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**FIRST DAY'S PROCEEDINGS
SENATE CHAMBER
EIGHTY-FIFTH GENERAL ASSEMBLY
1ST EXTRAORDINARY SESSION**

Little Rock, Arkansas

April 3, 2006

The Senate was called to order at 1:00 o'clock p.m. by the President.

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

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

The Senate was led in prayer by Senator Henry "Hank" Wilkins".

The Senate was led in the Pledge of Allegiance by the President Pro Tempore of the Senate, Senator Jim Argue.

The President Pro Tempore, Senator Jim Argue, announced a

Proclamation from Governor Mike Huckabee, calling the legislature into
Special Session.



PROCLAMATION

TO ALL TO WHOM THESE PRESENTS SHALL COME - GREETINGS:

WHEREAS, an extraordinary occasion has arisen making it necessary to convene the 85th General Assembly into extraordinary session; and

WHEREAS, Article 14, § 1 of the Arkansas Constitution calls for the maintenance of "a general, suitable and efficient system of free public schools" for all the citizens of the state; and

WHEREAS, the power to appropriate and provide sufficient funding for a system of free public schools rests with the General Assembly, and there is an immediate and pressing need for appropriations and funds to ensure the continued operation of the State's public K-12 education system; and

WHEREAS, on December 15, 2005, the Arkansas Supreme Court in *Lake View School District No. 25 v. Huckabee* found that the public school funding system continues to be inadequate and that public schools are operating under a constitutional infirmity that must be corrected immediately; and

WHEREAS, a need has arisen to pass a clean indoor act to protect workers in the State from secondhand smoke in the workplace and to protect the citizens of Arkansas from secondhand smoke in public places; and

WHEREAS, a need has arisen to address non-controversial items and to make technical amendments to various laws as specified herein; and

WHEREAS, there is an immediate and pressing need to provide additional state revenue and funding necessary to pay for essential and critical State services;

NOW THEREFORE, I, Mike Huckabee, Governor of the State of Arkansas, by virtue of the power and authority vested in me by Article VI, Section 19 of the Arkansas Constitution, do hereby call an extraordinary session of the General Assembly to convene at the seat of government in the State Capitol on April 3, 2006, at 1 o'clock p.m., and I do hereby specify that the General Assembly is convened to consider, and, if so advised, enact laws for the following purposes:

1. To consider an act to make an appropriation for personal services and operating expenses for the Arkansas House of Representatives which shall be supplemental and in addition to those funds appropriated by Act 1 of 2005 and Act 849 of 2005.
2. To consider an act to make an appropriation for personal services and operating expenses for the Arkansas Senate which shall be supplemental and in addition to those funds appropriated by Act 2 of 2005 and Act 693 of 2005.
3. To consider an act to make an appropriation for personal services and operating expenses for the Office of the Governor which shall be supplemental and in addition to those funds appropriated by Act 1030 of 2005.
4. To consider a resolution for the purpose of calling a joint session of the House and Senate on the opening day of the extraordinary session and for the purpose of hearing an address by the Honorable Mike Huckabee, Governor of the State of Arkansas, at that time.
5. To consider an act to amend various provisions of the Arkansas Code related to public school finance; to update Student Foundation Funding; and to provide a limitation on school district central office administration salaries, benefits, and expenses.
6. To consider an act to require the Arkansas State Board of Education recognize annually an Arkansas State Teacher of the Year and recognize that said teacher shall be placed on administrative paid leave for one year to provide professional development and other assistance.
7. To consider an act to make an appropriation for grants and aids to local school districts and special programs for the Department of Education which shall be supplemental and in addition to those funds appropriated by Act 2131 of 2005 related to the Arkansas State Teacher of the Year.
8. To consider an act to provide for the continued existence of the Commission for Public School Academic Facilities and Transportation.
9. To consider an act concerning the employer contribution rate established by the Arkansas Teacher Retirement System.
10. To consider an act to remove the statutory limitation on bonded indebtedness for school districts.
11. To consider an act to assist the Department of Education in the development of technology-based or other enhanced professional development opportunities.
12. To consider an act to require parity in benefits and employer contributions for employees participating in the Public School Employee's Health Insurance Program.
13. To consider an act to ensure a general, suitable, and efficient system of public education for students by addressing issues raised by the Arkansas Supreme Court; to amend the Minimum Teacher Compensation Schedule; to increase the foundation funding provided under the Public School Funding Act of 2003; to require districts to dedicate nine percent (9%) of foundation funding to utilities and costs of maintenance, repair, and renovation activities for school facilities; and to limit the employer contribution rate for teacher retirement.
14. To consider an act to address the issues raised in the most recent Lake View opinion regarding the ninety-eight percent (98%) collection rate for property taxes by creating a mechanism to provide for uniform accounting by adopting a statewide set of instructions to establish uniformity in reporting requirements for each county; to allow the assessment

coordination department to create a uniform statewide set of instructions for reporting county property tax collection information.

