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

Little Rock, Arkansas

April 15, 2003

The Senate was called to order at 11:25 o'clock a.m. by the President.

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

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

The Senate was led in prayer by Bishop Steven Arnold, St. Mark Baptist Church
in Little Rock, Arkansas..

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 Malone, **Senate Bill No. 864** 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. 864

Amend **Senate Bill No. 864** as originally introduced:

Delete the title and substitute the following:

"AN ACT TO PROVIDE FOR A STUDY BY THE SENATE AND HOUSE INTERIM COMMITTEES ON PUBLIC HEALTH, WELFARE, AND LABOR TO DETERMINE THE FEASIBILITY AND DESIRABILITY OF CREATING AN ARKANSAS PHARMACY REIMBURSEMENT ALLOWANCE PROGRAM; AND FOR OTHER PURPOSES."

AND

Delete the subtitle and substitute the following:

"TO PROVIDE FOR A STUDY BY THE SENATE AND HOUSE INTERIM COMMITTEES ON PUBLIC HEALTH, WELFARE, AND LABOR TO DETERMINE THE FEASIBILITY AND DESIRABILITY OF CREATING AN ARKANSAS PHARMACY REIMBURSEMENT ALLOWANCE PROGRAM."

AND

Delete section 1 and substitute the following:

"SECTION 1. The Senate and House Interim Committees on Public Health, Welfare, and Labor shall conduct a study to determine the feasibility and desirability of creating an Arkansas Pharmacy Reimbursement Allowance Program and present a comprehensive report of the findings to the President Pro Tempore of the Senate and the Speaker of the House of Representatives of the Eighty-Fifth General Assembly."

(SIGNED) PERCY MALONE

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 864 was ordered engrossed.

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

April 15, 2003

Mr. President:

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

SENATE BILL NO. 864, 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. 864 was ordered re-referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

April 15, 2003

Mr. President:

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

HOUSE BILL NO. 2746, BY REPRESENTATIVE C. TAYLOR,

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

Respectfully submitted,

(SIGNED) JIM ARGUE, JR., CHAIRMAN
SHANE BROADWAY
JIMMY JEFFRESS
STEVE BRYLES
DAVID A. BISBEE

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

April 15, 2003

Mr. President:

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

SENATE BILL NO. 907, BY SENATOR B. JOHNSON,

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

Respectfully submitted,

(SIGNED) JACK CRITCHER, CHAIRMAN
STEVE FARIS
BOB JOHNSON
BARBARA HORN

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

April 15, 2003

Mr. President:

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

HOUSE BILL NO. 2495, BY REPRESENTATIVE LENDALL,
HOUSE BILL NO. 2496, BY REPRESENTATIVE LENDALL,
HOUSE BILL NO. 2497, BY REPRESENTATIVE LENDALL,

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) JOHN PAUL CAPPS, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

April 15, 2003

Mr. President:

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

SENATE BILL NO. 618, 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 to concur in House Amendment.

Respectfully submitted,
(SIGNED) STEVE FARIS, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

April 15, 2003

Mr. President:

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

HOUSE BILL NO. 2205, BY REPRESENTATIVE OGLESBY,
HOUSE BILL NO. 2216, BY REPRESENTATIVE GILLESPIE,
HOUSE BILL NO. 2386, BY REPRESENTATIVE MEDLEY,
HOUSE BILL NO. 2601, BY REPRESENTATIVE PRITCHARD,
HOUSE BILL NO. 2635, BY REPRESENTATIVE MAHONY,
HOUSE BILL NO. 2681, BY REPRESENTATIVE MAHONY,

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

Respectfully submitted,
(SIGNED) STEVE FARIS, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

April 15, 2003

Mr. President:

We, your Committee on REPRESENTATIVE BRADFORD, to whom was referred:

HOUSE BILL NO. 2505, 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) JERRY BOOKOUT, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

April 15, 2003

Mr. President:

We, your Committee on INSURANCE AND COMMERCE, to whom was referred:

SENATE BILL NO. 716, BY SENATOR MALONE,
SENATE BILL NO. 846, BY SENATOR HIGGINBOTHAM,

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 concurred in House Amendment.

Respectfully submitted,
(SIGNED) PAUL MILLER, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

April 15, 2003

Mr. President:

We, your Committee on INSURANCE AND COMMERCE, to whom was referred:

HOUSE BILL NO. 2222, BY REPRESENTATIVE NAPPER,
HOUSE BILL NO. 2382, BY REPRESENTATIVE BRADFORD,
HOUSE BILL NO. 2390, BY REPRESENTATIVE PENIX,
HOUSE BILL NO. 2409, BY REPRESENTATIVE STOVALL,
HOUSE BILL NO. 2441, BY REPRESENTATIVE STOVALL,
HOUSE BILL NO. 2769, BY REPRESENTATIVE P. BOOKOUT,
HOUSE BILL NO. 2853, BY REPRESENTATIVE MARTIN,

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) PAUL MILLER, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

April 15, 2003

Mr. President:

We, your Committee on INSURANCE AND COMMERCE, to whom was referred:

HOUSE BILL NO. 2813, BY REPRESENTATIVE BIGGS,

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) PAUL MILLER, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

April 15, 2003

Mr. President:

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

SENATE BILL 455, BY JOINT BUDGET COMMITTEE,
SENATE BILL 640, BY SENATOR WOMACK,

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) DAVID A. BISBEE, CHAIRMAN

On motion of Senator Argue, **House Concurrent Resolution No. 1008** was called up for third reading.

**HOUSE CONCURRENT RESOLUTION NO. 1008
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE C. JOHNSON
BY: SENATOR ARGUE**

HOUSE CONCURRENT RESOLUTION RECOGNIZING THE CONTRIBUTION MADE BY THE ADVISORY COMMITTEE TO THE STATE BOARD OF EDUCATION TOWARD IMPROVING THE STATE'S SYSTEM OF PUBLIC EDUCATION AND EXPRESSING APPRECIATION FOR A JOB WELL DONE.

House Concurrent Resolution No. 1008 was read the third time and concurred in by the Senate.

(SIGNED) ANN CORNWELL, SECRETARY

House Concurrent Resolution No. 1008 was ordered immediately returned to the House as concurred in..

On motion of Senator Wilkinson, **Senate Bill No. 42** was placed back on second reading for purpose of amendment.

**ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 3 to SENATE BILL NO. 42**

Amend **Senate Bill No. 42** as engrossed, 02/18/03:

Page 1, lines 32 and 33, delete "five (5) years" and substitute "one (1) year"

AND

Page 2, line 3, delete "each year" and substitute "the year"

AND

Page 3, line 3, delete "five (5) years" and substitute "one (1) year"

(SIGNED) STEVE FARIS

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

(SIGNED) ANN CORNWELL, SECRETARY

On motion of Senator Critcher, **House Bill No. 2258** 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. 2258

Amend **House Bill No. 2258** as originally introduced by:

Page 3, line 28, delete "The department" and substitute "If funds are available, the department"

(SIGNED) BOB JOHNSON

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2258 was ordered engrossed.

On motion of Senator Critcher, **House Bill No. 2431** 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. 2431

Amend **House Bill No. 2431** as engrossed, H4/2/03:

Page 2, delete line 18 and substitute:
"20-16-803. Manner of ~~notice~~ consent."

AND

Page 5, delete Section 7 in its entirety and substitute the following:
"SECTION 7. Arkansas Code § 20-16-808 is amended to read as follows:
20-16-808. When ~~notification~~ consent of parent not required.
~~Notification~~ Consent under this subchapter shall not be required to be given to a parent obtained from a parent if:
(1) The Both of the parent's whereabouts are unknown; or
(2)(A) The parent has not been in contact with the minor's custodial parent or the minor for at least one (1) year; or If the minor has only one (1) living parent and the minor states by affidavit that the parent has committed incest with the minor, has raped the minor, or has otherwise sexually abused the minor.
(B) The attending physician shall report the abuse as provided under § 12-12-504 and § 12-12-507.
(3) ~~If the minor states by affidavit that the parent has committed incest with the minor or raped the minor or otherwise physically or sexually abused the minor.~~

SECTION 8. Arkansas Code Title 20, Chapter 16, Subchapter 8, is amended to as a new section to read as follows:
20-16-809. When consent of guardian not required.
Consent under this subchapter shall not be required to be obtained from a guardian or custodian if the guardianship or custody order has expired or is otherwise no longer in effect."

(SIGNED) JACK CRITCHER

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

(SIGNED) ANN CORNWELL, SECRETARY

On motion of Senator J. Jeffress, **House Bill No. 2248** was withdrawn from the Committee on JUDICIARY, and placed back on second reading for purpose of amendment.

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 6 to HOUSE BILL NO. 2248

Amend **House Bill No. 2248** as engrossed, S4/11/03:

Page 1, delete lines 32 though 36 and substitute the following:

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

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

AND

Page 2, delete line 1

AND

Page 2, line 2, delete “~~(d)(c)~~” and substitute “(d)”

AND

Page 4, line 33, delete “domesticated animal” and substitute “dog”

AND

Page 4, lines 34, 35, delete “such animal” and substitute “the dog”

(SIGNED) JIMMY JEFFRESS

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

(SIGNED) ANN CORNWELL, SECRETARY

On motion of Senator J. Jeffress, **House Bill No. 2248** was withdrawn from the Committee on JUDICIARY, and placed back on second reading for purpose of amendment.

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 7 to HOUSE BILL NO. 2248

Amend **House Bill No. 2248** as engrossed, S4/11/03 by:

Page 4, delete lines 13 and 14 and substitute the following:
“arrest was made or a society for the prevention of cruelty to animals, who shall thereupon assume the custody thereof.”

(SIGNED) JIMMY JEFFRESS

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2248 was ordered engrossed.

On motion of Senator Luker, **House Bill No. 2247** 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. 2247

Amend **House Bill No. 2247** as originally introduced by:

Page 1, delete lines 34 and 35 and substitute:

- (11) Public Defender Commission;
- (12) Executive Chief Information Officer;
- (13) Criminal Justice Institute of the University of Arkansas at Little

Rock;

(14) Arkansas Highway Police Division of the Arkansas State Highway and Transportation Department; and

(15) Office of Child Support Enforcement of the Revenue Division of the Department of Finance and Administration.”

(SIGNED) JIM LUKER

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2247 was ordered engrossed.

On motion of Senator Salmon, House Bill No. 1477 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. 1477

Amend House Bill No. 1477 as engrossed, 3/07/03:

Page 1, delete line 30 and substitute:

“Class C felony if, for conduct which occurred within the five (5) years preceding the commission of the current offense, the person:”

AND

Page 2, delete line 15 and substitute:

“Class D felony if, for conduct which occurred within the five (5) years preceding the commission of the current offense, the person:”

AND

Page 2, delete line 36 and substitute:

“Class A misdemeanor if, for conduct which occurred within the five (5) years preceding the commission of the current offense, the person:”

AND

Page 3, delete line 25 and substitute:

“Class B misdemeanor if, for conduct which occurred within the five (5) years preceding the commission of the current offense, the person:”

(SIGNED) MARY A. SALMON

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

(SIGNED) ANN CORNWELL, SECRETARY

On motion of Senator Salmon, **House Bill No. 1589** 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. 1589

Amend **House Bill No. 1589** as engrossed, 3/21/03:

Page 1, line 33 delete “Class ~~D~~ C felony” and substitute “Class D felony”

AND

Page 1, line 35 delete “B” and substitute “C”

AND

Page 2, line 20 delete “Class A misdemeanor D felony” and substitute “Class A misdemeanor”

AND

Page 2, line 22 delete “C” and substitute “D”

AND

Page 3, line 6 delete "A" and substitute "B"

AND

Page 3, line 8 delete "D felony" and substitute "A misdemeanor"

(SIGNED) MARY A. SALMON

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

(SIGNED) ANN CORNWELL, SECRETARY

On motion of Senator Wilkins, **House Bill No. 2882** 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. 2882

Amend **House Bill No. 2882** as engrossed, H4/3/03:

Page 1, delete line 10, and substitute the following:
"EXCELLENCE AND IMPROVE MATH EDUCATION IN ARKANSAS; AND FOR OTHER PURPOSES."

AND

Page 1, delete line 14, and substitute the following:
"MATH EXCELLENCE AND IMPROVE MATH EDUCATION IN ARKANSAS."

AND

Delete everything following the enacting clause and substitute the following:
"SECTION I. (a) There is created a commission to be known as the Advisory Commission on Math Excellence".

(b) The commission shall consist of nine (9) members as follows:

(1) Three (3) members to be appointed by the Governor, as follows:

(A) Two (2) members from the business community; and

(B) One (1) member who is a teacher of elementary math;

(2) Three (3) members appointed by the President Pro Tempore of the Senate, as follows:

(A) One (1) member who is involved in teaching math in higher education;

(B) One (1) member who is involved in vocational technical teaching;

(C) One (1) member who is a teacher of middle school math;
and

(3) Three (3) members appointed by the Speaker of the House of Representatives, as follows:

(A) One (1) member who is involved in high school math teaching; and

(B) Two (2) members who are K-12 math curriculum specialists.

(c) The Governor shall name one (1) of the commission's members to serve as chair of the commission.

(d) If a vacancy occurs in an appointed position for any reason, the vacancy shall be filled in the same manner as the original appointment.

(e)(1) The commission shall meet upon call of the chair of the commission.

(2) Five (5) members of the commission shall constitute a quorum for the purpose of transacting business.

(3) A quorum is required for action of the commission.

(4) The commission will meet at times that will not conflict with classroom teaching.

(f)(1)(A) The commission shall:

(i) Review various curricula for math education of students in grades kindergarten through twelve (K-12);

(ii) Review and research state and national standards and provided commentary; and

(iii) The commission shall make recommendations to the Department of Education and the State Board of Education on methods to improve the consistency and continuity of math education in the State of Arkansas and methods to ensure the actual instruction in classrooms is aligned with state standards and curriculum frameworks.

(g) If the Department of Education fails to adopt the recommendations of the commission, the Department of Education shall state in writing all the department's and the board's objections to the recommendations and reasons for not adopting the recommendations.

(h) The Department of Education shall provide meeting space and staff assistance to the Advisory Commission on Math Excellence.

(i)(1) The members of the Advisory Commission on Math Excellence shall serve without pay.

(2) All members of the commission may receive expense reimbursement in accordance with Arkansas Code § 25-16-902, to be paid by the Department of Education.

SECTION 2. (a)(1) The State Board of Education shall ensure that the curriculum frameworks for all math courses in grades kindergarten through grade twelve (K-12) are aligned according to standards.

(2) Current math curriculum frameworks shall be reviewed and revised as necessary to ensure a consistent high quality math curriculum for all students.

(3) The State Board of Education and the Department of Education shall work with math teachers when reviewing a revising the math curriculum frameworks.

(b) The math curriculum used by every school in the state shall be aligned with the curriculum frameworks adopted by the State Board of Education.

(c)(1) Any student failing to demonstrate a proficient level of achievement on the math portion of the state criterion reference tests shall participate in an individual academic improvement plan specifically designed by the math department of the school district to assist the student in achieving a level of proficiency in math.

(2) Point in time intervention and remediation, including summer school, shall be provided for students with an academic improvement plan.

(3) Appropriate professional development shall be provided for math teachers to assist the teachers in working with students with academic improvement plans.

(d) After completion of grade eight (8), each student who is not proficient in math shall be provided information on appropriate course taking to meet graduation requirements and postsecondary opportunities.

(e) The Department of Education and schools will work together to develop research which will assist in improving the teaching of math in Arkansas. Institutions of higher education will be involved in the research process when it is appropriate."

(SIGNED) HENRY "HANK" WILKINS

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

(SIGNED) ANN CORNWELL, SECRETARY

On motion of Senator Critcher, **House Bill No. 2404** 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. 2404

Amend **House Bill No. 2404** as engrossed H3/26/03:

Page 1, line 13, delete "COUNTY COURT" and substitute "COURT OF COMPETENT JURISDICTION"

AND

Page 3, line 5, delete "judge" and substitute "court of competent jurisdiction"

(SIGNED) TRACY STEELE

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2404 was ordered engrossed.

On motion of Senator Argue, Senate Bill No. 183 was placed back on second reading for purpose of House amendment.

HALL OF THE HOUSE OF REPRESENTATIVES
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 183

Amend Senate Bill No. 183 as engrossed, S2/12/03:

Page 2, line 19 delete "or unauthorized"

(SIGNED) JODIE MAHONY

Amendment No. 1 to Senate Bill No. 183, 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 Argue, and without objection, the rules were suspended pertaining to passage of Amendment and Bill on the same day.

On motion of Senator Argue, **Senate Bill No. 183** was called up for third reading and final disposition.

SENATE BILL NO. 183
As Engrossed: S2/12/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR BISBEE

A Bill for an Act to be Entitled: AN ACT TO PRECLUDE THE ARKANSAS STATE CLAIMS COMMISSION FROM HEARING CLAIMS AGAINST THE DEPARTMENT OF COMMUNITY CORRECTION FOR ACTS COMMITTED BY PAROLEES AND PERSONS ON PROBATION; TO PRECLUDE SIMILAR CLAIMS AGAINST THE DEPARTMENT OF CORRECTION FOR ACTS COMMITTED BY INMATES WHILE ON AUTHORIZED OR UNAUTHORIZED RELEASE; AND FOR OTHER PURPOSES.

Senate Bill No. 183 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

| | |
|--|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast..... | 35 |
| Necessary to the passage of the bill | 18 |

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 183 was ordered enrolled.

On motion of Senator Johnson, the rules were suspended in considering **Senate Bill No. 907** at this time.

On motion of Senator Johnson, **Senate Bill No. 907** was placed back on second reading for purpose of amendment.

**HALL OF THE HOUSE OF REPRESENTATIVES
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 907**

Amend **Senate Bill No. 907** as engrossed, S4/3/03:

Page 2, delete line 25 and substitute the following:
"may be reimbursed on an equal basis shall be vested in the"

(SIGNED) JAY BRADFORD

Amendment No. 907 to Senate Bill No. 907, 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 Johnson, and without objection, the rules were suspended pertaining to passage of Amendment and Bill on the same day.

On motion of Senator Johnson, **Senate Bill No. 907** was called up for third reading and final disposition.

SENATE BILL NO. 907
As Engrossed: S4/3/03 H4/11/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS B. JOHNSON, BROADWAY, FARIS

A Bill for an Act to be Entitled: AN ACT TO ASSURE FREEDOM OF CHOICE FOR INDIVIDUALS RECEIVING SERVICES FROM LICENSED AUDIOLOGISTS; TO ASSURE EQUAL PAYMENT OR REIMBURSEMENT TO LICENSED AUDIOLOGISTS; AND FOR OTHER PURPOSES.

Senate Bill No. 907 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

| | |
|--|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast..... | 35 |
| Necessary to the passage of the bill | 18 |

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 907 was ordered immediately enrolled.

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

On motion of Senator Salmon, **House Bill No. 1477** was called up for third reading and final disposition.

HOUSE BILL NO. 1477
As Engrossed: H3/7/03 S3/25/03 S4/7/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE MARTIN

A Bill for an Act to be Entitled: AN ACT TO ENHANCE THE PENALTIES FOR AGGRAVATED ASSAULT ON A FAMILY OR HOUSEHOLD MEMBER; AND FOR OTHER PURPOSES.

House Bill No. 1477 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

| | |
|--|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast | 35 |
| Necessary to the passage of the bill | 18 |

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1477 was ordered engrossed

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

On motion of Senator Salmon, **House Bill No. 1589** was called up for third reading and final disposition.

HOUSE BILL NO. 1589
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE MARTIN

A Bill for an Act to be Entitled: AN ACT TO ENHANCE THE PENALTIES FOR ENDANGERING THE WELFARE OF AN INCOMPETENT PERSON; AND FOR OTHER PURPOSES.

House Bill No. 1589 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

| | |
|--|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast..... | 35 |
| Necessary to the passage of the bill | 18 |

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1589 was ordered engrossed.

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

On motion of Senator J. Jeffress, **Senate Bill No. 42** was called up for third reading and final disposition.

SENATE BILL NO. 42
As Engrossed: S1/27/03 S2/18/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

BY: SENATORS WILKINSON, FARIS, J. JEFFRESS, G. JEFFRESS
BY: REPRESENTATIVE WALTERS

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE TITLE 24, CHAPTER 4, SUBCHAPTER 5 TO ADD A NEW SECTION TO ALLOW MEMBERS OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM TO PURCHASE SERVICE CREDIT FOR SERVICE IN THE ARKANSAS NATIONAL GUARD OR THE ARMED FORCES RESERVE; AND FOR OTHER PURPOSES.

Senate Bill No. 42 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

| | |
|--|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast | 35 |
| Necessary to the passage of the bill | 18 |

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 42 was ordered engrossed.

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

On motion of Senator Wilkins, **House Bill No. 2882** was called up for third reading and final disposition.

HOUSE BILL NO. 2882
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE CLEVELAND`

A Bill for an Act to be Entitled: TO CREATE THE ADVISORY COMMISSION ON MATH *EXCELLENCE AND IMPROVE MATH EDUCATION IN ARKANSAS; AND FOR OTHER PURPOSES.*

House Bill No. 2882 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

| | |
|--|----|
| Total | 31 |
| NEGATIVE: Altes, Holt, Whitaker. | |
| Total | 3 |
| ABSENT OR NOT VOTING: Bisbee. | |
| 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. 2882 was ordered engrossed.

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

On motion of Senator Critcher, **House Bill No. 2431** was called up for third reading and final disposition.

**HOUSE BILL NO. 2431
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE LAMOUREUX**

A Bill for an Act to be Entitled: AN ACT TO REQUIRE PARENTAL CONSENT BEFORE PERFORMING AN ABORTION ON A MINOR; AND FOR OTHER PURPOSES.

House Bill No. 2431 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, Baker, J. Bookout, Bryles, Capps, Critcher, Faris, Glover, Hendren, Holt, Horn, G. Jeffress, J. Jeffress, Laverty, Miller, T. Smith, Trusty, Whitaker, Wilkins, Wilkinson, Womack, Wooldridge.

Total22

NEGATIVE: Higginbothom, Madison, Salmon.

Total3

ABSENT OR NOT VOTING: Argue, Bisbee, Broadway, Brown, Gullett, Hill, B. Johnson, Luker, Malone, Steele.

Total10

VOTING PRESENT:

Total0

Total number of votes cast25

Necessary to the passage of the bill18

Senator Womack moved that the vote by which **House Bill No. 2431** passed, be reconsidered and motion be laid upon the table. Motion prevailed, laid upon the table.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2431 was ordered engrossed

On motion of Senator Salmon, [Senate Bill No. 868](#) was withdrawn from the Committee on PUBLIC TRANSPORTATION, and placed on the Calendar.

On motion of Senator Salmon, and without objection, [Senate Bill No. 868](#) was recommended for study in the interim by Senate Interim Committee on PUBLIC TRANSPORTATION.

On motion of Senator Salmon, [Senate Bill No. 927](#) was withdrawn from the Committee on PUBLIC HEALTH, WELFARE AND LABOR, and placed on the Calendar.

On motion of Senator Salmon, and without objection, [Senate Bill No. 927](#) was recommended for study in the interim by Senate Interim Committee on PUBLIC HEALTH, WELFARE AND LABOR.

On motion of Senator Luker, [Senate Bill No. 808](#) was withdrawn from the Committee on JUDICIARY, and placed on the Calendar.

Without objection, [Senate Bill No. 808](#) was withdrawn by the author.

[House Bill No. 2228](#) was returned to the House as passed on motion of Senator Bookout.

On motion of Senator Horn, the rules were suspended in considering **House Bill No. 2813** at this time.

On motion of Senator Horn, **House Bill No. 2813** 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. 2813

Amend **House Bill No. 2813** as engrossed, H3/27/03:

Page 1, line 13, after "21," and before "26," insert "23,"

AND

Page 15, delete Section 15 in its entirety and substitute the following:

"SECTION 15. Arkansas Code § 23-61-107(a)(1) and (2), concerning records maintained in the Insurance Commissioner's office, is amended to read as follows:

(a)(1) The Insurance Commissioner shall enter, in permanent form, records of his or her official transactions, examinations, investigations, and proceedings and keep these records in his or her office.

(2)(A) These records and insurance filings in his or her office shall be open to public inspection, except as otherwise provided in the Arkansas Insurance Code with respect to particular records or filings.

(B) The commissioner may establish a retention-destruction schedule for records of his or her office, in order to dispose of hard copy and electronic copy records five (5) years after receipt or creation, or two (2) years after hard copy records have been reduced to electronically imaged records for retention until proper disposition, except for State Insurance Department records whose retention or destruction is subject to other applicable provisions of Arkansas law.

(C) The commissioner may dispose of consumer complaint records in the five-year cycle under (a)(2)(B) of this section.

(D) The commissioner may adopt rules and regulations governing records maintenance and destruction in accordance with this and other applicable provisions of Arkansas law."

AND

Page 27, delete Section 22 in its entirety and appropriately renumber the subsequent sections of the bill.

