

**SIXTEENTH DAY'S PROCEEDINGS
HALL OF THE HOUSE OF REPRESENTATIVES**

Little Rock, Arkansas
December 23, 2003

The House was called to order at 10:08 a.m. by Mr. Cleveland, the Speaker.
The following members answered to the roll call:

Adams, Agee, Anderson, Bennett, Berry, Biggs, Blair, Bledsoe, Bolin, Bond, Bookout, Borhauer, Boyd, Bradford, Bright, Chesterfield, Childers, Clemons, Cowling, Creekmore, Dangeau, Dees, Dickinson, Eason, Edwards, Elliott, D.Evans, L. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Green, Haak, Hardwick, Harris, Hathorn, Hickinbotham, House, Hutchinson, Jackson, Jacobs, Jeffrey, C.Johnson, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Napper, Nichols, Norton, Oglesby, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, Smith, Stovall, Sullivan, Sumpter, C.Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood, Mr. Speaker.

Total98

The following member(s) was absent and did not answer to the roll call:
Dobbins, J. Taylor.

Total2

A quorum was present.

Unanimous leave was granted for Representative(s) Dobbins, J. Taylor.

The House stood and was led in prayer by Representative John Eason.

The House stood and gave the Pledge of Allegiance to the Flag.

The reading of the Journal of yesterday's proceedings was dispensed with.

COMMITTEE REPORT

JOINT COMMITTEE ON PUBLIC RETIREMENT AND SOCIAL SECURITY PROGRAMS HOUSE BILL NO. 1069 BY REPRESENTATIVE R. SMITH	December 23, 2003 ROGER SMITH CHAIRPERSON DO PASS
---	--

COMMITTEE REPORT

EDUCATION HOUSE BILL NO. 1049 BY REPRESENTATIVE CLEVELAND SENATE BILL NO. 36 BY SENATOR ARGUE	December 23, 2003 CALVIN JOHNSON CHAIRPERSON DO PASS AS AMENDED #4 & #5 DO PASS
---	--

State of Arkansas
Office of the Governor

Mike Huckabee
Governor

December 22, 2003

TO THE SPEAKER OF THE HOUSE

Dear Mr. Speaker:

This is to inform you that on December 22, 2003, I approved the following measures from the Second Extraordinary Session of the Eighty-Fourth General Assembly:

HOUSE BILL NO. 1024 is now Act Number 13

HOUSE BILL NO. 1022 is now Act Number 11

HOUSE BILL NO. 1025 is now Act Number 10

Sincerely,

/s/ Mike Huckabee

MH:sm

cc: President of the Senate

Upon motion of Representative J. Johnson, **HOUSE BILL NO. 1065** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1065

Amend **HOUSE BILL NO. 1065** as engrossed, H12/22/03

(version: 12-22-2003 08:39):

Page 2, delete lines 12 through 15 entirely

AND

Page 2, line 16, delete "(d)(1)" and substitute "(c)(1)"

AND

Page 2, line 24, delete "recommendations consistent" and substitute "recommendations to the General Assembly consistent"

AND

Page 2, line 26, delete "to the General Assembly"

/s/ Janet Johnson

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative C. Johnson, **HOUSE BILL NO. 1053** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1053

Amend **HOUSE BILL NO. 1053** as originally introduced:

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

"(c) For the purpose of this section, "instructional purposes" means activities initiated by the teacher related to teaching duties"

/s/ Calvin Johnson

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Elliott, **HOUSE BILL NO. 1063** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1063

Amend **HOUSE BILL NO. 1063** as originally introduced:

Page 2, line 27, delete "substantially" and substitute "substantially equal"

AND

Page 3, line 10, delete "substantially" and substitute "substantially equal"

AND

Page 3, line 31, delete "substantially" and substitute "substantially equal"

/s/ J. Elliott

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Petrus, **HOUSE BILL NO. 1027** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1027

Amend **HOUSE BILL NO. 1027** as originally introduced:

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code Title 23, Chapter 112, Subchapter 1 is amended to add an additional section to read as follows:

23-112-106. Enforcement.

(a)(1) The Arkansas Motor Vehicle Commission may enter orders that direct and command compliance with this chapter and regulations under this chapter if any of the following conditions have been met:

(A) The commission has conducted a hearing within sixty (60) days on the matter;

(B) The commission has made written findings that the public interest and welfare require the person or entity against whom the commission is acting to take the specified action;

(C) The commission finds that the current civil or administrative penalties are insufficient; or

(D) The failure of the commission to issue the order would be detrimental to the public interest or welfare.

(2) The commission may enforce its findings and conclusions upon entry of an order under this subsection (a).

(b) The commission shall have the power to enforce the prohibitions contained in the Arkansas Motor Vehicle Commission Act, § 23-112-101 et seq., and rules promulgated under this chapter through the imposition of fines and penalties, the issuance of cease and desist orders, and other remedies that are provided by law.

(c) Regarding all orders issued under subsection (b) of this section, the following procedures shall apply:

(1) Upon finding that any action of a person or entity is violating this chapter, the commission or its designee may order the person to cease and desist from the prohibited action;

(2) Upon entering the order under subdivision (c)(1) of this section, the commission or its designee shall promptly notify the person or entity that the order has been entered and shall state the reasons for the order;

(3) The person may contest the cease and desist order by delivering a written request for a hearing to the commission within three (3) days from the date on which the person receives notice of the order;

(4)(A) If the commission receives a timely written request for a hearing, the commission shall schedule a hearing to be held within thirty (30) days after receipt of the request.

(B) The commission may otherwise determine that a hearing is necessary and order a hearing within thirty (30) days after the order under subdivision (c)(1) of this section is issued;

(5) If the person does not request a hearing or the commission does not order a hearing, the order issued under subdivision (c)(1) of this section shall remain in effect until it is modified or vacated by the commission; and

(6) If a hearing is requested or ordered, after notice of and opportunity for a hearing, the commission may take the following actions on orders issued under subdivision (c)(1) of this section:

(A) Modify the order;

(B) Vacate the order; or

(C) Make the order permanent.

(d)(1) A person shall be subject to a civil penalty of up to two thousand five hundred dollars (\$2,500) for each violation of the commission's cease and desist order committed after entry of the cease and desist order if:

(A)(i) The person or entity subject to the cease and desist order fails to appeal the order in accordance with this section; or

(ii) The person appeals and the appeal is denied or dismissed; or

(B) The person continues to engage in the prohibited action in violation of the commission's order.

(2) In addition to the civil penalty under this section, the commission may impose a civil penalty as provided under § 23-112-314.

(3) The penalties of this section apply in addition to, but not in lieu of, any other provision of law applicable to a person or entity for his or her failure to comply with an order of the commission.

(e) The orders of the commission shall be subject to a person's right to appeal."

/s/ Benny C. Petrus

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Medley, **HOUSE BILL NO. 1041** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1041

Amend **HOUSE BILL NO. 1041** as originally introduced:

Page 1, line 23, delete "(2)" and substitute "(2)(A)"

AND

Page 1, delete line 24 and substitute the following:

"forty (40) minutes during the student instructional day.

(B) A teacher who does not receive the planning time required under subdivision (a)(2)(A) of this section within the student instructional day shall be compensated at his or her hourly rate of pay for each missed planning period."

AND

Immediately following SECTION 1 add the following two additional SECTIONS to read as follows:

"SECTION 2. Arkansas Code § 6-17-114, concerning the daily planning period for teachers, is amended to read as follows:

(d) As used in this section, "student instructional day" means the time that students are required to be present at school.

SECTION 3. This act shall be effective at the beginning of the 2004-2005 school year."

/s/ Jim Medley

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Medley, **HOUSE BILL NO. 1041** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1041

Amend **HOUSE BILL NO. 1041** as originally introduced:

Page 1, line 23, delete "(2)" and substitute "(2)(A)"

AND

Page 1, delete line 24 and substitute the following:

"forty (40) minutes during the student instructional day.

(B) A teacher who does not receive the planning time required under subdivision (a)(2)(A) of this section within the student instructional day shall be compensated at his or her hourly rate of pay for each missed planning period.

