

AND

Page 3, line 4, delete "Waters of the state" and substitute "Waters within the state"

/s/ Preston Scroggin

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. 1653** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1653

Amend **HOUSE BILL NO. 1653** as engrossed, H3/13/03:

Page 1, line 33, delete "waters of the state" and substitute "waters within the state"
AND

Page 2, line 31, delete "Waters of the state" and substitute "Waters within the state"

/s/ Preston Scroggin

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. 1654** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 3 TO HOUSE BILL NO. 1654

Amend **HOUSE BILL NO. 1654** as engrossed, H3/13/03:

Page 2, line 34, delete "waters of the state" and substitute "waters within the state"
AND

Page 2, lines 35 and 36, delete "§ 15-20-1104 or, in which" and substitute "§ 15-20-1104, in which"

AND

Page 3, line 3, delete "waters of the state" and substitute "waters within the state"
AND

Page 3, lines 18 and 19, delete "waters of the state" and substitute "waters within the state"

AND

Page 3, line 20, delete "Waters of the state" and substitute "Waters within the state"
AND

Page 5, line 8, delete "waters of the state" and substitute "waters within the state"
AND

Page 9, line 29, delete "waters of the state" and substitute "waters within the state"

/s/ Preston Scroggin

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Judy, **HOUSE CONCURRENT RESOLUTION NO. 1033** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE CONCURRENT RESOLUTION NO. 1033

Amend **HOUSE CONCURRENT RESOLUTION NO. 1033** as originally introduced:
Add Representatives Agee, Anderson, Biggs, Bledsoe, Boyd, Creekmore, Dees, Fite, Green, Haak, Hardwick, Jackson, Jacobs, King, Key, Ledbetter, Martin, Matayo, Medley, Milligan, Pace, Penix, L. Prater, Scrimshire, Scroggin, Walters, Wood as cosponsors of the resolution

AND

Add Senator Hendren as a cosponsor of the resolution

AND

Page 1, line 19 delete "DANGERS" and substitute "EFFECTS"

AND

Page 1, line 26, delete "DANGERS" and substitute "EFFECTS"

AND

Page 4, line 2 delete "diary" and substitute "dairy"

/s/ Jan Judy

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. 2268** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2268

Amend **HOUSE BILL NO. 2268** as originally introduced:

Page 1, delete lines 27 through 32 and substitute the following:

"(2) Under circumstances manifesting extreme indifference to the value of human life, he or she purposely displays a firearm in such a manner that creates a substantial danger of death or serious physical injury to another person."

AND

Page 1, line 34, insert the following:

"(c) The provisions of this section do not apply to law enforcement officers acting within the scope of their duties, or to any person acting in self defense or the defense of a third party."

/s/ Jeremy Hutchinson

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. 2 TO HOUSE BILL NO. 2427

Amend **HOUSE BILL NO. 2427** as engrossed, H3/14/03:

Page 3, line 12, delete "(a)(7) hereon" and substitute "(a)(8) herein"

And

Page 3, line 16, delete "new care" and substitute "new car"

AND

Page 3, lines 19 and 20, delete "tire or original equipment tire and truck tire" and substitute "tire, original equipment tire, or truck tire"

AND

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

"(B) An additional fee shall be imposed at the rate of three dollars (\$3.00) per truck tire."

AND

Page 4, lines 17 and 18, delete "or new car or light truck dealer"

AND

Page 4, line 19, delete "(a)(4)(A)" and substitute "(a)(3)(A)"

AND

Page 5, delete line 11 and substitute the following:

"districts within which the fees were collected. Provided, however, that (a)(3)(B) fees shall be remitted to the solid waste districts within which the truck tires were disposed."

/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. 2241** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 2241

Amend **HOUSE BILL NO. 2241** as engrossed, H3/10/03:

Page 2, delete lines 2 and 3 and substitute the following:

"Initiative, the Arkansas Center for Health Improvement is authorized, if agreed to by state agencies responsible for maintaining requested data"

AND

Page 2, delete lines 10, 11, and 12 and substitute the following:

"(4) Data supplied as part of mandated reporting requirements to state agencies by entities, including, but not limited to, other state agencies and departments, nonstate entities, external vendors, and other entities as identified by the Arkansas Health Data Initiative;"

/s/ S. Napper

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative R. Smith, **HOUSE BILL NO. 2792** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2792

Amend **HOUSE BILL NO. 2792** as originally introduced:

Page 1, line 25, delete "All" and substitute "(a) All"

AND

Page 1, line 28 insert the following:

"(b) No public school teacher shall in any way encourage or discourage prayer or any other religious activity during the moment of silence.

(c) The moment of silence shall be observed schoolwide at the beginning of each school day."

/s/ R. Smith

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative R. Smith, **HOUSE BILL NO. 2368** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 2368

Amend **HOUSE BILL NO. 2368** as engrossed, 3/17/03:

Page 6, line 1, delete "2004" and substitute "2003"

/s/ R. Smith

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Bennett, **HOUSE JOINT RESOLUTION NO. 1030** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE JOINT RESOLUTION NO. 1030

Amend **HOUSE JOINT RESOLUTION NO. 1030** as originally introduced:
Add Representative Ormond as a cosponsor of the resolution

/s/ Russ Bennett

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. 1760** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1760

Amend **HOUSE BILL NO. 1760** as engrossed, 3/5/03:
Add Representatives Elliott, Creekmore, Hutchinson, Lendall, Lewellen, Martin, Schulte, Wood, Bright, Roebuck, and C. Johnson as cosponsors of the bill
AND
Add Senators Argue, Steele, Broadway, Salmon, and Wilkins as cosponsors of the bill

/s/ Jay Bradford

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. 2780** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2780

Amend **HOUSE BILL NO. 2780** as originally introduced:

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

“SECTION 1. Arkansas Code § 26-51-815(b), regarding the computation of capital gains and losses for income tax purposes, is amended to read as follows:

~~(b) If a taxpayer has a net capital gain for tax years beginning on and after January 1, 1999, thirty percent (30%) of the gain shall be exempt from state income tax.~~ If a taxpayer has a net capital gain for any taxable year, then the tax imposed by this section shall not exceed the sum of:

(1) A tax computed at the rates and in the same manner as if this subsection had not been enacted on the greater of:

(A) Taxable income reduced by the amount of net capital gain;

or

(B) The amount of taxable income taxed at a rate below six percent (6%); plus

(2) A tax of six percent (6%) of the amount of taxable income in excess of the amount determined under subdivision (1) of this subsection.

SECTION 2. This act applies to tax years beginning on or after January 1, 2003.”

/s/ Jay Bradford

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Martin, **HOUSE BILL NO. 2457** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2457

Amend **HOUSE BILL NO. 2457** as originally introduced:

Delete everything after the enacting clause and substitute:

“SECTION 1. Arkansas Code § 9-27-307 is amended to read as follows:

9-27-307. Venue.

(a)(1) Except as set forth in subdivisions (a)(2)-(4) of this section, a proceeding under this subchapter shall be commenced in the court of the county in which the juvenile resides.

(2) Proceedings may be commenced in the county where the alleged act or omission occurred in any of the following:

- (A) Nonsupport after establishment of paternity;
- (B) Delinquency; or
- (C) Dependency-neglect.

(3) Proceedings under the ~~Uniform Child Custody Jurisdiction Act, § 9-13-201 et seq. [repealed]~~, or Uniform Child-Custody Jurisdiction and Enforcement Act, § 9-19-101 et seq., shall be commenced in the court provided by each of those subchapters.

(4) Adoptions and guardianships may be filed in a juvenile court that has previously asserted continuing jurisdiction of the juvenile.

(5) The judge of the circuit court may hear, adjudicate, or render any appropriate order with respect to any cause or matter pending in any juvenile proceeding over which he or she presides, subject to notice of the time, place, and nature of the hearing being given as may be required by law, by rule, or by order of the court, except for detention hearings under § 9-27-326 and probable cause hearings under § 9-27-315, no contested case may be tried outside the county of the venue unless the parties agree.

(b) Following adjudication, the court may on its own motion or on motion of any party transfer the case to the county of the juvenile's residence when the provisions of the ~~Uniform Child Custody Jurisdiction Act, § 9-13-201 et seq. [repealed]~~, or Uniform Child-Custody Jurisdiction and Enforcement Act, § 9-19-101 et seq., do not apply.

SECTION 2. Arkansas Code § 9-27-316(g), concerning counsel for juveniles in dependency-neglect proceedings, is amended to read as follows:

(g)(1) The court may appoint a volunteer court-appointed special advocate from a program which shall meet all state and national court-appointed special advocate standards to advocate for the best interest of juveniles in dependency-

neglect proceedings.

(2) No court-appointed special advocate shall be assigned a case before:

(A) Completing a training program in compliance with National Court Appointed Special Advocate Association and state standards; and

(B) Being approved by the local court-appointed special advocate program which will include appropriate criminal background and child abuse registry checks.

(3) Each court-appointed special advocate shall:

(A)(i) Investigate the case to which he or she is assigned to provide independent factual information to the court through the attorney ad litem, ~~or through court testimony, and~~ or court reports.

(ii) The court-appointed special advocate may testify if called as a witness.

(iii) When the court-appointed special advocate prepares a written report for the court, the advocate shall provide all parties or the attorney of record with a copy of the written report seven (7) business days prior to the relevant hearing; and

(B) Monitor the case to which he or she is assigned to ensure compliance with the court's orders; ~~and~~

~~(C) Assist the attorney ad litem in representing the juvenile's best interests.~~

(4) Upon presentation of an order of appointment, a court-appointed special advocate shall be provided access to all records relevant to the juvenile's case, including, but not limited to, school records, medical records, juvenile court records, and department records to the extent permitted by federal law.

(5) A court-appointed special advocate is not a party to the case to which he or she is assigned and shall not call witnesses or examine witnesses.

(6) A court-appointed special advocate shall not be liable for damages for personal injury or property damage, pursuant to § 16-6-101 et seq.

(7) Except as provided by this subsection, a court-appointed special advocate shall not disclose any confidential information or reports to anyone except as ordered by the court or otherwise provided by law.

SECTION 3. Arkansas Code § 9-27-318(i), concerning transfer of juvenile cases to the criminal division of circuit court, is amended to read as follows:

(i) Upon a finding by the criminal division of circuit court that a juvenile age fourteen (14) ~~or fifteen (15)~~ through seventeen (17) and charged with the crimes in subdivision (c)(2) of this section should be transferred to the juvenile division of

circuit court, the judge criminal division of circuit court shall may enter an order to transfer as an extended juvenile jurisdiction case.

SECTION 4. Arkansas Code § 9-27-323 is amended to read as follows:

9-27-323. Diversion - Conditions - Agreement - Completion.

(a) If the prosecuting attorney, after consultation with the intake officer, determines that a diversion of a delinquency case is in the best interests of the juvenile and the community, the officer may, with the consent of the juvenile and his parent, guardian, or custodian, attempt to make a satisfactory diversion of a case.

(b) If the intake officer determines that a diversion of a family in need of services case is in the best interest of the juvenile and the community, the officer may, with the consent of the petitioner, juvenile and his or her parent, guardian, or custodian, attempt to make a satisfactory diversion of a case.

(c) In addition to the requirements of subsections (a) and (b) of this section, a diversion of a case is subject to the following conditions:

(1) The juvenile has admitted his or her involvement in:

(A) A delinquent act for a delinquency diversion; or

(B) A family in need of services act for a family in need of services diversion;

(2) The intake officer advises the juvenile and his or her parent, guardian, or custodian that they have the right to refuse a diversion of the case and demand the filing of a petition and a formal adjudication;

(3) Any diversion agreement shall be entered into voluntarily and intelligently by the juvenile with the advice of his or her attorney, or by the juvenile with the consent of a parent, guardian, or custodian if the juvenile is not represented by counsel;

(4) The diversion agreement shall provide for the supervision of a juvenile or the referral of the juvenile to a public or private agency for services not to exceed six (6) months;

(5) All other terms of a diversion agreement shall not exceed nine (9) months;

(6) The juvenile and his or her parent, guardian, or custodian shall have the right to terminate the diversion agreement at any time and to request the filing of a petition and a formal adjudication.

(d)(1) The terms of the diversion agreement shall:

(A) Be in writing in simple, ordinary, and understandable language;

(B) State that the agreement was entered into voluntarily by the juvenile;

(C) Name the attorney or other person who advised the juvenile upon the juvenile's entering into the agreement; and

(D) Be signed by all parties to the agreement, and by the prosecuting attorney if it is a delinquency case and the offense would constitute a felony if committed by an adult or a family in need of services case, pursuant to § 6-18-222.

(2) A copy of the diversion agreement shall be given to the juvenile, the counsel for the juvenile, the parent, guardian, or custodian, and the intake officer, who shall retain the copy in the case file.

(e) Diversion agreements shall be limited to providing for:

(1) Nonjudicial probation under the supervision of the intake officer or probation officer for a period during which the juvenile may be required to comply with specified conditions concerning his conduct and activities; and

(2) Participation in a court-approved program of education, counseling, or treatment; and

(3) Participation in a court-approved teen court ~~in a delinquency case~~.

(f)(1) If a diversion of a complaint has been made, a petition based upon the events out of which the original complaint arose may be filed only during the period for which the agreement was entered into.

(2) If a petition is filed within this period, the juvenile's compliance with all proper and reasonable terms of the agreement shall be grounds for dismissal of the petition by the court.

(g) The diversion agreement may be terminated and the prosecuting attorney in a delinquency case or the petitioner in a family in need of services case may file a petition if at any time during the agreement period:

(1) The juvenile or his or her parent, guardian, or custodian declines to further participate in the diversion process;

(2) The juvenile fails, without reasonable excuse, to attend a scheduled conference;

(3) The juvenile appears unable or unwilling to benefit from the diversion process; or

(4) The intake officer becomes apprised of new or additional information which indicates that further efforts at diversion would not be in the best interests of the juvenile or society.

(h) Upon the satisfactory completion of the diversion period:

(1) The juvenile shall be dismissed without further proceedings;

(2) The intake officer shall furnish written notice of the dismissal to the juvenile and his or her parent, guardian, or custodian; and

(3) The complaint and the agreement, and all references thereto, may be expunged by the court from the juvenile's file.

(i)(1) A juvenile intake or probation officer may charge a diversion fee only after review of an affidavit of financial means and a determination of the juvenile's or the juvenile's parent's, guardian's, or custodian's ability to pay the fee.

(2) The diversion fee shall not exceed twenty dollars (\$20.00) per month to the juvenile division of circuit court.

(3) The court may direct that the fees be collected by the juvenile officer, sheriff, or court clerk for the county in which the fees are charged.

(4) The officer designated by the court to collect diversion fees shall maintain receipts and account for all incoming fees and shall deposit the fees at least weekly in the county treasury of the county where the fees are collected and in which diversion services are provided.

(5) The diversion fees shall be deposited in the account with the juvenile service fees under § 16-13-326.

(i)(1) In judicial districts having more than one (1) county, the judge may designate the treasurer of one of the counties in the district as the depository of all juvenile fees collected in the district.

(2) The treasurer so designated by the court shall maintain a separate account of the juvenile fees collected and expended in each county in the district.

(3) Money remaining at the end of the fiscal year shall not revert to any other fund, but shall carry over to the next fiscal year.

(4) The funds derived from the collection of diversion fees shall be used by agreement of the judge or judges of the circuit court designated to hear juvenile cases in their district plan pursuant to Arkansas Supreme Court Administrative Order Number 14, originally issued April 6, 2001, and the quorum court of the county, to provide services and supplies to juveniles at the discretion of the juvenile division of circuit court.

SECTION 5. Arkansas Code § 9-27-329(f), concerning disposition hearings, is amended to read as follows:

(f) At the disposition hearing, the court may admit into evidence any victim impact statements and studies or reports which have been ordered, even though they are not admissible at the adjudication hearing.

SECTION 6. Arkansas Code § 9-27-330 is amended to read as follows:

9-27-330. Disposition - Delinquency - Alternatives.

(a) If a juvenile is found to be delinquent, the court may enter an order making any of the following dispositions based upon the best interest of the juvenile:

(1)(A) Transfer legal custody of the juvenile to any licensed agency

responsible for the care of delinquent juveniles or to a relative or other individual;

(B)(i) Commit the juvenile to a youth services center using the risk assessment system for Arkansas juvenile offenders distributed and administered by the Administrative Office of the Courts.

(ii) The risk assessment may be modified by the Juvenile Committee of the Arkansas Judicial Council with the Division of Youth Services of the Department of Human Services.

(iii) In an order of commitment, the court may recommend that a juvenile be placed in a community-based program instead of a youth services center and shall make specific findings in support of such a placement in the order.

(iv) Upon receipt of an order of commitment with recommendations for placement, the Division of Youth Services of the Department of Human Services shall consider the recommendations of the committing court in placing a youth in a youth services facility or a community-based program.

(v) The committing court may place the juvenile on probation and require the juvenile to follow the terms of probation or the terms the Division of Youth Services of the Department of Human Services aftercare plan upon release from Division of Youth Services of the Department of Human Services;

~~(C) In all cases in which both commitment and transfer of legal custody are ordered by the court in the same order, transfer of custody will be entered only upon compliance with the provisions of §§ 9-27-310, 9-27-312, 9-27-316, 9-27-327, and 9-27-328;~~

(2) Order the juvenile or members of the juvenile's family to submit to physical, psychiatric, or psychological evaluations and order counseling or treatment necessary for the treatment and rehabilitation of the juvenile;

(3) Grant permanent custody to an individual upon proof that the parent or guardian from whom the juvenile has been removed has not complied with the orders of the court and that no further services or periodic reviews are required;

(4)(A) Place the juvenile on probation under those conditions and limitations that the court may prescribe pursuant to § 9-27-339(a).

(B)(i) In addition, the court shall have the right, as a term of probation, to require the juvenile to attend school or make satisfactory progress toward a general educational development certificate.

(ii) The court shall have the right to revoke probation if the juvenile fails to regularly attend school or if satisfactory progress toward a general educational development certificate is not being made;

(5) Order a probation fee, not to exceed twenty dollars (\$20.00) per

month, as provided in § 16-13-326(a);

(6) Assess a court cost of no more than thirty-five dollars (\$35.00) to be paid by the juvenile, his parent, both parents, or his guardian;

(7)(A) Order restitution to be paid by the juvenile, a parent, both parents, the guardian, or his custodian.

(B) If the custodian is the State of Arkansas, both liability and the amount which may be assessed shall be determined by the Arkansas State Claims Commission;

(8) Order a fine of not more than five hundred dollars (\$500) to be paid by the juvenile, a parent, both parents, or the guardian;

(9) Order that the juvenile and his parent, both parents, or the guardian perform court-approved volunteer service in the community, designed to contribute to the rehabilitation of the juvenile or to the ability of the parent or guardian to provide proper parental care and supervision of the juvenile, not to exceed one hundred sixty (160) hours;

(10)(A) Order that the parent, both parents, or the guardian of the juvenile attend a court-approved parental responsibility training program, if available.

(B) The court may make reasonable orders requiring proof of completion of the training program within a certain time period and payment of a fee covering the cost of the training program.

(C) The court may provide that any violation of such orders shall subject the parent, both parents, or the guardian to the contempt sanctions of the court;

(11)(A)(i) Order that the juvenile remain in a juvenile detention facility for an indeterminate period not to exceed ninety (90) days.

(ii) The court may further order that the juvenile be eligible for work release or to attend school or other educational or vocational training.

(B) The juvenile detention facility shall afford opportunities for education, recreation, and other rehabilitative services to adjudicated delinquents;

(12) Place the juvenile on residential detention with electronic monitoring, either in the juvenile's home or in another facility as ordered by the court;

(13)(A) Order the parent, both parents, or the guardian of any juvenile adjudicated delinquent and committed to a youth services center, ~~or~~ detained in a juvenile detention facility, or placed on electronic monitoring to be liable for the cost of the commitment, ~~or~~ detention, or electronic monitoring.

(B)(i) The court shall take into account the financial ability of the parent, both parents, or the guardian to pay for the commitment, detention, or foster

care electronic monitoring.

(ii) The court shall take into account the past efforts of the parent, both parents, or the guardian to correct the delinquent juvenile's conduct.

(iii) The court shall take into account, if the parent is a noncustodial parent, the opportunity the parent has had to correct the delinquent juvenile's conduct.

(iv) The court shall take into account any other factors the court deems relevant; or

(14)(A) Order the Department of Finance and Administration to suspend the driving privileges of any juvenile adjudicated delinquent.

(B) The order shall be prepared and transmitted to the department within twenty-four (24) hours after the juvenile has been found delinquent and is sentenced to have his driving privileges suspended.

(C) The court may provide in the order for the issuance of a restricted driving permit to allow driving to and from a place of employment or driving to and from school or for other circumstances.

(b) The juvenile court shall specifically retain jurisdiction to amend or modify any orders entered pursuant to ~~subdivisions (a)(4) - (12)~~ of this section.

(c)(1) If a juvenile is adjudicated delinquent for possession of a handgun, as provided in § 5-73-119, or criminal use of prohibited weapons, as provided in § 5-73-104, or possession of a defaced firearm, as provided in § 5-73-107, the court shall commit the juvenile:

(A) To a juvenile detention facility, as provided in subdivision (a)(11) of this section; or

(B) To a youth services center operated by the Department of Human Services State Institutional System Board, as provided in subdivision (a)(1) of this section; or

(C) Place the juvenile on residential detention, as provided in subdivision (a)(12) of this section.

(2) The court may take into consideration any preadjudication detention period served by the juvenile and sentence the juvenile to time served.

(d)(1) When the court orders restitution pursuant to subdivision (a) (7) of this section, the court shall consider the following:

(A) The amount of restitution may be decided:

(i) If the juvenile is to be responsible for the restitution, by agreement between the juvenile and the victim; or

(ii) If the parent or parents are to be responsible for the restitution, by agreement between the parent or parents and the victim; or

(iii) If the juvenile and the parent or parents are to be responsible for the restitution, by agreement between the juvenile, his parent or parents, and the victim; or

(iv) At a hearing at which the state must prove the restitution amount by a preponderance of the evidence;

(B) Restitution shall be made immediately, unless the court determines that the parties should be given a specified time to pay or should be allowed to pay in specified installments;

(C)(i) In determining if restitution should be paid and by whom, as well as the method and amount of payment, the court shall take into account:

(a) The financial resources of the juvenile, his or her parent, both parents, or the guardian, and the burden such payment will impose with regard to the other obligations of the paying party;

(b) The ability to pay restitution on an installment basis or on other conditions to be fixed by the court;

(c) The rehabilitative effect of the payment of restitution and the method of payment; and

(d) The past efforts of the parent, both parents, or the guardian to correct the delinquent juvenile's conduct;

(ii)(a) The court shall take into account if the parent is a noncustodial parent.