AND

Page 49, delete line 33 and substitute the following:

"SECTION 61. Arkansas Code § 23-61-113(b), concerning the Insurance Commissioner's rulemaking authority relating to disclosure of nonpublic personal information, is amended to read as follows:

(b) The Insurance Commissioner shall adopt rules and regulations governing the treatment of consumer financial and protected health information by the Arkansas Comprehensive Health Insurance Pool and by all licensed insurers, producers, and other persons licensed or required to be licensed, authorized or required to be authorized, or registered or required to be registered by the commissioner.

SECTION 62. EMERGENCY CLAUSE. It is found and determined by the”

(SIGNED) PAUL MILLER

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

(SIGNED) ANN CORNWELL, SECRETARY

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

On motion of Senator Horn, **House Bill No. 2813** was called up for third reading and final disposition.

HOUSE BILL NO. 2813

As Engrossed: H3/20/03 H3/27/03

EIGHTY-FOURTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE BIGGS

A Bill for an Act to be Entitled: AN ACT TO ADOPT SUBSTANTIVE AND TECHNICAL CORRECTIONS TO THE ARKANSAS INSURANCE CODE TO MODERNIZE THE INSURANCE CODE AND CONFORM IT TO FEDERAL LAWS; TO AMEND PORTIONS OF ARKANSAS CODE *TITLES 9, 11, 17, 19, 21, 23, 26, AND 27 CONCERNING STATE INSURANCE* DEPARTMENT DUTIES AND RESPONSIBILITIES; AND FOR OTHER PURPOSES.

House Bill No. 2813 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

| | |
|--|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast | 35 |
| Necessary to the passage of the bill | 18 |

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 2813**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

Total 35

NEGATIVE:

Total 0

ABSENT OR NOT VOTING:

Total 0

VOTING PRESENT:

Total 0

Total number of votes cast..... 35

Necessary to the passage of the bill..... 24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2813 was ordered engrossed.

On motion of Senator Broadway, the rules were suspended in considering **Senate Bill No. 716** at this time.

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

Amend **Senate Bill No. 716** as engrossed, S4/2/03:

Page 1, line 23, delete "eleven (11)" and substitute "~~ten (10)~~ twelve (12)"

AND

Page 1, delete lines 25 through 26 and substitute the following:

“(B) A certified classroom teacher to be appointed by the Governor;”

AND

Page 1, line 27, delete “~~(C)~~(B)” and substitute “(C)”

AND

Page 1, line 28, delete “~~(D)~~(C)” and substitute “(D)”

AND

Page 1, line 30, delete “~~(E)~~(D)” and substitute “(E)”

AND

Page 1, line 32, delete “~~(F)~~(E)” and substitute “(F)”

AND

Page 1, line 35, delete “~~(G)~~(F)” and substitute “(G)”

AND

Page 2, line 5, delete “~~(H)~~(G)” and substitute “(H)”

AND

Page 2, line 7, delete “(H)” and substitute “(I)”

AND

Page 2, line 9, delete “(I)” and substitute “(J)”

AND

Page 2, line 11, delete “~~(I)~~(J)” and substitute “(K)”

(SIGNED) TOMMY ROEBUCK

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

(SIGNED) ANN CORNWELL, SECRETARY

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

On motion of Senator Broadway, **Senate Bill No. 716** was called up for third reading and final disposition.

SENATE BILL NO. 716

As Engrossed: S3/26/03 S4/2/03 H4/10/03

EIGHTY-FOURTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATOR MALONE

A Bill for an Act to be Entitled: AN ACT TO CHANGE THE STATE AND PUBLIC SCHOOL LIFE AND HEALTH INSURANCE BOARD; AND FOR OTHER PURPOSES.

Senate Bill No. 716 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

| | |
|--|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast | 35 |
| Necessary to the passage of the bill | 18 |

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 716 was ordered enrolled.

On motion of Senator Higginbothom, the rules were suspended in considering **Senate Bill No. 846** at this time.

On motion of Senator Higginbothom, **Senate Bill No. 846** was called up for the second reading for **Amendment No. 1**.

HALL OF THE HOUSE OF REPRESENTATIVES
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 846

Amend **Senate Bill No. 846** as engrossed, S3/19/03:

Add Representative Napper as a cosponsor of the bill

AND

Page 5, line 29, after "Upon" and before "request", insert "the written"

AND

Page 6, line 12, delete "or"

AND

Page 6, delete line 16 and substitute the following:

"(v) If credit scoring is not used at renewal.
(8) Use the following as a negative factor in any credit scoring"

AND

Page 8, delete lines 19 through 21

AND

Page 10, delete line 1 and substitute the following:

"for or as an aid to the effectuation of any provision of this subchapter.

23-67-415. Annual report regarding personal insurance.

(a) No later than March 31 of each year, each insurance company writing any personal insurance that uses credit scoring information shall report to the Insurance Commissioner for each personal insurance type listed in § 23-67-404(9) the number of:

(1) Policies written during the preceding year;

(2) Policies that received a premium increase due to credit scoring during the preceding year; and

(3) Policies that received a premium decrease due to credit scoring during the preceding year.

(b) Information filed with the commissioner under this section by an insurance company shall be treated as proprietary information and is exempt from public disclosure."

(SIGNED) STEVE NAPPER

Amendment No. 1 to Senate Bill No. 846, 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 Higginbothom, and without objection, the rules were suspended pertaining to passage of Amendment and Bill on the same day.

On motion of Senator Higginbothom, **Senate Bill No. 846** was called up for third reading and final disposition.

SENATE BILL NO. 846

As Engrossed: S3/19/03 H4/10/03

EIGHTY-FOURTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATORS HIGGINBOTHOM, HOLT, B. JOHNSON, ET AL

BY: REPRESENTATIVES MATAYO, EDWARDS, HARRIS, ET AL

A Bill for an Act to be Entitled: AN ACT CONCERNING THE USE OF CONSUMER REPORTS IN UNDERWRITING AND RATING OF PROPERTY AND CASUALTY PERSONAL LINES OF INSURANCE; AND FOR OTHER PURPOSES.

Senate Bill No. 846 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

| | |
|--|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast..... | 35 |
| Necessary to the passage of the bill | 18 |

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 846 was ordered enrolled..

On motion of Senator Madison, the rules were suspended in considering Senate Bill No. 618 at this time.

On motion of Senator Madison, Senate Bill No. 618 was called up for the purpose of considering Amendment No. 1.

HALL OF THE HOUSE OF REPRESENTATIVES
 EIGHTY-FOURTH GENERAL ASSEMBLY
 REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 618

Amend Senate Bill No. 618 as engrossed, S4/4/03:

Page 1, delete lines 19 through 24 and substitute the following:
"SECTION 1. Arkansas Code § 7-5-103 is amended to read as follows:
7-5-103. Time of special elections.

If no time is otherwise provided by law, all special elections to fill vacancies or to elect any officers where there appears to be a tie vote shall be held on the second Tuesday of any month at the time specified in the proclamation issued by the appropriate constituted authority but in no event earlier than thirty (30) days following the issuance of the proclamation.”

(SIGNED) MARILYN EDWARDS

Amendment No. 1 to Senate Bill No. 618, 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 Madison, and without objection, the rules were suspended pertaining to passage of Amendment and Bill on the same day.

On motion of Senator Madison, **Senate Bill No. 618** was called up for third reading and final disposition.

SENATE BILL NO. 618
As Engrossed: S3/26/03 S4/4/03 H4/10/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MADISON

A Bill for an Act to be Entitled: AN ACT TO LIMIT THE NUMBER OF SPECIAL ELECTIONS IN A CALENDAR YEAR; AND FOR OTHER PURPOSES.

Senate Bill No. 618 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

| | |
|--|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast..... | 35 |
| Necessary to the passage of the bill | 18 |

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 618 was ordered enrolled.

On motion of Senator Madison, Senate Bill No. 301 was withdrawn from the Committee on JUDICIARY, and placed on the Calendar.

On motion of Senator Madison, and without objection, Senate Bill No. 301 was recommended for study in the interim by Senate Interim Committee on JUDICIARY.

On motion of Senator Madison, Senate Bill No. 149 was withdrawn from the Committee on TECHNOLOGY AND LEGISLATIVE AFFAIRS, and placed on the Calendar.

Without objection, Senate Bill No. 149 was withdrawn by the author.

On motion of Senator Madison, and without objection, **Senate Bill No. 823** was recommended for study in the interim by Senate Interim Committee on PUBLIC HEALTH, WELFARE AND LABOR.

On motion of Senator Madison, **Senate Bill No. 748** was withdrawn from the Committee on STATE AGENCIES AND GOVERNMENTAL AFFAIRS, and placed on the Calendar.

On motion of Senator Madison, and without objection, **Senate Bill No. 748** was recommended for study in the interim by Senate Interim Committee on STATE AGENCIES AND GOVERNMENTAL AFFAIRS.

On motion of Senator Madison, **Senate Resolution No. 4** was withdrawn from the Committee on TECHNOLOGY AND LEGISLATIVE AFFAIRS, and placed on the Calendar.

On motion of Senator Madison, and without objection, **Senate Resolution No. 4** was recommended for study in the interim by Senate Interim Committee on TECHNOLOGY AND LEGISLATIVE AFFAIRS.

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

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

On motion of Senator Baker the Senate recessed until 1:00 p.m.

The Senate reconvened after recess. The Secretary called the roll, and a quorum was present.

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

April 15, 2003

Mr. President:

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

HOUSE BILL NO. 1477, BY REPRESENTATIVE MARTIN,
HOUSE BILL NO. 2431, BY REPRESENTATIVE LAMOUREUX,
HOUSE BILL NO. 2882, BY REPRESENTATIVE CLEVELAND,

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. 1477 was returned to the House as passed as amended.

House Bill No. 2431 was returned to the House as passed as amended.

House Bill No. 2882 was returned to the House as passed as amended.

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

April 15, 2003

Mr. President:

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

SENATE BILL NO. 42, BY SENATOR WILKINSON,

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

Respectfully submitted,
(SIGNED) JOHN PAUL CAPPS, CHAIRMAN

Senate Bill No. 42 was ordered immediately transmitted to the House.

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

April 15, 2003

Mr. President:

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

HOUSE BILL NO. 1589, BY REPRESENTATIVE MARTIN,

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. 1589 was returned to the House as passed as amended.

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

April 15, 2003

Mr. President:

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

HOUSE BILL NO. 2247, BY REPRESENTATIVE LAMOUREUX,
HOUSE BILL NO. 2258, BY REPRESENTATIVE LENDALL,
HOUSE BILL NO. 2404, BY REPRESENTATIVE BORHAUER,

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

April 15, 2003

Mr. President:

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

HOUSE BILL NO. 2248, BY REPRESENTATIVE BLAIR,

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. 2248 was ordered re-referred to the Committee on JUDICIARY.

STATE OF ARKANSAS
OFFICE OF THE GOVERNOR
STATE CAPITOL
LITTLE ROCK, ARKANSAS

MIKE HUCKABEE
Governor

April 15, 2003

TO THE PRESIDENT OF THE SENATE

Dear Mr. President:

This is to inform your Honorable Body that on April 15, 2003, I approved the following measure:

Senate Bill No. 94, which is now Act 1277 of 2003, and
Senate Concurrent Resolution 20, and
Senate Concurrent Resolution 21, and
Senate Concurrent Resolution 27, and
Senate Concurrent Resolution 29, and
Senate Concurrent Resolution 31, and
Senate Concurrent Resolution 33.

Sincerely,

(SIGNED) MIKE HUCKABEE
Governor

MH:sm

cc: Speaker of the House

On motion of Senator Steele, the rules were suspended in considering **House Bill No. 1456** at this time.

On motion of Senator Steele, **House Bill No. 1456** was withdrawn from the Committee on CITY, COUNTY AND LOCAL AFFAIRS, and placed back on second reading for purpose of amendment.

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to HOUSE BILL NO. 1456

Amend **House Bill No. 1456** as engrossed, H2/27/03 by:

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

“SECTION 1. Arkansas Code § 22-3-303, concerning the powers generally of the Capitol Zoning District Commission, is amended to add an additional subsection to read as follows:

(f)(1) Beginning in January 2004, and each January of each year after, the commission shall hold a meeting within the district, open to all residents of the district, to attend and discuss the activities of the commission and its staff.

(2) The commission and staff shall present information at the annual meeting about the activities of the commission and staff during the previous year and their plans for any activities for the coming year.

(3) The annual meeting shall contain a time period for public comments from residents within the district and a notice of the meeting shall be published in a newspaper in general circulation within the district once a week for two (2) consecutive weeks at least twenty (20) days before the date of the meeting.

SECTION 2. Arkansas Code § 22-3-306 is amended to read as follows:”

AND

Page 1, line 29, delete “After” and substitute “After Except to the extent that the commission and the City of Little Rock agree to the civil enforcement of the commission’s regulations under § 22-3-308, after”

AND

Page 2, delete lines 14 through 16, and substitute the following:

“(2)(A) Each application for permit shall be accompanied by an application fee of not more than one hundred dollars (\$100), as set by the commission.

(B) However, if a commission permit duplicates a permit required by the City of Little Rock, then the commission shall waive the commission’s permit fee.”

AND

Page 2, delete lines 23 through 36, and substitute the following:

“(e)(1)(A) To the extent that the commission and the City of Little Rock agree to the civil enforcement of the commission’s regulations under § 22-3-308, the

commission may request that the city impose a civil penalty on a person or an entity within the district up to two hundred fifty dollars (\$250) to enforce the violation of the commission's rules and regulations.

(B) After the initial violation, each day of violation afterward is a separate violation and the penalty is not to exceed one hundred dollars (\$100) per day after the initial violation.

(C) However, if a violation is corrected within a timeframe set by the commission, the city shall waive the civil penalty.

(2) After a hearing conducted in accordance with the Arkansas Administrative Procedure Act, if the commission determines that a person or entity has violated any provision of this subchapter or any regulation promulgated by the commission under this subchapter, the commission may request an enforcement action by the city to impose a civil penalty on the person or entity not to exceed the amounts prescribed in subdivision (e)(1) of this section.

(3) Any person aggrieved by an action of the commission requesting the imposition of a civil penalty may appeal the decision in the manner and under the procedures prescribed under the Arkansas Administrative Procedure Act for judicial review of administrative decisions.

SECTION 3. Arkansas Code § 22-3-308 is amended to read as follows:

22-3-308. Coordination by commission with other agencies.

(a) The Capitol Zoning District Commission is authorized and encouraged to coordinate the comprehensive master zoning plan, to the greatest extent it deems practical, with city, county, and other area planning agencies.

(b)(4) The commission may enter into agreements with the City of Little Rock providing for mutual cooperation and joint regulation within the district with respect to planning and zoning; permission to build upon or otherwise use land; the enforcement of building, safety, and health codes and inspection to ensure compliance therewith; and other matters within the jurisdiction of the Capitol Zoning District Commission.

~~(2) Such agreements between the City of Little Rock and the commission may not cede the commission's final authority and responsibility over the matters entrusted to it by law.~~

(c) Upon an agreement between the City of Little Rock and the commission and the adoption of a municipal ordinance, the city may impose a civil penalty on a person or an entity within the district up to two hundred fifty dollars (\$250) to enforce the commission's rules and regulations that the city shall adopt by ordinance."

AND

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

AND

Page 3, lines 8 and 9, delete "costs collected."

(SIGNED) TRACY STEELE AND
DAVID BISBEE

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1456 was ordered engrossed.

On motion of Senator Gullett, **House Bill No. 2834** was called up for third reading and final disposition.

HOUSE BILL NO. 2834
As Engrossed: H3/20/03 S4/11/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE PENIX
BY: SENATOR GULLETT

A Bill for an Act to be Entitled: AN ACT TO AMEND VARIOUS SECTIONS OF THE ARKANSAS CODE RELATING TO EDUCATION; AND FOR OTHER PURPOSES.

House Bill No. 2834 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, Argue, Baker, Bisbee, J. Bookout, Broadway, Brown, Bryles, Capps, Critcher, Faris, Glover, Gullett, Hendren, Higginbothom, Hill, 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: | |
| Total | 0 |
| VOTING PRESENT: Holt. | |
| Total | 1 |
| Total number of votes cast..... | 35 |
| Necessary to the passage of the bill | 18 |

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2834 was ordered immediately returned to the House as passed as amended.

On motion of Senator Bookout, the rules were suspended in considering House Bill No. 2505 at this time.

Senator Bookout moved the Senate recede its previous action in the adoption of Amendment No. 1 to House Bill No. 2505.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2505 was ordered engrossed.

On motion of Senator Horn, House Bill No. 1752 was called up for third reading and final disposition.

HOUSE BILL NO. 1752
As Engrossed: H3/7/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE HAAK
BY: SENATOR HORN

A Bill for an Act to be Entitled: AN ACT TO PROVIDE BAILIFFS FOR CERTAIN CIRCUIT COURTS; AND FOR OTHER PURPOSES.

House Bill No. 1752 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total35

NEGATIVE:
 Total0

ABSENT OR NOT VOTING:
 Total0

VOTING PRESENT:
 Total0

Total number of votes cast.....35

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1752 was ordered immediately returned to the House as passed.

On motion of Senator Horn, House Bill No. 2403 was called up for third reading and final disposition.

HOUSE BILL NO. 2403
 EIGHTY-FOURTH GENERAL ASSEMBLY
 REGULAR SESSION
 BY: REPRESENTATIVE COWLING

A Bill for an Act to be Entitled: AN ACT TO REVISE THE HEATING, VENTILATION, AIR CONDITIONING, AND REFRIGERATION LICENSING LAW TO CHANGE THE GENERAL LIABILITY INSURANCE COVERAGE; AND FOR OTHER PURPOSES.

House Bill No. 2403 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2403 was ordered immediately returned to the House as passed.

On motion of Senator Horn, House Bill No. 2814 was called up for third reading and final disposition.

HOUSE BILL NO. 2814

As Engrossed: H3/27/03

EIGHTY-FOURTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE BIGGS

A Bill for an Act to be Entitled: AN ACT TO RE-ADOPT THE REQUIREMENTS FOR INSURANCE RESERVES FOR DOMESTIC TITLE AND AVIATION TITLE INSURANCE; AND FOR OTHER PURPOSES.

House Bill No. 2814 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

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| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast | 35 |
| Necessary to the passage of the bill | 18 |

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2814 was ordered immediately returned to the House as passed.

On motion of Senator Argue, the rules were suspended in considering **House Bill No. 2746** at this time.

On motion of Senator Malone, **House Bill No. 2746** was called up for third reading and final disposition.

HOUSE BILL NO. 2746
As Engrossed: H4/2/03 H4/4/03 H4/11/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE C. TAYLOR

A Bill for an Act to be Entitled: AN ACT TO REQUIRE THAT OUT-OF-STATE TUITION PAID BY THE STATE OF ARKANSAS BE REPAYED IF THE STUDENT DOES NOT RETURN TO THE STATE TO PRACTICE; AND FOR OTHER PURPOSES.

House Bill No. 2746 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

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| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast | 35 |
| Necessary to the passage of the bill | 18 |

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2746 was ordered immediately transmitted to the House as passed.

On motion of Senator Bookout, **House Bill No. 2475** was called up for third reading and final disposition.

HOUSE BILL NO. 2475
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES MILLIGAN, CLEVELAND

A Bill for an Act to be Entitled: AN ACT CONCERNING CANINE BRUCELLOSIS; AND FOR OTHER PURPOSES.

House Bill No. 2475 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

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| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast..... | 35 |
| Necessary to the passage of the bill | 18 |

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2475 was ordered immediately returned to the House as passed.

On motion of Senator J. Jeffress, **House Bill No. 1356** was called up for third reading and final disposition.

HOUSE BILL NO. 1356
As Engrossed: H2/13/03 S4/4/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES SULLIVAN, BENNETT, BOLIN, ET AL

A Bill for an Act to be Entitled: AN ACT TO PROTECT LIVESTOCK AND POULTRY PRODUCERS FROM UNFAIR REBUILDING COSTS AFTER NATURAL DISASTERS; AND FOR OTHER PURPOSES.

House Bill No. 1356 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

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| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast | 35 |
| Necessary to the passage of the bill | 18 |

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1356 was ordered immediately returned to the House as passed as amended.

On motion of Senator Horn, **House Bill No. 2833** was called up for third reading and final disposition.

HOUSE BILL NO. 2833
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE NAPPER

A Bill for an Act to be Entitled: AN ACT TO REQUIRE THAT NOTICES CONCERNING INCREASES IN PREMIUMS OR DEDUCTIBLES, OR NOTICES OF RENEWAL OR NONRENEWAL, BE SENT TO AGENTS AND TO INSURED CARRYING CERTAIN PROPERTY AND CASUALTY INSURANCE POLICIES BEFORE THE RENEWAL DATE; AND FOR OTHER PURPOSES.

House Bill No. 2833 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

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|--|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast | 35 |
| Necessary to the passage of the bill | 18 |

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2833 was ordered immediately returned to the House as passed.

On motion of Senator Horn, **House Bill No. 2750** was called up for third reading and final disposition.

HOUSE BILL NO. 2750
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE NAPPER

A Bill for an Act to be Entitled: AN ACT TO ADOPT THE NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS' VIATICAL SETTLEMENTS ACT; TO REPEAL ARKANSAS CODE § 23-81-501 through 23-81-512; AND FOR OTHER PURPOSES.

House Bill No. 2750 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

| | |
|--|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast | 35 |
| Necessary to the passage of the bill | 18 |

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2750 was ordered immediately returned to the House as passed.

On motion of Senator Smith, **House Bill No. 2311** was called up for third reading and final disposition.

HOUSE BILL NO. 2311
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE MATHIS

A Bill for an Act to be Entitled: AN ACT TO REVISE THE PROVISIONS CONCERNING THE DUTY OF CARE OF LICENSE HOLDERS FOR THE SALE OR DISPENSING OF ALCOHOLIC BEVERAGES; AND FOR OTHER PURPOSES.

House Bill No. 2311 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

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|--|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast..... | 35 |
| Necessary to the passage of the bill | 18 |

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2311 was ordered immediately returned to the House as passed.

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

On motion of Senator Glover, **House Bill No. 2502** was called up for third reading and final disposition.

HOUSE BILL NO. 2502

As engrossed: H4/1/03 S4/11/03

EIGHTY-FOURTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES ADAMS, CHILDERS, SULLIVAN

BY: SENATOR GLOVER

A Bill for an Act to be Entitled: AN ACT CONCERNING THE INTERCEPTION AND USE OF WIRE, ORAL, OR ELECTRONIC COMMUNICATIONS; AND FOR OTHER PURPOSES.

House Bill No. 2502 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: Baker, J. Bookout, Critcher, Faris, Glover, Holt, Horn, G. Jeffress, B. Johnson, Miller, Trusty, Whitaker, Wilkinson, Womack, Wooldridge.

Total15

NEGATIVE: Altes, Argue, Brown, Capps, Higginbothom, Luker, Madison, Salmon, T. Smith, Steele, Wilkins.

Total11

ABSENT OR NOT VOTING: Bisbee, Broadway, Bryles, Gullett, Hendren, Hill, J. Jeffress, Lavery, Malone.

Total9

VOTING PRESENT:

Total0

Total number of votes cast26

Necessary to the passage of the bill18

So the bill failed.

(SIGNED) ANN CORNWELL, SECRETARY

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

The record pertaining to the vote by which **House Bill No. 2502** failed was expunged, in accordance with a prevailing motion on April 15, 2003.

Senator Glover moved that the record pertaining to the vote by which **House Bill No. 2502** failed be expunged, the motion was duly seconded and prevailed.

On motion of Senator Womack, **House Bill No. 1953** was called up for third reading and final disposition.

HOUSE BILL NO. 1953
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE LAMOUREUX

A Bill for an Act to be Entitled: AN ACT TO ESTABLISH THE PERIOD OF CONFINEMENT TO A DEPARTMENT OF CORRECTION FACILITY ON CONDITION OF SUSPENSION OR PROBATION; AND FOR OTHER PURPOSES.

House Bill No. 1953 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

| | |
|--|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast..... | 35 |
| Necessary to the passage of the bill | 18 |

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1953 was ordered immediately returned to the House as passed.

On motion of Senator Womack, **House Bill No. 1015** was called up for third reading and final disposition.

HOUSE BILL NO. 1015
As Engrossed: H1/30/03 H3/20/03 H4/2/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE KING

A Bill for an Act to be Entitled: AN ACT TO CLARIFY THE FILING REQUIREMENTS AND DEADLINES FOR THOSE INDIVIDUALS WISHING TO FILE FOR PUBLIC OFFICE; AND FOR OTHER PURPOSES.

House Bill No. 1015 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

| | |
|--|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast | 35 |
| Necessary to the passage of the bill | 18 |

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1015 was ordered immediately returned to the House as passed.

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

On motion of Senator Womack, **House Bill No. 2541** was called up for third reading and final disposition.

