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**THIRTIETH DAY'S PROCEEDINGS
SENATE CHAMBER
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION**

Little Rock, Arkansas

February 11, 2003

The Senate was called to order at 1:30 o'clock p.m. by the President.

The Secretary called the roll, and the following members answered to roll call:

ALTES, ARGUE, BAKER, BISBEE, BOOKOUT,
BROADWAY, BROWN, BRYLES, CAPPS, CRITCHER,
FARIS, GLOVER, GULLETT, HENDREN,
HIGGINBOTHOM, HILL, HOLT, HORN, G.JEFFRESS,
J.JEFFRESS, JOHNSON, LAVERTY, LUKER, MADISON,
MALONE, MILLER, SALMON, SMITH, STEELE,
TRUSTY, WHITAKER, WILKINSON, WOMACK,
WOOLDRIDGE.

Leave was requested for Senator Wilkins.

The Senate was led in prayer by Larry Teague.

The Senate was led in the Pledge of Allegiance by the President.

On motion of Senator Baker, the reading of the Journal was dispensed with.

On motion of Senator J. Jeffress, **Senate Bill No. 9** was withdrawn from the Committee on CITY, COUNTY AND LOCAL AFFAIRS, and placed back on second reading for purpose of amendment.

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 9

Amend **Senate Bill No. 9** as originally introduced:

Page 1, delete lines 13 and 14, and substitute the following:

"SALES AND USE TAX COLLECTION; TO AMEND THE
CONFIDENTIALITY STATUTE OF THE ARKANSAS TAX PROCEDURE ACT TO
PERMIT DISCLOSURE OF CERTAIN VENDOR TAX INFORMATION; AND FOR
OTHER PURPOSES."

AND

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 26-18-303(b), pertaining to permissible disclosures under the confidentiality statute, is amended to add an additional subdivision to read as follows:

(17)(A) For the purpose of verifying the accurate collection of local sales and use taxes, upon written request by the mayor, city manager, or chief executive officer of any city or town that levies a local sales or use tax, regardless of classification, disclosure of information, contained in sales and use tax reports of vendors located in the requesting official's city or town, relating to the local taxes paid by the vendors.

(B) A mayor, city manager, or chief executive officer of any city or town cannot request the information under this subdivision (b)(17)(A) more than once each calendar quarter.

(C) The information obtained by a mayor, city manager, or chief executive officer of any city or town under this subdivision (b)(17)(A) shall not be subject to the provisions of § 25-19-101 et seq.

(D) A reasonable fee based upon the number of vendors within the requesting city may be charged for the actual costs associated with providing information to the requesting city official, including computer processing charges, copy costs, and employee time.

(E) Fees collected under the provisions of this subsection shall be deposited in the State Central Services Fund to be treated as a refund of expenditures to reimburse the Department of Finance and Administration for the costs of providing the requested information."

(SIGNED) JIMMY JEFFRESS

The Amendment was read for the first time, rules suspended, read the second time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 9 was ordered engrossed.

On motion of Senator J. Jeffress, **Senate Bill No. 115** was withdrawn from the Committee on PUBLIC HEALTH, WELFARE AND LABOR, and placed back on second reading for purpose of amendments.

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 3 to SENATE BILL NO. 115

Amend **Senate Bill No. 115** as engrossed, S2/6/03:

Add Senator J. Bookout as a cosponsor of the bill

AND

Add Representatives P. Bookout, Haak, and White as cosponsors of the bill

AND

Page 2, line 23, add "and" after the semicolon.

AND

Page 2, delete lines 24 through 30 and substitute the following:

"(ii) Provide verifiable documentation of completion of an advanced specialty program, externship, residency, internship, or board certification in a recognized Oriental medical specialty and have completed in not more than two (2) years, a minimum of one hundred forty-four (144) hours of education that shall not include advanced training in acupuncture."

(SIGNED) JIMMY JEFFRESS

The Amendment was read for the first time, rules suspended, read the second time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Amendment No. 4 to SENATE BILL NO. 115

Amend **Senate Bill No. 115** as engrossed, S2/6/03

:

Page 4, delete lines 19 and 20 and substitute the following:
"of Acupuncturists exam or another exam approved by the board."

AND

Page 6, delete line 31

AND

Page 6, delete line 33 and substitute the following:
"effective date of this act; and

(D) Provides verifiable documentation of completion of an advanced specialty program, externship, residency, internship, or board certification in a recognized Oriental medical specialty and have completed in not more than two (2) years, a minimum of one hundred forty-four (144) hours of education that shall not include advanced training in acupuncture; or"

AND

Page 6 delete, line 36 and page 7, delete lines 1 through 8 and substitute the following:

"(B) Provides verifiable documentation of completion of an advanced specialty program, externship, residency, internship, or board certification in a recognized Oriental medical specialty and have completed in not more than two (2) years, a minimum of one hundred forty-four (144) hours of education that shall not include advanced training in acupuncture; and

(C) Applies for licensure within thirty (30) days of the"

AND

Page 9, delete lines 35 and 36, and page 10 delete lines 1 and 2 and substitute the following:

"to the board in acupuncture and Oriental medicine; or

(B) Another exam approved by the board."

(SIGNED) JIMMY JEFFRESS

The Amendment was read for the first time, rules suspended, read the second time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 115 was ordered engrossed.

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

February 11, 2003

Mr. President:

We, your Committee on ENGROSSED BILLS, to whom was referred:

SENATE BILL NO. 9, BY SENATOR J. JEFFRESS,

beg leave to report that we have carefully compared the engrossed copy with the original and we find the same correctly engrossed.

Respectfully submitted,

(SIGNED) JOHN PAUL CAPPS, CHAIRMAN

Senate Bill No. 9 was ordered re-referred to the Committee on CITY, COUNTY, LOCAL AFFAIRS.

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

February 11, 2003

Mr. President:

We, your Committee on ENGROSSED BILLS, to whom was referred:

SENATE BILL NO. 115, BY J. JEFFRESS, ET AL,

beg leave to report that we have carefully compared the engrossed copy with the original and we find the same correctly engrossed.

Respectfully submitted,

(SIGNED) JOHN PAUL CAPPS, CHAIRMAN

Senate Bill No. 115 was ordered re-referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

On motion of Senator Lavery, the Senate resolved itself into the Committee of the Whole for the purpose of introducing state Presidents of various state youth organizations, as well as introducing Tory Hodges, State President of FFA and listening to her speak about leadership in CTSO's.