(b) The court may take into consideration the opportunity the parent has had to correct the delinquent juvenile's conduct; and

(iii) The court shall take into account any other factors the court deems relevant.

(2) If the juvenile is placed on probation, any restitution ordered under this section may be a condition of the probation.

(e) When an order of restitution is entered, it may be collected by any means authorized for the enforcement of money judgments in civil actions, and it shall constitute a lien on the real and personal property of the persons and entities the order of restitution is directed upon in the same manner and to the same extent as a money judgment in a civil action.

(f)(1) The judgment entered by the court may be in favor of the state, the victim, or any other appropriate beneficiary.

(2) The judgment may be discharged by a settlement between the parties ordered to pay restitution and the beneficiaries of the judgment.

(g) The court shall determine priority among multiple beneficiaries on the basis of the seriousness of the harm each suffered, their other resources, and other

equitable factors.

(h) If more than one (1) juvenile is adjudicated delinquent of an offense for which there is a judgment under this section, the juveniles are jointly and severally liable for the judgment unless the court determines otherwise.

(i)(1) A judgment under this section does not bar a remedy available in a civil action under other law.

(2) A payment under this section must be credited against a money judgment obtained by the beneficiary of the payment in a civil action.

(3) A determination under this section and the fact that payment was or was not ordered or made are not admissible in evidence in a civil action and do not affect the merits of the civil action.

(j) If a juvenile is adjudicated delinquent as an extended juvenile jurisdiction offender, the court shall enter the following dispositions:

(1) Order any of the juvenile delinquency dispositions authorized by this section; and

(2) Suspend the imposition of an adult sentence pending juvenile court review.

SECTION 7. Arkansas Code § 9-27-331(a)(1), concerning an order of commitment, is amended to read as follows:

(a)(1) A commitment to the Division of Youth Services of the Department of Human Services is for an indeterminate period not to exceed the ~~eighteenth birthday of a juvenile~~ juvenile's twenty-first birthday, except as otherwise provided by law.

SECTION 8. Arkansas Code § 9-27-332 is amended to read as follows:

9-27-332. Disposition - Family in need of services - Generally.

~~(a)~~ If a family is found to be in need of services, the court may enter an order making any of the following dispositions:

(1)(A)(i) Order family services.

(ii)(a) At least five (5) working days prior to ordering the Department of Human Services, excluding community-based providers, to provide or pay for family services, the court shall fax a written notice of intent to the Director of the Department of Human Services and to the attorney of the local Office of Chief Counsel of the Department of Human Services.

(b) At any hearing in which the department is ordered to provide family services, the court shall provide the department with the opportunity to be heard.

(c) ~~Failure to provide at least five (5) working days' notice to the department renders any part of the order pertaining to the department void.~~ The court shall not order the Department of Human Services to pay

for or provide family services until the Department of Human Services and the parties have had an opportunity to present evidence and arguments regarding the services.

(B)(i) In all cases in which family services are ordered, the court shall determine the parent's, guardian's, or custodian's ability to pay, in whole or in part, for these services.

(ii) This determination and the evidence supporting it shall be made in writing in the order ordering family services.

(iii) If the court determines that the parent, guardian, or custodian is able to pay, in whole or part, for the services, the court shall enter a written order setting forth the amounts the parent, guardian, or custodian can pay for the family services ordered and ordering the parent, guardian, or custodian to pay the amount periodically to the provider from whom family services are received.

(iv) For purposes of this subsection:

(a) "Periodically" means a period of time no greater than once per month; and

(b) Further, that "parent, guardian, and custodian" means the individual or individuals from whom custody was removed.

(v) In making its determination, the court shall consider the following factors:

(a) The financial ability of the parent, both parents, the guardian, or the custodian to pay for such services;

(b) The past efforts of the parent, both parents, the guardian, or the custodian to correct the conditions that resulted in the need for family services; and

(c) Any other factors that the court deems relevant;

(2)(A) If it is in the best interest of the juvenile, transfer custody of juvenile family members to the department, to another licensed agency responsible for the care of juveniles, or to a relative or other individual.

(B) If the court grants custody of the juvenile to the department, the juvenile shall be placed in a licensed or approved foster home, shelter, or facility or an exempt child welfare agency as defined at § 9-28-402(12);

(3) Grant permanent custody to an individual upon proof:

(A) That the parent or guardian from whom the juvenile has been removed has not complied with the orders of the court; or

(B) That no reunification services should be required to reunite the juvenile with his or her parent or parents and that no further services or periodic

reviews are required;

(4)(A) Order that the parent, both parents, or the guardian of the juvenile attend a court-ordered parental responsibility training program, if available.

(B) The court may make reasonable orders requiring proof of completion of such a training program within a certain time period and payment of a fee covering the cost of the training program.

(C) The court may provide that any violation of such orders shall subject the parent, both parents, or the guardian to contempt sanctions of the court;

(5) Place the juvenile on residential detention with electronic monitoring in the juvenile's home;

(6) Order the juvenile, his or her parent, both parents, or guardian to perform court-approved volunteer service in the community designed to contribute to the rehabilitation of the juvenile or the ability of the parent or guardian to provide proper parental care and supervision of the juvenile, not to exceed one hundred sixty (160) hours;

(7)(A) Place the juvenile on supervision terms including, but not limited to, requiring the juvenile to attend school or make satisfactory progress toward a general education development certificate, requiring the juvenile to observe a curfew, and prohibiting the juvenile from possessing or using any alcohol or illegal drugs.

(B) The supervision terms shall be in writing.

(C) The supervision terms shall be given to the juvenile and explained to the juvenile and to his or her parent, guardian, or custodian by the juvenile intake or probation officer in a conference immediately following the disposition hearing;

(8)(A) Order a fine not to exceed five hundred dollars (\$500) to be paid by the juvenile, a parent, both parents, a guardian, or a custodian when the juvenile exceeds the number of excessive unexcused absences provided for in the student attendance policy of the district or the State Board of Workforce Education and Career Opportunities.

(B) The purpose of the penalty set forth in this section is to impress upon the parents, guardians, or persons in loco parentis the importance of school or adult education attendance, and the penalty is not to be used primarily as a source of revenue.

(C)(i) In all cases in which a fine is ordered, the court shall determine the parent's, guardian's, or custodian's ability to pay for the fine.

(ii) In making its determination, the court shall consider

the following factors:

(a) The financial ability of the parent, both parents, the guardian, or the custodian to pay for such services;

(b) The past efforts of the parent, both parents, the guardian, or the custodian to correct the conditions that resulted in the need for family services; and

(c) Any other factors that the court deems relevant.

(D) When practicable and appropriate, the court may utilize mandatory attendance to such programs as well as community service requirements in lieu of a fine;

(9) Assess a court cost of no more than thirty-five dollars (\$35.00) to be paid by the juvenile, his or her parent, both parents, the guardian, or the custodian; and

(10) Order a juvenile service fee not to exceed twenty dollars (\$20.00) a month to be paid by the juvenile, his or her parent, both parents, the guardian, or the custodian.

~~(b) For purposes of this section, the court shall not specify a particular provider for placement or family services.~~

SECTION 9. Arkansas Code § 9-27-334 is amended to read as follows:

9-27-334. Disposition - Dependent-neglected - Generally.

(a) If a juvenile is found to be dependent-neglected, the court may enter an order making any of the following dispositions:

(1)(A) Order family services.

(B)(i) At least five (5) working days prior to ordering the Department of Human Services, excluding community-based providers, to provide or pay for family services in any case in which the department is not a party, the court shall fax a written notice of said intent to the Director of the Department of Human Services and to the attorney of the local Office of Chief Counsel of the Department of Human Services.

(ii) At any hearing in which the department is ordered to provide family services, the court shall provide the department with the opportunity to be heard.

~~(iii) Failure to provide at least five (5) working days' notice to the department renders any part of the order pertaining to the department void. The court shall not order to the Department of Human Services to pay for or provide family services until the Department of Human Services and the parties have had an opportunity to present evidence and arguments regarding such services;~~

(2)(A) If it is in the best interest of the juvenile, transfer custody of the juvenile to the department, to another licensed agency responsible for the care of juveniles, or to a relative or other individual.

(B) If the court grants custody of the juvenile to the department, the juvenile shall be placed in a licensed or approved foster home, shelter, or facility or an exempt child welfare agency as defined at § 9-28-402(12);

(3) If it is in the best interest of the juvenile, grant permanent custody to an individual upon proof that the parent or guardian from whom the juvenile has been removed has not complied with the orders of the court or upon proof that no reunification services should be required to reunite the juvenile with his or her parent or parents and that no further services or periodic reviews are required; or

(4)(A) Order that the parent, both parents, or the guardian of the juvenile attend a court-ordered parental responsibility training program, if available.

(B) The court may make reasonable orders requiring proof of completion of such a training program within a certain time period and payment of a fee covering the cost of the training program.

(C) The court may provide that any violation of the orders shall subject the parent, both parents, or the guardian to contempt sanctions of the court.

(b) Such an order of custody shall supersede an existing court order of custody and shall remain in full force and effect until a subsequent order of custody is entered by a court of competent jurisdiction.

~~(c) For purposes of this section, the court shall not specify a particular provider for placement or family services.~~

SECTION 10. Arkansas Code 9-27-501 is amended to read as follows:

9-27-501. Extended juvenile jurisdiction designation.

(a) The state may request an extended juvenile jurisdiction designation in a delinquency petition or file a separate motion if the:

(1) Juvenile, under the age of thirteen (13) at the time of the alleged offense, is charged with capital murder, § 5-10-101, or murder in the first degree, § 5-10-102, and the state has overcome presumptions of lack of fitness to proceed and lack of capacity as set forth in § 9-27-502;

(2)(A) Juvenile, age thirteen (13) at the time of the alleged offense, is charged with capital murder, § 5-10-101, or murder in the first degree, § 5-10-102.

(B) However, juveniles age thirteen (13) at the time of the alleged offense shall have an evaluation pursuant to § 9-27-502 and the burden will be upon the juvenile to establish lack of fitness to proceed and lack of capacity; ~~or~~

(3) Juvenile, age fourteen (14) or fifteen (15) at the time of the alleged offense, is charged with any of the crimes listed in § 9-27-318(b) and (c)(2); or

(4) Juvenile, age sixteen (16) or seventeen (17) at the time of the alleged offense, is charged with any of the crimes listed in § 9-27-318(b)(1) and (c)(2).

(b) The juvenile's attorney may file a motion to request extended juvenile jurisdiction if the state could have filed pursuant to subsection (a) of this section.

SECTION 11. Arkansas Code 16-13-326 is amended to read as follows:

16-13-326. Fee - Disposition of funds.

(a)(1) The judge of the juvenile division of ~~chancery~~ circuit court may charge a juvenile a fee, not to exceed twenty dollars (\$20.00) per month, for services provided to juveniles by the court.

(2) The court shall have the authority to direct that such fee shall be collected by either the juvenile officer, the sheriff, or the clerk of the juvenile division of the ~~chancery~~ circuit court for the county in which such fee is charged.

(b)(1) The officer designated by the court to collect juvenile fees shall deposit such fees, ~~not less frequently than once every calendar month,~~ weekly in the county treasury of the county where the fees are collected in which probation services are provided.

(2)(A) However, in judicial districts having more than one (1) county, the judge of ~~the juvenile division of chancery court in each such district~~ may designate the treasurer of one (1) of the counties in the district as the depository of all juvenile and diversion fees collected in the district.

(B) The treasurer so designated by the court shall maintain a separate account of the juvenile and diversion fees collected in each county in the district.

(C) Money remaining at the end of the fiscal year shall not revert to any other fund, but shall carry over to the next fiscal year.

(c) The funds derived from the collection of juvenile fees shall be used, by agreement of the ~~juvenile division of chancery court~~ judge or judges of the circuit court designated to hear juvenile cases in their district plan under Arkansas Supreme Court Administrative Order Number 14, originally issued April 6, 2001, and the quorum court of the county, to provide services and supplies to juveniles at the discretion of the juvenile division of ~~chancery~~ circuit court.”

/s/ Jay Martin

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Blair, **HOUSE BILL NO. 2248** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2248

Amend **HOUSE BILL NO. 2248** as originally introduced:

Delete the Title and substitute the following:

"AN ACT CONCERNING CRUELTY TO ANIMALS AND RELATED OFFENSES; CONCERNING ANIMAL MANAGEMENT PRACTICES; AND FOR OTHER PURPOSES."

AND

Delete the Subtitle and substitute the following:

"AN ACT CONCERNING CRUELTY TO ANIMALS AND RELATED OFFENSES; AND CONCERNING ANIMAL MANAGEMENT PRACTICES."

AND

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 5-62-101 is amended to read as follows:

5-62-101. Cruelty to animals.

(a) A person commits the offense of cruelty to animals if, except as authorized by law, he or she knowingly:

- (1) Abandons any animal;
- (2) Subjects any animal to cruel mistreatment;
- (3) Subjects any animal in his or her custody to cruel neglect; or
- (4) Kills or injures any animal belonging to another without legal privilege or consent of the owner.

(b) Cruelty to animals is a Class A misdemeanor.

~~(c)(1) In addition to all other penalties provided by law, the court may order any person found guilty of cruelty to animals to receive a psychiatric or psychological evaluation, and if determined appropriate, psychiatric or psychological counseling or treatment.~~

~~(2) The cost of any evaluation, counseling, or treatment may be ordered paid by the defendant up to the jurisdictional limit of the court.~~

~~(d)~~(c) If the person pleads guilty or nolo contendere to or is found guilty of cruelty to animals, the court may assign custody of the abused animal or animals to a society which is incorporated for the prevention of cruelty to animals.

SECTION 2. Arkansas Code Title 5, Chapter 62, Subchapter 1 is amended to add additional sections to read as follows:

5-62-102. Aggravated cruelty to a dog or cat.

(a) A person commits the offense of aggravated cruelty to a dog or cat if he

or she knowingly and intentionally tortures, mutilates, maims, burns, poisons, or starves any dog or cat.

(b)(1) Aggravated cruelty to a dog or cat is a Class A misdemeanor.

(2) Any person who pleads guilty or nolo contendere to or is found guilty of violating subsection (a) or (b) of this section for a second or subsequent offense committed against a dog or cat and who within five (5) years previously plead guilty or nolo contendere to or been found guilty of violating subsection (a) of this section committed against a dog or cat shall be guilty of a Class D felony.

(c)(1) In addition to all other penalties provided by law, the court may order any person who pleads guilty or nolo contendere to or is found guilty of violating subsection (a) of this section to receive a psychiatric or psychological evaluation, and if determined appropriate, psychiatric or psychological counseling or treatment.

(2) The cost of any evaluation, counseling, or treatment may be ordered paid by the defendant up to the jurisdictional limit of the court.

(d) If the person pleads guilty or nolo contendere to or is found guilty of aggravated cruelty to a dog or cat, the court may assign custody of the abused animal or animals to a society which is incorporated for the prevention of cruelty to animals.

5-62-103. Lawful practices.

Nothing in this subchapter shall be construed as prohibiting conduct that is otherwise authorized by law or legal privilege including, but not limited to:

(1) Protecting livestock and poultry as authorized by § 20-10-102; or

(2) Engaging in practices lawful under the Arkansas Veterinary Medical Practices Act, § 17-101-101 et seq., as amended.

5-62-104. Animal research excluded.

This subchapter does not apply to research and education facilities:

(1) Licensed pursuant to the provisions of:

(A) The Animal Welfare Act, 7 U.S.C. 2131 et seq.; or

(B) The Health Research Extension Act of 1985, Public Law 99-158; or

(2) Which have an institutional animal care and use committee that reviews and approves research or maintenance protocols involving animals in the facility.

SECTION 3. Arkansas Code § 5-62-110 is amended to read as follows:

5-62-110. Definitions.

(a) As used in this act, unless the context otherwise requires:

(1) "Animal" or "dumb animal" includes every living creature means a domesticated living creature or wild living creature previously captured;

(2) "Torture", "torment", or "cruelty" include every act, omission, or neglect whereby unjustifiable physical pain, suffering, or death is caused or permitted;

(3) "Owner" and "person" include corporations as well as individuals.

(b) Nothing in this act shall be construed as prohibiting the ~~shooting~~ taking of birds, fish, or other game ~~for the purpose of human food~~.

SECTION 4. Arkansas Code §§ 5-62-113 through 5-62-114 are repealed.

~~5-62-113. Authority to make arrests.~~

~~The agents of any society which is incorporated for the prevention of cruelty to animals, upon being appointed by the president of the society in any county of this state, may, within the county, make arrests and bring before any court or magistrate having jurisdiction, any offenders found violating the provisions of this act.~~

~~5-62-114. Authority to take charge of animals and vehicles of arrested person.~~

~~When any person arrested is, at the time of arrest, in charge of any vehicle drawn by or containing any animal, any agent of a society for the prevention of cruelty to animals may take charge of the animal and the vehicle and its contents and deposit them in a safe place of custody, or deliver them into the possession of the police or sheriff of the county or place wherein the arrest was made, who shall thereupon assume the custody thereof.~~

SECTION 5. Arkansas Code § 20-19-102 is amended to read as follows:

20-19-102. Injuries to domesticated animals by dogs.

(a)(1) "Domesticated animals" includes, but is not limited to, sheep, goats, horses, cattle, swine, and poultry.

(2) Any person owning or having in possession or under control any dog shall be liable in damages to the owner or owners of any domesticated animals killed or injured by the dog in the full value of the domesticated animal killed or injured.

(b)(1) Any person engaged in raising domesticated animals or owning any domesticated animals who shall sustain any loss or damages to his or their domesticated animals by any dog shall have a right of action against the owner, person, or controller of the dog.

(2) Any person knowing that any dog has killed or is about to catch, injure, or kill any domesticated animal shall have the right to kill the dog, without in any way being liable to the owner of the dog in any courts of this state.

(3) Any person who knows, or has reasonable cause to know, that any animal is stray, abandoned, or diseased and may be a threat to his person or property shall have the legal privilege to kill such animal and shall be immune from

judicial action both civil and criminal.

(c) The person sustaining loss or damage as mentioned in this section and desiring remuneration therefor may go before some justice of the peace of the county wherein the loss or damage occurred and make oath of the character of the loss or damage sustained, the value of the loss or damage, the dog or dogs, and the owner, possessor, or controller of the dog and file the same with the justice, who shall issue a summons stating the nature of the plaintiff's claim, the amount claimed, and the cost accrued, which shall be served and returned as in ordinary actions.

(d)(1) If the defendant shall pay to the officer serving the summons the amount of damages claimed, the costs endorsed, and a further fee to the officer of twenty-five cents (25¢) for making the return, the summons shall be returned satisfied, and no further proceedings had.

(2) If the defendant fails, neglects, or refuses to pay that amount, the justice shall try the cause as in other ordinary actions and give judgment in favor of plaintiff for the amount proved in the cause, for which the defendant may be liable by the provisions of this section.

(e) In a second suit and recovery by any plaintiff against the same defendant on account of killing or injury done by the same dog, the justice shall render judgment for double the amount of damages proven.

SECTION 6. Arkansas Code § 17-101-307, concerning acts that are exempt from the Arkansas Veterinary Medical Practice Act, is amended to add an additional subdivision to read as follows:

(10) A pet breeder, his or her consignees, and their employees from performing routine accepted management practices on animals belonging to the owner and produced for commerce."

/s/ Buddy Blair

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Blair, **HOUSE BILL NO. 2248** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 2248

Amend **HOUSE BILL NO. 2248** as originally introduced:
Add Senator J. Jeffress as a cosponsor of the bill.

/s/ Buddy Blair

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. 1834** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1834

Amend **HOUSE BILL NO. 1834** as engrossed, H3/13/03:
Add Representative Bright as a cosponsor of the bill

Delete SECTION 1 in its entirety

AND

Page 2, line 30 delete "SECTION 2." and substitute "SECTION 1."

AND

Page 3, delete line 31 and substitute the following

"(16) The right to direct whether to receive nutrition or hydration."

AND

Delete SECTION 3 in its entirety

AND

Page 4, line 11, delete "SECTION 4." and substitute "SECTION 2."

AND

Delete SECTION 5 in its entirety

AND

Page 7, line 5, delete "SECTION 6." and substitute "SECTION 3."

AND

Page 7, line 7, delete "(1)"

AND

Page 7, delete lines 9 through 14

AND

Page 7, delete lines 28 through 32 and substitute the following:

"It is my specific directive that nutrition may be withheld after consultation with my attending physician.

It is my specific directive that hydration may be withheld after consultation with my attending physician.

It is my specific directive that nutrition may not be withheld.

It is my specific directive that hydration may not be withheld.."

AND

Page 8, line 35 delete "(1)"

AND

Page 9, delete lines 1 through 6

AND

Page 9, delete lines 19 through 23 and substitute the following:

"It is my specific directive that nutrition may be withheld after consultation with my attending physician.

It is my specific directive that hydration may be withheld after consultation with my attending physician.

It is my specific directive that nutrition may not be withheld.

It is my specific directive that hydration may not be withheld.."

AND

Page 10, delete line 26 and substitute the following:

"SECTION 4. Arkansas Code § 20-17-202, concerning declarations relating to use of life-sustaining treatment, is amended to add an additional section to read as follows:

(f) A declaration executed by a qualified individual shall be clear and convincing evidence of his or her wishes, but clear and convincing evidence of an individual's wishes is not limited to the declarations under this section.

SECTION 5. Arkansas Code § 20-17-204(a), concerning revocation of"

AND

Page 10, delete lines 34 and 35 and substitute the following:

"(2) The wishes of a patient who requests nutrition, hydration, or both shall be honored."

AND

Page 11, line 5 delete "(1)"

AND

Page 11, line 7 delete "comfort, care," and substitute "comfort,~~care,~~"

AND

Page 11, delete lines 9 through 11

AND

Page 11 delete line 35 and 36 and page 12, delete line 1

AND

Page 12, line 2, delete "(c)" and substitute "(b)"

AND

Page 12, line 2 delete "If" and substitute "Even if"

AND

Page 12, line 3 delete "a" at the end of the line

AND

Page 12, delete lines 4 and 5 and substitute the following:

"if the terminally ill patient requests nutrition or hydration, his or her wishes shall be honored."

