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EIGHTY- SEVENTH DAY'S PROCEEDINGS
SENATE CHAMBER
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

Little Rock, Arkansas

April 6, 2005

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

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

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

The Senate was led in prayer by Reverend Elton King, Evangelist.

The Senate was led in the Pledge of Allegiance by the President.

On motion of Senator Whitaker, the reading of the Journal was dispensed with.

On motion of Senator Horn, **Senate Bill No. 1085** was withdrawn from the Committee on INSURANCE AND COMMERCE, and placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 1085

Amend **Senate Bill No. 1085** as originally introduced:

Delete the Title in its entirety and substitute the following:
"AN ACT CONCERNING THE ARKANSAS UNIVERSAL SERVICES FUND; AND FOR OTHER PURPOSES."

AND

Delete the subtitle in its entirety and substitute:
"AN ACT CONCERNING THE ARKANSAS UNIVERSAL SERVICES FUND."

AND

Delete everything after the Enacting Clause and substitute the following:
"SECTION 1. Arkansas Code § 23-17-404(e), concerning payment from the Arkansas Universal Service Fund, is amended to add an additional subdivision to read as follows:
(9)(A) Through a surcharge on its customer bills over its total customer access base, an eligible ILEC may recover any reduction in its AUSF payments up to the amount authorized by the AUSF administrator as of July 1, 2005.
(B) The surcharge is not a tax.
(C)(i) For an electing company under § 23-17-401, the surcharge shall be in addition to any rate increase authorized under § 23-17-401.
(ii) For a non-electing ILEC, no general rate application or earnings review shall be required to implement the surcharge.
SECTION 2. Arkansas Code § 23-17-404, concerning preservation and promotion of universal service, is amended to add an additional subsection to read as follows:
(h) The commission shall adopt portability rules as necessary to allow competitive eligible telecommunications carriers to have access to the AUSF funds of eligible telecommunications carriers receiving funds from the AUSF. The commission shall consider cost issues and quality of service issues in the rule making process."

(SIGNED) SENATOR BARBARA HORN

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 1085 was ordered engrossed.

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

April 6, 2005

Mr. President:

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

SENATE BILL NO. 1085, BY SENATOR HORN,

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

Respectfully submitted,

(SIGNED) JOHN PAUL CAPPS, CHAIRMAN

On motion of Senator Horn, **Senate Bill No. 1085** was ordered re-referred to the Committee on INSURANCE AND COMMERCE.

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

April 6, 2005

Mr. President:

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

HOUSE BILL NO. 2735, BY REPRESENTATIVE MCDANIEL,
HOUSE BILL NO. 2820, BY REPRESENTATIVE MAHONY,
HOUSE BILL NO. 2902, BY REPRESENTATIVE SCROGGIN,

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

Respectfully submitted,

(SIGNED) SENATOR TIME WOOLDRIDGE, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

April 6, 2005

Mr. President:

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

HOUSE BILL NO. 1628, BY REPRESENTATIVE ROEBUCK,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that it do pass as Amended No. 1.

Respectfully submitted,

(SIGNED) SENATOR TIM WOOLDRIDGE, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

April 6, 2005

Mr. President:

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

SENATE BILL NO. 1120, BY SENATOR HENDREN,

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

Respectfully submitted,

(SIGNED) SENATOR ED WILKINSON, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

April 6, 2005

Mr. President:

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

SENATE BILL NO. 942, BY SENATOR WOOLDRIDGE,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that it do pass to concur in House Amendment No. 1 and No. 2.

Respectfully submitted,

(SIGNED) SENATOR ED WILKINSON, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

April 6, 2005

Mr. President:

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

SENATE BILL NO. 958, BY SENATOR MALONE,
SENATE BILL NO. 984, BY SENATOR LUKER,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that they to concur in House Amendment No. 1.

Respectfully submitted,

(SIGNED) SENATOR ED WILKINSON, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

April 6, 2005

Mr. President:

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

HOUSE BILL NO. 1466, BY REPRESENTATIVE VERKAMP,
HOUSE BILL NO. 2491, BY REPRESENTATIVE RANKIN,
HOUSE BILL NO. 2511, BY REPRESENTATIVE CHILDERS,
HOUSE BILL NO. 2628, BY REPRESENTATIVE T. HUTCHINSON,
HOUSE BILL NO. 2676, BY REPRESENTATIVE BRIGHT,
HOUSE BILL NO. 2738, BY REPRESENTATIVE COWLING,
HOUSE BILL NO. 2801, BY REPRESENTATIVE LAMOUREUX,

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

Respectfully submitted,
(SIGNED) SENATOR ED WILKINSON, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

April 5, 2005

Mr. President:

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

SENATE BILL NO. 82, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 269, BY JOINT BUDGET COMMITTEE,

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

Respectfully submitted,
(SIGNED) SENATOR DAVID BISBEE, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

April 5, 2005

Mr. President:

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

SENATE BILL NO. 55, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 251, BY JOINT BUDGET COMMITTEE,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that they do pass as Amended No. 1.

Respectfully submitted,
(SIGNED) SENATOR DAVID BISBEE, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

April 5, 2005

Mr. President:

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

SENATE BILL NO. 261, BY JOINT BUDGET COMMITTEE,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that it do pass as amended No. 2 and No. 3.

Respectfully submitted,
(SIGNED) SENATOR DAVID BISBEE, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

April 5, 2005

Mr. President:

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

SENATE BILL NO. 457, BY JOINT BUDGET COMMITTEE,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that it do pass as Amended No. 7.

Respectfully submitted,
(SIGNED) SENATOR DAVID BISBEE, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

April 6, 2005

Mr. President:

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

SENATE BILL NO. 267, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 530, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 535, BY JOINT BUDGET COMMITTEE,

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

Respectfully submitted,
(SIGNED) SENATOR DAVID BISBEE, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

April 6, 2005

Mr. President:

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

SENATE BILL NO. 270, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 271, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 291, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 292, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 294, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 295, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 304, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 312, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 325, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 343, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 928, BY JOINT BUDGET COMMITTEE,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that they do pass as Amended No. 1.

Respectfully submitted,
(SIGNED) SENATOR DAVID BISBEE, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

April 6, 2005

Mr. President:

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

SENATE BILL NO. 281, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 311, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 330, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 436, BY JOINT BUDGET COMMITTEE,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that they do pass as Amended No. 2.

Respectfully submitted,
(SIGNED) SENATOR DAVID BISBEE, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

April 6, 2005

Mr. President:

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

SENATE BILL NO. 297, BY JOINT BUDGET COMMITTEE,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that they do pass as Amended No. 3.

Respectfully submitted,
(SIGNED) SENATOR DAVID BISBEE, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

April 6, 2005

Mr. President:

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

SENATE BILL NO. 305, BY JOINT BUDGET COMMITTEE,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that they do pass as Amended No. 6.

Respectfully submitted,

(SIGNED) SENATOR DAVID BISBEE, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

April 6, 2005

Mr. President:

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

SENATE BILL NO. 454, BY JOINT BUDGET COMMITTEE,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that they do pass as Amended No. 9.

Respectfully submitted,

(SIGNED) SENATOR DAVID BISBEE, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

April 6, 2005

Mr. President:

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

SENATE BILL NO. 1040, BY SENATOR BRYLES,

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

Respectfully submitted,
(SIGNED) SENATOR JIM ARGUE, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

April 6, 2005

Mr. President:

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

SENATE BILL NO. 939, BY SENATOR BROADWAY,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that it do pass as Amended No. 2 and No. 3.

Respectfully submitted,
(SIGNED) SENATOR JIM ARGUE, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

April 6, 2005

Mr. President:

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

SENATE BILL NO. 1043, BY SENATOR BRYLES,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that it do pass as Amended No. 1.

Respectfully submitted,
(SIGNED) SENATOR JIM ARGUE, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

April 6, 2005

Mr. President:

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

SENATE BILL NO. 288, BY SENATOR BRYLES,
SENATE BILL NO. 1130, BY SENATOR BRYLES,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that it do pass to concur in House Amendment No. 1.

Respectfully submitted,
(SIGNED) SENATOR JIM ARGUE, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

April 6, 2005

Mr. President:

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

HOUSE BILL NO. 1701, BY REPRESENTATIVE ANDERSON,
HOUSE BILL NO. 2604, BY REPRESENTATIVE KEY,
HOUSE BILL NO. 2732, BY REPRESENTATIVE RAINEY,
HOUSE BILL NO. 2734, BY REPRESENTATIVE RAINEY,
HOUSE BILL NO. 2868, BY REPRESENTATIVE GOSS,
HOUSE BILL NO. 2964, BY REPRESENTATIVE DOBBINS,

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

Respectfully submitted,
(SIGNED) SENATOR JIM ARGUE, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

April 6, 2005

Mr. President:

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

HOUSE BILL NO. 1448, BY REPRESENTATIVE J. HUTCHINSON,
HOUSE BILL NO. 2881, BY REPRESENTATIVE MAHONY,
HOUSE BILL NO. 2936, BY REPRESENTATIVE WILLIS,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that they do pass as Amended No. 1.

Respectfully submitted,
(SIGNED) SENATOR JIM ARGUE, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

April 6, 2005

Mr. President:

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

SENATE BILL NO. 1151, BY SENATOR FARIS,

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

Respectfully submitted,
(SIGNED) SENATOR TRACY STEELE, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

April 6, 2005

Mr. President:

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

HOUSE BILL NO. 2485, BY REPRESENTATIVE ROSENBAUM,
HOUSE BILL NO. 2811, BY REPRESENTATIVE ABERNATHY,
HOUSE BILL NO. 2905, BY REPRESENTATIVE PETRUS,

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

Respectfully submitted,
(SIGNED) SENATOR TRACY STEELE, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

April 6, 2005

Mr. President:

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

HOUSE BILL NO. 2539, BY REPRESENTATIVE MATAYO,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that it do pass as Amended No. 1.

Respectfully submitted,
(SIGNED) SENATOR TRACY STEELE, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

April 6, 2005

Mr. President:

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

SENATE BILL NO. 1131, BY SENATOR BROADWAY,

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

Respectfully submitted,
(SIGNED) SENATOR JACK CRITCHER, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

April 6, 2005

Mr. President:

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

SENATE BILL NO. 1097, BY SENATOR WOMACK,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that it do pass as Amended No. 1.

Respectfully submitted,
(SIGNED) SENATOR JACK CRITCHER, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

April 6, 2005

Mr. President:

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

SENATE BILL NO. 1195, BY SENATOR FARIS,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that it do pass to concur in Amendment No. 1.

Respectfully submitted,
(SIGNED) SENATOR JACK CRITCHER, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

April 6, 2005

Mr. President:

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

HOUSE BILL NO. 1785, BY REPRESENTATIVE BRIGHT,
HOUSE BILL NO. 1877, BY REPRESENTATIVE KEY,
HOUSE BILL NO. 2085, BY REPRESENTATIVE LEDBETTER,
HOUSE BILL NO. 2218, BY REPRESENTATIVE PACE,
HOUSE BILL NO. 2428, BY REPRESENTATIVE HARRELSON,
HOUSE BILL NO. 2665, BY REPRESENTATIVE LEDBETTER,
HOUSE BILL NO. 2788, BY REPRESENTATIVE BRADFORD,

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

Respectfully submitted,
(SIGNED) SENATOR JACK CRITCHER, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

April 6, 2005

Mr. President:

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

HOUSE BILL NO. 1392, BY REPRESENTATIVE BRIGHT,
HOUSE BILL NO. 2535, BY REPRESENTATIVE ROEBUCK,
HOUSE BILL NO. 2642, BY REPRESENTATIVE STOVALL,
HOUSE BILL NO. 2691, BY REPRESENTATIVE D. JOHNSON,
HOUSE BILL NO. 2740, BY REPRESENTATIVE PACE,

beg leave to report that we have had the same under consideration, and herewith
return the same with the recommendation that they do pass as Amended No. 1.

Respectfully submitted,
(SIGNED) SENATOR JACK CRITCHER, CHAIRMAN

On motion of Senator Wilkins, and without objection, the House was requested to return **House Bill No. 1525** for further consideration.

STATE OF ARKANSAS
ARKANSAS SENATE
State Capitol
Little Rock, Arkansas 72201

April 6, 2005

Jo Renshaw
Chief Clerk
House of Representatives
State Capitol
Little Rock, Arkansas 72201

Dear Ms. Renshaw:

The Senate requests the return to the Senate, of House Bill 1525.

Sincerely,

(SIGNED) ANN CORNWELL
Secretary of the Senate

AC:as

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

April 6, 2005

Mr. President:

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

SENATE CONCURRENT RESOLUTION NO. 10,
BY SENATOR WILKINSON

SENATE CONCURRENT RESOLUTION NO. 11,
BY SENATOR MALONE

SENATE BILL NO. 17, BY SENATOR FARIS,
SENATE BILL NO. 364, BY SENATOR WILKINSON,
SENATE BILL NO. 365, BY SENATOR WILKINSON,
SENATE BILL NO. 300, BY SENATOR BOOKOUT,
SENATE BILL NO. 561, BY SENATOR BOOKOUT,
SENATE BILL NO. 718, BY SENATOR WILKINSON,
SENATE BILL NO. 731, BY SENATOR WILKINSON,
SENATE BILL NO. 932, BY SENATOR SALMON,
SENATE BILL NO. 734, BY SENATOR WILKINSON,
SENATE BILL NO. 762, BY SENATOR WHITAKER,
SENATE BILL NO. 859, BY SENATOR ALTES, ET AL,
SENATE BILL NO. 879, BY SENATOR WILKINSON,
SENATE BILL NO. 909, BY SENATOR HOLT,
SENATE BILL NO. 931, BY SENATOR SALMON,
SENATE BILL NO. 945, BY SENATOR SALMON,
SENATE BILL NO. 947, BY SENATOR LAVERTY,
SENATE BILL NO. 953, BY SENATOR LAVERTY,
SENATE BILL NO. 959, BY SENATOR MALONE,
SENATE BILL NO. 986, BY SENATOR BAKER,
SENATE BILL NO. 1003, BY SENATOR BROADWAY,
SENATE BILL NO. 1011, BY SENATOR MADISON,
SENATE BILL NO. 1013, BY SENATOR MADISON, ET AL,
SENATE BILL NO. 1015, BY SENATOR MADISON,
SENATE BILL NO. 1033, BY SENATOR MALONE,
SENATE BILL NO. 1047, BY SENATOR HILL,
SENATE BILL NO. 1058, BY SENATOR SALMON,

SENATE BILL NO. 1103, BY SENATOR J. JEFFRESS,
SENATE BILL NO. 1139, BY SENATOR TAYLOR,
SENATE BILL NO. 1158, BY SENATOR BAKER
SENATE BILL NO. 1176, BY SENATOR WOMACK
SENATE BILL NO. 1099, BY SENATOR WOMACK
SENATE BILL NO. 40, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 54, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 56, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 62, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 79, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 80, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 85, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 86, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 104, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 149, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 198, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 238, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 531, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 536, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 540, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 542, BY JOINT BUDGET COMMITTEE,

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 10:45 a.m. delivered them to the Governor for his approval.

Respectfully submitted,

(SIGNED) JOHN PAUL CAPPS, CHAIRMAN

GOVERNOR'S BILL RECEIPTS

SENATE CONCURRENT RESOLUTION NO. 10

SENATE CONCURRENT RESOLUTION NO. 11

SENATE BILL NO. 17

SENATE BILL NO. 364

SENATE BILL NO. 365

SENATE BILL NO. 300

SENATE BILL NO. 561

SENATE BILL NO. 718

SENATE BILL NO. 731

SENATE BILL NO. 932

SENATE BILL NO. 734

SENATE BILL NO. 762

SENATE BILL NO. 859

SENATE BILL NO. 879

SENATE BILL NO. 909

SENATE BILL NO. 931

SENATE BILL NO. 945

SENATE BILL NO. 947

SENATE BILL NO. 953

SENATE BILL NO. 959

SENATE BILL NO. 986

SENATE BILL NO. 1003

SENATE BILL NO. 1011

SENATE BILL NO. 1013

SENATE BILL NO. 1015

SENATE BILL NO. 1033

SENATE BILL NO. 1047

SENATE BILL NO. 1058

SENATE BILL NO. 1103

SENATE BILL NO. 1139

SENATE BILL NO. 1158

SENATE BILL NO. 1176

SENATE BILL NO. 1099

SENATE BILL NO. 40

SENATE BILL NO. 54

SENATE BILL NO. 56

SENATE BILL NO. 62
SENATE BILL NO. 79
SENATE BILL NO. 80
SENATE BILL NO. 85
SENATE BILL NO. 86
SENATE BILL NO. 104
SENATE BILL NO. 149
SENATE BILL NO. 198
SENATE BILL NO. 238
SENATE BILL NO. 531
SENATE BILL NO. 536
SENATE BILL NO. 540
SENATE BILL NO. 542

RECEIVED the above papers from the Secretary of the Senate this 6th day of April,
2005 at 10:45 a.m.

(SIGNED) MIKE HUCKABEE
Governor

(SIGNED) Cory Cox
Secretary

On motion of Senator Bookout, the Senate resolved itself into the Committee of the Whole for the purpose of Senate Resolution No. 6.

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

On motion of Senator Bookout, **Senate Resolution No. 6** was called up for third reading and final disposition.

SENATE RESOLUTION NO. 6
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS J. BOOKOUT, FARIS

SENATE RESOLUTION HONORING THE CAREER AND
 ACCOMPLISHMENTS OF LARRY LACEWELL.

Senate Resolution No. 6 was read the third time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

On motion of Senator Whitaker, the Senate resolved itself into the Committee of the Whole for the purpose of recognizing the Alma High School AAAA State Basketball Champions and presenting citations.

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

On motion of Senator Horn, the Senate resolved itself into the Committee of the Whole for the purpose of Philander Smith Choir.

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

On motion of Senator Womack, **Senate Resolution No. 9** was called up for third reading and final disposition.

**SENATE RESOLUTION NO. 9
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR WOMACK**

SENATE RESOLUTION REQUESTING THAT ALL MEMBERS OF ARKANSAS' DELEGATION TO THE UNITED STATES SENATE AND THE HOUSE OF REPRESENTATIVES SUPPORT THE FEDERAL MARRIAGE AMENDMENT TO THE UNITED STATES CONSTITUTION.

Senate Resolution No. 9 was read the third time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

On motion of Senator J. Jeffress, **Senate Bill No. 69** was placed back on second reading for purpose of Amendment No. 3.

**ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 3 to SENATE BILL NO. 69**

Amend **Senate Bill No. 69** as engrossed, S3/30/05:

Page 5, delete line 5 and substitute "510(a)."

AND

Page 6, line 20, delete "§ 24-4-508" and substitute "§ 24-4-608"

(SIGNED) SENATOR JIMMY JEFFRESS

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 69 was ordered engrossed.

On motion of Senator Madison, **House Bill No. 2681** was placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to HOUSE BILL NO. 2681

Amend **House Bill No. 2681** as engrossed, H3/29/05:

Page 2, delete line 34, and substitute the following:

"(5) A person or organization with a U.S. Department of Agriculture Wildlife Exhibition permit;"

AND

Page 2, line 36, delete "or" entirely

AND

Page 3, delete line 2, and substitute the following:
"Commission scientific collection permit applicable to a large carnivore; or

(8) Persons or organizations with and Arkansas Game and Fish Commission Wildlife Breeder/Dealer permit."

AND

Page 3, line 11, delete "ninety (90)" and substitute "one hundred and eighty (180)"

AND

Page 4, line 10, delete "carnivore." and substitute "carnivore and provide the copies of the records to the Arkansas Game and Fish Commission when each permit is issued."

AND

Page 4, line 28, delete "by the" and substitute "by the U.S. Department of Agriculture or the"

AND

Page 5, line 20, delete "officer." and substitute "officer, Arkansas Game and Fish Commission wildlife officer."

AND

Page 5, delete line 33, and substitute the following:

"efforts to recapture the large carnivore.

(c) Persons or organization with a U.S. Department of Agriculture Wildlife Exhibition permit may take the large carnivores to schools and other exhibitions for educational or fundraising purposes."

AND

If appropriate, renumber the remaining sections of the bill

(SIGNED) SENATOR SUE MADISON

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2681 was ordered engrossed.

On motion of Senator Luker, **House Bill No. 2636** was placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to HOUSE BILL NO. 2636

Amend **House Bill No. 2636** as engrossed, H3/30/05:

Page 2, delete lines 28 and 29, and substitute the following:
"~~(\$30,000)~~ forty-two thousand dollars (\$42,000) nor more than forty-three thousand dollars (\$43,000), as determined by the"

AND

Page 3, delete lines 32 and 33, and substitute the following:
"not less than forty-five thousand dollars (\$45,000) nor more than ~~seventy-five thousand dollars (\$75,000)~~ one hundred thousand dollars (\$100,000) as may be approved by the Mississippi County"

AND

Page 21, delete lines 6 and 7, and substitute the following:
"five thousand dollars (\$45,000) nor more than ~~seventy-five thousand dollars (\$75,000)~~ one hundred thousand dollars (\$100,000), as may be approved by the Quorum Court of Mississippi County and"

AND

Page 23, delete line 10, and substitute the following:
"dollars (\$12,000) nor more than ~~sixteen thousand dollars (\$16,000)~~ eighteen thousand dollars (\$18,000). The"

AND

Page 28, delete lines 28 and 29, and substitute the following:
"receive an annual salary of not less than ~~forty-five thousand dollars (\$45,000)~~ fifty-four thousand dollars (\$54,000) nor more than ~~fifty-four thousand dollars (\$54,000)~~ sixty-five thousand dollars (\$65,000). The salary"

(SIGNED) SENATOR ED WILKINSON

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2636 was ordered engrossed.

On motion of Senator Madison, **House Bill No. 2618** was placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to HOUSE BILL NO. 2618

Amend **House Bill No. 2618** as engrossed, H3/31/05

Page 1, delete lines 27 through 36

AND

Page 2, delete lines 1 through 7

AND

Page 2, delete line 9, and substitute the following:

"23-79-1102. Definitions."

AND

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

"23-79-1103. Parity for contraceptives."

AND

Page 3, delete line 12, and substitute the following:

"or any United States Food and Drug Administration-approved emergency contraception."

AND

Page 3, delete line 14, and substitute the following:

"23-79-1104. Extraordinary surcharges prohibited."

(SIGNED) SENATOR SUE MADISON

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2618 was ordered engrossed.

On motion of Senator Bisbee, **Senate Bill No. 941** was called up for the purpose of considering **Amendment No. 1** thereto, adopted by the House.

HALL OF THE HOUSE OF REPRESENTATIVES
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

Amendment No. 1 to SENATE BILL NO. 941

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

Delete Representative Anderson as a cosponsor of the bill.

(SIGNED) REPRESENTATIVE ANDERSON

Amendment No. 1 to Senate Bill No. 941, adopted by the House, was read the first time, rules suspended, read the second time and concurred in, by the Senate.

(SIGNED) ANN CORNWELL, SECRETARY

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

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

SENATE BILL NO. 941
As Engrossed: H3/22/05
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR BISBEE
BY: REPRESENTATIVE PRITCHARD

A Bill for an Act to be Entitled: AN ACT TO CLARIFY PRIME CONTRACTOR AND SUBCONTRACTOR LIABILITY UNDER WORKERS' COMPENSATION LAW; TO AMEND § 11-9-402 OF THE ARKANSAS CODE WHICH RESULTED FROM INITIATED ACT 4 OF 1948; AND FOR OTHER PURPOSES.

Senate Bill No. 941 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 941 was ordered enrolled.

On motion of Senator Bisbee, **Senate Bill No. 78** was placed back on second reading for purpose of Amendment No. 2.

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 2 to SENATE BILL NO. 78

Amend **Senate Bill No. 78** as engrossed, S3/21/05:

Insert additional sections immediately following SECTION 32 to read as follows:

" SECTION 33. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER OF FUNDS. Immediately upon the effective date of this Act, the Chief Fiscal Officer of the State shall transfer on his books and those of the State Treasurer and the Auditor of State all remaining balances held in the Industry and Aerospace Development Fund to the Executive Discretionary Division of the 85th Session Projects Account within the General Improvement Fund, or its successor fund or fund accounts, for the sole benefit of the Department of Economic Development for providing funding for grants to cities and counties to provide financial assistance necessary to undertake public works projects and/or job training efforts which support private sector job creation opportunities, alleviate conditions which constitute a threat to public health and well being, or partially defray the costs of providing access to publicly owned industrial parks; and for expansion of the aircraft and aerospace industry, and for port and waterway economic development projects.

SECTION 34. Arkansas Title 15, Chapter 4, Subchapter 15 is repealed.

