

FIFTY-SEVENTH DAY'S PROCEEDINGS
HALL OF THE HOUSE OF REPRESENTATIVES

Little Rock, Arkansas

February 2, 2004

The House was called to order at 1:38 p.m. by Mr. Cleveland, the Speaker.
The following members answered to the roll call:

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

Total96

The following member(s) was absent and did not answer to the roll call:
Anderson, Harris, Matayo, Penix.

Total4

A quorum was present.

Unanimous leave was granted for Representative(s) Anderson, Harris, Matayo, Penix.

The House stood and was led in prayer by Representative Russ Bennett.

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

EDUCATION	February 2, 2004
	CALVIN JOHNSON
	CHAIRPERSON
HOUSE BILL NO. 1047	DO PASS, TO CONCUR IN
BY REPRESENTATIVE J. JOHNSON	SENATE AMENDMENTS
	#1, 2 & 3
HOUSE BILL NO. 1155	DO PASS
BY REPRESENTATIVE GILLESPIE	
HOUSE BILL NO. 1170	DO PASS
BY REPRESENTATIVE P. BOOKOUT	
HOUSE RESOLUTION NO. 1024	DO PASS
BY REPRESENTATIVE MATHIS	
SENATE BILL NO. 53	DO PASS
BY SENATOR BROADWAY	

COMMITTEE REPORT

REVENUE AND TAXATION	February 2, 2004
	BOYD HICKINBOTHAM
	CHAIRPERSON
HOUSE BILL NO. 1162	DO PASS
BY REPRESENTATIVE STOVALL	AS AMENDED #1 & 2
SENATE BILL NO. 80	DO PASS
BY SENATOR SALMON	

COMMITTEE REPORT

CITY, COUNTY AND LOCAL AFFAIRS	February 2, 2004
	PHILLIP JACOBS
	CHAIRPERSON
SENATE BILL NO. 82	DO PASS
BY SENATOR GLOVER	

Upon motion of Representative Hickinbotham, **HOUSE BILL NO. 1166** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1166

Amend **HOUSE BILL NO. 1166** as originally introduced:

Page 3, delete line 4, and substitute the following:

"(C) (i) For the fiscal year beginning July 1, 2004, the"

AND

Page 3, delete line 21, and substitute the following:

"(D) (i) For the fiscal year beginning July 1, 2005, the"

AND

Page 5, delete lines 20 and 21 and substitute the following:

"~~hundredths of one percent (0.27%)~~ ~~three-tenths of one percent (0.3%)~~ of that proportion of the par value of its outstanding capital stock"

AND

Page 5, delete line 32 and substitute the following:

"~~(0.27%)~~ ~~three-tenths of one percent (0.3%)~~ of the value of its real"

AND

Page 6, delete line 17, and substitute the following:

"SECTION 6. ~~The increased rate of franchise tax provided in Section 5"~~

AND

Page 6, delete lines 29 through 31, and substitute the following:

"(2) (A) The franchise tax as computed on the report shall be remitted with the franchise tax report on or before June 1 of the reporting year ~~for franchise tax due for calendar year 2003 and years prior to 2003.~~

(B) ~~The franchise tax as computed on the report shall be remitted with the franchise tax report on or before May 1 of the reporting year for franchise tax due for calendar year 2004 and subsequent years.~~

AND

Page 6, delete line 33, and substitute the following:

"SECTION 8. Effective July 1, 2004, Arkansas Code § 26-54-113 is"

/s/ Boyd Hickinbotham

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

/s/ Ms. Jo Renshaw

Chief Clerk

ENGROSSED BILL REPORTS

HERSCHEL W. CLEVELAND, CHAIRMAN

February 2, 2004

The following bill(s) reported correctly engrossed:

HOUSE BILL NO. 1030 - TITLE -	BY REPRESENTATIVE HICKINBOTHAM
HOUSE BILL NO. 1099	BY REPRESENTATIVE MAHONY
HOUSE BILL NO. 1162	BY REPRESENTATIVE STOVALL, ET AL
HOUSE BILL NO. 1166	BY REPRESENTATIVE HICKINBOTHAM, ET AL
SENATE BILL NO. 73	BY SENATOR ARGUE

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 1030

BY: REPRESENTATIVE HICKINBOTHAM

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PROVIDE ADDITIONAL REVENUE TO FUND THE STATE EDUCATION SYSTEM; TO LEVY AN ADDITIONAL SALES AND USE TAX OF SEVEN-EIGHTHS OF ONE PERCENT (0.875%); TO IMPOSE A GROSS RECEIPTS TAX ON CERTAIN SERVICES; TO INCREASE THE WHOLESALE VENDING TAX; TO CREATE THE EDUCATIONAL ADEQUACY TRUST FUND; AND FOR OTHER PURPOSES.

