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

Little Rock, Arkansas

March 21, 2003

The Senate was called to order at 11:00 o'clock a.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 J. Jeffress.

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On motion of Senator Gullett, **Senate Bill No. 767** was withdrawn from the Committee on TECHNOLOGY AND LEGISLATIVE AFFAIRS, and placed back on second reading for purpose of amendment.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. 767

Amend **Senate Bill No. 767** as originally introduced:

Page 1, line 25, delete "purchasing official" and substitute "procurement official or procurement agent"

AND

Page 1, delete line 29 and substitute the following:

"(b) Any contract entered into under this act between an agency procurement official or procurement agent"

AND

Page 2, line 6, delete "Purchasing" and substitute "Procurement"

AND

Page 2, line 35, delete "purchasing official" and substitute "procurement official or procurement agent"

AND

Page 3, delete lines 12 and 13 and substitute the following:

"(D)(i) The Governor may approve or modify the request for new appropriation and the proposed contract.

(ii) Any modification of the proposed contract shall be submitted to the vendor for approval."

AND

Page 4, delete line 29 and substitute the following:

"required from the net special revenues as set out in § 19-5-203(b)(2)(A)."

(SIGNED) BRENDA GULLETT

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 767 was ordered engrossed.

On motion of Senator Malone, **Senate Bill No. 501** was withdrawn from the Committee on CITY, COUNTY AND LOCAL AFFAIRS, and placed back on second reading for purpose of amendment.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. 501

Amend **Senate Bill No. 501** as originally introduced:

Page 2, delete line 28 and substitute the following:
"the time the obligation to make payments in lieu of property taxes is entered into;"

AND

Page 3, delete line 2 and substitute the following:
"for sale is entered into or the time of completion of the project subject to the lease or contract for sale, whichever is later."

AND

Page 3, line 21, delete "and"

AND

Page 3, delete lines 23 through 25 and substitute the following:
"existing in-lieu-of-tax agreement; and
(5) Any lease or contract for sale with a qualified manufacturer of steel as defined in § 26-52-901 or in Act 541 of 2001 entered into prior to June 30, 2009."

(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. 501 was ordered engrossed.

On motion of Senator Critcher, Senate Bill No. 970 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 SENATE BILL NO. 970

Amend Senate Bill No. 970 as originally introduced:

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

“SECTION 1. Arkansas Code § 26-52-310(a), regarding an additional tax on the short-term rental of tangible personal property, is amended to read as follows:

(a) For the purpose of this section, ~~the following terms shall have the following meanings:~~

(1) "Short-term rental" means a rental or lease of tangible personal property for a period of less than thirty (30) days, except rentals or leases of motor vehicles, trailers, or farm machinery and equipment; and

(2) "Motor vehicle" means any vehicle required to be licensed for highway use under Arkansas law; and

(3) "Video rental" means any digital video disc, digital audio disc, video tape, audio tape, or video game that is a short-term rental.

SECTION 2. Arkansas Code § 26-52-310(b), regarding an additional tax on the short-term rental of tangible personal property, is amended to add an additional subdivision to read as follows:

(4) There is levied, in addition to the gross receipts tax or compensating use tax levied under Title 26 and in addition to the tax levied under this section, an additional tax of (9%) on video rentals.

SECTION 3. This act shall become effective on the first day of the calendar month following the ninetieth day after the sine die adjournment of this session or the first day of the calendar month following the ninetieth day after a recess or adjournment for a period longer than ninety (90) days.

(SIGNED) JACK CRITCHER

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 970 was ordered engrossed.

On motion of Senator T. Smith, Senate Bill No. 903 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. 903

Amend Senate Bill No. 903 as originally introduced:

Page 1, delete lines 25 through 36, and Page 2, delete lines 1 through 3, and substitute the following:

“(a)(1) Any In a municipality or a county without an animal control agency or animal control officer, any officer, agent, or member of a society which is incorporated for the prevention of cruelty to animals may lawfully interfere to prevent the perpetration of any act of cruelty upon any animal in his presence.

(2) However, in a municipality or a county with an animal control agency or animal control officer, the officer, agent, or member of a society shall not enter upon or trespass onto the land or real property of another person without permission of the landowner or lease holder or without a search warrant.

(b)(1) Any person who shall interfere with or obstruct any such officer, agent, or member in the discharge of his duty shall be guilty of a misdemeanor.

(2) If the offense occurs in a municipality or a county with an animal control agency or animal control officer, it is an affirmative defense to a prosecution under this subsection (b) if the person charged was on the person’s own land or property at the time of the obstruction or interference and the officer, agent, or member was on the property without permission or without a search warrant.”

AND

Page 2, delete lines 7 through 12, and substitute the following:

“(a) The agents of any society which is incorporated for the prevention of cruelty to animals, upon being appointed by the president of the society in any county of this state, may, within the county or a municipality of the county having no

animal control agency or animal control officer, make arrests and bring before any court or magistrate having jurisdiction, any offenders found violating the provisions of this act.

(b) In a municipality or a county with an animal control agency or animal control officer, the agents of any society which is incorporated for the prevention of cruelty to animals, upon being appointed by the president of the society in any county of this state and upon being deputized by the sheriff of the county, may, within the county, make arrests and bring before any court or magistrate having jurisdiction, any offenders found violating the provisions of this act.”

AND

Page 2, delete lines 17 through 28, and substitute the following:

“(a) ~~When~~ In a municipality or a county without an animal control agency or animal control officer, if any person arrested is, at the time of arrest, in charge of any vehicle drawn by or containing any animal, any agent of a society for the prevention of cruelty to animals may take charge of the animal and the vehicle and its contents and deposit them in a safe place of custody, or deliver them into the possession of the police or sheriff of the county or place wherein the arrest was made, who shall thereupon assume the custody thereof.

(b) However, in a municipality or a county with an animal control agency or animal control officer, an agent of a society for the prevention of cruelty to animals shall have no authority to take charge or custody of an animal if the agent has entered upon or trespassed onto the land or real property of another person without a search warrant under § 5-62-112 or without permission to enter from the landowner or lease holder.”

(SIGNED) T. SMITH

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 903 was ordered engrossed.

On motion of Senator Faris, **Senate Bill No. 108** was withdrawn from the Committee on JOINT RETIREMENT AND SOCIAL SECURITY, and placed back on second reading for purpose of amendment.

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 4 to SENATE BILL NO. 108

Amend **Senate Bill No. 108** as engrossed, S3/18/03::
Page 4, line 10, delete "The other" and substitute "May include the other"

(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. 108 was ordered engrossed.

On motion of Senator Steele, **Senate Bill No. 762** was withdrawn from the Committee on INSURANCE AND COMMERCE, and placed back on second reading for purpose of amendment.

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 2 to SENATE BILL NO. 762

Amend **Senate Bill No. 762** as engrossed, 3/17/03:
Delete Section 1 and substitute:
"SECTION 1. Intent.
The General Assembly finds and declares that:

(1) The threats of terrorist attacks and war are real and could impose horrific social and economic damage on Arkansas;

(2) The threat of terrorist attacks and war can dismantle the stability of markets and free trade;

(3) Pricing of consumer goods and services is generally best left to the marketplace under ordinary conditions, but when a terrorist attack, a threat of war, or an act of war results in abnormal disruptions of the market, the public interest requires that excessive and unjustified increases in the prices of consumer goods and services should be discouraged;

(4) Protecting the public from price gouging is a vital function of state government in providing for the health, safety, and welfare of consumers; and

(5)(A) The intent of the General Assembly is to protect citizens, during the time of instability and uncertainty that follows a terrorist attack, a threat of war, or during a time of war, from excessive and unjustified increases in the prices charged for goods and services that are vital or necessary for the consumer.

(B) Further, it is the intent of the General Assembly that this act be liberally construed so that its beneficial purposes may be served.”

AND

Delete Section 2 and substitute:

“SECTION 2. Arkansas Code § 4-88-302 is amended to read as follow:

4-88-302. Definitions.

(a) "Building materials" means lumber, construction tools, windows, and anything else used in the building or rebuilding of property.

(b) "Consumer food item" means any article that is used or intended for use for food, drink, confection, or condiment by a person or animal.

(c) "Emergency supplies" includes, but is not limited to, water, flashlights, radios, batteries, candles, blankets, soap, diapers, temporary shelters, tape, toiletries, plywood, nails, and hammers.

(d) "Gasoline" means any fuel used to power any motor vehicle or power tool.

(e) "Goods" has the same meaning as defined in § 4-88-102(3).

(f) "Housing" means any rental housing ~~leased on a month-to-month term~~ and includes any housing provided by a hotel or motel.

(g) "Local emergency" means a natural or man-made disaster or emergency resulting from a tornado, earthquake, flood, fire, riot, or storm for which a local emergency has been declared by the executive officer or governing body of any city or county in Arkansas.

(h) "Medical supplies" includes, but is not limited to, prescription and nonprescription medications, bandages, gauze, isopropyl alcohol, and antibacterial products.

(i) "Repair or reconstruction services" means services performed by any person for repairs to residential or commercial property of any type that is damaged as a result of a disaster.

(j)(1) "State of emergency" means a natural or man-made disaster or emergency resulting from a tornado, earthquake, flood, fire, riot, or storm for which a state of emergency has been declared by the President of the United States or the Governor.

(2) "State of emergency" also includes the declaration of a red condition in the Homeland Security Advisory System by either the U.S. Department of Homeland Security or the Arkansas Department of Emergency Management Services.

(k) "Transportation, freight, and storage services" means any service that is performed by any company that contracts to move, store, or transport personal or business property or rents equipment for those purposes.

(l) "Person" means a natural person, individual, partnership, corporation, trust, estate, incorporated or unincorporated association, and any other legal or commercial entity however organized.

(m) "Repair or reconstruction services" means services performed by any person for repairs to residential or commercial property of any type that is damaged as a result of a disaster or terrorist attack.

(n) "Services" means any work, labor, or services including services furnished in connection with the sale or repair of goods or real property or improvements thereto.

(o) "Transportation, freight, and storage services" means any service that is performed any person that contracts to move, store, or transport personal or business property or rents equipment for those purposes."

AND

Delete Sections 3 and substitute:

"SECTION 3. Arkansas code 4-88-303(a)(1), concerning prohibited unfair pricing practices, is amended to read as follows:

(a)(1) Upon the proclamation of a state of emergency resulting from a tornado, earthquake, flood, fire, riot, storm, or natural or man-made disaster declared by the President of the United States or the Governor, and upon the declaration of a local emergency resulting from a tornado, earthquake, flood, fire, riot, storm, or natural or man-made disaster by the executive officer of any city or county and for a period of thirty (30) days following that declaration, or during any period of time during which a red condition under the Homeland Security Advisory System has been declared by either the U.S. Department of Homeland Security or the Arkansas Department of Emergency Services, it is unlawful for any person, contractor, business, or other entity to sell or offer to sell any consumer food items or goods, goods or services used for emergency cleanup, emergency supplies, medical supplies, home heating oil, building materials, housing, transportation, freight, and storage services, or gasoline or other motor fuels for a price of more than ten percent (10%) above the price charged by that person for those goods or services immediately prior to the proclamation of emergency."