~~15-4-1501. Creation.~~

~~There is created and established at the seat of government of this state a commission to be known as the "Arkansas Aviation and Aerospace Commission", hereinafter referred to as the "commission".~~

~~15-4-1502. Members.~~

~~(a) The Arkansas Aviation and Aerospace Commission shall consist of thirteen (13) members who shall be residents and qualified electors of this state.~~

~~(b) The commission shall include eight (8) members who shall be appointed by the Governor subject to confirmation by the Senate. Three (3) members of the commission shall be the Director of the Department of Economic Development, the President of the Arkansas Development Finance Authority, and the Chief Fiscal Officer of the State.~~

~~(c) The Governor shall appoint two (2) members from each congressional district as the districts were constituted at the time of the passage of this subchapter.~~

~~(d) The eight (8) members so appointed by the Governor shall be representatives of the private sector of the state, and four (4) of the members so appointed shall be persons with knowledge and experience in the fields of:~~

- ~~(1) Aviation and aerospace manufacturing, operation, or repair;~~
- ~~(2) Banking and finance;~~
- ~~(3) Business and industry; and~~
- ~~(4) Education.~~

~~(e) There shall be one (1) member appointed by the President Pro Tempore of the Senate and one (1) member appointed by the Speaker of the House of Representatives.~~

~~(f)(1) Members appointed by the Governor shall serve for terms of four (4) years each.~~

~~(2) Members appointed by the Speaker of the House of Representatives and President Pro Tempore of the Senate shall serve two-year terms.~~

~~(3) Members shall hold office for the terms of their appointments and until their successors shall have been appointed and qualified.~~

~~(g) In the event of a vacancy in the membership of the commission, the vacancy shall be filled by appointment by the appointing authority for the remainder of the unexpired portion of the term of the member.~~

~~(h) A member of the commission may be removed by the appointing authority for cause stated in writing after a hearing thereon or upon joint address by a majority of both houses of the General Assembly at a special or regular session thereof.~~

~~(i) Members of the commission shall serve without pay but may receive expense reimbursement in accordance with § 25-16-901 et seq.~~

~~15-4-1503. Organization and meetings.~~

~~(a) Members shall annually elect from their membership one (1) member as chair and one (1) member as vice chair.~~

~~(b) The Director of the Department of Economic Development shall be ex officio Secretary of the Arkansas Aviation and Aerospace Commission, and the Department of Economic Development shall provide staff support as required for the administration and operation of the commission.~~

~~(c) The commission shall adopt and may modify rules for the conduct of its business and shall keep a public record of its transactions, findings, and determinations.~~

~~(d) The rules shall provide for regular meetings and for special meetings at the call of the chair or upon the request of at least five (5) members.~~

~~(e) A quorum shall consist of not fewer than eight (8) members present at any regular or special meeting, and an affirmative vote of that number shall be necessary for the disposition of any business.~~

~~15-4-1504. Objectives and purposes.~~

~~The objectives and purposes of the Arkansas Aviation and Aerospace Commission shall be to:~~

~~(1) Foster and encourage the establishment, location, expansion, and development of the aviation and aerospace industry in the state;~~

~~(2) Create new job opportunities for Arkansas citizens at wage scales which are greater than the state average for manufacturing industries;~~

~~(3) Assign resources to educate and train Arkansas citizens to a new and higher level of skills for high technology industries;~~

~~(4) Provide competitive inducements to attract new and expanding aviation and aerospace employers;~~

~~(5) Assist in building and equipping new or expanded aviation and aerospace manufacturing and infrastructure facilities within the state; and~~

~~(6) Aid local and regional governmental entities in the establishment, location, expansion, and development of aviation and aerospace industries in all regions of the state.~~

~~15-4-1505. Functions, powers, and duties.~~

~~(a) The Arkansas Aviation and Aerospace Commission shall have and be subject to all functions, powers, and duties imposed upon it by this subchapter.~~

~~(b) For the purpose of regulating its own procedures and carrying out its functions, the commission shall have the authority from time to time to make, amend, and enforce all reasonable rules or regulations not inconsistent with law which will aid in the performance of any of the functions, powers, or duties conferred or imposed upon it by law.~~

~~(c) The commission may purchase, receive, lease as lessee, or in any other manner acquire, own, hold, maintain, sell, exchange, and use any and all real or~~

personal property or any interest therein.

~~(d) It shall be the function, power, and duty of the commission to administer the fund known as the "Arkansas Aviation and Aerospace Industry Development Fund", hereinafter "fund".~~

~~(e) The Secretary of the Arkansas Aviation and Aerospace Commission shall provide quarterly reports to the Chief Fiscal Officer of the State regarding failure of any recipient of funds to comply with the terms of any disbursement agreement, the criteria set out in this subchapter, or any rule or regulation promulgated by the Chief Fiscal Officer of the State with regard to the fund.~~

~~15-4-1506. Receipt of loans and financial assistance.~~

~~(a) Any entity of local government or airport authority, hereinafter the "applicant", who qualifies under the criteria provided in this subchapter and other criteria as determined by the Arkansas Aviation and Aerospace Commission, may receive loans or other financial assistance from the Arkansas Aviation and Aerospace Industry Development Fund for expenses related to establishment, relocation, expansion, or development of aviation and aerospace industries in the State of Arkansas.~~

~~(b) Any governing body of a municipal airport wherein is located a military installation slated for closure or any governing body of a municipal airport located within thirty (30) miles of a military installation slated for closure by the Federal Base Realignment and Closure Commission, provided that the military installation exceeds thirty thousand (30,000) acres of total land area, for which the governing body has received a federal grant for development of the municipal airport, shall hereinafter be referred to as a "special target applicant" and may receive loans or other financial assistance from the fund for expenses related to establishment, relocation, expansion, or development of aviation and aerospace industries without qualifying for all the criteria required in this subchapter.~~

~~15-4-1507. Loan criteria.~~

~~(a) The Arkansas Aviation and Aerospace Commission shall have the authority to determine the structure, amount, and nature of any loan or other financial assistance from the fund, subject to the following criteria, except that special target applicants do not have to meet the criteria in subdivisions (a)(1) and (2) of this section:~~

~~(1) The applicant shall provide certification that not fewer than fifty (50) net new full-time equivalent jobs will be created as a result of the financial assistance provided under this subchapter;~~

~~(2) The applicant shall provide certification that the jobs created shall generate a quarterly average weekly wage per employee equal to or greater than one hundred ten percent (110%) of the state average weekly wage per employee for manufacturing industries for the immediately preceding calendar year as reported in the Covered Employment and Earnings report published by the Arkansas Employment Security Department; and~~

~~(3) Any applicant or special target applicant receiving financial assistance from the Arkansas Aviation and Aerospace Industry Development Fund shall make available to the commission such employee and wage information as may be required by the commission to verify compliance with the requirements of this section.~~

~~(b)(1) The commission shall establish procedures to quantify the benefit and return to this state and its citizens from the provision of financial assistance from the fund.~~

~~(2) The commission shall establish as a goal the return of any state investment made under this subchapter within eight (8) years of the provision of financial assistance.~~

~~(3) The state's return shall be measured using the following criteria:~~

~~(A) Number of jobs;~~

~~(B) Level of pay per job;~~

- ~~(C) Company's capital investment;~~
- ~~(D) Length of commitment of jobs by the company;~~
- ~~(E) Training and educational needs;~~
- ~~(F) "Take-back" provisions;~~
- ~~(G) Public and private participation in project funding; and~~
- ~~(H) Other criteria as established by the commission.~~

~~(4) In applying the formula, the commission shall determine that funding the project will result in economic activity within the state that provides a revenue-neutral or revenue-positive impact on the state's current general revenues.~~

~~(5) Special target applicants do not have to meet the criteria specified in this subsection to measure the return to the state or to meet the goal of a return of any state investment within eight (8) years.~~

~~(c)(1) The Director of the Department of Economic Development shall enter into an agreement with each successful applicant or special target applicant that shall include the specific terms and conditions of the financial assistance to be provided.~~

~~(2) These terms shall include a "take-back" provision in the event the applicant fails to meet the terms of the agreement.~~

~~(3) Any legal recourse set out by this section shall be pursued by the Chief Fiscal Officer of the State.~~

~~(d)(1) Any applicant or special target applicant receiving assistance from the fund shall be liable to repay any assistance received if it does not comply with:~~

~~(A) The terms of any disbursement agreement;~~

~~(B) The criteria set out in this subchapter, except when special target applicants are exempt; and~~

~~(C) Any rule or regulation promulgated by the Chief Fiscal Officer of the State with regard to the fund.~~

~~(2) The repayment shall be made to the Chief Fiscal Officer of the State and credited to the fund.~~

~~(3) The Chief Fiscal Officer of the State may bring any lawful action to recover any amount for which the recipient is liable.~~

~~15-4-1508. Enterprise zone benefits.~~

~~Any industry which locates a facility at a municipal airport which qualifies as a special target applicant under § 15-4-1506 shall be entitled to the benefits of the Arkansas Enterprise Zone Act of 1993, § 15-4-1701 et seq., for that facility, regardless of whether the industry would otherwise qualify for the benefits of the Arkansas Enterprise Zone Act of 1993, § 15-4-1701 et seq. "~~

AND appropriately renumber the SECTION numbers in the bill.

(SIGNED) SENATOR PERCY MALONE

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 78 was ordered engrossed.

On motion of Senator Bisbee, **Senate Bill No. 148** was placed back on second reading for purpose of Amendment No. 2.

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 2 to SENATE BILL NO. 148

Amend **Senate Bill No. 148** as engrossed, S2/24/05:

Insert additional sections immediately following Section 7 to read as follows:
 " SECTION 8. APPROPRIATION - ARKANSAS RESEARCH MATCHING FUND AND SEED CAPITAL INVESTEMENTS FUND. There is hereby appropriated, to the Arkansas Science and Technology Authority, to be payable from the General Improvement Fund or its successor fund or fund accounts, for transfer by warrants in equal amounts to the Arkansas Research Matching Funds and the Seed Capital Investments Fund, by the Arkansas Science and Technology Authority, the sum of\$2,000,000.

SECTION 9. APPROPRIATION - ARKANSAS RESEARCH MATCHING FUND. There is hereby appropriated, to the Arkansas Science and Technology Authority, to be payable from the Arkansas Research Matching Fund solely from monies transferred by warrant from the General Improvement Fund or its successor fund or fund accounts, for research matching funds, the sum of\$1,000,000.

SECTION 10. APPROPRIATION – SEED CAPITAL INVESTMENTS FUND. There is hereby appropriated, to the Arkansas Science and Technology Authority, to be payable from the Seed Capital Investments Fund solely from monies transferred by warrant from the General Improvement Fund or its successor fund or fund accounts, for seed capital investments, the sum of\$1,000,000.

SECTION 11. APPROPRIATION - ARKANSAS RESEARCH MATCH PROGRAM. There is hereby appropriated, to the Arkansas Science and Technology Authority, to be payable from the Miscellaneous Agencies Fund Account, for investments in research by the Arkansas Science and Technology Authority – Arkansas Research Match Program for the biennial period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006- 2007
(01) ARKANSAS RESEARCH MATCH	\$ 292,653	\$ 292,653

SECTION 12. APPROPRIATION – SEED CAPITAL INVESTMENTS. There is hereby appropriated, to the Arkansas Science and Technology Authority, to be payable from the Miscellaneous Agencies Fund Account, for Seed Capital Investments by the Arkansas Science and Technology Authority – Seed Capital Investments for the biennial period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006- 2007
(01) SEED CAPITAL INVESTMENTS	\$ 292,653	\$ 292,653"

SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPERATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SEED CAPITAL INVESTEMENTS. Not withstanding any other law to the contrary regarding general revenue year end fund balances, any monies received from the repayment of Seed Capital Investments authorized by the Arkansas Science and Technology Authority, shall be deposited into the State Treasury to the credit of the Miscellaneous Agencies Fund Account and shall remain in the Miscellaneous Agencies Fund Account to be made available solely for the benefit of the Arkansas Science and Technology Authority to provide additional Seed Capital Investments. The provisions of this section shall be in effect only from July 1, 2005 through June 30, 2007."

And appropriately renumber the subsequent sections.

(SIGNED) SENATOR TIM WOOLDRIDGE

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 148 was ordered engrossed.

On motion of Senator Bisbee, **Senate Bill No. 199** was withdrawn from the Committee on JOINT BUDGET, and placed back on second reading for purpose of Amendment No. 2.

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 2 to SENATE BILL NO. 199

Amend **Senate Bill No. 199** as engrossed, S2/8/05:

Page 8, delete lines 27 through 33 and substitute the following:

"(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	\$ 80,000	\$ 80,000
(B) CONF. & TRAVEL	10,000	10,000
(C) PROF. FEES	10,000	10,000
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 100,000</u>	<u>\$ 100,000</u>

And

Page 15, line 6, delete "the expenses" and substitute "a portion of the expenses"

(SIGNED) SENATOR DAVID BISBEE

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 199 was ordered engrossed.

On motion of Senator Bisbee, **Senate Bill No. 261** was placed back on second reading for purpose of Amendment No. 2 and No. 3.

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 2 to SENATE BILL NO. 261

Amend **Senate Bill No. 261** as engrossed, S2/21/05:

Add a new section immediately following SECTION 17 to read as follows:

"SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AD HOC EMPLOYEE PAY PLAN AND CLASSIFICATION SYSTEM STUDY COMMITTEE. The two Co-Chairs of the Personnel/Pay Plan Subcommittee of the Joint Budget Committee of the 85th General Assembly, together with one other member of the Personnel/Pay Plan Subcommittee appointed by the President Pro Tem of the Senate and one other member of the Personnel/Pay Plan Subcommittee appointed by the Speaker of the House of Representatives, shall constitute a committee to be known as the Ad Hoc Employee Pay Plan and Classification System Study Committee.

The Ad Hoc Employee Pay Plan and Classification System Study Committee shall participate with the Office of Personnel Management of the Department of Finance and Administration and the Bureau of Legislative Research in the study to revise the Classification and Compensation Plan required by Act 1015 of 2005.

The members of the Ad Hoc Employee Pay Plan and Classification System Study Committee shall serve as ex-officio members of the Uniform Personnel Classification and Compensation Plan Subcommittee of the Arkansas Legislative Council.

The provisions of this section shall be in effect only from July 1, 2005 through December 31, 2006."

And

Renumber the subsequent section numbers of the bill.

(SIGNED) SENATOR JIM LUKER

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

(SIGNED) ANN CORNWELL, SECRETARY

On motion of Senator Bisbee, the rules were suspended in considering **Senate Bill No. 261** Amendment No. 3 at this time.

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 3 to SENATE BILL NO. 261

Amend **Senate Bill No. 261** as engrossed, S2/21/05:

Page 1, delete SECTION 1 in its entirety and substitute the following:

“SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established for the Bureau of Legislative Research of the Legislative Council for the 2005-2007 biennium, the following maximum number of regular employees, the grades to be assigned to the respective positions, and the maximum annual salaries for each such position. The maximum annual salary for the position assigned to grades shall be determined in accordance with, but shall not exceed the maximum annual amount for the grade assigned herein, as established in Arkansas Code 21-5-209. Except for the purpose of determining the maximum annual salary rate, which is to be applicable to each of the positions to which a salary grade is assigned hereinafter, in accordance with the provisions of Arkansas Code 21-5-209, all positions set forth herein shall be exempt from other provisions of the Uniform Classification and Compensation Act, or its successor, but shall not be exempt from the provisions of the Regular Salaries Procedures and Restrictions Act, or its successor.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate	
				2005-2006	2006-2007
(1)	9147	DIRECTOR, BUREAU OF LEGIS RESEARCH	1	130,057	132,918
(2)	9148	ASSISTANT DIRECTOR	3	125,593	128,387
(3)	9149	ADMIN., BUDGET & FISCAL REVIEW	1	101,499	103,931
(4)	9150	ADMIN., LEGAL RESEARCH AND DRAFTING	1	101,499	103,931
(5)	9187	ADMIN., LEGIS COMMITTEE STAFF	1	101,499	103,931
(6)	9152	ADMIN., PERSONNEL REVIEW	1	101,499	103,931
(7)	9337	ADMIN., LEGIS INFORMATION TECHNOLOGY	1	101,499	103,931
(8)	9153	ADMIN., STATUTORY AND REGULATORY REVIEW	1	101,499	103,931
(9)	9151	ADMIN., RESEARCH AND POLICY ANALYSIS	1	101,499	103,931
(10)	9422	CHIEF COUNSEL TO DIRECTOR	1	86,200	88,441
(11)	9158	NETWORK PLANNING COORDINATOR	1	86,200	88,441
(12)	9267	APPLICATIONS DEVELOPMENT MGR.	1	86,200	88,441
(13)	9334	SENIOR LEGISLATIVE ATTORNEY	4	GRADE 26	
(14)	9477	SENIOR RESEARCH SPECIALIST	1	GRADE 26	
(15)	9159	LEGISLATIVE ATTORNEY	13	GRADE 25	
(16)	9161	PROGRAM ANALYST	1	GRADE 25	
(17)	9338	LEGISLATIVE DATABASE ADMINISTRATOR	1	GRADE 25	
(18)	9157	SENIOR LEGISLATIVE ANALYST	10	GRADE 24	
(19)	9336	SENIOR PC SUPPORT SPECIALIST	3	GRADE 24	
(20)	9162	SPECIAL PROJECTS ANALYST	1	GRADE 22	
(21)	9163	ADMINISTRATIVE COORDINATOR	1	GRADE 22	
(22)	9164	DIRECTOR'S EXECUTIVE ASSISTANT	1	GRADE 22	

(23)	9165	LEGISLATIVE ANALYST	24	GRADE 22
(24)	9166	PC SUPPORT SPECIALIST	5	GRADE 22
(25)	9170	BUREAU FISCAL OFFICER	1	GRADE 22
(26)	9168	ASSISTANT TO ASSISTANT DIRECTOR	2	GRADE 21
(27)	9339	BUREAU ASSISTANT FISCAL OFFICER	1	GRADE 20
(28)	9167	LEGISLATIVE ADMIN ASSISTANT	8	GRADE 20
(29)	9173	OFFICE SERVICES SUPERVISOR	1	GRADE 20
(30)	9340	PROOFING SUPERVISOR	1	GRADE 20
(31)	9171	REFERENCE ANALYST	1	GRADE 18
(32)	9172	ADMINISTRATIVE ASSISTANT II	10	GRADE 18
(33)	9176	LEGISLATIVE COMMITTEE SECRETARY	11	GRADE 18
(34)	9174	LEGIS MICRO / PHOTO SUPERVISOR	1	GRADE 17
(35)	9478	HELP DESK COORDINATOR	1	GRADE 17
(36)	9177	COMMUNICATIONS SYSTEM MGR	1	GRADE 14
SENIOR CAREER SERVICE POSITIONS				
(37)	9335	SENIOR LEGS ANALYST-SR CAREER SERVICE	1	GRADE 26
*****CONTINGENCY POSITIONS*****				
(38)	9159	LEGISLATIVE ATTORNEY-CONTINGENCY	1	GRADE 25
(39)	9157	SENIOR LEGISLATIVE ANALYST-CONTINGENCY	1	GRADE 24
(40)	9189	NETWORK CONTROL TECHNICIAN-CONTINGENCY	1	GRADE 22
(41)	9190	APPLICATIONS/TEXT PROGRAMMER-CONTGNCY	2	GRADE 22
(42)	9165	LEGISLATIVE ANALYST-CONTINGENCY	2	GRADE 22
(43)	9172	ADMINISTRATIVE ASSISTANT II-CONTGNCY	1	GRADE 18
MAX. NO. OF EMPLOYEES			127"	

And

Add a new Section immediately following SECTION 17 of the bill to read as follows:

“SECTION 18. SPECIAL LANGUAGE. Arkansas Code § 10-3-303, concerning the Bureau of Legislative Research, is amended to add an additional subsection to read as follows:

(f)(1) There is established the Executive Subcommittee of the Arkansas Legislative Council to be composed of the following members:

(A) The House and Senate cochaIRS of the Arkansas Legislative Council;

(B) The House and Senate vice chairs of the Arkansas Legislative Council;

(C) The President Pro Tempore of the Senate or one (1) Senator selected by the President Pro Tempore of the Senate;

(D) The Speaker of the House of Representatives or one (1) Representative selected by the Speaker of the House of Representatives;

(E) Immediate past Senate Chair of the Arkansas Legislative Council or one (1) member designate appointed by the Senate chair of the Arkansas Legislative Council; and

(F) Immediate past House Chair of the Arkansas Legislative Council or one (1) member designate appointed by the House chair of the Arkansas Legislative Council.

(g) The Director of the Bureau of Legislative Research shall report to and regularly seek the review and advice of the Executive Subcommittee prior to taking:

(1) Actions regarding establishing new, repealing, or changing personnel policies pertaining to employees of the Bureau of Legislative Research;

(2)(A) Actions concerning the hiring or termination of staff, staff promotions, and proposed salary changes;

(B) Nothing in this section shall be construed to create an employment contract, any salary obligation, other obligation, or change in employment status of staff of the Bureau of Legislative Research from an at-will employment relationship.

(3) Establishing new, repealing, or changing any other policies or procedures of the Bureau of Legislative Research relating to the delivery of services and other matters pertaining to the operation of the Bureau of Legislative Research, including the biennial budget request of the Bureau of Legislative Research.”

AND

Appropriately renumber the subsequent Section Numbers of the bill

(SIGNED) SENATOR JIM HILL

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 261 was ordered engrossed.

On motion of Senator Bisbee, [Senate Bill No. 457](#) was placed back on second reading for purpose of Amendment No. 7.

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
[Amendment No. 7 to SENATE BILL NO. 457](#)

Amend [Senate Bill No. 457](#) as engrossed, S3/31/05:

Add a new section immediately following Section 24 to read as follows:

" SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PULASKI ALTERNATIVE LEARNING ACADEMY PUBLIC CHARTER SCHOOL. The appropriation authorized by Act 973 of 2005 to the Department of Education for the Pulaski Alternative Learning Academy Public Charter School and any General Improvement Funds that may be authorized to the Department for the same purpose shall first be made available by the Department of Education to the Little Rock School District for allocation to the Pulaski Alternative Learning Academy Public Charter School.

The provisions of this section shall be in effect only from July 1, 2005 through June 30, 2007."

And

Appropriately renumber the sections of the bill.

(SIGNED) SENATOR DAVID BISBEE

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

(SIGNED) ANN CORNWELL, SECRETARY

[Senate Bill No. 457](#) was ordered engrossed.

On motion of Senator Bisbee, **Senate Bill No. 503** was withdrawn from the Committee on JOINT BUDGET, and placed back on second reading for purpose of Amendment No. 7, No. 8 and No. 9.

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 7 to SENATE BILL NO. 503

Amend **Senate Bill No. 503** as engrossed, S3/28/05:

Add a new section immediately following Section 22 to read as follows:

“ SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PROFESSIONAL DEVELOPMENT. Of the total amount appropriated for Professional Development Funding for each fiscal year of the 2005-2007 biennium, \$4,000,000 shall be authorized by the Director of the Department of Education to be used by the Department of Education to develop and implement statewide professional development support systems for teacher that will benefit student achievement.
The provisions of this section shall be in effect only from July 1, 2005 through June 30, 2007.”

(SIGNED) SENATOR DAVID BISBEE

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

(SIGNED) ANN CORNWELL, SECRETARY

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 8 to SENATE BILL NO. 503

Amend **Senate Bill No. 503** as engrossed, S4/5/05:

Page 1, line 35, delete "575,000 575,000" and substitute "675,000 675,000"

And

Page 3, line 21, delete "\$ 2,222,821,175 \$ 2,222,821,175" and substitute "\$ 2,222,921,175 \$ 2,222,921,175"

(SIGNED) SENATOR DAVID BISBEE

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

(SIGNED) ANN CORNWELL, SECRETARY

ARKANSAS SENATE
 EIGHTY-FIFTH GENERAL ASSEMBLY
 REGULAR SESSION
Amendment No. 9 to SENATE BILL NO. 503

Amend **Senate Bill No. 503** as engrossed, S3/28/05:

Add new sections immediately following Section 22 to read as follows:

" SECTION 23. SPECIAL LANGUAGE. Arkansas Code § 6-15-202, concerning Standards for Accreditation of Arkansas Public Schools, is amended to add additional subsections to read as follows:

(e) The Director of the Department of Education may require that the superintendent of each school district file a written statement with the Department of Education as evidence that the school district for which the superintendent is responsible has complied with any or all of the following statutory requirements:

(1) § 6-10-111 (d) through (f) concerning the Equity Assistance

Center:

(2) § 6-11-129(3)(b) concerning data to be accessible on Department of Education's website;

(3) § 6-13-109 concerning employment of a school superintendent;

(4) § 6-13-620 concerning powers and duties of the local school board

of directors:

(5) § 6-13-801 et seq. concerning educational compacts;

(6) § 6-15-202(b)(1) concerning accreditation;

(7) § 6-15-401 et seq. concerning the Arkansas Comprehensive,

Testing, Assessment, and Accountability Program;

(8) § 6-15-502 concerning home schools;

(9) § 6-15-902 concerning grading scale;

(10) § 6-15-1004 concerning qualified teachers;

(11) § 6-15-1101(b) concerning diplomas;

(12) § 6-15-1402 concerning the school performance report;

(13) § 6-15-1603 concerning closing the achievement gap;

(14) § 6-15-1701 et seq. concerning a parental involvement plan;

(15) § 6-15-2006 concerning remedial instruction;

(16) § 6-16-102 concerning school day;

(17) § 6-16-103 concerning course of study generally;

(18) § 6-16-124 concerning Arkansas history;

(19) § 6-16-126 concerning food handling safety;

(20) § 6-16-130 concerning visual art and music;

(21) § 6-16-132 concerning physical education;

(22) § 6-16-1002 concerning health education;

(23) § 6-16-1003 concerning oral health standards;

(24) § 6-16-1201 et seq. concerning advanced placement and

concurrent enrollment;

(25) § 6-17-102 concerning emergency first aid personnel;

(26) § 6-17-201 concerning personnel policies;

(27) § 6-17-309 concerning certification;

(28) § 6-17-401 et seq. concerning teacher's license requirement;

(29) § 6-17-2301 concerning establishment of personnel policies;

(30) § 6-17-2402 concerning teacher compensation;

(31) § 6-18-101 concerning qualifications for valedictorian and

salutatorian;

- (32) § 6-18-201 et seq. concerning compulsory attendance;
(33) § 6-18-202 concerning age and residence for attending public schools;
(34) § 6-18-207 concerning minimum age for enrollment in public school;
(35) § 6-18-211 concerning attendance for students in grades nine through twelve;
(36) § 6-18-213 concerning attendance records and reports generally;
(37) § 6-18-223 concerning credit for college courses;
(38) § 6-18-501 et seq. concerning guidelines for development of school district student discipline policies and written student discipline policies;
(39) § 6-18-508 concerning alternative learning environments;
(40) § 6-18-509 concerning assessment and intervention in alternative learning environments;
(41) § 6-18-701 et seq. concerning physical examinations;
(42) § 6-18-1005 concerning a student services program;
(43) § 6-19-101 concerning transportation;
(44) § 6-20-2202 concerning the budget and expenditure report;
(45) § 6-21-106 concerning fire hazards inspection prior to closing for breaks;
(46) § 6-21-112 concerning school facilities;
(47) § 6-25-101 et seq. concerning the public school library media and technology;
(48) § 6-41-101 et seq. concerning services to children with disabilities in nonpublic schools;
(49) § 6-42-101 concerning gifted and talented; and
(50) Any other statutory mandate for school districts identified by the Department of Education as relevant to the Standards for Accreditation of Arkansas Public Schools.

(f) In addition to any written statement of assurance required under subsection (e) of this section, the Department of Education may conduct an on-site review of a school district to confirm that a school district has complied with any statutory requirements listed in subsection (e) of this section or any other matter related to the Standards for Accreditation of Arkansas Public Schools.

(g) The Department of Education shall establish a form for the written statement of assurance required under subsection (e) of this section and shall establish a date or dates by which school districts shall submit the written statement of assurance required under subsection (e) of this section.