**HOUSE BILL NO. 2541
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE JUDY**

A Bill for an Act to be Entitled: AN ACT TO AUTHORIZE CONVENIENCE CENTERS TO SERVE AS ALTERNATIVE COLLECTION SITES FOR HOUSEHOLD, BUSINESS, AND INDUSTRIAL WASTE; AND FOR OTHER PURPOSES.

Senator Altes spoke against the Bill.

Senator Womack closed for the Bill.

House Bill No. 2541 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: Holt, Madison, Womack.

Total3

NEGATIVE: Altes, Baker, J. Bookout, Gullett, Hendren, Higginbothom, Horn, G. Jeffress, Lavery, Salmon, Trusty, Whitaker, Wilkins, Wilkinson, Wooldridge.

Total15

ABSENT OR NOT VOTING: Argue, Bisbee, Broadway, Brown, Bryles, Capps, Critcher, Faris, Glover, Hill, J. Jeffress, B. Johnson, Luker, Malone, Miller, T. Smith, Steele.

Total17

VOTING PRESENT:

Total0

Total number of votes cast 18
Necessary to the passage of the bill 18

So the bill failed.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2541 was returned to the House as having failed to pass.

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

The record pertaining to the vote by which House Bill No. 2541 failed was expunged, in accordance with a prevailing motion on April 16, 2003.

On motion of Senator Steele, House Bill No. 2900 was called up for third reading and final disposition.

HOUSE BILL NO. 2900
As Engrossed: H3/27/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE PENIX

A Bill for an Act to be Entitled: *AN ACT TO CREATE THE DIVISION OF BEHAVIORAL HEALTH WITHIN THE DEPARTMENT OF HUMAN SERVICES; TO TRANSFER THE ALCOHOL AND DRUG ABUSE PREVENTION PROGRAM OF THE DEPARTMENT OF HEALTH TO THE DEPARTMENT OF HUMAN SERVICES, DIVISION OF BEHAVIORAL HEALTH; AND FOR OTHER PURPOSES.*

House Bill No. 2900 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, Baker, J. Bookout, Brown, Capps, Critcher, Faris, Gullett, Hendren, Higginbotham, Horn, G. Jeffress, J. Jeffress, Laverty, Madison, Miller, Salmon, T. Smith, Steele, Trusty, Whitaker, Wilkins, Wilkinson.

Total23

NEGATIVE: Holt, Wooldridge.

Total2

ABSENT OR NOT VOTING: Argue, Bisbee, Broadway, Bryles, Glover, Hill, B. Johnson, Luker, Malone, Womack.

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

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

There being an emergency clause attached to **House Bill No. 2900**, 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, Baker, J. Bookout, Brown, Capps, Critcher, Faris, Gullett, Hendren, Higginbothom, Horn, G. Jeffress, J. Jeffress, Lavery, Madison, Miller, Salmon, T. Smith, Steele, Trusty, Whitaker, Wilkins, Wilkinson.

Total23

NEGATIVE: Holt, Wooldridge.

Total2

ABSENT OR NOT VOTING: Argue, Bisbee, Broadway, Bryles, Glover, Hill, B. Johnson, Luker, Malone, Womack.

Total10

VOTING PRESENT:

Total0

Total number of votes cast.....25

Necessary to the passage of the bill.....24

So the Emergency Clause failed.

(SIGNED) ANN CORNWELL, SECRETARY

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

The record pertaining to the vote by which the Emergency Clause to **House Bill No. 2900** failed of adoption was expunged, in accordance with a prevailing motion on April 15, 2003.

Senator Steele moved that the record pertaining to the vote by which the Emergency Clause to **House Bill No. 2900** failed be expunged, the motion was duly seconded and prevailed.

There being an emergency clause attached to **House Bill No. 2900**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

Total 35

NEGATIVE:

Total 0

ABSENT OR NOT VOTING:

Total 0

VOTING PRESENT:

Total 0

Total number of votes cast..... 35

Necessary to the passage of the bill..... 24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2900 was ordered immediately returned to the House as passed.

On motion of Senator Whitaker, **House Bill No. 1469** was called up for third reading and final disposition.

HOUSE BILL NO. 1469
As Engrossed: H2/20/03 S4/11/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES GREEN, EDWARDS, HARRIS, ET AL
BY: SENATOR WHITAKER

A Bill for an Act to be Entitled: AN ACT TO ALLOW THE COURT TO CONSIDER THE PREFERENCES OF THE CHILD WHEN AWARDING CHILD CUSTODY AND VISITATION IN A DIVORCE ACTION; AND FOR OTHER PURPOSES.

House Bill No. 1469 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

| | |
|--|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast | 35 |
| Necessary to the passage of the bill | 18 |

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1469 was ordered immediately returned to the House as passed as amended.

On motion of Senator Womack, **House Bill No. 1851** was called up for third reading and final disposition.

HOUSE BILL NO. 1851
As Engrossed: H3/20/03 S4/11/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE VERKAMP

A Bill for an Act to be Entitled: AN ACT TO LIMIT THE LIABILITY OF AN AGENT FOR SERVICE OF PROCESS UNDER A SYSTEMATIC RESIDENTIAL RENTAL PROPERTY INSPECTION PROGRAM; AND FOR OTHER PURPOSES.

House Bill No. 1851 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, 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.

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

House Bill No. 1851 was ordered immediately returned to the House as passed as amended.

On motion of Senator Smith, **House Bill No. 2236** was called up for third reading and final disposition.

HOUSE BILL NO. 2236

As Engrossed: H3/13/03 H3/24/03 H3/28/03 S4/11/03

EIGHTY-FOURTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES PENIX, WALTERS, BRIGHT, ET AL

A Bill for an Act to be Entitled: AN ACT TO REQUIRE CONTINUOUS QUALITY IMPROVEMENT PROGRAMS AS A CONDITION FOR LONG-TERM CARE FACILITIES TO PARTICIPATE IN AN INSURANCE POOL; TO REQUIRE EDUCATION FOR NURSE AIDES IN LONG-TERM CARE FACILITIES; AND FOR OTHER PURPOSES.

House Bill No. 2236 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

| | |
|--|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast | 35 |
| Necessary to the passage of the bill | 18 |

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2236 was ordered immediately returned to the House as passed as amended.

On motion of Senator Womack, **House Bill No. 2272** was called up for third reading and final disposition.

HOUSE BILL NO. 2272
As Engrossed: H3/26/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES KEY, MARTIN, MATAYO
BY: SENATOR WOMACK

A Bill for an Act to be Entitled: AN ACT TO ALLOW SCHOOL DISTRICTS TO ENTER INTO PUBLIC-PRIVATE PARTNERSHIPS FOR THE ACQUISITION OF FACILITIES; AND FOR OTHER PURPOSES.

House Bill No. 2272 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

| | |
|--|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast..... | 35 |
| Necessary to the passage of the bill | 18 |

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2272 was ordered immediately returned to the House as passed.

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

On motion of Senator Horn, **House Bill No. 2503** was called up for third reading and final disposition.

HOUSE BILL NO. 2503
As Engrossed: H4/1/03 S4/11/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES SULLIVAN, CHILDERS, ADAMS

A Bill for an Act to be Entitled: AN ACT CONCERNING PEN REGISTERS, TRAP AND TRACE DEVICES, ACCESS TO STORED COMMUNICATIONS, AND MOBILE TRACKING DEVICES; AND FOR OTHER PURPOSES.

Senator Luker spoke against the Bill.

Senator Horn closed for the Bill.

House Bill No. 2503 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: Glover, Horn, Wooldridge.

Total3

NEGATIVE: Baker, J. Bookout, Brown, Capps, Critcher, Faris, Hendren, Higginbothom, Holt, J. Jeffress, Lavery, Luker, Madison, Miller, Salmon, Steele, Wilkins, Wilkinson.

Total18

ABSENT OR NOT VOTING: Altes, Argue, Bisbee, Broadway, Bryles, Gullett, Hill, G. Jeffress, B. Johnson, Malone, T. Smith, Trusty, Whitaker, Womack.

Total14

VOTING PRESENT:

| | |
|--|----|
| Total | 0 |
| Total number of votes cast..... | 21 |
| Necessary to the passage of the bill | 18 |

So the bill failed.

(SIGNED) ANN CORNWELL, SECRETARY

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

The record pertaining to the vote by which **House Bill No. 2503** failed was expunged, in accordance with a prevailing motion on April 15, 2003.

Senator Horn moved that the record pertaining to the vote by which **House Bill No. 2503** failed to pass be expunged, the motion was duly seconded and prevailed.

On motion of Senator Madison, **House Bill No. 2457** was called up for third reading and final disposition.

HOUSE BILL NO. 2457
As Engrossed: H3/1/03 H4/3/03 S4/11/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE MARTIN

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

House Bill No. 2457 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2457 was ordered immediately returned to the House as passed as amended.

On motion of Senator Wilkinson, the rules were suspended in considering House Bill No. 1889 at this time.

On motion of Senator Wilkinson, House Bill No. 1889 was withdrawn from the Committee on JUDICIARY, and placed back on second reading for purpose of rescinding from Amendment No. 1.

Senator Wilkinson moved the Senate recede its previous action in the adoption of Amendment No. 1 to House Bill No. 1889.

House Bill No. 1889 was ordered engrossed.

On motion of Senator Faris, **House Bill No. 2476** was called up for third reading and final disposition.

HOUSE BILL NO. 2476
As Engrossed: H3/18/03 H4/3/03 S4/11/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE ADAMS

A Bill for an Act to be Entitled: AN ACT TO AMEND VARIOUS ARKANSAS CODE SECTIONS THAT GOVERN THE CREATION OF JAIL BOARDS AND THE ISSUANCE OF REVENUE BONDS; AND FOR OTHER PURPOSES.

House Bill No. 2476 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

| | |
|--|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast..... | 35 |
| Necessary to the passage of the bill | 18 |

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 2476**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

Total 35

NEGATIVE:

Total 0

ABSENT OR NOT VOTING:

Total 0

VOTING PRESENT:

Total 0

Total number of votes cast..... 35

Necessary to the passage of the bill..... 24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2476 was ordered immediately returned to the House as passed as amended.

On motion of Senator Salmon, the rules were suspended in considering **House Bill No. 2853** at this time.

On motion of Senator Salmon, **House Bill No. 2853** was called up for third reading and final disposition.

HOUSE BILL NO. 2853
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE MARTIN

A Bill for an Act to be Entitled: AN ACT TO INCREASE FINANCIAL SUPPORT FOR EMERGENCY PUBLIC SAFETY COMMUNICATIONS CENTERS; AND FOR OTHER PURPOSES.

House Bill No. 2853 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

| | |
|--|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast | 35 |
| Necessary to the passage of the bill | 18 |

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 2853**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

Total 35

NEGATIVE:

Total 0

ABSENT OR NOT VOTING:

Total 0

VOTING PRESENT:

Total 0

Total number of votes cast..... 35

Necessary to the passage of the bill..... 24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2853 was ordered immediately returned to the House as passed as passed.

On motion of Senator Faris, **House Bill No. 2421** was called up for third reading and final disposition.

HOUSE BILL NO. 2421
As Engrossed: H3/25/03 S4/11/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE DANGEAU

A Bill for an Act to be Entitled: *AN ACT TO EXEMPT PUBLIC INSTITUTIONS OF HIGHER EDUCATION FROM REVIEW AND APPROVAL BY ARKANSAS BUILDING SERVICES FOR PROJECTS EXCEEDING FIVE MILLION DOLLARS (\$5,000,000); AND FOR OTHER PURPOSES.*

House Bill No. 2421 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

| | |
|--|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast..... | 35 |
| Necessary to the passage of the bill | 18 |

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2421 was ordered immediately returned to the House as passed as amended.

On motion of Senator Lavery, **House Bill No. 1263** was called up for third reading and final disposition.

HOUSE BILL NO. 1263
As Engrossed: H4/2/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES HATHORN, C. TAYLOR, LEDBETTER, ET AL

A Bill for an Act to be Entitled: *AN ACT TO CLARIFY THE LIMITATION ON THE AWARD OF PUNITIVE DAMAGES; AND FOR OTHER PURPOSES.*

House Bill No. 1263 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

| | |
|--|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast | 35 |
| Necessary to the passage of the bill | 18 |

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 1263**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

Total 35

NEGATIVE:

Total 0

ABSENT OR NOT VOTING:

Total 0

VOTING PRESENT:

Total 0

Total number of votes cast..... 35

Necessary to the passage of the bill..... 24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1263 was ordered immediately returned to the House as passed.

On motion of Senator Lavery, **House Bill No. 2830** was called up for third reading and final disposition.

HOUSE BILL NO. 2830
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE HATHORN

A Bill for an Act to be Entitled: AN ACT TO REVISE THE PROVISIONS CONCERNING INVOLUNTARY ADMISSION CRITERIA; AND FOR OTHER PURPOSES.

House Bill No. 2830 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

| | |
|--|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast | 35 |
| Necessary to the passage of the bill | 18 |

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2830 was ordered immediately returned to the House as passed.

On motion of Senator Bookout, **House Bill No. 2751** was called up for third reading and final disposition.

HOUSE BILL NO. 2751
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE P. BOOKOUT

A Bill for an Act to be Entitled: AN ACT TO EXEMPT CERTAIN PERSONS FROM LICENSING REQUIREMENTS FOR HOME HEALTH CARE SERVICE LICENSURE; AND FOR OTHER PURPOSES.

House Bill No. 2751 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

| | |
|--|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast..... | 35 |
| Necessary to the passage of the bill | 18 |

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2751 was ordered immediately returned to the House as passed.

On motion of Senator Madison, **House Bill No. 2022** was called up for third reading and final disposition.

HOUSE BILL NO. 2022
As Engrossed: H3/31/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES JUDY, KING

A Bill for an Act to be Entitled: AN ACT CONCERNING REVISIONS TO THE ABSENTEE VOTING PROCEDURES; AND FOR OTHER PURPOSES.

House Bill No. 2022 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

| | |
|--|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast | 35 |
| Necessary to the passage of the bill | 18 |

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2022 was ordered immediately returned to the House as passed.

On motion of Senator Wilkins, **House Bill No. 2062** was called up for third reading and final disposition.

HOUSE BILL NO. 2062
As Engrossed: H3/28/03 H4/1/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES C. JOHNSON, WHITE

A Bill for an Act to be Entitled: *AN ACT TO CREATE WITHIN THE DEPARTMENT OF EDUCATION AN OFFICE FOR THE PURPOSE OF TEACHER RECRUITMENT; AND FOR OTHER PURPOSES.*

House Bill No. 2062 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

| | |
|--|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast | 35 |
| Necessary to the passage of the bill | 18 |

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2062 was ordered immediately returned to the House as passed.

On motion of Senator Wilkins, **House Bill No. 2187** was called up for third reading and final disposition.

HOUSE BILL NO. 2187
As Engrossed: H4/1/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE C. JOHNSON

A Bill for an Act to be Entitled: AN ACT TO AMEND THE CRITICAL NEEDS MINORITY TEACHER SCHOLARSHIP PROGRAM; TO CREATE A *COMMITTEE* FOR SELECTING SCHOLARSHIP RECIPIENTS; AND FOR OTHER PURPOSES.

House Bill No. 2187 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, Faris, Glover, Gullett, Hendren, Higginbotham, Hill, 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: Altes, Holt. | |
| Total | 2 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast | 35 |
| Necessary to the passage of the bill | 18 |

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2187 was ordered immediately returned to the House as passed.

On motion of Senator Wilkins, **House Bill No. 2374** was called up for third reading and final disposition.

HOUSE BILL NO. 2374
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE WHITE

A Bill for an Act to be Entitled: AN ACT TO DEVELOP A COMPREHENSIVE PLAN TO REVISE CONTENT STANDARDS AND CURRICULUM FRAMEWORKS ADOPTED BY THE STATE IN CORE ACADEMIC AREAS OF READING, WRITING, MATHEMATICS, SCIENCE, HISTORY, GEOGRAPHY, AND CIVICS; AND FOR OTHER PURPOSES.

House Bill No. 2374 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, Argue, Baker, Bisbee, J. Bookout, Broadway, Brown, Bryles, Capps, Critcher, Faris, Glover, Gullett, 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: Hendren.

Total1

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35

Necessary to the passage of the bill 18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2374 was ordered immediately returned to the House as passed.

On motion of Senator Wilkins, **House Bill No. 2520** was called up for third reading and final disposition.

HOUSE BILL NO. 2520
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE WHITE

A Bill for an Act to be Entitled: AN ACT TO PROVIDE FOR A COST OF LIVING SALARY INCREASE FOR CLASSIFIED SCHOOL EMPLOYEES; AND FOR OTHER PURPOSES.

House Bill No. 2520 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, Faris, Glover, Gullett, Higginbothom, Hill, Horn, G. Jeffress, J. Jeffress, B. Johnson, Laverty, Luker, Madison, Malone, Miller, Salmon, T. Smith, Steele, Trusty, Whitaker, Wilkins, Wilkinson, Womack, Wooldridge.

Total32

NEGATIVE: Altes, Hendren, Holt.

Total3

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2520 was ordered immediately returned to the House as passed.

On motion of Senator Wilkins, **House Bill No. 2657** was called up for third reading and final disposition.

HOUSE BILL NO. 2657
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES C. JOHNSON, WHITE

A Bill for an Act to be Entitled: AN ACT TO CREATE THE “COMMITTEE ON CLOSING THE ACADEMIC ACHIEVEMENT GAP IN ARKANSAS”; AND FOR OTHER PURPOSES.

House Bill No. 2657 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, Argue, Baker, Bisbee, J. Bookout, Broadway, Brown, Bryles, Capps, Critcher, Faris, Glover, Gullett, Hendren, Higginbothom, Hill, 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: Holt. | |
| Total | 1 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast..... | 35 |
| Necessary to the passage of the bill | 18 |

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2657 was ordered immediately returned to the House as passed.

On motion of Senator Wilkins, **House Bill No. 2775** was called up for third reading and final disposition.

HOUSE BILL NO. 2775
As Engrossed: H4/2/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES C. JOHNSON, J. JOHNSON, ELLIOTT, ET AL
BY: SENATOR WILKINS

A Bill for an Act to be Entitled: AN ACT TO REQUIRE THE *STATE BOARD OF EDUCATION* TO DEFINE AND PUBLISH ACADEMIC STANDARDS AND EXPECTED OUTCOMES FOR STUDENTS IN *PREKINDERGARTEN THROUGH GRADE TWELVE (preK-12)* GRADES; TO REQUIRE THAT THE ACADEMIC STANDARDS AND EXPECTED OUTCOMES BE ADOPTED BY LOCAL SCHOOL BOARDS; TO REQUIRE THAT THE ACADEMIC STANDARDS AND EXPECTED OUTCOMES BE IMPLEMENTED BY LOCAL SCHOOL DISTRICTS; AND FOR OTHER PURPOSES.

House Bill No. 2775 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

| | |
|-----------------------|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |

Total number of votes cast.....35
Necessary to the passage of the bill 18
So the bill passed and the title as read was agreed to.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2775 was ordered immediately returned to the House as passed.

On motion of Senator Wilkins, House Bill No. 2844 was called up for third reading and final disposition.

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 placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total34

NEGATIVE: Holt.
 Total 1
 ABSENT OR NOT VOTING:
 Total 0
 VOTING PRESENT:
 Total 0
 Total number of votes cast 35
 Necessary to the passage of the bill 18

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 2844**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

AFFIRMATIVE: Altes, Argue, Baker, Bisbee, J. Bookout, Broadway, Brown, Bryles, Capps, Critcher, Faris, Glover, Gullett, Hendren, Higginbotham, Hill, 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: Holt.
 Total 1

ABSENT OR NOT VOTING:
 Total 0

VOTING PRESENT:
 Total 0

Total number of votes cast 35
 Necessary to the passage of the bill 24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2844 was ordered immediately returned to the House as passed.

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

April 15, 2003

Mr. President:

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

HOUSE BILL NO. 2813, BY REPRESENTATIVE BIGGS,

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. 2813 was returned to the House as passed as amended.

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

April 15, 2003

Mr. President:

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

HOUSE BILL NO. 1456, BY REPRESENTATIVE ELLIOTT,

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. 1456 was ordered re-referred to the Committee on CITY, COUNTY AND LOCAL AFFAIRS.

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

April 15, 2003

Mr. President:

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

HOUSE BILL NO. 2505, BY REPRESENTATIVE BRADFORD,

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. 2505 was ordered re-referred to the Committee on AGRICULTURE, FORESTRY AND ECONOMIC DEVELOPMENT.

Senate Bill No. 744 was ordered immediately returned to the House, as amended.

Senate Bill No. 744 was ordered re-referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

Senate Concurrent Resolution Bill No. 34 was ordered immediately returned to the House as amended concurred in.

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

April 15, 2003

Mr. President:

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

SENATE BILL NO. 744, BY SENATOR HORN,

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

Respectfully submitted,

(SIGNED) JACK CRITCHER
BARBARA HORN
TRACY STEEL
PERCY MALONE

SENATE CONCURRENT RESOLUTION NO. 35
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR HILL

SENATE CONCURRENT RESOLUTION TO PROVIDE FOR AN EXTENSION OF THE REGULAR SESSION OF THE EIGHTY-FOURTH GENERAL ASSEMBLY UNTIL MAY 9, 2003, TO ENABLE IT TO COMPLETE THE ESSENTIAL BUSINESS OF THE SESSION; TO PROVIDE THAT THE EIGHTY-FOURTH GENERAL ASSEMBLY MAY BE CONVENED ON OR BEFORE MAY 9 TO CONSIDER VETOES, ERRORS, OMISSIONS, AND CONSTITUTIONAL AMENDMENTS.

Senate Concurrent Resolution No. 35 was read the first time, rules suspended, read the second time and placed on the Calendar.

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

April 15, 2003

Mr. President:

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

House BILL NO. 1889, BY REPRESENTATIVE HATHORN,

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

Wilkinson Bill No. 1889 was ordered re-referred to the Committee on JUDICIARY.

On motion of Senator Gullett, **House Bill No. 2327** was called up for third reading and final disposition.

HOUSE BILL NO. 2327
As Engrossed: H3/27/03 S4/11/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE DEES
BY: SENATOR GULLETT

A Bill for an Act to be Entitled: AN ACT TO PROVIDE THAT THE GOVERNOR DETERMINES THE COMPOSITION OF THE ARKANSAS WORKFORCE INVESTMENT BOARD; AND FOR OTHER PURPOSES.

House Bill No. 2327 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

| | |
|--|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast..... | 35 |
| Necessary to the passage of the bill | 18 |

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2327 was ordered immediately returned to the House as passed as amended.

On motion of Senator Luker, **House Bill No. 2710** was called up for third reading and final disposition.

HOUSE BILL NO. 2710
As Engrossed: H4/4/03 S4/14/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE GREEN

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE § 5-60-113 TO INCREASE THE FINE AND CLARIFY THE OFFENSE OF USING ABUSIVE LANGUAGE TO A SCHOOL BUS DRIVER; AND FOR OTHER PURPOSES.

House Bill No. 2710 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

| | |
|--|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast | 35 |
| Necessary to the passage of the bill | 18 |

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2710 was ordered immediately returned to the House as passed as amended.

On motion of Senator Luker, **House Bill No. 1750** was called up for third reading and final disposition.

HOUSE BILL NO. 1750
As Engrossed: H3/27/03 S4/14/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES THYER, PETRUS

A Bill for an Act to be Entitled: AN ACT TO PROVIDE AN ADMINISTRATIVE HEARING UNDER THE ARKANSAS CHILD MALTREATMENT ACT SHALL BE IN PERSON; AND FOR OTHER PURPOSES.

House Bill No. 1750 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

| | |
|--|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast | 35 |
| Necessary to the passage of the bill | 18 |

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

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1750 was ordered immediately returned to the House as passed as amended.

On motion of Senator Smith, **House Bill No. 2223** was called up for third reading and final disposition.

HOUSE BILL NO. 2223

As Engrossed: H3/18/03 H3/25/03 H3/27/03 S4/7/03

EIGHTY-FOURTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE R. SMITH

BY: SENATORS B. JOHNSON, HORN

A Bill for an Act to be Entitled: AN ACT TO REGULATE PROFESSIONAL EMPLOYER ORGANIZATIONS; TO PROVIDE CERTAIN EXEMPTIONS FROM REGISTRATION REQUIREMENTS FOR THESE ORGANIZATIONS; TO REQUIRE A PROFESSIONAL *EMPLOYER ORGANIZATION* TO MAINTAIN CERTAIN FINANCIAL STANDARDS FOR THESE ORGANIZATIONS; TO DESIGNATE CERTAIN RECORDS AS CONFIDENTIAL FOR CONFIDENTIALITY; TO ALLOCATE RIGHTS, DUTIES AND OBLIGATIONS UNDER PROFESSIONAL EMPLOYER AGREEMENTS; TO REQUIRE WORKERS' COMPENSATION COVERAGE; AND FOR OTHER PURPOSES.

House Bill No. 2223 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

| | |
|--|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast | 35 |
| Necessary to the passage of the bill | 18 |

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2223 was ordered immediately returned to the House as passed as amended.

