

**SIXTY-FIRST DAY'S PROCEEDINGS
HALL OF THE HOUSE OF REPRESENTATIVES**

Little Rock, Arkansas

March 9, 2007

The House was called to order at 10:02 a.m. by Mr. Petrus, the Speaker. The following members answered to the roll call:

Abernathy, Adcock, Allen, Anderson, T. Baker, Berry, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, Dickinson, S. Dobbins, Dunn, Edwards, D. Evans, L. Evans, Everett, Flowers, Garner, Gaskill, George, Glidewell, Green, Greenberg, Hall, Hardwick, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, Hyde, Jeffrey, D. Johnson, J. Johnson, Kenney, Key, Kidd, King, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, Maxwell, Medley, Moore, Norton, Overbey, Pace, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt, Mr. Speaker.

Total100

The following member(s) was absent and did not answer to the roll call:

Total0

A quorum was present.

The House stood and was led in prayer by Reverend Mike Thurman, Pastor, First United Methodist Church, Lamar, Arkansas.

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

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

COMMITTEE REPORT

	March 9, 2007
EDUCATION	MIKE KENNEY
	CHAIRPERSON
HOUSE RESOLUTION NO. 1023	DO PASS
BY REPRESENTATIVE L. SMITH	
HOUSE RESOLUTION NO. 1025	DO PASS
BY REPRESENTATIVE BURRIS	
HOUSE RESOLUTION NO. 1026	DO PASS
BY REPRESENTATIVE BURRIS	
HOUSE CONCURRENT	
RESOLUTION NO. 1036	DO PASS
BY REPRESENTATIVE BLOUNT	
SENATE BILL NO. 217	DO PASS
BY SENATOR G. JEFFRESS	AS AMENDED #3
SENATE BILL NO. 231	DO PASS
BY SENATOR LAVERTY	AS AMENDED #2

COMMITTEE REPORT

	March 9, 2007
JUDICIARY	ROBERT N. JEFFREY
	CHAIRPERSON
HOUSE BILL NO. 2248	DO PASS
BY REPRESENTATIVE D. HUTCHINSON	AS AMENDED #1
HOUSE BILL NO 2256	DO PASS
BY REPRESENTATIVE E. BROWN	AS AMENDED #2
HOUSE BILL NO. 2685	DO PASS
BY REPRESENTATIVE WOODS	

COMMITTEE REPORT

	March 9, 2007
AGING, CHILDREN AND YOUTH, LEGISLATIVE AND MILITARY AFFAIRS	LINDA CHESTERFIELD CHAIRPERSON
HOUSE BILL NO. 2649 BY REPRESENTATIVE E. BROWN	DO PASS
HOUSE BILL NO. 2736 BY REPRESENTATIVE J. ROEBUCK	DO PASS
SENATE CONCURRENT RESOLUTION NO. 9 BY REPRESENTATIVE FARIS	DO PASS

COMMITTEE REPORT

	March 9, 2007
AGRICULTURE, FORESTRY AND ECONOMIC DEVELOPMENT	TOMMY DICKINSON CHAIRPERSON
HOUSE BILL NO. 2290 BY REPRESENTATIVE LOWERY	DO PASS
HOUSE BILL NO. 2324 BY REPRESENTATIVE BURRIS	DO PASS
HOUSE BILL NO. 2413 BY REPRESENTATIVE DICKINSON	DO PASS
HOUSE BILL NO. 2414 BY REPRESENTATIVE DICKINSON	AS AMENDED #1 (MBM620) DO PASS
HOUSE BILL NO. 2536 BY REPRESENTATIVE BURRIS	AS AMENDED #1 (MBM621) DO PASS
	AS AMENDED #1 (JDF233)

COMMITTEE REPORT

	March 9, 2007
CITY, COUNTY AND LOCAL AFFAIRS	STEPHANIE FLOWERS CHAIRPERSON
HOUSE BILL NO. 2246 BY REPRESENTATIVE L. SMITH	DO PASS

COMMITTEE REPORT

March 9, 2007

INSURANCE AND COMMERCE

SID ROSENBAUM

CHAIRPERSON

HOUSE BILL NO. 1455

DO PASS, TO CONCUR IN

BY REPRESENTATIVE BOND

SENATE AMENDMENT #1

HOUSE BILL NO. 1479

DO PASS, TO CONCUR IN

BY REPRESENTATIVE WAGNER

SENATE AMENDMENT #1

SENATE BILL NO. 780

DO PASS

BY SENATOR HORN

COMMITTEE REPORT

March 9, 2007

STATE AGENCIES AND

JEFF WOOD

GOVERNMENTAL AFFAIRS

CHAIRPERSON

HOUSE BILL NO. 2244

DO PASS

BY REPRESENTATIVE L. SMITH

HOUSE BILL NO. 2312

DO PASS

BY REPRESENTATIVE E. BROWN

HOUSE BILL NO. 2322

DO PASS

BY REPRESENTATIVE EDWARDS

HOUSE BILL NO. 2359

DO PASS

BY REPRESENTATIVE E. BROWN

AS AMENDED #1

HOUSE BILL NO. 2360

DO PASS

BY REPRESENTATIVE E. BROWN

HOUSE BILL NO. 2460

DO PASS

BY REPRESENTATIVE WEBB

HOUSE BILL NO. 2500

DO PASS

BY REPRESENTATIVE REYNOLDS

HOUSE BILL NO. 2585

DO PASS

BY REPRESENTATIVE HARDWICK

HOUSE BILL NO. 2624

DO PASS

BY REPRESENTATIVE SUMPTER

Upon motion of Representative Cook, **HOUSE BILL NO. 1311** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 3 TO HOUSE BILL NO. 1311

Amend **HOUSE BILL NO. 1311** as engrossed,

H2/23/07 (version: 02-23-2007 09:43):

Page 2, delete line 13 and substitute:

"of trust and authority over the minor;

(4) With the purpose to arouse or gratify his or her sexual desire or a sexual desire of another person, a person who is eighteen years (18) of age or older:

(A) Causes or coerces another person who is less than eighteen (18) years of age to expose his or her sex organs to another person; and

(B)(i) Is employed with the Department of Correction, Department of Community Correction, any city or county jail, or any juvenile detention facility, and the minor is in custody at a facility operated by the agency or contractor employing the actor;

(ii) Is a professional under § 12-12-507(b) and is in a position of trust or authority over the minor; or

(iii) Is the minor's guardian, an employee in the minor's school or school district, a temporary caretaker, or a person in a position of trust or authority over the minor; or"

AND

Page 2, line 14, delete "(4)" and substitute "(5)"

/s/ David Cook

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Pate, **HOUSE BILL NO. 2319** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2319

Amend **HOUSE BILL NO. 2319** as originally introduced:

Page 3, delete line 8, and substitute the following:

"(2) Maintain for a period of at least seven (7) years and in no event dispose of prior to being audited:"

AND

Page 3, delete line 20, and substitute the following:

"(3) Maintain for a period of at least three (3) years and in no event dispose of prior to being audited:"

AND

Page 3, line 35, delete "section or after" and substitute "section and after"

/s/ Mark Pate

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Ragland, **HOUSE BILL NO. 2318** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2318

Amend **HOUSE BILL NO. 2318** as originally introduced:

Page 1, line 10, delete "DULY LICENSED"

AND

Page 1, line 11, delete "PRACTITIONER" and substitute "PHYSICIAN"

AND

Page 1, delete lines 16 through 20 and substitute the following:

"TO ALLOW A SALES AND USE TAX EXEMPTION FOR THE SALE OF PROSTHETICS TO A PHYSICIAN AND TO INCLUDE DENTAL PROSTHESIS IN THE DEFINITION OF PROSTHETICS."

AND

Page 1, delete everything following the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 26-52-433(a), (b), and (c) [Effective until January 1, 2008], as amended by Act 180 of 2007 and Act 140 of 2007, is amended to read as follows:

26-52-433. Adaptive medical equipment and disposable medical supplies. [Effective until January 1, 2008.]

(a)(1) Gross receipts or gross proceeds derived from the rental, sale, or repair of adaptive medical equipment prescribed by a physician and disposable medical supplies prescribed by a physician shall be exempt from all state and local sales and use taxes.

(2) This exemption shall only apply to adaptive medical equipment and disposable medical supplies prescribed for a specific patient prior to the sale.

(3) This exemption shall not apply to items purchased by physicians, hospitals, nursing homes, or long-term care facilities for use by their patients or residents.

~~(b)~~(4) As used in this ~~section~~ subsection (a), "adaptive medical equipment and disposable medical supplies" includes, but is not limited to, the following:

- (1) Wheelchairs;
- ~~(2)~~ Leg braces;
- ~~(3)~~(2) Wheelchair lifts;
- ~~(4)~~(3) Ostomy, urostomy, and colostomy supplies;
- ~~(5)~~(4) Raised toilet seats;
- ~~(6)~~ Catheters;
- ~~(7)~~(5) Wheelchair batteries, tires, cushions, and supplies;
- ~~(8)~~(6) Enemas, suppositories, and laxatives used in routine bowel care;
- ~~(9)~~ Flexor wrist splints;
- ~~(10)~~(7) Trapeze bars;
- ~~(11)~~(8) Grab bars and hand rails;
- ~~(12)~~(9) Wheelchair adaptive devices;
- ~~(13)~~(10) Hospital beds and adaptive devices;
- ~~(14)~~(11) Patient lifts;
- ~~(15)~~ Orthopedic shoes and devices such as shoe lifts and inserts;
- ~~(16)~~(12) Walkers;
- ~~(17)~~(13) Crutches;
- ~~(18)~~(14) Automobile hand controls;
- ~~(19)~~(15) Shower benches and chairs;
- ~~(20)~~(16) Disposable undergarments and linen savers;

~~(21) Prosthetics;~~

~~(22)(17)~~ Braille writers, large print aids, and visual and communication aids for those who are legally blind;

~~(23) Hearing aids;~~

~~(24)(18) Telecommunications~~ Hand-held telecommunications devices and other hand-held communication devices for the deaf, hearing impaired, and others with communicative disorders; and

~~(25)(19)~~ Speech Hand-held speech devices for those with laryngectomies.

(b)(1) Gross receipts or gross proceeds derived from the rental, sale, or repair of a prosthetic device to a physician or to a specific patient pursuant to a prescription written before the sale are exempt from all state and local sales and use taxes.

(2)(A) As used in this subsection, "prosthetic device" means a replacement, corrective, or supportive device, including repair and replacement parts for the device, worn on or in the body to:

(i) Artificially replace a missing portion of the body;

(ii) Prevent or correct physical deformity or malfunction;

or

(iii) Support a weak or deformed portion of the body.

(B) "Prosthetic device" does not include corrective eyeglasses and contact lenses.

(c) As used in this section, "physician" means a person licensed under ~~§ 17-95-401 et seq~~ the Arkansas Medical Practices Act, § 17-95-201, or the Arkansas Dental Practice Act, § 17-82-101 et seq.

SECTION 2. Arkansas Code § 26-52-433 [Effective January 1, 2008], as amended by Act 181 of 2007 and Act 140 of 2007, is amended to read as follows:

26-52-433. Durable medical equipment, mobility-enhancing equipment, prosthetic devices, and disposable medical supplies. [Effective January 1, 2008.]

(a)(1) Gross receipts or gross proceeds derived from the rental, sale, or repair of durable medical equipment prescribed by a physician, mobility-enhancing equipment prescribed by a physician, ~~a prosthetic device prescribed by a physician,~~ and disposable medical supplies prescribed by a physician shall be exempt from all state and local sales and use taxes.

(2) ~~This~~ The exemption provided under subdivision (a)(1) of this section shall apply only to durable medical equipment, mobility-enhancing equipment, ~~prosthetic device,~~ and disposable medical supplies sold to a specific patient pursuant to a prescription written before the sale.

(b) Gross receipts or gross proceeds derived from the rental, sale, or repair of a prosthetic device to a physician or to a specific patient pursuant to a prescription written before the sale are exempt from all state and local sales and use taxes.

~~(b)~~(c) As used in this section:

(1) "Disposable medical supplies" includes without limitation the following:

(A) Ostomy, urostomy, and colostomy supplies;

~~(B) Catheters;~~

~~(C)~~(B) Enemas, suppositories, and laxatives used in routine bowel care; and

~~(D)~~(C) Disposable undergarments and linen savers;

(2)(A) "Durable medical equipment" means equipment, including repair and replacement parts for the equipment that:

(i) Can withstand repeated use;

(ii) Is primarily and customarily used to serve a medical purpose;

(iii) Generally is not useful to a person in the absence of illness or injury; and

(iv) Is not worn in or on the body;_

(B) "Durable medical equipment" does not include mobility-enhancing equipment;

(3)(A) "Mobility-enhancing equipment" means equipment, including repair and replacement parts for the equipment, that:

(i) Is primarily and customarily used to provide or increase the ability to move from one (1) place to another and which is appropriate for use either in a home or a motor vehicle;

(ii) Is not generally used by a person with normal mobility; and

(iii) Does not include any motor vehicle or equipment on a motor vehicle normally provided by a motor vehicle manufacturer;_

(B) "Mobility-enhancing equipment" does not include durable medical equipment;

(4) "Physician" means a person licensed under ~~§ 17-95-401 et seq.;~~ the Arkansas Medical Practices Act, § 17-95-201, or the Arkansas Dental Practice Act, § 17-82-101 et seq.;

(5) "Prescription" means an order, formula, or recipe issued in any form and transmitted by an oral, written, electronic, or other means of transmission by a duly licensed physician or practitioner authorized to issue prescriptions under Arkansas law; and

(6)(A) "Prosthetic device" means a replacement, corrective, or supportive device, including repair and replacement parts for the device, worn on or in the body to:

- (i) Artificially replace a missing portion of the body;
- (ii) Prevent or correct physical deformity or malfunction;

or

- (iii) Support a weak or deformed portion of the body.

(B) "Prosthetic device" does not include corrective eyeglasses, and contact lenses, ~~and dental prostheses.~~

~~(e)(1)~~(d)(1) Notwithstanding subdivision (a)(2) of this section, a patient may claim the exemption under this section for a wheelchair lift or automobile hand controls prescribed for the patient after the sale if:

(A) The wheelchair lift or automobile hand controls are purchased in conjunction with the purchase of a motor vehicle;

(B) The gross receipts or gross proceeds derived from the sale of the wheelchair lift or automobile hand controls are separately stated on the invoice or bill of sale for the purchase of the motor vehicle; and

(C) The patient has a prescription for the wheelchair lift or automobile hand controls at the time the motor vehicle is registered.

(2) A patient purchasing a wheelchair lift or automobile hand controls directly from a vendor of adaptive medical equipment for subsequent installation shall possess a prescription for the wheelchair lift or automobile hand controls prior to the sale in compliance with subdivision (a)(2) of this section.

SECTION 3. Arkansas Code § 26-53-141(a), (b), and (c) [Effective until January 1, 2008], as amended by Act 180 of 2007 and Act 140 of 2007, is amended to read as follows:

26-53-141. Adaptive medical equipment and disposable medical supplies. [Effective until January 1, 2008.]

(a)(1) Gross receipts or gross proceeds derived from the rental, sale, or repair of adaptive medical equipment prescribed by a physician and disposable medical supplies prescribed by a physician shall be exempt from all state and local sales and use taxes.

(2) This exemption shall only apply to adaptive medical equipment and disposable medical supplies prescribed for a specific patient prior to the sale.

(3) This exemption shall not apply to items purchased by physicians, hospitals, nursing homes, or long-term care facilities for use by their patients or residents.

~~(b)(4)~~ As used in this ~~section~~ subsection (a), "adaptive medical equipment" and "disposable medical supplies" shall include, but not be limited to, the following:

- (1) Wheelchairs;
- ~~(2) Leg braces;~~
- ~~(3)(2)~~ Wheelchair lifts;
- ~~(4)(3)~~ Ostomy, urostomy, and colostomy supplies;
- ~~(5)(4)~~ Raised toilet seats;
- ~~(6) Catheters;~~
- ~~(7)(5)~~ Wheelchair batteries, tires, cushions, and supplies;
- ~~(8)(6)~~ Enemas, suppositories, and laxatives used in routine bowel care;
- ~~(9) Flexor wrist splints;~~
- ~~(10)(7)~~ Trapeze bars;
- ~~(11)(8)~~ Grab bars and hand rails;
- ~~(12)(9)~~ Wheelchair adaptive devices;
- ~~(13)(10)~~ Hospital beds and adaptive devices;
- ~~(14)(11)~~ Patient lifts;
- ~~(15) Orthopedic shoes and devices such as shoe lifts and inserts;~~
- ~~(16)(12)~~ Walkers;
- ~~(17)(13)~~ Crutches;
- ~~(18)(14)~~ Automobile hand controls;
- ~~(19)(15)~~ Shower benches and chairs;
- ~~(20)(16)~~ Disposable undergarments and linen savers;
- ~~(21) Prosthetics;~~
- ~~(22)(17)~~ Braille writers, large print aids, and visual and communication aids for those who are legally blind;
- ~~(23) Hearing aids;~~
- ~~(24)(18)~~ ~~Telecommunications~~ Hand-held telecommunications devices and other hand-held communication devices for the deaf, hearing impaired, and others with communicative disorders; and
- ~~(25)(19)~~ ~~Speech~~ Hand-held speech devices for those with laryngectomies.

(b)(1) Gross receipts or gross proceeds derived from the rental, sale, or repair of a prosthetic device to a physician or to a specific patient pursuant to a prescription written before the sale are exempt from all state and local sales and use taxes.

(2)(A) As used in this subsection, "prosthetic device" means a replacement, corrective, or supportive device, including repair and replacement parts for the device, worn on or in the body to:

(i) Artificially replace a missing portion of the body;

(ii) Prevent or correct physical deformity or malfunction;

or

(iii) Support a weak or deformed portion of the body.

(B) "Prosthetic device" does not include corrective eyeglasses and contact lenses.

(c) As used in this section, "physician" means a person licensed under ~~§ 17-95-401 et seq.~~ the Arkansas Medical Practices Act, § 17-95-201, or the Arkansas Dental Practice Act, § 17-82-101 et seq.

SECTION 4. Arkansas Code § 26-53-141 [Effective January 1, 2008], as amended by Act 181 of 2007 and Act 140 of 2007, is amended to read as follows:

26-53-141. Durable medical equipment, mobility-enhancing equipment, prosthetic devices, and disposable medical supplies. [Effective January 1, 2008.]

(a)(1) Gross receipts or gross proceeds derived from the rental, sale, or repair of durable medical equipment prescribed by a physician, mobility-enhancing equipment prescribed by a physician, ~~a prosthetic device prescribed by a physician,~~ and disposable medical supplies prescribed by a physician shall be exempt from all state and local sales and use taxes.

(2) ~~This~~ The exemption provided under subdivision (a)(1) of this section shall apply only to durable medical equipment, mobility-enhancing equipment, ~~prosthetic device,~~ and disposable medical supplies sold to a specific patient pursuant to a prescription written before the sale.

(b) Gross receipts or gross proceeds derived from the rental, sale, or repair of a prosthetic device to a physician or to a specific patient pursuant to a prescription written before the sale are exempt from all state and local sales and use taxes.

~~(b)(c)~~ As used in this section:

(1) "Disposable medical supplies" includes without limitation the following:

(A) Ostomy, urostomy, and colostomy supplies;

~~(B) Catheters;~~

~~(C)~~(B) Enemas, suppositories, and laxatives used in routine bowel care; and

~~(D)~~(C) Disposable undergarments and linen savers;

(2)(A) "Durable medical equipment" means equipment including repair and replacement parts for the equipment that:

(i) Can withstand repeated use;

(ii) Is primarily and customarily used to serve a medical purpose;

(iii) Generally is not useful to a person in the absence of illness or injury; and

(iv) Is not worn in or on the body.

(B) "Durable medical equipment" does not include mobility-enhancing equipment;

(3)(A) "Mobility-enhancing equipment" means equipment, including repair and replacement parts for the equipment, that:

(i) Is primarily and customarily used to provide or increase the ability to move from one (1) place to another and which is appropriate for use either in a home or a motor vehicle;

(ii) Is not generally used by a person with normal mobility; and

(iii) Does not include any motor vehicle or equipment on a motor vehicle normally provided by a motor vehicle manufacturer.

(B) "Mobility-enhancing equipment" does not include "durable medical equipment";

(4) "Physician" means a person licensed under ~~§ 17-95-401 et seq.~~; the Arkansas Medical Practices Act, § 17-95-201, or the Arkansas Dental Practice Act, § 17-82-101 et seq.;

(5) "Prescription" means an order, formula, or recipe issued in any form and transmitted by an oral, written, electronic, or other means of transmission by a duly licensed physician or practitioner authorized to issue prescriptions under Arkansas law; and

(6)(A) "Prosthetic device" means a replacement, corrective, or supportive device, including repair and replacement parts for the device, worn on or in the body to:

(i) Artificially replace a missing portion of the body;

(ii) Prevent or correct physical deformity or malfunction;

or

(iii) Support a weak or deformed portion of the body.

(B) "Prosthetic device" does not include corrective eyeglasses, and contact lenses, ~~and dental prostheses.~~

~~(e)(1)~~(d)(1) Notwithstanding subdivision (a)(2) of this section, a patient may claim the exemption under this section for a wheelchair lift or automobile hand controls prescribed for the patient after the sale if:

(A) The wheelchair lift or automobile hand controls are purchased in conjunction with the purchase of a motor vehicle;

(B) The gross receipts or gross proceeds derived from the sale of the wheelchair lift or automobile hand controls are separately stated on the invoice or bill of sale for the purchase of the motor vehicle; and

(C) The patient has a prescription for the wheelchair lift or automobile hand controls at the time the motor vehicle is registered.

(2) A patient purchasing a wheelchair lift or automobile hand controls directly from a vendor of adaptive medical equipment for subsequent installation shall possess a prescription for the wheelchair lift or automobile hand controls prior to the sale in compliance with subdivision (a)(2) of this section.

SECTION 5. Sections 1, 2, 3, and 4 of this act are effective on the first day of the calendar quarter following the effective date of this act."

/s/ Roy Ragland

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Wyatt, **HOUSE BILL NO. 2697** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2697

Amend **HOUSE BILL NO. 2697** as originally introduced:

Page 4, line 36, delete "two hundred forty (240)" and substitute "one hundred eighty (180)"

/s/ David Wyatt

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative S. Dobbins, **HOUSE BILL NO. 2399** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2399

Amend **HOUSE BILL NO. 2399** as originally introduced:

Page 2, delete line 7 and substitute:

"system; and"

AND

Page 2, line 10, delete "system; and" and substitute "system."

AND

Page 2, delete lines 11 through 12 and substitute:

"(b) The members of the House Interim Committee on Aging, Children and Youth, Legislative and Military Affairs and the Senate Interim Committee on Children and Youth may prepare a report for submission to each succeeding General Assembly to include the committees' interim findings."

AND

Page 2, line 13, delete "(b)" and substitute "(c)"

AND

Page 2, delete line 16 and substitute:

"forming a subcommittee to address the issues of this subchapter."

(d) Members of the committees or the subcommittees designated to perform the duties shall be entitled to reimbursement for per diem and mileage at the same rate and from the same source as provided by law for members of the General Assembly attending meetings of interim committees."

/s/ Sharon Dobbins

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Lamoureux, **HOUSE BILL NO. 2475** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2475

Amend **HOUSE BILL NO. 2475** as originally introduced:

Page 1, delete lines 21 through 23 and substitute the following:

"(j) Before a municipality or municipal service agency levies a development impact fee under this section, the municipality shall submit the issue to the qualified electors of the municipality for approval."

/s/ Michael Lamoureux

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Lowery, **HOUSE BILL NO. 2337** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2337

Amend **HOUSE BILL NO. 2337** as originally introduced:

Page 1, delete lines 10 and 11, and substitute the following:

"METAL; AND"

AND

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

"TO CREATE THE OFFENSE OF THEFT OF SCRAP METAL."

AND

Delete SECTION 2 in its entirety

/s/ John Lowery

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Adcock, **HOUSE BILL NO. 2645** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2645

Amend **HOUSE BILL NO. 2645** as originally introduced:

Page 1, line 28, delete "twelve (12)" and substitute "~~twelve (12)~~ fourteen (14)"

AND

Page 2, line 3, delete "and" and substitute "~~and~~"

AND

Page 2, delete line 5 and substitute:

"Abuse Prevention-; and

(7) Two (2) members appointed by the President Pro Tempore of the Senate."

/s/ Pam Adcock

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Adcock, **HOUSE BILL NO. 2411** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2411

Amend **HOUSE BILL NO. 2411** as originally introduced:

Add Senator Whitaker as a cosponsor of the bill

AND

Delete SECTION 2 in its entirety

/s/ Pam Adcock

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Adcock, **HOUSE BILL NO. 1630** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1630

Amend **HOUSE BILL NO. 1630** as originally introduced:

Add Representatives Blount, Burris, Creekmore, Davis, Dobbins, Gaskill Harrelson and Lewellen as cosponsors of the bill

AND

Add Senators Crumbly and Steele as cosponsors of the bill

Page 1, delete lines 25 through 36 and substitute the following:

"(a) It is the duty of all the elements of government expressed or implied by § 16-7-201(3), and they are hereby authorized, to use ~~dispute resolution processes~~ negotiation, mediation, conciliation, and moderated settlement conferences in resolving any and all disputes, cases, or controversies in which they may be directly or indirectly involved, whether between themselves and members of the public or between their employees or bona fide employee organizations, or corporations, or between any other state or local officer, agency, government, or entity of this state or of any other state or any element or entity of the federal government.

(b) The elements of government expressed or implied by § 16-7-201 are authorized to use arbitration, private judging, med-arb, fact finding, mini-trials, and summary jury trials in resolving any and all disputes, cases or controversies in which they may be directly or indirectly involved, whether between themselves and members of the public, or their employees or bona fide employee organizations, or corporations, or between any other state or local officer, agency, government, or entity of this state or of any other state or any element or entity of the federal government, as long as the parties have agreed to participate."

AND

Page 2, delete lines 1 through 8

/s/ Pam Adcock

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative S. Prater, **HOUSE BILL NO. 2025** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2025

Amend **HOUSE BILL NO. 2025** as originally introduced:

Page 1, line 26, delete "available" and substitute "available to individuals."

AND

Page 2, delete lines 8 and 9 and substitute the following:

"(B)(i) Adult immunizations are to be reported as required by the State Board of Health.

(ii) However, any adult receiving an immunization may direct that provider not to report the immunization to the registry."

/s/ Sandra Prater

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Jeffrey, **HOUSE MEMORIAL RESOLUTION NO. 1007** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE MEMORIAL RESOLUTION NO. 1007

Amend **HOUSE MEMORIAL RESOLUTION NO. 1007** as originally introduced:
Add Representatives Hardy and J. Roebuck as cosponsors of the resolution

/s/ Robert Jeffrey

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative D. Hutchinson, **HOUSE BILL NO. 2336** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2336

Amend **HOUSE BILL NO. 2336** as originally introduced:
Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code Title 5, Chapter 14, Subchapter 1 is amended to add an additional section to read as follows:

5-14-130. Registered offender prohibited from entering upon school campus – Exception.

(a) As used in this section:

(1) "Campus" means the real property, a building, or any other improvement in this state owned, leased, rented, or controlled by a public school district; and

(2) "Public school district" means any public school district in this state serving students in a kindergarten through grade twelve (K-12) program or a grade one through grade twelve (1-12) program.

(b) It is unlawful for a sex offender who is required to register under the Sex Offender Registration Act of 1997, § 12-12-901 et seq., and who has been assessed as a Level 2, Level 3, or Level 4 offender to knowingly enter upon the campus of a public school district without prior written permission issued by the public school district.

(c) The State Board of Education shall promulgate rules as necessary to establish the procedure and method of issuance of the written permission described in subsection (b) of this section.

(d) Upon conviction, any sex offender who violates this section is guilty of a Class D felony."

/s/ Donna Hutchinson

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Harris, **HOUSE BILL NO. 1098** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1098

Amend **HOUSE BILL NO. 1098** as engrossed,

H2/21/07 (version: 02-21-2007 08:47):

Page 3, delete line 30, and substitute the following:

"objectives of the system under this subchapter.

SECTION 2. Arkansas Code § 24-10-501 is amended to read as follows:

24-10-501. Paid and volunteer service.

(a)(1) The Board of Trustees of the Arkansas Local Police and Fire Retirement System shall fix and determine by rules and regulations the number of years and months of paid service to be credited to each member for his or her employment as an employee.

(2) In no case shall one (1) month of paid service credit be credited for any one (1) calendar month after the operative date for which an employee's pay is less than the minimum amount specified in this chapter, nor shall more than one (1) year of service be credited to any member for all covered employment rendered by him or her in any one (1) calendar year, unless the service credit is volunteer service credited under another employer as provided for in subsection (b) of this section.

(b)(1) Each employer shall regularly report to the board the calendar months of covered employment by each of its members that the employer wishes to be credited to the member as volunteer service.

(2) The board shall credit the member with the volunteer service, but in no case shall one (1) month of volunteer service be credited for any one (1) calendar month for which a month of paid service can be granted by the same employer, nor shall more than one (1) year of service be credited for all covered employment rendered by him or her in any one (1) calendar year with the same employer.

(3) Beginning January 1, 1999, the board may credit a member both with volunteer service and with paid service when the member earns the service credit simultaneously under different employers, except that he or she shall be limited to earning volunteer service with only one (1) covered employer at a time.

