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

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Little Rock, Arkansas

March 19, 2003

The Senate was called to order at 1:20 p.m. 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, WILKINS, WILKINSON,  
WOMACK, WOOLDRIDGE.

The Senate was led in prayer by Senator Baker.

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On motion of Senator Luker, **Senate Bill No. 556** was withdrawn from the Committee on JOINT BUDGET, and placed back on second reading for purpose of amendment.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. 556**

Amend **Senate Bill No. 556** as originally introduced:  
Add Senators Higginbothom, Bryles and J. Jeffress as co-sponsors of the bill.

(SIGNED) JIM LUKER

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

(SIGNED) ANN CORNWELL, SECRETARY

**Senate Bill No. 556** was ordered engrossed.

On motion of Senator G. Jeffress, **Senate Bill No. 945** 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. 946**

Amend **Senate Bill No. 946** as originally introduced:  
Delete Section 1. of the bill and substitute new sections to read follows:  
"SECTION 1. Arkansas Code Title 6, Chapter 17, Subchapter 11 is amended to add an additional section to read as follows:  
6-17-1119. Authority to purchase health insurance for employees.  
(a) Notwithstanding any provision of §§ 21-5-401 through 21-5-417 to the contrary, an Arkansas school district is authorized to solicit proposals from any

health insurer or health maintenance organization to provide school district employees and dependents with health insurance coverage or with health care benefits that are independent of the group coverage offered by the state under the State and Public School Life and Health Insurance program.

(b) If a school district enters into an agreement with a health insurer or health maintenance organization, the school district is entitled to receive payments from the state for its employees and dependents in an equivalent amount provided to other similar school districts as an offset to the cost of the premiums to the health insurer or health maintenance organization.

(c) As if the employee was participating in the public school employee health insurance program, the school districts shall pay for each employee under this section no less than the health insurance contribution rate under § 6-17-1117 for each eligible employee electing to participate with the school district's health insurer or health maintenance organization.

SECTION 2. Arkansas Code § 21-5-406(e), concerning the State and Public School Life and Health Insurance program, is amended to read as follows:

(e) The Arkansas State Police Employee Health Plan and any public school district purchasing health insurance for its employees under § 6-17-1119 shall be exempt from any mandatory participation required by this section."

(SIGNED) GENE JEFFRESS

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 946 was ordered engrossed.

On motion of Senator Faris, Senate Bill No. 495 was withdrawn from the Committee on STATE AGENCIES, 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. 945

Amend Senate Bill No. 945 as engrossed:

Page 1, line 21, delete "ten (10)" and substitute "three (3)"

AND

Page 1, line 23, delete "one of the" and substitute "any"

AND

Page 1, line 24, delete "systems" and substitute "system"

(SIGNED) STEVE FARIS

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 945 was ordered engrossed.

ARKANSAS SENATE  
EIGHTY-FOURTH GENERAL ASSEMBLY  
REGULAR SESSION  
Amendment No. 2 to SENATE BILL NO. 495

Amend Senate Bill No. 495 as originally introduced:

Page 1, delete lines 21 through 25 and substitute the following:

"(d) Any person who served at least three (3) years as a certified law enforcement officer in this state, at the state or local level or a combination of both, and who retired as Director of the Alcoholic Beverage Control Division of the Department of Finance and Administration shall be entitled to carry a concealed handgun under this section."

(SIGNED) STEVE FARIS

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 495 was ordered engrossed.

On motion of Senator Faris, **Senate Bill No. 897** was withdrawn from the Committee on PUBLIC HEALTH, WELFARE AND LABOR, 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. 897**

Amend **Senate Bill No. 897** as originally introduced:

Page 2, delete line 29 and substitute the following:

“utility water meter or other public water utility property, or other source of supply;”

AND

Page 3, delete line 3 and substitute the following:

“the utility water meter or other public utility property or point of disposal waste; and”

(SIGNED) STEVE FARIS

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

(SIGNED) ANN CORNWELL, SECRETARY

**Senate Bill No. 897** was ordered engrossed.

On motion of Senator Broadway, **Senate Bill No. 319** was withdrawn from the Committee on JOINT BUDGET, and placed back on second reading for purpose of amendment.

**ARKANSAS SENATE**  
**EIGHTY-FOURTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**Amendment No. 3 to SENATE BILL NO. 319**

Amend **Senate Bill No. 319** as engrossed, 03/04/03:

Page 1, line 29, delete "\$700,000" and substitute "\$500,000"

AND

Add a new Section immediately after Section 1 of the bill to read as follows:

"SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. JOINT COMMITTEE ON EDUCATIONAL FACILITIES - FUNDING PROVISION. Of the total appropriation authorized by this act for operating and other expenses of the Joint Committee on Educational Facilities, two hundred fifty thousand dollars (\$250,000) shall be made available for Fiscal Year 2002-03 and two hundred fifty thousand dollars (\$250,000) shall be made available for Fiscal Year 2003-04."

AND

Renumber the subsequent sections of the bill.

(SIGNED) SHANE BROADWAY

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

(SIGNED) ANN CORNWELL, SECRETARY

**Senate Bill No. 319** was ordered engrossed.

On motion of Senator Madison, **Senate Bill No. 823** was withdrawn from the Committee on PUBLIC HEALTH, WELFARE AND LABOR, 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. 823**

Amend **Senate Bill No. 823** as originally introduced:

Add Senator Holt as a cosponsor of the bill

AND

Delete Sections 1 and 2 of the bill and substitute new sections to read as follows:

"SECTION 1. Arkansas Code § 8-6-706(a), concerning permits for solid

waste landfills and transfer stations, is amended to read as follows:

(a)(1) Any applicant for a solid waste landfill or transfer station permit, with the exception of:

(A) Permits for landfills when a private industry bears the expense of operating and maintaining the landfill solely for the disposal of waste generated by the industry or wastes of a similar kind or character under the Arkansas Solid Waste Management Act, § 8-6-201 et seq.; or

(B) Transfer station permits issued prior to January 1, 1999, must obtain a certificate of need from the regional solid waste management board with jurisdiction over the proposed site prior to submitting the application to the Arkansas Department of Environmental Quality.

(2) The department ~~may~~ shall deny any permit based upon the denial of a certificate of need by any regional board.

SECTION 2. Arkansas Code § 8-6-706(c), concerning permits for solid waste landfills and transfer stations, is amended to read as follows:

(c) Any interested party to a certificate of need determination by a regional board may appeal the decision to ~~the Director of the Arkansas Department of Environmental Quality pursuant to procedures adopted by the Arkansas Pollution Control and Ecology Commission~~ circuit court. ~~The director may issue a permit despite the denial of a certificate of need if the director finds upon appeal that the decision of the regional board was not supported by substantial evidence.~~

SECTION 3. Arkansas Code § 8-6-724 is amended to read as follows:  
8-6-724. Regional standards.

(a) Regional solid waste management boards may adopt more restrictive standards for the location, design, construction, and maintenance of solid waste disposal sites and facilities than the state or federal governments, provided such standards are based upon generally accepted scientific knowledge or engineering practices and are consistent with the purposes of this subchapter.

