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

Little Rock, Arkansas

April 8, 2005

The Senate was called to order at 10:20 o'clock a.m. by the President.

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

ALTES, ARGUE, BAKER, BISBEE, BOOKOUT,
BROADWAY, BROWN, BRYLES, CAPPS, CRITCHER,
FARIS, GLOVER, 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 Chaplin Jack Ryan of the VA Medical Center.

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.

SENATE MEMORIAL RESOLUTION NO. 5
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR ARGUE

SENATE MEMORIAL RESOLUTION IN RESPECTFUL MEMORY OF POPE JOHN PAUL II AND IN RECOGNITION OF HIS MANY CONTRIBUTIONS TO THE ROMAN CATHOLIC CHURCH AND HIS HISTORIC PAPACY.

Senate Memorial Resolution No. 5 was read the first time, rules suspended, read the second time and placed on the Calendar.

On motion of Senator Argue, the rules were suspended in considering **Senate Memorial Resolution No. 5** at this time.

On motion of Senator Argue, **Senate Memorial Resolution No. 5** was called up for third reading and final disposition.

SENATE MEMORIAL RESOLUTION NO. 5
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR ARGUE

SENATE MEMORIAL RESOLUTION IN RESPECTFUL MEMORY OF POPE JOHN PAUL II AND IN RECOGNITION OF HIS MANY CONTRIBUTIONS TO THE ROMAN CATHOLIC CHURCH AND HIS HISTORIC PAPACY.

Senate Memorial Resolution No. 5 was read the third time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

On motion of Senator Wilkins, the Senate resolved itself into the Committee of the Whole for the purpose of **Senate Resolution No. 19**.

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

On motion of Senator Wilkins, **Senate Resolution No. 19** was called up for third reading and final disposition.

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 third time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

On motion of Senator Womack, **House Concurrent Memorial Resolution No. 1002** was called up for third reading and final disposition.

HOUSE CONCURRENT MEMORIAL RESOLUTION NO. 1002
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE KEY
BY: SENATORS WOMACK & WHITAKER

HOUSE CONCURRENT MEMORIAL RESOLUTION IN RESPECTFUL MEMORY OF NANCY LUELF AND IN RECOGNITION OF HER CONTRIBUTIONS TO THE STATE OF ARKANSAS AND HER LOCAL COMMUNITY.

House Concurrent Memorial Resolution No. 1002 was read the third time and concurred in by the Senate.

(SIGNED) ANN CORNWELL, SECRETARY

House Concurrent Memorial Resolution No. 1002 was ordered immediately returned to the House as concurred in.

On motion of Senator Womack, [Senate Bill No. 1097](#) 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. 1097](#)

Amend [Senate Bill No. 1097](#) as originally introduced:

Delete the Title and substitute the following:

“AN ACT TO ESTABLISH THE MODEL SCHOOL WELLNESS PROGRAM WITHIN THE DEPARTMENT OF HEALTH; AND FOR OTHER PURPOSES.”

AND

Delete the subtitle in its entirety and substitute:
 "AN ACT TO ESTABLISH THE MODEL SCHOOL WELLNESS PROGRAM WITHIN THE DEPARTMENT OF HEALTH."

AND

Delete everything after the enacting clause and substitute the following:

“SECTION 1. Model School Wellness Program.

(a)(1)(A) The Department of Health shall establish a "Model School Wellness Program".

(B) Any moneys appropriated by the General Assembly for this program shall be used by selected school districts to establish school-based pilot programs that focus on encouraging students to establish and maintain healthy lifestyles.

(2) These programs shall include tobacco prevention education and the promotion of balanced dietary patterns and physical activity to prevent becoming overweight or obese, and discussion of serious and chronic medical conditions that are associated with being overweight.

(3) The content of these programs shall address state and national standards and guidelines established by the No Child Left Behind Act, the Healthy People 2010 Leading Health Indicators as compiled by the National Center for Health Statistics, and the Produce for Better Health Foundation's "5 A Day, The Color Way" program.

(b)(1) School districts may apply for grants under this section.

(2)(A) The Department of Health shall establish selection criterion and methods for distribution of funds to school districts applying for such funds.

(B) The department shall promulgate rules to implement the provisions of this section.

(c)(1) A school district that receives a grant under this section shall use the funds to plan and implement the program in a diverse sampling of schools in each district.

(2) The programs shall address students' academic success as well as health concerns, and encourage links between the school and home settings to promote active healthy lifestyles across the students' learning environments.

(3)(A) The tobacco prevention initiative shall focus on grades four (4) and five (5) to target students before they transition into middle grades.

(B) The obesity prevention programs will cover sequential wellness education across grades kindergarten through fifth grades.

(4) These programs shall:

(A) Be multidisciplinary, addressing academic standards in language arts, math, and health;

(B) Provide multimedia resources that engage the students;

(C) Be evidence-based showing successful implementation including positive changes in desired outcomes, such as changes in body mass index or attitudes towards tobacco use;

(D) Be able to be integrated into the core classroom at the elementary level; and

(E) Be sustainable and provide open web-based resources to teachers and students across Arkansas.”

(SIGNED) SENATOR SHAWN WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 1097 was ordered engrossed.

On motion of Senator Womack, and without objection, Senate Bill No. 1097 was recommended for study in the interim by Senate Interim Committee on PUBLIC HEALTH, WELFARE AND LABOR.

On motion of Senator Salmon, **House Bill No. 1392** 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. 1392

Amend **House Bill No. 1392** as engrossed, H3/11/05:

Page 1, delete lines 9 through 11 and substitute the following:

"AN ACT CREATING THE WILLIE MAE RYAN RESIDENT CARE MONITORING ACT; ESTABLISHING AUTHORIZATION AND USE OF MONITORING DEVICES IN LONG-TERM CARE FACILITIES; PROVIDING FOR WAIVERS; PROVIDING FOR ENFORCEMENT AND PENALTIES; AND FOR OTHER PURPOSES."

AND

Page 1, delete line 14 and substitute the following:

"THE WILLIE MAE RYAN RESIDENT CARE MONITORING ACT."

AND

Page 1, delete lines 22 and 23 and substitute the following:

"This subchapter shall be known and may be cited as the "Willie Mae Ryan Resident Care Monitoring Act.""

(SIGNED) SENATOR MARY ANN SALMON

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1392 was ordered engrossed.

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

April 8, 2005

Mr. President:

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

SENATE BILL NO. 603, BY SENATOR WILKINS,

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.

Respectfully submitted,
(SIGNED) SENATOR ED WILKINSON, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

April 8, 2005

Mr. President:

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

SENATE BILL NO. 205, 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 House Amendment No. 1.

Respectfully submitted,
(SIGNED) SENATOR ED WILKINSON, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

April 8, 2005

Mr. President:

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

HOUSE BILL NO. 2614, BY REPRESENTATIVE BRIGHT,

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 8, 2005

Mr. President:

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

SENATE BILL NO. 936, 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.

Respectfully submitted,
(SIGNED) SENATOR JACK CRITCHER, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

April 8, 2005

Mr. President:

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

SENATE BILL NO. 1177, BY SENATOR ALTES,

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. 2.

Respectfully submitted,
(SIGNED) SENATOR JACK CRITCHER, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

April 8, 2005

Mr. President:

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

HOUSE BILL NO. 2779, BY REPRESENTATIVE HARRIS,
HOUSE BILL NO. 2781, BY REPRESENTATIVE ELLIOT,
HOUSE BILL NO. 2867, BY REPRESENTATIVE GOSS,

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 JACK CRITCHER, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

April 8, 2005

Mr. President:

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

HOUSE BILL 2794, BY REPRESENTATIVE D. EVANS,

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

(SIGNED) SENATORS WOMACK, MALONE, AND BOOKOUT

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

April 8, 2005

Mr. President:

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

SENATE BILL NO. 1028, BY SENATOR HIGGINBOTHOM,

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 8, 2005

Mr. President:

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

HOUSE BILL NO. 1983, BY REPRESENTATIVE MAHONY,
HOUSE BILL NO. 2497, BY REPRESENTATIVE D. EVANS,
HOUSE BILL NO. 2595, BY REPRESENTATIVE MAHONY,
HOUSE BILL NO. 2828, BY REPRESENTATIVE SUMPTER,
HOUSE BILL NO. 2916, BY REPRESENTATIVE PICKETT,

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 8, 2005

Mr. President:

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

HOUSE BILL NO. 1982, 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 as Amended No. 1.

Respectfully submitted,
(SIGNED) SENATOR JIM ARGUE, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

April 8, 2005

Mr. President:

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

SENATE BILL NO. 511, BY SENATOR TRUSTY,

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 TIM WOOLDRIDGE, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

April 8, 2005

Mr. President:

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

SENATE BILL NO. 1169, 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 to concur in House Amendment No. 1 and No. 2.

Respectfully submitted,
(SIGNED) SENATOR TIM WOOLDRIDGE, CHAIRMAN

The President declared the morning hour to have expired.

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

April 8, 2005

Mr. President:

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

HOUSE BILL NO. 1283, BY REPRESENTATIVE SCROGGIN,
HOUSE BILL NO. 2359, BY REPRESENTATIVE PETRUS,
HOUSE BILL NO. 2657, BY REPRESENTATIVE PETRUS,
HOUSE BILL NO. 2696, BY REPRESENTATIVE MACK,
HOUSE BILL NO. 2842, BY REPRESENTATIVE DOBBINS,
HOUSE BILL NO. 2933, BY REPRESENTATIVE MACK,

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 TIM WOOLDRIDGE, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

April 8, 2005

Mr. President:

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

HOUSE BILL NO. 2834, BY REPRESENTATIVE PATE,

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 HOLT, VICE-CHAIRMAN

On motion of Senator Faris, **House Joint Resolution No. 1003** was called up for third reading and final disposition.

HOUSE JOINT RESOLUTION NO. 1003

As Engrossed: H2/3/05 H2/28/05

EIGHTY-FIFTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES BORHAUER, WALTERS, PETRUS, SAUNDERS,

COOK, DAVIS, BLAIR, JACKSON, & MAHONY

BY: SENATOR BROADWAY

A resolution to be Entitled: *FOR A PROPOSED AMENDMENT TO THE ARKANSAS CONSTITUTION TO ALLOW BINGO AND RAFFLES TO BE CONDUCTED BY CHARITABLE ORGANIZATIONS; TO AUTHORIZE THE GENERAL ASSEMBLY TO ADOPT LAWS CONCERNING THE LICENSURE, REGULATION, OR TAXATION OF BINGO AND RAFFLES.*

Senator Broadway spoke for the Resolution.

House Joint Resolution No. 1003 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, Bisbee, Bookout, Broadway, Bryles, Faris, Glover, Hendren, Higginbothom, Hill, Horn, B. Johnson, Laverty, Luker, Miller, Salmon, T. Smith, Steele, Taylor, Whitaker, Wilkins.

Total21

NEGATIVE: Altes, G. Jeffress, J. Jeffress, Wooldridge.

Total4

ABSENT OR NOT VOTING: Brown, Capps, Critcher, Madison, Malone, Trusty, Wilkinson, Mr. President.

Total8

VOTING PRESENT: Holt, Womack.

Total2

Total number of votes cast.....27

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senator Faris moved that the vote by which **House Joint Resolution No. 1003** passed be reconsidered and that motion be laid upon the table, which motion prevailed and the motion to reconsider was laid on the table.

House Joint Resolution No. 1003 was ordered immediately returned to the House as concurred in.

On motion of Senator Baker the Senate recessed until 11:20 a.m.

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

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

April 8, 2005

Mr. President:

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

SENATE BILL NO. 151, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 502, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 836, BY SENATOR MALONE,
SENATE BILL NO. 874, BY SENATOR BROADWAY,

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 BISBEE, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

April 8, 2005

Mr. President:

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

SENATE BILL NO. 245, 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. 4.

Respectfully submitted,
(SIGNED) SENATOR DAVID BISBEE, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

April 8, 2005

Mr. President:

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

SENATE BILL NO. 275, 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. 5.

Respectfully submitted,
(SIGNED) SENATOR DAVID BISBEE, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

April 8, 2005

Mr. President:

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

SENATE BILL NO. 343, 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 8, 2005

Mr. President:

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

HOUSE BILL NO. 1510, 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 Nos. 1 & 2.

Respectfully submitted,
(SIGNED) SENATOR DAVID BISBEE, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

April 8, 2005

Mr. President:

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

SENATE BILL NO. 669, BY SENATOR HIGGINBOTHOM,

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 DAVID BISBEE, CHAIRMAN

On motion of Senator Baker, **Senate Bill No. 286** 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. 286

Amend **Senate Bill No. 286** as originally introduced:

Page 2, delete line 3, and substitute the following:

"dollars (\$5,000) per taxpayer in any tax year.

(3) Contributions to this program that have been deducted from the taxpayer's adjusted gross income for prior tax years shall be subject to recapture if the taxpayer:

(A) Makes a subsequent nonqualified withdrawal from the account; or

(B) Rolls the account over to a tax-deferred tuition savings program established by another state or institution under 26 U.S.C. § 529 as in effect on January 1, 2005.

(4) The contribution shall be recaptured by adding the amount previously deducted, not to exceed the amount of the nonqualified withdrawal or rollover, to the taxpayer's adjusted gross income for the tax year in which the nonqualified withdrawal or rollover occurred."

(SIGNED) REPRESENTATIVE KEY

Amendment No. 1 to Senate Bill No. 286, 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 Baker, and without objection, the rules were suspended pertaining to passage of Amendment and Bill on the same day.

On motion of Senator Baker, **Senate Bill No. 286** was called up for third reading and final disposition.

SENATE BILL NO. 286

As Engrossed: H3/18/05

EIGHTY-FIFTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATORS BAKER, HIGGINBOTHOM, & TRUSTY

BY: REPRESENTATIVES KEY, ANDERSON, & MACK

A Bill for an Act to be Entitled: AN ACT TO PROVIDE THAT CONTRIBUTIONS TO THE ARKANSAS TAX-DEFERRED TUITION SAVINGS PROGRAM ARE DEDUCTIBLE FROM ARKANSAS INCOME TAX; AND FOR OTHER PURPOSES.

Senate Bill No. 286 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. 286 was ordered enrolled.

On motion of Senator G. Jeffress, **Senate Bill No. 1027** 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. 1027

Amend **Senate Bill No. 1027** as originally introduced:

Page 3, delete line 8 and substitute the following:
"lowest reasonable cost.

(e)(1) In exercising its authority under § 25-4-105 the Department of Information Systems shall competitively procure information technology except as provided in this subsection (e).

(2) The department is not authorized by § 25-4-105 to provide information technology services, including telecommunications and broadband services, to the general public other than nongovernmental first responder entities, in competition with private sector telecommunications and cable communications providers.

(3) Customers of the department are not authorized to use information technology facilities and services provided by the department to provide telecommunications and broadband services to the general public in competition with private sector telecommunications and cable communications providers."

