

--ooOoo--

**SEVENTY-FIRST DAY'S PROCEEDINGS
SENATE CHAMBER
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION**

Little Rock, Arkansas

March 19, 2007

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

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

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

The Senate was led in prayer by Senator Gene Jeffress.

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

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

On motion of Senator Faris, **Senate Joint Resolution No. 7** was withdrawn from the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS, and placed back on second reading for purpose of Amendment No. 2.

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

Amendment No. 2 to SENATE JOINT RESOLUTION NO. 7

Amend **Senate Joint Resolution No. 7** as engrossed, S3/8/07:

Add Senators Baker, Wilkinson, Lavery, and Womack as cosponsors of the bill

AND

Add Representative Reynolds as a cosponsor of the bill

AND

Page 1, delete lines 30 through 36 and substitute the following:

“SECTION 1. (a) The people have a right to hunt, fish, trap, and harvest game, subject only to reasonable regulations prescribed by the Arkansas State Game and Fish Commission.

(b) Consistent with the public trust to conserve birds, game, fish, and wildlife, traditional methods may be used to take nonthreatened species traditionally pursued.

(c) Public hunting, fishing, and trapping shall be a preferred means of managing and controlling nonthreatened wildlife.

(d) Nothing in this amendment shall be construed to modify:

(1) Any provision of Amendment 35 to the Arkansas Constitution;

(2) Any common law or statutes relating to trespass, eminent domain, or any other property rights; or

(3) The sovereign immunity of the State of Arkansas.”

AND

Page 2, delete lines 1 through 5

(SIGNED) SENATOR FARIS

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Joint Resolution No. 7 was ordered engrossed.

On motion of Senator Malone, **Senate Bill No. 1004** was withdrawn from the Committee on REVENUE & TAXATION, and placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 1004

Amend **Senate Bill No. 1004** as originally introduced:

Page 1, delete lines 18 and 19, and substitute the following:

"SECTION 1. Arkansas Code § 3-7-201, concerning the retail tax on beer, is amended to add a new subsection to read as follows:

(f)(1) Beginning July 1, 2007, there is levied a special alcoholic beverage excise tax of one percent (1%) upon all retail receipts or proceeds derived from the sale of beer.

(2) The revenues derived from the excise tax on beer levied under subdivision (f)(1) of this section shall be deposited into the General Revenue Fund Account of the State Apportionment Fund to be distributed as general revenue.

SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that the current excise tax on beer expires on June 30, 2007 and that in order to maintain continuity with the state fiscal year this act must become effective on July 1, 2007. 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 July 1, 2007."

(SIGNED) SENATOR MALONE

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 1004 was ordered engrossed.

On motion of Senator Critcher, **Senate Bill No. 703** was withdrawn from the Committee on JOINT BUDGET, and placed back on second reading for purpose of Amendment No. 3. Withdraw Amendment No. 2.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 3 to SENATE BILL NO. 703

Amend **Senate Bill No. 703** as engrossed, S3/15/07:

Section 1, delete subsection (A) in its entirety and insert therefor:

"(A) For implementation, operating, and personal services costs of a tuition forgiveness program for qualified Arkansas residents securing jobs in the trucking, transportation and logistics fields, the sum of.....\$9,000,000.";

AND

Following Section 1, insert these sections:

" SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

ADMINISTRATION. (a) The Arkansas Department of Workforce Services will serve as the fiscal agent and coordinator of the Transportation Workforce Economic Development Program in consultation and cooperation with the Arkansas Department of Economic Development, the Department of Workforce Education, the Arkansas Department of Higher Education, and the Arkansas Workforce Investment Board.

(b) The Arkansas Department of Workforce Services shall adopt rules to administer the program, develop and certify eligibility requirements for a tuition forgiveness program as defined herein, monitor all residents after they have secured jobs in the trucking and transportation industry to encourage that they remain employed and to determine tuition forgiveness eligibility, and consult with industry for program recommendations. The Department of Workforce Services may contract with, or provide grants to, experienced third parties as required to promote, recruit, qualify, and enroll eligible residents.

The provisions of this section shall be in effect only from July 1, 2007 through June 30, 2009."

AND

" SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EDUCATIONAL FACILITIES/EXPENDITURES.

(a) Expenditures to institutions of higher education may be through grants or contracts and shall provide for tuition costs, housing, meals, travel and related equipment expenses necessary to train qualified Arkansas residents for careers in the trucking or transportation industries at Mid-South Community College, Arkansas State University — Newport, Arkansas State University - Mountain Home, Cossatot Community College - U of A, University of Arkansas—Fort Smith, North Arkansas College, Northwest Arkansas Community College, Phillips Community College - U of A, Pulaski Technical College, South Arkansas Community College, and U of A Community College - Hope. The participating institutions shall receive prior approval from the Department of Workforce Services for the curriculums applicable under this Act.

(b) Expenditures by the Department of Workforce Services for administration, contracting and implementation shall not exceed eight hundred fifty thousand dollars (\$850,000) in either fiscal year of the biennium; expenditures by institutions for equipment and infrastructure shall occur only in the fiscal year ending June 30, 2008 and shall not exceed one million dollars (\$1,000,000).

The provisions of this section shall be in effect only from July 1, 2007 through June 30, 2009."

AND

" SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TUITION

FORGIVENESS PROGRAM. (a) Students must meet the following eligibility requirements to qualify for tuition forgiveness:

(A) Are residents of the State of Arkansas and citizens of the United States;

(B) Meet all federal and state eligibility requirements to qualify for a commercial driver license;

(C) Complete all training requirements and examinations necessary at a designated public institution of higher education identified herein to be a professional truck driver, technician, or an occupation in trucking and transportation for which courses are offered at the institutions of higher education identified herein and are determined for eligibility by the Arkansas Department of Workforce Services;

(D) Become employed in a job occupation for which they were trained within ninety days of graduation;

(E) Remain employed in their trained occupation for twelve months from the date of their original employment.

(b) If a resident completes all eligibility requirements as defined and is employed in the same job occupation for one year, the Arkansas Department of Workforce Services shall forgive the tuition and related expenses for training in an amount not to exceed \$3,500.

(c) Residents who do not graduate from the program or who do not work full-time in the job for which they were trained for one-year shall repay the tuition in accordance with the resident's agreement upon acceptance in the Transportation Workforce Economic Development Program as promulgated in rules by the Arkansas Department of Workforce Services.

(d) Any person participating in the Tuition Forgiveness Program pursuant to this Act shall be liable to repay any sum paid to or on his/her behalf, to the Department of Workforce Services, if such student fails to meet all requirements of the Tuition Forgiveness Program.

(A) The Director of the Department of Workforce Services shall have authority to institute and prosecute in his name, as such, all suits and proceedings necessary for the collection of any sums paid on behalf of any person(s) receiving payments under the Tuition Forgiveness Program and subsequently failing to meet all requirements of the Program.

(B) Any person liable to repay tuition assistance received, as provided herein, shall be subject to having any state income tax refund to which he/she may be entitled intercepted pursuant to A.C.A. 26-36-301 et seq. as administered by the Revenue Division of the Department of Finance and Administration.

(C) All sums recovered by the Department of Workforce Services shall be credited to the fund account out of which such assistance was first paid, or to an appropriate training fund administered by the Department of Workforce Services.

The provisions of this section shall be in effect only from July 1, 2007 through June 30, 2009.";

And renumber the sections following the above insertions.

(SIGNED) SENATOR CRITCHER

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 703 was ordered engrossed.

On motion of Senator Broadway, Senate Bill No. 453 was withdrawn from the Committee on JOINT BUDGET, and placed back on second reading for purpose of Amendment No. 2. Withdraw Amendment No. 1

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 2 to SENATE BILL NO. 453

Amend Senate Bill No. 453 as originally introduced:

Page 1, line 9 delete "OFFICE OF"

AND

Page 1, line 10, delete "INFORMATION TECHNOLOGY" and substitute "DEPARTMENT OF INFORMATION SYSTEMS"

AND

Page 1, line 18, delete "OFFICE OF INFORMATION" and substitute "DEPARTMENT OF INFORMATION SYSTEMS"

AND

Page 1, line 19, delete "TECHNOLOGY"

AND

Page 1, line 28, delete "Office of" and substitute "Department of Information Systems"

AND

Page 1, line 29, delete "Information Technology"

(SIGNED) SENATOR BROADWAY

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 453 was ordered engrossed.

On motion of Senator Broadway, **Senate Bill No. 501** was withdrawn from the Committee on JOINT BUDGET, and placed back on second reading for purpose of Amendment No. 2.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 2 to SENATE BILL NO. 501

Amend **Senate Bill No. 501** as engrossed, S3/6/07:

Page 1, line 9, delete "OFFICE OF" and substitute "DEPARTMENT OF INFORMATION SYSTEMS"

AND

Page 1, line 10, delete "INFORMATION TECHNOLOGY"

AND

Page 1, line 16, delete "OFFICE OF INFORMATION" and substitute "DEPARTMENT OF INFORMATION SYSTEMS"

AND

Page 1, line 17, delete "TECHNOLOGY"

AND

Page 1, line 25, delete "Office of Information" and substitute "Department of Information Systems"

AND'

Page 1, line 26, delete "Technology"

(SIGNED) SENATOR BROADWAY

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 501 was ordered engrossed.

On motion of Senator Baker, [Senate Bill No. 911](#) was withdrawn from the Committee on PUBLIC HEALTH, WELFARE & LABOR, and placed back on second reading for purpose of Amendment No. 2.

ARKANSAS SENATE
 EIGHTY-SIXTH GENERAL ASSEMBLY
 REGULAR SESSION
[Amendment No. 2 to SENATE BILL NO. 911](#)

Amend [Senate Bill No. 911](#) as engrossed, S3/15/07:

Delete everything after the ENACTING clause and substitute the following:

"SECTION 1. Arkansas Code Title 20, Chapter 27, Subchapter 1 is amended to add an additional section to read as follows:

20-7-136. Reduction of mercury in childhood vaccines.

(a) The General Assembly finds that:

(1) Mercury is a toxic substance that can cause damage to nerve and brain tissue;

(2) A mercury derived preservative known as thimerosal has been used in the vaccine manufacturing process since the late 1920s, predating the creation of the federal Food and Drug Administration;

(3) Since the late 1980s, the number of vaccines given to American children has expanded while the age at which vaccinations are administered has been lowered;

(4) The American Academy of Pediatrics and the United States Public Health Service recommended in 1999 that mercury be removed as soon as possible from all vaccines because of the potential for neurological damage posed by mercury;

(5) Most vaccines recommended for use in children are now mercury-free, with the exception of the flu shot;

(6) Administering the standard flu shot to a child three (3) years of age or younger results in mercury exposure levels far in excess of maximum adult exposure limits set the federal Food and Drug Administration;

(7) Public concern about the presence of mercury in vaccines is undermining the effectiveness of immunization programs that protect the public health; and

(8) Eliminating the mercury in vaccines would minimize public fear, increase public confidence in the safety of the vaccine supply and serve to protect children from the potential negative impacts of mercury exposure.

(b) After the effective date of this act, no person who is eight (8) years of age or younger shall be vaccinated in this state with a vaccine containing more than five-tenths microgram (0.5 µg) of mercury in any form per five-tenths milliliter (0.5 ml) dose of vaccine.

(c)(1) The Division of Health of the Department of Health and Human Services shall promulgate rules to implement the requirements of this section.

(2) The rules may include exceptions for potential bioterrorist incidents or for actual or potential public health emergencies."

(SIGNED) SENATOR BAKER

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 911 was ordered engrossed.

On motion of Senator Taylor, Senate Bill No. 109 was withdrawn from the Committee on JOINT BUDGET, and placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 109

Amend Senate Bill No. 109 as originally introduced:

Delete SECTION 1 in its entirety

AND

Appropriately renumber subsequent SECTION numbers

AND

Page 2, delete lines 15 and 16 in their entirety and substitute the following:

"(01) PROF. FEES \$ 57,600 \$ 60,480"

AND

Page 2, line 17, delete "(03)" and substitute "(02)"

(SIGNED) SENATOR J. TAYLOR

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 109 was ordered engrossed.

On motion of Senator Hendren, **Senate Bill No. 851** was withdrawn from the Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS, and placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 851

Amend **Senate Bill No. 851** as originally introduced:

Page 1, delete lines 23 through 36 entirely

AND

Page 2, delete lines 1 through 36 entirely

AND

Page 3, line 1, delete "SECTION 2." and substitute "SECTION 1."

AND

Page 3, delete line 13 and substitute the following:

"information to a the local prosecuting attorney.

SECTION 2. Arkansas Code § 6-19-110, regarding the duties of bus drivers, is amended to add additional subsections to read as follows:

(e)(1) The prosecuting attorney who is provided a report under this section shall provide written notice to the superintendent regarding the outcome of the report.

(2) The superintendent shall provide information regarding the outcome of the report to the driver of the school bus who initiated the report.

(f) Nothing in this section shall limit a person who observes an operator of a motor vehicle violating § 27-51-1004 or § 27-51-1005 from reporting the incident to the local prosecuting attorney."

(SIGNED) SENATOR HENDREN

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 851 was ordered engrossed.

On motion of Senator Bryles, **Senate Bill No. 988** was withdrawn from the Committee on AGRICULTURE, ECONOMIC & INDUSTRIAL DEVELOPMENT, and placed back on second reading for purpose of Amendment No. .1

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 988

Amend **Senate Bill No. 988** as originally introduced:

Delete the Title and substitute the following:

“AN ACT TO ESTABLISH CRITERIA FOR PERSONS ENGAGED IN THE VOLUNTARY EMBEDDING OF IDENTIFICATION CHIPS FOR EQUINE MONITORING; AND FOR OTHER PURPOSES.”

AND

Delete the subtitle in its entirety and substitute:

"AN ACT TO ESTABLISH CRITERIA FOR PERSONS ENGAGED IN THE VOLUNTARY EMBEDDING OF IDENTIFICATION CHIPS FOR EQUINE MONITORING."

AND

Delete everything after the enacting clause and substitute the following:

“SECTION 1. Arkansas Code Title 2, Chapter 32, is amended to add an additional subchapter to read as follows:

Subchapter 3. Equine monitoring

2-32-301. Equine monitoring by identification chips.

(a)(1) It is found and determined by the General Assembly that:

(A) The Arkansas Livestock and Poultry Commission has been authorized by the United States Department of Agriculture to develop and administer a voluntary equine identification system; and

(B) Embedding a chip for the purpose of identifying an animal can endanger the animal if not properly injected and placed.

(2) Therefore, it is the purpose of this section to establish criteria for persons engaged in the voluntary embedding of chips for equine identification.

(b) The Arkansas Livestock and Poultry Commission shall promulgate rules setting forth training requirements for the voluntary embedding or injecting a chip for purpose of animal identification.

(c) The commission shall administer training and provide certification upon satisfactory completion.

(d) The commission shall establish a fine for failure to obtain proper certification prior to embedding or injecting a chip for the purpose of equine animal identification."

(SIGNED) SENATOR BRYLES

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 988 was ordered engrossed.

On motion of Senator Broadway, Senate Bill No. 782 was withdrawn from the Committee on EDUCATION, and placed back on second reading for purpose of Amendment No. 2.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 2 to SENATE BILL NO. 782

Amend Senate Bill No. 782 as engrossed, S3/14/07:

Page, 3 delete line 22 and substitute the following:
"tax plus ~~seventy-five percent (75%)~~ of the average miscellaneous funds"

AND

Delete SECTION 13 in its entirety and substitute the following:

“SECTION 13. Arkansas Code § 6-20-2508(e), concerning the academic facilities catastrophic program, is amended to read as follows:

(e)(1)(A) If a school district qualifies for state financial participation under this section, the division shall certify the amount of state financial participation to the Commission for Arkansas Public School Academic Facilities and Transportation ~~for oversight purposes.~~

(B) The amount of state financial participation under this section shall not exceed the amount resulting from the application of the academic facilities wealth index to the cost necessary to bring the academic facility into compliance with the Arkansas Public School Academic Facility Manual, less any withholding or reduction imposed by the commission under § 6-21-114(d) for a school district’s failure to comply with the commission’s insurance requirements, including without limitation, the failure to carry replacement cost coverage, if applicable, on all buildings and facilities.

~~(B)(2)(A)~~ The commission shall certify the amount to the Department of Education for payment.

~~(2)(B)~~ For tracking purposes, the school district shall account for the funds received as a state financial participation under this section as restricted funds and shall account for the funds in accordance with provisions of law, including, without limitation, the Arkansas Educational Financial Accounting and Reporting Act of 2004, § 6-20-2201 et seq., and rules established by the State Board of Education and the commission."

(SIGNED) SENATOR BROADWAY

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 782 was ordered engrossed.

On motion of Senator Smith, **Senate Bill No. 586** was withdrawn from the Committee on REVENUE & TAXATION, and placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 586

Amend **Senate Bill No. 586** as originally introduced:

Page 1, delete lines 10 through 15 and substitute the following:
 "AN ACT TO ADJUST THE AMOUNT OF TAX CREDIT UNDER THE "ARKANSAS TOURISM DEVELOPMENT ACT";"

AND

Page 1, delete lines 19 through 24 and substitute the following:
 "AN ACT TO ADJUST THE AMOUNT OF TAX CREDIT UNDER THE "ARKANSAS TOURISM DEVELOPMENT ACT"."

AND

Delete everything after the enacting clause and substitute the following:

“SECTION 1. Arkansas Code §15-11-505 is amended to read as follows:
 15-11-505. Standards for preliminary and final approval of companies and projects.

(a) The Director of the Department of Economic Development shall establish standards for final approval of eligible companies and their projects by the promulgation of administrative regulations in accordance with the Arkansas Administrative Procedure Act, § 25-15-201 et seq.

(b) The Director of the Department of Economic Development shall obtain the review and advice of the Director of the Department of Parks and Tourism prior to designating an entity as an approved company eligible for the tourism incentive.

~~(b)~~(c) The director may give approval by designating an eligible company as an approved company and authorizing the undertaking of the tourism attraction project.

~~(c)~~(d) The director shall review the information that has been made available to the director in order to determine whether the tourism attraction project will further the purposes of this subchapter.

~~(d)~~(e) The criteria for final approval of eligible companies and tourism attraction projects shall include, but shall not be limited to, the criteria set forth in § 15-11-504(c).

~~(e)(f)~~ After a review of the relevant materials, other information made available to the director, ~~and the completion of other inquiries, and the review and advice of the Director of the Department of Parks and Tourism,~~ the director may give final approval to the eligible company's application for a tourism attraction project and may grant the approval to the eligible company in the form of a financial incentive agreement.

SECTION 2. Arkansas Code §15-11-510(a), concerning special rules for certain lodging facilities, is amended to read as follows:

(a) A lodging facility may qualify as a tourism attraction project, as defined in § 15-11-503, entitled to the benefits of this subchapter even though the lodging costs represent one hundred percent (100%) of the total project costs, provided:

~~(1) the~~ The approved costs for the lodging facility exceed five million dollars (\$5,000,000); ~~and:~~

~~(1)(2)~~ The lodging facility is attached to a convention center containing a minimum of seventy-five thousand square feet (75,000 sq. ft.); ~~or.~~

~~(2) The lodging facility contains a minimum of twelve thousand square feet (12,000 sq. ft.) of meeting or exhibit space.~~

SECTION 3. Arkansas Code § 15-11-511, concerning special rules for qualified amusement parks, is amended to add an additional subsection to read as follows:

(d)(1) Notwithstanding the other provisions of this subchapter, a qualified amusement park that on or after January 1, 2006, enters into an agreement that provides that the qualified amusement park shall expend approved costs of more than one million dollars (\$1,000,000) shall be entitled to a sales tax credit if the qualified amusement park certifies to the Director of the Department of Finance and Administration that it has expended at least one million dollars (\$1,000,000) in approved costs and the Director of the Department of Economic Development certifies that the qualified amusement park is in compliance with this subchapter.

(2) The Director of the Department of Finance and Administration shall then issue a sales tax credit memorandum to the qualified amusement park equal to twenty-five percent (25%) of the approved costs. The sales tax credit memorandum may be used to offset the liability of the qualified amusement park for:

(A) Gross receipts tax levied under the Arkansas Gross Receipts Act of 1941, § 26-52-101 et seq.; and

(B) Tourism gross receipts tax levied under § 26-52-1001 et seq.

(3) The Director of the Department of Finance and Administration may require proof of expenditures.

(4) Additional credit memoranda may be issued as the qualified amusement park certifies additional expenditures of approved costs.

(5)(A) No sales tax credit memorandum shall be issued for any approved costs expended after the expiration of two (2) years from the date the agreement was signed by the Director of the Department of Economic Development and the qualified amusement park.

(B) However, the Director of the Department of Economic Development, with the advice and consent of the Director of the Department of Finance and Administration, may authorize sales tax credits for approved costs expended up to four (4) years from the date the agreement was signed if the Director of the Department of Economic Development determines that the failure to complete the tourism attraction project within two (2) years resulted from:

(i) Unanticipated and unavoidable delay in the construction of the tourism attraction project;

(ii) The tourism attraction project, as originally planned, will require more than two (2) years to complete; or

(iii) A change in business ownership or business structure resulting from a merger or acquisition.

(6) The credit memorandum issued pursuant to subdivision (d)(2) of this section may be used to offset one hundred percent (100%) of the reported state tax liability as provided in subdivision (d)(2) of this section of the qualified amusement park for all sales tax reporting periods following the issuance of the credit memorandum, subject to the following limitations:

(A) Unused credits may be carried forward for a period of nine (9) years; and

(B) All issued credit memoranda shall expire at the end of the month following the expiration of the agreement as provided in § 15-11-506.

(7) The approved company shall have no obligation to refund or otherwise return any amount of this credit to the person from whom the sales tax was collected.

(8) By April 1 of each year, the Director of the Department of Finance and Administration shall certify to the Director of the Department of Economic Development the state sales tax liability of the qualified amusement parks receiving inducements under this section and the amount of state sales tax credits taken during the preceding calendar year.

SECTION 4. Effective date. Section 3 of this act shall apply retroactively to July 1, 2006."

(SIGNED) SENATOR T. SMITH

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 586 was ordered engrossed.

On motion of Senator Madison, **Senate Bill No. 587** was withdrawn from the Committee on JOINT BUDGET, and placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 587

Amend **Senate Bill No. 587** as originally introduced:

Add the following Representatives as cosponsors of the bill: Breedlove, Walters

AND

Page 1, line 13, delete "THE" and substitute "OR RENOVATE THE"

AND

Page 1, line 14, delete "; AND FOR" and substitute ", THE NORTHWEST ARKANSAS REGIONAL JUVENILE PROGRAMS, AND OTHER REGIONAL JUVENILE PROGRAMS; AND FOR"

AND

Page 1, line 21, delete "VARIOUS EXPENSES TO REPLACE"

AND

Page 1, line 22, delete "THE ALEXANDER JUVENILE CORRECTIONAL"

AND

Page 1, line 23, delete "FACILITY" and substitute "JUVENILE AND REGIONAL PROGRAMS"

AND

Page 1, line 29, delete "ALEXANDER JUVENILE CORRECTIONAL FACILITY" and substitute "JUVENILE AND REGIONAL PROGRAMS"

AND

Page 1, line 34, delete "the Alexander Juvenile" and substitute "or renovate the Alexander Juvenile"

AND

Page 1, line 36, insert a new subsection to read as follows:

" (B) For construction, renovation, acquisition, purchase of equipment, maintenance, and other operating expenses to replace or renovate the Northwest Arkansas Regional Juvenile Programs and other Regional Juvenile Programs, the sum of.....\$6,900,000."

(SIGNED) SENATOR MADISON

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 587 was ordered engrossed.

On motion of Senator Bryles, Senate Bill No. 937 was withdrawn from the Committee on AGRICULTURE, ECONOMIC & INDUSTRIAL DEVELOPMENT, and placed back on second reading for purpose of Amendment No. 4.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 4 to SENATE BILL NO. 937

Amend Senate Bill No. 937 as engrossed, S3/15/07:

Page 2, delete line 25 and substitute the following:

"primarily to rice and wheat.

(d) This section shall expire on June 30, 2011."

(SIGNED) SENATOR BRYLES

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 937 was ordered engrossed.

On motion of Senator Bryles, **Senate Bill No. 274** was withdrawn from the Committee on EDUCATION, and placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 274

Amend **Senate Bill No. 274** as originally introduced:

Add Senator Broadway as a cosponsor of the bill

AND

Delete everything following the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 6-11-129 is amended to read as follows:
6-11-129. Data to be accessible on Department of Education website.

~~(a) The Department of Education shall make the following information and data available and easily accessible on the department's website by including a direct link to the websites of all Arkansas school districts on the department's website:~~

(a) Each school district shall make the following information and data easily identified on its website:

(1) Current comprehensive financial data reports for school districts, including:

- (A) Local and state revenue sources;
- (B) Administrator and teacher salary and benefit data;
- (C) District balances, including legal balances and building fund balances;
- (D) Any additional financial data;
- (E) Administrative salary and benefit expenditures; and
- (F) Teacher salary expenditures;

(2) Each school district's personnel policies required under § 6-17-201 et seq.;

~~(3)(A) Links to the local district's website containing information~~
Information from the school district's contracts with school district employees and district salary schedules.

(B) Each school district or the district's educational cooperative, if the cooperative maintains the district's website, shall publish on the district's website:

(i) The school district's ~~contracts~~ contract information with all school district employees, except that social security numbers, phone numbers, or personal addresses shall not be published; and

(ii) The district salary schedules, including the salary schedules for regular ~~certified~~ licensed employees, supplemental and extended contract schedules, and classified employee schedules;

(4) The annual budget of each school district; and

(5) Information and data required to be made available and easily accessible on the ~~department's school district's~~ website under ~~subdivisions (a)(1)(A)-(C), (E), and (F) and subdivisions (a)(2) and (3)~~ of this section shall be the actual data for the two (2) previous school years and the projected budgeted information for the current school year.

(b) By December 31 of each year, the ~~department~~ Department of Education shall provide a written report to the House Interim Committee on Education and the Senate Interim Committee on Education listing those school districts that are not in compliance with this section.

(c) The department shall make the information and data required by this section available and easily accessible on the department's website by including direct links to the websites of all Arkansas school districts on the department's website.

SECTION 2. Arkansas Code § 6-15-102(f)(2), concerning the Division of Public School Accountability, is amended to read as follows:

(2) To coordinate the analysis, dissemination, and reporting of all augmented criterion-referenced and norm-referenced testing information;

SECTION 3. Arkansas Code § 6-15-404(d)-(g), concerning implementation of the Arkansas Comprehensive Testing, Assessment, and Accountability Program, is amended to read as follows:

(d) The state board shall establish a clear, concise system of reporting the academic performance of each school on the state-mandated augmented criterion-referenced exam which conforms with the requirements of the No Child Left Behind Act of 2001.

(e)(1) The state board shall develop and the department shall implement a developmentally appropriate uniform school readiness screening to validate a child's school readiness as part of a comprehensive evaluation design.

(2) Beginning with the 2004-2005 school year, the department shall require that all school districts administer the uniform school readiness screening to each kindergarten student in the district school system upon the student's entry into kindergarten.

(3) Children who enter public school for the first time in first grade must be administered the uniform school readiness screening developed for use in the first grade.

(f)(1) The department shall select a developmentally appropriate assessment to be administered to all students in first grade and second grade in reading and mathematics.

(2) Professional development activities shall be tied to the comprehensive school improvement plan and designed to increase student learning and achievement.

(3) Longitudinal and trend data collection shall be maintained for the purposes of improving student and school performance.

(4) A public school or public school district classified as in "school improvement" shall develop and file with the department a comprehensive school improvement plan designed to ensure that all students demonstrate proficiency on all portions of state-mandated augmented criterion-referenced assessment. The comprehensive school improvement plan shall include strategies to address the achievement gap existing for any identifiable group or subgroup as identified in the Arkansas Comprehensive Testing, Assessment, and Accountability Program and the gap of that subgroup from the academic standard.

(g)(1) By July 1, 2006, the department shall develop and implement a augmented criterion-referenced testing program which is valid, reliable, externally linked to a national norm, and vertically scaled for public school students in grades three through eight (3-8) which measures application of knowledge and skills in reading and writing literacy and mathematics. Science, civics, and government shall be measured on a schedule as determined by the state board.

SECTION 4. Arkansas Code § 6-15-419 is amended to read as follows:
6-15-419. Definitions.

The following definitions shall apply in this subchapter and in §§ 6-15-2001 et seq., 6-15-2101 et seq., 6-18-227, 6-15-2201, 6-15-2301, and 6-15-2401:

(1) "Academic content standards" means standards which are approved by the State Board of Education and which set the skills to be taught and mastery level for each grade and content area;

(2)(A) "Academic improvement plan" means a plan detailing supplemental or intervention and remedial instruction, or both, in deficient academic areas for any student who is not proficient on a portion or portions of the state-mandated Arkansas Comprehensive Assessment Program.

(B)(i) Such a plan shall be created and implemented by appropriate teachers, counselors, and any other pertinent school personnel.

(ii) All academic improvement plans shall be annually reviewed and revised to ensure an opportunity for student demonstration of proficiency in the targeted academic areas on the next state-mandated Arkansas Comprehensive Assessment Program.

(iii) A cumulative review of all academic improvement plans shall be part of the data used by the school in creating and revising its comprehensive school improvement plan.

(iv) All academic improvement plans shall be subject to review by the Department of Education.

(C) In any instance in which a student with disabilities identified under the Individuals with Disabilities Education Act has an individualized education program that already addresses any academic area or areas in which the student is not proficient on state-mandated augmented criterion-referenced assessments, the individualized education program shall serve to meet the requirement of an academic improvement plan;

(3) "Adequate yearly progress" means that level of academic improvement required of public schools or school districts on the state-mandated augmented criterion-referenced ~~examinations~~ assessments and other indicators as required in the Arkansas Comprehensive Testing, Assessment, and Accountability Program, which shall comply with The Elementary and Secondary Education Act as reauthorized in the No Child Left Behind Act of 2001;

(4) "Annexation" means the joining of an affected school district or part of the school district with a receiving district under § 6-13-1401 et seq.;

(5) "Annual improvement gains" or "student learning gains" means calculating a student's academic progress from one (1) year to the next, based on a same series nationally normed assessment given in the same time frame from one (1) year to the next, used as a pre-post measure of learning for the content areas tested;

(6) "Annual performance" means that level of academic achievement required of public schools or school districts on the state-mandated augmented criterion-referenced ~~examinations~~ assessments;

(7) "Arkansas Comprehensive Assessment Program" means the testing component of the Arkansas Comprehensive Testing, Assessment, and Accountability Program, which shall consist of:

- (A) Developmentally appropriate assessments for kindergarten through grade two (K-2);
- (B) National norm-referenced tests in grades three through nine (3-9);
- (C) Any other assessments as required by the state board;
- (D) ~~Criterion-referenced tests~~ Augmented criterion-referenced assessments for grades three through eight (3-8);
- (E) Other assessments that are based on researched best practices as determined by qualified experts which would be in compliance with federal and state law; and
- (F) End-of-course examinations for designated grades and content areas;

(8) "Arkansas Comprehensive Testing, Assessment, and Accountability Program" means a comprehensive system that focuses on high academic standards, professional development, student assessment, and accountability for schools;

(9) "Comprehensive school improvement plan" means the individual school's comprehensive plan based on priorities indicated by assessment and other pertinent data and designed to provide an opportunity for all students to demonstrate proficiency on all portions of the state-mandated Arkansas Comprehensive Assessment Program;

(10) "Consolidation" means the joining of two (2) or more school districts or parts of the school districts to create a new single school district under § 6-13-1401 et seq.;

~~(11) "Department" means the Department of Education;~~

~~(12)(A)~~(11)(A) "District improvement plan" means a districtwide plan coordinating the actions of the various comprehensive school improvement plans within a district.