AND

Page 12, line 7 add the following new SECTIONS:

"SECTION 6. Legislative purpose.

(a)(1) The General Assembly recognizes that residents of long-term care facilities are among the most vulnerable of the state's citizens.

(2) Further, the disproportionate number of these residents who are Medicaid eligible, and who have little or no close family involvement in their lives, heightens their vulnerability.

(b) It is the intent of the General Assembly that, to ensure proper care and treatment of these individuals, particularly at end-of-life, the circumstances and conditions under which the withholding of nutrition, hydration, or both, may occur, be clarified.

SECTION 7. Title 20, Subtitle 2, Chapter 10, Subchapter 10 is amended to add and additional section to read as follows:

20-10-1010. End-of-life treatment of long-term care residents.

(a) For residents suffering from a terminal condition, as defined in § 20-17-201, facilities may withhold nutrition, hydration, or both only pursuant to:

(1) The directive, or with the consent, of the resident;

(2) A validly executed declaration, as defined in Section 20-17-201; or

(3) The instructions of a person authorized to execute a written request for another under § 20-17-214 if:

(A) The resident did not execute a declaration; and

(B) In the opinion of the attending physician, the resident is no longer able to make health care decisions for himself or herself; or

(4) The directions of an attorney-in-fact appointed under a validly executed durable power of attorney for health care, as defined in § 20-13-104.

(b) For residents who are permanently unconscious, as defined in § 20-17-201, facilities may withhold nutrition, hydration, or both only pursuant to:

(1) A validly executed declaration, as defined in Section 20-17-201; or

(2) The instructions of a person authorized to execute a written request for another pursuant to § 20-17-214 if:

(A) The resident did not execute a declaration; and

(B) In the opinion of the attending physician, the resident is no longer to make health care decisions for himself or herself; or

(3) The directions of an attorney-in-fact appointed under a validly executed durable power of attorney for health care, as defined in § 20-13-104.

(c) Notwithstanding subsections (a) and (b) of this section, the wishes of a resident who requests nutrition, hydration, or both, shall be honored.

(d) The attending physician or other health care provider may not substitute his or her judgment relating to nutrition or hydration and make a decision that is contrary to the known wishes of the resident."

/s/ Kevin Penix

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. 2673** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2673

Amend **HOUSE BILL NO. 2673** as originally introduced:

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

"SECTION 1. Arkansas Code § 26-58-208(c), regarding the amount of the tax credit allowed for certain oil and gas producers, is amended to read as follows:

(c)(1) The total severance tax credits allowed all oil producers during any calendar year by the director shall not exceed three hundred seventy thousand dollars (\$370,000).

(2)(A) If, during any calendar year, the total severance tax credits of all oil producers operating approved underground salt water disposal systems exceed

the total maximum allowable severance tax credits mentioned above, the director shall prorate the allowable credits among the respective oil producers in the proportion that the credits due each producer bear to the total of all severance tax credits due all oil producers.

(B) If the director prorates the allowable tax credits under (c)(2)(A) of this section, then the oil producers shall be allowed an additional one hundred twenty (120) days in which to repay the tax credits.

/s/ Jodie Mahony

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Lendall, **HOUSE BILL NO. 2494** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2494

Amend **HOUSE BILL NO. 2494** as originally introduced:

Page 1, line 20 delete "or" immediately before "marijuana" and substitute "of"

/s/ Jim Lendall

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

/s/ Ms. Jo Renshaw
Chief Clerk

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

AMENDMENT NO. 1 TO HOUSE BILL NO. 2492

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

Page 1, delete lines 19 through 26 and substitute the following:

“SECTION 1. Arkansas Code § 19-11-902 is amended to read as follows:

19-11-902. Regulations.

(a) The Office of State Procurement shall be responsible for developing regulations governing implementation of this subchapter.

(b) For purposes of this subchapter:

(1) "Commodities" means all property, including, but not limited to, equipment, printing, stationery, supplies, and insurance, but excluding real property, leases on real property, or a permanent interest in real property;

(2) "Disabled individuals" means those persons who have a medically or psychiatrically determined physical, mental, or developmental disability constituting a substantial vocational handicap;

(3) "Arkansas Rehabilitation Services" means the Arkansas Rehabilitation Services of the Department of Workforce Education;

(4) "Fiscal year" means July 1 of one (1) year through June 30 of the next year;

(5) "Ordering office" means any state department, independent establishment, board, commission, bureau, service, or division of state government and any wholly owned state corporation;

(6) "Products", for purposes of this subchapter, means commodities or services wherein the price of the commodities includes at least twenty percent (20%) value added when the work center is awarded a contract using the ~~ten percent (10%)~~ five percent (5%) preference, and in the case of services, that they are performed by the disabled;

(7)(A) "Services" means the furnishing of labor, time, or effort by a contractor, not involving the delivery of a specific end product other than reports which are merely incidental to the required performance.

(B) This term shall not include employment agreements, collective bargaining agreements, or architectural or engineering contracts requiring approval of Arkansas State Building Services;

(8) "Sheltered workshop" means a work center which has:

(A) Certification from the United States Department of Labor as a sheltered workshop; and

(B) Been licensed by the Division of Developmental Disabilities Services of the Department of Human Services or certification from Arkansas Rehabilitation Services; and

(9)(A) "Work center" means any facility certified by the Arkansas Rehabilitation Services where any manufacture or handiwork is carried on and which is operated for the primary purpose of providing evaluation, training, and gainful employment to disabled individuals of Arkansas:

(i) As an interim step in the rehabilitation process for those who cannot be readily absorbed in the competitive labor market; or

(ii) During such time as employment opportunities for them in the competitive labor market do not exist.

(B) "Work center" includes a sheltered work center.

(c) All state agencies as defined in § 19-11-203 are required to purchase their requirements of needed available and suitable products, as defined in subdivision (b)(6) of this section, and purchase suitable services, as defined in subdivision (b)(7) of this section, from nonprofit work centers for disabled individuals, unless such commodities and services are authorized by prior legislation for production in another state agency, department, or institution.

(d)(1) The Office of State Procurement shall issue to all agency purchasing agents a schedule of work center-made commodities and services and the conditions under which they are to be procured from the workshops.

(2) The schedule shall include the item or service description.

(e) Arkansas Rehabilitation Services shall undertake the inspection on a continuing basis of the workshops certified by Arkansas Rehabilitation Services to determine that they operate in accordance with the requirements of the statute and the regulations of this section.

(f)(1)(A) In order to qualify for participation in the program as a work center, an organization shall submit an application to the Office of State Procurement.

(B) If required for all vendors, there should be included a list of the commodities and services offered for sale to the state.

(2) Work centers shall:

(A) Furnish commodities and services in strict accordance with the allocation and government order;

(B) Maintain records of wages paid, hours of employment, and sales;

(C) Make available pertinent books and records of the agency for inspection at any reasonable time to representatives of the Arkansas Rehabilitation Services; and

(D)(i) Submit to the Arkansas Rehabilitation Services by September 1 an annual report for the preceding fiscal year.

(ii) This report shall include data on disabled workers, wages and wage supplements, hours of employment, sales, whether the workshop requires a facilities sheltered workshop certificate from the United States Department of Labor and special minimum rates authorized where such certificate is held and such other relevant information as may be required.

(g) Where a commodity or service is identified in the schedule of work center-made commodities and services as being available through the Office of State Procurement, it shall be obtained in accordance with the requisitioning procedures of the supplying agency.

(h) An ordering office may purchase from a nonworkshop source commodities or services listed in the schedule of work center-made commodities and services in any of the following circumstances:

(1) Necessity requires delivery within the specified period, and the work center cannot give assurance of positive availability;

(2) When commodities listed on the schedule of work center-made commodities can be purchased from a nonwork center source by the agency for a price more than ~~ten percent (10%)~~ five percent (5 %) lower than work center-made commodities included in the schedule;

(3) Services offered by any work center shall be procured by any agency in accordance with this section at a price not more than ~~ten percent (10%)~~ five percent (5%) above the lowest price submitted from a nonwork center source.

(i) Work center-made product commodities will be delivered in accordance with the terms of the purchase order.

(j) Where a workshop fails to comply with the terms of a government order, the ordering office shall make reasonable efforts to negotiate an adjustment before taking action to cancel the order.

(k) Any alleged violation of these regulations shall be investigated by the Office of State Procurement, which shall notify the work center concerned and afford it an opportunity to submit a statement of facts and evidence.”

/s/ Jim Lendall

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Medley, **HOUSE BILL NO. 2386** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2386

Amend **HOUSE BILL NO. 2386** as originally introduced:
Add Representatives Agee, Mahony, Scrimshire as co-sponsors

/s/ Jim Medley

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. 2829** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2829

Amend **HOUSE BILL NO. 2829** as originally introduced:
Delete everything after the enacting clause and substitute:

SECTION 1. Arkansas Code § 18-49-103 is amended to read as follows:

18-49-103. Judgment.

(a) It shall not be necessary in any action upon a mortgage or lien to enter an interlocutory judgment or give time for the payment of money, or for doing any other act. In such cases, final judgment may be given in the first instance.

(b)(1) In the foreclosure of a mortgage, a sale of the mortgaged property shall be ordered in all cases.

(2) The mortgagee, trustee, secured party or vendor shall publish a notice of the sale:

(A)(i) In a newspaper of general circulation in the county in which the property is situated and in a newspaper of general statewide daily publication one (1) time a week for four (4) consecutive weeks prior to the date of sale;

(ii) The final publication of which shall be no more than ten (10) days prior to the sale.

(B) By employing a third-party Internet foreclosure sale notice information service provider; and

(C) By employing a third-party posting provider to post a notice at the place at the county courthouse where foreclosure sales are customarily advertised and conducted.

(c) In an action on a mortgage or lien, the judgment may be rendered for the sale of the property and for the recovery of the debt against the defendant personally.

(d) Whenever a mortgagee reasonably believes that mortgaged property has or will be affected by a release or threatened release of any hazardous substance including, but not limited to, those defined by 42 U.S.C. § 9601(14), (22), or § 8-7-403(a)(8), or § 8-7-503(8), the mortgagee may proceed against the mortgagor personally to recover the debt, without need to first seek a sale of the mortgaged property.

SECTION 2. Arkansas Code § 18-49-104 is amended to read as follows:

18-49-104. Sale of property under court order and publication of notice of sales.

(a)(1) Sales of personal property made by order of the court shall be on a credit of three (3) months.

(2) Sales of real property made by court order shall be on a credit of not less than three (3) months nor more than six (6) months, or on installments equivalent to not more than four (4) months' credit on the whole, to be determined by the court.

(b)(1) In all sales on credit, the purchaser shall execute a bond, with good surety, to be approved by the person making the sale, which bond shall have the force of a judgment.

(2) In sales of ~~real~~ property under this section, a lien shall be retained on the property for its price.

~~(c)(1) The mortgagee, trustee, or vendor shall publish a notice of the sale in a newspaper published and having a general circulation in the county in which the property is situated or, if this is not available, then in a newspaper of general statewide daily publication one (1) time.~~

~~(2) The publication shall be at least ten (10) days prior to the sale.~~

(c) The mortgagee, trustee, secured party or vendor shall publish a notice of the sale:

(1)(A) In a newspaper of general circulation in the county in which the property is situated and in a newspaper of general statewide daily publication one (1) time a week for four (4) consecutive weeks prior to the date of sale; and

(B) The final publication of which shall be no more than ten (10) days prior to the sale.

(2) By employing a third-party Internet foreclosure sale notice information service provider.

SECTION 3. Arkansas Code § 18-50-105 is amended to read as follows:

18-50-105. Publication of notice.

The mortgagee, ~~or trustee,~~ or vendor shall publish the notice:

(1) In a newspaper of general circulation in the county in which the ~~trust~~ property is situated ~~or~~ and in a newspaper of general statewide daily publication one (1) time a week for four (4) consecutive weeks prior to the date of sale. The final publication shall be no more than ten (10) days prior to the sale;

(2) By employing a third-party posting provider to post notice at the place at the county courthouse where foreclosure sales are customarily advertised and conducted; and

(3) By employing a third-party Internet foreclosure sale notice information service provider.

SECTION 4. Arkansas Code § 16-113-203 is amended to read as follows:

16-113-203. Injunction bonds.

(a) In every case, the court or judge granting an injunction shall specify in the order ~~therefor~~ an amount, for which the party obtaining it shall give security in a bond to the party enjoined, before the injunction shall become effectual. The amount of the bond shall be sufficient to cover all the probable damages and costs that may be occasioned by the injunction.

(b) The court or judge may prescribe the effect of the bond, so as to secure to the party enjoined the damages to which he may become entitled if it is finally decided that the injunction ought not to have been granted.

(c)(1) Where the injunction is to stay proceedings upon a judgment or final order for money, the amount for which security is required shall be sufficient to cover, with other damages, the sum enjoined, with five (5) years' interest thereon.

(2) When the injunction is to stay proceedings upon a judgment for property, the amount specified in the order shall be sufficient to cover also the rent, hire, or value of the use thereof for two (2) years; and in case of personal property, its value likewise.

(3)(A) When the injunction is to stay proceedings in a foreclosure initiated under the Statutory Foreclosure Act of 1987, §§ 18-50-101 through 18-50-116, the amount specified in the order shall be sufficient to cover the full amount of reinstatement of the loan, as defined by § 18-50-114.

(B) Should the court or judge grant an injunction, the mortgagor or grantor is required to tender all regular payments due under the security instrument into the registry of the court pending the final resolution of the action.

(d) The order of injunction shall not be issued by the clerk until the bond mentioned in subsections (a)-(c) of this section has been executed in his office by one (1) or more sufficient sureties of the party obtaining the injunction.

(e)(1) Where the injunction is to stay proceedings upon a judgment or final order, the bond shall be to the effect that the party obtaining the injunction will satisfy the judgment or order, or so much of it as is enjoined, to the extent to which the injunction may be dissolved and that he will also satisfy any modified judgment or order that may be rendered or made in lieu of it, or so much of it as exceeds the amount left unenjoined.

(2) In other cases, unless otherwise directed by the court or judge, the bond shall be to the effect that the party giving it will pay to the party enjoined such damages as he may sustain if it is finally decided that the injunction ought not to have been granted.

(f)(1) In case of injunction to stay proceedings upon a judgment or final order, the officer granting the injunction may authorize a bond to be executed to the effect that the party obtaining the injunction will pay to the party enjoined such damages as he may sustain if it is finally decided that the injunction ought not to have been granted.

(2) However, if, at the time the injunction is granted and bond executed, any execution or attachment has been levied upon the property of the party obtaining the injunction, the levy shall not be discharged by reason of the injunction, but it shall remain in full force until the final decision as to the injunction unless the party obtaining the injunction shall give bond in the form prescribed by law.

(g) Sureties in injunction bonds shall be taken by the clerk, under the same responsibilities as in other cases of sureties taken by him.

(h)(1) A party enjoined may, at any time before judgment, upon reasonable notice to the party who has obtained the injunction, move the court for additional security on behalf of the party enjoined.

(2) If it appears on the notice that the surety in the injunction bond has removed from this state, or is insufficient, the court may vacate the order of injunction unless in a reasonable time sufficient security is given.

/s/ Mike Hathorn

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

/s/ Ms. Jo Renshaw

Chief Clerk

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

AMENDMENT NO. 2 TO HOUSE BILL NO. 2835

Amend **HOUSE BILL NO. 2835** as engrossed H3/14/03:

Page 1, line 5, add "Chesterfield, Clemons, Dobbins, Eason, Goss, C. Johnson, Jones, Lewellen, Penix, Thomas, White"

AND

Add Senators Wilkins, Steele, Brown as cosponsors of the bill

AND

Page 2 delete line 21 and 22 and substitute the following:

"commission, bureau, division, public corporation, agency, institutions of higher learning, or instrumentality of this state.

25-10-403. Agency contracting - Diversity.

(a) State agencies shall include in all requests for proposals and requests for qualifications, language that encourages minority participation in each request for proposals and request for qualifications issued by the agency.

(b)(1) State agency requests for proposals and requests for qualifications shall take into consideration minority inclusion in the proposed project.

(2) Requests for proposals and requests for qualifications shall provide that an applicant unable to include minority owned businesses may explain the circumstances preventing minority inclusion.

25-10-404. Data recording and tracking.

(a)(1)(A) The Director of the Office of State Procurement of the Department of Finance and Administration shall track data regarding minority participation in each state agency request for proposals and request for qualifications that exceeds twenty-five thousand dollars (\$25,000).

(B) The Director of the Office of State Procurement shall promulgate rules

(2) The data shall include, but not be limited to, information regarding:

(A) The dollar amount for each contract awarded to a minority owned business;

(B) The total dollar amount spent on contracts by each state agency;

(C) The number and percentage of minority owned business applications for each request for proposal and request for qualifications; and

(D) The number and percentage of minority owned businesses awarded contracts by the agency.

(b)(1) The Director of the Office of State Procurement shall report the data required under subsection (a) of this section semiannually to the Governor and to the cochairs of the Legislative Council and to the Legislative Joint Audit Committee.

(c)(1) Each state agency shall include in its budget report to the Joint Budget Committee of the Legislative Council a listing of all contracts in amounts exceeding twenty-five thousand dollars (\$25,000) awarded to minority owned businesses.

(2) The vice-president or vice-chancellor for finance of each state college and university shall include in his or her budget report to the Joint Budget Committee of the Legislative Council a listing of all contracts in amounts exceeding twenty-five thousand dollars (\$25,000) awarded to minority owned businesses.

SECTION 2. Arkansas Code § 15-4-303 is amended to read as follows:

15-4-303. Advisory Council.

(a) The Division of Minority Business Enterprise of the Department of Economic Development shall be represented by a statewide Minority Business Advisory Council ~~to serve~~ under the management of the division.

(b) The council shall consist of seven (7) members.

(c)(1) The Governor shall appoint three (3) members of the council with the advice and consent of the Senate.

(2) The President Pro Tempore of the Senate shall appoint two (2) members of the council.

(3) The Speaker of the House of Representatives shall appoint two (2) members of the council.

(d) Except as otherwise provided by law, members of the council shall serve without compensation.

(e)(1) The term of office of the council shall be at the pleasure of the ~~Governor~~ appointing officer.

(2) On the effective date of this subdivision, the terms of present members of the council shall expire."

/s/ Joyce Elliott

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. 2397** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2397

Amend **HOUSE BILL NO. 2397** as originally introduced:

Page 1, delete line 33 and substitute:

"cause of action for sexual or physical abuse committed against:"

AND

Page 2, delete lines 1 and 2 and substitute:

"of disorder, and was unable to give legal consent."

AND

Page 2, line 23 add the following new subsection:

"(f) Any person committing an act enumerated in subsection (a) of this section shall be deemed to be acting intentionally if that person knew or should have known that the act was committed against a minor or a disabled person."

/s/ Mike Hathorn

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. 2291** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2291

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

Page 1, line 33, delete "that" and substitute "that is"

AND

Page 2, line 6 delete "(c)(1)" and substitute "(c)"

AND

Page 2, line 12, delete "fighting" and substitute "fighting equipment, except as provided under § 21-9-301."

AND

Page 2, delete lines 13 through 15

/s/ Preston Scroggin

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Harris, **HOUSE BILL NO. 2551** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2551

Amend **HOUSE BILL NO. 2551** as originally introduced:

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

“SECTION 1. The purpose of this act is to require the Department of Finance and Administration and any other agency that prepares financial impact, revenue impact, or fiscal impact statements on current law, proposed legislation, or filed legislation to use dynamic scoring to prepare the statements.

SECTION 2. (a) As used in this section:

(1)(A) “Dynamic scoring” means the incorporation of macroeconomic impacts and effects in an impact statement.

(B) “Dynamic scoring” is also known as dynamic analysis.

(C) “Dynamic scoring” includes the effect of a change in taxation on economic variables such as state income, labor, and capital to assess the beneficial secondary and tertiary impacts on the Arkansas economy; and

(2) “Impact statement” means the financial impact, revenue impact, fiscal impact, or economic impact statement prepared by the Department of Finance and Administration or any other agency regarding current law, proposed legislation, or filed legislation.

(b) After the effective date of this act, impact statements shall be prepared by using dynamic scoring, in addition to the static revenue impact method currently used to prepare impact statements.”

/s/ Eric Harris

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Harris, **HOUSE BILL NO. 2903** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2903

Amend **HOUSE BILL NO. 2903** as originally introduced:

Delete everything following the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 6-17-413 is amended to read as follows:

6-17-413. National Board for Professional Teaching Standards certification funding.

(a)(1)(A) The Department of Education shall pay the full amount of the National Board for Professional Teaching Standards' participation fee and provide, if determined to be necessary by the department, substitute pay for a maximum of three (3) days of approved paid leave for teachers selected by the State Board of Education to participate in the national board's program.

(B) A teacher shall have completed at least three (3) years of teaching in the Arkansas public school system before applying for the assistance under this section and § 6-17-412 and shall not have previously received state funding for participation in any certification area in the national board's program.

(2) The state board shall promulgate rules and regulations for the selection process of teacher participants in the national board's program. The number of teacher participants each year will be determined by the amount of funding available for the program.

(3)(A) The department shall pay a starting incentive bonus of ~~two thousand dollars (\$2,000)~~ five thousand dollars (\$5,000) upon receiving the national board's certification and a yearly incentive bonus of ~~two thousand dollars (\$2,000)~~ five thousand dollars (\$5,000) for every school year for the life of the national board's certificate to any classroom teacher, building-level principal, or building-level assistant principal who:

(i) Is selected by the state board to participate in the national board's program;

(ii) Successfully completes the national board's certification process;

(iii) Receives national board certification; and

(iv) Is, at the time of receiving the bonus, employed full time as a classroom teacher, a building-level principal, or a building-level assistant principal in an Arkansas public school district.

(B) Any nationally board-certified teacher who moves into the state and is employed full time as a classroom teacher, building-level principal, or

building-level assistant principal in an Arkansas public school district shall be eligible for the yearly incentive bonus of ~~two thousand dollars (\$2,000)~~ five thousand dollars (\$5,000) for every school year the person is employed full time as a classroom teacher, building-level principal, or building-level assistant principal in a local public school district for the life of the national board's certificate.

