

State of Arizona  
House of Representatives  
Forty-seventh Legislature  
First Regular Session  
2005

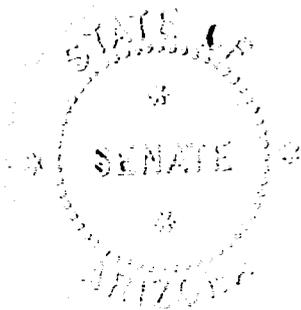
CHAPTER 274

# HOUSE BILL 2417

AN ACT

AMENDING TITLE 15, CHAPTER 1, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 15-103; RELATING TO SCHOOL DISTRICTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)



1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 15, chapter 1, article 1, Arizona Revised Statutes,  
3 is amended by adding section 15-103, to read:

4 15-103. School districts; financial mismanagement;  
5 intervention; definitions

6 A. THE STATE BOARD OF EDUCATION SHALL REVIEW ALLEGATIONS OF SCHOOL  
7 DISTRICT INSOLVENCY AND GROSS MISMANAGEMENT. THE STATE BOARD SHALL GIVE THE  
8 SCHOOL DISTRICT AN OPPORTUNITY TO RESPOND TO THESE ALLEGATIONS AT A PUBLIC  
9 MEETING. IF THE STATE BOARD DETERMINES THAT THE SCHOOL DISTRICT IS INSOLVENT  
10 OR HAS GROSSLY MISMANAGED ITS FINANCES, THE STATE BOARD SHALL APPOINT A  
11 RECEIVER FOR THAT SCHOOL DISTRICT.

12 B. THE STATE BOARD SHALL FIND A SCHOOL DISTRICT INSOLVENT IF IT FINDS  
13 ONE OR MORE OF THE FOLLOWING:

14 1. THE SCHOOL DISTRICT IS UNABLE TO PAY DEBTS AS THEY FALL DUE OR IN  
15 THE USUAL COURSE OF BUSINESS.

16 2. THE SALARIES OF ANY TEACHERS OR OTHER EMPLOYEES HAVE REMAINED  
17 UNPAID FOR FORTY-FIVE DAYS.

18 3. THE TUITION DUE ANOTHER SCHOOL DISTRICT OR OTHER STATE INSTITUTION  
19 REMAINS UNPAID ON OR AFTER JANUARY 1 OF THE YEAR FOLLOWING THE SCHOOL YEAR IT  
20 WAS DUE AND THERE IS NO DISPUTE REGARDING THE VALIDITY OR AMOUNT OF THE  
21 CLAIM.

22 4. THE SCHOOL DISTRICT HAS DEFAULTED IN PAYMENT OF ITS BONDS OR  
23 INTEREST ON BONDS OR IN PAYMENT OF RENTALS DUE ANY STATE OR FEDERAL AUTHORITY  
24 OR PRIVATE BUSINESS FOR A PERIOD OF SIXTY CALENDAR DAYS AND NO ACTION HAS  
25 BEEN INITIATED WITHIN THAT PERIOD OF TIME TO MAKE PAYMENT.

26 5. THE SCHOOL DISTRICT HAS CONTRACTED FOR ANY LOAN NOT AUTHORIZED BY  
27 LAW.

28 6. THE SCHOOL DISTRICT HAS ACCUMULATED AND HAS OPERATED WITH A DEFICIT  
29 EQUAL TO FIVE PER CENT OR MORE OF THE SCHOOL DISTRICT'S REVENUE CONTROL LIMIT  
30 FOR ANY FISCAL YEAR WITHIN THE PAST TWO FISCAL YEARS.

31 7. THE SCHOOL DISTRICT'S WARRANTS HAVE NOT BEEN HONORED FOR PAYMENT BY  
32 THE SCHOOL DISTRICT'S SERVICING BANK OR BY THE COUNTY TREASURER AND THE  
33 WARRANTS HAVE REMAINED UNPAID FOR A PERIOD OF MORE THAN SIXTY CALENDAR DAYS.

34 C. NO SCHOOL DISTRICT SHALL BE DEEMED TO BE INSOLVENT PURSUANT TO  
35 SUBSECTION B OF THIS SECTION IF THE CIRCUMSTANCES ARE THE RESULT OF THE  
36 FAILURE OF THE STATE TO MAKE ANY PAYMENTS OF MONIES DUE THE SCHOOL DISTRICT  
37 AT THE TIME PAYMENT IS DUE.

