

**THIRTIETH DAY'S PROCEEDINGS
HALL OF THE HOUSE OF REPRESENTATIVES**

Little Rock, Arkansas
January 6, 2004

The House was called to order at 1:32 p.m. by Mr. Cleveland, the Speaker.
The following members answered to the roll call:

Adams, Agee, Anderson, Bennett, Berry, Biggs, Blair, Bledsoe, Bolin, Bond, Bookout, Borhauer, Boyd, Bradford, Bright, Chesterfield, Childers, Clemons, Cowling, Creekmore, Dangeau, Dees, Dickinson, Dobbins, Eason, Edwards, Elliott, L. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Green, Hardwick, Harris, Hathorn, Hickinbotham, House, Hutchinson, Jackson, Jacobs, Jeffrey, C.Johnson, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Matayo, Mathis, Medley, Milligan, Moore, Napper, Nichols, Norton, Oglesby, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, Smith, Stovall, Sullivan, Sumpter, C.Taylor, J.Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood, Mr. Speaker.

Total97

The following member(s) was absent and did not answer to the roll call:
D. Evans, Haak, Martin.

Total3

A quorum was present.
Unanimous leave was granted for Representative(s) D. Evans, Haak, Martin.
The House stood and was led in prayer by Representative Shirley Borhauer.
The House stood and gave the Pledge of Allegiance to the Flag.
The reading of the Journal of yesterday's proceedings was dispensed with.

COMMITTEE REPORT

	January 6, 2004
EDUCATION	CALVIN JOHNSON
	CHAIRPERSON
HOUSE BILL NO. 1032	DO PASS
BY REPRESENTATIVE CLEVELAND	
HOUSE BILL NO. 1035	DO PASS
BY REPRESENTATIVE CLEVELAND	
HOUSE BILL NO. 1064	DO PASS
BY REPRESENTATIVE JACKSON	
HOUSE BILL NO. 1077	DO PASS
BY REPRESENTATIVE CLEVELAND	
HOUSE BILL NO. 1079	DO PASS
BY REPRESENTATIVE CLEVELAND	
SENATE BILL NO. 33	DO PASS
BY SENATOR BRYLES	AS AMENDED #1

COMMITTEE REPORT

	January 6, 2004
PUBLIC TRANSPORTATION	JOHNNIE BOLIN
	CHAIRPERSON
HOUSE BILL NO. 1027	DO PASS
BY REPRESENTATIVE PETRUS	

COMMITTEE REPORT

	January 6, 2004
JOINT BUDGET	PAUL WEAVER
	CHAIRPERSON
HOUSE BILL NO. 1061	DO PASS
BY REPRESENTATIVE CHESTERFIELD	

Upon motion of Representative Dangeau, **HOUSE BILL NO. 1076** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1076

Amend **HOUSE BILL NO. 1076** as originally introduced:

Page 1, line 30, delete in its entirety and substitute "fiscal year ending June 30, 2005, the sum of \$20,000,000."

AND

Add a new section immediately after Section 1 of the bill to read as follows:

"SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRYFORWARD. Any unexpended balance of monies allocated for the Arkansas Better Chance for School Success Program remaining on June 30th of each fiscal year shall be carried forward and made available the following fiscal year exclusively for the Arkansas Better Chance for School Success Program.

The provisions of this section shall be in effect only from July 1, 2004 through June 30, 2005."

AND

Renumber the subsequent sections of the bill.