Without objection, the Committee of the Whole was dissolved, and the Senate took up its regular order of business.

On motion of Senator Madison, **Senate Bill No. 148** was placed back on second reading for purpose of amendment.

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 148

Amend **Senate Bill No. 148** as originally introduced:

Page 2, line 25, delete “~~(e)(1)(d)~~” and substitute “~~(e)(1)(d)~~(1)”

AND

Page 2, delete lines 31 through 36, and page 3, delete lines 1 through 13, and substitute the following:

“(2) He shall discharge and perform such duties as may be prescribed for him under the directions, rules, regulations, and requirements of the State Board of Health.

(3) He shall be required to aid and assist the State Board of Health in all matters of quarantine, vital and mortuary statistics, inspection, disease prevention and suppression, and sanitation within his jurisdiction.

(4) He shall at all times report to the State Board of Health, in such manner and form as shall be prescribed by the State Board of Health, the presence of all contagious, infectious, and dangerous epidemic diseases within his jurisdiction and shall make such other and further reports in such manner and form and at such times as the State Board of Health shall direct, touching all such matters as may be proper for the State Board of Health to direct.

(5) He shall aid the State Board of Health at all times in the enforcement of proper rules, regulations, and requirements in the enforcement of all sanitary laws, quarantine regulations, and vital statistics collections and shall perform such other duties as the State Board of Health shall direct.”

(SIGNED) SUE MADISON

The Amendment was read the first time, rules suspended, read the second time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 148 was ordered engrossed.

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

February 11, 2003

Mr. President:

We, your Committee on, CITY, COUNTY AND LOCAL AFFAIRS to whom
was referred:

HOUSE BILL NO. 1022, BY REPRESENTATIVE L. PRATER,
HOUSE BILL NO. 1183, BY REPRESENTATIVE JACOBS,
HOUSE BILL NO. 1185, BY REPRESENTATIVE JACOBS,
HOUSE BILL NO. 1187, BY REPRESENTATIVE VERKAMP,

beg leave to report that we have had the same under consideration, and herewith
return the same with the recommendation that they do pass.

Respectfully submitted,

(SIGNED) IRMA H. BROWN, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

February 11, 2003

Mr. President:

We, your Committee on CITY, COUNTY AND LOCAL AFFAIRS, to whom
was referred:

HOUSE BILL NO. 1009, BY REPRESENTATIVE SCROGGIN,
HOUSE BILL NO. 1021, BY REPRESENTATIVE SCROGGIN,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that they do pass as amended.

Respectfully submitted,

(SIGNED) IRMA H. BROWN, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

February 11, 2003

Mr. President:

We, your Committee on TECHNOLOGY AND LEGISLATIVE AFFAIRS, to whom was referred:

HOUSE BILL NO. 1084, BY REPRESENTATIVE B. CLEMONS,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that it do pass.

Respectfully submitted,

(SIGNED) JOHN PAUL CAPPS, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

February 11, 2003

Mr. President:

We, your Committee on STATE AGENCIES AND GOVERNMENTAL AFFAIRS, to whom was referred:

SENATE BILL NO. 227, BY SENATOR FARIS,
SENATE BILL NO. 230, BY SENATOR GLOVER,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that they do pass.

Respectfully submitted,

(SIGNED) STEVE FARIS, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

February 11, 2003

Mr. President:

We, your Committee on STATE AGENCIES AND GOVERNMENTAL AFFAIRS, to whom was referred:

SENATE BILL NO. 231, BY SENATOR ARGUE,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that it do pass, as amended.

Respectfully submitted,

(SIGNED) STEVE FARIS, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

February 11, 2003

Mr. President:

We, your Committee on JOINT BUDGET, to whom was referred:

SENATE BILL NO. 206, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 207, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 209, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 210, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 221, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 222, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 223, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 225, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 232, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 233, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 234, BY JOINT BUDGET COMMITTEE,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that they do pass.

Respectfully submitted,

(SIGNED) DAVID BISBEE, CHAIRMAN

On motion of Senator Faris, **Senate Bill No. 120** was placed back on second reading for purpose of amendment.

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 120

Amend **Senate Bill No. 120** as originally introduced:

Page 1, delete lines 35 and 36, and substitute the following:

~~“(3) Each trustee shall continue to serve until his or her successor is elected and has qualified.”~~

(SIGNED) STEVE FARIS

The Amendment was read the first time, rules suspended, read the second time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 120 was ordered engrossed.

On motion of Senator Horn, **Senate Bill No. 128** was placed back on second reading for purpose of amendment.

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 128

Amend **Senate Bill No. 128** as originally introduced:

Add Representative R. Bennett as a cosponsor of the bill

(SIGNED) BARBARA HORN

The Amendment was read the first time, rules suspended, read the second time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 128 was ordered engrossed.

On motion of Senator Glover, the rules were suspended in considering **House Bill No. 1030** at this time.

On motion of Senator Glover, **House Bill No. 1030** was withdrawn from the Committee on REVENUE AND TAXATION, and placed back on second reading for purpose of amendment.

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to HOUSE BILL NO. 1030

Amend **House Bill No. 1030** as engrossed, H1/24/03:

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.

(SIGNED) BOBBY L. GLOVER

The Amendment was read the first time, rules suspended, read the second time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1030 was ordered engrossed.

On motion of Senator Johnson, **House Bill No. 1114** was placed back on second reading for purpose of amendment.

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to HOUSE BILL NO. 1114

Amend **House Bill No. 1114** as engrossed, H1/30/03:

Add the following as cosponsors of the bill:

Glover, Faris, Smith, Altes, Argue, Baker, Bookout, Broadway, Brown, Bryles, Capps, Critcher, Gullett, Hendren, Higginbothom, Holt, Horn, G. Jeffress, J. Jeffress, Lavery, Madison, Malone, Miller, Salmon, Steele, Trusty, Whitaker, Wilkins, Wilkinson, Womack, Wooldridge

AND

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

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

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

(SIGNED) BOB JOHNSON

The Amendment was read the first time, rules suspended, read the second time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1114 was ordered engrossed.

On motion of Senator Smith, House Bill No. 1200 was placed back on second reading for purpose of amendment.

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to HOUSE BILL NO. 1200

Amend House Bill No. 1200 as originally introduced:
Page 2, delete lines 5 through 6 and substitute the following:

(4) The excise tax on beer levied under subdivision (a)(3) of this section shall expire on ~~June 30, 2003~~ June 30, 2005.