On motion of Senator Hendren, House Bill No. 1684 was called up for third reading and final disposition.

HOUSE BILL NO. 1684
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE MATAYO

A Bill for an Act to be Entitled: AN ACT TO ALLOW THE COURT TO SET REASONABLE FEES FOR COMMISSIONERS WHO SELL REAL PROPERTY UNDER JUDICIAL DECREES; AND FOR OTHER PURPOSES.

House Bill No. 1684 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, Faris, Glover, Gullett, Hendren, Higginbothom, Hill, Holt, Horn, G. Jeffress, J. Jeffress, B. Johnson, Laverty, Luker, Madison, Malone, Miller, Salmon, T. Smith, Steele, Trusty, Whitaker, Wilkins, Wilkinson, Wooldridge.

| | |
|--|----|
| Total | 33 |
| NEGATIVE: Altes, Womack. | |
| Total | 2 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast | 35 |
| Necessary to the passage of the bill | 18 |

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1684 was ordered immediately returned to the House as passed.

On motion of Senator Lavery, **House Bill No. 2361** was called up for third reading and final disposition.

HOUSE BILL NO. 2361
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES WOOD, ADAMS, SCROGGIN

A Bill for an Act to be Entitled: AN ACT TO AMEND THE CRIMINAL LAWS PERTAINING TO CABLE TELEVISION AND COMMUNICATION SERVICES; AND FOR OTHER PURPOSES.

House Bill No. 2361 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, Argue, Baker, Bisbee, J. Bookout, Broadway, Brown, Bryles, Capps, Critcher, Faris, Glover, Gullett, Hendren, Higginbothom, Hill, 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:

Total0

VOTING PRESENT: Holt.

Total1

Total number of votes cast35

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2361 was ordered immediately returned to the House as passed.

On motion of Senator Laverty , **House Bill No. 2363** was called up for third reading and final disposition.

HOUSE BILL NO. 2363
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES JACKSON, MILLIGAN, NORTON, ET AL
BY: SENATOR LAVERTY

A Bill for an Act to be Entitled: AN ACT TO CREATE THE ARKANSAS YOUNG AND BEGINNING FARMER ADVISORY BOARD, TO PROVIDE FOR APPOINTMENT OF MEMBERS, AND TO DESCRIBE ITS POWERS AND DUTIES; AND FOR OTHER PURPOSES.

House Bill No. 2363 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, Argue, Baker, Bisbee, J. Bookout, Broadway, Brown, Bryles, Capps, Critcher, Faris, Glover, Gullett, Hendren, Higginbothom, Hill, 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: | |
| Total | 0 |
| VOTING PRESENT: Holt. | |
| Total | 1 |
| Total number of votes cast..... | 35 |
| Necessary to the passage of the bill | 18 |

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2363 was ordered immediately returned to the House as passed.

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

On motion of Senator Hendren, **House Bill No. 1079** was called up for third reading and final disposition.

HOUSE BILL NO. 1079
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE VERKAMP

A Bill for an Act to be Entitled: AN ACT TO ALLOW PARTIES TO A JOINT PETITION FOR FINAL SETTLEMENT IN WORKERS' COMPENSATION CASES TO WAIVE A HEARING ON THE PETITION; AND FOR OTHER PURPOSES.

Senator Womack spoke for the Bill.
Senator Altes spoke against the Bill.
Senator Hendren closed for the Bill.

House Bill No. 1079 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, Bisbee, Critcher, Hendren, Holt, Horn, Laverty, Miller, Salmon, Wilkinson, Womack.

Total11

NEGATIVE: J. Bookout, Brown, Capps, Glover, Gullett, G. Jeffress, J. Jeffress, Madison, Trusty, Whitaker, Wooldridge.

Total11

ABSENT OR NOT VOTING: Argue, Baker, Broadway, Bryles, Faris, Higginbothom, Hill, B. Johnson, Luker, Malone, T. Smith, Steele, Wilkins.

Total13

VOTING PRESENT:

Total0

Total number of votes cast22

Necessary to the passage of the bill18

So the bill failed.

(SIGNED) ANN CORNWELL, SECRETARY

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

The record pertaining to the vote by which **House Bill No. 1079** failed was expunged, in accordance with a prevailing motion on April 15, 2003.

Senator Hendren moved that the record pertaining to the vote by which **House Bill No. 1079** failed be expunged, the motion was duly seconded and prevailed.

On motion of Senator Madison, and without objection, the House was requested to return **House Bill No. 2541** for further consideration.

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

April 15, 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 **House Bill No. 2541**.

Respectfully submitted,

(SIGNED) ANN CORNWELL
Secretary of the Senate

On motion of Senator Womack, **House Bill No. 2459** was called up for third reading and final disposition.

HOUSE BILL NO. 2459
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE HARRIS

A Bill for an Act to be Entitled: AN ACT TO REQUIRE PUBLIC SCHOOL EDUCATIONAL COOPERATIVES TO USE CERTAIN FINANCIAL MANAGEMENT SYSTEMS APPLICATIONS OF THE ARKANSAS PUBLIC SCHOOL COMPUTER NETWORK; AND FOR OTHER PURPOSES.

House Bill No. 2459 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

| | |
|---|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast | 35 |
| Necessary to the passage of the bill..... | 18 |

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 2459**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

Total 35

NEGATIVE:

Total 0

ABSENT OR NOT VOTING:

Total 0

VOTING PRESENT:

Total 0

Total number of votes cast..... 35

Necessary to the passage of the bill..... 24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2459 was ordered immediately returned to the House as passed.

On motion of Senator Luker, the rules were suspended in considering Senate Bill No. 917 at this time.

On motion of Senator Luker, Senate Bill No. 917 was called up for third reading and final disposition.

SENATE BILL NO. 917
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR LUKER

A Bill for an Act to be Entitled: AN ACT TO REAPPORTION THE ELECTORAL DISTRICTS FOR THE ARKANSAS COURT OF APPEALS; TO STAGGER THE TERMS AND ELECTIONS FOR THE MEMBERS OF THE COURT OF APPEALS; AND FOR OTHER PURPOSES.

Senator Wilkins spoke against the Bill.

Senator Luker closed for the Bill.

Senate Bill No. 917 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: Baker, Broadway, Critcher, Hendren, Hill, B. Johnson, Laverty, Luker, Madison, Wilkinson, Wooldridge.

Total11

NEGATIVE: Brown, Capps, Glover, Gullett, Holt, Horn, G. Jeffress, J. Jeffress, Miller, Salmon, Steele, Trusty, Whitaker, Wilkins.

Total14

ABSENT OR NOT VOTING: Altes, Argue, Bisbee, J. Bookout, Bryles, Faris, Higginbothom, Malone, T. Smith, Womack.

Total10

VOTING PRESENT:

Total0

Total number of votes cast25

Necessary to the passage of the bill18

So the bill failed.

(SIGNED) ANN CORNWELL, SECRETARY

On motion of Senator Gullett, **House Bill No. 2730** was called up for third reading and final disposition.

HOUSE BILL NO. 2730
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE AGEE

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

House Bill No. 2730 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

| | |
|--|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast..... | 35 |
| Necessary to the passage of the bill | 18 |

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2730 was ordered immediately returned to the House as passed.

On motion of Senator Broadway, the rules were suspended in considering **House Bill No. 1488** at this time.

On motion of Senator Broadway, **House Bill No. 1488** 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. 1488

Amend **House Bill No. 1488** as engrossed 03/27/03:

Page 1, line 34 after “(d)” add “(1)”

AND

Page 1, delete line 36 and substitute:

“to all felony arrest information and all conviction information.

(2) Felony arrest information that has had a disposition of acquittal, dismissal, or nolle prosequi entered into the Central Repository will not be released under this act.”

AND

Page 2, line 8 after “(2)” add “(A)”

AND

Page 2, line 8 after “records” add “or arrest information”

AND

Page 2, delete line 9 and substitute:

“or disposition information has not been entered into the central repository;

(B) This term does not include misdemeanor arrest information or felony arrest information that has a disposition of acquittal, dismissal or nolle prosequi entered into the Central Repository.”

AND

Page 3, delete lines 33 through 36

AND

Page 4, delete line 1

AND

Page 4, delete lines 2 and 3 and substitute:

“(10) "Pending information" means felony criminal history information in some stage of active prosecution or processing;

(11) "Requestor" means the employer or professional licensing board that has submitted an inquiry into a subject's criminal history information under this act; and”

AND

Page 4, line 28 after “records” add “in an expeditious manner”

AND

Page 5, delete lines 12 through 15 and substitute:

“(d)(1)(A) Each employer or professional licensing board that is allowed access to criminal history information under this act, shall maintain in its files the written consent to obtain the criminal history information given by the applicant or employee.

(B) Any employer or professional licensing board who is granted access to criminal history information under this Act shall not disseminate the criminal history information.”

AND

Page 5, line 21 after “liability” add “, except in instances of gross negligence or intentional malice.”

AND

Page 5, delete line 36

AND

Page 6, delete lines 1 and 2

AND

Page 6, delete lines 29 through 31 and substitute:

“(c)(1) A person, after positive identification verification, may review his or her requestor information maintained through the Department of Arkansas State Police or its designee.”

(SIGNED) SHANE BROADWAY

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1488 was ordered engrossed.

Senate Bill No. 863 was ordered immediately returned to the House as amended..

Malone Bill No. 863 was ordered re-referred to the Committee on JUDICIARY.

Senate Bill No. 620 was ordered immediately returned to the House, as amended.

Senate Bill No. 620 was ordered re-referred to the Committee on CITY, COUNTY AND LOCAL AFFAIRS.

On motion of Senator Hill, the rules were suspended in considering Senate Concurrent Resolution No. 34 at this time.

On motion of Senator Hill, Senate Concurrent Resolution No. 34 was placed back on second reading for purpose of amendment.

HALL OF THE HOUSE OF REPRESENTATIVES
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

Amendment No. 1 to SENATE CONCURRENT RESOLUTION NO. 1

Amend Senate Concurrent Resolution No. 34 as originally introduced:

Page 1, delete lines 9 through 15 and substitute the following:

"TO PROVIDE FOR AN EXTENSION OF THE REGULAR SESSION OF THE EIGHTY-FOURTH GENERAL ASSEMBLY UNTIL SEPTEMBER 26, 2003; TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL ENTER INTO RECESS ON APRIL 19, 2003, OR AT SUCH OTHER TIME AS AGREED UPON BY THE SENATE AND HOUSE OF REPRESENTATIVES; TO PROVIDE THAT THE EIGHTY-FOURTH GENERAL ASSEMBLY MAY BE CONVENED ON OR BEFORE MAY 12 TO CONSIDER VETOES, ERRORS, AND OMISSIONS AND TO COMPLETE ITS WORK ON CONSTITUTIONAL AMENDMENTS; TO PROVIDE THAT THE EIGHTY-FOURTH GENERAL

ASSEMBLY SHALL BE CONVENED AT 12 NOON, SEPTEMBER 8, 2003, FOR THE PURPOSE OF CONSIDERING BILLS, RESOLUTIONS PROPOSING CONSTITUTIONAL AMENDMENTS RELATING TO THE PUBLIC SCHOOLS, THE ESTABLISHMENT AND FUNDING OF PUBLIC EDUCATION PROGRAMS AND THE SUPPORT OF STATE AGENCIES HAVING AUTHORITY OR RESPONSIBILITIES RELATING TO PUBLIC EDUCATION, AND BILLS RELATING TO THE CLASSIFICATION AND ALLOCATION OF REVENUES OF THE STATE; TO PROVIDE THAT THE PRESIDENT PRO TEMPORE OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES MAY BY JOINT PROCLAMATION ADJOURN THE REGULAR SESSION OF THE EIGHTY-FOURTH GENERAL ASSEMBLY AT ANY TIME BETWEEN APRIL 19 AND SEPTEMBER 26, 2003, UPON CERTIFICATION BY THE GOVERNOR THAT AN EMERGENCY EXISTS REQUIRING A SPECIAL SESSION OF THE GENERAL ASSEMBLY."

AND

Page 1, delete lines 18 through 23 and substitute the following:
"TO PROVIDE FOR AN EXTENSION OF THE REGULAR SESSION OF THE EIGHTY-FOURTH GENERAL ASSEMBLY."

AND

Page 1, delete lines 29 through 36

AND

Page 2, delete lines 1 through 12 and substitute the following:

"WHEREAS, in November 2002, the Supreme Court of Arkansas rendered a decision in the case of Lake View School District No. 25 of Phillips County, et al., vs. Huckabee, et al., relating to the requirement of Arkansas Constitution, Article 14, Section 1, that the state provide a system of free public schools; and

WHEREAS, in the Lake View decision the court ruled that the Arkansas Constitution requires the state to maintain a "general, suitable, and efficient system of free public schools"; that the Constitution places on the state an absolute duty to ensure that an adequate education is available to all school children of Arkansas; that the state's school funding system fails to meet the constitutional requirement, and is both inadequate and inequitable; that the state's failure in this duty places the entire system of public education in legal jeopardy; and that the state should first determine what constitutes an adequate education in Arkansas, and then ensure that opportunity for an adequate education is afforded to the school children of the state; and

WHEREAS, the court has stayed the issuance of its mandate in the Lake View case until January 1, 2004, in order that "the General Assembly and the State Department of Education should have time to correct this constitutional deficiency in public school funding and time to chart a new course for public education in Arkansas"; and

WHEREAS, in the Lake View case, the Arkansas Supreme Court directed the state to perform a study to assist it in determining what constitutes an "adequate" education for Arkansas children; and

WHEREAS, the results of the adequacy study ordered by the Supreme Court in the Lake View case are necessary to enable the General Assembly to determine appropriate action that must be taken to comply with the Arkansas Constitution, as interpreted by the Supreme Court in the Lake View case; and

WHEREAS, the Eighty-Fourth session of the Arkansas General Assembly has enacted legislation and appropriated funds necessary to commission an adequacy study, and the state has contracted for the completion of an adequacy study; and

WHEREAS, the adequacy study is not yet completed and cannot be completed before September 1, 2003; and

WHEREAS, important work remains to be done by the Eighty-Fourth General Assembly, including work presently pending in the form of bills, resolutions, and proposed constitutional amendments relating to the governance, operation, and funding of public schools, and designed to make the state's system of public schools comply with the provisions of the state constitution and the decision of the Supreme Court in the Lake View case; and

WHEREAS, the raising and allocation of additional revenue for education and any changes in the structure and governance of public schools that may be required to meet the standards set out by the court in the Lake View case may necessitate the referral to the voters of one or more proposed constitutional amendments including, but not limited to, amendments pertaining to the rate and method of collection and the allocation of ad valorem property taxes; and

WHEREAS, proposed amendments to the Arkansas Constitution may only be referred in a regular session of the General Assembly, making a special session of the General Assembly inadequate and inappropriate to satisfactorily deal with the task before the General Assembly, which task is to effectively restructure and adequately finance the public school system of this state in order to ensure compliance with Article 14, Section 1 of the Arkansas Constitution as interpreted by the Arkansas Supreme Court in the Lake View case,

NOW THEREFORE,
BE IT RESOLVED BY THE SENATE OF THE EIGHTY-FOURTH GENERAL
ASSEMBLY OF THE STATE OF ARKANSAS, THE HOUSE OF
REPRESENTATIVES CONCURRING THEREIN:

SECTION 1. The regular session of the Eighty-Fourth General Assembly of Arkansas is hereby extended until the close of business on September 26, 2003, at which time it shall be adjourned sine die unless extended further by a vote of two-thirds of the members of each house.

SECTION 2. The General Assembly shall enter into recess at the close of business on Saturday, April 19, 2003, or at such other time as shall be agreed upon by the Senate and House of Representatives.

SECTION 3. The President Pro Tempore of the Senate and the Speaker of the House of Representatives may, by joint proclamation, reconvene the General Assembly at any time on or before May 12, 2003, for the purpose of considering vetoes, correcting errors, oversights, and omissions and completing its work on proposed constitutional amendments, including but not limited to any constitutional amendment or amendments dealing with public school finance which may be needed or required as a result of the Lake View case.

SECTION 4. If the General Assembly is reconvened pursuant to section 3, it shall stand in recess upon completion of the tasks for which it was reconvened.

SECTION 5. The regular session of the Eighty-Fourth General Assembly shall reconvene at 12 noon on September 8, 2003, for the following purposes only:

(a) Consideration and adoption of joint resolutions proposing amendments to the Arkansas Constitution relating to the governance, operation, and funding of public schools, including but not limited to proposed amendments pertaining to the levy, rate, and method of collection and the allocation of ad valorem property taxes; and

(b) Consideration and passage of bills relating to the governance, operation, and funding of public schools, including but not limited to bills relating to public school teacher salaries, educational standards, student testing and evaluation, and public school and school district accountability, bills relating to the establishment and funding of programs relating to public education, and bills relating to the support of state agencies having authority or responsibilities relating to public education.

SECTION 6. Notwithstanding the above, the President Pro Tempore of the Senate and the Speaker of the House of Representatives may, at any time between April 19 and September 26, adjourn the Regular Session of the Eighty-Fourth General Assembly sine die upon certification by the Governor that an emergency exists requiring a special session of the General Assembly."

(SIGNED) JODIE MAHONY

Amendment No. 1 to Senate Concurrent Resolution No. 34, 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 Hill, **Senate Concurrent Resolution No. 34** was called up for the purpose of considering **Amendment No. 3** thereto, adopted by the House.

**HALL OF THE HOUSE OF REPRESENTATIVES
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION**

Amendment No. 3 to SENATE CONCURRENT RESOLUTION NO. 34

Amend **Senate Concurrent Resolution No. 34** as engrossed, H4/14/03:

Delete the title and substitute the following:

"EXTENDING THE REGULAR SESSION OF THE
EIGHTY-FOURTH GENERAL ASSEMBLY UNTIL
THE CLOSE OF BUSINESS, WEDNESDAY,
APRIL 16, 2003."

AND

Delete the subtitle and substitute the following:

"EXTENDING THE REGULAR SESSION OF THE
EIGHTY-FOURTH GENERAL ASSEMBLY UNTIL
THE CLOSE OF BUSINESS, WEDNESDAY,
APRIL 16, 2003."

AND

Page 2, delete lines 11 through 36

AND

Page 3, delete lines 1 through 36

AND

Page 4, delete lines 1 through 36

AND

Page 5, delete lines 1 through 14 and substitute the following:

"SECTION 1. The Regular Session of the Eighty-Fourth General Assembly is extended until the close of business on Wednesday, April 16, 2003."

(SIGNED) JODIE MAHONY

Amendment No. 3 to Senate Concurrent Resolution No. 34, 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 Hill, and without objection, the rules were suspended pertaining to passage of Amendment and Bill on the same day.

On motion of Senator Hill, **Senate Concurrent Resolution No. 34** was called up for third reading.

SENATE CONCURRENT RESOLUTION NO. 34

As Engrossed: H4/14/03 H4/15/03

EIGHTY-FOURTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATOR BAKER

A Bill for an Act to be Entitled: *EXTENDING THE REGULAR SESSION OF THE EIGHTY-FOURTH GENERAL ASSEMBLY UNTIL THE CLOSE OF BUSINESS, WEDNESDAY, APRIL 16, 2003.*

Senate Concurrent Resolution No. 34 was read the third time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Concurrent Resolution No. 34 was ordered enrolled.

On motion of Senator Steele, **Senate Bill No. 132** was withdrawn from the Committee on JOINT RETIREMENT AND SOCIAL SECURITY, and placed on the Calendar.

Without objection, **Senate Bill No. 132** was withdrawn by the author.

On motion of Senator Salmon, **House Bill No. 2474** was called up for third reading and final disposition.

HOUSE BILL NO. 2474
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE MARTIN

A Bill for an Act to be Entitled: AN ACT TO REQUIRE DEFENDANTS TO REIMBURSE ABUSE SHELTERS OR OTHER ENTITIES PROVIDING SERVICES TO VICTIMS OF DOMESTIC ABUSE; AND FOR OTHER PURPOSES.

House Bill No. 2474 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

| | |
|--|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast | 35 |
| Necessary to the passage of the bill | 18 |

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2474 was ordered immediately returned to the House as passed.

On motion of Senator Salmon, **House Bill No. 1958** was called up for third reading and final disposition.

HOUSE BILL NO. 1958
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE BRIGHT

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE § 9-9-220(c)(1) RELATING TO THE RELINQUISHMENT AND TERMINATION OF PARENT AND CHILD RELATIONSHIP; AND FOR OTHER PURPOSES.

House Bill No. 1958 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

| | |
|--|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast..... | 35 |
| Necessary to the passage of the bill | 18 |

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1958 was ordered immediately returned to the House as passed.

On motion of Senator Salmon, **House Bill No. 2450** was called up for third reading and final disposition.

HOUSE BILL NO. 2450
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE BRIGHT

A Bill for an Act to be Entitled: AN ACT TO AMEND THE TEACHER SALARY SCHEDULE; TO ALLOW TO REQUIRE DISTRICTS TO CREDIT TEACHER'S FOR ALL TEACHING EXPERIENCE; AND FOR OTHER PURPOSES.

House Bill No. 2450 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total34

NEGATIVE: Holt.

Total1

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2450 was ordered immediately returned to the House as passed.

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

April 15, 2003

Mr. President:

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

SENATE BILL NO. 340, 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 to concur in House Amendment.

Respectfully submitted,

(SIGNED) TIM WOOLDRIDGE, CHAIRMAN
PAUL MILLER
SHARON TRUSTY
JIM HILL
BOBBY GLOVER
GENE JEFFRESS

On motion of Senator Bisbee, the rules were suspended in considering **Senate Bill No. 178** at this time.

On motion of Senator Bisbee, **Senate Bill No. 178** was placed back on second reading for purpose of amendment.

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 4 to SENATE BILL NO. 178

JBC 04/14/03 (16)

Amend **Senate Bill No. 178** as engrossed, 04/01/03:

Page 3, line 33, delete "\$8,188,728" and substitute "\$8,976,302"
AND
Page 3, line 34, delete "\$8,188,728" and substitute "\$9,143,052"
AND
Page 4, line 6, delete "\$ 8,792,851 \$ 8,792,851" and substitute
"\$ 7,055,006 \$ 7,155,205"
AND
Page 4, line 7, delete "\$ 8,792,851 \$ 8,792,851" and substitute
"\$ 7,055,006 \$ 7,155,205"
AND
Page 4, line 10, delete "\$ 495,877 \$ 495,877" and substitute
"\$ 521,831 \$ 527,982"
AND
Page 5, line 10, delete "\$21,791,396" and substitute "\$27,142,288"
AND
Page 5, line 11, delete "\$21,791,396" and substitute "\$27,967,288"
AND
Page 5, line 18, delete "\$ 20,416,591 \$ 20,416,591" and substitute
"\$ 22,910,246 \$ 23,735,246"
AND
Page 5, line 19, delete "\$ 20,416,591 \$ 20,416,591" and substitute
"\$ 22,910,246 \$ 23,735,246"
AND
Page 5, line 22, delete "\$ 750,000 \$ 750,000" and substitute
"\$ 1,432,586 \$ 1,432,586"
AND
Page 5, line 23, delete "\$ 624,805 \$ 624,805" and substitute
"\$ 799,456 \$ 799,456"
AND
Page 7, line 16, delete "\$16,577,433" and substitute "\$27,275,721"
AND
Page 7, line 17, delete "\$16,577,433" and substitute "\$28,338,221"
AND
Page 7, line 24, delete "\$ 12,384,553 \$ 12,384,553" and substitute
"\$ 12,446,987 \$ 13,509,487"

AND

Page 7, line 25, delete "\$ 12,384,553 \$ 12,384,553" and substitute "\$ 12,446,987 \$ 13,509,487"

AND

Page 7, line 28, delete "\$ 4,192,880 \$ 4,192,880" and substitute "\$ 10,567,800 \$ 11,630,490"

AND

Page 7, line 29, delete "\$ 5,331,305 \$ 5,331,305" and substitute "\$ 5,331,305 \$ 1,066,749"

(SIGNED) DAVID A. BISBEE

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

(SIGNED) ANN CORNWELL, SECRETARY

On motion of Senator Bisbee, the rules were suspended in considering **Senate Bill No. 189** at this time.

On motion of Senator Bisbee, **Senate Bill No. 189** was placed back on second reading for purpose of amendment.

**ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 3 to SENATE BILL NO. 189**

JBC 04/14/03 (17)

Amend **Senate Bill No. 189** as originally introduced:

Page 3, delete lines 34 through 36 in their entirety and substitute the following:

| | | |
|--------------------------|---------------|---------------|
| "(01) REGULAR SALARIES | \$ 10,968,871 | \$ 11,265,030 |
| (02) EXTRA HELP | 126,892 | 126,892 |
| (03) PERSONAL SERV MATCH | 2,999,797 | 3,054,159" |

AND

Page 4, delete lines 1 through 9 in their entirety and substitute the following:

| | | |
|-------------------------------|----------------------|----------------------|
| "(04) OVERTIME | 5,000 | 5,000 |
| (05) MAINT. & GEN. OPERATION | | |
| (A) OPER. EXPENSE | 3,129,077 | 3,129,077 |
| (B) CONF. & TRAVEL | 235,840 | 235,840 |
| (C) PROF. FEES | 355,132 | 355,132 |
| (D) CAP. OUTLAY | 0 | 0 |
| (E) DATA PROC. | 0 | 0 |
| (06) DATA PROCESSING SERVICES | <u>89,800</u> | <u>89,800</u> |
| TOTAL AMOUNT APPROPRIATED | <u>\$ 17,910,409</u> | <u>\$18,260,930"</u> |

AND

Page 4, delete lines 19 through 27 in their entirety and substitute the following:

| | | |
|--|------------------------|-------------------------|
| "(01) PRIVATE NURSING HOME CARE | \$ 488,866,748 | \$ 528,536,619 |
| (02) INFANT INFIRMARY | 19,058,505 | 19,600,261 |
| (03) PUBLIC NURSING HOME CARE | 136,481,442 | 140,455,885 |
| (04) PRESCRIPTION DRUGS | 348,826,208 | 399,753,505 |
| (05) HOSPITAL AND MEDICAL SERVICES | 1,850,504,148 | 2,001,613,071 |
| (06) CHILD AND FAMILY LIFE INSTITUTE | 2,100,000 | 2,100,000 |
| (07) PRESCRIPTION DRUG WAIVER FOR THE ELDERLY | 19,280,065 | 19,280,065 |
| TOTAL AMOUNT APPROPRIATED | <u>\$2,865,117,116</u> | <u>\$3,111,339,406"</u> |

AND

Page 5, delete line 2 in its entirety and substitute the following:

| | | |
|------------------------|----------------------|-----------------------|
| "(01) ARKIDS B PROGRAM | <u>\$ 47,368,431</u> | <u>\$ 52,230,965"</u> |
|------------------------|----------------------|-----------------------|

AND

Immediately following SECTION 19 insert the additional Sections 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. The State Plan must include the provision of EPSDT services as those services are defined in §1396d(r). See §§ 1396a(a)(10)(A), 1396d(a)(4)(B); see also 1396a(a)(43). Section 1396d(r) lists in detail the screening services, vision services, dental services, and hearing services that the State Plan must expressly include, but with regard to treatment services, it states that EPSDT means "[s]uch other necessary health care, diagnostic services, treatment, and other measures described in subsection (a) of this section to correct or ameliorate defects and physical and mental illnesses and conditions discovered by the screening services, whether or not such services are covered under the State plan." 42 U.S.C. § 1396d(r)(5) (emphasis added). Reading §1396a, § 1396d(a), and § 1396d(r) together, we believe that the State Plan need not specifically list every treatment service conceivably available under the EPSDT mandate.

The State Plan, however, must pay part or all of the cost of treatments to ameliorate conditions discovered by the screening process when those treatments meet. The definitions set forth in § 1396a. See § 1396d(r)(5); see also §§ 1396a(a)(10), 1396a(a)(43), and 1396d(a)(4)(B). The Arkansas State Plan states that the "State will provide other health care described in [42 U.S.C. 1396d(a)] that is found to be medically necessary to correct or ameliorate defects and physical and mental illnesses and conditions discovered by the screening services, even when such health care is not otherwise covered under the State Plan." See State Plan Under Title XIX of the Social Security Act Medical Assistance Program, State Of Arkansas at § 4.b. This provision Meets the EPSDT mandate of the Medicaid Act.

We affirm the district court's decision to the extent that it holds that a Medicaid-Eligible individual has a federal right to early intervention day treatment when a physician recommends such treatment. Section 1396d(r)(5) states that EPSDT includes any treatments or measures outlined in § 1396d(a). There are twenty-seven sub-parts to § 1396d(a), and we find that sub-part (a)(13), in particular, when read with the other sections of the Medicaid Act listed above, mandates that early intervention day treatment be provided when it is prescribed by a physician. See 42 U.S.C. § 1396d(a)(13) (defining medical assistance reimbursable by Medicaid as

"other diagnostic, screening, preventive, and rehabilitative services, including any medical or remedial services recommended by a physician...for the maximum reduction of physical and mental disability and restoration of an individual to the best possible functional level"). Therefore, after CHMS clinic staff perform a diagnostic evaluation of an eligible child, if the CHMS physician prescribes early intervention day treatment as a service that would lead to the maximum reduction of medical and physical disabilities and restoration of the child to his or her best possible functional level, the Arkansas State Plan must reimburse the treatment. Because CHMS clinics are the only providers of early intervention day treatment, Arkansas must reimburse those clinics.

SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS HEALTH CENTER. (A) The Department of Human Services shall not close the Arkansas Health Center that provides skilled nursing through specialized services and programs.

(B) The Department of Human Services shall continue to accept clients for whom it has determined that skilled nursing and specialized services are needed at the Arkansas Health Center.

(C) No funds shall be transferred or reduced from the Arkansas Health Center, except for use as federal matching funds, below the approved funding level on March 1, 2003 without the prior approval of the Arkansas Legislative Council or the Joint Budget Committee.

(D) Determining the maximum amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. This is usually accomplished by delineating such maximums in the appropriation act(s) for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization law. Further, the General Assembly has determined that the Department of Human Services may operate more efficiently if some flexibility is provided to the Department of Human Services authorizing broad powers under this Section. Therefore, it is both necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative Council or Joint Budget Committee as provided by this section. The requirement of approval by the Legislative Council or Joint Budget Committee is not a severable part of this section. If the requirement of approval by the Legislative Council or Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this entire section is void.

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

AND

Appropriately renumber the sections of the bill.

(SIGNED) DAVID A. BISBEE

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

(SIGNED) ANN CORNWELL, SECRETARY

On motion of Senator Bisbee, the rules were suspended in considering **Senate Bill No. 251** at this time.

On motion of Senator Bisbee, **Senate Bill No. 251** was placed back on second reading for purpose of amendment.

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 3 to SENATE BILL NO. 251

JBC 04/14/03 (18)

Amend **Senate Bill No. 251** as originally introduced:

Page 8, delete lines 26 through 36 in their entirety and substitute the following:

| | | |
|------------------------------|---------------|---------------|
| "(01) REGULAR SALARIES | \$ 64,024,265 | \$ 65,753,481 |
| (02) EXTRA HELP | 4,178,640 | 4,178,972 |
| (03) PERSONAL SERVICE MATCH | 20,776,615 | 21,095,173 |
| (04) OVERTIME | 201,525 | 202,360 |
| (05) EXTRA SALARIES | 9,000 | 9,000 |
| (06) MAINT. & GEN. OPERATION | | |
| (A) OPER. EXPENSE | 14,295,495 | 14,577,871 |
| (B) CONF. & TRAVEL | 186,245 | 186,637 |
| (C) PROF. FEES | 272,202 | 298,698 |
| (D) CAP. OUTLAY | 948,665 | 840,312 |
| (E) DATA PROC. | 0 | 0" |

AND

Page 9, delete lines 1 through 7 in their entirety and substitute the following:

| | | |
|---------------------------------------|-----------------------|------------------------|
| "(07) GRANTS/PATIENT SERVICES | 17,257,368 | 29,157,368 |
| (08) FOSTER GRANDPARENTS STIPENDS | 402,000 | 402,000 |
| (09) DATA PURCHASE SERVICES | 1,570,159 | 1,570,159 |
| (10) VOCATIONAL TRAINEES | 174,050 | 177,368 |
| (11) CHILDREN AND ADOLESCENT SERVICES | 2,287,824 | 2,515,918 |
| (12) PURCHASE OF SERVICES | <u>4,203,066</u> | <u>4,203,066</u> |
| TOTAL AMOUNT APPROPRIATED | <u>\$ 130,787,119</u> | <u>\$ 145,168,383"</u> |

AND

Immediately following SECTION 16 insert an additional Section to read as follows:

“ SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HUMAN DEVELOPMENT CENTERS AND COMMUNITY PROVIDERS.

(A) The Developmental Disabilities Services Board or the Department of Human Services shall not close any of the state administered Human Development Centers that provide therapy and residential services.

(B) The Department of Human Services shall continue to accept clients for whom it has determined that therapy and residential services are needed at state administered Human Development Centers and Community Programs licensed by DDS shall continue to accept clients for whom it has been determined in accordance with federal law that are in need of services in the community.

(C) Except for use as federal matching funds, no funds for community based services licensed by DDS shall be transferred from Grants to Community Providers line item of the Developmental Disabilities Services - Grants-in-Aid unless the transfer(s) directly benefits community based services for persons with developmental disabilities or from the appropriation for the Human Development Centers unless the transfer(s) directly benefits the Human Development Centers.

(D) Nor shall any general revenue funding as of March 1, 2003 from the Grants to Community Providers line item of the Developmental Disabilities Services - Grants-in-Aid appropriation for persons with developmental disabilities or from any other general revenues as of March 1, 2003, applied as federal matching funds for community based services licensed by DDS on March 1, 2003 be reduced below the approved funding level on March 1, 2003; nor shall the general revenues applied as federal matching funds for the Human Development Centers be reduced below the approved funding level on March 1, 2003."

AND

Appropriately renumber the sections of the bill.

(SIGNED) DAVID A. BISBEE

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

(SIGNED) ANN CORNWELL, SECRETARY

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

On motion of Senator Bisbee, **Senate Bill No. 178** was called up for third reading and final disposition.

SENATE BILL NO. 178
As Engrossed: S3/20/03 S3/27/03 S4/1/03
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 DEPARTMENT OF HUMAN SERVICES - DIVISION OF YOUTH SERVICES FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2005; AND FOR OTHER PURPOSES.

Senate Bill No. 178 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

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| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast | 35 |
| Necessary to the passage of the bill | 27 |

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. 178**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

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| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast..... | 35 |
| Necessary to the passage of the bill | 24 |

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 178 was ordered engrossed.

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

On motion of Senator Bisbee, **Senate Bill No. 189** was called up for third reading and final disposition.

SENATE BILL NO. 189
As Engrossed: S3/20/03 S3/27/03
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 DEPARTMENT OF HUMAN SERVICES - DIVISION OF MEDICAL SERVICES FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2005; AND FOR OTHER PURPOSES.

Senate Bill No. 189 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

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| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast | 35 |
| Necessary to the passage of the bill | 27 |

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. 189**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

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|--|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast..... | 35 |
| Necessary to the passage of the bill | 24 |

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 189 was ordered engrossed.

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

On motion of Senator Bisbee, **Senate Bill No. 251** was called up for third reading and final disposition.

SENATE BILL NO. 251
As Engrossed: S3/20/03 S3/27/03
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 DEPARTMENT OF HUMAN SERVICES - DIVISION OF DEVELOPMENTAL DISABILITIES SERVICES FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2005; AND FOR OTHER PURPOSES.

Senate Bill No. 251 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

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|--|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast | 35 |
| Necessary to the passage of the bill | 27 |

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. 251**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

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|--|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast..... | 35 |
| Necessary to the passage of the bill | 24 |

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 251 was ordered engrossed.

On motion of Senator Bisbee, the rules were suspended in considering **House Bill No. 2149** at this time.

On motion of Senator Bisbee, **House Bill No. 2149** was called up for third reading and final disposition.

**HOUSE BILL NO. 2149
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE WHITE**

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR EXPENSES NECESSARY TO DEVELOP A COMPREHENSIVE PLAN TO REVISE CONTENT STANDARDS AND CURRICULUM FRAMEWORKS IN CORE ACADEMIC AREAS OF READING, WRITING, MATHEMATICS, SCIENCE, HISTORY, GEOGRAPHY, AND CIVICS FOR THE DEPARTMENT OF EDUCATION FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2005; AND FOR OTHER PURPOSES.

House Bill No. 2149 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

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| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast | 35 |
| Necessary to the passage of the bill | 27 |

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. 2149**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

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| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast..... | 35 |
| Necessary to the passage of the bill..... | 24 |

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2149 was ordered immediately returned to the House as passed.

On motion of Senator Bisbee, the rules were suspended in considering Senate Bill No. 455 at this time.

On motion of Senator Bisbee, Senate Bill No. 455 was called up for third reading and final disposition.

SENATE BILL NO. 455
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 ETHICS COMMISSION FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2005; AND FOR OTHER PURPOSES.

Senate Bill No. 455 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

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| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast | 35 |
| Necessary to the passage of the bill | 27 |

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. 455**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

| | |
|--|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast..... | 35 |
| Necessary to the passage of the bill | 24 |

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 455 was ordered immediately transmitted to the House.

On motion of Senator Bisbee, the rules were suspended in considering Senate Bill No. 640 at this time.

On motion of Senator Bisbee, Senate Bill No. 640 was called up for third reading and final disposition.

SENATE BILL NO. 640
As Engrossed: S3/11/03 S4/9/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR WOMACK

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES FOR THE UNIVERSITY OF ARKANSAS FOR MEDICAL SCIENCES - NORTH CENTRAL AREA HEALTH EDUCATION CENTER FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2005; AND FOR OTHER PURPOSES.

Senate Bill No. 640 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

| | |
|--|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast | 35 |
| Necessary to the passage of the bill | 27 |

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. 640**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

| | |
|--|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast..... | 35 |
| Necessary to the passage of the bill | 24 |

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 640 was ordered immediately transmitted to the House.

On motion of Senator Bisbee, the rules were suspended in considering **House Bill No. 1094** at this time.

On motion of Senator Bisbee, **House Bill No. 1094** was called up for third reading and final disposition.

**HOUSE BILL NO. 1094
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 MOTOR VEHICLE COMMISSION FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2005; AND FOR OTHER PURPOSES.

House Bill No. 1094 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

| | |
|--|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast | 35 |
| Necessary to the passage of the bill | 27 |

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. 1094**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

Total 35

NEGATIVE:

Total 0

ABSENT OR NOT VOTING:

Total 0

VOTING PRESENT:

Total 0

Total number of votes cast..... 35

Necessary to the passage of the bill..... 24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1094 was ordered immediately returned to the House as passed.

On motion of Senator Bisbee, the rules were suspended in considering **House Bill No. 1098** at this time.

On motion of Senator Bisbee, **House Bill No. 1098** was called up for third reading and final disposition.

**HOUSE BILL NO. 1098
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 AUCTIONEERS LICENSING BOARD FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2005; AND FOR OTHER PURPOSES.

House Bill No. 1098 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

| | |
|--|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast | 35 |
| Necessary to the passage of the bill | 27 |

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. 1098**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

| | |
|---|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast..... | 35 |
| Necessary to the passage of the bill..... | 24 |

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1098 was ordered immediately returned to the House as passed.

On motion of Senator Bisbee, the rules were suspended in considering **House Bill No. 1304** at this time.

On motion of Senator Bisbee, **House Bill No. 1304** was called up for third reading and final disposition.

**HOUSE BILL NO. 1304
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 QUAPAW TECHNICAL INSTITUTE FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2005; AND FOR OTHER PURPOSES.

House Bill No. 1304 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

| | |
|--|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast | 35 |
| Necessary to the passage of the bill | 27 |

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. 1304**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

| | |
|---|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast..... | 35 |
| Necessary to the passage of the bill..... | 24 |

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1304 was ordered immediately returned to the House as passed.

On motion of Senator Bisbee, the rules were suspended in considering **House Bill No. 1393** at this time.

On motion of Senator Bisbee, **House Bill No. 1393** was called up for third reading and final disposition.

**HOUSE BILL NO. 1393
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE**

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

House Bill No. 1393 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

| | |
|--|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast | 35 |
| Necessary to the passage of the bill | 27 |

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. 1393**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

| | |
|---|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast..... | 35 |
| Necessary to the passage of the bill..... | 24 |

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1393 was ordered immediately returned to the House as passed.

On motion of Senator Bisbee, the rules were suspended in considering **House Bill No. 1419** at this time.

On motion of Senator Bisbee, **House Bill No. 1419** was called up for third reading and final disposition.

HOUSE BILL NO. 1419
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

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

House Bill No. 1419 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

| | |
|--|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast | 35 |
| Necessary to the passage of the bill | 27 |

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. 1419**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

| | |
|---|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast..... | 35 |
| Necessary to the passage of the bill..... | 24 |

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1419 was ordered immediately returned to the House as passed.

On motion of Senator Bisbee, the rules were suspended in considering **House Bill No. 1511** at this time.

On motion of Senator Bisbee, **House Bill No. 1511** was called up for third reading and final disposition.

**HOUSE BILL NO. 1511
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE**

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

House Bill No. 1511 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

| | |
|--|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast | 35 |
| Necessary to the passage of the bill | 27 |

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. 1511**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35

Necessary to the passage of the bill.....24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1511 was ordered immediately returned to the House as passed.

On motion of Senator Bisbee, the rules were suspended in considering **House Bill No. 1533** at this time.

On motion of Senator Bisbee, **House Bill No. 1533** was called up for third reading and final disposition.

**HOUSE BILL NO. 1533
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE**

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

House Bill No. 1533 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

| | |
|--|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast | 35 |
| Necessary to the passage of the bill | 27 |

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. 1533**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

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|---|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast..... | 35 |
| Necessary to the passage of the bill..... | 24 |

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1533 was ordered immediately returned to the House as passed.

On motion of Senator Bisbee, the rules were suspended in considering **House Bill No. 1536** at this time.

On motion of Senator Bisbee, **House Bill No. 1536** was called up for third reading and final disposition.

**HOUSE BILL NO. 1536
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE**

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

House Bill No. 1536 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

| | |
|--|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast | 35 |
| Necessary to the passage of the bill | 27 |

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. 1536**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

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|---|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast..... | 35 |
| Necessary to the passage of the bill..... | 24 |

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1536 was ordered immediately returned to the House as passed.

On motion of Senator Bisbee, the rules were suspended in considering **House Bill No. 1558** at this time.

On motion of Senator Bisbee, **House Bill No. 1558** was called up for third reading and final disposition.

**HOUSE BILL NO. 1558
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 EMPLOYMENT SECURITY DEPARTMENT FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2005; AND FOR OTHER PURPOSES.

House Bill No. 1558 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

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|--|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast | 35 |
| Necessary to the passage of the bill | 27 |

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. 1558**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

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|---|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast..... | 35 |
| Necessary to the passage of the bill..... | 24 |

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1558 was ordered immediately returned to the House as passed.

On motion of Senator Bisbee, the rules were suspended in considering **House Bill No. 1564** at this time.

On motion of Senator Bisbee, **House Bill No. 1564** was called up for third reading and final disposition.

**HOUSE BILL NO. 1564
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 TECH UNIVERSITY FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2005; AND FOR OTHER PURPOSES.

House Bill No. 1564 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

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|--|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast | 35 |
| Necessary to the passage of the bill | 27 |

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. 1564**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

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|---|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast..... | 35 |
| Necessary to the passage of the bill..... | 24 |

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1564 was ordered immediately returned to the House as passed.

On motion of Senator Bisbee, the rules were suspended in considering **House Bill No. 1716** at this time.

On motion of Senator Bisbee, **House Bill No. 1716** was called up for third reading and final disposition.

**HOUSE BILL NO. 1716
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE**

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

House Bill No. 1716 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

| | |
|--|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast | 35 |
| Necessary to the passage of the bill | 27 |

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. 1716**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

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|---|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast..... | 35 |
| Necessary to the passage of the bill..... | 24 |

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1716 was ordered immediately returned to the House as passed.

On motion of Senator Bisbee, the rules were suspended in considering **House Bill No. 1978** at this time.

On motion of Senator Bisbee, **House Bill No. 1978** was called up for third reading and final disposition.

HOUSE BILL NO. 1978
As Engrossed: H3/24/03 H3/28/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE KEY

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF HEALTH; TO AUTHORIZE A FUND TRANSFER BY THE ARKANSAS DEPARTMENT OF HEALTH TO THE *DRUG PREVENTION AND INTERVENTION PROGRAM FUND FROM THE REMAINING MONIES SET ASIDE FOR THE YOUTH VIOLENCE PREVENTION (COMMON GROUND)*; AND FOR OTHER PURPOSES.

House Bill No. 1978 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

| | |
|--|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast | 35 |
| Necessary to the passage of the bill | 27 |

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. 1978**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

| | |
|---|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast..... | 35 |
| Necessary to the passage of the bill..... | 24 |

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1978 was ordered immediately returned to the House as passed.

STATE OF ARKANSAS
OFFICE OF THE GOVERNOR

STATE CAPITOL
LITTLE ROCK, ARKANSAS

MIKE HUCKABEE
Governor

April 15, 2003

TO THE PRESIDENT OF THE SENATE

Dear Mr. President:

This is to inform your Honorable Body that on April 14, 2003, I approved the following measure:

Senate Bill No. 43, which is now Act 1278 of 2003, and
Senate Bill No. 75, which is now Act 1279 of 2003, and
Senate Bill No. 104, which is now Act 1280 of 2003, and
Senate Bill No. 108, which is now Act 1281 of 2003, and
Senate Bill No. 182, which is now Act 1282 of 2003, and
Senate Bill No. 203, which is now Act 1283 of 2003, and
Senate Bill No. 319, which is now Act 1284 of 2003, and
Senate Bill No. 320, which is now Act 1285 of 2003, and
Senate Bill No. 334, which is now Act 1286 of 2003, and
Senate Bill No. 363, which is now Act 1287 of 2003, and
Senate Bill No. 379, which is now Act 1288 of 2003, and
Senate Bill No. 501, which is now Act 1289 of 2003, and
Senate Bill No. 503, which is now Act 1290 of 2003, and
Senate Bill No. 575, which is now Act 1291 of 2003, and
Senate Bill No. 606, which is now Act 1292 of 2003, and
Senate Bill No. 610, which is now Act 1293 of 2003, and
Senate Bill No. 689, which is now Act 1294 of 2003, and
Senate Bill No. 701, which is now Act 1295 of 2003, and
Senate Bill No. 719, which is now Act 1296 of 2003, and
Senate Bill No. 724, which is now Act 1297 of 2003, and
Senate Bill No. 725, which is now Act 1298 of 2003, and
Senate Bill No. 750, which is now Act 1299 of 2003, and
Senate Bill No. 759, which is now Act 1300 of 2003, and
Senate Bill No. 832, which is now Act 1301 of 2003, and
Senate Bill No. 867, which is now Act 1302 of 2003, and
Senate Bill No. 879, which is now Act 1303 of 2003, and
Senate Bill No. 905, which is now Act 1304 of 2003, and
Senate Bill No. 912, which is now Act 1305 of 2003, and
Senate Bill No. 942, which is now Act 1306 of 2003.

Sincerely,

(SIGNED) MIKE HUCKABEE
Governor

MH:sm

cc: Speaker of the House

STATE OF ARKANSAS
OFFICE OF THE GOVERNOR
STATE CAPITOL
LITTLE ROCK, ARKANSAS

MIKE HUCKABEE
Governor

April 15, 2003

TO THE PRESIDENT OF THE SENATE

Dear Mr. President:

This is to inform your Honorable Body that on April 14, 2003, I approved the following measure:

Senate Bill No. 873, which is now Act 1366 of 2003,

Sincerely,

(SIGNED) MIKE HUCKABEE
Governor

MH:sm

cc: Speaker of the House

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

SENATE BILL NO. 691

SENATE BILL NO. 733

SENATE BILL NO. 806

SENATE BILL NO. 856

Senate Bill No. 948 returned from the House as passed as amended.

Senate Bill No. 720 returned from the House as passed and ordered enrolled:

Senate Bill No. 936 returned from the House as passed and ordered enrolled:

HOUSE BILL NO. 1173

As Engrossed: H2/6/03

EIGHTY-FOURTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES BENNETT, MILLIGAN, SCROGGIN, ET AL

BY: SENATORS HORN, FARIS, MILLER

A Bill for an Act to be Entitled: AN ACT TO AUTHORIZE A RETIREE FROM THE ARKANSAS LOCAL POLICE AND FIRE RETIREMENT SYSTEM OR A FIREMEN'S PENSION AND RELIEF FUND TO RETURN TO VOLUNTEER STATUS AFTER QUALIFYING FOR A RETIREMENT ANNUITY OR PENSION; AND FOR OTHER PURPOSES.

House Bill No. 1173 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1655
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE VERKAMP

A Bill for an Act to be Entitled: AN ACT TO CLARIFY RESPONSIBILITIES OF REAL ESTATE LICENSEES AND APPRAISERS; AND FOR OTHER PURPOSES.

House Bill No. 1655 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES AND GOVERNMENTAL AFFAIRS.

HOUSE BILL NO. 2594
As Engrossed: H4/14/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES FITE, WALTERS, PATE

A Bill for an Act to be Entitled: AN ACT TO REQUIRE PERSONS SEATED IN A WHEELCHAIR IN A MOTOR VEHICLE TO WEAR A SEAT BELT AND TO REQUIRE THE WHEELCHAIR TO BE PROPERLY SECURED IN THE MOTOR VEHICLE; TO MAKE TECHNICAL CORRECTIONS TO THE CHILD PASSENGER PROTECTION ACT; AND FOR OTHER PURPOSES.