AND

Page 3, delete lines 21 and 22 and substitute the following:

"(4) "Customer" means a state agency, other governmental entity, or nongovernmental first responder entity that purchases or uses services under this chapter;"

AND

Page 4, delete lines 9 through 14 and substitute the following:

"(12) "Nongovernmental first responder entity" means state and law enforcement personnel, fire department personnel, and emergency medical personnel who will be deployed to bioterrorism attacks, terrorist attacks, catastrophic or natural disasters, and emergencies;

(13) "Other governmental entities" means state-elected constitutional officers and their staffs, the Supreme Court and the Administrative Office of the Courts, the General Assembly or its committees or staffs, the Arkansas State Highway and Transportation Department, the Arkansas State Game and Fish Commission, the federal government, cities, counties, municipalities, and public school districts;"

AND

Page 4, line 15 delete "(13)" and substitute "(14)"
AND

Page 4, line 20 delete "(14)" and substitute "(15)"

AND

Page 4, line 24 delete “(15)” and substitute “(16)”

AND

Page 4, line 27 delete “(16)” and substitute “(17)”

AND

Page 4, line 34 delete “(17)” and substitute “(18)”

AND

Page 5, line 2 delete “(18)” and substitute “(19)”

AND

Page 5, line 18 delete “nongovernmental entities” and substitute “nongovernmental first responder entities”

AND

Page 5, line 20 delete “nongovernmental entities” and substitute “nongovernmental first responder entities”

AND

Page 9, delete line 31 and substitute the following:
“federal statutory and regulatory provisions under subdivision (b)(3) of this section, then the director shall promptly”

AND

Page 10, delete line 24 and substitute the following:
“(e) Subject to the written approval of the Chief Fiscal Officer of the State upon written application of the Department of Information Systems and review by the Legislative Council, the Director of the Department of Information Systems shall have”

(SIGNED) REPRESENTATIVE DOBBINS

Amendment No. 1 to Senate Bill No. 1027, 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 G. Jeffress, and without objection, the rules were suspended pertaining to passage of Amendment and Bill on the same day.

On motion of Senator G. Jeffress, **Senate Bill No. 1027** was called up for third reading and final disposition.

SENATE BILL NO. 1027

As Engrossed: H4/5/05

EIGHTY-FIFTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATORS G. JEFFRESS, CAPPS, J. BOOKOUT, GLOVER, HOLT,

SALMON, & TRUSTY

BY: REPRESENTATIVES W. LEWELLEN, DOBBINS, PACE, ADCOCK, BERRY,

COOK, M. MARTIN, MEDLEY, RAINEY, & ROGERS

A Bill for an Act to be Entitled: AN ACT TO AMEND THE ENABLING LEGISLATION OF THE DEPARTMENT OF INFORMATION SYSTEMS; AND FOR OTHER PURPOSES.

Senate Bill No. 1027 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. 1027 was ordered enrolled.

On motion of Senator Smith, **Senate Bill No. 447** was called up for the purpose of considering **Amendments No. 1, 2, 3 and 4** thereto, adopted by the House.

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

Amendment No. 1 to SENATE BILL NO. 447

Amend **Senate Bill No. 447** as originally introduced:

Immediately following SECTION 6, add an additional section to read as follows:

"SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that there is nothing currently in the law that grants immunity from liability to persons who make property available for municipal water supply purposes; that this act provides sound public policy for the State of Arkansas; and that this act is immediately necessary because the state should encourage property owners to make property available for municipal water supply purposes. 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) REPRESENTATIVE MATHIS

Amendment No. 1 to Senate Bill No. 447, 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

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

Amendment No. 2 to SENATE BILL NO. 447

Amend **Senate Bill No. 447** as engrossed, H2/25/05:

Immediately following SECTION 6, add an additional section to read as follows:

"SECTION 7. Arkansas Code § 18-11-307 is amended to read as follows:
18-11-307. Exceptions to owner's immunity.

Nothing in this subchapter limits in any way liability which otherwise exists:

(1) For ~~malicious, but not mere negligent~~, failure to guard or warn against an ultra-hazardous condition, structure, personal property, use, or activity ~~actually known~~ foreseeable to the owner to be dangerous; and

(2) For injury suffered in any case in which the owner of land charges the person or persons who enter or go on the land for the recreational use thereof, except that, in the case of land leased to the state, a subdivision thereof, or to a third person, any consideration received by the owner for the lease shall not be deemed a charge within the meaning of this section."

AND

Appropriately renumber the sections of the bill.

(SIGNED) REPRESENTATIVE MATHIS

Amendment No. 2 to Senate Bill No. 447, 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

HALL OF THE HOUSE OF REPRESENTATIVES
 EIGHTY-FIFTH GENERAL ASSEMBLY
 REGULAR SESSION
Amendment No. 3 to SENATE BILL NO. 447

Amend **Senate Bill No. 447** as engrossed, H3/9/05:

Page 1, delete lines 25 through 27, and substitute the following:

"land and water areas available to ~~the public for recreational purposes~~ municipal governments for municipal water supply purposes by limiting their liability toward persons entering thereon ~~for such purposes.~~"

AND

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

~~"(1) "Charge" means an admission fee for permission to go upon or use the land, but does not include:~~
~~(A) The sharing of game, fish, or other products of recreational use; or~~
~~(B) Contributions in kind, services, or cash paid to reduce or offset costs and eliminate losses from recreational use;"~~

AND

Page 2, delete lines 1 and 2

AND

Page 2, line 3, delete "(2)" and substitute "~~(2)~~(1)"

AND

Page 2, line 6, delete "(3)" and substitute "(2)"

AND

Page 2, delete line 14, and substitute the following:
"or structure; and"

AND

Page 2, line 15, delete "~~(3)~~(4)" and substitute "(3)"

AND

Page 2, line 16, delete "premises; and" and substitute "premises;_"

AND

Page 2, delete lines 22 through 36, and substitute the following:

~~"(5) "Recreational purpose" includes, but is not limited to, any of the following, or any combination thereof:~~
~~(A) Hunting;~~
~~(B) Fishing;~~

~~(C) Swimming;~~
~~(D) Boating;~~
~~(E) Camping;~~
~~(F) Picnicking;~~
~~(G) Hiking;~~
~~(H) Pleasure driving;~~
~~(I) Nature study;~~
~~(J) Water skiing;~~
~~(K) Winter sports;~~
~~(L) Spelunking;~~
~~(M) Viewing or enjoying historical, archeological, scenic, or scientific sites; and~~
~~(N) Any other activity undertaken for exercise, education, relaxation, or pleasure on land owned by another."~~

AND

Page 3, delete lines 1 through 3

AND

Page 3, delete line 11, and substitute the following:
~~"recreational purposes~~ municipal water supply purposes from any obligation"

AND

Page 3, delete line 20, and substitute the following:
~~"by others for recreational purposes or to"~~

AND

Page 3, delete lines 22 and 23, and substitute the following:
~~"premises to persons entering for recreational purposes~~ thereon."

AND

Page 3, delete lines 28 and 29, and substitute the following:
~~"owner of land who, either directly or indirectly, invites or permits without charge any person to use his or her property for recreational purposes"~~

AND

Page 4, line 6, delete "state" and substitute "state municipality"

AND

Page 4, delete lines 9 and 10, and substitute the following:
~~"of land leased to the state, or any subdivision thereof, for recreational purposes or~~ otherwise provided to a municipality for municipal water supply purposes."

AND

Page 4, delete lines 15 through 24, and substitute the following:
~~"exists. (1) For~~ for malicious, but not mere negligent, failure to guard or warn against an ultra-hazardous condition, structure, personal property, use, or activity actually known to the owner to be dangerous; ~~and.~~

~~(2) For injury suffered in any case in which the owner of land charges the person or persons who enter or go on the land for the recreational use thereof, except that, in the case of land leased to the state, a subdivision thereof, or to a third person, any consideration received by the owner for the lease shall not be deemed a charge within the meaning of this section."~~

(SIGNED) REPRESENTATIVE SAMPLE

Amendment No. 3 to Senate Bill No. 447, 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

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

Amendment No. 4 to SENATE BILL NO. 447

Amend **Senate Bill No. 447** as engrossed, H3/29/05:

Delete SECTIONS 1 through 7 entirely and substitute the following:

"SECTION 1. Arkansas Code Title 18, Chapter 11 is amended to add an additional subchapter to read as follows:

18-11-601. Purpose.

The purpose of this subchapter is to encourage owners of land to make land and water areas available to municipal governments for municipal water supply purposes by limiting the liability of landowners toward persons entering on the land and water areas.

18-11-602. Definitions.

As used in this subchapter:

(1) "Land" means real property, roads, water, watercourses, private ways, and buildings, structures, and machinery or equipment when attached to the real property;

(2) "Municipal water supply purpose" includes, but is not limited to, any of the following, separately or in any combination:

(A) Construction or maintenance of a water intake structure;

(B) Maintenance of a water intake source;

(C) Research concerning a water intake source or structure; and

(D) Other activity associated with a water intake source or structure; and

(3) "Owner" means the possessor of a fee interest or a

tenant, lessee, occupant, or person in control of the land.

18-11-603. Construction.

Nothing in this subchapter shall be construed to:

(1) Create a duty of care or a basis for liability for injury to persons or property; or

(2) Relieve any person using the land of another for municipal water supply purposes from any obligation that he or she may have in the absence of this subchapter to exercise care in his or her use of the land and in his or her activities on the land or relieve any person from the legal consequences of failure to employ such care.

18-11-604. Duty of care.

Except as specifically provided in § 18-11-607, an owner owes no duty of care to keep the land safe for entry or use by others for municipal water supply purposes or to give any warning of a dangerous condition, use, structure, or activity on the land to persons entering for municipal water supply purposes.

18-11-605. Owner's immunity from liability.

Except as specifically provided in § 18-11-607, an owner who, either directly or indirectly, invites or permits any person to use his or her land for municipal water supply purposes does not:

(1) Extend any assurance that the land is safe for any purpose;

(2) Confer upon the person the legal status of an invitee or licensee to whom a duty of care is owed;

(3) Assume responsibility for or incur liability for any injury to person or property caused by an act or omission of the person; or

(4) Assume responsibility for or incur liability for injury to the person or property caused by any natural or artificial condition, structure, or personal property on the land.

18-11-606. Land leased to municipality.

Unless otherwise agreed to in writing, the provisions of §§ 18-11-604 and 18-11-605 shall be deemed the sole source of the duties and liability of an owner who leased or otherwise provided land to a municipality for municipal water supply purposes.

18-11-607. Exceptions to owner's immunity.

Nothing in this subchapter limits in any way liability that otherwise exists for malicious, but not mere negligent, failure to guard or warn against an ultra-hazardous condition, structure, personal property, use, or activity actually known to the owner to be dangerous."

AND

Page 4, line 24, delete "SECTION 8" and substitute "SECTION 2"

(SIGNED) REPRESENTATIVE SAMPLE

Amendment No. 4 to Senate Bill No. 447, 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 Smith, and without objection, the rules were suspended pertaining to passage of Amendment and Bill on the same day.

On motion of Senator Smith, **Senate Bill No. 447** was called up for third reading and final disposition.

SENATE BILL NO. 447

As Engrossed: H2/25/05 H3/9/05 H3/29/05 H4/4/05

EIGHTY-FIFTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATOR T. SMITH

BY: REPRESENTATIVE MATHIS & SAUNDERS

A Bill for an Act to be Entitled: AN ACT TO EXTEND IMMUNITY TO PROPERTY OWNERS WHO MAKE PROPERTY AVAILABLE FOR MUNICIPAL WATER SUPPLY PURPOSES; AND FOR OTHER PURPOSES.

Senate Bill No. 447 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

There being an emergency clause attached to **Senate Bill No. 447**, 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. 447 was ordered enrolled.

On motion of Senator Salmon, **Senate Bill No. 482** was called up for the purpose of considering **Amendments No. 1 and 3** thereto, adopted by the House.

HALL OF THE HOUSE OF REPRESENTATIVES
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 482

Amend **Senate Bill No. 482** as engrossed, S2/28/05:

Page 5, line 10, delete "and"

AND

Page 5, delete line 17, and substitute the following:
"Surveyors; and"

(l) The qualified efficiency engineer shall provide in favor of the issuer a payment and performance bond insuring the qualified efficiency engineering company's faithful performance of the installation and construction required under the qualified efficiency contract."

AND

Page 5, line 28, delete "efficiency savings."

AND

Page 5, line 30, delete "or occurring as a result of"

AND

Page 5, line 31, delete "performance-based efficiency"

(SIGNED) REPRESENTATIVE JACKSON

Amendment No. 1 to Senate Bill No. 482, 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

HALL OF THE HOUSE OF REPRESENTATIVES
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 3 to SENATE BILL NO. 482

Amend **Senate Bill No. 482** as engrossed, H3/11/05:

Page 6, line 7, delete "~~them~~ any performance-based efficiency project or" and substitute "them"

AND

Page 6, line 8, delete "capital improvement"

(SIGNED) REPRESENTATIVE JACKSON

Amendment No. 1 to Senate Bill No. 482, 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 Salmon, and without objection, the rules were suspended pertaining to passage of Amendment and Bill on the same day.

On motion of Senator, **Senate Bill No. 482** was called up for third reading and final disposition.

SENATE BILL NO. 482
As Engrossed: S2/28/05 H3/11/05 H3/30/05
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR SALMON
BY: REPRESENTATIVE JACKSON

A Bill for an Act to be Entitled: AN ACT TO AMEND THE LOCAL GOVERNMENT CAPITAL IMPROVEMENT REVENUE BOND ACT OF 1985 TO INCLUDE PERFORMANCE-BASED EFFICIENCY PROJECTS; AND FOR OTHER PURPOSES.

Senate Bill No. 482 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

There being an emergency clause attached to **Senate Bill No. 482**, 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. 482 was ordered enrolled.

On motion of Senator Madison, **Senate Bill No. 1014** 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. 1014

Amend **Senate Bill No. 1014** as originally introduced:

Page 3, line 36, delete "more" and substitute "~~more~~ less"

AND

Page 4, line 1, delete "forty five percent (45%)" and substitute "forty-nine percent (49%)"

AND

Page 4, line 8, delete "less" and substitute "~~less~~ more"

AND

Page 4, line 9, delete "fifty-three percent (53%)" and substitute "forty-nine percent (49%)"

AND

Page 4, delete line 26 and substitute the following:

"(c) ~~Up to three percent (3%)~~ Not more than one percent (1%)"

(SIGNED) REPRESENTATIVE STOVALL

Amendment No. 2 to Senate Bill No. 1014, adopted by the House, was read the first time, rules suspended, read the second time and concurred in, by the Senate.

(SIGNED) ANN CORNWELL, SECRETARY

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

On motion of Senator Madison, **Senate Bill No. 1014** was called up for third reading and final disposition.

SENATE BILL NO. 1014

As Engrossed: H3/29/05

EIGHTY-FIFTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATOR MADISON

A Bill for an Act to be Entitled: AN ACT TO AMEND THE ARKANSAS PUBLIC SAFETY COMMUNICATIONS ACT OF 1985 CONCERNING THE IMPOSITION OF 911 CHARGES; AND FOR OTHER PURPOSES.

Senate Bill No. 1014 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. 1014 was ordered enrolled.