(C) Teachers who have collectively negotiated a contract through a local teacher's association are exempt from the provisions of this subsection (a)."

AND

Immediately following SECTION 1 add the following two additional SECTIONS to read as follows:

"SECTION 2. Arkansas Code § 6-17-114, concerning the daily planning period for teachers, is amended to read as follows:

(d) As used in this section, "student instructional day" means the time that students are required to be present at school.

SECTION 3. This act shall be effective at the beginning of the 2004-2005 school year."

/s/ Jim Medley

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Medley, **HOUSE BILL NO. 1042** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1042

Amend **HOUSE BILL NO. 1042** as originally introduced:

Page 1, line 28, delete "(b)" and substitute "(b)(1)"

AND

Page 1, delete line 29 and substitute the following:

"kindergarten through four (K-4), unless at those particular students' grade level, there are six (6) or fewer students available to comprise a class under current law.

(2) Classroom size may be adjusted under this subsection (b) within thirty (30) days after the beginning of each school year.

(c) Classes for gifted and talented students are exempt from the provisions of this section."

/s/ Jim Medley

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Medley, **HOUSE BILL NO. 1043** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1043

Amend **HOUSE BILL NO. 1043** as originally introduced:

Page 1, delete line 35 and substitute the following:

~~"right to be compensated.~~

(3) Teachers who have collectively negotiated a contract through a local teacher's association are exempt for the provisions of this subsection (a).

SECTION 2. This act shall be effective at the beginning of the 2004-2005 school year.

/s/ Jim Medley

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Boyd, **HOUSE BILL NO. 1030** was placed back on second reading for the purpose of amendment.

***** **EXPUNGED** *****12/26/03*****

AMENDMENT NO. 1 TO HOUSE BILL NO. 1030

Amend **HOUSE BILL NO. 1030** as originally introduced:

Page 15, delete line 13, and substitute the following:

"property and services, and that is effective until contingency in Acts 2003, No. 1273, § 88 is met, is amended to read as follows:"

AND

Page 15, delete line 20, and substitute the following:

"transportation services:

SECTION 3. Arkansas Code § 26-52-301(2), establishing an excise tax on property and services that is effective when contingency in Acts 2003, No. 1273, § 88 is met, is amended to read as follows:

(2)(A) Natural or artificial gas, electricity, water, ice, steam, sewer services, sanitation services, garbage collection, and solid and liquid waste collection and disposal ~~or any other utility or public service, except transportation services, sewer services, and sanitation or garbage collection services;~~

(B) Any other utility or public service except transportation services;

AND

Page 15, line 22, delete "SECTION 3." and substitute "SECTION 4."

AND

Page 15, line 34, delete "SECTION 4." and substitute "SECTION 5."

AND

Page 16, line 10, delete "SECTION 5." and substitute "SECTION 6."

AND

Page 17, line 19, delete "SECTION 6." and substitute "SECTION 7."

AND

Page 17, delete line 23, and substitute the following:

"levied in this section shall not apply to the alteration, addition, cleaning,"

AND

Page 18, line 29, delete "SECTION 7." and substitute "SECTION 8."

AND

Page 19, line 8, delete "SECTION 8." and substitute "SECTION 9."

AND

Page 19, line 23, delete "SECTION 9." and substitute "SECTION 10."

AND

Page 20, line 23, delete "SECTION 10." and substitute "SECTION 11."

AND

Page 21, line 24, delete "SECTION 11." and substitute "SECTION 12."

AND

Page 22, line 28, delete "SECTION 12." and substitute "SECTION 13."

AND

Page 23, line 32, delete "SECTION 13." and substitute "SECTION 14."

AND

Page 24, line 13, delete "SECTION 14." and substitute "SECTION 15."

AND

Page 24, line 18, delete "SECTION 15." and substitute "SECTION 16."

AND

Page 24, line 27, delete "SECTION 16." and substitute "SECTION 17."

AND

Page 25, line 3, delete "SECTION 17." and substitute "SECTION 18."

AND

Page 25, line 11, delete "SECTION 18." and substitute "SECTION 19."

AND

Page 25, delete lines 13 through 22, and substitute the following:

"(a)(1) Any person who is the operator of a vending device in this state that is made available for use and operation by the general public (~~whether the operator is the owner of such vending device, or a lessee, renter, bailee, etc. of the owner of such vending device~~) may, in lieu of paying sales taxes under the provisions of ~~§ 26-52-101, et seq., or under the provisions of § 26-57-1001, et seq.~~ elect to pay the decal fees provided by ~~§ 26-57-1206.~~ If such election is not made by the operator, then the general or special sales taxes that are otherwise applicable to the operation of these vending devices shall be imposed upon the sale of tangible personal property from such vending devices. shall:

(A) Pay the decal fees provided by § 26-57-1206; and

(B) Collect and remit the state gross receipts taxes levied under Arkansas Gross Receipts Act of 1941, § 26-52-101 et seq. and Amendment 75 of the Arkansas Constitution, and any applicable city and county gross receipts taxes.

(2) The provisions of subdivision (a)(1) of this section shall apply whether the operator of a vending device is the owner of the vending device, or is the lessee, renter, or bailee of the owner of the vending device."

AND

Page 25, line 24, delete "SECTION 19." and substitute "SECTION 20."

AND

Page 25, line 35, delete "SECTION 20." and substitute "SECTION 21."

AND

Page 26, line 17, delete "SECTION 21." and substitute "SECTION 22."

AND

Page 29, delete lines 10 through 13, and substitute the following:

~~"(f) Operators who elect to pay tax at the wholesale level and which have been issued an identification number by the Department of Finance and Administration as of March 31, 1997, shall be entitled to utilize that identification number for all vending devices owned by that operator."~~

AND

Page 29, delete lines 15 through 26, and substitute the following:

"SECTION 23. Arkansas Code § 26-57-1208 is repealed.

~~26-57-1208. Distribution of revenue.~~

~~(a) It is hereby declared to be the purpose of this subchapter to provide revenues for general governmental functions of the state, and its counties and municipalities, in lieu of the state and local gross receipts (sales) taxes or vending devices sales taxes that would otherwise be due and owing from the person who is the operator of such vending devices. For that purpose and to that end, it is expressly provided that the revenue derived by the Director of the Department of Finance and Administration from the sale of annual or special vending device decal fees, including penalties, shall be deposited by the director into the State Treasury and credited as follows.~~

~~(b) The vending device decal fees imposed by § 26-57-1206, or any proportionate amount thereof, shall be divided.~~

~~(1) With eighty percent (80%) of such amount being deposited to the credit of the General Revenue Fund Account of the State Apportionment Fund provided by § 19-5-202; and~~

~~(2) With twenty percent (20%) of such amount being deposited by the Treasurer of the State in the Identification Pending Trust Fund for Local Sales and Use Taxes in accordance with the provisions of §§ 26-74-221 and 26-75-223, and all revenues deposited into that fund shall be distributed to the cities and counties of this state in accordance with the provisions of §§ 26-74-221(a)(2)(C)(ii) and 26-75-223(a)(2)(C)(ii)."~~

AND

Page 29, delete line 26 and substitute the following:

"State Treasury and credited as follows.

"SECTION 24. Arkansas Code §§ 26-57-1001 through 26-57-1005 are

repealed.