~~(c)(1) Except for an employer covering volunteer service for future employment credit under subdivision (c)(3) of this section, not Not later than one (1) year from and after the date an employer covers its employees and before the retirement of a member included in the employees so covered, the employer shall certify to the board the periods of prior employment of each of its members to be considered for credit as paid service and for credit as volunteer service.~~

~~(2) Beginning January 1, 2008, employers shall be limited to recognizing a maximum of four (4) years of prior volunteer service credit.~~

~~(2)(3) No prior employment service shall be so certified under this subsection by an employer for any member unless he or she was employed by the employer within the one-year period immediately preceding the date an employer covers its employees and unless he or she is continuously employed by the employer:~~

- ~~(A) From and after that date for one (1) year;~~
- ~~(B) Until his or her death; or~~
- ~~(C) Until his or her total and permanent disability, whichever is~~

~~earliest.~~

~~(3)(A) Beginning January 1, 2004, at the option of an employer covering volunteer service only, the employer may cover its employees under the system with service credit from the effective date of the coverage forward into the future with service credit from and after the effective date of coverage.~~

~~(B) An employee of an employer choosing coverage under this subdivision (c)(3) shall receive credited service for employment rendered from and after the effective date of coverage and shall receive no service credit for periods of prior employment or prior volunteer service.~~

~~(C) An employer choosing coverage under this subdivision (c)(3) is not responsible for contributions to pay for periods of a member's prior employment or prior volunteer service.~~

~~(D) An employer may choose to include an equal proportion of each employee's prior service in a portion that is twenty-five percent (25%), fifty percent (50%), or seventy-five percent (75%) of the prior service.~~

~~(E) If an employer elects to include a portion of prior service, the employer shall be responsible to pay for that portion.~~

~~(F) Each employee shall receive the same percentage of service prior to coverage as credited service.~~

(d) Anything contained herein to the contrary notwithstanding, not later than June 30, 1995, an employer with employees who were not accruing service credit because of the age-related limitation on credited service in subsections (a) and (b) of this section in existence prior to July 28, 1995, and who are or would accrue service credit without such limitations on credited service, shall certify to the board the period or periods of previous employment of each such employee to be considered for credited service, and such previous employment shall be considered for credited service, provided the employee pays to the Arkansas Local Police and Fire Retirement System by December 31, 1995, the total member contributions he or she would have contributed to the system had such an age-related limitation not been in effect."

AND

Page 3, line 32, delete "SECTION 2." and substitute "SECTION 3."

/s/ Eric Harris

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Walters, **HOUSE BILL NO. 2620** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2620

Amend **HOUSE BILL NO. 1** as originally introduced:

Delete SECTION 1 in its entirety and substitute the following:

"SECTION 1. TEMPORARY LANGUAGE. DO NOT CODIFY.
Effective January 1, 2008, the Arkansas Title Insurance Agents' Licensing Board established by the Arkansas Title Insurance Agents' Licensing Act, § 23-103-101 et seq., is abolished and its powers and duties are transferred to the State Insurance Department by a type 3 transfer under § 25-2-106.

SECTION 2. Arkansas Code § 23-62-108 is amended to read as follows:
23-62-108. Title insurance.

As used in the Arkansas Insurance Code, unless the context otherwise requires, "title insurance" is insurance of owners of property or others having an interest therein, or liens or encumbrances thereon, against loss by encumbrance, ~~or a defective title, or invalidity or invalid title, or adverse claim to title, or closing protection.~~

SECTION 3. Arkansas Code § 23-64-201 is amended to read as follows:

23-64-101. Scope of provisions.

This chapter shall apply with respect to any insurer, as to all insurances other than wet marine, and foreign trade insurance, ~~and title insurance.~~

SECTION 4. Arkansas Code § 23-64-301(b)(1), concerning continuing education requirements for insurance producers, is amended to add an additional subdivision to read as follows:

(b)(1) Beginning July 1, 2003, during each annual period of the duration of his or her license, any person licensed to act as an insurance producer shall satisfactorily complete courses or programs of instruction equivalent to:

(A) A minimum of eight (8) hours of related instruction for a life license or an accident and health license, or both; ~~or~~

(B) A minimum of eight (8) hours of instruction for a property and casualty license; or

(C) A minimum of eight (8) hours of instruction for a title insurance license.

SECTION 5. Arkansas Code § 23-67-203(7), concerning the regulation of insurance rates, is amended to read as follows:

(7) Title insurance; except that the following provisions shall apply to this line: §§ 23-67-202; 23-67-205; 23-67-208; 23-67-209; 23-67-211(a), (b) and (e); 23-67-212; 23-67-213; 23-67-214; 23-67-215; 23-67-216; 23-67-217; 23-67-218; 23-67-220; and 23-67-222;

SECTION 6. Arkansas Code § 23-79-102(4) concerning the applicability of certain insurance laws to title insurance, is amended to read as follows:

(4) Title insurance, ~~except as to the following provisions:~~

~~(A) Section 23-79-109, filing, approval of forms;~~

~~(B) Section 23-79-110, grounds for disapproval;~~

~~(C) Section 23-79-113, charter, bylaw provisions;~~

~~(D) Section 23-79-116, execution of policies;~~

~~(E) Section 23-79-119, construction of policies; and~~

~~(F) Sections 23-79-202, 23-79-205 and 23-79-208, suits against insurers, etc. that the following provisions shall apply to this line: §§ 23-79-101(1), 23-79-109, 23-79-110, 23-79-111, 23-79-113, 23-79-116, 23-79-118, 23-79-119, 23-79-202, and 23-79-205.~~

SECTION 7. Arkansas Code Title 23, Chapter 103 is amended to add an additional subchapter to read as follows:

23-103-401. Title.

This subchapter shall be known and may be cited as the "Arkansas Title Insurance Act".

23-103-402. Definitions.

As used in this subchapter:

(1) "Closing" means the process of executing documents in a transaction involving either personal or real property, including the transfer of title or creation of a lien on the title, or the collection and disbursement of funds in connection therewith;

(2) "Closing agent" means a person that facilitates a closing for a fee;

(3) "Depositor" means the person providing funds or documents for delivery to a depository in connection with a transaction involving real property;

(4) "Depository" means a title insurer, title insurance agent, or qualified financial institution receiving a deposit of funds or documents;

(5) "Escrow" means the act or process of providing closing services or services pursuant to an escrow agreement by a title insurer or a title insurance agent;

(6) "Escrow account" means the demand deposit account maintained by a title insurer or title insurance agent at a qualified financial institution into which the insurer or agent deposits all funds collected from any person that is or will be a party to a transaction involving real property;

(7) "Indemnity agreement" means an agreement by which funds or other property are received by the title insurer or the title insurance agent as collateral to secure the obligation of a person to indemnify or protect a title insurer in exchange for agreeing to provide coverage in a title insurance policy;

(8) "Person" means any natural person, or any partnership, association, cooperative, corporation, firm, trust, limited liability company, or other legal entity;

(9) "Qualified financial institution" means a bank or savings and loan association regulated, supervised, or examined by federal or state authorities having regulatory authority over banks and trust companies;

(10) "Risks" means the danger or hazards of a loss by encumbrance, a defective or invalid title, or adverse claim to title covered under a title insurance policy;

(11)(A) "Title insurance agent" means a person that is authorized on behalf of a title insurer to issue a title insurance report or title insurance policy and is:

(i) A resident of the State of Arkansas licensed under § 23-64-101 et seq.; or

(ii) A nonresident individual licensed under § 23-64-101 et seq. and employed by a resident licensee.

(B) "Title insurance agent" does not include:

(i) An individual employed by a licensee who does not sell or negotiate title insurance but who performs marketing duties directed to depository institutions or licensed real estate brokers and agents on behalf and under the direction of a licensee; or

(ii) An individual employed by a resident licensee who is a closing agent and does not solicit, sell, or negotiate title insurance;

(12) "Title insurance business" means:

(A) Issuing or offering to issue as an insurer a title insurance policy or closing protection;

(B) Transacting or proposing to transact by a title insurer or a title insurance agent any of the following activities when conducted or performed in contemplation of or in conjunction with the issuance of a title insurance report or policy:

(i) Guaranteeing, warranting, or otherwise insuring the status of title, liens, encumbrances or other matters of record;

(ii) Executing title insurance policies;

(iii) Effecting contracts of reinsurance;

(iv) Underwriting titles;

(v) Collecting, disbursing, or receiving title insurance premiums; or

(vi) Recording closing documents; or

(C) Doing or proposing to do any business substantially equivalent to the matters described in this subdivision (12) in a manner designed to evade the provisions of this subchapter;

(13) "Title insurance policy" means a contract, including any coverage, enhancements to coverage, or endorsements, insuring or indemnifying owners of, or other persons lawfully interested in, personal or real property against loss or damage arising from any of the following conditions existing on, before, or subsequent to the policy date and not specifically excepted or excluded:

- (A) Defects in or liens or encumbrances on the insured title;
- (B) Unmarketability of the insured title;
- (C) Invalidity or unenforceability of liens or encumbrances on the insured title of the personal or real property;
- (D) Title being vested otherwise than as stated in the policy;
- (E) Lack of a legal right of access to the land that is part of the insured title in a policy relating to real property;
- (F) Lack of priority of the lien of any insured mortgage over any statutory lien for services, labor, or materials as specifically described in the policy;
- (G) Invalidity or unenforceability of any assignment of an insured mortgage subject to certain conditions; or
- (H) The priority of any lien or encumbrance over the lien of an insured mortgage;

(14)(A) "Title insurance premium" means the funds paid to the title insurer directly or through its title insurance agent as consideration for:

- (i) The amount of liability assumed by a title insurer under a title insurance policy;
- (ii) The title insurer's operating expenses; and
- (iii) Any underwriting expense retained by the title insurance agent.

(B) "Title insurance premium" does not include charges for the performance of services related or incidental to title insurance or closings that are disclosed to the person charged, including without limitation:

- (i) Title search, abstracting, or examination of title;
- (ii) Obtaining a title opinion;
- (iii) Document preparation fees;
- (iv) Escrow or closing fees;
- (v) Notary fees;
- (vi) Attorneys' fees;
- (vii) Fees incurred to cure defects in title;
- (viii) Tax report or tax certification fees;
- (ix) Title report fees;
- (x) Processing fees;

(xi) Courier fees; and
(xii) Fees incident to the issuance of a title insurance report or policy;

(15)(A) "Title insurance rates" means the same as in § 23-67-202(11).

(B) "Title insurance rates" does not include charges for the performance of services related or incidental to title insurance or closings that are disclosed to the person charged, including without limitation:

(i) Title search, abstracting, or examination of title;

(ii) Obtaining a title opinion;

(iii) Document preparation fees;

(iv) Escrow or closing fees;

(v) Notary fees;

(vi) Attorney's fees;

(vii) Fees incurred to cure defects in title;

(viii) Tax report or tax certification fees;

(ix) Title report fees;

(x) Processing fees;

(xi) Courier fees; and

(xii) Fees incident to the issuance of a title insurance report or policy;

(16) "Title insurance report" means a preliminary report, commitment, or binder issued before the issuance of a title insurance policy containing the requirements, terms, conditions, exceptions, and any other matters incorporated by reference under which a title insurer is willing to issue a title insurance policy;

(17) "Title insurer" means a company authorized under the laws of this state to transact title insurance business; and

(18) "Underwrite" means the acceptance or rejection of risk on behalf of the title insurer.

23-103-403. Requirement for license.

(a) Other than a title insurer, only a person authorized as a title insurance agent shall issue title insurance policies, reports, or otherwise transact the business of title insurance.

(b) All title insurance policies and reports covering an insurable interest in title to real property located in this state shall be signed by an agent licensed in this state under this subchapter.

23-103-404. Authorized activities of title insurers.

Subject to the exceptions and restrictions contained in this subchapter, a title insurer may:

(1) Transact only title insurance business;

(2) Reinsure title insurance policies; and

(3) Unless prohibited by the Insurance Commissioner, perform or cause to be performed ancillary activities whether or not in contemplation of or in conjunction with the issuance of a title insurance report or policy including:

(A) Underwriting title to and furnishing related information about personal property or real property; and

(B) Procuring and furnishing information about relevant personal property.

23-103-405. Title insurers — Limitation of authority — Powers.

(a)(1) No insurer that transacts any class, type, or kind of insurance other than title insurance shall be eligible for the issuance or renewal of a license to transact title insurance business in this state.

(2) No title insurance shall be transacted, underwritten, or issued by any insurer transacting or licensed to transact any other class, type, or kind of business.

(b) No title insurer shall engage in the business of guaranteeing payment of the principal or the interest on bonds or mortgages.

(c)(1) Notwithstanding subsection (a) of this section, a title insurer shall give notice of availability of closing protection to all parties to a transaction in which it is contemplated that title insurance may be issued.

(2) Upon written request by a party to a closing with a licensed agent with which it has an agent contract, the insurer shall issue closing protection to the requesting party.

(3) The settlement protection shall conform to the terms of coverage and form of instrument as may be filed with the Insurance Commissioner and shall indemnify a person solely against loss of closing funds because of the following acts of a closing agent, title insurer's named employee, or title insurance agent:

(A) Theft or misappropriation of closing funds; or

(B) Failure to comply with written instructions from the proposed insured when agreed to by the closing agent, employee, or title insurance agent as it relates to the status of the title to the interest in land or to the validity, enforceability, and priority of the lien of a mortgage or deed of trust on said interest in land.

(2) The form and amount charged by a title insurer for closing protection coverage shall be filed with the Insurance Commissioner at least twenty (20) days before the first use of closing protection coverage in the market.

(3) Except as provided in this section, a title insurer shall not provide any other coverage that purports to indemnify against improper acts or omissions of a person with regard to escrow or closing services.

23-103-406. Title insurance agents — Examination of records.

The Insurance Commissioner or title insurer may during normal business hours examine, audit, and inspect any and all books, records, files, and escrow and operating accounts related to title insurance reports and policies maintained by a title insurance agent, its successor in interest, transferee, or receiver as provided under this subchapter.

23-103-407. Underwriting contracts.

(a)(1) No person acting in the capacity of a title insurance agent shall place business with a title insurer, and no title insurer shall accept business from a title insurance agent, unless a written contract exists between the title insurer and title insurance agent.

(2) The written contract shall establish the responsibilities of the title insurer and title insurance agent and specify the division of the responsibilities if both share responsibility for a particular function.

(3) The written contract shall also contain:

(A) The types of risks that may be undertaken;

(B) The maximum authority or limits of liability;

(C) The territorial limitations;

(D) All terms of compensation for the title insurance agent;

(E) Policies and funds remittance;

(F) Termination provisions;

(G)(i) The date by which all funds and policies due under the contract shall be accounted for to the title insurer.

(ii) The date shall be no later than sixty (60) days after:

(a) Issuance of the policy;

(b) The satisfaction of all requirements and condition of any report; or

(c) The time specified in the contract if sooner than sixty (60) days; and

(H) The time in which the title insurance agent has to report and forward to the title insurer all claims filed in writing with the title insurance agent by policyholders or other claimants.

(b) The contract shall not be assigned in whole or in part by the title insurance agent unless as part of a sale of a title insurance agency or its assets and approved in writing by the title insurer.

(c)(1) The title insurer may terminate the contract upon written notice to the title insurance agent under any of the following circumstances:

(A) Fraud, insolvency, appointment of a receiver or conservator, bankruptcy, cancellation of the title insurance agent's license or permit to do business, or the commencement of legal proceedings by the state of the domicile of the title insurance agent, which if successful, would lead to the cancellation of the title insurance agent's permit or license to do business;

(B) Material breach of any provision of the contract between the title insurer and the title insurance agent; or

(C) In accordance with any other termination provision of the contract.

(2) Upon the effective date as set forth in the notice of termination from a title insurer, unless otherwise agreed to in writing by the title insurer, the title insurance agent shall immediately discontinue all title insurance business on behalf of that title insurer.

(3) Nothing in this subsection shall relieve the title insurance agent or the title insurer of any other contractual obligation.

23-103-408. Minimum search requirements.

(a) No title insurance report or policy shall be issued unless the title insurer or title insurance agent has caused to be made a search of the title from the evidence prepared from a title plant of the county where the property is located or from the records of the clerk or the ex officio recorder of land records of the county that maintains records relating to real estate and any interest in the country.

(b) The search shall include a review of all matters affecting the title to the property or interest to be insured for a continuous period of not less than the immediately preceding forty-five (45) years.

(c) No title insurance policy shall be issued until the title insurer or title insurance agent has caused to be made a determination of insurability of title in accordance with the title insurer's underwriting practices.

23-103-409. Title insurance agent — Restrictions.

A title insurance agent shall not:

(1) Bind reinsurance on behalf of the title insurer;

(2) Permit any of its directors, officers, controlling shareholders, or employees to serve on the title insurer's board of directors if the title insurance agent wrote five percent (5%) or more of the direct premiums of the title insurer written in the previous calendar year as shown on the title insurer's most recent annual statement filed with the Insurance Commissioner, unless the title insurer and the title insurance agent are under common control or ownership;

(3) Jointly employ an individual who is employed with the title insurer unless the title insurer and the title insurance agent are under common control or ownership; or

(4) Issue a title insurance report or policy insuring the interest of an insured in real property in this state unless the title insurance agent is licensed under this subchapter and the title insurance report or policy is signed by a title insurance agent licensed under this subchapter.

23-103-410. Title insurance inventory maintenance.

The title insurer and the title insurance agent shall each maintain an inventory of all numbered policy forms or policy numbers assigned to the title insurance agent by the title insurer.

23-103-411. Title insurer — Audit.

(a)(1) At least one (1) time each year, a title insurer shall conduct an on-site audit of the escrow and closing practices, escrow accounts, security arrangements, files, underwriting and claims practices, and policy inventory of the title insurance agencies that the title insurer has authorized to issue title insurance reports or policies on its behalf.

(2) If the title insurance agent fails to maintain separate escrow or trust accounts for each title insurer it represents, the title insurer shall verify that the funds related to closings in which the title insurer's policies are issued are reasonably ascertainable from the books of account and records of the title insurance agent.

(b)(1) The Insurance Commissioner may promulgate rules setting forth the standards of audit and the form of audit required.

(2) The commissioner may also require the title insurer to provide a copy of its audit reports to the commissioner.

(3) Any audits shall remain confidential unless introduced as evidence at a hearing or court proceeding involving the title insurance agent.

23-103-412. Title insurer — Restrictions.

A title insurer shall not:

(1) Appoint any director, officer, controlling shareholder, or employee of a title insurance agent to serve on the title insurer's board of directors if the title insurance agent wrote five percent (5%) or more of the direct premiums of the title insurer written during the previous calendar year as shown on the title insurer's most recent annual statement on file with the Insurance Commissioner, unless the title insurer and the title insurance agent are under common control or ownership; or

(2) Jointly employ an individual who is employed with the title insurance agent unless the title insurer and the title insurance agent are under common control or ownership.

23-103-413. Policyholder rights and disclosure.

(a)(1) When a title insurance report includes an offer to issue an owner's title insurance policy covering the resale of owner-occupied residential property, the title insurance report shall be furnished to the purchaser or mortgagor or to the representative of the purchaser-mortgagor as soon as reasonably possible before closing.

(2) The title insurance report furnished to the purchaser-mortgagor shall incorporate the following statement on the first page in bold type:

"Please read the exceptions and the terms shown or referred to herein carefully. The exceptions are meant to provide you with notice of matters that are not covered under the terms of the title insurance policy and should be carefully considered. This report is a written representation as to the condition of title for purposes of providing title insurance and lists all liens, defects, and encumbrances affecting title to the land."

(b)(1) When no owner's title insurance policy has been requested, a title insurer or a title insurance agent issuing a title insurance policy to a lender in conjunction with a mortgage loan involving real property made simultaneously with the purchase of all or part of the real property securing the loan shall give written notice on a form prescribed or approved by the Insurance Commissioner, to the purchaser-mortgagor at the closing.

(2) The notice required by subdivision (b)(1) of this section shall explain:

(A) That a title insurance policy for the lender involving real property is issued for the protection of the mortgage lender, and that the policy does not provide title insurance protection to the purchaser-mortgagor as the owner of the real property being purchased;

(B) The coverage that a title insurance policy relating to real property insures and that risks exist for the purchaser-mortgagor of real property that could be insured through the purchase of an owner's title policy involving real property; and

(C) That the purchaser-mortgagor may obtain an owner's title insurance policy at a specified premium.

(3) A copy of the notice signed by the purchaser-mortgagor shall be retained in the closing file for at least five (5) years after the effective date of the lender's title insurance policy.

(c) No title insurance agent or any other person other than a licensed Arkansas attorney may provide legal advice concerning the status of title to the property described in the title commitment.

23-103-414. Record retention requirements.

(a) The title insurer and the title insurance agent shall maintain sufficient records of their affairs, including evidence of underwriting title, determination of insurability, and records of their escrow operations and escrow accounts.

(b) The Insurance Commissioner may prescribe the specific records and documents to be kept and the length of time for which the records shall be maintained.

23-103-415. Rules promulgated by Insurance Commissioner.

The Insurance Commissioner shall issue rules in accordance with the Arkansas Administrative Procedure Act, § 25-15-201 et seq., to implement this subchapter.

23-103-416. Penalties — Liabilities.

(a) If the Insurance Commissioner determines that a title insurer, title insurance agent, or any other person has violated this subchapter or any rule or order promulgated under this subchapter, the commissioner may order:

(1)(A) Payment of a monetary penalty not to exceed one thousand dollars (\$1,000) for each act or violation and not to exceed an aggregate penalty of ten thousand dollars (\$10,000) unless the title insurer, title insurance agent, or other person knew or reasonably should have known that the title insurer, title insurance agent, or other person was in violation of this subchapter.

(B) If the title insurer, title insurance agent, or other person knew or reasonably should have known that the title insurer, title insurance agent, or other person was in violation of this subchapter, the penalty shall not exceed five thousand dollars (\$5,000) for each act or violation and not exceed an aggregate penalty of fifty thousand dollars (\$50,000) in any six-month period; or

(2) Suspension or revocation of the title insurer's, title insurance agent's, or other person's license, if the title insurer, title insurance agent, or other person knew or reasonably should have known that the title insurer, title insurance agent, or other person was in violation of this subchapter.

(b) If an order of rehabilitation or liquidation of the title insurer or of conservation of assets of the title insurer has been entered and the receiver appointed under the order determines that the title insurance agent or any other person has not complied with this subchapter or any rule or order promulgated under this subchapter and the title insurer suffered any resulting loss or damage, the receiver shall maintain a civil action for recovery of damages or other appropriate sanctions for the benefit of the title insurer and its policyholders and creditors.

(c) Nothing contained in this section shall affect the right of the commissioner to impose any other penalties provided under § 23-64-101 et seq.

SECTION 8. Arkansas Code § 19-5-1224 is repealed.

~~19-5-1224. Title Insurance Agents' Licensing Board Fund.~~

~~(a) There is established 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 "Title Insurance Agents' Licensing Board Fund".~~

~~(b)(1) The fund shall consist of the license and examination fees as set out in § 23-103-204.~~

~~(2) The fund shall be used by the Arkansas Title Insurance Agents' Licensing Board for the payment of all expenses and expenditures incurred under § 23-103-201 et seq.~~

SECTION 9. Arkansas Code §§ 23-103-101 — 23-103-316 are repealed.

~~23-103-101. Purpose.~~

~~(a) This chapter shall be known and may be cited as the "Arkansas Title Insurance Agents' Licensing Act".~~

~~(b) The purpose of this chapter is to provide the procedures for the licensing of title insurance agents.~~

~~23-103-102. Definitions.~~

As used in this chapter:

~~(1) "Business entity" means a corporation, firm, association, partnership, joint venture, limited liability company, limited liability partnership, or other legal business entity;~~

~~(2) "Commitment" means a contract or binder reporting the state of the title to the real property described and committing the title insurer to issue a contract of title insurance upon compliance with the requirements stated and subject to any exceptions set forth;~~

~~(3) "Home state" means the District of Columbia and any state or territory of the United States in which a title insurance agent maintains a principal place of residence or principal place of business and is licensed to act as a title insurance agent;~~

~~(4) "Inactive signing title insurance agent" means a person having a signing agent's license that has been placed in inactive status by the Arkansas Title Insurance Agents' Licensing Board;~~

~~(5) "Issuing title insurance agent" means a person authorized to issue commitments and contracts of title insurance and to collect premiums in the name of a title insurer;~~

~~(6) "Person" means any natural person, firm, corporation, partnership, association, limited liability company, limited liability partnership, or other business entity;~~

~~(7) "Sell" means to exchange a contract of title insurance for valuable consideration on behalf of a title insurer;~~

~~(8) "Signing title insurance agent" means a person authorized under this chapter to sign commitments and contracts of title insurance;~~

~~(9) "Title insurance" means the insurance defined in § 23-62-108;~~

~~(10) "Title insurance agent" means a person required to be licensed under the laws of the State of Arkansas to sell title insurance; and~~

~~(11) "Title insurer" means a person authorized by the State of Arkansas to underwrite and effectuate a contract of title insurance.~~

~~23-103-103. Penalties.~~

~~(a)(1) Any person violating any of the provisions of this chapter shall be guilty of a violation and upon conviction shall be punished by a fine of not less than five hundred dollars (\$500) nor more than one thousand dollars (\$1,000) for each offense.~~

~~(2) Each succeeding day on which this chapter is violated shall be a separate offense.~~

~~(b) If any title insurance agent knowingly falsifies any public record or information required to be furnished, the title insurance agent shall be guilty of a Class D felony in addition to any civil liability.~~

~~23-103-201. Creation — Members.~~

~~(a) There is created the Arkansas Title Insurance Agents' Licensing Board.~~

~~(b)(1) The board shall consist of five (5) members appointed by the Governor, who shall serve four-year terms, subject to confirmation by the Senate.~~

~~(2) Two (2) members shall have been actively engaged in the title insurance business in the state for a period of five (5) years prior to appointment and shall serve an initial term of four (4) years each.~~

~~(3) One (1) member shall be knowledgeable of the title insurance business and shall serve an initial term of three (3) years.~~

~~(4) Two (2) members shall be citizens of the State of Arkansas and shall serve an initial term of two (2) years each.~~

~~(c) Vacancies on the board caused by death, resignation, or otherwise shall be filled by appointment of the Governor, subject to confirmation by the Senate.~~

~~(d) Any member may be appointed to successive terms, but no two (2) members shall be appointed from the same county.~~

~~(e) Each member shall serve without compensation but shall be reimbursed for travel and expenses in accordance with § 25-16-902.~~

~~23-103-202. Organization and proceedings.~~

~~(a)(1) The Arkansas Title Insurance Agents' Licensing Board shall organize~~

by the election of a chair and a secretary-treasurer.