~~(C)~~ The department shall pay increased incentive bonuses each school year that sufficient funds have been appropriated and are available for paying the increased bonuses, as follows:

(i) ~~Three thousand dollars (\$3,000) in addition to the starting incentive bonus provided in subdivision (a)(3)(A) of this section; and~~

(ii) ~~One thousand dollars (\$1,000) in addition to the yearly incentive bonuses provided in subdivisions (a)(3)(A) and (a)(3)(B) of this section.~~

~~(D)~~(C) The increased incentive bonuses provided in subdivision ~~(a)(3)(C) of this section~~ this act of 2003 shall not be retroactive, and no obligations shall accumulate for school years in which sufficient funds are not appropriated or available.

~~(E)~~(D) No person shall receive a starting bonus and a yearly incentive for the same school year.

~~(F)~~(E) No person shall receive either a starting incentive bonus or a yearly incentive bonus, irrespective of the person's past participation in the national board's certification as either a teacher, a building-level principal, or a building-level assistant principal if the person:

(i) Leaves the full-time employment of an Arkansas public school district;

(ii) Becomes employed as a district-level central office administrator;

(iii) Is employed by an Arkansas institution of higher education; or

(iv) Is employed by an education service cooperative and does not teach in a classroom with students.

~~(G)~~(F) At the time that the national board establishes a national board certification for school administrators and an Arkansas district-level central office administrator becomes national board certified, the district-level central office will be eligible to receive incentive bonuses in the amount awarded to national board certified teachers for every year for the life of the national board's administrator certificate.

(4) The state board is authorized to promulgate rules and regulations

to establish a support program for teachers selected to participate in the national board's program.

(b)(1) A teacher who receives state moneys for the national board's participation fee but who does not complete the certification process within three (3) years after the teacher's entry into the national board's certification program or who becomes national board-certified but does not teach or serve as a building-level principal in the Arkansas public school system for two (2) continuous school years after receiving the national board's certification shall repay the department the amount it contributed to the national board's participation fee and the total amount it contributed to any yearly bonus.

(2) If the teacher, principal, or assistant principal leaves the employment of a public school district before the two (2) continuous years are completed and is employed by an Arkansas institution of higher education or employed by an education service cooperative and the teacher does not teach in a classroom with students, the teacher, principal, or assistant principal shall repay the department the amount it contributed to the national board's participation fee and the total amount it contributed to any yearly salary bonus.

(3) The state board may suspend the Arkansas teacher's license of any person that fails, when required to do so, to repay moneys contributed by the department for the national board certification program.

(4) Repayment of moneys contributed by the department is not required if, due to the death or disability of the teacher or other extenuating circumstances as may be recognized by the state board, the teacher does not complete the national board's certification process or does not teach in the Arkansas public school system for two (2) continuous school years after completing the national board's certification process.

(c) Provisions of this section and § 6-17-412 shall apply only to the extent that funds are appropriated to the department to pay for these provisions."

/s/ Eric Harris

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Pickett, **HOUSE BILL NO. 2726** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2726

Amend **HOUSE BILL NO. 2726** as originally introduced:

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

“SECTION 1. Arkansas Code § 26-36-301 is amended to read as follows:

26-36-301. Purposes.

(a) The purpose of this subchapter is to establish as policy that all claimant agencies and the Revenue Division of the Department of Finance and Administration shall cooperate in identifying debtors who owe money to the state or an Arkansas county, city, or town through its various claimant agencies and who qualify for refunds from the division.

(b) It is also the intent of this subchapter that procedures be established for setting off against any such refund the sum of any debt owed to the state or an Arkansas county, city, or town.

SECTION 2. Arkansas Code § 26-36-303, concerning the definition agencies which may collect debt by setting off against state tax refunds, is amended to read as follows:

26-36-303. Definitions.

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

(1) "Claimant agencies" means:

(A) State-supported colleges, universities, and technical institutes;

(B) The Department of Human Services;

(C) The Arkansas Student Loan Authority;

(D) The Student Loan Guarantee Foundation;

(E) The Auditor of State;

(F) The Department of Higher Education;

(G) The Office of Child Support Enforcement of the Revenue Division of the Department of Finance and Administration; and

(H) Arkansas circuit, ~~juvenile, and chancery courts~~ county, district, or city courts;

(2)(A) "Debt" means any liquidated sum due and owing any claimant agency, which has accrued through contract, subrogation, tort, operation of law, legal proceeding, or any other legal theory, regardless of whether there is an outstanding judgment for that sum.

(B) "Debt" shall include accrued obligations due to an

assignment of child support rights made to the state as a condition of eligibility for welfare assistance and those which have accrued from contract with the claimant agency by an individual who is not the recipient of welfare assistance.

(C) "Debt" shall also include the owing of money to a claimant agency as a result of a debtor's cashing both the original and the duplicate state warrants;

(D) "Debt" shall also include all of the following that have been due and payable for more than one (1) year and that are not under appeal:

(i) Traffic fines;

(ii) Any court imposed fine or cost, including fines related to the prosecution of hot checks under The Arkansas Hot Check Law, § 5-37-301 et seq.; and

(iii) Restitution ordered by a circuit, county, district, or city court related to the violation of any state law;

(3) "Debtor" means any individual owing money to or having a delinquent account with any claimant agency, which obligation has not been adjudicated, satisfied by court order, set aside by court order, or discharged in bankruptcy;

(4) "Division" means the Revenue Division of the Department of Finance and Administration;

(5) "Refund" means the Arkansas income tax refund which the division determines to be due any individual taxpayer, less any amounts determined by the division to be due to the division for payment of any state tax as defined in the Arkansas Tax Procedure Act, as amended, § 26-18-101 et seq.; and

(6) "Setoff" means the withholding of part or all of income tax refunds due individuals who owe debts to the State of Arkansas or an Arkansas county, city, or town.

SECTION 3. Arkansas Code § 26-36-303(6), concerning the definition of setoff for purposes of the law allowing certain agencies to collect debt by setting off against state tax refunds, is amended to read as follows:

(6) "Setoff" means the withholding of part or all of income tax refunds due individuals who owe debts to the State of Arkansas, a county, a city, or a town.

SECTION 4. Arkansas Code § 26-36-316(b)(1), concerning regarding dispositions of proceeds collected, is amended to add an additional subsection to read as follows:

(b)(1)(A) For purposes of this subchapter, except as provided under subdivision (b)(1)(B) of this section, five percent (5%) of the proceeds collected by the division through setoff shall represent the division's cost of effecting setoff, and

these costs shall be charged to the respective claimant agency as a collection assistance fee.

(B) If the claimant agency is a circuit, county, district, or city court, then ten percent (10%) of the proceeds collected by the division through setoff shall represent the division's cost of effecting setoff and shall be charged to the respective circuit, county, district, or city court as a collection assistance fee.

SECTION 5. This act shall become effective on the first day of the calendar month following the ninetieth day after the sine die adjournment of this session or the first day of the calendar month following the ninetieth day after a recess or adjournment for a period longer than ninety (90) days.

/s/ Betty Pickett

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Harris, **HOUSE BILL NO. 2460** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2460

Amend **HOUSE BILL NO. 2460** as originally introduced:

Page 1, delete line 20 through 26 and substitute the following:

"SECTION 1. Arkansas Code Title 19, Chapter 1, is amended to add an additional subchapter to read as follows:

19-1-801. Annual state expenditures.

(a) The annual state expenditures shall not exceed the total expenditures for the prior biennium, except for annual percentage changes in the cost-of-living and population.

(b) The General Assembly shall by law provide a method for determining the percentage change in the cost-of-living and population, but in no case shall the percentage change in expenditures exceed the average percentage change in the state's per capita.

19-1-802. Definitions.

For purposes of this subchapter:

(1) "Personal income" means the total income received by residents

of the state from all sources, including transfer payments as defined and officially reported by the United States Department of Commerce or any other appropriate federal agency for a twelve (12) month period of time;

(2) "Cost-of-living" means the consumer price index for the United States of America, or any comparable index, as computed by the Bureau of Labor Statistics of the Department of Commerce of the United States for a twelve (12) month period of time;

(3) "Population" means the number of people residing in the state, excluding armed forces stationed overseas, as determined by the United States Bureau of Census;

(4) "Expenditures" means the total amount of moneys appropriated by the state except:

(A) Appropriations funded by moneys received from the federal government;

(B) Principal and interest on bonded indebtedness;

(C) Appropriations funded by unemployment and disability insurance funds;

(D) Appropriations funded by discretionary user charges to the extent that such charges do not exceed the cost of the goods or services and its purchase by the user is discretionary;

(E) Appropriations funded from permanent endowment, trust funds, or pension funds;

(F) Proceeds of gifts or bequests made for purposes specified by the donor; or

(G) Moneys appropriated for tax relief;

(5) "Fiscal year" means any accounting period consisting of twelve (12) consecutive months;

(6) "Per capita expenditures" means the quotient derived from dividing expenditures of the state for a fiscal year by its population on the first day of that fiscal year; and

(7) "Emergency" means an extraordinary event or occurrence that could not have been reasonably foreseen or prevented and that requires immediate expenditure to preserve the health, safety, and general welfare of the people.

19-1-803. Excess revenues.

(a) For any fiscal year, the excess of revenues over expenditures, except as provided in § 19-1-802, shall be funded pro rata on the annual income tax returns.

(b) The General Assembly shall reduce state tax rates for the next tax year to reflect the excess of revenues over expenditures except as provided by § 19-1-802.

19-1-804. Emergency.

(a) The limitation imposed by § 19-1-801 may be exceeded upon the exhaustion of the fund established according to § 19-1-802, and upon the declaration of an emergency by the Governor and upon a two-thirds (2/3) vote of all members elected to the House of Representatives and the Senate concurring therein.

(b) The General Assembly shall set forth the amount of the cost of the emergency and the method by which it shall be defrayed.

(c) The limitation may be exceeded only for the years in which the emergency is declared.

(d) No emergency expenditures, as expressed in § 19-1-802, be included in the computation of the limitation imposed by § 19-1-801 for any year.

19-1-805. Mandated and shifted costs.

(a) The state shall not impose upon any local unit of government any part of the total costs of new programs or services, or increases in existing programs or services, unless a specific appropriation is made sufficient to pay the local unit of government for that purpose.

(b) The appropriation is made sufficient to pay the local unit of government for that purpose.

(c) The proportion of state revenue paid to all local units of government, taken as a group, shall not be reduced below that proportion in effect at the adoption of this subchapter.

(d) When costs are transferred from one unit of government to another unit of government, either by law or court order, the limitation imposed by § 19-1-801 shall be adjusted and transferred accordingly, so the total costs are not increased as a result of the transfer.

19-1-806. Severability.

If any expenditure category or revenue source, shall, by a court of competent jurisdiction in a final order, be adjudged exempt from this subchapter, the process of computing the expenditure limitation shall be adjusted accordingly and remaining provisions shall be in full force and effect.

19-1-807. Implementation.

The General Assembly shall enact legislation that may be necessary to implement and enforce the provisions of this subchapter.

19-1-808. Local tax limitation.

(a) Without the approval of a majority of the voters of the local unit of government, the units of local government are prohibited from:

(1) Levying any tax not in existence at the time this subchapter is

enacted; and

(2) Increasing the rates of existing taxes at the time this subchapter is enacted.

(b) This section shall not apply to taxes imposed for the repayment of principal and interest or other indebtedness or for the payment of assessments or contract obligations in anticipation of bonds that are issued.

(c) The legislature may impose an expenditure limitation upon local units of government not inconsistent with the provisions of this subchapter.

/s/ Eric Harris

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. 2340** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2340

Amend **HOUSE BILL NO. 2340** as originally introduced:

Delete everything after the enacting clause and substitute the following:

“SECTION 1. Organ Donor Awareness Education Trust Fund.

(a) There is created on the books of the Treasurer of State, the Auditor of State, and the Chief Fiscal Officer of the State a trust fund to be known as the "Organ Donor Awareness Education Trust Fund".

(b) The Organ Donor Awareness Education Trust Fund shall consist of all moneys donated or collected for the purpose of educating or informing the public of the need for organ donations, all interest earned from the investment of fund balances, and any remaining fund balances carried forward from year to year.

(c) The Director of the Department of Finance and Administration is authorized to accept any gifts, grants, bequests, devises, and donations made to the State of Arkansas for the purposes of organ donor awareness education. Funds received for the purposes stated in this section shall be deposited in the Organ Donor Awareness Education Trust Fund.

(d) The Department of Finance and Administration shall administer the fund.

(e) The Director of the Department of Finance and Administration shall grant

funds available and appropriated from the Organ Donor Awareness Education Trust Fund to the Arkansas Regional Organ Recovery Agency, or its successor agency, to be used for educational or informational materials and other related costs associated with informing or educating the public about organ donations and organ donation awareness.

(f) The Arkansas Regional Organ Recovery Agency, or its successor agency, shall annually provide to the Chief Fiscal Officer of the State documentation evidencing that granted funds have been used in accordance with the purposes of this act.

SECTION 2. Organ Donor Awareness License Plate.

(a) The Director of the Department of Finance and Administration shall issue special "Organ Donor Awareness" motor vehicle license plates in the manner and subject to the conditions prescribed in this section.

(b)(1)(A) The Arkansas Regional Organ Recovery Agency may submit a design for the special Organ Donor Awareness motor vehicle license plates.

(B) The design shall be submitted to the director for design approval.

(2) The Arkansas Regional Organ Recovery Agency may periodically submit newly designed license plates for approval and issuance by the director, but not more than (1) license plate design shall be issued per calendar year.

(c)(1) Upon approval of the design by the director, there shall be remitted to the Department of Finance and Administration a fee in the amount of six thousand dollars (\$6,000.00) to cover the cost of the initial order of each newly designed license plate.

(2) The fee for the cost of initial orders shall be deposited to the State Central Services Fund for the benefit of the Revenue Division of the Department of Finance and Administration, and shall be credited as supplemental and in addition to all other funds as may be deposited for the benefit of the division.

(3) The fee for the cost of initial orders shall not be considered or credited to the division as "direct revenues".

(d)(1) Upon payment of the fee required by law for the registration of the vehicle, payment of twenty-five dollars (\$25.00) to cover the design use contribution, and payment of an additional ten dollars (\$10.00) handling and administrative fee for the issuance of the special organ Donor Awareness plate, the department shall issue to the vehicle owner an Organ Donor Awareness license plate which shall bear the approved design.

(2) The handling and administrative fee of ten dollars (\$10.00) shall be deposited to the State Central Services Fund for the benefit of the division and shall

not be considered or credited to the Revenue Division as "direct revenues".

(3) The design use contribution of twenty-five dollars (\$25.00) shall be deposited in the Organ Donor Awareness Education Trust Fund to be used as provided in section 1 of this act.

(e)(1) Organ Donor Awareness license plates issued under this act may be renewed annually in accordance with the procedures set out in this section and pursuant to Arkansas Code §27-14-1012 and 27-14-1013.

(2) Registration may continue from year to year as long as it is renewed each year within the time and manner required by law.

(3) A motor vehicle owner who was previously issued a plate with the Organ Donor Awareness design authorized by this act and who does not pay a design use contribution of twenty-five dollars (\$25.00) to the subsequent time of registration shall be issued a new plate which does not bear the Organ Donor Awareness design.

(4) Upon expiration, or if the special Organ Donor Awareness license plate is lost, it may be replaced with a regular license plate at the fee specified in § 27-14-602(b)(6).

(5) If the special Organ Donor Awareness license plate is replaced with a new Organ Donor Awareness license plate, the owner shall be required to additionally pay the administrative cost and design use contribution as set forth in this section.

(f) Organ Donor Awareness license plates issued under this act may be transferred from one vehicle to another pursuant to Arkansas Code § 27-14-914.

(g) The person applying for Organ Donor Awareness license plates shall comply with all other state motor vehicle laws relating to registration and licensing of motor vehicles, unless specifically provided otherwise in this act.

(h) The director shall promulgate such reasonable rules and regulations, and prescribe such forms as he determines to be necessary for effectively and efficiently carrying out the intent and purpose of this act.

SECTION 3. Voluntary Contributions.

(a)(1) The Revenue Division of the Department of Finance & Administration shall include on the Arkansas individual income tax forms, including those forms on which a husband and wife file separately on the same form and on all corporate income tax forms, the opportunity to allow taxpayers to voluntarily apply any amount of their tax refund for Organ Donor Awareness Education.

(2) Funds collected pursuant to this section shall be credited to the Organ Donor Education Awareness Trust Fund.

(b) The Director of the Department of Finance & Administration shall

promulgate all rules and regulations and all income tax forms, returns, schedules, or other materials necessary to carry out the provisions of this section.

SECTION 4. Informational or Educational Booklets.

(a) If booklets or other information sources on the importance of organ donations are provided through the grant program established under section 1 of this act, the Revenue Division of the Department of Finance & Administration shall make the materials available to the public through the various offices of the Revenue Division.

(b) The booklets or other information sources shall be approved by the Department of Health."

/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. 2340** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 2340

Amend **HOUSE BILL NO. 2340** as originally introduced:

Page 2, line 17 insert the following:

"SECTION 2. Organ Donor Awareness License Plate.

(a) The Director of the Department of Finance and Administration shall issue special "Organ Donor Awareness" motor vehicle license plates in the manner and subject to the conditions prescribed in this section.

(b)(1) The Arkansas Regional Organ Recovery Agency may submit a design for the special Organ Donor Awareness motor vehicle license plates. The design must be submitted to the director of the Department of Finance and Administration for design approval.

(2) The Arkansas Regional Organ Recovery Agency may periodically submit newly designed license plates for approval and issuance by the director, but not more than one (1) license plate design shall be issued per calendar year.

(c)(1) Upon approval of the design by the director, there shall be remitted to the Department of Finance and Administration a fee in the amount of six thousand dollars (\$6,000) to cover the cost of the initial order of each newly designed license plate.

(2) The fee for the cost of initial orders shall be deposited to the State Central Services Fund for the benefit of the Revenue Division, and shall be credited as supplemental and in addition to all other funds as may be deposited for the benefit of the Revenue Division.

(3) The fee for the cost of initial orders shall not be considered or credited to the Revenue Division as "direct revenues".

(d)(1) Upon payment of the fee required by law for the registration of the vehicle, payment of twenty-five dollars (\$25.00) to cover the design use contribution, and payment of an additional ten dollars (\$10.00) handling and administrative fee for the issuance of the special Organ Donor Awareness plate, the Department of Finance and Administration shall issue to the vehicle owner an Organ Donor Awareness license plate which shall bear the approved design.

(2) The handling and administrative fee of ten dollars (\$10.00) shall be deposited to the State Central Services Fund for the benefit of the Revenue Division and shall not be considered or credited to the Revenue Division as "direct revenues".

(3) The design use contribution of twenty-five dollars (\$25.00) shall be deposited in the Organ Donor Awareness Education Trust Fund to be used as provided in section 1 of this act.

(e)(1) Organ Donor Awareness license plates issued under this act may be renewed annually in accordance with the procedures set out in this section and pursuant to Arkansas Code §§ 27-14-1012 and 27-14-1013.

(2) Registration may continue from year to year as long as it is renewed each year within the time and manner required by law.

(3) A motor vehicle owner who was previously issued a plate with the Organ Donor Awareness design authorized by this act and who does not pay a design use contribution of twenty-five dollars (\$25.00) to the subsequent time of registration shall be issued a new plate which does not bear the Organ Donor Awareness design.

(4) Upon expiration, or if the special Organ Donor Awareness license plate is lost, it may be replaced with a regular license plate at the fee specified in § 27-14-602(b)(6).

(5) If the special Organ Donor Awareness license plate is replaced with a new Organ Donor Awareness license plate, the owner shall be required to additionally pay the administrative cost and design use contribution as set forth in this section.

(f) Organ Donor Awareness license plates issued under this act may be transferred from one vehicle to another pursuant to Arkansas Code § 27-14-914.

(g) The Organ Donor Awareness license plates shall comply with all other

state motor vehicle laws relating to registration and licensing of motor vehicles, unless specifically provided otherwise in this act.

(h) The director of the Department of Finance and Administration shall promulgate such reasonable rules and regulations, and prescribe such forms as he determines to be necessary for effectively and efficiently carrying out the intent and purposes of this act.

SECTION 3. Voluntary Contributions.

(a) The Revenue Division of the Department of Finance and Administration shall give an applicant for an original or replacement driver license or identification card the opportunity to make a voluntary contribution of one dollar (\$1.00) to be credited to the Organ Donor Awareness Education Trust Fund.

(b) The Revenue Division of the Department of Finance and Administration shall give an applicant registering a vehicle, the opportunity to make a voluntary contribution of one dollar (\$1.00) to be credited to the Organ Donor Awareness Education Trust Fund.

(c) The Revenue Division of the Department of Finance and Administration shall include on the Arkansas individual income tax forms, including those forms on which a husband and wife file separately on the same form and on all corporate income tax forms, the opportunity to allow taxpayers to voluntarily apply any amount of their tax refund for Organ Donor Awareness Education. Funds collected pursuant to this provision shall be credited to the Organ Donor Education Awareness Trust Fund.

(d) The Director of the Department of Finance and Administration shall promulgate all rules and regulations and all income tax forms, returns, schedules, or other materials necessary to carry out the provisions of this section.

SECTION 4. Informational or Educational Booklets.

(a) If booklets or other information sources on the importance of organ donations are provided through the grant program established under section 1 of this act, the Revenue Division of the Department of Finance and Administration shall make the materials available to the public through the various offices of the Revenue Division.

(b) The booklets or other information sources shall be approved by the Department of Health."

/s/ Don House

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Cleveland, **HOUSE BILL NO. 1943** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1943

Amend **HOUSE BILL NO. 1943** as originally introduced:

Page 2, line 12, delete "an" from the end of the line

AND

Page 2, delete line 13 and substitute the following:

"an owner, as defined in § 15-72-102, within the drilling unit to be established and a larger or smaller area is established by order of the commission, and the drilling unit"

AND

Page 3, delete line 24 and substitute the following:

"area is requested by an owner, as defined in § 15-72-102, within the drilling unit to be established and a larger or smaller area is established by order of the"

/s/ Herschel Cleveland

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

/s/ Ms. Jo Renshaw

Chief Clerk

The House gave Representative Berry unanimous leave to withdraw **HOUSE BILL NO. 2230**.

The House gave Representative Mahony unanimous leave to withdraw **HOUSE BILL NO. 2675**.