(b)(1) After the effective date of this subsection (b), no new Class I solid waste landfills or expansions of landfills shall be allowed if the landfill site is:

(A) Located on a geological site defined as karst terrain or a geologically similar condition and is located within the outcrop area of the Boone and St. Joe formations; and

(B) Within two (2) miles of a natural spring being used, or which could be used, for human or domestic farm animal consumption; and

(C) Within two (2) miles of a major creek, stream, or waterway of the Illinois River or Upper White River watersheds, including those of size and average capacity equal to or greater than Spring Creek, Clear Creek, and the East, Middle, and West Forks of the Upper White River; and

(D) Within two (2) miles of a water well being used, or which could be used, for human or domestic farm consumption.

(2) As used in this subsection (b), the Upper White River means the portion of the White River in Arkansas and upstream of the Mark Twain National Forest.

(SIGNED) SUE MADISON

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 823 was ordered engrossed.

On motion of Senator Malone, **Senate Bill No. 863** was withdrawn from the Committee on JUDICIARY, 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. 863**

Amend **Senate Bill No. 863** as originally introduced:

Delete the title in its entirety and substitute the following:  
“AN ACT CONCERNING INCEST, SEXUAL ASSAULT IN THE FIRST DEGREE, AND RAPE; AND FOR OTHER PURPOSES.”

AND

Delete the subtitle in its entirety and substitute the following:  
“AN ACT CONCERNING INCEST, SEXUAL ASSAULT IN THE FIRST DEGREE, AND RAPE.”

AND

Delete everything after the enacting clause and substitute the following:

“SECTION 1. Arkansas Code § 5-26-202 is amended to read as follows:  
5-26-202. Incest.

(a) A person commits incest if, being sixteen (16) years of age or older, he purports to marry, has sexual intercourse with, or engages in deviate sexual activity with a person ~~he~~ eighteen (18) years or older, whom the actor knows to be:

- (1) An ancestor or a descendant; or
- (2) A stepchild or adopted child; or
- (3) A brother or sister of the whole or half blood; or
- (4) An uncle, aunt, nephew, or niece; or
- (5) A stepgrandchild or adopted grandchild.

(b) The relationships referred to in this section shall include blood relationship without regard to legitimacy.

(c) ~~Incest is a Class C felony; however, incest is a Class A felony if the victim is under sixteen (16) years of age and the perpetrator is over twenty-one (21) years of age at the time of the offense.~~

SECTION 2. Arkansas Code § 5-14-124 is amended to read as follows:  
5-14-124. Sexual assault in the first degree.

(a) A person commits sexual assault in the first degree if the person engages in sexual intercourse or deviate sexual activity with another person, not the person's spouse, who is less than eighteen (18) years of age and the ~~person~~ actor:

- (1) Is employed with the Department of Correction, Department of Community Punishment, Department of Human Services, any city or county jail or juvenile detention facility, and the victim is in the custody of the Department of Correction, Department of Community Punishment, Department of Human Services, any city or county jail, or juvenile detention facility, or their contractors or agents;
- (2) Is a professional under § 12-12-507(b) and is in a position of trust or authority over the victim and uses the position to engage in sexual intercourse or deviate sexual activity; or

(3) ~~Is the victim's guardian,~~ an employee in the victim's school or school district, a temporary caretaker, or a person in a position of trust or authority over the victim.

(b) It is no defense to prosecution under this section that the victim consented to the conduct.

(c) It is an affirmative defense to prosecution under this section that the ~~person~~ actor was not more than three (3) years older than the victim.

(d) Sexual assault in the first degree is a Class A felony.

SECTION 3. Arkansas Code § 5-14-103 is amended to read as follows:  
5-14-103. Rape.

(a)(1) A person commits rape if he engages in sexual intercourse or deviate sexual activity with another person:

(A) By forcible compulsion; or

(B) Who is incapable of consent because he is physically helpless, mentally defective, or mentally incapacitated; or

(C)(i) Who is less than fourteen (14) years of age, and the actor is more than three (3) years older than the victim; or

~~(ii) It is an affirmative defense to prosecution under subdivision (a)(1)(C)(i) of this section that the actor was not more than three (3) years older than the victim.~~

(D) Who is less than eighteen (18) years of age, and the actor:

(i) Is the victim's guardian;

(ii) Is the victim's uncle, aunt, or grandparent;

(iii) Is the victim's brother or sister, of the whole or half blood or by adoption, and is more than three (3) years older than the victim; or

(iv) Is the victim's nephew, niece, or cousin and is more than three (3) years older than the victim.

(2) It is no defense to prosecution under subdivision (a)(1)(C) or subdivision (a)(1)(D) that the victim consented to the conduct.

~~(2)(3)~~ Rape is a Class Y felony.

(b)(1) A court may issue a permanent no contact order when:

(A) A defendant pleads guilty or nolo contendere; or

(B) All the defendant's appeals have been exhausted and the defendant remains convicted.

(2) If a judicial officer has reason to believe that mental disease or defect of the defendant will or has become an issue in the case, the judicial officer shall enter such orders as are consistent with § 5-2-305."

(SIGNED) PERCY MALONE

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 863 was ordered engrossed.

On motion of Senator Holt, **Senate Bill No. 948** was withdrawn from the Committee on STATE AGENCIES, 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. 948**

Amend **Senate Bill No. 948** as originally introduced:

Page 1, line 10 delete "EXPENDITURES" and substitute "MONEYS RECEIVED AND DISBURSED"

AND

Page 1, line 16 delete "EXPENDITURES" and substitute "MONEYS RECEIVED AND DISBURSED"

AND

Page 1, line 23 delete "expenditures" and substitute "moneys received and disbursed"

AND

Page 1, line 26 delete "monthly" and substitute "quarterly"

AND

Page 1, line 27 delete "expenditures exceeding five hundred dollars (\$500) made" and substitute "moneys received and disbursed"

AND

Page 1, line 28 delete "month" and substitute "calendar quarter"

AND

Page 1, line 29 delete "monthly" and substitute "quarterly"

AND

Page 1, delete lines 30 through 32 and substitute the following:  
"days after the end of each calendar quarter."

AND

Page 1, line 36 after "filing" and before "reports" insert "quarterly"

AND

Page 2, delete lines 1 through 16 and substitute the following:

“(c) The reports required by subsection (a) of this section shall indicate:

(1) The total amount of money received during the preceding calendar quarter;

(2) The name, address, employer, and occupation of each person from whom fifty dollars (\$50.00) or more was received during the preceding calendar quarter as well as the amount received and date of receipt;

(3) The total amount of money disbursed during the preceding calendar quarter; and

(4) For each single disbursement which exceeds one hundred (\$100), an itemization including the amount of the disbursement, the name and address of the person to whom the disbursement made, and the date the disbursement was made.”

(SIGNED) JIM HOLT

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 948 was ordered engrossed.

ARKANSAS SENATE  
EIGHTY-FOURTH GENERAL ASSEMBLY  
REGULAR SESSION

March 19, 2003

Mr. President:

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

SENATE BILL NO. 319, BY SENATOR BROADWAY,  
SENATE BILL NO. 556, BY SENATOR LUKER,

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. 319** was ordered re-referred to the Committee on JOINT BUDGET.