~~26-57-1001. Definitions.~~

For the purposes of this subchapter, the following definitions shall apply:

~~(1) "Director" shall mean the Director of the Department of Finance and Administration or his authorized agents;~~

~~(2) "Person" shall mean any individual, partnership, corporation, limited liability corporation, association, organization, or nonprofit corporation, and any county or municipal subdivision of this state;~~

~~(3)(A) "Vending device" shall mean any machine or manual device which dispenses tangible personal property after a coin or thing of value is inserted.~~

~~(B) The term "vending device" shall not include devices used exclusively for the purpose of selling cigarettes, newspapers, magazines, or postage stamps; and~~

~~(4) "Vending device operator" shall mean any person who sells tangible personal property through vending devices, and who elects to pay the taxes imposed by § 26-57-1002.~~

~~26-57-1002. Registration—Records—Amount of tax.~~

~~(a) Any person who sells tangible personal property through vending devices may elect to register with the director as a vending device operator and pay the state and local sales and use taxes as provided in this section.~~

~~(b) Any person who elects to register as a vending device operator shall obtain a gross receipts tax permit from the director as provided in § 26-52-201 et seq.~~

~~(c)(1) All tangible personal property purchased by a vending device operator for resale through a vending device shall be purchased exempt from the Arkansas gross receipts tax, § 26-52-101 et seq., the Arkansas compensating use tax, § 26-53-101 et seq., and any local sales and use taxes pursuant to the sale for resale exemption provided for in § 26-52-401(12).~~

~~(2) The vending device operator shall maintain suitable records reflecting all purchases of tangible personal property during each calendar month for resale through a vending device.~~

~~(d)(1)(A) A tax of four and one-half percent (4.5%) is hereby levied on the purchase price of all tangible personal property purchased or withdrawn from inventory during each calendar month by a vending device operator for resale through a vending device.~~

~~(B) This tax shall be in lieu of any state gross receipts tax on the gross receipts or gross proceeds derived from the sale of the property by the vending device operator through a vending device.~~

~~(2)(A) An additional tax of one percent (1%) is hereby levied on the purchase price of all tangible personal property purchased or withdrawn from inventory during each calendar month for resale through a vending device.~~

~~(B) This tax shall be in lieu of any local gross receipts taxes imposed by any city or county of this state on the gross receipts or gross proceeds derived from the sale of the property by the vending device operator through a vending device.~~

~~(e) The taxes levied by subsection (d) of this section shall be reported and paid in the same manner and at the same time as prescribed by law for the reporting and payment of the Arkansas gross receipts tax, § 26-52-101 et seq.~~

~~(f) When calculating the taxes due under this section, a vending device operator shall be allowed to deduct any manufacturer's rebates received which lower the final purchase price paid by the vending device operator for property sold through a vending device.~~

~~(g) Any vending device operator who manufactures the product which is withdrawn from stock for sale through a vending device shall calculate the tax due by multiplying the tax rate set out in subsection (d) of this section by the selling price for which the person would sell the product to another vending device operator for resale through a vending device.~~

~~26-57-1003. Election not to register.~~

~~(a) Any person selling tangible personal property through a vending device, and who elects not to register as a vending device operator, shall:~~

~~(1) Surrender any gross receipts tax permits issued by the director, unless the permit is needed to report taxable sales other than sales through a vending device; and~~

~~(2)(A) Pay the Arkansas gross receipts tax, § 26-52-101 et seq., the Arkansas compensating use tax, § 26-53-101 et seq., and any applicable local sales and use taxes to their vendor on all purchases of tangible personal property purchased for resale through a vending device.~~

~~(B)(i) The sale for resale exemption provided in § 26-52-401(12) shall not apply to purchases of tangible personal property for resale through vending devices unless the purchaser is registered with the director as a vending device operator.~~

~~(ii) However, any person not registered as a vending device operator who maintains property in inventory for subsequent resale on which the state and local sales and use taxes have not been paid, and who subsequently withdraws that property from inventory for sale through a vending device, shall report and pay the state and local sales and use taxes on their purchase price of such~~

property withdrawn from inventory.

~~(b) Any person selling property through vending devices who has paid the state and local sales and use taxes in the manner provided by this section shall not be required to collect and remit state or local sales tax on sales of tangible personal property through the vending device.~~

~~(c) Any person who elects to pay tax on tangible personal property sold through vending devices in accordance with the provisions of this section and who manufactures the product which is withdrawn from stock for resale through a vending device shall pay the taxes due under this section by multiplying the tax rate by the selling price for which the person would sell the product to another for resale through a vending device."~~

~~26-57-1004. Identification of taxpayer—Presumption of nonpayment.~~

~~(a) All persons who sell tangible personal property through vending devices shall affix the name and identification number, if any, of the person responsible for the payment of the taxes imposed by §§ 26-57-1002 and 26-57-1003.~~

~~(b)(1)(A) If any vending device does not have the information required by subsection (a) of this section affixed thereto, there shall be a presumption that the taxes imposed by this subchapter have not been paid.~~

~~(B) The director shall seal any vending device subject to this presumption in such a manner as to prevent any further sales through the device and shall assess and collect a penalty of fifty dollars (\$50.00) per vending device against the person selling tangible personal property through the device.~~

~~(2) The presumption in subdivision (b)(1) of this section shall be overcome if the person selling property through the vending device affixes the information required by this section to the device and proves that the taxes imposed by §§ 26-57-1002 and 26-57-1003 have been paid.~~

~~26-57-1005. Disposition of revenues.~~

~~(a) The revenues derived from § 26-57-1002(d)(1) shall be general revenues and shall be deposited in the State Treasury in the same manner as the Arkansas gross receipts tax, § 26-52-101 et seq.~~

~~(b) All revenues derived from § 26-57-1002(d)(2) shall be deposited by the Treasurer of State in the Identification Pending Trust Fund for Local Sales and Use Taxes in accordance with the provisions of §§ 26-74-221 and 26-75-223, and all revenues deposited in that fund shall be distributed to the cities and counties of this state in accordance with the provisions of §§ 26-74-221(a)(2)(C)(ii) and 26-75-223(a)(2)(C)(ii)."~~

AND

Page 29, line 28, delete "SECTION 23." and substitute "SECTION 25."

AND

Page 30, line 4, delete "SECTION 24." and substitute "SECTION 26."

AND

Page 30, line 15, delete "SECTION 25." and substitute "SECTION 27."

AND

Page 30, line 27, delete "SECTION 26." and substitute "SECTION 28."

AND

Page 30, delete line 31, and substitute the following:

"one percent (.375%) upon all tangible personal property and services subject to the tax"

AND

Page 31, line 3, delete "SECTION 27." and substitute "SECTION 29."

AND

Page 31, line 14, delete "SECTION 28." and substitute "SECTION 30."

AND

Page 31, delete line 26, and substitute the following:

"the second calendar month following the effective date of this act, with the exception of sections 18 through 25 pertaining to the provisions of Arkansas Code § 26-57-1001 et seq., which shall become effective July 1, 2004."

/s/ Travis Boyd

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw

Chief Clerk

***** EXPUNGED *****12/26/03*****

Upon motion of Representative Boyd, **HOUSE BILL NO. 1029** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1029

Amend **HOUSE BILL NO. 1029** as originally introduced:

Page 15, delete line 8, and substitute the following:

"property and services and that is effective until contingency in Acts 2003, No. 1273, § 88 is met, is amended to read as follows:"

AND

Page 15, delete line 15, substitute the following:

“transportation services:

SECTION 3. Arkansas Code § 26-52-301(2), establishing an excise tax on property and services and that is effective when contingency in Acts 2003, No. 1273, § 88 is met, is amended to read as follows:

(2)(A) Natural or artificial gas, electricity, water, ice, steam, sewer services, sanitation services, garbage collection, and solid and liquid waste collection and disposal ~~or any other utility or public service, except transportation services, sewer services, and sanitation or garbage collection services;~~

(B) Any other utility or public service except transportation services;

AND

Page 15, line 17, delete “SECTION 3.” and substitute “SECTION 4.”

AND

Page 15, line 29, delete “SECTION 4.” and substitute “SECTION 5.”

AND

Page 16, line 5, delete “SECTION 5.” and substitute “SECTION 6.”

AND

Page 17, line 14, delete “SECTION 6.” and substitute “SECTION 7.”

AND

Page 17, delete line 18, and substitute:

“levied in this section shall not apply to the alteration, addition, cleaning,”

AND

Page 18, line 24, delete “SECTION 7.” and substitute “SECTION 8.”

AND

Page 19, line 3, delete “SECTION 8.” and substitute “SECTION 9.”

AND

Page 19, line 18, delete “SECTION 9.” and substitute “SECTION 10.”

AND

Page 20, line 18, delete “SECTION 10.” and substitute “SECTION 11.”

AND

Page 21, line 19, delete “SECTION 11.” and substitute “SECTION 12.”

AND

Page 22, line 23, delete “SECTION 12.” and substitute “SECTION 13.”

AND

Page 23, line 27, delete “SECTION 13.” and substitute “SECTION 14.”