On motion of Senator Madison, **Senate Bill No. 926** 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. 926

Amend **Senate Bill No. 926** as engrossed, S3/10/05:

Page 2 delete lines 34 through 36 and substitute the following:

“(f) Tying a child to a fixed or heavy object, or binding or tying a child’s limbs together;”

AND

Page 3, delete line 15 and substitute the following:

“inappropriate over-the-counter drug to a child and the child is detrimentally impacted by the overdose or over-the-counter drug;”

AND

Page 3, delete lines 28 through 29 and substitute the following:

“child when it is reasonable and moderate and is inflicted by a parent or guardian for purposes of restraining”

AND

Page 10, delete line 22 and substitute the following:

“clothing, shelter, and education required by law, excluding failure”

AND

Page 10, delete line 28 and substitute the following:

“juvenile from abandonment, abuse, sexual abuse,”

AND

Page 17, delete lines 11 through 16 and substitute the following:

“(2) When the Department of Human Services exercises custody of a juvenile pursuant to § 12-12-516 and a dependency-neglect petition is filed by the Department of Human Services concerning that juvenile, any party to that petition may file a motion to transfer any other legal proceeding concerning such juvenile to the court hearing the dependency-neglect petition and upon said motion being filed such other legal proceeding shall be transferred to the court hearing the dependency-neglect case.”

AND

Page 31, delete lines 23 through 26 and substitute the following:

“delinquency matter, is amended to add an additional subsection to read as follows:

(k) No court may commit a juvenile found solely in criminal contempt to the Division of Youth Services of the Department of Human Services."

AND

Page 34, delete lines 34 through 36 and substitute the following:
"family in need of services matters, is amended to add an additional subsection to read as follows:

(h) No court may commit a juvenile found solely in criminal contempt to the Division of Youth Services of the Department of Human Services."

AND

Page 35, delete line 1 entirely

AND

Page 38, delete line 7 and substitute the following:
"to the Division of Youth Services of the Department of Human Services."

(SIGNED) REPRESENTATIVE THOMASON

Amendment No. 1 to Senate Bill No. 926, adopted by the House, was read the first time, rules suspended, read the second time and concurred in, by the Senate.

(SIGNED) ANN CORNWELL, SECRETARY

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

On motion of Senator Madison, **Senate Bill No. 926** was called up for third reading and final disposition.

SENATE BILL NO. 926
As Engrossed: S3/10/05 H4/5/05
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MADISON

A Bill for an Act to be Entitled: AN ACT TO AMEND THE ARKANSAS JUVENILE CODE OF 1989 TO PROVIDE CLARITY AND CONSISTENCY; AND FOR OTHER PURPOSES.

Senate Bill No. 926 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. 926 was ordered enrolled.

On motion of Senator J. Jeffress, **Senate Bill No. 128** 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. 128

Amend **Senate Bill No. 128** as engrossed, S3/8/05:

Page 3, delete lines 5 and 6, and substitute the following:

“(1)(A) For the Arkansas Teacher Retirement System, for the fiscal years ending June 30, 2006, and June 30, 2007, the Board of Trustees of the Arkansas Teacher Retirement System”

AND

Page 4, delete line 29, and substitute the following:

“(c)(1) For the fiscal years ending June 30, 2006, and June 30, 2007, the Board of Trustees of the Arkansas”

(SIGNED) REPRESENTATIVE SULLIVAN

Amendment No. 1 to Senate Bill No. 128, 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 J. Jeffress, and without objection, the rules were suspended pertaining to passage of Amendment and Bill on the same day.

On motion of Senator J. Jeffress, **Senate Bill No. 128** was called up for third reading and final disposition.

SENATE BILL NO. 128
As Engrossed: S3/8/05 H4/6/05
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS J. JEFFRESS & FARIS
BY: REPRESENTATIVE SULLIVAN

A Bill for an Act to be Entitled: AN ACT TO ALLOW THE ARKANSAS TEACHER RETIREMENT SYSTEM TO SET EMPLOYER CONTRIBUTION RATES; AND FOR OTHER PURPOSES.

Senate Bill No. 128 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

There being an emergency clause attached to **Senate Bill No. 128**, 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. 128 was ordered enrolled.

On motion of Senator Higginbothom, **Senate Bill No. 448** was called up for the purpose of considering **Amendments No. 1, 2 and 6** thereto, adopted by the House.

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

Amendment No. 1 to SENATE BILL NO. 448

Amend **Senate Bill No. 448** as engrossed, S3/14/05:

Page 4, delete line 3 through 10 and substitute the following:

"25-37-204. The Division of Agricultural Development of the Arkansas Development Finance Authority -- Coordination of marketing programs.

The Division of Agriculture Development of the Arkansas Development Finance Authority, created under § 15-5-802, shall coordinate all aspects of its work concerning the marketing of the agricultural products of Arkansas with the Secretary of the Arkansas Agriculture Department."

AND

Page 4, delete lines 26 and 27 and substitute the following:

"(a) The Arkansas Agriculture Board is created to consist of twenty (20) voting members and eight (8) nonvoting ex officio members, as follows:"

AND

Page 5, delete line 32 and substitute the following:

"(3) Eight (8) nonvoting ex officio members, as follows:"

(SIGNED) REPRESENTATIVE NICHOLS

Amendment No. 1 to Senate Bill No. 448, 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

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

Amendment No. 2 to SENATE BILL NO. 448

Amend **Senate Bill No. 448** as engrossed, S3/14/05:

Page 1, delete lines 16 and 17 and substitute the following:

"THE ARKANSAS AGRICULTURE BOARD; AND FOR OTHER"

AND

Page 3, delete lines 10 through 17 and substitute the following:

"the purposes of this chapter; and

(9) Assist other departments, agencies, and institutions of the"

AND

Page 6, delete line 34 and substitute the following:

"25-16-902, to the extent funds are available.

25-37-208. Agencies not affected.

The establishment of the Arkansas Agricultural Department shall in no way affect the duties, powers, or operations of the following boards and councils:

(1) Arkansas Beef Council;

(2) Arkansas Catfish Promotion Board;

(3) Arkansas Corn and Grain Sorghum Promotion Board;

(4) Arkansas Rice Research and Promotion Board;

(5) Arkansas Soybean Promotion Board; or

(6) Arkansas Wheat Promotion Board."

(SIGNED) REPRESENTATIVE NICHOLS

Amendment No. 2 to Senate Bill No. 448, 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

HALL OF THE HOUSE OF REPRESENTATIVES
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 6 to SENATE BILL NO. 448

Amend **Senate Bill No. 448** as engrossed, S3/14/05:

Page 3, delete line 33 and substitute:
"2-33-101; and"

AND

Page 3, delete lines 34 through 36

AND

Page 4, on line 1 delete "(6)" and substitute "(4)"

AND

Page 4, on line 17 delete "Commission;" and substitute "Commission; and"

AND

Page 4, on line 18 delete "Commission; and" and substitute "Commission."

AND

Page 4, delete line 19.

(SIGNED) REPRESENTATIVE J. HUTCHINSON

Amendment No. 6 to Senate Bill No. 448, adopted by the House, was read the first time, rules suspended, read the second time and concurred in, by the Senate.

(SIGNED) ANN CORNWELL, SECRETARY

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

On motion of Senator Higginbothom, **Senate Bill No. 448** was called up for third reading and final disposition.

SENATE BILL NO. 448

As Engrossed: S2/23/05 S3/2/05 S3/14/05 H4/4/05

EIGHTY-FIFTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATORS HIGGINBOTHOM, ARGUE, & SALMON

BY: REPRESENTATIVES NICHOLS, ADAMS, BOLIN, CLEMONS, HARRIS, KENNEY, MACK, ORMOND, PETRUS, SCROGGIN, & RANKIN

A Bill for an Act to be Entitled: AN ACT TO CONNECT VARIOUS AGRICULTURE-RELATED AGENCIES TO AN ARKANSAS AGRICULTURE DEPARTMENT; TO TRANSFER THE ADMINISTRATION OF VARIOUS STATE AGENCIES TO THE ARKANSAS AGRICULTURE DEPARTMENT; TO CREATE THE ARKANSAS AGRICULTURE DEPARTMENT, *THE ARKANSAS AGRICULTURE BOARD; AND FOR OTHER PURPOSES.*

Senator Womack spoke against the Bill. Senator Jimmy Jeffress spoke against the Bill. Senator Higginbothom closed for the Bill.

Senate Bill No. 448 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, Bisbee, Bookout, Broadway, Brown, Bryles, Capps, Faris, Hendren, Higginbothom, Hill, Holt, B. Johnson, Lavery, Luker, Madison, Malone, Salmon, T. Smith, Steele, Whitaker, Wilkins, Womack, Mr. President.

Total24

NEGATIVE: Glover, G. Jeffress, J. Jeffress, Miller, Taylor, Wilkinson, Wooldridge.

Total7

ABSENT OR NOT VOTING: Altes, Critcher, Horn, Trusty.

Total4

VOTING PRESENT:

Total0

Total number of votes cast.....31

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senator Higginbothom moved that the vote by which **Senate Bill No. 448** passed be reconsidered and that motion be laid upon the table, which motion prevailed and the motion to reconsider was laid on the table.

Senate Bill No. 448 was ordered enrolled.

Senate Bill No. 1054 was returned from the House as passed as amended.

On motion of Senator Salmon, **Senate Bill No. 1054** was ordered re-referred to the Committee on EDUCATION.

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

April 8, 2005

Mr. President:

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

HOUSE BILL NO. 2640, 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 JACK CRITCHER, CHAIRMAN
(SIGNED) SENATORS BOOKOUT, WOMACK, MALONE,
JOHNSON

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

April 8, 2005

Mr. President:

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

HOUSE BILL NO. 2970, BY REPRESENTATIVE NORTON,

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

(SIGNED) SENATORS JOHNSON, WOMACK,
BOOKOUT

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

April 8, 2005

Mr. President:

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

HOUSE BILL NO. 1963, BY REPRESENTATIVE VERKAMP,

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 ED WILKINSON, CHAIRMAN

(SIGNED) SENATORS LUKER, HENDREN, MADISON

* * * * * **RECEDE** * * * * *

On motion of Senator Bisbee, **Senate Bill No. 81** 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. 81

Amend **Senate Bill No. 81** as originally introduced:

Page 2, delete lines 4 and 5 in their entirety and substitute the following:

"(2) 9470 AR T&RB INVESTIGATOR	1	\$20,981	\$21,610
(3) 8043 AR TOWING & RECVRY BRD CLERK TYPIST_1		\$18,613	\$19,213
MAX. NO. OF EMPLOYEES	3		"

AND

Page 2, line 15, delete "\$ 45,113 \$ 46,508" and substitute "\$ 66,094 \$ 68,118"

AND

Page 2, line 16, delete "16,160 16,424" and substitute "23,944 24,327"

AND

Page 2, line 23, delete "\$ 111,313 \$ 112,972" and substitute "\$ 140,078 \$ 142,485".

(SIGNED) SENATOR MARY A. SALMON

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 81 was ordered engrossed.

* * * * * **RECEDE** * * * * *

On motion of Senator Salmon the Senate rescinded its previous action in the adoption of **Amendment No. 1** to **Senate Bill No. 81**, on April 8, 2005.

On motion of Senator Bisbee, **Senate Bill No. 293** 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. 293

Amend **Senate Bill No. 293** as engrossed, S3/10/05:

Page 2, line 6, delete "\$81,859 \$83,964" and substitute
"\$91,762 \$94,038"

(SIGNED) SENATOR STEVE FARIS

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 293 was ordered engrossed.

On motion of Senator Bisbee, **Senate Bill No. 453** was placed back on second reading for purpose of Amendments No. 3, 4, and 5.

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 3 to SENATE BILL NO. 453

Amend **Senate Bill No. 453** as engrossed, S4/5/05:

Page 2, delete line 6 in its entirety and substitute the following:

" (3) 9773 HIGHER ED SENIOR ASSOC DIR 1 \$109,295 \$111,844
(4) DHE GENERAL COUNSEL 1 \$ 85,000 \$ 88,000"

And

Page 2, delete line 24 in its entirety and substitute the following:

" (21) A252 DHE FINANCIAL MANAGER 3 GRADE 24
(22) R096 HIGHER ED ASST COORD STUD FIN AID 4 GRADE 24"

And

Page 2, delete line 27 in its entirety

And

Appropriately renumber the Item Nos. of Section 1.

And

Page 2, line 34, delete "41" and substitute "42"

And

Page 3, line 16, delete "\$ 2,239,472 \$ 2,299,543" and substitute "\$ 2,359,894 \$ 2,422,847"

And

Page 3, line 18, delete "573,025 584,252" and substitute "605,250 617,254"

And

Page 3 line 27, delete "\$ 3,511,688 \$ 3,582,986" and substitute "\$ 3,664,335 \$ 3,739,292"

(SIGNED) SENATOR DAVID BISBEE

The Amendment was read 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. 4 to SENATE BILL NO. 453

Amend **Senate Bill No. 453** as engrossed, S4/5/05:

Add a new section immediately following Section 30 to read as follows:

" SECTION 31. SPECIAL LANGUAGE. Arkansas Code 6-63-312 concerning contingency appropriations for higher education is amended to read as follows:
6-63-312. Contingency appropriations - Transfers and reports.

(a) Upon approval by the Department of Higher Education and the Chief Fiscal Officer of the State, institutions of higher education may transfer appropriation from the cash contingency appropriation to any other appropriation made to the institution from cash funds- and institutions may transfer appropriation from the contingency appropriation made payable from each institution's State Treasury Fund to the state operations appropriation made payable from each institution's State Treasury Fund.

(b) The department shall report monthly to the Legislative Council these appropriation transfers, and the report shall include, by institution, the amounts transferred, ~~and~~ the reasons therefor and the source of the funds."

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

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 5 to SENATE BILL NO. 453

Amend **Senate Bill No. 453** as engrossed, S4/5/05:

Add a new section immediately following Section 31 to read as follows:

“ SECTION 32. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COOPERATION AGREEMENTS. Any two-year institution of Higher Education that has its main or a satellite campus located within a twenty five mile radius of any four-year institution of higher education shall enter into a written agreement with that four-year institution which must address duplication of services between the institutions.

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 IRMA H. BROWN

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 453 was ordered engrossed.

On motion of Senator Bisbee, **Senate Bill No. 457** was placed back on second reading for purpose of Amendment No. 8.

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 8 to SENATE BILL NO. 457

Amend **Senate Bill No. 457** as originally engrossed:

Add new sections immediately following Section 17 to read as follows:

" SECTION 18. REGULAR SALARIES - OFFICE OF ACCOUNTABILITY. There is hereby established for the Department of Education - Office of Accountability for the 2005-2007 biennium, the following maximum number of regular employees whose salaries shall be governed by the provisions of the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws amendatory thereto. Provided, however, that any position to which a specific maximum annual salary is set out herein in dollars, shall be exempt from the provisions of said Uniform Classification and Compensation Act. All persons occupying positions authorized herein are hereby governed by the provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its successor.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate	
				2005-2006	2006-2007
(1)	909Z	PROGRAM SUPPORT MANAGER	1	GRADE 22	
(2)	R028	ED PROGRAM ANALYST	3	GRADE 21	
(3)	R010	ADMINISTRATIVE ASSISTANT II	<u>1</u>	GRADE 17	
		MAX. NO. OF EMPLOYEES	5		

SECTION 19. APPROPRIATION - OFFICE OF ACCOUNTABILITY. There is hereby appropriated, to the Department of Education, to be payable from the Department of Education Public School Fund Account, for personal services and operating expenses of the Department of Education - Office of Accountability for the biennial period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) REGULAR SALARIES	\$ 199,447	\$ 205,430
(02) PERSONAL SERVICES MATCHING	55,845	57,520
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	23,750	23,750
(B) CONF. & TRAVEL	2,268	2,268
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	0	0
TOTAL AMOUNT APPROPRIATED	<u>\$ 281,310</u>	<u>\$ 288,968"</u>

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 Amendments No. 10, 11 and 12.