**Senate Bill No. 556** was ordered re-referred to the Committee on JOINT BUDGET.

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

March 19, 2003

Mr. President:

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

**SENATE BILL NO. 495**, BY SENATOR FARIS,  
**SENATE BILL NO. 948**, BY SENATOR HOLT,

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. 495 was ordered re-referred to the Committee on STATE AGENCIES.

Senate Bill No. 948 was ordered re-referred to the Committee on STATE AGENCIES.

ARKANSAS SENATE  
EIGHTY-FOURTH GENERAL ASSEMBLY  
REGULAR SESSION

March 19, 2003

Mr. President:

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

SENATE BILL NO. 823, BY SENATOR MADISON,  
SENATE BILL NO. 987, BY SENATOR FARIS,

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. 823 was ordered re-referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

Senate Bill No. 897 was ordered re-referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

ARKANSAS SENATE  
EIGHTY-FOURTH GENERAL ASSEMBLY  
REGULAR SESSION

March 19, 2003

Mr. President:

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

SENATE BILL NO. 863, BY SENATOR MALONE,

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. 863 was ordered re-referred to the Committee on JUDICIARY.

ARKANSAS SENATE  
EIGHTY-FOURTH GENERAL ASSEMBLY  
REGULAR SESSION

March 19, 2003

Mr. President:

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

SENATE BILL NO. 946, BY SENATOR G. 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. 946** was ordered re-referred to the Committee on INSURANCE AND COMMERCE.

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

March 19, 2003

Mr. President:

We, your Committee on JUDICIARY, to whom was referred:

**SENATE BILL NO. 655**, BY SENATOR HENDREN,

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) ED WILKINSON, CHAIRMAN

ARKANSAS SENATE  
EIGHTY-FOURTH GENERAL ASSEMBLY  
REGULAR SESSION

March 19, 2003

Mr. President:

We, your Committee on JUDICIARY, to whom was referred:

HOUSE BILL NO. 1111, BY REPRESENTATIVE WALTERS,  
HOUSE BILL NO. 1459, BY REPRESENTATIVE VERKAMP,  
HOUSE BILL NO. 1527, BY REPRESENTATIVE BLEDSOE,  
HOUSE BILL NO. 1896, BY REPRESENTATIVE ELLIOTT,  
HOUSE BILL NO. 1897, BY REPRESENTATIVE ELLIOTT,  
HOUSE BILL NO. 1898, BY REPRESENTATIVE ELLIOTT,  
HOUSE BILL NO. 1899, BY REPRESENTATIVE ELLIOTT,  
HOUSE BILL NO. 1900, BY REPRESENTATIVE ELLIOTT,  
HOUSE BILL NO. 1901, BY REPRESENTATIVE ELLIOTT,  
HOUSE BILL NO. 1902, BY REPRESENTATIVE ELLIOTT,  
HOUSE BILL NO. 1903, BY REPRESENTATIVE ELLIOTT,  
HOUSE BILL NO. 1904, BY REPRESENTATIVE ELLIOTT,  
HOUSE BILL NO. 1905, BY REPRESENTATIVE ELLIOTT,  
HOUSE BILL NO. 1906, BY REPRESENTATIVE ELLIOTT,  
HOUSE BILL NO. 1907, BY REPRESENTATIVE ELLIOTT,  
HOUSE BILL NO. 1908, BY REPRESENTATIVE ELLIOTT,  
HOUSE BILL NO. 1909, BY REPRESENTATIVE ELLIOTT,  
HOUSE BILL NO. 1958, BY REPRESENTATIVE BRIGHT,  
HOUSE BILL NO. 1983, BY REPRESENTATIVE VERKAMP,  
HOUSE BILL NO. 2193, BY REPRESENTATIVE TAYLOR,  
HOUSE BILL NO. 2338, BY REPRESENTATIVE THOMASON,

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) ED WILKINSON, CHAIRMAN

ARKANSAS SENATE  
EIGHTY-FOURTH GENERAL ASSEMBLY  
REGULAR SESSION

March 19, 2003

Mr. President:

We, your Committee on JUDICIARY, to whom was referred:

**HOUSE BILL NO. 1267**, BY REPRESENTATIVE HUTCHINSON,

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) ED WILKINSON, CHAIRMAN

ARKANSAS SENATE  
EIGHTY-FOURTH GENERAL ASSEMBLY  
REGULAR SESSION

March 19, 2003

Mr. President:

We, your Committee on PUBLIC HEALTH, WELFARE AND LABOR, to whom was referred:

**SENATE BILL NO. 937**, BY SENATOR STEELE,  
**SENATE BILL NO. 945**, BY SENATOR STEELE,

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) JACK CRITCHER, CHAIRMAN

ARKANSAS SENATE  
EIGHTY-FOURTH GENERAL ASSEMBLY  
REGULAR SESSION

March 19, 2003

Mr. President:

We, your Committee on PUBLIC HEALTH, WELFARE AND LABOR, to whom  
was referred:

SENATE BILL NO. 757, BY SENATOR STEELE,

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) JACK CRITCHER, CHAIRMAN

ARKANSAS SENATE  
EIGHTY-FOURTH GENERAL ASSEMBLY  
REGULAR SESSION

March 19, 2003

Mr. President:

We, your Committee on PUBLIC HEALTH, WELFARE AND LABOR, to whom  
was referred:

HOUSE BILL NO. 1598, BY REPRESENTATIVE BRADFORD,  
HOUSE BILL NO. 1991, BY REPRESENTATIVE GOSS,

HOUSE BILL NO. 2220, BY REPRESENTATIVE FERGUSON,  
HOUSE BILL NO. 2252, BY REPRESENTATIVE D. EVANS,  
HOUSE BILL NO. 2529, BY REPRESENTATIVE AGEE,

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) JACK CRITCHER, CHAIRMAN

ARKANSAS SENATE  
EIGHTY-FOURTH GENERAL ASSEMBLY  
REGULAR SESSION

March 19, 2003

Mr. President:

We, your Committee on EDUCATION, to whom was referred:

HOUSE CONCURRENT RESOLUTION NO. 1012, BY REPRESENTATIVE PICKETT,

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) JIM ARGUE, CHAIRMAN

ARKANSAS SENATE  
EIGHTY-FOURTH GENERAL ASSEMBLY  
REGULAR SESSION

March 19, 2003

Mr. President:

We, your Committee on EDUCATION, to whom was referred:

HOUSE BILL NO. 1512, BY REPRESENTATIVE BRIGHT,  
HOUSE BILL NO. 1865, BY REPRESENTATIVE R. SMITH,  
HOUSE BILL NO. 2195, BY REPRESENTATIVE CHILDERS,  
HOUSE BILL NO. 2242, BY REPRESENTATIVE WEAVER,  
HOUSE BILL NO. 2274, BY REPRESENTATIVE HOUSE,  
HOUSE BILL NO. 2278, BY REPRESENTATIVE D. EVANS,  
HOUSE BILL NO. 2756, BY REPRESENTATIVE WALTERS,  
HOUSE BILL NO. 2778, BY REPRESENTATIVE DEES,

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) JIM ARGUE, CHAIRMAN

ARKANSAS SENATE  
EIGHTY-FOURTH GENERAL ASSEMBLY  
REGULAR SESSION

March 19, 2003

Mr. President:

We, your Committee on REVENUE AND TAXATION, to whom was referred:

SENATE BILL NO. 340, BY SENATOR WOOLDRIDGE,  
SENATE BILL NO. 776, BY REVENUE AND TAXATION,

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) TIM WOOLDRIDGE, CHAIRMAN

ARKANSAS SENATE  
EIGHTY-FOURTH GENERAL ASSEMBLY  
REGULAR SESSION

March 19, 2003

Mr. President:

We, your Committee on REVENUE AND TAXATION, to whom was referred:

SENATE BILL NO. 154, BY SENATOR WILKINSON,  
SENATE BILL NO. 334, BY SENATOR MILLER,

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) TIM WOOLDRIDGE, CHAIRMAN

ARKANSAS SENATE  
EIGHTY-FOURTH GENERAL ASSEMBLY  
REGULAR SESSION

March 19, 2003

Mr. President:

We, your Committee on REVENUE AND TAXATION, to whom was referred:

**HOUSE BILL NO. 1959**, BY REPRESENTATIVE R. SMITH,

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) TIM WOOLDRIDGE

ARKANSAS SENATE  
EIGHTY-FOURTH GENERAL ASSEMBLY  
REGULAR SESSION

March 19, 2003

Mr. President:

We, your Committee on PUBLIC TRANSPORTATION, to whom was referred:

**SENATE BILL NO. 700**, BY SENATOR GULLETT,  
**SENATE BILL NO. 814**, BY SENATOR HORN,

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 HIGGINBOTHOM, CHAIRMAN

On motion of Senator Glover, [House Concurrent Resolution No. 1032](#) was called up for third reading and final disposition.

[HOUSE CONCURRENT RESOLUTION NO. 1032](#)  
[EIGHTY-FOURTH GENERAL ASSEMBLY](#)  
[REGULAR SESSION](#)  
[BY: REPRESENTATIVE CHILDERS](#)

HOUSE CONCURRENT RESOLUTION COMMENDING THE ARKANSAS STATE POLICE HONOR GUARD AND THE INDIVIDUAL MEMBERS OF THE HONOR GUARD FOR THEIR DEDICATED SERVICE TO THE STATE OF ARKANSAS AND TO THE CITIZENS OF THE STATE.

[House Concurrent Resolution No. 1032](#) was read the third time and concurred in by the Senate.

(SIGNED) ANN CORNWELL, SECRETARY

[House Concurrent Resolution No. 1032](#) was ordered immediately returned to the House as concurred in.

On motion of Senator Wooldridge, [Senate Bill No. 906](#) 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. 906](#)

Amend [Senate Bill No. 906](#) as originally introduced:  
Add Representative Ledbetter as a cosponsor of the bill

(SIGNED) TIM WOOLDRIDGE

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

(SIGNED) ANN CORNWELL, SECRETARY

[Senate Bill No. 906](#) was ordered engrossed.

On motion of Senator Broadway, **Senate Bill No. 832** 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. 832**

Amend **Senate Bill No. 832** as originally introduced:

Page 2, delete lines 15 through 20 and substitute the following:

“does not meet these standards if the information manipulated or presented by the product is inherently visual in nature, so that its meaning cannot be conveyed nonvisually.”

(SIGNED) SHANE BROADWAY

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

(SIGNED) ANN CORNWELL, SECRETARY

**Senate Bill No. 832** was ordered engrossed.

On motion of Senator Malone, **Senate Bill No. 734** 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. 734**

Amend **Senate Bill No. 734** as originally introduced:

Page 1, delete lines 31 through 33, and substitute the following:

“(15) “Services” means ~~services as defined in the Arkansas Purchasing Law, § 19-11-201 et seq.~~ technical, professional, or other services involving the furnishing of labor, time, or effort by a contractor; and

SECTION 3. Arkansas Code § 19-11-709(d)(1) is amended to read as follows:

(d)(1) Selling to state after termination of employment is prohibited. It shall be a breach of ethical standards for any former employee, unless the former employee's last annual salary did not exceed ten thousand five hundred dollars (\$10,500), to engage in selling or attempting to sell commodities or services, including technical or professional consultant services, to the state for one (1) year following the date employment ceased."

AND

Appropriately renumber the subsequent section of the bill.

(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. 734** was ordered engrossed.

Withdraw Amendment No. 1.

On motion of Senator Hendren, **Senate Bill No. 406** was placed back on second reading for purpose of amendment.

**ARKANSAS SENATE**  
**EIGHTY-FOURTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**Amendment No. 2 to SENATE BILL NO. 406**

Amend **Senate Bill No. 406** as originally introduced:

Page 1, delete lines 12 through 21, and substitute the following:

"OF INSURANCE CARDS; TO REPEAL ARKANSAS CODE § 27-22-108; TO REQUIRE THE ARKANSAS CRIME INFORMATION CENTER TO PROVIDE LAW ENFORCEMENT OFFICERS WITH ACCESS TO THE INSURANCE INFORMATION DATABASE; AND FOR"

AND

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

"TO REPEAL ARKANSAS CODE § 27-22-108 AND TO PROVIDE ACCESS TO THE INSURANCE INFORMATION DATABASE."

AND

Page 2, delete line 27 through line 2 on page 8, and substitute the following:

"SECTION 2. Arkansas Code § 27-22-108 is repealed.

~~27-22-108. Motor vehicle insurance comparison—Registration, revocation, and reinstatement procedures.~~

~~(a) With the information provided to the Department of Finance and Administration under § 27-22-107, the Office of Motor Vehicle shall, at least monthly, compare all current motor vehicle registrations against the Vehicle Insurance Database.~~

~~(b) If the comparison under subsection (a) of this section shows that a motor vehicle is not insured for three (3) consecutive months, the office shall provide notice of noncompliance to the owner of the motor vehicle. That owner has thirty (30) days to provide to the office proof that the vehicle is covered, either by:~~

~~(1) A certificate of self-insurance under the provisions of § 27-19-107;~~

~~or~~

~~(2) An insurance policy in amounts required under § 27-22-104 issued by an insurance company authorized to do business in this state.~~

~~(c)(1) If the owner fails to provide satisfactory proof, the department shall proceed to suspend the registration of the uninsured vehicle effective thirty (30) days after the notice of noncompliance was issued.~~

~~(2) An owner who has the owner's vehicle registration suspended in accordance with this subsection shall not be reissued a registration for that vehicle or have a registration renewed on the vehicle until the owner presents proof of insurance coverage or other financial security and pays the reinstatement fees provided for in subsection (e) of this section.~~

~~(3)(A) If proof that insurance coverage or other financial security was in effect at the time the notice was sent is presented within thirty (30) days of the notice being sent, the vehicle insurance database shall be updated and the registration suspension actions shall cease at no cost to the owner of the vehicle.~~

~~(B) If proof that insurance coverage or other financial security was in effect at the time the notice was sent is presented later than thirty (30) days after the notice was sent, the vehicle insurance database shall be updated and the registration will be restored effective on the date the proof was presented.~~

~~(d) Any suspension by the department under this section shall be subject to the notice and hearing procedures under § 27-19-404 and shall remain in effect, and no registration shall be renewed for or issued to any person whose vehicle registration is so suspended until:~~