(B) The main focus of the district improvement plan shall be to ensure that all students demonstrate proficiency on all portions of the state-mandated Arkansas Comprehensive Assessment Program;

~~(13)(A)~~(12)(A) "Early intervention" means short-term, intensive, focused, individualized instruction developed from ongoing, daily, systematic diagnosis that occurs while a child is in the initial, kindergarten through grade one (K-1), stages of learning early reading, writing, and mathematical strategies to ensure acquisition of the basic skills and to prevent the child from developing poor problem-solving habits which become difficult to change.

(B) The goal is to maintain a student's ability to function proficiently at grade level;

~~(14)~~(13) "End of course" means an examination taken at the completion of a course of study to determine whether a student demonstrates attainment of the knowledge and skills necessary to mastery of that subject;

~~(15)~~(14) "Grade inflation rate" means the statistical gap between actual grades assigned for core classes at the secondary level and student performance on corresponding subjects on nationally normed college entrance exams such as the American College Test;

~~(16)~~(15) "Grade level" means performing at the proficient or advanced level on state-mandated Arkansas Comprehensive Assessment Program tests;

~~(17)~~(16) "High school" means grades nine through twelve (9-12);

~~(18)~~(17) "Longitudinal tracking" means tracking individual student yearly academic achievement gains based on scheduled and annual assessments;

~~(19)~~(18) "Middle level" means grades five through eight (5-8);

~~(20)~~(19) "No Child Left Behind Act" means the No Child Left Behind Act of 2001 signed into federal law on January 8, 2002;

~~(24)~~(20) "Parent" means:

(A) A parent, parents, legal guardian, a person standing in loco parentis, or legal representative, as appropriate, of a student; or

(B) The student if the student is eighteen (18) years of age or older;

~~(22)~~(21) "Point-in-time intervention and remediation" means intervention and remediation applied during the academic year upon the discovery that a student is not performing at grade level;

~~(23)~~(22) "Primary" means kindergarten through grade four (K-4);

~~(24)~~(23) "Public school" means those schools or school districts created pursuant to title 6 of the Arkansas Code and subject to the Arkansas Comprehensive Testing, Assessment, and Accountability Program except specifically excluding those schools or educational programs created by or receiving authority to exist pursuant to § 6-15-501, § 9-28-205, § 12-29-301 et seq., or other provisions of Arkansas law;

~~(25)~~(24) "Public school in school improvement" or "school in school in need of immediate improvement" means any public school or public school district identified as failing to meet certain established levels of academic achievement on the state-mandated augmented criterion-referenced and norm-referenced tests assessments as required by the state board in the program;

~~(26)~~(25) "Reconstitution" means a reorganization intervention in the administrative unit or governing body of a public school district, including, but not limited to, the suspension, reassignment, replacement, or removal of a current superintendent or the suspension, removal, or replacement of some or all of the current school board members, or both;

~~(27)(A)(i)~~(26)(A)(i) "Remediation" means a process of using diagnostic instruments to provide corrective, specialized, supplemental instruction to help a student in grades two through four (2-4) overcome academic deficiencies.

(ii) For students in grades five through twelve (5-12), remediation shall be a detailed, sequential set of instructional strategies implemented to remedy any academic deficiencies indicated by below-basic or basic performance on the state-mandated augmented criterion-referenced assessments.

(B) Remediation shall not interfere with or inhibit student mastery of current grade level academic learning expectations;

~~(28)~~(27) "School district in academic distress" means any public school district failing to meet the minimum level of academic achievement on the state-mandated augmented criterion-referenced examinations assessments as required by the state board in the program;

~~(29)~~(28) "School improvement plan" means the individual school's comprehensive plan based on priorities indicated by assessment and other pertinent data and designed to ensure that all students demonstrate proficiency on all portions of the state-mandated Arkansas Comprehensive Assessment Program examinations;

~~(30)~~(29) "Social promotion" means the passage or promotion from one (1) grade to the next of a student who has not demonstrated knowledge or skills required for grade-level academic proficiency;

~~(31)~~ "State board" means the State Board of Education;

~~(32)~~(30) "Uniform school readiness screening" means uniform, objective evaluation procedures which are geared to either kindergarten or first grade, as appropriate, and developed by the state board and specifically formulated for children entering public school for the first time; and

~~(33)~~(31) "Value-added computations of student gains" means the statistical analyses of the educational impact of the school's instructional delivery system on individual student learning, using a comparison of previous and posttest student achievement gains against a national cohort.

SECTION 5. Arkansas Code § 6-15-420(c) and (d), concerning remediation and intervention following state-mandated assessments, is amended to read as follows:

(c)(1) Upon completion of the intervention and remediation plans in subdivisions (b)(1) and (2) of this section, those schools that fail to achieve expected levels of student performance at the primary level on augmented criterion-referenced ~~tests~~ assessments, as defined in this subchapter, shall participate in a comprehensive school improvement plan accepted by the department.

(2)(A) This plan shall be part of each school's long-range comprehensive school improvement plan and shall be reported to the public.

(B) Progress on improved achievement shall be included as part of the school and school district's annual report to the public.

(d)(1) As part of the comprehensive testing, assessment, and accountability program, the department shall ensure that each school and school district establishes a plan to assess whether children in the middle-level and high school grades are performing at proficient levels in reading and writing literacy, mathematics, and, as funds are available, other core academic subjects.

(2) Each school and school district shall use multiple assessment measures, which shall include, but not be limited to, state-mandated augmented criterion-referenced ~~tests~~ assessments.

SECTION 6. Arkansas Code § 6-15-421(c), concerning awards and sanctions for state-mandated assessments, is amended to read as follows:

(c) The State Board of Education shall develop a clear, concise system of reporting the academic performance of each public school on the state-mandated augmented criterion-referenced ~~tests~~ assessments, developmentally appropriate assessments for grades kindergarten through two (K-2), benchmark examinations, and end-of-course examinations, which conforms with current state and federal law.

SECTION 7. Arkansas Code § 6-15-424 is amended to read as follows:
6-15-424. Rules and regulations.

The State Board of Education shall ~~promulgate~~ establish rules and ~~regulations~~ as may be necessary to require the Department of Education to implement a program for identifying, evaluating, assisting, and addressing public schools or public school districts failing to meet established levels of academic achievement on the state-mandated augmented criterion-referenced ~~tests~~ assessments as required in the Arkansas Comprehensive Testing, Assessment, and Accountability Program.

SECTION 8. Arkansas Code § 6-15-426(e), concerning school improvement, is amended to read as follows:

(e)(1) Any public school or school district classified as in school improvement shall develop and file with the department a revised comprehensive school improvement plan which shall be reviewed by the department and shall be designed to ensure that all students have an opportunity to demonstrate proficiency on all portions of the state-mandated augmented criterion-referenced ~~tests~~ assessments.

(2) The comprehensive school improvement plan shall include strategies to address the achievement gap existing for any identifiable group or subgroup as identified in the program and the gap of that subgroup from the academic standard.

SECTION 9. Arkansas Code § 6-15-433(b)(3)(A)(ii)(a), concerning the statewide assessment program, is amended to read as follows:

(ii)(a) Norm-referenced tests using nationally normed metrics in grades three through nine (3-9), and augmented criterion-referenced ~~tests~~ assessments, as defined in § 6-15-404(g)(1), known as the benchmark exams, in grades three through eight (3-8); or

SECTION 10. Arkansas Code § 6-15-433(c)(2)(A), concerning the statewide assessment program, is amended to read as follows:

(2)(A) The testing program, as determined by the state board, shall consist of norm-referenced and augmented criterion-referenced ~~testing~~ assessments or other assessments as defined in § 6-15-433(b)(3)(A)(ii)(b).

SECTION 11. Arkansas Code § 6-15-438(b), concerning the violation of the security or confidentiality of a state-mandated test or assessment, is amended to read as follows:

(b)(1) The State Board of Education shall sanction a person who engages in conduct prohibited by this section, ~~as provided under § 6-17-405 [repealed], and following the Process for Certificate Invalidation as approved by the state board.~~

(2) Additionally, the state board may sanction a school district or school, or both, in which conduct prohibited in this section occurs.

(3) Sanctions imposed by the state board may include without limitation one (1) or more of the following:

(A) Revocation, suspension, or probation of an individual's license;

(B) Issuance of a letter of reprimand to a licensed individual to be placed in his or her state personnel file;

(C) Additional training or professional development to be completed by a licensed individual within the time specified;

(D) Additional professional development to be administered by the school district to all licensed school district personnel involved in test administration within the time specified;

(E) Issuance of a letter of warning to the school district; and

(F) Establishment of a school district plan containing strict test security guidelines that will implement procedures to ensure the security and confidential integrity of all assessment instruments.

(4) Professional development required pursuant to subsection (b)(3) of this section as a result of violating test security or confidentiality may be in addition to professional development required for licensure.

SECTION 12. Arkansas Code § 6-15-1402(b)(2)(A)(iii), concerning school performance report, is amended to read as follows:

(iii) ~~Criterion-referenced test~~ Augmented criterion-referenced assessment results;

SECTION 13. Arkansas Code § 6-15-1402(b)(3)(A)(iii), concerning school performance report, is amended to read as follows:

(iii) ~~Criterion-referenced test~~ Augmented criterion-referenced assessment results;

SECTION 14. Arkansas Code § 6-15-2009(b)(2), concerning the end-of-course assessment program for public schools, is amended to read as follows:

(2) If a student with disabilities identified under the Individuals with Disabilities Education Act, 20 U.S.C. 1400 et seq., has an individualized education program that addresses any academic area or areas in which the student is not proficient on state-mandated augmented criterion-referenced assessments, the individualized education program meets the requirements of an academic improvement plan under this section.

SECTION 15. Arkansas Code § 6-15-2009(f)(1)(A), concerning the end-of-course assessment program for public schools, is amended to read as follows:

(f)(1)(A) The state board shall establish the ~~transition process from the current end-of-course assessment program to the~~ end-of-course assessment program required beginning in the 2009-2010 school year.

SECTION 16. Arkansas Code § 6-15-2101(c), concerning public school annual reports, is amended to read as follows:

(c) The annual report shall designate two (2) category levels for each school:

(1) One (1) for the school's improvement gains, tracked longitudinally and using value-added calculations on the augmented criterion-referenced ~~test assessment~~ as defined in § 6-15-404(g)(1), in the latest available test results, known as the annual improvement category level; and

(2)(A) One (1) based on performance from the prior year on the criterion-referenced test as defined in § 6-15-404(g)(1) and end-of-course examinations, hereafter referred to as annual performance pursuant to § 6-15-2103.

(B) If the augmented criterion-referenced ~~test assessment~~ is not in compliance with § 6-15-404(g)(1), then the department shall rely on other assessments as defined in § 6-15-404(g)(1) for the calculation of the improvement level.

SECTION 17. Arkansas Code § 6-15-2102 is amended to read as follows:
6-15-2102. School rating system - Annual improvement category levels.

(a) For the designation determined by annual improvement, annual improvement gains on augmented criterion-referenced ~~tests~~ assessments, as defined in § 6-15-404(g)(1), shall identify schools as being in one (1) of the following category levels defined according to rules of the State Board of Education:

- (1) "Level 5", schools of excellence for improvement;
- (2) "Level 4", schools exceeding improvement standards;
- (3) "Level 3", schools meeting improvement standards;
- (4) "Level 2", schools on alert; or
- (5) "Level 1", schools in need of immediate improvement.

(b) The base year for improvement gains shall be established in the 2006-2007 school year, with annual improvement category levels assigned in the 2007-2008 school year and each school year thereafter.

(c) School annual improvement category level designations shall be based on the following:

(1) A combination of student achievement scores as measured by annual academic gain scores on augmented criterion-referenced ~~tests~~ assessments, as defined in § 6-15-404(g)(1), or assessments in grades kindergarten through twelve (K-12); and

(2) Student assessment data used to determine annual improvement category levels shall include the aggregate scores of the combined population.

(d) The state board shall adopt appropriate criteria for each school improvement category level.

(e) Schools that receive an annual improvement category level of level 5 or level 4 are eligible for school recognition awards and performance-based funding pursuant to § 6-15-2109.

SECTION 18. Arkansas Code § 6-15-2103 is amended to read as follows:
6-15-2103. School rating system — Annual performance goals — School annual performance category levels.

(a) The annual report shall identify schools as being in one (1) of the following category levels, based on the augmented criterion-referenced benchmark exams, ~~as defined in § 6-15-404(g)(1)~~, and defined according to rules of the State Board of Education:

- (1) "Level 5", schools of excellence;
- (2) "Level 4", schools exceeding standards;
- (3) "Level 3", schools meeting standards;
- (4) "Level 2", schools on alert; or
- (5) "Level 1", schools in need of immediate improvement.

(b)(1) For the 2004-2005 through 2008-2009 school years, schools will not be assigned annual performance category levels unless an annual performance category level is requested by the school.

(2) For schools that receive an improvement category level of level 5 or level 4 in the 2009-2010 and 2010-2011 school years, the performance category level may be waived.

(c)(1) For all schools that have received an annual performance category level of level 1 for two (2) consecutive years, the students in these schools shall be offered the opportunity public school choice option with transportation provided pursuant to § 6-18-227 et seq.

(2) In addition, the school district board shall provide supplemental educational services, approved by the state board, to affected students.

(d) The state board shall adopt appropriate criteria for each school performance category level.

(e) Schools that receive an annual performance category level of level 5 or level 4 are eligible for school recognition awards and performance-based funding pursuant to § 6-15-2107.

SECTION 19. Arkansas Code § 6-15-2201 is amended to read as follows:
6-15-2201. Implementation of state system of school improvement and education accountability.

(a) The Department of Education is responsible for implementing and maintaining a system of intensive school improvement and education accountability that shall include policies and programs to implement the following:

(1)(A) A system of data collection and analysis that will improve information about the educational success of individual students and schools.

(B) The information and analyses shall be capable of identifying educational programs or activities in need of improvement, and reports prepared pursuant to this section shall be distributed to the appropriate district school boards prior to distribution to the general public.

(C) No disclosure shall be made that is in violation of applicable federal or state law;

(2) A program of school improvement that will analyze information to identify schools' educational programs or educational activities in need of improvement;

(3) A method of delivering services to assist school districts and schools to improve; and

(4) A method of coordinating the state educational goals and school improvement plans with any other state program that creates incentives for school improvement.

(b)(1) The department shall be responsible for the implementation and maintenance of the system of school improvement and education accountability outlined in this section.

(2) There shall be an annual determination of whether each school is progressing toward implementing and maintaining a system of school improvement.

(c)(1) If progress is not being made, the local school district shall prepare and implement a revised school improvement plan.

(2) The department and the State Board of Education shall monitor the development and implementation of the revised school improvement plan.

~~(d)(1)(A) The department shall report to the Legislative Council and recommend changes in state policy necessary to foster school improvement and education accountability.~~

~~(B) Included in the report shall be a list of the schools for which district school boards have developed assistance and intervention plans and an analysis of the various strategies used by the school boards.~~

~~(2) School reports shall be distributed pursuant to this subsection and § 6-15-2101 and according to rules adopted by the state board.~~

~~(e)(d)(1)(A) The department shall implement a training program to develop among state and district educators a cadre of facilitators of school improvement.~~

(B) These facilitators shall assist schools and districts to conduct needs assessments and develop and implement school improvement plans to meet state goals.

(2)(A)(i) Upon request, the department shall provide technical assistance and training to any school, school district, or district school board for conducting needs assessments, developing and implementing school improvement plans, developing and implementing assistance and intervention plans, or implementing other components of school improvement and accountability.

(ii)(B) Priority for these services shall be given to schools designated as school districts in academic distress or schools in need of school improvement under state or federal law.

~~(B)(i) No less than semiannually, the department shall provide a report to the House Interim Committee on Education and the Senate Interim Committee on Education setting forth the districts requesting assistance, the state of each request, and the dates and actions taken.~~

~~(ii) The department shall further report the results of the actions taken or assistance provided.~~

(3) The department shall provide technical assistance to each school that is designated as a level 1 school or a level 2 school under § 6-15-2103 to develop a revised school improvement plan.

~~(f)(e)~~ As a part of the system of educational accountability, the department shall:

(1) Develop minimum performance standards for various grades and subject areas, as required in §§ 6-15-404 and 6-15-433;

(2) Administer the statewide assessment testing program created by § 6-15-433;

(3) Conduct or contract with a provider to conduct the program assessments required by § 6-15-403;

(4) Conduct or contract with any provider for implementation for any part or portion of this act; and

(5) Perform any other functions that may be involved in educational planning, research, and evaluation or that may be required by the state board rules and regulations or federal or state law.

SECTION 20. Arkansas Code § 6-15-2401 is amended to read as follows:
6-15-2401. Review of Arkansas Placement Status Reports - Reports of students needing remediation.

(a)(1) Representatives from the Department of Higher Education and the Department of Education ~~will~~ shall meet with the ~~chair~~ respective Chairs of the Senate Education Committee and the House Education Committee or their designees along with the selected superintendents, high school principals, and high school counselors ~~once one (1) time~~ every biennium to review the Arkansas Placement Status Reports to determine whether any revisions in the format of the reports, the information that is reported, or the reporting process need to be made.

(2) Agreed-upon changes would be reported to the Arkansas Higher Education Coordinating Board, State Board of Education, Senate Education Committee, and House Education Committee.

~~(b)(1) No later than November 30 of each year, the Department of Education shall report by high school to the state board and the General Assembly on the number of prior-year Arkansas high school graduates who enrolled for the first time in public postsecondary education in this state during the previous summer, fall, or spring term.~~

~~(2) The report will indicate the number of students whose scores on the common placement test indicated the need for remediation through college-preparatory instruction, provided such disclosure is not in conflict with applicable federal or state law.~~

~~(c) The Department of Education shall organize school summary reports and student-level records by school district and high school in which the postsecondary education students were enrolled and report the information to each school district no later than January 31 of each year, provided such information is not in conflict with federal or state law.~~

~~(d)(b) As a part of the school improvement plan pursuant to § 6-15-2201, the state board shall ensure that each school district and high school develops strategies to improve student readiness for the public postsecondary level based on annual analysis of the feedback report data.~~

~~(e) The Department of Education shall biennially recommend to the General Assembly statutory changes to reduce the incidence of postsecondary remediation in mathematics, reading, and writing for first-time-enrolled recent high school graduates.~~

SECTION 21. Arkansas Code § 6-17-309(a), concerning teachers licensed in subject areas, is amended to read as follows:

(a)(1) No class of students shall be under the instruction of a teacher who is not ~~certified~~ licensed to teach the grade level or subject matter of the class for more than thirty (30) consecutive school days in the same class during a school year.

(2) This provision shall not apply to:

(A) Nondegreed vocational-technical teachers;

(B) Those persons approved by the Department of Education to teach the grade level or subject matter of the class in the Department of Education's distance learning program;

(C) Those persons teaching concurrent credit courses or advanced placement courses who:

(i) Are employed by a postsecondary institution;

(ii) Meet the qualification requirements of that institution or the Department of Workforce Education; and

(iii) Are teaching in a course in which credit is offered by an institution of higher education or a technical institute;

(D) Licensed teachers teaching in the following settings:

(i) An alternative learning environment, provided that the teacher is highly qualified in all core areas that the teacher is teaching;

(ii) A juvenile detention facility;

(iii) A residential and day alcohol, drug, and psychiatric facility program;

(iv) An emergency youth shelter;

(v) A facility of the Division of Youth Services of the Department of Health and Human Services; or

(vi) A facility of the Division of Developmental Disabilities Services of the Department of Health and Human Services; and

(E) A licensed special education teacher teaching two (2) or more core academic subjects exclusively to children with disabilities.

SECTION 22. Arkansas Code § 6-17-410(c)-(j), concerning teacher licensure, is amended to read as follows:

(c) The state board shall not issue a first-time license nor renew an existing license and shall revoke any existing license not up for renewal of any person who has pleaded guilty or nolo contendere to or has been found guilty of any of the following offenses by any court in the State of Arkansas or of any similar offense by a court in another state or of any similar offense by a federal court ~~but only after an opportunity for a hearing before the board upon reasonable notice in writing:~~

(1) Capital murder as prohibited in § 5-10-101;

(2) Murder in the first degree as prohibited in § 5-10-102 and murder in the second degree as prohibited in § 5-10-103;

(3) Manslaughter as prohibited in § 5-10-104;

(4) Battery in the first degree as prohibited in § 5-13-201 and battery in the second degree as prohibited in § 5-13-202;

(5) Aggravated assault as prohibited in § 5-13-204;

(6) Terroristic threatening in the first degree as prohibited in § 5-13-301;

(7) Kidnapping as prohibited in § 5-11-102;

(8) Rape as prohibited in § 5-14-103;

(9) Sexual assault in the first degree, second degree, third degree, and fourth degree as prohibited in §§ 5-14-124 - 5-14-127;

(10) Incest as prohibited in § 5-26-202;

(11) Engaging children in sexually explicit conduct for use in visual or print media, transportation of minors for prohibited sexual conduct, employing or consenting to the use of a child in a sexual performance, or producing, directing, or promoting a sexual performance by a child as prohibited in §§ 5-27-303, 5-27-305, 5-27-402, and 5-27-403;

(12) Distribution to minors as prohibited in § 5-64-406;

(13) Any felony in violation of the Uniform Controlled Substances Act, § 5-64-101 et seq.;

(14) Sexual indecency with a child as prohibited in § 5-14-110;

(15) Endangering the welfare of a minor in the first degree as prohibited in § 5-27-205;

(16) Pandering or possessing visual or print medium depicting sexually explicit conduct involving a child as prohibited by § 5-27-304;

(17) False imprisonment in the first degree as prohibited in § 5-11-103;

(18) Permanent detention or restraint as prohibited in § 5-11-106;

(19) Permitting abuse of a child as prohibited in § 5-27-221(a)(1) and (3);

- (20) Negligent homicide as prohibited by § 5-10-105(a);
- (21) Assault in the first degree as prohibited by § 5-13-205;
- (22) Coercion as prohibited by § 5-13-208;
- (23) Public sexual indecency as prohibited by § 5-14-111;
- (24) Indecent exposure as prohibited by § 5-14-112;
- (25) Endangering the welfare of a minor in the second degree as prohibited by § 5-27-206;
- (26) Criminal attempt, criminal solicitation, or criminal conspiracy as prohibited in §§ 5-3-201, 5-3-202, 5-3-301, and 5-3-401, to commit any of the offenses listed in this subsection;
- (27) Computer child pornography as prohibited in § 5-27-603; and
- (28) Computer exploitation of a child in the first degree as prohibited in § 5-27-605;
- (29) Felony theft as prohibited in §§ 5-36-103 – 5-36-106, and 5-36-203;
- (30) Robbery as prohibited by §§ 5-12-102 and 5-12-103;
- (31) Breaking or entering as prohibited by § 5-39-202;
- (32) Burglary as prohibited by § 5-39-201;
- (33) Forgery as prohibited by § 5-37-201;
- (34) Any felony not listed in this subsection (c) and involving physical or sexual injury, mistreatment, or abuse against another; and
- (35) Any sexual offense as defined by § 6-17-116.

~~(d)(1) The revocation provisions of subsection (c) of this section may be waived or a license may be suspended or placed on probation by the state board upon request by:~~

- ~~(A) The board of a local school district;~~
- ~~(B) An affected applicant for licensure; or~~
- ~~(C) The person holding a license subject to revocation.~~
- ~~(2) Circumstances for which a waiver may be granted shall include, but not be limited to, the following:~~
 - ~~(A) The age at which the crime was committed;~~
 - ~~(B) The circumstances surrounding the crime;~~
 - ~~(C) The length of time since the crime;~~
 - ~~(D) Subsequent work history;~~
 - ~~(E) Employment references;~~
 - ~~(F) Character references; and~~
 - ~~(G) Other evidence demonstrating that the applicant does not pose a threat to the health or safety of school children or school personnel.~~

(d)(1) For the purposes of this subsection (d):

- (A) "Cause" means any of the following:
 - (i) Holding a license obtained by fraudulent means;
 - (ii) Revocation of a license in another state;
 - (iii) Intentionally compromising the validity or security of any student test or testing program administered by or required by the state board or the Department of Education;
 - (iv) Having the completed examination test score of any testing program required by the state board for teacher licensure declared invalid by the testing program company and so reported to the Department of Education by the testing company;
 - (v) Having an expunged or a pardoned conviction for any sexual or physical abuse offense committed against a child or any offense in subsection (c) of this section;
 - (vi) Failing to establish or maintain the necessary requirements and standards set forth in Arkansas law or state board rules and regulations for teacher licensure;

(vii) Knowingly submitting or providing false or misleading information or knowingly failing to submit or provide information requested or required by law to the Department of Education, the state board, or the Division of Legislative Audit; or

(viii) Knowingly falsifying or directing another to falsify any grade given to a student, whether the grade was given for an individual assignment or examination or at the conclusion of a regular grading period; and

(B) "Child" means a person under twenty-one (21) years of age or enrolled in the public schools of the State of Arkansas.

(2) For cause as stated in subsection (e) of this section, the state board is authorized to:

(A) Revoke a license permanently;

(B) Suspend a license for a terminable period of time or indefinitely; or

(C) Place a person on probationary status for a terminable period of time with the license to be revoked or suspended if the probationary period is not successfully completed.

(e)(1) Before taking an action under subsections (c) or (d) of this section, the state board shall provide a written notice of the reason for the action and shall afford the person against whom the action is being considered the opportunity to request a hearing.

(2) A written request for a hearing must be received by the state board no more than thirty (30) days after the notice of the denial, nonrenewal, or revocation of the license is received by the person who is the subject of the proposed action.

(3) Upon written notice that a revocation, suspension, or probation is being sought by the state board for a cause set forth, a person may:

(A) Decline to answer the notice, in which case a hearing shall be held before the state board to establish by a preponderance of the evidence that cause for the proposed action exists;

(B)(i) Contest the complaint and request a hearing in writing, in which case the person shall be given an evidentiary hearing before the state board if one is requested.

(ii) If the person requesting the hearing fails to appear at the hearing, the hearing shall proceed in the manner described in subdivision (e)(3)(A) of this section:

(C) Admit the allegations of fact and request a hearing before the state board in mitigation of any penalty that may be assessed; or

(D) Stipulate or reach a negotiated agreement, which must be approved by the state board.

~~(e)(1) For cause as set forth in subdivision (e)(2) of this section, the state board may revoke, suspend, or place on probation the license of any person but only after an opportunity for a hearing before the state board upon reasonable written notice of the cause to be considered and only if a written request for a hearing is received by the state board no less than thirty (30) days after the notice of the cause is received by the person holding the license.~~

~~(2) For the purposes of this subsection, "cause" means any of the following:~~

~~(A) Pleading guilty or nolo contendere to or having been found guilty of a felony not listed in subsection (c) of this section in any court in this state or of a similar felony in a court in another state or in a federal court;~~

~~(B) Pleading guilty or nolo contendere to or having been found guilty in a court:~~

~~(i) In this state of a nonfelony negligent homicide or a misdemeanor not listed in subsection (c) of this section and involving physical injury, mistreatment, or abuse against a child or against a household member of the licensee; or~~

~~(ii) In another state or in federal court of a crime similar to a nonfelony negligent homicide or a misdemeanor not listed in subsection (c) of this section and involving physical injury, mistreatment, or abuse against a child or against a household member of the licensee;~~

~~(C) Holding a license obtained by fraudulent means;~~

~~(D) Revocation of a license in another state;~~

~~(E) Intentionally compromising the validity or security of any student test or testing program administered by or required by the state board or the Department of Education;~~

~~(F) Having the completed examination test score of any testing program required by the state board for teacher licensure declared invalid by the testing program company and so reported to the Department of Education by the testing company;~~

~~(G) Having an expunged or a pardoned conviction for any sexual or physical abuse offense committed against a child;~~

~~(H) Failing to establish or maintain the necessary requirements and standards set forth in Arkansas law or state board rules and regulations for teacher licensure;~~

~~(I) Knowingly submitting or providing false or misleading information or knowingly failing to submit or provide information requested or required by law to the Department of Education, the state board, or the Division of Legislative Audit; or~~

~~(J) Knowingly falsifying or directing another to falsify any grade given to a student, whether the grade was given for an individual assignment or examination or at the conclusion of a regular grading period.~~

~~(3) For purposes of this subsection, "child" means a person enrolled in the public schools of the State of Arkansas.~~

(f)(1) The revocation provisions of subsection (c) of this section may be waived or a license may be suspended or placed on probation by the state board upon request by:

(A) The board of a local school district;

(B) An affected applicant for licensure; or

(C) The person holding a license subject to revocation.

(2) Circumstances for which a waiver may be granted shall include, but not be limited to, the following:

(A) The age at which the crime was committed;

(B) The circumstances surrounding the crime;

(C) The length of time since the crime;

(D) Subsequent work history;

(E) Employment references;

(F) Character references; and

(G) Other evidence demonstrating that the applicant does not pose a threat to the health or safety of school children or school personnel.

(f)(1)(g)(1) The superintendent of each school district shall report to the state board the name of any person holding a license issued by the state board and currently employed or employed during the two (2) previous school years by the local school district who:

(A) Has pleaded guilty or nolo contendere to or has been found guilty of a felony or any misdemeanor listed in [æ69]subsection (c) of this section;

(B) Holds a license obtained by fraudulent means;

(C) Has had a similar license revoked in another state;

(D) Has intentionally compromised the validity or security of any student test or testing program administered or required by the Department of Education;

(E) Has knowingly submitted falsified information or failed to submit information requested or required by law to the Department of Education, the state board, or the division; or

(F) Has failed to establish or maintain the necessary requirements and standards set forth in Arkansas law or Department of Education rules and regulations for teacher licensure.

(2) Failure of a superintendent to report information as required by this subsection may result in sanctions imposed by the state board.

~~(g) For cause as stated in subsection (e) of this section, the state board is authorized to:~~

~~(1) Revoke a license permanently;~~

~~(2) Suspend a license for a terminable period of time or indefinitely; or~~

~~(3) Place a person on probationary status for a terminable period of time with the license to be revoked or suspended if the probationary period is not successfully completed.~~

~~(h) Upon notice in writing that a revocation, suspension, or probation is being sought by the state board for a cause set forth, a person may:~~

~~(1) Decline to answer the notice, in which case a hearing will be held before the state board to establish by a preponderance of the evidence that cause for the proposed action exists;~~

~~(2) Contest the complaint, in which case the person shall be given an evidentiary hearing before the state board if one is requested;~~

~~(3) Admit the allegations of fact and request a hearing before the state board in mitigation of any penalty which may be assessed; or~~

~~(4) Stipulate or reach a negotiated agreement which must be approved by the state board.~~

~~(i)(1)(h)(1)~~ Any information received by the Department of Education from the Identification Bureau of the Department of Arkansas State Police pursuant to subsection (a) of this section shall not be available for examination except by the affected applicant for licensure or his or her duly authorized representative, and no record, file, or document shall be removed from the custody of the Department of Education.