/s/ LeRoy Dangeau

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Elliott, **HOUSE BILL NO. 1040** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 3 TO HOUSE BILL NO. 1040

Amend **HOUSE BILL NO. 1040** as engrossed, H12/29/03

(version: 12-29-2003 09:00):

Page 1, line 5, delete "Clemons, Eason," and substitute "Clemons, Dobbins, Eason,"

AND

Page 1, line 7, delete "Steele, Higginbothom," and substitute "Steele, Brown, Higginbothom,"

AND

Page 1, line 12 delete "HIGH-POVERTY" and substitute "HIGH-PRIORITY"

AND

Page 1, line 18 delete "HIGH-POVERTY" and substitute "HIGH-PRIORITY"

AND

Page 1, line 26 delete "high-poverty" and substitute "high-priority"

AND

Page 1, line 27, delete "(a)" and substitute "(a)(1)"

AND

Page 1, line 28, delete "(1)" and substitute "(A)"

AND

Page 1, line 30, delete "(2)" and substitute "(B)"

Page 1, delete lines 32 and 33 and substitute the following:

"teaching all grade level or subject matter appropriate classes; and"

AND

Page 1, line 34, delete "(3)(A) High-poverty" and substitute "(C) High-priority"

AND

Page 2, line 2, delete "(4)" and substitute "(D)"

AND

Page 2, line 5, delete "high-poverty" and substitute "high-priority"

AND

Page 2, line 8, delete "high-poverty" and substitute "high-priority"

AND

Page 2, delete line 9 delete and substitute the following:

"(1)(A) For new teachers and other new certified staff, a one-time signing bonus to be"

AND

Page 2, line 11, delete "the time the" and substitute "the time a"

AND

Page 2, delete line 12, and substitute the following:

"teacher not currently employed by the district signs a new contract to teach in a high-priority area; and"

AND

Page 2, line 15, delete "high-poverty" and substitute "high-priority"

AND

Page 2, line 17, delete "high-poverty" and substitute "high-priority"

AND

Page 2, line 21, delete "years' bonus" and substitute "year's bonus"

AND

Page 2, line 22, delete "years' bonus" and substitute "year's bonus"

AND

Page 2, line 23, delete "Five" and substitute "For all teachers and other certified staff, five"

AND

Page 2, line 24, delete "teacher finishes" and substitute "teacher or other certified staff member finishes"

AND

Page 2, line 26 delete "teacher and" and substitute "teacher, other certified staff,"

AND

Page 2, delete lines 27 through 31, and substitute the following:

"and their immediate family members; and

(4)(A) A monthly allowance at the federal Internal Revenue Service reimbursement rate for travel, as in effect on January 1, 2004, to pay for two-way travel from the teacher's residence to a high-priority area school at which the teacher is employed."

AND

Page 2, delete lines 35 and 36 and substitute the following:

"(c) The Department of Education shall promulgate rules to implement the bonus pay program established by subsection (b) of this section.

(d) The school board of any school district in a high-priority area may reimburse at the federal Internal Revenue Service reimbursement rate for"

AND

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

"travel, as in effect on January 1, 2004, any person who interviews for employment as a licensed teacher with the district, for the mileage and other actual expenses incurred by the person in the course of travel to and from the interview."

AND

Page 3, line 5 delete "(d)(1)" and substitute "(e)(1)"

AND

Page 3, line 7, delete "high-poverty" and substitute "high-priority"

AND

Page 3, line 10, delete "high-poverty" and substitute "high-priority"

AND

Page 3, line 27, delete "subsection (d)" and substitute "subsection (e)"

AND

Page 3, line 31, delete "high-poverty" and substitute "high-priority"

AND

Page 3, line 33, delete "(e)" and substitute "(f)"

AND

Page 3, delete line 34 and substitute the following:

"other certified staff shall reside within the State of Arkansas.

(g) The department shall:

(1)(A) Monitor the implementation of the incentive program established by this section; and

(B) Collect data to be used to evaluate the incentive program's effectiveness; and

(2) Before August 31, 2008, submit to the House and Senate Interim Committees on Education a comprehensive evaluation of the incentive program established by this section."