38 D. THE STATE BOARD OF EDUCATION SHALL HAVE JURISDICTION OVER ALL  
39 PETITIONS REQUESTING THAT A SCHOOL DISTRICT BE PLACED IN RECEIVERSHIP AND A  
40 RECEIVER BE APPOINTED BECAUSE OF THE SCHOOL DISTRICT'S ALLEGED INSOLVENCY OR  
41 GROSS MISMANAGEMENT. THE STATE BOARD SHALL HAVE THE BURDEN OF DEMONSTRATING  
42 BY A PREPONDERANCE OF THE EVIDENCE THAT THE SCHOOL DISTRICT IS INSOLVENT OR  
43 IS ENGAGED IN GROSS MISMANAGEMENT.

44 E. IF THE STATE BOARD OF EDUCATION FINDS THAT THE SCHOOL DISTRICT IS  
45 INSOLVENT OR HAS ENGAGED IN GROSS MISMANAGEMENT, THE STATE BOARD SHALL PLACE

1 THE SCHOOL DISTRICT IN RECEIVERSHIP AND APPOINT A RECEIVER RECOMMENDED BY THE  
2 STATE BOARD. THE STATE BOARD SHALL DEVELOP AND ADOPT A LIST OF QUALIFIED  
3 RECEIVERS TO BE APPOINTED BY THE BOARD.

4 F. ON APPOINTMENT, THE RECEIVER SHALL BEGIN A FULL REVIEW AND  
5 INVESTIGATION OF THE SCHOOL DISTRICT'S FINANCIAL AFFAIRS AND SUBMIT TO THE  
6 STATE BOARD OF EDUCATION A DETAILED REPORT LISTING THE FINDINGS OF THAT  
7 INVESTIGATION THAT SHALL INCLUDE A FINANCIAL IMPROVEMENT PLAN AND BUDGET THAT  
8 DETAILS HOW THE SCHOOL DISTRICT WILL ELIMINATE ANY CONTINUED GROSS FINANCIAL  
9 MISMANAGEMENT AND ACHIEVE FINANCIAL SOLVENCY. THE PLAN SHALL INCLUDE A  
10 PROPOSED TIMELINE FOR ACHIEVING FINANCIAL SOLVENCY. THE RECEIVER SHALL  
11 SUBMIT THE REPORT WITHIN ONE HUNDRED TWENTY DAYS AFTER THE RECEIVER'S  
12 APPOINTMENT. THE FINANCIAL IMPROVEMENT PLAN APPROVED BY THE STATE BOARD OF  
13 EDUCATION MAY AUTHORIZE THE RECEIVER TO DO ANY OF THE FOLLOWING:

14 1. OVERRIDE ANY DECISIONS OF THE SCHOOL DISTRICT'S GOVERNING BOARD OR  
15 THE SCHOOL DISTRICT SUPERINTENDENT, OR BOTH, CONCERNING THE MANAGEMENT AND  
16 OPERATION OF THE SCHOOL DISTRICT, AND INITIATE AND MAKE DECISIONS CONCERNING  
17 THE MANAGEMENT AND OPERATION OF THE SCHOOL DISTRICT.

18 2. ATTEND ANY AND ALL MEETINGS OF THE SCHOOL DISTRICT'S GOVERNING  
19 BOARD AND ADMINISTRATIVE STAFF.

20 3. SUPERVISE THE DAY-TO-DAY ACTIVITIES OF THE SCHOOL DISTRICT'S STAFF,  
21 INCLUDING REASSIGNING THE DUTIES AND RESPONSIBILITIES OF PERSONNEL IN A  
22 MANNER THAT, IN THE DETERMINATION OF THE RECEIVER, BEST SUITS THE NEEDS OF  
23 THE SCHOOL DISTRICT.