The House gave Representative Mahony unanimous leave to withdraw **HOUSE BILL NO. 2818**.

ENGROSSED BILL REPORTS

HERSCHEL W. CLEVELAND, CHAIRMAN

March 19, 2003

The following bill(s) reported correctly engrossed:

HOUSE BILL NO. 1137 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 1444 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 1642 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 1652 BY REPRESENTATIVE SCROGGIN, ET AL
 HOUSE BILL NO. 1653 BY REPRESENTATIVE SCROGGIN, ET AL
 HOUSE BILL NO. 1654 BY REPRESENTATIVE SCROGGIN, ET AL
 HOUSE BILL NO. 1717 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 1760 - TITLE - BY REPRESENTATIVE BRADFORD, ET AL
 HOUSE BILL NO. 1834 - TITLE - BY REPRESENTATIVE PENIX, ET AL
 HOUSE BILL NO. 1922 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 1943 BY REPRESENTATIVE CLEVELAND
 HOUSE BILL NO. 1980 BY REPRESENTATIVE BRADFORD, ET AL
 HOUSE BILL NO. 2241 BY REPRESENTATIVE NAPPER
 HOUSE BILL NO. 2248 - TITLE - BY REPRESENTATIVE BLAIR
 HOUSE BILL NO. 2268 BY REPRESENTATIVE HUTCHINSON
 HOUSE BILL NO. 2291 BY REPRESENTATIVE SCROGGIN
 HOUSE BILL NO. 2340 BY REPRESENTATIVE HOUSE
 HOUSE BILL NO. 2368 BY REPRESENTATIVE R. SMITH
 HOUSE BILL NO. 2386 BY REPRESENTATIVE MEDLEY, ET AL
 HOUSE BILL NO. 2397 BY REPRESENTATIVE HATHORN
 HOUSE BILL NO. 2427 BY REPRESENTATIVE BOYD
 HOUSE BILL NO. 2457 BY REPRESENTATIVE MARTIN
 HOUSE BILL NO. 2460 BY REPRESENTATIVE HARRIS
 HOUSE BILL NO. 2492 BY REPRESENTATIVE LENDALL
 HOUSE BILL NO. 2494 BY REPRESENTATIVE LENDALL
 HOUSE BILL NO. 2551 BY REPRESENTATIVE HARRIS
 HOUSE BILL NO. 2673 BY REPRESENTATIVE MAHONY
 HOUSE BILL NO. 2726 BY REPRESENTATIVE PICKETT
 HOUSE BILL NO. 2780 BY REPRESENTATIVE BRADFORD
 HOUSE BILL NO. 2792 BY REPRESENTATIVE R. SMITH
 HOUSE BILL NO. 2829 BY REPRESENTATIVE HATHORN
 HOUSE BILL NO. 2835 - TITLE - BY REPRESENTATIVE SCROGGIN, ET AL
 HOUSE BILL NO. 2849 BY REPRESENTATIVE BIGGS

ENGROSSED BILL REPORTS, (continued)

HOUSE BILL NO. 2903 BY REPRESENTATIVE HARRIS

HOUSE CONCURRENT RESOLUTION NO. 1033 - TITLE -

BY REPRESENTATIVE JUDY, ET AL

HOUSE JOINT RESOLUTION NO. 1030 - TITLE -

BY REPRESENTATIVE BENNETT, ET AL

SENATE BILL NO. 115 BY SENATOR J. JEFFRESS AND

BY REPRESENTATIVE BOLIN

SENATE BILL NO. 152 BY JOINT BUDGET COMMITTEE

SENATE BILL NO. 308 - TITLE - BY SENATOR WILKINSON, ET AL

HOUSE BILL ENGROSSED AS TITLE AMENDED

HOUSE BILL NO. 1760

BY: REPRESENTATIVES BRADFORD, THOMASON, ROSENBAUM, JUDY,
BORHAUER, *ELLIOTT, CREEKMORE, HUTCHINSON, LENDALL, LEWELLEN,*
MARTIN, SCHULTE, WOOD, BRIGHT, ROEBUCK, C. JOHNSON

BY: SENATORS GULLETT, BAKER, LAVERTY, *ARGUE, STEELE, BROADWAY,*
SALMON, WILKINS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN
APPROPRIATION FOR COMMUNITY-BASED ACUTE MENTAL HEALTHCARE
FOR THE DEPARTMENT OF HUMAN SERVICES - DIVISION OF MENTAL
HEALTH SERVICES FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2005; AND
FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 1834

BY: REPRESENTATIVES PENIX, ANDERSON, BLEDSOE, BOND, BORHAUER, DOBBINS, GREEN, HARDWICK, HARRIS, HUTCHINSON, KEY, LAMOUREUX, MATAYO, MEDLEY, PACE, ROSENBAUM, SCHULTE, STOVALL, SULLIVAN, C. TAYLOR, *BRIGHT*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ENSURE THAT NUTRITION AND HYDRATION ARE PROVIDED TO ALL ARKANSANS AT THE END OF LIFE; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2248

BY: REPRESENTATIVE BLAIR
BY: SENATOR J. JEFFRESS

A BILL FOR AN ACT TO BE ENTITLED *AN ACT CONCERNING CRUELTY TO ANIMALS AND RELATED OFFENSES; CONCERNING ANIMAL MANAGEMENT PRACTICES; AND FOR OTHER PURPOSES.*

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2386

BY: REPRESENTATIVES MEDLEY, *AGEE, MAHONY, SCRIMSHIRE*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PROCESS REQUESTS FOR PAYMENTS SUBMITTED TO STATE AGENCIES IN A TIMELY MANNER; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2800

BY: REPRESENTATIVE BRADFORD

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO TRANSFER THE BREAST CANCER CONTROL PROGRAM AND THE BREAST CANCER CONTROL ADVISORY BOARD TO THE *DEPARTMENT OF HEALTH AND HUMAN SERVICES*; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2835

BY: REPRESENTATIVES ELLIOTT, *CHESTERFIELD*, *CLEMONS*, *DOBBINS*, *EASON*, *GOSS*, *C. JOHNSON*, *JONES*, *LEWELLEN*, *PENIX*, *THOMAS*, *WHITE*
BY: *SENATORS WILKINS*, *STEELE*, *BROWN*

A BILL FOR AN ACT TO BE ENTITLED THE ARKANSAS ECONOMIC DEVELOPMENT EXPANSION ACT.

HOUSE JOINT RESOLUTION ENGROSSED AS TITLE AMENDED
HOUSE JOINT RESOLUTION NO. 1030

BY: REPRESENTATIVES BENNETT, AGEE, DICKINSON, *ORMOND*
BY: *SENATORS CRITCHER*, *HENDREN*

REQUESTING THE UNITED STATES CONGRESS TO SUBMIT TO THE PEOPLE A PROPOSED CONSTITUTIONAL AMENDMENT TO ENACT TERM LIMITS ON THE UNITED STATES HOUSE OF REPRESENTATIVES AND THE UNITED STATES SENATE, OR ALTERNATIVELY TO CALL A CONSTITUTIONAL CONVENTION TO ADDRESS THE TERM LIMIT ISSUE.

HOUSE CONCURRENT RESOLUTION ENGROSSED AS TITLE AMENDED
HOUSE CONCURRENT RESOLUTION NO. 1033

BY: REPRESENTATIVES JUDY, EDWARDS, PRITCHARD, KENNEY, HARRIS,
AGEE, ANDERSON, BIGGS, BLEDSOE, BOYD, CREEKMORE, DEES, FITE,
GREEN, HAAK, HARDWICK, JACKSON, JACOBS, KING, KEY, LEDBETTER,
MARTIN, MATAYO, MEDLEY, MILLIGAN, PACE, PENIX, L. PRATER,
SCRIMSHIRE, SCROGGIN, WALTERS, WOOD
BY: SENATORS HOLT, MADISON, HENDREN

COMMENDING THE AGRICULTURAL COMMUNITY FOR ITS
OUTSTANDING EFFORTS TOWARD REDUCING PHOSPHORUS
CONTAMINATION IN THE STATE'S WATERSHEDS; URGING CITIES AND
CHAMBERS OF COMMERCE TO JOIN WITH THE ARKANSAS DEPARTMENT OF
ENVIRONMENTAL QUALITY, THE DEPARTMENT OF HEALTH, AND
UNIVERSITY OF ARKANSAS RESEARCH PROGRAM TO IMPROVE
ENFORCEMENT OF EXISTING LAWS REGARDING PHOSPHORUS AND TO
EXPAND EFFORTS TO INFORM NONAGRICULTURAL COMMUNITIES ABOUT
THE ENVIRONMENTAL *EFFECTS* OF PHOSPHORUS.

SENATE BILL ENGROSSED AS TITLE AMENDED
SENATE BILL NO. 308

BY: SENATOR WILKINSON, HENDREN, BAKER
BY: REPRESENTATIVE VERKAMP

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ALLOW CERTAIN
MEMBERS OF THE ARMED FORCES A GRACE PERIOD FOR RENEWING OF
LICENSES AND PAYMENT OF FEES; AND FOR OTHER PURPOSES.

Upon motion of Representative Bolin, **SENATE BILL NO. 115** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO SENATE BILL NO. 115

Amend **SENATE BILL NO. 115** as engrossed, H3/14/03:

Page 2, delete line 34 and substitute the following:

"(3)(A) Two (2) full members, one (1) of whom shall be a minority, shall be appointed to represent the"

AND

Page 6, delete line 36 and substitute the following:

"(B) Applied for licensing under Act 816 of 1997;"

/s/ Johnnie Bolin

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Bolin, **SENATE BILL NO. 115** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 3 TO SENATE BILL NO. 115

Amend **SENATE BILL NO. 115** as engrossed, H3/14/03:

Page 2, delete lines 23 through 25 and substitute the following:

"per position provided to the Governor by the Arkansas Association of Oriental Medicine and is licensed in Arkansas."

/s/ Johnnie Bolin

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Verkamp, **SENATE BILL NO. 308** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO SENATE BILL NO. 308

Amend **SENATE BILL NO. 308** as originally introduced:

Add Senator Baker as a cosponsor of the bill

AND

Add Representative Verkamp as a cosponsor of the bill

AND

Page 1, line 21, delete "armed forces" and substitute "National Guard or Reserve Components of the Armed Forces of the United States"

/s/ J. P. Verkamp

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

/s/ Ms. Jo Renshaw
Chief Clerk

HOUSE RESOLUTION NO. 1009

BY: REPRESENTATIVE L. PRATER

COMMENDING AND EXPRESSING SINCERE APPRECIATION TO MS. COLLEEN NICK FOR HER DEDICATION TO THE CAUSE OF MISSING AND EXPLOITED CHILDEN AND THEIR FAMILIES AND FOR HER OUTSTANDING PUBLIC SERVICE IN PROMOTING THAT CAUSE.

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

HOUSE RESOLUTION NO. 1022

BY: REPRESENTATIVE PICKETT

RECOGNIZING THE ACCOMPLISHMENTS OF THE CIVILIAN CONSERVATION CORPS.

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

HOUSE BILL NO. 2366

BY: REPRESENTATIVE ROEBUCK

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, P. Bookout, 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, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Napper, Norton, Oglesby, Ormond, Pace, Parks, Pate, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Sullivan, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood.

Total89

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Bond, Borhauer, Chesterfield, C. Johnson, J. Johnson, Moore, Nichols, Penix, Stovall, Sumpter, Mr. Speaker.

Total11

VOTING PRESENT:

Total0

Total number of votes cast89

Total number voting in the affirmative89

Necessary to the passage of the bill51

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

HOUSE BILL NO. 2215

BY: REPRESENTATIVE THOMAS

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, 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, Green, Haak, Hardwick, Harris, Hathorn, Hickinbotham, House, Hutchinson, Jackson, Jacobs, Jeffrey, J. Johnson, Jones, Judy, Kenney, Key, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Napper, Nichols, Norton, Oglesby, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Stovall, Sullivan, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood.

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Bond, Borhauer, C. Johnson, King, Sumpter, 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. 2508

BY: REPRESENTATIVE MATHIS

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

AFFIRMATIVE: Adams, Agee, Anderson, Bennett, Berry, Biggs, Blair, Bledsoe, Bolin, Bond, P. Bookout, Boyd, Bradford, Bright, Chesterfield, Childers, Clemons, Cowling, Creekmore, Dangeau, Dees, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Gillespie, Gipson, Goss, Green, Haak, Hardwick, Harris, Hickinbotham, Hutchinson, Jackson, Jacobs, Jeffrey, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Martin, Matayo, Mathis, Medley, Milligan, Moore, Napper, Nichols, Norton, Oglesby, Ormond, Pace, Parks, Pate, Penix, 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.

Total91

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Borhauer, Fite, Hathorn, House, C. Johnson, Mahony, Seawel, Sumpter, 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.

SENATE BILL NO. 258

BY: SENATOR BISBEE

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, 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, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Napper, Nichols, Norton, Oglesby, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Stovall, Sullivan, Sumpster, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood.

Total96

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Borhauer, House, C. Johnson, 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.

There being an Emergency Clause attached to **SENATE BILL NO. 258**, 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, 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, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Napper, Nichols, Norton, Oglesby, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Stovall, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood.

Total96

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Borhauer, House, C. Johnson, Mr. Speaker.

Total4

VOTING PRESENT:

Total0

Total number of votes cast96

Total number voting in the affirmative96

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

So the Emergency Clause was adopted.

SENATE BILL NO. 388

BY: SENATOR J. BOOKOUT

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, 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, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Napper, Nichols, Norton, Oglesby, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, R. Smith, Stovall, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood.

Total95

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Bennett, Borhauer, C. Johnson, Seawel, 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. 651

BY: SENATOR FARIS

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

AFFIRMATIVE: Adams, Agee, Anderson, Bennett, Berry, Biggs, Blair, Bledsoe, Bolin, Bond, 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, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Napper, Nichols, Norton, Oglesby, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Stovall, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood.

Total96

NEGATIVE:

Total0

ABSENT OR NOT VOTING: P. Bookout, Borhauer, C. Johnson, 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.

Morning Hour Expired.

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

ARKANSAS SENATE

AMENDMENT NO. 1 TO HOUSE BILL NO. 1030

Amend HOUSE BILL NO. 1030 as engrossed, H1/24/03:

Page 1, delete line 36

AND

Page 2, delete lines 1 and 2

AND

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

AND

Page 2, delete lines 5 and 6

AND

Page 2, line 7, delete "(4)" and substitute "(2)"

AND

Page 2, line 10, delete "(5)" and substitute "(3)"

AND

Page 2, delete lines 28 through 36

AND

Page 3, delete lines 1 through 11

AND

Page 3, delete lines 17 through 20

AND

Page 3, line 21, delete "(2)" and substitute "(1)"

AND

Page 3, delete lines 23 and 24

AND

Page 3, line 25, delete "(4)" and substitute "(2)"

AND

Page 3, line 28, delete "(5)" and substitute "(3)"

AND

Page 4, delete lines 10 through 30

AND

Delete SECTION 3 in its entirety.

/s/ Bobby Glover

The Amendment was read and the vote was as follows:

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

Total85

NEGATIVE: Gillespie, Ledbetter, Napper, Pate, Stovall.

Total5

ABSENT OR NOT VOTING: Borhauer, Bradford, Eason, D. Evans, Green, C. Johnson, Lamoureux, R. Smith, White, Mr. Speaker.

Total10

VOTING PRESENT:

Total0

Total number of votes cast90

Total number voting in the affirmative85

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

So the Amendment was concurred in.

/s/ Ms. Jo Renshaw
Chief Clerk

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

ARKANSAS SENATE

AMENDMENT NO. 3 TO HOUSE BILL NO. 1030

Amend HOUSE BILL NO. 1030 as engrossed S2/11/03:

Page 2, lines 9 and 10, delete "or Class Seven truck" and substitute "Class Seven truck, or Class Eight truck"

AND

Page 3, lines 1 and 2, delete "or Class Seven truck" and substitute "Class Seven truck, or Class Eight truck"

/s/ Tim Wooldridge

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Adams, Agee, Anderson, Bennett, Berry, Biggs, Blair, Bolin, Bond, P. Bookout, Boyd, Bright, Chesterfield, Childers, Clemons, Cowling, Creekmore, Dangeau, Dees, Dickinson, 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, Lamoureux, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Nichols, Norton, Oglesby, Ormond, Pace, Parks, Penix, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Walters, Weaver, Wood.

Total84

NEGATIVE: Gillespie, Ledbetter, Napper, Pate, Stovall.

Total5

ABSENT OR NOT VOTING: Bledsoe, Borhauer, Bradford, Dobbins, Eason, Green, C. Johnson, R. Smith, Verkamp, White, Mr. Speaker.

Total11

VOTING PRESENT:

Total0

Total number of votes cast.....89

Total number voting in the affirmative84

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

So the Amendment was concurred in.

/s/ Ms. Jo Renshaw
Chief Clerk

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

ARKANSAS SENATE

AMENDMENT NO. 4 TO HOUSE BILL NO. 1030

Amend HOUSE BILL NO. 1030 as engrossed, S2/13/03:

Page 1, lines 15 and 16, delete "ONE THOUSAND DOLLRS (\$1000)" and substitute "NINE THOUSAND ONE HUNDRED FIFTY DOLLARS (\$9,150)"

AND

Page 1, lines 17 and 18, delete "FIVE HUNDRED DOLLARS (\$500)" and substitute "ONE THOUSAND DOLLARS (\$1,000)"

AND

Page 1, lines 23 and 24, delete "ONE THOUSAND DOLLARS (\$1000)" and substitute "NINE THOUSAND ONE HUNDRED FIFTY DOLLARS (\$9,150)"

AND

Page 1, line 26, delete "FIVE HUNDRED DOLLARS (\$500)" and substitute "ONE THOUSAND DOLLARS (\$1,000)"

AND

Page 2, line 9, delete "Class Four."

AND

Page 2, line 12, delete "one thousand dollars (\$1,000)" and substitute "nine thousand one hundred fifty dollars (\$9,150)"

AND

Page 2, line 17, delete "five hundred dollars (\$500)" and substitute "one thousand dollars (\$1,000)"

AND

Page 3, line 1, delete "Class Four."

AND

Page 3, line 4, delete "one thousand dollars (\$1,000)" and substitute "nine thousand one hundred fifty dollars (\$9,150)"

AND

Page 3, line 9, delete "five hundred dollars (\$500)" and substitute "one thousand dollars (\$1,000)"

AND

Page 3, line 16, insert the following:

"SECTION 3. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that there are a substantial number of Arkansas truckers who have registered their trucks in the state of Oklahoma; that

their Oklahoma registrations expire on March 31; that this act will encourage those truckers to register their vehicles in the State of Arkansas; that unless this act goes into effect as soon as possible, that incentive will not exist for another year; and that the Department of Finance and Administration needs thirty (30) days lead time to implement this act. Therefore, an emergency is declared to exist and this act being necessary for the preservation of the public peace, health, and safety shall become effective on May 1, 2003."

/s/ J. Bookout

The Amendment was read and the vote was as follows:

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

Total88

NEGATIVE: Gillespie, Ledbetter, Napper, Pate, Stovall.

Total5

ABSENT OR NOT VOTING: Borhauer, Bradford, Dangeau, Gipson, C. Johnson, R. Smith, Mr. Speaker.

Total7

VOTING PRESENT:

Total0

Total number of votes cast.....93

Total number voting in the affirmative88

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

So the Amendment was concurred in.

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative House the Clincher motion prevailed.

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

ARKANSAS SENATE

AMENDMENT NO. 1 TO HOUSE BILL NO. 1033

Amend HOUSE BILL NO. 1033 as engrossed H1/31/03:

Add Senator Wilkins as a cosponsor of the bill

AND

Add Representative Clemons as a cosponsor of the bill

/s/ Tracy Steele

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Adams, Agee, Anderson, Bennett, Berry, Biggs, Blair, Bledsoe, Bolin, 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, Green, Haak, Hardwick, 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, Norton, Oglesby, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Seawel, R. Smith, Stovall, Sullivan, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood.

Total93

NEGATIVE: Bond.

Total1

ABSENT OR NOT VOTING: Borhauer, C. Johnson, Moore, Scroggin, Sumpter, Mr. Speaker.

Total6

VOTING PRESENT:

Total0

Total number of votes cast94

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

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

ARKANSAS SENATE

AMENDMENT NO. 2 TO HOUSE BILL NO. 1033

Amend HOUSE BILL NO. 1033 as engrossed H1/31/03:

Add Senator Steele as a cosponsor of the bill

AND

Page 1, line 24, delete "Health Care Financing Administration" and substitute "~~Health Care Financing Administration~~ Centers for Medicare and Medicaid Services"

AND

Page 1, line 27, delete "Health Care Financing" and substitute "Centers for Medicare and Medicaid Services"

AND

Page 1, line 28, delete "Administration"

AND

Page 1, line 31, delete "Health Care Financing Administration" and substitute "Centers for Medicare and Medicaid Services"

/s/ Tracy Steele

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Adams, Agee, Bennett, Berry, Biggs, Blair, Bledsoe, Bolin, 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, Green, Haak, Hardwick, Harris, Hathorn, Hickenbotham, House, Hutchinson, Jackson, Jacobs, Jeffrey, J. Johnson, Jones, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Napper, Nichols, Norton, Oglesby, 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, Walters, Weaver, White, Wood.

Total92

NEGATIVE: Bond.

Total1

ABSENT OR NOT VOTING: Anderson, Borhauer, C. Johnson, Judy, Verkamp, Mr. Speaker.

Total6

VOTING PRESENT: Ormond.

Total1

Total number of votes cast94

Total number voting in the affirmative92

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

So the Amendment was concurred in.

/s/ Ms. Jo Renshaw
Chief Clerk

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

ARKANSAS SENATE

AMENDMENT NO. 1 TO HOUSE BILL NO. 1038

Amend HOUSE BILL NO. 1038 as engrossed H1/30/03:

Add Senators Altes, Faris, Glover and Higginbothom as co-sponsors of the bill

AND

Page 1, line 23, delete "property" and substitute "medical injury, property"

AND

Page 1, line 28, delete "judgment" and substitute "several judgment"

AND

Page 2, line 7, delete "within" and substitute "not later than"

AND

Page 2, line 7, delete "of" and substitute "prior to"

AND

Page 2, delete line 22, and substitute the following:

"introduced as evidence of liability in any action.