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 10 to SENATE BILL NO. 503

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

Delete Section 1 in its entirety and substitute the following:

"SECTION 1. APPROPRIATION. There is hereby appropriated, to the Department of Education, to be payable from the Department of Education Public School Fund Account, for grants and aids to local school districts and special programs of the Department of Education for the biennial period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) BETTER CHANCE PROGRAM	\$ 71,166,500	\$ 71,166,500
(02) ACADEMIC IMPROVEMENT TRAINING	500,000	500,000
(03) ADVANCED PLACEMENT INCENTIVE	675,000	675,000
(04) ALTERNATIVE LEARNING	31,525,000	35,307,030
(05) ARKANSAS EASTER SEALS	193,113	193,113
(06) ASSESSMENT/END OF LEVEL TESTING	21,835,250	23,887,747
(07) AT RISK	1,490,500	1,490,500
(08) CONSOLIDATION INCENTIVE	1,906,416	5,757,300
(09) CONTENT STANDARDS	161,000	161,000
(10) COOP EDUCATION TECH CENTERS	750,000	750,000
(11) DISTANCE LEARNING OPERATIONS	5,831,400	5,831,400
(12) COURT ORDERED DESEGREGATION	58,660,966	60,388,078
(13) CRIMINAL BACKGROUND CHECKS	125,000	125,000
(14) DEBT SERVICE FUNDING	42,464,629	42,464,629
(15) DEPT. OF CORRECTION	4,547,675	4,547,675
(16) DISTANCE LEARNING	3,500,000	3,500,000
(17) DISTRESSED DISTRICT	450,000	450,000
(18) EARLY CHILDHOOD SPECIAL EDUCATION	8,700,000	10,000,000
(19) EDUCATION SERVICE COOPERATIVES	4,929,270	4,929,270
(20) ENGLISH LANGUAGE LEARNERS	4,851,795	5,257,795
(21) GENERAL FACILITIES FUNDING	8,108,762	8,108,762
(22) ECONOMIC EDUCATION	300,000	300,000
(23) GIFTED & TALENTED	1,292,896	1,292,896
(24) HOME SCHOOL TESTING	150,000	150,000
(25) HUMAN DEVELOPMENT CENTER EDUCATION AID	26,150	526,150
(26) INTENSIVE SCHOOL SUPPORT	320,000	320,000
(27) ISOLATED FUNDING	7,896,000	7,896,000
(28) LEADERSHIP ACADEMY-MASTER PRINCIPAL	500,000	500,000
(29) NATIONAL BOARD OF PROF TEACHING STANDARDS	2,180,000	2,680,500
(30) NATIONAL SCHOOL LUNCH	136,473,000	144,661,380
(31) PROFESSIONAL DEVELOPMENT FUNDING	22,595,471	22,735,471
(32) PUBLIC SCHOOL EMPLOYEE INSURANCE	36,793,760	36,878,600

(33) GRANTS TO SCHOOL DISTRICTS	50,000	50,000
(34) PYGMALION COMMISSION	40,000	40,000
(35) RESIDENTIAL CENTERS/JUVENILE DETENTION	11,384,482	11,384,482
(36) SAFETY TRAINING	765,000	765,000
(37) SCHOOL FOOD SERVICES	1,650,000	1,650,000
(38) SCHOOL FOOD-LEGISLATIVE AUDIT	75,000	75,000
(39) SCHOOL WORKER DEFENSE	390,000	390,000
(40) SERIOUS OFFENDER	1,000,600	1,050,946
(41) SMART START/SMART STEP	7,181,815	7,181,815
(42) SPECIAL EDUCATION-CATASTROPHIC	8,800,000	8,800,000
(43) SPECIAL EDUCATION SERVICES	4,145,285	4,145,285
(44) INTERVENTION BLOCK GRANTS	132,000	132,000
(45) STATE FOUNDATION FUNDING	1,725,118,800	1,757,350,234
(46) STUDENT GROWTH	43,610,400	43,610,400
(47) SUPPLEMENTAL MILLAGE	10,000,000	10,000,000
(48) SURPLUS COMMODITIES	630,000	630,000
(49) TEACHER LICENSING/MENTORING	7,150,258	7,508,758
(50) TEACHER RECRUITMENT	2,100,000	2,100,000
(51) TEACHER RETIREMENT MATCHING	4,594,800	5,122,080
(52) TECHNOLOGY IMPROVEMENTS	1,000,000	1,000,000
(53) WORKER'S COMPENSATION	450,000	450,000
(54) YOUTH SHELTERS	165,000	165,000
(55) NON-TRADITIONAL LICENSURE	50,000	50,000
(56) TEACHER HOUSING DEVELOPMENT	100,000	100,000
(57) TECHNOLOGY GRANTS	1,602,678	1,602,678
(58) LEADERSHIP ACADEMY	600,000	600,000
(59) MASTER PRINCIPAL BONUS	0	200,000
(60) SECONDARY AREA VOCATIONAL CENTERS	8,771,500	10,154,136
(61) CONTENTS STANDARDS CURRICULUM FRAMEWORKS	100,000	0
(62) SCHOOL FUNDING CONTINGENCY	<u>25,000,000</u>	<u>25,000,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$2,348,057,171</u>	<u>\$2,404,739,610"</u>

And

Page 4, line 31, delete "1,305,495 1,305,495" and substitute
"1,335,495 1,366,995"

And

Page 4, line 35, delete "7,276,424 7,276,424" and substitute
"10,136,424 10,136,424"

And

Page 5, line 1, delete "\$ 11,844,607 \$11,912,144" and substitute
"\$ 14,764,607 \$14,863,644"

And

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. CARRY FORWARD. The balance of the appropriation as provided in the Contents Standards Curriculum Frameworks line item of Section 1 of

this Act which remains 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

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

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 11 to SENATE BILL NO. 503

Amend **Senate Bill No. 503** as engrossed, S4/6/05:

Add a new section immediately after Section 30 of the bill to read as follows:

"SECTION 31. Arkansas Code 19-5-1227 concerning the Educational Adequacy Fund is amended to read as follows:
19-5-1227. Educational Adequacy Fund.

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

(b) After the Treasurer of State has made deductions from the revenues under § 19-5-203(b)(2)(A), the Educational Adequacy Fund shall consist of:

- (1) All net revenues collected due to enactments of the Eighty-Fourth General Assembly meeting in Second Extraordinary Session, unless a different distribution of those additional net revenues is otherwise provided in the act creating those additional net revenues;
 - (2) The revenues credited to the Educational Adequacy Fund under § 26-54-113(b)(2);
 - (3) The revenues generated by §§ 26-52-302(d), 26-53-107(d), 26-52-316, and 26-57-1002(d)(1)(A)(ii); and
 - (4) Other revenues as provided by law.
- (c)(1) The Chief Fiscal Officer of the State will determine, from time to time, the

amount of funds required from the Educational Adequacy Fund which, when added to other resources available to the Department of Education Public School Fund Account and the Department of Education Fund Account, is needed to fulfill the financial obligation of the state to provide an adequate educational system ~~as enacted by the Eighty-Fourth General Assembly meeting in Second Extraordinary Session~~ as authorized by law and shall certify the amounts to the Treasurer of State.

(2) At the end of each month, the Treasurer of State shall transfer all moneys available from the Educational Adequacy Fund to the Department of Education Public School Fund Account of the Public School Fund and to the Department of Education Fund Account of the Education Fund, until the sum of all transfers from the Educational Adequacy Fund equal the amounts determined in subdivision (c)(1) of this section, there to be used as determined by law.

(d) In the event the Chief Fiscal Officer of the State determines that the transfers from the Educational Adequacy Fund, when added to the other resources available to the Department of Education Public School Fund Account, are not sufficient to meet the state's financial obligation to provide an adequate educational system ~~as enacted by the Eighty-Fourth General Assembly meeting in Second Extraordinary Session~~ as authorized by law, the additional amount required shall be transferred from the other funds and fund accounts within § 19-5-402(a) and § 19-5-404(a) based upon the proportion that each of the remaining fund and fund accounts bears to the total of the remaining funds and fund accounts in § 19-5-402(a) and § 19-5-404(a)."

AND

Renumber the subsequent 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

On motion of Senator Bisbee, the rules were suspended in considering **Senate Bill No. 503** for Amendment No. 12 at this time.

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 12 to SENATE BILL NO. 503

Amend **Senate Bill No. 503** as engrossed, S4/6/05:

Add a new section immediately following Section 30 to read as follows:

" SECTION 31. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SUPPLEMENTAL MILLAGE. Any school district that voluntarily raised their maintenance and operation mills only during the 2004-2005 school year in order to have a total millage beyond the twenty-five (25) mills required by the Arkansas Constitution, Amendment 74, and to meet the purpose of § 6-20-2402(a)(3), and the district's property assessment per student is below the state average per student, that district shall qualify to receive any appropriate supplemental millage incentive funds otherwise available in the public school fund without regard to any other qualifications in law, including but not limited to, any requirement that a school district must have previously received debt service funding supplement.

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 HIGGINBOTHOM

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 placed back on second reading for purpose of Amendments No. 4 and 5.

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 4 to SENATE BILL NO. 874

Amend **Senate Bill No. 874** as engrossed, S4/6/05:

Page 3, line 3, delete "\$ 667,026 \$ 685,889" and substitute "\$ 917,310 \$ 943,699"

And

Page 3, line 5, delete "183,211 183,307" and substitute "295,148 300,877"

And

Page 3, line 7, delete "50,000 50,000" and substitute "130,000 130,000"

And

Page 3, line 8, delete "5,000 5,000" and substitute "25,000 25,000"

And

Page 3, delete line 11 and 12 in their entirety and substitute the following:

" (E) DATA PROC.	5,000	5,000
(05) SAFETY TRAINING	<u>250,000</u>	<u>250,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 1,772,458</u>	<u>\$ 1,804,576</u>

And

Add new sections immediately following Section 6 to read as follows:

" SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND TRANSFER. Immediately upon the effective date of this act, and on July 1, 2006, the Chief Fiscal Officer of the State shall transfer on his books and those of the State Treasurer and Auditor of State the sum of seven hundred sixty five thousand dollars (\$765,000) from the Department of Education Public School Fund Account to the Division of Public School Academic Facilities and Transportation Fund Account to provide funds for the appropriation in Section 3 of this Act.

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

SECTION 8. SPECIAL LANGUAGE. Arkansas Code 6-20-1701 through 6-20-1716 concerning High Cost Transportation Funding is repealed.
~~6-20-1701. Title.~~
~~The title of this subchapter shall be "The High Cost Transportation Funding Formula Act of 1997".~~

6-20-1702. Definitions.

As used in this subchapter, unless the context otherwise requires:

~~(1) "Activity bus" means a bus which is used to transport students for participation in activities sanctioned by the Arkansas Activities Association or other extracurricular activities sanctioned by the school district;~~

~~(2)(A) "Approved transportation unit" means a school bus which meets all state and federal safety standards for school bus construction and which is certified by the manufacturer as a school bus.~~

~~(B) The school bus must be assigned to a regular school bus route for transporting students to and from the public schools during the regular school term.~~

~~(C) To qualify for state aid, the bus must have a capacity of at least eleven (11) students.~~

~~(D) All approved transportation units shall be in good repair, sanitary, and in safe operating condition as indicated by regular maintenance and safety inspections;~~

~~(3) "Area" means the number of square miles of land within the school district boundary lines computed to the nearest whole section;~~

~~(4) "Assigned school" means the school site where a student receives most of his or her academic instruction;~~

~~(5)(A) "Average daily membership" means the total number of days attended plus the total number of days absent by students in grades kindergarten through twelve (K-12) during the first three (3) quarters of each school year divided by the number of school days actually taught in the district during that period of time with the result rounded up to the nearest hundredth.~~

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

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

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

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

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

~~(6)(A) "Average daily transported" means the average number of students transported daily in kindergarten through grade twelve (K-12). Average daily transported is based on the average of the first three (3) quarters of the previous school year rounded up to the nearest hundredth.~~

~~(B) Students eligible to be counted as the average daily transported include resident students attending school within the district and residing two (2) route miles or more from their respective assigned schools, legally transferred students under § 6-18-316, school choice students under § 6-18-206, and tuition agreement students;~~

~~(7) "Bus seating capacity" means the rated seating capacity, indicating the maximum number of persons to be accommodated, as designated by the manufacturer;~~

~~(8) "Density" means the area in square miles of the school district divided into the average daily transported in grades kindergarten through twelve (K-12) rounded up to the nearest tenth;~~

~~(9) "Disaster aid" means transportation aid payable to a school district due to a natural or man-made disaster that causes a school district to reroute one (1) or more approved transportation units so that additional miles are incurred above the previously established route for a minimum of twenty (20) school days in which affected students are actually transported;~~

- ~~(10) "Feeder bus" means a bus used to transport students from their home to the bus line where they board an approved transportation unit. No transportation aid shall be allowed for a feeder bus;~~
- ~~(11) "Fleet seating capacity" means the number of approved transportation units, by bus seating capacity, times the bus seating capacity of each respective unit;~~
- ~~(12) "Legally transferred students" means students granted transfers under § 6-18-316;~~
- ~~(13) "Previous year" means the school year immediately preceding the school year in which funds authorized by this chapter are allocated;~~
- ~~(14) "Resident student" means a student in grades kindergarten through twelve (K-12) living within the local school district;~~
- ~~(15) "Route" means an established regular course of travel used daily by an approved transportation unit for the purpose of moving students to and from their assigned school;~~
- ~~(16) "School choice students" means students attending a public school in a district other than the one in which the student resides pursuant to § 6-18-206;~~
- ~~(17) "Shuttle bus" means a bus not used on the daily route but used to shuttle students from one (1) school to another. Shuttle buses shall not be counted for aid purposes as approved transportation units;~~
- ~~(18) "Spare bus" means a bus that is held in reserve, i.e., an additional or extra bus which shall not be counted in the number approved for aid purposes as an approved transportation unit;~~
- ~~(19) "Special unit" means an eleven-passenger to sixteen-passenger school bus meeting all state and federal safety standards; and~~
- ~~(20) "Tuition agreement students" means students attending school outside the resident district under a written tuition agreement between the resident district and the receiving district.~~

~~6-20-1703. Calculation of transportation aid.~~

~~A local school district's base aid is determined by adding the school district's student aid and bus allowance using the worksheet for transportation in § 6-20-1716 and the formula components set forth in § 6-20-1704.~~