(SIGNED) TERRY SMITH

The Amendment was read the first time, rules suspended, read the second time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1200 was ordered engrossed.

The President declared the morning hour to have expired.

STATE OF ARKANSAS
OFFICE OF THE GOVERNOR

STATE CAPITOL
LITTLE ROCK, ARKANSAS

MIKE HUCKABEE
Governor

February 10, 2003

TO THE PRESIDENT OF THE SENATE

Dear Mr. President:

This is to inform your Honorable Body that on February 10, 2003, I approved the following measures from the Regular Session of the Eighty-fourth General Assembly:

Senate Bill No. 12, which is now Act 83 of 2003,
Senate Bill No. 25, which is now Act 84 of 2003,
Senate Bill No. 85, which is now Act 85 of 2003,

Senate Bill No. 141, which is now Act 86 of 2003,
Senate Bill No. 142, which is now Act 87 of 2003,
Senate Bill No. 143, which is now Act 88 of 2003,
Senate Bill No. 144, which is now Act 89 of 2003,
Senate Concurrent Resolution 3

Sincerely,

(SIGNED) MIKE HUCKABEE
Governor

MH:sm

cc: Speaker of the House

Senate Bill No. 173 was returned from the House as passed and ordered enrolled.

On motion of Senator Johnson, the Senate resolved itself into the Committee of the Whole for the purpose of discussing Senate Bill No. 45.

Without objection, the Committee of the Whole was dissolved, and the Senate took up its regular order of business.

On motion of Senator Johnson, **Senate Bill No. 45** was called up for third reading and final disposition.

SENATE BILL NO. 45
As Engrossed: S2/3/03 S2/5/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR B. JOHNSON
BY: REPRESENTATIVE CHILDERS

A Bill for an Act to be Entitled: *AN ACT TO RESTRUCTURE VARIOUS STATE AGENCIES INTO TEN (10) DEPARTMENTS; AND FOR OTHER PURPOSES.*

The President announced a Pair Vote on the desk.

STATE OF ARKANSAS
ARKANSAS SENATE
State Capitol
Little Rock, Arkansas 72201

EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

DATE February 11, 2003

PAIR VOTE

SENATE BILL NO. 45

VOTING YEA (SIGNED) HENRY "HANK" WILKINS

VOTING NAY (SIGNED) JIM HILL

(SIGNED) ANN CORNWELL
SECRETARY OF SENATE

Senate Bill No. 45 was placed on third reading and final disposition, the question being: Shall the Bill pass?

The Secretary called the roll, and the following members voted:

AFFIRMATIVE: Altes, Argue, Baker, Bisbee, Brown, Capps, Critcher, Faris, Glover, Gullett, Hendren, Higginbothom, Holt, Horn, B. Johnson, T. Smith, Steele, Trusty, Whitaker, Wilkins, Wilkinson, Womack.

Total22

NEGATIVE: J. Bookout, Bryles, Hill, G. Jeffress, J. Jeffress, Lavery, Madison, Malone, Miller, Salmon, Wooldridge.

Total11

ABSENT OR NOT VOTING: Broadway, Luker.

Total2

VOTING PRESENT:

Total0

Total number of votes cast.....33

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

* * * * * **EXPUNGED** * * * * *

There being an emergency clause attached to Senate Bill No. 45, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

The Secretary called the roll, and the following members voted:

AFFIRMATIVE: Altes, Argue, Baker, Bisbee, Brown, Capps, Critcher, Faris, Glover, Gullett, Hendren, Higginbothom, Holt, Horn, B. Johnson, T. Smith, Steele, Trusty, Whitaker, Wilkins, Wilkinson, Womack.

Total22

NEGATIVE: J. Bookout, Bryles, Hill, G. Jeffress, J. Jeffress, Lavery,
Madison, Malone, Miller, Salmon, Wooldridge.

Total11

ABSENT OR NOT VOTING: Broadway, Luker.

Total2

VOTING PRESENT:

Total0

Total number of votes cast33

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause failed.

(SIGNED) ANN CORNWELL, SECRETARY

* * * * * **EXPUNGED** * * * * *

The record pertaining to the vote by which the emergency clause of
Senate Bill No. 45 failed was expunged, in accordance with a prevailing motion on
February 11, 2003

* * * * * **EXPUNGED** * * * * *

Senator Johnson moved that the vote by which **Senate Bill No. 45** passed and
the emergency clause failed be reconsidered and that motion be laid upon the table,
which motion prevailed and the motion to reconsider was laid on the table.

* * * * * **EXPUNGED** * * * * *

The record pertaining to the vote by which the Clincher passed on
Senate Bill No. 45 was expunged, in accordance with a prevailing motion on February
11, 2003.

Senator Johnson moved that the record pertaining to the vote by which the Clincher Motion on **Senate Bill No. 45** was passed be expunged, the motion was duly seconded and prevailed.

Senator Johnson moved that the record pertaining to the vote by which the Emergency Clause to **Senate Bill No. 45** failed be expunged, the motion was duly seconded and prevailed.

There being an emergency clause attached to **Senate Bill No. 45**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

The Secretary called the roll, and the following members voted:

AFFIRMATIVE: Altes, Argue, Baker, Bisbee, J. Bookout, Broadway, Brown, Bryles, Capps, Critcher, Faris, Glover, Gullett, Hendren, Higginbothom, Holt, Horn, B. Johnson, Madison, Malone, Miller, Salmon, T. Smith, Steele, Trusty, Whitaker, Wilkinson, Womack.

Total28

NEGATIVE: G. Jeffress, J. Jeffress, Lavery, Wooldridge.

Total4

ABSENT OR NOT VOTING: Hill, Luker. Wilkins on leave.

Total3

VOTING PRESENT:

Total0

Total number of votes cast32

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senator Johnson moved that the vote by which **Senate Bill No. 45** passed and the emergency clause was adopted be reconsidered and that motion be laid upon the table, which motion prevailed and the motion to reconsider was laid on the table.

Senate Bill No. 45 was ordered immediately transmitted to the House.

On motion of Senator Glover, **Senate Bill No. 181** was called up for third reading and final disposition.