AND

Page 24, line 8, delete “SECTION 14.” and substitute “SECTION 15.”

AND

Page 24, line 13, delete "SECTION 15." and substitute "SECTION 16."

AND

Page 24, line 22, delete "SECTION 16." and substitute "SECTION 17."

AND

Page 24, line 34, delete "SECTION 17." and substitute "SECTION 18."

AND

Page 25, line 6, delete "SECTION 18." and substitute "SECTION 19."

AND

Page 25, delete lines 8 through 17, and substitute:

~~"(a)(1) Any person who is the operator of a vending device in this state that is made available for use and operation by the general public (whether the operator is the owner of such vending device, or a lessee, renter, bailee, etc. of the owner of such vending device) may, in lieu of paying sales taxes under the provisions of § 26-52-101, et seq., or under the provisions of § 26-57-1001, et seq. elect to pay the decal fees provided by § 26-57-1206. If such election is not made by the operator, then the general or special sales taxes that are otherwise applicable to the operation of these vending devices shall be imposed upon the sale of tangible personal property from such vending devices shall:~~

(A) Pay the decal fees provided by § 26-57-1206; and

(B) Collect and remit the state gross receipts taxes levied under Arkansas Gross Receipts Act of 1941, § 26-52-101 et seq. and Amendment 75 of the Arkansas Constitution, and any applicable city and county gross receipts taxes.

(2) The provisions of subdivision (a)(1) of this section shall apply whether the operator of a vending device is the owner of the vending device, or is the lessee, renter, or bailee of the owner of the vending device."

AND

Page 25, line 19, delete "SECTION 19." and substitute "SECTION 20."

AND

Page 25, line 30, delete "SECTION 20." and substitute "SECTION 21."

AND

Page 26, line 12, delete "SECTION 21." and substitute "SECTION 22."

AND

Page 29, delete lines 5 through 8, and substitute the following:

~~"(f) Operators who elect to pay tax at the wholesale level and which have been issued an identification number by the Department of Finance and Administration as of March 31, 1997, shall be entitled to utilize that identification number for all vending devices owned by that operator."~~

AND

Page 29, delete lines 10 through 21 and substitute the following:

"SECTION 23. Arkansas Code § 26-57-1208 is repealed.

~~26-57-1208. Distribution of revenue.~~

~~(a) It is hereby declared to be the purpose of this subchapter to provide revenues for general governmental functions of the state, and its counties and municipalities, in lieu of the state and local gross receipts (sales) taxes or vending devices sales taxes that would otherwise be due and owing from the person who is the operator of such vending devices. For that purpose and to that end, it is expressly provided that the revenue derived by the Director of the Department of Finance and Administration from the sale of annual or special vending device decal fees, including penalties, shall be deposited by the director into the State Treasury and credited as follows.~~

~~(b) The vending device decal fees imposed by § 26-57-1206, or any proportionate amount thereof, shall be divided:~~

~~(1) With eighty percent (80%) of such amount being deposited to the credit of the General Revenue Fund Account of the State Apportionment Fund provided by § 19-5-202; and~~

~~(2) With twenty percent (20%) of such amount being deposited by the Treasurer of the State in the Identification Pending Trust Fund for Local Sales and Use Taxes in accordance with the provisions of §§ 26-74-221 and 26-75-223, and all revenues deposited into that fund shall be distributed to the cities and counties of this state in accordance with the provisions of §§ 26-74-221(a)(2)(C)(ii) and 26-75-223(a)(2)(C)(ii)."~~

AND

Page 29, line 23, delete "SECTION 23." and substitute "SECTION 24."

AND

Page 29, delete line 33 and substitute the following:

~~"what is almost entirely a cash business.~~

SECTION 25. Arkansas Code § 26-57-1001 through 26-57-1005 are repealed.

~~26-57-1001. Definitions.~~

~~For the purposes of this subchapter, the following definitions shall apply:~~

~~(1) "Director" shall mean the Director of the Department of Finance and Administration or his authorized agents;~~

~~(2) "Person" shall mean any individual, partnership, corporation, limited liability corporation, association, organization, or nonprofit corporation, and any county or municipal subdivision of this state;~~

~~(3)(A) "Vending device" shall mean any machine or manual device~~

which dispenses tangible personal property after a coin or thing of value is inserted.

~~(B) The term "vending device" shall not include devices used exclusively for the purpose of selling cigarettes, newspapers, magazines, or postage stamps; and~~

~~(4) "Vending device operator" shall mean any person who sells tangible personal property through vending devices, and who elects to pay the taxes imposed by § 26-57-1002.~~

~~26-57-1002. Registration—Records—Amount of tax.~~

~~(a) Any person who sells tangible personal property through vending devices may elect to register with the director as a vending device operator and pay the state and local sales and use taxes as provided in this section.~~

~~(b) Any person who elects to register as a vending device operator shall obtain a gross receipts tax permit from the director as provided in § 26-52-201 et seq.~~

~~(c)(1) All tangible personal property purchased by a vending device operator for resale through a vending device shall be purchased exempt from the Arkansas gross receipts tax, § 26-52-101 et seq., the Arkansas compensating use tax, § 26-53-101 et seq., and any local sales and use taxes pursuant to the sale for resale exemption provided for in § 26-52-401(12).~~

~~(2) The vending device operator shall maintain suitable records reflecting all purchases of tangible personal property during each calendar month for resale through a vending device.~~

~~(d)(1)(A) A tax of four and one-half percent (4.5%) is hereby levied on the purchase price of all tangible personal property purchased or withdrawn from inventory during each calendar month by a vending device operator for resale through a vending device.~~

~~(B) This tax shall be in lieu of any state gross receipts tax on the gross receipts or gross proceeds derived from the sale of the property by the vending device operator through a vending device.~~

~~(2)(A) An additional tax of one percent (1%) is hereby levied on the purchase price of all tangible personal property purchased or withdrawn from inventory during each calendar month for resale through a vending device.~~

~~(B) This tax shall be in lieu of any local gross receipts taxes imposed by any city or county of this state on the gross receipts or gross proceeds derived from the sale of the property by the vending device operator through a vending device.~~

~~(e) The taxes levied by subsection (d) of this section shall be reported and paid in the same manner and at the same time as prescribed by law for the reporting~~

and payment of the Arkansas gross receipts tax, ~~§ 26-52-101 et seq.~~

~~(f) When calculating the taxes due under this section, a vending device operator shall be allowed to deduct any manufacturer's rebates received which lower the final purchase price paid by the vending device operator for property sold through a vending device.~~

~~(g) Any vending device operator who manufactures the product which is withdrawn from stock for sale through a vending device shall calculate the tax due by multiplying the tax rate set out in subsection (d) of this section by the selling price for which the person would sell the product to another vending device operator for resale through a vending device.~~

~~26-57-1003. Election not to register.~~

~~(a) Any person selling tangible personal property through a vending device, and who elects not to register as a vending device operator, shall:~~

~~(1) Surrender any gross receipts tax permits issued by the director, unless the permit is needed to report taxable sales other than sales through a vending device; and~~

~~(2)(A) Pay the Arkansas gross receipts tax, § 26-52-101 et seq., the Arkansas compensating use tax, § 26-53-101 et seq., and any applicable local sales and use taxes to their vendor on all purchases of tangible personal property purchased for resale through a vending device.~~

~~(B)(i) The sale for resale exemption provided in § 26-52-401(12) shall not apply to purchases of tangible personal property for resale through vending devices unless the purchaser is registered with the director as a vending device operator.~~

~~(ii) However, any person not registered as a vending device operator who maintains property in inventory for subsequent resale on which the state and local sales and use taxes have not been paid, and who subsequently withdraws that property from inventory for sale through a vending device, shall report and pay the state and local sales and use taxes on their purchase price of such property withdrawn from inventory.~~

~~(b) Any person selling property through vending devices who has paid the state and local sales and use taxes in the manner provided by this section shall not be required to collect and remit state or local sales tax on sales of tangible personal property through the vending device.~~

~~(c) Any person who elects to pay tax on tangible personal property sold through vending devices in accordance with the provisions of this section and who manufactures the product which is withdrawn from stock for resale through a vending device shall pay the taxes due under this section by multiplying the tax rate~~

by the selling price for which the person would sell the product to another for resale through a vending device.