(h) Any superintendent who fails to file a written statement of assurance as required by the Director of the Department of Education under subsection (e) of this section by the date established by the Department of Education or knowingly submits false information or if the Department of Education determines the information in the statement is inaccurate or incomplete, the Department of Education may:

- (1) Conduct a random on-site visit;
- (2) Request additional information from the school district;
- (3) Take licensure action on the license of the superintendent under the procedure of § 6-17-410; or
- (4) Find the school or school district in citation or probationary violation of the Standards for Accreditation of Arkansas Public Schools.

SECTION 24. SPECIAL LANGUAGE. Arkansas Code 6-16-804 is amended to read as follows:

6-16-804. Established - Subsidies - Rules and regulations.

(a) The Arkansas Advanced Placement Incentive Program is hereby established, to be administered by the Director of the Department of Education.

(b)(1) Contingent upon legislative appropriations and based on criteria established by the department, schools participating in the program may be awarded a one-time equipment and instructional materials grant for providing an advanced placement course.;

(2) Contingent upon legislative appropriations, schools ~~will be~~ may be awarded ~~fifty dollars (\$50.00)~~ an amount to be determined by the Department of Education for each score of three (3) or better earned by a student on any advanced placement test. These funds shall be utilized in the schools' advanced placement programs.

(c) Subject to legislative appropriations, a teacher participating in the program or in the preadvanced placement program may be awarded subsidized teacher training for advanced placement courses ~~at a cost not to exceed six hundred fifty dollars (\$650) per teacher.~~

(d)(1) The state ~~will~~ may pay a share of the advanced placement test fee ~~not to exceed sixty five dollars (\$65.00).~~

(2) The State Board of Education ~~shall~~ may create a sliding scale based on family income.

~~(3) The state will pay fifty dollars (\$50.00) for each test taken as an economic supplement to each public school student who takes more than two (2) advanced placement tests in one (1) year.~~

~~(4)~~(3) All students taking advanced placement courses must take advanced placement tests or return the economic supplement.

(e) The board is authorized to promulgate rules and regulations necessary to implement this subchapter and the Director of the Department of Education may determine the amount of any awards or supplements made under this subchapter based on the amount of the appropriation and available funding for the program.

SECTION 25. SPECIAL LANGUAGE. Arkansas Code § 6-15-204(b)(2), concerning professional development for teachers, is amended to add an additional subdivision to read as follows:

(C) For purposes of the requirement for continuing education and professional development under this section, each hour of training received by certified personnel related to teaching an advanced placement class for a subject covered by the College Board and Educational Testing Service shall be counted as professional development up to a maximum of thirty (30) hours."

And appropriately renumber the sections of the bill.

(SIGNED) SENATOR DAVID BISBEE

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 503 was ordered engrossed.

On motion of Senator Bisbee, **Senate Bill No. 874** was withdrawn from the Committee on JOINT BUDGET, and placed back on second reading for purpose of Amendment No. 3.

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 3 to SENATE BILL NO. 874

Amend **Senate Bill No. 874** as engrossed, S3/31/05:

Page 3, line 25, delete "\$ 10,000,000 \$ 10,000,000" and substitute "\$ 20,000,000 \$ 0"

And

Page 3, line 26, delete " 30,000,000 30,000,000" and substitute " 50,000,000 0"

And

Page 3, line 28, delete "\$ 40,000,000 \$ 90,000,000" and substitute "\$ 70,000,000 \$50,000,000"

And

Delete Section 6 in its entirety and substitute the following:
" SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY FORWARD. The balance of the appropriations as provided in Section 4 of this Act for grants and aid and special programs providing academic school facility and transportation assistance to the public school district for Programs of the Division of Public School Academic Facilities and Transportation which remain on June 30, 2006, shall be carried forward and made available for the same purpose for the fiscal year ending June 30, 2007.

The provisions of this section shall be in effect only from July 1, 2005 through June 30, 2007."

And

Delete Section 7 in its entirety

And

Appropriately renumber the sections of the bill.

(SIGNED) SENATOR SHANE BROADWAY

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 874 was ordered engrossed.

On motion of Senator Horn, the rules were suspended in considering **Senate Bill No. 1085** at this time.

On motion of Senator Horn, **Senate Bill No. 1085** was called up for the purpose of considering **Amendment No. 2** thereto, adopted by the House.

HALL OF THE HOUSE OF REPRESENTATIVES
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 2 to SENATE BILL NO. 1085

Amend **Senate Bill No. 1085** as engrossed, S4/6/05:

Delete the title of the bill and substitute the following: "AN ACT CONCERNING PAYMENTS FROM THE ARKANSAS UNIVERSAL SERVICE FUND; CONCERNING ELIGIBLE TELECOMMUNICATIONS CARRIERS; AND FOR OTHER PURPOSES."

AND

Delete the subtitle of the bill and substitute the following: "AN ACT CONCERNING PAYMENTS FROM THE ARKANSAS UNIVERSAL SERVICE FUND AND CONCERNING ELIGIBLE TELECOMMUNICATIONS CARRIERS."

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 23-17-404 is amended to read as follows:
 23-17-404. Preservation and promotion of universal service.

(a)(1) The Arkansas Universal Service Fund (AUSF) is established by this section in order to promote and assure the availability of universal service at rates that are reasonable and affordable and to provide for reasonably comparable services and rates between rural and urban areas.

(2) The AUSF will provide funding to eligible telecommunications carriers that provide basic local exchange services over ~~facilities owned~~ their own facilities or a combination of their own facilities and resale of another carrier's services by the eligible telecommunications carrier.

(3) The AUSF shall be designed to provide predictable, sufficient, and sustainable funding to eligible telecommunications carriers serving rural or high-cost areas of the state.

(b)(1) The AUSF is to provide a mechanism to restructure the present system of telecommunication service rates in the state as provided herein, and all telecommunications providers, except as prohibited by federal law, shall be charged for the direct and indirect value inherent in the obtaining and preserving of reasonable and comparable access to telecommunications services in the rural or high-cost areas. The value and utility of access to and interconnection with the public switched network will be lessened if the rural or high-cost areas do not have comparable access and subscribership.

(2)(A) This AUSF charge for all telecommunications providers shall be proportionate to each provider's Arkansas intrastate retail telecommunications service revenues.

(B) Because customers of the telecommunications providers that would pay the AUSF charge receive the benefits of a universal network, the telecommunications providers may surcharge their customers to recover the AUSF charges paid by the telecommunications provider. Therefore, the AUSF charge is not a tax and is not affected by state laws governing taxation.

(C) For the purpose of assessing mobile telecommunications services, the administrator shall continue to assess only Arkansas intrastate retail telecommunications service revenues and only to the extent such revenues may be considered located in the State of Arkansas in accordance with the Mobile Telecommunications Sourcing Act, Pub. L. No. 106-252.

(c)(1)(A) The Arkansas Public Service Commission shall delegate to a trustee, the "administrator", the administration, collection, and distribution of the AUSF in accordance with the rules and procedures established by the commission and consistent with this subchapter.

(B) The Arkansas Public Service Commission shall take reasonable action to ensure that the administrator has the capability and capacity to perform its function in a timely and effective manner. The commission shall seek proposals from appropriate entities.

(2)(A) The administrator shall enforce and implement all rules and directives governing the funding, collection, and eligibility for the AUSF.

(B) Within sixty (60) days after receipt of a request for AUSF funds, the administrator shall review and determine the accuracy and appropriateness of the request and advise the entity requesting the funds of his or her determination.

(C) The affected parties shall have thirty (30) days to request reconsideration by the commission of the administrator's determination, and the commission after notice and hearing, if requested, shall issue its opinion on the reconsideration within thirty (30) days after the request of reconsideration.

(D) Persons aggrieved by the commission's opinion shall have the right to appeal the opinion in accordance with law.

(d)(1) The AUSF administrator periodically shall establish and notify each telecommunications provider of the AUSF charge levels required to be paid by the telecommunications provider.

(2) Any telecommunications provider that without just cause fails to pay the AUSF charge that is due and payable pursuant to this section after notice and opportunity for hearing shall have its authority to do business as a telecommunications provider in the State of Arkansas revoked by the commission.

(3) The AUSF charge shall not be subject to any state or local tax or franchise fees.

(4) The commission is authorized to increase the AUSF charge by those amounts necessary to recover the cost of administration of the AUSF.

(e) After reasonable notice and hearing, the commission shall establish rules and procedures necessary to implement the AUSF. The commission shall implement the AUSF and make AUSF funds available to eligible telecommunications carriers no later than ninety (90) days following the later of February 4, 1997, or the effective date of a Federal Communications Commission order pursuant to 47 U.S.C. § 254 that approves, establishes, or modifies interstate universal service funding. Prior to the implementation and availability of funds from the AUSF, the commission shall not require any local exchange carrier to reduce rates for intrastate switched-access services or require any local exchange carrier to reduce its net revenue received from the Arkansas IntraLATA Toll Pool (AITP). In establishing and implementing the AUSF, the commission shall adhere to the following instructions and guidelines:

(1)(A) AUSF funding shall be provided directly to eligible telecommunications carriers;

(B) In order for an eligible telecommunications carrier to receive funds from the AUSF, the eligible telecommunications carrier must agree to be subject to the telecommunications provider rules promulgated by the commission;

(2)(A) After reasonable notice and hearing, the commission may revise the list of universal services identified in § 23-17-403 that may be supported by the AUSF to establish and maintain end-user rates for universal services that are reasonably comparable between urban and rural areas or to reflect changes in the type and quality of telecommunications services considered essential by the public, as evidenced, for example, by those telecommunication services that are purchased and used by a majority of single-line urban customers. At the hearing, the commission shall consider the cost to customers in mandating changes to the list and balance the justification for including the service on the list versus its impact on AUSF assessments.

(B) The commission shall determine and approve AUSF funding to eligible telecommunications carriers to recover the cost of additions or revisions to the universal service list concurrent with any such revisions to the list of universal services identified in § 23-17-403;

(3) If the commission establishes or utilizes a minimum or threshold universal service rate, threshold rate, for the purpose of determining the amount of AUSF that an eligible telecommunications carrier may receive, the commission shall adhere to the following requirements:

(A) A rate case proceeding or earnings investigation or analysis shall not be required or conducted in connection with the determination or implementation of increases in universal service rates associated with commission use of a threshold rate, and the increases shall not be included in the calculation of the basic local exchange service rate increase limits specified in §§ 23-17-407 and 23-17-412; and

(B) The commission may not require a reduction in universal service rates to a threshold rate unless any associated decrease in revenues is allowed to be concurrently recovered from the AUSF;

(4)(A)(i) In the event of a Federal Communications Commission order, rule, or policy pursuant to 47 U.S.C. § 254(a)(2), the effect of which is to change the federal Universal Service Fund revenues of an incumbent local exchange carrier, the commission shall either increase the rates for basic local exchange service or increase the incumbent local exchange carrier's recovery from the AUSF or a combination thereof to replace the reasonably projected change in revenues.

(ii) In determining whether to increase basic local exchange service rates or increase the AUSF for a tier one company pursuant to this section, the commission shall take into account that company's rates and consider whether the rates are below the statewide average.

(B)(i)(a) Through December 31, 2003, any rural telephone company, excluding tier one companies, that, as a result of changes caused by new or existing federal or state regulatory or statutory directives, experiences a change in intrastate or interstate switched-access services revenues or in net revenue received from the intrastate Carrier Common Line Pool, interstate access charge pools, or the Arkansas IntraLATA Toll Pool shall be allowed to recover the reductions from the AUSF or through modifications in rates applicable to basic local exchange service. The recovered amounts shall be limited to the net reduction in revenues from all sources of support listed in subdivision (e)(4)(A) of this section and this subdivision (e)(4)(B).

(b) Beginning January 1, 2004, any rural telephone company, excluding tier one companies, that, as a result of changes caused by new or existing federal or state regulatory or statutory directives, experiences a change in intrastate or interstate switched-access services revenues or in net revenue received from the intrastate Carrier Common Line Pool prior to January 1, 2004, interstate access charge pools, or the Arkansas IntraLATA Toll Pool shall be allowed to recover the reductions from the AUSF or through modifications in rates applicable to basic local exchange service. The recovered amounts shall be limited to the net reduction in revenues from all sources of support listed in subdivision (e)(4)(A) of this section and this subdivision (e)(4)(B).

(ii)(a) This subdivision (e)(4)(B)(ii) shall become effective on January 1, 2004.

(b) No ILEC shall receive reimbursement from the AUSF for losses resulting from exiting the AICCLP or for a reduction of its carrier common line net revenue requirement unless:

(1) The ILEC is eligible to be in the AICCLP on January 1, 2004; and

(2)(A) The AICCLP no longer provides a mechanism by which ILECs may recover their carrier common line net revenue requirements.

(B)(i) If any provision of the AICCLP is declared invalid for any reason or preempted by any court or any administrative agency and the Arkansas Public Service Commission determines that the provision is material, then each AICCLP member shall individually compute and charge a per-access minute carrier common line rate to fund its carrier common line net revenue requirement.

(ii) The AICCLP members shall charge the rate under subdivision (e)(4)(B)(ii)(b)(2)(B)(i) of this section to underlying carriers.

(iii) The ILECs shall charge a reciprocal rate to other ILECs.

(iv) The commission may review the accuracy of the reciprocal rates and the per-access minute carrier common line rate charged under subdivision (e)(4)(B)(ii)(b)(2)(B) of this section.

(c) If the AICCLP fails to provide an ILEC's carrier common line net revenue requirement, the commission shall provide for concurrent recovery of the revenue loss from the AUSF, basic local exchange rates, or a combination thereof.

(C) In connection with the receipt of AUSF funds for these changes referred to in subdivisions (e)(4)(A) or (B) of this section, it shall not be conditioned upon any rate case or earnings investigation by the commission. The AUSF administrator shall verify the calculations and accuracy of the net revenue reductions, based on a comparison between:

(i) The total annual revenues received from these sources by the eligible telecommunications carrier during the most recent twelve (12) months preceding the required regulatory or statutory changes; and

(ii) The reasonable projection of total test-year annual revenue after the changes are implemented.

(D)(i)(a) Through December 31, 2003, except as provided in this subdivision (e)(4)(D), the intrastate Carrier Common Line Pool charges billed to carriers by the Arkansas Intrastate Carrier Common Line Pool (AICCLP) shall be determined as provided in the AICCLP tariff effective on December 31, 2000. Following April 20, 2001, carriers must continue to report RBMOUs associated with the traffic that they reported as of December 2000 except that incumbent local exchange carriers may discontinue reporting RBMOUs associated with their intracompany flat-rated optional plans that exist as of June 1, 2001. The AICCLP charges shall be adjusted to eliminate any credits to the AICCLP or to interexchange carriers that have been previously required.

(b) Beginning January 1, 2004, except as provided in this subdivision (e)(4)(D), the intrastate Carrier Common Line charges billed to ILECs and underlying carriers shall be determined at the rate of one and sixty-five hundredths cents (1.65¢) per intrastate access minute, exclusive of the amounts specified in subdivisions (e)(4)(D)(ii), (iii), and (iv) of this section. However, ILECs that are not AICCLP members may charge at a rate that is less than one and sixty-five hundredths cents (1.65¢) and may recover the difference between the actual rate charged and one and sixty-five hundredths cents (1.65¢) as allowed under § 23-17-416(b)(3). Following April 20, 2001, carriers must continue to report RBMOUs associated with the traffic that they reported as of December 2000 and shall continue to report through December 31, 2003, except that incumbent local

exchange carriers may discontinue reporting RBMOUs associated with their intracompany flat-rated optional plans that exist as of June 1, 2001. The AICCLP charges shall be adjusted to eliminate any credits to the AICCLP or to interexchange carriers that have been previously required.

(ii)(a) There is created an allocation of AICCLP funds to be known as the "Extension of Telecommunications Facilities Fund".

(b) A maximum of five hundred thousand dollars (\$500,000) per year of AICCLP funds shall be allocated to fund the Extension of Telecommunications Facilities Fund to assist in the extension of telecommunications facilities to citizens not served by the wire line facilities of an eligible telecommunications carrier.

There is also created an AICCLP allocation to be known as the "Arkansas Calling Plan Fund".

(2) Through December 31, 2003, the Extension of Telecommunications Facilities Fund and the Arkansas Calling Plan Fund will be funded by the AICCLP by assessing one-half (1/2) of the fund to be paid by ILECs and one-half (1/2) of the fund to be paid by all other telecommunications providers reporting intrastate retail billed minutes of use to the AICCLP.

(b) The Arkansas Calling Plan Fund shall receive a maximum of four million five hundred thousand dollars (\$4,500,000) per year to assist in funding the provision of calling plans in telephone exchanges in the state.

(iv)(a) Through December 31, 2003, the Extension of Telecommunications Facilities Fund and the Arkansas Calling Plan Fund will be funded by the AICCLP assessing one-half (1/2) of the fund to be paid by incumbent local exchange carriers (ILECs) and one-half (1/2) of the fund to be paid by all other telecommunications providers reporting intrastate retail billed minutes of use to the AICCLP. Beginning January 1, 2004, the Extension of Telecommunications Facilities Fund and the Arkansas Calling Plan Fund will be paid by the AICCLP members, exiting ILECs, and underlying carriers as follows:

(1) Each AICCLP member and each exiting ILEC shall remit to the AICCLP administrator on a monthly basis the proportion of the total assessment each was paying before December 31, 2003, for a collective total of one-half (1/2) of those funds;

(2) Underlying carriers shall pay to the administrator a collective total of one-half (1/2) of the cost of the Arkansas Calling Plan Fund and Extension of Telecommunications Facilities Fund; and

(3) Each underlying carrier shall continue to remit to the administrator on a monthly basis its portion of the underlying carrier funding requirement of the Arkansas Calling Plan Fund and Extension of Telecommunications Facilities Fund, based upon the underlying carrier's share of Arkansas intrastate telecommunications services revenues and special intrastate ILEC revenues proportionate to the total Arkansas intrastate telecommunications services revenues and special intrastate ILEC revenues of all underlying carriers.

(b) Through December 31, 2003, ILECs shall be individually assessed in accordance with the proportion that the ILEC funds the AICCLP credits that are being eliminated by this section, and each other telecommunications provider shall be assessed based on its portion of the total non-ILEC intrastate retail billed minutes of use.

(c) Amounts paid by ILECs to fund either the Extension of Telecommunications Facilities Fund or the Arkansas Calling Plan Fund created by this section shall not be recoverable from the Arkansas Universal Service Fund (AUSF).

The assessments shall commence upon the first day of the month following April 20, 2001.

(2) The first four million dollars (\$4,000,000) shall be allocated monthly as collected to assure that the AUSF has adequate funds to compensate any retroactive claims that may be made against the AUSF due to the change in the test

period resulting from the decision in *AT&T Communications of the S.W., Inc. v. Arkansas Pub. Serv. Comm'n*, 344 Ark. 188, 40 S.W.3d 273 (2001).

(3) Following the allocation to the AUSF, assessments shall be made with respect to the Extension of Telecommunications Facilities Fund and the Arkansas Calling Plan Fund only to the extent necessary, but not more than the maximum specified in this section, to fund any extensions of facilities or calling plans approved by the Arkansas Public Service Commission in accordance with applicable law and this section.

(v)(a) AICCLP charges determined and billed through December 2000 shall be considered final and not subject to further true up or adjustment.

(b) In addition, if an eligible telecommunications carrier was financially harmed by a court-ordered change in the test period applicable for the AUSF funding and an alternate test period was used by the eligible telecommunications carrier for more than one (1) year, then the test period for the harmed eligible telecommunications carrier shall remain the test period originally set by the commission.

Unless an audit is requested prior to February 28, 2004, by a two-thirds (2/3) vote of the participating carriers of the AICCLP as it is constituted prior to January 1, 2004, charges determined and billed through December 2003 shall be considered final and not subject to audit.

(2) The administrator of the AICCLP as it existed prior to January 1, 2004, may supervise any audit that is requested and may further take any action deemed reasonable or necessary to finalize the winding-up process of the AICCLP as it existed prior to January 1, 2004;

(5) All eligible telecommunications carriers may request high-cost funding from the AUSF as necessary in the future to maintain rates for universal services that are reasonable, affordable, and comparable between urban and rural areas. Except as otherwise provided in this subchapter, the funding shall be based on all net investment, including embedded investment, and expenses incurred by the eligible telecommunications carriers in the provision of universal service. High-cost funding shall be provided to eligible telecommunications carriers as needed for the following:

(A) Investments and expenses required to provide, maintain, and support universal services;

(B) Infrastructure expenditures in response to facility or service requirements established by any legislative, regulatory, judicial authority, or governmental entity; and

(C) For other purposes deemed necessary by the commission to preserve and advance the public education and welfare;

(6) In identifying and measuring the costs of providing universal services, exclusively for the purpose of determining high-cost funding levels under this subdivision (e)(6), eligible telecommunications carriers shall have the following options:

(A) The eligible telecommunications carrier may utilize traditional rate case methods and procedures to identify universal service revenue requirements and a residual AUSF funding requirement;

(B) The eligible telecommunications carrier may identify high-cost areas within its local exchange area, the area being no smaller than a single exchange or wire center, and perform a fully distributed allocation of cost and identification of associated revenue in order to quantify funding needs for the areas; or

(C) The commission shall adopt reasonable cost proxies that may be used by an eligible telecommunications carrier for this purpose;

(7) In calculating revenue requirements only for the purpose of establishing high-cost funding needs from the AUSF, the commission shall not fix depreciation rates. However, the commission may make reasonable adjustments to

depreciation expense if an eligible telecommunications carrier's composite depreciation annual accrual rate is greater than the weighted average of composite rates for similar plant and equipment of all other telecommunications providers providing comparable services in the state. In that case, the commission may adjust depreciation expenses of the eligible telecommunications carrier to levels that would not exceed fifteen percent (15%) above a composite accrual rate comparable to the statewide weighted average; and

(8)(A)(i) The commission shall establish by regulation a grant program to make grants available to eligible telecommunications carriers for the extension of facilities to citizens who are not served by wire line services of an eligible telecommunications carrier. Grants may be requested by an eligible telecommunications carrier or citizens who are not served or both.

(ii) The commission shall delegate to a trustee the administration, collection, and distribution of the Extension of Telecommunications Facilities Fund in accordance with the rules and procedures established by the commission. The trustee shall enforce and implement all rules and directives governing the funding, collection, and eligibility for the Extension of Telecommunications Facilities Fund.

(B)(i) In establishing regulations for the grant program, the commission shall consider demonstrated need, the length of time the citizens have not been served, the households affected, the best use of the funds, and the overall need for extensions throughout the state.

(ii) The commission may require each potential customer to be served by the extension of facilities to pay up to two hundred fifty dollars (\$250) of the cost of extending facilities.

(C) The plan shall be funded by customer contributions and by the Extension of Telecommunications Facilities Fund established by subdivision (e)(4)(D) of this section.

(D)(i) The commission shall provide quarterly reports to the Legislative Council. The reports shall include, but shall not be limited to, the number of requests for grants, the number of grants awarded, the amount awarded, and the number of additional customers served.

(ii) The commission shall notify members of the General Assembly of grants made in their districts.

(E) In order to allow time for potential applicants to request grants, no grants shall be awarded for three (3) months after the effective date of the rules establishing the program; and

(9)(A) Through a surcharge on its customer bills over its total customer access base, an eligible ILEC may recover any reduction in its AUSF payments up to the amount authorized by the AUSF administrator as of July 1, 2005.

(B) The surcharge is not a tax.

(C)(i) For an electing company under § 23-17-401, the surcharge shall be in addition to any rate increase authorized under § 23-17-401.

(ii) For a non-electing ILEC, no general rate application or earnings review shall be required to implement the surcharge.

(f) On or within thirty (30) days following the fifth anniversary of February 4, 1997, the commission and the AUSF administrator shall complete and deliver a report on the status and performance of the AUSF to the Legislative Council.

(g) The current Universal Telephone Service Fund established pursuant to § 23-17-301 et seq. will continue to exist until the AUSF is funded and operational. At that time any funds remaining in the current fund will be transferred to the AUSF, and the current fund will no longer be operational.

(h) The commission shall adopt portability rules as necessary to allow competitive eligible telecommunications carriers to have access to the AUSF funds of eligible telecommunications carriers receiving funds from the AUSF. The commission shall consider cost issues and quality of service issues in the rule making process.

SECTION 2. Arkansas Code § 23-17-405 is amended to read as follows:
23-17-405. Eligible telecommunications carrier.

(a) The incumbent local exchange carrier, its successors and assigns, which owns, maintains, and provides facilities for universal service within a local exchange area on February 4, 1997, shall be the eligible telecommunications carrier within the local exchange area.

(b) Where the incumbent local exchange carrier receives AUSF support, ~~except in areas served by rural telephone companies,~~ the Arkansas Public Service Commission, consistent with 47 U.S.C. § 214(e)(2), after reasonable notice and hearing, may designate other telecommunications providers to be eligible for high-cost support pursuant to § 23-17-404 under the following conditions:

(1)(A) The other telecommunications provider accepts the responsibility to provide service to all customers in an incumbent local exchange carrier's local exchange area using its own facilities or a combination of its own facilities and resale of another carrier's services.

(B) High-cost support under this section will not begin until the telecommunications provider has facilities in place and offers to serve all customers in its service area;

(2) The telecommunications provider may only receive funding for the portion of its facilities that it owns and maintains;

(3) The telecommunications provider will not receive AUSF funding at a level higher than the level of funding received by the incumbent local exchange carrier in the same area;

(4) The telecommunications provider advertises the availability and the charges for the services, using media of general distribution; and

(5) The telecommunications provider shall:

(A) Provide a five-year plan demonstrating how high-cost universal service support will be used to improve its coverage, service quality, or capacity throughout the service area for which it seeks designation;

(B) Demonstrate its ability to remain functional in emergency situations;

(C) Demonstrate that it will satisfy consumer protection and service quality standards;

(D) Offer local usage plans comparable to those offered by the incumbent local exchange carrier in the area for which it seeks designation; and

(E) Acknowledge that it may be required to provide equal access if all other eligible telecommunications carriers in the designated service area relinquish their designations; and

~~It is determined by the~~ The commission determines that the designation is in the public interest after:

(A) Reviewing the benefits of increased consumer choice and the unique advantages and disadvantages of the competitor's service offering;

(B) Examining the potential for cream-skimming effects in instances where the application seeks designation below the study area level of a rural incumbent local exchange carrier;

(C) Offering local usage plans comparable to those offered by the incumbent local exchange carrier in the area for which it seeks designation; and

(D) Acknowledging that it may be required to provide equal access if all other eligible telecommunications carriers in the designated service area relinquish their designations.