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

AMENDMENT NO. 3 TO HOUSE BILL NO. 1030

Amend **HOUSE BILL NO. 1030** as engrossed, H12/26/03

(version: 12-26-2003 10:56):

Add Representative Hickenbotham as a House sponsor

AND

Delete Representative Boyd as a House sponsor

AND

Page 1, delete lines 9 through 12 and substitute the following:

"AN ACT TO PROVIDE ADDITIONAL REVENUE TO FUND THE STATE EDUCATION SYSTEM; TO LEVY AN ADDITIONAL SALES AND USE TAX OF SEVEN-EIGHTHS OF ONE PERCENT (0.875%); TO IMPOSE A GROSS RECEIPTS TAX ON CERTAIN SERVICES; TO INCREASE THE WHOLESALE VENDING TAX; TO CREATE THE EDUCATIONAL ADEQUACY TRUST FUND; AND FOR OTHER PURPOSES.

AND

Page 1, delete lines 15 through 18 and substitute the following:

"TO PROVIDE ADDITIONAL REVENUE TO FUND THE EDUCATIONAL SYSTEM, TO INCREASE SALES AND WHOLESALE VENDING TAX, AND TO IMPOSE SALES TAX ON CERTAIN SERVICES."

AND

Delete all sections of the bill after the enacting clause and substitute:

"SECTION 1. Arkansas Code § 26-52-302, concerning levying additional sales taxes, is amended to add an additional subsection to read as follows:

(d)(1) Beginning March 1, 2004, there is levied an additional excise tax of seven-eighths of one percent (0.875%) upon all taxable sales of property and services subject to the tax levied by the Arkansas Gross Receipts Act of 1941, § 26-52-101 et seq.

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

SECTION 2. Effective March 1, 2004, Arkansas Code § 26-52-311(b)(1), pertaining to the rental vehicle tax, is amended to read as follows:

(b)(1) In addition to the rate in subsection (c) of this section, the rental vehicle tax shall be levied at the ~~same rate as the combined gross receipts taxes levied by~~

~~§§ 26-52-301 and 26-52-302 and any act supplemental thereto~~ rate of five percent (5%) and the rate of any applicable municipal or county taxes.

SECTION 3. Arkansas Code § 26-53-107, effective until contingency in Acts 2003, No. 1273, § 88 is met, is amended to add an additional subsection to read as follows:

(d)(1) Beginning March 1, 2004, there is levied an additional excise tax of seven-eighths of one percent (0.875%) upon all tangible personal property subject to the tax levied by the Arkansas Compensating Tax Act of 1949, § 26-53-101 et seq.

(2) The tax shall be collected, reported, and paid in the same manner and at the same time as is prescribed by the Arkansas Compensating Tax Act of 1949, § 26-53-101 et seq., for the collection, reporting, and payment of Arkansas compensating taxes.

SECTION 4. Arkansas Code § 26-53-107, effective when contingency in Acts 2003, No. 1273, § 88 is met, is amended to read as follows:

(d)(1) Beginning March 1, 2004, there is levied an additional excise tax of seven-eighths of one percent (0.875%) upon all tangible personal property and taxable services subject to the tax levied by the Arkansas Compensating Tax Act of 1949, § 26-53-101 et seq.

(2) The tax shall be collected, reported, and paid in the same manner and at the same time as is prescribed by the Arkansas Compensating Tax Act of 1949, § 26-53-101 et seq., for the collection, reporting, and payment of Arkansas compensating taxes.

SECTION 5. Effective July 1, 2004, Arkansas Code § 26-52-301(3)(C), effective until contingency in Acts 2003, No. 1273, § 88 is met, is amended to read as follows:

(C)(i) Service of initial installation, alteration, addition, cleaning, refinishing, replacement, and repair of motor vehicles, aircraft, farm machinery and implements, motors of all kinds, tires and batteries, boats, electrical appliances and devices, furniture, rugs, flooring, upholstery, household appliances, televisions and radios, jewelry, watches and clocks, engineering instruments, medical and surgical instruments, machinery of all kinds, bicycles, office machines and equipment, shoes, tin and sheetmetal, mechanical tools, and shop equipment.

(ii) However, the provisions of this section shall not apply to coin-operated car washes. For the purposes of this section, a coin-operated car wash shall be defined as one wherein the car washing equipment is activated by the insertion of coins into a slot or receptacle and where the labor of washing the exterior of the car or motor vehicle is performed solely by the customer or by mechanical equipment.

(iii) Additionally, the gross receipts tax levied in this section shall not apply to the repair or maintenance of railroad parts, railroad cars, and equipment brought into the State of Arkansas solely and exclusively for the purpose of being repaired, refurbished, modified, or converted within this state.

(iv) The General Assembly determines and affirms that the original intent of subdivision (3) of this section which provides that gross receipts derived from certain services would be subject to the gross receipts tax was not intended to be applicable, nor shall Arkansas gross receipts taxes be collected, with respect to services performed on watches and clocks which are received by mail or common carrier from outside this state and which, after the service is performed, are returned by mail or common carrier or in the repairman's own conveyance to points outside this state.

(v) Additionally, the gross receipts tax levied in this section shall not apply to the repair or remanufacture of industrial metal rollers or platens that have a remanufactured, nonmetallic material covering on all or part of the roller or platen surface which are brought into the State of Arkansas solely and exclusively for the purpose of being repaired or remanufactured in this state and are then shipped back to the state of origin.