House Bill No. 2594 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC TRANSPORTATION.

HOUSE BILL NO. 2656
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE C. JOHNSON

A Bill for an Act to be Entitled: AN ACT TO MODIFY ARKANSAS LAW REGARDING THE DOCUMENTATION AND PROCEDURE FOR DETERMINING PATERNITY OF A CHILD; AND FOR OTHER PURPOSES.

House Bill No. 2656 was read the first time, rules suspended, read the second time and referred to the Committee on TECHNOLOGY AND LEGISLATIVE AFFAIRS.

HOUSE BILL NO. 2871
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE LAMOUREUX

AN ACT TO EXCLUDE FIRE DEPARTMENT MONEYS OR GRANTS FROM ARKANSAS CODE § 21-6-302; AND FOR OTHER PURPOSES..

House Bill No. 2871 was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY AND LOCAL AFFAIRS.

HOUSE BILL NO. 2879
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE HARDWICK

A Bill for an Act to be Entitled: AN ACT TO AMEND CERTAIN LAWS PERTAINING TO HOME SCHOOLS; AND FOR OTHER PURPOSES.

House Bill No. 2879 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

HOUSE BILL NO. 2697
As Engrossed: H4/7/03 H4/11/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES GREEN, C. JOHNSON, WHITE, ET AL
BY: SENATORS GULLETT, WOMACK, TRUSTY, WHITAKER

A Bill for an Act to be Entitled: *AN ACT TO CREATE THE OMNIBUS QUALITY EDUCATION ACT OF 2003; TO ESTABLISH A COMPREHENSIVE SYSTEM OF EDUCATIONAL ACCOUNTABILITY TO ENFORCE THE ARKANSAS STANDARDS OF ACCREDITATION; THE ARKANSAS COMPREHENSIVE TESTING, ASSESSMENT AND ACCOUNTABILITY PROGRAM, THE NO CHILD LEFT BEHIND ACT OF 2001; THE ARKANSAS ACADEMIC DISTRESS PROGRAM; THE ARKANSAS FISCAL DISTRESS ASSESSMENT AND ACCOUNTABILITY PROGRAM; AND FOR OTHER PURPOSES.*

House Bill No. 2697 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

On motion of Senator Hill the Senate recessed until 5:45 p.m.

The Senate reconvened after recess. The Secretary called the roll, and a quorum was present.

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

April 15, 2003

Mr. President:

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

SENATE BILL NO. 178, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 189, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 251, BY JOINT BUDGET COMMITTEE,

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 CAPPES, CHAIRMAN

Senate Bill No. 178 was ordered immediately transmitted to the House.

Senate Bill No. 189 was ordered immediately transmitted to the House.

Senate Bill No. 251 was ordered immediately transmitted to the House.

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

April 15, 2003

Mr. President:

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

HOUSE BILL NO. 1488, BY REPRESENTATIVE MAHONY,

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 Bills returned from the House as passed and ordered enrolled:

SENATE BILL NO. 103

SENATE BILL NO. 198

SENATE BILL NO. 298

SENATE BILL NO. 446

House Bill No. 2541 was ordered immediately returned to the House as requested.

Senate Bill No. 417 was ordered immediately returned to the House as amended.

Senate Bill No. 417 was ordered re-referred to the Committee on JOINT BUDGET.

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

SENATE BILL NO. 202
SENATE BILL NO. 499
SENATE BILL NO. 505
SENATE BILL NO. 506
SENATE BILL NO. 507
SENATE BILL NO. 508
SENATE BILL NO. 509
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SENATE BILL NO. 515
SENATE BILL NO. 516
SENATE BILL NO. 517

SENATE CONCURRENT RESOLUTION NO. 36
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR HILL

SENATE CONCURRENT RESOLUTION TO PROVIDE FOR AN EXTENSION OF THE REGULAR SESSION OF THE EIGHTY-FOURTH GENERAL ASSEMBLY UNTIL MAY 12, 2003; RECESS ON APRIL 16; RECONVENE ON APRIL 22; AND RECESS AT THE CLOSE OF BUSINESS ON APRIL 25; TO PROVIDE THAT THE EIGHTY-FOURTH GENERAL ASSEMBLY MAY BE CONVENEED ON OR BEFORE MAY 12 TO CONSIDER VETOES, ERRORS, OMISSIONS, AND CONSTITUTIONAL AMENDMENTS.

Senate Concurrent Resolution No. 36 was read the first time, rules suspended, read the second time and placed on the Calendar.

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

On motion of Senator Critcher, **House Bill No. 2258** was called up for third reading and final disposition.

HOUSE BILL NO. 2258
As Engrossed: S4/15/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE LENDALL

A Bill for an Act to be Entitled: AN ACT TO PROVIDE FOR SCREENING OF NEWBORNS FOR PEDIATRIC CONGENITAL OCULAR ABNORMALITIES; AND FOR OTHER PURPOSES.

House Bill No. 2258 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

| | |
|--|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast..... | 35 |
| Necessary to the passage of the bill | 18 |

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2258 was ordered immediately returned to the House as passed as amended.

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

On motion of Senator Critcher, **House Bill No. 2404** was called up for third reading and final disposition.

HOUSE BILL NO. 2404
As Engrossed: H3/26/03 S4/15/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE BORHAUER

A Bill for an Act to be Entitled: AN ACT TO AMEND THE LITTER CONTROL ACT TO GIVE ILLEGAL DUMP OFFICERS THE POWER TO ISSUE CITATIONS FOR LITTERING; TO CLARIFY THE PROPER DISPOSAL OF SOLID WASTE FROM ILLEGAL DUMPS AND TO CORRECT REFERENCES TO THE *COURT OF COMPETENT JURISDICTION*; AND FOR OTHER PURPOSES.

House Bill No. 2404 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

| | |
|--|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast | 35 |
| Necessary to the passage of the bill | 18 |

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2404 was ordered immediately returned to the House as passed as amended.

On motion of Senator Altes, the rules were suspended in considering **House Bill No. 2390** at this time.

On motion of Senator Atles, **House Bill No. 2390** was called up for third reading and final disposition.

HOUSE BILL NO. 2390
As Engrossed: S4/11/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE PENIX

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

House Bill No. 2390 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

| | |
|--|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast..... | 35 |
| Necessary to the passage of the bill | 18 |

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2390 was ordered immediately returned to the House as passed as amended.

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

On motion of Senator Broadway, **House Bill No. 1488** was called up for third reading and final disposition.

HOUSE BILL NO. 1488

As Engrossed: H3/3/03 H3/20/03 H3/24/03 H3/27/03 H4/15/03

EIGHTY-FOURTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES MAHONY, THOMASON

BY: SENATOR BROADWAY

A Bill for an Act to be Entitled: AN ACT TO ALLOW THE ARKANSAS CRIME INFORMATION CENTER AND THE ARKANSAS STATE POLICE TO RELEASE CERTAIN CRIMINAL HISTORY INFORMATION FOR A FEE; AND FOR OTHER PURPOSES.

House Bill No. 1488 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, J. Bookout, Broadway, Brown, Capps, Critcher, Faris, Glover, Gullett, Hendren, Higginbothom, Hill, Holt, Horn, G. Jeffress, J. Jeffress, B. Johnson, Lavery, Madison, Malone, Steele, Trusty, Whitaker, Wilkinson, Womack, Wooldridge.

Total28

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Bisbee, Bryles, Luker, Miller, Salmon, T. Smith, Wilkins.

Total7

VOTING PRESENT:

Total0

Total number of votes cast28

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. 1488**, 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, J. Bookout, Broadway, Brown, Capps, Critcher, Faris, Glover, Gullett, Hendren, Higginbothom, Hill, Holt, Horn, G. Jeffress, J. Jeffress, B. Johnson, Lavery, Madison, Malone, Steele, Trusty, Whitaker, Wilkinson, Womack, Wooldridge.

Total28

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Bisbee, Bryles, Luker, Miller, Salmon, T. Smith, Wilkins.

Total7

VOTING PRESENT:

Total0

Total number of votes cast.....28

Necessary to the passage of the bill.....24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1488 was ordered immediately returned to the House as passed as amended.

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

April 15, 2003

Mr. President:

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

HOUSE BILL NO. 2888, BY REPRESENTATIVE HATHORN,

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

On motion of Senator Madison, the rules were suspended in considering **House Bill No. 2888** at this time.

On motion of Senator Madison, **House Bill No. 2888** 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. 2888

Amend **House Bill No. 2888** as engrossed, 4/3/03:

Page 2, line 21 after "arrest" add "or the person was intoxicated by the ingestion of or by the use of a controlled substance at the time of arrest"

(SIGNED) SUE MADISON

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

(SIGNED) ANN CORNWELL, SECRETARY

On motion of Senator Madison, **House Bill No. 2888** 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. 2888

Amend **House Bill No. 2888** as engrossed, 4/3/03:

Delete everything after the enacting clause and substitute:

“SECTION 1. Arkansas Code § 5-65-104(a)(4)(A), pertaining to suspension of driver’s licenses for alcohol related offenses, is amended to read as follows:

(A)(i) Suspension for one hundred twenty (120) days for the first offense of operating or being in actual physical control of a motor vehicle while intoxicated or while there was an alcohol concentration of at least eight hundredths (0.08) but less than fifteen hundredths (0.15) by weight of alcohol in the person's blood or breath, § 5-65-103;

(ii) Suspension for six (6) months for the first offense of operating or being in actual physical control of a motor vehicle while intoxicated by the ingestion of or by the use of a controlled substance and a restricted driving permit shall be available immediately upon payment of a fee of one hundred fifty dollars (\$150) to be distributed as provided under § 5-65-120(d)(2);

~~(iii) Suspension for one hundred eighty (180) days for the first offense of refusing to submit to a chemical test of blood, breath, or urine for the purpose of determining the alcohol or controlled substance contents of the person's blood or breath, § 5-65-202. Provided, however, that if the court orders issuance of an ignition interlock restricted license under § 5-65-118, the suspension period for which no restricted license shall be available shall be a minimum of ninety (90) days. The restricted driving permit provision of § 5-65-120 does not apply to this suspension;~~

~~(iv)~~(iii) Suspension for one hundred eighty (180) days for the first offense of operating or being in actual physical control of a motor vehicle while intoxicated and while there was an alcohol concentration of fifteen hundredths (0.15) or more by weight of alcohol in the person's blood or breath. Provided, however, that if the court orders issuance of an ignition interlock restricted license under § 5-65-118, the suspension period for which no restricted license shall be available shall be a minimum of thirty (30) days. The restricted driving permit provision of § 5-65-120 does not apply to this suspension the interlock restricted license shall be available immediately upon payment of a fee of one hundred fifty dollars (\$150) to be distributed as provided under § 5-65-120(d)(2);

SECTION 2. Arkansas Code § 5-65-120, pertaining to hardship driving permits, is amended by adding an additional subsection to read as follows:

(d)(1) Whenever any person who has plead guilty or nolo contendere to, or been found guilty of a first offense of driving while intoxicated §5-65-104, or a first offense of refusal to submit to a chemical test, §5-65-205, and that person is entitled to an interlock restricted license under the law, but is unable to afford the costs and

fees associated with the license, and it would create a substantial economic hardship on the person to be denied a license, the presiding judge may issue an order allowing the person to obtain a restricted driving permit upon payment of a fee of one hundred fifty dollars (\$150) to be distributed as provided under § 5-65-120(d)(2).

(2) The first two hundred and fifty thousand dollars (\$250,000) generated each year by the fee levied under this subsection (d) shall be deposited as special revenues into the State Treasury to the credit of the Public Health Fund to be used by the Department of Health to help fund drug courts which were funded in whole or in part by the department on January 1, 2003, and the remainder shall be deposited as special revenues into the Department of Community Correction Fund Account to be used to help fund drug courts in this state whether or not in existence as of the date of this subsection.

SECTION 3. Arkansas Code § 5-65-205(b)(1), pertaining to suspension of driver's licenses for a first offense of refusal to submit to test, is amended to read as follows:

(1)(A) Suspension for one hundred eighty (180) days for the first offense of refusing to submit to a chemical test of blood, breath, or urine for the purpose of determining the alcohol or controlled substance contents of the person's blood or breath. However, if the court orders issuance of an ignition interlock restricted license under § 5-65-118, ~~the suspension time for which no restricted license shall be available shall be a minimum of ninety (90) days~~ the interlock restricted license shall be available immediately upon payment of a fee of one hundred fifty dollars (\$150) to be distributed as provided under § 5-65-120(d)(2). The restricted driving permit provision of § 5-65-120 does not apply to this suspension, except as provided in §5-65-120(d);

(B) The office of Driver Services shall, in addition to any other penalties, deny to that person the issuance of an operator's license until that person has been issued an ignition interlock restricted license for a period of six (6) months."

(SIGNED) SUE MADISON

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2888 was ordered engrossed.

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

April 15, 2003

Mr. President:

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

HOUSE BILL NO. 1073, BY REPRESENTATIVE VERKAMP,
HOUSE BILL NO. 1074, BY REPRESENTATIVE VERKAMP,
HOUSE BILL NO. 1889, BY REPRESENTATIVE HATHORN,
HOUSE BILL NO. 2246, BY REPRESENTATIVE LAMOUREUX,
HOUSE BILL NO. 2249, BY REPRESENTATIVE NAPPER,
HOUSE BILL NO. 2716, BY REPRESENTATIVE ROSENBAUM,

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

April 15, 2003

Mr. President:

We, your Committee on INSURANCE AND COMMERCE, to whom was referred:

HOUSE BILL NO. 2556, BY REPRESENTATIVE JONES,

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) PAUL MILLER, CHAIRMAN
DENNY ALTES
BARBARA HORN
BOB JOHNSON
STEVE HIGGINBOTHOM
PERCY MALONE

On motion of Senator Horn, the rules were suspended in considering **House Bill No. 2222** at this time.

On motion of Senator Horn, **House Bill No. 2222** was called up for third reading and final disposition.

HOUSE BILL NO. 2222
As Engrossed: H4/7/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE NAPPER

A Bill for an Act to be Entitled: *AN ACT TO AMEND TITLE 23, CHAPTER 88, SUBCHAPTER 1, TO ADD AN ADDITIONAL SECTION CONCERNING FIRE PROTECTION RATINGS; AND FOR OTHER PURPOSES.*

House Bill No. 2222 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2222 was ordered immediately returned to the House as passed.

On motion of Senator Hill the Senate recessed until 10 minutes after the conclusion of Joint Budget meeting.

The Senate reconvened after recess. The Secretary called the roll, and a quorum was present.

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

SENATE BILL NO. 518
SENATE BILL NO. 519
SENATE BILL NO. 520
SENATE BILL NO. 521
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SENATE BILL NO. 523
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SENATE BILL NO. 607
SENATE BILL NO. 608
SENATE BILL NO. 603
SENATE BILL NO. 614
SENATE BILL NO. 615
SENATE BILL NO. 630
SENATE BILL NO. 633
SENATE BILL NO. 635
SENATE BILL NO. 636
SENATE BILL NO. 637
SENATE BILL NO. 638
SENATE BILL NO. 639
SENATE BILL NO. 641
SENATE BILL NO. 642

HOUSE BILL NO. 1230
As Engrossed: H2/21/03 H4/11/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE R. SMITH
BY: SENATOR J. BOOKOUT

A Bill for an Act to be Entitled: *AN ACT TO PROVIDE A SURVIVOR'S BENEFIT FOR SPOUSES OF CERTAIN MEMBERS OF THE ARKANSAS STATE POLICE RETIREMENT SYSTEM WHO ARE KILLED IN THE LINE OF DUTY; AND FOR OTHER PURPOSES.*

House Bill No. 1230 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1377
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 THE MEDICAID EXPANSION PROGRAM FOR THE DEPARTMENT OF HUMAN SERVICES FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2005; AND FOR OTHER PURPOSES.

House Bill No. 1377 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1810
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE UNIVERSITY OF ARKANSAS - ITS VARIOUS DIVISIONS AND THE ARKANSAS ARCHEOLOGICAL SURVEY FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2005; AND FOR OTHER PURPOSES.

House Bill No. 1810 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1939
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE BOYD

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR REIMBURSEMENT TO COUNTIES HOUSING STATE INMATES FOR THE DEPARTMENT OF CORRECTION WHICH SHALL BE SUPPLEMENTAL AND IN ADDITION TO THOSE FUNDS APPROPRIATED BY ACT 1672 OF 2001; AND FOR OTHER PURPOSES.

House Bill No. 1939 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 2026
As Engrossed: H3/7/03 H3/11/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

BY: REPRESENTATIVES BRADFORD, STOVALL, ELLIOTT, *ET AL*
BY: SENATORS LAVERTY, *WILKINS*

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR DOMESTIC VIOLENCE SHELTER PROGRAMS FOR THE UNIVERSITY OF ARKANSAS FOR MEDICAL SCIENCES - ARKANSAS CHILD ABUSE/RAPE/DOMESTIC VIOLENCE COMMISSION FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2005; AND FOR OTHER PURPOSES.

House Bill No. 2026 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 2128
As Engrossed: H4/1/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

BY: REPRESENTATIVE PRITCHARD

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR STATE ASSISTANCE AND OPERATION GRANTS TO DRUG COURT PROGRAMS FOR THE *DEPARTMENT OF HEALTH* FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2005; AND FOR OTHER PURPOSES.

House Bill No. 2128 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 2163
As Engrossed: H4/14/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE GILLESPIE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR ADDITIONAL FUNDS FOR THE ARKANSAS LIVESTOCK SHOW ASSOCIATION FOR MAKING PAYMENTS FOR CITY-COUNTY TOURIST FACILITIES AS REQUIRED BY THE CITY-COUNTY TOURIST MEETING AND ENTERTAINMENT FACILITIES ASSISTANCE LAW BY THE OFFICE OF THE TREASURER OF STATE WHICH SHALL BE SUPPLEMENTAL AND IN ADDITION TO THOSE FUNDS APPROPRIATED BY ACT 240 OF 2003; AND FOR OTHER PURPOSES.

House Bill No. 2163 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 2320
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE GILLESPIE

A Bill for an Act to be Entitled: AN ACT TO MODIFY THE PAYMENTS OF STATE ASSISTANCE TO CITIES AND COUNTIES FOR ELIGIBLE FACILITIES; AND FOR OTHER PURPOSES.

House Bill No. 2320 was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY AND LOCAL AFFAIRS.

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

SENATE BILL NO. 643
SENATE BILL NO. 644
SENATE BILL NO. 645
SENATE BILL NO. 646
SENATE BILL NO. 647
SENATE BILL NO. 648
SENATE BILL NO. 649
SENATE BILL NO. 650
SENATE BILL NO. 654
SENATE BILL NO. 662
SENATE BILL NO. 672
SENATE BILL NO. 673
SENATE BILL NO. 674

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

April 15, 2003

Mr. President:

We, your Committee on AGRICULTURE, FORESTRY AND ECONOMIC DEVELOPMENT, to whom was referred:

HOUSE BILL NO. 2505, BY REPRESENTATIVE BRADFORD,

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

Respectfully submitted,
(SIGNED) JERRY BOOKOUT, CHAIRMAN

On motion of Senator Horn, the rules were suspended in considering **House Bill No. 2382** at this time.

On motion of Senator Horn, **House Bill No. 2382** was called up for third reading and final disposition.

**HOUSE BILL NO. 2382
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE BRADFORD**

A Bill for an Act to be Entitled: AN ACT TO ESTABLISH THE MULTI-AGENCY INSURANCE TRUST FUND TO PROVIDE FOR PROPERTY, INLAND MARINE, BOILER AND MACHINERY, AND RELATED COVERAGE; TO ASSIST PARTICIPATING AGENCIES IN THE MINIMIZATION OF INSURANCE COSTS; AND FOR OTHER PURPOSES.

House Bill No. 2382 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

| | |
|--|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast | 35 |
| Necessary to the passage of the bill | 18 |

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 2382**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

| | |
|---|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast..... | 35 |
| Necessary to the passage of the bill..... | 24 |

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2382 was ordered immediately returned to the House as passed.

On motion of Senator Horn, the rules were suspended in considering **House Bill No. 2409** at this time.

On motion of Senator Horn, **House Bill No. 2409** was called up for third reading and final disposition.

**HOUSE BILL NO. 2409
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE STOVALL**

A Bill for an Act to be Entitled: AN ACT TO AMEND THE ARKANSAS TELECOMMUNICATIONS REGULATORY REFORM ACT TO EXCLUDE CHARGES FOR EXTENDED AREA SERVICES IN DETERMINING RATE INCREASES UNDER ARKANSAS CODE § 23-17-412; AND FOR OTHER PURPOSES.

House Bill No. 2409 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

| | |
|--|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast | 35 |
| Necessary to the passage of the bill | 18 |

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2409 was ordered immediately returned to the House as passed.

On motion of Senator Horn, the rules were suspended in considering **House Bill No. 2441** at this time.

On motion of Senator Horn, **House Bill No. 2441** was called up for third reading and final disposition.

HOUSE BILL NO. 2441
As Engrossed: H4/3/03
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE STOVALL

A Bill for an Act to be Entitled: AN ACT TO AMEND THE ARKANSAS TELECOMMUNICATIONS *REGULATORY REFORM ACT OF 1997 TO PROMOTE THE PROPER APPLICATION OF ACCESS CHARGES; AND FOR OTHER PURPOSES.*

House Bill No. 2441 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

| | |
|--|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast..... | 35 |
| Necessary to the passage of the bill | 18 |

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2441 was ordered immediately returned to the House as passed.

On motion of Senator Bookout, the rules were suspended in considering **House Bill No. 2505** at this time.

On motion of Senator Bookout, **House Bill No. 2505** 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. 2505

Amend **House Bill No. 2505** as engrossed, S4/15/03:

Page 2, delete lines 24 and 25, and substitute the following:

“from individual household wells used exclusively for domestic use;

(5) There shall be no regulation of the withdrawal of groundwater from existing or proposed wells by electric generating plants, brine wells and related production facilities, aluminum plants, or steel mills;

(5)(6) Replacement wells:”

AND

Page 2, delete lines 34 and 35 and substitute the following:

“~~(6)(7)~~ Marketers of bottled water and public water supply systems shall at no time be restricted in the”

(SIGNED) JACK CRITCHER

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2505 was ordered engrossed.

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

April 15, 2003

Mr. President:

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

SENATE BILL NO. 710, BY JOINT BUDGET COMMITTEE,

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

Respectfully submitted,

(SIGNED) DAVID A. BISBEE, CHAIRMAN

On motion of Senator Bisbee, the rules were suspended in considering **Senate Bill No. 710** at this time.

On motion of Senator Bisbee, **Senate Bill No. 710** 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. 710

JBC 04/15/03 (1)

Amend **Senate Bill No. 710** as originally introduced:

Page 2, delete line 2 and substitute the following:
" SECTION 3. Arkansas Code 19-5-303 is amended"

AND

Insert new sections immediately following Section 27 to read as follows:

"SECTION 28. Arkansas Code 19-5-303(p) is amended to read as follows:

(p)(1) ~~Mississippi County Community~~ Arkansas Northeastern College Fund. There is established on the books of the Treasurer of State, Auditor of State, and the Chief Fiscal Officer of the State a fund to be known as the ~~Mississippi County Community~~ Arkansas Northeastern College Fund. This fund shall be used for the maintenance, operation, and improvement of the ~~Mississippi County Community~~ Arkansas Northeastern College.

(2) The fund shall consist of:

(A) Such general revenues as may be provided by law; ~~and~~

(B) The June 30, 2003 balances in the Mississippi County Community College Fund and the Cotton Boll Technical Institute Fund Account; and

~~(B)(C)~~ Any other funds made available for the support of the college which are required to be deposited into the State Treasury by law.

SECTION 29. Arkansas Code 19-5-304(8)(B) is repealed.

~~(B)(i) The Cotton Boll Technical Institute Fund Account shall be used for the maintenance, operation, and improvement of the Cotton Boll Technical Institute.~~

~~(ii) The fund account shall consist of:~~

~~(a) Such general revenues as may be provided by law; and~~

~~(b) Any other funds made available for the support of the Cotton Boll Technical Institute which are required to be deposited into the State Treasury by law.~~

SECTION 30. Arkansas Code 19-5-303(g) is amended to read as follows:

(g)(1) Arkansas State University - Beebe Fund. (A) There is established on the books of the Treasurer of State, Auditor of State, and Chief Fiscal Officer of the State a fund to be known as the Arkansas State University - Beebe Fund.

(B) This fund shall be used for the maintenance, operation, and improvement of Arkansas State University-Beebe, including the Arkansas State Technical Institute, Arkansas State University-Searcy and Arkansas State University-Heber Springs.

(2) The fund shall consist of:

(A) Such general revenues as may be provided by law; ~~and~~

(B) The June 30, 2003 balance in the Foothills Technical Institute Fund Account; and

~~(B)(C)~~ Any other funds made available for the support of the university which are required to be deposited into the State Treasury by law.

SECTION 31. Arkansas Code 19-5-304(8)(E) is repealed.