(c) In exchanges or wire centers where the commission has designated more than one (1) eligible telecommunications carrier, the commission shall permit a local exchange carrier to relinquish its designation as an eligible telecommunications carrier, consistent with 47 U.S.C. § 214(e)(4), upon a finding that at least one (1) eligible telecommunications carrier will continue to serve the area.

~~(d)(1) For the entire area served by a rural telephone company, excluding tier one companies, for the purpose of the AUSF and the federal Universal Service Fund, there shall be only one (1) eligible telecommunications carrier which shall be the incumbent local exchange carrier that is a rural telephone company.~~

~~(2) The rural telephone company may elect to waive its right to be the only eligible telecommunications carrier within the local exchange area by filing notice with the commission.~~

~~(3) If there is more than one eligible telecommunications carrier, an eligible telecommunications carrier may petition the commission and be granted relief from designation as an eligible telecommunications carrier.~~

(e) An eligible telecommunications carrier may use commercial mobile services to provide universal services.

SECTION 3. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that there is an immediate need for the amendment of the Telecommunications Regulatory Reform Act of 1997 to ensure compliance with federal law and regulations and to continue to encourage investment in rural telecommunications; that any delay in the effective date of this act could create an undue burden upon Arkansas citizens and could work irreparable harm upon the efficient provision of telecommunications services in the State of Arkansas. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

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

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

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

(SIGNED) SENATOR BARBARA HORN

Amendment No. 2 to Senate Bill No. 1085, adopted by the House, was read the first time, rules suspended, read the second time and concurred in, by the Senate.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 1085 was ordered engrossed.

On motion of Senator Bisbee, the rules were suspended in considering **Senate Bill No. 928** at this time.

On motion of Senator Bisbee, **Senate Bill No. 928** was placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 928

Amend **Senate Bill No. 928** as originally introduced:

Insert the additional sections immediately following SECTION 8 of the bill to read as follows:

“ SECTION 9. Arkansas Code 19-5-302(10) concerning the Miscellaneous Agencies Fund Account is amended to read as follows:
 (10)(A) Miscellaneous Agencies Fund Account. The Miscellaneous Agencies Fund Account may be used for the state’s membership in regional or national associations, grants to certain organizations, and maintenance, operations, and improvements of appropriation units as may be authorized by the General Assembly.
 (B) The Miscellaneous Agencies Fund Account shall consist of:
 (i) Those general revenues as may be provided by law;
 (ii) Nonrevenue income derived from services provided by the various agencies and programs funded from the Miscellaneous Agencies Fund Account; and
 (iii) Federal reimbursement received on account of eligible expenditures of the various agencies and programs receiving primary support from the Miscellaneous Agencies Fund Account.
 (C)(i) ~~In the event that the amount of funds estimated to be available for the Miscellaneous Agencies Fund Account is less than the total of the appropriations made from the Miscellaneous Agencies Fund Account, the Chief Fiscal Officer of the State shall determine the amount of each appropriation to be financed after full funding is provided for all national and regional association dues by using the following procedure:~~
 ~~(a) Determine from each appropriation the lesser of the estimated expenditures for the fiscal year preceding the fiscal year from which the funding level is to be determined and the amount of the appropriation for the fiscal year for which the funding level is to be determined. This result shall be called the “base appropriation”;~~
 ~~(b) From the amount determined in subdivision (10)(C)(i)(a) of this section subtract the amount appropriated for the fiscal year for which the funding level is to be determined. This result shall be called the “improvement level”;~~
 ~~(c) The sum of the amounts determined in (10)(c)(i)(a) of this section shall be subtracted from the estimated amount to be available for the Miscellaneous Agencies Fund Account;~~
 ~~(d) If the amount estimated to be available for the Miscellaneous Agencies Fund Account is less than the sum of all base appropriations, then the amount of funding to be made available to each appropriation shall be determined by multiplying each appropriation’s base appropriation percentage of the sum of all base appropriations by the amount estimated to be available for the Miscellaneous~~

Agencies Fund Account; and

~~(e) If the amount estimated to be available for the Miscellaneous Agencies Fund Account is greater than the sum of all base appropriations, each appropriation shall first receive full funding of its base appropriation and then its proportionate share of the amounts determined in subdivision (10)(C)(i)(b) of this section based upon the total of all improvement levels.~~

~~(ii) Upon completing the procedure in subdivision (10)(C)(i)(a) — (d) of this section, the Chief Fiscal Officer of the State shall notify the Legislative Council.~~

~~(iii) However, the Chief Fiscal Officer of the State shall determine for any appropriation authorized for a biennial period the portion of the biennial appropriation that shall be used in the computations as the base appropriation and that portion shall be used as the improvement level.~~

~~(D)(i) The Department of Finance and Administration may upon approval of the Chief Fiscal Officer of the State and the Legislative Council or the Joint Budget Committee transfer any savings that may accrue in any fiscal year in the Miscellaneous Agencies Fund Account to the Department of Rural Services of the Arkansas Rural Development Commission, the Arkansas Science and Technology Authority, the Arkansas Soil and Water Conservation Commission, and the Arkansas Spinal Cord Commission.~~

~~(ii) The transfer is to enable those agencies to fund critical needs of grant and service recipients across the state with the savings from other agencies funded by the Miscellaneous Agencies Fund Account.~~

~~(E)(i) Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. This is usually accomplished by delineating such maximums in the appropriation act or acts for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to this chapter.~~

~~(ii) The General Assembly has determined that the Department of Finance and Administration may operate more efficiently if some flexibility is provided to the Department of Finance and Administration by authorizing broad powers under this subdivision (10). Therefore, it is both necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative Council or Joint Budget Committee as provided by this subdivision (10).~~

~~(iii) The requirement of approval by the Legislative Council or Joint Budget Committee is not a severable part of this section. If the requirement of approval by the Legislative Council or Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this entire section is void.~~

(C) If there are not sufficient funds available in the Miscellaneous Agencies Fund Account to support the amounts appropriated from the Miscellaneous Agencies Fund Account, the Chief Fiscal Officer of the State shall determine the amount of moneys to be made available for each of the appropriations made from the Miscellaneous Agencies Fund Account, after having first provided full funding for all national and regional association dues.

SECTION 10. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. Section 3 of Uncodified Act 108 of the 2nd Ex. Sess., 2003 is amended to read as follows:

Section 3. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. On June 30, 2005, the Chief Fiscal Officer of the State shall transfer on his books and those of the State Treasurer and the State Auditor the sum of ~~twenty-two million dollars (\$22,000,000)~~ forty nine million dollars (\$49,000,000), or so much thereof as is available, from the General Revenue Allotment Reserve Fund, from monies transferred due to the provisions of Arkansas Code 19-5-406 for the 2004-05 fiscal year, to the Educational Adequacy Fund.

SECTION 11. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PROPERTY TAX RELIEF TRANSFER. (a) Of the balance remaining in the Property Tax Relief Trust Fund on December 31, 2005 and December 31, 2006, as certified pursuant to § 26-26-310(b)(2)(C), the Treasurer of State shall transfer eighteen million one hundred fifty three thousand six dollars (\$18,153,006) for the fiscal year ending June 30, 2006 from the balance remaining on December 31, 2005 and twenty two million dollars (\$22,000,000) for the fiscal year ending June 20, 2007 from the balance remaining on December 31, 2006, from the Property Tax Relief Trust Fund to the General Revenue Fund Account of the State Apportionment Fund as "general revenues available for distribution" as provided in Arkansas Code 19-5-202(b)(2)(B)(iii).

(b) The funds attributable to sales and use taxes levied prior to July 1, 2005 shall not be transferred from the Property Tax Relief Trust Fund to the General Revenue Fund Account of the State Apportionment Fund.

SECTION 12. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SET ASIDE OF FUNDS. The Chief Fiscal Officer of the State shall immediately set aside the sum of eighty four million dollars (\$84,000,000) of those unobligated monies in the General Revenue Allotment Reserve Fund. On July 1, 2005, the Chief Fiscal Officer of the State shall transfer the sum of fifty million dollars (\$50,000,000) from the General Revenue Allotment Reserve Fund to the Educational Facilities Partnership Fund Account to provide funding for those appropriations made from the fund account. On July 1, 2006, the Chief Fiscal Officer of the State shall transfer the sum of thirty four million dollars (\$34,000,000) from the General Revenue Allotment Reserve Fund to the General Revenue Fund Account of the State Apportionment Fund, there to be distributed as other general revenues for the 2006-07 fiscal year.

SECTION 13. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS EMPLOYMENT SECURITY DEPARTMENT APPROPRIATIONS. In the event enabling legislation is enacted by the Eighty-Fifth General Assembly changing the name of the agency, any appropriations made payable to the Arkansas Employment Security Department are instead deemed appropriated to the Department of Workforce Services.

SECTION 14. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. POST PRISON TRANSFER BOARD APPROPRIATIONS. Any appropriations made payable to the Post Prison Transfer Board are instead deemed appropriated to the Parole Board.

SECTION 15. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS SOIL AND WATER CONSERVATION COMMISSION APPROPRIATIONS. Any appropriations made payable to the Arkansas Soil and Water Conservation Commission are instead deemed appropriated to the Arkansas Natural Resources Commission.

SECTION 16. Arkansas Code 19-5-401 is amended to read as follows:

19-5-401. Allocations for fiscal year 2005-06.

Commencing with the fiscal year beginning July 1, 2005, and ending June 30, 2006, the Treasurer of State shall transfer all remaining general revenues available for distribution on the last day of business in July 2005, and on the last day of business in each calendar month thereafter during the fiscal year to the various funds and fund accounts participating in general revenues in the proportions of the maximum

allocation as the individual allocation to the fund or fund account bears to the total of the maximum allocation as provided in § 19-5-402(a) and (b).

SECTION 17. Arkansas Code 19-5-402 is amended to read as follows:

19-5-402. Maximum allocations of revenues for fiscal year 2005-06.

(a) The Treasurer of State shall first make monthly allocations in the proportions set out in this subsection to the funds and fund accounts listed below until there has been transferred a total of three billion six hundred fifty-two million one hundred twenty-nine thousand two hundred eleven dollars (\$3,652,129,211) or so much thereof as may become available; provided, that the Treasurer of State shall make such monthly allocations in accordance with each fund or fund account's proportionate part of the total of all such allocations set forth in this subsection:

PUBLIC SCHOOL FUND

(1) Department of Education Public School Fund Account	\$1,588,069,176
(2) State Library Public School Fund Account	\$2,000,000
(3) Department of Workforce Education Public School Fund Account	\$22,460,056

GENERAL EDUCATION FUND

(1) Department of Education Fund Account	\$13,036,267
(2) Educational Facilities Partnership Fund Account	\$-
(3) Educational Television Fund Account	\$4,699,936
(4) School for the Blind Fund Account	\$5,033,762
(5) School for the Deaf Fund Account	\$8,956,221
(6) State Library Fund Account	\$3,097,534
(7) Department of Workforce Education Fund Account	\$2,746,088
(8) Rehabilitation Services Fund Account	\$12,361,615
Technical Institutes:	
(9) Crowley's Ridge Technical Institute Fund Account	2,350,033
(10) Northwest Technical Institute Fund Account	2,710,486
(11) Riverside Vocational Tech. School Fund Account	2,026,424

DEPARTMENT OF HUMAN SERVICES FUND

(1) Department of Human Services Administration Fund Account	\$13,789,740
(2) Aging and Adult Services Fund Account	10,682,027
(3) Children and Family Services Fund Account	40,097,643
(4) Child Care and Early Childhood Education Fund Account	536,809
(5) Youth Services Fund Account	43,944,990
(6) Developmental Disabilities Services Fund Account	50,834,371
(7) Medical Services Fund Account	4,703,262
(8) Department of Human Services Grants Fund Account	551,561,101
(9) Behavioral Health Services Fund Account	64,665,900
(10) State Services for the Blind Fund Account	1,800,158
(11) County Operations Fund Account	40,551,619

STATE GENERAL GOVERNMENT FUND

(1) Department of Arkansas Heritage Fund Account	\$4,997,979
(2) Department of Labor Fund Account	2,508,515
(3) Department of Higher Education Fund Account	3,030,502
(4) Higher Education Grants Fund Account	34,661,199
(5) Department of Economic Development Fund Account	9,774,587
(6) Department of Correction Inmate Care	

and Custody Fund Account	220,294,662
(7) Department of Community Corrections Fund Account	48,169,200
(8) Livestock & Poultry Fund Account	3,478,067
(9) State Military Department Fund Account	8,324,302
(10) Parks and Tourism Fund Account	20,210,566
(11) Miscellaneous Agencies Fund Account	48,575,933
COUNTY AID FUND	\$19,741,546
COUNTY JAIL REIMBURSEMENT FUND	\$2,806,592
CRIME INFORMATION CENTER FUND	\$3,393,959
CHILD SUPPORT ENFORCEMENT FUND	\$13,014,933
STATE FORESTRY FUND	\$6,781,656
MUNICIPAL AID FUND	\$27,506,526
PUBLIC HEALTH FUND	\$51,224,961
DEPARTMENT OF ARKANSAS STATE POLICE FUND	\$46,262,000
PLANT BOARD FUND	\$2,288,097
INSTITUTIONS OF HIGHER EDUCATION	
(1) ARKANSAS STATE UNIVERSITY FUND	\$49,692,177
(2) ARKANSAS TECH UNIVERSITY FUND	\$23,072,918
(3) HENDERSON STATE UNIVERSITY FUND	\$16,534,852
(4) SOUTHERN ARKANSAS UNIVERSITY FUND	\$13,384,600
(5) UNIVERSITY OF ARKANSAS FUND	\$96,600,481
(6) UNIVERSITY OF ARKANSAS FUND-ARCHEOLOGICAL SURVEY	\$1,797,004
(7) UNIVERSITY OF ARKANSAS FUND-DIVISION OF AGRICULTURE	\$52,093,897
(8) UNIVERSITY OF ARKANSAS FUND-CLINTON SCHOOL	\$-
(9) UNIVERSITY OF ARKANSAS FUND-CRIMINAL JUSTICE INSTITUTE	\$1,614,664
(10) UNIVERSITY OF ARKANSAS AT FORT SMITH FUND	\$15,925,067
(11) UNIVERSITY OF ARKANSAS AT LITTLE ROCK FUND	\$49,641,945
(12) UNIVERSITY OF ARKANSAS MEDICAL CENTER FUND	\$70,605,626
(13) UNIVERSITY OF ARKANSAS MEDICAL CENTER FUND - INDIGENT CARE	\$4,934,707
(14) UNIVERSITY OF ARKANSAS AT MONTICELLO FUND	\$13,324,553
(15) UNIVERSITY OF ARKANSAS AT PINE BLUFF FUND	\$23,004,352
(16) UNIVERSITY OF CENTRAL ARKANSAS FUND	\$39,901,875
(17) ARKANSAS NORTHEASTERN COLLEGE FUND	\$7,757,585
(18) ARKANSAS STATE UNIVERSITY - BEEBE FUND	\$9,814,526
(19) ARKANSAS STATE UNIVERSITY - MOUNTAIN HOME FUND	\$2,694,276
(20) ARKANSAS STATE UNIVERSITY - NEWPORT FUND	\$2,302,128
(21) COSSATOT COMMUNITY COLLEGE OF THE UNIVERSITY OF ARKANSAS FUND	\$2,583,570
(22) EAST ARKANSAS COMMUNITY COLLEGE FUND	\$5,316,556
(23) MID-SOUTH COMMUNITY COLLEGE FUND	\$2,972,976
(24) NATIONAL PARK COMMUNITY COLLEGE FUND	\$7,713,972
(25) NORTH ARKANSAS COLLEGE FUND	\$7,150,182
(26) NORTHWEST ARKANSAS COMMUNITY COLLEGE FUND	\$6,566,188
(27) PHILLIPS COMMUNITY COLLEGE OF THE UNIVERSITY OF ARKANSAS FUND	\$8,171,976
(28) RICH MOUNTAIN COMMUNITY COLLEGE FUND	\$2,785,988
(29) SAU - TECH FUND	\$4,735,604
(30) SAU - TECH FUND-ENVIRONMENTAL CONTROL CENTER	\$252,258
(31) SAU - TECH FUND-FIRE TRAINING ACADEMY	\$1,164,097
(32) SOUTH ARKANSAS COMMUNITY COLLEGE FUND	\$5,405,546
(33) UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT BATESVILLE FUND	\$3,097,964

(34) UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT HOPE FUND	\$3,933,002
(35) UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT MORRILTON FUND	\$3,679,075
(36) BLACK RIVER TECHNICAL COLLEGE FUND	\$4,991,922
(37) OUACHITA TECHNICAL COLLEGE FUND	\$2,711,474
(38) OZARKA COLLEGE FUND	\$2,364,710
(39) PULASKI TECHNICAL COLLEGE FUND	\$7,616,315
(40) SOUTHEAST ARKANSAS COLLEGE FUND	\$4,457,603

(b) After making the maximum annual allocations provided for in subsection (a) of this section, the Treasurer of State shall then make allocations from the remaining general revenues available for distribution, as set forth in this subsection, to the funds and fund accounts listed below until there has been transferred a total of one hundred seventy-two million nine hundred twenty-three thousand seven hundred ninety-five dollars (\$172,923,795) or so much thereof that may become available; provided, that the Treasurer of State shall make such monthly allocations in accordance with each fund or fund account's proportionate part of the total of all such allocations set forth in this subsection:

PUBLIC SCHOOL FUND

(1) Department of Education Public School Fund Account	\$71,516,117
(2) State Library Public School Fund Account	\$1,000,000
(3) Department of Workforce Education Public School Fund Account	\$-

GENERAL EDUCATION FUND

(1) Department of Education Fund Account	\$-
(2) Educational Facilities Partnership Fund Account	\$-
(3) Educational Television Fund Account	\$-
(4) School for the Blind Fund Account	\$75,000
(5) School for the Deaf Fund Account	\$60,000
(6) State Library Fund Account	\$7,000
(7) Department of Workforce Education Fund Account	\$-
(8) Rehabilitation Services Fund Account	\$-
Technical Institutes:	
(9) Crowley's Ridge Technical Institute Fund Account	-
(10) Northwest Technical Institute Fund Account	-
(11) Riverside Vocational Tech. School Fund Account	-

DEPARTMENT OF HUMAN SERVICES FUND

(1) Department of Human Services Administration Fund Account	\$-
(2) Aging and Adult Services Fund Account	5,010,000
(3) Children and Family Services Fund Account	500,000
(4) Child Care and Early Childhood Education Fund Account	-
(5) Youth Services Fund Account	4,083,216
(6) Developmental Disabilities Services Fund Account	5,000,000
(7) Medical Services Fund Account	-
(8) Department of Human Services Grants Fund Account	15,494,672
(9) Behavioral Health Services Fund Account	2,850,000
(10) State Services for the Blind Fund Account	-
(11) County Operations Fund Account	-

STATE GENERAL GOVERNMENT FUND

(1) Department of Arkansas Heritage Fund Account	\$158,658
(2) Department of Labor Fund Account	-
(3) Department of Higher Education Fund Account	-
(4) Higher Education Grants Fund Account	-
(5) Department of Economic Development Fund Account	-
(6) Department of Correction Inmate Care and Custody Fund Account	24,678,294
(7) Department of Community Corrections Fund Account	4,781,524
(8) Livestock & Poultry Fund Account	-
(9) State Military Department Fund Account	186,632
(10) Parks and Tourism Fund Account	-
(11) Miscellaneous Agencies Fund Account	3,991,552
COUNTY AID FUND	\$-
COUNTY JAIL REIMBURSEMENT FUND	\$6,900,000
CRIME INFORMATION CENTER FUND	\$-
CHILD SUPPORT ENFORCEMENT FUND	\$-
STATE FORESTRY FUND	\$-
MUNICIPAL AID FUND	\$-
PUBLIC HEALTH FUND	\$-
DEPARTMENT OF ARKANSAS STATE POLICE FUND	\$2,351,799
PLANT BOARD FUND	\$-
INSTITUTIONS OF HIGHER EDUCATION	
(1) ARKANSAS STATE UNIVERSITY FUND	\$921,709
(2) ARKANSAS TECH UNIVERSITY FUND	\$3,823,263
(3) HENDERSON STATE UNIVERSITY FUND	\$224,568
(4) SOUTHERN ARKANSAS UNIVERSITY FUND	\$227,819
(5) UNIVERSITY OF ARKANSAS FUND	\$2,802,605
(6) UNIVERSITY OF ARKANSAS FUND-ARCHEOLOGICAL SURVEY	\$53,963
(7) UNIVERSITY OF ARKANSAS FUND-DIVISION OF AGRICULTURE	\$1,482,149
(8) UNIVERSITY OF ARKANSAS FUND-CLINTON SCHOOL	\$1,978,812
(9) UNIVERSITY OF ARKANSAS FUND-CRIMINAL JUSTICE INSTITUTE	\$23,110
(10) UNIVERSITY OF ARKANSAS AT FORT SMITH FUND	\$946,928
(11) UNIVERSITY OF ARKANSAS AT LITTLE ROCK FUND	\$1,308,572
(12) UNIVERSITY OF ARKANSAS MEDICAL CENTER FUND	\$3,770,019
(13) UNIVERSITY OF ARKANSAS MEDICAL CENTER FUND - INDIGENT CARE	\$148,041
(14) UNIVERSITY OF ARKANSAS AT MONTICELLO FUND	\$329,940
(15) UNIVERSITY OF ARKANSAS AT PINE BLUFF FUND	\$156,282
(16) UNIVERSITY OF CENTRAL ARKANSAS FUND	\$1,111,941
(17) ARKANSAS NORTHEASTERN COLLEGE FUND	\$182,404
(18) ARKANSAS STATE UNIVERSITY - BEEBE FUND	\$1,093,179
(19) ARKANSAS STATE UNIVERSITY - MOUNTAIN HOME FUND	\$140,680
(20) ARKANSAS STATE UNIVERSITY - NEWPORT FUND	\$362,112
(21) COSSATOT COMMUNITY COLLEGE OF THE UNIVERSITY OF ARKANSAS FUND	\$109,593
(22) EAST ARKANSAS COMMUNITY COLLEGE FUND	\$-
(23) MID-SOUTH COMMUNITY COLLEGE FUND	\$253,002
(24) NATIONAL PARK COMMUNITY COLLEGE FUND	\$359,826
(25) NORTH ARKANSAS COLLEGE FUND	\$67,907
(26) NORTHWEST ARKANSAS COMMUNITY COLLEGE FUND	\$355,553
(27) PHILLIPS COMMUNITY COLLEGE OF THE UNIVERSITY OF ARKANSAS FUND	\$33,076
(28) RICH MOUNTAIN COMMUNITY COLLEGE FUND	\$20,107

(29) SAU - TECH FUND	\$83,676
(30) SAU - TECH FUND-ENVIRONMENTAL CONTROL CENTER	\$65,439
(31) SAU - TECH FUND-FIRE TRAINING ACADEMY	\$13,674
(32) SOUTH ARKANSAS COMMUNITY COLLEGE FUND	\$42,932
(33) UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT BATESVILLE FUND	\$153,897
(34) UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT HOPE FUND	\$67,216
(35) UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT MORRILTON FUND	\$169,310
(36) BLACK RIVER TECHNICAL COLLEGE FUND	\$168,780
(37) OUACHITA TECHNICAL COLLEGE FUND	\$233,593
(38) OZARKA COLLEGE FUND	\$83,490
(39) PULASKI TECHNICAL COLLEGE FUND	\$701,472
(40) SOUTHEAST ARKANSAS COLLEGE FUND	\$208,692

SECTION 18. Arkansas Code 19-5-403 is amended to read as follows:

19-5-403. Allocations for fiscal year 2006-07 and thereafter. Commencing with the fiscal year beginning July 1, 2006, and each fiscal year thereafter, the Treasurer of State shall transfer all remaining general revenues available for distribution on the last day of business in July 2006, and on the last day of business in each calendar month thereafter during the fiscal year to the various funds and fund accounts participating in general revenues in the proportions of the maximum allocation as the individual allocation to the fund or fund account bears to the total of the maximum allocation as provided in § 19-5-404(a),(b) and (c).