AND

Page 3, delete lines 29 through 36

AND

Page 4, delete line 1

AND

Renumber subsequent sections

(SIGNED) TRACEY STEELE

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 762 was ordered engrossed.

On motion of Senator Steele, **Senate Bill No. 941** 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. 941

Amend **Senate Bill No. 941** as originally introduced:

Delete lines 9 through 14 and substitute the following:
"AN ACT TO AMEND ARKANSAS CODE TITLE 15 CHAPTER 5 TO ESTABLISH A SPECIAL RESTRICTED FUND TO BE ADMINISTERED BY THE ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY FOR THE CLEAN UP OF BROWNFIELDS; AND FOR OTHER PURPOSES."

AND

Delete lines 17 through 21 and substitute the following:
"AN ACT TO ESTABLISH A SPECIAL RESTRICTED FUND FOR THE CLEAN UP OF BROWNFIELDS."

AND

Delete everything after the enactment clause and substitute the following:
"SECTION 1. Arkansas Code Title 15, Chapter 5 is amended to add an additional subchapter to read as follows:

15-5-1501. Title.

This subchapter may be titled as the "Arkansas Brownfield Revolving Loan Fund Act".

15-5-1502. Definitions.

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

(1) "Authority" means the Arkansas Development Finance Authority or its successor;

(2) "Department" means the Arkansas Department of Environmental Quality or its successor; and

(3) "Fund" means the Brownfield Revolving Loan Fund.

15-5-1503. Fund – Establishment - Uses.

(a)(1) There is established on the books of the Arkansas Development Finance Authority, a special restricted fund to be known as the "Brownfield Revolving Loan Fund", which shall be maintained by the authority and administered by the Arkansas Department of Environmental Quality, for the purposes stated under this subchapter.

(2) The authority may create sub-accounts within the fund, as necessary.

(b) Moneys in the fund shall be expended in a manner consistent with the terms and conditions of applicable federal and state grants, and may be used:

(1) To provide loans to prospective and actual purchasers of abandoned industrial, commercial, or agricultural sites for assessments, investigations, and remedial actions under Arkansas Code Title 8, Chapter 7, Subchapter 11;

(2) To provide grants for assessments, investigations, and remedial actions under Arkansas Code Title 8, Chapter 7, Subchapter 11, or as consistent with federal law;

(3) To secure the payment of the principal, premium, and interest on, and to pay costs incurred in connection with, bonds issued by the authority, if the net proceeds of the bonds are deposited into the fund;

(4) To fund administrative expenses relating to implementing this subchapter; and

(5) To provide for any other expenditures consistent with applicable federal or state law.

15-4-1504. Fund - Sources - Deposits.

(a) The following moneys shall be deposited directly into the Brownfield Revolving Loan Fund:

(1) Grants from the federal government or federal agencies allotted to the state for capitalization of the fund;

(2) State matching grants;

(3) Proceeds of bonds issued by the authority under this subchapter;

(4) Loan payments of principal, interest, and premiums under this subchapter;

(5) Any money received from the Hazardous Substance Remedial Action Trust Fund;

(6) Any money received by the state as a gift or donation to the fund;

(7) Any interest earned upon money deposited into the fund; and

(8) Any other money legally designated for the fund.

(b)(1) All moneys received after the effective date of this subchapter, from whatever source, for direct deposit into the fund, or paid to the authority for deposit in the fund, are cash funds, restricted in their use, and shall not be deposited in the State Treasury or deemed to be a part of the State Treasury for the purposes of Arkansas Constitution, Article 5, § 29, Article 16, § 12, Amendment 20, or any other constitutional or statutory provisions, but shall be held by the authority and used solely for the purposes stated under this subchapter.

(2) All moneys received by the authority under this subchapter shall be deposited into the fund when received, unless otherwise provided by state law.

(3)(A) Interest and other moneys received from the investment of moneys, the purchase of bonds, notes, or other evidences of indebtedness, or the making of loans with moneys in the fund, shall be cash funds to be used solely as authorized under this subchapter.

(B) Interest earnings that are transferred directly to the authority shall be cash funds to be used solely as authorized under this subchapter.

(c) The Arkansas Development Finance Authority may accept grants for deposit into the Brownfield Revolving Loan Fund from any state or federal agency, municipality, corporation, foundation, individual, or authority, and may accept any appropriation from the State Treasury, that the authority received before, as of, or after the effective date of this subchapter.

15-5-1505. Fund – Administration.

(a)(1) The Brownfield Revolving Loan Fund shall be administered by the Arkansas Department of Environmental Quality, with the Arkansas Development Finance Authority, serving as agent for the department.

(2) The department may establish procedures to administer the fund and the programs financed, in whole or in part, with moneys from the fund that are used for the purposes stated under this subchapter.

(3) The department may enter into contracts and other agreements in connection with the operation of the fund, including contracts and agreements with federal agencies, local governmental entities, the authority, and other persons, to implement this subchapter.

(b) The department shall have full authority to operate the fund and may make withdrawals as necessary to achieve the intended purposes of this subchapter.

15-5-1506. Loans - Grants.

(a) The Arkansas Finance Development Corporation, with approval of the Department of Environmental Quality, may:

(1) Make secured or unsecured loans from the fund;

(2) Award grants from the fund;

(3) May collect interest on any loans issued; and

(4) Assess penalties on late loan payments.

(b) Loans issued under this subchapter may contain an acceleration clause.

15-5-1507. Allocation from Treasurer of State.

(a)(1) The Arkansas Development Finance Authority may accept moneys for deposit into the fund from the Treasurer of State for deposit into the Brownfield Revolving Loan Fund, as provided by law, to be used for the purposes authorized under this subchapter.

(2) Federal or state grants transferred directly to the authority for deposit into the fund, are declared to be cash funds restricted in their use solely for the purposes under this subchapter.

(b) Notwithstanding the provisions of §§ 19-6-108 and 19-6-601, federal or state grants received by the Treasurer of State for purposes authorized under this subchapter are declared to be cash funds to be used solely as authorized under this subchapter.

(c)(1) Moneys received under this section shall not be considered to be a part of the State Treasury for the purposes of Arkansas Constitution, Article 5 § 29, Arkansas Constitution, Article 16, § 12, Arkansas Constitution, Amendment 20, or any other constitutional or statutory provision.

(2) The State Treasurer shall not deposit moneys received under this section into the State Treasury, but shall remit the moneys to the authority for deposit in the fund.

15-5-1508. Security for bonds.

The Arkansas Development Finance Authority may use the moneys in the Brownfield Revolving Loan Fund and the assets acquired with moneys in the fund to secure payment of the principal, premium, and interest on bonds issued by the authority, if the net proceeds of the bonds are deposited into the fund.

15-5-1509. Administrative fees.

(a) The Arkansas Department of Environmental Quality and the Arkansas Development Finance Authority may establish fees for their respective administrative services under this subchapter, including the costs of financing loans and awarding grants under this subchapter.

(b) The authority to establish fees under this section is supplemental to the authority granted to the department or the authority under other laws.

15-5-1510. Collection of fees.

(a)(1) The Arkansas Development Finance Authority, with approval of the Arkansas Department of Environmental Quality, may collect administrative fees and remit the fees directly to the authority within fifteen (15) days after each payment is collected.

(2) The authority shall remit any administrative fee owed to the department and the fees shall be deposited into the Brownfield Revolving Loan Fund on a quarterly basis.

(3) Any administrative fees owed to the authority shall not be deposited into the fund.

15-5-1511. Regulations.

The Arkansas Pollution Control and Ecology Commission may adopt regulations as necessary to implement this subchapter.

SECTION 2 EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that there is an urgent need to return abandoned, idled, and underused industrial, commercial, and agricultural properties, otherwise known as Brownfield sites, to productive uses; that the state would benefit by allowing grant funds awarded from the federal government, as well as future grant awards and other moneys allocated to the Department of Environmental Quality, to be used to clean up Brownfield sites; that a successful revolving loan fund program will assist the department to reach its goal of returning Brownfield sites to productive uses. Therefore, an emergency is declared to exist and this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2003.”

(SIGNED) TRACEY STEELE

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 941 was ordered engrossed.

On motion of Senator Wilkinson, **Senate Bill No. 852** was withdrawn from the Committee on STATE AGENCIES AND GOVERNMENTAL 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. 852

Amend **Senate Bill No. 852** as originally introduced:

Page 1, lines 10 and 11, delete "FOR ONE YEAR AFTER LEAVING OFFICE" and substitute "UNTIL THE EXPIRATION OF THEIR TERM OF OFFICE"

AND

Page 1, lines 15 and 16, delete "FOR ONE YEAR AFTER LEAVING OFFICE" and substitute "UNTIL THE EXPIRATION OF THEIR TERM OF OFFICE"

AND

Page 1, lines 25 and 26, delete "for one (1) year after the expiration of the former member's term of office." and substitute "until the expiration of his or her term of office."

(SIGNED) ED WILKINSON

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 852 was ordered engrossed.

On motion of Senator Malone, **Senate Bill No. 677** was withdrawn from the Committee on INSURANCE AND COMMERCE, 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. 677

Amend **Senate Bill No. 677** as originally introduced:

Page 2, delete lines 3 through 5 and substitute:

“(1) A child under the age of seven (7) years who is determined by two (2) dentists licensed under § 17-82-101 et seq., to require, without delay, necessary dental treatment in a hospital or ambulatory surgical center that is due to a significantly complex dental condition;

(2) A person with a diagnosed serious mental or physical condition; or

(3) A person with a significant behavioral problem as determined by the covered person’s physician as licensed under § 17-95-101.”

AND

Page 2, “July 30, 2003.” and substitute January 1, 2004.”

AND

Page 2, delete lines 19 through 21

AND

Page 2, delete “(g)” and substitute “(f)”

(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. 677 was ordered engrossed.

On motion of Senator Malone, **Senate Bill No. 733** was withdrawn from the Committee on PUBLIC TRANSPORTAION, 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. 733

Amend **Senate Bill No. 733** as originally introduced:

Page 1, line 21, delete "fee, not" and substitute "fee, established by the Arkansas Motor Vehicle Commission not"

(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. 733 was ordered engrossed.