(2) Any information made available to the affected applicant for licensure or the person whose license is subject to revocation shall be information pertaining to that applicant only.

(3) Rights of privilege and confidentiality established under this section shall not extend to any document created for purposes other than this background check.

~~(j)(i)~~ The state board shall adopt the necessary rules and regulations to fully implement the provisions of this section.

SECTION 23. Arkansas Code § 6-17-414 is amended to read as follows:

6-17-414. Criminal records check as a condition for initial employment of nonlicensed personnel.

(a)(1)(A)(i) Except as provided in subdivision (a)(1)(C) of this section, the board of directors of a local school district or an education service cooperative shall require as a condition for initial employment or re-employment in a ~~noncertified~~ nonlicensed staff position any person making application to apply to the Identification Bureau of the Department of Arkansas State Police for statewide and nationwide criminal records checks, the latter to be conducted by the Federal Bureau of Investigation.

(ii) The checks shall conform to the applicable federal standards and shall include the taking of fingerprints.

(iii) The Identification Bureau of the Department of Arkansas State Police may maintain these fingerprints in the automated fingerprint identification system.

(iv) The Federal Bureau of Investigation shall promptly destroy the fingerprint card of the applicant.

(B) The person shall sign a release of information to the Department of Education. Unless the employing school district board of directors has taken action to pay for the cost of criminal background checks required by this section, the employment applicant shall be responsible for the payment of any fee associated with the criminal records checks.

(C)(i) The board of directors of a local school district created by consolidation, annexation, or detachment may waive the requirements under subdivisions (a)(1)(A) and (B) of this section for personnel who were employed by the affected district immediately prior to the annexation, consolidation, or detachment and who had complete criminal background checks conducted as a condition of the person's most recent employment with the affected district as required under this section.

(ii) As used in this section, "affected district" means a school district that loses territory or students as a result of annexation, consolidation, or detachment.

(2) Upon completion of the criminal records check, the Identification Bureau of the Department of Arkansas State Police shall forward all releasable information obtained concerning the person to the Department of Education, which shall promptly inform the board of directors of the local school district or education service cooperative whether or not the applicant is eligible for employment as provided by subdivision (b)(1) of this section.

(b) A person shall not be eligible for employment by a local school district or education service cooperative in a ~~noncertified~~ nonlicensed staff position if that person has pleaded guilty or nolo contendere to or has been found guilty of any of the following offenses by any court in the State of Arkansas or of any similar offense by a court in another state or of any similar offense by a federal court:

- (1) Capital murder as prohibited in § 5-10-101;
- (2) Murder in the first degree as prohibited in § 5-10-102 and murder in the second degree as prohibited in § 5-10-103;
- (3) Manslaughter as prohibited in § 5-10-104;
- (4) Battery in the first degree as prohibited in § 5-13-201 and battery in the second degree as prohibited in § 5-13-202;
- (5) Aggravated assault as prohibited in § 5-13-204;
- (6) Terroristic threatening in the first degree as prohibited in § 5-13-301;
- (7) Kidnapping as prohibited in § 5-11-102;
- (8) Rape as prohibited in § 5-14-103;
- (9) Sexual assault in the first degree, second degree, third degree, and fourth degree, as prohibited in §§ 5-14-124 - 5-14-127;
- (10) Incest as prohibited in § 5-26-202;
- (11) Engaging children in sexually explicit conduct for use in visual or print media, transportation of minors for prohibited sexual conduct, employing or consenting to the use of a child in a sexual performance, or producing, directing, or promoting a sexual performance by a child as prohibited in §§ 5-27-303, 5-27-305, 5-27-402, and 5-27-403;
- (12) Distribution to minors as prohibited in § 5-64-406;
- (13) Any felony in violation of the Uniform Controlled Substances Act, § 5-64-101 et seq.;
- (14) Criminal attempt, criminal solicitation, or criminal conspiracy as prohibited in §§ 5-3-201, 5-3-202, 5-3-301, and 5-3-401, to commit any of the offenses listed in this subsection;
- (15) Sexual indecency with a child as prohibited in § 5-14-110;
- (16) Endangering the welfare of a minor in the first degree as prohibited in § 5-27-205;

- (17) Pandering or possessing visual or print medium depicting sexually explicit conduct involving a child as prohibited by § 5-27-304;
- (18) False imprisonment in the first degree as prohibited in § 5-11-103;
- (19) Permanent detention or restraint as prohibited in § 5-11-106;
- (20) Permitting abuse of a child as prohibited in § 5-27-221(a)(1) and (3);
- (21) Negligent homicide as prohibited by § 5-10-105(a);
- (22) Assault in the first degree as prohibited by § 5-13-205;
- (23) Coercion as prohibited by § 5-13-208;
- (24) Public sexual indecency as prohibited by § 5-14-111;
- (25) Indecent exposure as prohibited by § 5-14-112;
- (26) Endangering the welfare of a minor in the second degree as prohibited by § 5-27-206;
- (27) Computer child pornography as prohibited in § 5-27-603; and
- (28) Computer exploitation of a child in the first degree as prohibited in § 5-27-605;
- (29) Felony theft as prohibited in §§ 5-36-103 – 5-36-106, and 5-36-203;
- (30) Robbery as prohibited by §§ 5-12-102 and 5-12-103;
- (31) Breaking or entering as prohibited by § 5-39-202;
- (32) Burglary as prohibited by § 5-39-201;
- (33) Forgery as prohibited by § 5-37-201;
- (34) Any felony not listed in this subsection (c) and involving physical or sexual injury, mistreatment, or abuse against another; and
- (35) Any sexual offense as defined by § 6-17-116.

(c) However, the board of directors of a local school district or education service cooperative is authorized to offer provisional employment to an applicant pending receipt of eligibility information from the Department of Education.

(d)(1) Any information received by the Department of Education from the Identification Bureau of the Department of Arkansas State Police pursuant to this section shall not be available for examination except by the affected applicant for employment or his or her duly authorized representative, and no record, file, or document shall be removed from the custody of the Department of Education.

(2) Any information made available to the affected applicant for employment shall be information pertaining to that applicant only.

(3) Rights of privilege and confidentiality established under this section shall not extend to any document created for purposes other than this background check.

~~(e) As used in this section, "noncertified staff position" means any job that does not require the person to hold a license issued by the State Board of Education and is either a full-time job or a permanent part-time job or is a job as a substitute teacher for thirty (30) days or more during a school year.~~

~~(f)(1) The employment eligibility provisions of subdivision (b)(1) of this section may be waived by the state board upon request by:~~

- ~~(A) The board of a local school district; or~~
~~(B) An affected applicant for employment.~~

~~(2) Circumstances for which a waiver may be granted shall include, but not be limited to, the following:~~

- ~~(A) The age at which the crime was committed;~~
~~(B) The circumstances surrounding the crime;~~
~~(C) The length of time since the crime;~~
~~(D) Subsequent work history;~~
~~(E) Employment references;~~
~~(F) Character references; and~~
~~(G) Other evidence demonstrating that the applicant does not~~

~~pose a threat to the health or safety of school children or school personnel.~~

~~(3) No waiver shall be granted if the state board determines that the offense was a violent, physical, or sexual offense.~~

~~(g)(e)~~ The state board ~~may~~ shall determine that an applicant for employment with a school district in a ~~noncertified~~ nonlicensed staff position is ineligible for employment if the applicant:

~~(1) Has pleaded guilty or nolo contendere to or has been found guilty of a felony not listed in subsection (b) of this section;~~

~~(2) Pleads guilty or nolo contendere to or has been found guilty in a court:~~

~~(A) In this state of a nonfelony negligent homicide or a misdemeanor not listed in subsection (b) of this section and involving physical injury, mistreatment, or abuse against a child or against a household member of the licensee; or~~

~~(B) In another state or in federal court of a crime similar to a nonfelony negligent homicide or a misdemeanor not listed in subsection (b) of this section and involving physical injury, mistreatment, or abuse against a child or against a household member of the licensee;~~

~~(3)(1)~~ Is required to pass an examination as a requirement of his or her position and the applicant's completed examination test score was declared invalid because of the applicant's improper conduct;

~~(4)(2)~~ Has an expunged or a pardoned conviction for any sexual or physical abuse offense committed against a child or any offense listed in subsection (b) of this section;

~~(5)(3)~~ Knowingly submits or provides false or misleading information or knowingly fails to submit or provide information requested or required by law to the Department of Education, the state board, or the Division of Legislative Audit; or

~~(6)(4)~~ Knowingly falsifies or directs another to falsify any grade given to a student, whether the grade was given for an individual assignment or examination or at the conclusion of a regular grading period.

(f)(1) The superintendent of each school district shall report to the state board the name of any person currently employed by the local school district who:

(A) Has pleaded guilty or nolo contendere to or has been found guilty of a felony or any misdemeanor listed in subsection (b) of this section;

(B) Has intentionally compromised the validity or security of any student test or testing program administered or required by the Department of Education; or

(C) Has knowingly submitted falsified information or failed to submit information requested or required by law to the Department of Education, the state board, or the division.

(2) Failure of a superintendent to report information as required by this subsection may result in sanctions imposed by the state board.

SECTION 24. Arkansas Code § 6-17-416 is amended to read as follows:
6-17-416. Criminal records check of employees of more than one district.

Employees, whether new or existing, who have a contract with or work for more than one (1) school district in one (1) year shall be required to have ~~only one~~ (4) a new criminal background check for each school district to satisfy the requirements of all employing school districts for that year.

SECTION 25. Arkansas Code § 6-18-901(d)(1), concerning the transfer of permanent student records, is amended to read as follows:

(d)(1)(A) A copy of the permanent student record shall be provided to the receiving school district upon the transfer of a student to another district.

(B) The school district shall provide the copy of the student's permanent student record to the receiving school district within ten (10) school days after the date a request from the receiving school district is received.

(C) The school district shall not fail or refuse to provide a copy of the student's permanent student record to the receiving school district because the student owes money to the school district for school-related charges, including without limitation charges for:

- (i) Food services;
- (ii) Unreturned library books; or
- (iii) Fees.

SECTION 26. Arkansas Code § 6-18-1005(a)(1)(F), concerning student services programs, is amended to read as follows:

(F) Interpretation of augmented criterion-referenced and norm-referenced testing and dissemination of results to the school, students, parents, and community;

SECTION 27. Arkansas Code § 6-18-1005(a)(1)(L), concerning student services programs, is amended to read as follows:

(L) Classroom guidance, which shall be limited to ~~thirty minute~~ forty-minute class sessions, not to exceed three (3) per day or ten (10) per week; and

SECTION 28. Arkansas Code § 6-20-603(b)-(e), concerning isolated schools funding, is amended to read as follows:

(b) ~~Beginning with the 2004-2005 school year and each~~ Each school year ~~thereafter~~, state financial aid in the form of isolated funding shall be provided to school districts containing an isolated school area in an amount equal to the prior ~~year~~ year's three (3)-quarter ~~three-quarter~~ average daily membership of the isolated school area multiplied by the per student isolated funding amount for the isolated school areas as set forth under column "C" of subsection (a) of this section.

(c) ~~No~~ A school district may not receive isolated funding under this section for an isolated school area if the prior ~~year~~ year's three (3)-quarter ~~three-quarter~~ average daily membership of the isolated school area exceeds three hundred fifty (350).

(d) A school district receiving isolated funding for an isolated school area shall expend the funds solely for the operation, maintenance, and support of the isolated school area.

(e) ~~No~~ A school district or isolated school area which may qualify under other law to receive additional state aid because its average daily membership is less than three hundred fifty (350) shall not be eligible to receive funding under this section except that a district qualifying under other law for such aid and qualifying for funds under this section may elect to receive funds under this section in lieu of aid under the other law.

SECTION 29. Arkansas Code § 6-20-603, concerning isolated schools funding, is amended to add an additional subsection to read as follows:

(i)(1) A school district eligible to receive isolated funding under this section shall continue to receive partial funding even if all or part of an isolated school is closed.

(2) If all or part of an isolated school in a school district is closed, the school district shall receive funding based on the prior year's three-quarter average daily membership of the isolated school, or the part of the isolated school that remains open.

(3) The school district shall not receive funding under this subsection (i) if the closure is directed by the school district board of directors.

~~(i)(j)~~ The State Board of Education may promulgate rules as necessary for the proper implementation of this section.

SECTION 30. Arkansas Code § 6-20-604(a), concerning additional funding for isolated schools, is amended to read as follows:

~~(a)(1) The new requirements under the Standards for Accreditation of Arkansas Public Schools adopted by the State Board of Education have disproportionately increased the cost of operations for school districts that contain isolated schools.~~

~~(2)(a)~~ The General Assembly further finds that school districts which that contain isolated schools need additional funding to provide an adequate education for students attending schools in those districts.

SECTION 31. Arkansas Code § 6-20-604(h)-(i), concerning additional funding for isolated schools, is amended to read as follows:

~~(h)(1) A school district eligible to receive isolated funding under § 6-20-603 shall continue to receive partial funding under § 6-20-603 even if part of the isolated schools are closed, but a school district shall not receive funding under § 6-20-603 for any isolated schools or parts thereof that have been closed by the local board of directors.~~

~~(2) If part of the isolated schools in a district are closed, the school district shall receive funding under § 6-20-603 based on the three-quarter average daily membership of the isolated schools or parts thereof that remain open in the district.~~

~~(i)(h)~~ The provisions of this This section are is contingent on the appropriation and availability of funding for its purposes.

SECTION 32. Arkansas Code § 6-20-1406 is repealed.

~~6-20-1406. Standards for school construction.~~

~~(a) The State Board of Education shall establish reasonable minimum standards for schoolhouse construction, and standards may be revised from time to time as educational problems and methods of procedure develop and change.~~

~~(b) The standards shall include review and approval by all appropriate and applicable state agencies, boards, and local officials for, including, but not limited to, the following:~~

~~(1) Plumbing Code, § 17-38-101 et seq., and Heating, Ventilation, Air Conditioning, and Refrigeration (HVACR) Code, § 17-33-101 et seq., compliance;~~

~~(2) Fire Prevention Act, § 12-13-101 et seq., and Seismic Code, § 12-80-101 et seq., compliance;~~

~~(3) Arkansas Building Authority-adopted Americans with Disabilities Act Accessibility Guidelines, 28 C.F.R. Part 36, Appx. A, compliance; and~~

~~(4) Arkansas Architectural Act, § 17-15-101 et seq., Professional Engineers, § 17-30-101 et seq., and Public Works, § 22-9-101 et seq., compliance.~~

~~(c) As used in this section and in § 6-20-1407, "schoolhouse" means any elementary or secondary school district facility that will be used for administrative, educational, or physical education purposes.~~

~~(d) This section shall be repealed as of the effective date of the Public School Academic Facility Manual as adopted by the Commission for Public School Academic Facilities and Transportation.~~

SECTION 33. Arkansas Code § 6-20-1407 is amended to read as follows:
6-20-1407. Approval of building plans.

(a) ~~No~~ A new schoolhouse shall not be built except in accordance with the plan finally approved by the Commission for Arkansas Public School Academic Facilities and Transportation for all projects where the commission requires its approval.

(b) ~~When so required by the commission, a~~ A copy of approved plans and specifications of all new schoolhouses or additions shall be filed with and approved by the commission before construction ~~shall be commenced~~ is begun.

(c) The approval process established by the commission shall include review and approval by all appropriate and applicable state agencies, boards, and local officials necessary to meet the standards contained in the Arkansas School Facility Manual;

~~(e)(d)~~(1) A copy of final construction documents shall be submitted to the ~~Architectural~~ Design Review Section of the Arkansas Building Authority for review in regard to compliance with the Arkansas-adopted Accessibility Guidelines (ADAAG- Americans with Disabilities Act Accessibility Guidelines).

(2) All review comments received from the authority shall be in writing.

(3) Corrected construction documents shall be received and approved by the authority.

(4) ~~No~~ A project shall not be released for bidding or construction until the requirements of ~~§ 6-20-1406~~ and this section are met.

~~(d)(e)~~ Review and approval of plans under this section or otherwise shall not be a guarantee of state financial participation in any public school academic facilities project.

SECTION 34. Arkansas Code § 6-20-2503, concerning bonded debt assistance for public school districts, is amended to add an additional subsection to read as follows:

(g)(1) A school district shall qualify to receive any appropriate supplemental millage incentive funds otherwise available in the public school fund if:

(A) The school district voluntarily raised its maintenance and operation mills only during the 2004-2005 school year in order to have a total millage beyond the twenty-five (25) mills required by the Arkansas Constitution, Amendment 74; and

(B) The school district's property assessment per student is below the state average per student.

(2) The supplemental millage incentive funds shall be available without regard to any other qualifications in law, including without limitation any requirement that a school district must have previously received a debt service funding supplement.

SECTION 35. Arkansas Code § 6-41-202 is amended to read as follows: 6-41-202. ~~Policy and purposes~~ Purposes and applicability.

(a)(1) ~~It shall be~~ is the policy of this state to provide and to require school districts to provide, as an integral part of the public schools, a free appropriate public education for students with disabilities.

(2) The State Board of Education is ~~therefor~~ expressly authorized to assign responsibility for providing free appropriate public education of any child with a disability to an appropriate school district.

~~(b)(1) One of the purposes of this subchapter is to cooperate in any reasonable way with programs now in operation for children with disabilities in any state institution or treatment facility.~~

~~(2) It shall be a primary purpose of this subchapter to cooperate with the institutions and treatment facilities to the end that the educational interests of children with disabilities shall be served.~~

(b) The provisions of this section shall apply to all political subdivisions of the state that are involved in the education of children with disabilities, including without limitation the state educational agency, local educational agencies, educational service agencies, public charter schools that are not otherwise included as local educational agencies or educational service agencies and are not a school of a local educational agency or educational service agency, other state agencies and schools, including without limitation the Department of Mental Health and Welfare and state schools for children with deafness or children with blindness, and state and local juvenile and adult correction facilities.

(c) The provisions of this section shall be binding on each public agency in the state that provides special education and related services to children with disabilities, regardless of whether that agency is receiving funds under Part B of the Individuals with Disabilities Education Act.

(d) Each public agency in the state is responsible for ensuring that the rights and protections under Part B of the Individuals with Disabilities Education Act are given to children with disabilities referred to or placed in private schools and facilities by that public agency or placed in private schools by their parents under the Individuals with Disabilities Education Act.

(e) The state educational agency is responsible for ensuring that the requirements of this section are carried out and that each educational program for children with disabilities administered within the state, including without limitation each program administered by any other state or local agency, is under the general supervision of the persons responsible for educational programs for children with disabilities in the state educational agency and meets the educational standards of the state educational agency, including without limitation the requirements of the Individuals with Disabilities Education Act.

SECTION 36. Arkansas Code § 6-41-203 is amended to read as follows:
6-41-203. Definitions.

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

(1) ~~“A child with disabilities a disability” means a person between the ages of three (3) and twenty-one (21) years of age, because of mental, physical, emotional, or learning disabilities, requires special education services as defined by the federal Individuals with Disabilities Education Act. This term is to be specifically interpreted to mean but not to be wholly limited to a child with mental retardation, hearing impairments (including deafness), speech or language impairments, visual impairments, (including blindness), serious emotional disturbance (hereinafter referred to as “emotional disturbance”), orthopedic impairments, autism, traumatic brain injury, other health impairments, or specific learning disabilities who, by reason thereof, needs special education and related services:~~
evaluated in accordance with the Individuals with Disabilities Education Act as having mental retardation, a hearing impairment including without limitation deafness, a speech or language impairment, a visual impairment including without limitation blindness, a serious emotional disturbance, an orthopedic impairment, autism, traumatic brain injury, other health impairments, a specific learning disability, deaf-blindness, or multiple disabilities and who, by reason thereof, needs special education and related services;

(2) “Board” means the State Board of Education; and

(3) ~~“Special education” means classroom, home, hospital, or other instruction to meet the needs of children with disabilities and includes transportation and corrective and supporting services required to assist children with disabilities in taking advantage of or responding to educational programs and opportunities~~
specially designed instruction at no cost to the parents to meet the unique needs of a child with a disability, including instruction conducted in the classroom, in the home, in hospitals and institutions, in other settings, and instruction in physical education.

(B) Special education includes each of the following, if the services otherwise meet the requirements of this definition:

(i) Speech-language pathology services, or any other related service, if the service is considered special education rather than a related service under state standards;

(ii) Travel training; and

(iii) Vocational education.

SECTION 37. Arkansas Code § 6-41-204 is amended to read as follows:
6-41-204. ~~Separate schooling~~ Least restrictive environment.

~~(a)(1) To the maximum extent practicable, children with disabilities shall be educated along with children who do not have disabilities and shall attend regular classes.~~

~~(2) Impediments to learning and to the normal functioning of children with disabilities in the regular school environment shall be overcome, when possible, by the provision of special aids and services rather than by separate schooling for children with disabilities.~~

(a) Each public agency shall ensure that:

(1) To the maximum extent appropriate, a child with a disability, including a child in a public or private institution or other care facility, is educated with children who are nondisabled; and

(2) Special classes, separate schooling, or other removal of a child with a disability from the regular educational environment may occur only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

~~(b) Separate schooling or other removal of children with disabilities from the regular educational environment shall occur only when, and to the extent that, the nature or severity of the disability is such that education in regular classes, even with the use of supplementary aids and services, cannot be accomplished satisfactorily.~~

(b) The state funding mechanism shall not:

(1) Result in placements that violate the requirements of subsection (a) of this section; or

(2) Distribute funds on the basis of the type of setting in which a child is served in a manner that results in the failure to provide a child with a disability free appropriate public education according to the unique needs of the child, as described in the child's individualized education program.

SECTION 38. Arkansas Code § 6-41-206(c), concerning school district responsibility to provide free and appropriate public education for children with disabilities, is repealed.

~~(c) The provisions of this subchapter shall provide, foremost, for the welfare and well-being of the children of this state, and the responsibility to provide the appropriate services is not reduced by the objection of a parent or guardian to an evaluation of the child's educational needs or to the child's participation in beneficial services designed to promote the well-being of the child, unless the objection is such that it may, itself, constitute a serious obstacle acting to the detriment of the child.~~

SECTION 39. Arkansas Code § 6-41-214(b) and (c) is repealed.

~~(b) Eligibility for services and provisions of this subchapter shall be limited to those students enrolled in the public schools or approved treatment institutions in the state.~~

~~(c) The public school board or governing board of an approved treatment institution shall be responsible for the initial determination of eligibility, but the final determination, in the event of controversy, shall rest with the board or its designated representative.~~

SECTION 40. Arkansas Code § 6-41-220(b) and (c)(1), concerning the efforts and expenditures of school districts for educating children with disabilities, are amended to read as follows:

~~(b)(1) For the purpose of determining the responsibility for expenditure of equal effort, the residence of a child with disabilities shall be deemed to be the school district in which the parent or legal guardian of the child resides.~~

~~(2) In the case of a child with disabilities whose parents do not reside in the same school district, the residence of the child shall be the district in which the parent having legal custody of the child resides.~~

~~(e)(1)(b)(1)~~ Two (2) or more school districts may join together to establish special classes for children with disabilities.

SECTION 41. Arkansas Code § 6-47-404(c)(1), concerning the establishment and implementation of the Arkansas Distance Learning Development Program, is amended to read as follows:

(c)(1)(A) The funding necessary to carry out the provisions of this subchapter may be derived from donations, grants, or legislative appropriation.

~~(B) The program shall receive from the Public School Fund an amount equal to one-sixth (1/6) of the previous year's state foundation funding per student enrolled in a course at the secondary level or for each subject at the elementary level.~~

SECTION 42. Arkansas Code § 6-80-107 is amended to read as follows:
6-80-107. Transcripts.

(a)(1) By May 1, 2007, the Department of Higher Education, in cooperation with the Department of Education, shall prescribe a uniform method of formatting and transmitting transcripts that shall be used by all ~~grade~~ grades nine through twelve (9-12) public high schools and institutions of higher education in the state.

(2) The uniform transcripts shall be transmitted electronically:

~~(A) to~~ To the Department of Higher Education as necessary to process state financial aid applications for both high school students and higher education students; and

(B) Between public high schools to correctly enroll and place students transferring between public high schools and school districts.

(b) After implementation of the uniform method prescribed under subsection (a) of this section, ~~an~~ an institution of higher education shall not be eligible to receive state financial aid on behalf of students unless the institution provides uniform, electronic transcripts as prescribed by the Department of Higher Education under this section.

(c)(1) The Department of Education shall prescribe a uniform method of formatting and electronically transmitting transcripts which shall be used by all kindergarten through grade eight (K-8) public elementary or middle schools in this state.

(2) The uniform transcripts shall be transmitted electronically between public schools as necessary to correctly enroll and place students transferring between schools and school districts.

SECTION 43. Arkansas Code § 6-11-109 is repealed.
6-11-109. Petition for approval.

~~(a) Any school district, local board of directors, or other person seeking prior written approval from the State Board of Education or the Commissioner of Education under § 6-17-301(c) or (d), § 6-13-620(b) or (c), or § 6-20-1201(b) shall send a written petition to the commissioner, no fewer than fifteen (15) days prior to the next regularly scheduled state board meeting, requesting that the matter be placed on the agenda of the state board at the next regularly scheduled state board meeting and include in the petition:~~

~~(1) The names and addresses of the requestor and of all parties to the contract;~~

~~(2) A statement explaining the purpose of the contract or project;~~

~~(3) The total expected contract price or project amount; and~~

~~(4) A copy of the proposed contract or project proposal.~~

~~(b)(1) The state board shall hear all petitions filed under subsection (a) of this section and, based on the state board's determination of whether the petition would be in the best interest of the state's system of education, shall:~~

~~(A)(i) Approve the petition, in whole or any part thereof;~~

~~(ii) Deny the petition, in whole or any part thereof; or~~

~~(iii) Request additional information with respect to any part of the petition or additional time to consider the petition; and~~

~~(B) Send a written notice of the action to the requestor no fewer than five (5) days following the meeting.~~

~~(2) The state board may deny any petition because of the failure to provide sufficient information as requested by the state board or required under subsection (a) of this section.~~

~~(c) When and if a school district superintendent declares in a written petition to the commissioner that a school district must take immediate action to address a need of the district and that the necessary action is of a nature and circumstance that the local school district would be unduly harmed to wait until the next regularly scheduled state board meeting for approval, the commissioner may, in his or her sole discretion, declare that an emergency exists and approve in whole or in part the requested contract, obligation, expenditure, or project as necessary to remedy the emergency condition of the school district.~~

~~(d) For the purposes of this section, "project" means any contract or combined contractual obligations related to a specific purchase, sale, construction, improvement, or repair of equipment, facilities, motor vehicles, buildings, or real property sites.~~

SECTION 44. Arkansas Code § 6-11-118 is repealed.

~~6-11-118. Office of Rural Services.~~

~~(a) This section shall be known as the "Rural Services Act of 1981".~~

~~(b) The General Assembly recognizes that Arkansas Constitution, Article 14, requires the state to provide a general, suitable, and efficient system of free public schools and that the Department of Education is legislatively created to help provide these schools. The General Assembly further recognizes the need for effective aid and assistance to the smaller rural school districts of the state and that under the present structure of the department such aid and assistance is not adequate.~~

~~(c)(1) There is created the Office of Rural Services in the department.~~

~~(2) The Commissioner of Education shall establish a coordinator in the office.~~

~~(3) The duties of this office shall be to:~~

~~(A) Direct programs to improve the quality of the rural schools of the state by helping to deliver comprehensive technical assistance services such as curriculum development, teaching methods evaluations, program development, planning, needs assessments, etc.;~~

~~(B) Help develop teacher training programs that fit the needs of rural students;~~

~~(C) Develop and conduct in-service education programs for rural teachers and administrators;~~

~~(D) Act as liaison between rural education and rural development activities;~~

~~(E) Assist rural districts in developing rural resource cooperatives in order that rural schools can share a pool of specialized human, material, and technical resources;~~

~~(F) Assist rural schools in construction and renovation programs;~~

~~(G) Identify and create an awareness of promising practices of rural schools throughout the state and nation;~~

~~(H) Serve as liaison between the department and the small schools; and~~

~~(I) Coordinate all other activities especially for small schools and collect such data as are needed by the General Assembly in order that rural schools may be properly financed.~~

~~(4) The office shall answer directly to the commissioner.~~

~~(d) For the purpose of this section, the term "rural school" shall be interchangeable with the term "small high school" and shall include those schools with enrollments of five hundred (500) or fewer in kindergarten through grade twelve (K-12). Schools with enrollments of five hundred (500) to seven hundred fifty (750) shall also be served by this office if they are in unincorporated areas and if the superintendent requests that the school become a part of the area for which this office is responsible.~~

SECTION 45. Arkansas Code Title 6-13-106 is repealed.

~~6-13-106. Districts where no high school is maintained.~~

~~(a) Any school district in this state wherein high school facilities are not maintained may contract with another school district for the furnishing of high school facilities for the pupils of that district upon such terms and conditions as to the respective board of directors may appear reasonable and proper.~~

~~(b) These districts are authorized to pay, for the facilities, the tuition of such pupils out of the school fund apportioned to the districts from the Public School Fund of the State of Arkansas.~~

~~(c) These school districts may also contract and provide for the transportation of pupils.~~

SECTION 46. Arkansas Code § 6-13-620(b)-(d) is repealed.

~~(b) Beginning on July 16, 2003, through July 1, 2004, notwithstanding any other provision of law, no school board of any public school or any governing body of a charter school or an educational cooperative shall enter into any contractual or project obligation exceeding seventy-five thousand dollars (\$75,000) or one percent of the district's total state and local revenues for additional base funding, as defined on lines 15 and 16 of the Department of Education's May 16, 2002 State Aid Notice, whichever is greater, for the purchase, sale, construction, improvement, or repair of equipment, facilities, motor vehicles, buildings, or real property sites without the prior written approval of the state board or the Commissioner of Education as allowed in emergency situations.~~

~~(c) Beginning on July 16, 2003, through July 1, 2004, notwithstanding any other provision of law, no school board of any public school district or charter school shall enter into any personal, professional, or other service contract on behalf of the school district for a time period greater than one (1) year without prior written approval of the state board.~~

~~(d) Subsections (b) and (c) of this section shall not apply to:~~

- ~~(1) Currently binding contractual obligations;~~
- ~~(2) Enforceable court-ordered mandates;~~
- ~~(3) Contracts entered into in connection with a bond issuance or a project financed with an issuance of bonds previously approved by the state board as required by law; or~~
- ~~(4) Regularly scheduled maintenance projects.~~

SECTION 47. Arkansas Code Title 6, Chapter 15, Subchapter 8 is repealed.
SUBCHAPTER 8 -- ACCOUNTABILITY SECTION

~~6-15-801. [Repealed.]~~

~~6-15-802. Legislative intent.~~

~~In order to enhance the public's access to public school performance indicators and to better measure the dividends paid on the increasing public investment in Arkansas' schools, the General Assembly finds that a section of accountability should be established within the Department of Education. The foremost obligation of this section shall be to set future performance goals for each school or school district and report academic progress.~~

~~6-15-803. Creation - Appropriate staff.~~

~~(a) There is created an accountability section within the Department of Education.~~

~~(b) The Commissioner of Education shall establish an upper level management position and appropriate staff for the section.~~

~~6-15-804. [Repealed.]~~

~~6-15-805. [Expired.]~~

~~6-15-806. [Repealed.]~~

~~6-15-807. Duties.~~

~~The accountability section shall be responsible for the following:~~

- ~~(1) Development of longitudinal student and school reporting for accurate and fair comparative analysis for purposes of school improvement;~~
- ~~(2) Development of methods to determine attitudes toward educational matters;~~
- ~~(3) Establishment of schedules for publication of information to keep the public and media informed on a regular and timely basis; and~~
- ~~(4) Working with program approval and certification sections of the Department of Education, the Department of Higher Education, and the individual colleges to provide information that will contribute to reasonable, equitable, and excellent preparation of certified personnel in the institutions, both public and private, of higher education.~~

~~6-15-808. Furnishing of information and assistance.~~

~~(a) The Office of Accountability shall make available to the Joint Interim Oversight Subcommittee on Educational Reform, the House Interim Committee on Education, and the Senate Interim Committee on Education, the reports the office submits to the Commissioner of Education.~~

~~(b) Under the direction of the commissioner, the staff of the office shall work cooperatively with and provide any necessary assistance to the subcommittee and the committees.~~

~~(c) The office shall furnish information to appropriate legislative committees upon request.~~

~~6-15-809. [Repealed.]~~

SECTION 48. Arkansas Code Title 6, Chapter 18, Subchapter 6 is repealed.
SUBCHAPTER 6 -- FRATERNITIES, SORORITIES, ETC.