~~6-20-1704. Calculation of transportation aid components.~~

- ~~(a) Calculation of Average Daily Transported.~~
- ~~—(1)(A) Average daily transported may include resident students who reside two (2) route miles or more from their assigned schools.~~
- ~~(B) Districts may count students who live in this area, even if private transportation is provided for these students, so long as a school bus is operated by the district for the potential transportation of these students.~~
- ~~(C) The school district must determine whether a student lives without or within the two-mile distance for each assigned school using an established bus route.~~
- ~~(2)(A) Average daily transported may include legally transferred students, school choice students, and tuition agreement students.~~
- ~~(B) However, a legally transferred student, a school choice student, or a tuition agreement student may only be counted toward average daily transported if the district actually transports this student.~~
- ~~(C) Under § 6-18-206, if both the resident district and the receiving district provide transportation to a legally transferred student, a school choice student, or a tuition agreement student, both districts may count this student on their average daily transported calculation.~~
- ~~(3) Average daily transported may not include students living within the two-mile distance of the assigned school, using an established bus route, even if students are picked up at courtesy bus stops within the two-mile distance.~~

- ~~(4) In order to verify average daily transported, all school districts must keep accurate records indicating:~~
- ~~(A) The number of students who live outside the two-route-mile distance from their assigned school;~~
 - ~~(B) The bus in which students identified in subdivision (a)(4)(A) of this section are transported;~~
 - ~~(C) The distance which students identified in subdivision (a)(4)(A) of this section live from the assigned school as measured by an established bus route;~~
 - ~~(D) All legally transferred students who are transported;~~
 - ~~(E) All school choice students who are transported; and~~
 - ~~(F) All tuition agreement students who are transported.~~
- ~~(b) Calculation of student aid. Student aid is determined by multiplying the district's average daily transported times the rate per student pursuant to § 6-20-1715.~~
- ~~(c) Calculation of bus allowance. (1) Total bus allowance is determined by summing the following: For each category of bus seating capacity of approved transportation units, multiply the number of approved transportation units times the allowance. (2)(A) To determine the number of approved transportation units for the current school year, use the number of approved transportation units operated in the previous year. (B) Approved transportation units that run a double or triple run are counted as one (1) unit. (C) Activity buses, feeder buses, shuttle buses, and spare buses shall not be included for aid purposes. (3) Approved transportation units may qualify for an allowance based on bus seating capacity as follows:~~

Bus Seating Capacity	Allowance per Unit
89	\$4,400
83	\$4,100
77	\$3,800
71	\$3,500
65	\$3,200
59	\$3,100
53	\$3,000
47	\$2,900
41	\$2,800
35	\$2,700
23	\$2,500
Special units	\$2,400

- ~~(d) District's base aid amount. The district's base aid is determined by adding the total student aid and the total bus allowance.~~

~~6-20-1705. Modification of transportation aid.~~

- ~~(a) Base aid shall be modified by applying two (2) factors to the district's base aid:

 - ~~(1) Minimum base aid; and~~
 - ~~(2) Maximum base aid.~~~~
- ~~(b) The sum of base aid as adjusted by subsection (a) of this section, handicapped aid, and disaster aid shall be further modified by application of the high cost transportation adjustment factor.~~

~~6-20-1706. Minimum transportation aid.~~

- ~~(a) The minimum amount of base aid for which a district may qualify is determined by comparing the fleet seating capacity and the maximum eligible average daily~~

transported.

~~—(b) Maximum eligible average daily transported is the average daily transported times one and two-tenths (1.2).~~

~~(c) If the maximum eligible average daily transported is less than the fleet seating capacity:~~

~~(1) Multiply the number of approved transportation units excluding special units times the maximum eligible average daily transported, including any adjustments for annexation or consolidation, or both and divide by the fleet seating capacity.~~

~~(2) Multiply the result in subdivision (c)(1) of this section times nine thousand two hundred dollars (\$9,200) and add the total base aid for special units.~~

~~(d) If the maximum eligible average daily transported is greater than the fleet seating capacity, multiply the number of approved transportation units excluding special units times nine thousand two hundred dollars (\$9,200) and add the base aid for special units.~~

6-20-1707. Maximum base aid.

~~(a) The maximum amount of base aid for which a district may qualify is determined by comparing the fleet seating capacity and the maximum eligible average daily transported.~~

~~—(b) If the maximum eligible average daily transported is less than the fleet seating capacity:~~

~~(1) Multiply the number of approved transportation units, excluding special units, times the maximum eligible average daily transported, including any adjustments for annexation or consolidation or both, and divide by the fleet seating capacity; and~~

~~(2)(A) If transportation aid is funded in an amount less than nine million two hundred thousand dollars (\$9,200,000), the result from subdivision (b)(1) of this section shall be multiplied times fourteen thousand eight hundred dollars (\$14,800) and added to the base aid for special units; or~~

~~(B) If transportation aid is funded in the amount of nine million two hundred thousand dollars (\$9,200,000) or more, the result from subdivision (b)(1) of this section shall be multiplied times sixteen thousand dollars (\$16,000) and added to the base aid for special units.~~

~~(c) If the maximum eligible average daily transported is more than the fleet seating capacity; and~~

~~(1) If transportation aid is funded in an amount less than nine million two hundred thousand dollars (\$9,200,000), the number of approved transportation units, excluding special units, shall be multiplied times fourteen thousand eight hundred dollars (\$14,800) and added to the base aid for special units; or~~

~~(2) If transportation aid is funded in the amount of nine million two hundred thousand dollars (\$9,200,000) or more, the number of approved transportation units, excluding special units, shall be multiplied times sixteen thousand dollars (\$16,000) and added to the base aid for special units.~~

6-20-1708. Application of minimum and maximum adjustment factors.

~~(a) A school district may not qualify for less base aid than the minimum base aid, and it may not qualify for more than the maximum base aid.~~

~~—(b) The adjusted base aid for which a district is qualified shall be:~~

~~(1) The school district's base aid if the base aid is less than the maximum base aid calculated under § 6-20-1707 and greater than the minimum base aid calculated in § 6-20-1706;~~

~~(2) The minimum base aid calculated under § 6-20-1706, if the school district's base aid amount is less than its minimum base aid; or~~

~~(3) The maximum base aid calculated under § 6-20-1707, if the school district's base aid amount is more than the maximum base aid.~~

~~6-20-1709. High cost transportation adjustment factor.~~

~~(a) Total transportation aid shall be adjusted by application of the high cost transportation factor as follows:~~

~~—(1) Multiply the high cost transportation factor, to be determined annually by the Department of Education, times the average daily membership of the district; and
(2) Subtract the result in subdivision (a)(1) of this section from the sum of adjusted base aid pursuant to § 6-20-1708, handicapped aid, and disaster aid on the transportation worksheet in § 6-20-1716.~~

~~(b) Workshop aid shall be provided exclusive of the high cost transportation adjustment.~~

~~6-20-1710. Workshop aid.~~

~~(a) In addition to the total amount of approved aid, a district shall be entitled to workshop aid.~~

~~—(b) Workshop aid shall be calculated as follows:~~

~~(1)(A) Seventy dollars (\$70.00) will be paid to the school district for each qualified route driver, substitute driver, and activity driver employed by the school district who attends the Department of Education-sponsored in-service workshop.~~

~~(B) To qualify for the seventy dollars (\$70.00), attendees shall hold a valid Class "A", "B", "C", or "D" driver's license with a "P" or passenger endorsement.~~

~~(C) Payment shall be made from an instructor's sign-in sheet containing name and license number;~~

~~(2) Three hundred fifty dollars (\$350) will be paid to the school district for each school bus mechanic who attends the annual workshop for mechanics sponsored by the department;~~

~~(3)(A) Resident districts or host districts that furnish instructors for the in-service program shall be reimbursed for all expenses incurred in the school bus driver training program.~~

~~(B)(i) Instructors shall receive seven dollars (\$7.00) per qualified attendee, mileage at the current state allowable rate, and any related documented expenses associated with the in-service program for bus drivers.~~

~~(ii) Instructors will be paid one hundred fifty dollars (\$150) for conducting a beginning school bus drivers workshop for schools.~~

~~(C) All school bus safety instructors shall be employed full time by a public/state educational institution.~~

~~(D) Payment is made during the current year of instruction;~~

~~(4) Documented expenses for five (5) Arkansas Association of Student Transportation officers will be paid to the Southeastern States Pupil Transportation Conference in July of each year. An officer elected at the yearly meeting who cannot attend shall not be replaced with a substitute, and the attendance option shall be forfeited that year; and~~

~~(5)(A) Documented expenses for six (6) delegates to the National Minimum School Bus Standards Conference will be paid. This conference, conducted every five (5) years, established the standards for operational and mechanical specifications for school buses nationwide.~~

~~(B)(i) All delegates shall be employed full time by a public school system and shall be active in the school transportation program.~~

~~(ii) All delegates shall be approved by the Director of the Department of Education.~~

~~6-20-1711. Handicapped aid.~~

~~—(a) In addition to the total amount of adjusted base aid, a district shall be entitled to handicapped aid.~~

~~—(b) Handicapped aid is determined by multiplying three hundred dollars (\$300) times the number of school buses used primarily for transporting children with disabilities.~~

~~(c)(1) For each unit used primarily for transporting children with disabilities, the district may receive an additional two hundred dollars (\$200) for each school bus equipped with a wheelchair lift.~~

~~(2) For each student requiring specialized transportation according to his or her individualized education plan, the district may receive an additional twenty-five dollars (\$25.00) for each eligible student.~~

~~6-20-1712. Annexation and consolidation incentive.~~

~~(a)(1) A transportation incentive factor will be allowed for school districts annexing or consolidating. This incentive factor shall assume that all students of annexed or consolidated school districts are eligible to be transported until actual average daily transported can be determined.~~

~~—(2) To calculate this incentive factor, the average daily membership of the nontransported students shall be added to the average daily transported before completing the transportation worksheet in § 6-20-1716.~~

~~(3) Once actual average daily transported can be determined, an adjustment may be made in average daily transported.~~

~~(b) In the event that a consolidation or annexation occurs during the school year, an adjustment in the average daily transported may be made at the time that the event occurs.~~

~~(c) On any additional approved transportation units used to transport the new average daily transported pursuant to subsection (a) of this section, depreciation will be allowed in the same manner as on all other approved transportation units.~~

~~6-20-1713. Disaster aid.~~

~~(a) Districts may apply for disaster aid by completing an application with written documentation of the natural or man-made disaster and returning it to the Department of Education.~~

~~—(b) Disaster aid must be claimed during the school year in which the disaster occurred.~~

~~(c) Disaster aid is payable during the school year in which the disaster occurs or exists, and the aid is payable for a maximum of the current school year or until the temporary rerouting of the school bus ceases.~~

~~(d)(1) The department will calculate disaster aid by taking eighty-five percent (85%) of the state average cost per mile times the additional miles added to the bus route.~~

~~(2)(A) The state average cost per mile will be calculated using data from the previous year.~~

~~(B) The state average cost will include all expenditures from the previous year less any insurance settlement.~~

~~6-20-1714. Miscellaneous provisions.~~

~~(a)(1) Transportation aid deductions shall be made for those schools having fewer than the required number of school days as prescribed by the educational standards.~~

~~—(2) Deductions shall be made as follows: Approved state aid divided by the required number of days equals aid per day. Aid per day times the number of days not in attendance equals deductions for a shortened school year.~~

~~(3) No deductions will be made if a waiver is granted by the Department of Education on the number of days in attendance.~~

~~(b) The department may deny transportation aid for children who are transported beyond a reasonable distance in cases where the children can be satisfactorily accommodated to an approved school nearer their residence. However, the state recognizes and supports that some districts may choose to bus students greater distances to achieve further desegregation. Superintendents are urged to survey~~

conditions and propose agreements between districts in keeping with sound administration and economy in the use of public school funds.

(c) The following penalties shall be assessed against districts:

(1) No transportation aid shall be granted to any district if the proper officials do not make such reports as are required for participation;

(2) An indication of an inaccurate report may be the basis for an investigation by the department; and

(3) Base aid shall be withheld on any approved transportation unit found to be operating in violation of the minimum standards as adopted by the State Board of Education.

(d)(1) Any state transportation aid funds distributed to a school district under this subchapter shall be used by the district only for those purposes as enumerated by the board as permitted uses of state transportation aid.

(2) Any balance of state transportation aid funds on hand in any school district at the end of any biennium shall be returned to the department for deposit in the state transportation aid formula unless a waiver is granted for the purchase of a school bus by the department.

(e) The board is authorized to formulate rules and regulations for the administration of funds distributed under this subchapter for high cost transportation.

6-20-1715. Density chart.

(a) If transportation aid is funded in an amount less than nine million two hundred thousand dollars (\$9,200,000), the density chart shall be as follows:

Density	Rate per Student	Density	Rate per Student	Density	Rate per Student
0.1	\$265.12	3.1	\$212.32	6.1	\$159.52
0.2	\$263.36	3.2	\$210.56	6.2	\$157.76
0.3	\$261.61	3.3	\$208.80	6.3	\$156.00
0.4	\$259.84	3.4	\$207.04	6.4	\$154.24
0.5	\$258.08	3.5	\$205.28	6.5	\$152.48
0.6	\$256.32	3.6	\$203.52	6.6	\$150.72
0.7	\$254.56	3.7	\$201.76	6.7	\$148.96
0.8	\$252.80	3.8	\$200.00	6.8	\$147.20
0.9	\$251.04	3.9	\$198.24	6.9	\$145.44
1.0	\$249.28	4.0	\$196.48	7.0	\$143.68
1.1	\$247.52	4.1	\$194.72	7.1	\$141.92
1.2	\$245.76	4.2	\$192.96	7.2	\$140.16
1.3	\$244.00	4.3	\$191.20	7.3	\$138.40
1.4	\$242.24	4.4	\$189.44	7.4	\$136.64
1.5	\$240.48	4.5	\$187.68	7.5	\$134.88
1.6	\$238.72	4.6	\$185.92	7.6	\$133.12
1.7	\$236.96	4.7	\$184.16	7.7	\$131.36
1.8	\$235.20	4.8	\$182.40	7.8	\$129.60
1.9	\$233.44	4.9	\$180.64	7.9	\$127.84
2.0	\$231.68	5.0	\$178.88	8.0	\$126.08
2.1	\$229.92	5.1	\$177.12	8.1	\$124.32
2.2	\$228.16	5.2	\$175.36	8.2	\$122.56
2.3	\$226.40	5.3	\$173.60	8.3	\$120.80
2.4	\$224.64	5.4	\$171.84	8.4	\$119.04
2.5	\$222.88	5.5	\$170.08	8.5	\$117.28
2.6	\$221.12	5.6	\$168.32	8.6	\$115.52
2.7	\$219.36	5.7	\$166.56	8.7	\$113.76
2.8	\$217.60	5.8	\$164.80	8.8	\$112.00
2.9	\$215.84	5.9	\$163.04	8.9	\$110.24
3.0	\$214.08	6.0	\$161.28	9.0	\$108.48