~~26-57-1004. Identification of taxpayer—Presumption of nonpayment.~~

~~(a) All persons who sell tangible personal property through vending devices shall affix the name and identification number, if any, of the person responsible for the payment of the taxes imposed by §§ 26-57-1002 and 26-57-1003.~~

~~(b)(1)(A) If any vending device does not have the information required by subsection (a) of this section affixed thereto, there shall be a presumption that the taxes imposed by this subchapter have not been paid.~~

~~(B) The director shall seal any vending device subject to this presumption in such a manner as to prevent any further sales through the device and shall assess and collect a penalty of fifty dollars (\$50.00) per vending device against the person selling tangible personal property through the device.~~

~~(2) The presumption in subdivision (b)(1) of this section shall be overcome if the person selling property through the vending device affixes the information required by this section to the device and proves that the taxes imposed by §§ 26-57-1002 and 26-57-1003 have been paid.~~

~~26-57-1005. Disposition of revenues.~~

~~(a) The revenues derived from § 26-57-1002(d)(1) shall be general revenues and shall be deposited in the State Treasury in the same manner as the Arkansas gross receipts tax, § 26-52-101 et seq.~~

~~(b) All revenues derived from § 26-57-1002(d)(2) shall be deposited by the Treasurer of State in the Identification Pending Trust Fund for Local Sales and Use Taxes in accordance with the provisions of §§ 26-74-221 and 26-75-223, and all revenues deposited in that fund shall be distributed to the cities and counties of this state in accordance with the provisions of §§ 26-74-221(a)(2)(C)(ii) and 26-75-223(a)(2)(C)(ii)."~~

AND

Page 29, line 35, delete "SECTION 24." and substitute "SECTION 26."

AND

Page 30, delete line 11, and substitute the following:

"the second calendar month following the effective date of this act, with the exception of sections 18 through 25 pertaining to the provisions of Arkansas Code § 26-57-1001 et seq., which shall become effective July 1, 2004."

/s/ Travis Boyd

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw

Chief Clerk

ENGROSSED BILL REPORTS

HERSCHEL W. CLEVELAND, CHAIRMAN

December 23, 2003

The following bill(s) reported correctly engrossed:

HOUSE BILL NO. 1027 BY REPRESENTATIVE PETRUS
 HOUSE BILL NO. 1029 BY REPRESENTATIVE BOYD
 HOUSE BILL NO. 1041 BY REPRESENTATIVE MEDLEY, ET AL
 HOUSE BILL NO. 1042 BY REPRESENTATIVE MEDLEY, ET AL
 HOUSE BILL NO. 1043 BY REPRESENTATIVE MEDLEY, ET AL
 HOUSE BILL NO. 1053 BY REPRESENTATIVE C. JOHNSON
 HOUSE BILL NO. 1063 BY REPRESENTATIVE ELLIOTT, ET AL
 HOUSE BILL NO. 1065 BY REPRESENTATIVE J. JOHNSON, ET AL

HOUSE MEMORIAL RESOLUTION NO. 1004

BY: REPRESENTATIVE PETRUS

IN RESPECTFUL MEMORY OF MR. SAMUEL GEORGE KONECNY OF STUTTGART, ARKANSAS.

THE RESOLUTION WAS READ AND ADOPTED BY MORE THAN 51 VOTES. THE RESOLUTION RECEIVED UNANIMOUS SUPPORT.

HOUSE MEMORIAL RESOLUTION NO. 1005

BY: REPRESENTATIVE MAHONY

IN RESPECTFUL MEMORY OF MR. MARCUS HALBROOK AND IN RECOGNITION OF HIS LIFETIME OF DEDICATED SERVICE TO THE STATE OF ARKANSAS.

THE RESOLUTION WAS READ AND ADOPTED BY MORE THAN 51 VOTES. THE RESOLUTION RECEIVED UNANIMOUS SUPPORT.

Morning Hour Expired.

Motion was made by Representative Calvin Johnson for the House to recess at 10:23 a.m for the EDUCATION COMMITTEE Meeting. Motion carried.

The House reconvened at 11:01 a.m.

HOUSE BILL NO. 1038

BY: REPRESENTATIVE MATHIS

Was read the third time and placed on final passage, the question being shall the Bill pass and shall the Emergency Clause be adopted. The vote was as follows:

AFFIRMATIVE: Adams, Agee, Anderson, Bennett, Berry, Biggs, Blair, Bledsoe, Bond, P. Bookout, Borhauer, Boyd, Bradford, Bright, Chesterfield, Childers, Clemons, Cowling, Creekmore, Dees, Dickinson, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Green, Haak, Harris, Hathorn, Hickinbotham, House, Hutchinson, Jackson, Jacobs, Jeffrey, C. Johnson, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Napper, Nichols, Norton, Oglesby, Ormond, Pace, Parks, Pate, Penix, Petrus, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Stovall, Sullivan, Sumpster, C. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, Wood, Mr. Speaker.

Total92

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Bolin, Dangeau, Dobbins, Hardwick, Moore, J. Taylor, White.

Total7

VOTING PRESENT: Pickett.

Total1

Total number of votes cast.....93

Total number voting in the affirmative92

Necessary to the passage of the bill51

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

Upon motion of Representative Mathis the Clincher motion prevailed.

There being an Emergency Clause attached to **HOUSE BILL NO. 1038**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: Adams, Agee, Anderson, Bennett, Berry, Biggs, Blair, Bledsoe, Bond, P. Bookout, Borhauer, Boyd, Bradford, Bright, Chesterfield, Childers, Clemons, Cowling, Creekmore, Dees, Dickinson, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Green, Haak, Harris, Hathorn, Hickinbotham, House, Hutchinson, Jackson, Jacobs, Jeffrey, C. Johnson, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Napper, Nichols, Norton, Oglesby, Ormond, Pace, Parks, Pate, Penix, Petrus, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Stovall, Sullivan, Sumpter, C. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, Wood, Mr. Speaker.

Total92

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Bolin, Dangeau, Dobbins, Hardwick, Moore, J. Taylor, White.

Total7

VOTING PRESENT: Pickett.

Total1

Total number of votes cast93

Total number voting in the affirmative92

Necessary to the adoption of the emergency clause.....67

So the Emergency Clause was adopted.

Upon motion of Representative Mathis the Clincher motion prevailed.

HOUSE BILL NO. 1018

BY: REPRESENTATIVE BOYD

Was read the third time and placed on final passage, the question being shall the Bill pass and shall the Emergency Clause be adopted. The vote was as follows:

AFFIRMATIVE: Adams, Anderson, Bennett, Berry, Biggs, Blair, Boyd, Bright, Chesterfield, Clemons, Cowling, Creekmore, Dangeau, Dees, Dickinson, Eason, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Hathorn, Hickinbotham, House, Jackson, Jacobs, Jeffrey, C. Johnson, J. Johnson, Jones, Judy, Key, King, Lendall, Mahony, Martin, Mathis, Milligan, Napper, Nichols, Norton, Oglesby, Ormond, Parks, Petrus, L. Prater, S. Prater, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, C. Taylor, Thomas, Verkamp, Walters, Weaver, Wood, Mr. Speaker.

Total65

NEGATIVE: Agee, Bolin, Bond, Borhauer, Bradford, Childers, Edwards, Green, Haak, Harris, Lamoureux, Ledbetter, Lewellen, Mack, Medley, Pace, Pate, Penix, Pickett, Pritchard, Sullivan, Sumpter, Thomason, Thyer.

Total24

ABSENT OR NOT VOTING: Bledsoe, P. Bookout, Dobbins, Hardwick, Hutchinson, Kenney, Moore, Stovall, J. Taylor, White.

Total10

VOTING PRESENT: Matayo.

Total1

Total number of votes cast.....90

Total number voting in the affirmative65

Necessary to the passage of the bill51

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

Upon motion of Representative Boyd the Clincher motion prevailed.