15. To consider an act to ensure adequate funding for students in a school district with declining enrollment and to provide up to thirteen million dollars (\$13,000,000) in prorated funds for students in isolated school districts receiving special needs funding.

16. To consider an act to develop detailed uniform reporting requirements for school district fund balances.

17. To consider an act to establish an extraordinary circumstances funding program in the Arkansas Public School Academic Facilities Funding Act.

18. To consider a concurrent resolution to adopt a report on legislation to adopt a report on legislative hearings responding to the December 15, 2005, opinion of the Arkansas Supreme Court in *Lake View* - Final Report and Recommendations to the 85th General Assembly as submitted to the Speaker of the House of Representatives and the President Pro Tempore of the Senate by the House Interim Committee on Education and the Senate Interim Committee on Education.

19. To consider an act to make an appropriation for grants and aids and special programs for the Department of Education which shall be supplemental and in addition to those funds appropriated by Acts 2131 and 2138 of 2005.

20. To consider an act to require the Department of Education to develop a uniform superintendent contract.

21. To consider an act concerning funding for certain lawsuits against the State of Arkansas by school districts.

22. To consider an act to amend various sections of the Arkansas Code concerning the Sex Offender Registration Act of 1997; to provide for electronic monitoring of sexually violent predators; to expand the powers and duties of the Department of Community Correction to monitor certain sex offenders; and to authorize persons with prescriptive authority to request criminal background checks in certain cases.

23. To consider an act relating to the sentencing of offenders for certain sex offenses involving children less than twelve (12) years of age.

24. To consider an act to revise the tax refund for suppliers of Biodiesel fuel used to produce a Biodiesel mixture for sale.

25. To consider an act to provide an exemption to certain persons from the offense of unlawful receipt or possession of an explosive material.

26. To consider an act to ensure that grieving families are given an opportunity to mourn at military and other funerals, memorial services, and burials; and to create the offense of Violation of the Protection of the Peace for Mourning at Funerals.

27. To consider an act to be known as The Arkansas Clean Indoor Air Act Of 2006; An act to protect workers in Arkansas from secondhand smoke in the workplace; to protect the citizens in Arkansas from secondhand smoke in the workplace; an act to protect the citizens of Arkansas from secondhand smoke in public places.

28. To consider an act to make an appropriation for the establishment of an antiviral stockpile program for the Department of Health and Human Services - Division of Health.
29. To consider an act to designate the University of Arkansas for Medical Sciences, Arkansas Cancer Research Center as a capital improvement project under the Tobacco Settlement Proceeds Act; and to authorize the issuance of bonds for capital improvement projects.
30. To consider an act to revise the Minimum Wage Act of the State of Arkansas; to increase the minimum wage; and to revise provisions concerning definitions, violations, remedies, and procedures.
31. To consider an act to make an appropriation for Disaster Assistance Grants for the Department of Finance and Administration -- Disbursing Officer which shall be Supplemental and in addition to those funds appropriated by Act 2298 of 2005.
32. To consider an act to make an appropriation to the Department of Finance and Administration – disbursing officer for the Arkansas Prostate Cancer Foundation.
33. To consider an act to make technical corrections to Act 1963 of 2005.
34. To consider an act to authorize the Department of Health and Human Services to obligate general revenue as match for prosthetic and orthotic services.
35. To confirm gubernatorial appointees.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Arkansas to be affixed this 3rd day of April, in the year of our Lord 2006.



Mike Huckabee, Governor

Charlie Daniels, Secretary of State

The President Pro Tempore of the Senate, Jim Argue, named the following members of the Senate as a committee to notify the House of Representatives that the Senate is organized and ready for business:

Senator John Paul Capps, Chairman

Senator Jim Hill

Senator Tim Wooldridge

Senator Sharon Trusty

Senator Henry “Hank” Wilkins, IV

Senator Ed Wilkinson

Senator Steve Faris

The President Pro Tempore of the Senate, Jim Argue, named the following members of the Senate as a committee to notify the Governor that the Senate is organized and ready for business:

Senator Steve Higginbotham, Chairman

Senator Paul Miller

Senator Steve Bryles

Senator Shane Broadway

Senator Tracy Steele

Senator Barbara Horn

Senator Bobby Glover

SENATE CONCURRENT RESOLUTION NO. 1
CALL ITEM NO. 18
EIGHTY-FIFTH GENERAL ASSEMBLY
1ST EXTRAORDINARY SESSION
BY: SENATOR ARGUE & REPRESENTATIVE ELLIOTT

SENATE CONCURRENT RESOLUTION TO ADOPT A REPORT ON LEGISLATIVE HEARINGS RESPONDING TO THE DECEMBER 15, 2005, OPINION OF THE ARKANSAS SUPREME COURT IN *LAKE VIEW - FINAL* REPORT AND RECOMMENDATIONS TO THE 85TH GENERAL ASSEMBLY AS SUBMITTED TO THE PRESIDENT PRO TEMPORE OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES BY THE SENATE INTERIM COMMITTEE ON EDUCATION AND THE HOUSE INTERIM COMMITTEE ON EDUCATION.

Senate Concurrent Resolution No. 1 was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE CONCURRENT RESOLUTION NO. 2
CALL ITEM 13
EIGHTY-FIFTH GENERAL ASSEMBLY
1ST EXTRAORDINARY SESSION
BY: SENATOR ARGUE & REPRESENTATIVE STOVALL

APPROVING THE INTRODUCTION AND CONSIDERATION OF A BILL CONCERNING THE ARKANSAS TEACHER RETIREMENT SYSTEM EMPLOYER CONTRIBUTION RATE.

Senate Concurrent Resolution No. 2 was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 1
CALL ITEM NO. 8
EIGHTY-FIFTH GENERAL ASSEMBLY
1ST EXTRAORDINARY SESSION
BY: SENATOR ARGUE & REPRESENTATIVE ELLIOTT

A Bill for an Act to be Entitled: AN ACT TO PROVIDE FOR THE CONTINUED EXISTENCE OF THE COMMISSION FOR PUBLIC SCHOOL ACADEMIC FACILITIES AND TRANSPORTATION; AND FOR OTHER PURPOSES.

Senate Bill No. 1 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

SENATE BILL NO. 2
CALL ITEM NO. 10
EIGHTY-FIFTH GENERAL ASSEMBLY
1ST EXTRAORDINARY SESSION
BY: SENATORS ARUGE & BROADWAY
REPRESENTATIVES ELLIOTT, COOK, MAHONY & WALTERS

A Bill for an Act to be Entitled: AN ACT TO REMOVE THE STATUTORY LIMITATION ON BONDED INDEBTEDNESS FOR SCHOOL DISTRICTS; AND FOR OTHER PURPOSES.

Senate Bill No. 2 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

SENATE BILL NO. 3
CALL ITEM NO. 11
EIGHTY-FIFTH GENERAL ASSEMBLY
1ST EXTRAORDINARY SESSION
BY: SENATORS ARGUE, BROADWAY & J. JEFFRESS
REPRESENTATIVES ELLIOTT, COOK, MAHONY & WALTERS

A Bill for an Act to be Entitled: AN ACT TO ASSIST THE DEPARTMENT OF EDUCATION IN THE DEVELOPMENT OF TECHNOLOGY-BASED OR OTHER ENHANCED PROFESSIONAL DEVELOPMENT OPPORTUNITIES; AND FOR OTHER PURPOSES.

Senate Bill No. 3 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

SENATE BILL NO. 4
CALL ITEM NO. 12
EIGHTY-FIFTH GENERAL ASSEMBLY
1ST EXTRAORDINARY SESSION
BY: SENATORS ARGUE, BROADWAY & J. JEFFRESS
REPRESENTATIVES ELLIOTT, MAHONY, COOK & WALTERS

A Bill for an Act to be Entitled: AN ACT TO REQUIRE PARITY IN BENEFITS AND EMPLOYER CONTRIBUTIONS FOR EMPLOYEES PARTICIPATING IN THE PUBLIC SCHOOL EMPLOYEES' HEALTH INSURANCE PROGRAM; AND FOR OTHER PURPOSES.

Senate Bill No. 4 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

SENATE BILL NO. 6
CALL ITEM NO. 14
EIGHTY-FIFTH GENERAL ASSEMBLY
1ST EXTRAORDINARY SESSION
BY: EDUCATION COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO ADDRESS THE ISSUES RAISED IN THE MOST RECENT LAKEVIEW OPINION REGARDING THE NINETY-EIGHT PERCENT (98%) COLLECTION RATE FOR PROPERTY TAXES BY CREATING A MECHANISM TO PROVIDE FOR UNIFORM ACCOUNTING BY ADOPTING A STATEWIDE SET OF REPORTING INSTRUCTIONS FOR EACH COUNTY; TO ALLOW THE ASSESSMENT COORDINATION DEPARTMENT TO CREATE A UNIFORM STATEWIDE SET OF INSTRUCTIONS FOR REPORTING COUNTY PROPERTY TAX COLLECTION INFORMATION; AND FOR OTHER PURPOSES.