/s/ J. Elliott

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Adams, **HOUSE RESOLUTION NO. 1012** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE RESOLUTION NO. 1012

Amend **HOUSE RESOLUTION NO. 1012** as originally introduced:

Page 1, line 5 delete "Adams," and substitute "Sullivan, Adams,"

AND

Page 2, line 25, delete "General Assembly" and substitute "House of Representatives"

/s/ Bob Adams

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

/s/ Ms. Jo Renshaw
Chief Clerk

ENGROSSED BILL REPORTS

HERSCHEL W. CLEVELAND, CHAIRMAN

January 6, 2004

The following bill(s) reported correctly engrossed:

HOUSE BILL NO. 1040 - TITLE - BY REPRESENTATIVE ELLIOTT, ET AL

HOUSE BILL NO. 1076 BY REPRESENTATIVE DANGEAU

HOUSE RESOLUTION NO. 1012

- TITLE - BY REPRESENTATIVE SULLIVAN, ET AL

SENATE BILL NO. 28 - TITLE - BY SENATOR ARGUE, ET AL

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 1040

BY: REPRESENTATIVES ELLIOTT, CHESTERFIELD, CLEMONS, DOBBINS,
EASON, GOSS, GREEN, HOUSE, C. JOHNSON, J. JOHNSON, JONES,
LEDBETTER, LENDALL, PENIX, THOMAS, WHITE
BY: SENATORS WILKINS, BRYLES STEELE, BROWN, HIGGINBOTHOM,
BROADWAY

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PROVIDE
EXTRAORDINARY INCENTIVES FOR TEACHER RECRUITMENT AND
RETENTION IN *HIGH-PRIORITY* DISTRICTS; AND FOR OTHER PURPOSES.

HOUSE RESOLUTION ENGROSSED AS TITLE AMENDED
HOUSE RESOLUTION NO. 1012

BY: REPRESENTATIVES *SULLIVAN, ADAMS, AGEE, ANDERSON, BENNETT, BERRY, BIGGS, BLAIR, BLEDSOE, BOLIN, BOND, P. BOOKOUT, BORHAUER, BOYD, BRADFORD, BRIGHT, CHILDERS, CLEMONS, CLEVELAND, COWLING, CREEKMORE, DANGEAU, DEES, DICKINSON, EASON, EDWARDS, ELLIOTT, L.EVANS, D. EVANS, FERGUSON, FITE, GILLESPIE, GIPSON, GOSS, GREEN, HAAK, HARDWICK, HARRIS, HATHORN, HICKINBOTHAM, HOUSE, HUTCHINSON, JACKSON, JACOBS, JEFFREY, J.JOHNSON, C. JOHNSON, JONES, JUDY, KENNEY, KEY, KING, LAMOUREUX, LEDBETTER, LEWELLEN, MACK, MAHONY, MARTIN, MATAYO, MATHIS, MEDLEY, MILLIGAN, NAPPER, NICHOLS, NORTON, OGLESBY, ORMOND, PACE, PARKS, PATE, PENIX, PETRUS, PICKETT, L. PRATER, S. PRATER, PRITCHARD, RANKIN, ROEBUCK, ROSENBAUM, SCHULTE, SCRIMSHIRE, SCROGGIN, SEAWEL, R. SMITH, STOVALL, SUMPTER, J.TAYLOR, C.TAYLOR, THOMAS, THOMASON, THYER, VERKAMP, WALTERS, WEAVER, WHITE, WOOD.*

RECOGNIZING THE IMPORTANCE OF THE BEEF INDUSTRY TO ARKANSAS' ECONOMY; URGING CONTINUING SUPPORT FOR THE BEEF INDUSTRY; RECOGNIZING THAT THE UNITED STATES PROVIDES THE SAFEST FOOD IN THE WORLD; AND URGING THE ARKANSAS CONGRESSIONAL DELEGATION AND THE UNITED STATES DEPARTMENT OF AGRICULTURE TO WORK FOR THE EARLIEST POSSIBLE REOPENING OF INTERNATIONAL MARKETS FOR ARKANSAS BEEF.

