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

Little Rock, Arkansas

March 26, 2003

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

Leave for Senator Faris

The Senate was led in prayer by Rev. Juluis McGruder, New Zion Missionary Baptist Church, West Helena.

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On motion of Senator Wilkins, **Senate Bill No. 817** was withdrawn from the Committee on STATE AGENCIES AND GOVERNMENTAL AFFAIRS, and placed back on second reading for purpose of amendment.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. 2 to SENATE BILL NO. 817

Amend **Senate Bill No. 817** as originally introduced:

Page 1, delete lines 29 through 36

AND

Page 2, delete lines 1 through 7 and substitute:

“(2)(A) It is the duty of any convicted felon who desires to register to vote to provide the county clerk:

~~(i) A certified copy of the original judgment;~~

and

~~(ii) Proof with proof from the appropriate probation state or local agency, or office that the felon has been discharged from probation or parole, has paid all probation or parole fees, and or has satisfied all terms of imprisonment, and other terms of the felon's sentence and paid all applicable court costs, fines or restitution.~~

(B) Proof that the felon has been discharged from probation or parole, paid all probation or parole fees, or satisfied all terms of imprisonment, and paid all applicable court costs, fines, or restitution shall be provided to the felon after completion of the probation, parole, or sentence by the Department of Correction, the Department of Community Correction, the appropriate probation office or the circuit clerk as applicable.

(C) The circuit clerk, or any other entity responsible for collection, shall provide proof to the Department of Correction, the Department of Community Correction, or the appropriate probation office that the felon has paid all applicable court costs, fines, or restitution.

~~(B)(D)~~ Upon compliance with subdivision (d)(2)(A) of this section, the felon shall be deemed eligible to vote.”

(SIGNED) HENRY WILKINS

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 817 was ordered engrossed.

On motion of Senator G. Jeffress, **Senate Bill No. 75** 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. 75

Amend **Senate Bill No. 75** as originally introduced:

Page 2, line 32, insert the following:

"(e)(1) No deed issued under this section shall be void or voidable on the ground that the assessment of the property taxes on the severed mineral interest was not subjoined to the assessment of the property taxes on the surface realty.

(2) This subsection (e) shall be retroactive to all certifications of delinquent mineral interests on the records of the Commissioner of State Lands office."

(SIGNED) GENE JEFFRESS

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 75 was ordered engrossed.

On motion of Senator Altes, **Senate Bill No. 265** 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. 265

Amend **Senate Bill No. 265** as originally introduced:

Add Representative Judy as a cosponsor of the bill

AND

Page 2, delete line 35 and substitute the following:
"Chronic Pain Intractable Treatment Act".

(b)(1) In lieu of a finding of gross and ignorant malpractice, the board may incrementally impose sanctions as follows:

(A) Monitor prescribing habits of the physician not to exceed six (6) months;

(B) Require the physician to voluntarily surrender his or her United States Drug Enforcement Agency license to the board for a specified period of time not to exceed three (3) months;

(C) Suspend the physician's license, stay the suspension, and require monitoring of prescribing habits;

(D) Revoke the physician's license, stay revocation, and require monitoring of the physician's prescribing habits for a specified time; and

(E) Revoke the physician's license for serious violations of statutes and regulations.

(2) With a finding of severe violation of statutes and regulations, the board may initially impose the more severe sanctions.

(3) At any level of sanction, the board may require continuing medical education hours in proper prescribing habits."

AND

Page 2, line 36, delete "(c)" and substitute "(d)"

AND

Page 3, line 15, delete "(d)" and substitute "(e)"

AND

Page 3, line 33, delete "within" and substitute "appointed by"

AND

Page 3, delete lines 35 and 36, and Page 4, delete line 1 and substitute the following:

"(b) The committee shall consist of five (5) full time active physicians in direct patient care members, two (2) of whom shall be board certified pain management

specialists and three (3) of whom may be physicians with significant pain management in their practices or with a degree in pharmacy, appointed by the board from a list provided by the Arkansas Osteopathic Medical Association, the Arkansas Medical Society, and the Arkansas Pain Society."

AND

Page 4, delete line 3 and substitute the following:

"(1) In cooperation with the Arkansas Osteopathic Medical Association, the Arkansas Medical Society, and the Arkansas Pain Society, develop"

AND

Page 4, line 5 delete "and"

AND

Page 4, delete lines 6 and 7 and substitute the following:

"(2) Investigate complaints and review complaints on an individual patient needs basis regarding physicians treating chronic intractable pain in violation of this subchapter; and

(3) Provide an objective critique to the board."

(SIGNED) DENNY ALTES

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 265 was ordered engrossed.

On motion of Senator Argue, **Senate Bill No. 892** was withdrawn from the Committee on EDUCATION, 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. 892

Amend **Senate Bill No. 892** as originally introduced:

Delete everything following the enacting clause and substitute the following:

SECTION 1. Arkansas Code Title 26, Chapter 80 is amended to add a new subchapter:

26-80-301. Title.

This subchapter shall be known and may be cited as "The Amendment No. 74 Enabling Act of 2003."

26-80-302. Definitions.

As used in this Subchapter and Subchapter 1 of Chapter 80 of Title 26 of the Arkansas Code:

(1) "Additional maintenance and operation millage" means millage levied by the electors of a local school district for maintenance and operation in excess of those required by the uniform rate of tax;

(2) "Dedicated maintenance and operation millage" means millage levied by the electors of a local school district and used for those purposes explicated in § 26-80-110;

(3) "Debt service millage" means the total number of mills voted by the electors of a school district to be pledged as security for the retirement of bonded indebtedness;

(4) "Millage rate" means the millage rate listed in the most recent tax ordinance approved by the county quorum court under the authority of § 14-14-904;

(5) "Maintenance and operation millage" means millage levied by the electors of a local school district for the maintenance and operation of the school district;

(6) "Net revenues" means actual revenues from taxes due and owing after January 1, 1997, rounded to the nearest hundredth minus any commission fees authorized by law to be collected or withheld for later distribution by the county offices. No additional fees shall be charged for transmittal or redistribution of funds by any county or state office in carrying out the procedures established to comply with the requirements of Arkansas Constitution, Amendment 74; and,

(7) "Uniform rate of tax" means a uniform rate of ad valorem property tax of twenty-five (25) mills to be levied on the assessed value of all taxable real, personal, and utility property in the state to be used solely for maintenance and operation of the schools. In calculating compliance with the uniform rate of tax imposed by Arkansas Constitution, Article 14, § 3, as amended by Arkansas Constitution, Amendments 11, 40, and 74, only those mills voted for maintenance and operation shall be used.

26-80-303. Establishment of compliance.

Compliance with the uniform rate of tax shall be established by the Department of Education in coordination with the Assessment Coordination Department.

26-80-304. Calculation of Compliance with the Uniform Rate of Tax.

(a)(1) Within thirty (30) days of the effective date of this act, the Director of the Department of Education shall certify to each school district whether or not that school district is currently in compliance with the uniform rate of tax.

(2) Compliance shall be determined by analyzing the millage rate levied for maintenance and operation millage from the most recent school election in which the ad valorem tax rate was voted upon. If the millage rate is equal to or greater than twenty-five (25) mills, then the school district shall be deemed to be in compliance with Amendment No. 74 to the Arkansas Constitution.

(b)(1) On or before November 1, 2003, the Director of the Department of Education shall certify to each quorum court whether or not the school districts in its jurisdiction are in compliance with the uniform rate of tax.

(2) The calculation of compliance under this subsection shall be the same as the calculation explicated in subsection (a)(2) of this section.

(c) On or before November 1, 2004, and each year thereafter, the Department of Education, in conjunction with the Assessment Coordination Department, shall monitor compliance with the uniform rate of tax.

26-80-305. Interrelationship between Amendments No. 59 and No. 74.

Pursuant to the application of Arkansas Constitution, Amendment 74 to the rollback provisions of Arkansas Constitution, Amendment 59 for millage rates levied by the various school districts within the county, if it is determined that the adjustment or rollback of millages as provided in Arkansas Constitution, Amendment 59, will result in a tax rate for maintenance and operation of less than the uniform rate of tax, then the millage shall be rolled back only to the uniform rate of tax plus the debt service millage adjusted under Amendment 59 and no further.

26-80-306. Penalties.

(a) All duties imposed by this subchapter and subchapter 1 of this chapter on all state, county, and school district officers are declared to be mandatory, and any officer who neglects, fails, or refuses to perform any such duty shall be subject to removal from office and liable on his official bond for such neglect, failure, or refusal.

(b)(1) Upon the refusal or failure of any state officer to perform any duty imposed upon him under the provisions of this subchapter, subchapter 1 of this chapter, and Amendment 74 of the Arkansas Constitution, any citizen of the state may, and the Attorney General of the State of Arkansas shall, institute in the proper court mandamus proceedings to compel the state officer to perform his duties.

(2) Upon the refusal or failure of any county or school district officer to perform any duty imposed upon him under the provisions of this subchapter, subchapter 1 of this chapter, and Amendment 74 of the Arkansas Constitution, any citizen of the county may, and the prosecuting attorney of the district including such county shall, institute in the proper court mandamus proceedings to compel the county officer to perform his duties.

SECTION 2. Arkansas Code § 6-14-114 is amended to read as follows:
6-14-114. Counting of votes.

When the polls of each election are closed, the election officials shall immediately proceed to count the results, and make returns thereof to the county clerk showing:

(1) The number of votes cast for each person for school district director;

(2) The number of votes cast for the school tax;

(3) The number of votes cast against the school tax;

(4) The number of mills for:

(A) The additional mills for maintenance and operation of the schools;

(B) The additional mills for maintenance and operation that have been designated dedicated maintenance and operation mills of the school district;

(C) ~~The debt service millage, which shall include debt service millage required and excess debt service millage in the school district; and~~

(D) The total millage rate levied for all purposes in the school district in excess of the uniform rate of tax; and

(5) The number of votes cast for and against any other question submitted at the election.

SECTION 3. Arkansas Code § 6-20-1205 is amended to read as follows:
6-20-1205. Submission of statement prior to issuing bonds - Approval.

(a) When any school district board of directors desires to issue bonds for the purposes described in § 6-20-1201, it:

(1) Shall furnish to the Director of the Department of Education a statement of the amount proposed to be borrowed, the maturity of the indebtedness, a financial statement of the affairs of the district, and a certificate from the county clerk showing the then-assessed valuation of the real, personal, and utility property in the district; and

(2) Shall not ~~advertise for the sale of~~ sell bonds until the issue is approved by the State Board of Education or by the director to be evidenced by a writing signed by the board or the director, and bearing the seal of the board.

(b) In addition to other reasons for disapproval of a bond issue provided under law or by regulation, neither the board nor the director shall approve the sale of bonds for the purposes described in § 6-20-1201 if that sale:

~~(1) Would would cause an increase in the millage levy without a vote of the electors of that school district in order to maintain the uniform rate of tax; or~~

~~(2) Would cause the Department of Education to be out of compliance with any school finance equity test adopted by an appropriate court.~~

~~(c)(1) In order to maintain the calculated basis for the uniform rate of tax, as specified in Title 26, Chapter 80, a bond approved by the board or the director must be issued by the following May 30.~~

~~(2) If the bond is not issued by the following May 30, the school district must reapply for approval prior to the issuance of the bonds.~~

~~(d) (c) The department shall not provide a local school district that issues second-lien bonds more additional base funding for which it would otherwise qualify excluding the issuance of the second-lien bonds except as authorized under § 6-20-1229.~~

~~(e) (d) The department is authorized to adopt procedural rules and regulations to enforce the provisions of this section.~~

SECTION 4. Arkansas Code § 26-26-403(c) is repealed.

~~(c) The clerk shall, on or before the second Monday in November of the base year, report to the governing body of each taxing unit the following completed form, accurately listing the required data on each line.~~

School District Calculation

~~to Determine Minimum Millage Required by Amendment 74~~

COUNTY _____

____ DATE

School District

Name: _____

1. ~~Compute the following to find the debt payment by school:~~

~~*Debt payment figures are supplied by the Arkansas Department of Education.~~

a. *Required debt payment _____

b. *Less debt service supplement _____

c. ~~Equals debt payment by school~~ _____

2. Compute the following to find the total new assessment (including fringe counties):
 - a. Current year real assessment _____
 - b. Plus current year personal assessment _____
 - c. Plus current year utility assessment _____
 - d. Equals total new assessment _____
3. Compute the following to find the millage required for debt:
 - a. Debt payment by school _____
 - b. Divided by total new assessment _____
 - c. Equals school mills required for debt _____
4. Compute the following to find the minimum millage required by Amendment 74:
 - a. M & O mills required by Amendment 74 _____
 - b. Plus school mills required for debt _____
 - c. Plus mills required for callable bonds _____
 - d. Equals minimum millage required _____
5. Transfer minimum millage required to "Base Year Millage Rollback Computation and Certification Form", Item 7.

SECTION 5. Arkansas Code § 26-26-410 is repealed.

~~26-26-410. Assessment Coordination Division – Form revision.~~

~~The Assessment Coordination Division of the Public Service Commission shall revise the forms found in § 26-26-401 et seq. pertaining to rollback of millage rates under Arkansas Constitution, Amendment 59, to provide for changes required to effectuate Amendment 74 to the Arkansas Constitution. The revised forms produced by the Assessment Coordination Division shall be submitted to the Arkansas Legislative Council, or any subcommittee designated by that body, for review and comment on or before August 1, 1997. Upon review by the Arkansas Legislative Council, the Arkansas Code Revision Commission shall incorporate such revised forms into § 26-26-401 et seq.~~

SECTION 6. Arkansas Code § 26-80-101(c) pertaining to the distribution of the uniform rate of tax is amended to read as follows:

~~(c)(1) For the 1996-97 school year and each year thereafter, each county treasurer shall remit the net revenues from the uniform rate of tax to each local school district from which the revenues were derived, unless otherwise specified in subdivisions (c)(2) and (c)(3) of this section.~~

~~(2)(A) For the 1997-98 school year, the Department of Education shall determine which local school districts have a local revenue per student in excess of the base local revenue per student and shall calculate five percent (5%) of such excess and multiply the result times the district's ADM for the previous year.~~

~~(B) The Department of Education shall certify, to any affected county treasurer, the local school district identified as having an excess and the amount calculated in subdivision (c)(2)(A) of this section by August 1 of each school year.~~

~~(C) Any county treasurer receiving certification from the Department of Education under subdivision (c)(2)(B) of this section shall remit the amount certified to the State Treasury for the credit of the Public School Fund and redistribute the difference between the net revenues from the uniform rate of tax and the amount certified to the affected local school district.~~

~~(3)(A) For the 1998-99 school year, the Department of Education shall determine which local school districts have a local revenue per student in excess of the base local revenue per student and shall calculate ten percent (10%) of such excess and multiply the result times the district's ADM for the previous year.~~

~~(B) The Department of Education shall certify, to any affected county treasurer, the local school district identified as having an excess and the amount calculated in subdivision (c)(3)(A) of this section by August 1 of each school year.~~

~~(C) Any county treasurer receiving certification from the Department of Education under subdivision (c)(3)(B) of this section shall remit the amount certified to the State Treasury for the credit of the Public School Fund and redistribute the difference between the net revenues from the uniform rate of tax and the amount certified to the affected local school district.~~

SECTION 7. Arkansas Code § 26-80-110 is amended to read as follows:
26-80-110. Dedicated maintenance and operation millage.