~~(E)(i) The Foothills Technical Institute Fund Account shall be used for the maintenance, operation, and improvement of the Foothills Technical Institute.~~

~~(ii) The fund account shall consist of:~~

~~(a) Such general revenues as may be provided by law; and~~

~~(b) Any other funds made available for the support of the Foothills Technical Institute which are required to be deposited into the State Treasury by law.~~

SECTION 32. Arkansas Code 19-5-303(d) is amended to read as follows:

(d)(1) University of Arkansas at Monticello Fund. There is established on the books of the Treasurer of State, Auditor of State, and Chief Fiscal Officer of the State a fund to be known as the University of Arkansas at Monticello Fund. This fund shall

be used for the maintenance, operation, and improvement of the Monticello campus of the University of Arkansas and its various divisions, the University of Arkansas at Monticello College of Technology-Crossett and the University of Arkansas at Monticello College of Technology-McGehee.

(2) The fund shall consist of:

(A) Such general revenues as may be provided by law; and

(B) The June 30, 2003 balances in the Forest Echoes Technical Institute Fund Account and the Great Rivers Comprehensive Lifelong Learning Center Fund Account; and

~~(B)(C)~~ Any other funds made available for the support of the university which are required to be deposited into the State Treasury by law.

SECTION 33. Arkansas Code 19-5-304(8)(F) is repealed.

~~(F)(i) The Forest Echoes Technical Institute Fund Account shall be used for the maintenance, operation, and improvement of the Forest Echoes Technical Institute.~~

~~(ii) The fund account shall consist of:~~

~~(a) Such general revenues as may be provided by law; and~~

~~(b) Any other funds made available for the support of the Forest Echoes Technical Institute which are required to be deposited into the State Treasury by law.~~

SECTION 34. Arkansas Code 19-5-304(8)(G) is repealed.

~~(G)(i) The Great Rivers Comprehensive Lifelong Learning Center Fund Account shall be used for the maintenance, operation, and improvement of the Great Rivers Comprehensive Lifelong Learning Center.~~

~~(ii) The fund account shall consist of:~~

~~(a) Such general revenues as may be provided by law; and~~

~~(b) Any other funds made available for the support of the Great Rivers Comprehensive Lifelong Learning Center which are required to be deposited into the State Treasury by law.~~

SECTION 35. Arkansas Code Title 19, Chapter 5, Subchapter 3 is amended by adding the following new section concerning an institution of higher education general revenue fund:

(dd) (1) National Park Community College Fund. (A) Only in the event that Garland County Community College and Quapaw Technical Institute merge, there is established on the books of the Treasurer of State, Auditor of State, and Chief Fiscal Officer of the State a fund to be known as the National Park Community College Fund.

(B) This fund shall be used for the maintenance, operation, and improvement of the National Park Community College.

(2) The fund shall consist of:

(A) Those general revenues transferred each month from the Garland County Community College Fund and the Quapaw Technical Institute Fund Account;

(B) The June 30, 2003 balances in the Garland County Community College Fund and the Quapaw Technical Institute Fund Account; and

(C) Any other funds made available for the support of the community college which are required to be deposited into the State Treasury by law.

SECTION 36. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. STATE GENERAL SERVICES FUND ACCOUNT APPROPRIATIONS. Any appropriations made payable from the State General Services Fund Account are instead deemed appropriated from the Miscellaneous Agencies Fund Account.

SECTION 37. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. STATE BUILDING SERVICES APPROPRIATIONS. Any appropriations made payable to the Arkansas State Building Services are instead deemed appropriated to the Arkansas Building Authority; any appropriations made payable from the Arkansas State Building Services Maintenance Fund are instead deemed appropriated from the Arkansas Building Authority Maintenance Fund; and any appropriations made payable from the State Building Services Real Estate Fund are instead deemed appropriated from the Arkansas Building Authority Real Estate Fund.

SECTION 38. (a) The Department of Finance and Administration shall provide the following reports monthly to the Arkansas Legislative Council or Joint Budget Committee and the Legislative Joint Auditing Committee:

(1) A summary of every appropriation made by the General Assembly and in exactly the same line items as enacted by the General Assembly which reflects the original appropriation, adjusted appropriation, month to date and year to date expenditures.

(2) A summary of every fund and fund account which reflects the beginning balance, receipts, transfers to and from the fund and ending balance.

(b) The reports shall be provided on a cash basis.

(c) The reports shall be readable, concise and available electronically on the official website of the Department of Finance and Administration or its successor.

SECTION 39. (a) Of the balance remaining in the Property Tax Relief Fund on December 31, 2003 and December 31, 2004, as certified pursuant to § 26-26-310(b)(2)(C), the Treasurer of State shall transfer twenty five million dollars (\$25,000,000) each year from the Property Tax Relief Trust Fund to the General Revenue Fund Account of the State Apportionment Fund as "general revenues available for distribution" as provided in Arkansas Code 19-5-202(b)(2)(B)(iii).

(b) The funds attributable to sales and use taxes levied prior to July 1, 2003 shall not be transferred from the Property Tax Relief Fund to the General Revenue Fund Account of the State Apportionment Fund.

SECTION 40. On July 1, 2003 the Chief Fiscal Officer of the State shall direct the Auditor of State to deposit the sum of twenty million dollars (\$20,000,000), from moneys collected pursuant to Arkansas Code 18-28-213 and deposited into the Unclaimed Property Proceeds Trust Fund, notwithstanding the provisions of Arkansas Code 18-28-213(c)(2), into the General Revenue Fund Account of the State Apportionment Fund. Upon certification of the amount thereof by the Chief Fiscal Officer of the State, the Treasurer of State shall then transfer and credit such funds as "general revenues available for distribution" as provided in Arkansas Code 19-5-202(b)(2)(B)(iii). Any claims made and approved by the Auditor of State for payment of Unclaimed Property Proceeds attributable to the funds transferred by this section shall be paid from, in lieu of the Unclaimed Property Proceeds Trust Fund, the gross general revenues in the General Revenue Fund Account of the State Apportionment Fund, as transferred to the Miscellaneous Revolving Fund as authorized in Arkansas Code 19-5-202(b)(1).

SECTION 41. Arkansas Code 19-5-401 is amended to read as follows:

19-5-401. Allocations for fiscal year 2003-04.

Commencing with the fiscal year beginning July 1, 2003, and ending June 30, 2004, the Treasurer of State shall transfer all remaining general revenues available for

distribution on the last day of business in July 2003, and on the last day of business in each calendar month thereafter during the fiscal year to the various funds and fund accounts participating in general revenues in the proportions of the maximum allocation as the individual allocation to the fund or fund account bears to the total of the maximum allocation as provided in § 19-5-402(a) and (b).

SECTION 42. Arkansas Code 19-5-402 is amended to read as follows:

19-5-402. Maximum allocations of revenues for fiscal year 2003-2004

(a) The Treasurer of State shall first make monthly allocations in the proportions set out in this subsection to the funds and fund accounts listed below until there has been transferred a total of three billion two hundred seventy four million two hundred forty two thousand two hundred thirty six dollars (\$3,274,242,236) or so much thereof as may become available; provided, that the Treasurer of State shall make such monthly allocations in accordance with each fund or fund account's proportionate part of the total of all such allocations set forth in this subsection:

PUBLIC SCHOOL FUND

| | |
|---|---------------------|
| (1) Dept. of Education Public School Fund Account | \$1,559,030,531 |
| (2) State Library Public School Fund Account | \$- |
| (3) Dept. of Workforce Ed. Public School Fund Account | <u>\$20,328,407</u> |
| TOTAL PUBLIC SCHOOL FUND | \$1,579,358,938 |

GENERAL EDUCATION FUND

| | |
|--|------------------|
| (1) Department of Education Fund Account | \$11,841,192 |
| (2) Educational Television Fund Account | \$3,915,547 |
| (3) School for the Blind Fund Account | \$4,501,356 |
| (4) School for the Deaf Fund Account | \$7,611,333 |
| (5) State Library Fund Account | \$2,792,127 |
| (6) Dept. of Workforce Education Fund Account | \$2,760,686 |
| (7) Rehabilitation Services Fund Account | \$11,363,123 |
| Technical Institutes: | |
| (8) Arkansas Valley Technical Institute Fund Account | \$2,074,400 |
| (9) Crowley's Ridge Technical Institute Fund Account | 2,169,741 |
| (10) Northwest Technical Institute Fund Account | 2,514,789 |
| (11) Quapaw Technical Institute Fund Account | 1,917,049 |
| (12) Riverside Vocational Tech. School Fund Account | <u>1,922,787</u> |
| TOTAL EDUCATION FUND | 61,669,768 |

DEPARTMENT OF HUMAN SERVICES FUND

| | |
|---|---------------------|
| (1) Dept. of Human Serv. Administration Fund Account | \$13,526,819 |
| (2) Aging and Adult Services Fund Account | \$10,403,468 |
| (3) Children & Family Services Fund Account | \$37,354,768 |
| (4) Child Care and Early Childhood Educ. Fund Account | \$517,768 |
| (5) Youth Services Fund Account | \$40,322,282 |
| (6) Developmental Disabilities Services Fund Account | \$40,648,298 |
| (7) Medical Services Fund Account | \$4,488,229 |
| (8) Department of Human Services Grants Fund Account | \$385,777,850 |
| (9) Mental Health Services Fund Account | \$50,017,406 |
| (10) State Services for the Blind Fund Account | \$1,737,188 |
| (11) County Operations Fund Account | <u>\$38,554,039</u> |
| TOTAL DEPARTMENT OF HUMAN SERVICES FUND | \$623,348,115 |

| | |
|---|---------------------|
| STATE GENERAL GOVERNMENT FUND | |
| (1) Department of Arkansas Heritage Fund Account | \$4,254,886 |
| (2) Department of Labor Fund Account | \$2,340,542 |
| (3) Department of Higher Education Fund Account | \$2,591,825 |
| (4) Higher Education Grants Fund Account | \$32,227,818 |
| (5) Department of Economic Development Fund Account | \$9,356,023 |
| (6) Dept. of Correction Inmate Care and Custody Fund Account | \$176,596,823 |
| (7) Dept. of Community Correction Fund Account | \$29,312,755 |
| (8) Livestock & Poultry Fund Account | \$3,407,158 |
| (9) State Military Department Fund Account | \$7,797,534 |
| (10) Parks & Tourism Fund Account | \$19,005,279 |
| (11) Dept. of Environmental Quality Fund Account | \$3,501,452 |
| (12) Miscellaneous Agencies Fund Account | <u>\$42,047,876</u> |
| TOTAL STATE GENERAL GOVERNMENT FUND | \$332,439,971 |
| COUNTY AID FUND | \$19,370,816 |
| COUNTY JAIL REIMBURSEMENT FUND | \$2,806,592 |
| CRIME INFORMATION SYSTEM FUND | \$3,330,223 |
| CHILD SUPPORT ENFORCEMENT FUND | \$13,014,933 |
| STATE FORESTRY FUND | \$5,644,742 |
| MERIT ADJUSTMENT FUND | \$- |
| MOTOR VEHICLE ACQUISITION REVOLVING FUND | \$942,513 |
| MUNICIPAL AID FUND | \$26,989,976 |
| PUBLIC HEALTH FUND | \$48,750,845 |
| DEPARTMENT OF ARKANSAS STATE POLICE FUND | \$40,498,780 |
| PLANT BOARD FUND | <u>\$2,196,289</u> |
| TOTAL OTHER FUNDS | \$163,545,709 |
| INSTITUTIONS OF HIGHER EDUCATION | |
| (1) ARKANSAS STATE UNIVERSITY FUND | \$45,914,039 |
| (2) ARKANSAS TECH UNIVERSITY FUND | \$18,649,526 |
| (3) HENDERSON STATE UNIVERSITY FUND | \$15,032,089 |
| (4) SOUTHERN ARKANSAS UNIVERSITY FUND | \$11,759,341 |
| (5) UNIVERSITY OF ARKANSAS FUND | \$89,189,944 |
| (6) UNIVERSITY OF ARKANSAS FUND-ARCHEOLOGICAL SURVEY | \$1,640,939 |
| (7) UNIVERSITY OF ARKANSAS FUND-DIV. OF AGRICULTURE | \$47,439,804 |
| (8) UNIVERSITY OF ARKANSAS FUND-CRIMINAL JUST. INSTIT. | \$1,473,316 |
| (9) UNIVERSITY OF ARKANSAS AT FORT SMITH FUND | \$14,579,389 |
| (10) UNIVERSITY OF ARKANSAS AT LITTLE ROCK FUND | \$41,794,087 |
| (11) UNIVERSITY OF ARKANSAS MEDICAL CENTER FUND | \$63,552,198 |
| (12) UNIVERSITY OF ARKANSAS MEDICAL CENTER FUND - INDIGENT CARE | \$4,651,025 |
| (13) UNIVERSITY OF ARKANSAS AT MONTICELLO FUND | \$12,028,665 |
| (14) UNIVERSITY OF ARKANSAS AT PINE BLUFF FUND | \$17,661,065 |
| (15) UNIVERSITY OF CENTRAL ARKANSAS FUND | \$36,825,765 |
| (16) ARKANSAS NORTHEASTERN COLLEGE FUND | \$7,314,919 |
| (17) ARKANSAS STATE UNIVERSITY - BEEBE FUND | \$9,306,390 |
| (18) ARKANSAS STATE UNIVERSITY - MOUNTAIN HOME FUND | \$2,366,796 |
| (19) ARKANSAS STATE UNIVERSITY - NEWPORT FUND | \$1,950,323 |
| (20) COSSATOT COMMUNITY COLLEGE OF THE UNIVERSITY OF ARKANSAS FUND | \$2,245,065 |

| | |
|---|---------------|
| (21) EAST ARKANSAS COMMUNITY COLLEGE FUND | \$4,994,759 |
| (22) GARLAND COUNTY COMMUNITY COLLEGE FUND | \$5,350,481 |
| (23) MID-SOUTH COMMUNITY COLLEGE FUND | \$2,536,399 |
| (24) NORTH ARKANSAS COLLEGE FUND | \$6,659,532 |
| (25) NORTHWEST ARKANSAS COMMUNITY COLLEGE FUND | \$5,723,788 |
| (26) PHILLIPS COMMUNITY COLLEGE OF THE UNIVERSITY OF ARKANSAS FUND | \$7,635,269 |
| (27) RICH MOUNTAIN COMMUNITY COLLEGE FUND | \$2,605,870 |
| (28) SAU - TECH FUND | \$5,858,484 |
| (29) SOUTH ARKANSAS COMMUNITY COLLEGE FUND | \$5,028,984 |
| (30) UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT BATESVILLE FUND | \$2,747,147 |
| (31) UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT HOPE FUND | \$3,462,943 |
| (32) UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT MORRILTON FUND | \$3,239,560 |
| (33) BLACK RIVER TECHNICAL COLLEGE FUND | \$4,410,588 |
| (34) OUACHITA TECHNICAL COLLEGE FUND | \$2,394,144 |
| (35) OZARKA COLLEGE FUND | \$2,052,535 |
| (36) PULASKI TECHNICAL COLLEGE FUND | \$6,216,028 |
| (37) SOUTHEAST ARKANSAS COLLEGE FUND | \$3,874,179 |
| (38) TWO-YEAR COLLEGE MODEL FORMULA FUND | \$- |
| TOTAL INSTITUTIONS OF HIGHER EDUCATION FUNDS | \$513,879,735 |

(b) After making the maximum annual allocations provided for in subsection (a) of this section, the Treasurer of State shall then make allocations from the remaining general revenues available for distribution, as set forth in this subsection, to the funds and fund accounts listed below until there has been transferred a total of two hundred thirty one million three hundred sixty four thousand eight hundred fifty dollars (\$231,364,850) or so much thereof that may become available; provided, that the Treasurer of State shall make such monthly allocations in accordance with each fund or fund account's proportionate part of the total of all such allocations set forth in this subsection:

PUBLIC SCHOOL FUND

| | |
|---|--------------------|
| (1) Dept. of Education Public School Fund Account | \$29,837,676 |
| (2) State Library Public School Fund Account | \$1,500,000 |
| (3) Dept. of Workforce Ed. Public School Fund Account | <u>\$1,889,057</u> |
| TOTAL PUBLIC SCHOOL FUND | \$33,226,733 |

GENERAL EDUCATION FUND

| | |
|--|---------------|
| (1) Department of Education Fund Account | \$- |
| (2) Educational Television Fund Account | \$- |
| (3) School for the Blind Fund Account | \$350,000 |
| (4) School for the Deaf Fund Account | \$600,000 |
| (5) State Library Fund Account | \$- |
| (6) Dept. of Workforce Education Fund Account | \$- |
| (7) Rehabilitation Services Fund Account | \$693,078 |
| Technical Institutes: | |
| (8) Arkansas Valley Technical Institute Fund Account | \$- |
| (9) Crowley's Ridge Technical Institute Fund Account | - |
| (10) Northwest Technical Institute Fund Account | - |
| (11) Quapaw Technical Institute Fund Account | - |
| (12) Riverside Vocational Tech. School Fund Account | <u>36,799</u> |
| TOTAL EDUCATION FUND | 1,679,877 |

| | |
|---|------------------|
| DEPARTMENT OF HUMAN SERVICES FUND | |
| (1) Dept. of Human Serv. Administration Fund Account | \$- |
| (2) Aging and Adult Services Fund Account | \$199,108 |
| (3) Children & Family Services Fund Account | \$714,918 |
| (4) Child Care and Early Childhood Educ. Fund Account | \$- |
| (5) Youth Services Fund Account | \$426,297 |
| (6) Developmental Disabilities Services Fund Account | \$2,736,837 |
| (7) Medical Services Fund Account | \$- |
| (8) Department of Human Services Grants Fund Account | \$92,083,253 |
| (9) Mental Health Services Fund Account | \$5,957,264 |
| (10) State Services for the Blind Fund Account | \$33,247 |
| (11) County Operations Fund Account | <u>\$737,871</u> |
| TOTAL DEPARTMENT OF HUMAN SERVICES FUND | \$102,888,795 |

| | |
|---|--------------------|
| STATE GENERAL GOVERNMENT FUND | |
| (1) Department of Arkansas Heritage Fund Account | \$436,419 |
| (2) Department of Labor Fund Account | \$- |
| (3) Department of Higher Education Fund Account | \$267,527 |
| (4) Higher Education Grants Fund Account | \$1,600,182 |
| (5) Department of Economic Development Fund Account | \$- |
| (6) Dept. of Correction Inmate Care and Custody Fund Account | \$22,233,532 |
| (7) Dept. of Community Correction Fund Account | \$14,561,005 |
| (8) Livestock & Poultry Fund Account | \$- |
| (9) State Military Department Fund Account | \$- |
| (10) Parks & Tourism Fund Account | \$39,000 |
| (11) Dept. of Environmental Quality Fund Account | \$- |
| (12) Miscellaneous Agencies Fund Account | <u>\$3,247,954</u> |
| TOTAL STATE GENERAL GOVERNMENT FUND | \$42,385,619 |

| | |
|--|-----------------|
| COUNTY AID FUND | \$- |
| COUNTY JAIL REIMBURSEMENT FUND | \$8,000,000 |
| CRIME INFORMATION SYSTEM FUND | \$63,736 |
| CHILD SUPPORT ENFORCEMENT FUND | \$- |
| STATE FORESTRY FUND | \$- |
| MERIT ADJUSTMENT FUND | \$12,100,000 |
| MOTOR VEHICLE ACQUISITION REVOLVING FUND | \$- |
| MUNICIPAL AID FUND | \$- |
| PUBLIC HEALTH FUND | \$600,000 |
| DEPARTMENT OF ARKANSAS STATE POLICE FUND | \$775,090 |
| PLANT BOARD FUND | <u>\$20,000</u> |
| TOTAL OTHER FUNDS | \$21,558,826 |

| | |
|--|-------------|
| INSTITUTIONS OF HIGHER EDUCATION | |
| (1) ARKANSAS STATE UNIVERSITY FUND | \$1,955,963 |
| (2) ARKANSAS TECH UNIVERSITY FUND | \$1,526,331 |
| (3) HENDERSON STATE UNIVERSITY FUND | \$853,979 |
| (4) SOUTHERN ARKANSAS UNIVERSITY FUND | \$925,175 |
| (5) UNIVERSITY OF ARKANSAS FUND | \$3,898,490 |
| (6) UNIVERSITY OF ARKANSAS FUND-ARCHEOLOGICAL SURVEY | \$75,927 |
| (7) UNIVERSITY OF ARKANSAS FUND-DIV. OF AGRICULTURE | \$2,199,994 |
| (8) UNIVERSITY OF ARKANSAS FUND-CRIMINAL JUST. INSTIT. | \$77,917 |

| | |
|---|--------------------|
| (9) UNIVERSITY OF ARKANSAS AT FORT SMITH FUND | \$636,021 |
| (10) UNIVERSITY OF ARKANSAS AT LITTLE ROCK FUND | \$3,831,663 |
| (11) UNIVERSITY OF ARKANSAS MEDICAL CENTER FUND | \$3,365,751 |
| (12) UNIVERSITY OF ARKANSAS MEDICAL CENTER FUND - INDIGENT CARE | \$283,683 |
| (13) UNIVERSITY OF ARKANSAS AT MONTICELLO FUND | \$802,107 |
| (14) UNIVERSITY OF ARKANSAS AT PINE BLUFF FUND | \$1,861,467 |
| (15) UNIVERSITY OF CENTRAL ARKANSAS FUND | \$1,604,087 |
| (16) ARKANSAS NORTHEASTERN COLLEGE FUND | \$- |
| (17) ARKANSAS STATE UNIVERSITY - BEEBE FUND | \$- |
| (18) ARKANSAS STATE UNIVERSITY - MOUNTAIN HOME FUND | \$- |
| (19) ARKANSAS STATE UNIVERSITY - NEWPORT FUND | \$100,000 |
| (20) COSSATOT COMMUNITY COLLEGE OF THE UNIVERSITY OF ARKANSAS FUND | \$- |
| (21) EAST ARKANSAS COMMUNITY COLLEGE FUND | \$- |
| (22) GARLAND COUNTY COMMUNITY COLLEGE FUND | \$- |
| (23) MID-SOUTH COMMUNITY COLLEGE FUND | \$- |
| (24) NORTH ARKANSAS COLLEGE FUND | \$- |
| (25) NORTHWEST ARKANSAS COMMUNITY COLLEGE FUND | \$- |
| (26) PHILLIPS COMMUNITY COLLEGE OF THE UNIVERSITY OF ARKANSAS FUND | \$- |
| (27) RICH MOUNTAIN COMMUNITY COLLEGE FUND | \$- |
| (28) SAU - TECH FUND | \$- |
| (29) SOUTH ARKANSAS COMMUNITY COLLEGE FUND | \$- |
| (30) UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT BATESVILLE FUND | \$- |
| (31) UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT HOPE FUND | \$- |
| (32) UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT MORRILTON FUND | \$- |
| (33) BLACK RIVER TECHNICAL COLLEGE FUND | \$- |
| (34) OUACHITA TECHNICAL COLLEGE FUND | \$- |
| (35) OZARKA COLLEGE FUND | \$- |
| (36) PULASKI TECHNICAL COLLEGE FUND | \$- |
| (37) SOUTHEAST ARKANSAS COLLEGE FUND | \$- |
| (38) TWO-YEAR COLLEGE MODEL FORMULA FUND | <u>\$5,626,445</u> |
| TOTAL INSTITUTIONS OF HIGHER EDUCATION FUNDS | \$29,625,000 |

SECTION 43. Arkansas Code 19-5-403 is amended to read as follows:

19-5-403. Allocations for fiscal year 2004-05 and thereafter. Commencing with the fiscal year beginning July 1, 2004, and each fiscal year thereafter, the Treasurer of State shall transfer all remaining general revenues available for distribution on the last day of business in July 2004, and on the last day of business in each calendar month thereafter during the fiscal year to the various funds and fund accounts participating in general revenues in the proportions of the maximum allocation as the individual allocation to the fund or fund account bears to the total of the maximum allocation as provided in § 19-5-404(a) and (b).