SENATE BILL ENGROSSED AS TITLE AMENDED
SENATE BILL NO. 28

BY: SENATORS ARGUE, BISBEE, BRYLES, GULLETT, BAKER, WHITAKER
BY: REPRESENTATIVES *C. JOHNSON, BLEDSOE, BORHAUER, HARRIS, MEDLEY, R. SMITH, AGEE, GIPSON, HUTCHINSON, KENNEY, LEWELLEN, WHITE*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REORGANIZE THE EXISTING PUBLIC EDUCATION SYSTEM; TO ESTABLISH THE POWERS AND DUTIES OF THE DIRECTORS OF THE PUBLIC EDUCATION SYSTEM; AND FOR OTHER PURPOSES.

STATE OF ARKANSAS
ARKANSAS SENATE

January 5, 2004

The Honorable Jo Renshaw
Chief Clerk
State Capitol
Little Rock, AR 72201

Dear Ms. Renshaw:

The Senate respectfully requests the return to the Senate, of **HOUSE BILL NO. 1060**.

Respectfully submitted,

/s/ Ann Cornwell
Secretary of the Senate

HOUSE BILL NO. 1060 was referred back to the Senate.

Upon motion of Representative Mahony, **SENATE BILL NO. 28** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO SENATE BILL NO. 28

Amend **SENATE BILL NO. 28** as engrossed, S12/16/03

(version: 12-16-2003 14:52):

Page 20, line 3, delete "of one" and substitute "of at least one"

AND

Page 20, delete lines 15 and 16 entirely

AND

Page 22, line 18, delete "employee of" and substitute "employee, hired after the effective date of this act of 2003, of

/s/ Jodie Mahony

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Adams, Bennett, Berry, Biggs, Blair, Bolin, Bond, P. Bookout, Boyd, Bradford, Bright, Childers, Clemons, Cowling, Creekmore, Dangeau, Dees, Dickinson, Dobbins, Edwards, Elliott, L. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Hardwick, Hathorn, Hickinbotham, House, Jackson, Jacobs, Jeffrey, C. Johnson, J. Johnson, Jones, Judy, King, Ledbetter, Lendall, Lewellen, Mack, Mahony, Mathis, Milligan, Moore, Napper, Nichols, Norton, Oglesby, Pate, Penix, Petrus, L. Prater, S. Prater, Rankin, Roebuck, Schulte, Scrimshire, Scroggin, Seawel, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood.

Total74

NEGATIVE: Agee, Anderson, Bledsoe, Borhauer, Chesterfield, Harris, Hutchinson, Kenney, Key, Lamoureux, Matayo, Medley, Pace, Parks, Pickett, Pritchard, Rosenbaum.

Total17

ABSENT OR NOT VOTING: Eason, D. Evans, Green, Haak, Martin, Ormond, R. Smith, Stovall, Mr. Speaker.

Total9

VOTING PRESENT:

Total0

Total number of votes cast91

Total number voting in the affirmative74

Necessary to adopt the amendment51

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative C. Johnson, **SENATE BILL NO. 28** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 3 TO SENATE BILL NO. 28

Amend **SENATE BILL NO. 28** as engrossed, S12/16/03

(version: 12-16-2003 14:52):

Add Representatives C. Johnson, Bledsoe, Borhauer, Harris, Medley, Smith, Agee, Gipson, Hutchinson, Kenney, Lewellen, and White as cosponsors of the bill

AND

Page 1, line 11, delete "TIES" and substitute "DUTIES"

AND

Page 3, delete line 33 through 36 entirely

AND

Page 4, delete lines 1 and 5, and substitute the following:

"(d) The state board shall select an individual to serve as the Director of the Office of Public School Accountability and the director shall serve at the pleasure of the state board.

"(e) The director, with guidance and approval from the state board, shall be responsible for hiring all employees of the office."

AND

Page 5, line 7, delete "one hundred (120)" and substitute "one hundred twenty (120)"

AND

Page 6, delete lines 14 and 20 and substitute:

"(d)(1) The state board shall select an individual to serve as the Director of the Office of Public School Academic Facilities and the director shall serve at the pleasure of the state board."

AND

Page 6, delete lines 23 through 25, and substitute

"(e) The director, with guidance and approval from the state board, shall be responsible for hiring all employees of the office."