SENATE RESOLUTION NO. 17
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: J. BOOKOUT, T. SMITH, HORN, ET AL

SENATE RESOLUTION EXPRESSING UNWAVERING SUPPORT TO THOSE CITIZENS OF ARKANSAS WHO SERVE IN THE ARMED FORCES OF THE UNITED STATES: THE ARMY, NAVY, AIR FORCE, MARINE CORPS, COAST GUARD, ARMY AND AIR FORCE NATIONAL GUARD, AND THE ARMY, NAVY, AIR FORCE, AND MARINE CORPS RESERVES; COMMENDING ALL

ARKANSANS WHO ARE INVOLVED IN OPERATION "IRAQI FREEDOM"; SUPPORTING OUR NATION'S RESOLVE TO LIBERATE THE PEOPLE OF IRAQ FROM THE TYRANNICAL RULE OF SADDAM HUSSEIN; AND HONORING PRESIDENT BUSH'S LEADERSHIP IN HIS EFFORT TO PROTECT THE UNITED STATES FROM SADDAM HUSSEIN.

Senate Resolution No. 17 was read the first time, rules suspended, read the second time and placed on the Calendar.

On motion of Senator Baker, the Senate resolved itself into the Committee of the Whole for the purpose of honoring U.S. Military and **Senate Resolution No. 17**.

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

On motion of Senator Baker, the rules were suspended in considering **Senate Resolution No. 17** at this time.

On motion of Senator Baker, **Senate Resolution No. 17** was called up for third reading and final disposition.

SENATE RESOLUTION NO. 17
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS J. BOOKOUT, T. SMITH, HORN, ET AL

SENATE RESOLUTION EXPRESSING UNWAVERING SUPPORT TO THOSE CITIZENS OF ARKANSAS WHO SERVE IN THE ARMED FORCES OF THE UNITED STATES: THE ARMY, NAVY, AIR FORCE, MARINE CORPS, COAST GUARD, ARMY AND AIR FORCE NATIONAL GUARD, AND THE ARMY, NAVY,

AIR FORCE, AND MARINE CORPS RESERVES; COMMENDING ALL ARKANSANS WHO ARE INVOLVED IN OPERATION "IRAQI FREEDOM"; SUPPORTING OUR NATION'S RESOLVE TO LIBERATE THE PEOPLE OF IRAQ FROM THE TYRANNICAL RULE OF SADDAM HUSSEIN; AND HONORING PRESIDENT BUSH'S LEADERSHIP IN HIS EFFORT TO PROTECT THE UNITED STATES FROM SADDAM HUSSEIN.

Senate Resolution No. 17 was read the third time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

March 21, 2003

Mr. President:

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

SENATE BILL NO. 108, BY SENATE FARIS,

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. 108 was ordered re-referred to the Committee on JOINT RETIREMENT AND SOCIAL SECURITY.

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

March 21, 2003

Mr. President:

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

SENATE BILL NO. 501, 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. 501 was ordered re-referred to the Committee on CITY, COUNTY AND LOCAL AFFAIRS.

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

March 21, 2003

Mr. President:

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

SENATE BILL NO. 677, BY SENATOR MALONE,
SENATE BILL NO. 762, BY SENATOR STEELE,

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. 677 was ordered re-referred to the Committee on INSURANCE AND COMMERCE.

Senate Bill No. 762 was ordered re-referred to the Committee on INSURANCE AND COMMERCE.

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

March 21, 2003

Mr. President:

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

SENATE BILL NO. 733, 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. 733 was ordered re-referred to the Committee on PUBLIC TRANSPORTATION.

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

March 21, 2003

Mr. President:

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

SENATE BILL NO. 767, BY SENATOR GULLETT,

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. 767 was ordered re-referred to the Committee on TECHNOLOGY AND LEGISLATIVE AFFAIRS.

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

March 21, 2003

Mr. President:

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

SENATE BILL NO. 852, BY SENATOR WILKINSON,

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. 852 was ordered re-referred to the Committee on STATE AGENCIES AND GOVERNMENTAL AFFAIRS.

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

March 21, 2003

Mr. President:

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

SENATE BILL NO. 903, BY SENATOR T. SMITH,

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

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

March 21, 2003

Mr. President:

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

SENATE BILL NO. 941, BY SENATOR STEELE,

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

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

March 21, 2003

Mr. President:

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

SENATE BILL NO. 970, BY SENATOR CRITCHER,

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. 970 was ordered re-referred to the Committee on REVENUE AND TAXATION.

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

March 21, 2003

Mr. President:

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

SENATE BILL NO. 743, BY SENATOR MADISON,

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 21, 2003

Mr. President:

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

HOUSE BILL NO. 1936, BY REPRESENTATIVE ADAMS,
HOUSE BILL NO. 2181, BY REPRESENTATIVE GOSS,
HOUSE BILL NO. 2244, BY REPRESENTATIVE BOND,
HOUSE BILL NO. 2275, BY REPRESENTATIVE THOMASON,
HOUSE BILL NO. 2276, 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 21, 2003

Mr. President:

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

SENATE BILL NO. 713, BY SENATOR BAKER,
SENATE BILL NO. 805, BY SENATOR STEELE,
SENATE BILL NO. 853, BY SENATOR WOMACK

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) STEVE HIGGINBOTHOM, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

March 21, 2003

Mr. President:

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

HOUSE BILL NO. 2184, BY REPRESENTATIVE HOUSE,
HOUSE BILL NO. 2199, BY REPRESENTATIVE COWLING,
HOUSE BILL NO. 2200, BY REPRESENTATIVE COWLING,
HOUSE BILL NO. 2207, BY REPRESENTATIVE HARRIS,
HOUSE BILL NO. 2234, BY REPRESENTATIVE DOBBINS,
HOUSE BILL NO. 2277, BY REPRESENTATIVE BOLIN,
HOUSE BILL NO. 2308, BY REPRESENTATIVE WOOD,
HOUSE BILL NO. 2343, BY REPRESENTATIVE PETRUS,
HOUSE BILL NO. 2463, BY REPRESENTATIVE HOUSE,
HOUSE BILL NO. 2466, BY REPRESENTATIVE PRITCHARD,
HOUSE BILL NO. 2559, BY REPRESENTATIVE S. PRATHER,
HOUSE BILL NO. 2560, BY REPRESENTATIVE S. PRATHER,
HOUSE BILL NO. 2674, BY REPRESENTATIVE MAHONY,

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

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

March 21, 2003

Mr. President:

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

HOUSE BILL NO. 2340, BY REPRESENTATIVE HOUSE,

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 HIGGINBOTHOM, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

March 20, 2003

Mr. President:

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

SENATE BILL NO. 34, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 67, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 172, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 174, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 203, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 211, BY SENATOR BAKER,

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

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

March 20, 2003

Mr. President:

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

SENATE BILL NO. 247, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 235, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 372, BY SENATOR HORN AND
REPRESENTATIVE COWLING,
SENATE BILL NO. 373, BY SENATOR HORN AND
REPRESENTATIVE COWLING,
SENATE BILL NO. 374, BY SENATOR HORN AND
REPRESENTATIVE COWLING,
SENATE BILL NO. 375, BY SENATOR HORN AND
REPRESENTATIVE COWLING,
SENATE BILL NO. 376, BY SENATOR HORN AND
REPRESENTATIVE BENNETT,
SENATE BILL NO. 396, BY SENATOR HORN AND
REPRESENTATIVE BENNETT,
SENATE BILL NO. 397, BY SENATOR HORN AND
REPRESENTATIVE THOMASON,
SENATE BILL NO. 398, BY SENATOR HORN AND
REPRESENTATIVE HAAK, COWLING, BENNETT,

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

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

March 20, 2003

Mr. President:

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

SENATE BILL NO. 405, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 410, BY SENATOR HOLT AND
REPRESENTATIVES MATAYO, HARRIS,
SENATE BILL NO. 421, BY SENATOR HORN AND
REPRESENTATIVE COWLING,
SENATE BILL NO. 422, BY SENATOR HORN AND
REPRESENTATIVES HAAK, COWLING,
CLEMONS,
SENATE BILL NO. 423, BY SENATOR HORN,
SENATE BILL NO. 436, BY SENATOR MADISON AND
REPRESENTATIVE JUDY,
SENATE BILL NO. 437, BY SENATOR MADISON AND
REPRESENTATIVES JUDY, EDWARDS,
SENATE BILL NO. 450, BY SENATOR HOLT AND
REPRESENTATIVE MATAYO,
SENATE BILL NO. 451, BY SENATOR HOLT AND
REPRESENTATIVE MATAYO,
SENATE BILL NO. 473, BY SENATOR BAKER AND
REPRESENTATIVES PICKETT, PARKS
SENATE BILL NO. 490, BY SENATOR FARIS

SENATE BILL NO. 493, BY SENATOR FARIS

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

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

March 20, 2003

Mr. President:

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

SENATE BILL NO. 494, BY SENATOR FARIS,
SENATE BILL NO. 541, BY SENATOR WILKINSON AND
REPRESENTATIVE CLEVELAND,
SENATE BILL NO. 542, BY SENATOR WILKINSON AND
REPRESENTATIVES WALTERS, VERKAMP,
SENATE BILL NO. 546, BY SENATOR WOOLDRIDGE, AND
REPRESENTATIVE BIGGS,
SENATE BILL NO. 552, BY SENATOR WOOLDRIDGE,
SENATE BILL NO. 558, BY SENATOR WOOLDRIDGE,
SENATE BILL NO. 559, BY SENATOR WOODLRIDGE,
SENATE BILL NO. 561, BY SENATOR WOOLDRIDGE AND
REPRESENTATIVE BIGGS,
SENATE BILL NO. 566, BY SENATOR HILL AND
REPRESENTATIVE SULLIVAN,
SENATE BILL NO. 616, BY SENATOR B. JOHNSON,

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

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

March 20, 2003

Mr. President:

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

SENATE BILL NO. 617, BY SENATOR MADISON,
SENATE BILL NO. 622, BY SENATOR B. JOHNSON,
SENATE BILL NO. 623, BY SENATOR B. JOHNSON,
SENATE BILL NO. 624, BY SENATOR B. JOHNSON,
SENATE BILL NO. 625, BY SENATOR B. JOHNSON,
SENATE BILL NO. 626, BY SENATOR B. JOHNSON,
SENATE BILL NO. 627, BY SENATOR B. JOHNSON,
SENATE BILL NO. 628, BY SENATOR B. JOHNSON,

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

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

March 20, 2003

Mr. President:

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

SENATE BILL NO. 629, BY SENATOR HORN AND
REPRESENTATIVES WHITE,
COWLING, BENNETT,
SENATE BILL NO. 631, BY SENATOR HORN AND
REPRESENTATIVE COWLING,
SENATE BILL NO. 664, BY SENATOR HOLT,
SENATE BILL NO. 665, BY SENATOR HOLT,
SENATE BILL NO. 666, BY SENATOR HOLT,
SENATE BILL NO. 667, BY SENATOR MADISON,
SENATE BILL NO. 668, BY SENATOR B. JOHNSON,
SENATE BILL NO. 669, BY SENATOR B. JOHNSON,
SENATE BILL NO. 680, BY SENATOR HOLT,
SENATE BILL NO. 681, BY SENATORS HOLT,
MADISON AND
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) DAVID BISBEE, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