~~(1) The person shall deposit or there shall be deposited on the person's behalf sufficient security as provided for under the Motor Vehicle Safety Responsibility Act, § 27-19-101 et seq.; or~~

~~(2) The person shall furnish the department one of the following:~~

~~(A) A certificate of self-insurance under the provisions of § 27-19-107; or~~

~~(B) An insurance policy in amounts required under § 27-22-104 issued by an insurance company authorized to do business in this state.~~

~~(e)(1) In order to reinstate the suspended registration and be reissued a new or renewed registration for any suspended motor vehicle, the owner shall present the proof of renewed or new financial coverage required in subdivision (d)(1) or (2) of this section to the department and shall pay to the department a fifty-dollar fee for reinstatement of the registration.~~

~~(2) The revenues derived from this reinstatement fee shall be deposited as special revenues to the State Central Services Fund and credited as direct revenues to be used by the department to offset the costs of administering this section.~~

~~(3) This fee shall be in addition to any registration fees, other fees, or other penalties for violations of the motor vehicle registration laws that shall be due and payable at the time of reinstatement.~~

~~(f)(1) The registration of a vehicle that is out of service shall be suspended~~

~~upon receipt of a notice from the owner stating that the vehicle is out of service. Once the vehicle is returned to service, the owner shall submit proof of insurance coverage or other financial security and the registration shall be restored at no charge.~~

~~(2) The out of service notice shall be on a form designed and approved by the Director of the Department of Finance and Administration.~~

~~(g) The department shall promulgate necessary rules and regulations for the administration of this section.~~

SECTION 3. Effective July 1, 2004, Arkansas Code § 12-12-211 is amended by adding an additional subsection to read as follows:

(e) The center shall provide access to the Insurance Verification Database, which contains the information provided to the Arkansas Department of Finance and Administration under § 27-22-107, to law enforcement officers during the course of traffic stops."

AND

Page 8, delete line 4, and substitute the following:

"SECTION 4. EMERGENCY CLAUSE. It is found and determined by the"

(SIGNED) KIM HENDREN

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

(SIGNED) ANN CORNWELL, SECRETARY

**Senate Bill No. 406** was ordered engrossed.

On motion of Senator Higginbotham, **Senate Bill No. 846** 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. 846**

Amend **Senate Bill No. 846** as originally introduced:

Add Senators Holt, R. Johnson, Horn, Bryles as cosponsors of the bill

AND

Add Representatives Matayo, Edwards, Harris, Penix as cosponsors of the bill

(SIGNED) STEVE HIGGINBOTHOM

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

(SIGNED) ANN CORNWELL, SECRETARY

**Senate Bill No. 846** was ordered engrossed.

On motion of Senator Glover, **House Bill No. 1008** 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. 1008**

Amend **House Bill No. 1008** as originally introduced:

Page 1, line 10, add the following:  
"Glover, G. Jeffress, Capps, Holt, Trusty"

(SIGNED) BOOBY L. GLOVER

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

(SIGNED) ANN CORNWELL, SECRETARY

**House Bill No. 1008** was ordered engrossed.

On motion of Senator Bisbee, **House Bill No. 1707** 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. 1707**

Amend **House Bill No. 1707** as originally introduced by:

Add Senator Bisbee as a cosponsor of the bill

And

Page 1, delete lines 29 through 31 and substitute:

“ administered to the driver, ~~including those~~ even if fatally injured, to determine the presence of and percentage of concentration of alcohol or drugs or both, in ~~such~~ the person’s body.

(SIGNED) DAVID BISBEE

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

(SIGNED) ANN CORNWELL, SECRETARY

**House Bill No. 1707** was ordered engrossed.

On motion of Senator Glover, **Senate Bill No. 230** was called up for the purpose of considering **House Amendment No. 1** thereto, adopted by the House.

**HALL OF THE HOUSE OF REPRESENTATIVES**  
**EIGHTY-FOURTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**Amendment No. 1 to SENATE BILL NO. 230**

Amend **Senate Bill No. 230** as introduced:

Page 1, delete lines 22 through 25 and substitute:

“(a) When a state police officer retires from service or dies while still employed with the Department of Arkansas State Police, the Arkansas State Police Commission may, in recognition of and appreciation for the service of the retiring or deceased officer, award to the officer, or the officer’s spouse, if the spouse is eligible under applicable state and federal laws to possess a firearm, the pistol carried by the officer at the time of his death or retirement from service.”

(SIGNED) REPRESENTATIVE CHILDERS

Amendment No. 1 to Senate Bill No. 230, adopted by the House, was read the first time, rules suspended, read the second time and concurred in, by the Senate.

(SIGNED) ANN CORNWELL, SECRETARY

On motion of Senator Glover, and without objection, the rules were suspended pertaining to passage of Amendment and Bill on the same day.

On motion of Senator Glover, Senate Bill No. 230 was called up for third reading and final disposition.

SENATE BILL NO. 230  
EIGHTY-FOURTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: SENATOR GLOVER

A Bill for an Act to be Entitled: AN ACT TO ALLOW RETIRING STATE POLICE OFFICERS TO PURCHASE THEIR DUTY SHOTGUN; AND FOR OTHER PURPOSES.

Senate Bill No. 230 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, Wilkins, Wilkinson, Womack, Wooldridge.

Total .....35

NEGATIVE:  
 Total .....0

ABSENT OR NOT VOTING:  
 Total .....0

VOTING PRESENT:  
 Total .....0

Total number of votes cast.....35

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. 230 was ordered enrolled.

SENATE RESOLUTION NO. 14  
 EIGHTY-FOURTH GENERAL ASSEMBLY  
 REGULAR SESSION  
 BY: SENATOR BRYLES

SENATE RESOLUTION RECOGNIZING AND COMMENDING MR. DAVID MARION WILKINSON.

Senate Resolution No. 14 was read the first time, rules suspended, read the second time and placed on the Calendar.

On motion of Senator Whitaker, Senate Bill No. 705 was withdrawn from the Committee on REVENUE AND TAXATION, and placed on the Calendar.

Without objection, Senate Bill No. 705 was withdrawn by the author.

On motion of Senator J. Jeffress, **Senate Bill No. 118** was withdrawn from the Committee on PUBLIC HEALTH, WELFARE AND LABOR, and placed on the Calendar.

On motion of Senator J. Jeffress, and without objection, **Senate Bill No. 118** was recommended for study in the interim by Senate Interim Committee on PUBLIC HEALTH, WELFARE AND LABOR.

On motion of Senator Broadway, **Senate Bill No. 839** was withdrawn from the Committee on AGRICULTURE AND ECONOMIC DEVELOPMENT, and placed on the Calendar.

Without objection, **Senate Bill No. 839** was withdrawn by the author.

The President declared the morning hour to have expired.

On motion of Senator Hill, the Senate resolved itself into the Committee of the Whole for the purpose of recognizing Arkansas artists.

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

On motion of Senator Hill, the Senate resolved itself into the Committee of the Whole for the purpose of discussing [Senate Bill No. 483](#).