(a)(1) ~~In addition to other maintenance and operation millages, the~~ The board of directors of each local school district is authorized, upon approval of a majority of the qualified voters in the school district, voting in the annual school election to levy and collect a tax upon real, personal, and utility property for dedicated maintenance and operation millage for the local school district to designate some of the school district's additional maintenance and operation millage as dedicated maintenance and operation millage.

(2) The approved tax shall be assessed, levied, and collected as provided by law for other school taxes.

(3) The approved tax may be considered part of the school district's uniform rate of tax as calculated by the State Department of Education under Arkansas Constitution, Amendment 74.

(b) Any funds received from the collection of a dedicated maintenance and operations tax shall only be used for the following maintenance and operation purposes: approved by the majority of the qualified voters of the school district voting in the school election, and for no other purpose than those that were explicated on the ballot.

~~(1) Purchase of school buses;~~

~~(2) Purchase of furniture or equipment to support the instructional program;~~

~~(3) Purchase of computer software;~~

~~(4) Renovation or repair of existing facilities; or~~

~~(5) Repaying revolving loans for any of the purposes previously listed.~~

(c)(1) ~~Local school districts which have levied a capital outlay tax or current expenditures tax prior to the amendment of this section are authorized to continue such levies for the terms and purposes approved by the majority of voters at the time of their adoption.~~

~~(2) If a school district, at the time of the adoption of the amendment of this section, levied a capital outlay tax or current expenditure tax less than or equal to its additional mills for maintenance and operation, then that millage levied as a capital outlay tax or current expenditures tax shall be considered as a dedicated maintenance and operation millage.~~

~~(3) If a school district, at the time of the adoption of the amendment of this section, levied a capital outlay tax or current expenditure tax greater than its additional mills for maintenance and operation, then that millage levied as a capital outlay tax or current expenditures tax may continue to be levied for the purposes originally approved. Although, as the electors of a school district vote an increased levy for nondedicated additional mills for maintenance and operation, then those additional mills will be considered the school district's dedicated maintenance and operation millage to replace the original levies for capital outlay and current expenditures until the additional mills for maintenance and operation exceed the rate of tax levied for capital outlay or current expenditures at the time of the adoption of this act. When the additional mills for maintenance and operation equal or exceed the capital outlay or current expenditures millage levied at the time of the adoption of this act, then they shall be treated as provided under subdivision (2) of this subsection.~~

~~(d) Any levy of a dedicated maintenance and operation millage proposed subsequent to the adoption of this section shall be limited as set forth in subsection~~

(b) of this section and, ~~when combined with capital outlay or current expenditure levies approved prior to the adoption of this section and still in effect,~~ shall not exceed five percent (5%) of current expense or three (3) mills, ~~whichever is less.~~

~~(e)~~ (d) Any levy of a dedicated maintenance and operation millage must be specified on the ballot, and that specification must list the purpose for which the dedicated maintenance and operation millage is levied.

SECTION 8. Arkansas Code § 26-80-111 is amended to read as follows:

26-80-111. School districts formed by consolidation, annexation, or merger.

(a) When a new school district is created from all or parts of two (2) or more districts or a district is dissolved and all or part of the area of the dissolved district is annexed to or consolidated with an existing district, the board of directors of the resulting district shall submit to the electors of the district at the ~~next annual~~ first school election on the millage rate a proposed tax millage rate for the district. If the ~~proposed millage rate is approved by the electors of the district~~ electors of the district approve the proposed millage rate, it shall be the rate for the district, provided such rate complies with the uniform rate of tax.

(b) If a new school district is created from all or parts of two (2) or more districts or a district is dissolved and all or part of the area of the dissolved district is annexed to or consolidated with an existing district and if the electors have failed to approve a proposed millage rate at ~~an annual~~ the first school election on the millage rate, then the millage rate for the district shall be ~~the millage rate levied, at the last school election prior to the consolidation, annexation or merger in the district which had the highest average daily membership during the school year preceding the consolidation, annexation, or merger, provided such rate complies with the uniform rate of tax~~ plus any millage necessary to secure the existing bonded indebtedness of the newly formed district.

SECTION 9. Arkansas Code Title 26, Chapter 80, Subchapter 2 is repealed.
~~26-80-201. Calculation of the uniform rate of tax.~~

~~(a) Beginning with calendar year 1997, and each year thereafter, compliance with the uniform rate of tax shall be computed using the following method:~~

~~(1)(A) By March 15 in each calendar year, the county clerk of each county shall transmit to the Department of Education the abstract of assessment for the previous calendar year's assessments for collection in the current year.~~

~~(B) This abstract shall show, by class of property and value, the total assessment of each school district in the county and the millage rate charged after all adjustments ordered by the county equalization board and the county court have been made;~~

~~(2) By May 30 of each year, the Department of Education shall certify scheduled bonded debt payments for each school district in the following three (3) categories:~~

~~(A) The total scheduled bonded debt payment for the succeeding calendar year;~~

~~(B) The total scheduled bonded debt payment for the succeeding calendar year on bonds issued prior to May 30 of each year; and~~

~~(C) The total number of mills in categories (A) and (B), as set forth in subdivisions (a)(2)(A) and (a)(2)(B) of this section, dedicated to mandatory callable bonds;~~

~~(3) By May 30 of each year, the Department of Education shall certify average daily membership for the current school year; and~~

~~(4) All data collected under this subsection shall be the final data collected for the year unless there are clerical corrections to the data.~~

~~(b)(1) The initial compliance shall be calculated by taking the millage rate of the school district submitted by the county clerk minus the debt service millage required plus the millage derived from the ratio of the debt service funding~~

supplements for the calendar year over the total assessment shown on the abstract of assessment.

(2) If the result is less than the uniform rate of tax, then the result shall be adjusted up to the uniform rate of tax.

(3) If the result is greater than the uniform rate of tax, then the difference between the result and the uniform rate of tax shall be considered additional mills for maintenance and operation. Any excess debt service millage considered additional mills for maintenance and operation may be used by the district for the purpose of paying the principal and interest on indebtedness of the district and may be pledged for that purpose or any other school purpose.

(c) The Director of the Department of Education shall report to the county clerks and the individual school districts by June 15 of each year the required increase, if any, in the total millage necessary to comply with the uniform rate of tax and shall designate the millage rates proposed to be used to calculate the uniform rate of tax. Whenever an increase is required, the notification shall include an explanation for the increase.

(d) By November 1 of each year, the county clerk of each county in which a reappraisal of real, personal, and utility property has been completed that could initiate a rollback of millage rates or in which equalization of the real, personal, and utility millage rates has not taken place shall notify the director of the possibility of such rollback or additional rollback taking place. If a county will experience a rollback in millages due to Arkansas Constitution, Amendment 59, a new compliance calculation shall be done to reflect the effect of the rollback. However, if a county is not going to experience a rollback, then the initial calculation in subsection (b) of this section shall be the final calculation.

(e) Pursuant to the application of Arkansas Constitution, Amendment 74 to the rollback provisions of Arkansas Constitution, Amendment 59 for millage rates levied by the various school districts within the county, if it is determined that the adjustment or rollback of millages as provided in Arkansas Constitution, Amendment 59, will result in a tax rate available for maintenance and operation of less than the uniform rate of tax, then the millage shall be rolled back only to the uniform rate of tax plus debt service millage required and no further.

~~26-80-202. Title.~~

This act shall be known and may be cited as "The Amendment No. 74 Enabling Act of 1997."

~~26-80-203. Legislative findings and intent.~~

(a) The General Assembly finds that the citizens of the State of Arkansas have adopted Arkansas Constitution, Amendment 74, to provide for a base of equal local effort for Arkansas public schools by establishment of a uniform rate of ad valorem property tax of twenty-five (25) mills to be levied on the assessed value of all taxable real, personal, and utility property in the state to be used solely for the maintenance and operation of the schools. This act is intended to effectuate the changes in the system of school funding that flow from the adoption of Arkansas Constitution, Amendment 74.

(b) The General Assembly further finds that Arkansas Constitution, Amendment 74 has placed on it a duty to provide for the support of common schools by general law. In order to provide quality education, it is the goal of the state to provide a fair system for the distribution of funds. The General Assembly recognizes that, in providing such a system, some funding variations may be necessary. It further recognizes that funding variations or restrictions thereon may be necessary in order to comply with, or due to, other provisions of the Arkansas Constitution, the United States Constitution, federal laws, court orders, or other provisions enacted by the General Assembly to address specific problems as may arise from time to time.

(c) It is the intent of the General Assembly to limit the amount of time in which the revenues from the uniform rate of tax are in the control of the state and, to this

end, the General Assembly will provide, as much as possible, that the funds will remain in local depositories and under the control of local officials.

~~(d) It is further the intent of the General Assembly that the system of collection and distribution of property taxes be disrupted as little as possible by this act, recognizing that the provisions of Arkansas Constitution, Amendment 74 will affect existing property tax structure and will, in some cases, affect the application of Arkansas Constitution, Amendment 59, and may also affect the application of other constitutional provisions.~~

~~26-80-204. Definitions.~~

~~As used in this subchapter and subchapter 1 of this chapter:~~

~~(1) "Additional mills for maintenance and operation" means millage levied by the electors of a local school district for maintenance and operation in excess of those allocated to the uniform rate of tax;~~

~~(2) "Available for maintenance and operation millages" means millage levied for maintenance and operation, millage levied as dedicated maintenance and operation millage, excess debt service millage, and the millage derived from the ratio of debt service funding supplements divided by the total assessment, which may be included in the calculation for the uniform rate of tax as specified in this subchapter, if needed;~~

~~(3)(A) "Average daily membership" means the total number of days attended plus the total number of days absent by students in grades kindergarten through twelve (K-12) during the first three (3) quarters of each school year divided by the number of school days actually taught in the district during that period of time rounded up to the nearest hundredth.~~

~~(B) In those instances in which the average daily membership for less than three (3) quarters is specified, the number of days used in the calculation shall be the days in the specified period of time.~~

~~(C) As applied to this subchapter, students who may be counted for average daily membership are:~~

~~(i) Students who reside within the boundaries of the school district and are enrolled within a public school operated by the district or a private school for special education students, with the attendance resulting from a written tuition agreement approved by the Department of Education;~~

~~(ii) Legally transferred students living outside the district but attending a public school in the district; and~~

~~(iii) Students who reside within the boundaries of the school district and are enrolled in the Arkansas National Guard Youth Challenge Program, so long as the students are participants in the program;~~

~~(4) "Base local revenue per student" means:~~

~~(A) As applied under §§ 6-17-1001, 6-20-301, 6-20-311, 6-20-319, and 26-80-110, if Category 1 is fully funded, the local revenue per student in the local school district with the highest amount of local revenue per student.~~

~~(B) If Category 1 is not fully funded, the term means the revenue per student to which the state equalizes, calculated by taking the sum of:~~

~~(i) The total available state aid for state equalization funding per student;~~

~~(ii) Ninety eight percent (98%) of the uniform rate of tax times the total state assessed valuation; and~~

~~(iii) Seventy five percent (75%) of the average miscellaneous funds collected in the previous five (5) years or the previous year, whichever is less, and by dividing the sum by the total state average daily membership for the previous year;~~

~~(5) "Debt service funding supplements" means the state financial aid provided to qualifying local school districts for the purpose of reducing existing debt service burdens and increasing the~~

~~amount of local revenue available for maintenance and operation expenditures and calculated as follows: for each mill of eligible debt service millage required, the local school shall be provided a dollar amount of no less than fifteen dollars (\$15.00) per average daily membership multiplied by the state wealth index;~~

~~(6) "Debt service millage" means the total number of mills voted by the electors of a school district to be pledged as security for the retirement of bonded indebtedness;~~

~~(7) "Debt service millage required" means the calculated millage rate equal to the amount of millage pledged to mandatory callable bonds plus the result of the scheduled calendar year bonded debt payment divided by the total assessed value of real, personal, and utility property in the local school district;~~

~~(8) "Eligible debt service millage required" means, in the computation of the debt service funding supplement, the debt service millage required for bonds issued before May 30 of each year;~~

~~(9) "Excess debt service millage" means the difference between the debt service millage levied and the debt service millage required. This amount shall be presumed to be available for maintenance and operation but may be used for other school purposes, provided that the district is in compliance with the uniform rate of tax;~~

~~(10) "Local revenue per student" means, as applied under §§ 6-17-1001, 6-20-301, 6-20-311, 6-20-319, and 26-80-110, in each year ninety-eight percent (98%) of the amount of revenue available, whether or not collected, in a local school district solely from the levy of the uniform rate of tax plus seventy-five percent (75%) of the average miscellaneous funds collected in the previous five (5) years or the previous year, whichever is less, divided by the average daily membership of the local school district for the previous year;~~

~~(11) "Mandatory callable bonds" means a bond issue in which all net proceeds from debt service millage used to secure the issuance of that bond must apply to payment of the issue and cannot be used for any other purpose;~~

~~(12) "Millage rate" means the millage rate listed in the most recent tax ordinance approved by the county quorum court under the authority of § 14-14-904;~~

~~(13) "Miscellaneous funds" means those funds received by a local school district from federal forest reserves, federal grazing rights, federal mineral rights, federal impact aid, federal flood control, wildlife refuge funds, severance taxes, funds received by the district in lieu of taxes, and local sales and use taxes dedicated to education pursuant to §§ 26-74-201 et seq., 26-74-301 et seq., and 14-164-301 et seq.;~~

~~(14) "Net revenues" means actual revenues from taxes due and owing after January 1, 1997, rounded to the nearest hundredth minus any commission fees authorized by law to be collected or withheld for later distribution by the county offices. No additional fees shall be charged for transmittal or redistribution of funds by any county or state office in carrying out the procedures established to comply with the requirements of Arkansas Constitution, Amendment 74;~~

~~(15) "Previous year" means the school year immediately preceding the school year in which funds are allocated;~~

~~(16) "State equalization funding per student" means, as applied under §§ 6-17-1001, 6-20-301, 6-20-311, 6-20-319, and 26-80-110, the amount of state financial aid per average daily membership for the previous year provided to each local school district calculated by subtracting the local revenue per student from the base local revenue per student;~~

~~(17) "State wealth index" means the result of one (1) minus the ratio of local revenue per student divided by state equalization funding per student; and~~

~~(18) "Uniform rate of tax" means a uniform rate of ad valorem property tax of twenty-five (25) mills to be levied on the assessed value of all taxable real, personal, and utility property in the state to be used solely for maintenance and operation of the schools. In calculating the uniform rate of tax imposed by Arkansas~~

~~Constitution, Article 14, § 3, as amended by Arkansas Constitution, Amendments 11, 40, and 74, the following categories of millage may be utilized to meet the minimum millage requirement:~~

- ~~(A) The local school district's maintenance and operation millage;~~
- ~~(B) The dedicated maintenance and operation millage;~~
- ~~(C) Excess debt service millage; and~~
- ~~(D) The millage derived from the ratio of the debt service funding supplements divided by the total assessment.~~

~~26-80-205. Establishment of compliance.~~

~~Compliance with the uniform rate of tax shall be established by the Department of Education in coordination with the Assessment Coordination Department.~~

~~26-80-206. Security and coverage of bond issues.~~

~~(a) Nothing in this act shall be construed as to eliminate or to discourage the practice of levying additional mills above those necessary to service the debt for the purpose of security.~~

~~(b) Any school district that voted a debt service millage tax levy above the levy required to service the debt, shall continue to show that additional millage on its ballot for the length of time initially approved or extended by the electors of the school district. The additional mills pledged to the security of the bond that had been voted in the past may be considered additional mills for maintenance and operation or as part of the uniform rate of tax, whichever is applicable. Any excess debt service millage considered additional mills for maintenance and operation may be used by the district for the purpose of paying the principal and interest on bonds of the district and may be pledged for that purpose, provided that the district is in compliance with the uniform rate of tax.~~

~~(c) Any school district, with approval of the electors of that district at the annual school election, when voting for a new tax for the retirement of debt may request a tax levy that includes mills greater than the amount required to service the debt. Excess debt service millage in the new tax levy for the retirement of debt may be used in calculations, as specified in Title 26, Chapter 80, of the uniform rate of tax or available for maintenance and operation. Any excess debt service millage considered additional mills for maintenance and operation may be used by the district for the purpose of paying the principal and interest on bonds of the district and may be pledged for that purpose, provided that the district is in compliance with the uniform rate of tax.~~

~~(d) Holders of bonds of the school district shall have a first and prior right and security interest in the revenue produced by the debt service millage pledged by the school district to the payment of its bonds.~~

~~26-80-207. Penalties.~~

~~(a) All duties imposed by this subchapter and subchapter 1 of this chapter on all state and county officers are declared to be mandatory, and any officer who neglects, fails, or refuses to perform any such duty shall be subject to removal from office and liable on his official bond for such neglect, failure, or refusal.~~

~~(b)(1) Upon the refusal or failure of any state officer to perform any duty imposed upon him under the provisions of this subchapter and subchapter 1 of this chapter, any citizen of the state may, and the Attorney General of the State of Arkansas shall, institute in the proper court mandamus proceedings to compel the state officer to perform his duties.~~

~~(2) Upon the refusal or failure of any county officer to perform any duty imposed upon him under the provisions of this subchapter and subchapter 1 of this chapter, any citizen of the county may, and the prosecuting attorney of the district~~

~~including such county shall, institute in the proper court mandamus proceedings to compel the county officer to perform his duties.~~

SECTION 10. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that the Arkansas Supreme Court has declared that the current method that the state uses to determine compliance with Amendment 74 to be unconstitutional and has instructed the General Assembly to take action before the termination of the court's stay of its mandate. It is also found that the people must be informed as early as possible the impact of the Court's ruling on the property taxes that they pay for education. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

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

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.