~~(2) The chair and secretary-treasurer shall have the power to administer oaths.~~

~~(b) The board shall have a seal and shall have the power to compel the attendance of witnesses by issuance of subpoena.~~

~~23-103-203. Duties and powers.~~

~~(a) The Arkansas Title Insurance Agents' Licensing Board shall keep a register of the names of each applicant for licensure, with the applicant's place of business and other information as may be deemed appropriate, including a notation of the action taken by the board and the date upon which any licenses are issued. In addition, the board shall maintain other records, registers, and files as may be necessary for the proper administration of its duties under this chapter.~~

~~(b) The board may adopt rules and regulations as it shall deem necessary or desirable for the proper administration of its powers and duties and the carrying out of the purposes of this chapter.~~

~~(c) The board may employ or contract with persons as it deems necessary and desirable to discharge its duties and powers.~~

~~(d) In addition to its other powers, the board may institute suits and other legal proceedings in a court of competent jurisdiction in Pulaski County, Arkansas, as may be required for the enforcement of this chapter.~~

~~23-103-204. License fees, disposition of funds, and Title Insurance Agents' Licensing Board Fund.~~

~~(a) The Arkansas Title Insurance Agents' Licensing Board shall collect fees as follows:~~

~~(1) For an issuing agent's license, the original license fee shall not exceed three hundred fifty dollars (\$350), and the renewal fee shall not exceed three hundred fifty dollars (\$350) annually;~~

~~(2) For a signing agent's license, the original license fee shall not exceed twenty-five dollars (\$25.00), and the renewal fee shall not exceed twenty-five dollars (\$25.00) annually;~~

~~(3) For an inactive status license fee, the original fee shall not exceed twenty-five dollars (\$25.00), and the renewal fee shall not exceed twenty-five dollars (\$25.00) annually; and~~

~~(4) The board shall have the authority to set reasonable fees established by regulation promulgated in accordance with the Arkansas Administrative Procedure Act, § 25-15-201 et seq., for the performance of its administrative duties, including, but not limited to, the testing of applicants for licenses, transferring licenses, replacing license certificates, and responding to inquiries from regulatory agencies in other states.~~

~~(b) All fees and charges collected under this chapter shall be paid by the board within a period of thirty (30) days after their receipt together with a detailed statement to the Treasurer of State, who shall place the sums remitted to the credit of the Title Insurance Agents' Licensing Board Fund which is created by this chapter.~~

~~(c) All moneys paid into State Treasury and credited to the fund, or so much as may be needed, shall be used by the board for the payment of all expenses and expenditures incurred under this chapter.~~

~~(d) Upon the request of the board, the Auditor of State shall draw warrants against the fund for expenses and expenditures, and the Treasurer of State shall pay the warrants out of the fund.~~

~~23-103-301. License required.~~

~~(a) On and after January 31, 2002, a person shall not sell or receive a premium for a commitment or a contract of title insurance pertaining to real property in this state unless the person is:~~

~~(1) A title insurer; or~~

~~(2) Licensed as an issuing title insurance agent under this chapter.~~

~~(b) On and after January 31, 2002, no commitment or contract of title insurance pertaining to real property situated in the State of Arkansas shall be issued, sold, or exchanged unless the commitment and contract of title insurance is countersigned by a title insurance agent who is:~~

~~(1) A resident of this state; and~~

~~(2) Licensed under this chapter either as:~~

~~(A) An issuing title insurance agent; or~~

~~(B) A signing title insurance agent.~~

~~(c) The name of the signing agent making the countersignature and the number of the license certificate shall be printed or legibly written by hand underneath the countersignature.~~

~~23-103-302. Application of act and construction with other laws. Without any further qualification or examination, an attorney at law licensed to practice law by the State of Arkansas, upon written request to the Arkansas Title Insurance Agents' Licensing Board and payment of the original license fee, shall be immediately certified by the board as a licensed title insurance agent, and a license certificate shall be immediately issued to the attorney.~~

~~23-103-303. License — Application.~~

~~(a) Any person desiring to become a licensed title insurance agent shall make application to the Arkansas Title Insurance Agents' Licensing Board for license registration.~~

~~(b) The application shall be in a form prepared by the board and shall contain information as may be necessary to assist the board in registration and to determine if the applicant is qualified to act as a title insurance agent.~~

~~(c) Except as provided in subsection (e) of this section, each application shall be accompanied by the examination fee prescribed in § 23-103-204.~~

~~(d) The board shall notify the applicant of the time and place of the next scheduled examination, and notice of the examination shall be given to the applicant by mail.~~

~~(e) If the person seeking to become a licensed title insurance agent is a business entity, the application shall show the names of all members, partners, manager, venturers, officers, and directors of the business entity and shall designate each natural person who is to exercise the powers to be conferred by the license, and each natural person shall take the examination and pay the examination fee prescribed _____ in _____ § _____ 23-103-204.~~

~~23-103-304. License — Examination.~~

~~The examination shall be in the form of written interrogatories as may be prescribed by the Arkansas Title Insurance Agents' Licensing Board from time to time to determine the proficiency of the applicant.~~

~~23-103-305. License — Issuance or reapplication.~~

~~(a) If the person satisfactorily passes the examination and is found by the Arkansas Title Insurance Agents' Licensing Board to:~~

- ~~(1) Be at least eighteen (18) years of age;~~
- ~~(2) Be a resident of the State of Arkansas for at least six (6) months;~~
- ~~(3) Have not committed any act that is a ground for denial, suspension, or revocation set forth in § 23-103-312;~~
- ~~(4) Have paid the original license fee prescribed by § 23-103-204; and~~

~~(5) Be qualified, the person shall be certified as a licensed title insurance agent, and the license certificate provided for shall be issued to the person. The privileges granted by the license certificate shall continue unless revoked or unless the certificate is surrendered to the board.~~

~~(b) If the person seeking to become a licensed title insurance agent is a business entity and the board finds each natural person designated by the business entity to exercise the powers to be conferred by the license:~~

~~(1) Is at least eighteen (18) years of age;~~

~~(2) Is a resident of the State of Arkansas for at least six (6) months;~~

~~(3) Has not committed any act that is a ground for denial, suspension, or revocation set forth in § 23-103-312;~~

~~(4) Has paid the original license fee prescribed by § 23-103-204; and~~

~~(5) Is determined by the board to be qualified, and the business entity has paid the original license fee prescribed by § 23-103-204, the business entity shall be certified as a licensed title insurance agent, and the license certificate provided for shall be issued to the person. The privileges granted by the license certificate shall continue unless revoked or unless the certificate is surrendered to the board.~~

~~(c)(1) The license certificate shall be in a form prescribed by the board and shall attest that the person possesses the knowledge, skill, ability, and understanding to act as a title insurance agent and is designated a licensed title insurance agent.~~

~~(2) The license certificate shall be prominently displayed in the office where the person is employed.~~

~~(d) A person failing to satisfy the board that the applicant possesses the qualifications or proficiency to become a licensed title insurance agent may reapply for registration if the application is accompanied by the examination fee provided for in § 23-103-204, but no application shall be submitted sooner than five (5) months following the date on which the last previous examination was administered to the applicant.~~

~~(e)(1) The license certificate shall indicate whether the license is issued as:~~

~~(A) An issuing agent license;~~

~~(B) A signing agent license; or~~

~~(C) A license for an inactive licensee.~~

~~(2) An issuing agent license shall be issued to an applicant if the applicant:~~

~~(A) Provides evidence satisfactory to the board that the applicant:~~

~~(i) May sell or receive premiums for commitments and contracts for title insurance issued by the applicant in the name of a title insurer; and~~

~~(ii) Is an insured under an errors and omissions policy of insurance in an amount no less than two hundred fifty thousand dollars (\$250,000) or other evidence of financial responsibility satisfactory to the board; and~~

~~(B) Satisfies the requirements for licensure under subsections (a) and (b) of this section.~~

~~(3) A signing agent license shall be issued to an applicant if the applicant:~~

~~(A) Provides evidence satisfactory to the board that upon licensure the applicant will be authorized by the issuing agent to countersign commitments and contracts of title insurance on behalf of the issuing agent; and~~

~~(B) Satisfies the requirements for licensure under subsections (a) and (b) of this section.~~

~~(4) An inactive signing agent's license shall be issued to all other applicants who otherwise would qualify for licensure under subsections (a) and (b) of this section.~~

~~23-103-306. Nonresident licensing.~~

~~Unless denied licensure for having committed any act that is a ground for denial, suspension, or revocation set forth in § 23-103-312, a nonresident person shall receive a nonresident title insurance agent license without complying with the examination requirement prescribed by § 23-103-304 if:~~

~~(1) The person is currently a licensed title insurance agent as a resident and in good standing in that person's home state;~~

~~(2) The person has submitted the proper request for licensure as prescribed by the Arkansas Title Insurance Agents' Licensing Board, including proof of licensure in the home state, and has paid the original license fee prescribed by § 23-103-204; and~~

~~(3) The person's home state awards nonresident title insurance agent licenses to residents of this state on the same basis.~~

~~23-103-307. Abstractor's exemption from examination.~~

~~(a) Every person to whom the State of Arkansas has issued, as of January 1, 2001, a certificate of registration as a registered abstractor or a certificate of authority to engage in the business of abstracting shall be exempt from the examination required in § 23-103-304, and the person, including each natural person designated by a business entity to exercise the powers to be conferred by the title~~

~~insurance agent's license, who is an Arkansas-registered abstractor on January 1, 2001, upon payment of the original license fee, shall be certified by the Arkansas Title Insurance Agents' Licensing Board as a licensed title insurance agent, and the license certificate shall be immediately issued to the person.~~

~~(b) An Arkansas-registered abstractor eligible for the exemption granted in this section shall become ineligible for the exemption after January 31, 2005.~~

~~23-103-308. Temporary license.~~

~~(a) The Arkansas Title Insurance Agents' Licensing Board may issue a temporary title insurance agent's license for a period not to exceed one hundred eighty (180) days without requiring an examination, if the board deems that the temporary license is necessary in the following cases:~~

~~(1) To the surviving spouse or court-appointed personal representative of a licensed title insurance agent who dies or becomes mentally or physically disabled, to allow adequate time for the sale of the title insurance agent's business or for the recovery or return of the title insurance agent, or to provide for the training and licensing of new personnel to operate the title insurance agent's business; and~~

~~(2) Any circumstance in which the board deems that the public interest will best be served by the issuance of the temporary license.~~

~~(b) The board may revoke the temporary license at any time if the interest of the public is endangered.~~

~~23-103-309. Unregistered employees, officers and assistants.~~

~~Nothing in this chapter shall be construed to prohibit any person holding a valid license from having the directors, partners, or members and employing the officers, personnel, and clerical and stenographic assistants as may be necessary in the conduct of its business who are not licensed under this chapter.~~

~~23-103-310. License — Expiration — Renewal.~~

~~(a)(1) All licenses issued under this chapter shall expire on the same date.~~

~~(2) Expiration dates of the licenses, either renewal or original, shall be January 31 following the year from the preceding expiration date. (b)(1) — Current licenses shall be renewed as provided for in this section for a one-year period upon payment of the renewal fee prescribed in § 23-103-204.~~

~~(2) If the license is held by a business entity, the renewal fee shall be paid for each natural person designated by the business entity to exercise the powers conferred by the license.~~

~~(c)(1)(A) No more than sixty (60) days nor less than thirty (30) days prior to the expiration date of the license issued, the Arkansas Title Insurance Agents' Licensing Board shall cause a notice of expiration and application for renewal to be mailed to each of the holders of a license.~~

~~(B) The notice and application shall be in a form prepared by the board.~~

~~(2) Upon determination by the board of the applicant's compliance with this chapter, a renewal license shall be issued to the applicant.~~

~~(d)(1)(A) If a holder of a license fails to apply for renewal and fails to pay the fee provided for renewal, the board shall cause to be mailed to the holder a notice that the license has expired and the person may no longer act as a title insurance agent.~~

~~(B) The notice shall be mailed not more than thirty (30) days following the license expiration date.~~

~~(C) The holder shall be granted an additional period of sixty (60) days from the date of mailing the notice within which to file an application for renewal.~~

~~(2)(A) The name of any holder failing to renew the license shall be stricken from the records of the board.~~

~~(B) The person shall no longer act as a title insurance agent until reinstated by the board.~~

~~23-103-311. Access to public records.~~

~~Licensed title insurance agents shall have access to the public records in any office of any city or county or of the state and shall be permitted to make memoranda, notations, or copies and to occupy reasonable space with equipment for that purpose, subject to the reasonable regulation of the custodian of the public records and during the business hours of each office.~~

~~23-103-312. Revocation of license — Grounds.~~

~~The Arkansas Title Insurance Agents' Licensing Board is authorized, after a hearing, to cancel and revoke any license issued to any person under this chapter:~~

~~(1) For a violation of any of the provisions of this chapter;~~

~~(2) Upon a conviction of the holder of a license of a crime involving moral turpitude; or~~

~~(3) If the board finds the holder of the license to be guilty of habitual carelessness or of fraudulent practices.~~

~~23-103-313. Revocation of license — Procedure — Appeal.~~

~~(a)(1) Upon a verified complaint's being filed with the Arkansas Title Insurance Agents' Licensing Board, or upon the board's own motion filing a complaint charging the person holding a title insurance agent's license or any natural person designated by a business entity holding a title insurance agent's license to exercise the power conferred by that license with:~~

- ~~(A) A violation of any of the provisions of this chapter;~~
- ~~(B) Conviction of a crime involving moral turpitude; or~~
- ~~(C) Habitual carelessness or fraudulent~~

~~practices, the board shall immediately notify the person in writing by registered mail, with return receipt, of the filing of the complaint and furnish that person with a copy of the complaint.~~

~~(2) The board shall at the same time require the person to appear before it on a day fixed by the board, not less than twenty (20) days nor more than forty (40) days from the date of the service of the complaint on that person, and to show cause why the license should not be canceled and revoked.~~

~~(3) Under the hand of its chair and the seal of the board, the board may subpoena witnesses and compel their attendance and may require the production of books, papers, and other documents.~~

~~(4) The Chair of the Arkansas Title Insurance Agents' Licensing Board or the Secretary-treasurer of the Arkansas Title Insurance Agents' Licensing Board may administer oaths or affirmations to witnesses appearing before the board.~~

~~(5)(A) If any person refuses to obey any subpoena so issued or refuses to testify or to produce any books, papers, or other documents, the board may present its petition to any court of record, setting forth the facts.~~

~~(B) In a proper case, the court shall issue its subpoena to the person requiring his or her attendance before the court and there to testify or produce the books, papers, and documents as may be deemed necessary and pertinent.~~

~~(6) The person holding the license shall be entitled to counsel at any hearing before the board or any other hearing involving revocation of his or her license.~~

~~(7) The board shall cause a transcript of any testimony taken to be made by a reporter or stenographer.~~

~~(b)(1)(A) Either the respondent or the complainant may appeal from the decision of the board to the circuit court in the county of the respondent's place of business.~~

~~(B) The appeal shall be taken within thirty (30) days after the decision of the board by causing a written notice of appeal to be served on the secretary-treasurer and executing a bond to the State of Arkansas, with surety to be approved by the secretary-treasurer, conditioned to pay all costs that may be adjudged against the appellant.~~

~~(2) Upon an appeal's being taken, the secretary-treasurer shall immediately make out a return of the proceedings in the matter before the board with its decision and file them together with the bond and all the papers pertaining thereto in his or her possession, including a certified record of testimony taken at the hearing, with the clerk of the court to which the appeal is taken.~~

~~(3) The court shall hear the appeal as a trial de novo, and the costs of the appeal, including the furnishing of the testimony, shall be taxed as the court may direct.~~~~(4) An appeal shall stay the cancellation of any license until the final decision is had on appeal.~~

~~23-103-314. Commitment and policy as evidence.~~

~~A photostat or verbatim copy of any commitment or contract of title insurance pertaining to real property situated in the State of Arkansas shall be admissible in evidence on behalf of any party litigant in any court in the State of Arkansas and shall be prima facie evidence of the facts therein recited and contained.~~

~~23-103-315. Transfer and cancellation of license.~~

~~(a)(1) An issuing agent may effect the transfer of a signing agent's license or an inactive signing agent's license to the issuing agent by furnishing evidence satisfactory to the Arkansas Title Insurance Agents' Licensing Board that the signing agent has:~~

~~(A) Been authorized to countersign commitments and contracts of title insurance in the name of the issuing agent; and~~

~~(B) Otherwise satisfied the requirements for licensure under this chapter.~~

~~(2) The board shall then issue a replacement license certificate to the signing agent naming the issuing agent thereon.~~

~~(b)(1) An issuing agent shall effect the cancellation of a signing agent's license that has been placed with the issuing agent by providing evidence satisfactory to the board that the signing agent licensee no longer may countersign commitments and contracts of title insurance on behalf of the issuing agent.~~

~~(2) The board shall then cancel the license certificate issued to the signing agent licensee.~~

~~(3) The signing agent's license shall be placed on inactive status.~~

~~23-103-316. Continuing education — Requirements.~~

~~(a) Beginning February 1, 2004, as a condition precedent to renewal or reactivation of licenses, licensees shall meet the following requirements:~~

~~(1)(A) Before activation of a license on inactive status, the licensee shall satisfactorily complete four (4) classroom hours or equivalent continuing education units or equivalent correspondence work of continuing education for each year inactive, not to exceed twenty (20) classroom hours.~~

~~(B) However, satisfying the requirements in subdivision (a)(1)(A) of this section will only satisfy the requirements for that particular license year and not for the following license year;~~

~~(2)(A) Persons licensed as title insurance agents shall successfully complete four (4) classroom hours or equivalent continuing education units or equivalent correspondence work of continuing education annually.~~

~~(B) At least one (1) hour or equivalent continuing education unit shall be in a specific topic or topics as identified by the Arkansas Title Insurance Agents' Licensing Board.~~

~~(C) Persons satisfying the requirements in subdivision (a)(2)(A) of this section shall be deemed to have successfully completed the continuing education requirements for the licensing year following the year in which first licensed in Arkansas; and~~

~~(3) A nonresident licensee may meet this state's continuing education requirements by taking courses that meet the continuing education requirements of his or her resident state for the licensing year in question if:~~

~~(A) The course or courses consist of no fewer than four (4) classroom hours or equivalent continuing education units of title insurance-related subjects and otherwise comply with the minimum requirements of this chapter; and~~

~~(B) Evidence of compliance satisfactory to the board is submitted in a form, manner, and content prescribed by the board.~~

~~(b) Licensees on inactive status are not required to comply with this subchapter during their inactive status.~~

~~(c) The board may waive all or part of the requirements of subsection (a) of this section for any licensee who submits satisfactory evidence of inability to meet the continuing education requirements due to health reasons or other hardship or extenuating circumstances beyond the licensee's control.~~

~~(d) Licenses for persons who apply for renewal of their license and who do not provide to the board evidence of meeting the continuing education requirements but who have otherwise met all requirements for license renewal shall be placed on inactive status until the evidence is provided to the board.~~

~~(e) If the licensee fails to complete the post-licensure education requirements within twelve (12) months after the date the license was issued, the board shall place the license on inactive status until the board receives documentation that the licensee has completed the post-licensure education requirements.~~

~~(f) The board may prescribe forms and certificates to be utilized by continuing education providers and licensees in the administration and completion of continuing education courses.~~

~~(g) The board may require continuing education providers to maintain course records and to make these records available to the board for audit and review.~~

~~(h) The board may require licensees to maintain continuing education records and to provide the records to the board to ensure compliance with the continuing education requirements.~~

~~(i) Renewal of a license issued to an attorney licensed in this state under § 23-103-302 is subject to § 23-103-310 except that the renewal shall not be subject to the continuing education requirements of this chapter.~~

SECTION 10. TEMPORARY LANGUAGE. DO NOT CODIFY.

(a) On January 1, 2008, all unexpended balances, assets, and appropriations from the Title Insurance Agents' Licensing Board Fund under § 19-5-1224 being repealed by this act shall be transferred by the Chief Fiscal Officer of the State to the State Insurance Department Trust Fund.

(b) The fund balances shall be used by the State Insurance Department for the purposes for which the fund balances were collected.

SECTION 11. Effective Date. Except as provided in the Emergency Clause of Section 13 of this act, this act takes effect January 1, 2008.

SECTION 12. TEMPORARY LANGUAGE. DO NOT CODIFY. License transition.

Every person who holds a license granted under § 23-103-101 -- § 23-103-316 and who meets the definition of a title insurance agent under § 23-103-402 shall be exempt from examination under § 23-64-202(a)(1) upon the payment of the renewal license fee and shall be issued a title insurance agent license if that person applies for a license on or before December 31, 2007.

SECTION 13. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that the holders of title agent licenses are required to take certain actions to maintain their licenses in good standing prior to the January 1, 2008, effective date of this act; and that it is imperative for the effective regulation of title insurance agents that additional time be allotted to comply with the transitional provisions of the preceding section of this act. Therefore, an

emergency is declared to exist and the preceding section 12 of this act being immediately necessary for the preservation of the public peace, health, and safety, the preceding section 12 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."

/s/ Shirley Walters

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Petrus, **HOUSE BILL NO. 2384** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 4 TO HOUSE BILL NO. 2384

Amend **HOUSE BILL NO. 2384** as engrossed,

H3/8/07 (version: 03-08-2007 09:09):

Page 4, line 17, delete "subsection" and substitute "subdivision"

AND

Page 6, line 6, delete " ." and substitute "."

AND

Page 11, delete line 14 and substitute the following:

"regarding the approval or denial of a contract"

AND

Page 11, line 15, delete "section"

AND

Page 11, line 23, delete "(i)" and substitute "(i)"

AND

Page 12, line 18, delete "including, but not limited to," and substitute "including without limitation"

AND

Page 15, line 21, delete "act" and substitute "acts"

AND

Page 15, line 22, delete "servants," and substitute "servants and resulting from Initiated Act 1 of 1988,"

AND

Page 16, line 20, delete "contact" and substitute "contract"

AND

Page 18, delete lines 18 and 19 and substitute the following:

“(C) The spouse of a child of the individual or the individual’s spouse;”

/s/ Benny Petrus

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative D. Johnson, **HOUSE BILL NO. 1624** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1624

Amend **HOUSE BILL NO. 1624** as engrossed,

H2/26/07 (version: 02-26-2007 08:43):

Add Representative Glidewell as a cosponsor of the bill

AND

Page 2, line 8, delete "(d)(1)" and substitute "(d)"

AND

Page 2, delete lines 10 and 11

AND

Page 2, line 28, delete "SECTION 3." and substitute "SECTION 4."

AND

Page 2, line 31, delete "Before" and substitute "(a) Before"

AND

Page 3, delete line 9 and substitute the following:

"coverage of at least one hundred thousand dollars (\$100,000).

(b) This section does not apply to an employee of a person that performs HVACR work in the course of the employee's employment by the person."

AND

Page 3, line 17, delete "SECTION 4." and substitute "SECTION 5."

/s/ David Johnson

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Dickinson, **HOUSE BILL NO. 2611** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 2611

Amend **HOUSE BILL NO. 2611** as engrossed,

H3/8/07 (version: 03-08-2007 08:54):

Page 1, delete line 7 and substitute the following:

"By: Senator B. Johnson, Altes, Argue, Broadway, Bryles, Baker, Trusty"

AND

Page 4, line 14, delete "(b)(1)" and substitute "(b)"

AND

Page 4, delete lines 17 through 19

/s/ Tommy Dickinson

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Rogers, HOUSE BILL NO. 2621 was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2621

Amend HOUSE BILL NO. 2621 as originally introduced:

Page 1, line 24, delete "the data" and substitute "view and obtain the data"

/s/ JR Rogers

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Abernathy, HOUSE BILL NO. 1730 was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1730

Amend HOUSE BILL NO. 1 as originally introduced:

Page 1, delete lines 33 through 36 and substitute the following:

"(2) "~~Concurrent~~ Endorsed concurrent enrollment course" means a college level course ~~or courses~~ offered by an institution of higher education in this state ~~which~~ that upon completion would qualify for academic credit in both the institution of higher education and a public high school that;

(A) Is in one (1) of the four (4) core areas of math, English, science, and social studies;

(B) Meets the requirements of § 6-16-1204(c); and

(C) Is listed in the Arkansas Course Transfer System of the Department of Higher Education."

AND

Page 2, delete lines 1 through 5

AND

Page 2, line 19, delete "a subject matter related to" and substitute "the subject area of"

AND

Page 2, delete lines 24 and 25 and substitute the following:

"(2) The relevant credentials and experience necessary to teach from the syllabus approved by the institution of higher education granting the course credit."

AND

Page 3, delete lines 4 through 6

AND

Page 3, line 7, delete "(3)" and substitute "(2)"

AND

Page 3, delete lines 33 through 36 and substitute the following:

"(B)(i) Provide the students enrolled in the course with:

(a) Academic guidance counseling; and

(b) The opportunity to utilize the on-campus library or other academic resources of the institution of higher education.

(ii) Nothing in this subdivision (c)(5) shall preclude institutions of higher education from collaborating to meet the requirements of this subdivision (c)(5)."

AND

Page 4, delete lines 7 through 25 and substitute the following:

"(7)(A) Credit for the endorsed concurrent enrollment course may only be awarded by the institution of higher education offering the course.

(B) Nothing in this subdivision (c)(7) shall preclude institutions of higher education from collaborating to provide the course and award course credit.

(d) An endorsed concurrent enrollment course shall be treated the same as an advanced placement course for purposes of the funding provisions of the Arkansas Advanced Placement, Endorsed Concurrent Enrollment, and International Baccalaureate Diploma Incentive Program Act of 2007, § 6-16-801 et seq.

~~(e)~~(e) Beginning with the 2008-2009 school year, all school districts shall offer one (1) College Board advanced placement course in each of the four (4) core areas of math, English, science, and social studies for a total of four (4) courses.

~~(d)(4)~~(f)(1) The requirement under subsection ~~(e)~~(e) of this section shall be phased in over a period of four (4) years beginning with the 2005-2006 school year.

(2) Beginning with the 2008-2009 school year, all high schools in Arkansas shall offer a minimum of four (4) advanced placement courses by adding at least one (1) core course each year to the list of courses available to high school students."

AND

Page 7, delete lines 30 and 31, and substitute the following:

"for providing an advanced placement course or a course offered under the International Baccalaureate Diploma"

AND

Page 7, delete lines 34 and 35 and substitute the following:

"participating in the advanced placement program, in the International Baccalaureate Diploma Program, or in"

AND

Page 8, line 1, delete "the advanced placement" and substitute "advanced placement"

AND

Page 8, line 7, delete "stipend to a student" and substitute "stipend paid to a school district for a student"

AND

Page 8, line 31, delete "for paid for" and substitute "paid for"

AND

Page 8, line 32, delete "and staff development"

/s/ Bill Abernathy

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative D. Johnson, **HOUSE BILL NO. 1324** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1324

Amend **HOUSE BILL NO. 1324** as originally introduced:

Page 1, delete lines 24 and 25 and substitute the following:

"SECTION 1. Arkansas Code §§ 6-81-701 through 6-81-703 are amended to read as follows:"

AND

Page 2, delete lines 3 through 5

AND

Page 2, line 6, delete "(4)" and substitute "(3)"

AND

Page 2, delete line 18 and substitute the following:

"medicine; and"

AND

Page 2, line 21, delete "(5)" and substitute "(4)"

AND

Page 2, line 23, delete "(3)(6)" and substitute "(3)(5)"

AND

Page 2, delete line 29 and substitute the following:

~~"such rural community as provided in § 6-81-708.~~

(6) "Designated specialty" means a medical practice, other than primary care, that a loan recipient and the board have agreed will be practiced in the qualified rural community, provided the loan recipient has identified a community, or communities, that have agreed to accept that loan recipient in the designated specialty."

AND

Page 3, delete lines 1 through 4, and substitute the following:

~~"(B) The President of One (1) representative of the Arkansas Medical Association~~ Society as vice-chair;

~~(C) The Chancellor for Health Sciences of the University of Arkansas for Medical Sciences;"~~

AND

Page 3, delete lines 7 through 9 and substitute the following:

~~"school; and~~

~~(E) Two (2) physicians named by the President of physician members appointed by the Arkansas Medical Association— Society who have received rural medical practice loans or community match loans;~~

(F) Two (2) representatives appointed by the Arkansas Hospital Association."

AND

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

"Scholarship Program or the Community Match Loan and Rural Physician Recruitment Program;"

AND

Page 3, delete line 23 and substitute the following:

~~"loan applications for financial assistance;"~~

AND

Page 3, delete line 25 and substitute the following:

“(4) Allow or disallow loan applications ~~for financial assistance;~~”

AND

Page 3, delete lines 27 and 28 and substitute the following:

“regulate all ~~grants for this purpose~~ loan disbursements for these purposes, receipt for their repayment, and convert loans to scholarships or grants, as applicable;”

AND

Page 3, delete lines 33 through 35 and substitute the following:

“(8) Sue in Pulaski County Circuit Court, and be sued as the board in Pulaski County Circuit Court as authorized by law; and”

AND

Page 4, delete lines 3 through 7 and substitute the following:

"stipends in accordance with § 25-16-901 et seq.

(d) The Arkansas Rural Medical Practice Student Loan and Scholarship Board shall administer the Rural Medical Practice Loan and Scholarship Program and the Community Match Loan and Rural Physician Recruitment Program.

6-81-703. ~~Medical Students—Loan applications.~~ Loan applications – Medical students and medical school graduates.

(a) Any student accepted for admission to or enrolled in good standing in the College of Medicine of the University of Arkansas for Medical Sciences in studies leading to the degree of Doctor of Medicine who is a bona fide resident of Arkansas may apply for a loan under this subchapter on forms prescribed by the Arkansas Rural Medical Practice Student Loan and Scholarship Board.

(b) A graduate of the College of Medicine of the University of Arkansas for Medical Sciences or any accredited medical school in the United States who is a bona fide resident of Arkansas may apply for a community match loan under this subchapter on forms prescribed by the board as long as the applicant satisfies the criteria set forth in § 6-81-715.

SECTION 2. Arkansas Code §§ 6-81-704 through 6-81-708 are amended to read as follows:

6-81-704. Medical students – Investigation after application.

When a rural medical practice loan application is filed with the Arkansas Rural Medical Practice Student Loan and Scholarship board, the board shall examine the application, investigate the ability, character, and qualifications of the applicant, and investigate the financial standing of the applicant or his or her parents to determine whether the applicant is in need of a loan to advance his or her medical education.

6-81-705. Medical students – Purpose of loan.

The Rural medical practice loans provided for in this subchapter shall be made for the sole purpose of paying the applicant's tuition, maintenance, and educational expenses and the necessary living expenses of his or her dependents while the applicant is enrolled in a program of medical education as described in this subchapter.

6-81-706. Medical students – Eligibility for initial and renewal loans.

(a) The Arkansas Rural Medical Practice Student Loan and Scholarship Board may make rural medical practice loans to the applicant, each rural medical practice loan being expressly made subject to the provisions of §§ ~~6-81-708 (d)~~ 6-81-708(c) and 6-81-710, if it finds that:

- (1) The applicant is a bona fide resident of Arkansas;
- (2) The applicant has been accepted for admission to or is enrolled in good standing in the College of Medicine of the University of Arkansas for Medical Sciences in studies leading to the degree of Doctor of Medicine;
- (3) The applicant is enrolled in a medically underserved and rural practice curriculum;
- (4) The applicant needs financial assistance to complete his or her medical studies;
- (5) The applicant desires to practice medicine in an eligible qualifying rural community as determined by the board; and
- (6) The applicant is a person of good moral character and one who has the talent and capacity to profit by medical studies.

(b) Subject to the availability of funds, an initial rural medical practice loan for one (1) academic year shall be renewable annually for the number of years required to complete studies leading to the Doctor of Medicine degree or for additional amounts, not to exceed the maximum amounts specified in § 6- 81-707, but all subsequent rural medical practice loans shall be granted only upon application by the recipient and a finding by the board that:

- (1) The applicant has completed successfully the medical studies of the preceding academic year and remains in good standing as an enrolled student in the college;
- (2) The applicant is enrolled or participating in a medically underserved and rural practice curriculum;
- (3) The applicant continues to be a resident of Arkansas; and
- (4) The applicant's financial situation continues to warrant financial assistance made under the conditions of this section.