SECTION 19. Arkansas Code 19-5-404 is amended to read as follows:

19-5-404. Maximum allocations of revenues for fiscal year 2006-07 and thereafter. (a) The Treasurer of State shall first make monthly allocations in the proportions set out in this subsection to the funds and fund accounts listed below until there has been transferred a total of three billion eight hundred three million five hundred sixty-six thousand two hundred sixty-nine dollars (\$3,803,566,269) or so much thereof as may become available; provided that the Treasurer of State shall make such monthly allocations in accordance with each fund or fund account's proportionate part of the total of all such allocations set forth in this subsection:

PUBLIC SCHOOL FUND

(1) Department of Education Public School Fund Account	\$1,659,585,293
(2) State Library Public School Fund Account	\$3,000,000
(3) Department of Workforce Education Public School Fund Account	\$22,460,056

GENERAL EDUCATION FUND

(1) Department of Education Fund Account	\$13,433,942
(2) Educational Facilities Partnership Fund Account	\$20,000,000
(3) Educational Television Fund Account	\$4,804,733
(4) School for the Blind Fund Account	\$5,142,977
(5) School for the Deaf Fund Account	\$9,144,730
(6) State Library Fund Account	\$3,154,562
(7) Department of Workforce Education Fund Account	\$2,671,724
(8) Rehabilitation Services Fund Account	\$12,517,781
Technical Institutes:	
(9) Crowley's Ridge Technical Institute Fund Account	2,409,424
(10) Northwest Technical Institute Fund Account	2,781,004

(11) Riverside Vocational Tech. School Fund Account	2,078,086
DEPARTMENT OF HUMAN SERVICES FUND	
(1) Department of Human Services Administration Fund Account	\$14,014,342
(2) Aging and Adult Services Fund Account	10,737,907
(3) Children and Family Services Fund Account	40,448,345
(4) Child Care and Early Childhood Education Fund Account	543,304
(5) Youth Services Fund Account	44,060,220
(6) Developmental Disabilities Services Fund Account	51,408,891
(7) Medical Services Fund Account	4,804,416
(8) Department of Human Services Grants Fund Account	567,055,773
(9) Behavioral Health Services Fund Account	65,259,355
(10) State Services for the Blind Fund Account	1,826,864
(11) County Operations Fund Account	41,280,053
STATE GENERAL GOVERNMENT FUND	
(1) Department of Arkansas Heritage Fund Account	\$5,107,022
(2) Department of Labor Fund Account	2,563,728
(3) Department of Higher Education Fund Account	3,093,411
(4) Higher Education Grants Fund Account	34,661,199
(5) Department of Economic Development Fund Account	9,913,611
(6) Department of Correction Inmate Care and Custody Fund Account	244,972,956
(7) Department of Community Corrections Fund Account	49,196,677
(8) Livestock & Poultry Fund Account	3,564,856
(9) State Military Department Fund Account	8,515,401
(10) Parks and Tourism Fund Account	20,727,100
(11) Miscellaneous Agencies Fund Account	46,632,114
COUNTY AID FUND	\$19,741,546
COUNTY JAIL REIMBURSEMENT FUND	\$2,806,592
CRIME INFORMATION CENTER FUND	\$3,393,959
CHILD SUPPORT ENFORCEMENT FUND	\$13,014,933
STATE FORESTRY FUND	\$7,100,621
MUNICIPAL AID FUND	\$27,506,526
PUBLIC HEALTH FUND	\$52,341,141
DEPARTMENT OF ARKANSAS STATE POLICE FUND	\$47,305,000
PLANT BOARD FUND	\$2,337,566
INSTITUTIONS OF HIGHER EDUCATION	
(1) ARKANSAS STATE UNIVERSITY FUND	\$50,679,618
(2) ARKANSAS TECH UNIVERSITY FUND	\$23,537,876
(3) HENDERSON STATE UNIVERSITY FUND	\$16,855,162
(4) SOUTHERN ARKANSAS UNIVERSITY FUND	\$13,630,195
(5) UNIVERSITY OF ARKANSAS FUND	\$98,458,038
(6) UNIVERSITY OF ARKANSAS FUND-ARCHEOLOGICAL SURVEY	\$1,840,128
(7) UNIVERSITY OF ARKANSAS FUND-DIVISION OF AGRICULTURE	\$53,594,955
(8) UNIVERSITY OF ARKANSAS FUND-CLINTON SCHOOL	\$-
(9) UNIVERSITY OF ARKANSAS FUND-CRIMINAL JUSTICE INSTITUTE	\$1,642,924
(10) UNIVERSITY OF ARKANSAS AT FORT SMITH FUND	\$16,272,118
(11) UNIVERSITY OF ARKANSAS AT LITTLE ROCK FUND	\$50,688,864
(12) UNIVERSITY OF ARKANSAS MEDICAL CENTER FUND	\$71,925,062
(13) UNIVERSITY OF ARKANSAS MEDICAL CENTER FUND -	

INDIGENT CARE	\$4,934,707
(14) UNIVERSITY OF ARKANSAS AT MONTICELLO FUND	\$13,601,509
(15) UNIVERSITY OF ARKANSAS AT PINE BLUFF FUND	\$23,462,645
(16) UNIVERSITY OF CENTRAL ARKANSAS FUND	\$40,654,891
(17) ARKANSAS NORTHEASTERN COLLEGE FUND	\$7,942,085
(18) ARKANSAS STATE UNIVERSITY - BEEBE FUND	\$10,032,865
(19) ARKANSAS STATE UNIVERSITY - MOUNTAIN HOME FUND	\$2,752,478
(20) ARKANSAS STATE UNIVERSITY - NEWPORT FUND	\$2,354,561
(21) COSSATOT COMMUNITY COLLEGE OF THE UNIVERSITY OF ARKANSAS FUND	\$2,643,976
(22) EAST ARKANSAS COMMUNITY COLLEGE FUND	\$5,441,585
(23) MID-SOUTH COMMUNITY COLLEGE FUND	\$3,042,101
(24) NATIONAL PARK COMMUNITY COLLEGE FUND	\$7,903,772
(25) NORTH ARKANSAS COLLEGE FUND	\$7,307,964
(26) NORTHWEST ARKANSAS COMMUNITY COLLEGE FUND	\$6,716,124
(27) PHILLIPS COMMUNITY COLLEGE OF THE UNIVERSITY OF ARKANSAS FUND	\$8,342,631
(28) RICH MOUNTAIN COMMUNITY COLLEGE FUND	\$2,843,646
(29) SAU - TECH FUND	\$4,829,219
(30) SAU - TECH FUND-ENVIRONMENTAL CONTROL CENTER	\$257,425
(31) SAU - TECH FUND-FIRE TRAINING ACADEMY	\$1,183,025
(32) SOUTH ARKANSAS COMMUNITY COLLEGE FUND	\$5,527,524
(33) UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT BATESVILLE FUND	\$3,156,071
(34) UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT HOPE FUND	\$4,027,491
(35) UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT MORRILTON FUND	\$3,760,090
(36) BLACK RIVER TECHNICAL COLLEGE FUND	\$5,095,704
(37) OUACHITA TECHNICAL COLLEGE FUND	\$2,769,026
(38) OZARKA COLLEGE FUND	\$2,415,669
(39) PULASKI TECHNICAL COLLEGE FUND	\$7,771,653
(40) SOUTHEAST ARKANSAS COLLEGE FUND	\$4,551,151

(b) After making the maximum annual allocations provided for in subsection (a) of this section, the Treasurer of State shall then make allocations from the remaining general revenues available for distribution, as set forth in this subsection, to the funds and fund accounts listed below until there has been transferred a total of two hundred forty-four million one hundred thirty-three thousand seven hundred thirty-one dollars (\$244,133,731) or so much thereof that may become available; provided, that the Treasurer of State shall make such monthly allocations in accordance with each fund or fund account's proportionate part of the total of all such allocations set forth in this subsection:

PUBLIC SCHOOL FUND

(1) Department of Education Public School Fund Account	\$31,675,921
(2) State Library Public School Fund Account	\$946,848
(3) Department of Workforce Education Public School Fund Account	\$920

GENERAL EDUCATION FUND

(1) Department of Education Fund Account	\$-
(2) Educational Facilities Partnership Fund Account	\$14,202,727
(3) Educational Television Fund Account	\$-
(4) School for the Blind Fund Account	\$71,014
(5) School for the Deaf Fund Account	\$56,811

(6) State Library Fund Account	\$6,628
(7) Department of Workforce Education Fund Account	\$-
(8) Rehabilitation Services Fund Account	\$-
Technical Institutes:	
(9) Crowley's Ridge Technical Institute Fund Account	-
(10) Northwest Technical Institute Fund Account	-
(11) Riverside Vocational Tech. School Fund Account	-
DEPARTMENT OF HUMAN SERVICES FUND	
(1) Department of Human Services Administration Fund Account	\$-
(2) Aging and Adult Services Fund Account	4,743,711
(3) Children and Family Services Fund Account	473,424
(4) Child Care and Early Childhood Education Fund Account	-
(5) Youth Services Fund Account	3,845,258
(6) Developmental Disabilities Services Fund Account	5,173,003
(7) Medical Services Fund Account	-
(8) Department of Human Services Grants Fund Account	108,746,895
(9) Behavioral Health Services Fund Account	2,698,518
(10) State Services for the Blind Fund Account	-
(11) County Operations Fund Account	-
STATE GENERAL GOVERNMENT FUND	
(1) Department of Arkansas Heritage Fund Account	\$152,486
(2) Department of Labor Fund Account	-
(3) Department of Higher Education Fund Account	-
(4) Higher Education Grants Fund Account	-
(5) Department of Economic Development Fund Account	-
(6) Department of Correction Inmate Care and Custody Fund Account	6,528,327
(7) Department of Community Corrections Fund Account	3,601,333
(8) Livestock & Poultry Fund Account	-
(9) State Military Department Fund Account	200,383
(10) Parks and Tourism Fund Account	-
(11) Miscellaneous Agencies Fund Account	2,602,351
COUNTY AID FUND	\$-
COUNTY JAIL REIMBURSEMENT FUND	\$6,337,676
CRIME INFORMATION CENTER FUND	\$-
CHILD SUPPORT ENFORCEMENT FUND	\$-
STATE FORESTRY FUND	\$47,342
MUNICIPAL AID FUND	\$-
PUBLIC HEALTH FUND	\$-
DEPARTMENT OF ARKANSAS STATE POLICE FUND	\$2,346,225
PLANT BOARD FUND	\$-
INSTITUTIONS OF HIGHER EDUCATION	
(1) ARKANSAS STATE UNIVERSITY FUND	\$2,574,007
(2) ARKANSAS TECH UNIVERSITY FUND	\$5,055,026
(3) HENDERSON STATE UNIVERSITY FUND	\$672,495
(4) SOUTHERN ARKANSAS UNIVERSITY FUND	\$635,963
(5) UNIVERSITY OF ARKANSAS FUND	\$7,180,947
(6) UNIVERSITY OF ARKANSAS FUND-ARCHEOLOGICAL SURVEY	\$124,120
(7) UNIVERSITY OF ARKANSAS FUND-DIVISION OF AGRICULTURE	\$3,382,089
(8) UNIVERSITY OF ARKANSAS FUND-CLINTON SCHOOL	\$2,172,933

(9) UNIVERSITY OF ARKANSAS FUND-CRIMINAL JUSTICE INSTITUTE	\$55,188
(10) UNIVERSITY OF ARKANSAS AT FORT SMITH FUND	\$1,820,120
(11) UNIVERSITY OF ARKANSAS AT LITTLE ROCK FUND	\$3,525,823
(12) UNIVERSITY OF ARKANSAS MEDICAL CENTER FUND	\$7,823,695
(13) UNIVERSITY OF ARKANSAS MEDICAL CENTER FUND - INDIGENT CARE	\$300,523
(14) UNIVERSITY OF ARKANSAS AT MONTICELLO FUND	\$894,429
(15) UNIVERSITY OF ARKANSAS AT PINE BLUFF FUND	\$506,814
(16) UNIVERSITY OF CENTRAL ARKANSAS FUND	\$3,019,964
(17) ARKANSAS NORTHEASTERN COLLEGE FUND	\$186,208
(18) ARKANSAS STATE UNIVERSITY - BEEBE FUND	\$1,231,570
(19) ARKANSAS STATE UNIVERSITY - MOUNTAIN HOME FUND	\$397,422
(20) ARKANSAS STATE UNIVERSITY - NEWPORT FUND	\$539,876
(21) COSSATOT COMMUNITY COLLEGE OF THE UNIVERSITY OF ARKANSAS FUND	\$257,011
(22) EAST ARKANSAS COMMUNITY COLLEGE FUND	\$-
(23) MID-SOUTH COMMUNITY COLLEGE FUND	\$333,149
(24) NATIONAL PARK COMMUNITY COLLEGE FUND	\$437,433
(25) NORTH ARKANSAS COLLEGE FUND	\$121,179
(26) NORTHWEST ARKANSAS COMMUNITY COLLEGE FUND	\$1,197,512
(27) PHILLIPS COMMUNITY COLLEGE OF THE UNIVERSITY OF ARKANSAS FUND	\$34,776
(28) RICH MOUNTAIN COMMUNITY COLLEGE FUND	\$60,558
(29) SAU - TECH FUND	\$273,325
(30) SAU - TECH FUND-ENVIRONMENTAL CONTROL CENTER	\$72,774
(31) SAU - TECH FUND-FIRE TRAINING ACADEMY	\$33,551
(32) SOUTH ARKANSAS COMMUNITY COLLEGE FUND	\$44,338
(33) UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT BATESVILLE FUND	\$435,565
(34) UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT HOPE FUND	\$70,668
(35) UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT MORRILTON FUND	\$450,058
(36) BLACK RIVER TECHNICAL COLLEGE FUND	\$364,824
(37) OUACHITA TECHNICAL COLLEGE FUND	\$326,986
(38) OZARKA COLLEGE FUND	\$176,858
(39) PULASKI TECHNICAL COLLEGE FUND	\$2,349,893
(40) SOUTHEAST ARKANSAS COLLEGE FUND	\$536,257

(c) After making the maximum annual allocations provided for in subsections (a) and (b) of this section, the Treasurer of State shall then make allocations from the remaining general revenues available for distribution, as set forth in this subsection, to the funds and fund accounts listed below until there has been transferred a total of ten million nine hundred fifteen thousand nine hundred thirty-one dollars (\$10,915,931) or so much thereof that may become available; provided, that the Treasurer of State shall make such monthly allocations in accordance with each fund or fund account's proportionate part of the total of all such allocations set forth in this subsection:

PUBLIC SCHOOL FUND

(1) Department of Education Public School Fund Account	\$1,778,135
(2) State Library Public School Fund Account	\$53,152
(3) Department of Workforce Education Public School Fund Account	\$52

GENERAL EDUCATION FUND

(1) Department of Education Fund Account	\$-
(2) Educational Facilities Partnership Fund Account	\$797,273
(3) Educational Television Fund Account	\$-
(4) School for the Blind Fund Account	\$3,986
(5) School for the Deaf Fund Account	\$3,189
(6) State Library Fund Account	\$372
(7) Department of Workforce Education Fund Account	\$-
(8) Rehabilitation Services Fund Account	\$-

Technical Institutes:

(9) Crowley's Ridge Technical Institute Fund Account	-
(10) Northwest Technical Institute Fund Account	-
(11) Riverside Vocational Tech. School Fund Account	-

DEPARTMENT OF HUMAN SERVICES FUND

(1) Department of Human Services Administration Fund Account	\$-
(2) Aging and Adult Services Fund Account	266,289
(3) Children and Family Services Fund Account	26,576
(4) Child Care and Early Childhood Education Fund Account	-
(5) Youth Services Fund Account	215,854
(6) Developmental Disabilities Services Fund Account	290,388
(7) Medical Services Fund Account	-
(8) Department of Human Services Grants Fund Account	6,104,531
(9) Behavioral Health Services Fund Account	151,482
(10) State Services for the Blind Fund Account	-
(11) County Operations Fund Account	-

STATE GENERAL GOVERNMENT FUND

(1) Department of Arkansas Heritage Fund Account	\$8,560
(2) Department of Labor Fund Account	-
(3) Department of Higher Education Fund Account	-
(4) Higher Education Grants Fund Account	-
(5) Department of Economic Development Fund Account	-
(6) Department of Correction Inmate Care and Custody Fund Account	366,469
(7) Department of Community Corrections Fund Account	202,162
(8) Livestock & Poultry Fund Account	-
(9) State Military Department Fund Account	11,249
(10) Parks and Tourism Fund Account	-
(11) Miscellaneous Agencies Fund Account	146,084

COUNTY AID FUND

\$-

COUNTY JAIL REIMBURSEMENT FUND

\$355,767

CRIME INFORMATION CENTER FUND

\$-

CHILD SUPPORT ENFORCEMENT FUND

\$-

STATE FORESTRY FUND

\$2,658

MUNICIPAL AID FUND

\$-

PUBLIC HEALTH FUND

\$-

DEPARTMENT OF ARKANSAS STATE POLICE FUND

\$131,706

PLANT BOARD FUND

\$-

INSTITUTIONS OF HIGHER EDUCATION

(1) ARKANSAS STATE UNIVERSITY FUND	\$-
(2) ARKANSAS TECH UNIVERSITY FUND	\$-
(3) HENDERSON STATE UNIVERSITY FUND	\$-
(4) SOUTHERN ARKANSAS UNIVERSITY FUND	\$-
(5) UNIVERSITY OF ARKANSAS FUND	\$-
(6) UNIVERSITY OF ARKANSAS FUND-ARCHEOLOGICAL SURVEY	\$-
(7) UNIVERSITY OF ARKANSAS FUND-DIVISION OF	\$-

AGRICULTURE	\$-
(8) UNIVERSITY OF ARKANSAS FUND-CLINTON SCHOOL	\$-
(9) UNIVERSITY OF ARKANSAS FUND-CRIMINAL JUSTICE INSTITUTE	\$-
(10) UNIVERSITY OF ARKANSAS AT FORT SMITH FUND	\$-
(11) UNIVERSITY OF ARKANSAS AT LITTLE ROCK FUND	\$-
(12) UNIVERSITY OF ARKANSAS MEDICAL CENTER FUND	\$-
(13) UNIVERSITY OF ARKANSAS MEDICAL CENTER FUND - INDIGENT CARE	\$-
(14) UNIVERSITY OF ARKANSAS AT MONTICELLO FUND	\$-
(15) UNIVERSITY OF ARKANSAS AT PINE BLUFF FUND	\$-
(16) UNIVERSITY OF CENTRAL ARKANSAS FUND	\$-
(17) ARKANSAS NORTHEASTERN COLLEGE FUND	\$-
(18) ARKANSAS STATE UNIVERSITY - BEEBE FUND	\$-
(19) ARKANSAS STATE UNIVERSITY - MOUNTAIN HOME FUND	\$-
(20) ARKANSAS STATE UNIVERSITY - NEWPORT FUND	\$-
(21) COSSATOT COMMUNITY COLLEGE OF THE UNIVERSITY OF ARKANSAS FUND	\$-
(22) EAST ARKANSAS COMMUNITY COLLEGE FUND	\$-
(23) MID-SOUTH COMMUNITY COLLEGE FUND	\$-
(24) NATIONAL PARK COMMUNITY COLLEGE FUND	\$-
(25) NORTH ARKANSAS COLLEGE FUND	\$-
(26) NORTHWEST ARKANSAS COMMUNITY COLLEGE FUND	\$-
(27) PHILLIPS COMMUNITY COLLEGE OF THE UNIVERSITY OF ARKANSAS FUND	\$-
(28) RICH MOUNTAIN COMMUNITY COLLEGE FUND	\$-
(29) SAU - TECH FUND	\$-
(30) SAU - TECH FUND-ENVIRONMENTAL CONTROL CENTER	\$-
(31) SAU - TECH FUND-FIRE TRAINING ACADEMY	\$-
(32) SOUTH ARKANSAS COMMUNITY COLLEGE FUND	\$-
(33) UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT BATESVILLE FUND	\$-
(34) UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT HOPE FUND	\$-
(35) UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT MORRILTON FUND	\$-
(36) BLACK RIVER TECHNICAL COLLEGE FUND	\$-
(37) OUACHITA TECHNICAL COLLEGE FUND	\$-
(38) OZARKA COLLEGE FUND	\$-
(39) PULASKI TECHNICAL COLLEGE FUND	\$-
(40) SOUTHEAST ARKANSAS COLLEGE FUND	\$-

AND
 Appropriately renumber the sections of the bill.

(SIGNED) SENATOR DAVID BISBEE

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 928 was ordered engrossed.

On motion of Senator Baker, the rules were suspended in considering **House Bill No. 2539** at this time.

On motion of Senator Baker, **House Bill No. 2539** was placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to HOUSE BILL NO. 2539

Amend **House Bill No. 2539** as engrossed, H4/1/05:

Page 2, line 5, delete "before" and substitute "after"

AND

If appropriate, renumber the remaining sections of the bill

(SIGNED) SENATOR GILBERT BAKER

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2539 was ordered engrossed.

On motion of Senator Wilkins, the rules were suspended in considering **Senate Bill No. 1180** at this time.

On motion of Senator Wilkins, **Senate Bill No. 1180** was withdrawn from the Committee on EDUCATION, and placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 1180

Amend **Senate Bill No. 1180** as originally introduced:

Page 1, delete line 5 and substitute:
"By: Senator Wilkins"

AND

Delete the title and substitute:
"AN ACT TO AMEND AND CLARIFY CERTAIN LAWS PERTAINING TO PUBLIC EDUCATION; TO PROVIDE A PROCEDURE FOR THE PROFESSIONAL NEGOTIATION BETWEEN PUBLIC SCHOOL EMPLOYEES AND SCHOOL DISTRICTS; AND FOR OTHER PURPOSES."

AND

Delete the subtitle in its entirety and substitute:
"THE PROFESSIONAL NEGOTIATION ACT FOR PUBLIC EDUCATION OF 2005."

AND

Delete everything following the enacting clause and substitute:
"SECTION 1. This act shall be known and may be cited as the "Professional Negotiation Act For Public Education of 2005".

SECTION 2. (a) The purpose of this act is to prescribe the rights and obligations of school boards and their employees and to establish procedures governing the relationships between them that are designed to meet the special requirements and needs of public education.

(b) School boards and their employees have an obligation to the public to exert full and continuing efforts to achieve the highest possible education standards in the institutions that they serve. This requires the establishment and maintenance of an educational climate and working environment that will attract and retain a highly qualified staff and stimulate optimum performance.

(c)(1) Experience has shown that school boards and their employees can best reach these objectives if each utilizes the ability, experience, and judgment of the other in formulating policies and making decisions that involve the terms and conditions of employee service and other matters of mutual concern.

(2) Such joint participation can be accomplished most effectively if the

employees have the right to the following activities to improve the terms and conditions of employee service and other matters of mutual concern:

(A) Form, join, and assist employee organizations; and

(B) Confer, consult, and negotiate with such school boards

through representatives of their own choosing.

(d) The General Assembly hereby declares that it is the policy of the State of Arkansas to recognize the rights of employees of school boards to:

(1) Form, join, and assist employee organizations;

(2) Confer, consult, and negotiate with school boards over the terms and conditions of employee service and other matters of mutual concern through representatives of their own choosing for the purpose of establishing, maintaining, protecting, and improving terms and conditions of employee service and other matters of mutual concern; and

(3) Establish procedures that will facilitate and encourage the amicable settlement of disputes.

SECTION 3. As used in this act:

(1) "School board" means:

(A) Any board authorized to direct the public educational system of any school district; or

(B) Any person or persons designated by the board to represent it in negotiations with an employee organization;

(2) "Employee" means any person employed by a school board, except the superintendent and assistant superintendent of schools;

(3) "Employees' organization" means one (1) or more organizations in which school employees participate and that exists for the purpose, in whole or in part, of conferring, discussing, and negotiating with school boards over the terms and conditions of school employee service and other matters of mutual concern;

(4) "Representative" means any employees' organization or person authorized or designated to act in its behalf;

(5) "Professional negotiation" means meeting, conferring, consulting, discussing, or negotiating in a good faith effort to reach an agreement with respect to the terms and conditions of employee service or other matters of mutual concern, and the execution, if requested by either party, of a written document incorporating any agreements reached;

(6) "Mediator" means a qualified impartial individual who assists with the resolution of disputes including any individual from the Federal Mediation and Conciliation Service or the American Arbitration Association; and

(7) "Fact-finder" means a qualified impartial individual who makes findings of fact with regard to a dispute including any individual from the Federal Mediation and Conciliation Service or the American Arbitration Association.

SECTION 4. (a)(1) There is established a commission to be known as the "School Employee Relations Commission".

(b)(1) The commission shall consist of three (3) members appointed by the Governor with the approval of the Senate.

(2) The members appointed in 2005 shall serve the following terms:

(A) One (1) member to serve for a term of one (1) year;

(B) One (1) member to serve for a term of three (3) years; and

(C) One (1) member to serve for a term of five (5) years.

(3) Subsequent appointments are for a term of five (5) years.

(c)(1) An appointed commission member shall be a resident of the State of Arkansas at the time of appointment and throughout his or her term.

(2) Members shall be eligible for reappointment.

(d)(1) If a vacancy occurs in an appointed position, for any reason, the vacancy shall be filled by appointment by the official that made the appointment.

(2) The new appointee shall serve for the remainder of the unexpired

term.

(e)(1) The Governor shall designate one (1) member to serve as chair of the commission.

(2) Any member of the Commission may be removed by the Governor, upon notice and hearing, solely for neglect of duty or malfeasance in office.

(f)(1) The commission shall meet at times and places the chairperson deems necessary. No meetings shall be held outside of the State of Arkansas.

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

(3) A vacancy in the Commission shall not impair the right of the remaining members to exercise all of the powers of the Commission.

(g) The commission may:

(1) Make, amend, and rescind rules and regulations as are necessary to carry out the provisions and purposes of this act;

(2) Prevent any person from engaging in conduct in violation of this act;

(3) Hold hearings;

(4) Subpoena witnesses;

(5) Administer oaths;

(6) Take the testimony or deposition of any person under oath;

(7) Issue subpoenas duces tecum to require the production and examination of any governmental or other books or papers relating to any matter pending before the commission; and

(8) Take other actions as may be necessary in the performance of its duties under this act.

(h) The Commission shall appoint an executive director and may employ other persons as may, from time to time, be necessary.

(i)(1) The Department of Education shall provide staff and office space to the commission.

(2)(A) Members of the commission shall serve without pay.

(B) Members of the commission may receive expense reimbursement in accordance with Arkansas Code § 25-16-902 to be paid by the Department of Education to the extent money is available.

SECTION 5. (a) School employees shall have the right to form, join, or assist employees' organizations, to participate in negotiation with school boards through representatives of their own choosing for the purpose of establishing, maintaining, protecting, or improving terms and conditions of employee service and other matters of mutual concern.

(b) Employees' organizations shall have:

(1)(A)(i) Access at reasonable times to areas in which employees work;

(ii) The right to use institutional bulletin boards, mail boxes, or other communication media, subject to reasonable regulation; and

(iii) The right to use institutional facilities at reasonable times for the purpose of meetings concerned with the exercise of the rights guaranteed by this act.

(B) However, if a representative of the school employee organization has been selected or designated under Section 6 of this act, a school board shall deny access and usage to any other employees' organization until such time as a lawful and timely challenge to the majority status of the representative is raised under Section 6 of this act; and

(2)(A) The right to have deducted from the salary of school employees, upon receipt of an appropriate authorization form that shall not be revocable for a period of more than one (1) year, the fees and dues required for membership in an employees' organization.

(B) However, if a representative has been selected or

designated under Section 6 of this act, a school board shall deny such deduction to any other employees' organization.

SECTION 6. (a)(1) The representative designated or selected for the purpose of professional negotiation by the majority of the school employees in an appropriate negotiating unit shall be the exclusive representative of all of the school employees in such unit for such purpose, and a school board shall not negotiate matters covered by this act with any other representative.

(2)(A) However, nothing contained herein shall be construed to prevent school employees, individually or as a group, from presenting grievances informally to a school board and from having such grievances adjusted without the intervention of the representative designated or selected by the majority of the school employees in the unit of which they are a part if:

(i) The representative is given an opportunity to be present at the adjustment to make the representative's views known; and

(ii) The adjustment is not inconsistent with the terms of an agreement between the school board and their representative that is currently in effect.

(B) However, the employees shall not be represented by an officer or agent of any employees' organization.

(b)(1) Any employees' organization may file a request with a school board alleging that a majority of the school employees in an appropriate negotiating unit wish to be represented for the purposes of professional negotiation by the organization and asking the school board to recognize it as the exclusive representative under subsection (a) of this section.

(2) Such a request shall describe the grouping of jobs or positions that constitute the unit claimed to be appropriate and shall include a demonstration of majority support through verified membership lists.