(SIGNED) JIM ARGUE

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 892 was ordered engrossed.

On motion of Senator Wilkins, **Senate Bill No. 816** 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. 816

Amend **Senate Bill No. 816** as originally introduced:

Delete Section 1 and substitute the following:

"SECTION 1. Arkansas Code § 20-7-102(a)(10) is amended to read as follows:

(10) One (1) member shall be a regularly licensed and practicing chiropractor. This member shall be appointed from a list of not fewer than three (3) names submitted by the Arkansas Chiropractic Association or the Arkansas Chiropractic Society."

(SIGNED) HENRY WILKINS

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 816 was ordered engrossed.

On motion of Senator Wooldridge, **Senate Bill No. 718** was withdrawn from the Committee on JOINT BUDGET, and placed back on second reading for purpose of amendment.

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 718

Amend **Senate Bill No. 718** as originally introduced:

Page 2 lines 12 through 19 delete in their entirety and substitute therefor:

"(3) (A) The General Improvement Fund shall only be used for the financing of appropriations or transfers authorized by the General Assembly in accordance with procedures set out by law.

(B) Projects approved to be financed by the authorized officials shall be determined in accordance with evaluation criteria.

(C) The criteria shall include the following :

(i) Lack of available alternate means of financing the project;

(ii) Project involvement in the health or safety of the users and the environment;

(iii) Federal, State or Local requirement for the project;

(iv) Project significantly improves the implementation of an important mission or program of the agency;

(v) Project preserves or improves the state's assets;

(vi) State-wide implications to the economy involved;

(vii) Beneficiaries of the project located throughout the state;

(viii) State agency requested the project or is included in the capital plan of the agency.

(D) Approved projects shall not include those projects which assist primarily local or private entities unless it is determined by a resolution by both houses of the Arkansas General Assembly that all necessary and appropriated state infrastructure needs of the various state agencies, facilities, institutions and programs have been provided for and that sufficient unobligated funds exist to proceed with other projects.

SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that funds are available to finance statewide capital projects and that local projects need to be financed only after statewide needs are met and that a process must be in place before the funds are distributed.. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

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

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.

(SIGNED) TIM WOOLDRIDGE

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 718 was ordered engrossed.

On motion of Senator Baker, Senate Bill No. 911 was withdrawn from the Committee on EDUCATION, 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. 911

Amend Senate Bill No. 911 as engrossed, S3/24/03:

Page 1, line 24, delete "which exceeds" and substitute "~~which exceeds~~ to exceed"

AND

Page 1, line 25, delete "books, room" and substitute "books, mandatory materials, room"

AND

Page 1, line 34, delete "grants, state" and substitute " grants, PELL grants, state "

AND

Page 1, delete line 35, and substitute the following:
"tax revenue.

(3) The provisions of this section shall not be construed to limit the amount of private funds that may be included in a student financial aid package, and the amount of private financial aid funds received shall not limit the amount of public funds available in a student financial aid package under the provisions of this section."

Page 2, line 3, delete "that includes" and substitute "~~that includes~~ where"

AND

Page 2, line 4, delete "and exceeds" and substitute "~~and exceeds~~ exceed"

AND

Page 2, line 5, delete "books, room" and substitute "books, mandatory materials, room"

AND

Page 2, line 7, delete "books, room" and substitute "books, mandatory materials, room"

(SIGNED) GILBERT BAKER

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 911 was ordered engrossed.

On motion of Senator Madison, **Senate Bill No. 724** 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. 2 to SENATE BILL NO. 724

Amend **Senate Bill No. 724** as engrossed, 03/24/03:

Page 1, delete lines 28 and 29, and substitute the following:
"its wastewater treatment system, storm-water treatment system, or water treatment system, or any combination of those systems."

AND

Page 2, delete line 11, and substitute the following:

“consideration the evaluation factors set forth in the request for proposals.

(7) The governing authority of the municipality or the sanitation authority shall employ an appropriate license professional who is independent of the contractor to monitor and perform an independent review and inspection of the design-build-operate-maintenance contract, or any part thereof, during its performance.”

(SIGNED) SUE MADISON

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 724 was ordered engrossed.

On motion of Senator Madison, **Senate Bill No. 618** 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. 618

Amend **Senate Bill No. 618** as originally introduced:

Page 1, delete lines 26 through 35 and substitute the following:

“(B)(1) Each political subdivision shall hold only one (1) special election, including but not limited to special elections on tax or bond issues, per year unless the special election:

(A) Is held to fill a vacancy;

(B) Is specifically authorized by the Arkansas Constitution; or

(C) Is held in conjunction with a regularly scheduled preferential primary election, general primary election, general election, general run-off election, or an election to fill a vacancy.”

(SIGNED) SUE MADISON

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 618 was ordered engrossed.

On motion of Senator Gullett, Senate Bill No. 700 was withdrawn from the Committee on PUBLIC TRANSPORTATION, 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. 700

Amend Senate Bill No. 700 as originally introduced:

Page 2, line 1 add the following new section:

“SECTION 3. This act shall not be enforced until September 1, 2003 to allow for a period of public education.”

(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. 700 was ordered engrossed.

On motion of Senator Gullett, **Senate Bill No. 811** was withdrawn from the Committee on EDUCATION, 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. 811

Amend **Senate Bill No. 811** as originally introduced:

Add Representative Roebuck as a cosponsor of the bill

AND

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

SECTION 1. (a) The Department of Education shall adopt oral health standards as part of the Arkansas physical education and health curriculum framework.

(b) The Department of Education shall work with public schools to establish an educational program to inform, train, and educate students concerning the importance of achieving and maintaining good oral health.

AND

Page 1, line 24 delete "(b) The" to "(c)"

AND

Page 1, line 26 delete "(c)" to "(d)"

AND

Page 1, line 28 delete "(d)" to "(e)"

AND

Page 1, delete line 33 and substitute the following:

"(f) The department shall enlist the voluntary assistance of appropriate dental"

(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. 811 was ordered engrossed.

On motion of Senator Malone, **Senate Bill No. 716** 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. 716

Amend **Senate Bill No. 716** as originally introduced:

Delete everything after the enactment clause and substitute the following:

“SECTION 1. Arkansas Code § 21-5-402 is amended to read as follows:
21-5-402. Members.

(a)(1) There is hereby created the State and Public School Life and Health Insurance Board composed of the following eleven (11) voting members:

(A) A state employee to be appointed by the Governor;
~~(B) A certified classroom teacher to be appointed by the~~

Governor;

~~(C)~~(B) The Insurance Commissioner or his designee;
~~(D)~~(C) The Director of the Department of Education or his

designee;

~~(E)~~(D) The Director of the Department of Finance and Administration or his designee;

(F)(E) Two (2) members who are engaged in employee benefits management or risk management in private industry to be appointed by the Governor;

~~(G)~~(F) One (1) additional member position which shall be filled alternately by a retired teacher and by a retired state employee appointed by the Governor. This position shall first be filled by a retired teacher for a term of four (4) years, then by a retired state employee for a term of four (4) years and four-year terms thereafter shall be alternated between a retired teacher and a retired state employee;

~~(H)~~(G) One (1) public school administrator to be appointed by the Governor; ~~and~~

(H) The Executive Director of the Arkansas State Board of Pharmacy or his or her state employee pharmacist designee;

(I) One (1) hospital administrator appointed by the Governor;
and

~~(J)~~(J) In addition, there shall be one (1) member who is a licensed health care provider appointed by the Governor.

(2) However, any appointee who has a conflict of interest shall be disqualified to serve.

(b)(1) The members, except for retiree positions, initially appointed by the Governor shall draw lots for terms so that two (2) serve for a term of four (4) years each, two (2) for a term of three (3) years, one (1) for a term of two (2) years, and one (1) for a term of one (1) year. All successor members appointed by the Governor shall be appointed for terms of four (4) years, but may be reappointed for additional terms.

(2) Vacancies in the Governor-appointed positions shall be filled by appointment of the Governor for the unexpired term. Members appointed by the Governor shall serve at the will of the Governor.

(c) A chair and a vice chair shall be selected annually from the membership of the board by the Governor, to serve one-year terms A chair and vice chair of the board shall be selected annually by and from the membership of the board, and shall serve no more than two (2) years.

SECTION 2. Arkansas Code § 21-5-404, concerning the powers, functions, and duties of the State and Public School Life and Health Insurance Board, is amended to add a new subdivision as follows:

(10)(A) To appoint three (3) subcommittees of the board to study and research health and life plan option benefits, formulary management, and the financial impact of implementing the recommendations made by the formulary management committee to the board.

(B)(i) The benefits subcommittee shall review, evaluate, and investigate benefits, new benefit offerings, and annual insurance rates.

(ii) The benefits subcommittee membership shall consist of three (3) board members, two (2) state employees, and two (2) school district employees.

(C)(i) The drug utilization and evaluation subcommittee shall review drugs for formulary management.

(ii) The membership of the drug utilization and evaluation subcommittee shall consist of two (2) pharmacists, two (2) physicians, and one (1) registered nurse as follows:

(a) The Executive Director of the Arkansas State Board of Pharmacy or his state employee pharmacist designee;

(b) The Dean of the University of Arkansas for Medical Sciences College of Pharmacy or his or her pharmacist designee;

(c) The physician health care provider serving on the board;

(d) The Dean of the University of Arkansas for Medical Sciences College of Medicine or his or her physician designee; and

(e) The Dean of the University of Arkansas for Medical Sciences College of Nursing or his or her registered nurse designee.

(D)(i) The fiscal committee will review and evaluate the financial impact of the recommendations made by the drug utilization and evaluation subcommittee.

(ii) The membership of the fiscal committee shall include two (2) board members, two (2) state employees, and two (2) public school employees who shall have expertise in accounting, finance, audit or insurance.”

(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. 716 was ordered engrossed.

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

March 26, 2003

Mr. President:

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

SENATE BILL NO. 75, BY SENATOR JEFFRESS,

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

Respectfully submitted,

(SIGNED) JOHN PAUL CAPPS, CHAIRMAN

Senate Bill No. 75 was ordered re-referred to the Committee on REVENUE AND TAXATION.

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

March 26, 2003

Mr. President:

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

SENATE BILL NO. 265, BY SENATOR ALTES,
SENATE BILL NO. 816, BY SENATOR WILKINS,

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

Senate Bill No. 816 was ordered re-referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

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

March 26, 2003

Mr. President:

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

SENATE BILL NO. 618, BY SENATOR MADISON,
SENATE BILL NO. 817, BY SENATOR WILKINS,

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

Senate Bill No. 817 was ordered re-referred to the Committee on STATE AGENCIES AND GOVERNMENTAL AFFAIRS.

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

March 26, 2003

Mr. President:

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

SENATE BILL NO. 700, 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 CAPPES, CHAIRMAN

Senate Bill No. 700 was ordered re-referred to the Committee on PUBLIC TRANSPORTATION.

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

March 26, 2003

Mr. President:

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

SENATE BILL NO. 716, 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. 716 was ordered re-referred to the Committee on INSURANCE AND COMMERCE.

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

March 26, 2003

Mr. President:

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

SENATE BILL NO. 718, BY SENATOR WOOLDRIDGE,

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

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

March 26, 2003

Mr. President:

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

SENATE BILL NO. 724, BY SENATOR MADISON,

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. 724 was ordered re-referred to the Committee on CITY, COUNTY AND GOVERNMENTAL AFFAIRS.

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

March 26, 2003

Mr. President:

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

SENATE BILL NO. 811, BY SENATOR GULLETT,
SENATE BILL NO. 892, BY SENATOR ARGUE,
SENATE BILL NO. 911, BY SENATOR BAKER,

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. 811 was ordered re-referred to the Committee on EDUCATION.

Senate Bill No. 892 was ordered re-referred to the Committee on EDUCATION.

Senate Bill No. 911 was ordered re-referred to the Committee on EDUCATION.

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

March 26, 2003

Mr. President:

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

SENATE BILL NO. 954, BY SENATOR WOOLDRIDGE,

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 26, 2003

Mr. President:

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

SENATE BILL NO. 320, BY SENATOR WOOLDRIDGE,

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

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

March 26, 2003

Mr. President:

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

HOUSE BILL NO. 1099, BY REPRESENTATIVE NICHOLS,
HOUSE BILL NO. 1100, BY REPRESENTATIVE NICHOLS,
HOUSE BILL NO. 2183, BY REPRESENTATIVE HOUSE,
HOUSE BILL NO. 2208, BY REPRESENTATIVE MARTIN,
HOUSE BILL NO. 2215, BY REPRESENTATIVE THOMAS,
HOUSE BILL NO. 2619, 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) JACK CRITCHER, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

March 26, 2003

Mr. President:

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

HOUSE BILL NO. 2218, BY REPRESENTATIVE JUDY,
HOUSE BILL NO. 2306, BY REPRESENTATIVE BLEDSOE,
HOUSE BILL NO. 2330, BY REPRESENTATIVE MARTIN,
HOUSE BILL NO. 2606, BY REPRESENTATIVE HUTCHINSON,

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 26, 2003

Mr. President:

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

SENATE BILL NO. 242, BY SENATOR ARGUE,
SENATE BILL NO. 913, 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 as amended.

Respectfully submitted,

(SIGNED) BRENDA GULLETT, VICE-CHAIRMAN

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

March 26, 2003

Mr. President:

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

HOUSE BILL NO. 2426, BY REPRESENTATIVE JUDY,
HOUSE BILL NO. 2480, BY REPRESENTATIVE WOOD,
HOUSE BILL NO. 2514, BY REPRESENTATIVE J. 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) JIM ARGUE, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

March 26, 2003

Mr. President:

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

SENATE BILL NO. 819, 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.