SECTION 44. Arkansas Code 19-5-404 is amended to read as follows:

19-5-404. Maximum allocations of revenues for fiscal year 2004-05 and thereafter. (a) The Treasurer of State shall first make monthly allocations in the proportions set out in this subsection to the funds and fund accounts listed below until there has

been transferred a total of three billion four hundred ninety nine million seven hundred thousand nine hundred fifty four dollars (\$3,499,700,954) or so much thereof as may become available; provided that the Treasurer of State shall make such monthly allocations in accordance with each fund or fund account's proportionate part of the total of all such allocations set forth in this subsection:

PUBLIC SCHOOL FUND

| | |
|---|------------------------|
| (1) Dept. of Education Public School Fund Account | \$1,588,868,207 |
| (2) State Library Public School Fund Account | \$1,500,000 |
| (3) Dept. of Workforce Ed. Public School Fund Account | <u>\$22,217,464</u> |
| TOTAL PUBLIC SCHOOL FUND | \$1,612,585,671 |

GENERAL EDUCATION FUND

| | |
|--|-------------------|
| (1) Department of Education Fund Account | \$11,841,192 |
| (2) Educational Television Fund Account | \$3,915,547 |
| (3) School for the Blind Fund Account | \$4,851,356 |
| (4) School for the Deaf Fund Account | \$8,211,333 |
| (5) State Library Fund Account | \$2,792,127 |
| (6) Dept. of Workforce Education Fund Account | \$2,760,686 |
| (7) Rehabilitation Services Fund Account | \$12,056,201 |
| Technical Institutes: | |
| (8) Arkansas Valley Technical Institute Fund Account | \$2,074,400 |
| (9) Crowley's Ridge Technical Institute Fund Account | 2,169,741 |
| (10) Northwest Technical Institute Fund Account | 2,514,789 |
| (11) Quapaw Technical Institute Fund Account | 1,917,049 |
| (12) Riverside Vocational Tech. School Fund Account | <u>1,959,586</u> |
| TOTAL EDUCATION FUND | 63,349,645 |

DEPARTMENT OF HUMAN SERVICES FUND

| | |
|---|----------------------|
| (1) Dept. of Human Serv. Administration Fund Account | \$13,526,819 |
| (2) Aging and Adult Services Fund Account | \$10,602,576 |
| (3) Children & Family Services Fund Account | \$38,069,686 |
| (4) Child Care and Early Childhood Educ. Fund Account | \$517,768 |
| (5) Youth Services Fund Account | \$40,748,579 |
| (6) Developmental Disabilities Services Fund Account | \$43,385,135 |
| (7) Medical Services Fund Account | \$4,488,229 |
| (8) Department of Human Services Grants Fund Account | \$477,861,103 |
| (9) Mental Health Services Fund Account | \$55,974,670 |
| (10) State Services for the Blind Fund Account | \$1,770,435 |
| (11) County Operations Fund Account | <u>\$39,291,910</u> |
| TOTAL DEPARTMENT OF HUMAN SERVICES FUND | \$726,236,910 |

STATE GENERAL GOVERNMENT FUND

| | |
|---|---------------------|
| (1) Department of Arkansas Heritage Fund Account | \$4,691,305 |
| (2) Department of Labor Fund Account | \$2,340,542 |
| (3) Department of Higher Education Fund Account | \$2,859,352 |
| (4) Higher Education Grants Fund Account | \$33,828,000 |
| (5) Department of Economic Development Fund Account | \$9,356,023 |
| (6) Dept. of Correction Inmate Care and Custody Fund Account | \$203,530,355 |
| (7) Dept. of Community Correction Fund Account | \$43,873,760 |
| (8) Livestock & Poultry Fund Account | \$3,407,158 |
| (9) State Military Department Fund Account | \$7,797,534 |
| (10) Parks & Tourism Fund Account | \$19,044,279 |
| (11) Dept. of Environmental Quality Fund Account | \$3,501,452 |
| (12) Miscellaneous Agencies Fund Account | <u>\$42,689,698</u> |

| | |
|---|--------------------|
| TOTAL STATE GENERAL GOVERNMENT FUND | \$376,919,458 |
| COUNTY AID FUND | \$19,370,816 |
| COUNTY JAIL REIMBURSEMENT FUND | \$2,806,592 |
| CRIME INFORMATION SYSTEM FUND | \$3,393,959 |
| CHILD SUPPORT ENFORCEMENT FUND | \$13,014,933 |
| STATE FORESTRY FUND | \$5,644,742 |
| MERIT ADJUSTMENT FUND | \$12,100,000 |
| MOTOR VEHICLE ACQUISITION REVOLVING FUND | \$942,513 |
| MUNICIPAL AID FUND | \$26,989,976 |
| PUBLIC HEALTH FUND | \$49,350,845 |
| DEPARTMENT OF ARKANSAS STATE POLICE FUND | \$41,273,870 |
| PLANT BOARD FUND | <u>\$2,216,289</u> |
| TOTAL OTHER FUNDS | \$177,104,535 |
| | |
| INSTITUTIONS OF HIGHER EDUCATION | |
| (1) ARKANSAS STATE UNIVERSITY FUND | \$47,870,002 |
| (2) ARKANSAS TECH UNIVERSITY FUND | \$20,175,857 |
| (3) HENDERSON STATE UNIVERSITY FUND | \$15,886,068 |
| (4) SOUTHERN ARKANSAS UNIVERSITY FUND | \$12,684,516 |
| (5) UNIVERSITY OF ARKANSAS FUND | \$93,088,434 |
| (6) UNIVERSITY OF ARKANSAS FUND-ARCHEOLOGICAL SURVEY | \$1,716,866 |
| (7) UNIVERSITY OF ARKANSAS FUND-DIV. OF AGRICULTURE | \$49,639,798 |
| (8) UNIVERSITY OF ARKANSAS FUND-CRIMINAL JUST. INSTIT. | \$1,551,233 |
| (9) UNIVERSITY OF ARKANSAS AT FORT SMITH FUND | \$15,215,410 |
| (10) UNIVERSITY OF ARKANSAS AT LITTLE ROCK FUND | \$45,625,750 |
| (11) UNIVERSITY OF ARKANSAS MEDICAL CENTER FUND | \$66,917,949 |
| (12) UNIVERSITY OF ARKANSAS MEDICAL CENTER FUND - INDIGENT CARE | \$4,934,708 |
| (13) UNIVERSITY OF ARKANSAS AT MONTICELLO FUND | \$12,830,772 |
| (14) UNIVERSITY OF ARKANSAS AT PINE BLUFF FUND | \$19,522,532 |
| (15) UNIVERSITY OF CENTRAL ARKANSAS FUND | \$38,429,852 |
| (16) ARKANSAS NORTHEASTERN COLLEGE FUND | \$7,314,919 |
| (17) ARKANSAS STATE UNIVERSITY - BEEBE FUND | \$9,306,390 |
| (18) ARKANSAS STATE UNIVERSITY - MOUNTAIN HOME FUND | \$2,366,796 |
| (19) ARKANSAS STATE UNIVERSITY - NEWPORT FUND | \$2,050,323 |
| (20) COSSATOT COMMUNITY COLLEGE OF THE UNIVERSITY OF ARKANSAS FUND | \$2,245,065 |
| (21) EAST ARKANSAS COMMUNITY COLLEGE FUND | \$4,994,759 |
| (22) GARLAND COUNTY COMMUNITY COLLEGE FUND | \$5,350,481 |
| (23) MID-SOUTH COMMUNITY COLLEGE FUND | \$2,536,399 |
| (24) NORTH ARKANSAS COLLEGE FUND | \$6,659,532 |
| (25) NORTHWEST ARKANSAS COMMUNITY COLLEGE FUND | \$5,723,788 |
| (26) PHILLIPS COMMUNITY COLLEGE OF THE UNIVERSITY OF ARKANSAS FUND | \$7,635,269 |
| (27) RICH MOUNTAIN COMMUNITY COLLEGE FUND | \$2,605,870 |
| (28) SAU - TECH FUND | \$5,858,484 |
| (29) SOUTH ARKANSAS COMMUNITY COLLEGE FUND | \$5,028,984 |
| (30) UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT BATESVILLE FUND | \$2,747,147 |
| (31) UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT HOPE FUND | \$3,462,943 |
| (32) UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT MORRILTON FUND | \$3,239,560 |

| | |
|--|--------------------|
| (33) BLACK RIVER TECHNICAL COLLEGE FUND | \$4,410,588 |
| (34) OUACHITA TECHNICAL COLLEGE FUND | \$2,394,144 |
| (35) OZARKA COLLEGE FUND | \$2,052,535 |
| (36) PULASKI TECHNICAL COLLEGE FUND | \$6,216,028 |
| (37) SOUTHEAST ARKANSAS COLLEGE FUND | \$3,874,179 |
| (38) TWO-YEAR COLLEGE MODEL FORMULA FUND | <u>\$5,626,445</u> |
| TOTAL INSTITUTIONS OF HIGHER EDUCATION FUNDS | \$543,504,735 |

(b) After making the maximum annual allocations provided for in subsection (a) of this section, the Treasurer of State shall then make allocations from the remaining general revenues available for distribution, as set forth in this subsection, to the funds and fund accounts listed below until there has been transferred a total of ninety seven million seven hundred ninety one thousand two hundred twenty eight dollars (\$97,791,228) or so much thereof that may become available; provided, that the Treasurer of State shall make such monthly allocations in accordance with each fund or fund account's proportionate part of the total of all such allocations set forth in this subsection:

PUBLIC SCHOOL FUND

| | |
|---|------------------|
| (1) Dept. of Education Public School Fund Account | \$- |
| (2) State Library Public School Fund Account | \$- |
| (3) Dept. of Workforce Ed. Public School Fund Account | <u>\$726,265</u> |
| TOTAL PUBLIC SCHOOL FUND | \$726,265 |

GENERAL EDUCATION FUND

| | |
|--|-----|
| (1) Department of Education Fund Account | \$- |
| (2) Educational Television Fund Account | \$- |
| (3) School for the Blind Fund Account | \$- |
| (4) School for the Deaf Fund Account | \$- |
| (5) State Library Fund Account | \$- |
| (6) Dept. of Workforce Education Fund Account | \$- |
| (7) Rehabilitation Services Fund Account | \$- |
| Technical Institutes: | |
| (8) Arkansas Valley Technical Institute Fund Account | \$- |
| (9) Crowley's Ridge Technical Institute Fund Account | - |
| (10) Northwest Technical Institute Fund Account | - |
| (11) Quapaw Technical Institute Fund Account | - |
| (12) Riverside Vocational Tech. School Fund Account | - |
| TOTAL EDUCATION FUND | - |

DEPARTMENT OF HUMAN SERVICES FUND

| | |
|---|--------------|
| (1) Dept. of Human Serv. Administration Fund Account | \$- |
| (2) Aging and Adult Services Fund Account | \$- |
| (3) Children & Family Services Fund Account | \$- |
| (4) Child Care and Early Childhood Educ. Fund Account | \$- |
| (5) Youth Services Fund Account | \$- |
| (6) Developmental Disabilities Services Fund Account | \$- |
| (7) Medical Services Fund Account | \$- |
| (8) Department of Human Services Grants Fund Account | \$71,200,000 |
| (9) Mental Health Services Fund Account | \$- |
| (10) State Services for the Blind Fund Account | \$- |
| (11) County Operations Fund Account | <u>\$-</u> |
| TOTAL DEPARTMENT OF HUMAN SERVICES FUND | \$71,200,000 |

| | |
|---|--------------|
| STATE GENERAL GOVERNMENT FUND | |
| (1) Department of Arkansas Heritage Fund Account | \$- |
| (2) Department of Labor Fund Account | \$- |
| (3) Department of Higher Education Fund Account | \$- |
| (4) Higher Education Grants Fund Account | \$167,045 |
| (5) Department of Economic Development Fund Account | \$- |
| (6) Dept. of Correction Inmate Care and Custody Fund Account | \$- |
| (7) Dept. of Community Correction Fund Account | \$1,000,000 |
| (8) Livestock & Poultry Fund Account | \$- |
| (9) State Military Department Fund Account | \$- |
| (10) Parks & Tourism Fund Account | \$- |
| (11) Dept. of Environmental Quality Fund Account | \$- |
| (12) Miscellaneous Agencies Fund Account | \$300,000 |
| TOTAL STATE GENERAL GOVERNMENT FUND | \$1,467,045 |
| | |
| COUNTY AID FUND | \$- |
| COUNTY JAIL REIMBURSEMENT FUND | \$- |
| CRIME INFORMATION SYSTEM FUND | \$- |
| CHILD SUPPORT ENFORCEMENT FUND | \$- |
| STATE FORESTRY FUND | \$- |
| MERIT ADJUSTMENT FUND | \$9,200,000 |
| MOTOR VEHICLE ACQUISITION REVOLVING FUND | \$- |
| MUNICIPAL AID FUND | \$- |
| PUBLIC HEALTH FUND | \$1,445,950 |
| DEPARTMENT OF ARKANSAS STATE POLICE FUND | \$- |
| PLANT BOARD FUND | \$- |
| TOTAL OTHER FUNDS | \$10,645,950 |
| | |
| INSTITUTIONS OF HIGHER EDUCATION | |
| (1) ARKANSAS STATE UNIVERSITY FUND | \$860,693 |
| (2) ARKANSAS TECH UNIVERSITY FUND | \$369,928 |
| (3) HENDERSON STATE UNIVERSITY FUND | \$336,895 |
| (4) SOUTHERN ARKANSAS UNIVERSITY FUND | \$235,947 |
| (5) UNIVERSITY OF ARKANSAS FUND | \$1,729,090 |
| (6) UNIVERSITY OF ARKANSAS FUND-ARCHEOLOGICAL SURVEY | \$38,148 |
| (7) UNIVERSITY OF ARKANSAS FUND-DIV. OF AGRICULTURE | \$992,252 |
| (8) UNIVERSITY OF ARKANSAS FUND-CRIMINAL JUST. INSTIT. | \$35,915 |
| (9) UNIVERSITY OF ARKANSAS AT FORT SMITH FUND | \$371,730 |
| (10) UNIVERSITY OF ARKANSAS AT LITTLE ROCK FUND | \$2,996,800 |
| (11) UNIVERSITY OF ARKANSAS MEDICAL CENTER FUND | \$2,252,931 |
| (12) UNIVERSITY OF ARKANSAS MEDICAL CENTER FUND - INDIGENT CARE | \$- |
| (13) UNIVERSITY OF ARKANSAS AT MONTICELLO FUND | \$224,106 |
| (14) UNIVERSITY OF ARKANSAS AT PINE BLUFF FUND | \$311,407 |
| (15) UNIVERSITY OF CENTRAL ARKANSAS FUND | \$738,806 |
| (16) ARKANSAS NORTHEASTERN COLLEGE FUND | \$- |
| (17) ARKANSAS STATE UNIVERSITY - BEEBE FUND | \$- |
| (18) ARKANSAS STATE UNIVERSITY - MOUNTAIN HOME FUND | \$- |
| (19) ARKANSAS STATE UNIVERSITY - NEWPORT FUND | \$- |
| (20) COSSATOT COMMUNITY COLLEGE OF THE UNIVERSITY OF ARKANSAS FUND | \$- |

| | |
|---|--------------------|
| (21) EAST ARKANSAS COMMUNITY COLLEGE FUND | \$- |
| (22) GARLAND COUNTY COMMUNITY COLLEGE FUND | \$- |
| (23) MID-SOUTH COMMUNITY COLLEGE FUND | \$- |
| (24) NORTH ARKANSAS COLLEGE FUND | \$- |
| (25) NORTHWEST ARKANSAS COMMUNITY COLLEGE FUND | \$- |
| (26) PHILLIPS COMMUNITY COLLEGE OF THE UNIVERSITY OF ARKANSAS FUND | \$- |
| (27) RICH MOUNTAIN COMMUNITY COLLEGE FUND | \$- |
| (28) SAU - TECH FUND | \$- |
| (29) SOUTH ARKANSAS COMMUNITY COLLEGE FUND | \$- |
| (30) UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT BATESVILLE FUND | \$- |
| (31) UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT HOPE FUND | \$- |
| (32) UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT MORRILTON FUND | \$- |
| (33) BLACK RIVER TECHNICAL COLLEGE FUND | \$- |
| (34) OUACHITA TECHNICAL COLLEGE FUND | \$- |
| (35) OZARKA COLLEGE FUND | \$- |
| (36) PULASKI TECHNICAL COLLEGE FUND | \$- |
| (37) SOUTHEAST ARKANSAS COLLEGE FUND | \$- |
| (38) TWO-YEAR COLLEGE MODEL FORMULA FUND | <u>\$2,257,320</u> |
| TOTAL INSTITUTIONS OF HIGHER EDUCATION FUNDS | \$11,951,968" |

And

Renumber subsequent sections accordingly.

(SIGNED) DAVID A. BISBEE

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

(SIGNED) ANN CORNWELL, SECRETARY

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

On motion of Senator Bisbee, **Senate Bill No. 710** was called up for third reading and final disposition.

SENATE BILL NO. 710
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO AMEND THE ARKANSAS
REVENUE STABILIZATION LAW; AND FOR OTHER PURPOSES.

Senate Bill No. 710 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

| | |
|--|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast..... | 35 |
| Necessary to the passage of the bill | 27 |

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. 710**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

| | |
|--|----|
| Total | 35 |
| NEGATIVE: | |
| Total | 0 |
| ABSENT OR NOT VOTING: | |
| Total | 0 |
| VOTING PRESENT: | |
| Total | 0 |
| Total number of votes cast | 35 |
| Necessary to the passage of the bill | 24 |

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 710 was ordered engrossed.

On motion of Senator Hill, the rules were suspended in considering **Senate Concurrent Resolution No. 35** at this time.

On motion of Senator Hill, **Senate Concurrent Resolution No. 35** was called up for third reading.

**SENATE CONCURRENT RESOLUTION NO. 35
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR HILL**

SENATE CONCURRENT RESOLUTION TO PROVIDE FOR AN EXTENSION OF THE REGULAR SESSION OF THE EIGHTY-FOURTH GENERAL ASSEMBLY UNTIL MAY 9, 2003, TO ENABLE IT TO COMPLETE THE ESSENTIAL BUSINESS OF THE SESSION; TO PROVIDE THAT THE EIGHTY-FOURTH GENERAL ASSEMBLY MAY BE CONVENED ON OR BEFORE MAY 9 TO CONSIDER VETOES, ERRORS, OMISSIONS, AND CONSTITUTIONAL AMENDMENTS.

Senate Concurrent Resolution No. 35 was read the third time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Concurrent Resolution No. 35 was ordered immediately transmitted to the House.

On motion of Senator Hill, **Senate Concurrent Resolution No. 36** was called up for third reading.

**SENATE CONCURRENT RESOLUTION NO. 36
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR HILL**

SENATE CONCURRENT RESOLUTION TO PROVIDE FOR AN EXTENSION OF THE REGULAR SESSION OF THE EIGHTY-FOURTH GENERAL ASSEMBLY UNTIL MAY 12, 2003; RECESS ON APRIL 16; RECONVENE ON APRIL 22; AND RECESS AT THE CLOSE OF BUSINESS ON APRIL 25; TO

PROVIDE THAT THE EIGHTY-FOURTH GENERAL ASSEMBLY MAY BE
CONVENED ON OR BEFORE MAY 12 TO CONSIDER VETOES, ERRORS,
OMISSIONS, AND CONSTITUTIONAL AMENDMENTS.

Senate Concurrent Resolution No. 36 was read the third time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Concurrent Resolution No. 36 was ordered immediately transmitted to
the House.

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

April 15, 2003

Mr. President:

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

HOUSE BILL NO. 2505, BY REPRESENTATIVE HATHORN,

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

Respectfully submitted,
(SIGNED) JOHN PAUL CAPPS, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

April 15, 2003

Mr. President:

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

SENATE BILL NO. 710, 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. 710 was ordered immediately transmitted to the House.

ARKANSAS SENATE
EIGHTY-FOURTH GENERAL ASSEMBLY
REGULAR SESSION

April 15, 2003

Mr. President:

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

House BILL NO. 2888, BY REPRESENTATIVE HATHORN,

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 BILLS TRANSMITTED TO THE HOUSE
AS PASSED

SENATE BILL NO. 42
SENATE BILL NO. 178
SENATE BILL NO. 189
SENATE BILL NO. 251
SENATE BILL NO. 455
SENATE BILL NO. 640
SENATE BILL NO. 710

SENATE CONCURRENT RESOLUTIONS TRANSMITTED
TO THE HOUSE AS ADOPTED

SENATE CONCURRENT RESOLUTION NO. 35
SENATE CONCURRENT RESOLUTION NO. 36

HOUSE BILLS RETURNED TO THE HOUSE
AS PASSED

HOUSE BILL NO. 1015
HOUSE BILL NO. 1094
HOUSE BILL NO. 1098
HOUSE BILL NO. 1263
HOUSE BILL NO. 1304
HOUSE BILL NO. 1393
HOUSE BILL NO. 1419
HOUSE BILL NO. 1511
HOUSE BILL NO. 1533
HOUSE BILL NO. 1536
HOUSE BILL NO. 1558
HOUSE BILL NO. 1564
HOUSE BILL NO. 1684
HOUSE BILL NO. 1716
HOUSE BILL NO. 1750
HOUSE BILL NO. 1752
HOUSE BILL NO. 1953

HOUSE BILL NO. 1958
HOUSE BILL NO. 1978
HOUSE BILL NO. 2022
HOUSE BILL NO. 2062
HOUSE BILL NO. 2149
HOUSE BILL NO. 2187
HOUSE BILL NO. 2202
HOUSE BILL NO. 2222
HOUSE BILL NO. 2228
HOUSE BILL NO. 2272
HOUSE BILL NO. 2311
HOUSE BILL NO. 2361
HOUSE BILL NO. 2363
HOUSE BILL NO. 2374
HOUSE BILL NO. 2382
HOUSE BILL NO. 2403
HOUSE BILL NO. 2409
HOUSE BILL NO. 2441
HOUSE BILL NO. 2450
HOUSE BILL NO. 2459
HOUSE BILL NO. 2474
HOUSE BILL NO. 2475
HOUSE BILL NO. 2520
HOUSE BILL NO. 2657
HOUSE BILL NO. 2730
HOUSE BILL NO. 2746
HOUSE BILL NO. 2750
HOUSE BILL NO. 2751
HOUSE BILL NO. 2775
HOUSE BILL NO. 2814
HOUSE BILL NO. 2830
HOUSE BILL NO. 2833
HOUSE BILL NO. 2844
HOUSE BILL NO. 2853
HOUSE BILL NO. 2888
HOUSE BILL NO. 2900

HOUSE BILLS RETURNED TO THE HOUSE

AS PASSED AS AMENDED

HOUSE BILL NO. 1356
HOUSE BILL NO. 1469
HOUSE BILL NO. 1477
HOUSE BILL NO. 1488
HOUSE BILL NO. 1589
HOUSE BILL NO. 1851
HOUSE BILL NO. 2223
HOUSE BILL NO. 2236
HOUSE BILL NO. 2258
HOUSE BILL NO. 2327
HOUSE BILL NO. 2390
HOUSE BILL NO. 2404
HOUSE BILL NO. 2421
HOUSE BILL NO. 2457
HOUSE BILL NO. 2476
HOUSE BILL NO. 2710
HOUSE BILL NO. 2813
HOUSE BILL NO. 2834

HOUSE BILL RETURNED TO THE HOUSE

HAVING FAILED TO PASS

HOUSE BILL NO. 2541

SENATE BILLS RETURNED FROM THE HOUSE

AS PASSED

SENATE BILL NO. 103
SENATE BILL NO. 198
SENATE BILL NO. 202
SENATE BILL NO. 298
SENATE BILL NO. 446
SENATE BILL NO. 499
SENATE BILL NO. 505
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SENATE BILL NO. 614
SENATE BILL NO. 615
SENATE BILL NO. 630
SENATE BILL NO. 633
SENATE BILL NO. 635
SENATE BILL NO. 636

SENATE BILL NO. 637
SENATE BILL NO. 638
SENATE BILL NO. 639
SENATE BILL NO. 641
SENATE BILL NO. 642
SENATE BILL NO. 643
SENATE BILL NO. 644
SENATE BILL NO. 645
SENATE BILL NO. 646
SENATE BILL NO. 647
SENATE BILL NO. 648
SENATE BILL NO. 649
SENATE BILL NO. 650
SENATE BILL NO. 654
SENATE BILL NO. 662
SENATE BILL NO. 672
SENATE BILL NO. 673
SENATE BILL NO. 674
SENATE BILL NO. 691
SENATE BILL NO. 733
SENATE BILL NO. 806
SENATE BILL NO. 856

SENATE BILLS RETURNED FROM THE HOUSE
AS PASSED AS AMENDED

SENATE BILL NO. 417
SENATE BILL NO. 620
SENATE BILL NO. 744
SENATE BILL NO. 863

HOUSE BILLS TRANSMITTED TO THE SENATE
AS PASSED

HOUSE BILL NO. 1173
HOUSE BILL NO. 1230
HOUSE BILL NO. 1377
HOUSE BILL NO. 1655
HOUSE BILL NO. 1810
HOUSE BILL NO. 1939
HOUSE BILL NO. 2026
HOUSE BILL NO. 2128
HOUSE BILL NO. 2163
HOUSE BILL NO. 2320
HOUSE BILL NO. 2594
HOUSE BILL NO. 2656
HOUSE BILL NO. 2871
HOUSE BILL NO. 2879

HOUSE BILL TRANSMITTED TO THE SENATE
AS PASSED, EMERGENCY CLAUSE HAVING FAILED

HOUSE BILL NO. 2697

HOUSE CONCURRENT RESOLUTION RETURNED TO THE HOUSE AS
CONCURRED IN

HOUSE CONCURRENT RESOLUTION NO. 1008

On motion of Senator Baker, the Senate adjourned until 11:00 a.m.,
Wednesday, April 16, 2003.

PRESIDENT

SECRETARY