(vi) The gross receipts tax levied in this section shall not apply to the service of alteration, addition, cleaning, refinishing, replacement, or repair of commercial jet aircraft, commercial jet aircraft components, or commercial jet aircraft subcomponents. The term "commercial jet aircraft" shall mean any commercial, military, private, or other turbine or turbo jet aircraft having a certified maximum take-off weight of more than twelve thousand five hundred (12,500) pounds;

(vii) The provisions of subdivision (3)(C)(i) of this section shall not apply to the services performed by a temporary or leased employee or other contract laborer on items owned or leased by the employer. The following criteria must be met for a person to be a temporary or leased employee:

(a) There must be a written contract with the temporary employment agency, employee leasing company, or other contractor providing the services;

(b) The employee, temporary employment agency, employee leasing company, or other contractor must not bear the risk of loss for damages caused during the performance of the contract. The person for whom the services are performed must bear the risk of loss; and

(c) The temporary or leased employee or contract laborer is controlled by the employer as if he were a full-time permanent employee.

"Control" includes, but is not limited to, scheduling work hours, designating work duties, and directing work performance.

(viii)(a) Additionally, the gross receipts tax levied in this section shall not apply to the initial installation, alteration, addition, cleaning, refinishing, replacement, or repair of nonmechanical, passive, or manually operated components of buildings or other improvements or structures affixed to real estate, including, but not limited to, the following:

- (1) Walls;
- ~~(2)~~ Floors;
- ~~(3)~~(2) Ceilings;
- ~~(4)~~(3) Doors;
- ~~(5)~~(4) Locks;
- ~~(6)~~(5) Windows;
- ~~(7)~~(6) Glass;
- ~~(8)~~(7) Heat and air ducts;
- ~~(9)~~(8) Roofs;
- ~~(10)~~(9) Wiring;
- ~~(11)~~(10) Breakers;
- ~~(12)~~(11) Breaker boxes;
- ~~(13)~~(12) Electrical switches and receptacles;
- ~~(14)~~(13) Light fixtures;
- ~~(15)~~(14) Pipes;
- ~~(16)~~(15) Plumbing fixtures;
- ~~(17)~~(16) Fire and security alarms;
- ~~(18)~~(17) Intercoms;
- ~~(19)~~(18) Sprinkler systems;
- ~~(20)~~(19) Parking lots;
- ~~(21)~~(20) Fences;
- ~~(22)~~(21) Gates;
- ~~(23)~~(22) Fireplaces; and
- ~~(24)~~(23) Similar components which become

a part of real estate after, installation, except flooring.

(b) Contractors are deemed to be consumers or users of all tangible personal property used or consumed by them in providing such nontaxable services, in the same manner as when performing any other contract.

(c) Subdivision (3)(C)(viii) of this section shall not apply to any services subject to tax pursuant to terms of subdivision 3(E) of this section.

(ix) The gross receipts tax levied in subdivision (3)(C)(i) of this section

shall not apply to the service of initial installation of any property that is specifically exempted from the tax imposed by the Arkansas Gross Receipts Act of 1941, § 26-52-101 et seq.

SECTION 6. Effective July 1, 2004, Arkansas Code § 26-52-301(3)(C), effective when contingency in Acts 2003, No. 1273, § 88 is met, is amended to read as follows:

(C)(i) Service of initial installation, alteration, addition, cleaning, refinishing, replacement, and repair of motor vehicles, aircraft, farm machinery and implements, motors of all kinds, tires and batteries, boats, electrical appliances and devices, furniture, rugs, flooring, upholstery, household appliances, televisions and radios, jewelry, watches and clocks, engineering instruments, medical and surgical instruments, machinery of all kinds, bicycles, office machines and equipment, shoes, tin and sheetmetal, mechanical tools, and shop equipment.

(ii) However, the provisions of this section shall not apply to coin-operated car washes. For the purposes of this section, a coin-operated car wash shall be defined as one wherein the car washing equipment is activated by the insertion of coins into a slot or receptacle and where the labor of washing the exterior of the car or motor vehicle is performed solely by the customer or by mechanical equipment.

(iii) Additionally, the gross receipts tax levied in this section shall not apply to the repair or maintenance of railroad parts, railroad cars, and equipment brought into the State of Arkansas solely and exclusively for the purpose of being repaired, refurbished, modified, or converted within this state.

(iv) The General Assembly determines and affirms that the original intent of subdivision (3) of this section which provides that gross receipts derived from certain services would be subject to the gross receipts tax was not intended to be applicable, nor shall Arkansas gross receipts taxes be collected, with respect to services performed on watches and clocks which are received by mail or common carrier from outside this state and which, after the service is performed, are returned by mail or common carrier or in the repairman's own conveyance to points outside this state.

(v) Additionally, the gross receipts tax levied in this section shall not apply to the repair or remanufacture of industrial metal rollers or platens that have a remanufactured, nonmetallic material covering on all or part of the roller or platen surface which are brought into the State of Arkansas solely and exclusively for the purpose of being repaired or remanufactured in this state and are then shipped back to the state of origin.