24 4. PLACE ON EXTENDED LEAVE, SUSPEND OR TERMINATE FOR CAUSE THE SCHOOL  
25 DISTRICT'S SUPERINTENDENT OR CHIEF FINANCIAL OFFICER, OR BOTH. A PERSON  
26 TERMINATED PURSUANT TO THIS PARAGRAPH MAY APPEAL THE RECEIVER'S DECISION TO  
27 THE STATE BOARD OF EDUCATION IF AN APPEAL IS FILED WITH THE STATE BOARD  
28 WITHIN THIRTY DAYS OF RECEIVING NOTICE OF THE TERMINATION.

29 5. AUTHORIZE PUPILS TO TRANSFER FROM SCHOOLS OPERATED BY THE SCHOOL  
30 DISTRICT TO SCHOOLS OPERATED BY ANOTHER SCHOOL DISTRICT THAT IS NOT CURRENTLY  
31 IN RECEIVERSHIP.

32 6. APPOINT A CHIEF EDUCATIONAL OFFICER WHO SHALL POSSESS THE POWERS  
33 AND DUTIES OF A SCHOOL DISTRICT SUPERINTENDENT. A CHIEF EDUCATIONAL OFFICER  
34 WHO IS APPOINTED PURSUANT TO THIS PARAGRAPH SHALL HOLD A VALID ADMINISTRATIVE  
35 CERTIFICATE.

36 7. APPOINT A CHIEF FISCAL OFFICER WHO SHALL POSSESS THE POWERS AND  
37 DUTIES OF THE SCHOOL DISTRICT'S CHIEF SCHOOL BUSINESS OFFICIAL AND ANY OTHER  
38 DUTIES REGARDING BUDGETING, ACCOUNTING AND OTHER FINANCIAL MATTERS THAT ARE  
39 ASSIGNED TO THE SCHOOL DISTRICT BY LAW.

40 8. APPOINT A COMPETENT INDEPENDENT PUBLIC ACCOUNTANT TO AUDIT THE  
41 ACCOUNTS OF THE SCHOOL DISTRICT.

42 9. REORGANIZE THE SCHOOL DISTRICT'S FINANCIAL ACCOUNTS, MANAGEMENT AND  
43 BUDGETARY SYSTEMS TO IMPROVE FINANCIAL RESPONSIBILITY AND REDUCE FINANCIAL  
44 INEFFICIENCY WITHIN THE DISTRICT.

1           10. ESTABLISH SCHOOL DISTRICT FISCAL GUIDELINES AND A SYSTEM OF  
2 INTERNAL CONTROLS, INCLUDING INTERNAL ADMINISTRATIVE CONTROLS AND INTERNAL  
3 ACCOUNTING CONTROLS, WITH PROVISIONS FOR INTERNAL AUDITS.

4           11. CANCEL OR RENEGOTIATE ANY CONTRACT, OTHER THAN CONTRACTS OF  
5 CERTIFICATED TEACHERS WHO HAVE BEEN EMPLOYED BY THE SCHOOL DISTRICT IN THE  
6 CAPACITY OF A CERTIFICATED TEACHER FOR MORE THAN ONE YEAR IMMEDIATELY BEFORE  
7 THE DATE THE RECEIVER WAS APPOINTED, TO WHICH THE GOVERNING BOARD OR THE  
8 SCHOOL DISTRICT IS A PARTY IF THE CANCELLATION OR RENEGOTIATION OF THE  
9 CONTRACT WILL PRODUCE NEEDED ECONOMIES IN THE OPERATION OF THE DISTRICT'S  
10 SCHOOLS. THE RECEIVER MAY REFUSE TO REEMPLOY ANY CERTIFICATED TEACHER WHO  
11 HAS NOT BEEN EMPLOYED BY THE SCHOOL DISTRICT FOR MORE THAN THE MAJOR PORTION  
12 OF THREE CONSECUTIVE SCHOOL YEARS AS PROVIDED IN SECTION 15-536.

13           G. THE RECEIVER'S POWER, AUTHORITY AND DUTIES SHALL BE EFFECTIVE ON  
14 THE DATE OF THE RECEIVER'S APPOINTMENT BY THE STATE BOARD OF EDUCATION. THE  
15 RECEIVER SHALL PERFORM THE RECEIVER'S DUTIES ACCORDING TO THE INSTRUCTIONS OF  
16 THE STATE BOARD OF EDUCATION ORDER AND ACCORDING TO LAW. THE RECEIVER SHALL  
17 PROMPTLY REPORT ANY VIOLATIONS OF LAW, INCLUDING A VIOLATION OF THE UNIFORM  
18 SYSTEM OF FINANCIAL RECORDS, TO THE STATE BOARD OF EDUCATION.