March 20, 2003

Mr. President:

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

SENATE BILL NO. 682, BY SENATOR HOLT AND
REPRESENTATIVE HARRIS,
SENATE BILL NO. 683, BY SENATOR HOLT AND
REPRESENTATIVES KENNEY, MATAYO,

SENATE BILL NO. 684, BY SENATOR HOLT AND
REPRESENTATIVES KENNY, MATAYO,
SENATE BILL NO. 685, BY SENATOR HOLT AND
REPRESENTATIVE AGEE,
SENATE BILL NO. 686, BY SENATOR HOLT AND
REPRESENTATIVES MATAYO, HARRIS,
SENATE BILL NO. 687, BY SENATOR HOLT AND
REPRESENTATIVES HARRIS, MATAYO,
SENATE BILL NO. 688, BY SENATORS HOLT, WHITAKER AND
REPRESENTATIVE AGEE,
SENATE BILL NO. 745, BY SENATOR FARIS,
SENATE BILL NO. 756, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 901, 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

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

March 20, 2003

Mr. President:

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

SENATE BILL NO. 487, BY SENATOR FARIS,

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) DAVID BISBEE, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

March 21, 2003

Mr. President:

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

SENATE RESOLUTION NO. 12 , BY SENATOR J. BOOKOUT,

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 21, 2003

Mr. President:

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

SENATE CONCURRENT RESOLUTION NO. 24,
BY SENATOR J. JEFFRESS,

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 21, 2003

Mr. President:

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

SENATE BILL NO. 811, BY SENATOR GULLETT,
SENATE BILL NO. 886, 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.

Respectfully submitted,

(SIGNED) JIM ARGUE, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

March 21, 2003

Mr. President:

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

SENATE BILL NO. 881, BY SENATOR BAKER,

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) JIM ARGUE, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

March 21, 2003

Mr. President:

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

SENATE BILL NO. 452, 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 as concurred.

Respectfully submitted,

(SIGNED) JIM ARGUE, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

March 21, 2003

Mr. President:

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

HOUSE BILL NO. 2402, BY REPRESENTATIVE COWLING,

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) JIM ARGUE, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

March 21, 2003

Mr. President:

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

SENATE BILL NO. 782, 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 it do pass as amended.

Respectfully submitted,

(SIGNED) TIM WOOLDRIDGE, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

March 21, 2003

Mr. President:

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

HOUSE CONCURRENT RESOLUTION NO. 1016,
BY REPRESENTATIVE MAHONY,

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, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

March 21, 2003

Mr. President:

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

HOUSE BILL NO. 1982, BY REPRESENTATIVE NAPPER,

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, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

March 21, 2003

Mr. President:

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

HOUSE BILL NO. 2194, BY REPRESENTATIVE BRADFORD,

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) TIM WOOLDRIDGE, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

March 21, 2003

Mr. President:

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

SENATE BILL NO. 313, BY SENATOR MALONE,
SENATE BILL NO. 656, BY SENATOR HENDREN,
SENATE BILL NO. 816, BY SENATOR WILKINS,

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 21, 2003

Mr. President:

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

SENATE BILL NO. 729, BY SENATOR GLOVER,
SENATE BILL NO. 942, 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 as amended.

Respectfully submitted,

(SIGNED) JACK CRITCHER, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

March 21, 2003

Mr. President:

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

HOUSE CONCURRENT RESOLUTION NO. 1017,
BY REPRESENTATIVE JUDY,
HOUSE CONCURRENT RESOLUTION NO. 1037,
BY REPRESENTATIVE FERGUSON,

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 21, 2003

Mr. President:

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

HOUSE BILL NO. 2530, BY REPRESENTATIVE JUDY,

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 21, 2003

Mr. President:

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

HOUSE BILL NO. 2307, BY REPRESENTATIVE BLEDSOE,

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) JACK CRITCHER, CHAIRMAN

STATE OF ARKANSAS
HOUSE OF REPRESENTATIVES
EIGHTY-FOURTH GENERAL ASSEMBLY
LITTLE ROCK, ARKANSAS 72201

HERSCHEL W. CLEVELAND, SPEAKER
TIM MASSANELLI, PARLIAMENTARIAN JO RENSHAW, CHIEF CLERK

March 20, 2003

The Honorable Ann Cornwell
Secretary of Senate
Senate Fiscal Officer
State Capitol Building
Little Rock, Arkansas 72201

Dear Ann:

The House of Representatives respectfully requests the return to the House, of the **House Bill No. 2849**.

Respectfully submitted,

(SIGNED) JO RENSHAW
Chief Clerk

JLR/jb

House Bill No. 2849 was ordered immediately returned to the House as requested.

On motion of Senator Holt, [Senate Concurrent Resolution No. 32](#) was placed back on second reading for purpose of amendment.

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

[Amendment No. 1 to SENATE CONCURRENT RESOLUTION NO. 32](#)

Amend [Senate Concurrent Resolution No. 32](#) as originally introduced:

Page 1, line 11, delete "FIFTY" and substitute "FIFTY-THREE"

AND

Page 1, line 18, delete "FIFTY" and substitute "FIFTY-THREE"

AND

Page 1, line 23, delete "fifty" and substitute "fifty-three"

AND

Page 1, line 31, delete "fifty" and substitute "fifty-three"

AND

Page 2, line 3, delete "fifty" and substitute "fifty-three"

(SIGNED) JIM HOLT

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

(SIGNED) ANN CORNWELL, SECRETARY

[Senate Concurrent Resolution No. 32](#) was ordered engrossed.

On motion of Senator Bryles, [House Concurrent Resolution No. 1012](#) was called up for third reading and final disposition.

HOUSE CONCURRENT RESOLUTION NO. 1012
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES PICKETT, WOOD, LENDALL
BY: SENATOR BRYLES

HOUSE CONCURRENT RESOLUTION URGING STATE-SUPPORTED POST-SECONDARY EDUCATIONAL INSTITUTIONS TO COMPLY WITH ARKANSAS CODE § 6-61-112 AND PROVIDE THE REQUIRED REFUNDS FOR TUITION, ROOM, BOARD, AND TEXTBOOKS TO STUDENTS WHO ARE BEING ACTIVATED FOR FULL TIME MILITARY SERVICE.

[House Concurrent Resolution No. 1012](#) was read the first time, read the second time, rules suspended, read the third time and concurred in by the Senate.

(SIGNED) ANN CORNWELL, SECRETARY

[House Concurrent Resolution No. 1012](#) was ordered immediately returned to the House as concurred in.

On motion of Senator Hill, [House Concurrent Resolution No. 1010](#) was placed back on second reading for purpose of amendment.

ARKANSAS SENATE
As Engrossed: H2/27/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

[Amendment No. 1 to HOUSE CONCURRENT RESOLUTION NO. 1010](#)

Amend [House Concurrent Resolution No. 1010](#) as engrossed, H2/27/03:
Page 3, line 25 delete "individuals" and substitute "individuals with"

AND

Page 3, line 28, delete "WHEREAS ,direct-support" and substitute "WHEREAS,
direct-support

AND

Page 4, line 17, delete "professions" and substitute "professionals"

(SIGNED) JIM HILL

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

(SIGNED) ANN CORNWELL, SECRETARY

House Concurrent Resolution No. 1010 was ordered engrossed.

On motion of Senator Argue, **Senate Bill No. 891** was placed back on second
reading for purpose of amendment.

ARKANSAS SENATE

As Engrossed: 3/18/03

EIGHTY-FOURTH GENERAL ASSEMBLY

REGULAR SESSION

Amendment No. 2 to SENATE BILL NO. 891

Amend **Senate Bill No. 891** as originally introduced:

Page 2, line 25, delete "insurance" and substitute "insurance and annuities"

(SIGNED) JIM ARGUE

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 891 was ordered engrossed.

On motion of Senator Smith, **Senate Bill No. 904** 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. 904

Amend **Senate Bill No. 904** as originally introduced:

Delete Section 1 and substitute the following:

“SECTION 1. Annual report regarding malpractice rates.

(a) The Insurance Commissioner shall conduct an annual study of malpractice insurance rates in Arkansas and report the findings to the Legislative Council and the chairs of both the House and Senate Interim Committees on Insurance and Commerce.

(b) The study shall include:

(1) Any findings regarding any changes in medical malpractice rates;

(2) Any other finding that is relevant to malpractice insurance rates;

and

(3) Any recommendations in respect to any law relating to medical malpractice insurance.

(c) The report shall be submitted no later than the August 1st subsequent to the year studied.”

(SIGNED) TERRY SMITH

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 904 was ordered engrossed.

On motion of Senator J. Jeffress, **Senate Bill No. 37** was placed back on second reading for purpose of amendment.

ARKANSAS SENATE
As Engrossed: S2/27/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 2 to SENATE BILL NO. 37

Amend **Senate Bill No. 37** as originally introduced:
Add Senators Bisbee and Steele as cosponsors of the bill

AND

Page 2, line 4, delete "from" and substitute "from properly"

(SIGNED) DAVID BISBEE

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 37 was ordered engrossed.

On motion of Senator J. Jeffress, **Senate Bill No. 37** was placed back on second reading for purpose of amendment.

ARKANSAS SENATE
As Engrossed: S2/27/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 3 to SENATE BILL NO. 37

Amend **Senate Bill No. 37** as originally introduced:

Page 2, delete lines 15 through 21, and substitute the following:

“SECTION 3. (a) Except as provided in subsection (b) of this section, no person, homeowner’s association, property owner’s association, or other private entity shall adopt any rule, regulation, or policy, or shall enter into any agreement or protective covenant, that prevents any person or private entity that would otherwise have the legal right to properly display a flag of the United States on private property from exercising that right.

(b)(1) Display of the flag may be restricted if the flag is used as, or in conjunction with, an advertising display.

(2) This section shall not apply to landlords of private rental property who operate fewer than twelve (12) rental units.”

(SIGNED) J. JEFFRESS

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 37 was ordered engrossed.

On motion of Senator Gullett, **Senate Bill No. 416** was placed back on second reading for purpose of amendment.

ARKANSAS SENATE

As Engrossed: S3/10/03

EIGHTY-FOURTH GENERAL ASSEMBLY

REGULAR SESSION

Amendment No. 2 to SENATE BILL NO. 416

Amend **Senate Bill No. 416** as originally introduced:

Page 1, delete line 31 and substitute the following:

“offenses.

SECTION 2. Arkansas Code § 5-27-601, concerning definitions for computer crimes against minors, is amended by adding additional subdivisions to read as follows:

(13) “Electronic mail” means an electronic message, file, data, or other information that is transmitted:

(A) Between two (2) or more computers, computer networks, or electronic terminals; or

(B) Within or between computer networks;

(14) "Electronic mail service provider" means a person who:
(A) Is an intermediary in the transmission of electronic mail from the sender to the recipient; or
(B) Provides to end users of electronic mail service the ability to send and receive electronic mail; and

(15) "Interactive computer service" means an information service, system, or access software provider that provides or enables computer access by multiple users to a computer server, including specifically a service or system that provides access to the Internet and also the systems operated or services offered by libraries or educational institutions."