(vi) The gross receipts tax levied in this section shall not

apply to the service of alteration, addition, cleaning, refinishing, replacement, or repair of commercial jet aircraft, commercial jet aircraft components, or commercial jet aircraft subcomponents. The term "commercial jet aircraft" shall mean any commercial, military, private, or other turbine or turbo jet aircraft having a certified maximum take-off weight of more than twelve thousand five hundred (12,500) pounds;

(vii) The provisions of subdivision (3)(C)(i) of this section shall not apply to the services performed by a temporary or leased employee or other contract laborer on items owned or leased by the employer. The following criteria must be met for a person to be a temporary or leased employee:

(a) There must be a written contract with the temporary employment agency, employee leasing company, or other contractor providing the services;

(b) The employee, temporary employment agency, employee leasing company, or other contractor must not bear the risk of loss for damages caused during the performance of the contract. The person for whom the services are performed must bear the risk of loss; and

(c) The temporary or leased employee or contract laborer is controlled by the employer as if he were a full-time permanent employee. "Control" includes, but is not limited to, scheduling work hours, designating work duties, and directing work performance.

(viii)(a) Additionally, the gross receipts tax levied in this section shall not apply to the initial installation, alteration, addition, cleaning, refinishing, replacement, or repair of nonmechanical, passive, or manually operated components of buildings or other improvements or structures affixed to real estate, including, but not limited to, the following:

- (1) Walls;
- ~~(2)~~ Floors;
- ~~(3)~~(2) Ceilings;
- ~~(4)~~(3) Doors;
- ~~(5)~~(4) Locks;
- ~~(6)~~(5) Windows;
- ~~(7)~~(6) Glass;
- ~~(8)~~(7) Heat and air ducts;
- ~~(9)~~(8) Roofs;
- ~~(10)~~(9) Wiring;
- ~~(11)~~(10) Breakers;
- ~~(12)~~(11) Breaker boxes;

receptacles; ~~(13)~~(12) Electrical switches and

~~(14)~~(13) Light fixtures;

~~(15)~~(14) Pipes;

~~(16)~~(15) Plumbing fixtures;

~~(17)~~(16) Fire and security alarms;

~~(18)~~(17) Intercoms;

~~(19)~~(18) Sprinkler systems;

~~(20)~~(19) Parking lots;

~~(21)~~(20) Fences;

~~(22)~~(21) Gates;

~~(23)~~(22) Fireplaces; and

~~(24)~~(23) Similar components which become

a part of real estate after installation, except flooring.

(b) Contractors are deemed to be consumers or users of all tangible personal property used or consumed by them in providing such nontaxable services, in the same manner as when performing any other contract.

(c) Subdivision (3)(C)(viii) of this section shall not apply to any services subject to tax pursuant to the terms of subdivision (3)(E) of this section.

(ix) The gross receipts tax levied in subdivision (3)(C)(i) of this section shall not apply to the service of initial installation of any property that is specifically exempted from the tax imposed by the Arkansas Gross Receipts Act of 1941, § 26-52-101 et seq.

SECTION 7. Effective July 1, 2004, Arkansas Code Title 26, Chapter 52, Subchapter 3 is amended to add an additional section to read as follows:

26-52-316. Services subject to tax.

(a) The gross proceeds or gross receipts derived from the following services are subject to the gross receipts tax:

(1) Wrecker and towing services;

(2) Collection and disposal of solid wastes;

(3) Cleaning parking lots and gutters;

(4) Dry cleaning and laundry services;

(5) Industrial laundry services;

(6) Mini warehouse and self storage rental services;

(7) Body piercing, tattooing, and electrolysis services;

(8) Pest control services;

(9) Security and alarm monitoring services;

(10) Boat storage and docking fees;

(11) Furnishing camping spaces or trailer spaces at public or privately-owned campgrounds, except for federal campgrounds, on less than a month-to-month basis;

(12) Locksmith services; and

(13) Pet grooming and kennel services.

(b)(1) For purposes of this section "locksmith services" means repairing, servicing, or installing locks and locking devices, whether the locks and locking devices are:

(A) Incorporated into real property;

(B) Incorporated into tangible personal property; or

(C) Locks separate and apart from other property.

(2) "Locksmith services" also includes unlocking locks or locking devices for another person; and

(3) "Locksmith services" shall not include the initial installation of locks by a contractor in new construction.

SECTION 8. Effective July 1, 2004, Arkansas Code § 26-57-1002(d)(1), concerning the rate of wholesale vending tax, is amended to read as follows:

(d)(1)(A)(i) 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.

(ii)(a) An additional tax of one and one-half percent (1.5%) is 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) The additional tax levied under subdivision (d)(1)(A)(ii)(a) of this section shall be special revenue and credited to the Educational Adequacy Trust Fund.

~~(B) This tax~~ The taxes levied in subdivision (d)(1)(A) of this section 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.