There being an Emergency Clause attached to **HOUSE BILL NO. 1018**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: Adams, Anderson, Berry, Blair, Bond, Boyd, Bright, Chesterfield, Childers, Clemons, Cowling, Creekmore, Dangeau, Dees, Dickinson, Eason, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Hathorn, Hickinbotham, Jackson, Jacobs, Jeffrey, C. Johnson, J. Johnson, Jones, Judy, Key, King, Lendall, Mack, Mahony, Martin, Matayo, Mathis, Milligan, Napper, Nichols, Norton, Oglesby, Parks, Pate, Petrus, L. Prater, S. Prater, Pritchard, Roebuck, Rosenbaum, Schulte, Scrimshire, Seawel, R. Smith, Sumpter, C. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, Wood, Mr. Speaker.

Total68

NEGATIVE: Agee, Bolin, Borhauer, Bradford, Edwards, Green, Haak, Harris, Lamoureux, Ledbetter, Lewellen, Ormond, Pace, Penix, Pickett, Sullivan.

Total16

ABSENT OR NOT VOTING: Bennett, Biggs, Bledsoe, P. Bookout, Dobbins, Hardwick, House, Hutchinson, Kenney, Medley, Moore, Rankin, Scroggin, Stovall, J. Taylor, White.

Total16

VOTING PRESENT:

Total0

Total number of votes cast84

Total number voting in the affirmative68

Necessary to the adoption of the emergency clause.....67

So the Emergency Clause was adopted.

Upon motion of Representative Boyd the Clincher motion prevailed.

Motion was made by Representative Pritchard to reconsider **HOUSE BILL NO. 1055**. On this motion the vote was as follows:

AFFIRMATIVE: Adams, Anderson, Bennett, Berry, Blair, Bledsoe, Bolin, Boyd, Bright, Chesterfield, Childers, Clemons, Creekmore, Dees, Dickinson, L. Evans, Ferguson, Fite, Gillespie, Goss, Green, Harris, Hathorn, Hickinbotham, House, Jackson, Jacobs, Judy, Kenney, Key, King, Lamoureux, Mack, Matayo, Mathis, Medley, Milligan, Norton, Oglesby, Parks, Penix, Petrus, L. Prater, S. Prater, Pritchard, Rankin, Rosenbaum, Schulte, Scrimshire, Seawel, Sullivan, C. Taylor, Thomas, Verkamp, Walters, Weaver, White, Wood.

Total58

NEGATIVE: Agee, Biggs, Bond, P. Bookout, Borhauer, Bradford, Cowling, Eason, Edwards, Elliott, D. Evans, Gipson, Haak, Jeffrey, C. Johnson, J. Johnson, Jones, Ledbetter, Lendall, Lewellen, Mahony, Martin, Napper, Nichols, Pace, Pate, Pickett, Roebuck, Scroggin, R. Smith, Sumpter, Thomason, Thyer.

Total33

ABSENT OR NOT VOTING: Dangeau, Dobbins, Hardwick, Hutchinson, Moore, Ormond, Stovall, J. Taylor, Mr. Speaker.

Total9

VOTING PRESENT:

Total0

Total number of votes cast.....91

Total number voting in the affirmative58

Necessary to the adoption of the motion.....51

So the motion was adopted.

HOUSE BILL NO. 1055

BY: REPRESENTATIVE WALTERS

Was read the third time and placed on final passage, the question being shall the Bill pass. The vote was as follows:

AFFIRMATIVE: Adams, Anderson, Bennett, Berry, Blair, Bledsoe, Bolin, Boyd, Bright, Chesterfield, Childers, Clemons, Dangeau, Dees, Dickinson, L. Evans, Ferguson, Fite, Gillespie, Goss, **Hardwick**, Harris, Hathorn, House, Jackson, Jacobs, Judy, Kenney, Key, King, Lamoureux, Mack, Matayo, Mathis, Medley, Milligan, Norton, Oglesby, Parks, Penix, Petrus, L. Prater, Pritchard, Rosenbaum, Schulte, Scrimshire, Seawel, Sullivan, C. Taylor, Verkamp, Walters, Weaver, Wood, Mr. Speaker.

Total54

NEGATIVE: Agee, Biggs, Bond, P. Bookout, Borhauer, Bradford, Cowling, Creekmore, Eason, Edwards, Elliott, D. Evans, Gipson, Haak, Jeffrey, C. Johnson, J. Johnson, Jones, Ledbetter, Lendall, Lewellen, Mahony, Martin, Napper, Nichols, Ormond, Pace, Pate, Pickett, S. Prater, Rankin, Roebuck, Scroggin, R. Smith, Sumpter, Thomas, Thomason, Thyer, White.

Total39

ABSENT OR NOT VOTING: Dobbins, Green, Hickinbotham, Hutchinson, Moore, Stovall, J. Taylor.

Total7

VOTING PRESENT:

Total0

Total number of votes cast93

Total number voting in the affirmative54

Necessary to the passage of the bill51

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

Upon motion of Representative Walters the Clincher motion prevailed.

The Chair requested the Sounding of the Ballot on **HOUSE BILL NO. 1055** and the call was sustained. The following members votes were successfully challenged:

AYE: Hardwick.

Total	1
Total number of votes cast	92
Necessary to the passage of the bill	51
Total number voting in the affirmative	53
Total number voting in the negative	39
Total number absent or not voting.....	8
Total number voting present	0

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

Motion was made by Representative Stovall to suspend the Rules on **HOUSE BILL NO. 1049** for the purpose of an amendment. On this motion the vote was as follows:

AFFIRMATIVE: Adams, Berry, Bolin, Bond, P. Bookout, Boyd, Bradford, Chesterfield, Clemons, Cowling, Creekmore, Dangeau, Dees, Dickinson, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Hathorn, Hickinbotham, Jackson, Jacobs, Jeffrey, C. Johnson, Jones, Judy, King, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Mathis, Medley, Milligan, Nichols, Norton, Oglesby, Ormond, Pate, Petrus, L. Prater, S. Prater, Rankin, Roebuck, Schulte, Scrimshire, Scroggin, Seawel, Stovall, Sullivan, Sumpter, C. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood, Mr. Speaker.

Total69

NEGATIVE: Agee, Anderson, Blair, Bledsoe, Borhauer, Bright, Green, Haak, Harris, J. Johnson, Kenney, Key, Lamoureux, Matayo, Napper, Pace, Penix, Pickett, Pritchard.

Total19

ABSENT OR NOT VOTING: Bennett, Biggs, Childers, Dobbins, Hardwick, House, Hutchinson, Moore, Parks, Rosenbaum, R. Smith, J. Taylor.

Total12

VOTING PRESENT:

Total0

Total number of votes cast88

Total number voting in the affirmative69

Necessary to the adoption of the motion51

So the motion was adopted.

Upon motion of Representative Cleveland, **HOUSE BILL NO. 1049** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 4 TO HOUSE BILL NO. 1049

Amend **HOUSE BILL NO. 1049** as engrossed, H12/22/03

(version: 12-22-2003 09:09)

Page 5, line 28 after "activities." and before "and" add "capital expenditures."

AND

Page 5, delete lines 30 and 31 and substitute the following:

"(C) "Noninstructional and support components" does not include debt service payments."

AND

Page 10, delete lines 30 through 32 and substitute the following:

"this subdivision (a)(4)(A) of this section may be expended for other categories in this section or § 6-20-2005, if the schools in the school district meet standards for technology established by the state board."

AND

Page 14, delete line 13 and substitute the following:

"include the cost of providing for special needs funded in § 6-20-2005, and shall not include student transportation services or extracurricular activities."

AND

Page 17, line 6 delete "year." And substitute "year with the department."

AND

Page 19, delete line 24 and substitute the following:

"Arkansas Public School Network, which may approve other providers."

AND

Page 19, delete lines 27 and 28

AND

Page 19, line 29 delete "(5)" and substitute "(4)"

AND

Page 20, line 3 delete "(6)" and substitute "(5)"

AND

Page 20, line 7 delete "(7)" and substitute "(6)"

AND

Page 20, delete lines 21 and 22 and substitute the following:

"section."