~~6-18-601. Definition.~~

~~As used in this subchapter, unless the context otherwise requires, "public school fraternity, sorority, or other secret organization or society" means any type of organization or society which fosters undemocratic practices and seeks to perpetuate itself by taking in additional members from the pupils enrolled in that school or local school system on the basis of the decision of its membership rather than upon the free choice of any pupil in the school who is qualified by the rules of the school to fill the special aims of the organization or society.~~

~~6-18-602. Penalty.~~

~~Any person, firm, or corporation violating any of the provisions of this subchapter shall be guilty of a violation and upon conviction shall be fined not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100) for each and every offense.~~

~~6-18-603. Unlawful organizations.~~

~~Any public school fraternity, sorority, or secret society or organization as defined in this subchapter is declared to be inimical to public free schools and therefore unlawful.~~

~~6-18-604. Exclusions.~~

~~The provisions of this subchapter shall not apply to:~~

~~(1) Fraternities, sororities, or secret societies of the University of Arkansas, any state teachers' college, or other state-supported institutions of junior college rank, or rank above junior college, or senior high school students of national fraternities or sororities, nor to students of these institutions in their relation to such societies or organizations in these institutions;~~

~~(2) Any nonsecret society or organization authorized and sponsored by the public school authorities.~~

~~6-18-605. Suspension or expulsion of members.~~

~~It shall be the duty of school directors and boards of education, school inspectors, and other corporate authority managing and controlling any of the public schools of the state to suspend or expel from the schools under their control any pupil who shall:~~

~~(1) Be or remain a member, promise to join, become a member, or solicit other persons to join, promise to join, or pledge to become a member of any such public school fraternity, sorority, or secret society or organization;~~

~~(2) Wear or display any insignia of such fraternity, sorority, or secret society or organization while in and attending public schools.~~

~~6-18-606. Soliciting pledges.~~

~~It shall be unlawful from and after the passage of this act for any person not enrolled in a public school of this state to solicit any pupil enrolled in a public school of this state to join or pledge himself or herself to become a member of a public school fraternity, sorority, or secret society or organization, or to solicit any such pupil to attend a meeting thereof or any meeting where the joining of any public school fraternity, sorority, or secret organization shall be encouraged.~~

~~6-18-607. Reference to unlawful organizations in publications.~~

~~It shall be unlawful for any public newspaper, periodical, or other publication to designate in its columns high school fraternity, sorority, or secret society or organization as defined in § 6-18-601, or refer to such fraternity, sorority, or secret society or organization in any published reference as a high school fraternity, sorority, or secret society or organization.~~

SECTION 49. Arkansas Code §6-20-413 is repealed.

~~6-20-413. Fiscal distress.~~

~~The State Board of Education is hereby authorized to develop indicators of fiscal distress in school districts and to promulgate the necessary rules and regulations so that the Director of the Department of Education shall provide technical assistance to school districts determined by the director to be in fiscal distress and shall ensure, to the extent possible, that a fiscal crisis will not interrupt the educational services provided to the students of a school district.~~

SECTION 50. Arkansas Code § 6-11-129(b), concerning written reports of compliance with certain provisions of Arkansas law, is repealed.

~~(b) By December 31 of each year, the department shall provide a written report to the House Interim Committee on Education and the Senate Interim Committee on Education listing those school districts that are not in compliance with this section.~~

SECTION 51. Arkansas Code § 6-13-1606 is repealed.

~~6-13-1606. Development of plan to track student progress.~~

~~(a) Following the annexation or consolidation under §§ 6-13-1601–6-13-1605 effective prior to December 1, 2004, and prior to any consolidation, annexation, detachment, approval of a conversion charter, or any other type of reclassification or reorganization of a school district after December 1, 2004, each receiving or resulting school district and the Department of Education shall develop a plan to track the educational progress of all students from the affected district and the following subgroups of those students:~~

~~(1) Students who have been placed at risk of academic failure as required under § 6-15-1602;~~

~~(2) Economically disadvantaged students;~~

~~(3) Students from major racial and ethnic groups; and~~

~~(4) Specific population groups as identified by the State Board of Education, the department, or the affected or receiving district as target groups for closing the achievement gaps.~~

~~(b) The receiving or resulting school district shall obtain and retain all student records from the affected school district for the five (5) years immediately preceding the annexation or consolidation, specifically including, but not limited to:~~

~~(1) Individual student records;~~

~~(2) Attendance records;~~

~~(3) Enrollment records;~~

~~(4) Assessment records for assessments required under the Arkansas Comprehensive Testing, Assessment, and Accountability Program Act, § 6-15-401 et seq., specifically including benchmark assessments and end-of-course assessments; and~~

~~(5) American College Test and Standardized Aptitude Test results and records.~~

~~(c) The school district shall report to the department information determined by the department as necessary to track the educational progress of all students from the affected district as a subgroup and the following subgroups of those transferred students:~~

~~(1) Students who have been placed at risk of academic failure as required under § 6-15-1602;~~

~~(2) Economically disadvantaged students; and~~

~~(3) Students from major racial and ethnic groups.~~

~~(d) By November 1, 2005, and by November 1 each year thereafter, the department shall file a written report with the Governor, the chair of the House Interim Committee on Education, the chair of the Senate Interim Committee on Education, and the secretary of the Legislative Council assessing the educational progress of all students from the affected district as a subgroup and the following subgroups of those transferred students:~~

~~(1) Students who have been placed at risk of academic failure as required under § 6-15-1602;~~

~~(2) Economically disadvantaged students; and~~

~~(3) Students from major racial and ethnic groups.~~

SECTION 52. Arkansas Code § 6-15-423 is repealed.

~~6-15-423. Comparing grade point averages with national test scores.~~

~~(a) The Department of Education shall develop specific criteria, based on generally accepted statistical procedures, for evaluating the association of high school grade point averages and standardized test scores for all students participating in the American College Test and the Arkansas Comprehensive Testing, Assessment, and Accountability Program's end-of-course algebra, geometry, and literacy exams.~~

~~(b) Any school identified by the department as having statistically significant variance between grade point average and students' performance on the aforementioned exams shall be notified in writing no later than thirty (30) calendar days after the determination.~~

~~(c)(1) The report shall be reviewed as a regular agenda item by the local school district board of directors no later than the second regularly scheduled meeting following receipt of the report by the school.~~

~~(2)(A) The superintendent of the school district shall file with the local school board a written explanation with proposed actions to remedy the situation.~~

~~(B) Copies of the superintendent's written explanation shall also be filed with the House and Senate Interim Committees on Education and the department.~~

~~(3) The department shall, to the extent practicable, send a representative to appear in person at the board meeting to explain the report.~~

~~(d) A copy of all reports sent to a school shall be filed with the committees no later than ninety (90) calendar days after the school has been notified.~~

SECTION 53. Arkansas Code § 6-15-1604 is repealed.

~~6-15-1604. Reporting dropout rates, suspensions, expulsions, and alternative placements.~~

~~(a) The State Board of Education shall report annually to the Joint Interim Oversight Committee on Educational Reform and the Commission on Closing the Achievement Gap in Arkansas on the numbers of students who have dropped out of school or who have been suspended, expelled, or placed in an alternative program.~~

~~(b) The data shall be reported in a disaggregated manner and be readily available to the public.~~

~~(c) The state board shall not include students that have been expelled from school when calculating the dropout rate.~~

~~(d) The state board shall maintain a separate record of the number of students who are expelled from school.~~

SECTION 54. Arkansas Code § 6-16-123 is repealed.

~~6-16-123. Arkansas laws.~~

~~(a) The Commissioner of Education shall develop materials or units for teaching current Arkansas laws of particular relevance to students in grades seven through twelve (7-12) in target courses.~~

~~(b)(1) The target courses shall include, but not be limited to, ninth grade civics and twelfth grade American Government.~~

~~(2) Current Arkansas laws that are the subject of the materials or units shall include, but not be limited to, those dealing with:~~

~~(A) School attendance;~~

~~(B) Penalties for truancy;~~

~~(C) Requirements for obtaining a driver's license and grounds for license revocation;~~

~~(D) Penalties that may affect juveniles who engage in criminal activities; and~~

~~(E) Those that authorize local ordinances such as curfews.~~

~~(c) The director shall ensure that these materials or units are reproduced and sent to all school districts in the state and are updated after each regular session of the General Assembly.~~

~~(d) During each biennium, the director shall provide a progress report on the implementation of this section to the House and Senate Interim Committees on Education.~~

SECTION 55. Arkansas Code § 6-16-124(c), concerning required social studies courses, is repealed.

~~(c)(1) Each public school superintendent in this state shall certify to the Department of Education no later than June 1, 1998, and annually thereafter whether the school is in compliance with this section, § 6-17-418, and § 6-17-703.~~

~~(2) The Director of the Department of Education shall report no later than July 1 of each year to the committees the identity of the schools which have reported compliance with this section, § 6-17-418, and § 6-17-703, the identity of the schools which have reported noncompliance, and the identity of the schools which have failed to report.~~

SECTION 56. Arkansas Code § 6-16-125 is repealed.

~~6-16-125. Character and citizenship -- Education programs information clearinghouse.~~

~~(a) The General Assembly finds and acknowledges that, while character and citizenship is primarily a parental responsibility, it must not remain isolated there. The General Assembly further finds that character and citizenship education must be strengthened in public schools to prepare young people for positive dealings with the social order of today.~~

~~(b)(1) The Commissioner of Education shall provide a clearinghouse for information on nonsectarian practices in character and citizenship education programs within Arkansas and across the nation in order to assist local schools in strengthening character and citizenship education as a local option for school district curricula in kindergarten through grade twelve (K-12).~~

~~(2) The commissioner shall ensure that information on nonsectarian practices and models is disseminated to all school districts in the state by no later than August 1, 1998, and is updated after each regular session of the General Assembly.~~

~~(3) During each interim of the biennium, the commissioner shall provide a progress report on the implementation and effectiveness of this section to the members of the House and Senate Interim Committees on Education.~~

SECTION 57. Arkansas Code § 6-16-132(f), concerning reports to the Department of Education on physical education, is repealed.

~~(f) Each school district shall report to the Department of Education by October 15 of each school year by sending a letter of assurance that the district has in a timely manner complied with the requirements of this section.~~

SECTION 58. Arkansas Code §6-16-138 is repealed.

~~6-16-138. Academic credit for student mentoring.~~

~~(a) Beginning in the 2005-2006 school year, the Department of Education shall conduct a study to develop a student mentor program by which qualified students in grades nine through twelve (9-12) may be eligible to receive one (1) elective credit that may be applied toward graduation.~~

~~(b) The study shall be submitted to the State Board of Education, the House Interim Committee on Education, and the Senate Interim Committee on Education by October 1, 2006.~~

SECTION 59. Arkansas Code § 6-16-604(h), concerning optional summer programs, is repealed.

~~(h)(1) The Department of Education and the Department of Higher Education are authorized to collect information as may be necessary for the evaluation of each program, including student identification data, student test scores, college placement status, and student grades in first-year college courses.~~

~~(2) This information shall be provided to the departments by public schools, colleges, and universities and shall be used to evaluate and improve the programs authorized by this subchapter.~~

SECTION 60. Arkansas Code § 6-17-310(f), concerning annual reports on improvements in teacher recruitment, is repealed.

~~(f) By June 30, 2004, and annually thereafter, the Department of Education shall provide a report to the Governor, the House Interim Committee on Education, and the Senate Interim Committee on Education regarding the activities of the office and the progress made in improving teacher recruitment.~~

SECTION 61. Arkansas Code § 6-18-1105 is repealed.

~~6-18-1105. Certification.~~

~~(a) A school which utilizes and coordinates fund-raising programs shall certify to the district school superintendent each year that the requirements in § 6-18-1104 have been met.~~

~~(b) Each school district shall certify to the Department of Education, no later than June 15 of each year, a list of district schools and fund-raising companies in violation of this subchapter.~~

~~(c) The department shall certify to the House and Senate Interim Committees on Education, no later than August 15 of each year, a list of district schools and fund-raising companies in violation of this subchapter.~~

~~(d) A one-page form for certification shall be developed by the department in cooperation with school administrators and the Arkansas Congress of Parents and Teachers Associations.~~

SECTION 62. Arkansas Code § 6-18-1505 is repealed.

~~6-18-1505. Reporting.~~

~~(a) Each public school and charter school shall de-identify eye and vision screening results as necessary to comply with privacy laws and report the results by grade to the Department of Education and the Arkansas Commission on Eye and Vision Care of School Age Children.~~

~~(b) The reports shall include the following information:~~

- ~~(1) The number of children screened;~~
- ~~(2) The number of children rescreened;~~
- ~~(3) The number of children who did not receive an eye and vision screening;~~
- ~~(4) The number of children referred for a comprehensive eye examination;~~
- ~~(5) The number of children who failed the eye and vision screening who did not receive a comprehensive eye examination; and~~
- ~~(6) The results of comprehensive eye examinations.~~

SECTION 63. Arkansas Code § 6-20-605 is repealed.

~~6-20-605. Excessive transportation time.~~

~~The Department of Education shall conduct a study of isolated schools to determine the most efficient method of providing opportunities for an adequate and substantially equal education for students without excessive transportation time.~~

SECTION 64. Arkansas Code § 6-21-303 is amended to read as follows:

6-21-303. Rules and regulations.

(a) The board of directors of each school district shall prescribe the method of soliciting bids ~~by regulation~~ and may adopt other rules ~~and regulations~~ governing the procurement of commodities.

(b)(1)(A) Each school district, according to its established reimbursement policy, shall provide to each prekindergarten through sixth-grade teacher in each fiscal year for use by that teacher in his or her classroom or for class activities:

(i) The greater of twenty dollars (\$20.00) per student enrolled in the teacher's class for more than fifty percent (50%) of the school day at the end of the first three (3) months of the school year; or

(ii) Five hundred dollars (\$500) for the teacher to apply toward the purchase of related commodities.

(B) The teacher ~~must~~ shall provide to the school district ~~receipts~~ a receipt documenting any purchase.

~~(C) Each fiscal year, the superintendent of each school district shall:~~

~~(i) Provide a statement to the State Board of Education attesting to the district's compliance with this section; and~~

~~(ii) Attach any supporting documents that the state board may require by regulation.~~

(2) The board of directors of each school district shall adopt reasonable procedures for teachers to draw from or be reimbursed from the discretionary fund pursuant to this subsection.

(c) The Department of Education ~~shall have the authority to~~ may grant a waiver of the requirements of subsection (b) of this section if a school district requests a waiver and the school district is in fiscal distress.

SECTION 65. Arkansas Code § 6-23-207 is repealed.

~~6-23-207. State Board of Education status report.~~

~~The State Board of Education shall report on the status of the charter school program to the General Assembly each biennium and to the House and Senate Interim Committees on Education during the interim between sessions of the General Assembly.~~

SECTION 66. Arkansas Code § 6-82-104 is repealed.

~~6-82-104. Annual report.~~

~~(a) The Department of Education and the Department of Higher Education shall jointly prepare an annual report for the General Assembly that shall assess the impact of scholarship programs administered by the Department of Higher Education that were enacted or amended in the Eighty-third regular session of the General Assembly.~~

~~(b) The report shall include:~~

~~(1) The number of persons who have participated in each of the funded programs each year;~~

~~(2) The participants' race, gender, and age;~~

~~(3) The number of persons who have participated in the critical teacher shortage forgivable loan programs who have rendered service as teachers in critical teacher shortage areas each year by school districts;~~

~~(4) The retention and graduation rates of participants in the program;~~

~~and~~

~~(5) Other information as may be useful for policy-making decisions by the General Assembly.~~

~~(c) The report shall be submitted to the Legislative Council by December 1 of each year beginning in 2002.~~

~~(d) Any private or public institution of higher education or student receiving funds from state-supported scholarship programs shall report to the Department of Higher Education or the Department of Education information as may be requested by the Department of Higher Education or the Department of Education to comply with reporting requirements established by the General Assembly.~~

SECTION 67. Uncodified Section 26 of Act 2126 of 2005 is repealed.

~~The Department of Education shall authorize and fund a feasibility study costing up to two hundred fifty thousand dollars (\$250,000). The purpose of the study shall be to evaluate and determine whether the Pulaski County Special School District should continue in existence by specifically addressing and evaluating the following: 1) the elimination of the Pulaski County Special School District and redrawing of school district boundaries in Pulaski County to form one school district north of the Arkansas River and one district south of the Arkansas River; 2) the elimination of the Pulaski County Special School District and redrawing of school district boundaries in Pulaski County to form three districts including a Little Rock District south of the Arkansas River, a North Little Rock District north of the Arkansas River and a Jacksonville School District north of the Arkansas River; 3) whether the elimination of the Pulaski County Special School District under either option would further desegregation efforts of the districts and help all districts in gaining unitary status and in ending the desegregation case; and, 4) to study and propose a plan to pursue the end of desegregation litigation in Pulaski County.~~

~~A contract shall be signed no later than October 31, 2005 and the feasibility study completed no later than June 30, 2006.~~

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

SECTION 68. Uncodified Section 1 of Act 326 of 1997 is amended to read as follows:

~~(a)(1) The Director of the General Education Division of the Arkansas Department Commissioner of Education shall establish a task force to select instructional resource materials appropriate for teaching African-American history in all grade clusters in kindergarten through grade twelve (K-12) in the public schools.~~

(2) Such task force shall be known as the Black History Task Force, consisting of seven (7) members appointed by the chairman of the Arkansas Black History Advisory Committee of the Arkansas History Commission, and shall further advise the director in the selection of:

(A) Training components for using the instructional resource materials; and

(B) Training components for assisting teachers and administrators in developing a greater awareness of ethnic and racial differences, improving interpersonal skills, and enhancing racial harmony.

(b)(1) The director shall ensure that selection of instructional resource materials and training components is completed during the 1997-98 school year and that all materials are provided to the school districts and all training concluded by no later than August 1, 1999.

(2) All training shall be delivered through the statewide system of education service cooperatives and the three (3) Pulaski County school districts.

~~(c) The director shall report annually to the Black History Advisory Committee of the Arkansas History Commission regarding implementation of this act.~~

~~(d)~~(c) The Department of Education is authorized to promulgate regulations to carry out the provisions of this act and shall distribute to each local school district a copy of such regulations.

~~(e)~~(d) Dissemination of materials and all training required under this act shall be contingent upon the availability of funds appropriated for such purposes.

SECTION 69. Uncodified Section 11 of Act 1361 of 1997 is amended to read as follows:

The funds appropriated for At-Risk shall be used to provide K-3 summer school, college preparatory enrichment programs, and K-3 programs during the regular school year. The Department of Education may expend up to \$500,000 each fiscal year to monitor and assess or enter into a Professional/Consultant Services contract for the purpose of monitoring and assessing the various programs under the purview of the Department of Education. ~~Further, the Department of Education shall report the findings of such monitoring and assessment to the Joint Interim Committee on Education each fiscal year.~~

SECTION 70. Uncodified Section 12 of Act 35 of the Second Extraordinary Session of 2003 is repealed.

~~SECTION 12. Comprehensive Financial Impact Study.~~

~~The Department of Education shall conduct a comprehensive financial impact study of the cost of implementing the requirements of this act. The results of the study shall be presented to the House Committee on Education and the Senate Committee on Education by February 1, 2005. If necessary, the department shall supplement or modify its initial report. Any such supplemental report shall be completed and presented to the committees by February 1, 2007."~~

(SIGNED) SENATOR BRYLES

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 274 was ordered engrossed.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 19, 2007

Mr. President:

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

SENATE JOINT RESOLUTION BILL NO. 7, BY SENATOR FARIS,

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

Respectfully submitted,

(SIGNED) HENRY "HANK" WILKINS, IV
CHAIRMAN

On motion of Senator Faris, **Senate Joint Resolution No. 7** was ordered referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 19, 2007

Mr. President:

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

SENATE BILL NO. 109, BY SENATOR TAYLOR,
SENATE BILL NO. 453, BY SENATOR BROADWAY,
SENATE BILL NO. 501, BY SENATOR BROADWAY,
SENATE BILL NO. 587, BY SENATOR MADISON,
SENATE BILL NO. 703, BY SENATOR CRITCHER, et al,

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

Respectfully submitted,

(SIGNED) HENRY "HANK" WILKINS, IV
CHAIRMAN

On motion of Senator Taylor, **Senate Bill No. 109** was ordered re-referred to the Committee on JOINT BUDGET.

On motion of Senator Broadway, **Senate Bill No. 453** was ordered re-referred to the Committee on JOINT BUDGET.

On motion of Senator Broadway, **Senate Bill No. 501** was ordered re-referred to the Committee on JOINT BUDGET.

On motion of Senator Madison, **Senate Bill No. 587** was ordered re-referred to the Committee on JOINT BUDGET.

On motion of Senator Critcher, **Senate Bill No. 703** was ordered re-referred to the Committee on JOINT BUDGET.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 19, 2007

Mr. President:

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

SENATE BILL NO. 274, BY SENATOR BRYLES,
SENATE BILL NO. 782, BY SENATOR BROADWAY,

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

Respectfully submitted,

(SIGNED) HENRY "HANK" WILKINS, IV
CHAIRMAN

On motion of Senator Bryles, **Senate Bill No. 274** was ordered re-referred to the Committee on EDUCATION.

On motion of Senator Broadway, **Senate Bill No. 782** was ordered re-referred to the Committee on EDUCATION.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 19, 2007

Mr. President:

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

SENATE BILL NO. 586, BY SENATOR T. SMITH, et al,
SENATE BILL NO. 1004, BY SENATOR MALONE,

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

Respectfully submitted,

(SIGNED) HENRY "HANK" WILKINS, IV
CHAIRMAN

On motion of Senator Smith, **Senate Bill No. 586** was ordered re-referred to the Committee on REVENUE & TAXATION.

On motion of Senator Malone, **Senate Bill No. 1004** was ordered re-referred to the Committee on REVENUE & TAXATION.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 19, 2007

Mr. President:

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

SENATE BILL NO. 851, BY SENATOR HENDREN,

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

Respectfully submitted,

(SIGNED) HENRY "HANK" WILKINS, IV
CHAIRMAN

On motion of Senator Hendren, **Senate Bill No. 851** was ordered re-referred to the Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 19, 2007

Mr. President:

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

SENATE BILL NO. 911, BY SENATOR BAKER,

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

Respectfully submitted,

(SIGNED) HENRY "HANK" WILKINS, IV
CHAIRMAN

On motion of Senator Baker, **Senate Bill No. 911** was ordered re-referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 19, 2007

Mr. President:

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

SENATE BILL NO. 937, BY SENATOR BRYLES, et al,
SENATE BILL NO. 988, SENATOR BRYLES,

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

Respectfully submitted,

(SIGNED) HENRY "HANK" WILKINS, IV
CHAIRMAN

On motion of Senator Bryles, **Senate Bill No. 937** was ordered re-referred to the Committee on AGRICULTURE, ECONOMIC & INDUSTRIAL DEVELOPMENT.

On motion of Senator Bryles, **Senate Bill No. 988** was ordered re-referred to the Committee on AGRICULTURE, ECONOMIC & INDUSTRIAL DEVELOPMENT.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 19, 2007

Mr. President:

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

SENATE CONCURRENT RESOLUTION NO. 21,
BY SENATOR MADISON,

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

Respectfully submitted,

(SIGNED) SENATOR JACK CRITCHER
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 19, 2007

Mr. President:

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

SENATE BILL NO. 271, BY SENATOR MALONE,
SENATE BILL NO. 798, BY SENATOR HORN,
SENATE BILL NO. 957, BY SENATOR MADISON,

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

Respectfully submitted,

(SIGNED) SENATOR JACK CRITCHER
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 19, 2007

Mr. President:

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

SENATE BILL NO. 293, BY SENATOR MALONE,
SENATE BILL NO. 361, BY SENATOR HORN,
SENATE BILL NO. 861, BY SENATOR B. PRITCHARD,
SENATE BILL NO. 895, BY SENATOR HORN,
SENATE BILL NO. 945, BY SENATOR WOMACK,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that they do pass as amended No. 1, No. 2 and No. 3.

Respectfully submitted,

(SIGNED) SENATOR JACK CRITCHER
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 19, 2007

Mr. President:

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

HOUSE BILL NO. 2244, BY REPRESENTATIVE L. SMITH,
HOUSE BILL NO. 2305, BY REPRESENTATIVE PACE,
HOUSE BILL NO. 2374, BY REPRESENTATIVE ROGERS,
HOUSE BILL NO. 2463, BY REPRESENTATIVE J. JOHNSON,
HOUSE BILL NO. 2701, BY REPRESENTATIVE NORTON,
HOUSE BILL NO. 2731, BY REPRESENTATIVE MEDLEY,

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

Respectfully submitted,

(SIGNED) SENATOR JACK CRITCHER
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 19, 2007

Mr. President:

We, your Committee on JOINT RETIREMENT AND SOCIAL SECURITY, to whom was referred:

SENATE CONCURRENT RESOLUTION NO. 20,
BY SENATOR MADISON,

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 JIMMY JEFFRESS
CO- CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 19, 2007

Mr. President:

We, your Committee on JOINT RETIREMENT AND SOCIAL SECURITY, to whom was referred:

SENATE BILL NO. 139, 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.

Respectfully submitted,

(SIGNED) SENATOR JIMMY JEFFRESS
CO-CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 19, 2007

Mr. President:

We, your Committee on JOINT RETIREMENT AND SOCIAL SECURITY, to whom was referred:

SENATE BILL NO. 117, BY SENATOR FARIS,
SENATE BILL NO. 144, BY SENATOR T. SMITH,
SENATE BILL NO. 155, BY SENATOR T. SMITH,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that they do pass as amended No. 1 and No. 2.

Respectfully submitted,

(SIGNED) SENATOR JIMMY JEFFRESS
CO-CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 19, 2007

Mr. President:

We, your Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS, to whom was referred:

SENATE BILL NO. 1001, BY SENATOR MALONE,

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

Respectfully submitted,

(SIGNED) SENATOR HENRY "HANK" WILKINS, IV
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 19, 2007

Mr. President:

We, your Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS, to whom was referred:

HOUSE BILL NO. 2351, BY REPRESENTATIVE WYATT,
HOUSE BILL NO. 2386, BY REPRESENTATIVE REEP,

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

Respectfully submitted,

(SIGNED) SENATOR HENRY "HANK" WILKINS, IV
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 19, 2007

Mr. President:

We, your Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS, to whom was referred:

HOUSE BILL NO. 2346, BY REPRESENTATIVE WILLS,

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

Respectfully submitted,

(SIGNED) SENATOR HENRY "HANK" WILKINS, IV
CHAIRMAN

SENATE CONCURRENT RESOLUTION NO. 26
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR BROADWAY
BY: REPRESENTATIVES DUNN AND PETRUS

SENATE CONCURRENT RESOLUTION TO SUSPEND JOINT RULE (16)(A) OF THE SENATE AND THE HOUSE OF REPRESENTATIVES TO ALLOW REPRESENTATIVE CHRIS THYER TO INTRODUCE A BILL CONCERNING SCHOOL ACADEMIC FACILITIES BONDS.

Senate Concurrent Resolution No. 26 was read the first time, rules suspended, read the second time and placed on the Calendar.

STATE OF ARKANSAS
OFFICE OF THE GOVERNOR

STATE CAPITOL
LITTLE ROCK, ARKANSAS

MIKE BEEBE
Governor

March 14, 2007

TO THE PRESIDENT OF THE SENATE

Dear Mr. President:

This is to inform you that on March 14, 2007, I approved the following measures from the Regular Session of the Eighty-sixth General Assembly:

Senate Bill 031 -- ACT 277
Senate Bill 170 -- ACT 278
Senate Bill 216 -- ACT 279
Senate Bill 263 -- ACT 280
Senate Bill 284 -- ACT 281
Senate Bill 285 -- ACT 282
Senate Bill 300 -- ACT 283

Senate Bill 331 -- ACT 284
Senate Bill 382 -- ACT 285
Senate Bill 609 -- ACT 286
Senate Bill 767 -- ACT 287
Senate Bill 785 -- ACT 288
Senate Bill 788 -- ACT 289

Sincerely,

(SIGNED) MIKE BEEBE
Governor

SENATE RESOLUTION NO. 21
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

BY: SENATORS STEELE, BROWN, CRUMBLY, WILKINS & ARGUE

SENATE RESOLUTION COMMEMORATING THE 50TH ANNIVERSARY OF
THE HISTORIC INTEGRATION OF CENTRAL HIGH SCHOOL.

Senate Resolution No. 21 was read the first time, rules suspended, read the second time and placed on the Calendar.

STATE OF ARKANSAS
OFFICE OF THE GOVERNOR
STATE CAPITOL
LITTLE ROCK, ARKANSAS

MIKE BEEBE
Governor

March 19, 2007

TO THE PRESIDENT OF THE SENATE

Dear Mr. President:

This is to inform you that on March 19, 2007, I approved the following measures from the Regular Session of the Eighty-sixth General Assembly:

Senate Concurrent Memorial Resolution 5
Senate Concurrent Resolution 8

Senate Bill 298 -- ACT 310
Senate Bill 655 -- ACT 312
Senate Bill 857 -- ACT 314

Senate Bill 652 -- ACT 311
Senate Bill 659 -- ACT 313
Senate Bill 905 -- ACT 315

Senate Bill 906 -- ACT 316

Senate Bill 191 -- ACT 384
Senate Bill 787 -- ACT 386

Senate Bill 780 -- ACT 385

Sincerely,

(SIGNED) MIKE BEEBE
Governor

Senator Horn was recognized for presentation of citation.

SENATE CITATION

- WHEREAS, The 2005-06 Foreman Lady Gator Softball Team completed a Highly successful season with a 28-6 win-loss record and defeated Benton Harmony Grove 8-0 at the U of A Lady Razorback Field in Fayetteville on May 13, 2006 to win the 2A State Championship for the first time in the school's history; and*
- WHEREAS, Through their exceptional talent, sportsmanship, dedication and desire, team members have brought great pride to their school, fans, and community and their accomplishments are a tribute to the skills of the coaching staff; and*
- WHEREAS, Team members are Christian Beasley, LaShanda Johnson, Elaine Robertson, Kayla Woods, Kristian Foster, Kayleigh Cody, Jennifer Woods, Ashley Haywood, Brandi Halter, Sarah Hinton, Ashley Gibson, Kori Moore and Shelby Adcock; and*
- WHEREAS, The members of the Arkansas Senate wish to join Senator Barbara Horn in congratulating Coach Josh Nation, Asst. Coach Mitch Beasley, Managers Kimmy Beasley, Emily and Amy Halter and members of the 2005-06 Lady Gators on a special season culminating with the State 2A Championship.*

Now therefore, pursuant to the motion of

Senator Barbara Horn

the Arkansas Senate directs that this Citation be Presented on this 19th Day of March 2007.