SECTION 9. Effective July 1, 2004, Arkansas Code § 26-57-1206(a)(1), concerning vending device decals, is amended to read as follows:

(a)(1) Every person who is the operator of a vending device, who elects to have the operation of such vending device covered by the provisions of this subchapter, and who makes available to the general public for use and operation

vending devices described in this subchapter, shall pay to the Director of the Department of Finance and Administration (for the benefit of the state and its municipalities and counties) the following annual vending device decal fee for each vending device before such vending device may be placed in service within the state for use by members of the public:

(A) For each coin-operated vending device requiring a coin or thing of value of twenty-five cents (25¢) or more for a sale, ~~seventy dollars (\$70.00)~~ ninety-three dollars (\$93);

(B) For each coin-operated vending device requiring a coin or thing of value of less than twenty-five cents (25¢) for a sale, fifteen dollars (\$15.00);

(C) For each coin-operated bulk vending device requiring a coin or thing of value of more than twenty-five cents (25¢) for a sale, seven dollars and fifty cents (\$7.50);

(D) For each coin-operated bulk vending device requiring a coin or thing of value of twenty-five cents (25¢) or less for a sale, two dollars and fifty cents (\$2.50); and

(E) For each coin-operated manually powered vending devices, coin-operated tabletop snack vending device, or other manually powered coin-operated vending device requiring a coin or thing of value of twenty-five cents (25¢) or more for a sale, thirty dollars (\$30.00).

SECTION 10. Effective July 1, 2004, Arkansas Code § 26-57-1208(b) is amended to read as follows:

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

(1) ~~With eighty~~ Eighty percent (80%) of ~~such amount being the fees collected under § 26-57-1206(a)(1)(B) through (E) and sixty percent (60%) of the fees collected under §26-57-1206(a)(1)(A) shall be~~ deposited to the credit of the General Revenue Fund Account of the State Apportionment Fund provided by § 19-5-202; and

(2) ~~With twenty~~ Twenty percent (20%) of ~~such amount being the fees collected under § 26-57-1206(a)(1)(B) through (E) and fifteen percent (15%) of the fees collected under § 26-57-1206(a)(1)(A) shall be~~ 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

(3) Twenty-five percent (25%) of the fees collected under § 26-57-

1206(a)(1)(A) shall be special revenues deposited by the Treasurer of the State to the credit of the Educational Adequacy Trust Fund."

SECTION 11. Educational Adequacy Trust Fund.

(a) There is created on the books of the Treasurer of State, the Auditor of State, and Chief Fiscal Officer of the State a special revenue fund to be known as the Educational Adequacy Trust Fund.

(b) The Educational Adequacy Trust Fund shall consist of the revenues generated by Arkansas Code §§ 26-52-302(d), 26-53-107(d), 26-52-316, 26-57-1002(d)(1)(A)(ii), and other revenues as provided by law.

(c) On the last day of the month, the Treasurer of State shall transfer amounts available in the Educational Adequacy Trust Fund to the Department of Education Public School Fund Account established in Arkansas Code § 19-5-305, to be used for the purposes provided by law. The Treasurer of State shall make the transfer after making the deductions required from the net special revenues as set out in Arkansas Code § 19-5-203(b)(2)(A).

(d)(1) Additionally, for each of the state's fiscal years beginning July 1, 2004, the Chief Fiscal Officer of the State shall determine as an annual allocation amount for the Educational Adequacy Trust Fund an amount equivalent to the revenues generated by Arkansas Code § 26-52-316 which shall be equal to total net general revenues as enumerated in § 19-6-201(1) and (2), which were collected in the immediate past year, times a factor of 0.0125.

(2) On the last day of each month of the fiscal year, the Chief Fiscal Officer of the State shall certify to the Treasurer of State an amount equal to one-twelfth (1/12) of the annual allocation amount determined in subdivision (d)(1) of this section for transfer to the Educational Adequacy Trust Fund.

(3) The Treasurer of State shall make the transfer of the amount certified in subdivision (d)(2) of this section from general revenues after making the deductions required from the net general revenues under Arkansas Code § 19-5-202(b)(2)(B)(i).

SECTION 12. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that the provision of an equal opportunity for an adequate education to all the citizens of the state is imperative; that additional funds are immediately needed to provide an equal opportunity for an adequate education; that this act is designed to provide the additional revenues needed to provide this equal opportunity to all citizens; and that a delay in the effective date of this act will cause irreparable harm upon the provision of essential education opportunities and the proper administration of educational programs. Therefore, an emergency is hereby declared to exist and this act being necessary for the immediate preservation of the

public peace, health, and safety shall be in full force and effect from and after the date of March 1, 2004."

/s/ Boyd Hickinbotham

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Berry, Biggs, Blair, Bond, P. Bookout, Boyd, Bradford, Chesterfield, Cowling, Dangeau, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Gillespie, Goss, Green, Hathorn, Hickinbotham, House, Jackson, C. Johnson, Jones, Judy, King, Ledbetter, Lendall, Mack, Mahony, Medley, Napper, Pate, Petrus, Pickett, Rankin, Roebuck, Scroggin, Seawel, R. Smith, Stovall, Sullivan, Sumpter, Thomas, Thomason, Thyer, Walters, Weaver, White, Mr. Speaker.

Total51

NEGATIVE: Agee, Bledsoe, Bolin, Borhauer, Bright, Childers, Clemons, Creekmore, Dees, Dickinson, Dobbins, Fite, Haak, Hardwick, Jeffrey, J. Johnson, Kenney, Key, Lamoureux, Lewellen, Martin, Mathis, Milligan, Moore, Nichols, Norton, Ormond, Pace, L. Prater, Pritchard, Rosenbaum, Schulte, Scrimshire, C. Taylor, J. Taylor.