6-81-707. ~~Medical students~~— Maximum amount of loans.

(a) The maximum amount of each rural practice loan for medical students shall not exceed ~~twelve thousand dollars (\$12,000)~~ sixteen thousand five hundred dollars (\$ 16,500) per academic year, or those costs which are reasonable and necessary for the student's attendance as determined by the Arkansas Rural Medical Practice Student Loan and Scholarship Board.

(b)(1) The maximum amount of each community match loan shall not exceed eighty thousand dollars (\$80,000), or as the board otherwise shall determine payable over a four-year period under § 6-81-716.

(2) The Arkansas Rural Medical Practice Student Loan and Scholarship Board shall provide one-half (1/2) of the community match loan, and the qualified rural community shall provide the other one-half (1/2) of the loan.

(3) However, in the event the board does not have sufficient funds to match the community's portion of the loan, nothing precludes a qualified rural community from providing the total loan amount.

6-81-708. ~~Medical students~~— Loan contracts — Rural Medical Practice"

AND

Page 4, delete line 18 and substitute the following:

"shall be granted by the board ~~after May 1, 1991,~~ shall execute a written loan"

AND

Page 4, delete lines 21 and 22 and substitute the following:

"shall bindingly contract that he or she shall practice primary care medicine, or a designated specialty approved by the board, full time in a qualified rural community upon completion of:"

AND

Page 4, delete lines 28 through 30 and substitute the following:

"board and includes practice experience in a rural community or, if approved by the board, he or she shall practice a designated specialty in a qualified rural community or communities; or"

AND

Page 5, delete lines 11 through 36 and substitute the following:

"(2)(A) The recipient of a rural medical practice loan or loans shall bindingly contract that not engaging in the practice of medicine in accordance with the loan contract and with this ~~section shall result in automatic~~ subchapter may result in suspension of his or her license to practice medicine in this state, if the recipient signed a written acknowledgment of understanding that the suspension of license was explained to him or her orally as a potential consequence of breach of the contractual provisions.

(B) Any contract for a rural medical practice loan or community match loan, that existed before August 1, 2007, and referenced the loss of medical license as a consequence of breach is amended by operation of law to state that the recipient's medical license may be suspended, but that suspension is not automatic.

~~(B)~~(C) The suspension shall may be for a period of years”

AND

Page 6, delete lines 3 through 6 and substitute with the following:

“with interest thereon, is paid in full but has not so practiced, and until the loan with interest together with any civil money penalties, as reduced by each full year of medical practice, is paid in full.”

(3) Any communication from the College of Medicine of the”

AND

Page 6, line 12 delete "~~(4)(A)~~(5)(A)" and substitute "(4)(A)"

AND

Page 6, delete lines 32 through 36 and substitute the following:

“(iv)(a) Failure to engage in the full-time practice of medicine ~~on a regularly sustained basis~~ while residing in a qualified rural community in Arkansas as defined in § 6-81-701;

(b) ~~Provided, however~~ However, the board may waive the residency requirement on a case by case basis; and”

AND

Page 7, delete line 4 and substitute the following:

“designated specialty in accordance with subsection (c)(1)(A) of this section.”

AND

Page 7, delete lines 7 and 8 and substitute the following:

"unpaid shall be due and payable.

(6) If an alternate on the waiting list for acceptance to the College of Medicine of the University of Arkansas for Medical Sciences is admitted conditioned upon the agreement to enter into a rural medical practice program contract, then the alternate's contract shall contain an additional term that breach of the contract may result in civil money penalties in the amount of one hundred percent (100%) of the loan amount.

(7) Nothing stated in this subsection (c) shall be construed to”

AND

Page 7, delete lines 12 through 15 and substitute the following:

~~“(e)(d) The board may amend agreements entered into with any student who is currently enrolled as a medical student or an intern or resident who has not completed his or her postdoctoral training as approved by the board pursuant to §6-81-701 et seq. loan recipient at any time prior to full performance of the recipient’s contractual obligations.”~~

AND

Page 7, delete line 19 and substitute the following:

~~“(d)(2)(c)(2) of this section.”~~

AND

Page 7, delete line 22 through 24 and substitute the following:

~~“a waiver, the loan recipient shall be notified in writing, that his or her license to practice medicine shall be automatically reinstated.”~~

AND

Page 7, delete lines 28 through 36 and substitute the following:

“SECTION 3. Arkansas Code § 6-81-709 is repealed.

~~6-81-709. Medical students – Disability of minority.~~

~~The disability of minority of all applicants granted loans under this subchapter to contract is removed for the purpose of this subchapter.~~

SECTION 4. Arkansas Code § 6-81-710 is amended to read as follows:

~~6-81-710. Medical students – Funding of loans.~~

(a)(1) All payments for rural practice loans and community match loans under this subchapter shall be made on”

AND

Page 8, line 4 delete ~~“(2)(b)”~~ and substitute “(2)”

AND

Page 8, delete lines 10 through 36

AND

Delete Pages 9 through 12 entirely

AND

Page 13, delete lines 1 through 10 and substitute the following:

~~“(b) When collected, damages awarded pursuant to §§ 6-81-716 – 6-81-718~~
Funds collected as a result of a recipient’s breach of a rural practice loan or community match loan contract shall be administered as follows:

(1) Any funds that were contributed by a qualified rural community, together with any interest collected on those funds shall be returned to the community or at the community’s option held in trust for the community’s use in funding future community match loans; and

(2) The remaining funds shall be held in trust for the use of the Arkansas Rural Medical Practice Student Loan and Scholarship Program and the Community Match Loan and Rural Physician Recruitment Loan and Scholarship Program and disbursed by the fiscal officer of the University of Arkansas for Medical Sciences pursuant to this subchapter.

6-81-714. Appeals Dispute resolution — Determination of breach.

~~Any applicant for a loan issued by the Arkansas Rural Medical Practice Student Loan and Scholarship Board and any person who has been granted a loan by the board may appeal any decision or action relating to the application for a loan or relating to a loan granted by the board. An appeal from any decision or action of the board or of the Director of Student Aid of the University of Arkansas for Medical Sciences may be made at any time to the President of the University of Arkansas, except that the president may designate the General Counsel for the University of Arkansas to serve as the officer to hear such appeals. All contracts for loans under this subchapter shall include the following provisions that shall be binding on and enforceable against all parties to the contract:~~

(1) In the event any party to a loan contract seeks to enforce the terms of contract or a dispute arises between or among the parties regarding the interpretation or enforceability of any provision of the contract, the occurrence of an event of default or breach, or the assessment or amount of civil money penalties as a result of breach, the parties shall be governed by the dispute resolution procedures set forth in this section;

(2)(A) Notice of a dispute shall be submitted to the board in writing on a form prepared by the board, or if none exists, by any form deemed appropriate by the noticing party under the circumstances.

(B) The notice of dispute shall outline the facts and circumstances giving rise to the dispute and shall set forth a request for relief or a proposed resolution to the dispute.

(C) Any party to a contract, including the board, may file a notice of dispute with the board at any time prior to a loan recipient's fulfillment of his or her contractual obligations.

(D) Upon receipt, the board shall forthwith provide a copy of the notice of dispute to the loan recipient, to the Arkansas State Medical Board, and to a representative of any qualified rural community the board determines to hold an interest in the issues set forth in the notice of dispute.

(E) Within thirty (30) days after the notice of dispute is filed with the board, any party against whom relief is sought shall file with the board a written response to the requested relief.

(3)(A) If the dispute cannot be settled at this stage, any party against whom relief is sought may request that the dispute be mediated.

(B) Mediation shall be conducted in Little Rock, Arkansas, within thirty (30) days after the filing of the request for mediation by a mutually acceptable mediator in accordance with the American Health Lawyers Association Alternative Dispute Resolution Service Code of Ethics and Rules of Procedure for Mediation, or such other rules as mutually agreed upon by the parties.

(C) Mediation fees shall be split evenly among the parties to the dispute.

(4)(A) If the dispute is not resolved by informal negotiation or by mediation within one hundred twenty (120) days after the original filing of the notice of dispute, any party may, thereafter, before the expiration of one hundred fifty (150) days after the original filing of the notice of dispute, file a notice of request for arbitration.

(B) Arbitration shall be conducted in Little Rock, Arkansas, under § 16-108-201 et seq.

(C) The arbitrator may determine issues of breach; and order repayment of loan amounts with interest, impose civil money penalties, and determine other remedies to further effectuate the purposes of this subchapter.

(D) All arbitration awards may be enforced and appealed from in accordance with § 16-108-201 et seq.:

(5)(A) If the dispute is not resolved by informal negotiation, mediation, or arbitration within one hundred fifty (150) days after the original filing of the notice of dispute, on or before the expiration of one hundred eighty (180) days after the original filing of the notice of dispute, the Board shall conduct a hearing on the issues set forth in the notice of dispute.

(B) The hearing shall be conducted under the Administrative Procedure Act, § 25-15-201 et seq.

(C) The board may determine issues of breach; and order repayment of loan amounts with interest, impose civil money penalties, and determine other remedies to further effectuate the purposes of this subchapter.

(D) The board's decision shall represent the agency's final order from which an appeal may be taken under the Administrative Procedure Act, § 25-15-101 et seq.

(E) All remedies shall be stayed pending final resolution of the dispute;

(6)(A) The board's chairperson may assign the appeal to a fair and impartial hearing officer who shall not be a member of the board or a full-time employee of the University of Arkansas for Medical Sciences.

(B) The hearing officer shall preside over the hearing and make findings of fact and conclusions of law in the form of a recommendation to the chairperson.

(C) The chairperson shall review the hearing officer's recommendation and make the final agency decision. The chairperson may:

(i) Approve the hearing officer's recommendation; or

(ii) For good cause:

(a) Modify the recommendation in whole or in part; or

(b)(1) Remand the recommendation to the hearing officer for further proceedings.

(2) If the recommendation is remanded, the hearing officer shall conduct further proceedings as directed by the chairperson and shall submit an amended recommendation to the chairperson.

(D) If the chairperson modifies a recommendation, in whole or in part, or remands the decision, he or she shall state in writing at the time of the remand or modification all grounds for the remand or modification, including statutory, regulatory, factual, or other grounds.

(E) The modification or approval of a recommendation by the chairperson shall be the final agency action under the Administrative Procedure Act, § 25-15-201 et seq;

(7) Upon the expiration of one-hundred eighty (180) days after the original filing of the notice of dispute and no request is filed for arbitration or agency hearing within the time period specified in this section, any party in interest may initiate suit in Pulaski County Circuit Court to resolve the dispute; and

(8) The Arkansas State Medical Board may, at its discretion, adopt any or all recommendations, findings of fact, and conclusions of law issued or adopted by the board, an arbitrator, or a court in connection with the Medical Board's authority to suspend a loan recipient's medical license pursuant to § 17-95-409(b).

SECTION 6. Arkansas Code §§ 6-81-715 and 6-81-716 are amended as follows:

6-81-715. Medical ~~students~~ school graduates – Community match contract – Eligibility for ~~initial and renewal loans~~ community match loans.

(a)(1) The Arkansas Rural Medical Practice Student Loan and Scholarship Board shall administer the Community Match Loan and ~~Scholarship~~ Rural Physician Recruitment Program.

(2)(A) Interested rural communities may apply to the board to participate in the program as a qualified rural community.

(B) The board shall approve a designated representative or representatives of the qualified rural community to assist the board in matters relating to any community match contracts entered into by the board and the qualified rural community.

(b) The board, in conjunction with a qualified rural community, may make community match loans to applicants, each loan being expressly made subject to the provisions of § 6-81-716, if it finds that:

(1) The applicant is a bona fide resident of Arkansas;

(2) The applicant ~~has been accepted for admission to or is enrolled in good standing in~~ is a graduate of the College of Medicine of the University of Arkansas for Medical Sciences ~~in studies leading to the degree of Doctor of Medicine or any accredited medical school in the United States;~~

(3) The applicant ~~is enrolled in a medically underserved and rural practice curriculum~~ satisfies one (1) of the following criteria:

(A) He or she is enrolled in a residency or other training program in an area of primary care medicine or, upon approval of the board, in a designated specialty; or

(B) No more than two (2) years prior to the date of the loan application, he or she completed a residency or other training program in an area of primary care medicine or, upon approval of the board, in a designated specialty;

(4) The applicant desires to practice ~~primary care~~ medicine in the qualified rural community; and

~~(5) The applicant is a person of good moral character and one who has the talent and capacity to profit by medical studies; and~~

~~(6)~~(5) The designated representative or representatives of the qualified rural community approve the applicant.

~~(c) Subject to the availability of funds, an initial community match loan for one (1) academic year shall be renewable annually for the number of years required to complete studies leading to the Doctor of Medicine degree or for additional amounts, not to exceed the maximum amounts specified in § 6-81-716, but all subsequent loans shall be granted only upon application by the recipient and a finding by the board that:~~

~~(1) The applicant has completed successfully the medical studies of the preceding academic year and remains in good standing as an enrolled student in the college;~~

~~(2) The applicant is enrolled or participating in a medically underserved and rural practice curriculum; and~~

~~(3) The applicant continues to be a resident of Arkansas.~~

6-81-716. Medical students school graduates – Community match contract – Obligations and conditions.

~~(a)(1) The maximum amount of each community match loan shall not exceed sixteen thousand dollars (\$16,500) per academic year.~~

~~(2)(A) The Arkansas Rural Medical Practice Student Loan and Scholarship Board shall provide one-half (½) of the community match loan, and the qualified rural community shall provide the other one-half (½) of the loan.~~

~~(B) Provided, however, that in the event the board does not have sufficient funds to match the community's portion of the loan, nothing shall preclude a qualified rural community from providing the total loan amount.~~

~~(b)(1)(a)(1)(A) The board and the qualified rural community shall enter a joint loan contract with the applicant to whom a loan is made.~~

(B) Any agreements made between the qualified rural community and a recipient to induce the recipient to enter into the loan contract must be in writing and included as a part of the joint loan contract.

(2) The community match loan contract shall be approved by the Attorney General and shall be signed by the chair of the board, the vice chair of the board, the designated representative or representatives of the qualified rural community, and the applicant.

~~(e)(b)~~ Each applicant to whom a community match loan ~~or loans~~ is granted by the board shall execute a written loan contract which shall incorporate the following obligations and conditions:

(1)(A) The recipient of a community match loan ~~or loans~~ shall ~~bindingly contract that, upon completion of his or her medical internship of one (1) year undertaken immediately following the earning of the degree of Doctor of Medicine, or upon completion of three (3) additional years of medical training beyond the internship, if the training has been approved in advance by the board,~~ he or she shall practice primary care medicine full time in the contracting qualified rural community for a period of four (4) years or, if approved by the board, ~~under subsection (d) of this section,~~ he or she shall practice a designated specialty full time in the contracting qualified rural community for a period of four (4) years.

~~(B)(i) For each continuous whole calendar year of primary care medical practice in accordance with subdivision (c)(1)(A) of this section or for each continuous whole calendar year of a designated specialty approved under subsection (d) of this section, the board and the qualified rural community shall cancel, by converting to scholarship grant, the full amount of one (1) year's loan plus accrued interest; The recipient shall receive the loan funds according to a disbursement schedule acceptable to the board, the qualified rural community and the recipient as set forth in writing in the loan contract.~~

~~(ii) For each three-month period of full-time medical practice by the recipient, the board and the qualified rural community shall cancel, by converting to a grant, a pro rata portion of the loan amount plus accrued interest.~~

~~(2)(A) In the event that any loan recipient withdraws from the Community Match Loan and Scholarship Program while enrolled as a medical student at the College of Medicine of the University of Arkansas for Medical Sciences does not begin or ceases the full-time practice of medicine in breach of the loan contract or otherwise breaches the loan contract, the recipient shall be obligated to repay the ~~community match loan or loans received~~ entire amount of the community match loan received with interest, together with any civil money penalties, as reduced by any amount that has been converted to a grant pursuant to the terms of the loan contract, together with interest thereon at the maximum rate allowed by Arkansas law or the federal discount rate plus five percent (5%) per annum, whichever is the lesser, the interest to accrue from the date each payment of funds was received by the recipient.~~

~~(B) Repayment of principal with interest under subdivision (c)(2)(A) of this section shall be due and payable in full at the earliest to occur of the following events:~~

~~(i) Failure to remain enrolled in the medically underserved and rural practice curriculum;~~

~~(ii) Withdrawal from the program; or~~

~~(iii) Failure to remain in enrollment status continuously to completion of the degree of Doctor of Medicine for any reason other than temporary personal illness;~~

~~(3)(A) In the event that a loan recipient does not engage in the practice of primary care medicine in accordance with this section or a designated specialty in accordance with subsection (d) of this section and does not comply with the terms of his or her loan contract in order to have the loan contract recognized as a scholarship, the recipient shall be obligated to repay the loan or loans received, together with interest thereon at the maximum rate allowed by Arkansas law or the~~

federal discount rate plus five percent (5%) per annum, whichever is the lesser, the interest to accrue from the date each payment of funds was received by the recipient.

~~(B) Repayment of principal with interest and liquidated damages under subdivision (c)(3)(A) of this section shall be due and payable in full at the earliest to occur of the following events:~~

~~(i) Failure to complete internship;~~

~~(ii) Failure to practice primary care medicine on a regularly sustained basis while residing in the contracting qualified rural community in Arkansas. However, the board, in conjunction with the qualified rural community, may waive the residency requirement on a case-by-case basis or may waive the primary care practice requirement as provided in subsection (d) of this section; and~~

~~(iii) Failure to establish a primary care practice within six (6) months unless otherwise deferred by approval of the board following either internship or four (4) additional years of medical education continuously beyond his or her internship where approved by the board or as provided in subsection (d) of this section.~~

~~(C) In addition, because of the hardship placed upon the rural community as a result of a breach of contract by the loan recipient and the difficulty in ascertaining or determining damages arising out of a breach of contract by the loan recipient, the loan contract shall provide for liquidated damages in an amount equal to fifty percent (50%) of the principal of the loan, which shall not preclude the board and the qualified rural community from asserting other legal rights as a result of the breach of contract;~~

(B) The board may impose civil money penalties of up to fifty percent (50%) of the principal amount of the loan as a consequence of breach.

~~(4)(3) No interest shall accrue, nor obligation to repay the principal sums accrued, during any one (1) period of time that the recipient involuntarily serves on active duty in the United States armed forces; and~~

(5)(4) In the event of the death of the recipient, all loans unpaid the entire loan amount that has not been converted to a grant pursuant to the terms of the loan contract shall be due and payable.

~~(d)(1) A recipient of a community match loan or loans who has successfully completed three (3) years of medical school at the University of Arkansas for Medical Sciences may seek approval from the qualified community that is a party to the recipient's community match contract and the board to practice medicine in the qualified rural community in a specialty other than primary care.~~

~~(2) The board may approve the recipient's request to practice medicine in the qualified rural community in a specialty other than primary care upon the following conditions:~~

~~(A) The qualified rural community that is a party to the recipient's contract determines that the requested specialty meets the needs of the community;~~

~~(B) The community match contract is amended to recite:~~

~~(i) The recipient's obligation to practice the designated specialty in the qualified rural community; and~~

~~(ii) If the recipient fails to complete the training program and all other qualifications for the designated specialty, the recipient's obligation to practice primary care in the qualified rural community; and~~

~~(C) The remaining terms of the community match contract are amended to be consistent with the changes in the practice obligations of the recipient.~~

(c) Nothing in subsection (b) of this section shall be construed to prohibit the board from considering and entering into a negotiated settlement with the loan recipient involving the terms of repayment of the community match loan.

(d) Community match loan contracts may be amended at any time prior to the time that the loan has been repaid in full or fully converted to a grant.

(e) The board shall promulgate rules setting forth additional terms and conditions of community match loans.

SECTION 7. Arkansas Code §§ 6-81-717 is repealed.”

AND

Page 14, delete lines 6 through 36

AND

Page 15, delete lines 1 through 16 and substitute the following:

“SECTION 8. § 6-81-718 is amended to read as follows:”

6-81-718. Medical school alternates - Rural medical practice loans.

(a)(1)(A) If an alternate on the waiting list for acceptance to the College of Medicine of the University of Arkansas for Medical Sciences demonstrates a willingness to enter into a rural medical practice loan contract and meets the requirements of § 6-81-706, the applicant shall be moved to the top of the waiting list ~~to a position just below alternates entering into community match contracts~~ upon entering into a rural medical practice loan contract.

~~(B)(2)~~ The priority on the waiting list for those alternates who enter into a rural medical practice loan contract shall be determined by the date and time such alternate enters into the rural medical practice loan contract.

~~(2) The college shall designate up to ten (10) positions on the alternate list per year for alternates who enter into rural medical practice loan contracts.~~

(b) The college shall meet the requirements set forth at § 6-64-406 for allocation of enrollment positions for medical students among congressional districts before accepting for admission an alternate who has entered into a rural medical practice loan contract with the Arkansas Rural Medical Practice Student Loan and Scholarship Board.

~~(c) Each rural medical practice loan made to an alternate shall be subject to the provisions of § 6-81-708, except that:~~

~~(1) An alternate entering a rural medical practice loan contract shall be guaranteed participation in the program for four (4) years of medical school provided that he or she continues to meet the eligibility requirements for renewal of a loan set forth in § 6-81-706(b).; and~~

~~(2) The alternate shall bindingly contract to practice primary medical care in a rural community for four (4) years.~~

~~(3) If the alternate is admitted to the college under the Arkansas Rural Medical Practice Student Loan and Scholarship Program and the individual breaches his or her contract by withdrawing from the program during medical school or by failing to engage in the practice of medicine in accordance with the terms of his or her loan contract in order to have the loan contract recognized as a scholarship, damages shall include moneys in an amount equal to the difference between resident and out-of-state tuition at the college for four (4) years of medical school and other unspecified damages, with the minimum amount of damages no less than twenty five thousand dollars (\$25,000).~~

SECTION 9. Arkansas Code Title 6, Chapter 81, Subchapter 7 is amended to add two additional sections to read as follows:"

"6-81-720. Rural Medical Practice Program administrator.

(a) There is established a Rural Medical Practice Program administrator.

(b) The administrator shall:

(1) Be employed by the University of Arkansas for Medical Sciences;

(2) Serve as liaison between loan recipients and rural communities by:

(i) Working with the communities to identify their unique needs, to develop profiles of their ideal candidates, and to prepare for recruitment visits; and

(ii) Assisting medical students and residents to identify medically underserved and other rural communities that suit their personal and medical practice needs and to meet their contractual obligations;

(3) Collect and monitor program data, including demographic data of participants and communities, service completion rates, retention rates beyond service completion, satisfaction of obligated physicians and communities, and other information;

(4) Prepare annual program evaluations and present the evaluations to the board;

(5) Assist with preparation and submission of program reports;

(6) Attend board meetings in a non-voting capacity; and

(7) Perform other functions assigned by the board.

6-81-721. Retroactive application.

The General Assembly expressly intends that §§ 6-81-701, 6-81-702, 6-81-708, 6-81-710, 6-81-714 and 17-95-409(b) shall apply retroactively to loan recipients under Title 6, Chapter 81, subchapter 7, having completed their residencies or approved fellowship training on or before August 1, 2007.”

AND

Page 15, line 18 delete "SECTION 6" and substitute "SECTION 10"

AND

Page 15, delete lines 22 and 23, and substitute the following:

“community that was entered into under the provisions of § 6-81-701 et seq. if the holder was given written notice in the loan contract or in an acknowledgement that suspension of medical license was a potential consequence of breach of the loan contracts, or both.”

AND

Page 15, delete lines 29 and 30 and substitute the following:

“~~with interest thereon~~ but has not so practiced and until the loan with interest together with any civil money penalties, as reduced by each full year of medical practice, is paid in full.”

AND

Page 15, delete lines 34 through 36 and substitute the following:

“suspension, the board shall reinstate the holder's license.

(3) In deciding whether to suspend a holder’s medical license, the board may, at its discretion, adopt any or all recommendations, findings of fact, and conclusions of law issued or adopted by the Rural Medical Practice Student Loan and Scholarship Board, an arbitrator, or a court.”

AND

Delete Page 16 entirely

AND

Page 17 delete lines 1 through 13, and substitute the following:

"SECTION 10. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that amendments and clarifications are needed in order for all rural communities to have more equal access to physician providers, for the Rural Medical Practice Student Loan and Scholarship Board to have more flexibility in working with loan recipients to remedy contractual obligations when unforeseen circumstances occur that may impair the recipients' abilities to perform their obligations, and for due process proceedings to occur when the board finds loan recipients in breach of contractual obligations; and that it is imperative that changes be made in state law to remedy these problems. Therefore, an emergency is declared to exist, and this act being 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."

/s/ David Johnson

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Harrelson, **HOUSE BILL NO. 2056** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2056

Amend **HOUSE BILL NO. 2056** as originally introduced:

Page 1, line 27 strike "purchase" and substitute "acquisition"

AND

Page 1, line 27 strike "for newborn screening" and substitute "or any other items necessary to expand the newborn screening program"

/s/ Steve Harrelson

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative L. Smith, **HOUSE BILL NO. 2550** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2550

Amend **HOUSE BILL NO. 2550** as originally introduced:

Page 1, delete lines 22 through 25, and substitute the following:

"26-52-441. Libraries -- Books and materials.

Books and other print or nonprint materials that are part of a library collection are exempt from the gross receipts tax levied by this chapter and the compensating use tax levied by the Arkansas Compensating Tax Act of 1949, § 26-53-101 et seq., if purchased by:

(1) An Arkansas public library; or

(2) The Arkansas State Library."

/s/ Lindsley Smith

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

/s/ Ms. Jo Renshaw

Chief Clerk

The House gave Representative Ragland unanimous leave to withdraw **HOUSE BILL NO. 2517**. Recommended Committee study by Agriculture, Forestry and Economic Development.

The House gave Representative Ragland unanimous leave to withdraw **HOUSE BILL NO. 2519**. Recommended Committee study by Agriculture, Forestry and Economic Development.

The House gave Representative T. Baker unanimous leave to withdraw **HOUSE BILL NO. 2689**. Recommended Committee study by Public Health, Welfare and Labor.

The House gave Representative Pace unanimous leave to withdraw **HOUSE BILL NO. 2571**.

ENGROSSED BILL REPORTS

BENNY C. PETRUS, CHAIRMAN

March 9, 2007

The following bill(s) reported correctly engrossed:

HOUSE BILL NO. 1098	BY REPRESENTATIVE HARRIS
HOUSE BILL NO. 1154	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1215	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1311	BY REPRESENTATIVE COOK
HOUSE BILL NO. 1324	BY REPRESENTATIVE D. JOHNSON
HOUSE BILL NO. 1393	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1412	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1542	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1543	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1549	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1550	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1551	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1624 - TITLE -	BY REPRESENTATIVE D. JOHNSON, ET AL
HOUSE BILL NO. 1630 - TITLE -	BY REPRESENTATIVE ADCOCK, ET AL
HOUSE BILL NO. 1730	BY REPRESENTATIVE ABERNATHY, ET AL
HOUSE BILL NO. 1913	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 2025	BY REPRESENTATIVE S. PRATER
HOUSE BILL NO. 2056	BY REPRESENTATIVE HARRELSON
HOUSE BILL NO. 2318 - TITLE -	BY REPRESENTATIVE RAGLAND
HOUSE BILL NO. 2319	BY REPRESENTATIVE PATE
HOUSE BILL NO. 2336	BY REPRESENTATIVE D. HUTCHINSON
HOUSE BILL NO. 2337 - TITLE -	BY REPRESENTATIVE LOWERY
HOUSE BILL NO. 2384	BY REPRESENTATIVE PETRUS, ET AL
HOUSE BILL NO. 2399	BY REPRESENTATIVE S. DOBBINS, ET AL
HOUSE BILL NO. 2411 - TITLE -	BY REPRESENTATIVE ADCOCK, ET AL
HOUSE BILL NO. 2475	BY REPRESENTATIVE LAMOUREUX
HOUSE BILL NO. 2550	BY REPRESENTATIVE L. SMITH
HOUSE BILL NO. 2611 - TITLE -	BY REPRESENTATIVE DICKINSON, ET AL
HOUSE BILL NO. 2620	BY REPRESENTATIVE WALTERS
HOUSE BILL NO. 2621	BY REPRESENTATIVE ROGERS
HOUSE BILL NO. 2645	BY REPRESENTATIVE ADCOCK
HOUSE BILL NO. 2697	BY REPRESENTATIVE WYATT

ENGROSSED BILL REPORTS CONTINUED

HOUSE MEMORIAL

RESOLUTION NO. 1007 - TITLE - BY REPRESENTATIVE JEFFREY, ET AL

SENATE BILL NO. 379 BY SENATOR MILLER

HOUSE BILL ENGROSSED AS TITLE AMENDED

HOUSE BILL NO. 1624

BY: REPRESENTATIVES D. JOHNSON, *GLIDEWELL*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO INCREASE THE CIVIL PENALTIES FOR VIOLATIONS OF ANY STATUTE OR RULE OF THE HVACR LICENSING BOARD; TO ADD CRIMINAL PENALTIES FOR PERFORMING WORK WITHOUT A LICENSE; TO REQUIRE GENERAL LIABILITY INSURANCE; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED

HOUSE BILL NO. 1630

BY: REPRESENTATIVES ADCOCK, L. SMITH, CHESTERFIELD, *BLOUNT, BURRIS, D. CREEKMORE, DAVIS, S. DOBBINS, GASKILL, HARRELSON, W. LEWELLEN*BY: *SENATORS CRUMBLY, STEELE*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ENSURE THAT PUBLIC EMPLOYEE DISPUTES CAN BE RESOLVED THROUGH DISPUTE RESOLUTION PROCESSES FOR STATE AND LOCAL OFFICERS AND AGENCIES AND GOVERNMENTS; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2318

BY: REPRESENTATIVE RAGLAND

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ALLOW A SALES AND USE TAX EXEMPTION FOR THE SALE OF PROSTHETICS TO A *PHYSICIAN*; TO INCLUDE DENTAL PROSTHESIS IN THE DEFINITION OF PROSTHETICS; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2337

BY: REPRESENTATIVE LOWERY

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CREATE THE OFFENSE OF THEFT OF SCRAP *METAL*; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2411

BY: REPRESENTATIVES ADCOCK, WEBB, J. ROEBUCK, L. SMITH, CASH, W. LEWELLEN, WAGNER, SCHULTE, EDWARDS, PENNARTZ, CHESTERFIELD
BY: SENATORS MADISON, TRUSTY, SALMON, *WHITAKER*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PROTECT WOMEN WHO BREAST-FEED THEIR CHILDREN; TO CREATE A CAUSE OF ACTION TO PREVENT INTERFERENCE WITH THE BREASTFEEDING OF A CHILD; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2611

BY: REPRESENTATIVES DICKINSON, ABERNATHY, ALLEN, BERRY, COOPER, DAVENPORT, DUNN, L. EVANS, EVERETT, *GEORGE, JEFFREY, KENNEY, MEDLEY, NORTON, REEP, ROSENBAUM, SAMPLE, L. SMITH, WILLS*

BY: SENATORS *B. JOHNSON, ALTES, ARGUE, BROADWAY, BRYLES, BAKER, TRUSTY*

A BILL FOR AN ACT TO BE ENTITLED AN ACT FOR THE PURPOSE OF ECONOMIC DEVELOPMENT AND CREATING HIGH-PAYING JOBS; TO AUTHORIZE THE CREATION OF THE ARKANSAS RISK CAPITAL MATCHING FUND TO ASSIST IN THE DEVELOPMENT AND RETENTION OF TECHNOLOGY-BASED ENTERPRISES IN ARKANSAS; TO PROVIDE FOR THE MANAGEMENT AND OVERSIGHT OF THE ARKANSAS RISK CAPITAL MATCHING FUND; TO PROVIDE FOR THE ARKANSAS RISK CAPITAL MATCHING FUND TO BE HELD IN THE ARKANSAS VENTURE CAPITAL INVESTMENT TRUST; AND FOR OTHER PURPOSES.