AND

Page 1, line 33, delete "SECTION 2." and substitute "SECTION 3."

AND

Page 2, line 16, delete "SECTION 3." and substitute "SECTION 4."

AND

Page 3, delete line 2 and substitute the following:

"SECTION 5. Arkansas Code Title 5, Chapter 27, Subchapter 6 is amended by adding an additional section to read as follows:

5-27-608. Applicability of this subchapter to interactive computer service and electronic mail service providers.

An interactive computer service or electronic mail service provider does not violate this subchapter when the interactive computer service or electronic mail service provider is an intermediary between the sender and the recipient in the transmission of an electronic mail that violates this subchapter.

SECTION 6. Arkansas Code Title 5, Chapter 41, Subchapter 1 is amended"

AND

Page 3, line 10, delete "SECTION 5." and substitute "SECTION 7."

AND

Page 3, line 23, delete "SECTION 6." and substitute "SECTION 8."

AND

Page 3, line 29, delete "SECTION 7." and substitute "SECTION 9."

AND

Page 3, line 35, delete "SECTION 8." and substitute "SECTION 10."

AND

Page 4, line 6, delete "SECTION 9." and substitute "SECTION 11."

AND

Page 4, line 14, delete "SECTION 10." and substitute "SECTION 12."

AND

Page 4, line 21, delete "SECTION 11." and substitute "SECTION 13."

AND

Page 4, line 27, delete "SECTION 12." and substitute "SECTION 14."

AND

Page 4, line 35, delete "SECTION 13." and substitute "SECTION 15."

AND

Page 5, line 7, delete "SECTION 14." and substitute "SECTION 16."

AND

Page 5, line 15, delete "SECTION 15." and substitute "SECTION 17."

AND

Page 5, line 23, delete "SECTION 16." and substitute "SECTION 18."

AND

Page 5, line 30, delete "SECTION 17." and substitute "SECTION 19."

AND

Page 6, line 2, delete "SECTION 18." and substitute "SECTION 20."

AND

Page 6, line 10, delete "SECTION 19." and substitute "SECTION 21."

AND

Page 6, line 17, delete "SECTION 20." and substitute "SECTION 22."

AND

Page 6, line 26, delete "SECTION 21." and substitute "SECTION 23."

AND

Page 6, line 34 delete "SECTION 22." and substitute "SECTION 24."

AND

Page 7, delete line 4 and substitute the following:
"prohibited in § 5-27-605.

SECTION 25. Arkansas Code § 5-36-303 is amended to read as follows:
5-36-303. Theft of wireless service.

(a) A person commits the offense of theft of wireless service if he or she intentionally obtains wireless service by the use of an unlawful wireless device or

without the consent of the wireless service provider.

(b) Theft of wireless service is a Class A misdemeanor when the aggregate value of service obtained is five hundred dollars (\$500) or less, and a Class C felony when the aggregate value of service obtained is more than five hundred dollars (\$500) but less than twenty-five hundred dollars (\$2500). If the aggregate value of service is twenty-five hundred dollars (\$2500) or more, or if the conviction is for a second or subsequent offense, or if the person convicted of the offense has been

previously convicted of any similar crime in this or any other state or federal jurisdiction, theft of wireless service is a Class B felony.

(c) Theft of wireless service is a Class C felony if the stolen service is used to communicate threats of damage or injury by bombing, fire or other means, in a manner likely to place another person in reasonable apprehension of physical injury to himself or another or of damage to his or her property or to the property of another or to create a public alarm."

(SIGNED) BRENDA GULLETT

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 416 was ordered engrossed.

On motion of Senator Wooldridge, **Senate Bill No. 190** was called up for the purpose of considering **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. 190

Amend **Senate Bill No. 190** as introduced:

Page 1, delete line 21 and substitute the following:

"SECTION 1. Arkansas Code § 6-50-702 is amended to read as follows:
6-50-702. Definitions."

AND

Page 2, delete lines 23 and 24 and substitute the following:

"(C) Fifty percent (50%) of eligible participants completing each course must be employees of eligible companies;"

AND

Page 2, delete line 27 and substitute the following:
"income tax;

(6) "Full time instructor or trainer" means a person who works a minimum of thirty (30) hours per week on at least a nine-month contract length and has the normal fringe benefit package available to any employee the institution considers to be a full time employee;"

AND

Page 2, line 28, delete "(6)" and substitute "~~(6)~~(7)"

AND

Page 2, line 31, delete "(7)" and substitute "~~(7)~~(8)"

AND

Page 2, line 34, delete "(8)(A)" and substitute "~~(8)~~(9)(A)"

AND

Page 3, delete lines 1 through 9 and substitute the following:

"(B) ~~except that~~ However, for purposes of this subchapter, Texarkana College may be considered a state-supported educational institution for the purpose of delivering training services to eligible companies located in Miller County, Arkansas, ~~provided that~~ if Texarkana College continues to waive out-of-state tuition for residents of Arkansas."

AND

Page 3, line 28, delete "or" and substitute "ø"

AND

Page 3, delete line 32 and substitute the following:
"delivered by a full time instructor or trainer with fifty percent (50%) or more eligible participants completing the course."

AND

Page 4, delete line 3 and substitute the following:
"amount of support will be reduced proportionally;

(iii) The instructional hour rate, established by the governing council, not to exceed fifty dollars (\$50.00) per instructional hour times the number of instructional hours by adjunct or part time instructors or trainers with fifty percent (50%) or more eligible participants completing each course;

(iv) The instructional hour rate, established by the governing council, not to exceed thirty-five dollars (\$35.00) per instructional hour times the number of instructional hours for safety related training; or

(v) The instructional hour rate, established by the governing council, not to exceed thirty-five dollars (\$35.00) per instructional hour times the number of instructional hours for all courses with less than fifty percent

(50%) eligible participants completing each course."

AND

Page 4, line 15, delete "and" and substitute "and"

AND

Page 4, delete lines 18 through 21 and substitute the following:
"without a unanimous vote of the governing council."

(SIGNED) TOMMY DICKINSON

Amendment No. 1 to Senate Bill No. 190, 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 Wooldridge, and without objection, the rules were suspended pertaining to passage of Amendment and Bill on the same day.

On motion of Senator Wooldridge, **Senate Bill No. 190** was called up for third reading and final disposition.

SENATE BILL NO. 190
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR WOOLDRIDGE

A Bill for an Act to be Entitled: AN ACT TO AMEND THE ARKANSAS EXISTING WORKFORCE TRAINING ACT TO CLARIFY DEFINITIONS; TO CHANGE THE INSTRUCTIONAL HOUR RATE; AND FOR OTHER PURPOSES.

Senate Bill No. 190 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.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

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. 190 was returned from the House as passed and ordered enrolled.

On motion of Senator Baker, the rules were suspended in considering Senate Bill No. 881 at this time.

On motion of Senator Baker, Senate Bill No. 881 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. 881

Amend **Senate Bill No. 881** as originally introduced:

Page 1, line 28, delete "college" and substitute "graduate-level college"

AND

Page 1, line 29, delete "forty-five (45)" and substitute "twelve (12)"

(SIGNED) GILBERT BAKER

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 881 was ordered engrossed.

On motion of Senator Baker, the rules were suspended in considering **Senate Bill No. 713** at this time.

On motion of Senator Baker, **Senate Bill No. 713** 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. 713

Amend **Senate Bill No. 713** as originally introduced:

Page 4, Line 16 insert the following subsection:

"(k)(1)(A) The Office of Driver Services shall charge a fee of fifteen dollars (\$15.00) for reinstating a driver's license administratively suspended because of a violation of "The Arkansas Hot Check Law" when the person is not subsequently acquitted of the charge.

(B) The fee shall be in addition to any other fee imposed for reinstatement of driving privileges.

(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 Revenue Division to offset the costs of administering this act.

(3) The fee imposed by subsection (k)(1) shall not apply to the reinstatement of driver's licenses suspended by order of a court for a conviction

under "The Arkansas Hot Check Law"."

(SIGNED) GILBERT BAKER

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 713 was ordered engrossed.

On motion of Senator Hill, the rules were suspended in considering Senate Bill No. 797 at this time.

On motion of Senator Hill, Senate Bill No. 797 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 SENATE BILL NO. 797

Amend Senate Bill No. 797 as originally introduced:

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code Title 26, Chapter 52, Subchapter 3 is amended by adding additional sections to read as follows:

26-52-315. Attorneys.

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

(1) "Attorney" means:

(A) Any person licensed to practice law in the state or federal courts in Arkansas;

(B) Any partnership, association, or corporation of licensed attorneys; and

(C) Any attorney licensed by another state, who provides services in the State of Arkansas;

(2) "Employer" means those who have a right to exercise control as to how, when, and where services are to be performed;

(3) "Practice of law" means any service related to the legal representation of clients including, but not limited to, acts included in § 16-22-501(a).

which involves conduct regulated by the Arkansas Supreme Court; and

(4) "Services" means all acts, work, or representation rendered, furnished, or performed for a valuable consideration by any person engaged in the practice of law for a consumer or client other than an employer.

(b) All fees and compensation collected by any attorney for services performed shall be subject to the gross receipts tax levied by the Arkansas Gross Receipts Act of 1941, § 26-52-101 et seq.

(c) The tax shall be collected, reported, and paid in the same manner and at the same time as is prescribed by law for the collection, reporting, and payment of the tax imposed by the Arkansas Gross Receipts Tax Act of 1941, § 26-52-101 et seq.

(d)(1) Any attorney required to collect and remit gross receipts tax on fees collected for services under this section shall obtain a sales tax permit for the purpose of identification.

(2) The provisions of § 26-52-501(a), and § 26-18-206 making it unlawful to operate a business without a permit shall not apply to the practice of law by an attorney.

(3) The provisions of § 26-18-702 allowing the director to enjoin the operation of a business shall not apply to the practice of law by an attorney.

26-52-316. Accountants.

(a) For purposes of this section:

(1) "Accountant" means any person, partnership, corporation, limited liability company, or other entity certified or licensed under § 17-12-301, § 17-12-312 or §§ 17-12-401 through 17-12-404 or any accountant certified or licensed by another state, who performs services in the State of Arkansas;

(2) "Employer" means those who have a right to exercise control as to how, when, and where services are to be performed;

(3) "Practice of public accounting" means the performance of professional services as defined in this section, or the performance of professional services while using the title or designation of certified public accountant, public accountant, CPA, PA, accountant, or auditor;

(4) "Professional services" means services arising out of or related to the specialized knowledge or skills performed by certified public accountants or public accountants; and

(5) "Services" means all acts, work, or professional services rendered, furnished, or performed, for a valuable consideration by any person engaged in the practice of public accounting for a consumer or client other than an employer.