(3) Notice of the request to the appropriate negotiating unit shall immediately be posted by the school board on a bulletin board at each school or other facility in which members of the unit claimed to be appropriate are employed.

(4) The request for recognition shall be granted by the school board unless:

(A) The school board doubts in good faith the accuracy or validity of the evidence demonstrating majority support in an appropriate negotiating unit or as to the appropriateness of the claimed unit;

(B) Another employees' organization files with the school board a competing claim of majority support within ten (10) calendar days after the posting of notice of the original request and submits as evidence of its claim of majority support verified membership lists demonstrating support of at least thirty percent (30%) of the school employees in the appropriate negotiating unit;

(C) There is currently in effect a lawful written agreement negotiated by the school board and another employees' organization covering any school employees included in the unit described in the request for recognition; or

(D) The school board has, within the previous twelve (12) months, lawfully recognized another employees' organization as the exclusive representative of any school employees included in the unit described in the request for recognition.

(c) A petition may be filed with the School Employee Relations Commission, in accordance with such rules and regulations as the commission may prescribe for filing, asking the commission to investigate and decide the question of whether school employees have selected or designated an exclusive representative under subsection (a) of this section by:

(1) A school board alleging that it has received a request for exclusive recognition from an employees' organization and doubts in good faith the accuracy or validity of evidence demonstrating majority support in an appropriate unit or as to the appropriateness of the claimed unit;

(2) An employees' organization alleging that it has filed a request for recognition as exclusive representative with a school board and that such request has been denied or has not been acted upon within thirty (30) days after the filing of said request; or

(3) One (1) or more school employees or employees' organization asserting that the school employees in an appropriate unit no longer desire a particular employees' organization as their exclusive representative; provided, however, that such petition is supported by signed statements to that effect from at least thirty percent (30%) of the professional employees in the appropriate negotiating unit.

(d)(1) Upon receipt of such petition, the commission or its agents shall conduct inquiries and investigations or hold such hearings as it shall deem necessary in order to decide the questions raised by the petition.

(2) The commission's determination may be based upon the evidence adduced in such inquiries, investigations or hearings as the commission or its agent shall make or hold, or upon the results of a secret ballot election as the commission shall direct and conduct if deemed necessary; provided, however that the commission shall dismiss, without determining the questions raised therein, any petition filed pursuant to subsections, (c)(2) or (3) of this section if:

(A) The petition filed by an employees' organization is not supported by credible evidence in the form of verified membership lists that at least thirty percent (30%) of the school employees in the unit described therein are members in good standing of the organization seeking recognition;

(B) There is currently in effect a lawful written agreement negotiated by such school board and employees' organization other than the petitioner covering any school employees included in the unit described in the petition, unless the agreement has been in effect for more than three (3) years, or unless the request for recognition is filed less than sixty (60) days prior to the expiration date of the agreement or such greater number of days prior to the expiration date of the agreement as the commission may determine is reasonable because of the budget-making procedure of the school board; or

(C) The school board has, within the previous twelve (12) months, lawfully recognized an employees' organization other than the petitioner as the exclusive representative of any school employees included in the unit described in the petition.

(e) If the commission decides that it is necessary to direct and conduct a secret ballot election in order to resolve the questions raised by the petition, it shall order such election held, but in no event shall the name of any intervening employees' organization appear on the ballot unless the organization has submitted to the commission credible evidence in the form of verified membership lists demonstrating that at least thirty percent (30%) of the school employees in the appropriate unit are members in good standing of such organization.

(f) In each case where the appropriateness of the claimed unit is at issue, the commission shall decide the question on the basis of the community interest between and among the school employees of the school board, their wishes, and their established practices including, among others, the extent to which such employees have joined an employees' organization, whether the unit appropriate for the purposes of negotiation shall consist of all persons employed by the school board who are engaged in teaching or performing other duties of an educational nature or some subdivision thereof.

SECTION 7. (a)(1) Either a school board or the representative selected or designated under Section 6 of this act may declare that an impasse has been reached between the parties in negotiation over the terms and conditions of employee service and other matters of mutual concern and may request the School Employee Relations Commission to appoint a mediator for the purpose of assisting them in reconciling their differences and resolving the controversy on items that are

mutually acceptable.

(2) If the commission determines that impasse exists, it shall, in no event later than five (5) days after the receipt of a request, appoint a mediator in accordance with rules and procedures for such appointment prescribed by the commission.

(3) The commission may, on its own initiative, declare an impasse and appoint a mediator in any particular negotiation.

(4)(A) The mediator shall meet with the parties or their representatives, or both, either jointly or separately, and shall take such other steps as he or she may deem appropriate in order to persuade the parties to resolve their differences and effect a mutually acceptable agreement.

(B) However, the mediator shall not, without the consent of both parties, make findings of fact or recommend terms of settlement.

(b) The services of the mediator, including, if any, per diem expenses, and actual and necessary travel and subsistence expenses, shall be provided by the commission without cost to the parties. Nothing in this subsection shall be construed to prevent the parties from mutually agreeing upon their own mediation procedure and, in the event of such agreement, the commission shall not appoint its own mediator unless failure to do so would be inconsistent with the effectuation of the policies of this act.

(c)(1) If the mediator is unable to effect settlement of the controversy within fifteen (15) days after his appointment, either party may, by written notification to the other, request that their differences be submitted to fact-finding with recommendations.

(2) Within ten (10) days after receipt of the written request for fact-finding, the parties shall select a person to serve as fact-finder and obtain a commitment to serve.

(3) If they are unable to agree upon a fact-finder or to obtain such a commitment within ten (10) days, either party may request the commission to designate a fact-finder.

(4) The commission, shall, within five (5) days after receipt of such request, designate a fact-finder in accordance with rules and regulations prescribed by the commission.

(5) The fact-finder so designated shall not, without the consent of both parties, be the same person who was appointed mediator pursuant to subsection (a) of this section.

(d)(1)(A) The fact-finder shall, within ten (10) days after his appointment, meet with the parties or their representatives, or both, either jointly or separately, at which time each party shall submit a certified copy of the last and best offer that it has made to the other party.

(B) The fact-finder may make inquiries and investigations, hold hearings, and take such other steps as he may deem appropriate.

(C) For the purpose of such hearings, investigations, and inquiries, the fact-finder shall have the power to issue subpoenas requiring the attendance and testimony of witnesses and the production of evidence.

(2) The several departments, commissions, divisions, authorities, boards, bureaus, agencies, and officers of the State of Arkansas or any political subdivision thereof, shall furnish the fact-finder, upon his request, with all records, papers, and information in their possession relating to any matter under investigation by or in issue before the fact-finder.

(3)(A) If the dispute is not settled within thirty (30) days after his appointment, the fact-finder shall make findings of fact and recommend terms of settlement that shall consist of the final offer by either party which in the opinion of the fact-finder is the most fair and reasonable.

(B) Such recommendations by the fact-finder shall be binding on the school board and the employees' organization. A copy shall be submitted to the school board, the employees' organization, and the commission.

(C) When making his or her findings of fact and recommended terms of settlement, the fact-finder shall consider:

- (i) The interests and the welfare of the public;
- (ii) The interests and the welfare of the employees;
- (iii) The interests and the welfare of students;
- (iv) The finances of the district;
- (v) The cost of living;
- (vi) Comparisons with other employees in Arkansas and

the nation; and

(vii) Other factors normally taken into consideration in similar arbitration proceedings.

(e)(1) Contracts and any other agreements covering salaries of employees and other conditions of employment that were subjects of disputes and were submitted to fact-finding shall, for the next contract period, be based on and consistent with the recommendations of the fact-finder.

(2) Refusal by either party to enter into and to comply with contracts and agreements based on the fact-finders recommended terms of settlement shall be in violation of this act.

(f)(1) The costs for the services of the fact-finder, including per diem expense, if any, and actual and necessary travel and subsistence expenses, and any other mutually incurred costs, shall be borne equally by the school board and the employees' representative.

(2) Any individually incurred costs shall be borne by the party incurring them.

SECTION 8. (a) A school board and a representative selected or designated under Section 6 of this act who enter into an agreement covering terms and conditions of employee service and other matters of mutual concern may include in the agreement procedures for final and binding arbitration of such disputes as may arise involving the interpretation, or application of such agreement or of established policies or practices of the school board affecting terms and conditions of employee service and other matters of mutual concern.

(b) If the agreement does not include procedures of the type provided for in subsection (a) of this section, either party to the agreement may submit such disputes to final and binding arbitration pursuant to rules and procedures prescribed by the commission.

(c) Where a party to the agreement is aggrieved by the failure, neglect, or refusal of the other party to proceed to arbitration pursuant to the procedures provided therefore in the agreement pursuant to subsection (b) of this section, the aggrieved party may file a complaint in court for a summary action without jury seeking an order directing that the arbitration proceed pursuant to the procedures provided therefore in the agreement or pursuant to subsection (b) of this section.

(d) An award of an arbitrator under this section shall be final and binding upon the parties and may be enforced by the court unless the award of an arbitrator is deficient because:

- (1) The award was procured by corruption, fraud, or other misconduct;
- (2) The arbitrator was not impartial; or
- (3) The arbitrator exceeded his powers or so imperfectly executed them that a final and definite award upon the subject matter was not made.

SECTION 9. (a) It shall be unlawful for a school board to:

- (1)(A) Impose or threaten to impose reprisals on employees;
- (B) Discriminate or threaten to discriminate against employees;

or

(C) Otherwise interfere with, restrain, or coerce employees because of their exercise of rights guaranteed in this act;

- (2) Deny to employees' organizations the rights guaranteed to them by

this act; or

(3) Refuse or fail to negotiate in good faith with the representatives selected or designated pursuant to the provisions of Section 6 of this act if requested to do so.

(b) It shall be unlawful for:

(1)(A) An employee or an employees' organization to cause or attempt to cause a school board to engage in conduct in violation of Section 9(a) of this act.

(B) However, this subsection shall not impair the right of an employees' organization to prescribe its own rules with respect to the acquisition or retention of membership therein;

(2) A representative selected or designated under Section 6 of this act to refuse or fail to negotiate in good faith with a school board if requested to do so;
or

(3) Employees to strike.

SECTION 10. Except as otherwise expressly provided herein, this act shall not operate so as to annul, modify, or preclude the renewal or continuation of any lawful agreement previously entered into between a school board and an employees' organization covering terms and conditions of employee services and other matters of mutual concern."

(SIGNED) SENATOR HENRY 'HANK' WILKINS

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 1180 was ordered engrossed.

On motion of Senator J. Jeffress, the rules were suspended in considering **Senate Bill No. 187** at this time.

On motion of Senator J. Jeffress, **Senate Bill No. 187** was withdrawn from the Committee on EDUCATION, and placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 187

Amend **Senate Bill No. 187** as originally introduced:

Page 1, delete line 23 and substitute the following:

"each school year for its teachers who provide instruction in Arkansas history."

(SIGNED) SENATOR GENE JEFFRESS

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 187 was ordered engrossed.

On motion of Senator Whitaker, the Senate resolved itself into the Committee of the Whole for the purpose of proposed Senate rules.

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

WHITAKER - 7.02(2)

PROPOSED SENATE RULE CHANGE

To Amend Senate Rule 7.02(e) Regarding The Selection Of The Chairs And Vice-Chairs Of The Legislative Council And The Joint Auditing Committee

Senate Rule 7.02(e) is hereby amended to read as follows:
(Underline new language. Strikethrough deleted language.)

Legislative Council and Joint Auditing Committee

“(e) Prior to the convening of the 86th General Assembly, and all subsequent sessions thereafter, all members shall assemble for an organizational meeting and at that time the Senate shall select sixteen (16) members of the Senate to serve on the Legislative Council and the Joint Auditing Committee, with four (4) members to be chosen from each of the four (4) current congressional districts by caucus of the members of the Senate residing in the respective congressional districts. Each caucus shall at the time of selecting regular members of the Legislative Council and Joint Auditing Committee, also select a first alternate member and a second alternate member for each regular member. After the four congressional district caucuses have selected the sixteen (16) members to serve on the Legislative Council and the sixteen (16) members to serve on the Joint Auditing Committee, the members of the Legislative Council and the members of the Joint Auditing Committee shall separately meet and, from amongst the membership of each committee, select a Senate Chairman and Vice-Chairman for the Legislative Council and the Joint Auditing Committee. The terms of the Senate members and Senate alternate members of the Legislative Council and Joint Auditing Committee shall begin on January 1 of each odd numbered year and end on December 31 of each even numbered year. The terms of the Senate Chair and Senate Vice-Chair of the Legislative Council and the Joint Auditing Committee shall begin on the date elected to the position and end on the date their successors are chosen. If a vacancy occurs on Legislative Council or the Joint Auditing Committee, the vacant member’s position shall be filled by his or her first alternate. The second alternate shall then assume the first alternate position.”

~~At the beginning of each regular session of the Arkansas Senate, the Secretary of the Senate shall notify the members of the Joint Auditing Committee and the Legislative Council Committee that any member interested in running for the position of Chair or Vice-Chair of each respective committee must make their interest known to the Secretary of the Senate no later than the 40th day of the regular session.~~

~~Senators shall not be permitted to solicit support, or in any way campaign, for the position of Chair and Vice-Chair of the Joint Auditing Committee and the Legislative Council Committee until the 41st day of the regular session. Senators shall not be allowed to secure written pledges for these respective positions.~~

~~Election for the position of Chair and Vice-Chair of the Joint Auditing Committee and the Legislative Council Committee shall be conducted at the organizational meeting of each respective committee held during the session.~~

The President declared the morning hour to have expired.

Without objection, **Senate Bill No. 1024** was withdrawn by the author, Senate Madison.

On motion of Senator Madison, **Senate Bill No. 1020** was called up for third reading and final disposition.

SENATE BILL NO. 1020
As Engrossed: S3/21/05
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MADISON

A Bill for an Act to be Entitled: AN ACT TO ESTABLISH MINIMUM HABITABILITY STANDARDS FOR RESIDENTIAL RENTAL PROPERTY; AND FOR OTHER PURPOSES.

Senate Bill No. 1020 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 1020 was ordered immediately transmitted to the House as passed.

On motion of Senator Bisbee, **Senate Bill No. 343** was ordered re-referred to the Committee on JOINT BUDGET.

On motion of Senator Bisbee, **House Bill No. 1510** was ordered re-referred to the Committee on JOINT BUDGET.

On motion of Senator Smith, **Senate Bill No. 1077** was called up for third reading and final disposition.

SENATE BILL NO. 1077
As Engrossed: S3/16/05
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR T. SMITH

A Bill for an Act to be Entitled: AN ACT TO PROVIDE AN EXCEPTION TO REGISTRATION AS AN APPRAISER; AND FOR OTHER PURPOSES.

Senate Bill No. 1077 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35
Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **Senate Bill No. 1077**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35
Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 1077 was ordered immediately transmitted to the House.

On motion of Senator Baker, **Senate Bill No. 1068** was called up for third reading and final disposition.

SENATE BILL NO. 1068
As Engrossed: S3/23/05 S4/5/05
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR BAKER

A Bill for an Act to be Entitled: AN ACT CONCERNING THE SUSPENSION OF A DRIVER'S *LICENSE FOR FAILURE TO PAY COURT FINES*; AND FOR OTHER PURPOSES.

Senate Bill No. 1068 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 1068 was ordered immediately transmitted to the House as passed.

On motion of Senator Holt, **Senate Bill No. 993** was called up for third reading and final disposition.

SENATE BILL NO. 993
As Engrossed: S3/10/05 S3/31/05
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS HOLT, BAKER, ALTES, & J. JEFFRESS
BY: REPRESENTATIVE WILLS

A Bill for an Act to be Entitled: AN ACT TO LEVY ADDITIONAL PENALTIES FOR VIOLATIONS OF THE RULES OF THE ROAD THAT INVOLVE THE FAILURE TO YIELD TO THE RIGHT-OF-WAY; AND FOR OTHER PURPOSES.

Senate Bill No. 993 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35

Necessary to the passage of the bill 18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 993 was ordered immediately transmitted to the House as passed.

On motion of Senator Lavery, **Senate Bill No. 1193** was called up for third reading and final disposition.

SENATE BILL NO. 1193
As Engrossed: S3/15/05 S3/30/05 S4/5/05
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR LAVERTY

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS LAWS PERTAINING TO THE GENERAL ASSEMBLY CONCERNING ADDITIONAL COMPENSATION FOR COMMITTEE CHAIRS, COCHAIRS, AND VICE-CHAIRS; AND FOR OTHER PURPOSES.

Senate Bill No. 1193 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Holt.

Total1

VOTING PRESENT:

Total0

Total number of votes cast34

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 1193 was ordered immediately transmitted to the House as passed.

On motion of Senator Bryles, the Senate resolved itself into the Committee of the Whole for the purpose of **House Bill No. 2558**.

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

On motion of Senator Bryles, **House Bill No. 2558** was called up for third reading and final disposition.

HOUSE BILL NO. 2558
As Engrossed: H3/31/05
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE SAUNDERS

A Bill for an Act to be Entitled: *AN ACT CONCERNING THE PAYMENT OF EDUCATIONAL COSTS OF JUVENILES PLACED IN TREATMENT FACILITIES; AND FOR OTHER PURPOSES.*

House Bill No. 2558 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast	35
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 2558**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

Total	35
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NEGATIVE:

Total	0
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ABSENT OR NOT VOTING:

Total	0
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VOTING PRESENT:

Total	0
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Total number of votes cast	35
Necessary to the adoption of the Emergency Clause	24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2558 was ordered immediately returned to the House as passed.

On motion of Senator Johnson, **Senate Bill No. 1138** was called up for third reading and final disposition.

SENATE BILL NO. 1138
As Engrossed: S4/1/05 S4/5/05
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR B. JOHNSON
BY: REPRESENTATIVE D. EVANS

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

Senate Bill No. 1138 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the passage of the bill 18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 1138 was ordered immediately transmitted to the House as passed.

On motion of Senator Higginbothom, **House Bill No. 2480** was called up for third reading and final disposition.

HOUSE BILL NO. 2480

Engrossed: H3/16/05

EIGHTY-FIFTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES HARDWICK, MATHIS, ABERNATHY, ADCOCK, ANDERSON, BERRY, BLAIR, BOLIN, BOND, BORHAUER, BRIGHT, BURRIS, CHILDERS, COOPER, COWLING, D. CREEKMORE, DAVENPORT, DAVIS, DICKINSON, DOBBINS, DUNN, EDWARDS, D. EVANS, L. EVANS, EVERETT, FITE, FLOWERS, GEORGE, GLIDEWELL, R. GREEN, HARRELSON, HARRIS, J. HUTCHINSON, T. HUTCHINSON, JEFFREY, D. JOHNSON, J. JOHNSON, KENNEY, KEY, KIDD, LAMOUREUX, MACK, MAHONY, J. MARTIN, M. MARTIN, MATAYO, MAXWELL, MCDANIEL, MEDLEY, NORTON, ORMOND, OVERBEY, PACE, PETRUS, S. PRATER, PRITCHARD, PYLE, RAGLAND, RAINEY, REEP, ROEBUCK, ROGERS, ROSENBAUM, SAMPLE, SAUNDERS, SCROGGIN, L. SMITH, SULLIVAN, SUMPTER, THOMASON, THOMPSON, VERKAMP, WALTERS, WELLS, WILLS, & WOOD

BY: SENATORS HIGGINBOTHOM, ALTES, BISBEE, J. BOOKOUT, CAPPS, GLOVER, HENDREN, HORN, G. JEFFRESS, B. JOHNSON, T. SMITH, J. TAYLOR, TRUSTY, & WOOLDRIDGE

A Bill for an Act to be Entitled: AN ACT TO PROVIDE FOR A SALES AND USE TAX EXEMPTION FOR QUALIFIED MUSEUMS; AND FOR OTHER PURPOSES.

House Bill No. 2480 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2480 was ordered immediately returned to the House as passed.

On motion of Senator Steele, **House Bill No. 1694** was called up for third reading and final disposition.

HOUSE BILL NO. 1694
As Engrossed: H3/4/05 S4/1/05
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE D. JOHNSON

A Bill for an Act to be Entitled: AN ACT TO PERMIT THE TEMPORARY USE OF ABANDONED VEHICLES BY *MUNICIPALITIES AND COUNTIES*; AND FOR OTHER PURPOSES.

House Bill No. 1694 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1694 was ordered immediately returned to the House as passed as amended.

On motion of Senator Luker, **House Bill No. 1989** was called up for third reading and final disposition.

HOUSE BILL NO. 1989
As Engrossed: S3/31/05
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE CHILDERS

A Bill for an Act to be Entitled: AN ACT TO ESTABLISH THE LEGISLATIVE TASK FORCE ON DISTRICT COURTS; AND FOR OTHER PURPOSES.

House Bill No. 1989 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1989 was ordered immediately returned to the House as passed as amended.

On motion of Senator Salmon, **House Bill No. 2862** was called up for third reading and final disposition.

**HOUSE BILL NO. 2862
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE WILLS**

A Bill for an Act to be Entitled: AN ACT TO CLASSIFY ATTEMPTED CAPITAL MURDER AS A CLASS Y FELONY; AND FOR OTHER PURPOSES.

House Bill No. 2862 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2862 was ordered immediately returned to the House as passed.

On motion of Senator Salmon, **House Bill No. 2526** was called up for third reading and final disposition.

**HOUSE BILL NO. 2526
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE J. MARTIN**

A Bill for an Act to be Entitled: AN ACT TO PROVIDE PENALTIES FOR INTERFERENCE WITH CUSTODY WHILE A CUSTODIAN AND MINOR ARE BEING HOUSED AT AN ABUSE SHELTER; AND FOR OTHER PURPOSES.

House Bill No. 2526 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2526 was ordered immediately returned to the House as passed.

On motion of Senator Wooldridge, House Bill No. 2759 was called up for third reading and final disposition.

HOUSE BILL NO. 2759
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE VERKAMP

A Bill for an Act to be Entitled: AN ACT TO PROVIDE FOR THE DISBURSEMENT OF FUNDS FROM THE SALE OF TAX DELINQUENT LANDS; AND FOR OTHER PURPOSES.

House Bill No. 2759 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Holt.

Total1

VOTING PRESENT:

Total0

Total number of votes cast34

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 2759**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Holt.

Total1

VOTING PRESENT:

Total0

Total number of votes cast.....34

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2759 was ordered immediately returned to the House as passed.

On motion of Senator Wilkinson, **House Bill No. 2786** was called up for third reading and final disposition.

HOUSE BILL NO. 2786
As Engrossed: S4/1/05
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE WILLS

A Bill for an Act to be Entitled: AN ACT TO AMEND LICENSURE REQUIREMENTS FOR PRIVATE INVESTIGATORS AND PRIVATE SECURITY AGENCIES; TO IMPOSE A CRIMINAL BACKGROUND CHECK REQUIREMENT FOR INITIAL AND RENEWAL LICENSURE; AND FOR OTHER PURPOSES.

House Bill No. 2786 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2786 was ordered immediately returned to the House as passed as amended.

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

HOUSE BILL NO. 2844
As Engrossed: S4/1/05
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE DOBBINS

A Bill for an Act to be Entitled: AN ACT TO CREATE THE ARKANSAS TECHNOLOGY INFRASTRUCTURE FUND; AND FOR OTHER PURPOSES.

House Bill No. 2844 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

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

On motion of Senator Madison, **House Bill No. 1569** was called up for third reading and final disposition.

HOUSE BILL NO. 1569

As Engrossed: H3/11/05 H3/23/05

EIGHTY-FIFTH GENERAL ASSEMBLY

REGULAR SESSION

**BY: REPRESENTATIVES L. SMITH, BLAIR, ELLIOTT, CHESTERFIELD, BLOUNT,
W. LEWELLEN, DAVIS, & T. HUTCHINSON**

BY: SENATOR MADISON

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE TITLE 16, CHAPTER 63 TO ADD AN ADDITIONAL SUBCHAPTER 5 TO PROTECT THE RIGHTS OF THE CITIZENS OF THE STATE OF ARKANSAS TO PARTICIPATE IN GOVERNMENT ACTIONS AND DECISIONS; AND FOR OTHER PURPOSES.

House Bill No. 1569 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

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

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1569 was ordered immediately returned to the House as passed.

On motion of Senator Bryles, House Bill No. 2496 was called up for third reading and final disposition.

HOUSE BILL NO. 2496
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE D. EVANS

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE § 6-20-402 TO ALLOW FOR THE PAYMENT OF COSTS OF ISSUANCE IN CONNECTION WITH THE ISSUANCE OF POSTDATED WARRANTS, INSTALLMENT CONTRACTS, AND LEASE PURCHASE AGREEMENTS; AND FOR OTHER PURPOSES.

House Bill No. 2496 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 2496**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2496 was ordered immediately returned to the House as passed.

On motion of Senator Glover, **House Bill No. 2850** was called up for third reading and final disposition.

**HOUSE BILL NO. 2850
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE PACE**

A Bill for an Act to be Entitled: AN ACT TO REQUIRE ALL NEW EMPLOYEES OF THE STATE OF ARKANSAS TO BE PAID BY ELECTRONIC DIRECT DEPOSIT; AND FOR OTHER PURPOSES.

House Bill No. 2850 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2850 was ordered immediately returned to the House as passed.

On motion of Senator Faris, **House Bill No. 2812** was called up for third reading and final disposition.

**HOUSE BILL NO. 2812
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION**

BY: REPRESENTATIVES FLOWERS, DAVIS, J. JOHNSON, & WILLIS

A Bill for an Act to be Entitled: AN ACT TO AMEND THE LAW REGARDING ASSISTANCE FOR INDIGENT PERSONS; TO ENSURE APPROPRIATE TREATMENT OF PROVIDERS; AND FOR OTHER PURPOSES.

House Bill No. 2812 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2812 was ordered immediately returned to the House as passed.

On motion of Senator Womack, **House Bill No. 2802** was called up for third reading and final disposition.

**HOUSE BILL NO. 2802
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE LAMOUREUX**

A Bill for an Act to be Entitled: AN ACT TO EXEMPT FORECLOSURE OF REAL PROPERTY FROM THE REGULATION OF COLLECTION AGENCIES; AND FOR OTHER PURPOSES.

House Bill No. 2802 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2802 was ordered immediately returned to the House as passed.

On motion of Senator Womack, **House Bill No. 2804** was called up for third reading and final disposition.

**HOUSE BILL NO. 2804
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE LAMOUREUX**

A Bill for an Act to be Entitled: AN ACT CONCERNING LIABILITY OF ATTORNEYS AT LAW FOR CIVIL DAMAGES; AND FOR OTHER PURPOSES.