HOUSE MEMORIAL RESOLUTION ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 1007

BY: REPRESENTATIVES JEFFREY, *HARDY, J. ROEBUCK*

A BILL FOR AN ACT TO BE ENTITLED IN RESPECTFUL MEMORY OF MR. BOBBY R. HILDEBRAND AND IN RECOGNITION OF HIS CONTRIBUTIONS.

HOUSE MEMORIAL RESOLUTION NO. 1005

BY: REPRESENTATIVE L. SMITH

IN RESPECTFUL MEMORY OF MR. WOODSON WILLIAM BASSETT, JR., AND IN RECOGNITION OF HIS MANY CONTRIBUTIONS TO THE STATE OF ARKANSAS AND HIS LOCAL COMMUNITY.

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

HOUSE MEMORIAL RESOLUTION NO. 1006

BY: REPRESENTATIVE L. SMITH

IN RESPECTFUL MEMORY OF MR. JOHN WILLIAM MURPHY AND IN RECOGNITION OF HIS MANY CONTRIBUTIONS TO THE STATE OF ARKANSAS AND HIS LOCAL COMMUNITY.

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

SENATE CONCURRENT MEMORIAL RESOLUTION NO. 5

BY: SENATOR MADISON

A BILL FOR AN ACT TO BE ENTITLED IN RESPECTFUL MEMORY OF BRITTANEY ANN ALLEN AND HER SERVICE TO THE GREAT STATE OF ARKANSAS; IN RECOGNITION OF THE BRITTANEY ANN FOUNDATION: AND TO ENCOURAGE PARENTS TO EDUCATE THEIR CHILDREN ON SAFETY ISSUES RELATED TO DRIVING.

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

Upon motion of Representative Rosenbaum, **SENATE BILL NO. 379** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO SENATE BILL NO. 379

Amend **SENATE BILL NO. 379** as engrossed,

S2/28/07 (version: 02-28-2007 14:29):

Page 8, line 32, delete "sections 17 and 18" and substitute "sections 20 and 21"

/s/ Sid Rosenbaum

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Thyer, **HOUSE BILL NO. 1154** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1154

Amend **HOUSE BILL NO. 1154** as originally introduced:

Page 2, delete line 9 in its entirety and substitute the following:

"(5)	037Z	INFORMATION SYSTEMS MANAGER	1	GRADE 25
(6)	R170	STAFF ATTORNEY	1	GRADE 25"

AND

Page 2, line 26, delete "3" and substitute "4"

AND

Page 2, line 34, delete "67" and substitute "69"

AND

Page 3, line 18, delete "\$ 2,473,583 \$ 2,630,889" and substitute
"\$ 2,541,489\$ 2,700,152"

AND

Page 3, line 20, delete "\$ 785,211 \$ 835,143" and substitute
"\$ 807,858 \$ 858,074"

AND

Page 3, line 22, delete "\$ 1,127,473 \$ 1,127,473" and substitute
"\$ 1,393,473\$ 1,385,973"

AND

Page 3, line 23, delete "\$ 22,500 \$ 22,500" and substitute
"\$ 42,500 \$ 42,500"

AND

Page 3, line 29, delete "\$ 75,314,938 \$ 75,491,176" and substitute
"\$ 75,691,491 \$ 75,861,870"

/s/ Chris Thyer

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Thyer, **HOUSE BILL NO. 1215** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1215

Amend **HOUSE BILL NO. 1215** as engrossed,

H2/19/07 (version: 02-19-2007 14:32):

Page 4, line 3, delete "\$47,664 \$48,617" and substitute " GRADE 26"

/s/ Chris Thyer

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Thyer, **HOUSE BILL NO. 1393** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1393

Amend **HOUSE BILL NO. 1393** as originally introduced:

Page 2, line 2, delete "\$ 6,446,768 \$ 6,423,917" and substitute "\$ 7,245,886 \$ 7,134,245"

/s/ Chris Thyer

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Thyer, **HOUSE BILL NO. 1412** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1412

Amend **HOUSE BILL NO. 1412** as engrossed,

H3/7/07 (version: 03-07-2007 15:34):

Insert a new section immediately following SECTION 5 to read as follows:

" SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COST OF LIVING INCREASES. Employees of the Division of Legislative Audit shall be eligible for cost-of-living increases on July 1, 2007 and July 1, 2008 in an amount equal to that granted to all other state agency, board, commission or institution of higher education employees on those dates. Any additional adjustments in annual salary rates for Division employees, labor market adjustments, merit pay adjustments or employee retention or recruitment requirements shall be made at the discretion of the Legislative Auditor. In addition, the Legislative Auditor may implement a program to reward employees of the Division for exceptional service similar to the state Career Ladder Incentive Plan bonus program provided by law. The plan shall be approved by the Legislative Joint Auditing Committee prior to its implementation. Salary payments shall not be restricted to maximum amounts authorized by law, if the salary adjustments exceed

the maximum line item amount authorized by law for a position, the amount shall be paid to the employee as a lump-sum payment. The provisions of this section shall be in effect only from July 1, 2007 through June 30, 2009.”

AND

Appropriately renumber subsequent SECTION numbers.

/s/ Chris Thyer

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Thyer, **HOUSE BILL NO. 1542** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1542

Amend **HOUSE BILL NO. 1542** as originally introduced:

Page 2, delete lines 3 through page 4, line 5 and insert therefor:

" **TWELVE MONTH EDUCATIONAL AND GENERAL ADMINISTRATIVE POSITIONS**

(1) President, NPCC	1	\$123,222	\$125,686
(2) Chief Academic Officer	1	\$98,901	\$100,879
(3) Vice President for Technical Ed	1	\$92,744	\$94,599
(4) Chief Fiscal Officer	1	\$92,744	\$94,599
(5) Chief Student Life Officer	1	\$92,744	\$94,599
(6) Associate Dean of Instruction	2	\$87,589	\$89,341
(7) Director of Community Services	1	\$87,589	\$89,341
(8) Dir. of Institutional Svcs/Registrar	1	\$87,589	\$89,341
(9) Dir. of Institutional Research	1	\$78,580	\$80,152
(10) Director of Workforce Development	1	\$76,859	\$78,396
(11) Counselor	4	\$75,487	\$76,997
(12) Dir of Public Relations/Marketing	1	\$72,374	\$73,821
(13) Director of Financial Aid	1	\$72,317	\$73,763
(14) Director of Computer Services	1	\$71,023	\$72,443

(15) Director of Administrative Computing	1	\$71,023	\$72,443
(16) Controller	1	\$69,374	\$70,761
(17) Business Manager	1	\$69,374	\$70,761
(18) Director of Student Affairs	1	\$68,068	\$69,429
(19) Director of Development	1	\$67,168	\$68,511
(20) Director of Physical Plant	1	\$66,959	\$68,298
(21) Director of Career Planning/Placement	1	\$61,840	\$63,077
(22) Project/Program Manager	3	\$59,945	\$61,144
(23) Workforce Specialist	2	\$55,090	\$56,192
(24) Assessment Coordinator	1	\$51,417	\$52,445
(25) Director of Admin. Support Svcs.	1	\$48,233	\$49,198

TWELVE MONTH EDUCATIONAL AND GENERAL

CLASSIFIED POSITIONS

(26) Child Care Director	1	GRADE 22
(27) Accounting Supervisor II	1	GRADE 21
(28) Assistant Dir of Financial Aid	1	GRADE 20
(29) DP Network Technician II -Inst	3	GRADE 20
(30) Accountant	1	GRADE 18
(31) Assistant Registrar	1	GRADE 18
(32) DP Network Technician I -Inst	1	GRADE 18
(33) Payroll Services Specialist	1	GRADE 18
(34) Personnel Assistant II -Inst	2	GRADE 18
(35) Plant Maintenance Supervisor	1	GRADE 18
(36) Purchasing Agent	1	GRADE 18
(37) Administrative Assistant II	2	GRADE 17
(38) Multimedia Specialist	2	GRADE 17
(39) Financial Aid Officer I	1	GRADE 16
(40) Multimedia Tech Controller II	1	GRADE 16
(41) Computer Technician II -Inst	2	GRADE 16
(42) Publicity & Student Recr. Spec I	1	GRADE 16
(43) Accounting Technician II	3	GRADE 15
(44) Computer Lab Tech II -Inst	2	GRADE 15
(45) Administrative Secretary	3	GRADE 14
(46) Computer Technician I -Inst	1	GRADE 14
(47) Library Academic Technician III	1	GRADE 14
(48) Personnel Assistant I -Inst	1	GRADE 14
(49) Secretary II	14	GRADE 13
(50) Caregiver III	4	GRADE 12

(51) Document Examiner II	1	GRADE 12
(52) Library Academic Technician II	1	GRADE 12
(53) Custodial Services Shift Supv	1	GRADE 11
(54) Secretary I	4	GRADE 11
(55) Receptionist	1	GRADE 10
(56) Bldg/Equip Maint Repairman II	5	GRADE 08
(57) Caregiver II	5	GRADE 08
(58) Custodial Supervisor I	1	GRADE 06
(59) Maintenance Worker II	2	GRADE 05
(60) Custodial Worker II	7	GRADE 04
(61) Maintenance Worker I	1	GRADE 04
(62) Custodial Worker I	4	GRADE 03
(63) Watchman	1	GRADE 03

TWELVE MONTH EDUCATIONAL AND GENERAL
ACADEMIC POSITIONS

(64) Division Chairperson	9	\$86,554	\$88,285
(65) Librarian	2	\$78,580	\$80,152
(66) Director of Adult Education	1	\$75,488	\$76,998

NINE MONTH EDUCATIONAL AND GENERAL
ACADEMIC POSITIONS

(67) Faculty	117	\$65,928	\$67,247
(68) Part-Time Faculty	149	\$33,180	\$33,844

TWELVE MONTH AUXILIARY ENTERPRISES
CLASSIFIED POSITIONS

(69) Bookstore Manager	1	GRADE 19
(70) Student Union Section Manager	1	GRADE 13
(71) Food Service Worker III	1	GRADE 08
(72) Bldg/Equip Maint Repairman II	1	GRADE 08

TWELVE MONTH AUXILIARY ENTERPRISES
NON-CLASSIFIED POSITIONS

(73) Director of Food Service	1	\$62,544	\$63,795
(74) Campus Store Manager	<u>1</u>	\$62,098	\$63,340

MAX. NO. OF EMPLOYEES 402";

Page 4, line 10 delete "one hundred" and insert therefor "four hundred";

Page 4, line 11 delete "ninety (190)" and insert therefor "two (402)";

Page 5, line 7 delete "750,000 750,000" and insert therefor "950,000 1,150,000";

Page 5, line 20 delete "\$ 22,457,200 \$ 22,597,144" and insert therefor "\$ 22,657,200 \$ 22,997,144".

/s/ Chris Thyer

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Thyer, **HOUSE BILL NO. 1543** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1543

Amend **HOUSE BILL NO. 1543** as originally introduced:

Page 2, delete lines 3 through page 3, line 30 and insert therefor:

" **TWELVE MONTH EDUCATIONAL AND GENERAL
ADMINISTRATIVE POSITIONS**

(1) President, MSCC	1	\$123,222	\$125,686
(2) Chief Academic Officer	1	\$98,901	\$100,879
(3) VP - Technical Education	1	\$92,744	\$94,599
(4) Chief Fiscal Officer	1	\$92,744	\$94,599
(5) Chief Student Officer	1	\$92,744	\$94,599
(6) Dir., Occupational and Technical Ed.	1	\$80,411	\$82,019
(7) Director of Institutional Research	1	\$78,580	\$80,152
(8) Director of Human Resources/Services	1	\$78,580	\$80,152
(9) Dir. of Admin. Services	1	\$77,451	\$79,000
(10) Director of Evening College	1	\$76,859	\$78,396
(11) Dir. of Workforce Dev.	1	\$76,859	\$78,396
(12) Counselor	2	\$75,487	\$76,997
(13) Director of Learning Center	1	\$75,487	\$76,997
(14) Registrar	1	\$72,374	\$73,821
(15) Dir. of PR & Marketing	1	\$72,374	\$73,821
(16) Director of Financial Aid	1	\$72,229	\$73,674

(17) Dir. of Planning & Assessment	1	\$71,586	\$73,018
(18) Director of Computer Services	1	\$71,023	\$72,443
(19) Business Manager	1	\$69,374	\$70,761
(20) Director of Development	1	\$67,168	\$68,511
(21) Director of Physical Plant	1	\$66,959	\$68,298
(22) Dir. of Sys Prog & Data Base Svcs.	1	\$66,165	\$67,488
(23) Director of Enrollment Management	1	\$65,982	\$67,302
(24) Coord. Occupational Ed/Tech. Prep.	1	\$63,077	\$64,339
(25) Administrator of Grants & Contracts	1	\$62,588	\$63,840
(26) Coordinator of Career Services	1	\$61,840	\$63,077
(27) Workforce Specialist	2	\$55,090	\$56,192

TWELVE MONTH EDUCATIONAL AND GENERAL
CLASSIFIED POSITIONS

(28) Program Coordinator	1	GRADE 20
(29) Plant Maintenance Coordinator	1	GRADE 20
(30) Applications Programmer II-Inst	1	GRADE 19
(31) Accountant	2	GRADE 18
(32) Assistant Registrar	1	GRADE 18
(33) Financial Aid Officer II	1	GRADE 18
(34) Personnel Assistant II - Inst	2	GRADE 18
(35) Publicity & Student Recruitment Spec	1	GRADE 18
(36) Administrative Assistant II	1	GRADE 17
(37) Publicity & Information Spec	1	GRADE 17
(38) Skilled Trades Worker	3	GRADE 17
(39) Financial Aid Officer I	1	GRADE 16
(40) Accounting Technician II	3	GRADE 15
(41) Administrative Assistant I	2	GRADE 15
(42) Assistant Purchasing Agent	1	GRADE 15
(43) Landscape Supervisor I	1	GRADE 15
(44) Central Supply Supervisor	1	GRADE 15
(45) Administrative Secretary	2	GRADE 14
(46) Computer Tech I-Inst	1	GRADE 14
(47) HE Pub Safety Security Off II	1	GRADE 14
(48) Secretary II	4	GRADE 13
(49) Supervisor of Cooking	1	GRADE 13
(50) Work Study Coordinator	1	GRADE 13
(51) Accounting Technician I	1	GRADE 12
(52) Library Academic Tech II	1	GRADE 12

(53) Registrar's Assistant	1	GRADE 12
(54) Apprentice Tradesman	1	GRADE 11
(55) Shipping & Receiving Clerk	1	GRADE 11
(56) Secretary I	3	GRADE 11
(57) Library Academic Tech I	1	GRADE 10
(58) Equipment Operator	1	GRADE 08
(59) Bldg/Equip Maint Repairman I	1	GRADE 06
(60) Custodial Supervisor I	1	GRADE 06
(61) Maintenance Worker II	2	GRADE 05
(62) Custodial Worker II	5	GRADE 04
(63) Maintenance Worker I	1	GRADE 04
(64) Food Service Worker I	1	GRADE 03

TWELVE MONTH EDUCATIONAL AND GENERAL

ACADEMIC POSITIONS

(65) Division Chairperson	4	\$86,554	\$88,285
(66) Librarian	1	\$78,580	\$80,152
(67) Director of Allied Health	1	\$76,126	\$77,649
(68) Director of Adult Education	1	\$75,488	\$76,998
(69) Instructor - Nursing/Resp. Therapy	3	\$71,223	\$72,647
(70) Special Instructor/Trainer	8	\$49,920	\$50,918
(71) Assistant Librarian	1	\$48,938	\$49,917

NINE MONTH EDUCATIONAL AND GENERAL

ACADEMIC POSITIONS

(72) Faculty	52	\$65,928	\$67,247
(73) Part-Time Faculty	100	\$33,180	\$33,844

TWELVE MONTH AUXILIARY ENTERPRISES

NON-CLASSIFIED POSITIONS

(74) Director of Food Services	<u>1</u>	\$62,544	\$63,795
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MAX. NO. OF EMPLOYEES 256";

Page 3, line 35 delete "seventy five (75)" and insert therefor "two hundred (200)";

Page 4, line 13 delete "150,000 150,000" and insert therefor "300,000 400,000";

Page 4, line 21 delete "\$ 5,626,664 \$ 5,690,506" and insert therefor "\$ 5,776,664 \$ 5,940,506";

Page 4, line 32 delete "468,373 468,373" and insert therefor "500,000 500,000";

Page 5, line 7 delete "\$ 7,226,182 \$ 7,282,076" and insert therefor "\$ 7,257,809 \$ 7,313,703".

/s/ Chris Thyer

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Thyer, **HOUSE BILL NO. 1549** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1549

Amend **HOUSE BILL NO. 1549** as originally introduced:

Page 2, delete lines 4 through page 3, line 10 and insert therefore:

" TWELVE MONTH EDUCATIONAL AND GENERAL ADMINISTRATIVE POSITIONS

(1) President, RMCC	1	\$123,222	\$125,686
(2) Chief Academic Officer	1	\$98,901	\$100,879
(3) Chief Fiscal Officer	1	\$92,744	\$94,599
(4) Chief Student Life Officer	1	\$92,744	\$94,599
(5) Chief Development Officer	1	\$92,744	\$94,599
(6) Chief Occupational Ed. Officer	1	\$87,589	\$89,341
(7) Director of Institutional Research	1	\$78,580	\$80,152
(8) Director of Human Resources/Services	1	\$78,580	\$80,152
(9) Counselor	5	\$75,487	\$76,997
(10) Coord. of Cont. Ed. & Bus. Outreach	1	\$72,374	\$73,821
(11) Dir. Of Public Relations & Marketing	1	\$72,374	\$73,821
(12) Registrar	1	\$72,374	\$73,821
(13) Director of Financial Aid	1	\$72,229	\$73,674

(14) Director of Computer Services	1	\$71,023	\$72,443
(15) Business Manager	1	\$69,374	\$70,761
(16) Director of Physical Plant	1	\$66,959	\$68,298
(17) Director of Admissions	1	\$65,982	\$67,302
(18) Project/Program Manager	1	\$59,945	\$61,144
(19) Project Coordinator	1	\$56,621	\$57,753
(20) Director of Disability Services	1	\$54,032	\$55,113

TWELVE MONTH EDUCATIONAL AND GENERAL

CLASSIFIED POSITIONS

(21) Computer Support Specialist II -Inst	1	GRADE 20
(22) Accountant	1	GRADE 18
(23) Financial Aid Officer II	1	GRADE 18
(24) Plant Maintenance Supervisor	1	GRADE 18
(25) Assistant Bookstore Manager	1	GRADE 16
(26) Financial Aid Officer I	1	GRADE 16
(27) Pub & Student Recruitment Spec I	1	GRADE 16
(28) Payroll Officer	1	GRADE 15
(29) Administrative Secretary	3	GRADE 14
(30) Computer Technician I -Inst	1	GRADE 14
(31) Secretary II	4	GRADE 13
(32) Accounting Technician I	2	GRADE 12
(33) Library Academic Technician II	1	GRADE 12
(34) Registrar's Assistant	1	GRADE 12
(35) Purchasing Assistant	1	GRADE 11
(36) Secretary I	8	GRADE 11
(37) Clerical Assistant	2	GRADE 10
(38) Bldg/Equip Maint Repairman II	3	GRADE 08
(39) Custodial Worker II	3	GRADE 04
(40) Maintenance Worker I	1	GRADE 04

TWELVE MONTH EDUCATIONAL AND GENERAL

ACADEMIC POSITIONS

(41) Division Chairperson	4	\$86,554	\$88,285
(42) Librarian	1	\$78,580	\$80,152
(43) Director of Adult Education	1	\$75,488	\$76,998
(44) Special Instructor/Trainer	2	\$49,920	\$50,918
(45) Assistant Librarian	1	\$48,938	\$49,917

NINE MONTH EDUCATIONAL AND GENERAL

ACADEMIC POSITIONS

(46) Faculty	35	\$65,928	\$67,247
(47) Part-Time Faculty	69	\$33,180	\$33,844

TWELVE MONTH AUXILIARY ENTERPRISES

NON-CLASSIFIED POSITIONS

(48) Director of Food Service	<u>1</u>	\$62,544	\$63,795
MAX. NO. OF EMPLOYEES	176";		

Page 3, line 15 replace "fifty (50)" with "seventy one (71)";

Page 3, between lines 28 and 29 insert:

"(02) EXTRA HELP 20,000 20,000"

and renumber the remaining items in Section 3;

Page 3, line 36 replace "\$ 2,977,409 \$ 3,024,617" with "\$ 2,997,409 \$ 3,044,617".

/s/ Chris Thyer

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Thyer, **HOUSE BILL NO. 1550** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1550

Amend **HOUSE BILL NO. 1550** as originally introduced:

Page 2, delete lines 4 through page 3, line 29 and insert therefor:

" TWELVE MONTH EDUCATIONAL AND GENERAL ADMINISTRATIVE POSITIONS

(1) President, EACC	1	\$123,222	\$125,686
(2) Chief Academic Officer	1	\$98,901	\$100,879
(3) Assistant to the President	1	\$92,744	\$94,599
(4) Chief Fiscal Officer	1	\$92,744	\$94,599
(5) Chief Student Life Officer	1	\$92,744	\$94,599
(6) Chief Planning and Development Offic	1	\$92,744	\$94,599
(7) Dir. Of Community/Continuing Ed.	1	\$87,589	\$89,341
(8) Director of Small Business Center	1	\$85,636	\$87,349

(9) Dir. of Counseling	1	\$78,580	\$80,152
(10) Director of Institutional Research	1	\$78,580	\$80,152
(11) Counselor	6	\$75,487	\$76,997
(12) Director of Public Relations/Mkting	1	\$72,374	\$73,821
(13) Dir. Of Enrollment Mgmt/Registrar	1	\$72,374	\$73,821
(14) Dir. of Student Financial Aid	1	\$72,229	\$73,674
(15) Director of Academic Computing	1	\$71,023	\$72,443
(16) Dir. of Administrative Computing	1	\$71,023	\$72,443
(17) Dir. of Off-Campus Operations	1	\$70,972	\$72,391
(18) Director of Distance Learning	1	\$70,972	\$72,391
(19) Controller	1	\$69,374	\$70,761
(20) Director of Physical Plant	1	\$66,959	\$68,298
(21) Coord of Student Recruitment	1	\$65,928	\$67,247
(22) Coord. Occupational Ed/Tech. Prep.	1	\$63,077	\$64,339
(23) Dir. of Spc. Serv. for Disadv. Stud.	1	\$54,032	\$55,113
(24) Planning Officer/Grant Coord.	1	\$50,369	\$51,376

TWELVE MONTH EDUCATIONAL AND GENERAL
CLASSIFIED POSITIONS

(25) Asst Dir of Community Serv	1	GRADE 21
(26) Asst Director of Financial Aid	1	GRADE 20
(27) DP Network Tech II - Inst	1	GRADE 20
(28) Systems Programmer I- Inst	1	GRADE 20
(29) Program Coordinator	1	GRADE 20
(30) EACC Director of Personnel/EEO	1	GRADE 20
(31) Accounting Supervisor I	1	GRADE 20
(32) Career Plng & Plac Advisor	1	GRADE 19
(33) Plant Maint Supervisor	1	GRADE 18
(34) Computer Support Spec I - Inst	1	GRADE 18
(35) Purchasing Agent	1	GRADE 18
(36) Assistant Registrar	1	GRADE 18
(37) Accountant	1	GRADE 18
(38) Personnel Assistant II - Inst	1	GRADE 18
(39) Program Advisor	2	GRADE 17
(40) Skilled Trades Worker	2	GRADE 17
(41) Computer Technician II - Inst	1	GRADE 16
(42) Financial Aid Officer I	1	GRADE 16
(43) Inst Maint Work Plan/Scheduler	1	GRADE 15
(44) Landscape Supervisor I	1	GRADE 15

(45) Payroll Officer	1	GRADE 15
(46) Computer Lab Tech II	1	GRADE 15
(47) Accounting Technician II	2	GRADE 15
(48) Administrative Secretary	6	GRADE 14
(49) Secretary II	10	GRADE 13
(50) Cashier II	1	GRADE 12
(51) Accounting Technician I	1	GRADE 12
(52) Registrar's Assistant	1	GRADE 12
(53) HE Public Safety Security Off I	2	GRADE 12
(54) Secretary I	13	GRADE 11
(55) Apprentice Tradesman	1	GRADE 11
(56) Clerical Assistant	2	GRADE 10
(57) Data Entry Specialist	1	GRADE 10
(58) Library Academic Tech I	2	GRADE 10
(59) Receptionist	2	GRADE 10
(60) Bldg/Equip Maint Repairman II	1	GRADE 08
(61) Skilled Trades Helper	1	GRADE 08
(62) Office Clerk	2	GRADE 07
(63) Maint Worker II	4	GRADE 05
(64) Custodial Worker II	6	GRADE 04
(65) Maint Worker I	4	GRADE 04
(66) Custodial Worker I	4	GRADE 03

TWELVE MONTH EDUCATIONAL AND GENERAL

ACADEMIC POSITIONS

(67) Division Chairperson	6	\$86,554	\$88,285
(68) Director of Nursing	1	\$85,636	\$87,349
(69) Dir. of Learning Resource Center	1	\$75,486	\$76,996
(70) Coordinator of Learning Assistance	1	\$55,306	\$56,412

NINE MONTH EDUCATIONAL AND GENERAL

ACADEMIC POSITIONS

(71) Faculty	50	\$65,928	\$67,247
(72) Librarian	2	\$65,928	\$67,247
(73) Lab Supervisor	8	\$34,433	\$35,122
(74) Part-Time Faculty	136	\$33,180	\$33,844

TWELVE MONTH AUXILIARY ENTERPRISES

CLASSIFIED POSITIONS

(75) Bookstore Manager	1	GRADE 19
(76) Office Clerk	<u>1</u>	GRADE 07

MAX. NO. OF EMPLOYEES 326";

Page 3, line 34 replace "one" with "two";

Page 3, line 35 replace "seventy nine (179)" with "twenty four (224)";

Page 4, line 13 replace "36,000 36,000" with "16,000 18,000";

Page 4, line 21 replace "\$ 6,267,608 \$ 6,359,863" with "\$ 6,247,608 \$ 6,341,863";

Page 4, line 32 replace "88,863 88,863" with "250,000 300,000";

Page 5, line 7 replace "\$ 6,629,695 \$ 6,675,131" with "\$ 6,790,832 \$ 6,886,268".