(b) If the transportation aid is funded in the amount of nine million two hundred thousand dollars (\$9,200,000) or more, the density chart shall be as follows:

Density	Rate per Student	Density	Rate per Student	Density	Rate per Student
0.1	\$272.12	3.1	\$219.32	6.1	\$166.52
0.2	\$270.36	3.2	\$217.56	6.2	\$164.76
0.3	\$268.60	3.3	\$215.80	6.3	\$163.00
0.4	\$266.84	3.4	\$214.04	6.4	\$161.24
0.5	\$265.08	3.5	\$212.28	6.5	\$159.48
0.6	\$263.32	3.6	\$210.52	6.6	\$157.72
0.7	\$261.56	3.7	\$208.76	6.7	\$155.96
0.8	\$259.80	3.8	\$207.00	6.8	\$154.20
0.9	\$258.04	3.9	\$205.24	6.9	\$152.44
1.0	\$256.28	4.0	\$203.48	7.0	\$150.68
1.1	\$254.52	4.1	\$201.72	7.1	\$148.92
1.2	\$252.76	4.2	\$199.96	7.2	\$147.16
1.3	\$251.00	4.3	\$198.20	7.3	\$145.40
1.4	\$249.24	4.4	\$196.44	7.4	\$143.64
1.5	\$247.48	4.5	\$194.68	7.5	\$141.88
1.6	\$245.72	4.6	\$192.92	7.6	\$140.12
1.7	\$243.96	4.7	\$191.16	7.7	\$138.36
1.8	\$242.20	4.8	\$189.40	7.8	\$136.60
1.9	\$240.44	4.9	\$187.64	7.9	\$134.84
2.0	\$238.68	5.0	\$185.88	8.0	\$133.08
2.1	\$236.92	5.1	\$184.12	8.1	\$131.32
2.2	\$235.16	5.2	\$182.36	8.2	\$129.56
2.3	\$233.40	5.3	\$180.60	8.3	\$127.80
2.4	\$231.64	5.4	\$178.84	8.4	\$126.04
2.5	\$229.88	5.5	\$177.08	8.5	\$124.28
2.6	\$228.12	5.6	\$175.32	8.6	\$122.52
2.7	\$226.36	5.7	\$173.56	8.7	\$120.76
2.8	\$224.60	5.8	\$171.80	8.8	\$119.00
2.9	\$222.84	5.9	\$170.04	8.9	\$117.24
3.0	\$221.08	6.0	\$168.28	9.0	\$115.48

—6-20-1716. Transportation worksheet.

HIGH COST TRANSPORTATION AID WORKSHEET

_____ LEA# _____

SCHOOL DISTRICT _____ COUNTY _____

1. Average daily transported _____
2. Area _____
3. Density (average daily transported divided by area) _____
4. Rate per student (from § 6-20-1715) _____
5. Student aid (rate per student times average daily transported) _____
6. Bus allowance: _____

Seating No. Capacity Allowance
 Capacity Units of Fleet Allowance by Size

89	_____	\$4,400	_____
83	_____	\$4,100	_____
77	_____	\$3,800	_____
71	_____	\$3,500	_____
65	_____	\$3,200	_____
59	_____	\$3,100	_____
53	_____	\$3,000	_____
47	_____	\$2,900	_____
41	_____	\$2,800	_____
35	_____	\$2,700	_____
23	_____	\$2,500	_____
Special	_____	\$2,400	_____
TOTALS:	_____	Allowance:	_____

- 7. Student aid plus total bus allowance _____
- 8. Minimum aid _____
- 9. Maximum aid _____
- 10. Total aid qualified for (between lines 8 and 9) _____
- 11. Handicapped aid: _____
- (a) Buses @ \$300 each _____
- (b) Wheelchair lifts @ \$200 each _____
- (c) Children with disabilities @ \$25.00 each _____
- 12. Disaster aid _____
- 13. High cost adjustment factor _____
- 14. Total transportation aid _____
- (line 10 plus line 11 plus line 12 minus line 13) _____
- 15. Workshop aid _____
- 16. Total approved aid (line 13 plus line 14) _____"

And
Appropriately renumber the sections of the bill.

(SIGNED) SENATOR SHANE BROADWAY

The Amendment was read 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. 5 to SENATE BILL NO. 874

Amend **Senate Bill No. 874** as engrossed, S4/6/05 :

Add a new section immediately following Section 7 to read as follows:

" SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND TRANSFER. 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 Auditor of State the sum of one million seven thousand four

hundred fifty eight dollars (\$1,007,458) from the Educational Facilities Partnership Fund Account to the Division of Public School Academic Facilities and Transportation Fund Account to provide funds for the appropriation in Section 3 of this Act. On July 1, 2006 the Chief Fiscal Officer of the State shall transfer on his books and those of the State Treasurer and Auditor of State the sum of one million thirty nine thousand five hundred seventy six dollars (\$1,039,576) from the Educational Facilities Partnership Fund Account to the Division of Public School Academic Facilities and Transportation Fund Account to provide funds for the appropriation in Section 3 of this Act.

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. 874 was ordered engrossed.

On motion of Senator Bisbee, the rules were suspended in considering House Bill No. 1510 at this time.

On motion of Senator Bisbee, House Bill No. 1510 was placed back on second reading for purpose of Amendments No. 1 and 2.

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

Amendment No. 1 to HOUSE BILL NO. 1510

Amend **House Bill No. 1510** as engrossed, H3/18/05:

Insert an additional Section immediately following Section 15 to read as follows:

" SECTION 16. APPROPRIATION – COMMUNITY INVESTMENT INITIATIVE. There is hereby appropriated to the Arkansas Employment Security Department to be payable from the Temporary Assistance to Needy Families Block Grant funds for contracts with private or community organizations to offer services as authorized by the Community Investment Initiative Arkansas Code 20-76-446 for the biennial period ending June 30, 2007, the following;

ITEM NO.	FISCAL YEARS	
	2005-2006	2006- 2007
(01) COMMUNITY INVESTMENT INITIATIVE SERVICES	<u>\$ 2,000,000</u>	<u>\$ 3,000,000</u>

SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. RESTRICTIONS ON FUNDS APPROPRIATED TO THE COMMUNITY INVESTMENT INITIATIVE. Funds appropriated for Community Investment Funds for the fiscal years 2005-2006 and 2006-2007 (combined) shall be subject to these restrictions in their use for the specified statutory purposes:

- (1) Improving outcomes for youth (at least \$1,000,000),
- (2) parenting and family functioning (at least \$500,000),
- (3) marriage and relationship skills (\$500,000),
- (4) fatherhood programs (at least \$500,000),
- (5) family and employment services for ex-offenders (at least \$500,000), and
- (6) services to child-only TEA cases (at least \$500,000)

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

SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SUSPENSION OR REDUCTION OF FUNDS APPROPRIATED TO THE COMMUNITY INVESTMENT INITIATIVE. Spending for the Community Investment Initiative can be suspended or reduced if the Director of the Employment Security Department and the Transitional Employment Board certify that

- a) Funding from the Temporary Assistance to Needy Families block grant is needed to support a critical economic development initiative,
- b) Other funds from the Temporary Assistance to Needy Families block grant are not available beyond those needed for the operation of the TEA, Work Pays and High Wage Education and Training Programs and for an adequate reserve for possible

increases in cash assistance during the current fiscal year, and

c) Spending for the economic development initiative is allowable within the federal rules governing the Temporary Assistance to Needy Families Block Grant. Certification of these conditions shall be made to the Governor and the Chief Fiscal Officer of the State and notification shall be made to the Legislative Council and the Senate and House Public Health and Welfare Committees. If spending on the Community Investment Initiative is reduced, these reductions shall be assessed proportionately to the funds available for each of the six statutory purposes of the Community Investment Initiative. The provisions of this section shall be in effect only from July 1, 2005 through June 30, 2007."

And appropriately renumber the SECTION numbers 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

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 2 to HOUSE BILL NO. 1510

Amend **House Bill No. 1510** as engrossed, H3/18/05:

Insert an additional section immediately following Section 18 to read as follows:

"SECTION 19. APPROPRIATION - ARKANSAS TRANSITIONAL EMPLOYMENT PROGRAM OPERATIONS. There is hereby appropriated, to the Arkansas Employment Security Department, to be payable from cash funds as defined by

Arkansas Code 19-4-801 of the Arkansas Employment Security Department, for personal services and operating expenses of the Arkansas Employment Security Department for the biennial period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) ARKANSAS TRANSITIONAL EMPLOYMENT PROGRAM OPERATION	<u>\$100,000,000</u>	<u>\$100,000,000"</u>

And appropriately renumber the subsequent sections.

(SIGNED) SENATOR DAVID BISBEE

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1510 was ordered engrossed.

On motion of Senator Wilkinson, the rules were suspended in considering House Bill No. 1963 at this time.

On motion of Senator Wilkinson, House Bill No. 1963 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. 1963

Amend **House Bill No. 1963** as engrossed, H3/9/05:

Page 1, delete line 5, and substitute the following:

"By: Representative Ormond"

AND

Delete everything following the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 16-17-108(ffff), pertaining to the salary of the Perry County District Court Judge, is amended to read as follows:

~~(ffff) (76) The Perry County District Court Judge shall receive an annual salary of not less than eighteen thousand five hundred forty dollars (\$18,540) twenty thousand dollars (\$20,000) nor more than twenty-four thousand dollars (\$24,000) twenty-six thousand five hundred dollars (\$26,500), with one-half (1/2) being paid by the participating cities and one-half (1/2) being paid by the county."~~

(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. 1963 was ordered engrossed.

On motion of Senator Bisbee, **Senate Bill No. 343** 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. 343

Amend **Senate Bill No. 343** as engrossed, S4/7/05:

Delete Section 7 in its entirety

And

Add new sections immediately following Section 8 to read as follows:

"SECTION 9. APPROPRIATION - STATE OPERATIONS – HEBER SPRINGS. There is hereby appropriated, to the Arkansas State University - Beebe, to be payable from the Arkansas State University - Beebe Fund, for personal services and operating expenses of the Arkansas State University – Beebe – ASU - Heber Springs for the biennial period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) REGULAR SALARIES	\$ 350,000	\$ 350,000
(02) CONTINGENCY	252,989	389,489
TOTAL AMOUNT APPROPRIATED	<u>\$ 602,989</u>	<u>\$ 739,489</u>

SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDING PROVISIONS. Of the funding provided for the Arkansas State University – Beebe Fund, six hundred two thousand nine hundred eighty nine dollars (\$602,989) in Fiscal Year 2006 and seven hundred thirty nine thousand four hundred eighty nine dollars (\$739,489) in Fiscal Year 2007 shall be used to fund the appropriation contained in Section 9 of this act and made available to Arkansas State University – Beebe – ASU – Heber Springs. If the official general revenue forecast is reduced during the biennium each Arkansas State University – Beebe campus will receive the same percentage reduction. 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. 343 was ordered engrossed.

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

April 8, 2005

Mr. President:

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

SENATE BILL NO. 81, BY JOINT BUDGET COMMITTEE,

SENATE BILL NO. 293, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 343, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 457, 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

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

April 8, 2005

Mr. President:

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

SENATE BILL NO. 453, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 503, 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. 453** 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.

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 8, 2005

Mr. President:

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

HOUSE BILL NO. 1510, BY JOINT BUDGET COMMITTEE,

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

Respectfully submitted,
(SIGNED) JOHN PAUL CAPPS, CHAIRMAN

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

April 8, 2005

Mr. President:

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

SENATE BILL NO. 78, 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 BISBEE

On motion of Senator Hendren, and without objection, **Senate Bill No. 1120** was recommended for study in the interim by Senate Interim Committee on JUDICIARY.

On motion of Senator Glover, **Senate Bill No. 227** was called up for third reading and final disposition.

SENATE BILL NO. 227
As Engrossed: S2/1/05 S4/7/05
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS GLOVER & MADISON

A Bill for an Act to be Entitled: *AN ACT TO REMOVE THE JURISDICTIONAL LIMITATION FOR A JUSTICE OF THE PEACE TO SOLEMNIZE MARRIAGES; AND FOR OTHER PURPOSES.*

Senate Bill No. 227 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

Senate Bill No. 227 was ordered immediately transmitted to the House as passed.

On motion of Senator Argue, **Senate Bill No. 1090** was called up for third reading and final disposition.

SENATE BILL NO. 1090

As Engrossed: S4/5/05 S4/7/05

EIGHTY-FIFTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATOR ARGUE

A Bill for an Act to be Entitled: AN ACT TO IMPROVE THE VALUATION PROCESS FOR AGRICULTURAL, PASTURE, AND TIMBER LAND IN ORDER TO MORE ACCURATELY REFLECT PROPERTY VALUE AND TO PRODUCE ADDITIONAL REVENUES FOR PUBLIC SCHOOL DISTRICTS AND COUNTIES; AND FOR OTHER PURPOSES.

Senate Bill No. 1090 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, 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.

Total33

NEGATIVE: Glover, Holt.

Total2

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. 1090 was ordered immediately transmitted to the House as passed.

On motion of Senator Bryles, Senate Bill No. 1043 was called up for third reading and final disposition.

SENATE BILL NO. 1043

As Engrossed: S4/7/05

EIGHTY-FIFTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATOR BRYLES

BY: REPRESENTATIVE CHILDERS

A Bill for an Act to be Entitled: AN ACT TO PROVIDE A GRADUATION CREDIT FOR SERVING AS A STUDENT MENTOR; AND FOR OTHER PURPOSES.

Senate Bill No. 1043 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 cast.....34

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 1043 was ordered immediately transmitted to the House as passed.

On motion of Senator Bisbee, the rules were suspended in considering Senate Bill No. 511 at this time.

On motion of Senator Smith, Senate Bill No. 511 was called up for third reading and final disposition.

SENATE BILL NO. 511
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

BY: SENATOR TRUSTY

A Bill for an Act to be Entitled: AN ACT TO EXEMPT THE ARKANSAS SYMPHONY ORCHESTRA SOCIETY, INC. FROM SALES AND USE TAX; AND FOR OTHER PURPOSES.

Senate Bill No. 511 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

There being an emergency clause attached to Senate Bill No. 511, 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

Senate Bill No. 511 was ordered immediately transmitted to the House.

On motion of Senator Baker, House Bill No. 2841 was called up for third reading and final disposition.

HOUSE BILL NO. 2841

As Engrossed: H3/23/05

EIGHTY-FIFTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE ANDERSON

A Bill for an Act to be Entitled: *AN ACT CONCERNING THE STORAGE, POSSESSION, AND TRANSPORTATION OF ALCOHOLIC BEVERAGES IN DRY COUNTIES; AMENDING ARKANSAS LAWS TO INCREASE THE PENALTY FOR THE SALE OF INTOXICATING LIQUOR IN DRY COUNTIES; AMENDING A PORTION OF ARKANSAS LAW RESULTING FROM INITIATED ACT 1 OF 1942; AND FOR OTHER PURPOSES.*

House Bill No. 2841 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, Horn, J. Jeffress, B. Johnson, Laverty, Luker, Madison, Malone, Miller, Salmon, T. Smith, Steele, Taylor, Trusty, Whitaker, Wilkins, Wilkinson, Womack, Mr. President.