SENATE BILL NO. 181
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR GLOVER

A Bill for an Act to be Entitled: AN ACT TO EXCLUDE PRISONER DISCIPLINARY PROCEEDINGS FROM THE DEFINITION OF ADJUDICATION UNDER THE ADMINISTRATIVE PROCEDURES ACT; AND FOR OTHER PURPOSES.

Senate Bill No. 181 was placed on third reading and final disposition, the question being: Shall the Bill pass?

The Secretary called the roll, and the following members voted:

AFFIRMATIVE: Altes, Argue, Baker, Bisbee, J. Bookout, Capps, Critcher, Faris, Glover, Hendren, Higginbothom, Holt, Horn, G. Jeffress, J. Jeffress, B. Johnson, Madison, Miller, Salmon, T. Smith, Womack, Wooldridge.

Total22

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Broadway, Brown, Bryles, Gullett, Hill, Laverty, Luker, Malone, Steele, Trusty, Whitaker, Wilkinson. Wilkins on leave.

Total13

VOTING PRESENT:

Total0

Total number of votes cast22

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 181 was ordered immediately transmitted to the House as passed.

On motion of Senator Bookout, **Senate Bill No. 195** was called up for third reading and final disposition.

SENATE BILL NO. 195
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR J. BOOKOUT
BY: REPRESENTATIVE LAMOUREUX

A Bill for an Act to be Entitled: AN ACT CONCERNING THE DUTIES OF THE DIRECTOR OF THE DEPARTMENT OF CORRECTION; AND FOR OTHER PURPOSES.

Senate Bill No. 195 was placed on third reading and final disposition, the question being: Shall the Bill pass?

The Secretary called the roll, and the following members voted:

AFFIRMATIVE: Altes, Argue, Baker, Bisbee, J. Bookout, Broadway, Brown, Bryles, Capps, Critcher, Faris, Glover, Gullett, Hendren, Higginbothom, Hill, Holt, Horn, G. Jeffress, J. Jeffress, B. Johnson, Lavery, Luker, Madison, Malone, Miller, Salmon, T. Smith, Steele, Trusty, Whitaker, Wilkinson, Womack, Wooldridge.

Total	34
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Wilkins on leave.	
Total	1
VOTING PRESENT:	
Total	0
Total number of votes cast.....	34
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 195 was ordered immediately transmitted to the House as passed.

On motion of Senator Smith, **House Bill No. 1060** was called up for third reading and final disposition.

HOUSE BILL NO. 1060
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES MATHIS, ADAMS, BOLIN, ET AL

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE § 5-4-203 PERTAINING TO CONSEQUENCES OF FAILURE TO PAY CRIMINAL FINES; AND FOR OTHER PURPOSES.

House Bill No. 1060 was placed on third reading and final disposition, the question being: Shall the Bill pass?

The Secretary called the roll, and the following members voted:

AFFIRMATIVE: Altes, Argue, Baker, Bisbee, J. Bookout, Broadway, Brown, Bryles, Capps, Critcher, Faris, Glover, Gullett, Hendren, Higginbothom, Hill, Holt, Horn, G. Jeffress, J. Jeffress, B. Johnson, Lavery, Luker, Madison, Malone, Miller, Salmon, T. Smith, Steele, Trusty, Whitaker, Wilkinson, Womack, Wooldridge.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Wilkins on leave.

Total1

VOTING PRESENT:

Total0

Total number of votes cast34

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1060 was ordered immediately returned to the House as passed.

On motion of Senator Salmon, **House Bill No. 1182** was called up for third reading and final disposition.

HOUSE BILL NO. 1182
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE JACOBS, VERKAMP

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE § 14-43-313 TO REMOVE LANGUAGE THAT HAS BEEN SUPERCEDED BY ARKANSAS CODE §§ 14-43-303, 14-43-314, 14-43-315 AND 14-43-316; AND FOR OTHER PURPOSES.

House Bill No. 1182 was placed on third reading and final disposition, the question being: Shall the Bill pass?

The Secretary called the roll, and the following members voted:

AFFIRMATIVE: Altes, Argue, Baker, Bisbee, J. Bookout, Broadway, Brown, Bryles, Capps, Critcher, Faris, Glover, Gullett, Hendren, Higginbothom, Hill, Holt, Horn, G. Jeffress, J. Jeffress, B. Johnson, Laverty, Luker, Madison, Malone, Miller, Salmon, T. Smith, Steele, Trusty, Whitaker, Wilkinson, Womack, Wooldridge.

Total	34
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Wilkins on leave.....	
Total	1
VOTING PRESENT:	
Total	0
Total number of votes cast.....	34
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1182 was ordered immediately returned to the House as passed.

On motion of Senator Salmon, **House Bill No. 1186** was called up for third reading and final disposition.

HOUSE BILL NO. 1186
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES JACOBS, VERKAMP

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE § 14-45-106(d), TO ELIMINATE THE EXEMPTION OF CERTAIN COUNTIES FROM THE PROVISIONS GOVERNING THE MAYOR’S COURT IN INCORPORATED TOWNS; AND FOR OTHER PURPOSES.

House Bill No. 1186 was placed on third reading and final disposition, the question being: Shall the Bill pass?

The Secretary called the roll, and the following members voted:

AFFIRMATIVE: Altes, Argue, Baker, Bisbee, J. Bookout, Broadway, Brown, Bryles, Capps, Critcher, Faris, Glover, Gullett, Hendren, Higginbothom, Hill, Holt, Horn, G. Jeffress, J. Jeffress, B. Johnson, Laverty, Luker, Madison, Malone, Miller, Salmon, T. Smith, Steele, Trusty, Whitaker, Wilkinson, Womack, Wooldridge.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Wilkins on leave.

Total1

VOTING PRESENT:

Total0

Total number of votes cast34

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1186 was ordered immediately returned to the House as passed.

On motion of Senator Bookout, **House Bill No. 1327** was called up for third reading and final disposition.

HOUSE BILL NO. 1327
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES DEES, CLEVELAND
BY: SENATOR J. BOOKOUT

A Bill for an Act to be Entitled: AN ACT TO CREATE THE ALTERNATIVE FUELS COMMISSION; AND FOR OTHER PURPOSES.

House Bill No. 1327 was placed on third reading and final disposition, the question being: Shall the Bill pass?

The Secretary called the roll, and the following members voted:

AFFIRMATIVE: Argue, Baker, J. Bookout, Broadway, Brown, Bryles, Capps, Critcher, Faris, Glover, Gullett, Higginbothom, Horn, G. Jeffress, Lavery, Madison, Miller, Salmon, T. Smith, Steele, Whitaker, Wilkinson, Wooldridge.