SECTION 3. Increase in percentage of several share.

(a) Notwithstanding the provisions of Sections 1 and 2, in the event a several judgment has been entered against multiple party defendants, a plaintiff, no later than ten (10) days after the entry of judgment, may move the court to determine whether all or part of the amount of the several share for which a defendant is liable will not be reasonably collectible.

(b) If the court determines, based upon a preponderance of the evidence, that any defendant's several share or multiple defendants' several shares will not be reasonably collectible, the court shall increase the percentage points of the several shares, subject to the limitations in subsections (c) and (d) of this section, of each of the remaining defendants.

(c)(1) If a defendant's percentage of fault is determined by the fact finder to be ten percent (10%) or less, then the percentage points of that defendant's several share shall not be increased.

(2) If a defendant's percentage of fault is determined by the fact finder to be greater than ten percent (10%), but less than fifty percent (50%), then the percentage points of that defendant's several share shall be increased by no more than ten (10) percentage points.

(3) If a defendant's percentage of fault is determined by the fact finder to be fifty percent (50%) or greater, then the percentage points of that defendant's

several share shall be increased by no more than twenty (20) percentage points.

(d) Under no circumstances shall the combined increase in the percentage points of the remaining defendants' several shares exceed the lesser of:

(1) A total of one hundred (100) percentage points; or

(2) The total number of percentage points remaining after deducting the percentage of fault of the plaintiff, if any.

(e) Any defendant whose several share has been increased pursuant to this section, and who has discharged his obligation to pay the increased several share, has a right of contribution from the defendants whose several shares were determined by the court to be not reasonably collectible.

(f) The provisions of this section shall not apply to any punitive damages award or judgment.

SECTION 4. Long Term Care Facility Medical Director.

The provisions of Section 3 shall not apply to a medical care provider who is named as a defendant in an action for personal injury, medical injury, or wrongful death based solely on his capacity as medical director of a long term care facility."

AND

appropriately renumber subsequent sections of the bill

AND

Page 2, line 30, delete "section 3" and substitute "section 5"

AND

Page 3, line 9, delete "negligence" and substitute "fault"

AND

Page 3, line 12, delete "negligence" and substitute "fault"

AND

Page 3, delete Section 7. and Section 8. of the bill and substitute the following new sections:

"SECTION 9. Standards for award of punitive damages.

In order to recover punitive damages from the defendant, the plaintiff has the burden of proving that the defendant is liable for compensatory damages and that either or both of the following aggravating factors were present and related to the injury for which compensatory damages were awarded:

(1) That the defendant knew or ought to have known, in light of the surrounding circumstances, that his or her conduct would naturally and probably result in injury or damage and that he or she continued the conduct with malice or in reckless disregard of the consequences from which malice may be inferred; and

(2) That the defendant intentionally pursued a course of conduct for the purpose of causing injury or damage.

SECTION 10. Burden of proof for award of punitive damages.

The plaintiff must satisfy the burden of proof required under Section 9 of this act by clear and convincing evidence in order to recover punitive damages from the defendant.

SECTION 11. Limitations on the amount of punitive damages.

(a) Except as provided in subsection (b) of this section, a punitive damages award shall not be more than the greater of the following:

(1) Two hundred fifty thousand dollars (\$250,000); or

(2) Three (3) times the amount of compensatory damages awarded in the action not to exceed one million dollars (\$1,000,000).

(b) When the fact finder determines by clear and convincing evidence that, at the time of the injury, the defendant intentionally pursued a course of conduct for the purpose of causing injury or damage and determines that the defendant's conduct did, in fact, harm the plaintiff, then subsection (a) of this section shall not apply.

(c) As to the punitive damages limitations established in subsection (a) of this section, the fixed sums of two hundred fifty thousand dollars (\$250,000) set forth in subsection (a)(1) and one million dollars (\$1,000,000) set forth in subsection (a)(2) shall be adjusted as of January 1, 2006, and at three-year intervals thereafter, in accordance with the Consumer Price Index rate for the previous year as determined by the Administrative Office of the Courts.

SECTION 12. No right to punitive damages.

Nothing in this act shall be construed as creating a right to an award of punitive damages.

SECTION 13. No limitation on certain judicial duties.

Nothing in this act shall limit the duty of the court, or the appellate courts, to:

(1) Scrutinize all punitive damages awards;

(2) Ensure that all punitive damage awards comply with applicable procedural, evidentiary, and constitutional requirements; and

(3) Order remittitur where appropriate.

SECTION 14. Bifurcated proceeding.

(a) In any case in which punitive damages are sought, any party may request a bifurcated proceeding at least ten (10) days prior to trial. If a bifurcated proceeding has been requested by either party, then:

(1) The fact finder first shall determine whether compensatory damages are to be awarded; and

(2) After a compensatory damages award determination, the fact finder then shall determine whether and in what amount punitive damages will be awarded.

(b) Evidence of the financial condition of the defendant and other evidence relevant only to punitive damages is not admissible with regard to any compensatory damages determination.

AND

Appropriately renumber the subsequent sections of the bill

AND

Page 4, delete lines 19 through 22 and substitute the following:

“(b) Any evidence of damages for the costs of any necessary medical care, treatment, or services received shall include only those costs actually paid by, or on behalf of, the plaintiff or which remain unpaid and for which the plaintiff or any third party shall be legally responsible.”

AND

Page 4, delete lines 31 and 32 and substitute the following:

“(2)(A) The county in which an individual defendant resided.”

AND

Page 4, delete line 36, and Page 5, delete line 1, and substitute the following:

“(3)(A) The county in which the plaintiff resided.”

AND

Page 6, delete lines 22 through 34 and substitute the following:

(a) In any action for medical injury, when the asserted negligence does not lie within the jury’s comprehension as a matter of common knowledge, the plaintiff shall have the burden of proving:

(1) ~~The~~ By means of expert testimony provided only by a medical care provider of the same specialty as the defendant, the degree of skill and learning ordinarily possessed and used by members of the profession of the medical care provider in good standing, engaged in the same type of practice or specialty in the locality in which he practices or in a similar locality;

(2) ~~That~~ By means of expert testimony provided only by a medical care provider of the same specialty as the defendant that the medical care provider failed to act in accordance with that standard; and

(3) ~~That~~ By means of expert testimony provided only by a qualified medical expert that, as a proximate result thereof, the injured person suffered injuries which would not otherwise have occurred.”

AND

Page 7, delete lines 7 through 10 and substitute the following:

“(B) Any evidence of damages for the cost of any necessary medical care, treatment, or services received shall include only those costs actually paid by or on behalf of the plaintiff or which remain unpaid and for which the plaintiff

or any third party shall be legally responsible.”

AND

Page 7, delete line 21 and substitute the following:

“than by lump sum payment, on such terms and conditions as the court deems just and equitable in order to protect the plaintiff’s rights to future payments.”

AND

Page 7, delete lines 25 through 36, and page 8, delete lines 1 through 8 and substitute the following:

“(a) If in any action for medical injury, claims, defenses, or denials are intentionally made without reasonable cause and found to be untrue, the party pleading them shall thereafter be subject to the payment of reasonable costs actually incurred by the other party by reason of the untrue pleading. If any action for medical injury is filed without reasonable cause, the party or attorney who signed the complaint shall thereafter be subject to the payment of reasonable costs, including attorneys fees, incurred by the other party by reason of the pleading and appropriate sanctions as determined by the court.

(b)(1) In all cases where expert testimony is required under § 16-114-206, reasonable cause for filing any action for medical injury due to negligence shall only be established by the filing of an affidavit that shall be signed by an expert engaged in the same type of medical care as is each medical care provider defendant.

(2) The affidavit shall be executed under oath and shall state with particularity:

(A) The expert’s familiarity with the applicable standard of care in issue;

(B) The expert’s qualifications;

(C) The expert’s opinion as to how the applicable standard of care has been breached; and

(D) The expert’s opinion as to how the breach of the applicable standard of care resulted in injury or death.

(3) The plaintiff shall have thirty (30) days after the complaint is filed with the clerk to file the affidavit before the provisions of subsection (a) apply. If the affidavit is not filed within thirty (30) days after the complaint is filed with the clerk, the complaint shall be dismissed by the court.”

AND

Page 8, line 23, delete “which” and substitute “which are not otherwise privileged and which”

AND

Page 8, line 24, delete “directly”

AND

Page 8, delete line 25, and substitute the following:

“plaintiff’s injury to be admissible at trial.

16-114-212. Tolling of the statute of limitations.

(a) If, within thirty (30) days prior to the expiration of the applicable statute of limitations, a plaintiff serves written notice of intention to file an action for medical injury, the statute of limitations shall be tolled for ninety (90) days only if the following conditions are met:

(1) The written notice shall be served by certified mail, return receipt requested, upon the medical care provider alleged to have cause the medical injury;

(2) The written notice shall include the following:

(A) The claimant’s full name, date of birth, present address and address at time of treatment at issue, and social security number:

(B) The date(s) of the treatment in question and a summary of the alleged wrongful conduct; and

(C) The names and addresses of the known medical care providers relating to the alleged injury; and

(3) An authorization to release medical records signed by the plaintiff, which shall authorize the medical care provider alleged to be liable to obtain pertinent medical records, shall be attached to the notice.

(b) Failure to comply with any of the requirements set forth in subsection (a) shall be deemed to be material and shall result in the statute of limitations not being tolled.

(c) If the plaintiff files an action for medical injury during this tolling period without the requisite affidavit required by § 16-114-209(b)(1) and (2), the complaint shall be dismissed and costs, attorney fees, and appropriate sanctions as determined by the court shall be assessed. The provisions of § 16-114-209 (b)(3) do not apply to cases filed during the tolling period.

(d) If a request for the production of copies of the medical records accompanies the written notice of intention to file an action for medical injury in accordance with subsection (a), and if copies of those medical records are not provided within thirty (30) days of receipt of the notice, then the claimant may file an independent expedited declaratory action seeking a declaration that the medical care provider failed to produce the medical records within the thirty-day period. If the court finds that copies of the medical records were not produced as required by this subsection, the statute of limitations shall be tolled for a period of seventy-five (75) days from the date of the production of the copies of the medical records. If the court finds that the failure to produce copies of the requested medical records is

without good cause, the court shall award the claimant his reasonable costs and attorney fees for the declaratory judgment action."

AND

Page 8, delete lines 27 and 28 and substitute the following:

"SECTION 23. Attorney General.

No provision of this Act shall apply to, or alter existing law with respect to any claim, charge, action, or suit brought or prosecuted by the Attorney General.

SECTION 24. Coroner or Medical Examiner.

Nothing in this act shall be construed to diminish or enlarge the powers or duties of a coroner or medical examiner."

AND

appropriately renumber subsequent sections of the bill

AND

Page 9, line 5, add a new section of the bill to read as follows:

SECTION 26. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that in this state, existing conditions, such as the application of joint and several liability regardless of the percentage of fault, are adversely impacting the availability and affordability of medical liability insurance; that those existing conditions recently have caused several medical liability carriers to stop offering coverage in the state and have caused some medical care providers to curtail or end their practices; that the decreasing availability and affordability of medical liability insurance is adversely affecting the accessibility and affordability of medical care and of health insurance coverage in this state; that long term care facilities are having great difficulty hiring qualified medical directors because physicians could be held liable for an entire judgment even if they are found to be minimally at fault; and that there is a need to improve access to the courts for deserving claimants; and that this act is immediately necessary in order to remedy these conditions and improve access to health care in this state. 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/ Jim Luker

The Amendment was read and the vote was as follows:

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

Total82

NEGATIVE: Bolin, Bond, Elliott, Goss, Hathorn, Judy, Ledbetter, Lendall, Pate, Stovall, Thyer.

Total11

ABSENT OR NOT VOTING: Borhauer, Bradford, C. Johnson, Milligan, Roebuck, Weaver, Mr. Speaker.

Total7

VOTING PRESENT:

Total0

Total number of votes cast93

Total number voting in the affirmative82

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

So the Amendment was concurred in.

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Ferguson the Clincher motion prevailed.

There being an Emergency Clause attached to **Senate Amendment No. 1, HOUSE BILL NO. 1038**, 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, P. Bookout, Boyd, Bright, Chesterfield, Childers, Clemons, Cowling, Creekmore, Dangeau, Dees, Dickinson, Dobbins, Eason, Edwards, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Gipson, Green, Haak, Hardwick, Harris, Hickinbotham, House, Hutchinson, Jackson, Jacobs, Jeffrey, J. Johnson, Jones, Kenney, Key, King, Lamoureux, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Moore, Napper, Nichols, Norton, Oglesby, Ormond, Pace, Parks, Penix, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Verkamp, Walters, White, Wood.

Total82

NEGATIVE: Bolin, Bond, Elliott, Goss, Hathorn, Judy, Ledbetter, Lendall, Pate, Stovall, Thyer.

Total11

ABSENT OR NOT VOTING: Borhauer, Bradford, C. Johnson, Milligan, Roebuck, Weaver, Mr. Speaker.

Total7

VOTING PRESENT:

Total0

Total number of votes cast.....93

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 Ferguson the Clincher motion prevailed.

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

ARKANSAS SENATE

AMENDMENT NO. 2 TO HOUSE BILL NO. 1038

Amend **HOUSE BILL NO. 1038** as engrossed H1-30-03:

In the new Section 9 of the bill, in subdivision (1), after "inferred:", delete "and"

/s/ Bob Johnson

The Amendment was read and the vote was as follows:

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

Total88

NEGATIVE: Bolin, Goss, Hathorn, Ledbetter, Stovall, Thyer.

Total6

ABSENT OR NOT VOTING: Borhauer, Bradford, Chesterfield, C. Johnson, Lewellen, Mr. Speaker.

Total6

VOTING PRESENT:

Total0

Total number of votes cast94

Total number voting in the affirmative88

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

So the Amendment was concurred in.

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Ferguson the Clincher motion prevailed.

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

ARKANSAS SENATE

AMENDMENT NO. 3 TO HOUSE BILL NO. 1038

Amend HOUSE BILL NO. 1038 as engrossed S3/06/03:

Page 3, line 10, delete "increase in the"

/s/ Bob Johnson

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Adams, Agee, Anderson, Bennett, Berry, Biggs, Blair, Bledsoe, P. Bookout, Boyd, Bradford, Bright, Chesterfield, Childers, Clemons, Cowling, Creekmore, Dangeau, Dees, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Green, Haak, Hardwick, Harris, Hickinbotham, House, Hutchinson, Jackson, Jacobs, Jeffrey, J. Johnson, Jones, Kenney, Key, King, Lamoureux, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Napper, Nichols, Norton, Oglesby, Ormond, Pace, Parks, 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, Verkamp, Walters, Weaver, White, Wood.

Total87

NEGATIVE: Bond, Goss, Hathorn, Judy, Ledbetter, Pate, Stovall, Thyer.

Total8

ABSENT OR NOT VOTING: Bolin, Borhauer, Gipson, C. Johnson, Mr. Speaker.

Total5

VOTING PRESENT:

Total0

Total number of votes cast.....95

Total number voting in the affirmative87

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

So the Amendment was concurred in.

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Ferguson the Clincher motion prevailed.

Motion was made by Representative L. Prater to expunge the vote by which **HOUSE BILL NO. 1332** passed. Motion adopted and received more than 67 votes.

Motion was by Representative L. Prater to refer **HOUSE BILL NO. 1332** back to the Committee on AGRICULTURE, FORESTRY AND ECONOMIC DEVELOPMENT.

HOUSE BILL NO. 1270

BY: REPRESENTATIVE PICKETT

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

AFFIRMATIVE: Biggs, Blair, P. Bookout, Boyd, Bradford, Chesterfield, Clemons, Creekmore, Dangeau, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Fite, Gillespie, Gipson, Hathorn, Hickenbotham, House, Jeffrey, J. Johnson, Judy, King, Ledbetter, Lendall, Mahony, Martin, Mathis, Milligan, Napper, Nichols, Ormond, Pate, Pickett, L. Prater, S. Prater, Scrimshire, Seawel, Stovall, Sullivan, Sumpter, Thomason, Thyer, Weaver, White, Wood, Mr. Speaker.

Total50

NEGATIVE: Agee, Anderson, Bennett, Berry, Bledsoe, Bond, Bright, Childers, Cowling, Goss, Green, Haak, Hardwick, Harris, Hutchinson, Jackson, Kenney, Lamoureux, Lewellen, Mack, Matayo, Medley, Norton, Pace, Parks, Petrus, Rankin, Rosenbaum, Schulte, R. Smith, C. Taylor, J. Taylor, Thomas, Verkamp, Walters.

Total35

ABSENT OR NOT VOTING: Adams, Bolin, Borhauer, Dees, Ferguson, Jacobs, C. Johnson, Jones, Key, Moore, Oglesby, Penix, Pritchard, Roebuck, Scroggin.

Total15

VOTING PRESENT:

Total0

Total number of votes cast.....85

Total number voting in the affirmative50

Necessary to the passage of the bill51

So the Bill failed.

HOUSE BILL NO. 2426

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

Total84

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Bolin, Borhauer, Bright, L. Evans, Ferguson, Gipson, Hutchinson, C. Johnson, Mack, Mahony, Moore, Oglesby, R. Smith, Stovall, Verkamp, Mr. Speaker.

Total16

VOTING PRESENT:

Total0

Total number of votes cast84

Total number voting in the affirmative84

Necessary to the passage of the bill51

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

HOUSE BILL NO. 2480

BY: REPRESENTATIVE WOOD

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

Total86

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Berry, Bolin, Borhauer, Bradford, Ferguson, Gipson, Goss, C. Johnson, Ledbetter, Mack, L. Prater, R. Smith, Thomas, Mr. Speaker.

Total14

VOTING PRESENT:

Total0

Total number of votes cast.....86

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.

There being an Emergency Clause attached to **HOUSE BILL NO. 2480**, 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, Bond, P. Bookout, Boyd, Bright, Chesterfield, Childers, Clemons, Cowling, Creekmore, Dangeau, Dees, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Fite, Gillespie, Green, Haak, Hardwick, Harris, Hathorn, Hickinbotham, House, Hutchinson, Jackson, Jacobs, Jeffrey, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Lendall, Lewellen, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Napper, Nichols, Norton, Oglesby, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, Stovall, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood.

Total86

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Berry, Bolin, Borhauer, Bradford, Ferguson, Gipson, Goss, C. Johnson, Ledbetter, Mack, L. Prater, R. Smith, Thomas, Mr. Speaker.

Total14

VOTING PRESENT:

Total0

Total number of votes cast86

Total number voting in the affirmative86

Necessary to the adoption of the emergency clause67

So the Emergency Clause was adopted.

HOUSE BILL NO. 2535

BY: REPRESENTATIVE CLEVELAND

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

AFFIRMATIVE: Adams, Agee, Anderson, Bennett, Berry, Biggs, Blair, Bledsoe, 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, Goss, Green, Haak, Hardwick, Harris, Hickinbotham, House, Hutchinson, Jackson, Jacobs, Jeffrey, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Napper, Nichols, Norton, Oglesby, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, 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, Borhauer, Gipson, Hathorn, C. Johnson, Mack, Mr. Speaker.

Total7

VOTING PRESENT: Scrimshire.

Total1

Total number of votes cast.....93

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.

There being an Emergency Clause attached to **HOUSE BILL NO. 2535**, 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, Dangeau, Dees, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Goss, Green, Haak, Hardwick, Harris, Hickinbotham, House, Hutchinson, Jackson, Jacobs, Jeffrey, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Napper, Nichols, Norton, Oglesby, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, 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, Borhauer, Gipson, Hathorn, C. Johnson, Mack, Mr. Speaker.

Total7

VOTING PRESENT: Scrimshire.

Total1

Total number of votes cast93

Total number voting in the affirmative92

Necessary to the adoption of the emergency clause67

So the Emergency Clause was adopted.

HOUSE BILL NO. 2342

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, Boyd, Bradford, Bright, 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, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Napper, Nichols, Norton, Oglesby, Ormond, Pace, Parks, Pate, Petrus, Pickett, 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.

Total91

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Borhauer, Chesterfield, Gipson, C. Johnson, Moore, Penix, L. Prater, Stovall, 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. 2198

BY: REPRESENTATIVE JACOBS

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, Bolin, Bond, P. Bookout, Boyd, Bradford, 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, 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, Norton, Oglesby, Ormond, Pace, Parks, Pate, Penix, Petrus, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, Wood.

Total88

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Bledsoe, Borhauer, Bright, Haak, C. Johnson, Moore, Pickett, L. Prater, R. Smith, Stovall, White, Mr. Speaker.

Total12

VOTING PRESENT:

Total0

Total number of votes cast88

Total number voting in the affirmative88

Necessary to the passage of the bill51

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

HOUSE BILL NO. 1634

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, Anderson, Bennett, Berry, Blair, Bledsoe, P. Bookout, Boyd, Bright, Chesterfield, Childers, Clemons, Cowling, Dangeau, Dees, Dickinson, Dobbins, Eason, Edwards, Elliott, Fite, Gillespie, Gipson, Goss, Green, Haak, Hardwick, Harris, Hickenbotham, House, Hutchinson, Jackson, Jacobs, Jeffrey, J. Johnson, Judy, Kenney, Key, King, Lamoureux, Lendall, Lewellen, Mahony, Matayo, Mathis, Milligan, Napper, Nichols, Norton, Oglesby, Ormond, Pace, Parks, Penix, Petrus, S. Prater, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Seawel, Sullivan, C. Taylor, J. Taylor, Thomas, Thyer, Verkamp, Walters, White, Wood.

Total71

NEGATIVE: Agee, Biggs, Bond, Bradford, Creekmore, D. Evans, Hathorn, Martin, Medley, Pate, Sumpter, Thomason.

Total12

ABSENT OR NOT VOTING: Bolin, Borhauer, L. Evans, Ferguson, C. Johnson, Jones, Ledbetter, Mack, Moore, Pickett, Pritchard, Scroggin, R. Smith, Stovall, Weaver, Mr. Speaker.

Total16

VOTING PRESENT: L. Prater.