/s/ Herschel Cleveland

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Cleveland, **HOUSE BILL NO. 1049** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 5 TO HOUSE BILL NO. 1049

Amend **HOUSE BILL NO. 1049** as engrossed, H12/22/03

(version: 12-22-2003 09:09):

Page 17, delete lines 34 through 36 and substitute the following:

“6-20-2203 Uniform budget and accounting system required.

(a) The State Board of Education shall adopt by rule a uniform budget and accounting system as presented in the Handbook IIR2 or future revisions as published by the U.S. Department of Education, Office of Educational Research and Improvements, for school districts, education service cooperatives, and open enrollment charter schools. The rules shall be developed by the Department of Education in cooperation with representatives from the Arkansas Association of School Administrators, the Arkansas Association of School business Officials, and the Legislative Joint Auditing Committee.

(b) The definitions contained in the Federal Handbook IIR2 shall be used for school districts in Arkansas and shall be used to allow for valid comparisons of expenditures among schools and among school districts.

(c) In addition the State Board of Education shall adopt by rule “Arkansas Revisions” to the Federal Handbook IIR2. The rules shall be developed by the Department of Education in cooperation with representatives from the Arkansas Association of School Administrators, the Arkansas Association of School business Officials, and the Legislative Joint Auditing Committee. Arkansas Revisions shall include but not be limited to:

(1) Categories to allow for the gathering of data on separate functions and programs;

(2) Categories and descriptions of expenditures that each school or school district shall report on its annual school performance report authorized by the School Performance Report Act, 6-5-1401 et seq. The reported expenditures shall include, but not be limited to, the following categories:

(A) Total Expenditures;

(B) Instructional Expenditures;

(C) Administrative Expenditures;

(D) Extracurricular Expenditures;

(E) Capital Expenditures; and

(F) Debt Service Expenditures; and

(3) Categories and descriptions of school and school district

expenditures that allows for the gathering of data on separate functions and programs as described in the Education Funding Reform Act of 2003, § 6-20-2001 et seq.

(d) The department shall have the authority to analyze and inspect the financial records of any school or school district in order to verify that a school or school district is correctly and accurately reporting expenditures.

(e) The department shall annually submit a summary report to the State Board of Education, the Governor, and the Senate and House Joint Interim Committee concerning public school and public school district expenditures as described in the Education Funding Reform Act of 2003, § 6-20-2001 et seq. by November 1 of each year.

(f) All rules, regulations, and revisions adopted under this subchapter shall be adopted and published prior to the start of any fiscal year for which they are applicable and shall allow for an implementation schedule consistent with the method outlined in § 6-20-2206."

AND

Page 18, delete lines 1 through 36

AND

Page 19, delete lines 1 through 4

AND

Page 19, line 6 delete "6-22-2206." and substitute "6-22-2204."

AND

Page 20, line 34 delete "6-22-2207." and substitute "6-22-2205."

AND

Page 21, line 34 delete "6-22-2208." and substitute "6-22-2206."

AND

Page 21, delete lines 11 through 14 and substitute the following:

"(b) For the 2005-2006 school year and subsequent school years, the Department of Education shall amend, prior to the beginning of any fiscal year, as necessary the rules provided for in subsection (a) of this section in order for school districts to comply with this subchapter."

/s/ Herschel Cleveland

The Amendment was read and adopted by more than 51 votes.

/s/ Ms. Jo Renshaw

Chief Clerk

Speaker Cleveland requested that **HOUSE BILL NO. 1049** be sent to engrossing.

HOUSE BILL NO. 1060

BY: REPRESENTATIVE CHESTERFIELD

Was read the third time and placed on final passage, the question being shall the Bill pass and shall the Emergency Clause be adopted. The vote was as follows:

AFFIRMATIVE: Bennett, Blair, Bolin, Bond, P. Bookout, Borhauer, Boyd, Bradford, Chesterfield, Clemons, Dangeau, Dees, Dickinson, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Goss, Green, Hardwick, Hickinbotham, House, Jackson, Jacobs, C. Johnson, J. Johnson, Jones, Judy, Kenney, Key, King, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Napper, Oglesby, Pace, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Rankin, Roebuck, Scroggin, Seawel, R. Smith, Sullivan, Sumpter, Thomas, Thomason, Verkamp, Walters, Weaver, White, Wood, Mr. Speaker.

Total69

NEGATIVE: Agee, Anderson, Berry, Bledsoe, Bright, Childers, Gipson, Haak, Harris, Jeffrey, Lamoureux, Nichols, Ormond, Parks, Rosenbaum, C. Taylor, Thyer.

Total17

ABSENT OR NOT VOTING: Adams, Biggs, Cowling, Dobbins, Hutchinson, Moore, Pritchard, Scrimshire, Stovall, J. Taylor.

Total10

VOTING PRESENT: Creekmore, Hathorn, Norton, Schulte.

Total4

Total number of votes cast90

Total number voting in the affirmative69

Necessary to the passage of the bill51

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1060**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: Bennett, Blair, Bolin, Bond, P. Bookout, Borhauer, Boyd, Bradford, Chesterfield, Clemons, Dangeau, Dees, Dickinson, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Goss, Green, Hardwick, Hickinbotham, House, Jackson, Jacobs, C. Johnson, J. Johnson, Jones, Judy, Kenney, Key, King, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Napper, Oglesby, Pace, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Rankin, Roebuck, Scroggin, Seawel, R. Smith, Sullivan, Sumpter, Thomas, Thomason, Verkamp, Walters, Weaver, White, Wood, Mr. Speaker.

Total69

NEGATIVE: Agee, Anderson, Berry, Bledsoe, Bright, Childers, Gipson, Haak, Harris, Jeffrey, Lamoureux, Nichols, Ormond, Parks, Rosenbaum, C. Taylor, Thyer.

Total17

ABSENT OR NOT VOTING: Adams, Biggs, Cowling, Dobbins, Hutchinson, Moore, Pritchard, Scrimshire, Stovall, J. Taylor.

Total10

VOTING PRESENT: Creekmore, Hathorn, Norton, Schulte.

Total4

Total number of votes cast.....90

Total number voting in the affirmative69

Necessary to the adoption of the emergency clause.....67

So the Emergency Clause was adopted.

Upon motion of Representative Chesterfield the Clincher motion prevailed.

SENATE BILL NO. 2

BY: SENATOR LUKER

Was read the third time and placed on final passage, the question being shall the Bill pass. The vote was as follows:

AFFIRMATIVE: Adams, Agee, Anderson, Bennett, Berry, Blair, Bledsoe, Bolin, Bond, P. Bookout, Borhauer, Boyd, Bradford, Bright, Chesterfield, Childers, Clemons, Cowling, Creekmore, Dangeau, Dees, Dickinson, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Green, Haak, Harris, Hathorn, Hickenbotham, House, Jackson, Jacobs, Jeffrey, C. Johnson, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Napper, Nichols, Norton, Oglesby, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Sullivan, Sumpter, C. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood.

Total91

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Biggs, Dobbins, Hardwick, Hutchinson, Lendall, Moore, Stovall, J. Taylor, Mr. Speaker.

Total9

VOTING PRESENT:

Total0

Total number of votes cast91

Total number voting in the affirmative91

Necessary to the passage of the bill51

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

Upon motion of Representative Weaver the rules were suspended. Considered in the Committee of the Whole. Returned with the recommendation that it "DO PASS."

SENATE BILL NO. 20

BY: SENATOR LUKER

Was read the third time and placed on final passage, the question being shall the Bill pass and shall the Emergency Clause be adopted. The vote was as follows:

AFFIRMATIVE: Adams, Agee, Anderson, Bennett, Berry, Biggs, Blair, Bledsoe, Bolin, Bond, P. Bookout, Borhauer, Boyd, Bradford, Bright, Chesterfield, Childers, Clemons, Cowling, Creekmore, Dangeau, Dees, Dickinson, Eason, Edwards, Elliott, D. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Green, Haak, Harris, Hathorn, Hickinbotham, House, Hutchinson, Jackson, Jacobs, Jeffrey, C. Johnson, J. Johnson, Jones, Judy, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Napper, Nichols, Norton, Oglesby, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Sullivan, Sumpter, C. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood.