Total23

NEGATIVE: Hendren.

Total1

ABSENT OR NOT VOTING: Altes, Bisbee, Hill, Holt, J. Jeffress, B. Johnson, Luker, Malone, Trusty, Womack. Wilkins on leave.

Total11

VOTING PRESENT:

Total0

Total number of votes cast.....24

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1327 was ordered immediately returned to the House as passed.

On motion of Senator Wilkinson, **House Bill No. 1157** was called up for third reading and final disposition.

HOUSE BILL NO. 1157
As Engrossed: H1/30/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE WALTERS
BY: SENATOR WILKINSON

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE § 12-10-318 PERTAINING TO EMERGENCY TELEPHONE SERVICE CHARGES; AND FOR OTHER PURPOSES.

House Bill No. 1157 was placed on third reading and final disposition, the question being: Shall the Bill pass?

The Secretary called the roll, and the following members voted:

AFFIRMATIVE: Altes, Argue, Baker, Bisbee, J. Bookout, Broadway, Brown, Bryles, Capps, Critcher, Faris, Glover, Gullett, Hendren, Higginbothom, Hill, Holt, Horn, G. Jeffress, J. Jeffress, B. Johnson, Lavery, Luker, Madison, Malone, Miller, Salmon, T. Smith, Steele, Trusty, Whitaker, Wilkinson, Womack, Wooldridge.

Total	34
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Wilkins on leave.	
Total	1
VOTING PRESENT:	
Total	0
Total number of votes cast	34
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1157 was ordered immediately returned to the House as passed.

On motion of Senator Bookout, **House Bill No. 1178** was called up for third reading and final disposition.

HOUSE BILL NO. 1178
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

BY: REPRESENTATIVES HICKINBOTHAM, SULLIVAN, L. PRATER

BY: SENATORS J. BOOKOUT, LAVERTY, WHITAKER

A Bill for an Act to be Entitled: AN ACT TO AMEND THE DUTIES OF THE DIRECTOR OF THE ARKANSAS BUREAU OF STANDARDS; TO REQUIRE BULK OR LIQUEFIED PETROLEUM GAS METERING DEVICES, PUMPS, AND SCALES TO BE TESTED BY REGISTERED SERVICE AGENTS; AND FOR OTHER PURPOSES.

House Bill No. 1178 was placed on third reading and final disposition, the question being: Shall the Bill pass?

The Secretary called the roll, and the following members voted:

AFFIRMATIVE: Altes, Argue, Baker, Bisbee, J. Bookout, Broadway, Brown, Bryles, Capps, Critcher, Faris, Glover, Gullett, Hendren, Higginbotham, Hill, Holt, Horn, G. Jeffress, J. Jeffress, B. Johnson, Laverty, Luker, Madison, Malone, Miller, Salmon, T. Smith, Steele, Trusty, Whitaker, Wilkinson, Womack, Wooldridge.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Wilkins on leave.

Total1

VOTING PRESENT:

Total0

Total number of votes cast.....34

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 1178**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

The Secretary called the roll, and the following members voted:

AFFIRMATIVE: Altes, Argue, Baker, Bisbee, J. Bookout, Broadway, Brown, Bryles, Capps, Critcher, Faris, Glover, Gullett, Hendren, Higginbothom, Hill, Holt, Horn, G. Jeffress, J. Jeffress, B. Johnson, Lavery, Luker, Madison, Malone, Miller, Salmon, T. Smith, Steele, Trusty, Whitaker, Wilkinson, Womack, Wooldridge.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Wilkins on leave.

Total1

VOTING PRESENT:

Total0

Total number of votes cast34

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1178 was ordered immediately returned to the House as passed.

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

February 11, 2003

Mr. President:

We, your Committee on ENGROSSED BILLS, to whom was referred:

SENATE BILL NO. 120, BY SENATOR FARIS, ET AL,
SENATE BILL NO. 128, BY SENATOR HORN
SENATE BILL NO. 148, BY SENATOR MADISON

beg leave to report that we have carefully compared the engrossed copies with the original and we find the same correctly engrossed.

Respectfully submitted,

(SIGNED) JOHN PAUL CAPPS, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

February 11, 2003

Mr. President:

We, your Committee on ENGROSSED BILLS, to whom was referred:

HOUSE BILL NO. 1030, BY REPRESENTATIVE HOUSE,

beg leave to report that we have carefully compared the engrossed copy with the original and we find the same correctly engrossed.

Respectfully submitted,

(SIGNED) JOHN PAUL CAPPS, CHAIRMAN

House Bill No. 1030 was ordered re-referred to the Committee on REVENUE AND TAXATION.

**ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION**

February 11, 2003

Mr. President:

We, your Committee on ENGROSSED BILLS, to whom was referred:

HOUSE BILL NO. 1114, BY REPRESENTATIVE B. JOHNSON,
HOUSE BILL NO. 1200, BY REPRESENTATIVE COWLING,

beg leave to report that we have carefully compared the engrossed copies with the original and we find the same correctly engrossed.

Respectfully submitted,

(SIGNED) JOHN PAUL CAPPS, CHAIRMAN

SENATE BILL NO. 261
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR BAKER

A Bill for an Act to be Entitled: AN ACT TO EXTEND THE DEFINITION OF PAID NONUNIFORMED EMPLOYEES IN MUNICIPALITIES; AND FOR OTHER PURPOSES.

Senate Bill No. 261 was read the first time.

Without objection, Senate Bill No. 261 was withdrawn by the author.

SENATE JOINT RESOLUTION NO. 6
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR ARGUE

SENATE JOINT RESOLUTION PROPOSING A CONSTITUTIONAL AMENDMENT CONCERNING PUBLIC SCHOOL FINANCING; TO PROVIDE THAT THE STATE ASSUMES ALL DEBT OF PUBLIC SCHOOLS; TO AUTHORIZE THE STATE TO LEVY A STATEWIDE AD VALOREM PROPERTY TAX FOR THE SUPPORT OF PUBIC SCHOOLS; TO PROVIDE FOR LIMITATIONS ON THE TAXING AUTHORITY OF SCHOOL DISTRICTS; TO ALLOW THE STATE TO ISSUE BONDS AND OTHER EVIDENCE OF INDEBTEDNESS FOR THE CONSTRUCTION OR REPAIR OF SCHOOL FACILITIES; AND FOR OTHER PURPOSES.