Senate Bill No. 6 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

SENATE BILL NO. 7
CALL ITEM NO. 16
EIGHTY-FIFTH GENERAL ASSEMBLY
1ST EXTRAORDINARY SESSION
BY: SENATOR ARGUE & REPRESENTATIVE ELLIOTT

A Bill for an Act to be Entitled: AN ACT CONCERNING UNIFORM REPORTING REQUIREMENTS FOR SCHOOL DISTRICT FUND BALANCES; AND FOR OTHER PURPOSES.

Senate Bill No. 7 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

SENATE BILL NO. 8
CALL ITEM NO. 20
EIGHTY-FIFTH GENERAL ASSEMBLY
1ST EXTRAORDINARY SESSION
BY: SENATORS ARGUE & J. JEFFRESS
REPRESENTATIVE ELLIOTT

A Bill for an Act to be Entitled: AN ACT TO REQUIRE THE DEPARTMENT OF EDUCATION TO DEVELOP A UNIFORM SUPERINTENDENT CONTRACT; AND FOR OTHER PURPOSES.

Senate Bill No. 8 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

SENATE BILL NO. 9
CALL ITEM NO. 26
EIGHTY-FIFTH GENERAL ASSEMBLY
1ST EXTRAORDINARY SESSION
BY: SENATOR SALMON, ET AL
BY: REPRESENTATIVE WOO, ET AL

A Bill for an Act to be Entitled: AN ACT TO ENSURE THAT GRIEVING FAMILIES ARE GIVEN AN OPPORTUNITY TO MOURN AT MILITARY AND OTHER FUNERALS, MEMORIAL SERVICES, AND BURIALS; TO CREATE THE OFFENSE OF VIOLATION OF THE PROTECTION OF PEACE FOR MOURNING AT FUNERALS; AND FOR OTHER PURPOSES.

Senate Bill No. 9 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

SENATE BILL NO. 10
CALL ITEM NO. 25
EIGHTY-FIFTH GENERAL ASSEMBLY
1ST EXTRAORDINARY SESSION
BY: SENATOR G. JEFFRESS

A Bill for an Act to be Entitled: AN ACT TO REPEAL ARKANSAS CODE § 5-73-108(d) CONCERNING THE OFFENSE OF UNLAWFUL RECEIPT OR POSSESSION OF AN EXPLOSIVE MATERIAL; AND FOR OTHER PURPOSES.

Senate Bill No. 10 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

SENATE BILL NO. 11
CALL ITEM NO. 30
EIGHTY-FIFTH GENERAL ASSEMBLY
1ST EXTRAORDINARY SESSION
BY: SENATOR CRITCHER, ET AL
BY: REPRESENTATIVE PETRUS, ET AL

A Bill for an Act to be Entitled: AN ACT TO REVISE THE MINIMUM WAGE ACT OF THE STATE OF ARKANSAS; TO INCREASE THE MINIMUM WAGE; TO REVISE PROVISIONS CONCERNING DEFINITIONS, VIOLATIONS, REMEDIES, AND PROCEDURES; AND FOR OTHER PURPOSES.

Senate Bill No. 11 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

SENATE BILL NO. 12
CALL ITEM NO. 7
EIGHTY-FIFTH GENERAL ASSEMBLY
1ST EXTRAORDINARY SESSION
BY: SENATOR HIGGINBOTHOM

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR GRANTS AND AIDS TO LOCAL SCHOOL DISTRICTS, SPECIAL PROGRAMS, AND ARKANSAS STATE TEACHER OF THE YEAR FOR THE DEPARTMENT OF EDUCATION WHICH SHALL BE SUPPLEMENTAL AND IN ADDITION TO THOSE FUNDS APPROPRIATED BY ACT 2131 OF 2005; AND FOR OTHER PURPOSES.

Senate Bill No. 12 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE CONCURRENT MEMORIAL RESOLUTION NO. 1
EIGHTY-FIFTH GENERAL ASSEMBLY
1ST EXTRAORDINARY SESSION
BY: SENATOR HILL, ET AL

SENATE CONCURRENT MEMORIAL RESOLUTION IN RESPECTFUL MEMORY OF MR. JIM PLEDGER AND IN RECOGNITION OF HIS MANY CONTRIBUTIONS TO THE STATE OF ARKANSAS AND HIS LOCAL COMMUNITY.