PRESIDENT PRO TEMPORE OF THE SENATE

SENATOR BARBARA HORN

On motion of Senator Laverty, the rules were suspended in considering the presentation of citation and Senator Laverty was recognized for presentation of citation.

SENATE CITATION

WHEREAS, *The Huntsville Boys Basketball Team defeated Hamburg 56-52 in Summit Arena in Hot Springs on March 8, 2007 and brought home the AAAA State Championship --- the first in the school's history; and*

WHEREAS, *The Eagles enjoyed a phenomenal regular season with a 33-1 win/loss record and earned titles of 1AAAA Undeclared Conference Champions, 1AAAA Conference Tournament Runners Up, AAAA North Regional Champions, Green Forest Holiday Tournament Champions and Greenwood Bulldog Classic Champions; and*

WHEREAS, *Through their exceptional talent, sportsmanship, dedication and desire, the Huntsville Eagles have brought great pride to their school, their fans, and their community and their accomplishments are a tribute to the outstanding skills of the coaching staff; and*

WHEREAS, *The members of the Arkansas Senate wish to join Senator Randy Laverty in congratulating Coach Jim Stafford and members of the 2006-07 Huntsville Boys Basketball Team on a very special season culminating with the AAAA State Championship.*

Now therefore, pursuant to the motion of

Senator Randy Laverty

the Arkansas Senate directs that this Citation be Presented on this 19th Day of March 2007.

PRESIDENT PRO TEMPORE OF THE SENATE

SECRETARY OF THE SENATE

SENATOR

On motion of Senator Whitaker, **Senate Concurrent Resolution No. 22** was called up for third reading and final disposition.

SENATE CONCURRENT RESOLUTION NO. 22

As Engrossed: S3/7/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATOR WILKINS

BY: REPRESENTATIVE PACE

SENATE CONCURRENT RESOLUTION TO URGE CONGRESS AND THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY TO ADD CRITICAL PRIVACY AND CIVIL LIBERTY SAFEGUARDS TO THE REAL ID ACT OF 2005 AND TO FULLY FUND OR SUSPEND IMPLEMENTATION OF THE REAL ID ACT.

Senate Concurrent Resolution No. 22 was read the third time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Concurrent Resolution No. 22 was ordered immediately transmitted to the House.

On motion of Senator Smith, **Senate Memorial Resolution No. 3** was called up for third reading and final disposition.

SENATE MEMORIAL RESOLUTION NO. 3

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATORS T. SMITH AND FARIS

SENATE MEMORIAL RESOLUTION IN HONOR OF THE LATE Q. BYRUM HURST SR., A HOT SPRINGS NATIVE AND ONE OF ARKANSAS' BEST KNOWN POLITICAL FIGURES.

Senate Memorial Resolution No. 3 was read the third time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

On motion of Senator Madison, **Senate Bill No. 28** was placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 28

Amend **Senate Bill No. 28** as originally introduced:

Add Senator Salmon as a cosponsor of the bill

AND

Page 1, delete lines 10 and 11 and substitute:
"AN ACT TO REGULATE STATE-SUPPORTED INSTITUTION OF HIGHER
EDUCATION TEXTBOOK SALES; TO REQUIRE COURSE"

AND

Page 1, line 17, delete "COLLEGE AND UNIVERSITY" and substitute
"INSTITUTION OF HIGHER EDUCATION"

AND

Page 1, delete lines 31 through 35 and substitute the following:
"(A) Is not affiliated with a state-supported institution of higher
education;
(B) Is located within the service area of the state-supported
institution of higher education; and
(C) Primarily offers textbooks and course materials for sale to
students of one (1) or more institutions of higher education; and"

AND

Page 2, line 1, delete "college or" and substitute "institution of higher education"

AND

Page 2, delete lines 4 through 36 and substitute the following:
"(b) A state-supported institution of higher education in this state shall offer
for sale at its cost of production to a competing private bookstore each course
supplement required for use in taking a particular class or course of instruction:
(1) No later than two (2) weeks prior to the start of the class; and
(2) In a quantity not to exceed one-third (1/3) of the course enrollment.

(c) All supplements sold to a competing private bookstore shall be returnable for a full refund at the on-campus bookstore within the time permitted by the on-campus bookstore's return policy."

AND

Page 3, delete lines 1 through 5

(SIGNED) SENATOR MADISON

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 28 was ordered engrossed.

On motion of Senator Madison, **Senate Bill No. 29** was placed back on second reading for purpose of Amendment No. 3.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 3 to SENATE BILL NO. 29

Amend **Senate Bill No. 29** as engrossed, S2/14/07:

Page 1, delete lines 27 through 36 and substitute the following:

"6-60-601. Campus bookstore advertising.

(a)(1) If any state-supported institution of higher education advertises or allows an on-campus bookstore to submit advertising for inclusion in orientation packets or through the electronic media services of the state-supported institution of higher education, or as part of a presentation to any student group, then the state-supported institution of higher education shall allow a private local textbook vendor access to distribute the private local textbook vendor's advertising by the same distribution method, if requested in writing by the private local textbook vendor.

(2) The state-supported institution of higher education:

(A) Shall distribute the advertising of a private local textbook vendor contemporaneously with the advertising of the on-campus bookstore;

(B) May request a modification of the advertising of the on-campus bookstore or a private local textbook vendor if the advertising does not reflect the public interests of the State of Arkansas; and

(C) Is under no obligation to accept advertising from the on-campus bookstore or a private local textbook vendor.

(3) An on-campus bookstore and a private local textbook vendor shall be responsible for the costs related to the preparation and production of all advertising material."

AND

Page 2, delete lines 1 through 11

AND

Page 2, delete line 15 and substitute "textbooks or course materials; and"

AND

Page 2, delete lines 16 through 23

AND

Page 2, line 24, delete "(3)" and substitute "(2)"

(SIGNED) SENATOR MADISON

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 29 was ordered engrossed.

On motion of Senator Steele, **House Bill No. 1299** was placed back on second reading for purpose of Amendment No. 1 and No. 2.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to HOUSE BILL NO. 1299

Amend **House Bill No. 1299** as originally introduced:

Page 1, delete line 36 and substitute "not to exceed three hundred dollars (\$300) shall be charged; and"

(SIGNED) SENATOR STEELE

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

(SIGNED) ANN CORNWELL, SECRETARY

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 2 to HOUSE BILL NO. 1299

Amend **House Bill No. 1299** as originally introduced:

Page 2, delete line 29 and substitute the following:

"direction of the recorder.

(3) Appropriated moneys shall be placed into line items within the recorder's budget as approved by the quorum court."

AND

Page 3, delete line 3 and substitute the following:

"may be transferred to the county general fund.

(C) Any funds in excess of one million dollars (\$1,000,000) held at any time in the county recorder's cost fund shall be transferred to the county general fund.

SECTION 2. Arkansas Code § 14-20-107 is amended to read as follows:
14-20-107. Appropriations for Association of Arkansas Counties.

(a)(1) The quorum courts of each county in this state may provide for the participation of their county in the services and activities of the Association of Arkansas Counties, a domestic corporation organized and existing under the provisions of the Arkansas Nonprofit Corporation Act, §§ 4-28-201 - 4-28-206 and 4-28-209 - ~~4-28-223~~ 4-28-224.

(2) If the quorum court of a county authorizes the participation of the county in this association, then the quorum court shall annually appropriate from county general funds an amount which shall be equal to one percent (1%) of the general revenues received by that county from the County Aid Fund in the State Treasury during the preceding fiscal year.

(3) Participation by each county in this association shall be optional with the quorum court of each of the respective counties as provided in this section.

(b)(1) The funds so received by the association shall be used exclusively by it to finance the object of its existence, namely, to aid in the improvement of county government in the State of Arkansas.

(2) All funds so received by the association shall be subject to audit by the State of Arkansas, and this association shall make available to the auditors, at all reasonable times, all books, files, and records concerning such funds.

(c) Moneys appropriated by the court as the county's contribution to this association shall be paid to the association during the month of July for the fiscal year commencing on July 1 and ending on June 30 next following.

(d) This association is recognized as the official agency of the counties of this state to receive funds and use them for making a continuing study of ways and means to improve county government in Arkansas.

(e)(1) There is created on the books of the Association of Arkansas Counties a trust fund to be known as the "Automated Records Systems Fund".

(2)(A) The Automated Records Systems Fund shall be funded by counties in Class 6 and Class 7 in the State of Arkansas.

(B) The county recorder of the Class 6 and Class 7 counties shall remit one dollar (\$1.00) for each document recorded in the county recorder's office directly to the Automated Records Systems Fund on a monthly basis.

(3)(A) The Automated Records Systems Fund shall be administered by a committee comprised of the county recorders of the counties in Class 6 and Class 7 to be known as the "Automated Records Systems Fund Committee".

(B) The Automated Records Systems Fund Committee shall meet biannually to review grant applications made by county recorders in Class 1 through Class 5 solely for purposes directly related to office automation.

(C) The committee shall not disburse any moneys from the Automated Records Systems Fund to counties in Class 6 and Class 7.

(D) The committee shall expend substantially all of the money from the fund on an annual basis."

(SIGNED) SENATOR STEELE

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1299 was ordered engrossed.

On motion of Senator Whitaker, **House Bill No. 1651** was placed back on second reading for purpose of Amendment No. 1 and No. 2.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to HOUSE BILL NO. 1651

Amend **House Bill No. 1651** as engrossed, H3/1/07:

Page 2, delete lines 28 and 29 and substitute the following:

“(ii) Fairs and food and wine festivals, with the permission and the consent of the management of the events. A sales and use tax permit is also required.”

AND

Page 3, line 2, delete “§ 3-5-1606(3)” and substitute “§ 3-5-1605(3)”

AND

Page 3, delete lines 8 through 11

AND

Page 3, line 13, delete “3-5-1604.” and substitute “3-5-1603.”

AND

Page 3, line 14, delete “and”

AND

Page 3, line 25, delete “3-5-1605.” and substitute “3-5-1604.”

AND

Page 3, line 27, delete “January 1, 2007,” and substitute “the effective date of this subchapter”

AND

Page 3, line 30, delete “January 1, of 2007” and substitute “the effective date of this subchapter”

AND

Page 3, line 30, delete “Alcohol and” and substitute “Alcoholic”

AND

Page 4, line 2, delete “3-5-1606.” and substitute “3-5-1605.”

AND

Page 4, line 18 delete the semicolon and substitute ". This subdivision (a)(3) applies to all retail licenses for grocery stores, convenience stores, liquor stores, and package stores that sell malt beverages and wine."

AND

Page 4, delete line 32 and substitute the following:

"(7) Existing licenses.

(A) A person that holds a license for the sale of native wine issued under this chapter before the effective date of this subchapter may conduct business as a small farm winery wholesaler or retailer until the native wine license expires.

(B) Upon the expiration of a native wine license issued under this chapter on or before the effective date of this subchapter, the Alcoholic Beverage Control Board may issue a new license as part of the renewal process if the wholesaler or retailer:

(i) Meets the criteria under this section; and

(ii) Is in good standing.

(b) Tax on wine shall be based on the amount sold."

AND

Page 4, line 34, delete "3-5-1607." and substitute "3-5-1606."

AND

Page 4, line 35, delete "and"

AND

Page 5, line 2, delete "3-5-1608." and substitute "3-5-1607."

AND

Page 5, line 7, delete "3-5-1609." and substitute "3-5-1608."

AND

Page 5, line 14, delete "3-5-1610." and substitute "3-5-1609."

(SIGNED) SENATOR WHITAKER

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

(SIGNED) ANN CORNWELL, SECRETARY

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 2 to HOUSE BILL NO. 1651

Amend **House Bill No. 1651** as engrossed, H3/1/07:

Page 2, line 32, delete "holders:" and substitute "holders. To exercise the privileges of this subdivision (c)(1)(E), the small farm winery must obtain a wine wholesale permit:"

AND

Immediately following SECTION 3 of the bill, add a new section to read as follows:

"SECTION 4. NOT TO BE CODIFIED. In the event that this act, or any part thereof, is determined by a court to be unconstitutional, this act shall become void and all wines, including native wines, distributed for sale in the State of Arkansas shall be distributed under § 3-2-401 et seq. and sold by licensed retailers under § 3-4-201 et seq."

AND

By appropriately renumbering the following sections of the bill

(SIGNED) SENATOR WHITAKER

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1651 was ordered engrossed.

On motion of Senator Thompson, [Senate Bill No. 184](#) was called up for the purpose of considering [Amendment No. 1](#) thereto, adopted by the House.

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

[Amendment No. 1 to SENATE BILL NO. 184](#)

Amend [Senate Bill No. 184](#) as originally introduced:

Delete SECTION 1 in its entirety and substitute the following:

"SECTION 1. Arkansas Code § 5-2-310(b), concerning the procedures required within a reasonable period of time after the commitment of a defendant pursuant to the determination of a court that the defendant lacks fitness to proceed, is amended to read as follows:

(b)(1) Within a reasonable period of time, but in any case within ten (10) months of a commitment pursuant to subsection (a) of this section, the director or his or her designee shall file with the committing court a written report indicating whether the defendant is fit to proceed, or, if not, whether:

(A) The defendant's mental disease or defect is of a nature precluding restoration of fitness to proceed; and

(B) The defendant presents a danger to himself or herself or to the person or property of another.

(2)(A) The court shall make a determination within one (1) year of a commitment pursuant to subsection (a) of this section.

(B) Pursuant to the report of the director or his or her designee or as a result of a hearing on the report, if the court determines that the defendant is fit to proceed, prosecution in ordinary course may commence.

(C) If the defendant lacks fitness to proceed but does not present a danger to himself or herself or to the person or property of another, the court may release the defendant on conditions the court determines to be proper.

(D) If the defendant lacks fitness to proceed and presents a danger to himself or herself or the person or property of another, the court shall order the director to petition for an involuntary admission.

(E) Upon filing of an order finding that the defendant lacks fitness to proceed issued under subdivision (b)(2)(A) of this section with a circuit clerk or a probate clerk, the circuit clerk or the probate clerk shall submit a copy of the order to the Arkansas Crime Information Center.

SECTION 2. Arkansas Code § 5-2-314(b), concerning on acquittal on the grounds of mental disease or defect, is amended to read as follows:

(b)(1) If the circuit court enters a determination based on subdivision (a)(1) or (3) of this section, the circuit court shall order the defendant committed to the custody of the Director of the Department of Health and Human Services for an examination by a psychiatrist or a licensed psychologist.

(2) Upon filing of an order of commitment under subdivision (b)(1) of this section with a circuit clerk, the circuit clerk shall submit a copy of the order to the Arkansas Crime Information Center."

AND

Page 2, line 6, delete "SECTION 2." and substitute "SECTION 3."

AND

Page 2, delete lines 12 and 13, and substitute the following:

"(2) Upon filing of an order under § 5-2-310(b) or an order of commitment entered pursuant to §§ 5-2-314(b), 20-47-214, or 20-47-215 with a circuit"

AND

Page 2, line 25, delete "SECTION 3." and substitute "SECTION 4."

AND

Page 2, line 33, delete "SECTION 4." and substitute "SECTION 5."

AND

Page 3, delete lines 5 through 24

AND

Page 3, line 26, delete "SECTION 7." and substitute "SECTION 6."

(SIGNED) REPRESENTATIVE JOHNSON

Amendment No. 1 to Senate Bill No. 184, adopted by the House, was read the first time, rules suspended, read the second time and concurred in, by the Senate.

(SIGNED) ANN CORNWELL, SECRETARY

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

On motion of Senator Thompson, **Senate Bill No. 184** was called up for third reading and final disposition.

SENATE BILL NO. 184
As Engrossed: H2/23/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS R. THOMPSON AND BROADWAY

A Bill for an Act to be Entitled: AN ACT TO REQUIRE A COPY OF CERTAIN ORDERS REGARDING COMMITMENT TO BE SUBMITTED TO THE ARKANSAS CRIME INFORMATION CENTER; AND FOR OTHER PURPOSES.

Senate Bill No. 184 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, Argue, Baker, Bisbee, Bookout, Broadway, Brown, Bryles, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Hill, Horn, G. Jeffress, J. Jeffress, B. Johnson, Laverty, Luker, Madison, Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkins, Wilkinson, Womack.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **Senate Bill No. 184**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 184 was ordered enrolled.

On motion of Senator G. Jeffress, **Senate Bill No. 217** was called up for the purpose of considering **Amendment No. 2 and No. 3** thereto, adopted by the House.

HALL OF THE HOUSE OF REPRESENTATIVES
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 2 to SENATE BILL NO. 217

Amend **Senate Bill No. 217** as engrossed, S2/13/07:

Add Representatives Cook, Lamoureux, Medley as cosponsors of the bill

AND

Page 1, line 9, delete "LOWER" and substitute "RAISE"

AND

Page 1, line 14, delete "LOWER" and Substitute "RAISE"

AND

Page 1, line 25, delete "September 1, 2007" and substitute "September 1, 2009"

AND

Page 1, line 28, delete "August 15, 2008" and substitute "August 15, 2010"

(SIGNED) REPRESENTATIVE COOK

Amendment No. 2 to Senate Bill No. 217, adopted by the House, was read the first time, rules suspended, read the second time and concurred in, by the Senate.

(SIGNED) ANN CORNWELL, SECRETARY

HALL OF THE HOUSE OF REPRESENTATIVES
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 3 to SENATE BILL NO. 217

Amend **Senate Bill No. 217** as engrossed, H3/5/07:

Page 1, line 24, delete "2008-2009" and substitute "2009-2010"

AND

Page 1, line 27, delete "2009-2010" and substitute "2010-2011"

AND

Page 1, line 30, delete "2010-2011" and substitute "2011-2012"

(SIGNED) REPRESENTATIVE COOK

Amendment No. 3 to Senate Bill No. 217, adopted by the House, was read the first time, rules suspended, read the second time and concurred in, by the Senate.

(SIGNED) ANN CORNWELL, SECRETARY

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

On motion of Senator G. Jeffress, **Senate Bill No. 217** was called up for third reading and final disposition.

SENATE BILL NO. 217

As Engrossed: S2/13/07 H3/5/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATOR G. JEFFRESS

BY: REPRESENTATIVES COOK, LAMOUREUX & MEDLEY

A Bill for an Act to be Entitled: AN ACT TO AMEND § 6-18-207 TO RAISE THE AGE OF ENROLLMENT IN KINDERGARTEN IN PUBLIC SCHOOL; AND FOR OTHER PURPOSES.

Senate Bill No. 217 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Baker, Bisbee, Brown, Bryles, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Hill, Horn, G. Jeffress, J. Jeffress, B. Johnson, Laverty, Luker, Madison, Malone, Miller, Salmon, T. Smith, Steele, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkins, Wilkinson, Womack.

Total30

NEGATIVE: Altes, Argue, Bookout, Broadway, B. Pritchard.

Total5

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 217 was ordered enrolled.

On motion of Senator Laverty, Senate Bill No. 231 was called up for the purpose of considering Amendment No. 1 and No. 2 thereto, adopted by the House.

HALL OF THE HOUSE OF REPRESENTATIVES
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 231

Amend Senate Bill No. 231 as engrossed, S2/26/07:

Page 1, delete lines 27 through 36 and substitute the following:

"(19)(A) "Student growth funding" means the amount of state financial aid provided to each school district from funds made available for ~~that purpose~~ the growth in the average daily membership for the school district.

~~(B) For school years 2005-2006 and 2006-2007, student growth funding is calculated as five thousand four hundred dollars (\$5,400) multiplied by the increase, if any, in the school district's two-quarter average of the average daily membership of the current school year over the local school district's two-quarter average of the average daily membership for the previous school year, excluding any increase resulting solely from consolidation or annexation with another school district;~~"

AND

Page 2, delete lines 1 and 2

AND

Page 2, immediately following SECTION 2, insert the following new section:

"SECTION 3. Arkansas Code § 6-20-2305(c), concerning isolated funding, student growth funding, and special education-catastrophic occurrences funding, is amended to read as follows:

(c) Isolated funding under § 6-20-601, student growth funding, and special education-catastrophic occurrences funding shall be funded as follows:

(1) Isolated funding and special education-catastrophic occurrences funding shall be allocated and funded to school districts in a line item appropriation within the Public School Fund pursuant to law or rules promulgated by the State Board of Education; and

(2)(A) Student growth funding is calculated as the sum of the following amounts:

(i) One quarter (1/4) of the per student foundation funding for the school district under § 6-20-2305(a)(2) multiplied by the increase, if any, of each of the following:

(a) The school district's quarterly average daily membership for the first quarter of the current school year over average daily membership of the previous school year;

(b) The school district's quarterly average daily membership for the second quarter of the current year over the average daily membership of the previous school year;

(c) The school district's quarterly average daily membership for the third quarter of the current school year over the average daily membership of the previous school year; and

(d) The school district's quarterly average daily membership for the fourth quarter of the current school year over the average daily membership of the previous school year; and

(ii) ~~excluding~~ Excluding any increase resulting solely from consolidation or annexation with another school district.

(B)(i) The State Board of Education shall establish by rule the timing of distributions of student growth funding and the mechanism for determining the quarterly average daily membership to be used in calculating student growth funding under this subsection (c).

(ii)(a) As the fourth quarter average daily membership count will not be available until the following school fiscal year, the final distribution for each school year shall include one half (1/2) of the per student foundation funding for the school district under § 6-20-2305(a)(2) multiplied by the increase, if any, of the school district's quarterly average daily membership for the third quarter of the current school year over the average daily membership of the previous school year.

(b) As a result of calculating the distribution in subdivision (c)(2)(B)(ii)(a) of this section, either an adjustment shall be made in the initial distribution of growth funding for the district in the following school year to be based on the actual fourth quarter growth determined in subdivision (c)(2)(A)(i)(d) or the school district shall refund the overpayment in growth funding."

(SIGNED) REPRESENTATIVE DAVENPORT

Amendment No. 1 to Senate Bill No. 231, adopted by the House, was read the first time, rules suspended, read the second time and concurred in, by the Senate.

(SIGNED) ANN CORNWELL, SECRETARY

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

Amendment No. 2 to SENATE BILL NO. 231

Amend **Senate Bill No. 231** as engrossed, H3/5/07:

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 6-20-2303(19), concerning school district growth funding, is amended to read as follows:

(19)(A) "Student growth funding" means the amount of state financial aid provided to each school district from funds made available for that purpose the growth in the average daily membership for the school district.

~~(B) For school years 2005-2006 and 2006-2007, student growth funding is calculated as five thousand four hundred dollars (\$5,400) multiplied by the increase, if any, in the school district's two-quarter average of the average daily membership of the current school year over the local school district's two-quarter average of the average daily membership for the previous school year, excluding any increase resulting solely from consolidation or annexation with another school district;~~

SECTION 2. Arkansas Code § 6-20-2305(a)(3), concerning funding for districts with declining enrollment, is amended to read as follows:

(3)(A) ~~During the 2006-2007, school year, a~~ A school district with an that has experienced a decline in average daily membership over the two (2) immediately preceding school years that is less than the school district's previous year's average daily membership shall receive:

(i) Declining enrollment funding equal to the difference between the average of the two (2) immediately preceding years' average daily memberships and the average daily membership for the previous school year multiplied by five thousand six hundred twenty dollars (\$5,620) the amount of foundation funding set forth in subdivision (a)(2) of this section; or

(ii) Special needs isolated funding under § 6-20-604.

(B) Any funding appropriated and available for declining enrollment funding under subdivision (a)(3)(A)(i) of this section or special needs isolated funding under § 6-20-604 that is not distributed under subdivision (a)(3)(A) of this section shall be prorated and distributed equally per average lost student to school districts that meet the qualifications for both declining enrollment funding under subsection (a)(3)(A)(i) of this section and special needs isolated funding under § 6-20-604.

(C) No school district shall receive both declining enrollment funding under subdivision (a)(3)(A)(i) of this section and student growth funding under § 6-20-2305(c).

SECTION 3. Arkansas Code § 6-20-2305(c), concerning isolated funding, student growth funding, and special education-catastrophic occurrences funding, is amended to read as follows:

(c) Isolated funding under § 6-20-601, student growth funding, and special education-catastrophic occurrences funding shall be funded as follows:

(1) Isolated funding and special education-catastrophic occurrences funding shall be allocated and funded to school districts in a line item appropriation within the Public School Fund pursuant to law or rules promulgated by the State Board of Education; and

(2)(A) Student growth funding is calculated as the sum of the following amounts:

(i) One quarter (1/4) of the per student foundation funding for the school district under § 6-20-2305(a)(2) multiplied by the increase, if any, of each of the following:

(a) The school district's quarterly average daily membership for the first quarter of the current school year over average daily membership of the previous school year;

(b) The school district's quarterly average daily membership for the second quarter of the current year over the average daily membership of the previous school year;

(c) The school district's quarterly average daily membership for the third quarter of the current school year over the average daily membership of the previous school year; and

(d) The school district's quarterly average daily membership for the fourth quarter of the current school year over the average daily membership of the previous school year; and

(ii) ~~excluding~~ Excluding any increase resulting solely from consolidation or annexation with another school district.

(B)(i) The State Board of Education shall establish by rule the timing of distributions of student growth funding and the mechanism for determining the quarterly average daily membership to be used in calculating student growth funding under this subsection (c).

(ii)(a) As the fourth quarter average daily membership count will not be available until the following school fiscal year, the final distribution for each school year shall include one half (1/2) of the per student foundation funding for the school district under § 6-20-2305(a)(2) multiplied by the increase, if any, of the school district's quarterly average daily membership for the third quarter of the current school year over the average daily membership of the previous school year.

(b) As a result of calculating the distribution in subdivision (c)(2)(B)(ii)(a) of this section, either an adjustment shall be made in the initial distribution of growth funding for the district in the following school year to be based on the actual fourth quarter growth determined in subdivision (c)(2)(A)(i)(d) or the school district shall refund the overpayment in growth funding."

(SIGNED) REPRESENTATIVE DAVENPORT

Amendment No. 2 to Senate Bill No. 231, adopted by the House, was read the first time, rules suspended, read the second time and concurred in, by the Senate.

(SIGNED) ANN CORNWELL, SECRETARY

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

On motion of Senator Laverty, **Senate Bill No. 231** was called up for third reading and final disposition.

SENATE BILL NO. 231

As Engrossed: S2/26/07 H3/5/07 H3/12/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

**BY: SENATORS LAVERTY, BOOKOUT, BROADWAY, BRYLES, CRITCHER,
FARIS, GLOVER, G. JEFFRESS, B. JOHNSON, LUKER & R. THOMPSON**

BY: REPRESENTATIVES DAVENPORT, COOPER, ET AL

A Bill for an Act to be Entitled: AN ACT TO AMEND THE PUBLIC SCHOOL FUNDING ACT OF 2003 TO EQUALIZE THE FUNDING PROVIDED FOR A DISTRICT WITH A GROWING OR DECLINING ENROLLMENT; AND FOR OTHER PURPOSES.

Senate Bill No. 231 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 231 was ordered enrolled.

The President declared the morning hour to have expired.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 19, 2007

Mr. President:

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

SENATE BILL NO. 79, BY SENATORS BISBEE, PRITCHARD,
REPRESENTATIVE ANDERSON,
SENATE BILL NO. 100, BY SENATOR J. JEFFRESS,
SENATE BILL NO. 128, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 132, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 142, BY SENATOR J. JEFFRESS,
SENATE BILL NO. 149, BY SENATOR FARIS,
SENATE BILL NO. 197, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 251, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 253, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 265, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 295, BY SENATOR MILLER,
SENATE BILL NO. 339, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 340, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 341, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 342, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 343, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 344, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 345, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 347, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 348, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 349, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 351, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 352, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 353, BY JOINT BUDGET COMMITTEE,

SENATE BILL NO. 368, BY SENATORS WILKINSON, BAKER, SALMON,
 REPRESENTATIVE THYER, et al,

SENATE BILL NO. 381, BY SENATORS BOOKOUT, BROWN, et al,
 REPRESENTATIVE COOPER, et, al,

SENATE BILL NO. 404, BY SENATOR BOOKOUT,
 REPRESENTATIVE HARDWICK,

SENATE BILL NO. 680, BY SENATOR STEELE,

SENATE BILL NO. 765, BY SENATOR SALMON,

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 1:25 p.m. delivered them to the Governor for his approval.

Respectfully submitted,

(SIGNED) HENRY "HANK" WILKINS, IV
 CHAIRMAN

GOVERNOR'S BILL RECEIPTS

SENATE BILL NO. 79
 SENATE BILL NO. 100
 SENATE BILL NO. 128
 SENATE BILL NO. 132
 SENATE BILL NO. 142
 SENATE BILL NO. 149
 SENATE BILL NO. 197
 SENATE BILL NO. 251
 SENATE BILL NO. 253
 SENATE BILL NO. 265
 SENATE BILL NO. 295
 SENATE BILL NO. 339
 SENATE BILL NO. 340
 SENATE BILL NO. 341

SENATE BILL NO. 342
SENATE BILL NO. 343
SENATE BILL NO. 344
SENATE BILL NO. 345
SENATE BILL NO. 347
SENATE BILL NO. 348
SENATE BILL NO. 349
SENATE BILL NO. 351
SENATE BILL NO. 352
SENATE BILL NO. 353
SENATE BILL NO. 368
SENATE BILL NO. 381
SENATE BILL NO. 404
SENATE BILL NO. 680
SENATE BILL NO.765

RECEIVED the above papers from the Secretary of the Senate this 19th day of
March, 2005 at 1:25 p.m.

(SIGNED) MIKE BEEBE
Governor

(SIGNED) Kristi Hattenhauer
Secretary

On motion of Senator Broadway, the rules were suspended in considering **Senate Concurrent Resolution No. 26** at this time.

On motion of Senator Broadway, **Senate Concurrent Resolution No. 26** was called up for third reading and final disposition.

SENATE CONCURRENT RESOLUTION NO. 26
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR BROADWAY
BY: REPRESENTATIVES DUNN AND PETRUS

SENATE CONCURRENT RESOLUTION TO SUSPEND JOINT RULE (16)(A) OF THE SENATE AND THE HOUSE OF REPRESENTATIVES TO ALLOW REPRESENTATIVE CHRIS THYER TO INTRODUCE A BILL CONCERNING SCHOOL ACADEMIC FACILITIES BONDS.

Senate Concurrent Resolution No. 26 was read the third time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Concurrent Resolution No. 26 was ordered immediately transmitted to the House.

On motion of Senator Altes, **Senate Bill No. 182** was called up for third reading and final disposition.

**SENATE BILL NO. 182
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR ALTES**

A Bill for an Act to be Entitled: AN ACT TO REQUIRE MATERIAL HARMFUL TO MINORS TO BE KEPT BEHIND BLINDER RACKS; AND FOR OTHER PURPOSES.

Senate Bill No. 182 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, Argue, Baker, Bisbee, Bookout, Broadway, Brown, Bryles, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Hill, Horn, G. Jeffress, J. Jeffress, B. Johnson, Laverty, Luker, Madison, Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkins, Wilkinson, Womack.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 182 was ordered immediately transmitted to the House.