Subtitle
PROPOSING A CONSTITUTIONAL
AMENDMENT CONCERNING PUBLIC
SCHOOL FINANCING.

BE IT RESOLVED BY THE SENATE OF THE EIGHTY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ARKANSAS AND BY THE HOUSE OF REPRESENTATIVES, A MAJORITY OF ALL MEMBERS ELECTED TO EACH HOUSE AGREEING THERETO:

That the following is proposed as an amendment to the Constitution of the State of Arkansas, and upon being submitted to the electors of the state for approval or rejection at the next general election for Senators and Representatives, if a majority of the electors voting thereon at the election adopt the amendment, the amendment shall become a part of the Constitution of the State of Arkansas, to wit:

SECTION 1. The State of Arkansas assumes the debt of all public school districts and pledges its faith and credit for repayment of the indebtedness.

SECTION 2. (a) The General Assembly, by law, may levy a uniform rate of ad valorem property tax on taxable real, personal, and utility property in the state. The revenue from the tax shall be used solely for the support of public schools.

(b) The General Assembly, by law, may limit the taxing authority of school districts.

SECTION 3. The General Assembly, by law, may issue bonds or other evidence of indebtedness pledging the full faith and credit of the state or any of its revenues for the construction or repair of school facilities.

SECTION 4. This amendment becomes effective January 1, 2005.

Senate Joint Resolution No. 6 was read the first time, read the second time, and referred to the Committee on STATE AGENCIES AND GOVERNMENTAL AFFAIRS

SENATE JOINT RESOLUTION NO. 7
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR GLOVER

SENATE JOINT RESOLUTION PROPOSING AN AMENDMENT TO THE
ARKANSAS CONSTITUTION TO PROVIDE FOR CONFIRMATION HEARINGS
FOR GOVERNOR'S APPOINTMENTS.

Subtitle

PROPOSING AN AMENDMENT TO THE
ARKANSAS CONSTITUTION TO PROVIDE
FOR CONFIRMATION HEARINGS FOR
GOVERNOR'S APPOINTMENTS.

BE IT RESOLVED BY THE SENATE OF THE EIGHTY-FOURTH GENERAL
ASSEMBLY OF THE STATE OF ARKANSAS AND BY THE HOUSE OF
REPRESENTATIVES, A MAJORITY OF ALL MEMBERS ELECTED TO EACH
HOUSE AGREEING THERETO:

That the following is proposed as an amendment to the Constitution of the
State of Arkansas, and upon being submitted to the electors of the state for approval
or rejection at the next general election for Senators and Representatives, if a
majority of the electors voting thereon at the election, adopt the amendment, the
amendment shall become a part of the Constitution of the State of Arkansas, to wit:

SECTION 1. Confirmation of Governor's appointments.

(a) A person appointed by the Governor to serve as chief executive officer of
an agency of state government shall be subject to confirmation by the Senate.

(b) The Governor shall immediately notify the President Pro Tempore of the
Senate when the Governor appoints a person to serve as the chief executive officer
of an agency of state government.

(c) If the General Assembly is not in session when the President Pro
Tempore receives the notice, the President Pro Tempore shall summon the
members of the Senate to meet as a committee of the whole within thirty (30) days
after the date the President Pro Tempore received the notice, for the purpose of
conducting confirmation hearings.

(d) The confirmation question shall be determined by roll call vote.

(e) A person appointed by the Governor to serve as the chief executive officer of an agency of state government shall not assume the duties and powers of the office until confirmed by the Senate.

Senate Joint Resolution No. 7 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES AND GOVERNMENTAL AFFAIRS.

SENATE JOINT RESOLUTION NO. 8
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR WHITAKER

SENATE JOINT RESOLUTION PROPOSING AN AMENDMENT TO THE ARKANSAS CONSTITUTION TO REQUIRE THE ADVICE AND CONSENT OF THE SENATE FOR PARDONS GRANTED BY THE GOVERNOR DURING THE LAST MONTH OF A TERM AND PARDONS GRANTED GENERALLY TO MULTIPLE INDIVIDUALS.

Subtitle

PROPOSING AN AMENDMENT TO THE ARKANSAS CONSTITUTION TO REQUIRE THE ADVICE AND CONSENT OF THE SENATE FOR PARDONS GRANTED BY THE GOVERNOR DURING THE LAST MONTH OF A TERM AND PARDONS GRANTED GENERALLY TO MULTIPLE INDIVIDUALS.

BE IT RESOLVED BY THE SENATE OF THE EIGHTY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ARKANSAS AND BY THE HOUSE OF REPRESENTATIVES, A MAJORITY OF ALL MEMBERS ELECTED TO EACH HOUSE AGREEING THERETO:

THAT the following is proposed as an amendment to the Constitution of the State of Arkansas, and upon being submitted to the electors of the state for approval or rejection at the next general election for Senators and Representatives, if a majority of the electors voting thereon at the election, adopt the amendment, the amendment shall become a part of the Constitution of the State of Arkansas, to wit:

SECTION 1. Section 18 of Article 6 of the Arkansas Constitution is amended to read as follows:

§ 18. Pardoning power.

In all criminal and penal cases, except in those of treason and impeachment, the Governor shall have power to grant reprieves, commutations of sentence and pardons after conviction; and to remit fines and forfeitures under such rules and regulations as shall be prescribed by law. In cases of treason he shall have power, by and with the advice and consent of the Senate, to grant reprieves and pardons; and he may, in the recess of the Senate, respite the sentence until the adjournment of the next regular session of the General Assembly. He shall communicate to the General Assembly at every regular session each case of reprieve, commutation or pardon, with his reasons therefor, stating the name and crime of the convict, the sentence, its date and the date of the commutation, pardon or reprieve. Any reprieve, commutation of sentence, or pardon granted by the Governor during the last month of the Governor's term of office, and any reprieves, commutations of sentence, or pardons granted generally to multiple individuals without regard to the facts and circumstances of each individual case shall require the advice and consent of the Senate.

Senate Joint Resolution No. 8 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES AND GOVERNMENTAL AFFAIRS.