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

THE SENATE  
STATE OF ARKANSAS

March 18, 2003

The Honorable Win Rockefeller  
President of the Senate  
Arkansas Senate  
State Capitol Building  
Little Rock, AR 72201

Dear Mr. Rockefeller:

As authorized in Rule 18(E)(5) of the Joint Rules of the Senate and House of Representatives, I hereby waive the markup requirements of Rule 18(E) with respect to **Senate Bill 462** entitled: "AN OMNIBUS ACT TO MAKE TECHNICAL CORRECTIONS TO THE ARKANSAS CODE FOR IMPLEMENTATION OF AMENDMENT 80 TO THE CONSTITUTION OF ARKANSAS; AND FOR OTHER PURPOSES", but only to the extent that Rule 18 would require subchapters and sections of the Code which the bill proposes to repeal in their entirety to be reproduced and stricken through the bill. By this waiver, I am authorizing the bill to be prepared, amended, and considered in the limited markup form described herein.

Sincerely.

JIM HILL

Senator Jim Hill  
President Pro Tempore

cc: Ann Cornwell, Secretary of the Senate  
Kern Treat, Director, Bureau of Legislative Research

On motion of Senator Hill, **Senate Bill No. 483** was called up for third reading and final disposition.

**SENATE BILL NO. 483**  
*As Engrossed: S3/18/03*  
**EIGHTY-FOURTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**BY: SENATORS HILL, WOOLDRIDGE, GLOVER, ET AL**

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.

**Senate Bill No. 483** 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:

Senator Wooldridge spoke for the Bill.

Senator Bisbee spoke for the Bill.

Senator Malone spoke for the Bill.

Senator Womack spoke for the Bill.

Senator Hill closed for this Bill.

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, Wilkins, Wilkinson, Womack, Wooldridge.

Total .....35

NEGATIVE:  
     Total .....0  
 ABSENT OR NOT VOTING:  
     Total .....0  
 VOTING PRESENT:  
     Total .....0  
     Total number of votes cast .....35  
     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. 483 was ordered immediately transmitted to the House as passed.

On motion of Senator Argue, the Senate resolved itself into the Committee of the Whole for the purpose of discussing Senate Bill 758.

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

Senate Bill No. 59 was returned from the House as passed and ordered enrolled.

Senate Bill No. 69 was returned from the House as passed and ordered enrolled.

Senate Bill No. 389 was returned from the House as passed and ordered enrolled.

Senate Bill No. 390 was returned from the House as passed and ordered enrolled.

Senate Bill No. 402 was returned from the House as passed and ordered enrolled.

Senate Bill No. 419 was returned from the House as passed and ordered enrolled.

Senate Bill No. 433 was returned from the House as passed and ordered enrolled.

Senate Bill No. 727 was returned from the House as passed and ordered enrolled.

Senate Bill No. 268 was returned from the House as passed.

Senate Bill No. 268 was ordered re-referred to the Committee on CITY, COUNTY, AND LOCAL AFFAIRS.

ARKANSAS SENATE  
EIGHTY-FOURTH GENERAL ASSEMBLY  
REGULAR SESSION

March 19, 2003

Mr. President:

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

SENATE BILL NO. 406, BY SENATOR HENDREN,  
SENATE BILL NO. 734, BY SENATOR MALONE,  
SENATE BILL NO. 832, BY SENATOR BROADWAY,  
SENATE BILL NO. 846, BY SENATOR HIGGINBOTHOM,  
SENATE BILL NO. 906, BY SENATOR WOODLRIDGE,

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

March 19, 2003

Mr. President:

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

HOUSE BILL NO. 1008, BY REPRESENTATIVE CREEKMORE, ET AL,  
HOUSE BILL NO. 1707, BY REPRESENTATIVE HARDWICK, ET AL,

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

HOUSE BILL NO. 1270  
EIGHTY-FOURTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: REPRESENTATIVES PICKETT, DANGEAU, ELLIOTT, ET AL

A Bill for an Act to be Entitled: AN ACT TO DIVIDE THE DEPARTMENT OF EDUCATION INTO THE DEPARTMENT OF CURRICULUM AND INSTRUCTION AND THE DEPARTMENT OF ACCOUNTABILITY; AND FOR OTHER PURPOSES.

House Bill No. 1270 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

HOUSE BILL NO. 1336  
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 ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2005; AND FOR OTHER PURPOSES.

House Bill No. 1336 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1634  
EIGHTY-FOURTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: REPRESENTATIVE NAPPER  
BY: SENATOR ARGUE

A Bill for an Act to be Entitled: AN ACT TO AMEND § 26-52-301(6) OF THE ARKANSAS GROSS RECEIPTS TAX ACT OF 1941; TO CLARIFY THE TAXATION OF DUES AND FEES PAID TO HEALTH SPAS, HEALTH CLUBS, FITNESS CLUBS, AND PRIVATE CLUBS; AND FOR OTHER PURPOSES.

House Bill No. 1634 was read the first time, rules suspended, read the second time and referred to the Committee on REVENUE AND TAXATION.

HOUSE BILL NO. 1862  
EIGHTY-FOURTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: REPRESENTATIVE P. BOOKOUT

A Bill for an Act to be Entitled: AN ACT TO AUTHORIZE AGENCIES UNDER THE ARKANSAS COMPUTER ELECTRONIC SOLID WASTE MANAGEMENT ACT TO DONATE SURPLUS COMPUTER EQUIPMENT TO LAW ENFORCEMENT AGENCIES; AND FOR OTHER PURPOSES.

House Bill No. 1862 was read the first time, rules suspended, read the second time and referred to the Committee on TECHNOLOGY AND LEGISLATIVE AFFAIRS.

HOUSE BILL NO. 2040  
EIGHTY-FOURTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: REPRESENTATIVE CLEVELAND

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR THE DEPARTMENT OF HEALTH FOR EXPENSES OF THE ARKANSAS COMMISSION ON EYE AND VISION CARE OF SCHOOL AGE CHILDREN FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2005; AND FOR OTHER PURPOSES.

House Bill No. 2040 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 2198  
EIGHTY-FOURTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: REPRESENTATIVE JACOBS  
BY: SENATOR T. SMITH

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE §§ 26-26-1604 AND 26-26-1614; TO GIVE THE DIRECTOR OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION THE POWER TO RECOVER AND COLLECT DELINQUENT TAXES; AND FOR OTHER PURPOSES.

House Bill No. 2198 was read the first time, rules suspended, read the second time and referred to the Committee on REVENUE AND TAXATION.

HOUSE BILL NO. 2216  
EIGHTY-FOURTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: REPRESENTATIVE GILLESPIE

A Bill for an Act to be Entitled: AN ACT TO REDUCE THE STATUTE OF LIMITATIONS FOR FILING A COMPLAINT WITH THE ARKANSAS ETHICS COMMISSION; AND FOR OTHER PURPOSES.

House Bill No. 2216 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES AND GOVERNMENTAL AFFAIRS.

HOUSE BILL NO. 2269  
EIGHTY-FOURTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: REPRESENTATIVE VERKAMP, LAMOUREUX, STOVAL, ET AL  
BY: SENATOR WILKINSON

A Bill for an Act to be Entitled: AN ACT CONCERNING THE SALARIES OF THE JUDGES AND OTHER PERSONNEL OF THE VARIOUS DISTRICT COURTS; AND FOR OTHER PURPOSES.