On motion of Senator Womack, the rules were suspended in considering Senate Bill No. 959 at this time.

Senator Womack moved that the record pertaining to the vote by which the Emergency Clause to Senate Bill No. 959 failed be expunged, the motion was duly seconded and prevailed.

The Chair could not determine the vote so a roll call was requested.

Motion to expunge the vote by which the Emergency Clause failed.

There being an emergency clause attached to Senate Bill No. 959, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

AFFIRMATIVE: Altes, Baker, Bisbee, Bookout, Brown, Critcher, Faris, Glover, Hendren, Horn, G. Jeffress, J. Jeffress, B. Johnson, Laverty, Miller, B. Pritchard, T. Smith, J. Taylor, Trusty, Wilkinson, Womack.

Total21

NEGATIVE: Argue, Bryles, Crumbly, Hill, Madison, Salmon, Steele.

Total7

ABSENT OR NOT VOTING: Broadway, Capps, Luker, Malone, R. Thompson, Whitaker, Wilkins.

Total7

VOTING PRESENT:

Total0

Total number of votes cast.....28

Necessary to the adoption of the Emergency Clause24

So the motion failed.

(SIGNED) ANN CORNWELL, SECRETARY

On motion of Senator Hill, **Senate Bill No. 827** was called up for third reading and final disposition.

SENATE BILL NO. 827
As Engrossed: S3/14/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR HILL

A Bill for an Act to be Entitled: AN ACT TO AMEND PORTIONS OF THE REGIONAL WATER DISTRIBUTION DISTRICT ACT, ACT 114 OF 1957, § 14-116-101 ET SEQ.; TO PROVIDE ECONOMIC DEVELOPMENT; AND FOR OTHER PURPOSES.

Senate Bill No. 827 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, Argue, Baker, Bisbee, Bookout, Broadway, Brown, Bryles, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Hill, Horn, G. Jeffress, J. Jeffress, B. Johnson, Laverty, Luker, Madison, Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkins, Wilkinson, Womack.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 827 was ordered immediately transmitted to the House.

On motion of Senator Horn, **Senate Bill No. 812** was called up for third reading and final disposition.

**SENATE BILL NO. 812
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR HORN**

A Bill for an Act to be Entitled: AN ACT TO AMEND § 14-233-108 TO INCREASE THE PER DIEM ALLOWANCE FOR A DIRECTOR OF THE BOARD OF A SANITATION AUTHORITY; AND FOR OTHER PURPOSES.

Senate Bill No. 812 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, Argue, Baker, Bisbee, Bookout, Broadway, Brown, Bryles, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Hill, Horn, G. Jeffress, J. Jeffress, B. Johnson, Laverty, Luker, Madison, Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkins, Wilkinson, Womack.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 812 was ordered immediately transmitted to the House.

On motion of Senator Miller, **Senate Bill No. 872** was called up for third reading and final disposition.

**SENATE BILL NO. 872
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MILLER
BY: REPRESENTATIVE COOPER**

A Bill for an Act to be Entitled: AN ACT CONCERNING THE ADMINISTRATION OF AN ALDERMAN’S OATH OF OFFICE BY A MAYOR; AND FOR OTHER PURPOSES.

Senate Bill No. 872 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, Argue, Baker, Bisbee, Bookout, Broadway, Brown, Bryles, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Hill, Horn, G. Jeffress, J. Jeffress, B. Johnson, Laverty, Luker, Madison, Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkins, Wilkinson, Womack.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 872 was ordered immediately transmitted to the House.

On motion of Senator Madison, **Senate Bill No. 369** was called up for third reading and final disposition.

SENATE BILL NO. 369
As Engrossed: S2/28/07 S3/15/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MADISON
BY: REPRESENTATIVE WEBB

A Bill for an Act to be Entitled: AN ACT TO AMEND THE CHILD MALTREATMENT ACT; AND FOR OTHER PURPOSES.

Senate Bill No. 369 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Argue, Baker, Bisbee, Bookout, Brown, Bryles, Capps, Crumbly, Faris, Glover, Hendren, Hill, Horn, G. Jeffress, J. Jeffress, Luker, Madison, Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkinson.

Total28

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Altes, Broadway, Critcher, B. Johnson, Lavery, Wilkins, Womack.

Total7

VOTING PRESENT:

Total0

Total number of votes cast.....28

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 369 was ordered immediately transmitted to the House.

On motion of Senator Madison, **Senate Bill No. 370** was called up for third reading and final disposition.

SENATE BILL NO. 370
As Engrossed: S3/5/07 S3/15/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MADISON
BY: REPRESENTATIVE WEBB

A Bill for an Act to be Entitled: AN ACT TO AMEND PROVISIONS OF THE JUVENILE CODE INCLUDING THE RIGHT OF A FOSTER CHILD TO CONTINUITY OF EDUCATIONAL SERVICES, DEFINITIONS IN THE JUVENILE CODE, AND PROCEDURAL ISSUES RELATED TO JURISDICTION, VENUE, AND HEARINGS; TO AMEND PROVISIONS IN THE JUVENILE CODE RELATED TO DEPENDENCY-NEGLECT PROCEEDINGS REGARDING CONFIDENTIALITY, DISPOSITIONS, TERMINATION OF PARENTAL RIGHTS, EMERGENCY ORDERS, AND HEARINGS; TO AMEND PROVISIONS IN THE JUVENILE CODE RELATED TO JUVENILE DELINQUENCY PROCEEDINGS; TO AMEND PROVISIONS IN THE JUVENILE CODE RELATED TO FAMILIES IN NEED OF SERVICES; TO CLARIFY THE PAYMENT PROCEDURE FOR ATTORNEYS WHO REPRESENT INDIGENT PARENTS OR GUARDIANS IN DEPENDENCY-NEGLECT CASES; AND FOR OTHER PURPOSES.

Senate Bill No. 370 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Argue, Baker, Bisbee, Bookout, Broadway, Brown, Bryles, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Hill, Horn, G. Jeffress, J. Jeffress, B. Johnson, Laverty, Luker, Madison, Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkins, Wilkinson, Womack.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Altes.

Total1

VOTING PRESENT:

Total0

Total number of votes cast.....34
 Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 370 was ordered immediately transmitted to the House as passed.

On motion of Senator Pritchard, **Senate Bill No. 18** was called up for third reading and final disposition.

SENATE BILL NO. 18

As Engrossed: S2/22/07 S3/15/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATORS B. PRITCHARD, LAVERTY, ALTES, MADISON, T. SMITH, R.

THOMPSON, TRUSTY, WHITAKER, WILKINSON

BY: REPRESENTATIVES KEY, BERRY, BURKES, ET AL

A Bill for an Act to be Entitled: AN ACT TO EXPAND DRUG COURT PROGRAMS; TO CREATE A DIVISION OF DRUG COURT PROGRAMS WITHIN THE *ADMINISTRATIVE OFFICE OF THE COURTS*; TO CREATE THE *DRUG COURT ADVISORY COMMITTEE*; AND FOR OTHER PURPOSES.

Senator Luker spoke against the Bill.

Senator Madison spoke for the Bill.

Senator Pritchard closed for the Bill

Senate Bill No. 18 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, Baker, Bisbee, Bookout, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Horn, J. Jeffress, B. Johnson, Lavery, Madison, Miller, B. Pritchard, T. Smith, Steele, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkinson, Womack.

Total25

NEGATIVE: Luker.

Total1

ABSENT OR NOT VOTING: Argue, Broadway, Brown, Bryles, Hill, G. Jeffress, Malone, Salmon, Wilkins.

Total9

VOTING PRESENT:

Total0

Total number of votes cast26

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to Senate Bill No. 18, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

AFFIRMATIVE: Altes, Baker, Bisbee, Bookout, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Horn, J. Jeffress, B. Johnson, Lavery, Madison, Miller, B. Pritchard, T. Smith, Steele, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkinson, Womack.

Total25

NEGATIVE: Luker.

Total1

ABSENT OR NOT VOTING: Argue, Broadway, Brown, Bryles, Hill, G. Jeffress, Malone, Salmon, Wilkins.

Total9

VOTING PRESENT:

Total	0
Total number of votes cast.....	26
Necessary to the adoption of the Emergency Clause	24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 18 was ordered immediately transmitted to the House.

On motion of Senator Steele, Senate Bill No. 996 was called up for third reading and final disposition.

SENATE BILL NO. 996
As Engrossed: S3/15/07
 EIGHTY-SIXTH GENERAL ASSEMBLY
 REGULAR SESSION
 BY: SENATOR STEELE
 BY: REPRESENTATIVE S. PRATER

A Bill for an Act to be Entitled: AN ACT TO CREATE THE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES OVERSIGHT BOARD; TO AMEND THE LAW REGARDING PUBLIC ASSISTANCE; AND FOR OTHER PURPOSES.

Senate Bill No. 996 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Argue, Baker, Bisbee, Bookout, Broadway, Brown, Bryles, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Hill, Horn, G. Jeffress, J. Jeffress, B. Johnson, Laverty, Luker, Madison, Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkins, Wilkinson, Womack.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Altes.

Total1

VOTING PRESENT:

Total0

Total number of votes cast34

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to Senate Bill No. 996, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

AFFIRMATIVE: Argue, Baker, Bisbee, Bookout, Broadway, Brown, Bryles, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Hill, Horn, G. Jeffress, J. Jeffress, B. Johnson, Laverty, Luker, Madison, Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkins, Wilkinson, Womack.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Altes.

Total1

VOTING PRESENT:

Total	0
Total number of votes cast.....	34
Necessary to the adoption of the Emergency Clause	24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 996 was ordered immediately transmitted to the House.

On motion of Senator Whitaker, Senate Bill No. 781 was called up for third reading and final disposition.

SENATE BILL NO. 781

As Engrossed: S3/8/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATOR WILKINS

A Bill for an Act to be Entitled: AN ACT TO PROVIDE CONSISTENCY IN THE STATUTORY LANGUAGE REGARDING PRIOR ALCOHOL-RELATED OFFENSES TO CONSIDER WHEN SUSPENDING OR REVOKING DRIVING PRIVILEGES; TO TREAT CONVICTIONS FOR ALCOHOL-RELATED OFFENSES IN OTHER STATES THAT ARE REPORTED UNDER THE RECIPROCAL SYSTEM AS IF THE OFFENSE HAD HAPPENED IN ARKANSAS; AND FOR OTHER PURPOSES.

Senate Bill No. 781 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 781 was ordered immediately transmitted to the House as passed.

On motion of Senator G. Jeffress, **Senate Bill No. 789** was called up for third reading and final disposition.

**SENATE BILL NO. 789
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR G. JEFFRESS**

A Bill for an Act to be Entitled: AN ACT TO AMEND THE SPECIAL LICENSE PLATE ACT OF 2005 TO DISTINGUISH PROFESSIONAL FIREFIGHTERS WITH A DISTINCTIVE SPECIAL LICENSE PLATE; AND FOR OTHER PURPOSES.

Senate Bill No. 789 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, Argue, Baker, Bisbee, Bookout, Broadway, Brown, Bryles, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Hill, Horn, G. Jeffress, J. Jeffress, B. Johnson, Laverty, Luker, Madison, Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkins, Wilkinson, Womack.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 789 was ordered immediately transmitted to the House as passed.

On motion of Senator Capps, **Senate Bill No. 924** was called up for third reading and final disposition.

**SENATE BILL NO. 924
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR CAPPS**

A Bill for an Act to be Entitled: AN ACT TO PROVIDE FOR THE CREATION AND OPERATION OF THE CONNECT ARKANSAS NONPROFIT ORGANIZATION TO PROMOTE BROADBAND EDUCATION AND DEPLOYMENT IN ARKANSAS; AND FOR OTHER PURPOSES.

Senate Bill No. 924 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, Argue, Baker, Bisbee, Bookout, Broadway, Brown, Bryles, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Hill, Horn, G. Jeffress, J. Jeffress, B. Johnson, Laverty, Luker, Madison, Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkins, Wilkinson, Womack.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 924 was ordered immediately transmitted to the House as passed.

On motion of Senator Womack, **Senate Bill No. 944** was called up for third reading and final disposition.

SENATE BILL NO. 944

As Engrossed: S3/15/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

**BY: SENATORS WOMACK, CRITCHER, CRUMBLY, HORN, WILKINS & ALTES
REPRESENTATIVES R. GREEN, KEY, ET AL**

A Bill for an Act to be Entitled: AN ACT TO PROVIDE FOR THE QUALIFICATIONS AND REIMBURSEMENT OF PROVIDERS OF MENTAL HEALTH CARE ASSISTANCE TO INDIGENT PERSONS; TO ESTABLISH CRITERIA FOR THE ADMISSION OF INDIGENT PERSONS TO MENTAL HEALTH CARE PROGRAMS; TO ENSURE NONDISCRIMINATION AND CHOICE; AND FOR OTHER PURPOSES.

Senate Bill No. 944 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, Argue, Baker, Bisbee, Bookout, Broadway, Brown, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Horn, B. Johnson, Lavery, Luker, Miller, T. Smith, Steele, R. Thompson, Trusty, Whitaker, Wilkins, Wilkinson, Womack.

Total26

NEGATIVE: J. Jeffress, Malone.

Total2

ABSENT OR NOT VOTING: Bryles, Hill, G. Jeffress, Madison, B. Pritchard, Salmon, J. Taylor.

Total7

VOTING PRESENT:

Total0

Total number of votes cast.....28

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **Senate Bill No. 944**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

AFFIRMATIVE: Altes, Argue, Baker, Bisbee, Bookout, Broadway, Brown, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Horn, B. Johnson, Lavery, Luker, Miller, T. Smith, Steele, R. Thompson, Trusty, Whitaker, Wilkins, Wilkinson, Womack.

Total26

NEGATIVE: J. Jeffress, Malone.

Total2

ABSENT OR NOT VOTING: Bryles, Hill, G. Jeffress, Madison, B. Pritchard, Salmon, J. Taylor.

Total7

VOTING PRESENT:

Total0

Total number of votes cast28

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 944 was ordered immediately transmitted to the House.

On motion of Senator Broadway, **Senate Bill No. 823** was called up for third reading and final disposition.

**SENATE BILL NO. 823
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR BROADWAY**

A Bill for an Act to be Entitled: AN ACT TO CHANGE THE MAILING PROCEDURES FOR CERTAIN NOTICES FROM SUBURBAN IMPROVEMENT DISTRICTS; AND FOR OTHER PURPOSES.

Senate Bill No. 823 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 823 was ordered immediately transmitted to the House as passed.

On motion of Senator Broadway, **House Bill No. 2221** was called up for third reading and final disposition.

**HOUSE BILL NO. 2221
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION**

**BY: REPRESENTATIVES CORNWELL, ALLEN, T. BAKER, ET AL
BY: SENATORS BROADWAY, BAKER, BOOKOUT, BRYLES, CRUMBLY,
HENDREN, LUKER, SALMON, STEELE, & R. THOMPSON**

A Bill for an Act to be Entitled: AN ACT TO AMEND THE UTILITY FACILITY ENVIRONMENTAL AND ECONOMIC PROTECTION ACT; TO AMEND THE ARKANSAS MUNICIPAL ELECTRIC UTILITY INTERLOCAL COOPERATION ACT OF 2003; AND FOR OTHER PURPOSES.

House Bill No. 2221 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, Argue, Baker, Bisbee, Bookout, Broadway, Brown, Bryles, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Hill, Horn, G. Jeffress, J. Jeffress, B. Johnson, Laverty, Luker, Madison, Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkins, Wilkinson, Womack.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2221 was ordered immediately returned to the House as passed.

On motion of Senator Critcher, **House Bill No. 1759** was called up for third reading and final disposition.

**HOUSE BILL NO. 1759
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE WYATT**

A Bill for an Act to be Entitled: AN ACT TO EXEMPT A STATE-SUPPORTED INSTITUTION OF HIGHER EDUCATION FROM THE SHIELDED OUTDOOR LIGHTING ACT; AND FOR OTHER PURPOSES.

House Bill No. 1759 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, Argue, Baker, Bisbee, Bookout, Broadway, Brown, Bryles, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Hill, Horn, G. Jeffress, J. Jeffress, B. Johnson, Laverty, Luker, Madison, Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkins, Wilkinson, Womack.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1759 was ordered immediately returned to the House as passed.

On motion of Senator J. Jeffress, **House Bill No. 1581** was called up for third reading and final disposition.

**HOUSE BILL NO. 1581
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE MOORE**

A Bill for an Act to be Entitled: AN ACT TO ADDRESS COUNTY PROBLEMS WITH BURN BANS; TO AMEND THE SECTION CONCERNING DECLARATION OF A LOCAL DISASTER EMERGENCY; AND FOR OTHER PURPOSES.

House Bill No. 1581 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, Argue, Baker, Bisbee, Bookout, Broadway, Brown, Bryles, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Hill, Horn, G. Jeffress, J. Jeffress, B. Johnson, Laverty, Luker, Madison, Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkins, Wilkinson, Womack.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1581 was ordered immediately returned to the House as passed.

On motion of Senator Lavery, **House Bill No. 1586** was called up for third reading and final disposition.

HOUSE BILL NO. 1586
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE KING

A Bill for an Act to be Entitled: AN ACT TO MODIFY PROVISIONS RELATED TO THE ADVERTISING AND PROMOTION TAXES LEVIED BY CITIES OF THE FIRST CLASS WITH A POPULATION OF FEWER THAN FIVE THOUSAND (5,000) TO ENSURE THAT THE TAXES ARE LEVIED AND COLLECTED ON ALL ENTITIES THAT PROVIDE LODGING AND TO PROVIDE ADEQUATE REPRESENTATION AND PROCEDURES FOR FILLING THE VACANCIES THAT OCCUR ON THESE CITIES' ADVERTISING AND PROMOTIONS COMMISSION; AND FOR OTHER PURPOSES.

House Bill No. 1586 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1586 was ordered immediately returned to the House as passed.

On motion of Senator Crumbly, **House Bill No. 2333** was called up for third reading and final disposition.

HOUSE BILL NO. 2333
As Engrossed: S/15/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE ALLEN

A Bill for an Act to be Entitled: AN ACT TO CREATE THE TASK FORCE ON SUBSTANCE ABUSE PREVENTION; AND FOR OTHER PURPOSES.

House Bill No. 2333 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, Argue, Baker, Bisbee, Bookout, Broadway, Brown, Bryles, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Hill, Horn, G. Jeffress, J. Jeffress, B. Johnson, Laverty, Luker, Madison, Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkins, Wilkinson, Womack.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2333 was ordered immediately returned to the House as passed as amended.

On motion of Senator Laverty, **House Bill No. 1456** was called up for third reading and final disposition.

HOUSE BILL NO. 1456
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES HOYT, REYNOLDS, BURRIS, ET AL
BY: SENATOR LAVERTY

A Bill for an Act to be Entitled: AN ACT TO ALLOW THE USE OF NEWER, MORE FLEXIBLE PLASTIC PIPE FOR WATER DISTRIBUTION PIPING UNDER CONCRETE SLABS; AND FOR OTHER PURPOSES.

House Bill No. 1456 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, Argue, Baker, Bisbee, Bookout, Brown, Bryles, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Hill, Horn, G. Jeffress, J. Jeffress, B. Johnson, Laverty, Madison, Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkins, Wilkinson, Womack.

Total	33
NEGATIVE: Broadway, Luker.	
Total	2
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 1456**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

AFFIRMATIVE: Altes, Argue, Baker, Bisbee, Bookout, Brown, Bryles, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Hill, Horn, G. Jeffress, J. Jeffress, B. Johnson, Laverty, Madison, Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkins, Wilkinson, Womack.

Total33

NEGATIVE: Broadway, Luker.

Total2

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1456 was ordered immediately returned to the House as passed.

On motion of Senator Madison, **House Bill No. 1485** was called up for third reading and final disposition.

HOUSE BILL NO. 1485
As Engrossed: H2/26/07 S3/15/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE KEY
BY: SENATOR WOMACK

A Bill for an Act to be Entitled: AN ACT TO AMEND THE "REVISED UNIFORM ADOPTION ACT", ARKANSAS CODE § 9-9-201 ET SEQ.; TO AMEND PROVISIONS OF THE "STREAMLINE ADOPTION ACT", ARKANSAS CODE § 9-9-701; AND FOR OTHER PURPOSES.

House Bill No. 1485 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1485 was ordered immediately returned to the House as passed as amended.

On motion of Senator Horn, **House Bill No. 2583** was called up for third reading and final disposition.

HOUSE BILL NO. 2583
As Engrossed: S3/14/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE SAMPLE
BY: SENATOR HORN

A Bill for an Act to be Entitled: AN ACT TO MAKE VARIOUS REVISIONS TO THE PROCUREMENT LAWS OF THE STATE OF ARKANSAS; AND FOR OTHER PURPOSES.

House Bill No. 2583 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Argue, Baker, Bisbee, Bookout, Broadway, Brown, Bryles, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Hill, Horn, G. Jeffress, J. Jeffress, B. Johnson, Lavery, Luker, Madison, Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkins, Wilkinson, Womack.

Total	34
NEGATIVE: Altes.	
Total	1
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2583 was ordered immediately returned to the House as passed as amended.

On motion of Senator Smith, **House Bill No. 2245** was called up for third reading and final disposition.

HOUSE BILL NO. 2245
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES FLOWERS AND E. BROWN

A Bill for an Act to be Entitled: AN ACT TO PROVIDE ARKANSAS HIGH SCHOOL STUDENTS WITH COMPREHENSIVE INFORMATION CONCERNING COLLEGE SCHOLARSHIPS AND STATE-FUNDED PROGRAMS FOR DEVELOPING TECHNICAL JOB SKILLS; AND FOR OTHER PURPOSES.

House Bill No. 2245 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, Argue, Baker, Bisbee, Bookout, Broadway, Brown, Bryles, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Hill, Horn, G. Jeffress, J. Jeffress, B. Johnson, Laverty, Luker, Madison, Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkins, Wilkinson, Womack.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2245 was ordered immediately returned to the House as passed.

On motion of Senator Smith, **House Bill No. 1250** was called up for third reading and final disposition.

HOUSE BILL NO. 1250
As Engrossed: H1/24/07 H2/27/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES MEDLEY, WELLS, WALTERS, ET AL

A Bill for an Act to be Entitled: AN ACT TO AUTHORIZE INDEPENDENT PRACTICE OF PSYCHOLOGY BY QUALIFIED PERSONS AT THE MASTER'S LEVEL; AND FOR OTHER PURPOSES.

House Bill No. 1250 was pulled down.

On motion of Senator G. Jeffress, **House Bill No. 1782** was called up for third reading and final disposition.

HOUSE BILL NO. 1782
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE KING

A Bill for an Act to be Entitled: AN ACT TO ADD A REPRESENTATIVE OF THE ARKANSAS YOUNG AND BEGINNING FARMER ADVISORY BOARD TO THE ARKANSAS AGRICULTURE BOARD; AND FOR OTHER PURPOSES.

House Bill No. 1782 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

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

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1782 was ordered immediately returned to the House as passed.

On motion of Senator Baker, **House Bill No. 2585** was called up for third reading and final disposition.

**HOUSE BILL NO. 2585
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE HARDWICK**

A Bill for an Act to be Entitled: AN ACT TO AMEND PROVISIONS OF ARKANSAS LAW PERTAINING TO STATE CAPITAL IMPROVEMENT PROJECTS; AND FOR OTHER PURPOSES.

House Bill No. 2585 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, Argue, Baker, Bisbee, Bookout, Broadway, Brown, Bryles, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Hill, Horn, G. Jeffress, J. Jeffress, B. Johnson, Laverty, Luker, Madison, Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkins, Wilkinson, Womack.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2585 was ordered immediately returned to the House as passed.

On motion of Senator Smith, **House Bill No. 1367** was called up for third reading and final disposition.

HOUSE BILL NO. 1367
As Engrossed: H2/13/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE DUNN
BY: SENATOR T. SMITH

A Bill for an Act to be Entitled: AN ACT TO AMEND § 23-3-201 TO PROVIDE THAT A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY IS NOT REQUIRED FOR REPLACING OR EXPANDING AN EXISTING FACILITY OR TO INCREASE A FACILITY’S CAPACITY IF THE EXISTING RIGHT-OF-WAY IS NOT INCREASED; AND FOR OTHER PURPOSES.

House Bill No. 1367 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Baker, Bisbee, Bookout, Broadway, Brown, Bryles, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Hill, Horn, G. Jeffress, J. Jeffress, B. Johnson, Laverty, Luker, Madison, Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkins, Wilkinson, Womack.

Total	33
NEGATIVE: Argue.	
Total	1
ABSENT OR NOT VOTING: Altes.	
Total	1
VOTING PRESENT:	
Total	0
Total number of votes cast.....	34
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1367 was ordered immediately returned to the House as passed.

On motion of Senator Salmon, **House Bill No. 1671** was called up for third reading and final disposition.

**HOUSE BILL NO. 1671
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE L. SMITH**

A Bill for an Act to be Entitled: AN ACT TO AMEND THE “ARKANSAS WETLANDS MITIGATION BANK ACT” TO INCLUDE AQUATIC RESOURCES, STREAMS, AND DEEP WATER AQUATIC HABITATS; AND FOR OTHER PURPOSES.

House Bill No. 1671 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Argue, Baker, Bookout, Broadway, Brown, Bryles, Capps, Faris, Glover, J. Jeffress, Luker, Madison, Malone, Miller, Salmon, J. Taylor, R. Thompson, Wilkinson.

Total18

NEGATIVE: Altes, Bisbee, Hendren, Laverty, B. Pritchard.

Total5

ABSENT OR NOT VOTING: Critcher, Crumbly, Hill, Horn, G. Jeffress, B. Johnson, T. Smith, Steele, Trusty, Whitaker, Wilkins, Womack.

Total12

VOTING PRESENT:

Total0

Total number of votes cast23

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senator Salmon moved that the vote by which **House Bill No. 1671** passed be reconsidered and that motion be laid upon the table, which motion prevailed and the motion to reconsider was laid on the table.

House Bill No. 1671 was ordered immediately returned to the House as passed.

On motion of Senator Salmon, **House Bill No. 1446** was called up for third reading and final disposition.

**HOUSE BILL NO. 1446
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION**

BY: REPRESENTATIVES REYNOLDS, HAWKINS, HOYT, ET AL

A Bill for an Act to be Entitled: AN ACT TO PROVIDE NOTICE TO TAXPAYERS REGARDING RIGHTS TO LOWER ASSESSMENTS ON THE TAXPAYER'S HOMESTEAD USED AS A PRINCIPAL PLACE OF RESIDENCE AS CONTAINED IN THE ARKANSAS CONSTITUTION; AND FOR OTHER PURPOSES.

House Bill No. 1446 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, Argue, Baker, Bisbee, Bookout, Broadway, Brown, Bryles, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Hill, Horn, G. Jeffress, J. Jeffress, B. Johnson, Laverty, Luker, Madison, Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkins, Wilkinson, Womack.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1446 was ordered immediately returned to the House as passed.

On motion of Senator Salmon, **House Bill No. 2283** was called up for third reading and final disposition.

**HOUSE BILL NO. 2283
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE REYNOLDS**

A Bill for an Act to be Entitled: AN ACT TO CLARIFY ARKANSAS CODE §§ 14-20-112(a), 26-75-602(c)(2), AND 26-75-701(a) TO APPLY TO HOTELS, MOTELS, RESTAURANTS, OR SIMILAR ESTABLISHMENTS; AND FOR OTHER PURPOSES.

House Bill No. 2283 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, Argue, Baker, Bisbee, Bookout, Broadway, Brown, Bryles, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Hill, Horn, G. Jeffress, J. Jeffress, B. Johnson, Laverty, Luker, Madison, Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkins, Wilkinson, Womack.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 2283**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

AFFIRMATIVE: Altes, Argue, Baker, Bisbee, Bookout, Broadway, Brown, Bryles, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Hill, Horn, G. Jeffress, J. Jeffress, B. Johnson, Laverty, Luker, Madison, Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkins, Wilkinson, Womack.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
Necessary to the adoption of the Emergency Clause	24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2283 was ordered immediately returned to the House as passed.

On motion of Senator Bookout, **House Bill No. 1657** was called up for third reading and final disposition.

**HOUSE BILL NO. 1657
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES ROSENBAUM AND ANDERSON
BY: SENATOR BOOKOUT**

A Bill for an Act to be Entitled: AN ACT TO AUTHORIZE CITIES AND TOWNS TO COLLECT AN ADDITIONAL FRANCHISE FEE FROM TELEPHONE COMPANIES; AND FOR OTHER PURPOSES.

House Bill No. 1657 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, Argue, Baker, Bisbee, Bookout, Broadway, Brown, Bryles, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Hill, Horn, G. Jeffress, J. Jeffress, B. Johnson, Laverty, Luker, Madison, Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkins, Wilkinson, Womack.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1657 was ordered immediately returned to the House as passed.

On motion of Senator J. Jeffress, **House Bill No. 2398** was called up for third reading and final disposition.

**HOUSE BILL NO. 2398
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE BURRIS**

A Bill for an Act to be Entitled: AN ACT TO REQUIRE EACH STUDENT AT A PUBLIC INSTITUTION OF HIGHER EDUCATION TO BE INFORMED AT REGISTRATION IF A COURSE WILL TRANSFER TO ANOTHER PUBLIC INSTITUTION OF HIGHER EDUCATION; TO REQUIRE THE EIGHT-SEMESTER COURSE OF STUDY TO INCLUDE TRANSFERABILITY INFORMATION; AND FOR OTHER PURPOSES.

House Bill No. 2398 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, Argue, Baker, Bisbee, Bookout, Broadway, Brown, Bryles, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Hill, Horn, G. Jeffress, J. Jeffress, B. Johnson, Laverty, Luker, Madison, Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkins, Wilkinson, Womack.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2398 was ordered immediately returned to the House as passed.

On motion of Senator Womack, **Senate Bill No. 78** was withdrawn from the Committee on Joint Budget, and placed back on second reading for purpose of Amendment No. 2.

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

JBC 03/15/07 (2)

Amend **Senate Bill No. 78** as engrossed S/3/8/07:

Page 2, line 3, delete "\$135,955 \$138,674" and substitute "\$150,000 \$153,000"

(SIGNED) SENATOR SHAWN WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 78 was ordered engrossed.

On motion of Senator Womack, **Senate Bill No. 138** was withdrawn from the Committee on Joint Budget, and placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 138

JBC 03/15/07 (1)

Amend **Senate Bill No. 138** as originally introduced:

Page 5, delete lines 24 and 25 in their entirety and substitute the following:
 "which remains at the close of the fiscal year ending June 30, ~~2006~~ 2008 shall"

AND

Page 5, delete lines 30 and 31 in their entirety and substitute the following:
 "the Bureau of Legislative Research of the Legislative Council shall certify the"

AND

Page 6, delete lines 5, 6 and 7 in their entirety and substitute the following:
"PROVISION - LINE ITEMS. The Director of the Bureau of Legislative Research is hereby authorized to direct the Chief Fiscal Officer of the"

AND

Page 7, delete lines 9, 10 and 11 in their entirety and substitute the following:
"at the discretion of the Director of the Bureau. 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, ~~2005~~ 2007 through June 30, ~~2007~~ 2009."

(SIGNED) SENATOR SHAWN WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 138 was ordered engrossed.