SENATE JOINT RESOLUTION NO. 9
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR GLOVER

SENATE CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO THE ARKANSAS CONSTITUTION TO PROHIBIT THE GENERAL ASSEMBLY FROM ENACTING A LAW TO LEVY A TAX OR FEE OR TO INCREASE THE RATE OF CERTAIN TAXES OR FEES EXCEPT UPON THE VOTE OF THREE-FIFTHS (3/5) OF THE TOTAL MEMBERSHIP OF EACH HOUSE; TO PROHIBIT THE GENERAL ASSEMBLY FROM ENACTING A LAW TO DECREASE THE RATE OF ANY TAX OR PROVIDING A TAX EXCEPTION, CREDIT, EXCLUSION, OR DEDUCTION EXCEPT UPON THE VOTE OF A MAJORITY OF THE MEMBERS ELECTED TO EACH HOUSE; TO PROHIBIT THE GENERAL ASSEMBLY FROM ENACTING A LAW REMOVING A TAX EXEMPTION, CREDIT, EXCLUSION, OR DEDUCTION EXCEPT UPON THE AFFIRMATIVE VOTE OF THREE-FIFTHS (3/5) OF THE TOTAL MEMBERSHIP OF EACH HOUSE; AND FOR OTHER PURPOSES.

Subtitle
THE TAXPAYERS PROTECTION
AMENDMENT.

BE IT RESOLVED BY THE SENATE OF THE EIGHTY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ARKANSAS AND BY THE HOUSE OF REPRESENTATIVES, A MAJORITY OF ALL MEMBERS ELECTED TO EACH HOUSE AGREEING THERETO:

That the following is proposed as an amendment to the Constitution of the State of Arkansas, and upon being submitted to the electors of the state for approval or rejection at the next general election for Senators and Representatives, if a majority of the electors voting thereon at the election, adopt the amendment, the amendment shall become a part of the Constitution of the State of Arkansas, to wit:

SECTION 1. (a) Beginning January 1, 2005, the General Assembly may enact a law to levy a tax or fee or to increase the rate of any tax or fee only upon the affirmative vote of three-fifths (3/5) of the members elected to each house of the General Assembly unless the levy or increase requires a three-fourths (3/4) vote under Article 5, Section 38 of the Constitution.

(b) The General Assembly shall not, after December 31, 2004, enact a law to decrease the rate of any tax or to provide a tax exemption, credit, exclusion, or deduction except upon the affirmative vote of a majority of the total membership elected to each house of the General Assembly.

(c) The General Assembly shall not, after December 31, 2004, enact a law to remove a tax exemption, credit, exclusion, or deduction except upon the affirmative vote of three-fifths (3/5) of the members elected to each house of the General Assembly.

SECTION 2. This amendment shall be known as the "Taxpayers Protection Amendment".

SECTION 3. This amendment shall become effective January 1, 2005.

Senate Joint Resolution No. 9 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. 244
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE**

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION OF FUNDS TO ALLEVIATE CONDITIONS ARISING IN PUBLIC EMERGENCIES FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2005; AND FOR OTHER PURPOSES.

Senate Bill No. 244 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 245
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE OFFICE OF THE GOVERNOR FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2005; AND FOR OTHER PURPOSES.

Senate Bill No. 245 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 246
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE DEPARTMENT OF EDUCATION - ARKANSAS SCHOOL FOR MATHEMATICS AND SCIENCES FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2005; AND FOR OTHER PURPOSES.

Senate Bill No. 246 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 247
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE JUDICIAL DISCIPLINE AND DISABILITY COMMISSION FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2005; AND FOR OTHER PURPOSES.

Senate Bill No. 247 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 248
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE WORKERS' COMPENSATION COMMISSION FOR MAJOR MAINTENANCE, RENOVATION AND REPAIR OF THE WORKERS' COMPENSATION COMMISSION BUILDING; AND FOR OTHER PURPOSES.

Senate Bill No. 248 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 249
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS DEPARTMENT OF EMERGENCY MANAGEMENT FOR CONSTRUCTION PROJECTS; AND FOR OTHER PURPOSES.

Senate Bill No. 249 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 250
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR CAPITAL IMPROVEMENT PROJECTS; AND FOR OTHER PURPOSES.

Senate Bill No. 250 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 251
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE DEPARTMENT OF HUMAN SERVICES - DIVISION OF DEVELOPMENTAL DISABILITIES SERVICES FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2005; AND FOR OTHER PURPOSES.

Senate Bill No. 251 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 252
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE DEPARTMENT OF PARKS AND TOURISM - ARKANSAS HISTORY COMMISSION FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2005; AND FOR OTHER PURPOSES.

Senate Bill No. 252 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET .

SENATE BILL NO. 253
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE OUACHITA TECHNICAL COLLEGE FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2005; AND FOR OTHER PURPOSES.

Senate Bill No. 253 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 254
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT MORRILTON FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2005; AND FOR OTHER PURPOSES.

Senate Bill No. 254 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 255
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR WILKINSON
BY: REPRESENTATIVE WALTERS

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 MANSFIELD SENIOR CITIZEN CENTER IN MANSFIELD, ARKANSAS; AND FOR OTHER PURPOSES.

Senate Bill No. 255 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 256
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR WILKINSON
BY: REPRESENTATIVE WALTERS

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION - DISBURSING OFFICER FOR THE CITY OF MANSFIELD, ARKANSAS FOR THE CITY LAKE; AND FOR OTHER PURPOSES.

Senate Bill No. 256 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 257
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR WILKINSON
BY: REPRESENTATIVE WALTERS

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION - DISBURSING OFFICER FOR THE CITY OF MANSFIELD DOWNTOWN BEAUTIFICATION PROJECTS; AND FOR OTHER PURPOSES.

Senate Bill No. 257 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 258
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR BISBEE
BY: REPRESENTATIVE ROEBUCK

A Bill for an Act to be Entitled: AN ACT TO AUTHORIZE LICENSURE OF DENTISTS IMMIGRATING TO THIS STATE FROM ANOTHER COUNTRY; AND FOR OTHER PURPOSES.

Senate Bill No. 258 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

SENATE BILL NO. 259
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE SOUTHEAST ARKANSAS COLLEGE FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2005; AND FOR OTHER PURPOSES.

Senate Bill No. 259 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 260
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE WORKERS' COMPENSATION COMMISSION FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2005; AND FOR OTHER PURPOSES.

Senate Bill No. 260 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 262
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR TRUSTY

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION - DISBURSING OFFICER FOR FIRE DEPARTMENTS IN LOGAN, POPE AND YELL COUNTIES; AND FOR OTHER PURPOSES.