Respectfully submitted,

(SIGNED) STEVE HIGGINBOTHAM, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

March 26, 2003

Mr. President:

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

SENATE BILL NO. 867, BY SENATOR BROWN,

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 HIGGINBOTHAM, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

March 26, 2003

Mr. President:

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

HOUSE BILL NO. 2206, BY REPRESENTATIVE HAAK,
HOUSE BILL NO. 2342, BY REPRESENTATIVE PETRUS,

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 HIGGINBOTHAM, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

March 26, 2003

Mr. President:

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

SENATE BILL NO. 863, BY SENATOR MALONE,

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 26, 2003

Mr. President:

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

HOUSE BILL NO. 1525, BY REPRESENTATIVE ANDERSON,
HOUSE BILL NO. 1953, BY REPRESENTATIVE LAMOUREAX,
HOUSE BILL NO. 2702, BY REPRESENTATIVE THYER,

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 26, 2003

Mr. President:

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

SENATE BILL NO. 763, BY SENATOR STEELE,

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

Respectfully submitted,

(SIGNED) TIM WOOLDRIDGE, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

March 26, 2003

Mr. President:

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

SENATE BILL NO. 334, BY SENATOR MILLER,

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

Respectfully submitted,

(SIGNED) TIM WOOLDRIDGE, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

March 26, 2003

Mr. President:

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

HOUSE BILL NO. 1980, 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.

Respectfully submitted,

(SIGNED) TIM WOOLDRIDGE, CHAIRMAN

STATE OF ARKANSAS

ARKANSAS SENATE

State Capitol
Little Rock, Arkansas 72201

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

March 26, 2003

The Honorable Jo Renshaw
Chief Clerk
State Capitol
Little Rock, AR 72201

Dear Ms. Renshaw:

The Senate respectfully requests the return to the Senate, of [Senate Bill No. 745](#).

Respectfully submitted,

(SIGNED) ANN CORNWELL
Secretary of the Senate

AC:as

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

SENATE RESOLUTION RECOGNIZING AND COMMENDING MR. DAVID MARION WILKINSON.

Senate Resolution No. 14. was read the first time, read the second time, rules suspended, read third time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

On motion of Senator Hill, **House Concurrent Resolution No. 1022** was called up for third reading and final disposition.

HOUSE CONCURRENT RESOLUTION NO. 1022
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES CREEKMORE, MOORE

HOUSE CONCURRENT RESOLUTION TO PROVIDE FOR AN EXTENSION OF THE REGULAR SESSION OF THE EIGHTY-FOURTH GENERAL ASSEMBLY UNTIL APRIL 4, 2003, TO ENABLE IT TO COMPLETE THE ESSENTIAL BUSINESS OF THE SESSION.

House Concurrent Resolution No. 1022 was read the third time and concurred in by the Senate.

(SIGNED) ANN CORNWELL, SECRETARY

House Concurrent Resolution No. 1022 was ordered immediately returned to the House as concurred in.

On motion of Senator Holt, **House Concurrent Resolution No. 1033** was called up for third reading and final disposition.

HOUSE CONCURRENT RESOLUTION NO. 1033

As Engrossed: H3/19/03

EIGHTY-FOURTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES JUDY, EDWARDS, PRITCHARD, *ET AL*

BY: SENATORS HOLT, MADISON, *HENDREN*

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

House Concurrent Resolution No. 1033 was read the third time and concurred in by the Senate.

(SIGNED) ANN CORNWELL, SECRETARY

House Concurrent Resolution No. 1033 was ordered immediately returned to the House as concurred in.

On motion of Senator Smith, **House Concurrent Resolution No. 1023** was called up for third reading and final disposition.

**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 third time and concurred in by the Senate.

(SIGNED) ANN CORNWELL, SECRETARY

House Concurrent Resolution No. 1023 was ordered immediately returned to the House as concurred in.

On motion of Senator Madison, **House Concurrent Resolution No. 1024** was called up for third reading and final disposition.

**HOUSE CONCURRENT RESOLUTION NO. 1024
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE JUDY**

HOUSE CONCURRENT RESOLUTION ACKNOWLEDGING ARKANSAS' GREAT HISTORIC HERITAGE AND ITS CULTURAL TREASURES AND SETTING THE GOAL FOR THE STATE TO DISPLAY THE HIGHEST EXAMPLE OF PRESERVING OUR HISTORIC STRUCTURES AND CULTURAL SITES BY INSISTING THAT PUBLICLY-OWNED BUILDINGS ARE GREAT ASSETS AND THAT THESE SITES MUST BE MANAGED BY THE PRINCIPLES OF PRESERVATION.

House Concurrent Resolution No. 1024 was read the third time and concurred in by the Senate.

(SIGNED) ANN CORNWELL, SECRETARY

House Concurrent Resolution No. 1024 was ordered immediately returned to the House as concurred in.

On motion of Senator Critcher, **Senate Bill No. 736** 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. 736

Amend **Senate Bill No. 736** as originally introduced:

Page 3, line 11, delete "such as" and substitute "and up to ninety (90) additional days for"

(SIGNED) JACK CRITCHER

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

(SIGNED) ANN CORNWELL, SECRETARY

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

Amendment No. 2 to SENATE BILL NO. 736

Amend **Senate Bill No. 736** as originally introduced:

Page 3, delete line 8 and substitute the following:
"committee, the director may award up to"

AND

Page 3, line 11, delete "such as" and substitute ", and not to exceed ninety (90) days annually for"

(SIGNED) JACK CRITCHER

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 736 was ordered engrossed.

On motion of Senator Critcher, **Senate Bill No. 737** was placed back on second reading for purpose of amendment.

Withdraw Amendment No. 2.

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 3 to SENATE BILL NO. 737

Amend **Senate Bill No. 737** as originally introduced:

Page 2, line 10, delete "sentenced July" and substitute "sentenced on July"

(SIGNED) JACK CRITCHER

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 737 was ordered engrossed.

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

Amend **Senate Bill No. 713** as engrossed 3/21/03:

Page 1, line 27 add “for making, uttering, or delivering any one (1) instrument or transaction drawn on insufficient funds or drawn on a nonexistent account for more than two hundred dollars (\$200)” after “5-37-306.”

AND

Page 1, line 35 add “for making, uttering, or delivering any one (1) instrument or transaction drawn on insufficient funds or drawn on a nonexistent account for more than two hundred dollars (\$200)” after “Law”

AND

Page 2, line 2 add “for making, uttering, or delivering any one (1) instrument or transaction drawn on insufficient funds or drawn on a nonexistent account for more than two hundred dollars (\$200)” after “Law”

AND

Page 2, line 4 add “for making, uttering, or delivering any one (1) instrument or transaction drawn on insufficient funds or drawn on a nonexistent account for more than two hundred dollars (\$200)” after “Law”

AND

Page 2, line 7 add “for making, uttering, or delivering any one (1) instrument or transaction drawn on insufficient funds or drawn on a nonexistent account for more than two hundred dollars (\$200)” after “Law”

AND

Page 2, line 10 add “for making, uttering, or delivering any one (1) instrument or transaction drawn on insufficient funds or drawn on a nonexistent account for more than two hundred dollars (\$200)” after “Law”

AND

Page 2, line 33 add “for making, uttering, or delivering any one (1) instrument or transaction drawn on insufficient funds or drawn on a nonexistent account for more than two hundred dollars (\$200) for a violation of “The Arkansas Hot Check Law”; after “Law”

AND

Page 2, delete lines 34 through 35 and substitute:

(ii) Whether the suspension was based on a charge filed by the appropriate prosecuting authority; and

(iii) Any request by the person whose privilege to drive has been suspended for a restricted license.

AND

Page 3, line 4 add “for making, uttering, or delivering any one (1) instrument or transaction drawn on insufficient funds or drawn on a nonexistent account for more than two hundred dollars (\$200)” after “Law”

AND

Page 3, line 22 add “for making, uttering, or delivering any one (1) instrument or transaction drawn on insufficient funds or drawn on a nonexistent account for more than two hundred dollars (\$200)” after “Law””

AND

Page 3, line 24 add “for making, uttering, or delivering any one (1) instrument or transaction drawn on insufficient funds or drawn on a nonexistent account for more than two hundred dollars (\$200)” after “Law””

AND

Page 3, line 33 add “for making, uttering, or delivering any one (1) instrument or transaction drawn on insufficient funds or drawn on a nonexistent account for more than two hundred dollars (\$200)” after “Law””

AND

Page 4, line 5 add “for making, uttering, or delivering any one (1) instrument or transaction drawn on insufficient funds or drawn on a nonexistent account for more than two hundred dollars (\$200)” after “Law””

AND

Page 4, line 18 add “for making, uttering, or delivering any one (1) instrument or transaction drawn on insufficient funds or drawn on a nonexistent account for more than two hundred dollars (\$200)” after “Law””

AND

Page 4, line 28 add “for making, uttering, or delivering any one (1) instrument or transaction drawn on insufficient funds or drawn on a nonexistent account for more than two hundred dollars (\$200)” after “Law””

(SIGNED) GILBERT BAKER

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

(SIGNED) ANN CORNWELL, SECRETARY

Amend **Senate Bill No. 713** as engrossed.

On motion of Senator Salmon, **Senate Bill No. 873** 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. 873

Amend **Senate Bill No. 873** as originally introduced:

Page 2, delete lines 8 through 11, and substitute the following:

“(2) “Emergency service agency” means an agency or department of any county or city that has first responder or investigative responsibilities in the event of a catastrophe or use of a weapon of mass destruction; and”

AND

Page 2, delete lines 29 through 31, and substitute the following:

“(3) Investigative files of emergency service agencies relating to a catastrophe or use of a weapon of mass destruction are not subject to public disclosure until after final adjudication.

SECTION 4. Sunset Clause.
This act expires on July 1, 2005.”

AND

Page 2, line 33, delete “SECTION 4.” and substitute “SECTION 5.”

(SIGNED) MARY ANN SALMON

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 873 was ordered engrossed.

On motion of Senator Baker, [House Bill No. 2402](#) was placed back on second reading for purpose of amendment.

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
[Amendment No. 1 to HOUSE BILL NO. 2402](#)

Amend [House Bill No. 2402](#) as originally introduced by:
Page 1, line 14, delete "CHANGE" and substitute "CHANCE"

(SIGNED) JIM ARGUE

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

(SIGNED) ANN CORNWELL, SECRETARY

[House Bill No. 2402](#) was ordered engrossed.

On motion of Senator Salmon, [House Bill No. 2326](#) was placed back on second reading for purpose of amendment.

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
[Amendment No. 1 to HOUSE BILL NO. 2326](#)

Amend [House Bill No. 2326](#) as engrossed, H3/14/03:
Add Senator Salmon as co-sponsor

(SIGNED) MARY ANN SALMON

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

(SIGNED) ANN CORNWELL, SECRETARY

[House Bill No. 2326](#) was ordered engrossed.

On motion of Senator Altes, **House Bill No. 2388** was withdrawn from the Committee on EDUCATION, and placed back on second reading for purpose of amendment.

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to HOUSE BILL NO. 2388

Amend **House Bill No. 2388** as originally introduced by:
Page 2, delete lines 14 through 18 entirely

(SIGNED) DENNY ALTES

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2388 was ordered engrossed.

On motion of Senator Gullett, **Senate Bill No. 268** 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. 268

Amend **Senate Bill No. 268** as originally introduced:
Page 2, line 6, delete "chapter may" and substitute "chapter, which prohibits the development of land by improvements that are exposed to flood damage or that are threatened by flood hazards, may"

(SIGNED) PRESTON SCROGGIN

Amendment No. 1 to Senate Bill No. 268, 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 Gullett, and without objection, the rules were suspended pertaining to passage of Amendment and Bill on the same day.

On motion of Senator Gullett, Senate Bill No. 268 was called up for third reading and final disposition.

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

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

Senate Bill No. 268 was 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, 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.

Total34

NEGATIVE:
 Total0
 ABSENT OR NOT VOTING: Faris on Leave
 Total1
 VOTING PRESENT:
 Total0
 Total number of votes cast.....34
 Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 268 was ordered enrolled.

On motion of Senator Womack, Senate Concurrent Resolution No. 30 was called up for third reading and final disposition.

SENATE CONCURRENT RESOLUTOIN NO. 30
 EIGHTY-FOURTH GENERAL ASSEMBLY
 REGULAR SESSION
 BY: SENATOR WOMACK
 BY: REPRESENTATIVES LEDBETTER, KEY

A Bill for an Act to be Entitled: REQUESTING THAT THE CONGRESSIONAL DELEGATION FROM ARKANSAS URGE THE UNITED STATES CONGRESS TO GIVE FINAL AUTHORIZATION TO REALLOCATE WATER STORAGE IN NORTH ARKANSAS LAKES MANAGED BY THE U.S. ARMY CORPS OF ENGINEERS TO PROVIDE ADEQUATE MINIMUM FLOWS FOR FISH AND WILDLIFE, AND RECREATION PURPOSES.

Senator Bisbee spoke against the Resolution.

Senator Womack closed for his resolution.

Five hands were seen and a roll call was ordered on the question of whether or not **Senate Concurrent Resolution No. 30** be adopted.

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

Senate Concurrent Resolution No. 30 was placed on third reading and final disposition, the question being: Shall the Resolution pass?

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

AFFIRMATIVE: Baker, Bryles, Capps, Critcher, Hill, Horn, G. Jeffress, J. Jeffress, Malone, Miller, Trusty, Whitaker, Womack, Wooldridge.

Total14

NEGATIVE: Bisbee, Hendren, Holt, Lavery.

Total4

ABSENT OR NOT VOTING: Altes, Argue, J. Bookout, Broadway, Brown, Glover, Gullett, Higginbothom, B. Johnson, Luker, Madison, Salmon, T. Smith, Steele, Wilkins, Wilkinson. Faris on Leave.

Total17

VOTING PRESENT:

Total0

Total number of votes cast18

Necessary to the passage of the resolution18

So the resolution failed.

(SIGNED) ANN CORNWELL, SECRETARY

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

The record pertaining to the vote by which **Senate Concurrent Resolution Bill No. 30** failed was expunged, in accordance with a prevailing motion on March 26, 2003.

Senator Womack moved that the record pertaining to the vote by which **Senate Concurrent Resolution Bill No. 30** failed be expunged, the motion was duly seconded and prevailed.

On motion of Senator Wilkins, the Senate resolved itself into the Committee of the Whole for the purpose of recognizing Pine Bluff High School Basketball team.

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

On motion of Senator Wilkins, the rules were suspended in considering **Senate Resolution No. 10** at this time.

**SENATE RESOLUTION NO. 10
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR WILKINS**

SENATE RESOLUTION CONGRATULATING THE PINE BLUFF HIGH SCHOOL "ZEBRAS" BOYS BASKETBALL TEAM FOR WINNING THE STATE AAAAA CHAMPIONSHIP.

Senate Resolution No. 10. was read the first time, read the second time, rules suspended, read third time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bills returned from the House as passed and ordered enrolled:

SENATE BILL NO. 34

SENATE BILL NO. 67

SENATE BILL NO. 156

SENATE BILL NO. 272

SENATE BILL NO. 290

SENATE BILL NO. 335

SENATE BILL NO. 432

SENATE BILL NO. 692

Senator Wooldridge moved that the record pertaining to the vote by which **House Bill No. 1343** passed be expunged, the motion was duly seconded and prevailed.

(SIGNED) ANN CORNWELL, SECRETARY

Senator Wooldridge moved the Senate recede its previous action in the adoption of **Amendment No. 1 to House Bill No. 1343**.