Total35

ABSENT OR NOT VOTING: Adams, Anderson, Bennett, Gipson, Harris, Hutchinson, Jacobs, Matayo, Oglesby, Parks, Penix, S. Prater, Verkamp, Wood.

Total14

VOTING PRESENT:

Total0

Total number of votes cast.....86

Total number voting in the affirmative51

Necessary to the adoption of the amendment.....51

The Amendment was adopted by more than 51 votes.

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Stovall, **SENATE BILL NO. 73** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO SENATE BILL NO. 73

Amend **SENATE BILL NO. 73** as originally introduced:

Page 12, delete lines 6 through 8, and substitute:

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

/s/ Bill H. Stovall

The Amendment was read and the vote was as follows:

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

Total90

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Anderson, Bledsoe, Harris, Hutchinson, Matayo, Parks, Penix, Schulte, Thomas.

Total9

VOTING PRESENT: Lewellen.

Total1

Total number of votes cast91

Total number voting in the affirmative90

Necessary to the adoption of the amendment.....51

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

/s/ Ms. Jo Renshaw

Chief Clerk

HOUSE RESOLUTION NO.1025

BY: REPRESENTATIVE GILLESPIE

RECOGNIZING MR. KERN TREAT, DIRECTOR OF THE BUREAU OF LEGISLATIVE RESEARCH, UPON COMPLETING FIFTY YEARS OF SERVICE TO THE ARKANSAS GENERAL ASSEMBLY.

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

Morning Hour Expired.

Representative Biggs addressed the House on the Conference Committee recent meetings on **HOUSE BILL NO. 1009**. **HOUSE BILL NO. 1009** was placed on the calendar to expunge the vote on **SENATE AMENDMENT NO. 1**.

Representative Biggs reported that the committee agreed upon an amendment to be placed on **HOUSE BILL NO. 1009**.

Representative Johnson requested that **SENATE BILL NO. 49** be pulled down and left on the calendar.

Upon motion of Representative Weaver, **HOUSE BILL NO. 1099** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1099

Amend **HOUSE BILL NO. 1099** as originally introduced:

Page 1, line 34 delete " \$ 2,200,000 \$ 4,200,000" and substitute
" \$ 1,487,860 \$ 3,440,706"

and

Delete Section 2 in its entirety

And appropriately renumber the sections of the bill

/s/ Paul Weaver

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Adams, Agee, Bennett, Berry, Biggs, Blair, Bolin, Bond, P. Bookout, Borhauer, Boyd, Bradford, Bright, Childers, Clemons, Cowling, Dangeau, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gipson, Goss, Hardwick, Hathorn, Hickinbotham, House, Hutchinson, Jackson, Jeffrey, C. Johnson, J. Johnson, Jones, Judy, Key, King, Ledbetter, Lewellen, Mack, Mahony, Martin, Medley, Moore, Norton, Ormond, Pace, Pate, Pickett, L. Prater, S. Prater, Pritchard, Roebuck, Seawel, Sullivan, Sumpter, C. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, White, Wood, Mr. Speaker.

Total67

NEGATIVE: Bledsoe, Chesterfield, Dobbins, Gillespie, Haak, Napper, Schulte.

Total7

ABSENT OR NOT VOTING: Anderson, Creekmore, Dees, Dickinson, Green, Harris, Jacobs, Kenney, Lamoureux, Lendall, Matayo, Mathis, Nichols, Oglesby, Parks, Penix, Petrus, Rankin, Rosenbaum, Scrimshire, Scroggin, R. Smith, Stovall, J. Taylor, Weaver.

Total25

VOTING PRESENT: Milligan.

Total1

Total number of votes cast75

Total number voting in the affirmative67

Necessary to the adoption of the amendment.....51

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

/s/ Ms. Jo Renshaw

Chief Clerk

Representative Weaver moved that the House concur in the following Senate Amendment.

ARKANSAS SENATE

AMENDMENT NO. 1 TO HOUSE BILL NO. 1142

Amend **HOUSE BILL NO. 1142** as originally introduced:

Add a new section immediately after Section 2 of the bill to read as follows:

“SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND TRANSFER. Any of the remaining balance of moneys transferred to the Department of Education Public School Fund Account as authorized by law for Administrative Consolidation Assistance that are determined by the Chief Fiscal Officer of the State as no longer needed to fulfill the purpose for which the funds were transferred shall immediately transfer any remaining balances to the Federal Fiscal Relief Fund.”

AND

Renumber the subsequent sections of the bill.

/s/ Shane Broadway

The Amendment was read and the vote was as follows:

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

Total83

NEGATIVE: Bright, Fite, Hutchinson, Schulte.

Total4

ABSENT OR NOT VOTING: Anderson, Creekmore, Harris, Kenney, Lamoureux, Matayo, Mathis, Parks, Penix, Rankin, Rosenbaum, Scrimshire, R. Smith.

Total13

VOTING PRESENT:

Total0

Total number of votes cast87

Total number voting in the affirmative83

Necessary to concur in the amendment.....51

So the Amendment was concurred in.

/s/ Ms. Jo Renshaw
Chief Clerk

Motion was made to refer **SENATE BILL NO. 7** back to the Committee on JOINT BUDGET. RECEIVED MORE THAN 51 VOTES.