Senate Concurrent Memorial Resolution No. 1 was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE RESOLUTION NO. 1
EIGHTY-FIFTH GENERAL ASSEMBLY
1ST EXTRAORDINARY SESSION
BY: SENATOR ARGUE, ET AL

SENATE RESOLUTION HONORING LIEUTENANT GOVERNOR WIN ROCKEFELLER FOR HIS SERVICE TO THE STATE OF ARKANSAS AND CONVEYING BEST WISHES FOR A SUCCESSFUL RECOVERY AND RETURN TO ARKANSAS.

Senate Resolution No. 1 was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE MEMORIAL RESOLUTION NO. 1
EIGHTY-FIFTH GENERAL ASSEMBLY
1ST EXTRAORDINARY SESSION
BY: SENATOR CAPPS, ET AL

SENATE MEMORIAL RESOLUTION IN RESPECTFUL MEMORY OF SENATOR JERRY BOOKOUT AND IN RECOGNITION OF HIS MANY CONTRIBUTIONS TO THE STATE OF ARKANSAS AND HIS LOCAL COMMUNITY.

Senate Memorial Resolution No. 1 was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 13
CALL ITEM NO. 5
EIGHTY-FIFTH GENERAL ASSEMBLY
1ST EXTRAORDINARY SESSION
BY: SENATOR BROADWAY & REPRESENTATIVE MALOCH

A Bill for an Act to be Entitled: AN ACT TO AMEND VARIOUS PROVISIONS OF THE ARKANSAS CODE RELATED TO PUBLIC SCHOOL FINANCE; TO DETERMINE WHETHER IMPROVEMENTS MAY BE MADE TO LIMIT THE USE OF PUBLIC SCHOOL FUNDS TO PROVIDE SERVICES OR MAINTAIN OPERATIONS THAT ARE NOT DIRECTLY RELATED TO EDUCATING CHILDREN IN PUBLIC SCHOOLS; TO ASSIST FUNDING FOR PUBLIC SCHOOLS, CITIES, AND COUNTIES BY PROVIDING FOR THE COSTS OF MANDATED, COUNTY-WIDE REAPPRAISALS; AND FOR OTHER PURPOSES.

Senate Bill No. 13 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

HOUSE CONCURRENT RESOLUTION NO. 1002
CALL ITEM NO. 4
EIGHTY-FIFTH GENERAL ASSEMBLY
1ST EXTRAORDINARY SESSION
BY: REPRESENTATIVE COWLING

HOUSE CONCURRENT RESOLUTION FOR A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE IN THE HOUSE CHAMBER AT 1:30 P.M., MONDAY, APRIL 3, 2006.

House Concurrent Resolution No. 1002 was read the first time, rules suspended, read the second time and placed on the Calendar.

On motion of Senator Argue, the rules were suspended on

considering **House Concurrent Resolution No. 1002** at this time.

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

**HOUSE CONCURRENT NO. 1002
CALL ITEM NO. 4
EIGHTY-FIFTH GENERAL ASSEMBLY
1ST EXTRAORDINARY SESSION
BY: REPRESENTATIVE COWLING**

HOUSE CONCURRENT RESOLUTION FOR A JOINT SESSION OF THE
HOUSE OF REPRESENTATIVES AND THE SENATE IN THE HOUSE CHAMBER
AT 1:30 P.M., MONDAY, APRIL 3, 2006.

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

(SIGNED) ANN CORNWELL, SECRETARY

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

On motion of Senator Argue the Senate recessed for the Joint Session.

The Joint Session was called to order by Speaker of the House, Bill H. Stovall, III and President Pro Tempore of the Senate, Jim Argue.

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

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

Electric roll call of the House of Representatives by the House Clerk.