(SIGNED) ANN CORNWELL, SECRETARY

On motion of Senator Wooldridge, the rules were suspended in considering **House Bill No. 1343** at this time.

On motion of Senator Wooldridge, **House Bill No. 1343** was placed back on second reading for purpose of amendment.

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 2 to HOUSE BILL NO. 1343

Amend **House Bill No. 1343** as engrossed S3/6/03 introduced by:

Page 4, delete lines 11 through 14 and substitute the following:

“(f) No purchaser, health insurance purchasing group, health maintenance organization, or health insurer providing coverage to a health insurance purchasing group, shall be subject to any provisions in §§ 26-57-601 through 26-57-616 for insurance premiums collected for health benefit plans of health insurance purchasing groups.”

AND

Page 5, delete lines 2 through 7, and substitute the following:

“(A) Provide to the proposed eligible employee a written notice as required in subsection (b) to this section; and, after the employer has selected its health benefit plan, provide to each eligible employee of the employer a written

notice, in a form and manner as prescribed by rule or regulation promulgated by the commissioner, that one (1) or more mandated benefits are not included in the health benefit plan.”

(SIGNED) TIM WOOLDRIDGE

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

(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, **House Bill No. 1343** was called up for third reading and final disposition.

HOUSE BILL NO. 1343
As Engrossed: S3/6/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE NAPPER

A Bill for an Act to be Entitled: AN ACT TO AMEND THE SMALL EMPLOYER HEALTH INSURANCE PURCHASING GROUP ACT; AND FOR OTHER PURPOSES.

House Bill No. 1343 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, 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.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Faris on Leave

Total1

VOTING PRESENT:

Total0

Total number of votes cast.....34

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1343 was ordered engrossed.

House Bill No. 1305 was returned to the House as passed.

Senate Bill No. 745 returned from the House as requested.

On motion of Senator Luker, Senate Bill No. 916 was withdrawn from the Committee on JUDICIARY, and placed on the Calendar.

On motion of Senator Luker, and without objection, Senate Bill No. 916 was recommended for study in the interim by Senate Interim Committee on JUDICIARY.

The President declared the morning hour to have expired.

STATE OF ARKANSAS
OFFICE OF THE GOVERNOR

STATE CAPITOL
LITTLE ROCK, ARKANSAS

MIKE HUCKABEE
Governor

March 26, 2003

TO THE PRESIDENT OF THE SENATE

Dear Mr. President:

This is to inform your Honorable Body that on March 26, 2003, I approved the following measure:

Senate Bill No. 60, which is now Act 645 of 2003,
Senate Bill No. 159, which is now Act 646 of 2003
Senate Bill No. 690, which is now Act 647 of 2003
Senate Bill No. 452, which is now Act 648 of 2003

Sincerely,

(SIGNED) MIKE HUCKABEE
Governor

MH:sm

Cc: Speaker of the House

On motion of Senator Brown, **Senate Bill No. 910** was called up for third reading and final disposition.

SENATE BILL NO. 910
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR BROWN

A Bill for an Act to be Entitled: AN ACT TO AUTHORIZE A QUORUM COURT OR GOVERNING MUNICIPAL BODY TO LEVY A FEE OF ONE DOLLAR (\$1.00) PER OCCUPIED HOTEL ROOM PER DAY ON HOTELS TO BE PAID TO LOCAL PUBLIC TRANSIT AUTHORITIES OR SYSTEMS.

Senate Bill No. 910 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Argue, Bisbee, J. Bookout, Broadway, Brown, Capps, Critcher, Higginbothom, Holt, Horn, J. Jeffress, Luker, Madison, Miller, Salmon, Steele, Wilkinson, Wooldridge.

Total 18

NEGATIVE: Altes, Baker, Bryles, Glover, Gullett, Hendren, G. Jeffress, B. Johnson, Lavery, Malone, Trusty, Whitaker, Womack.

Total 13

ABSENT OR NOT VOTING: Hill, T. Smith, Wilkins. Faris on leave

Total 4

VOTING PRESENT:

Total 0

Total number of votes cast 31

Necessary to the passage of the bill 18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senator Brown moved that the vote by which **Senate Bill No. 910** passed be reconsidered and that motion be laid upon the table, which motion prevailed and the motion to reconsider was laid on the table.

Senate Bill No. 910 was ordered immediately transmitted to the House.

On motion of Senator Steele, **Senate Bill No. 939** was called up for third reading and final disposition.

SENATE BILL NO. 939
As Engrossed: S3/17/03 S3/25/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR STEELE
BY: RERESENTATIVES BLEDSOE, GREEN

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE § 8-7-1103 TO AUTHORIZE THE ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY TO PROVIDE LOANS AND *GRANTS FOR THE ASSESSMENT, INVESTIGATION, AND REMEDIATION OF ABANDONED INDUSTRIAL, COMMERCIAL, OR AGRICULTURAL SITES; AND FOR OTHER PURPOSES.*

Senate Bill No. 939 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, 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.

Total34

NEGATIVE:
 Total0
 ABSENT OR NOT VOTING: Faris on leave.
 Total1
 VOTING PRESENT:
 Total0
 Total number of votes cast.....34
 Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **Senate Bill No. 939**, 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, Glover, Gullett, Hendren, Higginbotham, Hill, Holt, Horn, G. Jeffress, J. Jeffress, B. Johnson, Laverty, Luker, Madison, Malone, Miller, Salmon, T. Smith, Steele, Trusty, Whitaker, Wilkins, Wilkinson, Womack, Wooldridge.
 Total34

NEGATIVE:
 Total0
 ABSENT OR NOT VOTING: Faris on leave
 Total1
 VOTING PRESENT:
 Total0
 Total number of votes cast.....34
 Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 939 was ordered immediately transmitted to the House.

On motion of Senator Glover, **Senate Bill No. 693** was called up for third reading and final disposition.

SENATE BILL NO. 693
As Engrossed: S3/25/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR GLOVER
BY: REPRESENTATIVE KING

A Bill for an Act to be Entitled: AN ACT TO PROVIDE CIVIL IMMUNITY FOR THE USE OF NONDEADLY PHYSICAL FORCE TO PREVENT THE COMMISSION OF A FELONY; AND FOR OTHER PURPOSES.

Senate Bill No. 693 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, 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.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Faris on leave

Total1

VOTING PRESENT:

Total0

Total number of votes cast34

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 693 was ordered immediately transmitted to the House as passed.

On motion of Senator Holt, **Senate Bill No. 950** was called up for third reading and final disposition.

SENATE BILL NO. 950
As Engrossed: S3/25/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR HOLT

A Bill for an Act to be Entitled: AN ACT TO INCREASE PENALTIES UNDER THE ARKANSAS HOT CHECK LAW; AND FOR OTHER PURPOSES.

Senate Bill No. 950 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, Glover, Hendren, Higginbothom, Hill, Holt, Horn, G. Jeffress, J. Jeffress, B. Johnson, Laverty, Luker, Madison, Malone, Miller, Salmon, T. Smith, Steele, Whitaker, Wilkins, Wilkinson, Womack, Wooldridge.

Total	32
NEGATIVE: Gullett, Trusty.	
Total	2
ABSENT OR NOT VOTING: Faris on leave	
Total	1
VOTING PRESENT:	
Total	0
Total number of votes cast.....	34
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 950 was ordered immediately transmitted to the House as passed.

On motion of Senator Steele, **Senate Bill No. 941** was called up for third reading and final disposition.

SENATE BILL NO. 941
As Engrossed: S3/21/03 S3/25/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR STEELE
BY: REPRESENTATIVES BLEDSOE, GREEN

A Bill for an Act to be Entitled: *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 CLEANUP OF BROWNFIELDS; AND FOR OTHER PURPOSES.*

Senate Bill No. 941 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, 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	34
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Faris on leave	
Total	1
VOTING PRESENT:	
Total	0
Total number of votes cast	34
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **Senate Bill No. 941**, 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, 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.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Faris on leave

Total1

VOTING PRESENT:

Total0

Total number of votes cast.....34

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 941 was ordered immediately transmitted to the House.

On motion of Senator Steele, **Senate Bill No. 805** was called up for third reading and final disposition.

SENATE BILL NO. 805
As Engrossed: S3/25/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR STEELE

A Bill for an Act to be Entitled: AN ACT TO PROMOTE UNIFORMITY IN THE REGULATION OF GROUND TRANSPORTATION SERVICES IN COUNTIES HAVING A POPULATION OF AT LEAST TWO HUNDRED FIFTY THOUSAND (250,000) PERSONS; AND FOR OTHER PURPOSES.

Senate Bill No. 805 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, 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	34
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Faris on leave	
Total	1
VOTING PRESENT:	
Total	0
Total number of votes cast	34
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 805 was ordered immediately transmitted to the House as passed.

On motion of Senator Wilkins, **Senate Bill No. 96** was called up for third reading and final disposition.

SENATE BILL NO. 96
As Engrossed: S2/24/03 S3/25/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS WILKINS, BAKER, BRYLES, ET AL
BY: REPRESENTATIVES ELLIOTT, GOSS, C. JOHNSON

A Bill for an Act to be Entitled: *AN ACT CREATING A TASK FORCE ON RACIAL PROFILING; AND FOR OTHER PURPOSES.*

Senate Bill No. 96 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, Glover, Gullett, Hendren, Higginbotham, 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	34
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Faris on leave	
Total	1
VOTING PRESENT:	
Total	0
Total number of votes cast	34
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 96 was ordered immediately transmitted to the House as passed.

On motion of Senator Malone, **Senate Bill No. 677** was called up for third reading and final disposition.

SENATE BILL NO. 677
As Engrossed: S3/21/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MALONE
BY: REPRESENTATIVE ROEBUCK

A Bill for an Act to be Entitled: AN ACT TO ENSURE THAT HEALTH BENEFIT PLANS PROVIDE COVERAGE FOR ANESTHESIA AND HOSPITAL CHARGES IN CASES INVOLVING YOUNG CHILDREN AND PERSONS WITH SERIOUS MENTAL OR PHYSICAL CONDITIONS WHERE THE AGE OR CONDITION REQUIRES HOSPITALIZATION OR GENERAL ANESTHESIA IN ORDER TO SAFELY AND EFFECTIVELY PERFORM DENTAL PROCEDURES ON THE PATIENT; AND FOR OTHER PURPOSES.

Senate Bill No. 677 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, 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	34
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Faris on leave	
Total	1
VOTING PRESENT:	
Total	0
Total number of votes cast	34
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 677 was ordered immediately transmitted to the House as passed.

On motion of Senator Gullett, Senate Bill No. 767 was called up for third reading and final disposition.

SENATE BILL NO. 767
As Engrossed: 3/21/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR GULLETT
BY: REPRESENTATIVE D. EVANS

A Bill for an Act to be Entitled: AN ACT TO AUTHORIZE STATE AGENCIES TO CONTRACT TO PURCHASE TECHNOLOGY SYSTEMS BASED ON AN INCREASE IN THE AGENCY'S REVENUES GENERATED THROUGH THE USE OF THE TECHNOLOGY SYSTEMS; AND FOR OTHER PURPOSES.

Senate Bill No. 767 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, 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.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Faris on leave

Total1

VOTING PRESENT:

Total0

Total number of votes cast34
 Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **Senate Bill No. 767**, 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, Glover, Gullett, Hendren, Higginbotham, Hill, Holt, Horn, G. Jeffress, J. Jeffress, B. Johnson, Lavery, Luker, Madison, Malone, Miller, Salmon, T. Smith, Steele, Trusty, Whitaker, Wilkins, Wilkinson, Womack, Wooldridge.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Faris on leave

Total1

VOTING PRESENT:

Total0

Total number of votes cast34

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 767 was ordered immediately transmitted to the House.

On motion of Senator Madison, **Senate Bill No. 420** was called up for third reading and final disposition.

SENATE BILL NO. 420
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS MADISON, CRITCHER

A Bill for an Act to be Entitled: AN ACT TO REPEAL ARKANSAS CODE § 25-1-206.

Senate Bill No. 420 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, Bisbee, J. Bookout, Broadway, Brown, Bryles, Capps, Critcher, Glover, Hendren, Higginbothom, Hill, Holt, G. Jeffress, J. Jeffress, Madison, Malone, Miller, Salmon, T. Smith, Trusty, Wilkins, Wilkinson, Womack, Wooldridge.

Total26

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Argue, Gullett, Horn, B. Johnson, Lavery, Luker, Steele, Whitaker. Faris on leave

Total9

VOTING PRESENT:

Total0

Total number of votes cast.....26

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

On motion of Senator Smith, the rules were suspended in considering **Senate Bill No. 912** at this time.

On motion of Senator Smith, **Senate Bill No. 912** was withdrawn from the Committee on EDUCATION, 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. 912

Amend **Senate Bill No. 912** as originally introduced:

Add Senators Argue, Gullett, J. Jeffress, Wilkins, Bisbee, Bryles, Broadway as cosponsors of the bill

AND

Add Representative Mathis as a cosponsor of the bill

AND

Page 1, delete lines 9 through 12 and substitute the following:
"AN ACT TO EXPAND THE PURPOSE OF THE ARKANSAS SCHOOL FOR MATHEMATICS AND SCIENCE TO INCLUDE FINE AND PERFORMING ARTS; AND FOR OTHER PURPOSES."

AND

Page 1, delete lines 15 through 17 and substitute the following:
"AN ACT TO EXPAND THE PURPOSE OF THE ARKANSAS SCHOOL FOR MATHEMATICS AND SCIENCE TO INCLUDE FINE AND PERFORMING ARTS."

AND

Page 1, delete lines 22 through 27 and substitute the following:
"SECTION 1. Arkansas Code § 6-42-201(a) and (b), concerning the establishment of the Arkansas School for Mathematics and Sciences, is amended to read as follows:

(a) There is hereby established the Arkansas School for Mathematics and Sciences, and the Arts, hereinafter "school", which shall be a residential school for eleventh and twelfth grade students.

(b)(1) The purposes of the school shall be to educate the gifted and talented math, and science, and fine and performing arts students of the state and to develop curricula and materials to improve instruction in mathematics, and sciences, and fine and performing arts for all students in the state. The school's curriculum, faculty, and admissions policy shall reflect those purposes.

(2) While the emphasis of the school shall be dedicated to the academic teaching of mathematics, and sciences, and fine and performing arts,

some emphasis may be placed on the arts and humanities as deemed appropriate by the board of trustees.

SECTION 2. Arkansas Code § 6-42-202 is amended to read as follows:
6-42-202. Board of trustees.

(a) The school shall be governed by a board of trustees.

(b)(1)(A) The board of trustees shall consist of seven (7) members, with one (1) member appointed from each congressional district and the remaining members appointed at large.

(B) The Governor shall appoint all seven (7) members of the board of trustees.

(C) Members of the board appointed by the Governor under the provisions of this section, in addition to possessing the qualifications of an elector, shall reside in the State of Arkansas.

(2)(A) ~~Five (5)~~ Six (6) ex officio nonvoting members shall also serve on the board.

(B) The Director of the Department of Education, the Director of the Department of Higher Education, the President of the Arkansas Science and Technology Authority, the Director of the Department of Arkansas Heritage, the president of the school's parent association, and the president of the school's student government shall serve as the ~~five (5)~~ six (6) ex officio, nonvoting members of the board.

(c) Members shall serve seven-year terms.

SECTION 3. Arkansas Code § 6-42-201(a) is amended to read as follows:

(a) There is hereby established within the University of Arkansas System the Arkansas School for Mathematics and Sciences, hereinafter "school", which shall be a residential school for eleventh and twelfth grade students.