AND

Page 7, line 29, delete "facilities and technologies" and substitute "facility and technology"

AND

Page 7, line 35, delete "panel" and substitute "office"

AND

Page 8, line 1, delete "panel" and substitute "office"

AND

Page 8, line 7, delete "panel" and substitute "office"

AND

Pages 8 through 14, delete Section 4 and substitute:

"SECTION 4. Creation of the Office of Education Renewal Zones.

(a) There is created an Office of Education Renewal Zones.

(b) The office shall be under the supervision of the State Board of Education.

(c) The state board shall select an individual to serve as the Director of the Office of Education Renewal Zones and the director shall serve at the pleasure of the state board.

(d)(1) The Director of the Office of Education Renewal Zones, with guidance and approval from the state board, shall be responsible for hiring all employees of the office.

(2) The Director of the Department of Higher Education shall assign one (1) individual from the staff of the Department of Higher Education to serve as a liaison to the office.

(e) The office shall be responsible for developing guidelines for the approval of education renewal zone strategic plans and guidelines for the evaluation and reporting of education renewal zone activities.

(f) The office shall approve any education renewal zone strategic plan prior to the disbursement or annual renewal of funds to participating institutions of higher education.

(g)(1) Effective July 1, 2004, any public school, education service cooperative and institution of higher education is authorized to enter into one (1) or more inter-local agreements through which they collaborate to improve public school performance and academic achievement.

(2) Each inter-local agreement shall establish an education renewal zone.

(3) The purpose of an education renewal zone shall be to:

(A) Identify and implement education and management strategies designed specifically to improve public school performance and student academic achievement throughout the State of Arkansas, with special focus on the state's most academically distressed public schools;

(B) Provide for collaboration among the state's smaller schools and districts in order to achieve some of the advantages of economies of scale in providing educational and related activities;

(C) Maximize benefits and outcomes of public schooling by concentrating and coordinating the resources of Arkansas' higher education institutions, the expertise of the regional education service cooperatives, and the

technical assistance of other service providers to improve public school performance and student academic achievement; and

(D) Enable small, rural and low-wealth schools to make the best use of the latest cost-effective distance learning technology to enhance curricula and professional development through two-way interactive learning environments.

(h) Each education renewal zone shall consist of the following:

(1) Higher education partner:

(A) The office shall develop, publish and disseminate guidelines for establishing an education renewal zone, including a process for selecting a qualified higher education partner in the fifteen (15) education service cooperative areas in the state and in Pulaski County.

(B)(i) A qualified higher education partner shall:

(a) Be a school with a department of education or a comprehensive four-year teacher preparation program; and

(b) Be capable of demonstrating a willingness and flexibility to restructure its programs and services to meet the needs of the participating grades kindergarten through twelve (K-12) schools and school districts.

(ii) The office shall give preference to qualified four-year higher education institutions located within the education service cooperative area.

(C) If there is no qualified four-year higher education institution located within the education service cooperative area, the office may select:

(i) A two-year higher education institution that in collaboration with a qualified four-year educational institution located in another education service cooperative area provides a comprehensive four-year teacher preparation program;

(ii) A qualified higher education institution located in another education service cooperative area; or

(iii) An institution of higher education may serve as the higher education partner for more than one (1) educational service cooperative area.

(2)(A) Education Service Cooperative.

(B) The education service cooperative shall be a full partner in planning, implementing, and evaluating the education renewal zone in its respective service area and shall provide direct services as called for in the education renewal zone plan;

(3) Public Schools.

(A)(i) Public schools may participate in an education renewal zone upon successful application by the public school district of which the school is

a part.

(ii) Public schools designated by the Department of Education as a school in school improvement or a school in a school district designated by the department as being in academic distress shall participate in an education renewal zone and the office shall establish education renewal zones for those schools.

(iii) Acceptance or rejection of the application by a school for admittance to an education renewal zone shall be the responsibility of the office, with consultation from the higher education partner.