On motion of Senator Womack, **Senate Bill No. 175** was withdrawn from the Committee on Joint Budget, and placed back on second reading for purpose of Amendment No. 2.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 2 to SENATE BILL NO. 175

JBC 03/15/07 (1)

Amend **Senate Bill No. 175** as engrossed, S2/19/07:

Page 13, insert a line between lines 11 and 12

AND

Page 13, line 17 delete "At such time as any of the foreign offices are"

AND

Page 13, delete lines 18, 19 and 20 in their entirety

AND

Page 13, line 21, delete "corporation, individual or organization."

(SIGNED) SENATOR SHAWN WOMCAK

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 175 was ordered engrossed.

On motion of Senator Womack, **Senate Bill No. 192** was withdrawn from the Committee on Joint Budget, and placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 192

JBC 03/15/07 (2)

Amend **Senate Bill No. 192** as originally:

Delete SECTION 1 in its entirety and substitute the following:

“ SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established for the Department of Parks and Tourism for the 2007-2009 biennium, the following maximum number of regular employees whose salaries shall be governed by the provisions of the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws amendatory thereto. Provided, however, that any position to which a specific maximum annual salary is set out herein in dollars, shall be exempt from the provisions of said Uniform Classification and Compensation Act. All persons occupying positions authorized herein are hereby governed by the provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its successor.

Item Class	Maximum No. of Employees	Salary Rate Fiscal Years	
		2007-2008	2008-2009
(1) 9975 PRK&TRSM DIR PARKS REC & TRAVEL	1	\$103,807	\$105,883
(2) 9704 PRKS&TRSM STATE PARKS DIV DIR	1	\$93,235	\$95,099
(3) 9703 PRKS&TRSM CENTRAL ADMIN DIV DIR	1	\$92,121	\$93,963
(4) 9705 PRKS&TRSM TOURISM DIVISION DIR	1	\$80,806	\$82,422
(5) 9706 PRKS & TRSM/TRSM ADMIN DIRECTOR	1	\$69,686	\$71,079
(6) 561Z PRKS & TRSM PARKS OPERATIONS MGR	1		GRADE 26
(7) 563Z PRKS & TRSM PARKS PLNG & DEV MGR	1		GRADE 26
(8) 559Z PRKS & TRSM PARKS ADMIN MANAGER	1		GRADE 25
(9) 997Z MUSEUM SERVICES DIRECTOR	1		GRADE 25
(10) A046 AGENCY CONTROLLER - LARGE/COMPLEX A	1		GRADE 25
(11) P306 PRKS & TRSM REGIONAL PARK SUPV	4		GRADE 25
(12) R328 PRKS & TRSM DIR RESEARCH & INFO SVC	1		GRADE 25
(13) R078 PRKS & TRSM MRKTING & PROMOTION DIR	1		GRADE 24
(14) R287 OUTDOOR REC GRANTS PRGM DIR	1		GRADE 24
(15) X339 ENGINEER SUPERVISOR	1		GRADE 24
(16) A049 PRKS & TRSM REV OPERATIONS MANAGER	1		GRADE 24
(17) 557Z PRKS & TRSM FOLK CENTER MANAGER	1		GRADE 24
(18) D130 INFORMATION SYSTEMS ADMINISTRATOR	1		GRADE 24
(19) P301 PRKS & TRSM PROGRAM SVC ADMR	1		GRADE 24
(20) P302 PARK SUPERINTENDENT V	3		GRADE 24
(21) P326 LODGE MANAGER	4		GRADE 24
(22) P303 PARK SUPERINTENDENT IV	10		GRADE 23
(23) N330 LICENSED ARCHITECT	1		GRADE 23
(24) N297 PRKS & TRSM TOURISM EDITOR	1		GRADE 23
(25) D080 APPLICATIONS & SYSTEMS MANAGER	1		GRADE 23
(26) 564Z PRKS & TRSM PERSONNEL MANAGER	1		GRADE 23
(27) P324 FOOD & BEVERAGE DIRECTOR	1		GRADE 23
(28) 909Z PROGRAM SUPPORT MANAGER	2		GRADE 22
(29) A032 AGENCY FISCAL MANAGER	1		GRADE 22
(30) A264 PARKS AND TOURISM ACCOUNTING SUPERV	3		GRADE 22
(31) X338 ENGINEER, PE	2		GRADE 22
(32) P332 PARK SUPERINTENDENT III	18		GRADE 22
(33) P323 ASSISTANT LODGE MANAGER	4		GRADE 22
(34) P331 PARK SUPERINTENDENT II	37		GRADE 21
(35) R120 PARK PLANNER	4		GRADE 21
(36) R121 PRKS & TRSM ASST PERSONNEL MGR	1		GRADE 21
(37) V007 REAL ESTATE OFFICER	1		GRADE 21
(38) V012 PURCHASING MANAGER	1		GRADE 21
(39) Y012 PARK PROJECT MANAGER	1		GRADE 21
(40) X341 ENGINEER II	1		GRADE 21
(41) R298 AGENCY PROGRAM COORDINATOR	2		GRADE 21
(42) N312 MUSEUM ARCHIVIST CONSERVATOR	1		GRADE 21
(43) D010 DATA BASE ANALYST	1		GRADE 21
(44) D123 APPLICATIONS & SYSTEMS ANALYST	2		GRADE 21
(45) A008 ACCOUNTING SUPERVISOR II	1		GRADE 21
(46) P322 RESTAURANT MANAGER	5		GRADE 21
(47) A056 INTERNAL AUDITOR	1		GRADE 20
(48) D121 USER SUPPORT ANALYST	4		GRADE 20
(49) G104 CONSTRUCTION/MAINTENANCE COORD	1		GRADE 20
(50) E114 STAFF DEVELOPMENT COORDINATOR	1		GRADE 20
(51) N295 FOLKLIFE DIR OZARK FOLK CENTER	1		GRADE 20
(52) N318 CURATOR	4		GRADE 20
(53) N282 EXHIBITS SPECIALIST	2		GRADE 20
(54) X398 SURVEYOR	1		GRADE 20

(55) R266	MANAGEMENT PROJECT ANALYST II	11	GRADE 20
(56) X337	ENGINEER	1	GRADE 20
(57) V060	CENTRAL WAREHOUSE SUPERVISOR	1	GRADE 19
(58) T017	PARK RANGER II	22	GRADE 19
(59) R150	RESEARCH PROJECT ANALYST	1	GRADE 19
(60) P329	PARK SUPERINTENDENT I	11	GRADE 19
(61) N285	TOURIST INFORMATION CENTER MGR II	5	GRADE 19
(62) N347	TOURISM CONSULTANT	2	GRADE 19
(63) E138	PRKS & TRSM DIR ED & PUB PRGMS	1	GRADE 19
(64) E014	DIRECTOR MULTI-MEDIA SERVICES	3	GRADE 19
(65) A110	ACCOUNTANT II	4	GRADE 19
(66) P321	LODGE SALES DIRECTO	3	GRADE 19
(67) A111	ACCOUNTANT	3	GRADE 18
(68) E050	STAFF DEVELOPMENT SPECIALIST II	1	GRADE 18
(69) G028	BLDG PLANT MAINTENANCE SUPV II	8	GRADE 18
(70) N346	MUSIC PROGRAM & PROMOTIONAL COORD	2	GRADE 18
(71) N380	CHIEF PHOTOGRAPHER	1	GRADE 18
(72) N314	MUSEUM INTERPRETIVE SPECIALIST	1	GRADE 18
(73) N288	HISTORICAL RESEARCHER	1	GRADE 18
(74) N280	TRAVEL INFORMATION WRITER II	3	GRADE 18
(75) H032	FOOD PRODUCTION MANAGER	2	GRADE 18
(76) P325	PARK INTERPRETER	43	GRADE 18
(77) R195	PERSONNEL ANALYST	1	GRADE 18
(78) V040	PURCHASE AGENT II/PURCHASE AGENT	2	GRADE 18
(79) X372	PARK CONSTRUCTION INSPECTOR	4	GRADE 18
(80) Y017	CARPENTER SUPERVISOR	4	GRADE 18
(81) Y027	ELECTRICIAN SUPERVISOR	3	GRADE 18
(82) Y041	HEATING & A/C MECHANIC SUPERVISOR	3	GRADE 18
(83) Y081	PLUMBER SUPERVISOR	1	GRADE 18
(84) Y087	PRINTER SUPERVISOR	1	GRADE 18
(85) P319	ASSISTANT RESTAURANT MANAGER	5	GRADE 18
(86) P320	LODGE HOUSEKEEPING SUPERVISOR	4	GRADE 18
(87) P318	FRONT DESK SUPERVISOR	3	GRADE 18
(88) Y053	JOURNEYMAN CARPENTER	11	GRADE 17
(89) Y039	HEATING & A/C MECHANIC	3	GRADE 17
(90) T021	PARK RANGER	1	GRADE 17
(91) R010	ADMINISTRATIVE ASSISTANT II	19	GRADE 17
(92) R190	PERSONNEL OFFICER II	2	GRADE 17
(93) P317	TOURIST INFORMATION CENTER MANAGER	7	GRADE 17
(94) N290	COMMERCIAL ARTIST II/GRAPHIC ART II	2	GRADE 17
(95) N299	MUSEUM REGISTRAR	2	GRADE 17
(96) N343	MUSEUM EXHIBIT SPECIALIST	1	GRADE 17
(97) P316	ASSISTANT LODGE SALES DIRECTOR	2	GRADE 16
(98) M110	VOLUNTEER SERVICES COORDINATOR	1	GRADE 16
(99) K008	PRKS & TRSM ADMIN SUPPORT COORD	45	GRADE 16
(100) P310	FACILITY MANAGER III	4	GRADE 16
(101) P308	PARK TECHNICIAN III	75	GRADE 16
(102) X395	SURVEY CREW CHIEF	1	GRADE 16
(103) X333	ENGINEER TECHNICIAN	1	GRADE 16
(104) Y085	PRINTER II	1	GRADE 16
(105) R009	ADMINISTRATIVE ASSISTANT I	1	GRADE 15
(106) N316	MUSEUM PROGRAM ASSISTANT	5	GRADE 15
(107) G043	EQUIPMENT MECHANIC	1	GRADE 15
(108) D005	COMPUTER OPERATOR II	1	GRADE 15
(109) A063	PAYROLL OFFICER	1	GRADE 15
(110) A108	ACCOUNTING TECHNICIAN II	15	GRADE 15
(111) P315	LODGE COOK	14	GRADE 15

(112) N377 AUDIOVISUAL COORD/PHOTOGRAPHER	1	GRADE 14
(113) P367 PARK TECH II	46	GRADE 14
(114) P309 FACILITY MANAGER II	13	GRADE 14
(115) P313 DESK CLERK	12	GRADE 13
(116) P314 LODGE HOUSEKEEPER	4	GRADE 13
(117) R125 PERSONNEL OFFICER	1	GRADE 13
(118) K153 SECRETARY II	14	GRADE 13
(119) K145 CASHIER/CASHIER II	10	GRADE 12
(120) K039 DOCUMENT EXAMINER II	1	GRADE 12
(121) K181 MAILROOM SUPERVISOR	1	GRADE 12
(122) T045 SECURITY OFFICER II	2	GRADE 12
(123) P307 FACILITY MANAGER I	18	GRADE 12
(124) P365 PARK TECH I	44	GRADE 12
(125) P345 TRAVEL CONSULTANT II	30	GRADE 12
(126) P311 DISHWASHER/BUSSER	1	GRADE 12
(127) V043 SHIPPING & RECEIVING CLERK	1	GRADE 11
(128) K155 SECRETARY I	2	GRADE 11
(129) N308 MUSEUM GUIDE II	6	GRADE 11
(130) K037 DOCUMENT EXAMINER I	6	GRADE 10
(131) H027 COOK II	4	GRADE 10
(132) P363 PARK AIDE II	3	GRADE 09
(133) P361 PARK AIDE I	1	GRADE 07
(134) H051 WAITRESS/WAITER	<u>11</u>	GRADE 03
MAX. NO. OF EMPLOYEES	756	

(SIGNED) SENATOR SHAWN WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 192 was ordered engrossed.

On motion of Senator Womack, **Senate Bill No. 194** was withdrawn from the Committee on Joint Budget, and placed back on second reading for purpose of Amendment No. 3.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 3 to SENATE BILL NO. 194

JBC 03/15/07 (1)

Amend **Senate Bill No. 194** as engrossed, S3/12/07:

Following Section 14, insert four sections:

"SECTION 15. SPECIAL LANGUAGE. Arkansas Code Annotated 6-63-310, concerning Reorganization and consolidation of administrative functions, is repealed:

~~(a) Upon determination by the President of the University of Arkansas that a reallocation of resources for purposes of reorganization or consolidation of administrative functions within the University of Arkansas is necessary for efficient and effective operations of the university, the president, with approval of the Board of Trustees of the University of Arkansas, may have the authority to transfer positions and related funds between campuses, divisions, and other budgetary units of the university.~~

~~(b)(1) The transfers of positions, programs, or activities shall be used for those purposes for which the appropriations were approved by the General Assembly.~~

~~(2) The reallocation of resources through consolidation or reorganization may include the Graduate Institute of Technology, provided that the appropriated funds or positions for this program shall not be transferred from the central Arkansas area.~~

~~(3) The transfers, consolidation, or reorganization which involve academic programs shall be reviewed by the Department of Higher Education and the Legislative Council."~~

AND

"SECTION 16. SPECIAL LANGUAGE. Arkansas Code Annotated 6-65-225, concerning Consolidation of administrative functions, is repealed:

~~(a) Upon determination by the President of Arkansas State University that a reallocation of resources for purposes of reorganization or consolidation of administrative functions within the university is necessary for efficient and effective operations of the university, the president, with approval of the Board of Trustees of Arkansas State University, may have the authority to transfer positions, appropriations, and related funds between campuses, divisions, branches, and other budgetary units of the university.~~

~~(b) The transfers of positions, programs, or activities shall be used for those purposes for which the appropriations were approved by the General Assembly.~~

~~(c) The transfers, consolidation, or reorganization which involve academic programs shall be reviewed by the Department of Higher Education and the Legislative Council."~~

AND

"SECTION 17. SPECIAL LANGUAGE. Arkansas Code Annotated 6-62-309, concerning Bonds or notes – Liability, is amended by adding a subsection:

(c) Upon a determination of the board of trustees that a reallocation of resources is necessary for the purposes of preventing a default on its indebtedness, the board of trustees has specific authority to transfer funds between and among campuses, divisions and other budgetary units of its institution of higher education. Upon exercising the authority to reallocate resources as provided by this section, the board of trustees shall report the reasons for, and the details of, such reallocations to the Legislative Council or Joint Budget Committee immediately thereafter."

AND

"SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EMERGENCY GRANTS & EXTRA HELP POOL. An Institution of higher education that suffers an emergency/disaster event resulting in all or a significant portion of campus operations being interrupted, may request disaster assistance through the Arkansas Department of Higher Education. Upon the declaration of an emergency by the Governor, the institution may request, subject to the recommendation of the Director of the Department of Higher Education and approval of the Governor, a grant from the Disaster Relief Fund to assist in returning that campus to operation and/or to a sister campus providing services to the students from the affected campus. Certified law enforcement officers employed by an institution of higher education may be granted jurisdiction at the sister institution, upon agreement of both institutions.

The Department of Higher Education is authorized a pool of 500 extra help positions for use in such emergency situations. These positions may be assigned to the campus suffering the disaster event or to a sister campus providing services to the students from the affected campus. The Governor may waive the 1500 hour limit of ACA 6-63-314 on these assigned extra help pool positions.

The provisions of this section shall be in effect only from July 1, 2007 through June 30, 2009."

And renumber the sections following the above insertions.

(SIGNED) SENATOR SHAWN WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 194 was ordered engrossed.

On motion of Senator Womack, **Senate Bill No. 218** was withdrawn from the Committee on Joint Budget, and placed back on second reading for purpose of Amendment No. 2.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 2 to SENATE BILL NO. 218

JBC 03/15/07 (1)

Amend **Senate Bill No. 218** as engrossed, S3/5/07:

Insert an additional section immediately following SECTION 31 to read as follows:
 " SECTION 32. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ACUTE MENTAL HEALTH SERVICES EMERGENCY RESERVE FUND. Of the total amount appropriated each fiscal year in Section 9 of this Act for Acute Mental Health Services - Per Capita, two hundred fifty thousand dollars (\$250,000) each fiscal year shall first be placed in an Acute Care Emergency Reserve Fund, administered by the Division of Behavioral Health Services, distributed only to community mental health centers for the payment to community-based hospitals for bed days in instances when the community mental health centers have exhausted their regular appropriation of acute care funds during the fiscal year. The remaining five million five hundred ninety-seven thousand seven hundred and fifty dollars (\$5,597,750) appropriated for fiscal year 2008 and the remaining five million six hundred ninety-seven thousand one hundred sixty-two dollars (\$5,697,162) appropriated for fiscal year 2009 shall be allocated and made available to the community mental health centers within community-based settings on a per-capita basis. The Division of Behavioral Health Services shall report its plan for the administration of the Acute Care Emergency Reserve Fund to the Arkansas Legislative Council prior to the beginning of the state fiscal year in which the funds are distributed.

The Division of Behavioral Health Services shall work with community mental health centers to secure additional funds to be dedicated to the Acute Care Emergency Reserve Fund. The Division of Behavioral Health Services shall report to the Arkansas Legislative Council the amount and source of any such additional funds secured."

AND

Appropriately renumber the SECTION numbers of the bill.

(SIGNED) SHAWN WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 218 was ordered engrossed.

On motion of Senator Womack, **Senate Bill No. 244** was withdrawn from the Committee on Joint Budget, and placed back on second reading for purpose of Amendment No. 2. Withdraw Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 2 to SENATE BILL NO. 244

JBC 03/15/07 (1)

Amend **Senate Bill No. 244** as originally introduced:

Page 3, line 25 delete "\$ 6,204,189 \$ 6,328,161" and substitute "\$ 6,298,704 \$ 6,424,565"

AND

Page 3, line 26 delete "1,867,045 1,893,174" and substitute "1,899,284 1,925,807"

AND

Page 3, line 28 delete "1,738,822 1,738,822" and substitute "1,820,095 1,820,095"

AND

Page 3, line 29 delete "68,100 68,100" and substitute "70,600 70,600"

AND

Page 3, line 33 delete "\$ 10,191,871 \$ 10,341,972" and substitute "\$ 10,402,398 \$ 10,554,782"

AND

Delete SECTION 6 in its entirety

AND

Delete SECTION 8 in its entirety

AND

Delete SECTION 9 in its entirety

AND

Delete SECTION 10 in its entirety

AND

Appropriately renumber all sections

(SIGNED) SHAWN WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 244 was ordered engrossed.

On motion of Senator Womack, **Senate Bill No. 262** was withdrawn from the Committee on Joint Budget, and placed back on second reading for purpose of Amendment No. 2.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 2 to SENATE BILL NO. 262

JBC 03/15/07 (1)

Amend **Senate Bill No. 262** as engrossed, S3/5/07:

Add new sections immediately following SECTION 27 to read as follows:

"SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS/STRIVE PROGRAM TRANSFER. The Chief Fiscal Officer of the State shall transfer on his books and those of the State

Treasurer and the State Auditor, the sum of two hundred thousand dollars (\$200,000) during each fiscal year, of the biennium from the Department of Education Public School Fund Account to the University of Arkansas at Little Rock Fund, specifically to provide funding for the Arkansas/STRIVE Program. The total amount of funds transferred each fiscal year pursuant to this section shall not be subject to any indirect costs by the University of Arkansas at Little Rock.

The provisions of this section shall be in effect only from July 1, ~~2005~~ 2007 through June 30, ~~2007~~ 2009.

SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL, AND TEMPORARY LAW.

FUNDING TRANSFERS.

(a) On July 1, 2007 the Chief Fiscal Officer of the State shall transfer on his books and those of the State Treasurer and the State Auditor, twenty-one million seven hundred three thousand seven hundred ninety dollars (\$21,703,790) from the General Revenue Allotment Reserve Fund to the Department of Education Public School Fund Account for the purpose of funding the Ninety-eight Percent (98%) Uniform Rate of Tax (URT) Actual Collection Adjustment for fiscal year 2007-08 and fiscal year 2008-09 as appropriated herein.

(b) The Department of Education shall create a sub-fund within the Department of Education Public School Fund Account to receive this transfer of twenty-one million seven hundred three thousand seven hundred ninety dollars (\$21,703,790) from the General Revenue Allotment Reserve Fund, and shall use these funds exclusively for the payment of the 98% URT Actual Collection Adjustment and the study of the implementation of the 98% URT Actual Collection Adjustment.

(c) The legislature is totally committed to insuring each school district receives the amount of foundation funding provided for in Arkansas Code §6-20-2305(a)(2)(A) and (B), regardless of the amount of revenue collected by the counties. However, there is a genuine question concerning the efficiency and effectiveness in the county collection process. House Bill 1632 of 2007 contains a provision requiring the Division of Legislative Audit to investigate and report proposed changes to the county collection process. Based on these proposed efficiencies, the Legislature intends to provide full general revenue funding for the 98% URT Actual Collection Adjustment in the next biennium. The use of the General Revenue Allotment Reserve Fund is a "bridge" providing full funding subject to a final decision on collection improvements.

(d) Subsection (c) above shall also apply to the "Funding Transfers" section of Special Language in Act 229 of 2007.

SECTION 30. Arkansas Code § 6-17-1117(b), concerning Department of Education contributions to health insurance premiums for public school employees, is amended to read as follows:

(b)(1)(A) The Department of Education shall pay the Employee Benefits Division of the Department of Finance and Administration a minimum of sixty-one dollars (\$61.00) per month for each eligible employee of a public school district electing to participate in the public school employees' health insurance program administered by the State and Public School Life and Health Insurance Board.

(B) The Department of Education shall make the total contributions under subdivision (b)(1)(A) of this section by transferring thirty-five million dollars (\$35,000,000) to the division in eleven (11) equal monthly installments.

(2) The funds provided to the division under this subsection shall be administered by the board for the benefit of the employee participants of the public school employees' health insurance program.

(3)(A)(i) In the event that appropriation or funding is not provided, the department shall not be responsible for the increased payments for the public school employee health insurance program as established by this section.

(ii)(B) If funding and appropriation are provided but are inadequate for the total number of employees electing to participate in the public school employees' health insurance program, the department shall pay a proportional share on behalf of each participant.

(C) If funding and appropriation are provided and exceed the amount needed to make the minimum contribution under subdivision (b)(1)(A), the department shall pay a proportional share of the excess on behalf of each participant.

~~(B)~~(4) Notwithstanding the special language provision in the department's appropriation act granting transfer authority or any other law to the contrary, appropriation and funding provided for the purposes of this section shall not be transferred by the department for any other purpose.

SECTION 31. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. The Special Language regarding "Health Insurance" as authorized in SECTION 23 of Act 229 of 2007 is amended to read as follows:

SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE

ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY

LAW. HEALTH INSURANCE. Beginning with the 1996-97 school year, Local School Districts shall pay no less than the health insurance contribution rate established by Arkansas Code 6-17-1117 for each eligible employee electing to participate in the Public School Employee Health Insurance Program. The appropriation contained herein for Public School Employee Insurance each fiscal year shall be used to provide the state contribution for insurance premiums for employees of the Cooperative Education Services Areas, Vocational Centers, and the school operated by the Department of Correction who participate in the Arkansas Public School Life and Health Insurance Program.

In addition, the Department of Education shall pay the Employee Benefits Division of the Department of Finance and Administration a minimum of sixty-one dollars (\$61) per month for each eligible employee electing to participate in the public school employee health insurance program.

The provisions of this section shall be in effect only from July 1, ~~2005~~ 2007 through June 30, ~~2007~~ 2009."

And

Appropriately renumber subsequent sections of the bill.

(SIGNED) SENATOR SHAWN WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 262 was ordered engrossed.

On motion of Senator Womack, **Senate Bill No. 449** was withdrawn from the Committee on Joint Budget, and placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 449

JBC 03/15/07 (1)

Amend **Senate Bill No. 449** as originally introduced:

Page 6, insert a new SECTION immediately following SECTION 9 to read as follows:

" SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LIABILITY INSURANCE APPROPRIATION RESTRICTION. In no event shall the Department of Veterans Affairs expend or transfer any appropriation or funds for the purchase of malpractice liability insurance for the benefit of a non-governmental entity."

And

Appropriately renumber the subsequent SECTIONS of the bill.

(SIGNED) SENATOR SHAWN WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 449 was ordered engrossed.

On motion of Senator Womack, **Senate Bill No. 473** was withdrawn from the Committee on Joint Budget, and placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 473

JBC 03/15/07 (20)

Amend **Senate Bill No. 473** as originally introduced:

Page 1, line 29, delete "\$847,200" and substitute "\$925,200"

And

Page 1, insert an additional SECTION immediately following SECTION 1, to read as follows:

" SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPERATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PROCEDURES. As soon as it is feasible after the effective date of this Act, the Arkansas Agriculture Department - Livestock and Poultry Commission shall notify the various district and county livestock show associations to file applications with the Commission for grant funds appropriated in Section 1, to make needed improvements at the various livestock shows. Each County Livestock Association shall receive a maximum of eight thousand two hundred dollars (\$8,200). Provided, that any county having two county seats or two county livestock shows shall be considered a single county for the purposes of this Act and the funds allocated to any such county shall be divided equally between the two county livestock associations. Provided further, that any county having a county livestock show in a county seat other than the district of the county in which a district livestock show is located and which has heretofore received state aid, shall be considered a separate county. Each District Livestock Association and the 4 States Fair Association shall be entitled to receive a maximum of forty nine thousand dollars (\$49,000).

The provisions of this section shall be in effect only from July 1, 2007 through June 30, 2009."

And

Appropriately renumber the subsequent SECTIONS of the bill.

(SIGNED) SENATOR SHAWN WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 473 was ordered engrossed.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 19, 2007

Mr. President:

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

SENATE BILL NO. 28, BY SENATOR MADISON, et al,
SENATE BILL NO. 29, BY SENATOR MADISON, et al,

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

Respectfully submitted,

(SIGNED) HENRY "HANK" WILKINS, IV
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 19, 2007

Mr. President:

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

HOUSE BILL NO. 1299, BY REPRESENTATIVE HARRELSON, et al,
HOUSE BILL NO. 1651, BY REPRESENTATIVE WELLS, et al,

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

Respectfully submitted,

(SIGNED) HENRY "HANK" WILKINS, IV
CHAIRMAN

HOUSE CONCURRENT RESOLUTION NO. 1036
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES BLOUNT AND DUNN
BY: SENATOR CRUMBLY

HOUSE CONCURRENT RESOLUTION CONGRATULATING THE FORREST CITY MUSTANGS ON WINNING THE 6A EAST CONFERENCE BASKETBALL CHAMPIONSHIP.

House Concurrent Resolution No. 1036 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE CONCURRENT MEMORIAL RESOLUTION NO. 1002
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE OVERBEY
BY: SENATORS WILKINSON AND LAVERTY

HOUSE CONCURRENT MEMORIAL RESOLUTION IN RESPECTFUL MEMORY OF MR. JACK DOLAN CECIL AND IN RECOGNITION OF HIS CONTRIBUTIONS TO THE STATE OF ARKANSAS AND HIS LOCAL COMMUNITY.

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

HOUSE BILL NO. 1163
As Engrossed: H2/13/07 H3/1/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES BURRIS, STEWART, ET AL

A Bill for an Act to be Entitled: AN ACT TO AMEND PROVISIONS OF THE ARKANSAS CODE CONCERNING THE ADMINISTRATION OF CONCEALED HANDGUN LICENSING BY THE DEPARTMENT OF ARKANSAS STATE POLICE; TO REQUIRE A CONCEALED HANDGUN LICENSE TO BEAR A DIGITAL PHOTOGRAPH OF THE LICENSEE UNDER CERTAIN CIRCUMSTANCES; AND FOR OTHER PURPOSES.

House Bill No. 1163 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

HOUSE BILL NO. 1471
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE MOORE

A Bill for an Act to be Entitled: AN ACT TO ENSURE THAT THIRD PARTIES THAT ARE LIABLE FOR MEDICAID COSTS PROVIDE REIMBURSEMENT TO THE MEDICAID PROGRAM; AND FOR OTHER PURPOSES.

House Bill No. 1471 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

HOUSE BILL NO. 1531
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE HARRELSON

A Bill for an Act to be Entitled: AN ACT TO CREATE THE "ARKANSAS RETIREMENT COMMUNITY PROGRAM ACT"; AND FOR OTHER PURPOSES.

House Bill No. 1531 was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY & LOCAL AFFAIRS.

HOUSE BILL NO. 1599
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL IMPROVEMENT APPROPRIATIONS FOR THE DEPARTMENT OF PARKS AND TOURISM; AND FOR OTHER PURPOSES.

House Bill No. 1599 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 1631
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE WILLS

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE § 18-44-101 ET SEQ. CONCERNING THE PERFECTION, FILING, AND ENFORCEMENT OF MECHANIC'S AND MATERIALMEN'S LIENS; AND FOR OTHER PURPOSES

House Bill No. 1631 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

HOUSE BILL NO. 1636
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE BOND

A Bill for an Act to be Entitled: AN ACT TO VEST THE ARKANSAS PUBLIC SERVICE COMMISSION WITH JURISDICTION OVER POLE ATTACHMENT AGREEMENTS AND DISPUTES AMONG UTILITIES REGARDING POLE ATTACHMENTS; AND FOR OTHER PURPOSES.

House Bill No. 1636 was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE AND COMMERCE.

HOUSE BILL NO. 1730
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

BY: REPRESENTATIVES ABERNATHY, ANDERSON, T. BAKER, ET AL
BY: SENATORS BAKER, HENDREN, G. JEFFRESS & J. JEFFRESS.

A Bill for an Act to be Entitled: AN ACT TO DEVELOP GUIDELINES FOR ENDORSED CONCURRENT ENROLLMENT COURSES THAT MAY BE TAUGHT ALONG WITH ADVANCED PLACEMENT COURSES IN HIGH SCHOOLS; TO REPEAL THE CONCURRENT ENROLLMENT COURSE APPROVAL PANEL; AND FOR OTHER PURPOSES.

House Bill No. 1730 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

HOUSE BILL NO. 1746
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

BY: REPRESENTATIVES J. JOHNSON AND CASH
BY: SENATOR BROADWAY

A Bill for an Act to be Entitled: AN ACT TO REPEAL ARKANSAS CODE §§ 26-52-318 AND 26-53-147; TO REQUIRE THAT A DECAL BE AFFIXED TO EACH PIECE OF HEAVY EQUIPMENT AS PROOF THE TAX HAS BEEN PAID ON THE HEAVY EQUIPMENT; AND FOR OTHER PURPOSES.

House Bill No. 1746 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

HOUSE BILL NO. 1751
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE PICKETT

A Bill for an Act to be Entitled: AN ACT TO MAKE TECHNICAL CORRECTIONS IN THE ARKANSAS CODE TO USE THE CORRECT TERM FOR EDUCATION SERVICE AGENCY; AND FOR OTHER PURPOSES.

House Bill No. 1751 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

HOUSE BILL NO. 1753
As Engrossed: H3/12/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE HOUSE
BY: SENATOR MADISON

A Bill for an Act to be Entitled: AN ACT TO AMEND THE ARKANSAS SEWAGE DISPOSAL SYSTEMS ACT; AND FOR OTHER PURPOSES.