SECTION 4. Arkansas Code § 6-42-202(a) and (b)(1)(A), pertaining to the Arkansas School for Mathematics and Sciences, are amended to read as follows:

(a) The school shall be governed by a board of ~~trustees~~ visitors but the actions of the board of visitors are subject to approval by the Board of Trustees of the University of Arkansas.

(b)(1)(A) The board of ~~trustees~~ visitors shall consist of seven (7) members, with one (1) member appointed from each congressional district and the remaining members appointed at large.

SECTION 5. Arkansas Code § 6-42-203(a), pertaining to the Arkansas School for Mathematics and Sciences, is amended to read as follows:

(a) The board of ~~trustees~~ visitors created under § 6-42-202 is charged with the management and control of the Arkansas School for Mathematics and Sciences but the actions of the board of visitors are subject to the approval of the Board of Trustees of the University of Arkansas.

SECTION 6. Arkansas Code § 6-42-203(d)(1), pertaining to the Arkansas School for Mathematics and Sciences, is amended to read as follows:

(d)(1) The board shall employ an administrator for the school, subject to the approval of the Board of Trustees of the University of Arkansas, who may be removed by the board or the Governor.

SECTION 7. Arkansas Code § 6-42-204(b)(3), pertaining to the Arkansas School for Mathematics and Sciences, is amended to read as follows:

(3) The administrator and other personnel employed for the operation of the school shall be employees of the State of Arkansas and shall not be deemed to be faculty or employees of the University of Arkansas.

SECTION 8. Arkansas Code § 6-42-206 is repealed.

~~6-42-206. Governance of school.~~

~~All Department of Education regulations shall apply to the Arkansas School for Mathematics and Sciences unless the department indicates otherwise.~~

SECTION 9. (a) The Arkansas School for Mathematics and Sciences becomes a part of the University of Arkansas System as of the effective date of this act.

(b) On the effective date of this act, the preexisting board of trustees becomes the board of visitors under Arkansas Code § 6-42-202.

(c) The Arkansas School for Mathematics and Sciences shall remain at its current location.

SECTION 10. This act becomes effective on January 1, 2004."

(SIGNED) TERRY SMITH

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 912 was ordered engrossed.

On motion of Senator Madison, **Senate Bill No. 821** was withdrawn from the Committee on PUBLIC TRANSPORTATION, and placed on the Calendar.

On motion of Senator Madison, and without objection, **Senate Bill No. 821** was recommended for study in the interim by Senate Interim Committee on PUBLIC TRANSPORTATION.

On motion of Senator Madison, **Senate Bill No. 822** was withdrawn from the Committee on PUBLIC HEALTH, WELFARE AND LABOR and placed on the Calendar.

On motion of Senator Madison, and without objection, **Senate Bill No. 822** was recommended for study in the interim by Senate Interim Committee on PUBLIC HEALTH, WELFARE AND LABOR.

On motion of Senator Salmon, **House Bill No. 1729** was called up for third reading and final disposition.

HOUSE BILL NO. 1729
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE MAHONY

A Bill for an Act to be Entitled: AN ACT TO REPEAL OBSOLETE PROVISIONS OF THE ARKANSAS CODE CONCERNING THE COMMUNIST PARTY; AND FOR OTHER PURPOSES.

House Bill No. 1729 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Argue, Baker, J. Bookout, Broadway, Brown, Bryles, Capps, Gullett, Higginbothom, Hill, Horn, B. Johnson, Malone, Miller, Salmon, T. Smith, Whitaker, Wilkins, Wooldridge.

Total 19

NEGATIVE: Altes, Critcher, Glover, Hendren, Holt, Trusty, Womack.

Total 7

ABSENT OR NOT VOTING: Bisbee, G. Jeffress, J. Jeffress, Lavery, Luker, Madison, Steele, Wilkinson. Faris on leave

Total 9

VOTING PRESENT:

Total 0

Total number of votes cast26
Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1729 was ordered immediately returned to the House as passed.

THE SENATE
STATE OF ARKANSAS

March 26, 2003

Ms. Ann Cornwell
Secretary of Senate
State Capitol, Room 320
Little Rock, AR 72201

Dear Ms. Cornwell,

During session on Wednesday, March 26, 2003, House Bill No. 1729 was brought up for 3rd reading and vote. I would like the record to reflect that if I had been in the chamber at the time the bill came up for role call, I would have voted yea on House Bill No. 1729. Please file this letter in the Senate Journal along with the roll call that was taken on House Bill No. 1729.

Thank you,

TRACY STEELE

Senator Tracy Steele
District 34

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

There being an emergency clause attached to **House Bill No. 1729**, 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: Argue, Baker, J. Bookout, Broadway, Brown, Bryles, Capps, Gullett, Higginbotham, Hill, Horn, B. Johnson, Malone, Miller, Salmon, T. Smith, Whitaker, Wilkins, Wooldridge.

Total19

NEGATIVE: Altes, Critcher, Glover, Hendren, Holt, Trusty, Womack.

Total7

ABSENT OR NOT VOTING: Bisbee, G. Jeffress, J. Jeffress, Lavery, Luker, Madison, Steele, Wilkinson. Faris on leave

Total9

VOTING PRESENT:

Total0

Total number of votes cast.....26

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause failed of adoption.

(SIGNED) ANN CORNWELL, SECRETARY

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

The record pertaining to the vote by which the emergency clause to **House Bill No. 1729** failed was expunged, in accordance with a prevailing motion on March 26, 2003.

Senator Salmon moved that the record pertaining to the vote by which the Emergency Clause on **House Bill No. 1729** passed be expunged, the motion was duly seconded and prevailed.

There being an emergency clause attached to **House Bill No. 1729**, 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: Argue, Baker, J. Bookout, Broadway, Brown, Bryles, Capps, Critcher, Gullett, Hendren, Higginbothom, Hill, Holt, Horn, J. Jeffress, B. Johnson, Luker, Madison, Malone, Miller, Salmon, T. Smith, Steele, Whitaker, Wilkins, Wilkinson, Wooldridge.

Total27

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Altes, Bisbee, Glover, G. Jeffress, Laverty, Trusty, Womack. Faris on leave

Total8

VOTING PRESENT:

Total0

Total number of votes cast27

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senator Salmon moved that the vote by which **House Bill No. 1729** passed be reconsidered and that motion be laid upon the table, which motion prevailed and the motion to reconsider was laid on the table.

House Bill No. 1729 was ordered immediately returned to the House as passed.

On motion of Senator Miller, House Bill No. 1105 was called up for third reading and final disposition.

HOUSE BILL NO. 1105
As Engrossed: S3/18/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE SEAWEL

A Bill for an Act to be Entitled: AN ACT TO CLASSIFY AND DESIGNATE THE TEACHING AND INSTRUCTION PERSONNEL OF BLACK RIVER TECHNICAL COLLEGE LAW ENFORCEMENT TRAINING ACADEMY AS LAW ENFORCEMENT OFFICERS; AND FOR OTHER PURPOSES.

House Bill No. 1105 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, Glover, Gullett, Hendren, Higginbotham, 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	34
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Faris on leave	
Total	1
VOTING PRESENT:	
Total	0
Total number of votes cast.....	34
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 1105**, 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, 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.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Faris on leave

Total1

VOTING PRESENT:

Total0

Total number of votes cast34

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1105 was ordered immediately returned to the House as passed as amended.

On motion of Senator Miller, **House Bill No. 2242** was called up for third reading and final disposition.

HOUSE BILL NO. 2242
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE WEAVER
BY: SENATOR MALONE

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE § 17-42-404(c) CONCERNING EXPENDITURES FROM THE REAL ESTATE RECOVERY FUND FOR EDUCATIONAL PROJECTS; AND FOR OTHER PURPOSES.

House Bill No. 2242 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, 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	34
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Faris on leave	
Total	1
VOTING PRESENT:	
Total	0
Total number of votes cast.....	34
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2242 was ordered immediately returned to the House as passed.

On motion of Senator Miller, House Bill No. 1730 was called up for third reading and final disposition.

HOUSE BILL NO. 1730
As Engrossed: H2/27/03 H3/7/03 H3/12/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

BY: REPRESENTATIVES WEAVER, HOUSE, OGLESBY, ET AL

A Bill for an Act to be Entitled: AN ACT TO PROVIDE THAT ALL FINES LEVIED ON PERSONS CONVICTED OF GAME AND FISH VIOLATIONS MAY BE USED TO FUND SCHOOL EDUCATION PROGRAMS FOR FISH AND WILDLIFE CONSERVATION AND OTHER PURPOSES CONSISTENT WITH AMENDMENT 35; AND FOR OTHER PURPOSES.

House Bill No. 1730 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, Glover, Gullett, Higginbothom, Hill, Holt, Horn, G. Jeffress, J. Jeffress, B. Johnson, Laverty, Luker, Madison, Malone, Miller, Salmon, T. Smith, Steele, Whitaker, Wilkins, Wilkinson, Womack, Wooldridge.

Total	32
NEGATIVE: Hendren, Trusty.	
Total	2
ABSENT OR NOT VOTING: Faris on leave	
Total	1
VOTING PRESENT:	
Total	0
Total number of votes cast	34
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1730 was ordered immediately returned to the House as passed.

On motion of Senator Higginbothom, House Bill No. 2343 was called up for third reading and final disposition.

HOUSE BILL NO. 2343
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE PETRUS

A Bill for an Act to be Entitled: AN ACT TO AMEND THE ARKANSAS UNIFORM COMMERCIAL DRIVER LICENSE ACT TO COMPLY WITH FEDERAL REQUIREMENTS FOR COMMERCIAL DRIVER'S LICENSES; AND FOR OTHER PURPOSES.

House Bill No. 2343 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, Broadway, Brown, Bryles, Capps, Critcher, Glover, Hendren, Higginbothom, Hill, Holt, Horn, G. Jeffress, B. Johnson, Madison, Malone, Miller, Salmon, Trusty, Wilkins, Wilkinson, Womack, Wooldridge.

Total25

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Bisbee, J. Bookout, Gullett, J. Jeffress, Laverty, Luker, T. Smith, Steele, Whitaker. Faris on leave

Total10

VOTING PRESENT:

Total0

Total number of votes cast25

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2343 was ordered immediately returned to the House as passed.

On motion of Senator Glover, **House Bill No. 2275** was called up for third reading and final disposition.

HOUSE BILL NO. 2275
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE THOMASON

A Bill for an Act to be Entitled: AN ACT TO INCLUDE THEFT OF A DEBIT CARD OR DEBIT CARD ACCOUNT NUMBER IN THE DEFINITION OF THEFT; AND FOR OTHER PURPOSES.

House Bill No. 2275 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, 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	34
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Faris on leave	
Total	1
VOTING PRESENT:	
Total	0
Total number of votes cast	34
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2275 was ordered immediately returned to the House as passed.

On motion of Senator Glover, **House Bill No. 2276** was called up for third reading and final disposition.

HOUSE BILL NO. 2276
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES THOMASON, PATE

A Bill for an Act to be Entitled: AN ACT TO REQUIRE PERSONS SEEKING AN EXPUNGEMENT TO PROVIDE INFORMATION ON PENDING FELONY CHARGES; AND FOR OTHER PURPOSES.

House Bill No. 2276 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, Glover, Gullett, Hendren, Higginbotham, 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	34
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Faris on leave	
Total	1
VOTING PRESENT:	
Total	0
Total number of votes cast.....	34
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2276 was ordered immediately returned to the House as passed.

On motion of Senator Glover, **House Bill No. 2338** was called up for third reading and final disposition.

HOUSE BILL NO. 2338
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE THOMASON

A Bill for an Act to be Entitled: AN ACT CONCERNING WHEN A COURT MAY REVOKE PROBATION; AND FOR OTHER PURPOSES.

House Bill No. 2338 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, 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.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Faris on leave

Total1

VOTING PRESENT:

Total0

Total number of votes cast34

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2338 was ordered immediately returned to the House as passed.

On motion of Senator Johnson, **House Bill No. 2703** was called up for third reading and final disposition.

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 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, Glover, Gullett, Hendren, Higginbotham, 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	34
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Faris on leave	
Total	1
VOTING PRESENT:	
Total	0
Total number of votes cast.....	34
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2703 was ordered immediately returned to the House as passed.

On motion of Senator Johnson, **House Bill No. 2704** was called up for third reading and final disposition.

HOUSE BILL NO. 2704
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE MARTIN

A Bill for an Act to be Entitled: AN ACT TO ALLOW AN AGENT OF A LICENSEE WHO SELLS OR ISSUES CHECKS SEVEN (7) BUSINESS DAYS TO TRANSMIT THE CREDITS TO THE LICENSEE OR TO DEPOSIT THE MONEY INTO THE LICENSEE'S BANK ACCOUNT; AND FOR OTHER PURPOSES.

House Bill No. 2704 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, Glover, Gullett, Hendren, Higginbotham, 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	34
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Faris on leave	
Total	1
VOTING PRESENT:	
Total	0
Total number of votes cast	34
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2704 was ordered immediately returned to the House as passed.

On motion of Senator Critcher, **House Bill No. 2286** was called up for third reading and final disposition.

HOUSE BILL NO. 2286
As Engrossed: H3/12/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES BRADFORD, S. PRATER, CREEKMORE, ET AL

A Bill for an Act to be Entitled: AN ACT TO AMEND PROVISIONS OF THE ARKANSAS CODE PERTAINING TO THE PRACTICE OF OPTOMETRY; AND FOR OTHER PURPOSES.

House Bill No. 2286 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, Glover, Gullett, Hendren, Higginbotham, 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	34
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Faris on leave	
Total	1
VOTING PRESENT:	
Total	0
Total number of votes cast.....	34
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2286 was ordered immediately returned to the House as passed.

On motion of Senator Smith, **House Bill No. 2470** was called up for third reading and final disposition.

HOUSE BILL NO. 2470
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE MOORE

A Bill for an Act to be Entitled: AN ACT TO REDUCE THE STATE'S EXPENDITURES BY ALLOWING RETAILERS TO USE ALTERNATIVE SIGNAGE FOR THE DISPLAY OF THE LEGAL WARNING THAT CIGARETTES AND OTHER TOBACCO PRODUCTS CANNOT BE SOLD TO OR PURCHASED BY A PERSON UNDER THE AGE OF EIGHTEEN (18); AND FOR OTHER PURPOSES.

House Bill No. 2470 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, 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.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Faris on leave

Total1

VOTING PRESENT:

Total0

Total number of votes cast34

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2470 was ordered immediately returned to the House as passed.

On motion of Senator Altes, **House Bill No. 2387** was called up for third reading and final disposition.

HOUSE BILL NO. 2387
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTAIVES MEDLEY, WALTERS, PENIX, ET AL
BY: SENATORS ALTES, WILKINSON

A Bill for an Act to be Entitled: AN ACT TO SEPARATE THE OFFICE OF COUNTY SHERIFF AND COLLECTOR IN SEBASTIAN COUNTY; TO CONSOLIDATE THE OFFICE OF COUNTY TREASURER WITH THE COUNTY COLLECTOR IN SEBASTIAN COUNTY, ARKANSAS; AND FOR OTHER PURPOSES.

House Bill No. 2387 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, 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	34
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Faris on leave	
Total	1
VOTING PRESENT:	
Total	0
Total number of votes cast.....	34
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2387 was ordered immediately returned to the House as passed.

On motion of Senator Smith, **House Bill No. 2508** was called up for third reading and final disposition.