House Bill No. 2804 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2804 was ordered immediately returned to the House as passed.

On motion of Senator Womack, **House Bill No. 2806** was called up for third reading and final disposition.

**HOUSE BILL NO. 2806
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE LAMOUREUX**

A Bill for an Act to be Entitled: AN ACT CONCERNING DEEDS OF ADMINISTRATORS, EXECUTORS, GUARDIANS, COMMISSIONERS, AND SHERIFFS; AND FOR OTHER PURPOSES.

House Bill No. 2806 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2806 was ordered immediately returned to the House as passed.

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

**HOUSE BILL NO. 2704
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE THOMASON**

A Bill for an Act to be Entitled: AN ACT CONCERNING DRIVING PRIVILEGES OF JUVENILES ADJUDICATED DELINQUENT; AND FOR OTHER PURPOSES.

House Bill No. 2704 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

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

On motion of Senator Broadway, **House Bill No. 2645** was called up for third reading and final disposition.

**HOUSE BILL NO. 2645
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE ELLIOTT**

A Bill for an Act to be Entitled: AN ACT TO PROVIDE FOR AN INTERIM STUDY BY THE HOUSE INTERIM COMMITTEE ON EDUCATION AND THE SENATE INTERIM COMMITTEE ON EDUCATION CONCERNING EDUCATION SERVICE COOPERATIVES.

House Bill No. 2645 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the passage of the bill 18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2645 was ordered immediately returned to the House as passed.

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

On motion of Senator Hendren, **House Bill No. 2693** was called up for third reading and final disposition.

HOUSE BILL NO. 2693
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE T. HUTCHINSON

A Bill for an Act to be Entitled: AN ACT TO REQUIRE THE ALCOHOLIC BEVERAGE CONTROL DIVISION TO CONSIDER LACK OF DIVERSITY IN OWNERSHIP AND FINANCIAL INTEREST IN THE APPLICABLE GEOGRAPHIC AREA; AND FOR OTHER PURPOSES.

House Bill No. 2693 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Baker, Hendren, Hill, Taylor, Whitaker.

Total5

NEGATIVE: Altes, Bookout, Bryles, Capps, Glover, Holt, Horn, G. Jeffress, J. Jeffress, Lavery, Malone, Miller, T. Smith, Steele, Wilkins, Wooldridge.

Total16

ABSENT OR NOT VOTING: Bisbee, Broadway, Brown, Critcher, Faris, Higginbotham, B. Johnson, Luker, Madison, Salmon, Trusty, Wilkinson, Womack, Mr. President.

Total14

VOTING PRESENT:

Total0

Total number of votes cast21

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

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

The record pertaining to the vote by which **House Bill No. 2693** failed was expunged, in accordance with a prevailing motion on April 6, 2005.

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

**HOUSE BILL NO. 2833
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE PATE**

A Bill for an Act to be Entitled: AN ACT TO ALLOW THE DRIVERS OF MOTORCYCLES TO PROCEED THROUGH AN INTERSECTION CONTROLLED BY A TRAFFIC-CONTROL DEVICE ONLY IF THE TRAFFIC-CONTROL DEVICE USES A VEHICLE SENSOR THAT FAILS TO DETECT THE MOTORCYCLE BECAUSE OF ITS SIZE OR WEIGHT; AND FOR OTHER PURPOSES.

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

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

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

Total29

NEGATIVE: Hendren, G. Jeffress, Luker, Madison, Mr. President.

Total5

ABSENT OR NOT VOTING: Malone.

Total1

VOTING PRESENT:

Total0

Total number of votes cast.....34

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

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

Senator Hendren moved that the record pertaining to the vote by which **House Bill No. 2693** failed be expunged, the motion was duly seconded and prevailed.

On motion of Senator Madison, **House Bill No. 2680** was called up for third reading and final disposition.

HOUSE BILL NO. 2680

As Engrossed: H3/17/05 H3/24/05

EIGHTY-FIFTH GENERAL ASSEMBLY

REGULAR SESSION

**BY: REPRESENTATIVES L. SMITH, ADCOCK, BLAIR, BORHAUER, BRADFORD, ELLIOTT, J. JOHNSON, MAHONY, PICKETT, D. CREEKMORE, & KEY
BY: SENATORS MADISON, ARGUE, BROADWAY, HORN, & SALMON**

A Bill for an Act to be Entitled: AN ACT TO AMEND DATING RELATIONSHIPS AND DOMESTIC ABUSE LAWS; AND FOR OTHER PURPOSES.

House Bill No. 2680 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2680 was ordered immediately returned to the House as passed.

On motion of Senator Laverty, **House Bill No. 2528** was called up for third reading and final disposition.

HOUSE BILL NO. 2528

As Engrossed: H3/22/05

EIGHTY-FIFTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES NORTON, JACKSON, RAGLAND, & CLEMONS

BY: SENATOR LAVERTY

A Bill for an Act to be Entitled: AN ACT TO REQUIRE THAT PERSONNEL OF ARKANSAS SOIL AND WATER CONSERVATION COMMISSION GIVE SEVENTY-TWO-HOUR NOTICE BEFORE ENTERING PRIVATE PROPERTY; AND FOR OTHER PURPOSES.

House Bill No. 2528 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2528 was ordered immediately returned to the House as passed.

House Bill No. 1525 Returned from the as requested.

Senator Wilkins moved that the record pertaining to the vote by which House Bill No. 1525 passed be expunged, the motion was duly seconded and prevailed.

STATE OF ARKANSAS
OFFICE OF THE GOVERNOR

STATE CAPITOL
LITTLE ROCK, ARKANSAS

MIKE HUCKABEE
Governor

April 6, 2005

TO THE PRESIDENT OF THE SENATE

Dear Mr. President:

This is to inform your Honorable Body that on April 5, 2005, I approved the following measure:

Senate Concurrent Resolution No. 7
Senate Concurrent Memorial Resolution No. 9
Senate Bill No. 74, which is now Act 1698 of 2005,
Senate Bill No. 233, which is now Act 1699 of 2005,
Senate Bill No. 353, which is now Act 1700 of 2005,
Senate Bill No. 354, which is now Act 1701 of 2005,
Senate Bill No. 360, which is now Act 1702 of 2005,
Senate Bill No. 361, which is now Act 1703 of 2005,
Senate Bill No. 362, which is now Act 1704 of 2005,
Senate Bill No. 363, which is now Act 1705 of 2005,
Senate Bill No. 366, which is now Act 1706 of 2005,
Senate Bill No. 380, which is now Act 1707 of 2005,
Senate Bill No. 392, which is now Act 1708 of 2005,
Senate Bill No. 404, which is now Act 1709 of 2005,
Senate Bill No. 405, which is now Act 1710 of 2005,
Senate Bill No. 479, which is now Act 1711 of 2005,
Senate Bill No. 480, which is now Act 1712 of 2005,
Senate Bill No. 489, which is now Act 1713 of 2005,
Senate Bill No. 573, which is now Act 1714 of 2005,
Senate Bill No. 606, which is now Act 1715 of 2005,
Senate Bill No. 607, which is now Act 1716 of 2005,
Senate Bill No. 608, which is now Act 1717 of 2005,
Senate Bill No. 609, which is now Act 1718 of 2005,

Senate Bill No. 644, which is now Act 1719 of 2005,
Senate Bill No. 646, which is now Act 1720 of 2005,
Senate Bill No. 723, which is now Act 1721 of 2005,
Senate Bill No. 724, which is now Act 1722 of 2005,
Senate Bill No. 725, which is now Act 1723 of 2005,
Senate Bill No. 726, which is now Act 1724 of 2005,
Senate Bill No. 727, which is now Act 1725 of 2005,
Senate Bill No. 728, which is now Act 1726 of 2005,
Senate Bill No. 729, which is now Act 1727 of 2005,
Senate Bill No. 730, which is now Act 1728 of 2005,
Senate Bill No. 732, which is now Act 1729 of 2005,
Senate Bill No. 733, which is now Act 1730 of 2005,
Senate Bill No. 756, which is now Act 1731 of 2005,
Senate Bill No. 757, which is now Act 1732 of 2005,
Senate Bill No. 873, which is now Act 1733 of 2005,
Senate Bill No. 878, which is now Act 1734 of 2005,
Senate Bill No. 880, which is now Act 1735 of 2005,
Senate Bill No. 647, which is now Act 1736 of 2005,
Senate Bill No. 649, which is now Act 1737 of 2005,
Senate Bill No. 650, which is now Act 1738 of 2005,
Senate Bill No. 651, which is now Act 1739 of 2005,
Senate Bill No. 653, which is now Act 1740 of 2005,
Senate Bill No. 719, which is now Act 1741 of 2005,
Senate Bill No. 720, which is now Act 1742 of 2005,
Senate Bill No. 721, which is now Act 1743 of 2005,
Senate Bill No. 722, which is now Act 1744 of 2005,
Senate Bill No. 896, which is now Act 1745 of 2005,
Senate Bill No. 897, which is now Act 1746 of 2005,
Senate Bill No. 898, which is now Act 1747 of 2005,
Senate Bill No. 899, which is now Act 1748 of 2005,
Senate Bill No. 900, which is now Act 1749 of 2005,
Senate Bill No. 901, which is now Act 1750 of 2005,
Senate Bill No. 902, which is now Act 1751 of 2005,
Senate Bill No. 903, which is now Act 1752 of 2005,
Senate Bill No. 904, which is now Act 1753 of 2005,
Senate Bill No. 893, which is now Act 1754 of 2005,
Senate Bill No. 905, which is now Act 1755 of 2005,
Senate Bill No. 906, which is now Act 1756 of 2005,
Senate Bill No. 907, which is now Act 1757 of 2005,
Senate Bill No. 908, which is now Act 1758 of 2005,
Senate Bill No. 969, which is now Act 1759 of 2005,
Senate Bill No. 982, which is now Act 1760 of 2005,
Senate Bill No. 1031, which is now Act 1761 of 2005,
Senate Bill No. 1083, which is now Act 1762 of 2005,
Senate Bill No. 1091, which is now Act 1763 of 2005,

Sincerely,

(SIGNED) MIKE HUCKABEE
Governor

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

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

On motion of Senator Bisbee, the rules were suspended in considering **House Bill No. 1042** at this time.

On motion of Senator Bisbee, **House Bill No. 1042** was called up for third reading and final disposition.

**HOUSE BILL NO. 1042
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE**

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE CONTRACTORS LICENSING BOARD FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2007; AND FOR OTHER PURPOSES.

House Bill No. 1042 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the passage of the bill27

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to House Bill No. 1042, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1042 was ordered immediately returned to the House as passed.

On motion of Senator Bisbee, the rules were suspended in considering **House Bill No. 1059** at this time.

On motion of Senator Bisbee, **House Bill No. 1059** was called up for third reading and final disposition.

**HOUSE BILL NO. 1059
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE**

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR OPERATING EXPENSES FOR THE ARKANSAS CEMETERY BOARD FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2007; AND FOR OTHER PURPOSES.

House Bill No. 1059 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35

Necessary to the passage of the bill27

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 1059**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1059 was ordered immediately returned to the House as passed.

On motion of Senator Bisbee, the rules were suspended in considering **House Bill No. 1085** at this time.

On motion of Senator Bisbee, **House Bill No. 1085** was called up for third reading and final disposition.

**HOUSE BILL NO. 1085
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE**

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE BOARD OF EXAMINERS IN SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2007; AND FOR OTHER PURPOSES.

House Bill No. 1085 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the passage of the bill27

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 1085**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1085 was ordered immediately returned to the House as passed.

On motion of Senator Bisbee, the rules were suspended in considering **House Bill No. 1094** at this time.

On motion of Senator Bisbee, **House Bill No. 1094** was called up for third reading and final disposition.

**HOUSE BILL NO. 1094
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE**

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS WATERWAYS COMMISSION FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2007; AND FOR OTHER PURPOSES.

House Bill No. 1094 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the passage of the bill27

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 1094**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1094 was ordered immediately returned to the House as passed.

On motion of Senator Bisbee, the rules were suspended in considering **House Bill No. 1120** at this time.

On motion of Senator Bisbee, **House Bill No. 1120** was called up for third reading and final disposition.

**HOUSE BILL NO. 1120
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE**

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE WAR MEMORIAL STADIUM COMMISSION FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2007; AND FOR OTHER PURPOSES.

House Bill No. 1120 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the passage of the bill27

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 1120**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1120 was ordered immediately returned to the House as passed.

On motion of Senator Bisbee, the rules were suspended in considering **House Bill No. 1125** at this time.

On motion of Senator Bisbee, **House Bill No. 1125** was called up for third reading and final disposition.

**HOUSE BILL NO. 1125
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE**

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS VETERANS' CHILD WELFARE SERVICE OFFICE FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2007; AND FOR OTHER PURPOSES.

House Bill No. 1125 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the passage of the bill27

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 1125**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1125 was ordered immediately returned to the House as passed.

On motion of Senator Bisbee, the rules were suspended in considering **House Bill No. 1157** at this time.

On motion of Senator Bisbee, **House Bill No. 1157** was called up for third reading and final disposition.

**HOUSE BILL NO. 1157
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE**

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE STATE FORESTRY COMMISSION FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2007; AND FOR OTHER PURPOSES.

House Bill No. 11157 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the passage of the bill27

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 1157**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1157 was ordered immediately returned to the House as passed.

On motion of Senator Bisbee, the rules were suspended in considering **House Bill No. 1168** at this time.

On motion of Senator Bisbee, **House Bill No. 1168** was called up for third reading and final disposition.

**HOUSE BILL NO. 1168
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE**

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS SPINAL CORD COMMISSION FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2007; AND FOR OTHER PURPOSES.

House Bill No. 1168 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the passage of the bill27

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 1168**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1168 was ordered immediately returned to the House as passed.

On motion of Senator Bisbee, the rules were suspended in considering **House Bill No. 1380** at this time.

On motion of Senator Bisbee, **House Bill No. 1380** was called up for third reading and final disposition.

**HOUSE BILL NO. 1380
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE**

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE DEPARTMENT OF FINANCE AND ADMINISTRATION - OFFICE OF CHILD SUPPORT ENFORCEMENT FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2007; AND FOR OTHER PURPOSES.

House Bill No. 1380 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the passage of the bill27

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 1380**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1380 was ordered immediately returned to the House as passed.

On motion of Senator Bisbee, the rules were suspended in considering **House Bill No. 1977** at this time.

On motion of Senator Bisbee, **House Bill No. 1977** was called up for third reading and final disposition.

**HOUSE BILL NO. 1977
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE**

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR NATIONAL GUARD ARMORY MAINTENANCE FOR THE STATE MILITARY DEPARTMENT; AND FOR OTHER PURPOSES.

House Bill No. 1977 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35

Necessary to the passage of the bill27

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 1977**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1977 was ordered immediately returned to the House as passed.

On motion of Senator Bisbee, the rules were suspended in considering **House Bill No. 1978** at this time.

On motion of Senator Bisbee, **Senate Bill No. 1978** was called up for third reading and final disposition.

**SENATE BILL NO. 1978
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE**

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR EMERGENCY OPERATIONS CENTER CONSTRUCTION AND AWIN LOCAL IMPLEMENTATION FOR THE ARKANSAS DEPARTMENT OF EMERGENCY MANAGEMENT; AND FOR OTHER PURPOSES.

Senate Bill No. 1978 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the passage of the bill27

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 1978**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1978 was ordered immediately returned to the House as passed.

On motion of Senator Bisbee, the rules were suspended in considering **House Bill No. 2092** at this time.

On motion of Senator Bisbee, **House Bill No. 2092** was called up for third reading and final disposition.

**HOUSE BILL NO. 2092
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE**

A Bill for an Act to be Entitled: AN ACT TO REVISE THE CLASSIFICATION OF STATE EMPLOYEE POSITIONS COVERED BY THE UNIFORM CLASSIFICATION AND COMPENSATION ACT; AND FOR OTHER PURPOSES.

House Bill No. 2092 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35

Necessary to the passage of the bill27

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 2092**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2092 was ordered immediately returned to the House as passed.

On motion of Senator Bisbee, the rules were suspended in considering **Senate Bill No. 604** at this time.

On motion of Senator Bisbee, **Senate Bill No. 604** was called up for third reading and final disposition.

SENATE BILL NO. 604
As Engrossed: S4/5/05
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR SALMON

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PROSTHETIC AND ORTHOTIC SERVICES FOR THE DEPARTMENT OF HUMAN SERVICES - DIVISION OF MEDICAL SERVICES FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2007; AND FOR OTHER PURPOSES.

Senate Bill No. 604 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the passage of the bill27

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **Senate Bill No. 604**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 604 was ordered immediately transmitted to the House.

On motion of Senator Bisbee, the rules were suspended in considering **House Bill No. 1783** at this time.

On motion of Senator Bisbee, **House Bill No. 1783** was called up for third reading and final disposition.

HOUSE BILL NO. 1783
As Engrossed: H3/17/05 H3/25/05 H4/4/05
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE BORHAUER

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR SCHOOL NURSES FOR THE DEPARTMENT OF EDUCATION FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2007; AND FOR OTHER PURPOSES.

House Bill No. 1783 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the passage of the bill27

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 1783**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1783 was ordered immediately returned to the House as passed.

On motion of Senator Bisbee, the rules were suspended in considering **House Bill No. 1866** at this time.

On motion of Senator Bisbee, **House Bill No. 1866** was called up for third reading and final disposition.

**HOUSE BILL NO. 1866
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION**

**BY: REPRESENTATIVES COOK, DANGEAU, ELLIOTT, MAHONY, SAUNDERS, &
STOVALL**

BY: SENATORS ARGUE, BROADWAY, SALMON, & WHITAKER

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES FOR THE DEPARTMENT OF EDUCATION WHICH SHALL BE SUPPLEMENTAL AND IN ADDITION TO THOSE FUNDS APPROPRIATED BY ACT 1608 OF 2003, AND TO AMEND ACT 1608 OF 2003; AND FOR OTHER PURPOSES.

House Bill No. 1866 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35

Necessary to the passage of the bill27

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 1866**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1866 was ordered immediately returned to the House as passed.

On motion of Senator Bisbee, the rules were suspended in considering **House Bill No. 2016** at this time.

On motion of Senator Bisbee, **House Bill No. 2016** was called up for third reading and final disposition.

**HOUSE BILL NO. 2016
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES REEP, HARDY, & MALOCH**

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE SAU-TECH - ENVIRONMENTAL CONTROL CENTER - STATEWIDE SOLID WASTE PROGRAM FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2007; AND FOR OTHER PURPOSES.

House Bill No. 2016 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the passage of the bill27

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 2016**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2016 was ordered immediately returned to the House as passed.

On motion of Senator Bisbee, the rules were suspended in considering **House Bill No. 2043** at this time.

On motion of Senator Bisbee, **House Bill No. 2043** was called up for third reading and final disposition.

**HOUSE BILL NO. 2043
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE LEDBETTER**

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF EDUCATION - ARKANSAS STATE LIBRARY FOR PUBLIC LIBRARY GRANTS; AND FOR OTHER PURPOSES.

House Bill No. 2043 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35

Necessary to the passage of the bill27

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 2043**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2043 was ordered immediately returned to the House as passed.

On motion of Senator Bisbee, the rules were suspended in considering **House Bill No. 2161** at this time.

On motion of Senator Bisbee, **House Bill No. 2161** was called up for third reading and final disposition.

**HOUSE BILL NO. 2161
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES BRIGHT & ROEBUCK**

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION - DISBURSING OFFICER FOR SUPPORT OF THE ARKANSAS CHILDREN'S HOSPITAL DENTAL UNIT EQUIPMENT; AND FOR OTHER PURPOSES.

House Bill No. 2161 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the passage of the bill27

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 2161**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2161 was ordered immediately returned to the House as passed.

On motion of Senator Bisbee, the rules were suspended in considering **House Bill No. 2172** at this time.

On motion of Senator Bisbee, **House Bill No. 2172** was called up for third reading and final disposition.

HOUSE BILL NO. 2172
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE BRIGHT, ET AL

A Bill for an Act to be Entitled: AN ACT TO MAKE AN AP0PROPRIATION TO THE UNIVERSITY OF ARKANSAS FOR MEDICAL SCIENCES FOR VARIOUS PROGRAMS; AND FOR OTHER PURPOSES.

House Bill No. 2172 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the passage of the bill27

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to House Bill No. 2172, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2172 was ordered immediately returned to the House as passed as amended.

On motion of Senator Bisbee, the rules were suspended in considering House Bill No. 2178 at this time.

On motion of Senator Bisbee, House Bill No. 2178 was called up for third reading and final disposition.

HOUSE BILL NO. 2178
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE T. HUTCHINSON

A Bill for an Act to be Entitled: AN ACT TO CLARIFY THE PURPOSES OF THE APPROPRIATION ENACTED BY ACT 983 OF THE REGULAR SESSION OF 2003 AND ACT 46 OF THE FIRST EXTRAORDINARY SESSION OF 2003.

House Bill No. 2178 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the passage of the bill27

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to House Bill No. 2178, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2178 was ordered immediately returned to the House as passed.

On motion of Senator Bisbee, the rules were suspended in considering House Bill No. 2186 at this time.

On motion of Senator Bisbee, House Bill No. 2186 was called up for third reading and final disposition.

HOUSE BILL NO. 2186
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE BRIGHT

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE SOUTHERN ARKANSAS UNIVERSITY FOR THE PURCHASE OF SCIENCE EQUIPMENT; AND FOR OTHER PURPOSES.

House Bill No. 2186 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, Baker, Bisbee, Bookout, Broadway, Brown, Bryles, Capps, Critcher, Faris, Glover, Hendren, Higginbothom, Hill, Holt, Horn, G. Jeffress, J. Jeffress, B. Johnson, Laverty, Luker, Madison, Malone, Miller, Salmon, T. Smith,

Steele, Taylor, Trusty, Whitaker, Wilkins, Wilkinson, Womack, Wooldridge, Mr. President.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
Necessary to the passage of the bill	27

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 2186**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
Necessary to the adoption of the Emergency Clause	24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2186 was ordered immediately returned to the House as passed.

On motion of Senator Bisbee, the rules were suspended in considering House Bill No. 2195 at this time.

On motion of Senator Bisbee, House Bill No. 2195 was called up for third reading and final disposition.

HOUSE BILL NO. 2195
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE LEDBETTER

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE OFFICIAL COURT REPORTERS OF THE CIRCUIT COURTS WHICH SHALL BE SUPPLEMENTAL AND IN ADDITION TO THOSE FUNDS APPROPRIATED BY ACT 117 OF 2003; AND FOR OTHER PURPOSES.

House Bill No. 2195 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the passage of the bill27

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 2195**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2195 was ordered immediately returned to the House as passed.

On motion of Senator Bisbee, the rules were suspended in considering **House Bill No. 2210** at this time.

On motion of Senator Bisbee, **House Bill No. 2210** was called up for third reading and final disposition.

**HOUSE BILL NO. 2210
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE S. PRATER**

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR THE DEPARTMENT OF HEALTH FOR EXPENSES OF THE ARKANSAS COMMISSION ON EYE AND VISION CARE OF SCHOOL AGE CHILDREN FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2007; AND FOR OTHER PURPOSES.

House Bill No. 2210 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

	Total	35
NEGATIVE:		
	Total	0
ABSENT OR NOT VOTING:		
	Total	0
VOTING PRESENT:		
	Total	0
	Total number of votes cast	35
	Necessary to the passage of the bill	27

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 2210**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2210 was ordered immediately returned to the House as passed.

On motion of Senator Bisbee, the rules were suspended in considering **House Bill No. 2296** at this time.

On motion of Senator Bisbee, **House Bill No. 2296** was called up for third reading and final disposition.

HOUSE BILL NO. 2296
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE MCDANIEL

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR THE ARKANSAS RX PROGRAM FOR THE DEPARTMENT OF HUMAN SERVICES - DIVISION OF MEDICAL SERVICES FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2007; AND FOR OTHER PURPOSES.

House Bill No. 2296 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
Necessary to the passage of the bill	27

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to House Bill No. 2296, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2296 was ordered immediately returned to the House as passed.

On motion of Senator Bisbee, the rules were suspended in considering House Bill No. 2323 at this time.

On motion of Senator Bisbee, House Bill No. 2323 was called up for third reading and final disposition.

HOUSE BILL NO. 2323
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE ELLIOTT

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE UNIVERSITY OF ARKANSAS FOR MEDICAL SCIENCES FOR A COLORECTAL SCREENING PROGRAM AT THE UAMS CANCER CONTROL AND RESEARCH DEPARTMENT; AND FOR OTHER PURPOSES.

House Bill No. 2323 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35

Necessary to the passage of the bill27

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to House Bill No. 2323, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2323 was ordered immediately returned to the House as passed.

On motion of Senator Bisbee, the rules were suspended in considering House Bill No. 2371 at this time.

On motion of Senator Bisbee, House Bill No. 2371 was called up for third reading and final disposition.

HOUSE BILL NO. 2371

EIGHTY-FIFTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES THOMASON, ADAMS, ADCOCK, JEFFREY, MACK, NICHOLS, RANKIN, & SCROGGIN

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR OPERATING EXPENSES OF THE STATE CRIME LABORATORY FOR THE REDUCTION OF BACKLOG IN TOXICOLOGY CASES WHICH SHALL BE SUPPLEMENTAL AND IN ADDITION TO THOSE FUNDS APPROPRIATED BY ACT 459 OF 2003; AND FOR OTHER PURPOSES.

House Bill No. 2371 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35

Necessary to the passage of the bill27

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 2371**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35
Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2371 was ordered immediately returned to the House as passed.

On motion of Senator Bisbee, the rules were suspended in considering House Bill No. 2385 at this time.

On motion of Senator Bisbee, House Bill No. 2385 was called up for third reading and final disposition.

HOUSE BILL NO. 2385
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE DOBBINS

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION - DISBURSING OFFICER FOR STATE SUPPORT FOR THE DICK GETER PARK IN PULASKI COUNTY; AND FOR OTHER PURPOSES.

House Bill No. 2385 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35

Necessary to the passage of the bill27

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 2385**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2385 was ordered immediately returned to the House as passed.

On motion of Senator Bisbee, the rules were suspended in considering **House Bill No. 2394** at this time.

On motion of Senator Bisbee, **House Bill No. 2394** was called up for third reading and final disposition.

**HOUSE BILL NO. 2394
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE RAINEY**

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF EDUCATION FOR CONSOLIDATED SCHOOL DEBT RELIEF; AND FOR OTHER PURPOSES.