Senate Bill No. 262 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 263
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR TRUSTY

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 BOYS AND GIRLS CLUB OF THE ARKANSAS RIVER VALLEY; AND FOR OTHER PURPOSES.

Senate Bill No. 263 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 264
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS WILKINSON, ARGUE
BY: REPRESENTATIVES VERKAMP, BLAIR, FITE

A Bill for an Act to be Entitled: AN ACT TO AMEND THE UNIFORM ATTENDANCE AND LEAVE POLICY ACT FOR STATE EMPLOYEES TO PROVIDE A DIFFERENT RATE OF ANNUAL AND SICK LEAVE FOR FIRE AND EMERGENCY SERVICE EMPLOYEES; AND FOR OTHER PURPOSES.

Senate Bill No. 264 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. 265
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR ALTES

A Bill for an Act to be Entitled: AN ACT TO IMPROVE THE TREATMENT OF CHRONIC INTRACTABLE PAIN; TO INFORM PHYSICIANS ABOUT THE AVAILABLE METHODS FOR TREATING CHRONIC PAIN; AND FOR OTHER PURPOSES.

Senate Bill No. 265 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

SENATE BILL NO. 266
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MALONE

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE § 8-5-504 CONCERNING THE CHLORIDE STANDARD APPLICABLE TO STREAMS; AND FOR OTHER PURPOSES.

Senate Bill No. 266 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

SENATE BILL NO. 267
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR T. SMITH

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE 9-13-103 TO MAKE IT CONSISTENT WITH THE U. S. SUPREME COURT DECISION IN TROXEL V. GRANVILLE; AND FOR OTHER PURPOSES.

Senate Bill No. 267 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

SENATE BILL NO. 268
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR GULLETT
BY: REPRESENTATIVES SCROGGIN, J. TAYLOR

A Bill for an Act to be Entitled: AN ACT TO PROVIDE FOR THE APPOINTMENT OF A FLOODPLAIN ADMINISTRATOR IN A MUNICIPAL OR COUNTY GOVERNMENT AND TO AUTHORIZE THE ACCREDITATION OF THE FLOODPLAIN ADMINISTRATOR BY THE ARKANSAS SOIL AND WATER CONSERVATION COMMISSION; AND FOR OTHER PURPOSES.

Senate Bill No. 268 was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY AND LOCAL AFFAIRS.

HOUSE BILL NO. 1179
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE FERGUSON
BY: SENATORS BRYLES, J. BOOKOUT

A Bill for an Act to be Entitled: AN ACT TO PROVIDE VARIOUS ECONOMIC DEVELOPMENT INCENTIVES FOR THE CREATION OF JOBS AND ECONOMIC OPPORTUNITY; TO CONSOLIDATE EXISTING ECONOMIC DEVELOPMENT INCENTIVES INTO ONE ACT; AND FOR OTHER PURPOSES.

House Bill No. 1179 was read the first time, rules suspended, read the second time and referred to the Committee on AGRICULTURE, FORESTRY AND ECONOMIC DEVELOPMENT.

HOUSE BILL NO. 1345

As Engrossed: H2/10/03

EIGHTY-FOURTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES WOOD, STOVALL, MAHONY, ET AL

BY: SENATORS LAVERTY, T. SMITH, WOOLDRIDGE, ET AL

A Bill for an Act to be Entitled: AN ACT TO PROTECT VETERANS FROM IDENTITY THEFT BY MAKING MILITARY SERVICE DISCHARGE RECORDS FILED WITH THE COUNTY RECORDER CONFIDENTIAL; AND FOR OTHER PURPOSES.

House Bill No. 1345 was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY AND LOCAL AFFAIRS.

HOUSE BILL NO. 1383

EIGHTY-FOURTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE GILLESPIE

A Bill for an Act to be Entitled: AN ACT TO RAISE THE THRESHOLD FOR ANNUAL AGGREGATE PAYMENTS FOR OIL AND GAS PROCEEDS TO ONE HUNDRED DOLLARS (\$100); AND FOR OTHER PURPOSES.

House Bill No. 1383 was read the first time, rules suspended, read the second time and referred to the Committee on AGRICULTURE, FORESTRY AND ECONOMIC DEVELOPMENT.

HOUSE CONCURRENT RESOLUTION NO. 1004
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE LAMOUREUX

HOUSE CONCURRENT RESOLUTION TO RECOGNIZE COMMUNICATION
AWARENESS DAY.

House Concurrent Resolution No. 1004 was read the first time, rules
suspended, read the second time and placed on the Calendar.

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

February 11, 2003

Mr. President:

We, your Committee on ENROLLED BILLS, to whom was referred:

SENATE BILL NO. 173, BY SENATOR STEELE,

beg leave to report that we have carefully compared the enrolled copy with the
original and we find the same correctly enrolled and have at 2:27 p.m. delivered
them to the Governor for his approval.

Respectfully submitted,

(SIGNED) JOHN PAUL CAPPS, CHAIRMAN

GOVERNOR'S BILL RECEIPTS

SENATE BILL NO. 173

RECEIVED the above papers from the Secretary of the Senate this 11th day of February, 2003 at 2:27 p.m.

(SIGNED) MIKE HUCKABEE
Governor

(SIGNED) CORY COX
Secretary

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SENATE BILLS TRANSMITTED TO THE HOUSE
AS PASSED

SENATE BILL NO. 45
SENATE BILL NO. 181
SENATE BILL NO. 195

HOUSE BILLS RETURNED TO THE HOUSE
AS PASSED

HOUSE BILL NO. 1060
HOUSE BILL NO. 1157
HOUSE BILL NO. 1178
HOUSE BILL NO. 1182
HOUSE BILL NO. 1186
HOUSE BILL NO. 1327

SENATE BILLS RETURNED FROM THE HOUSE
AS PASSED

SENATE BILL NO. 173

HOUSE BILLS TRANSMITTED TO THE SENATE
AS PASSED

HOUSE BILL NO. 1179

HOUSE BILL NO. 1345

HOUSE BILL NO. 1383

HOUSE CONCURRENT RESOLUTION TRANSMITTED
TO THE SENATE AS ADOPTED

HOUSE CONCURRENT RESOLUTION NO. 1004

On motion of Senator Baker, the Senate adjourned until 1:30 P.M.,
February 12, 2003.

PRESIDENT

SECRETARY