19           H. ON REVIEW AND APPROVAL OF THE STATE BOARD OF EDUCATION, THE  
20 RECEIVER SHALL TAKE ALL NECESSARY STEPS TO IMPLEMENT THE FINANCIAL  
21 IMPROVEMENT PLAN AND BUDGET UTILIZING THOSE POWERS IDENTIFIED IN THE PLAN AS  
22 PRESCRIBED IN SUBSECTION F OF THIS SECTION.

23           I. THE SALARY AND BENEFITS OF THE RECEIVER AND ANY OFFICERS OR  
24 EMPLOYEES APPOINTED BY THE RECEIVER SHALL BE PAID BY THE SCHOOL DISTRICT.  
25 THE STATE BOARD OF EDUCATION SHALL DETERMINE THE SALARY FOR THE RECEIVER AND  
26 ANY OFFICERS OR EMPLOYEES APPOINTED BY THE RECEIVER BASED ON AMOUNTS  
27 RECOMMENDED BY THE STATE BOARD.

28           J. THE STATE BOARD OF EDUCATION SHALL REMOVE THE SCHOOL DISTRICT FROM  
29 RECEIVERSHIP AND DISMISS THE RECEIVER AND DISMISS ANY OFFICER OR EMPLOYEE  
30 APPOINTED BY THE RECEIVER THIRTY DAYS AFTER ALL OF THE FOLLOWING HAVE  
31 OCCURRED:

32           1. THE AUDITOR GENERAL CERTIFIES THAT THE SCHOOL DISTRICT HAS BEEN  
33 FINANCIALLY SOLVENT FOR ONE FISCAL YEAR.

34           2. THE AUDITOR GENERAL CERTIFIES THAT THE SCHOOL DISTRICT'S FINANCIAL  
35 RECORDS ARE IN COMPLIANCE WITH THE UNIFORM SYSTEM OF FINANCIAL RECORDS AND  
36 GENERALLY ACCEPTED ACCOUNTING PRINCIPLES.

37           3. THE RECEIVER CERTIFIES THAT THE SCHOOL DISTRICT IS NO LONGER  
38 ENGAGED IN GROSS MISMANAGEMENT.

39           4. THE STATE BOARD OF EDUCATION HAS DETERMINED THAT THE SCHOOL  
40 DISTRICT IS ABLE TO PAY ITS DEBTS AS THOSE DEBTS BECOME DUE.

41           K. THE RECEIVER SHALL SUBMIT A QUARTERLY PROGRESS REPORT TO THE STATE  
42 BOARD OF EDUCATION. THE FIRST PROGRESS REPORT IS DUE ON THE THREE MONTH  
43 ANNIVERSARY OF THE RECEIVER'S APPOINTMENT BY THE STATE BOARD.

44           L. THE STATE BOARD OF EDUCATION SHALL FORMALLY REVIEW THE RECEIVER'S  
45 PROGRESS EVERY SIX MONTHS. IF, BASED ON THE QUARTERLY PROGRESS REPORTS, THE

1 STATE BOARD DETERMINES THAT THE RECEIVER'S PROGRESS IS INSUFFICIENT, THE  
2 STATE BOARD MAY REMOVE THE CURRENT RECEIVER AND APPOINT ANOTHER RECEIVER FOR  
3 THE SCHOOL DISTRICT.

4 M. THE STATE BOARD OF EDUCATION MAY DISMISS THE RECEIVER FOR CAUSE OR  
5 ON A MAJORITY VOTE OF NO CONFIDENCE IN THE RECEIVER OF THE STATE BOARD.