HOUSE BILL NO. 2508
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE MATHIS

A Bill for an Act to be Entitled: AN ACT TO REVISE THE RESTRICTIONS CONCERNING PREMISES PERMITTED TO SELL LIQUOR; AND FOR OTHER PURPOSES.

House Bill No. 2508 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, 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	34
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Faris on leave	
Total	1
VOTING PRESENT:	
Total	0
Total number of votes cast	34
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2508 was ordered immediately returned to the House as passed.

On motion of Senator Bryles, **House Bill No. 2194** was called up for third reading and final disposition.

HOUSE BILL NO. 2194
As Engrossed: S3/25/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE BRADFORD
BY: SENATOR BRYLES

A Bill for an Act to be Entitled: AN ACT TO ENHANCE ENFORCEMENT OF ARKANSAS CODE §§ 26-57-260 AND 26-57-261; AND FOR OTHER PURPOSES.

House Bill No. 2194 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, 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	34
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Faris on leave	
Total	1
VOTING PRESENT:	
Total	0
Total number of votes cast	34
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 2194**, 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, 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.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Faris on leave

Total1

VOTING PRESENT:

Total0

Total number of votes cast34

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2194 was ordered immediately returned to the House as passed as amended.

On motion of Senator Johnson, **House Bill No. 2307** was called up for third reading and final disposition.

HOUSE BILL NO. 2307
As Engrossed: H3/14/03 S3/25/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE BLEDSOE

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE § 17-80-106 TO ALLOW THE DIVISION OF PHARMACY SERVICES AND DRUG CONTROL OF THE DEPARTMENT OF HEALTH TO CONDUCT INVESTIGATIONS AND INSPECTIONS OF ALLEGED WRONGDOING OF THOSE INDIVIDUALS LICENSED BY THE ARKANSAS STATE BOARD OF PHYSICAL THERAPY; TO *INCREASE* THE MAXIMUM AMOUNT THAT CAN BE CHARGED BY THE DIVISION OF PHARMACY SERVICES FOR ITS INVESTIGATIONS; AND FOR OTHER PURPOSES.

House Bill No. 2307 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, 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	34
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Faris on leave	
Total	1
VOTING PRESENT:	
Total	0
Total number of votes cast.....	34
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2307 was ordered immediately returned to the House as passed as amended.

On motion of Senator Critcher, House Bill No. 2220 was called up for third reading and final disposition.

HOUSE BILL NO. 2220
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE FERGUSON

A Bill for an Act to be Entitled: AN ACT TO AMEND THE UNIFORM ATTENDANCE AND LEAVE POLICY ACT TO ALLOW THE USE OF SICK LEAVE FOR A SERIOUS ILLNESS OF A GRANDCHILD; AND FOR OTHER PURPOSES.

House Bill No. 2220 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Argue, Baker, Bisbee, J. Bookout, Broadway, Brown, Bryles, Capps, Critcher, 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	33
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Altes. Faris on leave	
Total	2
VOTING PRESENT:	
Total	0
Total number of votes cast	33
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 **House Bill No.2220**, 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: Argue, Baker, Bisbee, J. Bookout, Broadway, Brown, Bryles, Capps, Critcher, 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.

Total33

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Altes. Faris on leave

Total2

VOTING PRESENT:

Total0

Total number of votes cast.....33

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2220 was ordered immediately returned to the House as passed.

On motion of Senator Wooldridge, **House Bill No. 2559** was called up for third reading and final disposition.

HOUSE BILL NO. 2559
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE S. PRATER

A Bill for an Act to be Entitled: AN ACT TO DELEGATE AUTHORITY TO THE ARKANSAS STATE HIGHWAY COMMISSION TO REGULATE THE TRANSPORTATION OF EXPLOSIVES OVER THE STATE HIGHWAYS; AND FOR OTHER PURPOSES.

House Bill No. 2559 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, 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.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Faris on leave

Total1

VOTING PRESENT:

Total0

Total number of votes cast34

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2559 was ordered immediately returned to the House as passed.

On motion of Senator Wooldridge, **House Bill No. 2560** was called up for third reading and final disposition.

HOUSE BILL NO. 2560
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE S. PRATER

A Bill for an Act to be Entitled: AN ACT TO INCREASE THE MAXIMUM LENGTH OF CERTAIN MOTOR VEHICLES AND COMBINATION OF VEHICLES ON ARKANSAS' STREETS AND HIGHWAY; AND FOR OTHER PURPOSES.

House Bill No. 2560 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, Capps, Glover, Hendren, Hill, Holt, Horn, G. Jeffress, J. Jeffress, Lavery, Malone, Miller, Salmon, Trusty, Wilkins, Wilkinson, Womack, Wooldridge.

Total23

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Brown, Bryles, Critcher, Gullett, Higginbothom, B. Johnson, Luker, Madison, T. Smith, Steele, Whitaker. Faris on leave.

Total12

VOTING PRESENT:

Total0

Total number of votes cast.....23

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2560 was ordered immediately returned to the House as passed.

House Bill No. 1477 was ordered re-referred to the Committee on JUDICIARY.

On motion of Senator G. Jeffress, House Bill No. 2204 was called up for third reading and final disposition.

HOUSE BILL NO. 2204
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE OGLESBY

A Bill for an Act to be Entitled: AN ACT TO REQUIRE CRIMINAL BACKGROUND CHECKS ON APPLICANTS FOR LICENSES ISSUED BY THE ARKANSAS AUCTIONEER LICENSING BOARD; AND FOR OTHER PURPOSES.

House Bill No. 2204 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, 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	34
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Faris on leave	
Total	1
VOTING PRESENT:	
Total	0
Total number of votes cast	34
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2204 was ordered immediately returned to the House as passed.

On motion of Senator J. Jeffress, the Senate resolved itself into the Committee of the Whole for the purpose of Retirement Bill.

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

On motion of Senator J. Jeffress, the rules were suspended in considering **House Bill No. 1229** at this time.

On motion of Senator J. Jeffress, **House Bill No. 1229** was called up for third reading and final disposition.

HOUSE BILL NO. 1229
As Engrossed: H3/11/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE R. SMITH

A Bill for an Act to be Entitled: *AN ACT TO INCREASE THE ANNUITY AMOUNTS FOR RETIREES UNDER THE ARKANSAS LOCAL POLICE AND FIRE RETIREMENT SYSTEM; AND FOR OTHER PURPOSES.*

House Bill No. 1229 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, 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.

Total34

NEGATIVE:
 Total0
 ABSENT OR NOT VOTING: Faris on leave
 Total1
 VOTING PRESENT:
 Total0
 Total number of votes cast34
 Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 1229**, 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, 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.

Total34

NEGATIVE:
 Total0

ABSENT OR NOT VOTING: Faris on leave
 Total1

VOTING PRESENT:
 Total0

Total number of votes cast34
 Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1229 was ordered immediately returned to the House as passed.

On motion of Senator J. Jeffress, the rules were suspended in considering **House Bill No. 1254** at this time.

On motion of Senator J. Jeffress, **House Bill No. 1254** was called up for third reading and final disposition.

HOUSE BILL NO. 1254
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE R. SMITH

A Bill for an Act to be Entitled: AN ACT TO CHANGE THE MEMBERSHIP OF THE BOARD OF TRUSTEES OF A POLICE PENSION AND RELIEF FUND; AND FOR OTHER PURPOSES.

House Bill No. 1254 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, 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	34
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Faris on leave	
Total	1
VOTING PRESENT:	
Total	0
Total number of votes cast.....	34
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1254 was ordered immediately returned to the House as passed.

On motion of Senator J. Jeffress, the rules were suspended in considering **House Bill No. 1220** at this time.

On motion of Senator J. Jeffress, **House Bill No. 1220** was called up for third reading and final disposition.

HOUSE BILL NO. 1220
As Engrossed: H3/11/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE R. SMITH

A Bill for an Act to be Entitled: AN ACT TO AUTHORIZE THE BOARD OF TRUSTEES OF THE ARKANSAS STATE HIGHWAY EMPLOYEES' RETIREMENT SYSTEM TO CHANGE THE BENEFIT STRUCTURE OF THE *SYSTEM'S DEFERRED RETIREMENT OPTION PLAN*; AND FOR OTHER PURPOSES.

House Bill No. 1220 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, 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.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Faris on leave

Total1

VOTING PRESENT:

Total0

Total number of votes cast34

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1220 was ordered immediately returned to the House as passed.

There being an emergency clause attached to House Bill No. 1220, 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, 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.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Faris on leave

Total1

VOTING PRESENT:

Total0

Total number of votes cast.....34

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1220 was ordered immediately returned to the House as passed.

On motion of Senator Bisbee, **Senate Bill No. 298** was withdrawn from the Committee on JOINT BUDGET, and placed back on second reading for purpose of amendment.

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 298

JBC 03/25/03 (2)

Amend **Senate Bill No. 298** as originally introduced:

Page 5, delete SECTION 5 in its entirety and substitute the following:

" SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY FORWARD. The remaining balance as of June 30, 2004 of unexpended appropriation for the Agency Operations/Administration Program and available to be used for Data Processing Services, up to \$7,550,600 and Operating Expenses, up to \$2,935,257, shall be carried forward and used for the same purposes in fiscal year 2004-2005 with prior approval of the Chief Fiscal Officer of the State and prior review of the Arkansas Legislative Council.

The provisions of this section shall be in effect only from July 1, 2003 through June 30, 2005."

(SIGNED) DAVID BISBEE

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 298 was ordered engrossed.

On motion of Senator Bisbee, **Senate Bill No. 380** was withdrawn from the Committee on JOINT BUDGET, and placed back on second reading for purpose of amendment.

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 3 to SENATE BILL NO. 380

JBC 03/25/03 (2)

Amend **Senate Bill No. 380** as engrossed 3/24/03:

Page 3, line 18, delete "sixty-five (65)" and substitute "eleven (11)"

AND

Page 4, line 20, delete "Number of jobs in"

AND

Page 4, delete line 21 and substitute "average.) 6,901 6,901"

AND

Page 4, line 25, delete "Funds committed in"

AND

Page 4, delete line 26 and substitute "moving average.) \$ 67M \$ 67M"

AND

Page 4, line 32, delete "Number of marketing assists in"

AND

Page 4, delete line 33 and substitute "average.) 1000 1000"

AND

Page 5, insert an additional subsection immediately following subsection (I) to read as follows:

" (J) Total amount of new capital investment
 announced by all businesses in Arkansas
 seeking assistance from the Arkansas
 Department of Economic Development (using
 a three year moving average). \$ 834M \$ 834M"

AND

Page 7, delete line 20 and substitute "Development goals. 85 90"

AND

Page 7, delete line 23 and substitute "Development goals. 15 10"

AND

Page 8, delete SECTION 8 and substitute the following:

" SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY FORWARD. The unexpended balances of appropriation provided for the expenditures of federal funds as provided for the Community Development Program on June 30, 2004, shall be carried forward and made available for expenditures for the Community Development Block Grant Program for the fiscal year ending June 30, 2005.

The provisions of this section shall be in effect only from July 1, 2003 through June 30, 2005."

AND

Page 11, line 31, insert ", not to exceed \$30,000, within the appropriation for the Administration and Support Program" between "Program" and "shall"

AND

Page 12, delete line 4, and substitute "TRAINING PROGRAM EXPENSES ~~herein~~ within the appropriation for the Business Development Program shall be used to acquire capital equipment"

AND

Page 12, lines 18 through 20, strikethrough the words "Payment for such contractual arrangements for operations may be made from the special line items established by legislative appropriation for the operation of foreign offices."

AND

Page 12, lines 27 and 28, strikethrough the words "from the special line items as established by legislative appropriation for the operation of said foreign offices"

AND

Page 15, line 22, insert "within the Community Development Program" between "GRANTS" and "in"

AND

Page 9 delete SECTION 9 in its entirety

AND

Page 10, delete SECTION 11 in its entirety

AND

Pages 10 and 11, delete SECTION 12 in its entirety

AND

Pages 12 and 13, delete SECTION 17 in its entirety

AND

Pages 14 and 15, delete SECTION 21 in its entirety

AND appropriately renumber the sections of the bill.

(SIGNED) DAVID BISBEE

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 380 was ordered engrossed.

On motion of Senator Bisbee, **Senate Bill No. 619** was withdrawn from the Committee on JOINT BUDGET, and placed back on second reading for purpose of amendment.

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 3 to SENATE BILL NO. 619

JBC Technical Correction

Amend **Senate Bill No. 619** as engrossed, 03/18/03:

Page 8, insert additional sections immediately following SECTION 19 to read as follows:

" SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY FORWARD. Any balance remaining in the appropriations authorized by this Act that remain at the end of a fiscal year shall be carried forward into the next fiscal year there to be used for the same purpose.

SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRYOVER OF CLAIMS. Any state agency which is affected by the allowed claim(s) provided for in this Act, and whose fund for the ~~2000-2001~~ 2002-2003 fiscal year are insufficient to allow for the payment of said claim(s) before June 30, ~~2004~~ 2003, is hereby authorized, upon certification by the Chief Fiscal Officer of the State, to make payment of said claim(s) after July 1, ~~2004~~ 2003, from funds appropriated for the ~~2001-2002~~ 2003-2004 fiscal year.

SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DISBURSING OFFICER. The Clerk of the State Claims Commission is hereby made the disbursing officer for the purpose of paying the claims appropriated by this Act. The Clerk of the State Claims Commission is hereby authorized to receive all warrants prepared under the provisions of this Act from the Auditor of the State and to distribute same to the claimants.

SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. For any claims in this Act appropriated to the Department of Human Services, the Clerk of the State Claims Commission shall consult with the Department of Human Services and the Chief Fiscal Officer of the State to determine the division and funds to which liability should be assigned and from which the warrants shall be drawn. The Clerk of the State Claims Commission shall initiate the appropriate transfers as may be required and as approved by the Chief Fiscal Officer of the State.

SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CLAIMS FROM CASH FUNDS. In the event that any claim authorized herein is determined to be a valid claim against the State and the claim is to be paid from funds not in the State Treasury, the Clerk of the State Claims Commission shall notify the agency against which the claim is to be charged of the amount of such claims. Upon receipt of such notification, the state agency shall forthwith deliver a check to the Clerk of the State Claims Commission who shall deposit the same as a non-revenue receipt into the Miscellaneous Revolving Fund from which he shall disburse the amount of the claim to the claimant.

SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EMPLOYMENT COMPENSATION CLAIMS. The Clerk of the State Claims Commission shall not distribute any warrants prepared under the provisions of this Act for awards made by the Arkansas State Claims Commission for employment compensation claims. Upon the award by the State Claims Commission of an employment compensation claim, the Clerk of the State Claims Commission shall notify the affected state agency and the Department of Finance and Administration - Office of Personnel Management of such amounts that are due and payable. The affected state agency shall then process the award through the State Mechanized Payroll System.

SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CLAIMS AWARD REPORTING. It is the intent of the General Assembly that when any state agency, board, commission or institution of higher education admits liability to a claim filed with the State Claims Commission and the claim involves a contract with a state agency, board, commission or institution of higher education or the claim exceeds seven thousand five hundred dollars (\$7,500) that such agency, board, commission or institution of higher education file a written report thereof to the Litigation Subcommittee of the Legislative Council. Such a report shall include a concise statement of facts with an explanation of the agency's liability. Provided further, such report shall be filed with the Litigation Subcommittee within thirty (30) days after the claim has been adjudicated by the State Claims Commission."

AND appropriately renumber the sections of the bill.

(SIGNED) DAVID BISBEE

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 619 was ordered engrossed.

On motion of Senator Bisbee, the Senate resolved itself into the Committee of the Whole for the purpose of Joint Budget Bills.