Total1

Total number of votes cast.....84

Total number voting in the affirmative71

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. 1634**, 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, Anderson, Bennett, Berry, Blair, Bledsoe, P. Bookout, Boyd, Bright, Chesterfield, Childers, Clemons, Cowling, Dangeau, Dees, Dickinson, Dobbins, Eason, Edwards, Elliott, Fite, Gillespie, Gipson, Goss, Green, Haak, Hardwick, Harris, Hickenbotham, House, Hutchinson, Jackson, Jacobs, Jeffrey, J. Johnson, Judy, Kenney, Key, King, Lamoureux, Lendall, Lewellen, Mahony, Matayo, Mathis, Milligan, Napper, Nichols, Norton, Oglesby, Ormond, Pace, Parks, Penix, Petrus, S. Prater, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Seawel, Sullivan, C. Taylor, J. Taylor, Thomas, Thyer, Verkamp, Walters, White, Wood.

Total71

NEGATIVE: Agee, Biggs, Bond, Bradford, Creekmore, D. Evans, Hathorn, Martin, Medley, Pate, Sumpter, Thomason.

Total12

ABSENT OR NOT VOTING: Bolin, Borhauer, L. Evans, Ferguson, C. Johnson, Jones, Ledbetter, Mack, Moore, Pickett, Pritchard, Scroggin, R. Smith, Stovall, Weaver, Mr. Speaker.

Total16

VOTING PRESENT: L. Prater.

Total1

Total number of votes cast84

Total number voting in the affirmative71

Necessary to the adoption of the emergency clause67

So the Emergency Clause was adopted.

HOUSE BILL NO. 2425

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, Bennett, Berry, Biggs, Blair, Bledsoe, Bolin, Bond, P. Bookout, Boyd, Bradford, Bright, Chesterfield, 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, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Napper, Nichols, Norton, Oglesby, Ormond, Pace, Parks, Pate, Penix, Petrus, L. Prater, S. Prater, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood.

Total91

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Borhauer, Childers, C. Johnson, Moore, Pickett, Pritchard, Rankin, Stovall, 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. 2269

BY: REPRESENTATIVE VERKAMP

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

AFFIRMATIVE: Adams, Agee, Anderson, Bennett, Biggs, Blair, Bledsoe, 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, Green, Haak, Hardwick, 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, Norton, Oglesby, Ormond, Pace, 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.

Total92

NEGATIVE: Bolin.

Total1

ABSENT OR NOT VOTING: Berry, Borhauer, C. Johnson, Moore, Scroggin, Wood, Mr. Speaker.

Total7

VOTING PRESENT:

Total0

Total number of votes cast.....93

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 Walters to reconsider the vote by which HOUSE BILL NO. 1270 failed.

On this motion the ayes and nays were called for and the call was sustained. The Clerk called the roll. The vote was as follows:

AFFIRMATIVE: Adams, Berry, Blair, Bolin, Bond, Boyd, Bradford, Bright, Chesterfield, Clemons, Cowling, Creekmore, Dangeau, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Goss, Hathorn, Hickinbotham, Jackson, Jacobs, Jeffrey, J. Johnson, Judy, King, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Mathis, Milligan, Napper, Nichols, Oglesby, Ormond, Pate, Pickett, L. Prater, S. Prater, Scrimshire, Scroggin, Seawel, Sullivan, Sumpter, C. Taylor, Thomas, Thomason, Thyer, Walters, Weaver, White, Wood.

Total61

NEGATIVE: Agee, Anderson, Bennett, Bledsoe, Childers, Green, Haak, Hardwick, Harris, Hutchinson, Kenney, Lamoureux, Matayo, Medley, Norton, Pace, Parks, Petrus, Pritchard, Rankin, Rosenbaum, Schulte, J. Taylor, Verkamp.

Total24

ABSENT OR NOT VOTING: Biggs, P. Bookout, Borhauer, Dees, Gipson, House, C. Johnson, Jones, Key, Moore, Penix, Roebuck, R. Smith, Stovall, Mr. Speaker.

Total15

VOTING PRESENT:

Total0

Total number of votes cast.....85

Total number voting in the affirmative61

Necessary to the adoption of the motion.....51

So the motion was adopted.

HOUSE BILL NO. 1270

BY: REPRESENTATIVE PICKETT

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

AFFIRMATIVE: Adams, Blair, Bolin, Boyd, Bradford, [Bright], Chesterfield, Clemons, Cowling, Creekmore, Dangeau, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Hathorn, Hickinbotham, House, [Hutchinson], Jacobs, Jeffrey, J. Johnson, Judy, King, [Ledbetter], Lendall, Mack, Mahony, Martin, Mathis, Milligan, Napper, Nichols, Oglesby, Ormond, Pate, Pickett, L. Prater, S. Prater, Scrimshire, Scroggin, Seawel, [Stovall], Sullivan, Sumpter, Thomas, Thomason, Thyer, Weaver, White, Wood, Mr. Speaker.

Total60

NEGATIVE: Agee, Anderson, Bennett, Berry, Bledsoe, Bond, Childers, Green, Haak, Hardwick, Harris, Kenney, Lamoureux, Lewellen, Matayo, Medley, Norton, Pace, Parks, Petrus, Rankin, Rosenbaum, Schulte, C. Taylor, J. Taylor, Verkamp, Walters.

Total27

ABSENT OR NOT VOTING: Biggs, P. Bookout, Borhauer, Dees, Jackson, C. Johnson, Jones, Key, Moore, Penix, Pritchard, Roebuck, R. Smith.

Total13

VOTING PRESENT:

Total0

Total number of votes cast87

Total number voting in the affirmative60

Necessary to the passage of the bill51

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

Representative Medley requested the Sounding of the Ballot on **HOUSE BILL NO. 1270** and the call was sustained. The following members votes were successfully challenged:

AYE: BRIGHT, HUTCHINSON, LEDBETTER, STOVALL

Total	4
Total number of votes cast	83
Necessary to passage of the bill	51
Total number voting in the affirmative	56
Total number voting in the negative	27
Total number of absent votes.....	17

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

HOUSE BILL NO. 1270

BY: REPRESENTATIVE Pickett

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

AFFIRMATIVE: Adams, Blair, Bolin, Boyd, Bradford, Chesterfield, Clemons, Cowling, Creekmore, Dangeau, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Hathorn, Hickinbotham, House, Jacobs, Jeffrey, J. Johnson, Judy, King, Lendall, Mack, Mahony, Martin, Mathis, Milligan, Napper, Nichols, Oglesby, Ormond, Pate, Pickett, L. Prater, S. Prater, Scrimshire, Scroggin, Seawel, Sullivan, Sumpter, Thomas, Thomason, Thyer, Weaver, White, Wood,

Total.....56

NEGATIVE: Agee, Anderson, Bennett, Berry, Bledsoe, Bond, Childers, Green, Haak, Hardwick, Harris, Kenney, Lamoureux, Lewellen, Matayo, Medley, Norton, Pace, Parks, Petrus, Rankin, Rosenbaum, Schulte, C. Taylor, J. Taylor, Verkamp, Walters.

Total.....27

ABSENT OR NOT VOTING: Biggs, P. Bookout, Borhauer, Bright, Dees, Hutchinson, Jackson, C. Johnson, Jones, Key, Ledbetter, Moore, Penix, Pritchard, Roebuck, R. Smith Stovall.

Total.....17

VOTING PRESENT:

Total.....0

Total number of votes cast.....87

Total number voting in the affirmative.....60

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

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

HOUSE BILL NO. 2216

BY: REPRESENTATIVE GILLESPIE

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

AFFIRMATIVE: Adams, Agee, Anderson, Bennett, Berry, Biggs, Bledsoe, Bolin, 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, Green, Haak, Hardwick, Harris, Hathorn, Hickinbotham, House, Hutchinson, Jackson, Jacobs, Jeffrey, J. Johnson, Jones, Judy, Kenney, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Matayo, Mathis, Medley, Milligan, Napper, Nichols, Norton, Oglesby, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, L. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Scrimshire, Scroggin, Seawel, R. Smith, Stovall, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White.

Total88

NEGATIVE: Bond, Key, Martin, S. Prater, Wood.

Total5

ABSENT OR NOT VOTING: Blair, Borhauer, C. Johnson, Mahony, Moore, Schulte, Mr. Speaker.

Total7

VOTING PRESENT:

Total0

Total number of votes cast.....93

Total number voting in the affirmative88

Necessary to the passage of the bill51

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

SENATE BILL NO. 402

BY: SENATOR T. SMITH

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, Boyd, Bradford, Bright, Chesterfield, Childers, Clemons, 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, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Napper, Nichols, Oglesby, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood.

Total90

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Borhauer, Cowling, C. Johnson, Ledbetter, Moore, Norton, Roebuck, R. Smith, Stovall, 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.

There being an Emergency Clause attached to **SENATE BILL NO. 402**, 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, Boyd, Bradford, Bright, Chesterfield, Childers, Clemons, 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, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Napper, Nichols, Oglesby, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood.

Total90

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Borhauer, Cowling, C. Johnson, Ledbetter, Moore, Norton, Roebuck, R. Smith, Stovall, 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.

SENATE BILL NO. 727

BY: SENATOR HILL

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, 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, 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, Norton, Oglesby, Ormond, Pace, 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.

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Borhauer, Haak, C. Johnson, Parks, R. Smith, 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.

There being an Emergency Clause attached to **SENATE BILL NO. 727**, 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, 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, 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, Norton, Oglesby, Ormond, Pace, 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.

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Borhauer, Haak, C. Johnson, Parks, R. Smith, 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.

SENATE BILL NO. 433

BY: SENATOR CRITCHER

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

AFFIRMATIVE: Adams, Agee, Anderson, Bennett, Berry, Biggs, Blair, Bledsoe, 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, Green, Haak, Hardwick, Harris, Hathorn, Hickinbotham, House, Hutchinson, Jackson, Jacobs, Jeffrey, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Napper, Nichols, Norton, Oglesby, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Seawel, R. Smith, Stovall, Sullivan, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood.

Total92

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Bolin, Borhauer, C. Johnson, Mack, Moore, Scroggin, 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.

Upon motion of Representative Weaver, **HOUSE BILL NO. 1137** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1137

Amend **HOUSE BILL NO. 1137** as engrossed, 03/11/03:

Page 4, line 16, delete "Department of Education" and substitute "State Library"

AND

Page 4, line 21, delete "2,000,000 2,000,000" and substitute "4,900,000
4,900,000"

AND

Page 4, line 22, delete "2,000,000 2,000,000" and substitute "4,900,000
4,900,000"

AND

Page 5, add a new section immediately after Section 9 to read as follows:

"SECTION 10. ARKANSAS CODE 19-5-305(a) is amended to read as follows:

19-5-305. Public School Fund.

(a) The Public School Fund shall consist of the following fund accounts and funds made available for the support of the Department of Education, ~~and the Department of Workforce Education, and the Department of Education - Arkansas State Library,~~ and shall be used for the same purposes as set out for the following fund accounts:

(1) Department of Education Public School Fund Account. The Department of Education Public School Fund Account shall be used for grants and aids for the programs administered by the Department of Education consisting of, but not limited to:

- (A) Teacher retirement matching;
- (B) Handicapped children;
- (C) Aid to the county general;
- (D) Guidance services;
- (E) Transportation aid;
- (F) State equalization aid;
- (G) State apportionment;
- (H) Orphans aid;
- (I) Child guidance center;
- (J) Surplus commodities distribution;
- (K) Crippled children;
- (L) Early childhood education;
- (M) School food services;

- (N) Economic education;
- (O) Textbook grants; and
- ~~(P) Library aid to counties; and~~
- ~~(Q)~~ (P) Such other grant and aids as may be authorized by law for disbursement by the Department of Education; and

(2) Department of Workforce Education Public School Fund Account. The Department of Workforce Education Public School Fund Account shall be used for grants and aids for the programs administered by the Department of Workforce Education consisting of, but not limited to:

- (A) General adult education grants;
- (B) Adult basic education grants;
- (C) Manpower development and training grants;
- (D) Vocational-technical and adult education; and
- (E) Such other grants and aids as may be authorized by law for disbursement by the Department of Workforce Education.; and

(3) State Library Public School Fund Account. The State Library Public School Fund Account shall be used for Aid to Public Libraries as administered by the Department of Education - Arkansas State Library."

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 Weaver, **HOUSE BILL NO. 1444** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1444

Amend **HOUSE BILL NO. 1444** as originally introduced:

Page 1, line 11, delete "MISSISSIPPI COUNTY COMMUNITY COLLEGE" and substitute "ARKANSAS NORTHEASTERN COLLEGE"

And

Page 1, line 17, delete "MISSISSIPPI COUNTY" and substitute "ARKANSAS NORTHEASTERN COLLEGE"

And

Page 1, line 18, delete "COMMUNITY COLLEGE"

And

Page 1, line 25, delete "Mississippi County Community College" and substitute "Arkansas Northeastern College"

And

Page 2, line 6, delete "Mississippi County CC" and substitute "Arkansas Northeastern Coll."

And

Page 2, line 9, delete "Fiscal Officer" and substitute "Planning & Assess. Officer"

And

Page 2, line 17, delete "4" and substitute "6"

And

Page 2, line 22, delete "1" and substitute "2"

And

Page 2, delete line 35 in its entirety and substitute the following:

"(28) Accounting Supervisor I	1	GRADE 20
(29) Accountant	1	GRADE 18"

And

Appropriately renumber the remaining item numbers

And

Page 3, line 2, delete "1" and substitute "2"

And

Page 3, delete line 3 in its entirety and substitute the following:

"(32) Purchasing Agent	1	GRADE 18
(33) Administrative Assistant II	2	GRADE 17"

And

Appropriately renumber the remaining item numbers

And

Page 3, line 8, delete "3" and substitute "6"

And

Page 3, delete line 15 in its entirety and substitute the following:

"(44) Personnel Assistant I	1	GRADE 14
(45) Secretary II	13	GRADE 13"

And

Appropriately renumber the remaining item numbers

And

Page 3, line 18, delete "4" and substitute "5"

And

Page 3, delete line 23 in its entirety and substitute the following:

"(52) Secretary I	19	GRADE 11
(53) Cook II	1	GRADE 10"

And

Appropriately renumber the remaining item numbers

And

Page 3, line 25 delete "2" and substitute "4"

And

Page 4, line 6, delete "15" and substitute "34"

And

Page 4, line 20, delete "332" and substitute "370"

And

Page 4, line 23, delete "Mississippi County Community College" and substitute "Arkansas Northeastern College"

And

Page 4, line 25, delete "four"

And

Page 4, line 26, delete "hundred (400)" and substitute "five hundred twenty-one (521)"

And

Page 4, line 31, delete "Mississippi County Community College" and substitute "Arkansas Northeastern College"

And

Page 4, line 32, delete "Mississippi County Community College" and substitute "Arkansas Northeastern College"

And

Page 4, line 33, delete "Mississippi County Community College" and substitute

"Arkansas Northeastern College"

And

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

“(01) REGULAR SALARIES	\$ 6,491,857	\$ 6,491,857
(02) EXTRA HELP	294,915	294,915
(03) PERSONAL SERV MATCHING	1,509,905	1,509,905
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	267,811	267,811
(B) CONF. & TRAVEL	20,185	20,185
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	24,152	24,152
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 8,608,825</u>	<u>\$ 8,608,825</u>

And

Page 5, line 7, delete "Mississippi County Community College" and substitute "Arkansas Northeastern College"

And

Page 5, line 8, delete "Mississippi County Community" and substitute "Arkansas Northeastern College"

And

Page 5, line 9, delete "College"

And

Page 5, line 9, delete "Mississippi"

And

Page 5, line 10, delete "County Community College" and substitute "Arkansas Northeastern College"

And

Page 5, delete lines 14 through 29 in their entirety and substitute the following:

“(01) REGULAR SALARIES	\$ 3,255,305	\$ 3,351,844
(02) EXTRA HELP	819,000	834,000
(03) OVERTIME	40,000	41,200
(04) PERSONAL SERV MATCHING	2,112,945	2,174,278
(05) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	5,781,175	5,940,175
(B) CONF. & TRAVEL	402,000	412,500
(C) PROF. FEES	400,000	409,000
(D) CAP. OUTLAY	700,000	721,000
(E) DATA PROC.	200,000	206,000

(06) CAPITAL IMPROVEMENTS	6,500,000	6,695,000
(07) DEBT SERVICE	1,200,000	1,236,000
(08) FUND TRANS/REFUND/INVESTMENTS	254,264	261,892
(09) PROMOTIONAL ITEMS	60,000	61,800
(10) CONTINGENCY	570,000	587,100
(11) RESALE	200,000	200,000
(12) SPECIAL MAINTENANCE	<u>200,000</u>	<u>200,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 22,694,689</u>	<u>\$ 23,331,789</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 Weaver, **HOUSE BILL NO. 1642** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1642

Amend **HOUSE BILL NO. 1642** as originally introduced:

Immediately following SECTION 18 add a new section to read as follows:

" SECTION 19. APPROPRIATION - GRANTS. There is hereby appropriated, to the State Plant Board, to be payable from the Plant Board Fund, for grants for internships and scholarships from civil penalties collected by the State Plant Board for the biennial period ending June 30, 2005, the following:

ITEM	FISCAL YEARS	
NO.	<u>2003-2004</u>	<u>2004-2005</u>
(01) GRANT TO THE UNIVERSITY OF ARKANSAS - DIV. OF AGRICULTURE FOR INTERNSHIPS AND SCHOLARSHIPS	\$ 5,000	\$ 5,000
(02) GRANT TO THE ARKANSAS STATE UNIVERSITY COLLEGE OF AGRICULTURE FOR INTERNSHIPS AND SCHOLARSHIPS	5,000	5,000
(03) GRANT TO THE ARKANSAS TECH UNIVERSITY AGRICULTURE DEPARTMENT FOR INTERNSHIPS AND SCHOLARSHIPS	<u>5,000</u>	<u>5,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 15,000</u>	<u>\$ 15,000"</u>

And
Appropriately renumber the sections of the bill.

/s/ Paul Weaver

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Weaver, **HOUSE BILL NO. 1717** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1717

Amend **HOUSE BILL NO. 1717** as engrossed, 03/10/03:

Page 8, delete line 19 in its entirety and substitute

“appropriation under Section 2 6 of this Act shall be funded in total- or Arkansas Children’s Hospital Chief Executive Officer may request that the University of Arkansas for Medical Sciences transfer such funds each fiscal year from the University of Arkansas Medical Center Fund to the Department of Human Services Grants Fund Account. The transferred funds shall be used to match federal funds used for Supplemental Medicaid payments to Arkansas Children’s Hospital.”

/s/ Paul Weaver

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Weaver, **HOUSE BILL NO. 1922** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1922

Amend **HOUSE BILL NO. 1922** as originally introduced:

Page 1, line 33, delete the number "\$1" and substitute "\$3,397,050"

AND

Page 2, line 2, delete the number "\$1" and substitute "three million three hundred ninety seven thousand fifty dollars (\$3,397,050)"

/s/ Paul Weaver

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

/s/ Ms. Jo Renshaw
Chief Clerk

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

AMENDMENT NO. 2 TO SENATE BILL NO. 152

Amend **SENATE BILL NO. 152** as engrossed, 2/20/03:

Delete Section 2 in its entirety and substitute the following:

" SECTION 2. APPROPRIATION - STATE OPERATIONS. There is hereby appropriated, to the Department of Veterans' Affairs, to be payable from the State General Services Fund Account, for personal services and operating expenses of the Department of Veterans' Affairs for the biennial period ending June 30, 2005, the following:

ITEM NO.	FISCAL YEARS	
	2003-2004	2004-2005
(01) REGULAR SALARIES	\$ 645,870	\$ 663,309
(02) PERSONAL SERV MATCH	192,697	195,813
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	36,364	36,364
(B) CONF. & TRAVEL	2,500	2,500
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	0	0
(04) AID TO COUNTY VETERANS' SERVICE OFFICES	<u>283,500</u>	<u>283,500</u>
TOTAL AMOUNT APPROPRIATED	<u>\$1,160,931</u>	<u>\$1,181,486"</u>

And

Page 3 line 35 delete "19" and substitute "22"

And

Delete Section 5 in its entirety and substitute the following:

" SECTION 5. APPROPRIATION - VETERANS' HOME DIVISION. There is hereby appropriated, to the Department of Veterans' Affairs, to be payable from the State General Services Fund Account, for personal services and operating expenses of the Department of Veterans' Affairs - Veterans' Home for the biennial period ending June 30, 2005, the following:

ITEM NO.	FISCAL YEARS	
	003-2004	2004-2005
(01) REGULAR SALARIES	\$1,858,578	\$1,907,383
(02) EXTRA HELP	31,000	31,000
(03) PERSONAL SERV MATCH	594,176	602,898
(04) OVERTIME	15,000	15,000
(05) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	654,455	654,455
(B) CONF. & TRAVEL	5,000	5,000
(C) PROF. FEES	79,902	79,902
(D) CAP. OUTLAY	9,000	9,000
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$3,247,111</u>	<u>\$3,304,638"</u>

And

Delete Section 7 in its entirety and substitute the following:

" SECTION 7. APPROPRIATION - VETERANS' CEMETERY. There is hereby appropriated, to the Department of Veterans' Affairs, to be payable from the State General Services Fund Account, for personal services and operating expenses of the Department of Veterans' Affairs - Veterans' Cemetery for the biennial period ending June 30, 2005, the following:

ITEM NO.	FISCAL YEARS	
	2003-2004	2004-2005
(01) REGULAR SALARIES	\$ 136,702	\$ 140,393
(02) PERSONAL SERV MATCH	44,589	45,248
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	53,390	53,390
(B) CONF. & TRAVEL	0	0
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 234,681</u>	<u>\$ 239,031"</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 Weaver the rules were suspended. Considered in the Committee of the Whole. Returned with the recommendation that it "DO PASS".

HOUSE BILL NO. 1336

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, Boyd, Bradford, Bright, Chesterfield, Clemons, Cowling, Dees, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Fite, Gillespie, Gipson, Green, Haak, 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, Norton, Oglesby, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, Stovall, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, White, Wood.

Total86

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Borhauer, Childers, Creekmore, Dangeau, Ferguson, Goss, Hardwick, Hathorn, C. Johnson, Moore, Pritchard, R. Smith, Weaver, 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. 1336**, 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, Boyd, Bradford, Bright, Chesterfield, Clemons, Cowling, Dees, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Fite, Gillespie, Gipson, Green, Haak, 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, Norton, Oglesby, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, Stovall, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, White, Wood.

Total86

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Borhauer, Childers, Creekmore, Dangeau, Ferguson, Goss, Hardwick, Hathorn, C. Johnson, Moore, Pritchard, R. Smith, Weaver, Mr. Speaker.