Total91

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Dobbins, L. Evans, Hardwick, Kenney, Moore, L. Prater, Stovall, J. Taylor, Mr. Speaker.

Total9

VOTING PRESENT:

Total0

Total number of votes cast91

Total number voting in the affirmative91

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **SENATE BILL NO. 20**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: Adams, Agee, Anderson, Bennett, Berry, Biggs, Blair, Bledsoe, Bolin, Bond, P. Bookout, Borhauer, Boyd, Bradford, Bright, Chesterfield, Childers, Clemons, Cowling, Creekmore, Dangeau, Dees, Dickinson, Eason, Edwards, Elliott, D. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Green, Haak, Harris, Hathorn, Hickinbotham, House, Hutchinson, Jackson, Jacobs, Jeffrey, C. Johnson, J. Johnson, Jones, Judy, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Napper, Nichols, Norton, Oglesby, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Sullivan, Sumpter, C. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood.

Total91

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Dobbins, L. Evans, Hardwick, Kenney, Moore, L. Prater, Stovall, J. Taylor, Mr. Speaker.

Total9

VOTING PRESENT:

Total0

Total number of votes cast91

Total number voting in the affirmative91

Necessary to the adoption of the emergency clause.....67

So the Emergency Clause was adopted.

Upon motion of Representative Weaver the rules were suspended. Considered in the Committee of the Whole. Returned with the recommendation that it "DO PASS."

SENATE BILL NO. 38

BY: SENATOR BISBEE

Was read the third time and placed on final passage, the question being shall the Bill pass and shall the Emergency Clause be adopted. The vote was as follows:

AFFIRMATIVE: Adams, Agee, Anderson, Bennett, Berry, Biggs, Blair, Bledsoe, Bond, P. Bookout, Borhauer, Boyd, Bradford, Bright, Chesterfield, Childers, Clemons, Cowling, Creekmore, Dees, Eason, Edwards, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Green, Haak, Harris, Hathorn, Hickinbotham, House, Hutchinson, Jackson, Jacobs, Jeffrey, C. Johnson, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Napper, Nichols, Norton, Oglesby, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Sumpter, C. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, White, Wood.

Total87

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Bolin, Dangeau, Dickinson, Dobbins, Elliott, Hardwick, Lendall, Moore, Stovall, Sullivan, J. Taylor, Weaver, Mr. Speaker.

Total13

VOTING PRESENT:

Total0

Total number of votes cast87

Total number voting in the affirmative87

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **SENATE BILL NO. 38**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: Adams, Agee, Anderson, Bennett, Berry, Biggs, Blair, Bledsoe, Bond, P. Bookout, Borhauer, Boyd, Bradford, Bright, Chesterfield, Childers, Clemons, Cowling, Creekmore, Dees, Eason, Edwards, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Green, Haak, Harris, Hathorn, Hickinbotham, House, Hutchinson, Jackson, Jacobs, Jeffrey, C. Johnson, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Napper, Nichols, Norton, Oglesby, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Sumpter, C. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, White, Wood.

Total87

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Bolin, Dangeau, Dickinson, Dobbins, Elliott, Hardwick, Lendall, Moore, Stovall, Sullivan, J. Taylor, Weaver, Mr. Speaker.

Total13

VOTING PRESENT:

Total0

Total number of votes cast87

Total number voting in the affirmative87

Necessary to the adoption of the emergency clause.....67

So the Emergency Clause was adopted.

HOUSE BILLS ORDERED TRANSMITTED TO THE SENATE AS PASSED

HOUSE BILL NO. 1018 BY REPRESENTATIVE BOYD
HOUSE BILL NO. 1038 BY REPRESENTATIVE MATHIS
HOUSE BILL NO. 1055 BY REPRESENTATIVE WALTERS
HOUSE BILL NO. 1060 BY REPRESENTATIVE CHESTERFIELD

SENATE BILLS ORDERED RETURNED TO THE SENATE AS PASSED

SENATE BILL NO. 2 BY SENATOR LUKER
SENATE BILL NO. 20 BY SENATOR LUKER
SENATE BILL NO. 38 BY SENATOR BISBEE

ARKANSAS SENATE
HOUSE BILLS RETURNED FROM THE SENATE AS PASSED

HOUSE BILL NO. 1019 BY REPRESENTATIVE MAHONY

ENROLLED AND DELIVERY TO GOVERNOR REPORTS

Little Rock, Arkansas
December 23, 2003

MR. SPEAKER:

We, your committee on Enrolled Bills, to whom was referred the following:

HOUSE BILL NO. 1019 BY REPRESENTATIVE MAHONY

beg leave to report that we have carefully compared the enrolled copies with the original and we find the same correctly enrolled and have at 1:55 p.m. delivered them to the Governor for his approval.

Respectfully submitted,

/s/ Herschel W. Cleveland
Chairman

RECEIPT FROM THE GOVERNOR

RECEIVED FROM THE HOUSE:

HOUSE BILL NO. 1019 BY REPRESENTATIVE MAHONY

/s/ Mike Huckabee - Governor
By: Stacy DeJarnett

TIME: 1:55 p.m.

The House recessed at 11:50 a.m. until 2:00 p.m. for reading of the Bills.

The House reconvened at 2:17 p.m.

HOUSE BILL NO. 1070

BY: REPRESENTATIVE LENDALL

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REQUIRE ONE (1) FULL-TIME OR THE PROPORTIONATE SHARE OF ONE (1) FULL-TIME SCHOOL NURSE IN EACH SCHOOL DISTRICT; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on EDUCATION.

HOUSE BILL NO. 1071

BY: REPRESENTATIVES BIGGS, MAHONY

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CONTINUE THE PAYMENT OF A DEBT SERVICE FUNDING SUPPLEMENT TO SCHOOL DISTRICTS CURRENTLY RECEIVING DEBT SERVICE FUNDING FOR UP TO THREE (3) YEARS; TO CONTINUE THE PAYMENT OF GENERAL FACILITIES FUNDING TO SCHOOL DISTRICTS FOR UP TO THREE (3) YEARS; TO PROVIDE FOR PAYMENT OF A SUPPLEMENTAL MILLAGE INCENTIVE FUNDING FOR SCHOOL DISTRICTS THAT INCREASE SCHOOL DISTRICT MILLAGE IN EXCESS OF TWENTY-FIVE (25) MILLS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on EDUCATION.

HOUSE BILL NO. 1072

BY: REPRESENTATIVE CLEVELAND

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CREATE A PILOT PROGRAM TO STUDY THE EFFECT OF REDUCING TEACHER-STUDENT RATIOS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on EDUCATION.

HOUSE BILL NO. 1073

BY: REPRESENTATIVE CLEVELAND

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR A PILOT PROGRAM TO STUDY THE EFFECT OF REDUCING TEACHER-STUDENT RATIOS IN GRADES KINDERGARTEN THROUGH THREE FOR THE DEPARTMENT OF EDUCATION FOR THE REMAINDER OF THE BIENNIAL PERIOD ENDING JUNE 30, 2005; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on JOINT BUDGET.

HOUSE MEMORIAL RESOLUTION NO. 1006

BY: REPRESENTATIVES LENDALL, LEDBETTER, ADAMS, BERRY, BIGGS, P. BOOKOUT, JACKSON, BORHAUER, DEES, EDWARDS, D. EVANS, L. EVANS, HAAK, JEFFREY, C. JOHNSON, JONES, JUDY, KING, LEWELLEN, MAHONY, MILLIGAN, PATE, PENIX, L. PRATER, ROEBUCK, SCHULTE, STOVALL, SULLIVAN, C. TAYLOR, THOMASON, THYER, WALTERS, ELLIOTT, BRIGHT, HATHORN, CREEKMORE, MEDLEY, PICKETT

MOURNING THE DEATH OF GEORGE FISHER AND HONORING HIM AS A LEGENDARY POLITICAL CARTOONIST AND SATIRIST.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

Upon motion of Representative Gillespie, the House adjourned at 2:19 p.m. until 10:00 a.m. Friday, December 26, 2003.

ATTEST:

Herschel W. Cleveland
Speaker of the House of Representatives

Jo Renshaw
Chief Clerk