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. 51

BY: JOINT BUDGET COMMITTEE

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

AFFIRMATIVE: Agee, Berry, Blair, Bond, P. Bookout, Bradford, Cowling, Dangeau, Eason, Edwards, Elliott, Goss, Hardwick, House, Jackson, C. Johnson, Jones, Judy, King, Ledbetter, Mahony, Pace, Roebuck, Seawel, Stovall, Sumpter, White.

Total27

NEGATIVE: Adams, Bennett, Biggs, Bledsoe, Borhauer, Bright, Chesterfield, Childers, Creekmore, Dees, Dickinson, Dobbins, D. Evans, L. Evans, Fite, Gillespie, Green, Haak, Hathorn, Jacobs, Jeffrey, J. Johnson, Lendall, Lewellen, Mack, Martin, Mathis, Medley, Moore, Napper, Nichols, Norton, Oglesby, Pate, Pickett, S. Prater, Pritchard, Rankin, Rosenbaum, Schulte, C. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Wood.

Total47

ABSENT OR NOT VOTING: Anderson, Bolin, Boyd, Clemons, Ferguson, Harris, Hickinbotham, Hutchinson, Kenney, Key, Lamoureux, Matayo, Ormond, Parks, Penix, Petrus, Scroggin, R. Smith, Sullivan, J. Taylor, Weaver, Mr. Speaker.

Total22

VOTING PRESENT: Gipson, Milligan, L. Prater, Scrimshire.

Total4

Total number of votes cast78

Total number voting in the affirmative27

Necessary to the passage of the bill75

So the Bill failed.

Upon motion of Representative Stovall the rules were suspended on HOUSE BILL NO. 1162 and it was placed back on second reading for the purpose of Amendment #1.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1162

Amend HOUSE BILL NO. 1162 as originally introduced:

Page 2, line 19, delete "(1)"

AND

Page 2, line 28, delete "26-80-207." and substitute 26-80-208."

AND

Page 2, line 29, delete "(a)" and substitute "(a)(1)"

AND

Page 2, delete line 32, and substitute the following:

"maintenance and operation of the schools.

(2) The established uniform rate of ad valorem property tax of twenty-eight (28) mills is equal to the twenty-five (25) mills levied under Arkansas Constitution, Amendment 74 and an additional three (3) mills levied under this section."

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

"tax to twenty-eight (28) mills."

/s/ Bill H. Stovall

The Amendment was read and the vote was as follows:

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

Total84

NEGATIVE: Adams, Agee, Scrimshire.

Total3

ABSENT OR NOT VOTING: Anderson, Dees, Goss, Harris, House, Hutchinson, Key, Lamoureux, Matayo, Penix, Schulte, Thomas.

Total12

VOTING PRESENT: Gipson.

Total1

Total number of votes cast.....88

Total number voting in the affirmative84

Necessary to the adoption of the amendment.....51

The Amendment was adopted by more than 51 votes.

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Stovall the rules were suspended on **HOUSE BILL NO. 1162** and it was placed back on second reading for the purpose of Amendment #2.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1162

Amend **HOUSE BILL NO. 1162** as originally introduced:

Page 2, line 34, delete "January 1, 2005." and substitute "January 1, 2004."

AND

Page 3, line 9, delete "January 1, 2005." and substitute "January 1, 2004."

/s/ Bill H. Stovall

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Bennett, Berry, Biggs, Blair, Bond, P. Bookout, Borhauer, Boyd, Bradford, Bright, Chesterfield, Childers, Clemons, Cowling, Creekmore, Dangeau, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Goss, Green, Haak, Hardwick, Hathorn, Hickinbotham, House, Jackson, Jacobs, Jeffrey, C. Johnson, J. Johnson, Jones, Judy, King, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Mathis, Medley, Milligan, Moore, Napper, Nichols, Norton, Oglesby, Pate, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Roebuck, Rosenbaum, Seawel, R. Smith, Stovall, Sullivan, Sumpter, C. Taylor, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood.

Total76

NEGATIVE: Adams, Agee, Dees, Kenney, Pace, Scrimshire.

Total6

ABSENT OR NOT VOTING: Anderson, Bledsoe, Bolin, Gipson, Harris, Hutchinson, Key, Lamoureux, Matayo, Parks, Penix, Rankin, Scroggin, J. Taylor, Thomas, Mr. Speaker.

Total16

VOTING PRESENT: Ormond, Schulte.

Total2

Total number of votes cast84

Total number voting in the affirmative76

Necessary to the adoption of the amendment.....51

The Amendment was adopted by more than 51 votes.

/s/ Ms. Jo Renshaw

Chief Clerk

The House stood in recess at 2:20 p.m. until 4:00 p.m. for the reading of the bills.

The House reconvened at 4:03 p.m.

ARKANSAS SENATE
HOUSE BILLS RETURNED FROM THE SENATE AS PASSED

HOUSE BILL NO. 1140 BY REPRESENTATIVE WALTERS
AS AMENDED #1 & 2
HOUSE BILL NO. 1157 BY REPRESENTATIVE HATHORN

ENROLLED AND DELIVERY TO GOVERNOR REPORTS

Little Rock, Arkansas
February 2, 2004

MR. SPEAKER:

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

HOUSE BILL NO. 1142 BY REPRESENTATIVE LEDBETTER
HOUSE BILL NO. 1157 BY REPRESENTATIVE HATHORN

beg leave to report that we have carefully compared the enrolled copies with the original and we find the same correctly enrolled and have at 2:53 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. 1142 BY REPRESENTATIVE LEDBETTER

HOUSE BILL NO. 1157 BY REPRESENTATIVE HATHORN

/s/ Mike Huckabee - Governor

TIME: 2:53 p.m.