(b) All fees and compensation collected by any accountant for services performed shall be subject to the gross receipts tax levied by the Arkansas Gross Receipts Act of 1941, § 26-52-101 et seq.

(c) The tax shall be collected, reported, and paid in the same manner and at the same time as is prescribed by law for the collection, reporting, and payment of the tax imposed by the Arkansas Gross Receipts Act of 1941, § 26-52-101 et seq.

(d) Any accountant required to collect and remit gross receipts taxes on fees collected for services under this section shall obtain a sales tax permit as provided by § 26-52-501.

26-52-317. Engineers.

(a) For purposes of this section:

(1) "Engineer" means any person, firm, partnership, corporation, limited liability company, or other entity who is a professional engineer as defined by § 17-30-101 or who engages in the practice of engineering as defined by § 17-30-101, or who is registered as an engineer by another state, who performs services in the State of Arkansas;

(2) "Employer" means those who have a right to exercise control as to how, when, and where services are to be performed; and

(3) "Services" means all acts, or work rendered, furnished, or performed for a valuable consideration by any person engaged in the practice of engineering for a consumer or client other than an employer.

(b) All fees and compensation collected by any engineer for services performed shall be subject to the gross receipts tax levied by the Arkansas Gross Receipts Act of 1941, § 26-52-101 et seq.

(c) The tax shall be collected, reported, and paid in the same manner and at the same time as is prescribed by law for the collection, reporting, and payment of the tax imposed by the Arkansas Gross Receipts Act of 1941, § 26-52-101 et seq.

(d) Any engineer required to collect and remit gross receipts tax on fees collected for services under this section shall obtain a sales tax permit as provided by § 26-52-501.

26-52-318. Architects.

(a) For purposes of this section:

(1) "Architect" means any person, firm, partnership, corporation, limited liability company, or other entity who is an architect as defined by § 17-15-102 or who engages in the practice of architecture as defined by § 17-15-102 or who is registered as an architect by another state, who performs services in the State of Arkansas;

(2) "Employer" means those who have a right to exercise control as to how, when, and where services are to be performed; and

(3) "Services" means all acts, or work rendered, furnished, or performed for a valuable consideration by any person engaged in the practice of architecture for a consumer or client other than an employer.

(b) All fees and compensation collected by any architect for services performed shall be subject to the gross receipts tax levied by the Arkansas Gross Receipts Act of 1941, § 26-52-101 et seq.

(c) The tax shall be collected, reported, and paid in the same manner and at the same time as is prescribed by law for the collection, reporting, and payment of the tax imposed by the Arkansas Gross Receipts Act of 1941, § 26-52-101 et seq.

(d) Any architect required to collect and remit gross receipts tax on fees collected for services under this section shall obtain a sales tax permit as provided by § 26-52-501.

26-52-319. Computer consultants.

(a) For purposes of this section:

(1) "Computer consultant" means any person, firm, partnership, corporation, limited liability company, or other entity who installs, maintains, repairs, or updates computer hardware or software or who provides technical support or assistance in the purchase, installation, maintenance, repair or updating of computer hardware or software;

(2) "Employer" means those who have a right to exercise control as to how, when, and where services are to be performed; and

(3) "Services" means all acts, or work rendered, furnished, or performed for a valuable consideration by any person engaged in computer consulting for a consumer or client other than an employer.

(b) All fees and compensation collected by any computer consultant for services performed shall be subject to the gross receipts tax levied by the Arkansas Gross Receipts Act of 1941, § 26-52-101 et seq.

(c) The tax shall be collected, reported, and paid in the same manner and at the same time as is prescribed by law for the collection, reporting, and payment of the tax imposed by the Arkansas Gross Receipts Act of 1941, § 26-52-101 et seq.

(d) Any computer consultant required to collect and remit gross receipts tax on fees collected for services under this section shall obtain a sales tax permit as provided by § 26-52-501.

26-53-320. Landscape architects.

(a) For purposes of this section:

(1) "Landscape architect" means any person, firm, partnership, corporation, limited liability company, or other entity who is a landscape architect as defined by § 17-36-102 or who engages in landscape architecture as defined by §

17-36-102, or who is licensed as a landscape architect by another state, who performs services in the State of Arkansas;

(2) "Employer" means those who have a right to exercise control as to how, when, and where services are to be performed; and

(3) "Services" means all acts, or work rendered, furnished, or performed for a valuable consideration by any person engaged in landscape architecture for a consumer or client other than an employer.

(b) All fees and compensation collected by any landscape architect for services performed shall be subject to the gross receipts tax levied by the Arkansas Gross Receipts Act of 1941, § 26-52-101 et seq.

(c) The tax shall be collected, reported, and paid in the same manner and at the same time as is prescribed by law for the collection, reporting, and payment of the tax imposed by the Arkansas Gross Receipts Act of 1941, § 26-52-101 et seq.

(d) Any landscape architect required to collect and remit gross receipts tax on fees collected for services under this section shall obtain a sales tax permit as provided by § 26-52-501.

26-52-321. Interior Designers.

(a) For purposes of this section:

(1) "Interior designer" means any person, firm, partnership, corporation, limited liability company, or other entity who installs, maintains, repairs, or updates computer hardware or software or who provides the service of designing or decorating the interiors of houses or buildings, counseling with respect to such designing or decoration, or the procurement of furniture, fixtures, or home or building decorations;

(2) "Employer" shall mean and include those who have a right to exercise control as to how, when, and where services are to be performed; and

(3) "Services" means all acts, or work rendered, furnished, or performed for a valuable consideration by any person engaged in interior design for a consumer or client other than an employer.

(b) All fees and compensation collected by any interior designer for services performed shall be subject to the gross receipts tax levied by the Arkansas Gross Receipts Act of 1941, § 26-52-101 et seq.

(c) The tax shall be collected, reported, and paid in the same manner and at the same time as is prescribed by law for the collection, reporting, and payment of the tax imposed by the Arkansas Gross Receipts Act of 1941, § 26-52-101 et seq.

(d) Any interior designer required to collect and remit gross receipts tax on fees collected for services under this section shall obtain a sales tax permit as provided by § 26-52-501.

26-52-322. Environmental consultants.

(a) For purposes of this section:

(1) "Environmental consultant" means any person, firm, partnership, corporation, limited liability company, or other entity who provides environmental consulting services;

(2) "Environmental consulting services" includes services provided by environmental scientists, engineers, and other experts and establishments that primarily engage in providing advice and assistance to businesses and other organizations on environmental issues, such as the control of environmental contamination from pollutants, toxic substances, and hazardous materials;

(3) "Employer" means those who have a right to exercise control as to how, when, and where services are to be performed; and

(4) "Services" means all acts, or work rendered, furnished, or performed for a valuable consideration by any person engaged in environmental consulting for a consumer or client other than an employer.

(b) All fees and compensation collected by any environmental consultant for services performed shall be subject to the gross receipts tax levied by the Arkansas Gross Receipts Act of 1941, § 26-52-101 et seq.

(c) The tax shall be collected, reported, and paid in the same manner and at the same time as is prescribed by law for the collection, reporting, and payment of the tax imposed by the Arkansas Gross Receipts Act of 1941, § 26-52-101 et seq.

(d) Any environmental consultant required to collect and remit gross receipts tax on fees collected for services under this section shall obtain a sales tax permit as provided by § 26-52-501.

26-52-323. Management consultants.

(a) For purposes of this section:

(1) "Management consultant" means any person, firm, partnership, corporation, limited liability company, or other entity who provides environmental consulting services;

(2) "Management consulting" means furnishing advice and assistance to businesses and other organizations on management issues, such as strategic and organizational planning; financial planning and budgeting; marketing objectives and policies; human resource policies, practices and planning; production scheduling; and control planning;

(3) "Employer" means those who have a right to exercise control as to how, when, and where services are to be performed; and

(4) "Services" means all acts, or work rendered, furnished, or performed for a valuable consideration by any person engaged in management consulting for a consumer or client other than an employer.

(b) All fees and compensation collected by any management consultant for services performed shall be subject to the gross receipts tax levied by the Arkansas Gross Receipts Act of 1941, § 26-52-101 et seq.

(c) The tax shall be collected, reported, and paid in the same manner and at the same time as is prescribed by law for the collection, reporting, and payment of the tax imposed by the Arkansas Gross Receipts Act of 1941, § 26-52-101 et seq.

(d) Any management consultant required to collect and remit gross receipts tax on fees collected for services under this section shall obtain a sales tax permit as provided by § 26-52-501.

SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that revenue available for the support of necessary state services has declined during the last twelve (12) months as a result of the nationwide economic slowdown; that without additional revenue, some state services will be reduced or eliminated; that some Arkansans will suffer as a result of service reductions or cuts; and that this act will provide the necessary revenue to avoid state service reductions or cuts. Therefore, an emergency is declared to exist and this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2003."

(SIGNED) REVENUE AND TAXATION

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 797 was ordered engrossed.

Senate Bill No. 203 was ordered re-referred to the Committee on JOINT BUDGET.

On motion of Senator Capps, Senate Bill No. 430 was withdrawn from the Committee on REVENUE AND TAXATION, and placed on the Calendar.

Without objection, Senate Bill No. 430 was withdrawn by the author, Senator Capps.

On motion of Senator Smith, Senate Bill No. 44 was withdrawn from the Committee on REVENUE AND TAXATION, and placed on the Calendar.

Without objection, Senate Bill No. 44 was withdrawn by the author, Senator Smith.

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.

Senate Bill No. 118 was ordered re-referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

On motion of Senator Horn, **Senate Bill No. 814** was called up for third reading and final disposition.

SENATE BILL NO. 814

As Engrossed: S3/17/03

EIGHTY-FOURTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATORS HORN, GULLETT, G. JEFFRESS, ET AL

BY: REPRESENTATIVES DEES, GREEN, R. SMITH, ET AL

A Bill for an Act to be Entitled: AN ACT TO AUTHORIZE THE SUSAN G. KOMEN BREAST CANCER EDUCATION, RESEARCH, AND AWARENESS LICENSE PLATE; AND FOR OTHER PURPOSES.

Senator Bisbee spoke against the Bill.

Senator Smith spoke for the Bill.

Senator Horn closed for her Bill.

Senate Bill No. 814 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, Baker, J. Bookout, Brown, Bryles, Capps, Critcher, Faris, Glover, Gullett, Hendren, Higginbothom, Hill, Holt, Horn, G. Jeffress, J. Jeffress, Laverty, Luker, Madison, Miller, Salmon, T. Smith, Steele, Trusty, Whitaker, Wilkins, Wilkinson, Womack, Wooldridge.

Total30

NEGATIVE: Bisbee.