House Bill No. 2269 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

HOUSE BILL NO. 2306  
EIGHTY-FOURTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: REPRESENTATIVE BLEDSOE

A Bill for an Act to be Entitled: AN ACT TO AMEND THE CHILD WELFARE AGENCY LICENSING ACT; AND FOR OTHER PURPOSES.

House Bill No. 2306 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

HOUSE BILL NO. 2342  
EIGHTY-FOURTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: REPRESENTATIVE PETRUS

A Bill for an Act to be Entitled: AN ACT PERTAINING TO THE  
REGISTRATION OF FOREIGN VEHICLES; AND FOR OTHER PURPOSES.

House Bill No. 2342 was read the first time, rules suspended, read the  
second time and referred to the Committee on PUBLIC TRANSPORTATION.

HOUSE BILL NO. 2425  
EIGHTY-FOURTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: REPRESENTATIVE JUDY

A Bill for an Act to be Entitled: AN ACT TO REVISE ARKANSAS LAW  
REGARDING THE PENALTIES FOR POSSESSION OF ILLEGAL DRUGS; AND  
FOR OTHER PURPOSES.

House Bill No. 2425 was read the first time, rules suspended, read the  
second time and referred to the Committee on PUBLIC HEALTH, WELFARE AND  
LABOR.

HOUSE BILL NO. 2426  
EIGHTY-FOURTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: REPRESENTATIVE JUDY

A Bill for an Act to be Entitled: AN ACT TO REDUCE THE ADMINISTRATIVE REQUIREMENTS FOR A TEACHER SEEKING TO RENEW AN EXPIRED TEACHING LICENSE; AND FOR OTHER PURPOSES.

House Bill No. 2426 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

HOUSE BILL NO. 2480  
EIGHTY-FOURTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: REPRESENTATIVE WOOD

A Bill for an Act to be Entitled: AN ACT TO ALLOW STATE FUNDED COLLEGES AND UNIVERSITIES TO WAIVE UP TO TWENTY-FIVE PERCENT (25%) OF TUITION COSTS FOR QUALIFIED MEMBERS OF THE ARKANSAS ARMY AND AIR NATIONAL GUARD RECEIVING FEDERAL TUITION ASSISTANCE; AND FOR OTHER PURPOSES.

House Bill No. 2480 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

HOUSE BILL NO. 2535  
EIGHTY-FOURTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: REPRESENTATIVE CLEVELAND, DOBBINS, WHITE, ET AL

A Bill for an Act to be Entitled: AN ACT TO CREATE THE ADVISORY COMMITTEE ON EDUCATIONAL ACCESS TO TECHNOLOGY; AND FOR OTHER PURPOSES.

House Bill No. 2535 was read the first time, rules suspended, read the second time and referred to the Committee on TECHNOLOGY AND LEGISLATIVE AFFAIRS.

STATE OF ARKANSAS  
OFFICE OF THE GOVERNOR

State Capitol  
Little Rock 72201

Mike Huckabee, Governor

March 19, 2003

The Honorable Jim Hill  
President Pro Tempore  
State Chambers-State Capitol  
Little Rock, Arkansas 72201

Mr. President and Members of the Senate:

Pursuant to the authority vested in me by the Constitution of the State of Arkansas, I am submitting the following appointments to be confirmed.

I respectfully submit these appointments to your Honorable body and request that they be confirmed.

Sincerely,

(SIGNED) MIKE HUCKABEE  
Governor

**SENATOR RANDY LAVERTY**

**SENATE CONFIRMATIONS 2001-2003**

<b><u>APPOINTEE &amp; COUNTY</u></b>	<b><u>EXPIRATION DATE</u></b>	<b><u>BOARD OR COMMISSION</u></b>
Samuel Steele Madison County	01/14/2005	Criminal Detention Facility Review Committee, Judicial District #4
Leon Wallace Boone County	03/30/2004	Arkansas Beef Council
Dorinda Edmisten Johnson County	07/01/2003	Arkansas Child Abuse, Rape & Domestic Violence Commission
X Dotson Madison County	09/01/2005	Arkansas Title Insurance Agents Licensing Board
Phyllis Jones Carroll County	01/14/2002	Keep Arkansas Beautiful Commission
Gary Morgan Searcy County	09/14/2005	State Board of Examiners of Alcoholism and Drug Abuse Counselors
Gary Easterling Madison County	01/14/2011	State Forestry Commission
Margie Wilson Searcy County	01/14/2006	Criminal Detention Facility Review Committee, Judicial District #20
Troy Waters Searcy County	12/31/2005	Arkansas Rural Development Commission
Phyllis Jones Carroll County	01/14/2008	Keep Arkansas Beautiful Commission
John Casteel Carroll County	05/15/2007	Arkansas Sentencing Commission
Ben Baker Searcy County	06/30/2006	Heating, Ventilation, A/C, Refrigeration Licensing Board
Gary Bolinger Madison County	01/14/2006	Criminal Detention Facility Review Committee, Judicial District #4
Sanford Varnell Madison County	07/01/2006	Arkansas Pollution Control and Ecology Commission
Sam Judd Madison County	01/14/2004	Criminal Detention Facility Review Committee, Judicial District #4
Richard Plugge Johnson County	06/30/2003	Arkansas Wheat Promotion Board
Ronnie Wiles Madison County	01/14/2006	Criminal Detention Facility Review Committee, Judicial District #4
Russell Langston Carroll County	01/14/2006	Criminal Detention Facility Review Committee, Judicial District #19 East

**SENATOR SUE MADISON**

**SENATE CONFIRMATIONS 2001-2003**

<u>APPOINTEE &amp; COUNTY</u>	<u>EXPIRATION DATE</u>	<u>BOARD OR COMMISSION</u>
Frank Johnson Washington County	Will of Governor	Arkansas Coalition for Juvenile Justice
Gary Cooper Washington County	Will of Governor	Information Technology Oversight Committee
Julie Thibodaux Washington County	06/30/2003	Arkansas Legislative Commission on Nursing
Carol Basnaw Washington County	Will of Governor	Information Technology Oversight Committee
Nathan McKinney Washington County	03/01/2005	Child Welfare Agency Review Board
Bill Ackerman Washington County	07/01/2008	Arkansas Game and Fish Commission
Ron Austin Washington County	06/30/2005	Arkansas Aviation and Aerospace Commission
Fred Limp Washington County	08/01/2005	Arkansas State Land Commission
Ernesto Diaz Washington County	08/13/2004	Martin Luther King, Jr. Commission
Edward Bradford Washington County	06/30/2005	Washington County
Sherron West Washington County	06/01/2003	State Board of Cosmetology
Maria Morais Washington County	06/30/2005	Board of the Division of State Services for the Blind
Chet Caldwell Washington County	Drawing of Lots	Arkansas Advisory Commission on Mandated Health Insurance Benefits
Anne Britton Washington County	12/31/2009	Arkansas State Medical Board
Missi Walker Washington County	01/18/2007	State Board of Registered Interior Designers
Alan Fortenberry Washington County	12/31/2005	State Board of Health
John Page Washington County	12/31/2005	State Board of Health
Mary Bassett Washington County	12/31/2004	Arkansas Real Estate Commission
Charles Hickerson Washington County	07/01/2004	Emergency Medical Services Advisory Council
Nikki Bradley Washington County	01/15/2005	Arkansas Appraisers Licensing and Certification Board