/s/ Chris Thyer

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Thyer, **HOUSE BILL NO. 1551** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1551

Amend **HOUSE BILL NO. 1551** as originally introduced:

Page 3, insert between lines 29 and 30:

"Any carry forward of unexpended balance of appropriation and/or funding as authorized herein, may be carried forward under the following conditions:

(1) Prior to June 30, 2008 the Agency shall by written statement set forth its reason(s) for the need to carry forward said appropriation and/or funding to the Department of Finance and Administration Office of Budget;

(2) The Department of Finance and Administration Office of Budget shall report to the Arkansas Legislative Council all amounts carried forward from the first fiscal year of the biennium to the second fiscal year of the biennium by the September Arkansas Legislative Council or Joint Budget Committee meeting in the second fiscal year of the biennial period which report shall include the name of the Agency,

Board, Commission or Institution and the amount of the appropriation and/or funding carried forward from the first fiscal year to the second fiscal year, the program name or line item, the funding source of that appropriation and a copy of the written request set forth in (1) above;

(3) Each Agency, Board, Commission or Institution shall provide a written report to the Arkansas Legislative Council or Joint Budget Committee containing all information set forth in item (2) above, along with a written statement as to the current status of the project, contract, purpose etc. for which the carry forward was originally requested no later than thirty (30) days prior to the time the Agency, Board, Commission or Institution presents its budget request to the Arkansas Legislative Council/Joint Budget Committee; and

(4) Thereupon, the Department of Finance and Administration shall include all information obtained in item (3) above in the biennial budget manuals and/or a statement of non-compliance by the Agency, Board, Commission or Institution."

/s/ Chris Thyer

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Thyer, **HOUSE BILL NO. 1913** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1913

Amend **HOUSE BILL NO. 1913** as originally introduced:

Add a new section immediately following SECTION 1 to read as follows:

"SECTION 2. APPROPRIATION - GENERAL IMPROVEMENT - TECHNICAL INSTITUTES. There is hereby appropriated, to the Department of Workforce Education, to be payable from the General Improvement Fund or its successor fund or fund accounts, the following:

(A) For transfer to Northwest and Crowley's Ridge Technical Institutes and Riverside Vocational Technical School for construction, renovation, major maintenance, and purchase of equipment for various capital projects or facility improvements, the sum of\$2,000,000."

And

Appropriately renumber subsequent sections of the bill.

/s/ Chris Thyer

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

/s/ Ms. Jo Renshaw
Chief Clerk

Speaker Petrus requested that **HOUSE BILL NO. 2320** be transferred back to Aging, Children and Youth, Legislative and Military Affairs.

Morning Hour Expired.

MR. SPEAKER

I HAVE A RULES COMMITTEE REPORT

MR. SPEAKER

AT YOUR DIRECTION, THE RULES COMMITTEE MET YESTERDAY AFTERNOON TO CONSIDER AN APPEAL BY REPRESENTATIVE SANDRA PRATER THAT **HOUSE BILL NO. 2300** WAS IMPROPERLY INTRODUCED.

THE RULES COMMITTEE MET, HEARD TESTIMONY FROM BOTH SIDES AND VOTED 11-2 TO SUSTAIN REPRESENTATIVE PRATER'S APPEAL AND RULED THAT **HOUSE BILL NO. 2300** WAS IMPROPERLY INTRODUCED.

REP CLARK HALL, VICE CHAIRMAN, HOUSE RULES

ENTER THE REPORT INTO THE JOURNAL

IN ACCORDANCE WITH HOUSE RULE 36(G), MR. CLERK - RETURN THE BILL TO THE SPONSOR.

SPEAKER BENNY PETRUS

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

ARKANSAS SENATE

AMENDMENT NO. 1 TO HOUSE BILL NO. 1632

Amend **HOUSE BILL NO. 1632** as engrossed,

H2/23/07 (version: 02-23-2007 09:11):

Add Representatives Adcock, Allen, Anderson, T. Baker, Berry, Bond, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Chesterfield, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, S. Dobbins, Dunn, Edwards, D. Evans, L. Evans, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardwick, Hardy, Harrelson, Hawkins, House, Hoyt, D. Hutchinson, Hyde, Jeffrey, D. Johnson, Key, Kidd, King, W. Lewellen, Lovell, Lowery, Maloch, Maxwell, Medley, Moore, Overbey, Pace, Pate, Patterson, Pennartz, Pierce, Powers, S. Prater, Pyle, Ragland, Reep, Reynolds, J. Roebuck, Rogers, Sample, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Webb, Wells, Wills, Woods, Wyatt as cosponsors of the bill.

/s/ Shane Broadway

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Abernathy, Adcock, Allen, Anderson, T. Baker, Berry, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, Dickinson, S. Dobbins, Dunn, Edwards, L. Evans, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardwick, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, Jeffrey, D. Johnson, J. Johnson, Kenney, Key, Kidd, King, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, Maxwell, Medley, Moore, Norton, Overbey, Pace, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Webb, Wells, Wills, Wood, Woods, Wyatt, Mr. Speaker.

Total96

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Blount, D. Evans, Hyde, Walters.

Total4

VOTING PRESENT:

Total0

Total number of votes cast96

Total number voting in the affirmative96

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

So the Amendment was concurred in.

/s/ Ms. Jo Renshaw
Chief Clerk

EDUCATION FUNDING RECOMMENDATIONS
FOR THE 2007-2009 BIENNIUM



86th General Assembly
of the State of Arkansas

**EDUCATION FUNDING RECOMMENDATIONS
(as adopted on January 22, 2007)**

A. FOUNDATION FUNDING CALCULATIONS FOR INSTRUCTION AND OPERATIONS				
1.	Prototypical School and Class Size		FY08	FY09
	SCHOOL SIZE:			
	Kindergarten, 8%		40	40
	Grades 1-3, 23%		115	115
	Grades 4-12, 69%		345	345
	Prototypical School and Class Size		500	500
2.	School Level Salaries			
(a)	Teacher Salary + Benefits ¹		53,429.00	54,465.00
	Per Student Matrix Expenditure		3,597.40	3,667.10
	Includes: (per pupil amounts)			
(1)	Classroom Teachers	2,221.60		2,264.70
(2)	Specialist Teachers (Physical Education, Art, Music, etc.)	443.50		452.00
(3)	Instructional Facilitators	267.10		272.30
(4)	Special Education	309.90		315.90
(5)	Library Media Specialist	88.20		89.90
(6)	Pupil Support Staff	267.10		272.30
(b)	Principal Salary + Benefits		86,168.00	87,860.00
	Per Student Matrix Expenditure		172.30	175.70
(c)	Secretary Salary + Benefits		34,751.00	35,415.00
	Per Student Matrix Expenditure		139.00	141.70
	School Level Salaries Per Student		3,908.70	3,984.50
3.	Per Pupil Resources			
(a)	Computers and Software		220.00	201.00
(b)	Instructional Materials		160.00	163.20
(c)	Extra Duty Funds ²		50.00	51.00
(d)	Supervisory Aide		49.35	50.35
(e)	Substitutes		59.00	59.00
	Per Pupil Resources		538.35	524.55
4.	Operations			
(a)	Former "carry forward" is divided into three items.		n/a	n/a
(b)	Operations and Maintenance		581.00	581.00
(c)	Central Office		376.00	383.50
(d)	Transportation		286.00	286.00
	Operations Per Student		1,243.00	1,250.50
	Total Per Student Foundation Funding		5,690.00	5,760.00
5.	Other Adjustments			
(a)	Salary components for all certified and non-certified personnel in the matrix are adjusted to include a pro rata amount for the 2006-2007 teacher retirement contribution rate of \$42 per pupil.	--		--
(b)	Calculation to ensure all districts are funded using a 98% collection rate	13,295,100.00		14,170,197.00
	¹ Includes 5 days of teacher continuing education pay (funded at \$96 per pupil in 2006-2007)			
	² Calculated using the teacher salary component figure.			

Education Funding Recommendations (as adopted January 22, 2007), continued:

B. CATEGORICAL FUNDING CALCULATIONS				
			<u>FY08</u>	<u>FY09</u>
1.	Professional Development --			
	To schools, per pupil		41.11	41.11
	To Department of Education, per pupil		8.89	8.89
2.	National School Lunch Students -- per NSL pupil			
	> 90%		1,488.00	1,488.00
	70% - 90%		992.00	992.00
	<70%		496.00	496.00
3.	English Language Learners -- per ELL pupil		293.00	293.00
4.	Tutoring, Extended Day, Summer School		n/a	n/a
5.	Alternative Learning Environments			
(a)	Per full time equivalent ALE student		4,063.00	4,063.00
(b)	Additional Department of Education ALE staff		400,000.00	384,000.00
<hr/>				
C. NON-FOUNDATION FUNDING RECOMMENDATIONS:				
			<u>FY08</u>	<u>FY09</u>
1.	ACSIP Monitoring of categorical spending and instructional facilitators		242,000.00	242,000.00
2.	Declining Enrollment		10,000,000.00	10,000,000.00
3.	Isolated Schools --			
(a)	Isolated Schools		7,896,000.00	7,896,000.00
(b)	Special Needs Isolated Schools		3,000,000.00	3,000,000.00
4.	Growth Funding -- per pupil		5,400.00	5,400.00
<hr/>				
D. RECOMMENDATIONS IN ADDITION TO ADEQUACY				
			<u>FY08</u>	<u>FY09</u>
	Formative Assessment Pilot Program		5,000,000.00	5,000,000.00

**RECALCULATED EDUCATION FUNDING RECOMMENDATIONS
FOR THE 2007-2009 BIENNIUM**

A. FOUNDATION FUNDING CALCULATIONS FOR INSTRUCTION AND OPERATIONS				
1.	Prototypical School and Class Size		FY08	FY09
	SCHOOL SIZE:			
	Kindergarten, 8%		40	40
	Grades 1-3, 23%		115	115
	Grades 4-12, 69%		345	345
	Prototypical School and Class Size		500	500
2.	School Level Salaries			
(a)	Teacher Salary + Benefits ¹		54,888.00	55,954.00
	Per Student Matrix Expenditure		3,695.60	3,767.40
	Includes: (per pupil amounts)			
(1)	Classroom Teachers	2,282.30		2,326.60
(2)	Specialist Teachers (Physical Education, Art, Music, etc.)	455.60		464.40
(3)	Instructional Facilitators	274.40		279.80
(4)	Special Education	318.30		324.50
(5)	Library Media Specialist	90.60		92.30
(6)	Pupil Support Staff	274.40		279.80
(b)	Principal Salary + Benefits		86,168.00	87,860.00
	Per Student Matrix Expenditure		172.30	175.70
(c)	Secretary Salary + Benefits		34,751.00	35,415.00
	Per Student Matrix Expenditure		69.50	70.80
	School Level Salaries Per Student		3,937.40	4,013.90
3.	Per Pupil Resources			
(a)	Computers and Software		220.00	201.00
(b)	Instructional Materials		160.00	163.20
(c)	Extra Duty Funds ²		50.00	51.00
(d)	Supervisory Aide		49.35	50.35
(e)	Substitutes		59.00	59.00
	Per Pupil Resources		538.4	524.6
4.	Operations			
(a)	Former "carry forward" is divided into three items.		n/a	n/a
(b)	Operations and Maintenance		581.00	581.00
(c)	Central Office		376.00	383.50
(d)	Transportation		286.00	286.00
	Operations Per Student		1,243.00	1,250.50
	Total Per Student Foundation Funding		5,719.00	5,789.00
5.	Other Adjustments			
(a)	Salary components for all certified and non-certified personnel in the matrix are adjusted to include a pro rata amount for the 2006-2007 teacher retirement contribution rate of \$42 per pupil.	--	--	
(b)	Calculation to ensure all districts are funded using a 98% collection rate	13,435,165.00	14,268,625.00	
	¹ Includes 5 days of teacher continuing education pay (funded at \$96 per pupil in 2006-2007)			
	² Calculated using the teacher salary component figure.			

Recalculated Education Funding Recommendations for the 2007-2009 Biennium, continued:

B. CATEGORICAL FUNDING CALCULATIONS				
			<u>FY08</u>	<u>FY09</u>
1.	Professional Development --			
	To schools, per pupil		41.11	41.11
	To Department of Education, per pupil		8.89	8.89
2.	National School Lunch Students -- per NSL pupil			
	> 90%		1,488.00	1,488.00
	70% - 90%		992.00	992.00
	<70%		496.00	496.00
3.	English Language Learners -- per ELL pupil		293.00	293.00
4.	Tutoring, Extended Day, Summer School		n/a	n/a
5.	Alternative Learning Environments			
(a)	Per full time equivalent ALE student		4,063.00	4,063.00
(b)	Additional Department of Education ALE staff		400,000.00	384,000.00
<hr/>				
C. NON-FOUNDATION FUNDING RECOMMENDATIONS:				
			<u>FY08</u>	<u>FY09</u>
1.	ACSIP Monitoring of categorical spending and instructional facilitators		242,000.00	242,000.00
2.	Declining Enrollment		10,000,000.00	10,000,000.00
3.	Isolated Schools --			
(a)	Isolated Schools		7,896,000.00	7,896,000.00
(b)	Special Needs Isolated Schools		3,000,000.00	3,000,000.00
4.	Growth Funding -- per pupil		5,719.00	5,789.00
<hr/>				
D. RECOMMENDATIONS IN ADDITION TO ADEQUACY				
			<u>FY08</u>	<u>FY09</u>
	Formative Assessment Pilot Program		5,000,000.00	5,000,000.00

RECALCULATION NARRATIVE

1. Foundation Funding Recalculations.

(a) Teacher Salary Component. After the January 22, 2007 joint meeting of the House Education Committee and the Senate Education Committee, at which the two committees adopted "A Report on Legislative Hearings For the 2006 Interim Study on Educational Adequacy", school administrators presented a calculation for the teacher salary component of foundation funding that suggested an error in the recommended calculation. Lawrence O. Picus & Associates were contacted on behalf of the committees about the recalculation and confirmed that they had used incorrect inflators for 2005-2006 and 2006-2007 in their calculation of the teacher salary component. The committees agreed and recalculated the teacher salary component as computed by the school administrators, verified by the Bureau of Legislative Research, and adopted by the committees on February 22, 2007.

(b) Allocation for school level secretaries. The Adequacy Study Oversight Subcommittee recommended one (1) school level secretary be allocated in foundation funding for the 2007-2009 biennium. This was an increase over the Bisbee matrix used in 2003, which had no school level secretary allocation. Due to the admitted uncertainty of Picus in the figures used to develop recommendations for salaries and staffing for school districts, and based on other information provided to the committees, the subcommittee recommended that the interim committees conduct an examination of the practices of school districts. The original recommendation of one school level secretary for the prototypical 500-student school is restored, and the study recommended by the Adequacy Study Oversight Subcommittee should be pursued.

These changes in foundation funding will result in the following increases:

- In 2007-2008, a \$57 per pupil (1.0%) increase in foundation funding for 2007-2008 over the 2006-2007 fiscal year, for a total increase of \$26,049 million; and
- In 2008-2009, a cumulative increase of \$127 per pupil (2.2% cumulative) in foundation funding for the biennium (\$70 per pupil and a 1.2% increase over the 2007-2008 funding), for a total cumulative increase of \$84,088 million for the biennium (\$31,990 million over the 2007-2008 funding).

2. Student Growth Funding.

(a) The committees determined that paying growth funding based on the increase in the two-quarter average daily membership (ADM) for the current school year over the two-quarter ADM for the previous school year produces either duplicate funding or funding for non-existent students in two scenarios:

- As foundation funding is based on the three-quarter ADM of the previous year, school districts that continue to grow are funded double for students who were counted in the two-quarter ADM and who are still in attendance for the three-quarter ADM for foundation funding.
- School districts that decline in enrollment after the second quarter are being funded for students who are no longer attending.

(b) As there is a lack of evidence-based research anywhere in the nation concerning the actual costs of student growth for a school district, it is our recommendation that the General Assembly enact legislation providing for the Department of Education and the Division of Legislative Audit to conduct a thorough study of the financial impact of student growth on public school districts in Arkansas and report back to the General Assembly no later than April 1, 2008. The committees further recommend that student growth funding should be calculated using the current recommendation for per pupil foundation funding to avoid the possibility of inadequate funding until the matter can be further studied.

Therefore, a new funding mechanism of quarterly calculations utilizing the foundation funding recommendations and based on comparisons of each quarter in the current year to the three-quarter ADM in the previous year.

3. 98% Collection Rate.

Updated figures have been provided to calculate the 98% collection adjustment. The new figures are \$13,435,165 for the 2007-2008 school year and \$14,268,625 for the 2008-2009 school year, representing increases of \$140,065 and \$98,428, respectively, over the original education funding recommendations for those years.

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

ARKANSAS SENATE

AMENDMENT NO. 2 TO HOUSE BILL NO. 1632

Amend HOUSE BILL NO. 1632 as engrossed,

H2/23/07 (version: 02-23-2007 09:11):

Page 2, delete lines 12 through 15 and substitute the following:

“(B) ~~funds~~ Funds received by the school district in lieu of taxes, and local sales and use taxes dedicated to education pursuant to §§ 26-74-201 et seq., § 26-74-301 et seq., § 26-75-301 et seq., and the Local Government Bond Act of 1985, § 14-164-301 et seq.;”

AND

Page 3, delete line 17 and substitute the following:

“(16) “Quarterly average daily membership” means the average daily membership for one (1) quarter of a school year used for calculating student growth funding and as determined by rule established by the Department of Education;

(17)(A) “Revenues” means:

AND

Page 3, line 33, delete “~~(15)(17)~~” and substitute “~~(15)(18)~~”

AND

Page 4, line 3, delete “~~(16)(18)~~” and substitute “~~(16)(19)~~”

AND

Page 4, line 7, delete “~~(17)(19)~~” and substitute “~~(17)(20)~~”

AND

Page 4, line 14, delete “~~(18)(20)~~” and substitute “~~(18)(21)~~”

AND

Page 4, line 20, delete “~~(19)(A)(21)~~” and substitute “~~(19)(A)(22)~~”

AND

Page 4, line 31, delete “~~(20)(22)~~” and substitute “~~(20)(23)~~”

AND

Page 4, line 34, delete “~~(21)(23)~~” and substitute “~~(21)(24)~~”

AND

Page 5, line 2, delete “~~(22)(24)~~” and substitute “~~(22)(25)~~”

AND

Page 9, delete line 3 and substitute the following:

“skills for improving teaching practices and student academic achievement and training for school bus drivers as”

AND

Page 10, line 19, delete "subdivision (c)(2)(B)(i) of this section" and substitute "subdivision (c)(B)(ii)(a) of this section"

AND

Page 12, delete lines 22 through 36

AND

Page 13, delete lines 1 through 29 and substitute the following:

"(b) In school year 2007-2008, each school district in the state shall have in place a salary schedule with at least the following minimum levels of compensation for a basic contract:

<u>Years of Experience</u>	<u>BA Degree Salary</u>	<u>MA Degree Salary</u>
0	\$28,897	\$33,231
1	29,347	33,731
2	29,797	34,231
3	30,247	34,731
4	30,697	35,231
5	31,147	35,731
6	31,597	36,231
7	32,047	36,731
8	32,497	37,231
9	32,947	37,731
10	33,397	38,231
11	33,847	38,731
12	34,297	39,231
13	34,747	39,731
14	35,197	40,231
15	35,647	40,731

(c) In school year ~~2006-2007~~ 2008-2009 and each school year thereafter, each school district in the state shall have in place a salary schedule with at least the following minimum levels of compensation for a basic contract:

<u>Years of Experience</u>	<u>BA Degree Salary</u>	<u>MA Degree Salary</u>
0	\$29,244	\$33,630
1	29,694	34,130
2	30,144	34,630
3	30,594	35,130
4	31,044	35,630
5	31,494	36,130
6	31,944	36,630

<u>7</u>	<u>32,394</u>	<u>37,130</u>
<u>8</u>	<u>32,844</u>	<u>37,630</u>
<u>9</u>	<u>33,294</u>	<u>38,130</u>
<u>10</u>	<u>33,744</u>	<u>38,630</u>
<u>11</u>	<u>34,194</u>	<u>39,130</u>
<u>12</u>	<u>34,644</u>	<u>39,630</u>
<u>13</u>	<u>35,094</u>	<u>40,130</u>
<u>14</u>	<u>35,544</u>	<u>40,630</u>
<u>15</u>	<u>35,994</u>	<u>41,130"</u>

/s/ Shane Broadway

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Abernathy, Adcock, Allen, T. Baker, Berry, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, Dickinson, S. Dobbins, Dunn, Edwards, L. Evans, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardwick, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, Hyde, Jeffrey, D. Johnson, J. Johnson, Kenney, Key, Kidd, King, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, Maxwell, Medley, Moore, Norton, Overbey, Pace, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total97

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Anderson, D. Evans, Mr. Speaker.

Total3

VOTING PRESENT:

Total0

Total number of votes cast.....97

Total number voting in the affirmative97

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

So the Amendment was concurred in.

/s/ Ms. Jo Renshaw

Chief Clerk

EDUCATION FUNDING RECOMMENDATIONS
FOR THE 2007-2009 BIENNIUM



86th General Assembly
of the State of Arkansas

EDUCATION FUNDING RECOMMENDATIONS
(as adopted on January 22, 2007)

A. FOUNDATION FUNDING CALCULATIONS FOR INSTRUCTION AND OPERATIONS				
1.	Prototypical School and Class Size		FY08	FY09
	SCHOOL SIZE:			
	Kindergarten, 8%		40	40
	Grades 1-3, 23%		115	115
	Grades 4-12, 69%		345	345
	Prototypical School and Class Size		500	500
2.	School Level Salaries			
(a)	Teacher Salary + Benefits ¹		53,429.00	54,465.00
	Per Student Matrix Expenditure		3,597.40	3,667.10
	Includes: (per pupil amounts)			
(1)	Classroom Teachers	2,221.60		2,264.70
(2)	Specialist Teachers (Physical Education, Art, Music, etc.)	443.50		452.00
(3)	Instructional Facilitators	267.10		272.30
(4)	Special Education	309.90		315.90
(5)	Library Media Specialist	88.20		89.90
(6)	Pupil Support Staff	267.10		272.30
(b)	Principal Salary + Benefits		86,168.00	87,860.00
	Per Student Matrix Expenditure		172.30	175.70
(c)	Secretary Salary + Benefits		34,751.00	35,415.00
	Per Student Matrix Expenditure		139.00	141.70
	School Level Salaries Per Student		3,908.70	3,984.50
3.	Per Pupil Resources			
(a)	Computers and Software		220.00	201.00
(b)	Instructional Materials		160.00	163.20
(c)	Extra Duty Funds ²		50.00	51.00
(d)	Supervisory Aide		49.35	50.35
(e)	Substitutes		59.00	59.00
	Per Pupil Resources		538.35	524.55
4.	Operations			
(a)	Former "carry forward" is divided into three items.		n/a	n/a
(b)	Operations and Maintenance		581.00	581.00
(c)	Central Office		376.00	383.50
(d)	Transportation		286.00	286.00
	Operations Per Student		1,243.00	1,250.50
	Total Per Student Foundation Funding		5,690.00	5,760.00
5.	Other Adjustments			
(a)	Salary components for all certified and non-certified personnel in the matrix are adjusted to include a pro rata amount for the 2006-2007 teacher retirement contribution rate of \$42 per pupil.	--	--	
(b)	Calculation to ensure all districts are funded using a 98% collection rate	13,295,100.00	14,170,197.00	
	¹ Includes 5 days of teacher continuing education pay (funded at \$96 per pupil in 2006-2007)			
	² Calculated using the teacher salary component figure.			

Education Funding Recommendations (as adopted January 22, 2007), continued:

B. CATEGORICAL FUNDING CALCULATIONS			
		<u>FY08</u>	<u>FY09</u>
1.	Professional Development --		
	To schools, per pupil	41.11	41.11
	To Department of Education, per pupil	8.89	8.89
2.	National School Lunch Students -- per NSL pupil		
	> 90%	1,488.00	1,488.00
	70% - 90%	992.00	992.00
	<70%	496.00	496.00
3.	English Language Learners -- per ELL pupil	293.00	293.00
4.	Tutoring, Extended Day, Summer School	n/a	n/a
5.	Alternative Learning Environments		
(a)	Per full time equivalent ALE student	4,063.00	4,063.00
(b)	Additional Department of Education ALE staff	400,000.00	384,000.00
<hr/>			
C. NON-FOUNDATION FUNDING RECOMMENDATIONS:			
		<u>FY08</u>	<u>FY09</u>
1.	ACSIP Monitoring of categorical spending and instructional facilitators	242,000.00	242,000.00
2.	Declining Enrollment	10,000,000.00	10,000,000.00
3.	Isolated Schools --		
(a)	Isolated Schools	7,896,000.00	7,896,000.00
(b)	Special Needs Isolated Schools	3,000,000.00	3,000,000.00
4.	Growth Funding -- per pupil	5,400.00	5,400.00
<hr/>			
D. RECOMMENDATIONS IN ADDITION TO ADEQUACY			
		<u>FY08</u>	<u>FY09</u>
	Formative Assessment Pilot Program	5,000,000.00	5,000,000.00

**RECALCULATED EDUCATION FUNDING RECOMMENDATIONS
FOR THE 2007-2009 BIENNIUM**

A. FOUNDATION FUNDING CALCULATIONS FOR INSTRUCTION AND OPERATIONS				
1.	Prototypical School and Class Size		FY08	FY09
	SCHOOL SIZE:			
	Kindergarten, 8%		40	40
	Grades 1-3, 23%		115	115
	Grades 4-12, 69%		345	345
	Prototypical School and Class Size		500	500
2.	School Level Salaries			
(a)	Teacher Salary + Benefits ¹		54,888.00	55,954.00
	Per Student Matrix Expenditure		3,695.60	3,767.40
	Includes: (per pupil amounts)			
(1)	Classroom Teachers	2,282.30		2,326.60
(2)	Specialist Teachers (Physical Education, Art, Music, etc.)	455.60		464.40
(3)	Instructional Facilitators	274.40		279.80
(4)	Special Education	318.30		324.50
(5)	Library Media Specialist	90.60		92.30
(6)	Pupil Support Staff	274.40		279.80
(b)	Principal Salary + Benefits		86,168.00	87,860.00
	Per Student Matrix Expenditure		172.30	175.70
(c)	Secretary Salary + Benefits		34,751.00	35,415.00
	Per Student Matrix Expenditure		69.50	70.80
	School Level Salaries Per Student		3,937.40	4,013.90
3.	Per Pupil Resources			
(a)	Computers and Software		220.00	201.00
(b)	Instructional Materials		160.00	163.20
(c)	Extra Duty Funds ²		50.00	51.00
(d)	Supervisory Aide		49.35	50.35
(e)	Substitutes		59.00	59.00
	Per Pupil Resources		538.4	524.6
4.	Operations			
(a)	Former "carry forward" is divided into three items.		n/a	n/a
(b)	Operations and Maintenance		581.00	581.00
(c)	Central Office		376.00	383.50
(d)	Transportation		286.00	286.00
	Operations Per Student		1,243.00	1,250.50
	Total Per Student Foundation Funding		5,719.00	5,789.00
5.	Other Adjustments			
(a)	Salary components for all certified and non-certified personnel in the matrix are adjusted to include a pro rata amount for the 2006-2007 teacher retirement contribution rate of \$42 per pupil.	--	--	
(b)	Calculation to ensure all districts are funded using a 98% collection rate	13,435,165.00	14,268,625.00	
	¹ Includes 5 days of teacher continuing education pay (funded at \$96 per pupil in 2006-2007)			
	² Calculated using the teacher salary component figure.			

Recalculated Education Funding Recommendations for the 2007-2009 Biennium, continued:

B. CATEGORICAL FUNDING CALCULATIONS					
			<u>FY08</u>		<u>FY09</u>
1.	Professional Development --				
	To schools, per pupil		41.11		41.11
	To Department of Education, per pupil		8.89		8.89
2.	National School Lunch Students -- per NSL pupil				
	> 90%		1,488.00		1,488.00
	70% - 90%		992.00		992.00
	<70%		496.00		496.00
3.	English Language Learners -- per ELL pupil		293.00		293.00
4.	Tutoring, Extended Day, Summer School		n/a		n/a
5.	Alternative Learning Environments				
(a)	Per full time equivalent ALE student		4,063.00		4,063.00
(b)	Additional Department of Education ALE staff		400,000.00		384,000.00
<hr/>					
C. NON-FOUNDATION FUNDING RECOMMENDATIONS:					
			<u>FY08</u>		<u>FY09</u>
1.	ACSIP Monitoring of categorical spending and instructional facilitators		242,000.00		242,000.00
2.	Declining Enrollment		10,000,000.00		10,000,000.00
3.	Isolated Schools --				
(a)	Isolated Schools		7,896,000.00		7,896,000.00
(b)	Special Needs Isolated Schools		3,000,000.00		3,000,000.00
4.	Growth Funding -- per pupil		5,719.00		5,789.00
<hr/>					
D. RECOMMENDATIONS IN ADDITION TO ADEQUACY					
			<u>FY08</u>		<u>FY09</u>
	Formative Assessment Pilot Program		5,000,000.00		5,000,000.00

RECALCULATION NARRATIVE

1. Foundation Funding Recalculations.

(a) Teacher Salary Component. After the January 22, 2007 joint meeting of the House Education Committee and the Senate Education Committee, at which the two committees adopted "A Report on Legislative Hearings For the 2006 Interim Study on Educational Adequacy", school administrators presented a calculation for the teacher salary component of foundation funding that suggested an error in the recommended calculation. Lawrence O. Picus & Associates were contacted on behalf of the committees about the recalculation and confirmed that they had used incorrect inflators for 2005-2006 and 2006-2007 in their calculation of the teacher salary component. The committees agreed and recalculated the teacher salary component as computed by the school administrators, verified by the Bureau of Legislative Research, and adopted by the committees on February 22, 2007.