ABERNATHY, ADAMS, ADCOCK, ANDERSON, BERRY,
BLAIR, BLOUNT, BOLIN, BOND, BORHAUER, BOYD,
BRADFORD, BRIGHT, BURRIS, CHESTERFIELD,
CHILDERS, CLEMONS, COOK, COOPER, COWLING,
CREEKMORE, DANGEAU, DAVENPORT, DAVIS,
DICKINSON, DOBBINS, DUNN, EDWARDS, ELLIOT, D.
EVANS, L. EVANS, EVERETT, FITE, FLOWERS,
GEORGE GLIDEWELL, GOSS, GREEN, HARDY,
HARRELSON, HARRIS, J.HUTCHINSON,
T.HUTCHINSON, JACKSON, JEFFREY, D. JOHNSON,
J. JOHNSON, KEY, KIDD, LAMOUREUX, LEDBETTER,
LEWELLEN, MACK, MAHONY, MALOCH, J.MARTIN,
MATAYO, MATHIS, MAXWELL, MEDLEY, NAPPER,
NICHOLS, NORTON, ORMOND, OVERBEY, PACE,
PATE, PETRUS, PICKETT, PRATER, PRITCHARD,
PYLE, RAGLAND, RANKIN, REEP, ROEBUCK,
ROGERS, ROSENBAUM, SAMPLE, SAUNDERS,
SCHULTE, SCROGGIN, SMITH, SULLIVAN, SUMPTER,
THOMASON, THOMPSON, THYER, VERKAMP,
WALTERS, WELLS, WILLIS, WILLS, WOOD, WYATT,
MR. SPEAKER

The invocation was given by House Chaplain, Reverend Freddie W. Stovall, Heber Springs, Arkansas.

President Pro Tempore of the Senate, Jim Argue, appointed the following Senators as the Committee to escort Governor Huckabee to the House Chamber:

Senator Tim Wooldridge
Senator Steve Higginbotham
Senator Jim Holt

Speaker Bill H. Stovall, III, appointed the following Representatives as the Committee to escort Governor Huckabee to the House Chamber:

Representative Jay Bradford, Chairman
Representative Sam Ledbetter
Representative Randy Rankin
Representative Tommy G. Roebuck
Representative Sandra Prater
Representative Betty Pickett
Representative Marilyn Edwards
Representative Jeremy Hutchinson
Representative Daryl A. Pace
Representative David R. Cook
Representative Scott Sullivan
Representative Chris Thomason

Governor Mike Huckabee was presented to the General Assembly by Speaker Bill H. Stovall, III.

Address by Governor Huckabee.

Joint Session adjourned.

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

On motion of Senator Critcher, the rules were suspended in considering **SENATE CONCURRENT RESOLUTION NO. 2** at this time.

SENATE CONCURRENT RESOLUTION NO. 2
CALL ITEM NO. 13
EIGHTY-FIFTH GENERAL ASSEMBLY
1ST EXTRAORDINARY SESSION
BY: SENATOR ARGUE & REPRESENTATIVE STOVALL

SENATE CONCURRENT RESOLUTION APPROVING THE
INTRODUCTION AND CONSIDERATION OF A BILL CONCERNING THE
ARKANSAS TEACHER RETIREMENT SYSTEM EMPLOYER CONTRIBUTION
RATE.

Senate Concurrent Resolution No. 2 was read the third time and adopted
unanimously.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Concurrent Resolution No. 2 was ordered immediately transmitted to
the House.

SENATE BILL NO. 5
CALL ITEM NO. 13
EIGHTY-FIFTH GENERAL ASSEMBLY
1ST EXTRAORDINARY SESSION

BY: SENATORS ARGUE & BROADWAY
REPRESENTATIVES ELLIOTT, COOK & MAHONY

A Bill for an Act to be Entitled: AN ACT TO BE KNOWN AS THE EDUCATIONAL ADEQUACY ACT OF 2006; TO ENSURE A GENERAL, SUITABLE AND EFFICIENT SYSTEM OF PUBLIC EDUCATION FOR STUDENTS BY ADDRESSING ISSUES RAISED BY THE ARKANSAS SUPREME COURT; TO AMEND THE MINIMUM TEACHER COMPENSATION SCHEDULE; TO INCREASE THE FOUNDATION FUNDING PROVIDED UNDER THE PUBLIC SCHOOL FUNDING ACT OF 2003; TO CLARIFY THAT THE NINE PERCENT (9%) OF FOUNDATION FUNDING DEDICATED TO PAYMENT OF UTILITIES AND COSTS OF MAINTENANCE, REPAIR, AND RENOVATION ACTIVITIES APPLIES TO ALL PUBLIC SCHOOL FACILITIES; TO LIMIT THE EMPLOYER CONTRIBUTION RATE FOR TEACHER RETIREMENT; AND FOR OTHER PURPOSES.

Senate Bill No. 5 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

SENATE BILL NO. 14
CALL ITEM NO. 32
EIGHTY-FIFTH GENERAL ASSEMBLY
1ST EXTRAORDINARY SESSION
BY: SENATOR HILL

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION - DISBURSING OFFICER FOR THE ARKANSAS PROSTATE CANCER FOUNDATION; AND FOR OTHER PURPOSES.