Total31

NEGATIVE: Hendren, G. Jeffress, Wooldridge.

Total3

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT: Holt.

Total1

Total number of votes cast35

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2841 was ordered immediately returned to the House as passed.

On motion of Senator Madison, House Bill No. 1621 was called up for third reading and final disposition.

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 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, Bryles, Capps, Critcher, Glover, Higginbothom, Hill, Holt, Horn, G. Jeffress, B. Johnson, Laverty, Luker, Madison, Malone, Miller, Salmon, T. Smith, Steele, Trusty, Whitaker, Wilkins, Wooldridge, Mr. President.

Total28

NEGATIVE: Brown, Faris, Hendren, J. Jeffress, Taylor, Wilkinson, Womack.

Total7

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

Senator Madison moved that the vote by which House Bill No. 1621 passed be reconsidered and that motion be laid upon the table, which motion prevailed and the motion to reconsider was laid on the table.

House Bill No. 1621 was ordered returned to the House as passed.

On motion of Senator Hill, House Bill No. 2485 was called up for third reading and final disposition.

HOUSE BILL NO. 2485

As Engrossed: H3/16/05 H3/25/05 S4/7/05

EIGHTY-FIFTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES ROSENBAUM & BOLIN

A Bill for an Act to be Entitled: AN ACT TO REPEAL MOST OF THE EXISTING LAW REGARDING SPECIAL LICENSE PLATES; TO IMPLEMENT THE SPECIAL LICENSE PLATE ACT OF 2005 WHICH TRANSFERS THE AUTHORITY FOR ISSUING ADDITIONAL SPECIAL LICENSE PLATES TO THE DIRECTOR OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION; AND FOR OTHER PURPOSES.

House Bill No. 2485 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

There being an emergency clause attached to House Bill No. 2485, 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. 2485 was ordered immediately returned to the House as passed as amended.

On motion of Senator Salmon, House Bill No. 2452 was called up for third reading and final disposition.

HOUSE BILL NO. 2452

As Engrossed: H3/22/05 H3/28/05

EIGHTY-FIFTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE ROEBUCK

A Bill for an Act to be Entitled: *AN ACT TO ENSURE THE CONTINUITY OF MENTAL HEALTH SERVICES FOR JUVENILES IN THEIR COMMUNITIES; TO ADDRESS THE OUT-OF-STATE PLACEMENT OF CHILDREN FOR MENTAL HEALTH SERVICES AND TREATMENT; TO CLARIFY THE REQUIREMENTS FOR AN ASSESSMENT OR SCREENING; AND FOR OTHER PURPOSES.*

House Bill No. 2452 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. 2452 was ordered immediately returned to the House as passed.

On motion of Senator Salmon, House Bill No. 2095 was called up for third reading and final disposition.

HOUSE BILL NO. 2095
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE ROEBUCK

A Bill for an Act to be Entitled: AN ACT TO AMEND REPORTING ON EMOTIONALLY DISTURBED YOUTH; AND FOR OTHER PURPOSES.

House Bill No. 2095 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

House Bill No. 2095 was ordered immediately returned to the House as passed.

On motion of Senator SALMON, House Bill No. 2535 was called up for third reading and final disposition.

HOUSE BILL NO. 2535

As Engrossed: H3/17/05 H3/24/05 S4/7/05

EIGHTY-FIFTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE ROEBUCK

A Bill for an Act to be Entitled: *AN ACT TO CREATE THE COMPREHENSIVE CHILDREN'S BEHAVIORAL HEALTH SYSTEM OF CARE PLAN; AND FOR OTHER PURPOSES.*

House Bill No. 2535 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. 2535 was ordered immediately returned to the House as passed as amended.

On motion of Senator Critcher, the rules were suspended in considering House Bill No. 2640 at this time.

On motion of Senator Critcher, House Bill No. 2640 was placed back on second reading for purpose of Amendment No. 1.

EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to HOUSE BILL NO. 2640

Amend **House Bill No. 2640** as engrossed, H4/6/05:

Delete Section 1 and substitute the following:

"SECTION 1. Arkansas Code § 23-86-121(e), created in Act 439 of 2005 and concerning insurance coverage for anesthesia and hospitalization for dental procedures, is amended to read as follows:

(e) If a person is covered under both a health benefit plan that provides dental benefits and a health benefit plan that provides medical benefits, the health benefit plan that includes dental benefits is the primary payer and the health benefits plan that provides medical benefits is the secondary payer, subject to subsections (h) and (i) of this section.

SECTION 2. Arkansas Code § 23-86-121, created in Act 439 of 2005 and concerning insurance coverage for anesthesia and hospitalization for dental procedures, is amended to add a new subsection to read as follows:

(i) This section does not require a health benefit plan that does not cover charges for hospital or ambulatory surgical facilities generally to cover charges for hospital or ambulatory surgical facilities in connection with dental procedures described in subsection (b) of this section."

(SIGNED) SENATOR CRITCHER

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2640 was ordered engrossed.

On motion of Senator Madison, **House Bill No. 2665** was called up for third reading and final disposition.

HOUSE BILL NO. 2665
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE LEDBETTER

A Bill for an Act to be Entitled: AN ACT TO ENCOURAGE THE USE OF SHIELDED OUTDOOR LIGHTING; AND FOR OTHER PURPOSES.

House Bill No. 2665 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, Bisbee, Bookout, Broadway, Brown, Bryles, Capps, Critcher, Higginbothom, Hill, J. Jeffress, Luker, Madison, Malone, Miller, Salmon, T. Smith, Steele, Trusty, Whitaker, Wilkins, Womack, Mr. President.

Total23

NEGATIVE: Baker, Faris, Glover, Hendren, Holt, Horn, G. Jeffress, B. Johnson, Lavery, Taylor, Wilkinson, Wooldridge.

Total12

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

Senator Madison moved that the vote by which House Bill No. 2665 passed be reconsidered and that motion be laid upon the table, which motion prevailed and the motion to reconsider was laid on the table.

House Bill No. 2665 was ordered immediately returned to the House as passed.

On motion of Senator Wooldridge, House Bill No. 2085 was called up for third reading and final disposition.

HOUSE BILL NO. 2085

As Engrossed: H3/30/05

EIGHTY-FIFTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES LEDBETTER & MAHONY

A Bill for an Act to be Entitled: AN ACT TO REQUIRE THE ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION TO ADOPT GROUNDWATER STANDARDS AND GROUNDWATER CLASSIFICATIONS; AND FOR OTHER PURPOSES.

House Bill No. 2085 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: Brown, Capps, Malone, Salmon, Whitaker, Wooldridge.
Total6

NEGATIVE: Bookout, Critcher, Faris, Glover, Hendren, Horn, J. Jeffress, B. Johnson, Laverty, Taylor, Wilkinson.
Total11

ABSENT OR NOT VOTING: Altes, Baker, Bisbee, Broadway, Bryles, Higginbothom, Hill, Holt, G. Jeffress, Luker, Madison, Miller, T. Smith, Steele, Trusty, Wilkins, Womack, Mr. President.
Total18

VOTING PRESENT:
Total0

Total number of votes cast.....17
Necessary to the passage of the bill18

So the bill failed.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2085 was ordered immediately returned to the House as having failed to pass.

Senator Salmon moved the Senate recede its previous action in the adoption of Amendment No. 1 to Senate Bill No. 81.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 81 was ordered engrossed.

On motion of Senator Bookout, **House Bill No. 2735** was called up for third reading and final disposition.

HOUSE BILL NO. 2735
As Engrossed: H3/25/05 H3/30/05 S4/4/05
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE MCDANIEL
BY: SENATOR J. BOOKOUT

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS LAWS PERTAINING TO COMMUNITY REDEVELOPMENT; TO CLARIFY THE DEFINITION OF "TAXING UNIT"; AND FOR OTHER PURPOSES.

Senator Argue Spoke against the Bill.

Senator Wooldridge closed for the Bill.

STATE OF ARKANSAS
ARKANSAS SENATE
State Capitol
Little Rock, Arkansas 72201
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

DATE APRIL 8, 2005

PAIR VOTE

HOUSE BILL NO. 2735

VOTING YEA (SIGNED) SENATOR TRUSTY

VOTING NAY (SIGNED) SENATOR CAPPS

(SIGNED) ANN CORNWELL

SECRETARY OF SENATE

STATE OF ARKANSAS

ARKANSAS SENATE

State Capitol

Little Rock, Arkansas 72201

EIGHTY-FIFTH GENERAL ASSEMBLY

REGULAR SESSION

DATE APRIL 8, 2005

PAIR VOTE

HOUSE BILL NO. 2735

VOTING YEA (SIGNED) SENATOR STEELE

VOTING NAY (SIGNED) SENATOR WILKINS

(SIGNED) ANN CORNWELL

SECRETARY OF SENATE

House Bill No. 2735 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, Critcher, Faris, Hendren, Higginbothom, Holt, Horn, B. Johnson, Lavery, Luker, Madison, Salmon, T. Smith, Steele, Taylor, Trusty, Wilkinson, Womack, Wooldridge.

Total23

NEGATIVE: Brown, Capps, Glover, Hill, J. Jeffress, Malone, Miller, Whitaker, Wilkins, Mr. President.

Total10

ABSENT OR NOT VOTING: Bryles, G. Jeffress.

Total2

VOTING PRESENT:

Total0

Total number of votes cast33

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

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

There being an emergency clause attached to **House Bill No. 2735**, 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, Critcher, Faris, Hendren, Higginbothom, Holt, Horn, B. Johnson, Laverty, Luker, Madison, Salmon, T. Smith, Steele, Taylor, Trusty, Wilkinson, Womack, Wooldridge.
 Total23

NEGATIVE: Brown, Capps, Glover, Hill, J. Jeffress, Malone, Miller, Whitaker, Wilkins, Mr. President.
 Total10

ABSENT OR NOT VOTING: Bryles, G. Jeffress.
 Total2

VOTING PRESENT:
 Total0

Total number of votes cast.....33
 Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was failed.

(SIGNED) ANN CORNWELL, SECRETARY

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

The record pertaining to the vote by which the Emergency Clause to **House Bill No. 2735** failed was expunged, in accordance with a prevailing motion on April 8, 2005.

Senator Bookout moved that the record pertaining to the vote by which the **Emergency Clause on House Bill No. 2735** failed be expunged, the motion was duly seconded and prevailed.

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

There being an emergency clause attached to **House Bill No. 2735**, 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, Critcher, Faris, Hendren, Higginbothom, Holt, Horn, G. Jeffress, B. Johnson, Lavery, Luker, Madison, Malone, T. Smith, Steele, Taylor, Wilkinson, Womack, Wooldridge.

Total23

NEGATIVE: Capps, Glover, J. Jeffress, Miller, Whitaker, Mr. President.

Total6

ABSENT OR NOT VOTING: Brown, Bryles, Hill, Salmon, Trusty, Wilkins.

Total6

VOTING PRESENT:

Total0

Total number of votes cast29

Necessary to the passage of the bill24

So the Emergency Clause failed.

(SIGNED) ANN CORNWELL, SECRETARY

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

The record pertaining to the vote by which **Emergency Clause on House Bill No. 2735** failed was expunged, in accordance with a prevailing motion on April 8, 2005.

Senator J. Jeffress moved that the vote by which **Emergency Clause on House Bill No. 2735** failed be laid upon the table, motion failed.

Senator Bookout moved that the record pertaining to the vote by which **Emergency Clause on House Bill No. 2735** failed be expunged, the motion was duly seconded and prevailed.

There being an emergency clause attached to **House Bill No. 2735**, 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, Capps, Critcher, Faris, Glover, Hendren, Higginbothom, Holt, Horn, G. Jeffress, B. Johnson, Lavery,

Luker, Madison, Malone, Salmon, T. Smith, Steele, Taylor, Wilkinson, Womack, Wooldridge.

Total26

NEGATIVE: J. Jeffress, Miller, Whitaker, Mr. President.

Total4

ABSENT OR NOT VOTING: Brown, Bryles, Hill, Trusty, Wilkins.

Total5

VOTING PRESENT:

Total0

Total number of votes cast30

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senator Bookout moved that the vote by which **House Bill No. 2735** passed be reconsidered and that motion be laid upon the table, which motion prevailed and the motion to reconsider was laid on the table.

House Bill No. 2735 was ordered immediately returned to the House as passed as amended.

On motion of Senator Brown, **House Bill No. 2491** was called up for third reading and final disposition.

HOUSE BILL NO. 2491

As Engrossed: H3/25/05

EIGHTY-FIFTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE RANKIN

A Bill for an Act to be Entitled: *AN ACT TO REQUIRE OWNERS OF NEW BAIL BOND COMPANIES TO HAVE BEEN LICENSED BAIL BOND AGENTS FOR AT LEAST TWO (2) YEARS; AND FOR OTHER PURPOSES.*

House Bill No. 2491 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:

Total0

VOTING PRESENT: Holt.

Total1

Total number of votes cast35

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to House Bill No. 2491, 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:

Total0

VOTING PRESENT: Holt.

Total1

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. 2491 was ordered immediately returned to the House as passed.

On motion of Senator G. Jeffress, House Bill No. 1814 was called up for third reading and final disposition.

HOUSE BILL NO. 1814
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES REEP & OVERBEY

A Bill for an Act to be Entitled: AN ACT TO ALLOW CITIES AND TOWNS THE OPTION OF REVERSE INTERNET AUCTIONS FOR THE PURCHASE OF GOODS AND SERVICES; AND FOR OTHER PURPOSES.

House Bill No. 1814 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. 1814 was ordered immediately returned to the House as passed.

On motion of Senator Womack, House Bill No. 2604 was called up for third reading and final disposition.

HOUSE BILL NO. 2604
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE KEY

A Bill for an Act to be Entitled: AN ACT TO PROTECT THE EDUCATIONAL ENVIRONMENT OF CHILDREN IN THE CUSTODY OF THE DEPARTMENT OF HUMAN SERVICES; TO AUTHORIZE THE DEPARTMENT OF HUMAN SERVICES TO COMMUNICATE WITH A CHILD'S SCHOOL ON CUSTODY-RELATED MATTERS THAT MIGHT AFFECT THE CHILD'S ABILITY TO LEARN; AND FOR OTHER PURPOSES.

House Bill No. 2604 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. 2604 was ordered immediately returned to the House as passed.

On motion of Senator G. Jeffress, House Bill No. 2617 was called up for third reading and final disposition.

HOUSE BILL NO. 2617
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE BOND

A Bill for an Act to be Entitled: AN ACT TO MAKE VARIOUS CORRECTIONS TO THE ARKANSAS CODE OF 1987 ANNOTATED; AND FOR OTHER PURPOSES.

House Bill No. 2617 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. 2617 was ordered immediately returned to the House as passed.

On motion of Senator Glover, House Bill No. 2464 was called up for third reading and final disposition.

HOUSE BILL NO. 2464

As Engrossed: H3/23/05 H4/1/05

EIGHTY-FIFTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES ROEBUCK, S. PRATER, DICKINSON, L. EVANS,
GEORGE, & WYATT

BY: SENATORS WILKINS, LAVERTY, & GLOVER

A Bill for an Act to be Entitled: AN ACT CONCERNING THE LEGISLATIVE
JOINT AUDITING COMMITTEE AND THE DIVISION OF LEGISLATIVE AUDIT;
AND FOR OTHER PURPOSES.