(b) Allocation for school level secretaries. The Adequacy Study Oversight Subcommittee recommended one (1) school level secretary be allocated in foundation funding for the 2007-2009 biennium. This was an increase over the Bisbee matrix used in 2003, which had no school level secretary allocation. Due to the admitted uncertainty of Picus in the figures used to develop recommendations for salaries and staffing for school districts, and based on other information provided to the committees, the subcommittee recommended that the interim committees conduct an examination of the practices of school districts. The original recommendation of one school level secretary for the prototypical 500-student school is restored, and the study recommended by the Adequacy Study Oversight Subcommittee should be pursued.

These changes in foundation funding will result in the following increases:

- In 2007-2008, a \$57 per pupil (1.0%) increase in foundation funding for 2007-2008 over the 2006-2007 fiscal year, for a total increase of \$26,049 million; and
- In 2008-2009, a cumulative increase of \$127 per pupil (2.2% cumulative) in foundation funding for the biennium (\$70 per pupil and a 1.2% increase over the 2007-2008 funding), for a total cumulative increase of \$84,088 million for the biennium (\$31,990 million over the 2007-2008 funding).

2. Student Growth Funding.

(a) The committees determined that paying growth funding based on the increase in the two-quarter average daily membership (ADM) for the current school year over the two-quarter ADM for the previous school year produces either duplicate funding or funding for non-existent students in two scenarios:

- As foundation funding is based on the three-quarter ADM of the previous year, school districts that continue to grow are funded double for students who were counted in the two-quarter ADM and who are still in attendance for the three-quarter ADM for foundation funding.
- School districts that decline in enrollment after the second quarter are being funded for students who are no longer attending.

(b) As there is a lack of evidence-based research anywhere in the nation concerning the actual costs of student growth for a school district, it is our recommendation that the General Assembly enact legislation providing for the Department of Education and the Division of Legislative Audit to conduct a thorough study of the financial impact of student growth on public school districts in Arkansas and report back to the General Assembly no later than April 1, 2008. The committees further recommend that student growth funding should be calculated using the current recommendation for per pupil foundation funding to avoid the possibility of inadequate funding until the matter can be further studied.

Therefore, a new funding mechanism of quarterly calculations utilizing the foundation funding recommendations and based on comparisons of each quarter in the current year to the three-quarter ADM in the previous year.

3. 98% Collection Rate.

Updated figures have been provided to calculate the 98% collection adjustment. The new figures are \$13,435,165 for the 2007-2008 school year and \$14,268,625 for the 2008-2009 school year, representing increases of \$140,065 and \$98,428, respectively, over the original education funding recommendations for those years.

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

ARKANSAS SENATE

AMENDMENT NO. 3 TO HOUSE BILL NO. 1632

Amend HOUSE BILL NO. 1632 as engrossed,

H2/23/07 (version: 02-23-2007 09:11):

Add Senators G. Jeffress, J. Jeffress, Capps, Lavery, J. Taylor, Salmon, Miller, and Hendren as cosponsors of the bill.

/s/ Shane Broadway

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Abernathy, Adcock, Allen, Anderson, T. Baker, Berry, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, Dickinson, S. Dobbins, Dunn, Edwards, D. Evans, L. Evans, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardwick, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, Hyde, Jeffrey, D. Johnson, J. Johnson, Kenney, Key, Kidd, King, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, Maxwell, Medley, Moore, Norton, Overbey, Pace, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total99

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Mr. Speaker.

Total1

VOTING PRESENT:

Total0

Total number of votes cast99

Total number voting in the affirmative99

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

So the Amendment was concurred in.

/s/ Ms. Jo Renshaw

Chief Clerk

EDUCATION FUNDING RECOMMENDATIONS
FOR THE 2007-2009 BIENNIUM



86th General Assembly
of the State of Arkansas

**EDUCATION FUNDING RECOMMENDATIONS
(as adopted on January 22, 2007)**

A. FOUNDATION FUNDING CALCULATIONS FOR INSTRUCTION AND OPERATIONS				
1.	Prototypical School and Class Size		FY08	FY09
	SCHOOL SIZE:			
	Kindergarten, 8%		40	40
	Grades 1-3, 23%		115	115
	Grades 4-12, 69%		345	345
	Prototypical School and Class Size		500	500
2.	School Level Salaries			
(a)	Teacher Salary + Benefits ¹		53,429.00	54,465.00
	Per Student Matrix Expenditure		3,597.40	3,667.10
	Includes: (per pupil amounts)			
(1)	Classroom Teachers	2,221.60		2,264.70
(2)	Specialist Teachers (Physical Education, Art, Music, etc.)	443.50		452.00
(3)	Instructional Facilitators	267.10		272.30
(4)	Special Education	309.90		315.90
(5)	Library Media Specialist	88.20		89.90
(6)	Pupil Support Staff	267.10		272.30
(b)	Principal Salary + Benefits		86,168.00	87,860.00
	Per Student Matrix Expenditure		172.30	175.70
(c)	Secretary Salary + Benefits		34,751.00	35,415.00
	Per Student Matrix Expenditure		139.00	141.70
	School Level Salaries Per Student		3,908.70	3,984.50
3.	Per Pupil Resources			
(a)	Computers and Software		220.00	201.00
(b)	Instructional Materials		160.00	163.20
(c)	Extra Duty Funds ²		50.00	51.00
(d)	Supervisory Aide		49.35	50.35
(e)	Substitutes		59.00	59.00
	Per Pupil Resources		538.35	524.55
4.	Operations			
(a)	Former "carry forward" is divided into three items.		n/a	n/a
(b)	Operations and Maintenance		581.00	581.00
(c)	Central Office		376.00	383.50
(d)	Transportation		286.00	286.00
	Operations Per Student		1,243.00	1,250.50
	Total Per Student Foundation Funding		5,690.00	5,760.00
5.	Other Adjustments			
(a)	Salary components for all certified and non-certified personnel in the matrix are adjusted to include a pro rata amount for the 2006-2007 teacher retirement contribution rate of \$42 per pupil.	--	--	
(b)	Calculation to ensure all districts are funded using a 98% collection rate	13,295,100.00	14,170,197.00	
	¹ Includes 5 days of teacher continuing education pay (funded at \$96 per pupil in 2006-2007)			
	² Calculated using the teacher salary component figure.			

Education Funding Recommendations (as adopted January 22, 2007), continued:

B. CATEGORICAL FUNDING CALCULATIONS				
			<u>FY08</u>	<u>FY09</u>
1.	Professional Development --			
	To schools, per pupil		41.11	41.11
	To Department of Education, per pupil		8.89	8.89
2.	National School Lunch Students -- per NSL pupil			
	> 90%		1,488.00	1,488.00
	70% - 90%		992.00	992.00
	<70%		496.00	496.00
3.	English Language Learners -- per ELL pupil		293.00	293.00
4.	Tutoring, Extended Day, Summer School		n/a	n/a
5.	Alternative Learning Environments			
(a)	Per full time equivalent ALE student		4,063.00	4,063.00
(b)	Additional Department of Education ALE staff		400,000.00	384,000.00
<hr/>				
C. NON-FOUNDATION FUNDING RECOMMENDATIONS:				
			<u>FY08</u>	<u>FY09</u>
1.	ACSIP Monitoring of categorical spending and instructional facilitators		242,000.00	242,000.00
2.	Declining Enrollment		10,000,000.00	10,000,000.00
3.	Isolated Schools --			
(a)	Isolated Schools		7,896,000.00	7,896,000.00
(b)	Special Needs Isolated Schools		3,000,000.00	3,000,000.00
4.	Growth Funding -- per pupil		5,400.00	5,400.00
<hr/>				
D. RECOMMENDATIONS IN ADDITION TO ADEQUACY				
			<u>FY08</u>	<u>FY09</u>
	Formative Assessment Pilot Program		5,000,000.00	5,000,000.00

**RECALCULATED EDUCATION FUNDING RECOMMENDATIONS
FOR THE 2007-2009 BIENNIUM**

A. FOUNDATION FUNDING CALCULATIONS FOR INSTRUCTION AND OPERATIONS				
1.	Prototypical School and Class Size		FY08	FY09
	SCHOOL SIZE:			
	Kindergarten, 8%		40	40
	Grades 1-3, 23%		115	115
	Grades 4-12, 69%		345	345
	Prototypical School and Class Size		500	500
2.	School Level Salaries			
(a)	Teacher Salary + Benefits ¹		54,888.00	55,954.00
	Per Student Matrix Expenditure		3,695.60	3,767.40
	Includes: (per pupil amounts)			
(1)	Classroom Teachers	2,282.30		2,326.60
(2)	Specialist Teachers (Physical Education, Art, Music, etc.)	455.60		464.40
(3)	Instructional Facilitators	274.40		279.80
(4)	Special Education	318.30		324.50
(5)	Library Media Specialist	90.60		92.30
(6)	Pupil Support Staff	274.40		279.80
(b)	Principal Salary + Benefits		86,168.00	87,860.00
	Per Student Matrix Expenditure		172.30	175.70
(c)	Secretary Salary + Benefits		34,751.00	35,415.00
	Per Student Matrix Expenditure		69.50	70.80
	School Level Salaries Per Student		3,937.40	4,013.90
3.	Per Pupil Resources			
(a)	Computers and Software		220.00	201.00
(b)	Instructional Materials		160.00	163.20
(c)	Extra Duty Funds ²		50.00	51.00
(d)	Supervisory Aide		49.35	50.35
(e)	Substitutes		59.00	59.00
	Per Pupil Resources		538.4	524.6
4.	Operations			
(a)	Former "carry forward" is divided into three items.		n/a	n/a
(b)	Operations and Maintenance		581.00	581.00
(c)	Central Office		376.00	383.50
(d)	Transportation		286.00	286.00
	Operations Per Student		1,243.00	1,250.50
	Total Per Student Foundation Funding		5,719.00	5,789.00
5.	Other Adjustments			
(a)	Salary components for all certified and non-certified personnel in the matrix are adjusted to include a pro rata amount for the 2006-2007 teacher retirement contribution rate of \$42 per pupil.	--	--	
(b)	Calculation to ensure all districts are funded using a 98% collection rate	13,435,165.00	14,268,625.00	
	¹ Includes 5 days of teacher continuing education pay (funded at \$96 per pupil in 2006-2007)			
	² Calculated using the teacher salary component figure.			

Recalculated Education Funding Recommendations for the 2007-2009 Biennium, continued:

B. CATEGORICAL FUNDING CALCULATIONS				
			<u>FY08</u>	<u>FY09</u>
1.	Professional Development --			
	To schools, per pupil		41.11	41.11
	To Department of Education, per pupil		8.89	8.89
2.	National School Lunch Students -- per NSL pupil			
	> 90%		1,488.00	1,488.00
	70% - 90%		992.00	992.00
	<70%		496.00	496.00
3.	English Language Learners -- per ELL pupil		293.00	293.00
4.	Tutoring, Extended Day, Summer School		n/a	n/a
5.	Alternative Learning Environments			
(a)	Per full time equivalent ALE student		4,063.00	4,063.00
(b)	Additional Department of Education ALE staff		400,000.00	384,000.00
<hr/>				
C. NON-FOUNDATION FUNDING RECOMMENDATIONS:				
			<u>FY08</u>	<u>FY09</u>
1.	ACSIP Monitoring of categorical spending and instructional facilitators		242,000.00	242,000.00
2.	Declining Enrollment		10,000,000.00	10,000,000.00
3.	Isolated Schools --			
(a)	Isolated Schools		7,896,000.00	7,896,000.00
(b)	Special Needs Isolated Schools		3,000,000.00	3,000,000.00
4.	Growth Funding -- per pupil		5,719.00	5,789.00
<hr/>				
D. RECOMMENDATIONS IN ADDITION TO ADEQUACY				
			<u>FY08</u>	<u>FY09</u>
	Formative Assessment Pilot Program		5,000,000.00	5,000,000.00

RECALCULATION NARRATIVE

1. Foundation Funding Recalculations.

(a) Teacher Salary Component. After the January 22, 2007 joint meeting of the House Education Committee and the Senate Education Committee, at which the two committees adopted "A Report on Legislative Hearings For the 2006 Interim Study on Educational Adequacy", school administrators presented a calculation for the teacher salary component of foundation funding that suggested an error in the recommended calculation. Lawrence O. Picus & Associates were contacted on behalf of the committees about the recalculation and confirmed that they had used incorrect inflators for 2005-2006 and 2006-2007 in their calculation of the teacher salary component. The committees agreed and recalculated the teacher salary component as computed by the school administrators, verified by the Bureau of Legislative Research, and adopted by the committees on February 22, 2007.

(b) Allocation for school level secretaries. The Adequacy Study Oversight Subcommittee recommended one (1) school level secretary be allocated in foundation funding for the 2007-2009 biennium. This was an increase over the Bisbee matrix used in 2003, which had no school level secretary allocation. Due to the admitted uncertainty of Picus in the figures used to develop recommendations for salaries and staffing for school districts, and based on other information provided to the committees, the subcommittee recommended that the interim committees conduct an examination of the practices of school districts. The original recommendation of one school level secretary for the prototypical 500-student school is restored, and the study recommended by the Adequacy Study Oversight Subcommittee should be pursued.

These changes in foundation funding will result in the following increases:

- In 2007-2008, a \$57 per pupil (1.0%) increase in foundation funding for 2007-2008 over the 2006-2007 fiscal year, for a total increase of \$26,049 million; and
- In 2008-2009, a cumulative increase of \$127 per pupil (2.2% cumulative) in foundation funding for the biennium (\$70 per pupil and a 1.2% increase over the 2007-2008 funding), for a total cumulative increase of \$84,088 million for the biennium (\$31,990 million over the 2007-2008 funding).

2. Student Growth Funding.

(a) The committees determined that paying growth funding based on the increase in the two-quarter average daily membership (ADM) for the current school year over the two-quarter ADM for the previous school year produces either duplicate funding or funding for non-existent students in two scenarios:

- As foundation funding is based on the three-quarter ADM of the previous year, school districts that continue to grow are funded double for students who were counted in the two-quarter ADM and who are still in attendance for the three-quarter ADM for foundation funding.
- School districts that decline in enrollment after the second quarter are being funded for students who are no longer attending.

(b) As there is a lack of evidence-based research anywhere in the nation concerning the actual costs of student growth for a school district, it is our recommendation that the General Assembly enact legislation providing for the Department of Education and the Division of Legislative Audit to conduct a thorough study of the financial impact of student growth on public school districts in Arkansas and report back to the General Assembly no later than April 1, 2008. The committees further recommend that student growth funding should be calculated using the current recommendation for per pupil foundation funding to avoid the possibility of inadequate funding until the matter can be further studied.

Therefore, a new funding mechanism of quarterly calculations utilizing the foundation funding recommendations and based on comparisons of each quarter in the current year to the three-quarter ADM in the previous year.

3. 98% Collection Rate.

Updated figures have been provided to calculate the 98% collection adjustment. The new figures are \$13,435,165 for the 2007-2008 school year and \$14,268,625 for the 2008-2009 school year, representing increases of \$140,065 and \$98,428, respectively, over the original education funding recommendations for those years.

Representative Kenney, **HOUSE BILL NO. 1633** was placed back on second reading for the purpose of amendment.

ARKANSAS SENATE

AMENDMENT NO. 1 TO HOUSE BILL NO. 1633

Amend **HOUSE BILL NO. 1633** as originally introduced:

Page 2, delete lines 11-13 and substitute the following:

"(b) For the 2008-2009 school year, an additional thirty-six dollars (\$36.00) multiplied by the school district's average daily membership for the previous school year, which when added to the funding under subdivision (a)(2)(C)(i)(a) of this section represents an approximate total for the 2008-2009 school year of eighty-seven dollars (\$87.00) per average daily membership."

/s/ Shane Broadway

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Abernathy, Adcock, Allen, Anderson, T. Baker, Berry, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, Dickinson, S. Dobbins, Dunn, Edwards, D. Evans, L. Evans, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardwick, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, Hyde, Jeffrey, D. Johnson, J. Johnson, Kenney, Key, Kidd, King, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, Maxwell, Medley, Moore, Norton, Overbey, Pace, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total98

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Wagner, Mr. Speaker.

Total2

VOTING PRESENT:

Total0

Total number of votes cast.....98

Total number voting in the affirmative98

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

So the Amendment was concurred in.

/s/ Ms. Jo Renshaw

Chief Clerk

Representative Kenney moved that the house concur in the following Senate Amendment.

ARKANSAS SENATE

AMENDMENT NO. 2 TO HOUSE BILL NO. 1633

Amend HOUSE BILL NO. 1633 as originally introduced:

Add Senators G. Jeffress, J. Jeffress, Capps, Lavery, J. Taylor, Salmon, Miller, and Hendren as cosponsors of the bill.

/s/ Shane Broadway

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Abernathy, Adcock, Allen, Anderson, T. Baker, Berry, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, Dickinson, S. Dobbins, Dunn, Edwards, D. Evans, L. Evans, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardwick, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, Hyde, Jeffrey, D. Johnson, J. Johnson, Kenney, Key, Kidd, King, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, Maxwell, Medley, Moore, Norton, Overbey, Pace, Pate, Patterson, Pennartz, Pierce, Powers, S. Prater, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total97

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Hardy, Pickett, Mr. Speaker.

Total3

VOTING PRESENT:

Total0

Total number of votes cast97

Total number voting in the affirmative97

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

So the Amendment was concurred in.

/s/ Ms. Jo Renshaw

Chief Clerk

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

ARKANSAS SENATE

AMENDMENT NO. 1 TO HOUSE BILL NO. 1360

Amend HOUSE BILL NO. 1360 as originally introduced:

Add Senators Thompson and Luker as cosponsors of the bill

AND

Page 9 , delete lines 15 and 16 and substitute "decedent who dies more than three years after January 1, 2008, if"

/s/ Robert Thompson

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Abernathy, Allen, Anderson, T. Baker, Berry, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, Dickinson, S. Dobbins, Dunn, Edwards, L. Evans, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardwick, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, Hyde, Jeffrey, D. Johnson, J. Johnson, Kenney, Key, Kidd, King, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, Maxwell, Medley, Moore, Norton, Overbey, Pace, Pate, Patterson, Pennartz, Pierce, Powers, S. Prater, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total96

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Adcock, D. Evans, Pickett, Mr. Speaker.

Total4

VOTING PRESENT:

Total0

Total number of votes cast96

Total number voting in the affirmative96

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

So the Amendment was concurred in.

/s/ Ms. Jo Renshaw
Chief Clerk

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

ARKANSAS SENATE

AMENDMENT NO. 1 TO HOUSE BILL NO. 1284

Amend HOUSE BILL NO. 1284 as originally introduced:

Page 2, line 26, delete "(1)" and substitute "(1)(A)"

AND

Page 3, delete line 1 and substitute the following:

"business of contracting in this state;

(B) Subdivision (a)(1) of this section shall not apply to any demolition work or other work necessary to clean up a natural disaster within seventy-two (72) hours following the natural disaster;"

AND

Delete SECTION 3 in its entirety

AND

Delete SECTION 4 in its entirety

/s/ Gilbert Baker

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Abernathy, Adcock, Allen, Anderson, T. Baker, Berry, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, Dickinson, S. Dobbins, Dunn, Edwards, L. Evans, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardwick, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, Hyde, Jeffrey, D. Johnson, J. Johnson, Kenney, Key, Kidd, King, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, Maxwell, Medley, Moore, Norton, Overbey, Pace, Pate, Patterson, Pennartz, Pierce, Powers, S. Prater, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total97

NEGATIVE:

Total0

ABSENT OR NOT VOTING: D. Evans, Pickett, Mr. Speaker.

Total3

VOTING PRESENT:

Total0

Total number of votes cast97

Total number voting in the affirmative97

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

So the Amendment was concurred in.

/s/ Ms. Jo Renshaw
Chief Clerk

HOUSE BILL NO. 2267

BY: REPRESENTATIVE S. PRATER

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

AFFIRMATIVE: Abernathy, Adcock, Allen, Anderson, T. Baker, Berry, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, Dickinson, S. Dobbins, Dunn, Edwards, L. Evans, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardwick, Hardy, Harrelson, Hawkins, House, Hoyt, Hyde, Jeffrey, D. Johnson, J. Johnson, Kenney, Key, Kidd, King, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, Maxwell, Medley, Moore, Norton, Overbey, Pace, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total96

NEGATIVE:

Total0

ABSENT OR NOT VOTING: D. Evans, Harris, D. Hutchinson, Mr. Speaker.

Total4

VOTING PRESENT:

Total0

Total number of votes cast96

Total number voting in the affirmative96

Necessary to the passage of the bill.....51

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

HOUSE BILL NO. 1657

BY: REPRESENTATIVE ROSENBAUM

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

AFFIRMATIVE: Abernathy, Adcock, Allen, Anderson, T. Baker, Berry, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, Dickinson, S. Dobbins, Dunn, Edwards, L. Evans, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Hall, Hardwick, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, Hyde, Jeffrey, D. Johnson, J. Johnson, Kenney, Key, Kidd, King, Lamoureux, W. Lewellen, Lovell, Maloch, M. Martin, Maxwell, Moore, Norton, Overbey, Pace, Pate, Patterson, Pennartz, Pierce, Powers, S. Prater, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total94

NEGATIVE: Lowery.

Total1

ABSENT OR NOT VOTING: D. Evans, Greenberg, Medley, Pickett, Mr. Speaker.

Total5

VOTING PRESENT:

Total0

Total number of votes cast95

Total number voting in the affirmative.....94

Necessary to the passage of the bill.....51

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

HOUSE BILL NO. 2452

BY: REPRESENTATIVE HOUSE

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

AFFIRMATIVE: Abernathy, Adcock, Allen, Anderson, T. Baker, Berry, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, Dickinson, S. Dobbins, Dunn, Edwards, L. Evans, Everett, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardwick, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, Hyde, Jeffrey, D. Johnson, J. Johnson, Key, Kidd, King, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, Maxwell, Medley, Moore, Norton, Overbey, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: D. Evans, Flowers, Kenney, Pace, Walters, Mr. Speaker.

Total6

VOTING PRESENT:

Total0

Total number of votes cast94

Total number voting in the affirmative94

Necessary to the passage of the bill.....51

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

HOUSE BILL NO. 1562

BY: REPRESENTATIVE CHESTERFIELD

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

AFFIRMATIVE: Abernathy, Adcock, Allen, Anderson, T. Baker, Berry, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, Dickinson, S. Dobbins, Dunn, Edwards, D. Evans, L. Evans, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardwick, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, Hyde, Jeffrey, D. Johnson, J. Johnson, Kenney, Key, Kidd, King, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, Maxwell, Medley, Moore, Norton, Overbey, Pace, Pate, Patterson, Pennartz, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt, Mr. Speaker.

Total	98
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Pickett, S. Prater.	
Total	2
VOTING PRESENT:	
Total	0
Total number of votes cast	98
Total number voting in the affirmative.....	98
Necessary to the passage of the bill.....	51

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

HOUSE BILL NO. 1829

BY: REPRESENTATIVE BOND

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

AFFIRMATIVE: Abernathy, Adcock, Allen, Anderson, T. Baker, Berry, Blount, Bond, Breedlove, J. Brown, Burkes, Burris, Cash, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, Dickinson, S. Dobbins, Dunn, Edwards, D. Evans, L. Evans, Everett, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardwick, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, Hyde, Jeffrey, D. Johnson, J. Johnson, Kenney, Key, Kidd, King, Lamoureux, Lovell, Lowery, Maloch, M. Martin, Maxwell, Medley, Moore, Norton, Overbey, Pace, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total93

NEGATIVE: Flowers.

Total1

ABSENT OR NOT VOTING: T. Bradford, Cheatham, Mr. Speaker.

Total3

VOTING PRESENT: E. Brown, Chesterfield, W. Lewellen.

Total3

Total number of votes cast97

Total number voting in the affirmative93

Necessary to the passage of the bill.....51

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

HOUSE BILL NO. 1909

BY: REPRESENTATIVE J. JOHNSON

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

AFFIRMATIVE: Abernathy, Adcock, Allen, Anderson, T. Baker, Berry, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, Dickinson, S. Dobbins, Dunn, Edwards, D. Evans, L. Evans, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardwick, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, Hyde, Jeffrey, D. Johnson, J. Johnson, Kenney, Key, Kidd, King, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, Maxwell, Medley, Moore, Norton, Overbey, Pace, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total	98
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Cheatham, Mr. Speaker.	
Total	2
VOTING PRESENT:	
Total	0
Total number of votes cast	98
Total number voting in the affirmative.....	98
Necessary to the passage of the bill.....	51

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

HOUSE BILL NO. 2439

BY: REPRESENTATIVE KIDD

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

AFFIRMATIVE: T. Baker, Blount, J. Brown, Cash, Chesterfield, Cook, Davis, Edwards, L. Evans, Flowers, Gaskill, Glidewell, Greenberg, Harris, House, Hoyt, Kidd, Medley, Overbey, Pate, Pickett, Pyle, Rainey, Rosenbaum, Shelby, L. Smith, Thyer, Wagner, Webb, Wyatt.

Total30

NEGATIVE: Abernathy, Adcock, Allen, Berry, Bond, T. Bradford, Breedlove, E. Brown, Burkes, Burris, Cheatham, Cooper, Cornwell, Davenport, S. Dobbins, Dunn, D. Evans, Garner, George, R. Green, Hall, Hardy, Harrelson, D. Hutchinson, Jeffrey, D. Johnson, J. Johnson, Kenney, Key, King, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, Maxwell, Moore, Norton, Pace, Patterson, Pennartz, Pierce, Powers, S. Prater, Reep, Reynolds, J. Roebuck, Sample, Saunders, Schulte, Stewart, Sullivan, Walters, Wells, Wills, Wood, Woods.

Total58

ABSENT OR NOT VOTING: Anderson, L. Cowling, D. Creekmore, Dickinson, Everett, Hardwick, Hawkins, Hyde, Ragland, Rogers, Sumpter, Mr. Speaker.

Total12

VOTING PRESENT:

Total0

Total number of votes cast88

Total number voting in the affirmative30

Necessary to the passage of the bill.....51

So the Bill failed.

HOUSE BILL NO. 2401

BY: REPRESENTATIVE PENNARTZ

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

AFFIRMATIVE: Abernathy, Allen, Anderson, T. Baker, Berry, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, S. Dobbins, Dunn, D. Evans, L. Evans, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hardwick, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, Hyde, Jeffrey, D. Johnson, J. Johnson, Key, Kidd, King, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, Moore, Norton, Overbey, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Wagner, Walters, Webb, Wells, Wood, Woods, Wyatt.

Total86

NEGATIVE: Hall, Thyer.

Total2

ABSENT OR NOT VOTING: Adcock, Dickinson, Edwards, Kenney, Maxwell, Medley, Pace, Pate, Sample, Saunders, Wills, Mr. Speaker.

Total12

VOTING PRESENT:

Total0

Total number of votes cast88

Total number voting in the affirmative.....86

Necessary to the passage of the bill.....51

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

HOUSE BILL NO. 2284

BY: REPRESENTATIVE S. DOBBINS

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

AFFIRMATIVE: Abernathy, Adcock, Allen, Anderson, T. Baker, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, D. Creekmore, Davenport, Dunn, Edwards, D. Evans, L. Evans, Everett, Flowers, Garner, Gaskill, George, R. Green, Greenberg, Hall, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, Hyde, Jeffrey, D. Johnson, J. Johnson, Kenney, Kidd, King, W. Lewellen, Lovell, Lowery, Maloch, Moore, Norton, Overbey, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Wyatt.

Total82

NEGATIVE: Burkes, Glidewell, Lamoureux, M. Martin, Maxwell, Woods.

Total6

ABSENT OR NOT VOTING: Berry, L. Cowling, Davis, Dickinson, S. Dobbins, Hardwick, Key, Medley, Pace, Pate, Rogers, Mr. Speaker.

Total12

VOTING PRESENT:

Total0

Total number of votes cast88

Total number voting in the affirmative82

Necessary to the passage of the bill.....51

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

HOUSE BILL NO. 2281

BY: REPRESENTATIVE PYLE

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

AFFIRMATIVE: Abernathy, Adcock, Allen, Anderson, T. Baker, Berry, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Cheatham, Chesterfield, Cook, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, Dickinson, S. Dobbins, Dunn, D. Evans, L. Evans, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hardwick, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, Hyde, Jeffrey, D. Johnson, J. Johnson, Key, Kidd, King, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, Maxwell, Medley, Moore, Norton, Overbey, Patterson, Pennartz, Pickett, Powers, S. Prater, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Saunders, Schulte, Shelby, Stewart, Sumpter, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total87

NEGATIVE: Hall, Pace, Pate, L. Smith, Thyer.

Total5

ABSENT OR NOT VOTING: Cooper, Edwards, Hardy, Kenney, Pierce, Sample, Sullivan, Mr. Speaker.

Total8

VOTING PRESENT:

Total0

Total number of votes cast92

Total number voting in the affirmative.....87

Necessary to the passage of the bill.....51

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

HOUSE BILL NO. 1461

BY: REPRESENTATIVE HOUSE

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

AFFIRMATIVE: Abernathy, Allen, Anderson, T. Baker, Berry, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Cheatham, Chesterfield, Cook, Cornwell, Davenport, Davis, Dickinson, S. Dobbins, Dunn, Edwards, D. Evans, L. Evans, Flowers, Garner, Gaskill, Glidewell, R. Green, Greenberg, Hardwick, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, Hyde, Jeffrey, D. Johnson, J. Johnson, Kenney, Key, Kidd, King, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, Medley, Moore, Norton, Overbey, Pace, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rosenbaum, Saunders, Schulte, Shelby, L. Smith, Stewart, Sumpter, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total86

NEGATIVE: Adcock, Cooper, Hall, Hardy, Sullivan, Thyer.