Senate Bill No. 14 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

HOUSE CONCURRENT RESOLUTION NO. 1003
CALL ITEM NO. 13
EIGHTY-FIFTH GENERAL ASSEMBLY
1ST EXTRAORDINARY SESSION
BY: REPRESENTATIVES STOVALL & SULLILVAN
SENATOR ARGUE

HOUSE CONCURRENT RESOLUTION APPROVING THE INTRODUCTION AND CONSIDERATION OF A BILL CONCERNING THE ARKANSAS TEACHER RETIREMENT SYSTEM EMPLOYER CONTRIBUTION RATE.

House Concurrent Resolution No. 1003 was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 15
CALL ITEM NO. 21
EIGHTY-FIFTH GENERAL ASSEMBLY
1ST EXTRAORDINARY SESSION
BY: SENATOR ALTES, ET AL
BY: REPRESENTATIVE WALTERS, ET AL

A Bill for an Act to be Entitled: AN ACT CONCERNING FUNDING FOR CERTAIN LAWSUITS AGAINST THE STATE OF ARKANSAS BY SCHOOL DISTRICTS; AND FOR OTHER PURPOSES.

Senate Bill No. 15 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

SENATE BILL NO. 16
CALL ITEM NO. 11
EIGHTY-FIFTH GENERAL ASSEMBLY
1ST EXTRAORDINARY SESSION

BY: SENATORS MADISON, FARIS, BROADWAY, SALMON & TRUSTY
REPRESENTATIVES PICKETT, BURRIS & COOK

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR THE ELEMENTARY SCIENCE SPECIALIST PROGRAM FOR THE DEPARTMENT OF HIGHER EDUCATION FOR THE FISCAL YEAR ENDING JUNE 30, 2007; AND FOR OTHER PURPOSES.

Senate Bill No. 16 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
1ST EXTRAORDINARY SESSION

April 3, 2006

Mr. President:

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

SENATE BILL NO. 9, BY SENATOR SALMON,
SENATE BILL NO. 10, BY SENATOR G. JEFFRESS

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

Respectfully submitted,

(SIGNED) ED WILKINSON, CHAIRMAN

SENATE BILL NO. 17
CALL ITEM NO. 28
EIGHTY-FIFTH GENERAL ASSEMBLY

1ST EXTRAORDINARY SESSION

BY: SENATOR MALONE & REPRESENTATIVE S. PRATER

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR THE ESTABLISHMENT OF AN ANTIVIRAL STOCKPILE PROGRAM FOR THE DEPARTMENT OF HEALTH AND HUMAN SERVICES - DIVISION OF HEALTH; AND FOR OTHER PURPOSES.

Senate Bill No. 17 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 18

CALL ITEM NO. 5 & 14

EIGHTY-FIFTH GENERAL ASSEMBLY

1ST EXTRAORDINARY SESSION

BY: SENATOR J. JEFFRESS & REPRESENTATIVE MAHONY

A Bill for an Act to be Entitled: AN ACT TO AMEND VARIOUS PROVISIONS OF THE ARKANSAS CODE RELATED TO PUBLIC SCHOOL FINANCE; TO ADDRESS THE NINETY-EIGHT PERCENT (98%) COLLECTION RATE FOR PROPERTY TAXES DISCUSSED IN THE RECENT LAKEVIEW OPINION; TO REQUIRE TEN PERCENT (10%) INTEREST ON THE PAYMENT OF DELINQUENT PERSONAL PROPERTY TAXES; AND FOR OTHER PURPOSES.

Senate Bill No. 18 was read the first time, rules suspended, read the second time and referred to the Committee on REVENUE AND TAXATION.

SENATE BILL NO. 19

CALL ITEM NO. 27

EIGHTY-FIFTH GENERAL ASSEMBLY

1ST EXTRAORDINARY SESSION

**BY: SENATORS STEELE & MILLER
REPRESENTATIVES ROSENBAUM, GEORGE & BRADFORD**

A Bill for an Act to be Entitled: THE ARKANSAS CLEAN INDOOR AIR ACT OF 2006; AN ACT TO PROTECT WORKERS IN ARKANSAS FROM SECONDHAND SMOKE IN THE WORKPLACE; AN ACT TO PROTECT THE CITIZENS OF ARKANSAS FROM SECONDHAND SMOKE IN PUBLIC PLACES; AND FOR OTHER PURPOSES.