House Bill No. 2464 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

There being an emergency clause attached to House Bill No. 2464, 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. 2464 was ordered immediately returned to the House as passed.

On motion of Senator Womack, House Bill No. 2970 was ordered re-referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

April 8, 2005

Mr. President:

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

SENATE BILL NO. 929, 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. 1.

Respectfully submitted,
(SIGNED) SENATOR BISBEE, CHAIRMAN

Senate Bill No. 155 was returned from the House as passed, Emergency Clause having failed and ordered enrolled.

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

SENATE BILL NO. 313

SENATE BILL NO. 925

SENATE BILL NO. 1008

SENATE BILL NO. 1087

SENATE BILL NO. 1150

SENATE BILL NO. 1174

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

April 8, 2005

Mr. President:

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

SENATE BILL NO. 81, BY JOINT BUDGET COMMITTEE,

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

Respectfully submitted,
(SIGNED) JOHN PAUL CAPPS, CHAIRMAN

Senate Bill No. 81 was ordered immediately transmitted to the House.

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

April 8, 2005

Mr. President:

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

SENATE BILL NO. 1097, BY SENATOR WOMACK,

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

Respectfully submitted,
(SIGNED) JOHN PAUL CAPPS, CHAIRMAN

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

April 8, 2005

Mr. President:

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

HOUSE BILL NO. 1392, BY REPRESENTATIVE BRIGHT,
HOUSE BILL NO. 1963, BY REPRESENTATIVE VERKAMP,
HOUSE BILL NO. 2640, BY REPRESENTATIVE ROEBUCK,

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

Respectfully submitted,
(SIGNED) JOHN PAUL CAPPS, CHAIRMAN

SENATE RESOLUTION NO. 20
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS HILL, CAPPS, FARIS, MALONE, & J. BOOKOUT

SENATE RESOLUTION HONORING THE CAREER AND ACHIEVEMENTS
OF JIM PLEDGER UPON HIS RETIREMENT.

Senate Resolution No. 20 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1111
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 BOARD OF ELECTION COMMISSIONERS FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2007; AND FOR OTHER PURPOSES.

House Bill No. 1111 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1177
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 - EDUCATIONAL TELEVISION DIVISION FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2007; AND FOR OTHER PURPOSES.

House Bill No. 1177 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1320
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 DEPARTMENT OF ENVIRONMENTAL QUALITY FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2007; AND FOR OTHER PURPOSES.

House Bill No. 1320 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1367
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 MID-SOUTH COMMUNITY COLLEGE FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2007; AND FOR OTHER PURPOSES.

House Bill No. 1367 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1369
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 NORTH ARKANSAS COLLEGE FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2007; AND FOR OTHER PURPOSES.

House Bill No. 1369 was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 1370
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 RICH MOUNTAIN COMMUNITY COLLEGE FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2007; AND FOR OTHER PURPOSES.

Senate Bill No. 1370 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1398
As Engrossed: H4/7/05
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE BRIGHT

A Bill for an Act to be Entitled: *AN ACT TO PERMIT THE ARKANSAS DEVELOPMENT FINANCE AUTHORITY TO REQUEST A CRIMINAL BACKGROUND CHECK ON APPLICANTS FOR EMPLOYMENT OR PROGRAMS OR ON EMPLOYEES; AND FOR OTHER PURPOSES.*

House Bill No. 1398 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

HOUSE BILL NO. 1421
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 OZARKA COLLEGE FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2007; AND FOR OTHER PURPOSES.*

House Bill No. 1421 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1425
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 UNIVERSITY OF ARKANSAS COMMUNITY COLLEGE AT HOPE FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2007; AND FOR OTHER PURPOSES.

House Bill No. 1425 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1426
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 STATE UNIVERSITY - MOUNTAIN HOME FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2007; AND FOR OTHER PURPOSES.

House Bill No. 1426 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1427
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 COSSATOT COMMUNITY COLLEGE OF THE UNIVERSITY OF ARKANSAS FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2007; AND FOR OTHER PURPOSES.

House Bill No. 1427 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1434
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 BLACK RIVER TECHNICAL COLLEGE FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2007; AND FOR OTHER PURPOSES.

House Bill No. 1434 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1435
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 EAST ARKANSAS COMMUNITY COLLEGE FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2007; AND FOR OTHER PURPOSES.

House Bill No. 1435 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1449
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 CORRECTION FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2007; AND FOR OTHER PURPOSES.

House Bill No. 1449 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1450
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 NORTHEASTERN COLLEGE FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2007; AND FOR OTHER PURPOSES.

House Bill No. 1450 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1455
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 PULASKI TECHNICAL COLLEGE FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2007; AND FOR OTHER PURPOSES.

House Bill No. 1455 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1457
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 SOUTHERN ARKANSAS UNIVERSITY FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2007; AND FOR OTHER PURPOSES.

House Bill No. 1457 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1458
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 NORTHWEST ARKANSAS COMMUNITY COLLEGE FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2007; AND FOR OTHER PURPOSES.

House Bill No. 1458 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1505
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 HENDERSON STATE UNIVERSITY FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2007; AND FOR OTHER PURPOSES.

House Bill No. 1505 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1554
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 UNIVERSITY OF ARKANSAS AT LITTLE ROCK FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2007; AND FOR OTHER PURPOSES.

House Bill No. 1554 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1556
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 ARKANSAS TECH UNIVERSITY FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2007; AND FOR OTHER PURPOSES.

House Bill No. 1556 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1803
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE BRIGHT

A Bill for an Act to be Entitled: AN ACT TO RECOGNIZE AND CREDIT A TEACHER FOR ALL OF HIS OR HER YEARS OF TEACHING EXPERIENCE; AND FOR OTHER PURPOSES.

House Bill No. 1803 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

HOUSE BILL NO. 2050
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE CHESTERFIELD

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS TEACHER HOUSING DEVELOPMENT FOUNDATION FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2007; AND FOR OTHER PURPOSES.

House Bill No. 2050 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 2089
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO REVISE THE COMPENSATION PLAN UNDER THE UNIFORM CLASSIFICATION AND COMPENSATION ACT FOR THE 2005-2007 BIENNIAL PERIOD; AND FOR OTHER PURPOSES.

House Bill No. 2089 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 2962
As Engrossed: H3/31/05
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE DOBBINS

A Bill for an Act to be Entitled: *AN ACT TO REQUIRE THE ARKANSAS HIGHER EDUCATION COORDINATING BOARD TO DEVELOP A POLICY TO REQUIRE THE ALLOCATION OF A CERTAIN NUMBER OF ENROLLMENT POSITIONS TO ARKANSAS STUDENTS AMONG PROFESSIONAL OR GRADUATE SCHOOLS PARTICIPATING IN THE SOUTHERN REGIONAL EDUCATION COMPACT PROGRAM; TO PROVIDE THAT ENROLLMENT POSITIONS ALLOCATED TO ARKANSAS STUDENTS ARE DISTRIBUTED BASED ON DIVERSITY IN BACKGROUND, ETHNICITY, RACE, AND GENDER; AND FOR OTHER PURPOSES.*

House Bill No. 2962 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

HOUSE BILL NO. 2971
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

BY: REPRESENTATIVES PRITCHARD, FITE, DICKINSON, ADAMS, ANDERSON, BERRY, BORHAUER, CHILDERS, D. CREEKMORE, DUNN, L. EVANS, EVERETT, GLIDEWELL, R. GREEN, HARDWICK, HARRIS, J. HUTCHINSON, T. HUTCHINSON, JACKSON, JEFFREY, KENNEY, KEY, LAMOUREUX, MACK, M. MARTIN, MATAYO, MAXWELL, MEDLEY, NICHOLS, NORTON, ORMOND, PACE, PETRUS, PYLE, RAGLAND, ROSENBAUM, WALTERS, ABERNATHY, BLAIR, SAMPLE, & WOOD

BY: SENATORS BAKER, ALTES, BROADWAY, BRYLES, FARIS, HOLT, G. JEFFRESS, SALMON, J. TAYLOR, WILKINSON, CRITCHER, HENDREN, J. JEFFRESS, TRUSTY, & WHITAKER

A Bill for an Act to be Entitled: *AN ACT TO PROHIBIT INTERFERENCE WITH STUDENT-LED AND STUDENT-INITIATED PRAYERS AT PUBLIC SCHOOL FUNCTIONS WITHIN THE STATE OF ARKANSAS; AND FOR OTHER PURPOSES.*

House Bill No. 2971 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

April 8, 2005

Mr. President:

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

SENATE BILL NO. 30, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 103, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 213, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 216, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 214, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 288, BY SENATOR BRYLES,
SENATE BILL NO. 444, BY SENATOR WOMACK,
SENATE BILL NO. 465, BY SENATOR BROADWAY,
SENATE BILL NO. 507, BY SENATOR BRYLES,
SENATE BILL NO. 509, BY SENATOR HILL,
SENATE BILL NO. 558, BY SENATOR LUKER,
SENATE BILL NO. 583, BY SENATOR BAKER,
SENATE BILL NO. 605, BY SENATOR SALMON,
SENATE BILL NO. 736, BY SENATOR MILLER,
SENATE BILL NO. 894, BY SENATOR WILKINS,
SENATE BILL NO. 895, BY SENATOR WILKINS,
SENATE BILL NO. 935, BY SENATOR FARIS,
SENATE BILL NO. 942 BY SENATOR WOOLDRIDGE,
SENATE BILL NO. 958, BY SENATOR MALONE,
SENATE BILL NO. 984, BY SENATOR LUKER,
SENATE BILL NO. 998, BY SENATOR B. JOHNSON,
SENATE BILL NO. 1021, BY SENATOR MADISON,
SENATE BILL NO. 1030, BY SENATOR MALONE,
SENATE BILL NO. 1037, BY SENATOR BRYLES,
SENATE BILL NO. 1059, BY SENATOR SALMON,
SENATE BILL NO. 1065, BY SENATOR MILLER,
SENATE BILL NO. 1130, BY SENATORS BRYLES, ARGUE, ET. AL.,
SENATE BILL NO. 1146, BY SENATOR BAKER,
SENATE BILL NO. 1173, BY SENATOR HILL,
SENATE BILL NO. 1188, BY SENATOR STEELE,
SENATE BILL NO. 1195, BY SENATOR FARIS,
SENATE BILL NO. 1025, BY SENATOR MADISON,

beg leave to report that we have carefully compared the enrolled copies with the original and we find the same correctly enrolled and have at 1:30 p.m. delivered them to the Governor for his approval.

Respectfully submitted,
(SIGNED) JOHN PAUL CAPPAS, CHAIRMAN

GOVERNOR'S BILL RECEIPTS

SENATE BILL NO. 30
SENATE BILL NO. 103
SENATE BILL NO. 213
SENATE BILL NO. 216
SENATE BILL NO. 214
SENATE BILL NO. 288
SENATE BILL NO. 444
SENATE BILL NO. 465
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SENATE BILL NO. 583
SENATE BILL NO. 605
SENATE BILL NO. 736
SENATE BILL NO. 894
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SENATE BILL NO. 1021
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SENATE BILL NO. 1037
SENATE BILL NO. 1059
SENATE BILL NO. 1065

SENATE BILL NO. 1130
SENATE BILL NO. 1146
SENATE BILL NO. 1173
SENATE BILL NO. 1188
SENATE BILL NO. 1195
SENATE BILL NO. 1025

RECEIVED the above papers from the Secretary of the Senate this 8th day of April,
2005 at 1:30 p.m..

(SIGNED) MIKE HUCKABEE
Governor

(SIGNED) Cory Cox
Secretary

* * * * *

SENATE BILLS TRANSMITTED TO THE HOUSE
AS PASSED

SENATE BILL NO. 227

SENATE BILL NO. 511

SENATE BILL NO. 1043

SENATE BILL NO. 1090

SENATE BILLS RETURNED TO THE HOUSE

SENATE BILL NO. 81

HOUSE BILLS RETURNED TO THE HOUSE

AS PASSED

HOUSE BILL NO. 1621

HOUSE BILL NO. 1814

HOUSE BILL NO. 2095

HOUSE BILL NO. 2452

HOUSE BILL NO. 2464

HOUSE BILL NO. 2491

HOUSE BILL NO. 2604

HOUSE BILL NO. 2617

HOUSE BILL NO. 2665

HOUSE BILL NO. 2841

HOUSE JOINT RESOLUTION RETURNED TO THE HOUSE

AS CONCURRED IN

HOUSE JOINT RESOLUTION NO. 1003

HOUSE CONCURRENT MEMORIAL RESOLUTION RETURNED TO THE HOUSE

AS CONCURRED IN

HOUSE CONCURRENT MEMORIAL RESOLUTION NO. 1002

HOUSE BILLS RETURNED TO THE HOUSE
AS PASSED AS AMENDED

HOUSE BILL NO. 2485, AS AMENDED NO. 1

HOUSE BILL NO. 2535, AS AMENDED NO. 1

HOUSE BILL NO. 2735, AS AMENDED NO. 1

HOUSE BILL RETURNED TO THE HOUSE
HAVING FAILED TO PASS

HOUSE BILL NO. 2085

SENATE BILLS RETURNED FROM THE HOUSE
AS PASSED

SENATE BILL NO. 313

SENATE BILL NO. 925

SENATE BILL NO. 1008

SENATE BILL NO. 1087

SENATE BILL NO. 1150

SENATE BILL NO. 1174

SENATE BILLS RETURNED FROM THE HOUSE
AS PASSED, EMERGENCY CLAUSE HAVING FAILED OF ADOPTION

SENATE BILL NO. 155

SENATE BILLS RETURNED FROM THE HOUSE
AS PASSED AS AMENDED

SENATE BILL NO. 1054 AS AMENDED NO. 1

HOUSE BILLS TRANSMITTED TO THE SENATE
AS PASSED

HOUSE BILL NO. 1111
HOUSE BILL NO. 1177
HOUSE BILL NO. 1320
HOUSE BILL NO. 1367
HOUSE BILL NO. 1369
HOUSE BILL NO. 1370
HOUSE BILL NO. 1398
HOUSE BILL NO. 1421
HOUSE BILL NO. 1425
HOUSE BILL NO. 1426
HOUSE BILL NO. 1427
HOUSE BILL NO. 1434
HOUSE BILL NO. 1435
HOUSE BILL NO. 1449
HOUSE BILL NO. 1450
HOUSE BILL NO. 1455
HOUSE BILL NO. 1457
HOUSE BILL NO. 1458
HOUSE BILL NO. 1505
HOUSE BILL NO. 1554
HOUSE BILL NO. 1556
HOUSE BILL NO. 1803
HOUSE BILL NO. 2050
HOUSE BILL NO. 2089
HOUSE BILL NO. 2962
HOUSE BILL NO. 2971

On motion of Senator Hill, the Senate adjourned until 1:00 p.m., Monday, April 11, 2005.

PRESIDENT OF THE SENATE

SECRETARY OF THE SENATE