John White Washington County	01/14/2006	Arkansas Science and Technology Authority
Karyn Houston Washington County	06/01/2004	Governor's Commission on People with Disabilities
Lucy Ralston Washington County	06/30/2003	State Board of Workforce Education and Career Opportunities
Keith Vire Washington County	02/01/2004	Arkansas Independent Living Council
Steve Whitmill Washington County	01/14/2003	State Crime Laboratory Board
Dana Watson Washington County	07/01/2005	Sex Offenders Assessment Committee
Susan Cromwell Washington County	08/01/2003	Arkansas State Land Information Board
Lou Sharp Washington County	06/30/2004	Home Health Care Service Agency Advisory Council

Senator Madison moved approval of the Governor's appointments for District 7 with the exception of Mr. William (Bill) Ackerman to the Arkansas Game and Fish Commission and asked for the support of the Senate body in her rejection of Mr. Ackerman to the Game and Fish Commission

Motion prevailed.

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

ANN CORNWELL  
Secretary of the Senate  
Senate Fiscal Officer  
State Capitol, Room 320  
Little Rock, Arkansas 72201

March 19, 2003

The Honorable Mike Huckabee  
Governor of Arkansas  
Executive Chambers  
State Capitol  
Little Rock, Arkansas

Dear Governor Huckabee:

I am by this letter notifying you of the rejection by the Arkansas Senate in regard to your appointment of Mr. William (Bill) Ackerman to the Arkansas Game and Fish Commission.

Respectfully submitted,

(SIGNED) ANN CORNWELL  
Secretary of Senate

AC:as

THE SENATE  
STATE OF ARKANSAS

March 19, 2003

The Honorable Mike Beebe  
Attorney General  
200 Tower Building  
323 Center Street  
Little Rock, AR 72201

Dear Attorney General Beebe:

Please provide me with your official opinion as to whether the Governor's appointments to the Game and Fish Commission are subject to confirmation by the Arkansas Senate.

Sincerely,

JIM HILL

Senator Jim Hill  
President Pro Tempore

March 19, 2003

The Honorable Mike Huckabee  
Governor of Arkansas  
Executive Chamber  
State Capitol Building  
Little Rock, Arkansas 72201

Dear Governor Huckabee:

This is to advise that the Senate of the Eighty-Fourth General Assembly, on a motion of Senator Sue Madison, advised with and consented unanimously to the enclosed appointments heretofore submitted to this Honorable Body.

**SENATOR SUE MADISON**

**SENATE CONFIRMATIONS 2001-2003**

<b><u>APPOINTEE &amp; COUNTY</u></b>	<b><u>EXPIRATION DATE</u></b>	<b><u>BOARD OR COMMISSION</u></b>
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Gary Cooper Washington County	Will of Governor	Information Technology Oversight Committee
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Ron Austin Washington County	06/30/2005	Arkansas Aviation and Aerospace Commission
Fred Limp Washington County	08/01/2005	Arkansas State Land Commission
Ernesto Diaz Washington County	08/13/2004	Martin Luther King, Jr. Commission
Edward Bradford Washington County	06/30/2005	Washington County
Sherron West Washington County	06/01/2003	State Board of Cosmetology
Maria Morais Washington County	06/30/2005	Board of the Division of State Services for the Blind
Chet Caldwell Washington County	Drawing of Lots	Arkansas Advisory Commission on Mandated Health Insurance Benefits
Anne Britton Washington County	12/31/2009	Arkansas State Medical Board

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John Page Washington County	12/31/2005	State Board of Health
Mary Bassett Washington County	12/31/2004	Arkansas Real Estate Commission
Charles Hickerson Washington County	07/01/2004	Emergency Medical Services Advisory Council
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Dana Watson Washington County	07/01/2005	Sex Offenders Assessment Committee
Susan Cromwell Washington County	08/01/2003	Arkansas State Land Information Board
Lou Sharp Washington County	06/30/2004	Home Health Care Service Agency Advisory Council

Respectfully Submitted,

(SIGNED) ANN CORNWELL  
Secretary of the Senate

AC/ads

Pc: The Honorable Charlie Daniels, Secretary of State  
Steve Guntharp, Director of Boards and Commissions

March 19, 2003

The Honorable Mike Huckabee  
Governor of Arkansas  
Executive Chamber  
State Capitol Building  
Little Rock, Arkansas 72201

Dear Governor Huckabee:

This is to advise that the Senate of the Eighty-Fourth General Assembly, on a motion of Senator Randy Laverty, advised with and consented unanimously to The enclosed appointments heretofore submitted to this Honorable Body.

**SENATOR RANDY LAVERTY**

**SENATE CONFIRMATIONS 2001-2003**

<b><u>APPOINTEE &amp; COUNTY</u></b>	<b><u>EXPIRATION DATE</u></b>	<b><u>BOARD OR COMMISSION</u></b>
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Richard Plugge Johnson County	06/30/2003	Arkansas Wheat Promotion Board
Ronnie Wiles Madison County	01/14/2006	Criminal Detention Facility Review Committee, Judicial District #4
Russell Langston Carroll County	01/14/2006	Criminal Detention Facility Review Committee, Judicial District #19 East

Respectfully Submitted,

(SIGNED) ANN CORNWELL  
Secretary of the Senate

AC/ads

Pc: The Honorable Charlie Daniels, Secretary of State  
Steve Guntharp, Director of Boards and Commissions

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SENATE BILLS TRANSMITTED TO THE HOUSE  
AS PASSED

SENATE BILL NO. 342  
SENATE BILL NO. 483

HOUSE CONCURRENT RESOLUTION RETURNED  
TO THE HOUSE AS CONCURRED

HOUSE CONCURRENT RESOLUTION NO. 1032

SENATE BILLS TRANSMITTED TO THE HOUSE  
AS PASSED

SENATE BILL NO. 59  
SENATE BILL NO. 69  
SENATE BILL NO. 389  
SENATE BILL NO. 390  
SENATE BILL NO. 402  
SENATE BILL NO. 419  
SENATE BILL NO. 433  
SENATE BILL NO. 727

SENATE BILL RETURNED FROM THE HOUSE  
AS PASSED AS AMENDED

SENATE BILL NO. 268

HOUSE BILLS TRANSMITTED TO THE SENATE

AS PASSED

HOUSE BILL NO. 1270

HOUSE BILL NO. 1336

HOUSE BILL NO. 1634

HOUSE BILL NO. 1862

HOUSE BILL NO. 2040

HOUSE BILL NO. 2198

HOUSE BILL NO. 2216

HOUSE BILL NO. 2269

HOUSE BILL NO. 2306

HOUSE BILL NO. 2342

HOUSE BILL NO. 2425

HOUSE BILL NO. 2426

HOUSE BILL NO. 2480

HOUSE BILL NO. 2535

On motion of Senator Baker, the Senate adjourned until 1:00 p.m., Thursday,  
March 20, 2003.

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PRESIDENT

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SECRETARY