Senate Bill No. 19 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

**SENATE BILL NO. 20
CALL ITEM NO. 31
EIGHTY-FIFTH GENERAL ASSEMBLY
1ST EXTRAORDINARY SESSION
BY: SENATOR TRUSTY & REPRESENTATIVE LAMOUREUX**

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR DISASTER ASSISTANCE GRANTS FOR THE DEPARTMENT OF FINANCE AND ADMINISTRATION - DISBURSING OFFICER WHICH SHALL BE SUPPLEMENTAL AND IN ADDITION TO THOSE FUNDS APPROPRIATED BY ACT 2298 OF 2005; AND FOR OTHER PURPOSES.

Senate Bill No. 20 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

**SENATE MEMORIAL RESOLUTION NO. 2
EIGHTY-FIFTH GENERAL ASSEMBLY
1ST EXTRAORDINARY SESSION
BY: SENATORS WILKINSON & LAVERTY**

SENATE RESOLUTION IN RESPECTFUL MEMORY OF MR. ARMIL O. CURRAN AND IN RECOGNITION OF HIS MANY CONTRIBUTIONS TO THE STATE OF ARKANSAS AND HIS LOCAL COMMUNITY.

Senate Memorial Resolution No. 2 was read the first time, rules suspended, read the second time and placed on the Calendar.

**ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
1ST EXTRAORDINARY SESSION**

April 3, 2006

Mr. President:

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

SENATE BILL NO 11, BY SENATOR CRITCHER, ET AL

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that it do pass as amended #2.

Respectfully submitted,

(SIGNED) SENATOR JACK CRITCHER, CHAIRMAN

**SENATE BILL NO. 21
CALL ITEM NO. 19
EIGHTY-FIFTH GENERAL ASSEMBLY
1ST EXTRAORDINARY SESSION
BY: JOINT BUDGET COMMITTEE**

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR GRANTS AND AIDS AND SPECIAL PROGRAMS FOR THE DEPARTMENT OF EDUCATION WHICH SHALL BE SUPPLEMENTAL AND IN ADDITION TO THOSE FUNDS APPROPRIATED BY ACTS 2126, 2131 AND 2138 OF 2005; AND FOR OTHER PURPOSES.

Senate Bill No. 21 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
1ST EXTRAORDINARY SESSION

April 3, 2006

Mr. President:

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

SENATE BILL NO. 3, BY SENATOR ARGUE,
SENATE BILL NO. 6, BY SENATOR ARGUE,
SENATE BILL NO. 7, BY SENATOR ARGUE

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that they do pass as amended #1.

Respectfully submitted,

(SIGNED) SENATOR JIM ARGUE, CHAIRMAN

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
1ST EXTRAORDINARY SESSION

April 3, 2006

Mr. President:

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

SENATE BILL NO. 13, BY SENATOR BROADWAY

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

Respectfully submitted,

(SIGNED) SENATOR JIM ARGUE, CHAIRMAN

**ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
1ST EXTRAORDINARY SESSION**

April 3, 2006

Mr. President:

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

SENATE BILL NO. 4, BY SENATOR ARGUE

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that it do pass as amended #1.

Respectfully submitted,

(SIGNED) SENATOR JIM ARGUE, CHAIRMAN

**ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
1ST EXTRAORDINARY SESSION**

April 3, 2006

Mr. President:

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

SENATE BILL NO. 1, BY SENATOR ARGUE

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that it do pass as amended #3.

Respectfully submitted,

(SIGNED) SENATOR JIM ARGUE, CHAIRMAN

**ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
1ST EXTRAORDINARY SESSION**

April 3, 2006

Mr. President:

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

SENATE BILL NO. 5, BY SENATOR ARGUE

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that it do pass as amended #1 & #2.

Respectfully submitted,

(SIGNED) SENATOR JIM ARGUE, CHAIRMAN

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**SENATE CONCURRENT RESOLUTION TRANSMITTED
TO THE HOUSE AS ADOPTED**

SENATE CONCURRENT RESOLUTION NO. 2

HOUSE CONCURRENT RESOLUTIONS TRANSMITTED
TO THE SENATE AS ADOPTED

HOUSE CONCURRENT RESOLUTION NO. 1002

HOUSE CONCURRENT RESOLUTION NO. 1003

HOUSE CONCURRENT RESOLUTION RETURNED
TO THE HOUSE AS CONCURRED

HOUSE CONCURRENT RESOLUTION NO. 1002

On motion of Senator Hill, the Senate adjourned until 1:00 p.m. , Tuesday, April 4, 2006.

PRESIDENT OF THE SENATE

SECRETARY OF THE SENATE