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

On motion of Senator Bisbee, the rules were suspended in considering Senate Bill No. 247 at this time.

On motion of Senator Bisbee, Senate Bill No. 247 was called up for third reading and final disposition.

SENATE BILL NO. 247
As Engrossed: S3/17/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

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

Senate Bill No. 247 was 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, 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.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Faris on leave

Total1

VOTING PRESENT:

Total0

Total number of votes cast34

Necessary to the passage of the bill27

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. 247**, 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, 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.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Faris on leave

Total1

VOTING PRESENT:

Total0

Total number of votes cast.....34

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 247 was ordered immediately transmitted to the House.

On motion of Senator Bisbee, the rules were suspended in considering Senate Bill No. 901 at this time.

On motion of Senator Bisbee, Senate Bill No. 901 was called up for third reading and final disposition.

**SENATE BILL NO. 901
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REVENUE AND TAX - SENATE**

A Bill for an Act to be Entitled: AN ACT TO PROVIDE FOR THE TRANSFER OF EXCESS FUNDS IN THE PROPERTY TAX RELIEF TRUST FUND TO THE GENERAL REVENUE FUND; AND FOR OTHER PURPOSES.

Senate Bill No. 901 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, Bryles, Capps, Critcher, Faris, Glover, Gullett, Hendren, Higginbothom, Hill, Holt, Horn, G. Jeffress, J. Jeffress, B. Johnson, Luker, Madison, Malone, Miller, Salmon, T. Smith, Steele, Trusty, Whitaker, Wilkins, Wilkinson, Womack, Wooldridge.

Total33

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Faris on leave

Total2

VOTING PRESENT:

Total0

Total number of votes cast33

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **Senate Bill No. 901**, 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, 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.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Faris on leave

Total1

VOTING PRESENT:

Total0

Total number of votes cast.....34

Necessary to the passage of the bill24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 901 was ordered immediately transmitted to the House.

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

March 26, 2003

Mr. President:

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

SENATE BILL NO. 34, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 67, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 156, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 272, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 290, BY SENATOR ARGUE,
SENATE BILL NO. 335, BY SENATOR MILLER, ET AL,
SENATE BILL NO. 432, BY SENATOR CAPPS,
SENATE BILL NO. 692, BY SENATOR WOMACK,
SENATE BILL NO. 268, BY SENATOR GULLETT,

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 3:04 p.m. delivered them to the Governor for his approval.

Respectfully submitted,

(SIGNED) JOHN PAUL CAPPS, CHAIRMAN

GOVERNOR'S BILL RECEIPTS

SENATE BILL NO. 34
SENATE BILL NO. 67
SENATE BILL NO. 156
SENATE BILL NO. 272
SENATE BILL NO. 290
SENATE BILL NO. 335
SENATE BILL NO. 432

SENATE BILL NO. 692

SENATE BILL NO. 268

RECEIVED the above papers from the Secretary of the Senate this 26th day of March, 2003 at 3:04 p.m.

(SIGNED) MIKE HUCKABEE
Governor

(SIGNED) CORY COX
Secretary

SENATE RESOLUTION NO. 18
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR BROWN

SENATE RESOLUTION ENCOURAGING THE ESTABLISHMENT OF A LIVER TRANSPLANT PROGRAM AT THE STATE'S ONLY TEACHING HOSPITAL, THE UNIVERSITY OF ARKANSAS FOR MEDICAL SCIENCES.

Senate Resolution No. 18 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. 1378
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

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

House Bill No. 1378 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1491
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO AMEND TITLE 19 CHAPTER 5 OF THE ARKANSAS CODE RELATING TO THE STATE CENTRAL SERVICES FUND IN ORDER TO INSURE ADEQUATE FINANCING OF THE CENTRAL ADMINISTRATIVE FUNCTIONS OF THE STATE GOVERNMENT; AND FOR OTHER PURPOSES.

House Bill No. 1491 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1497
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE JEFFREY

A Bill for an Act to be Entitled: AN ACT ALLOW A SET OFF AGAINST TAX REFUNDS ANY PAST DUE RENT OWED TO A HOUSING AUTHORITY CREATED UNDER CHAPTER 169 OF TITLE 14; AND FOR OTHER PURPOSES.

House Bill No. 1497 was read the first time, rules suspended, read the second time and referred to the Committee on REVENUE AND TAXATION.

HOUSE BILL NO. 1526
As Engrossed: H3/13/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE C. TAYLOR

A Bill for an Act to be Entitled: *AN ACT TO ENHANCE AND UPDATE THE ARKANSAS TAX-DEFERRED TUITION SAVINGS PROGRAM; AND FOR OTHER PURPOSES.*

House Bill No. 1526 was read the first time, rules suspended, read the second time and referred to the Committee on REVENUE AND TAXATION.

HOUSE BILL NO. 1583
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

BY: REPRESENTATIVES BRADFORD, BIGGS, CLEVELAND, MILLIGAN

A Bill for an Act to be Entitled: AN ACT TO CREATE A CHILD HEALTH ADVISORY COMMITTEE; TO COORDINATE STATEWIDE EFFORTS TO COMBAT CHILDHOOD OBESITY AND RELATED ILLNESSES; TO IMPROVE THE HEALTH OF THE NEXT GENERATION OF ARKANSANS; AND FOR OTHER PURPOSES.

House Bill No. 1583 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. 1800
As Engrossed: H3/4/03 H3/21/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

BY: REPRESENTATIVES BRADFORD, J. TAYLOR
BY: SENATOR CRITCHER

A Bill for an Act to be Entitled: AN ACT TO AMEND THE SOLID WASTE MANAGEMENT AND RECYCLING FUND ACT TO AFFECT THE DISPOSITION OF FUNDS COLLECTED UNDER THE ACT; AND FOR OTHER PURPOSES.

House Bill No. 1800 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. 2202
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE LENDALL

A Bill for an Act to be Entitled: AN ACT TO PERMIT THE USE OF ELECTRONIC SIGNATURES TO AUTHORIZE EMPLOYEE PAYROLL DEDUCTIONS; AND FOR OTHER PURPOSES.

House Bill No. 2202 was read the first time, rules suspended, read the second time and referred to the Committee on TECHNOLOGY AND LEGISLATIVE AFFAIRS.

HOUSE BILL NO. 2211
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE NAPPER

A Bill for an Act to be Entitled: AN ACT TO MAKE VARIOUS CORRECTIONS TO THE ARKANSAS CODE OF 1987 ANNOTATED; AND FOR OTHER PURPOSES.

House Bill No. 2211 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

HOUSE BILL NO. 2213
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE JUDY

A Bill for an Act to be Entitled: AN ACT TO INCREASE FEES FOR THE ALCOHOLISM EDUCATION OR TREATMENT PROGRAM; AND FOR OTHER PURPOSES.

House Bill No. 2213 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. 2229
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE STOVALL

A Bill for an Act to be Entitled: AN ACT TO CREATE A PROCEDURE TO CHANGE AN INDICATED USE OF REVENUES DERIVED FROM A COUNTY SALES OR USE TAX WITH VOTER APPROVAL; AND FOR OTHER PURPOSES.

House Bill No. 2229 was read the first time, rules suspended, read the second time and referred to the Committee on REVENUE AND TAXATION.

HOUSE BILL NO. 2249
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE NAPPER

A Bill for an Act to be Entitled: AN ACT TO REPEAL ARKANSAS CODE § 16-10-701 PERTAINING TO BILLS INTRODUCED TO INCREASE COURT COSTS AND FILING FEES; AND FOR OTHER PURPOSES.

House Bill No. 2249 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

HOUSE BILL NO. 2447
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE BRIGHT

A Bill for an Act to be Entitled: AN ACT TO ALLOW PERSONS NINETEEN (19) YEARS OF AGE AND OLDER TO SERVE AND HANDLE ALCOHOLIC BEVERAGES AT ON-PREMISES CONSUMPTION OUTLETS WHERE FOOD SERVICE IS A PERMIT REQUIREMENT; AND FOR OTHER PURPOSES.

House Bill No. 2447 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. 2506
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE BRADFORD

A Bill for an Act to be Entitled: AN ACT TO AMEND THE CONSUMER-PATIENT RADIATION HEALTH AND SAFETY ACT; AND FOR OTHER PURPOSES.

House Bill No. 2506 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. 2525
As Engrossed: H3/18/03 H3/21/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE HAAK
BY: SENATOR HORN

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE TITLE 27 CHAPTER 101 PERTAINING TO WATERCRAFT; TO ADOPT MARINE SANITATION LAWS IN CONFORMANCE WITH FEDERAL LAW; TO AUTHORIZE THE DEPARTMENT OF HEALTH TO ADMINISTER AND ENFORCE MARINE SANITATION LAWS; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

House Bill No. 2525 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. 2726
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE PICKETT

A Bill for an Act to be Entitled: AN ACT TO ALLOW COUNTY AND DISTRICT COURTS TO BE INCLUDED IN THE DEFINITION OF "CLAIMANT AGENCIES" TO ALLOW THEM TO SETOFF FINES AGAINST STATE TAX REFUNDS.

House Bill No. 2726 was read the first time, rules suspended, read the second time and referred to the Committee on REVENUE AND TAXATION.

HOUSE BILL NO. 2727
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES SULLIVAN, SCROGGIN

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE TITLE 27, CHAPTER 15 TO ADD AN ADDITIONAL SUBCHAPTER TO PROVIDE FOR THE ISSUANCE OF AN ARKANSAS CATTLEMEN'S FOUNDATION SPECIAL LICENSE PLATE TO PROVIDE DONATIONS; AND FOR OTHER PURPOSES.

House Bill No. 2727 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC TRANSPORTATION.

HOUSE BILL NO. 2844
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE WHITE

A Bill for an Act to be Entitled: AN ACT TO CREATE THE TWO-YEAR COLLEGE AND TECHNICAL INSTITUTE STUDY COMMITTEE; AND FOR OTHER PURPOSES.

House Bill No. 2844 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

HOUSE BILL NO. 2868
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE STOVALL

A Bill for an Act to be Entitled: AN ACT TO AMEND THE MEDICAID FRAUD AGAINST THE GOVERNMENT CHAPTER OF THE ARKANSAS CODE TO PREVENT PERSONS CONVICTED OF MEDICAID FRAUD FROM PARTICIPATING IN THE ARKANSAS MEDICAID PROGRAM; AND FOR OTHER PURPOSES.

House Bill No. 2868 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 25, 2003

Mr. President:

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

SENATE BILL NO. 619, BY SENATOR BISBEE,

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

Senate Bill No. 619 was ordered re-referred to the Committee on JOINT BUDGET.

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

March 26, 2003

Mr. President:

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

SENATE BILL NO. 713, BY SENATOR BAKER,

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. 713 was ordered re-referred to the Committee on PUBLIC TRANSPORTATION.

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

March 26, 2003

Mr. President:

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

SENATE BILL NO. 736, BY SENATOR CRITCHER,
SENATE BILL NO. 737, BY SENATOR CRITCHER,
SENATE BILL NO. 873, BY SENATOR SALMON,

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 26, 2003

Mr. President:

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

SENATE BILL NO. 912, BY SENATOR 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. 912 was ordered re-referred to the Committee on EDUCATION.

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

March 26, 2003

Mr. President:

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

HOUSE BILL NO. 1343, BY REPRESENTATIVE NAPPER,

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

Respectfully submitted,

(SIGNED) JOHN PAUL CAPPS, CHAIRMAN

House Bill No. 1343 was returned to the House as passed as amended.

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

March 26, 2003

Mr. President:

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

HOUSE BILL NO. 2326, BY REPRESENTATIVE WOOD,
HOUSE BILL NO. 2402, BY REPRESENTATIVE COWLING,

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

Respectfully submitted,

(SIGNED) JOHN PAUL CAPPS, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

March 26, 2003

Mr. President:

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

HOUSE BILL NO. 2388, BY REPRESENTATIVE MEDLEY,

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

Respectfully submitted,

(SIGNED) JOHN PAUL CAPPS, CHAIRMAN

House Bill No. 2388 was ordered re-referred to the Committee on EDUCATION.

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

March 26, 2003

Mr. President:

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

SENATE BILL NO. 298, BY JOINT BUDGET COMMITTEE,

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

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

March 26, 2003

Mr. President:

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

SENATE BILL NO. 380, BY JOINT BUDGET COMMITTEE,

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

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SENATE BILLS TRANSMITTED TO THE HOUSE

AS PASSED

SENATE BILL NO. 96
SENATE BILL NO. 247
SENATE BILL NO. 420
SENATE BILL NO. 677
SENATE BILL NO. 693
SENATE BILL NO. 767
SENATE BILL NO. 805
SENATE BILL NO. 901
SENATE BILL NO. 910
SENATE BILL NO. 939
SENATE BILL NO. 941
SENATE BILL NO. 950

HOUSE BILLS RETURNED TO THE HOUSE

AS PASSED

HOUSE BILL NO. 1220
HOUSE BILL NO. 1229
HOUSE BILL NO. 1254
HOUSE BILL NO. 1305
HOUSE BILL NO. 1729
HOUSE BILL NO. 1730
HOUSE BILL NO. 2204
HOUSE BILL NO. 2220
HOUSE BILL NO. 2242
HOUSE BILL NO. 2275
HOUSE BILL NO. 2276
HOUSE BILL NO. 2286
HOUSE BILL NO. 2338
HOUSE BILL NO. 2343
HOUSE BILL NO. 2387

HOUSE BILL NO. 2470
HOUSE BILL NO. 2508
HOUSE BILL NO. 2559
HOUSE BILL NO. 2560
HOUSE BILL NO. 2703
HOUSE BILL NO. 2704

HOUSE BILLS RETURNED TO THE HOUSE
AS PASSED AS AMENDED

HOUSE BILL NO. 1105
HOUSE BILL NO. 1343
HOUSE BILL NO. 2194
HOUSE BILL NO. 2307

HOUSE CONCURRENT RESOLUTIONS RETURNED
TO THE HOUSE AS CONCURRED

HOUSE CONCURRENT RESOLUTION NO. 1022
HOUSE CONCURRENT RESOLUTION NO. 1023
HOUSE CONCURRENT RESOLUTION NO. 1024
HOUSE CONCURRENT RESOLUTION NO. 1033

SENATE BILLS RETURNED FROM THE HOUSE
AS PASSED

SENATE BILL NO. 34
SENATE BILL NO. 67
SENATE BILL NO. 156
SENATE BILL NO. 272
SENATE BILL NO. 290
SENATE BILL NO. 335
SENATE BILL NO. 432
SENATE BILL NO. 692

SENATE BILL RETURNED FROM THE HOUSE AS REQUESTED

SENATE BILL NO. 745

HOUSE BILLS TRANSMITTED TO THE SENATE
AS PASSED

HOUSE BILL NO. 1378
HOUSE BILL NO. 1491
HOUSE BILL NO. 1497
HOUSE BILL NO. 1526
HOUSE BILL NO. 1583
HOUSE BILL NO. 1800
HOUSE BILL NO. 2202
HOUSE BILL NO. 2211
HOUSE BILL NO. 2213
HOUSE BILL NO. 2229
HOUSE BILL NO. 2249
HOUSE BILL NO. 2447
HOUSE BILL NO. 2506
HOUSE BILL NO. 2525
HOUSE BILL NO. 2726
HOUSE BILL NO. 2727
HOUSE BILL NO. 2844
HOUSE BILL NO. 2868

On motion of Senator Baker, the Senate adjourned until 1:00 p.m., Thursday,
March 27, 2003.

PRESIDENT

SECRETARY