Total1

ABSENT OR NOT VOTING: Argue, Broadway, B. Johnson, Malone.

Total4

VOTING PRESENT:

Total0
Total number of votes cast35
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. 814 was ordered immediately transmitted to the House as passed.

The President declared the morning hour to have expired.

Senate Bill No. 152 was ordered immediately returned to the House as passed as amended.

Senate Bill No. 152 was ordered re-referred to the Committee on JOINT BUDGET.

Senate Bill No. 308 was ordered immediately returned to the House as passed as amended.

Senate Bill No. 308 was ordered re-referred to the Committee on STATE AGENCIES AND GOVERNMENTAL AFFAIRS.

The following bills were returned fro the House as passed and ordered enrolled:

Senate Bill No. 18
Senate Bill No. 303
Senate Bill No. 316
Senate Bill No. 324
Senate Bill No. 325
Senate Bill No. 326
Senate Bill No. 327
Senate Bill No. 328
Senate Bill No. 329
Senate Bill No. 330
Senate Bill No. 347
Senate Bill No. 356
Senate Bill No. 357
Senate Bill No. 370
Senate Bill No. 400
Senate Bill No. 407
Senate Bill No. 429
Senate Bill No. 482
Senate Bill No. 532
Senate Bill No. 539
Senate Bill No. 540
Senate Bill No. 554
Senate Bill No. 671
Senate Bill No. 676
Senate Bill No. 754
Senate Bill No. 877

On motion of Senator Hendren, **Senate Bill No. 655** was called up for third reading and final disposition.

SENATE BILL NO. 655
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR HENDREN

A Bill for an Act to be Entitled: AN ACT TO ALLOW CIRCUIT JUDGES TO SIGN ORDERS IN A GEOGRAPHICAL LOCATION OTHER THAN THE JUDICIAL CIRCUIT IN WHICH THE CAUSE OR MATTER IS PENDING; AND FOR OTHER PURPOSES.

Senate Bill No. 655 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. 655 was ordered immediately transmitted to the House as passed.

On motion of Senator Wooldridge, Senate Bill No. 659 was called up for third reading and final disposition.

SENATE BILL NO. 659
As Engrossed: S3/18/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS WOOLDRIDGE, GLOVER, MILLER
BY: REPRESENTATIVES ROEBUCK, CHILDERS

A Bill for an Act to be Entitled: AN ACT TO INCREASE THE FEES FOR REINSTATEMENT OF DRIVER'S LICENSES TO FUND THE DEPARTMENT OF ARKANSAS STATE POLICE; AND FOR OTHER PURPOSES.

Senate Bill No. 659 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

There being an emergency clause attached to **Senate Bill No. 659**, 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, 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 adoption of the Emergency Clause	24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 659 was ordered immediately transmitted to the House.

On motion of Senator Argue, **Senate Bill No. 890** was called up for third reading and final disposition.

SENATE BILL NO. 890
As Engrossed: S3/17/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR ARGUE

A Bill for an Act to be Entitled: *AN ACT TO AMEND THE UNIFORM MANAGEMENT OF INSTITUTIONAL FUNDS ACT REGARDING THE MANAGEMENT, INVESTMENT, AND EXPENDITURE OF ENDOWMENT FUNDS OF INSTITUTIONS; AND FOR OTHER PURPOSES.*

Senate Bill No. 890 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, Brown, Capps, Critcher, Faris, Glover, Gullett, Hendren, Higginbothom, Holt, Horn, G. Jeffress, J. Jeffress, Luker, Miller, T. Smith, Steele, Trusty, Whitaker, Wilkinson, Womack, Wooldridge.

Total26

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Broadway, Bryles, Hill, B. Johnson, Laverty, Madison, Malone, Salmon, Wilkins.

Total9

VOTING PRESENT:

Total0

Total number of votes cast35

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. 890 was ordered immediately transmitted to the House as passed.

On motion of Senator Wilkinson, Senate Bill No. 154 was called up for third reading and final disposition.

SENATE BILL NO. 154
As Engrossed: S3/20/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS WILKINSON, ALTES
BY: REPRESENTATIVE WALTERS

A Bill for an Act to be Entitled: AN ACT TO PROVIDE ECONOMIC STIMULUS TO THE COAL MINING INDUSTRY BY PROVIDING A TAX CREDIT TO MINING ENTERPRISES THAT MINE ARKANSAS COAL; AND FOR OTHER PURPOSES.

Senate Bill No. 154 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. 154 was ordered immediately transmitted to the House as passed.

Senate Bill No. 334 was ordered re-referred to the Committee on REVENUE AND TAXATION.

On motion of Senator Wilkins, Senate Bill No. 751 was called up for third reading and final disposition.

SENATE BILL NO. 751
As Engrossed: S3/20/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR WILKINS
BY: REPRESENTATIVE ROEBUCK

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE § 10-3-402 RELATING TO THE LEGISLATIVE JOINT AUDITING COMMITTEE AND THE DIVISION OF LEGISLATIVE AUDIT; AND FOR OTHER PURPOSES.

Senate Bill No. 751 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, 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 bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 751 was ordered immediately transmitted to the House as passed.

On motion of Senator Steele, **Senate Bill No. 757** was called up for third reading and final disposition.

SENATE BILL NO. 757
As Engrossed: S3/20/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR STEELE

A Bill for an Act to be Entitled: AN ACT TO REQUIRE WRITTEN INFORMED CONSENT BEFORE GASTRIC BYPASS SURGERY; AND FOR OTHER PURPOSES.

Senate Bill No. 757 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, Brown, Capps, Critcher, Faris, Glover, Hendren, Higginbothom, Holt, Horn, G. Jeffress, J. Jeffress, B. Johnson, Madison, Malone, Miller, Salmon, T. Smith, Steele, Trusty, Whitaker, Wilkinson, Womack, Wooldridge.

Total28

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Broadway, Bryles, Gullett, Hill, Lavery, Luker, Wilkins.

Total7

VOTING PRESENT:

Total0

Total number of votes cast35

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. 757 was ordered immediately transmitted to the House as passed.

On motion of Senator Whitaker, Senate Bill No. 915 was called up for third reading and final disposition.

SENATE BILL NO. 915

EIGHTY-FOURTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATORS WHITAKER, J. JEFFRESS, T. SMITH

BY: REPRESENTATIVES STOVALL, HARDWICK, LAMOUREUX, ET AL

A Bill for an Act to be Entitled: AN ACT TO GRANT SUBPOENA POWER TO THE JOINT PERFORMANCE REVIEW COMMITTEE; AND FOR OTHER PURPOSES.

Senate Bill No. 915 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, 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. 915 was ordered immediately transmitted to the House as passed.

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

March 21, 2003

Mr. President:

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

SENATE BILL NO. 60, BY SENATOR ALTES,

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

Respectfully submitted,

(SIGNED) TIM WOOLDRIDGE, CHAIRMAN

HOUSE BILL NO. 1642
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 STATE PLANT BOARD FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2005; AND FOR OTHER PURPOSES.

House Bill No. 1642 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1922
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 PAYMENTS OF COURT ORDERED ATTORNEY FEES IN LAKEVIEW SCHOOL DISTRICT #25 OF PHILLIPS COUNTY ARKANSAS, ET AL VS. GOVERNOR MIKE HUCKABEE, ET AL BY THE DEPARTMENT OF FINANCE AND ADMINISTRATION - DISBURSING OFFICER; AND FOR OTHER PURPOSES.

House Bill No. 1922 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 2349
As Engrossed: H3/13/03 H3/14/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE CHILDERS

A Bill for an Act to be Entitled: *AN ACT TO ALLOW FORMATIONS OF, AND CONVERSIONS TO, PUBLIC WATER AUTHORITIES UNDER ARKANSAS CODE § 4-35-101 ET SEQ. TO BE AUTHORIZED AND APPROVED BY THE BOARD OF DIRECTORS AND, IF APPLICABLE, THE MEMBERS; AND FOR OTHER PURPOSES.*

House Bill No. 2349 was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE AND COMMERCE.

HOUSE BILL NO. 2390
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE PENIX

A Bill for an Act to be Entitled: AN ACT TO ALLOW INSURERS TO ADOPT AN APPROVED COURSE OF STUDY FOR PRELICENSING OF AGENTS; TO ALLOW INSURERS TO CONDUCT PRELICENSING TRAINING FOR AGENTS; AND FOR OTHER PURPOSES.

House Bill No. 2390 was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE AND COMMERCE.

HOUSE BILL NO. 2413
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES NAPPER, R. SMITH, BRADFORD, ET AL
BY: SENATORS CRITCHER, HORN

A Bill for an Act to be Entitled: AN ACT TO AUTHORIZE A HEALTH INSURANCE FLEXIBILITY AND ACCOUNTABILITY INITIATIVE; AND FOR OTHER PURPOSES.

House Bill No. 2413 was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE AND COMMERCE.

HOUSE BILL NO. 2485
As Engrossed: H3/17/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES HARDWICK, AGEE
BY: SENATOR WILKINSON

A Bill for an Act to be Entitled: AN ACT TO PROVIDE INSTANT RUNOFF VOTING FOR MILITARY AND OVERSEAS VOTERS; AND FOR OTHER PURPOSES.

House Bill No. 2485 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. 2703
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE THYER

A Bill for an Act to be Entitled: AN ACT TO PROVIDE AN INTERIM STUDY OF THE IMPACT OF ALLOWING LICENSED ATHLETIC TRAINERS TO RECEIVE THIRD PARTY REIMBURSEMENT FROM INSURERS; AND FOR OTHER PURPOSES.

House Bill No. 2703 was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE AND COMMERCE.

HOUSE BILL NO. 2819
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE LAMOUREUX

A Bill for an Act to be Entitled: AN ACT TO REQUIRE THE COUNTY RECORDER TO DOCUMENT CERTAIN INFORMATION REGARDING THE ASSIGNMENT OF A MORTGAGE, DEED OF TRUST, OR OTHER LIEN; AND FOR OTHER PURPOSES.

House Bill No. 2819 was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY AND LOCAL AFFAIRS.

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

March 21, 2003

Mr. President:

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

SENATE BILL NO. 37, BY SENATOR J. JEFFRESS,
SENATE BILL NO. 416, BY SENATOR GULLETT,
SENATE BILL NO. 713, BY SENATOR BAKER,
SENATE BILL NO. 881, BY SENATOR BAKER,
SENATE BILL NO. 891, BY SENATOR ARGUE,
SENATE BILL NO. 904, BY SENATOR T. SMITH,

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 21, 2003

Mr. President:

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

SENATE CONCURRENT RESOLUTION NO. 32, BY SENATOR HOLT,

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

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

March 21, 2003

Mr. President:

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

SENATE BILL NO. 797, BY REVENUE AND TAXATION,

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. 797 was ordered re-referred to the Committee on REVENUE AND TAXATION.