By: Stacy DeJarnett

HOUSE BILL NO. 1173

BY: REPRESENTATIVE CHESTERFIELD

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REQUIRE A SCHOOL DISTRICT THAT FAILS TO PROVIDE FIFTY PERCENT (50%) OR MORE OF STUDENT TRANSPORTATION SERVICES FOR ANY THREE (3) DAYS OR MORE THAT THE SCHOOL DISTRICT IS OPEN FOR STUDENT INSTRUCTION IN A SCHOOL YEAR TO RETURN THE MONEYS EQUAL TO THE SCHOOL DISTRICT'S TOTAL BUDGETED AMOUNT FOR STUDENT TRANSPORTATION TO THE DEPARTMENT OF EDUCATION PUBLIC SCHOOL FUND ACCOUNT; AND FOR OTHER PURPOSES.

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

HOUSE BILL NO. 1174

BY: REPRESENTATIVES DOBBINS, CHESTERFIELD

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ENSURE THE SAFETY OF SCHOOL CHILDREN WHO ARE TRANSPORTED ON SCHOOL BUSES; TO PROHIBIT SCHOOL DISTRICTS AND SCHOOL DISTRICT BOARDS OF DIRECTORS FROM HIRING TEMPORARY, SUBSTITUTE, OR PERMANENT SCHOOL BUS DRIVERS THAT DO NOT HAVE THE REQUIRED CRIMINAL RECORDS CHECK, DRIVING RECORD BACKGROUND CHECK, OR CERTIFICATION; 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. 1175

BY: REPRESENTATIVES CHESTERFIELD, BRIGHT, DOBBINS, LENDALL

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CREATE TWO (2) DISTRICTS IN PULASKI COUNTY; TO ADMINISTRATIVELY ANNEX PART OF THE PULASKI COUNTY SPECIAL SCHOOL DISTRICT WITH THE NORTH LITTLE ROCK SCHOOL DISTRICT; TO ANNEX PART OF THE PULASKI COUNTY SPECIAL SCHOOL DISTRICT WITH THE LITTLE ROCK 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. 1176

BY: REPRESENTATIVES GREEN, CHESTERFIELD, DEES, C. JOHNSON, LEDBETTER, LENDALL, MATHIS, PENIX, WHITE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ENSURE THAT SCHOOL DISTRICTS HAVE ADMINISTRATORS PRESENT IN THE DISTRICT TO PROVIDE FOR THE PROPER ADMINISTRATION OF THE SCHOOLS; TO AMEND THE REQUIREMENTS OF PUBLIC EMPLOYEES WHO ARE REQUIRED TO REGISTER AS LOBBYISTS; 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. 1177

BY: REPRESENTATIVES PETRUS, ADAMS, BENNETT, BOLIN, BOND, BOYD, CHILDERS, DANGEAU, DICKINSON, ELLIOTT, L. EVANS, FITE, JEFFREY, PATE, SCROGGIN, SULLIVAN, SUMPTER, J. TAYLOR, C. TAYLOR, THOMASON, THYER, VERKAMP

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ALLOW STUDENTS IN ADMINISTRATIVELY CONSOLIDATED SCHOOL DISTRICTS TO ATTEND CLASSES AND PROGRAMS IN OTHER SCHOOLS IN THE DISTRICT IF THE SCHOOL TO WHICH THE STUDENT IS ASSIGNED DOES NOT OFFER THE SAME OR SIMILAR CLASSES OR PROGRAMS; AND FOR OTHER PURPOSES.

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

HOUSE RESOLUTION NO. 1026

BY: REPRESENTATIVES ROEBUCK, CHESTERFIELD, DICKINSON, ELLIOTT, FITE, C. JOHNSON, J. JOHNSON, MAHONY

COMMENDING AND EXPRESSING SINCERE APPRECIATION TO THE FACULTY MEMBERS IN THE COLLEGES OF EDUCATION AT ALL ARKANSAS HIGHER EDUCATION INSTITUTIONS.

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

HOUSE MEMORIAL RESOLUTION NO. 1011

BY: REPRESENTATIVES AGEE, THYER, BOND, BRADFORD, CHILDERS, CLEVELAND, DANGEAU, EDWARDS, HATHORN, JUDY, LEDBETTER, MAHONY, PATE, PRITCHARD, THOMASON

IN RESPECTFUL MEMORY OF MR. E.J. BALL AND IN RECOGNITION OF HIS MANY CONTRIBUTIONS TO THE STATE OF ARKANSAS AND HIS LOCAL COMMUNITY.

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 4:05 p.m. until 1:30 p.m. Tuesday, February 3, 2004.

ATTEST:

Herschel W. Cleveland
Speaker of the House of Representatives

Jo Renshaw
Chief Clerk