Total14

VOTING PRESENT:

Total0

Total number of votes cast86

Total number voting in the affirmative86

Necessary to the adoption of the emergency clause67

So the Emergency Clause was adopted.

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

HOUSE BILL NO. 2040

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, Boyd, Bright, Chesterfield, Childers, Clemons, Cowling, Creekmore, Dees, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Gipson, Green, Haak, Harris, Hathorn, Hickinbotham, House, Hutchinson, Jacobs, Jeffrey, J. Johnson, Judy, Kenney, Key, King, Lamoureux, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Napper, Nichols, Norton, Oglesby, 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, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood.

Total86

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Borhauer, Bradford, Dangeau, Goss, Hardwick, Jackson, C. Johnson, Jones, Ledbetter, Milligan, Moore, R. Smith, Thomas, 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. 2040**, 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, Boyd, Bright, Chesterfield, Childers, Clemons, Cowling, Creekmore, Dees, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Gipson, Green, Haak, Harris, Hathorn, Hickinbotham, House, Hutchinson, Jacobs, Jeffrey, J. Johnson, Judy, Kenney, Key, King, Lamoureux, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Napper, Nichols, Norton, Oglesby, 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, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood.

Total86

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Borhauer, Bradford, Dangeau, Goss, Hardwick, Jackson, C. Johnson, Jones, Ledbetter, Milligan, Moore, R. Smith, Thomas, Mr. Speaker.

Total14

VOTING PRESENT:

Total0

Total number of votes cast86

Total number voting in the affirmative86

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

So the Emergency Clause was adopted.

HOUSE BILLS ORDERED TRANSMITTED TO THE SENATE AS PASSED

HOUSE BILL NO. 1270 BY REPRESENTATIVE PICKETT
 HOUSE BILL NO. 1336 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 1634 BY REPRESENTATIVE NAPPER
 HOUSE BILL NO. 1862 BY REPRESENTATIVE P. BOOKOUT
 HOUSE BILL NO. 2040 BY REPRESENTATIVE CLEVELAND
 HOUSE BILL NO. 2198 BY REPRESENTATIVE JACOBS
 HOUSE BILL NO. 2216 BY REPRESENTATIVE GILLESPIE
 HOUSE BILL NO. 2269 BY REPRESENTATIVE VERKAMP
 HOUSE BILL NO. 2306 BY REPRESENTATIVE BLEDSOE
 HOUSE BILL NO. 2342 BY REPRESENTATIVE PETRUS
 HOUSE BILL NO. 2425 BY REPRESENTATIVE JUDY
 HOUSE BILL NO. 2426 BY REPRESENTATIVE JUDY
 HOUSE BILL NO. 2480 BY REPRESENTATIVE WOOD
 HOUSE BILL NO. 2535 BY REPRESENTATIVE CLEVELAND

SENATE BILLS ORDERED RETURNED TO THE SENATE AS PASSED

SENATE BILL NO. 268 BY SENATOR GULLETT
 AS AMENDED #1
 SENATE BILL NO. 402 BY SENATOR T. SMITH
 SENATE BILL NO. 433 BY SENATOR CRITCHER
 SENATE BILL NO. 727 BY SENATOR HILL

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

HOUSE CONCURRENT RESOLUTION NO. 1032
 BY REPRESENTATIVE CHILDERS

ARKANSAS SENATE
 SENATE BILLS RECEIVED FROM SENATE

SENATE BILL NO. 342 BY SENATOR WOOLDRIDGE
 SENATE BILL NO. 483 BY SENATOR HILL

ENROLLED AND DELIVERY TO GOVERNOR REPORTS

Little Rock, Arkansas

March 19, 2003

MR. SPEAKER:

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

HOUSE BILL NO. 1385	BY REPRESENTATIVE HATHORN, ET AL
HOUSE BILL NO. 1847	BY REPRESENTATIVE CLEVELAND
HOUSE BILL NO. 1848	BY REPRESENTATIVE CLEVELAND
HOUSE BILL NO. 1849	BY REPRESENTATIVE CLEVELAND
HOUSE BILL NO. 1850	BY REPRESENTATIVE CLEVELAND
HOUSE BILL NO. 1855	BY REPRESENTATIVE SCRIMSHIRE
HOUSE BILL NO. 1858	BY REPRESENTATIVE WEAVER
HOUSE BILL NO. 1859	BY REPRESENTATIVES MATAYO, HARRIS
HOUSE BILL NO. 1872	BY REPRESENTATIVE EDWARDS
HOUSE BILL NO. 1874	BY REPRESENTATIVE JEFFREY
HOUSE BILL NO. 1883	BY REPRESENTATIVE CLEVELAND
HOUSE BILL NO. 1940	BY REPRESENTATIVE BENNETT
HOUSE BILL NO. 1946	BY REPRESENTATIVE BERRY
HOUSE BILL NO. 1947	BY REPRESENTATIVE BERRY
HOUSE BILL NO. 1949	BY REPRESENTATIVE MAHONY
HOUSE BILL NO. 1960	BY REPRESENTATIVES S. PRATER, WOOD
HOUSE BILL NO. 1961	BY REPRESENTATIVES S. PRATER, PICKETT
HOUSE BILL NO. 1962	BY REPRESENTATIVES S. PRATER, BRIGHT
HOUSE BILL NO. 1963	BY REPRESENTATIVE CLEVELAND
HOUSE BILL NO. 1964	BY REPRESENTATIVE S. PRATER
HOUSE BILL NO. 1971	BY REPRESENTATIVES BERRY, SCROGGIN

beg leave to report that we have carefully compared the enrolled copies with the original and we find the same correctly enrolled and have at 11:09 a.m. delivered them to the Governor for his approval.

Respectfully submitted,

/s/ Herschel W. Cleveland

Chairman

RECEIPT FROM THE GOVERNOR

RECEIVED FROM THE HOUSE:

HOUSE BILL NO. 1385 BY REPRESENTATIVE HATHORN, ET AL
 HOUSE BILL NO. 1847 BY REPRESENTATIVE CLEVELAND
 HOUSE BILL NO. 1848 BY REPRESENTATIVE CLEVELAND
 HOUSE BILL NO. 1849 BY REPRESENTATIVE CLEVELAND
 HOUSE BILL NO. 1850 BY REPRESENTATIVE CLEVELAND
 HOUSE BILL NO. 1855 BY REPRESENTATIVE SCRIMSHIRE
 HOUSE BILL NO. 1858 BY REPRESENTATIVE WEAVER
 HOUSE BILL NO. 1859 BY REPRESENTATIVES MATAYO, HARRIS
 HOUSE BILL NO. 1872 BY REPRESENTATIVE EDWARDS
 HOUSE BILL NO. 1874 BY REPRESENTATIVE JEFFREY
 HOUSE BILL NO. 1883 BY REPRESENTATIVE CLEVELAND
 HOUSE BILL NO. 1940 BY REPRESENTATIVE BENNETT
 HOUSE BILL NO. 1946 BY REPRESENTATIVE BERRY
 HOUSE BILL NO. 1947 BY REPRESENTATIVE BERRY
 HOUSE BILL NO. 1949 BY REPRESENTATIVE MAHONY
 HOUSE BILL NO. 1960 BY REPRESENTATIVES S. PRATER, WOOD
 HOUSE BILL NO. 1961 BY REPRESENTATIVES S. PRATER, PICKETT
 HOUSE BILL NO. 1962 BY REPRESENTATIVES S. PRATER, BRIGHT
 HOUSE BILL NO. 1963 BY REPRESENTATIVE CLEVELAND
 HOUSE BILL NO. 1964 BY REPRESENTATIVE S. PRATER
 HOUSE BILL NO. 1971 BY REPRESENTATIVES BERRY, SCROGGIN

/s/ Mike Huckabee - Governor

TIME: 11:09 a.m.

By: Cory Cox

ENROLLED AND DELIVERY TO GOVERNOR REPORTS

Little Rock, Arkansas

March 19, 2003

MR. SPEAKER:

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

HOUSE BILL NO. 1972 BY REPRESENTATIVES BERRY, SCROGGIN
 HOUSE BILL NO. 1973 BY REPRESENTATIVE PENIX
 HOUSE BILL NO. 1974 BY REPRESENTATIVE PENIX
 HOUSE BILL NO. 1975 BY REPRESENTATIVE AGEE
 HOUSE BILL NO. 1976 BY REPRESENTATIVES BENNETT, WHITE
 HOUSE BILL NO. 2008 BY REPRESENTATIVE DICKINSON
 HOUSE BILL NO. 2012 BY REPRESENTATIVE DEES
 HOUSE BILL NO. 2013 BY REPRESENTATIVE CREEKMORE
 HOUSE BILL NO. 2019 BY REPRESENTATIVE JUDY
 HOUSE BILL NO. 2027 BY REPRESENTATIVE JACOBS
 HOUSE BILL NO. 2031 BY REPRESENTATIVE EDWARDS
 HOUSE BILL NO. 2032 BY REPRESENTATIVE EDWARDS
 HOUSE BILL NO. 2052 BY REPRESENTATIVE DOBBINS, ET AL
 HOUSE BILL NO. 2053 BY REPRESENTATIVES S. PRATER, BRIGHT
 HOUSE BILL NO. 2058 BY REPRESENTATIVE DOBBINS
 HOUSE BILL NO. 2063 BY REPRESENTATIVES S. PRATER, BRIGHT
 HOUSE BILL NO. 2064 BY REPRESENTATIVE S. PRATER
 HOUSE BILL NO. 2072 BY REPRESENTATIVE GIPSON
 HOUSE BILL NO. 2074 BY REPRESENTATIVE GIPSON
 HOUSE BILL NO. 2130 BY REPRESENTATIVE DOBBINS
 HOUSE BILL NO. 2158 BY REPRESENTATIVE HUTCHINSON

beg leave to report that we have carefully compared the enrolled copies with the original and we find the same correctly enrolled and have at 11:09 a.m. delivered them to the Governor for his approval.

Respectfully submitted,

/s/ Herschel W. Cleveland

Chairman

RECEIPT FROM THE GOVERNOR

RECEIVED FROM THE HOUSE:

HOUSE BILL NO. 1972 BY REPRESENTATIVES BERRY, SCROGGIN
 HOUSE BILL NO. 1973 BY REPRESENTATIVE PENIX
 HOUSE BILL NO. 1974 BY REPRESENTATIVE PENIX
 HOUSE BILL NO. 1975 BY REPRESENTATIVE AGEE
 HOUSE BILL NO. 1976 BY REPRESENTATIVES BENNETT, WHITE
 HOUSE BILL NO. 2008 BY REPRESENTATIVE DICKINSON
 HOUSE BILL NO. 2012 BY REPRESENTATIVE DEES
 HOUSE BILL NO. 2013 BY REPRESENTATIVE CREEKMORE
 HOUSE BILL NO. 2019 BY REPRESENTATIVE JUDY
 HOUSE BILL NO. 2027 BY REPRESENTATIVE JACOBS
 HOUSE BILL NO. 2031 BY REPRESENTATIVE EDWARDS
 HOUSE BILL NO. 2032 BY REPRESENTATIVE EDWARDS
 HOUSE BILL NO. 2052 BY REPRESENTATIVE DOBBINS, ET AL
 HOUSE BILL NO. 2053 BY REPRESENTATIVES S. PRATER, BRIGHT
 HOUSE BILL NO. 2058 BY REPRESENTATIVE DOBBINS
 HOUSE BILL NO. 2063 BY REPRESENTATIVES S. PRATER, BRIGHT
 HOUSE BILL NO. 2064 BY REPRESENTATIVE S. PRATER
 HOUSE BILL NO. 2072 BY REPRESENTATIVE GIPSON
 HOUSE BILL NO. 2074 BY REPRESENTATIVE GIPSON
 HOUSE BILL NO. 2130 BY REPRESENTATIVE DOBBINS
 HOUSE BILL NO. 2158 BY REPRESENTATIVE HUTCHINSON

/s/ Mike Huckabee - Governor

TIME: 11:09 a.m.

By: Cory Cox

HOUSE BILL NO. 2230 was recommended for study in the interim by the Committee on JUDICIARY.

HOUSE BILL NO. 1432 was referred back to the Committee on AGING, CHILDREN AND YOUTH, LEGISLATIVE AND MILITARY AFFAIRS.

HOUSE BILL NO. 1116 was referred back to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

HOUSE RESOLUTION NO. 1026

BY: REPRESENTATIVE GOSS

RECOGNIZING AND HONORING MR. CORTEZ KENNEDY FOR HIS ATHLETIC ACHIEVEMENTS AND FOR HIS SERVICE TO THE CITIZENS OF ARKANSAS.

Was read the first time, rules suspended, read the second time and referred to the Committee on AGING, CHILDREN AND YOUTH, LEGISLATIVE AND MILITARY AFFAIRS.

HOUSE RESOLUTION NO. 1027

BY: REPRESENTATIVE THOMAS

COMMENDING AND CONGRATULATING THE 2003 CLASS AA BOYS STATE HIGH SCHOOL BASKETBALL CHAMPION ALTHEIMER RED DEVILS.

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

SENATE BILL NO. 106

BY: SENATORS FARIS, J. BOOKOUT

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND ARKANSAS CODE § 24-7-1305 TO REMOVE REFERENCES IN THAT SECTION TO THE PROVISIONS OF § 24-7-706; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 323

BY: SENATOR WILKINS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION - DISBURSING OFFICER FOR STATE ASSISTANCE TO THE CITY OF PINE BLUFF, ARKANSAS FOR YOUTH PROGRAMS; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 324

BY: SENATOR WILKINS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION - DISBURSING OFFICER FOR STATE ASSISTANCE TO THE CITY OF ALTHEIMER, ARKANSAS; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 325

BY: SENATOR WILKINS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION - DISBURSING OFFICER FOR THE PINE BLUFF HOUSING AUTHORITY IN PINE BLUFF, ARKANSAS; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 326

BY: SENATOR WILKINS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION - DISBURSING OFFICER FOR THE JEFFERSON COUNTY ECONOMIC OPPORTUNITIES COMMISSION - PROJECTS AND PROGRAMS; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 327

BY: SENATOR WILKINS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION - DISBURSING OFFICER FOR STATE SUPPORT TO THE CITIZENS BOYS AND GIRLS CLUB IN JEFFERSON COUNTY, ARKANSAS; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 328

BY: SENATOR WILKINS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION - DISBURSING OFFICER FOR STATE ASSISTANCE TO THE HEALING PLACE IN PINE BLUFF, ARKANSAS; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 329

BY: SENATOR WILKINS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION - DISBURSING OFFICER FOR STATE SUPPORT TO THE VETERANS OF FOREIGN WARS - VFW #228 IN JEFFERSON COUNTY, ARKANSAS; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 330

BY: SENATOR WILKINS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION - DISBURSING OFFICER FOR THE UNIVERSITY OF ARKANSAS AT PINE BLUFF - CRIMINAL JUSTICE PROGRAM SCHOLARSHIPS; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 342

BY: SENATORS WOOLDRIDGE, MILLER

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND ARKANSAS CODE § 26-18-208 TO IMPOSE A PENALTY FOR MAKING INCOMPLETE PAYMENTS TO THE DIRECTOR FOR ANY TAXES, LICENSES, OR FEES BY MEANS OF AN ELECTRONIC FUNDS TRANSFER; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 356

BY: SENATOR WILKINS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION - DISBURSING OFFICER FOR SUPPORT TO THE GRAND MASONIC LODGE IN PINE BLUFF, ARKANSAS; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 357

BY: SENATOR WILKINS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION - DISBURSING OFFICER FOR STATE SUPPORT TO THE MOUNT MORIAH SAFE ENVIRONMENT PROJECT IN DUMAS, ARKANSAS; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 370

BY: SENATOR WILKINS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE UNIVERSITY OF ARKANSAS AT PINE BLUFF FOR EQUIPPING THE FIELD HOUSE; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 378

BY: SENATORS FARIS, *WILKINSON*, *BAKER*, *ARGUE*, *J. JEFFRESS*, *WILKINS*
 BY: REPRESENTATIVE WALTERS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ESTABLISH A PROCEDURE FOR THE RECALL OF STATE CONSTITUTIONAL OFFICERS, MEMBERS OF THE GENERAL ASSEMBLY, AND JUDICIAL OFFICERS; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 429

BY: SENATOR BROADWAY

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION - DISBURSING OFFICER FOR IMPROVEMENTS TO THE EBENEZER CEMETERY IN TULL, ARKANSAS; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 482

BY: SENATOR BROADWAY

BY: REPRESENTATIVE MAHONY

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE INSTITUTIONS OF HIGHER EDUCATION FOR CRITICAL MAINTENANCE AND LIBRARY HOLDINGS/ TECHNOLOGY/ EQUIPMENT; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 483

BY: SENATORS HILL, WOOLDRIDGE, GLOVER, G. JEFFRESS, MILLER, T. SMITH, TRUSTY, BROADWAY, BRYLES

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ENABLE ARKANSAS TO ENTER INTO THE STREAMLINED SALES AND USE TAX AGREEMENT WITH OTHER STATES AS PROVIDED IN ARKANSAS CODE § 26-20-101, ET SEQ., BY AMENDING THE ARKANSAS GROSS RECEIPTS ACT OF 1941, § 26-52-101 ET SEQ., THE ARKANSAS COMPENSATING TAX ACT OF 1949, § 26-53-101 ET SEQ., ARKANSAS CODE § 26-74-101, ET SEQ., ARKANSAS CODE § 26-75-101, ET SEQ., ARKANSAS CODE § 26-81-101, ET SEQ., ARKANSAS CODE § 14-164-301, ET SEQ., AND ARKANSAS CODE § 26-3-307, ET SEQ.; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 539

BY: SENATOR WILKINS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION - DISBURSING OFFICER FOR STATE SUPPORT TO THE PORT CITY SPEED TRACK AND FIELD, INC. IN PINE BLUFF, ARKANSAS; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 540

BY: SENATOR WILKINS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE UNIVERSITY OF ARKANSAS AT PINE BLUFF FOR THE UNIVERSITY OF ARKANSAS AT PINE BLUFF FORUM ON AFRICA AND ITS DIASPORA; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 554

BY: SENATOR CAPPS

BY: REPRESENTATIVES D. EVANS, PATE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS STATE UNIVERSITY - BEEBE FOR INSTITUTIONAL FACILITIES AND IMPROVEMENTS; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 565

BY: SENATOR ALTES

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CLARIFY THE PROVISIONS CONCERNING TERRITORIES ANNEXED IN DIFFERENT JUDICIAL DISTRICTS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY AND LOCAL AFFAIRS.

SENATE BILL NO. 671

BY: SENATOR WILKINS

BY: REPRESENTATIVE C. JOHNSON

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION - DISBURSING OFFICER FOR STATE SUPPORT TO THE CROSSROADS MENTORING PROGRAM IN PINE BLUFF, ARKANSAS; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 676

BY: SENATOR WILKINS

BY: REPRESENTATIVE C. JOHNSON

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE UNIVERSITY OF ARKANSAS AT PINE BLUFF FOR CONSTRUCTING, RENOVATING, EQUIPPING AND ASSOCIATED COSTS OF A STUDENT WELLNESS CENTER; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 702

BY: SENATOR CRITCHER

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ALLOW CONFISCATION OF WATER WELL RIGS, VEHICLES, AND OTHER PROPERTY USED OR INTENDED TO VIOLATE ARKANSAS CODE § 17-50-104; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 731

BY: SENATORS WILKINSON, SALMON, TRUSTY, J. BOOKOUT, BAKER

A BILL FOR AN ACT TO BE ENTITLED THE ARKANSAS SOLDIERS' AND AIRMEN'S CIVIL RELIEF ACT.

Was read the first time, rules suspended, read the second time and referred to the Committee on AGING, CHILDREN AND YOUTH, LEGISLATIVE AND MILITARY AFFAIRS.

SENATE BILL NO. 732

BY: SENATORS WILKINSON, SALMON, TRUSTY, J. BOOKOUT, BAKER

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND ARKANSAS CODE § 12-63-202 TO PROVIDE THAT POLICE OFFICERS OF THE ARKANSAS MILITARY DEPARTMENT MAY ACT AS LAW ENFORCEMENT OFFICERS ON FEDERAL OR STATE PROPERTY LOCATED ADJOINING A MILITARY RESERVATION; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on AGING, CHILDREN AND YOUTH, LEGISLATIVE AND MILITARY AFFAIRS.

SENATE BILL NO. 742

BY: SENATOR MADISON

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND THE ARKANSAS FREEDOM OF INFORMATION ACT OF 1967 TO DENY ACCESS TO PUBLIC RECORDS TO ANY FELON WHO IS CURRENTLY INCARCERATED IN A CORRECTIONAL FACILITY; TO ALLOW ACCESS TO PUBLIC RECORDS TO A FELON'S ATTORNEY; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES AND GOVERNMENTAL AFFAIRS.

SENATE BILL NO. 754

BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ALLOW ADDITIONAL EXPENDITURES FROM THE STATE CENTRAL SERVICES FUND FOR THE REMAINDER OF THE FISCAL YEAR ENDING JUNE 30, 2003; AND FOR OTHER PURPOSES

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

SENATE BILL NO. 765

BY: SENATOR STEELE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PROVIDE FOR THE GENERAL PUBLIC HEALTH, WELFARE, AND SAFETY; TO PROVIDE RESTORATIVE MEASURES FOR CERTAIN CRIMINAL OFFENDERS; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 770

BY: SENATOR SALMON

A BILL FOR AN ACT TO BE ENTITLED AN ACT AUTHORIZING CITIES OF FIRST AND SECOND CLASS TO CREATE CRIMINAL NUISANCE ABATEMENT BOARDS; ESTABLISHING APPEAL PROCEDURES; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY AND LOCAL AFFAIRS.

SENATE BILL NO. 855

BY: SENATOR HIGGINBOTHOM

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PERMIT A PERSON CONVICTED OF A FELONY OR MISDEMEANOR TO COMPLETE A VOCATIONAL PROGRAM APPROVED BY THE COURT; AND FOR OTHER PURPOSES.

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

Upon motion of Representative Gillespie, the House adjourned at 3:32 p.m. until 1:30 p.m. Thursday, March 20, 2003.

ATTEST:

 Herschel W. Cleveland
 Speaker of the House of Representatives

 Jo Renshaw
 Chief Clerk