Total6

ABSENT OR NOT VOTING: L. Cowling, D. Creekmore, Everett, George, Maxwell, Rogers, Sample, Mr. Speaker.

Total8

VOTING PRESENT:

Total0

Total number of votes cast92

Total number voting in the affirmative86

Necessary to the passage of the bill.....51

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

HOUSE BILL NO. 1506

BY: REPRESENTATIVE JEFFREY

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

AFFIRMATIVE: Abernathy, Adcock, Allen, Anderson, T. Baker, Berry, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Cheatham, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, Dickinson, S. Dobbins, Dunn, D. Evans, L. Evans, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardwick, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, Hyde, Jeffrey, D. Johnson, J. Johnson, Kenney, Key, Kidd, King, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, Maxwell, Medley, Moore, Norton, Overbey, Pace, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wills, Wood, Woods, Wyatt.

Total95

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Chesterfield, Schulte, Wells, Mr. Speaker.

Total4

VOTING PRESENT: Edwards.

Total1

Total number of votes cast96

Total number voting in the affirmative.....95

Necessary to the passage of the bill.....51

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

HOUSE BILL NO. 1453

BY: REPRESENTATIVE KEY

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

AFFIRMATIVE: Abernathy, Adcock, Allen, Anderson, T. Baker, Berry, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Cheatham, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, Dickinson, S. Dobbins, Dunn, D. Evans, L. Evans, Everett, Flowers, Garner, Gaskill, Glidewell, R. Green, Hardwick, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, Hyde, Jeffrey, D. Johnson, J. Johnson, Kenney, Key, Kidd, King, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, Maxwell, Medley, Moore, Norton, Overbey, Pace, Patterson, Pennartz, Pierce, Powers, S. Prater, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Schulte, Shelby, Stewart, Sullivan, Sumpter, Wagner, Walters, Webb, Wells, Wood, Woods, Wyatt.

Total88

NEGATIVE: Hall, Pickett, Saunders, Thyer.

Total4

ABSENT OR NOT VOTING: Chesterfield, Edwards, George, Greenberg, Pate, L. Smith, Wills, Mr. Speaker.

Total8

VOTING PRESENT:

Total0

Total number of votes cast92

Total number voting in the affirmative88

Necessary to the passage of the bill.....51

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

HOUSE BILL NO. 2231

BY: REPRESENTATIVE MALOCH

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

AFFIRMATIVE: Abernathy, Adcock, Allen, Anderson, T. Baker, Berry, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Cheatham, Cook, Cooper, Cornwell, D. Creekmore, Davenport, Davis, Dickinson, S. Dobbins, Edwards, D. Evans, L. Evans, Everett, Flowers, Garner, Gaskill, George, Glidewell, Hall, Hardwick, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, Hyde, Jeffrey, D. Johnson, J. Johnson, Kenney, Key, Kidd, King, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, Maxwell, Moore, Norton, Overbey, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, Ragland, Reep, J. Roebuck, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Thyer, Wagner, Walters, Webb, Wills, Wood, Woods, Wyatt.

Total86

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Chesterfield, L. Cowling, Dunn, R. Green, Greenberg, Hardy, Medley, Pace, Rainey, Reynolds, Rogers, Sumpter, Wells, Mr. Speaker.

Total14

VOTING PRESENT:

Total0

Total number of votes cast86

Total number voting in the affirmative.....86

Necessary to the passage of the bill.....51

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

HOUSE BILL NO. 2257

BY: REPRESENTATIVE E. BROWN

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

AFFIRMATIVE: Abernathy, Adcock, Allen, Anderson, T. Baker, Berry, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Cheatham, Cook, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, Dickinson, S. Dobbins, Dunn, Edwards, D. Evans, L. Evans, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Hall, Hardwick, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, Hyde, Jeffrey, D. Johnson, J. Johnson, Kenney, Key, Kidd, King, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, Maxwell, Medley, Moore, Norton, Overbey, Pace, Pate, Patterson, Pennartz, Pickett, Powers, S. Prater, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total95

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Chesterfield, Cooper, Greenberg, Pierce, Mr. Speaker.

Total5

VOTING PRESENT:

Total0

Total number of votes cast95

Total number voting in the affirmative95

Necessary to the passage of the bill.....51

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

HOUSE BILL NO. 2756

BY: REPRESENTATIVE E. BROWN

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

AFFIRMATIVE: Abernathy, Adcock, Allen, Anderson, T. Baker, Berry, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Dickinson, S. Dobbins, Dunn, Edwards, D. Evans, L. Evans, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Hall, Hardwick, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, Hyde, Jeffrey, D. Johnson, J. Johnson, Kenney, Key, Kidd, King, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, Maxwell, Medley, Moore, Norton, Overbey, Pace, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total96

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Davis, Greenberg, Hardy, Mr. Speaker.

Total4

VOTING PRESENT:

Total0

Total number of votes cast96

Total number voting in the affirmative.....96

Necessary to the passage of the bill.....51

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

HOUSE BILL NO. 2554

BY: REPRESENTATIVE D. JOHNSON

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

AFFIRMATIVE: Abernathy, Allen, Anderson, T. Baker, Berry, Blount, Bond, T. Bradford, Breedlove, J. Brown, Burkes, Cash, Cheatham, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, S. Dobbins, Dunn, Edwards, D. Evans, L. Evans, Everett, Garner, Gaskill, George, Glidewell, Hall, Hardwick, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, Hyde, D. Johnson, J. Johnson, Kenney, Key, Kidd, King, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, Maxwell, Moore, Norton, Overbey, Pace, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, Stewart, Sullivan, Sumpter, Wagner, Walters, Webb, Wells, Wills, Wood, Woods.

Total83

NEGATIVE: E. Brown, Flowers, Jeffrey, Thyer.

Total4

ABSENT OR NOT VOTING: Adcock, Burris, Chesterfield, Davenport, Davis, Dickinson, R. Green, Greenberg, Hardy, Medley, L. Smith, Wyatt, Mr. Speaker.

Total13

VOTING PRESENT:

Total0

Total number of votes cast87

Total number voting in the affirmative83

Necessary to the passage of the bill.....51

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

HOUSE BILL NO. 1714

BY: REPRESENTATIVE PATE

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

AFFIRMATIVE: Abernathy, Adcock, Allen, Anderson, T. Baker, Berry, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Dickinson, S. Dobbins, Dunn, Edwards, D. Evans, Everett, Garner, Gaskill, George, R. Green, Greenberg, Hall, Hardwick, Harris, Hawkins, House, Hoyt, Hyde, J. Johnson, Kidd, King, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, Maxwell, Medley, Moore, Norton, Overbey, Pace, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Sumpter, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total85

NEGATIVE: Harrelson, Jeffrey, D. Johnson, Kenney, Thyer.

Total5

ABSENT OR NOT VOTING: Davis, L. Evans, Glidewell, Hardy, D. Hutchinson, Key, M. Martin, Sullivan, Mr. Speaker.

Total9

VOTING PRESENT: Flowers.

Total1

Total number of votes cast91

Total number voting in the affirmative.....85

Necessary to the passage of the bill.....51

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

HOUSE BILL NO. 2443

BY: REPRESENTATIVE MALOCH

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

AFFIRMATIVE: Abernathy, Adcock, Allen, Anderson, Berry, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, S. Dobbins, Dunn, Edwards, D. Evans, L. Evans, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardwick, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, Hyde, Jeffrey, D. Johnson, J. Johnson, Kenney, Key, Kidd, King, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, Maxwell, Medley, Moore, Norton, Overbey, Pace, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total96

NEGATIVE:

Total0

ABSENT OR NOT VOTING: T. Baker, Davis, Dickinson, Mr. Speaker.

Total4

VOTING PRESENT:

Total0

Total number of votes cast96

Total number voting in the affirmative96

Necessary to the passage of the bill.....51

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

HOUSE BILL NO. 1250

BY: REPRESENTATIVE MEDLEY

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

AFFIRMATIVE: Abernathy, Allen, Anderson, T. Baker, Berry, Blount, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Dickinson, S. Dobbins, Edwards, L. Evans, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hardwick, Hardy, Harris, Hawkins, Hoyt, Hyde, Jeffrey, D. Johnson, Key, Kidd, King, Lamoureux, W. Lewellen, Lovell, Maloch, Medley, Moore, Norton, Overbey, Pace, Patterson, Pennartz, S. Prater, Ragland, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Sullivan, Sumpter, Thyer, Wagner, Walters, Wills, Wood, Woods, Wyatt.

Total76

NEGATIVE: Bond, D. Evans, Hall, Harrelson, House, D. Hutchinson, J. Johnson, Maxwell, Pickett, Pierce, Powers, Stewart, Webb.

Total13

ABSENT OR NOT VOTING: Adcock, Davis, Dunn, Kenney, Lowery, M. Martin, Pate, Pyle, Rainey, Wells, Mr. Speaker.

Total11

VOTING PRESENT:

Total0

Total number of votes cast89

Total number voting in the affirmative.....76

Necessary to the passage of the bill.....51

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

HOUSE BILL NO. 2305

BY: REPRESENTATIVE PATE

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

AFFIRMATIVE: Abernathy, Allen, Anderson, T. Baker, Berry, Blount, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cheatham, Chesterfield, Cook, Cooper, L. Cowling, Davenport, Dickinson, Dunn, L. Evans, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hardwick, Harris, Hawkins, Hyde, Jeffrey, Kenney, Key, Kidd, King, Lamoureux, W. Lewellen, Lovell, Lowery, M. Martin, Maxwell, Moore, Norton, Overbey, Pace, Patterson, S. Prater, Ragland, Reep, Reynolds, Rogers, Rosenbaum, Sample, Saunders, Schulte, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Wells, Wood, Woods, Wyatt.

Total67

NEGATIVE: Adcock, Bond, Cornwell, D. Evans, Hardy, Harrelson, House, Pickett, Pierce, Powers, Pyle, J. Roebuck, Shelby, L. Smith.

Total14

ABSENT OR NOT VOTING: T. Bradford, D. Creekmore, Davis, S. Dobbins, Edwards, Hall, Hoyt, D. Hutchinson, D. Johnson, J. Johnson, Maloch, Medley, Pate, Pennartz, Rainey, Webb, Wills, Mr. Speaker.

Total18

VOTING PRESENT: Cash.

Total1

Total number of votes cast82

Total number voting in the affirmative67

Necessary to the passage of the bill.....51

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

Upon motion of Representative Pace the Clincher motion prevailed.

HOUSE BILL NO. 2273

BY: JOINT BUDGET COMMITTEE

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

AFFIRMATIVE: Abernathy, Adcock, Allen, Anderson, T. Baker, Berry, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Dickinson, S. Dobbins, Dunn, Edwards, D. Evans, L. Evans, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hardwick, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, Hyde, Jeffrey, D. Johnson, J. Johnson, Kenney, Key, Kidd, King, Lamoureux, W. Lewellen, Lovell, Lowery, M. Martin, Maxwell, Medley, Moore, Norton, Overbey, Pace, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Cash, Davis, Hall, Maloch, Pyle, Mr. Speaker.

Total6

VOTING PRESENT:

Total0

Total number of votes cast94

Total number voting in the affirmative94

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 2273**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: Abernathy, Adcock, Allen, Anderson, T. Baker, Berry, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Dickinson, S. Dobbins, Dunn, Edwards, D. Evans, L. Evans, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hardwick, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, Hyde, Jeffrey, D. Johnson, J. Johnson, Kenney, Key, Kidd, King, Lamoureux, W. Lewellen, Lovell, Lowery, M. Martin, Maxwell, Medley, Moore, Norton, Overbey, Pace, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total	94
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Cash, Davis, Hall, Maloch, Pyle, Mr. Speaker.	
Total	6
VOTING PRESENT:	
Total	0
Total number of votes cast.....	94
Total number voting in the affirmative	94
Necessary to the adoption of the emergency clause.....	67

So the Emergency Clause was adopted.

HOUSE BILL NO. 2274

BY: JOINT BUDGET COMMITTEE

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

AFFIRMATIVE: Abernathy, Adcock, Allen, Anderson, T. Baker, Berry, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Dickinson, S. Dobbins, Dunn, D. Evans, L. Evans, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardwick, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, Hyde, Jeffrey, D. Johnson, J. Johnson, Kenney, Key, Kidd, King, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, Maxwell, Medley, Moore, Norton, Overbey, Pace, Pate, Patterson, Pennartz, Pierce, Powers, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Davis, Edwards, Pickett, S. Prater, Pyle, Mr. Speaker.

Total6

VOTING PRESENT:

Total0

Total number of votes cast94

Total number voting in the affirmative94

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 2274**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: Abernathy, Adcock, Allen, Anderson, T. Baker, Berry, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Dickinson, S. Dobbins, Dunn, D. Evans, L. Evans, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardwick, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, Hyde, Jeffrey, D. Johnson, J. Johnson, Kenney, Key, Kidd, King, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, Maxwell, Medley, Moore, Norton, Overbey, Pace, Pate, Patterson, Pennartz, Pierce, Powers, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Davis, Edwards, Pickett, S. Prater, Pyle, Mr. Speaker.

Total6

VOTING PRESENT:

Total0

Total number of votes cast.....94

Total number voting in the affirmative94

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

So the Emergency Clause was adopted.

HOUSE BILL NO. 1772

BY: JOINT BUDGET COMMITTEE

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

AFFIRMATIVE: Abernathy, Adcock, Allen, Anderson, T. Baker, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, Dickinson, S. Dobbins, Dunn, Edwards, D. Evans, L. Evans, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardwick, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, Hyde, Jeffrey, D. Johnson, J. Johnson, Kenney, Kidd, King, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, Maxwell, Medley, Moore, Norton, Overbey, Pace, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total97

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Berry, Key, Mr. Speaker.

Total3

VOTING PRESENT:

Total0

Total number of votes cast97

Total number voting in the affirmative97

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1772**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: Abernathy, Adcock, Allen, Anderson, T. Baker, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, Dickinson, S. Dobbins, Dunn, Edwards, D. Evans, L. Evans, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardwick, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, Hyde, Jeffrey, D. Johnson, J. Johnson, Kenney, Kidd, King, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, Maxwell, Medley, Moore, Norton, Overbey, Pace, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total97

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Berry, Key, Mr. Speaker.

Total3

VOTING PRESENT:

Total0

Total number of votes cast.....97

Total number voting in the affirmative97

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

So the Emergency Clause was adopted.

HOUSE BILLS ORDERED TRANSMITTED TO THE SENATE AS PASSED

HOUSE BILL NO. 1250 BY REPRESENTATIVE MEDLEY
 HOUSE BILL NO. 1453 BY REPRESENTATIVE KEY
 HOUSE BILL NO. 1461 BY REPRESENTATIVE HOUSE
 HOUSE BILL NO. 1506 BY REPRESENTATIVE JEFFREY
 HOUSE BILL NO. 1562 BY REPRESENTATIVE CHESTERFIELD
 HOUSE BILL NO. 1657 BY REPRESENTATIVE ROSENBAUM
 HOUSE BILL NO. 1714 BY REPRESENTATIVE PATE
 HOUSE BILL NO. 1772 BY REPRESENTATIVE GLIDEWELL
 HOUSE BILL NO. 1829 BY REPRESENTATIVE BOND
 HOUSE BILL NO. 1909 BY REPRESENTATIVE J. JOHNSON
 HOUSE BILL NO. 2231 BY REPRESENTATIVE MALOCH
 HOUSE BILL NO. 2257 BY REPRESENTATIVE E. BROWN
 HOUSE BILL NO. 2267 BY REPRESENTATIVE S. PRATER
 HOUSE BILL NO. 2273 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 2274 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 2281 BY REPRESENTATIVE PYLE
 HOUSE BILL NO. 2284 BY REPRESENTATIVE S. DOBBINS
 HOUSE BILL NO. 2305 BY REPRESENTATIVE PACE
 HOUSE BILL NO. 2401 BY REPRESENTATIVE PENNARTZ
 HOUSE BILL NO. 2443 BY REPRESENTATIVE MALOCH
 HOUSE BILL NO. 2452 BY REPRESENTATIVE HOUSE
 HOUSE BILL NO. 2554 BY REPRESENTATIVE D. JOHNSON
 HOUSE BILL NO. 2756 BY REPRESENTATIVE E. BROWN

SENATE CONCURRENT MEMORIAL RESOLUTIONS CONCURRED IN
 AND ORDERED RETURNED TO THE SENATE

SENATE CONCURRENT
 MEMORIAL RESOLUTION NO. 5 BY SENATOR MADISON

ENROLLED AND DELIVERY TO GOVERNOR REPORTS

Little Rock, Arkansas

March 9, 2007

MR. SPEAKER:

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

HOUSE BILL NO. 1284 BY REPRESENTATIVE WILLS, ET AL

HOUSE BILL NO. 1360 BY REPRESENTATIVES WILLS & MALOCH

HOUSE BILL NO. 1632 BY REPRESENTATIVE KENNEY, ET AL

HOUSE BILL NO. 1633 BY REPRESENTATIVE KENNEY, ET AL

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 1:45 p.m. delivered them to the Governor for his approval.

Respectfully submitted,

/s/ Benny C. Petrus, Chairman

RECEIPT FROM THE GOVERNOR

RECEIVED FROM THE HOUSE:

HOUSE BILL NO. 1284 BY REPRESENTATIVE WILLS, ET AL

HOUSE BILL NO. 1360 BY REPRESENTATIVES WILLS & MALOCH

HOUSE BILL NO. 1632 BY REPRESENTATIVE KENNEY, ET AL

HOUSE BILL NO. 1633 BY REPRESENTATIVE KENNEY, ET AL

/s/ Mike Beebe - Governor

TIME: 1:45 p.m.

By: Marc Harrison

STATE OF ARKANSAS

MIKE BEEBE
GOVERNOR

March 9, 2007

TO THE SPEAKER OF THE HOUSE

Dear Mr. Speaker:

This is to inform you that on March 9, 2007, I approved the following measures from the Regular Session of the Eighty-sixth General Assembly:

HOUSE CONCURRENT RESOLUTION NO. 1004

HOUSE CONCURRENT RESOLUTION NO. 1018

- | | |
|-------------------------------|-------------------------------|
| HOUSE BILL NO. 1128 - ACT 239 | HOUSE BILL NO. 1460 - ACT 255 |
| HOUSE BILL NO. 1130 - ACT 240 | HOUSE BILL NO. 1469 - ACT 256 |
| HOUSE BILL NO. 1206 - ACT 241 | HOUSE BILL NO. 1475 - ACT 257 |
| HOUSE BILL NO. 1342 - ACT 242 | HOUSE BILL NO. 1489 - ACT 258 |
| HOUSE BILL NO. 1362 - ACT 243 | HOUSE BILL NO. 1492 - ACT 259 |
| HOUSE BILL NO. 1368 - ACT 244 | HOUSE BILL NO. 1502 - ACT 260 |
| HOUSE BILL NO. 1374 - ACT 245 | HOUSE BILL NO. 1509 - ACT 261 |
| HOUSE BILL NO. 1378 - ACT 246 | HOUSE BILL NO. 1523 - ACT 262 |
| HOUSE BILL NO. 1392 - ACT 247 | HOUSE BILL NO. 1527 - ACT 263 |
| HOUSE BILL NO. 1401 - ACT 248 | HOUSE BILL NO. 1566 - ACT 264 |
| HOUSE BILL NO. 1407 - ACT 249 | HOUSE BILL NO. 1619 - ACT 265 |
| HOUSE BILL NO. 1413 - ACT 250 | HOUSE BILL NO. 1620 - ACT 266 |
| HOUSE BILL NO. 1414 - ACT 251 | HOUSE BILL NO. 1707 - ACT 267 |
| HOUSE BILL NO. 1423 - ACT 252 | HOUSE BILL NO. 1732 - ACT 268 |
| HOUSE BILL NO. 1433 - ACT 253 | HOUSE BILL NO. 1869 - ACT 269 |
| HOUSE BILL NO. 1442 - ACT 254 | HOUSE BILL NO. 1931 - ACT 270 |

Sincerely,

/s/ Mike Beebe

STATE OF ARKANSAS
HOUSE OF REPRESENTATIVES

March 9, 2007

To Whom It May Concern:

I am writing this letter in regards to my non-vote on **HOUSE BILL NO. 2554**. It was my intention to vote YES on this Bill and it is my recollection that I pressed the appropriate button. It is my impression that a mechanical failure with my voting button resulted in my vote not being recorded.

Sincerely,

/s/ Mike Burris
State Representative

BP:jb

STATE OF ARKANSAS
HOUSE OF REPRESENTATIVES
EIGHTY-SIXTH GENERAL ASSEMBLY
ROOM 350, THIRD FLOOR, STATE CAPITOL
LITTLE ROCK, ARKANSAS 72201-1089
(501) 682-7771 TDD (501) 682 9148

BENNY C. PETRUS, SPEAKER
TIM MASSANELLI, PARLIAMENTARIAN JO RENSHAW, CHIEF CLERK

MEMORANDUM

TO: Whom It May Concern
FROM: House Committee on the Journal; Engrossed and Enrolled Bills
DATE: March 9, 2007
SUBJECT: Amendment #1 to **HOUSE BILL NO. 1630**

The House Committee on the Journal; Engrossed and Enrolled Bills, by this letter, approves the correction of an error in Amendment #1 to HB 1630. In the Amendment, page 1, the first section should read: "Add Representatives Blount, Burris, D. Creekmore, Davis, S. Dobbins, Gaskill, Harrelson, and W. Lewellen, as cosponsors of the bill" (added "D." before Creekmore, "S." before Dobbins, add a comma after Gaskill and added a "W." before Lewellen)

The Committee authorizes the Chief Clerk to carry out the intent of the amendment by correctly engrossing HB1630.

/s/ Benny C. Petrus
Speaker of the House

/s/ J R Rogers

/s/ David Dunn, Chairman
House Rules

/s/ George Overbey, Jr.

/s/ Lenville Evans, Chairman
House Management Committee

/s/ Tim Massanelli, Parliamentarian

cc: Jo Renshaw, Chief Clerk

Hall of the House of Representatives

86th General Assembly - Regular Session, 2007

Amendment Form

Subtitle of House Bill No. 1630

"TO ENSURE THAT PUBLIC EMPLOYEE AND GOVERNMENT DISPUTES CAN BE
RESOLVED USING DISPUTE RESOLUTION PROCESSES."

Amendment No. 1 to House Bill No. 1630.

Amend House Bill No. 1630 as originally introduced:

Add Representatives Blount, Burriss, (D.) Creekmore, Davis, (S.)Dobbins, Gaskill (,) Harrelson and(W.) Lewellen as cosponsors of the bill

AND

Add Senators Crumbly and Steele as cosponsors of the bill

Page 1, delete lines 25 through 36 and substitute the following:

"(a) It is the duty of all the elements of government expressed or implied by § 16-7-201(3), and they are hereby authorized, to use dispute resolution processes negotiation, mediation, conciliation, and moderated settlement conferences in resolving any and all disputes, cases, or controversies in which they may be directly or indirectly involved, whether between themselves and members of the public or between their employees or bona fide employee organizations, or corporations, or between any other state or local officer, agency, government, or entity of this state or of any other state or any element or entity of the federal government.

(b) The elements of government expressed or implied by § 16-7-201 are authorized to use arbitration, private judging, med-arb, fact finding, minitrials, and summary jury trials in resolving any and all disputes, cases or controversies in which they may be directly or indirectly involved, whether between themselves and members of the public, or their employees or bona fide employee organizations, or corporations, or between any other state or local officer, agency, government, or entity of this state or of any other state or any element or entity of the federal government, as long as the parties have agreed to participate."

AND

DLP356 - 03-07-2007 16:45 House Amendment No. ____ to House Bill No. 1630 2 of 2

Page 2, delete lines 1 through 8

Hall of the House of Representatives

86th General Assembly - Regular Session, 2007

Amendment Form

Subtitle of House Bill No. 1730

"AN ACT TO DEVELOP GUIDELINES FOR ENDORSED CONCURRENT ENROLLMENT COURSES THAT MAY BE TAUGHT ALONG WITH ADVANCED PLACEMENT COURSES IN HIGH SCHOOLS AND TO REPEAL THE CONCURRENT ENROLLMENT COURSE APPROVAL PANEL."

Amendment No. 1 to House Bill No. 1730.

Amend House Bill No. 1730 as originally introduced:

Page 1, delete lines 33 through 36 and substitute the following:

"(2) "Concurrent Endorsed concurrent enrollment course" means a college level course or courses offered by an institution of higher education in this state which that upon completion would qualify for academic credit in both the institution of higher education and a public high school that;

- (A) Is in one (1) of the four (4) core areas of math, English, science, and social studies;
- (B) Meets the requirements of § 6-16-1204(c); and
- (C) Is listed in the Arkansas Course Transfer System of the Department of Higher Education."

AND

Page 2, delete lines 1 through 5

AND

Page 2, line 19, delete "a subject matter related to" and substitute "the subject area of"

AND

Page 2, delete lines 24 and 25 and substitute the following:

"(2) The relevant credentials and experience necessary to teach from the syllabus approved by the institution of higher education granting the course credit."

AND

Page 3, delete lines 4 through 6

AND

Page 3, line 7, delete "(3)" and substitute "(2)"

AND

Page 3, delete lines 33 through 36 and substitute the following:

"(B)(i) Provide the students enrolled in the course with:

- (a) Academic guidance counseling; and
- (b) The opportunity to utilize the on-campus

library or other academic resources of the institution of higher education.

(ii) Nothing in this subdivision (c)(5) shall

preclude institutions of higher education from collaborating to meet the requirements of this subdivision (c)(5);"

AND

Page 4, delete lines 7 through ~~25~~ (28) and substitute the following:

"(7)(A) Credit for the endorsed concurrent enrollment course may only be awarded by the institution of higher education offering the course.

(B) Nothing in this subdivision (c)(7) shall preclude institutions of higher education from collaborating to provide the course and award course credit.

(d) An endorsed concurrent enrollment course shall be treated the same as an advanced placement course for purposes of the funding provisions of the Arkansas Advanced Placement, Endorsed Concurrent Enrollment, and International Baccalaureate Diploma Incentive Program Act of 2007, § 6-16-801 et seq.

(c)(e) Beginning with the 2008-2009 school year, all school districts shall offer one (1) College Board advanced placement course in each of the four (4) core areas of math, English, science, and social studies for a total of four (4) courses.

(d)(1)(f)(1) The requirement under subsection (c)(e) of this section shall be phased in over a period of four (4) years beginning with the 2005-2006 school year.

(2) Beginning with the 2008-2009 school year, all high schools in Arkansas shall offer a minimum of four (4) advanced placement courses by adding at least one (1) core course each year to the list of courses available to high school students."

AND

Page 7, delete lines 30 and 31, and substitute the following:

"for providing an advanced placement course or a course offered under the International Baccalaureate Diploma"

AND

Page 7, delete lines 34 and 35 and substitute the following:

"participating in the advanced placement program, in the International

CLR296 - 03-08-2007 13:53 House Amendment No. ____ to House Bill No. 1730 3 of 3

Baccalaureate Diploma Program, or in"

AND

Page 8, line 1, delete "the advanced placement" and substitute "advanced placement"

AND

Page 8, line 7, delete "stipend to a student" and substitute "stipend paid to a school district for a student"

AND

Page 8, line 31, delete "for paid for" and substitute "paid for"

AND

Page 8, line 32, delete "and staff development"

The Amendment was read

By: Representative Abernathy

CLR/CLR - 03-08-2007 13:53 _____

CLR296

Chief Clerk

Hall of the House of Representatives

86th General Assembly - Regular Session, 2007

Amendment Form

JBC 03/08/07 (7)

Subtitle of House Bill No. 1154

"AN ACT FOR THE ARKANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM
APPROPRIATION FOR THE 2007-2009 BIENNIUM."

Amendment No. 1 to House Bill No. 1154.

Amend House Bill No. 1154 as originally introduced:

Page 2, delete line 9 in its entirety and substitute the following:

"(5) 037Z INFORMATION SYSTEMS MANAGER 1 GRADE 25

(6) R170 STAFF ATTORNEY 1 GRADE 25"

(Renumber item numbers)

AND

Page 2, line 26, delete "3" and substitute "4"

AND

Page 2, line 34, delete "67" and substitute "69"

AND

Page 3, line 18, delete "\$ 2,473,583 \$ 2,630,889" and substitute

"\$ 2,541,489 \$ 2,700,152"

AND

Page 3, line 20, delete "\$ 785,211 \$ 835,143" and substitute

"\$ 807,858 \$ 858,074"

AND

Page 3, line 22, delete "\$ 1,127,473 \$ 1,127,473" and substitute

"\$ 1,393,473 \$ 1,385,973"

AND

Page 3, line 23, delete "\$ 22,500 \$

22,500" and substitute

"\$ 42,500 \$ 42,500"

AND

Page 3, line 29, delete "\$ 75,314,938 \$ 75,491,176" and substitute
"\$ 75,691,491 \$ 75,861,870"

The Amendment was read

By: Joint Budget Committee

MAH/MAH - 03-08-2007 11:03

MAH273 Chief Clerk

Upon motion of Representative David Evans, the House adjourned at 11:25
a.m. until 1:30 p.m., Monday, March 12, 2007.

ATTEST:

Benny C. Petrus
Speaker of the House of Representatives

Jo Renshaw
Chief Clerk