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

March 21, 2003

Mr. President:

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

HOUSE CONCURRENT RESOLUTION BILL NO. 1010, BY
REPRESENTATIVE C. TAYLOR,

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 CAPPES, CHAIRMAN

HOUSE CONCURRENT RESOLUTION NO. 1023
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

BY: REPRESENTATIVES LEWELLEN, CLEVELAND, L. PRATER, ET AL
BY: SENATOR T. SMITH

HOUSE CONCURRENT RESOLUTION COMMENDING THE THREE
ARKANSAS JOB CORPS CENTERS FOR THE OUTSTANDING SERVICE
PROVIDED THE STATE AND RESIDENTS OF THE STATE, AND DESIGNATING
MARCH 26, 2003, AS JOB CORPS RECOGNITION DAY IN ARKANSAS.

House Concurrent Resolution No. 1023 was read the first time, rules
suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1647

As Engrossed: H3/17/03

EIGHTY-FOURTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES ORMOND, GILLESPIE, THOMAS, ET AL

A Bill for an Act to be Entitled: *AN ACT TO PROVIDE THAT ONE RAILROAD SHALL NOT BE DENIED ACCESS TO THE TRACKS OF ANOTHER RAILROAD MERELY BECAUSE ITS LIABILITY INSURANCE COVERAGE DOES NOT EXCEED TEN MILLION DOLLARS; AND FOR OTHER PURPOSES.*

House Bill No. 1647 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC TRANSPORTATION.

HOUSE BILL NO. 1658

EIGHTY-FOURTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE DEES

A Bill for an Act to be Entitled: *AN ACT TO AMEND THE JUVENILE CODE OF 1989; AND FOR OTHER PURPOSES.*

House Bill No. 1658 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

HOUSE BILL NO. 2262
As Engrossed: H3/20/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE DEES, JUDY, BLAIR, *ET AL*
BY: SENATORS GULLETT, MADISON BAKER, *ET AL*

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

House Bill No. 2262 was read the first time, rules suspended, read the
second time and referred to the Committee on JUDICIARY.

HOUSE BILL NO. 2388
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES MEDLEY, HARRIS, FITE, *ET AL*
BY: SENATOR ALTES

A Bill for an Act to be Entitled: AN ACT TO REQUIRE THE RECITATION OF
THE PLEDGE OF ALLEGIANCE BY ALL PUBLIC SCHOOL STUDENTS; AND FOR
OTHER PURPOSES.

House Bill No. 2388 was read the first time, rules suspended, read the
second time and referred to the Committee on EDUCATION.

HOUSE BILL NO. 2440
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE STOVALL

A Bill for an Act to be Entitled: AN ACT TO AMEND THE ABUSE OF ADULTS CHAPTER OF THE ARKANSAS CODE TO CLARIFY THE DEFINITION OF LONG-TERM CARE FACILITY UNDER THE STATUTE; AND FOR OTHER PURPOSES.

House Bill No. 2440 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. 2514
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES J. JOHNSON, CHESTERFIELD, THOMAS, ET AL

A Bill for an Act to be Entitled: AN ACT TO ALLOW A TEACHER TO HAVE A WITNESS OR REPRESENTATIVE OF THE TEACHER'S CHOICE PRESENT DURING ANY DISCIPLINARY OR GRIEVANCE MATTER UPON REQUEST OF THE TEACHER; AND FOR OTHER PURPOSES.

House Bill No. 2514 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

HOUSE BILL NO. 2720
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES NAPPER, P. BOOKOUT
BY: SENATOR BRYLES

A Bill for an Act to be Entitled: AN ACT TO AMEND THE UNFAIR PRACTICES ACT AND THE SUBCHAPTER ON MONOPOLIES GENERALLY; AND FOR OTHER PURPOSES.

House Bill No. 2720 was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE AND COMMERCE.

HOUSE BILL NO. 2790
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES BOLIN, SCROGGIN

A Bill for an Act to be Entitled: AN ACT TO REPEAL OBSOLETE PROVISIONS OF THE ARKANSAS CODE REGARDING SAWLOG AND TIMBER MEASUREMENT; AND FOR OTHER PURPOSES.

House Bill No. 2790 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. 2823
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES MEDLEY, BIGGS

A Bill for an Act to be Entitled: AN ACT TO CREATE A VACCINATION PROGRAM FOR FIRST RESPONDERS TO BIOTERRORIST ATTACKS; AND FOR OTHER PURPOSES.

House Bill No. 2823 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. 1834
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES PENIX, ANDERSON, BLEDSOE, ET AL

A Bill for an Act to be Entitled: AN ACT TO ENSURE THAT NUTRITION AND HYDRATION ARE PROVIDED TO ALL ARKANSANS AT THE END OF LIFE; AND FOR OTHER PURPOSES.

House Bill No. 1834 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

March 21, 2003

Mr. President:

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

SENATE BILL NO. 18, BY SENATOR BAKER,
SENATE BILL NO. 303, BY SENATOR LUKER, ET AL,
SENATE BILL NO. 316, BY SENATOR FARIS, ET AL,
SENATE BILL NO. 324, BY SENATOR WILKINS,
SENATE BILL NO. 325, BY SENATOR WILKINS,
SENATE BILL NO. 326, BY SENATOR WILKINS,
SENATE BILL NO. 327, BY SENATOR WILKINS,
SENATE BILL NO. 328, BY SENATOR WILKINS,
SENATE BILL NO. 329, BY SENATOR WILKINS,
SENATE BILL NO. 330, BY SENATOR WILKINS,
SENATE BILL NO. 347, BY SENATOR BAKER,
SENATE BILL NO. 357, BY SENATOR WILKINS,
SENATE BILL NO. 370, BY SENATOR WILKINS,
SENATE BILL NO. 400, BY SENATOR WILKINS,
SENATE BILL NO. 407, BY SENATOR LUKER,
SENATE BILL NO. 429, BY SENATOR BAKER ET AL,
SENATE BILL NO. 482, BY SENATOR BROADWAY,
SENATE BILL NO. 532, BY SENATOR SMITH, ET AL,
SENATE BILL NO. 539, BY SENATOR WILKINS,
SENATE BILL NO. 540, BY SENATOR WILKINS,
SENATE BILL NO. 554, BY SENATOR CAPPS, ET AL,
SENATE BILL NO. 671, BY SENATOR WILKINS,
SENATE BILL NO. 676, BY SENATOR WILKINS,
SENATE BILL NO. 754, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 877, BY SENATOR BOOKOUT,
SENATE BILL NO. 190, BY SENATOR WOOLDRIDGE,
SENATE BILL NO. 356, BY SENATOR WILKINS,

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

Respectfully submitted,

(SIGNED) JOHN PAUL CAPPS, CHAIRMAN

GOVERNOR'S BILL RECEIPTS

SENATE BILL NO. 18
SENATE BILL NO. 303
SENATE BILL NO. 316
SENATE BILL NO. 324
SENATE BILL NO. 325
SENATE BILL NO. 326
SENATE BILL NO. 327
SENATE BILL NO. 328
SENATE BILL NO. 329
SENATE BILL NO. 330
SENATE BILL NO. 347
SENATE BILL NO. 357
SENATE BILL NO. 370
SENATE BILL NO. 400
SENATE BILL NO. 407
SENATE BILL NO. 429
SENATE BILL NO. 482
SENATE BILL NO. 532
SENATE BILL NO. 539
SENATE BILL NO. 540
SENATE BILL NO. 554
SENATE BILL NO. 671
SENATE BILL NO. 676
SENATE BILL NO. 754

SENATE BILL NO. 877

SENATE BILL NO. 190

SENATE BILL NO. 356

RECEIVED the above papers from the Secretary of the Senate this 21st day of March, 2003 at 2:27 p.m.

(SIGNED) MIKE HUCKABEE
Governor

(SIGNED) CORY COX
Secretary

HOUSE BILL NO. 2317
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE C. TAYLOR

A Bill for an Act to be Entitled: AN ACT TO PROVIDE INSURANCE
COVERAGE FOR MOTORISTS INJURED BY UNINSURED VEHICLES; AND FOR
OTHER PURPOSES.

House Bill No. 2317 was read the first time, rules suspended, read the
second time and referred to the Committee on INSURANCE AND COMMERCE.

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SENATE BILLS TRANSMITTED TO THE HOUSE
AS PASSED

SENATE BILL NO. 154
SENATE BILL NO. 655
SENATE BILL NO. 659
SENATE BILL NO. 751
SENATE BILL NO. 757
SENATE BILL NO. 814
SENATE BILL NO. 890
SENATE BILL NO. 915

HOUSE CONCURRENT RESOLUTION RETURNED
TO THE HOUSE AS CONCURRED

HOUSE CONCURRENT RESOLUTION NO. 1012

HOUSE BILL RETURNED TO THE HOUSE
AS REQUESTED

HOUSE BILL NO. 2849

SENATE BILLS RETURNED FROM THE HOUSE
AS PASSED

SENATE BILL NO. 18
SENATE BILL NO. 303
SENATE BILL NO. 316
SENATE BILL NO. 324
SENATE BILL NO. 325

SENATE BILL NO. 326
SENATE BILL NO. 327
SENATE BILL NO. 328
SENATE BILL NO. 329
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SENATE BILL NO. 370
SENATE BILL NO. 400
SENATE BILL NO. 407
SENATE BILL NO. 429
SENATE BILL NO. 482
SENATE BILL NO. 532
SENATE BILL NO. 539
SENATE BILL NO. 540
SENATE BILL NO. 554
SENATE BILL NO. 671
SENATE BILL NO. 676
SENATE BILL NO. 754
SENATE BILL NO. 877

SENATE BILLS RETURNED FROM THE HOUSE
AS PASSED AS AMENDED

SENATE BILL NO. 152
SENATE BILL NO. 308

HOUSE BILLS TRANSMITTED TO THE SENATE
AS PASSED

HOUSE BILL NO. 1642
HOUSE BILL NO. 1647
HOUSE BILL NO. 1658
HOUSE BILL NO. 1834
HOUSE BILL NO. 1922

HOUSE BILL NO. 2262
HOUSE BILL NO. 2317
HOUSE BILL NO. 2349
HOUSE BILL NO. 2388
HOUSE BILL NO. 2390
HOUSE BILL NO. 2413
HOUSE BILL NO. 2440
HOUSE BILL NO. 2485
HOUSE BILL NO. 2514
HOUSE BILL NO. 2703
HOUSE BILL NO. 2720
HOUSE BILL NO. 2790
HOUSE BILL NO. 2819
HOUSE BILL NO. 2823

HOUSE CONCURRENT RESOLUTION TRANSMITTED
TO THE SENATE AS ADOPTED

HOUSE CONCURRENT RESOLUTION NO. 1023

On motion of Senator Baker, the Senate adjourned until 1:30 p.m., Monday, March 24, 2003.

PRESIDENT

SECRETARY