House Bill No. 1753 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

HOUSE BILL NO. 1828
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE HARRELSON

A Bill for an Act to be Entitled: AN ACT TO EXEMPT FROM SALES AND USE TAX THE NATURAL GAS AND ELECTRICITY USED IN THE MANUFACTURING OF TIRES; AND FOR OTHER PURPOSES.

House Bill No. 1828 was read the first time, rules suspended, read the second time and referred to the Committee on REVENUE AND TAXATION.

HOUSE BILL NO. 1866
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE RAGLAND

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR THE ARKANSAS STATE GAME AND FISH COMMISSION FOR LAND AND CONSERVATION EASEMENTS ACQUISITION WHICH SHALL BE SUPPLEMENTAL AND IN ADDITION TO THOSE FUNDS APPROPRIATED BY ACT 1154 OF 2005; AND FOR OTHER PURPOSES.

House Bill No. 1866 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 2249
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE S. PRATER

A Bill for an Act to be Entitled: AN ACT TO REVISE AND MODERNIZE THE ACCESS TO PARKING FOR PERSONS WITH DISABILITIES ACT, § 27-15-301 ET SEQ.; TO ENSURE THAT DRIVER EDUCATION PROGRAMS AND THE DRIVER'S INSTRUCTION MANUAL INCLUDE INFORMATION ABOUT PARKING FOR PERSONS WITH A DISABILITY; AND FOR OTHER PURPOSES.

House Bill No. 2249 was read the first time, rules suspended, read the second time and referred to the Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS.

HOUSE BILL NO. 2266
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES KEY, HOUSE, D. CREEKMORE, ET AL
BY: SENATOR WOMACK

A Bill for an Act to be Entitled: AN ACT TO PROHIBIT CERTAIN SEX OFFENDERS FROM RESIDING NEAR PUBLIC PARKS OR YOUTH CENTERS; AND FOR OTHER PURPOSES.

House Bill No. 2266 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

HOUSE BILL NO. 2269
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE COOK

A Bill for an Act to be Entitled: AN ACT TO MAKE VARIOUS AMENDMENTS TO THE ARKANSAS PUBLIC SCHOOL ACADEMIC FACILITIES PROGRAM; AND FOR OTHER PURPOSES.

House Bill No. 2269 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

HOUSE BILL NO. 2271
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE KING

A Bill for an Act to be Entitled: AN ACT TO RECONCILE THE PROVISIONS REGARDING THE AMOUNT OF AN UNSATISFIED JUDGMENT REQUIRED TO BE REPORTED FOR PURPOSES OF SUSPENSION OF LICENSE AND REGISTRATION; AND FOR OTHER PURPOSES.

House Bill No. 2271 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

HOUSE BILL NO. 2272
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES COOK, ROSENBAUM & HYDE
BY: SENATOR BROADWAY

A Bill for an Act to be Entitled: AN ACT TO AUTHORIZE THE ESTABLISHMENT OF INSURANCE REQUIREMENTS FOR PUBLIC SCHOOL FACILITIES; AND FOR OTHER PURPOSES.

House Bill No. 2272 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

HOUSE BILL NO. 2302
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE PACE

A Bill for an Act to be Entitled: AN ACT TO AMEND § 12-12-211 TO ALLOW THE ARKANSAS CRIME INFORMATION CENTER TO GIVE INFORMATION TO A CONSTABLE WHO HAS MET CERTAIN REQUIREMENTS; TO REQUIRE A CONSTABLE TO WEAR UNIFORM CLOTHING AND IDENTIFICATION; TO REQUIRE THE ARKANSAS COMMISSION ON LAW ENFORCEMENT STANDARDS AND TRAINING TO DEVELOP A COURSE FOR CONSTABLES; AND FOR OTHER PURPOSES.

House Bill No. 2302 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

HOUSE BILL NO. 2320
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE MOORE

A Bill for an Act to be Entitled: AN ACT TO COMPLY WITH STOP VIOLENCE AGAINST WOMEN FORMULA GRANT PROGRAM AND DEPARTMENT OF JUSTICE REAUTHORIZATION ACT OF 2005 FUNDING REQUIREMENTS; AND FOR OTHER PURPOSES.

House Bill No. 2320 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 2334
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE L. SMITH
BY: SENATOR BROADWAY

A Bill for an Act to be Entitled: AN ACT TO AMEND § 23-18-603 TO ADD CERTAIN DEFINITIONS; TO AMEND § 23-18-604 TO CLARIFY THE AUTHORITY OF THE ARKANSAS PUBLIC SERVICE COMMISSION UNDER THE ARKANSAS RENEWABLE ENERGY DEVELOPMENT ACT OF 2001; AND FOR OTHER PURPOSES.

House Bill No. 2334 was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE & COMMERCE.

HOUSE BILL NO. 2340
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE LAMOUREUX

A Bill for an Act to be Entitled: AN ACT TO AMEND THE PENALTY PROVISIONS RELATING TO DELIVERY OF WORTHLESS CHECKS; AND FOR OTHER PURPOSES.

House Bill No. 2340 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

HOUSE BILL NO. 2347
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE DICKINSON

A Bill for an Act to be Entitled: AN ACT TO PROTECT THE HEALTH AND SAFETY OF ARKANSANS; TO LIST TRAMADOL AS A SCHEDULE IV CONTROLLED SUBSTANCE; AND FOR OTHER PURPOSES.

House Bill No. 2347 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

HOUSE BILL NO. 2353
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES GREENBERG AND E. BROWN

A Bill for an Act to be Entitled: AN ACT CONCERNING PETITION REQUIREMENTS FOR NEW POLITICAL PARTIES; AND FOR OTHER PURPOSES.

House Bill No. 2353 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

HOUSE BILL NO. 2357
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES STEWART AND BURKES

A Bill for an Act to be Entitled: AN ACT TO AMEND THE "CHILD WELFARE AGENCY LICENSING ACT"; AND FOR OTHER PURPOSES.

House Bill No. 2357 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

HOUSE BILL NO. 2361
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE REYNOLDS

A Bill for an Act to be Entitled: AN ACT TO CLASSIFY THEFT OF BUILDING MATERIAL FROM A PERMITTED CONSTRUCTION SITE AS A CLASS B FELONY; AND FOR OTHER PURPOSES.

House Bill No. 2361 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

HOUSE BILL NO. 2364
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE GREENBEG

A Bill for an Act to be Entitled: AN ACT TO AMEND PROVISIONS OF THE ARKANSAS CODE REGARDING THE ARKANSAS MOTOR VEHICLE COMMISSION ACT, § 23-112-101 ET SEQ., FOR CLARITY, FOR SCOPE, AND TO BETTER PROTECT CONSUMERS; AND FOR OTHER PURPOSES.

House Bill No. 2364 was read the first time, rules suspended, read the second time and referred to the Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS.

HOUSE BILL NO. 2371

As Engrossed: H3/15/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES KING AND E. BROWN

A Bill for an Act to be Entitled: AN ACT CONCERNING THE FIXING OF POLLING SITES BY THE COUNTY BOARD OF ELECTION COMMISSIONERS; AND FOR OTHER PURPOSES.

House Bill No. 2371 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

HOUSE BILL NO. 2390

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES HOYT, REYNOLDS, HAWKINS, ET AL

A Bill for an Act to be Entitled: AN ACT TO CREATE THE ARKANSAS MILK STABILIZATION BOARD; AND FOR OTHER PURPOSES.

House Bill No. 2390 was read the first time, rules suspended, read the second time and referred to the Committee on AGRICULTURE, ECONOMIC & INDUSTRIAL DEVELOPMENT.

HOUSE BILL NO. 2392
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE D. JOHNSON

A Bill for an Act to be Entitled: AN ACT TO ENACT THE MODEL REGISTERED AGENTS ACT; TO MAKE VARIOUS AMENDMENTS TO SIMPLIFY REGISTERED AGENTS REQUIREMENTS; AND FOR OTHER PURPOSES.

House Bill No. 2392 was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE & COMMERCE.

HOUSE BILL NO. 2416
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES WOODS, BOND, E. BROWN, ET AL

A Bill for an Act to be Entitled: AN ACT TO CREATE THE NEWBORN UMBILICAL CORD BLOOD BANK FOR POSTNATAL TISSUE AND FLUID; TO PROVIDE FOR THE ARKANSAS COMMISSION FOR THE NEWBORN UMBILICAL CORD BLOOD INITIATIVE; TO PROVIDE FOR CERTAIN FUNDING MECHANISMS; TO PROVIDE AN INCOME TAX CHECKOFF; AND FOR OTHER PURPOSES.

House Bill No. 2416 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

HOUSE BILL NO. 2417
 EIGHTY-SIXTH GENERAL ASSEMBLY
 REGULAR SESSION
 BY: REPRESENTATIVE PATTERSON

A Bill for an Act to be Entitled: AN ACT TO REGULATE THE INSPECTION OR INSTALLATION OF ELECTRICITY IN RESIDENTIAL BUILDINGS; AND FOR OTHER PURPOSES.

House Bill No. 2417 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

HOUSE BILL NO. 2420
As Engrossed: H3/14/07
 EIGHTY-SIXTH GENERAL ASSEMBLY
 REGULAR SESSION
 BY: REPRESENTATIVES PETRUS AND LOVELL
By: SENATOR GLOVER

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

House Bill No. 2420 was read the first time, rules suspended, read the second time and referred to the Committee on REVENUE AND TAXATION.

HOUSE BILL NO. 2425
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE COOK

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE TITLE 6 CONCERNING THE ACADEMIC FACILITIES NEEDS OF HIGH-GROWTH SCHOOL DISTRICTS; AND FOR OTHER PURPOSES.

House Bill No. 2425 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

HOUSE BILL NO. 2426
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE COOK

A Bill for an Act to be Entitled: AN ACT TO ACCELERATE THE PROCESS OF ENSURING THAT PUBLIC SCHOOL DISTRICT ACADEMIC FACILITIES ARE ADEQUATE; AND FOR OTHER PURPOSES.

House Bill No. 2426 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

HOUSE BILL NO. 2434

As Engrossed: H3/7/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES MALOCH, *PETRUS*, & *WELLS*

A Bill for an Act to be Entitled: AN ACT TO DESIGNATE RICE AS THE OFFICIAL GRAIN OF THE STATE OF ARKANSAS; AND FOR OTHER PURPOSES.

House Bill No. 2434 was read the first time, rules suspended, read the second time and referred to the Committee on AGRICULTURE, ECONOMIC & INDUSTRIAL DEVELOPMENT.

HOUSE BILL NO. 2441

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE MALOCH

A Bill for an Act to be Entitled: AN ACT TO CREATE THE ARKANSAS MOTORCYCLE LEMON LAW ACT TO APPLY TO THE SALE OF NEW STREET READY MOTORCYCLES WITH TWO HUNDRED FIFTY CUBIC CENTIMETERS (250 CC) OF ENGINE DISPLACEMENT OR MORE; AND FOR OTHER PURPOSES.

House Bill No. 2441 was read the first time, rules suspended, read the second time and referred to the Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS.

HOUSE BILL NO. 2442

As Engrossed: H3/16/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES MALOCH, *REEP & LOWERY*

BY: *SENATORS MALONE, G. JEFFRESS & J. JEFFRESS*

A Bill for an Act to be Entitled: AN ACT TO DEVELOP AN ENERGY UTILIZATION STRATEGY FOR LIGNITE PRODUCTION AND USE; TO CREATE THE ARKANSAS LIGNITE RESOURCES PILOT PROGRAM; TO REDUCE OUR DEPENDENCY ON FOREIGN OIL FOR THE CREATION OF ELECTRICITY AND OTHER ENERGY SOURCES; AND FOR OTHER PURPOSES.

House Bill No. 2442 was read the first time, rules suspended, read the second time and placed on the Calendar.

HOUSE BILL NO. 2448

As Engrossed: H3/15/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES HARRIS, WOODS

BY: *SENATOR B. PRITCHARD*

A Bill for an Act to be Entitled: *AN ACT AMENDING ARKANSAS CODE § 3-9-202 CONCERNING ADVERTISING AT LARGE ATTENDANCE FACILITIES; AND FOR OTHER PURPOSES.*

House Bill No. 2448 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

HOUSE BILL NO. 2487
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE BOND

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE § 23-79-210 TO DEEM ALL FUNDS SET ASIDE FOR INDEMNIFICATION OF A MEDICAL CARE PROVIDER'S LIABILITY TO BE "LIABILITY INSURANCE"; AND FOR OTHER PURPOSES.

House Bill No. 2487 was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE & COMMERCE.

HOUSE BILL NO. 2490
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE J. JOHNSON

A Bill for an Act to be Entitled: AN ACT IS TO REQUEST THAT THE HOUSE INTERIM COMMITTEE ON AGING, CHILDREN AND YOUTH, LEGISLATIVE AND MILITARY AFFAIRS AND THE SENATE INTERIM COMMITTEE ON CHILDREN AND YOUTH STUDY THE JUVENILE JUSTICE SYSTEM REGARDING JUVENILES WHO HAVE BEEN COMMITTED TO THE DIVISION OF YOUTH SERVICES OR WHO ARE OTHERWISE BEING DETAINED IN JUVENILE DETENTION CENTERS; AND FOR OTHER PURPOSES.

House Bill No. 2490 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

HOUSE BILL NO. 2543
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE WOOD

A Bill for an Act to be Entitled: AN ACT TO ENHANCE THE ABILITY OF THE ARKANSAS PUBLIC SERVICE COMMISSION TO PROTECT RATEPAYERS IN PROCEEDINGS BEFORE THE FEDERAL ENERGY REGULATORY COMMISSION, OTHER FEDERAL AGENCIES, AND FEDERAL COURTS; AND FOR OTHER PURPOSES.

House Bill No. 2543 was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE & COMMERCE.

HOUSE BILL NO. 2548
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE ROSENBAUM

A Bill for an Act to be Entitled: AN ACT TO PERMIT NEGATIVE EQUITY FINANCING IN THE SALE OF MOTOR VEHICLES; AND FOR OTHER PURPOSES.

House Bill No. 2548 was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE & COMMERCE.

HOUSE BILL NO. 2551
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE D. JOHNSON

A Bill for an Act to be Entitled: AN ACT CONCERNING THE USE OF HIGH EFFICIENCY LIGHTING BY STATE AGENCIES; AND FOR OTHER PURPOSES.

House Bill No. 2551 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

HOUSE BILL NO. 2553
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES D. JOHNSON AND PATE

A Bill for an Act to be Entitled: AN ACT TO EXPAND DRUG COURT PROGRAMS; TO CREATE A DIVISION OF DRUG COURT PROGRAMS WITHIN THE ADMINISTRATIVE OFFICE OF THE COURTS; AND FOR OTHER PURPOSES.

House Bill No. 2553 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

HOUSE BILL NO. 2555
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE D. JOHNSON

A Bill for an Act to be Entitled: AN ACT REQUIRING INSTITUTIONS OF HIGHER EDUCATION TO NOTIFY NEW EMPLOYEES CONCERNING THEIR RETIREMENT PLAN OPTIONS; AND FOR OTHER PURPOSES.

House Bill No. 2555 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

HOUSE BILL NO. 2562
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE KEY
BY: SENATOR WOMACK

A Bill for an Act to be Entitled: AN ACT TO AMEND THE ARKANSAS PUBLIC SAFETY COMMUNICATIONS ACT OF 1985 TO REQUIRE PUBLIC SAFETY COMMUNICATIONS PERSONNEL TO RESPOND TO A SUBPOENA ISSUED IN A CRIMINAL INVESTIGATION OR CRIMINAL PROSECUTION; TO PROVIDE CIVIL IMMUNITY TO PUBLIC SAFETY COMMUNICATIONS PERSONNEL FOR COMPLYING WITH THE SUBPOENA; AND FOR OTHER PURPOSES.

House Bill No. 2562 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

HOUSE BILL NO. 2586

As Engrossed: H3/16/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES PACE, *BERRY, BLOUNT, ET AL*

A Bill for an Act to be Entitled: AN ACT TO DISSOLVE AND TRANSFER THE DUTIES AND RESPONSIBILITIES OF THE EXECUTIVE CHIEF INFORMATION OFFICER, CHIEF INFORMATION OFFICER, AND OFFICE OF INFORMATION TECHNOLOGY; AND FOR OTHER PURPOSES.

House Bill No. 2586 was read the first time, rules suspended, read the second time and referred to the Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS.

HOUSE BILL NO. 2612

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE GREENBERG

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE § 17-95-101 CONCERNING CIVIL IMMUNITY OF PERSONS RENDERING EMERGENCY MEDICAL SERVICES UNDER THE "GOOD SAMARITAN" LAW; AND FOR OTHER PURPOSES.

House Bill No. 2612 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

HOUSE BILL NO. 2619
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE WALTERS

A Bill for an Act to be Entitled: AN ACT TO PROVIDE TEACHERS CREDIT ON THE COMPENSATION SCHEDULE FOR TEACHING AT A JUVENILE DETENTION FACILITY; AND FOR OTHER PURPOSES.

House Bill No. 2619 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

HOUSE BILL NO. 2621
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE ROGERS

A Bill for an Act to be Entitled: AN ACT TO EXPAND THE TYPES OF ELECTRONIC TECHNOLOGIES AVAILABLE FOR COMPUTER-ASSISTED MASS APPRAISAL SYSTEMS; AND FOR OTHER PURPOSES.

House Bill No. 2621 was read the first time, rules suspended, read the second time and referred to the Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS.

HOUSE BILL NO. 2626
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE SAMPLE

A Bill for an Act to be Entitled: AN ACT TO ESTABLISH AN ARKANSAS PHARMACY AUDIT BILL OF RIGHTS; AND FOR OTHER PURPOSES.

House Bill No. 2626 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

HOUSE BILL NO. 2632
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE WALTERS

A Bill for an Act to be Entitled: AN ACT TO INCREASE THE RELIEF AVAILABLE FOR THE FAILURE TO PAY BONA FIDE LOSS CLAIMS; AND FOR OTHER PURPOSES.

House Bill No. 2632 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

HOUSE BILL NO. 2645
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE ADCOCK

A Bill for an Act to be Entitled: AN ACT TO AMEND THE TASK FORCE ON SUBSTANCE ABUSE TREATMENT SERVICES; AND FOR OTHER PURPOSES.

House Bill No. 2645 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

HOUSE BILL NO. 2646
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE ADCOCK

A Bill for an Act to be Entitled: AN ACT TO ESTABLISH THE ARKANSAS REHABILITATION SERVICES FORGIVENESS OF STUDENT LOAN PROGRAM FOR COUNSELORS EMPLOYED BY ARKANSAS REHABILITATION SERVICES; AND FOR OTHER PURPOSES.

House Bill No. 2646 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

HOUSE BILL NO. 2657
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE D. JOHNSON

A Bill for an Act to be Entitled: AN ACT TO CLARIFY THAT CIVIL IMMUNITY IS EXTENDED TO STUDENTS OF HEALTH CARE PROFESSIONAL PROGRAMS WHO RENDER VOLUNTARY HEALTH CARE SERVICES AT FREE OR LOW-COST HEALTH CARE CLINICS UNDER THE SUPERVISION OF LICENSED PERSONNEL; AND FOR OTHER PURPOSES.

House Bill No. 2657 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

HOUSE BILL NO. 2658
As Engrossed: H3/13/07 H3/16/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES D. JOHNSON, ALLEN, CHESTERFIELD, ET AL
BY: SENATOR STEELE

A Bill for an Act to be Entitled: AN ACT TO AUTHORIZE AN ELECTION IN A MUNICIPALITY WITH A CITY MANAGER FORM OF GOVERNMENT TO INCREASE THE AUTHORITY OF THE MAYOR; AND FOR OTHER PURPOSES.

House Bill No. 2658 was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY & LOCAL AFFAIRS.

HOUSE BILL NO. 2665

As Engrossed: H3/14/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES GARNER, ALLEN, ANDERSON, ET AL

BY: SENATORS ALTES, BAKER, HENDREN & B. PRITCHARD

A Bill for an Act to be Entitled: *AN ACT TO IMPROVE OPPORTUNITY FOR ALL ARKANSANS TO SECURE HIGHER PAYING JOBS BY INCREASING THE RETENTION OF CAPITAL WITHIN THE STATE AND TO ATTRACT NEW INVESTMENT TO THE STATE; TO REDUCE THE INCOME TAX RATES OF THE STATE OF ARKANSAS WHEN NET GENERAL REVENUES ARE SUFFICIENT; TO REDUCE INCOME TAX LEVELS BASED ON A FORMULA RELATED TO INFLATION-ADJUSTED MARGIN OF GROWTH; AND FOR OTHER PURPOSES.*

House Bill No. 2665 was read the first time, rules suspended, read the second time and referred to the Committee on REVENUE & TAXATION.

HOUSE BILL NO. 2684

As Engrossed: H3/14/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE T. BRADFORD

A Bill for an Act to be Entitled: *AN ACT AMEND ARKANSAS CODE § 12-41-505 TO PROVIDE FOR COLLECTION OF POST-CONVICTION EXPENSES OF INCARCERATION FOR MISDEMEANORS AND VIOLATIONS; AND FOR OTHER PURPOSES.*

House Bill No. 2684 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

HOUSE BILL NO. 2693
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE BOND

A Bill for an Act to be Entitled: AN ACT TO REQUIRE THE SECRETARY OF STATE TO PROVIDE NOTICE TO REGISTRANTS OF CORPORATE, FICTITIOUS, OR ASSUMED NAMES THAT THE REGISTRATION DOES NOT GRANT THE REGISTRANT THE RIGHT TO USE THE NAME IN VIOLATION OF A THIRD PARTY'S TRADEMARK RIGHTS.

House Bill No. 2693 was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE & COMMERCE.

HOUSE BILL NO. 2705
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE SAUNDERS

A Bill for an Act to be Entitled: AN ACT TO AMEND THE ARKANSAS MANUFACTURED HOMES STANDARDS ACT TO COMPLY WITH FEDERAL GUIDELINES; AND FOR OTHER PURPOSES.

House Bill No. 2705 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

HOUSE BILL NO. 2742

As Engrossed: H3/13/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES BREEDLOVE, WALTERS, WELLS, ET AL

A Bill for an Act to be Entitled: AN ACT TO CREATE A PRESUMPTION OF DIMINISHED UTILITY OF THE SURFACE ESTATE IF SEPARATE FROM THE MINERAL ESTATE ON WHICH A WELL IS DRILLED; TO ALLOW FOR A REDUCTION IN THE ASSESSMENT VALUE; AND FOR OTHER PURPOSES.

House Bill No. 2742 was read the first time, rules suspended, read the second time and referred to the Committee on AGRICULTURE, ECONOMIC & INDUSTRIAL DEVELOPMENT.

HOUSE BILL NO. 2763

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE SAUNDERS

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

House Bill No. 2763 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

HOUSE BILL NO. 2793
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE E. BROWN

A Bill for an Act to be Entitled: AN ACT TO ALLOW CITIES TO DISPOSE OF OBSOLETE PROPERTY IN CERTAIN SITUATIONS; AND FOR OTHER PURPOSES.

House Bill No. 2793 was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY & LOCAL AFFAIRS.

HOUSE BILL NO. 2811
As Engrossed: H3/13/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE HARRELSON

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE § 16-46-106 CONCERNING THE COST OF EACH PHOTOCOPY OF MEDICAL RECORDS; TO AMEND ARKANSAS CODE § 16-46-301, § 16-46-302, § 16-46-305, AND § 16-46-308 TO INCLUDE MEDICAL RECORDS FROM PHYSICIAN OFFICES AS SELF-AUTHENTICATING UNDER THE HOSPITAL RECORDS ACT, § 16-46-301 ET SEQ.; TO PROVIDE A REASONABLE FEE FOR COPYING MEDICAL RECORDS; AND FOR OTHER PURPOSES.

House Bill No. 2811 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

HOUSE BILL NO. 2812
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

BY: REPRESENTATIVES SULLIVAN, ALLEN, BERRY, ET AL
BY: SENATORS R. THOMPSON, G. JEFFRESS & J. JEFFRESS

A Bill for an Act to be Entitled: AN ACT TO CREATE THE ARKANSAS
CLEAN ENERGY DEVELOPMENT ACT; AND FOR OTHER PURPOSES.

House Bill No. 2812 was read the first time, rules suspended, read the
second time and referred to the Committee on AGRICULTURE, ECONOMIC &
INDUSTRIAL DEVELOPMENT.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 19, 2007

Mr. President:

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

SENATE BILL NO. 78, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 138, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 175, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 192, BY JOINT BUDGET COMMITTEE,

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

Respectfully submitted,

(SIGNED) HENRY "HANK" WILKINS, IV
CHAIRMAN

On motion of Senator Womack, **Senate Bill No. 78** was ordered re-referred to the Committee on Joint Budget.

On motion of Senator Womack, **Senate Bill No. 138** was ordered re-referred to the Committee on Joint Budget.

On motion of Senator Womack, **Senate Bill No. 175** was ordered re-referred to the Committee on Joint Budget.

On motion of Senator Womack, **Senate Bill No. 192** was ordered re-referred to the Committee on Joint Budget.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

March 19, 2007

Mr. President:

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

SENATE BILL NO. 194, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 218, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 244, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 262, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 449, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 473, BY JOINT BUDGET COMMITTEE,

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

Respectfully submitted,

(SIGNED) HENRY "HANK" WILKINS, IV
CHAIRMAN

On motion of Senator Womack, **Senate Bill No. 194** was ordered re-referred to the Committee on Joint Budget .

On motion of Senator Womack, **Senate Bill No. 218** was ordered re-referred to the Committee on Joint Budget

On motion of Senator Womack, **Senate Bill No. 244** as ordered re-referred to the Committee on Joint Budget

On motion of Senator Womack, **Senate Bill No. 262** was ordered re-referred to the Committee on Joint Budget

On motion of Senator Womack, [Senate Bill No. 449](#) was ordered re-referred to the Committee on Joint Budget

On motion of Senator Womack, [Senate Bill No. 473](#) was ordered re-referred to the Committee on Joint Budget

[Senate Concurrent Memorial Resolution No. 1](#) was returned from the House as concurred in and ordered enrolled.

[Senate Concurrent Memorial Resolution No. 4](#) was returned from the House as concurred in and ordered enrolled.

[Senate Concurrent Resolution No. 13](#) was returned from the House as concurred in and ordered enrolled.

* * * * *

SENATE BILLS TRANSMITTED TO THE HOUSE

AS PASSED

[SENATE BILL NO. 18](#)
[SENATE BILL NO. 182](#)
[SENATE BILL NO. 369](#)
[SENATE BILL NO. 370](#)
[SENATE BILL NO. 781](#)
[SENATE BILL NO. 789](#)
[SENATE BILL NO. 812](#)
[SENATE BILL NO. 823](#)
[SENATE BILL NO. 827](#)
[SENATE BILL NO. 872](#)
[SENATE BILL NO. 924](#)
[SENATE BILL NO. 944](#)
[SENATE BILL NO. 996](#)

SENATE CONCURRENT RESOLUTION TRANSMITTED
TO THE HOUSE AS ADOPTED

SENATE CONCURRENT RESOLUTIONS NO. 22
SENATE CONCURRENT RESOLUTIONS NO. 26

HOUSE BILLS RETURNED TO THE HOUSE
AS PASSED

HOUSE BILL NO. 1367
HOUSE BILL NO. 1446
HOUSE BILL NO. 1456
HOUSE BILL NO. 1581
HOUSE BILL NO. 1586
HOUSE BILL NO. 1657
HOUSE BILL NO. 1671
HOUSE BILL NO. 1759
HOUSE BILL NO. 1782
HOUSE BILL NO. 2221
HOUSE BILL NO. 2245
HOUSE BILL NO. 2283
HOUSE BILL NO. 2398
HOUSE BILL NO. 2585

HOUSE BILLS RETURNED TO THE HOUSE
AS PASSED AS AMENDED

HOUSE BILL NO. 1485 AS AMENDED NO. 1
HOUSE BILL NO. 2333 AS AMENDED NO. 1
HOUSE BILL NO. 2583 AS AMENDED NO. 1

SENATE CONCURRENT RESOLUTION RETURNED FROM THE HOUSE
AS CONCURRED IN

SENATE CONCURRENT MEMORIAL RESOLUTION NO. 1
SENATE CONCURRENT MEMORIAL RESOLUTION NO. 4

SENATE CONCURRENT RESOLUTION RETURNED FROM THE HOUSE
AS CONCURRED IN

SENATE CONCURRENT RESOLUTION NO. 13

HOUSE BILLS TRANSMITTED TO THE SENATE
AS PASSED

HOUSE BILL NO. 1163
HOUSE BILL NO. 1471
HOUSE BILL NO. 1531
HOUSE BILL NO. 1599
HOUSE BILL NO. 1631
HOUSE BILL NO. 1636
HOUSE BILL NO. 1730
HOUSE BILL NO. 1746
HOUSE BILL NO. 1751
HOUSE BILL NO. 1753
HOUSE BILL NO. 1828
HOUSE BILL NO. 1866
HOUSE BILL NO. 2249
HOUSE BILL NO. 2266

HOUSE BILL NO. 2269
HOUSE BILL NO. 2271
HOUSE BILL NO. 2272
HOUSE BILL NO. 2302
HOUSE BILL NO. 2320
HOUSE BILL NO. 2334
HOUSE BILL NO. 2340
HOUSE BILL NO. 2347
HOUSE BILL NO. 2353
HOUSE BILL NO. 2357
HOUSE BILL NO. 2361
HOUSE BILL NO. 2364
HOUSE BILL NO. 2371
HOUSE BILL NO. 2390
HOUSE BILL NO. 2392
HOUSE BILL NO. 2416
HOUSE BILL NO. 2417
HOUSE BILL NO. 2420
HOUSE BILL NO. 2425
HOUSE BILL NO. 2426
HOUSE BILL NO. 2434
HOUSE BILL NO. 2441
HOUSE BILL NO. 2442
HOUSE BILL NO. 2448
HOUSE BILL NO. 2487
HOUSE BILL NO. 2490
HOUSE BILL NO. 2543
HOUSE BILL NO. 2548
HOUSE BILL NO. 2551
HOUSE BILL NO. 2553
HOUSE BILL NO. 2555
HOUSE BILL NO. 2562
HOUSE BILL NO. 2586

HOUSE BILL NO. 2612
HOUSE BILL NO. 2619
HOUSE BILL NO. 2621
HOUSE BILL NO. 2626
HOUSE BILL NO. 2632
HOUSE BILL NO. 2645
HOUSE BILL NO. 2646
HOUSE BILL NO. 2657
HOUSE BILL NO. 2658
HOUSE BILL NO. 2665
HOUSE BILL NO. 2684
HOUSE BILL NO. 2693
HOUSE BILL NO. 2705
HOUSE BILL NO. 2742
HOUSE BILL NO. 2763
HOUSE BILL NO. 2793
HOUSE BILL NO. 2811
HOUSE BILL NO. 2812

HOUSE CONCURRENT MEMORIAL RESOLUTION TRANSMITTED
TO THE SENATE AS ADOPTED

HOUSE CONCURRENT MEMORIAL RESOLUTION NO. 1002

HOUSE CONCURRENT RESOLUTION TRANSMITTED
TO THE SENATE AS ADOPTED

HOUSE CONCURRENT RESOLUTION NO. 1036

On motion of Senator Whitaker, the Senate adjourned until 1:30 p.m., Tuesday, March 20, 2007.

PRESIDENT OF THE SENATE

SECRETARY OF THE SENATE