6 N. THE SCHOOL DISTRICT SHALL INDEMNIFY THE RECEIVER AND ANY OFFICER OR  
7 EMPLOYEE APPOINTED BY THE RECEIVER WHO IS MADE OR THREATENED TO BE MADE A  
8 PARTY TO ANY LITIGATION BY REASON OF THEIR STATUS UNDER THIS SECTION IF THE  
9 RECEIVER, OFFICER OR EMPLOYEE ACTED IN GOOD FAITH AND IN A MANNER THAT THE  
10 RECEIVER, OFFICER OR EMPLOYEE REASONABLY BELIEVED TO BE CONSISTENT WITH THE  
11 BEST INTEREST OF THE SCHOOL DISTRICT AND IF THE RECEIVER, OFFICER OR EMPLOYEE  
12 HAD NO REASONABLE CAUSE TO BELIEVE THAT THE CONDUCT WAS UNLAWFUL.

13 O. DURING THE PERIOD OF TIME THAT THE SCHOOL DISTRICT IS IN  
14 RECEIVERSHIP, NO MEMBER, OFFICER, EMPLOYEE OR AGENT OF THE SCHOOL DISTRICT  
15 MAY ENTER INTO ANY CONTRACT OR INCUR ANY LIABILITY ON BEHALF OF THE SCHOOL  
16 DISTRICT FOR ANY PURPOSE IF THE AMOUNT OF THE CONTRACT OR LIABILITY EXCEEDS  
17 THE RECEIVER'S AUTHORIZED FINANCIAL PLAN AND BUDGET FOR THE SCHOOL DISTRICT.  
18 THE RECEIVER MAY DISCIPLINE, INCLUDING, IF WARRANTED, IMPOSING A SUSPENSION  
19 FROM DUTY WITHOUT PAY, REMOVAL FROM OFFICE OR TERMINATION OF ANY SCHOOL  
20 DISTRICT EMPLOYEE OR OFFICER WHO VIOLATES THIS SUBSECTION.

21 P. THIS SECTION DOES NOT CREATE A PRIVATE CAUSE OF ACTION AGAINST THE  
22 SCHOOL DISTRICT OR ITS OFFICERS, DIRECTORS, BOARD MEMBERS OR EMPLOYEES.

23 Q. THE ASSUMPTION OF CONTROL OF THE SCHOOL DISTRICT BY THE RECEIVER  
24 SHALL IN NO WAY INTERFERE WITH THE ELECTION OR REELECTION OF SCHOOL DISTRICT  
25 GOVERNING BOARD MEMBERS.

26 R. THIS SECTION SHALL NOT INTERFERE WITH A SCHOOL DISTRICT'S ABILITY  
27 TO DECLARE BANKRUPTCY UNDER FEDERAL LAW.

28 S. THE STATE BOARD OF EDUCATION SHALL CONTINUE TO MONITOR AND OFFER  
29 TECHNICAL ASSISTANCE TO A SCHOOL DISTRICT FOR TWO YEARS AFTER ITS REMOVAL  
30 FROM RECEIVERSHIP.

31 T. FOR THE PURPOSES OF THIS SECTION:

32 1. "DELINQUENT DEBT" MEANS DEBTS OR LIABILITY UNPAID BY THE SCHOOL  
33 DISTRICT FOR A PERIOD OF MORE THAN SIXTY DAYS FROM THE TIME OF NOTICE.

34 2. "GROSS MISMANAGEMENT" MEANS THAT THE SCHOOL DISTRICT'S OFFICERS OR  
35 EMPLOYEES COMMITTED OR ENGAGED IN GROSS INCOMPETENCE OR SYSTEMIC AND  
36 EGREGIOUS MISMANAGEMENT OF THE SCHOOL DISTRICT'S FINANCES OR FINANCIAL  
37 RECORDS.

38 3. "NOTICE" MEANS WRITTEN NOTICE PERSONALLY SERVED OR DELIVERED BY  
39 CERTIFIED MAIL, RETURN RECEIPT REQUESTED.

40 4. "RECEIVER" MEANS AN INDIVIDUAL APPOINTED BY THE STATE BOARD OF  
41 EDUCATION FROM THE PERSONS RECOMMENDED BY THE STATE BOARD FOR THE PURPOSE OF  
42 MANAGING A SCHOOL DISTRICT PLACED IN RECEIVERSHIP BY THE STATE BOARD OF  
43 EDUCATION.

44 5. "RECEIVERSHIP" MEANS THE STATE OR CONDITION OF BEING UNDER THE  
45 CONTROL OF THE RECEIVER APPOINTED BY THE STATE BOARD OF EDUCATION.