House Bill No. 2394 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35

Necessary to the passage of the bill27

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 2394**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2394 was ordered immediately returned to the House as passed.

On motion of Senator Bisbee, the rules were suspended in considering **Senate Bill No. 502** at this time.

On motion of Senator Bisbee, **Senate Bill No. 502** was placed back on second reading for purpose of Amendment No. 3.

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 3 to SENATE BILL NO. 502

Amend **Senate Bill No. 502** as originally introduced:

Page 5, line 22, delete "cash funds as defined by Arkansas Code 19-4-801" and substitute

"the Parks and Tourism Outdoor Recreation Grants Fund"

(SIGNED) SENATOR BISBEE

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 502 was ordered engrossed.

HOUSE BILL NO. 1144
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE ORMOND

A Bill for an Act to be Entitled: AN ACT TO AMEND THE NOTICE PROCEDURES IN IRRIGATION, DRAINAGE, AND WATERSHED IMPROVEMENT DISTRICT STATUTES; AND FOR OTHER PURPOSES.

House Bill No. 1144 was read the first time, rules suspended, read the second time and referred to the Committee on AGRICULTURE. ECONOMIC AND INDUSTRIAL DEVELOPMENT .

HOUSE BILL NO. 1152
As Engrossed: H3/31/05
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE SULLIVAN

A Bill for an Act to be Entitled: *AN ACT TO PROVIDE THAT THE JOINT INTERIM COMMITTEE ON PUBLIC RETIREMENT AND SOCIAL SECURITY PROGRAMS PERFORM AN INTERIM STUDY ON CERTAIN ISSUES CONCERNING THE ARKANSAS FIRE AND POLICE PENSION REVIEW BOARD AND ARKANSAS LOCAL POLICE AND FIRE RETIREMENT SYSTEM; AND FOR OTHER PURPOSES.*

House Bill No. 1152 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1211
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES HARRIS & SULLIVAN
BY: SENATOR J. JEFFRESS

A Bill for an Act to be Entitled: AN ACT TO INCREASE THE MINIMUM MONTHLY BENEFIT PAYABLE TO THE SURVIVING SPOUSE AND CHILDREN OF A VOLUNTEER OR PART-PAID FIREFIGHTER UNDER THE LOCAL PENSION AND RELIEF FUNDS; AND FOR OTHER PURPOSES.

House Bill No. 1211 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1621
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE LEDBETTER

A Bill for an Act to be Entitled: AN ACT TO INCREASE THE FEE ON BAIL BONDS FOR THE USE OF THE ARKANSAS PUBLIC DEFENDER COMMISSION; AND FOR OTHER PURPOSES.

House Bill No. 1621 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

HOUSE BILL NO. 1982
As Engrossed: H4/5/05
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE MAHONY

A Bill for an Act to be Entitled: *AN ACT TO CREATE THE TEACHER OPPORTUNITY PROGRAM AND THE DUAL CERTIFICATION INCENTIVE PROGRAM TO PROVIDE SCHOLARSHIPS TO TEACHERS RETURNING TO COLLEGE TO RECEIVE AN ADDITIONAL CERTIFICATION; AND FOR OTHER PURPOSES.*

House Bill No. 1982 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

HOUSE BILL NO. 2438
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES COOK & MAHONY

A Bill for an Act to be Entitled: AN ACT TO REQUIRE THE STATE BOARD OF EDUCATION TO PRESCRIBE UNIFORM COLLEGE LEVEL PREPARATORY AND GRADE POINT AVERAGE REQUIREMENTS FOR ALL PERSONS APPLYING FOR INITIAL TEACHER LICENSURE OR RELICENSURE AFTER JULY 1, 2006; TO REPEAL THE PROFESSIONAL EDUCATION, DEVELOPMENT, LICENSURE, AND ASSESSMENT BOARD; TO CREATE THE PROFESSIONAL LICENSURE STANDARDS BOARD; AND FOR OTHER PURPOSES.

House Bill No. 2438 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

HOUSE BILL NO. 2508
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES MAHONY & ELLIOTT
BY: SENATORS BROADWAY & BISBEE

A Bill for an Act to be Entitled: ARKANSAS PUBLIC SCHOOL ACADEMIC FACILITIES FUNDING ACT.

House Bill No. 2508 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

HOUSE BILL NO. 2595
As Engrossed: H3/25/05
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE MAHONY
BY: SENATOR BROADWAY

A Bill for an Act to be Entitled: *AN ACT TO PROVIDE FOR ELECTRONIC ACCESS TO CRIMINAL HISTORY BACKGROUND CHECKS FOR CERTAIN STUDENTS AND PROSPECTIVE STUDENTS AT INSTITUTIONS OF HIGHER EDUCATION; AND FOR OTHER PURPOSES.*

House Bill No. 2595 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

HOUSE BILL NO. 2654
 EIGHTY-FIFTH GENERAL ASSEMBLY
 REGULAR SESSION
 BY: REPRESENTATIVE ELLIOTT

A Bill for an Act to be Entitled: AN ACT TO CLARIFY REQUIREMENTS FOR REPAYING INCENTIVE BONUSES PAID IN HIGH-PRIORITY SCHOOL DISTRICTS; AND FOR OTHER PURPOSES.

House Bill No. 2654 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

HOUSE BILL NO. 2657
As Engrossed: H3/30/05
 EIGHTY-FIFTH GENERAL ASSEMBLY
 REGULAR SESSION

BY: REPRESENTATIVES PETRUS, BOLIN, DICKINSON, RANKIN, THYER, ABERNATHY, ADAMS, ANDERSON, BLOUNT, BOYD, CLEMONS, COOPER, DAVIS, DUNN, L. EVANS, EVERETT, FLOWERS, GEORGE, HARDWICK, KENNEY, KEY, MALOCH, J. MARTIN, MAXWELL, MCDANIEL, NICHOLS, NORTON, OVERBEY, S. PRATER, SAMPLE, SCROGGIN, SULLIVAN, THOMPSON, WILLS, WOOD, & WYATT

BY: SENATORS HIGGINBOTHOM, BRYLES, GLOVER, J. JEFFRESS, LAVERTY, LUKER, MALONE, MILLER, SALMON, T. SMITH, TRUSTY, WHITAKER, & WOOLDRIDGE

A Bill for an Act to be Entitled: AN ACT TO PROVIDE A TAX *REFUND* FOR THE SALE OF BIODIESEL MIXTURE; AND FOR OTHER PURPOSES.

House Bill No. 2657 was read the first time, rules suspended, read the second time and referred to the Committee on REVENUE AND TAXATION.

HOUSE BILL NO. 2670
As Engrossed: H3/17/05 H3/29/05
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES LEDBETTER & RANKIN

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE § 19-11-217 TO REQUIRE THE DEVELOPMENT OF A VEHICLE PURCHASING PLAN TO REDUCE FUEL CONSUMPTION; AND FOR OTHER PURPOSES.

House Bill No. 2670 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 2727
As Engrossed: H3/15/05
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES BRADFORD & BORHAUER

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE § 20-22-708 TO PROHIBIT THE POSSESSION, SALE, OR USE OF BOTTLE ROCKETS; AND FOR OTHER PURPOSES.

House Bill No. 2727 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

HOUSE BILL NO. 2756

As Engrossed: H3/31/05

EIGHTY-FIFTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE J. JOHNSON

A Bill for an Act to be Entitled: *AN ACT TO ESTABLISH THE SURVEY AGENCY TO CONDUCT ALL RESTRAINT AND SECLUSION SURVEYS FOR THE ARKANSAS INDIGENT MEDICAL CARE PROGRAM IN PSYCHIATRIC RESIDENTIAL TREATMENT FACILITIES IN COMPLIANCE WITH § 9-28-407(a)(3); TO MAKE TECHNICAL CORRECTIONS TO THE CHILD WELFARE AGENCY LICENSING ACT; TO AUTHORIZE TRANSFERS OF CHILD WELFARE AGENCY LICENSES; AND FOR OTHER PURPOSES.*

House Bill No. 2756 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

HOUSE BILL NO. 2779

As Engrossed: H4/1/05

EIGHTY-FIFTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES HARRIS & ELLIOTT

A Bill for an Act to be Entitled: *AN ACT TO REQUIRE PRIVATE EMPLOYERS TO PROVIDE AN UNPAID LEAVE OF ABSENCE FOR EMPLOYEES DURING TESTING FOR, DONATION OF, AND RECOVERY FROM ORGAN DONATION; TO PROVIDE AN INCOME TAX CREDIT FOR EMPLOYERS ELECTING TO PAY THE WAGES OF THE EMPLOYEE ON ORGAN DONATION LEAVE; AND FOR OTHER PURPOSES.*

House Bill No. 2779 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

HOUSE BILL NO. 2793
As Engrossed: H3/25/05
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE MEDLEY
BY: SENATOR J. JEFFRESS

A Bill for an Act to be Entitled: AN ACT TO ENSURE THAT THE TEACHER DAILY PLANNING PERIOD OCCURS DURING THE STUDENT INSTRUCTIONAL DAY; AND FOR OTHER PURPOSES.

House Bill No. 2793 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

HOUSE BILL NO. 2842
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE DOBBINS

A Bill for an Act to be Entitled: AN ACT TO CREATE THE ARKANSAS RICE STRAW TAX CREDIT PROGRAM; AND FOR OTHER PURPOSES.

House Bill No. 2842 was read the first time, rules suspended, read the second time and referred to the Committee on REVENUE AND TAXATION.

HOUSE BILL NO. 2857
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE VERKAMP

A Bill for an Act to be Entitled: AN ACT CONCERNING THE STATUTE OF LIMITATION FOR PROSECUTIONS BASED ON DEOXYRIBONUCLEIC ACID AND OTHER SCIENTIFIC EVIDENCE, POST-CONVICTION APPEALS BASED ON DEOXYRIBONUCLEIC ACID AND OTHER SCIENTIFIC EVIDENCE, TESTING AND POST-TESTING PROCEDURES FOR DEOXYRIBONUCLEIC ACID EVIDENCE, TIME LIMITATIONS AND REPORTING PROCEDURES RELATING TO THE TESTING OF DEOXYRIBONUCLEIC ACID EVIDENCE; AND FOR OTHER PURPOSES.

House Bill No. 2857 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

HOUSE BILL NO. 2867
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE GOSS

A Bill for an Act to be Entitled: AN ACT TO PROHIBIT THE STATE MEDICAID PROGRAM FROM REQUIRING BENEFICIARIES TO FAIL FIRST ON ANY DRUG ON THE PREFERRED DRUG LIST BEFORE PROVIDING PRIOR AUTHORIZATION TO TREAT ASTHMA ATTACKS OR OTHER RESPIRATORY FAILURE; AND FOR OTHER PURPOSES.

House Bill No. 2867 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

HOUSE BILL NO. 2916
As Engrossed: H3/11/05
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE PICKETT

A Bill for an Act to be Entitled: AN ACT TO AMEND THE REPORTING REQUIREMENTS FOR INTERSCHOOL ATHLETIC PROGRAMS; AND FOR OTHER PURPOSES.

House Bill No. 2916 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

HOUSE BILL NO. 2918
As Engrossed: H3/31/05
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES MALOCH & NORTON

A Bill for an Act to be Entitled: *AN ACT CONCERNING THE RIGHT TO FARM; AND FOR OTHER PURPOSES.*

House Bill No. 2918 was read the first time, rules suspended, read the second time and referred to the Committee on AGRICULTURE, ECONOMIC AND INDUSTRIAL DEVELOPMENT.

HOUSE BILL NO. 2933

As Engrossed: H4/4/05

EIGHTY-FIFTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES MACK & BRADFORD

BY: SENATOR HILL

A Bill for an Act to be Entitled: AN ACT TO AMEND THE UNIFORM SYSTEM OF REAL PROPERTY ASSESSMENT; AND FOR OTHER PURPOSES.

House Bill No. 2933 was read the first time, rules suspended, read the second time and referred to the Committee on REVENUE AND TAXATION.

HOUSE BILL NO. 2970

As Engrossed: H4/1/05

EIGHTY-FIFTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES NORTON, DUNN, & BOLIN

BY: SENATOR LAVERTY

A Bill for an Act to be Entitled: AN ACT TO REQUIRE DISCLOSURE OF CERTAIN *PHARMACEUTICAL MARKETING PRACTICES; TO EXEMPT DISTRIBUTOR WAREHOUSES FROM ACT 256 OF 2005; AND FOR OTHER PURPOSES.*

House Bill No. 2970 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

HOUSE BILL NO. 1162
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE STATE DEPARTMENT FOR SOCIAL SECURITY ADMINISTRATION DISABILITY DETERMINATION FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2007; AND FOR OTHER PURPOSES.

House Bill No. 1162 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1219
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE DEPARTMENT OF EDUCATION - ARKANSAS STATE LIBRARY FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2007; AND FOR OTHER PURPOSES.

House Bill No. 1219 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1319
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE STATE PLANT BOARD FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2007; AND FOR OTHER PURPOSES.

House Bill No. 1319 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1983
As Engrossed: H3/29/05
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE MAHONY

A Bill for an Act to be Entitled: AN ACT TO AMEND THE ACADEMIC CHALLENGE SCHOLARSHIP PROGRAM TO DEFER THE END-OF-COURSE ASSESSMENT REQUIREMENTS; TO INCORPORATE THE REQUIREMENTS OF SMART CORE IN THE ACADEMIC CHALLENGE SCHOLARSHIP PROGRAM; TO ESTABLISH REPORTING REQUIREMENTS FOR END-OF-COURSE ASSESSMENTS; AND FOR OTHER PURPOSES.

House Bill No. 1983 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

HOUSE BILL NO. 2824
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE MAHONY

A Bill for an Act to be Entitled: AN ACT PERTAINING TO PUBLIC SCHOOL ASSESSMENTS AND REMEDIATION; AND FOR OTHER PURPOSES.

House Bill No. 2824 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

Senate Bill No. 584 was returned from the House as passed and ordered enrolled.

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

April 6 2005

Mr. President:

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

SENATE BILL NO. 1123, BY SENATOR STEELE,

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

Respectfully submitted,
(SIGNED) SENATORS FARIS, CHAIRMAN,
BAKER, WILKINS, ARGUE

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

April 6, 2005

Mr. President:

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

HOUSE BILL NO. 2823, BY REPRESENTATIVE MAHONY,

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

Respectfully submitted,
(SIGNED) SENATORS FARIS, CHAIRMAN,
BAKER, WILKINS, ARGUE

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

SENATE BILL NO. 218
SENATE BILL NO. 473
SENATE BILL NO. 611
SENATE BILL NO. 612
SENATE BILL NO. 613
SENATE BILL NO. 614
SENATE BILL NO. 615
SENATE BILL NO. 616
SENATE BILL NO. 617
SENATE BILL NO. 618
SENATE BILL NO. 619
SENATE BILL NO. 620
SENATE BILL NO. 693
SENATE BILL NO. 694
SENATE BILL NO. 695
SENATE BILL NO. 696

SENATE BILL NO. 697
SENATE BILL NO. 698
SENATE BILL NO. 781
SENATE BILL NO. 911
SENATE BILL NO. 912
SENATE BILL NO. 913
SENATE BILL NO. 914
SENATE BILL NO. 915
SENATE BILL NO. 916

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

April 6, 2005

Mr. President:

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

SENATE BILL NO. 69, BY SENATOR J. JEFFRESS,
SENATE BILL NO. 148, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 261, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 928, BY JOINT BUDGET COMMITTEE,

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

Respectfully submitted,
(SIGNED) JOHN PAUL CAPPES, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

April 6, 2005

Mr. President:

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

SENATE BILL NO. 78, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 199, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 457, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 874, BY JOINT BUDGET COMMITTEE,

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

Respectfully submitted,
(SIGNED) JOHN PAUL CAPPS, CHAIRMAN

On motion of Senator Bisbee, **Senate Bill No. 78** was ordered re-referred to the Committee on JOINT BUDGET.

On motion of Senator Bisbee, **Senate Bill No. 199** was ordered re-referred to the Committee on JOINT BUDGET

On motion of Senator Bisbee, **Senate Bill No. 457** was ordered re-referred to the Committee on JOINT BUDGET

On motion of Senator Bisbee, **Senate Bill No. 874** was ordered re-referred to the Committee on JOINT BUDGET

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

April 6, 2005

Mr. President:

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

SENATE BILL NO. 187, BY G. JEFFRESS,

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

Respectfully submitted,
(SIGNED) JOHN PAUL CAPPS, CHAIRMAN

On motion of Senator G. Jeffress, **Senate Bill No. 187** was ordered re-referred to the Committee on EDUCATION.

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

April 6, 2005

Mr. President:

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

SENATE BILL NO. 1085, BY SENATOR HORN,

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

Respectfully submitted,
(SIGNED) JOHN PAUL CAPPS, CHAIRMAN

On motion of Senator Horn, **Senate Bill No. 1085** was ordered re-referred to the Committee on INSURANCE AND COMMERCE.

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

April 6, 2005

Mr. President:

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

HOUSE BILL NO. 2539, BY REPRESENTATIVE MATAYO,
HOUSE BILL NO. 2618, BY REPRESENTATIVE L. SMITH,
HOUSE BILL NO. 2636, BY REPRESENTATIVE HARRELSON,
HOUSE BILL NO. 2681, BY REPRESENTATIVE JACKSON,

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

Respectfully submitted,
(SIGNED) JOHN PAUL CAPPS, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

April 6, 2005

Mr. President:

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

SENATE BILL NO. 502, BY SENATOR BISBEE,
SENATE BILL NO. 503, BY JOINT BUDGET COMMITTEE,

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

Respectfully submitted,
(SIGNED) JOHN PAUL CAPPS, CHAIRMAN

On motion of Senator Bisbee, **Senate Bill No. 502** was ordered re-referred to the Committee on JOINT BUDGET.

On motion of Senator Bisbee, **Senate Bill No. 503** was ordered re-referred to the Committee on JOINT BUDGET.

SENATE RESOLUTION NO. 19
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR WILKINS

SENATE RESOLUTION TO PROMOTE AMERICAN PATRIOTISM AND THE REMEMBRANCE OF AMERICAN HEROES WITH A TRANSPORTABLE AMERICAN MONUMENT KNOWN AS THE PATRIOT'S DAY FLAG.

Senate Resolution No. 19 was read the first time, rules suspended, read the second time and placed on the Calendar.

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

April 6, 2005

Mr. President:

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

HOUSE BILL NO. 1621, BY REPRESENTATIVE LEDBETTER,

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

Respectfully submitted,
(SIGNED) SENATORS WILKINSON, CHAIRMAN,
LUKER, MADISON, HENDREN, SALMON

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

April 6, 2005

Mr. President:

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

SENATE BILL NO. 187, BY SENATOR G. JEFFRESS ,

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

Respectfully submitted,
(SIGNED) SENATORS ARGUE, CHAIRMAN, WILKINS,
J JEFFRESS, BRYLES, G. JEFFRESS

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

April 6, 2005

Mr. President:

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

HOUSE BILL NO. 2793, BY REPRESENTATIVE MEDLEY,

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

Respectfully submitted,
(SIGNED) SENATORS ARGUE, CHAIRMAN, J. JEFFRESS,
BROADWAY, BRYLES, WILKINS

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

April 6, 2005

Mr. President:

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

SENATE BILL NO. 1180, BY SENATOR J. JEFFRESS,

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

Respectfully submitted,
(SIGNED) JOHN PAUL CAPPS, CHAIRMAN

On motion of Senator Wilkins, and without objection, **Senate Bill 1180** was referred to the interim by Interim Committee on EDUCATION.

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

April 6, 2005

Mr. President:

We, your Committee on JOINT RETIREMENT AND SOCIAL SECURITY, to whom was referred:

SENATE BILL NO. 155, BY SENATOR HILL,

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

Respectfully submitted,
(SIGNED) SENATOR J. JEFFRESS, CO-CHAIRMAN

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

April 6, 2005

Mr. President:

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

SENATE BILL NO. 1090, BY SENATOR ARGUE,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that it do pass, as Amended (#MMC258) No. 2.

Respectfully submitted,
(SIGNED) SENATOR WOOLDRIDGE, CHAIRMAN

Senate Bill No. 263 was returned from the House as passed as amended.

Senate Bill No. 286 was returned from the House as passed as amended.

On motion of Senator Baker, Senate Bill No. 286 was ordered re-referred to the Committee on REVENUE AND TAXATION.

Senate Bill No. 447 was returned from the House as passed as amended.

On motion of Senator Smith, Senate Bill No. 447 was ordered re-referred to the Committee on CITY, COUNTY AND LOCAL AFFAIRS.

Senate Bill No. 926 was returned from the House as passed as amended.

On motion of Senator Madison, Senate Bill No. 926 was ordered re-referred to the Committee on JUDICIARY.

Senate Bill No. 936 was returned from the House as passed as amended.

On motion of Senator Wooldridge, Senate Bill No. 936 was ordered re-referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

Senate Bill No. 1027 was returned from the House as passed as amended.

On motion of Senator G. Jeffress, Senate Bill No. 1027 was ordered re-referred to the Committee on TECHNOLOGY AND LEGISLATIVE AFFAIRS.

Senate Bill No. 1177 was returned from the House as passed as amended.

On motion of Senator Altes, Senate Bill No. 1177 was ordered re-referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

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SENATE BILLS TRANSMITTED TO THE HOUSE
AS PASSED

SENATE BILL NO. 604
SENATE BILL NO. 993
SENATE BILL NO. 1020
SENATE BILL NO. 1068
SENATE BILL NO. 1077
SENATE BILL NO. 1138
SENATE BILL NO. 1193

HOUSE BILLS RETURNED TO THE HOUSE
AS PASSED

HOUSE BILL NO. 1042
HOUSE BILL NO. 1059
HOUSE BILL NO. 1085
HOUSE BILL NO. 1094
HOUSE BILL NO. 1120
HOUSE BILL NO. 1125
HOUSE BILL NO. 1157
HOUSE BILL NO. 1168
HOUSE BILL NO. 1380
HOUSE BILL NO. 1569
HOUSE BILL NO. 1783
HOUSE BILL NO. 1866
HOUSE BILL NO. 1977
HOUSE BILL NO. 1978
HOUSE BILL NO. 2016
HOUSE BILL NO. 2043
HOUSE BILL NO. 2092
HOUSE BILL NO. 2161

HOUSE BILL NO. 2178
HOUSE BILL NO. 2186
HOUSE BILL NO. 2195
HOUSE BILL NO. 2210
HOUSE BILL NO. 2296
HOUSE BILL NO. 2323
HOUSE BILL NO. 2371
HOUSE BILL NO. 2385
HOUSE BILL NO. 2394
HOUSE BILL NO. 2480
HOUSE BILL NO. 2496
HOUSE BILL NO. 2526
HOUSE BILL NO. 2528
HOUSE BILL NO. 2558
HOUSE BILL NO. 2645
HOUSE BILL NO. 2680
HOUSE BILL NO. 2704
HOUSE BILL NO. 2759
HOUSE BILL NO. 2802
HOUSE BILL NO. 2804
HOUSE BILL NO. 2806
HOUSE BILL NO. 2812
HOUSE BILL NO. 2833
HOUSE BILL NO. 2850
HOUSE BILL NO. 2862

HOUSE BILLS RETURNED TO THE HOUSE
AS PASSED AS AMENDED

HOUSE BILL NO. 1694, AS AMENDED NO. 1
HOUSE BILL NO. 1989, AS AMENDED NO. 1
HOUSE BILL NO. 2172, AS AMENDED NO. 1
HOUSE BILL NO. 2786, AS AMENDED NO. 1
HOUSE BILL NO. 2844, AS AMENDED NO. 1

SENATE BILLS RETURNED FROM THE HOUSEAS PASSED

SENATE BILL NO. 218
SENATE BILL NO. 473
SENATE BILL NO. 584
SENATE BILL NO. 611
SENATE BILL NO. 612
SENATE BILL NO. 613
SENATE BILL NO. 614
SENATE BILL NO. 615
SENATE BILL NO. 616
SENATE BILL NO. 617
SENATE BILL NO. 618
SENATE BILL NO. 619
SENATE BILL NO. 620
SENATE BILL NO. 693
SENATE BILL NO. 694
SENATE BILL NO. 695
SENATE BILL NO. 696
SENATE BILL NO. 697
SENATE BILL NO. 698
SENATE BILL NO. 781
SENATE BILL NO. 911
SENATE BILL NO. 912
SENATE BILL NO. 913
SENATE BILL NO. 914
SENATE BILL NO. 915
SENATE BILL NO. 916

SENATE BILLS RETURNED FROM THE HOUSE
AS PASSED AS AMENDED

SENATE BILL NO. 263, AS AMENDED NO. 1
SENATE BILL NO. 286, AS AMENDED NO. 11
SENATE BILL NO. 447, AS AMENDED NOS. 1,2,3,4,
SENATE BILL NO. 926, AS AMENDED NO. 1
SENATE BILL NO. 936, AS AMENDED NO. 1
SENATE BILL NO. 1027, AS AMENDED NO. 1
SENATE BILL NO. 1177, AS AMENDED NOS. 1,2

HOUSE BILLS TRANSMITTED TO THE SENATE
AS PASSED

HOUSE BILL NO. 1144
HOUSE BILL NO. 1152
HOUSE BILL NO. 1162
HOUSE BILL NO. 1211
HOUSE BILL NO. 1219
HOUSE BILL NO. 1319
HOUSE BILL NO. 1621
HOUSE BILL NO. 1982
HOUSE BILL NO. 1983
HOUSE BILL NO. 2438
HOUSE BILL NO. 2508
HOUSE BILL NO. 2595
HOUSE BILL NO. 2654
HOUSE BILL NO. 2657
HOUSE BILL NO. 2670
HOUSE BILL NO. 2727
HOUSE BILL NO. 2756
HOUSE BILL NO. 2779
HOUSE BILL NO. 2793
HOUSE BILL NO. 2824
HOUSE BILL NO. 2842
HOUSE BILL NO. 2857

HOUSE BILL NO. 2867
HOUSE BILL NO. 2916
HOUSE BILL NO. 2918
HOUSE BILL NO. 2933
HOUSE BILL NO. 2970

HOUSE BILLS RETURNED TO THE SENATE
AS REQUESTED

HOUSE BILL NO. 1525

On motion of Senator Hill, the Senate adjourned until 1:00 p.m., Thursday, April 7, 2005.

PRESIDENT OF THE SENATE

SECRETARY OF THE SENATE