1           6. "SUPERINTENDENT" MEANS THE CHIEF EXECUTIVE OFFICER OF THE SCHOOL  
2 DISTRICT.

3           Sec. 2. Delayed repeal

4           Section 15-103, Arizona Revised Statutes, as added by this act, is  
5 repealed from and after December 31, 2007.

6           Sec. 3. Saving clause

7           The delayed repeal of section 15-103, Arizona Revised Statutes, as  
8 prescribed in this act, shall not affect any matter in which the state board  
9 of education has found that a school district is insolvent or has mismanaged  
10 its finances before January 1, 2008.

11          Sec. 4. Severability

12          If a provision of this act or its application to any person or  
13 circumstance is held invalid, the invalidity does not affect other provisions  
14 or applications of the act that can be given effect without the invalid  
15 provision of application, and to this end the provisions of this act are  
16 severable.

APPROVED BY THE GOVERNOR MAY 9, 2005.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 10, 2005.



**ON RECONSIDERATION**

Passed the House March 23, 20 05,

Passed the Senate May 2, 20 05,

by the following vote: 35 Ayes,

by the following vote: 29 Ayes,

17 Nays, 8 Not Voting  
*Without Emergency*

0 Nays, 1 Not Voting

[Signature]  
Speaker of the House  
*Pro Tempore*

[Signature]  
President of the Senate

[Signature]  
Chief Clerk of the House

[Signature]  
Secretary of the Senate

**EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR**

This Bill was received by the Governor this  
\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,  
at \_\_\_\_\_ o'clock \_\_\_\_\_ M.  
\_\_\_\_\_  
Secretary to the Governor

Approved this \_\_\_\_\_ day of  
\_\_\_\_\_, 20\_\_\_\_,  
at \_\_\_\_\_ o'clock \_\_\_\_\_ M.  
\_\_\_\_\_  
Governor of Arizona

**EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE**

This Bill was received by the Secretary of State  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,  
at \_\_\_\_\_ o'clock \_\_\_\_\_ M.  
\_\_\_\_\_  
Secretary of State

H.B. 2417

~~Passed~~ **FAILED** the House March 21, 2005,

~~Passed~~ the Senate \_\_\_\_\_, 20\_\_

by the following vote: \_\_\_\_\_ 29 Ayes,

by the following vote: \_\_\_\_\_ Ayes,

\_\_\_\_\_ 23 Nays, \_\_\_\_\_ 8 Not Voting

\_\_\_\_\_ Nays, \_\_\_\_\_ Not Voting

Speaker of the House  
*Pro Tempore*

President of the Senate

Norman L. Moore  
Chief Clerk of the House

Secretary of the Senate

**EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR**

This Bill was received by the Governor this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

Secretary to the Governor

Approved this \_\_\_\_\_ day of

\_\_\_\_\_, 20\_\_

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

Governor of Arizona

**EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE**

This Bill was received by the Secretary of State

this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

Secretary of State

H.B. 2417

HOUSE CONCURS IN SENATE  
AMENDMENTS AND FINAL PASSAGE

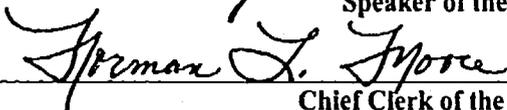
May 4, 2005,

by the following vote: 59 Ayes,

0 Nays, 1 Not Voting



Speaker of the House



Chief Clerk of the House

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill was received by the Governor this

4th day of May 2005

at 12:25 o'clock P. M.

  
Secretary to the Governor

Approved this 9 day of

May, 2005,

at 4:20 o'clock P. M.



Governor of Arizona

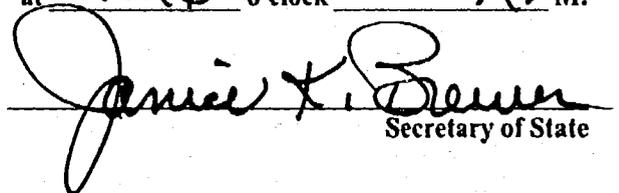
H.B. 2417

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 10 day of May, 2005,

at 9:26 o'clock A. M.

  
Secretary of State