(iv) The office may include within an education renewal zone any school within the education service cooperative area provided that no more than ten (10) schools may participate in any single education renewal zone.

(v) The office may designate up to a maximum of three (3) education renewal zones within any single education service cooperative area.

(C) In designating education renewal zones and selecting schools for participation in a particular zone, the office shall give priority to schools that meet one or more of the following criteria:

(i) The school is classified as a school in school improvement or alert status for school improvement under the Arkansas state compliance plan under the federal No Child Left Behind Act of 2001, 20 U.S.C.S. § 6301 et seq.

(ii) The school lies within a school district designated by the Department of Education as in academic distress or financial distress under the Arkansas Comprehensive Testing, Assessment, and Accountability Program.

(iii) The school demonstrates an inability to hire and retain highly qualified teachers as defined by the state plan for compliance with the federal No Child Left Behind Act of 2001, 20 U.S.C.S. § 6301 et seq.

(iv) The school demonstrates an inability to provide the minimum number of course offerings as determined by the state through the conventional hiring of qualified teachers.

(v) The school is within a school district with an average daily membership of fewer than one thousand five hundred (1,500) students.

(vi) The school serves a student population that exceeds the statewide average rate of participation in free or reduced price lunch programs.

(4) Local Advisory Group.

(A) Each education renewal zone shall form a local advisory group comprised of a representative of the following groups:

(i) The higher education partner

(ii) The education service cooperative which includes the area in which the education renewal zone is located;

(iii) The public school or school district participating in the education renewal zone; and

(iv) Each community in which there is a school participating in the education renewal zone.

(B) The office may designate up to a maximum of three (3) education renewal zones within any single education service cooperative area.

(C) The membership and staff of local advisory groups shall be reflective of the diversity of the population being served by the education renewal zone.

(5) Technical Assistance Provider. Any two-year community or technical college, technical support organization, or other entity may participate in the education renewal zone at the discretion of the office and in collaboration with a designated higher education partner and a designated education service cooperative.

(i) The office, the state board and the local school districts shall exercise due diligence to assure that all schools classified as a school in school improvement under the federal No Child Left Behind Act of 2001, 20 U.S.C.S. § 6301 et seq., as in existence on December 1, 2003 are included in a designated education renewal zone.

(j) The office may, at its discretion, include any school regardless of its eligibility under the criteria in subdivisions (h)(3)(C)(i) through (vi) of this section, if it determines that on the basis of location, characteristics of its faculty or leadership, needs of the students, or other factors, that the inclusion of such school significantly strengthens the prospect of the education renewal zone in meeting its school improvement goals.

(k) The office may, at its discretion, change participating schools within each education renewal zone.

(l)(1) Each school participating in an education renewal zone shall develop and implement a school improvement plan.

(2) Each school improvement plan shall at a minimum include the following:

(A) Goals for improving student achievement;

(B) Measurable benchmarks for achieving student improvement goals;

(C) A timeline for reaching goals in improving student achievement; and

(D) Requirements for services to be provided by the Education Renewal Zone Partners.

(m) The partners within a specific education renewal zone shall develop a strategic plan that is responsive to the needs of the individual school improvement plans.

(n) The education renewal zone strategic plan shall at a minimum provide for the following:

(A) Collaboration between and among the higher education institution partners, education service cooperatives, schools and communities participating in the education renewal zone, including within the academic departments within the higher education institution partners;

(B) A comprehensive program of professional development to assure the practical knowledge base of pre-service and in-service teachers with respect to pedagogical practice, content knowledge, and competent use of distance learning technology;

(C) Enhancement and expansion of local school curricula offerings through the use of two-way interactive television to include advanced placement, dual-credit and advanced high school courses;

(D) The sharing of faculty for core course offerings when schools are unable to hire highly-qualified teachers in core subject areas required for college entrance or teachers necessary to meet state accreditation standards;

(E) A strategy to recruit and retain highly-qualified teachers with particular focus on hard-to-staff schools;

(F) A system for mentoring teachers with three (3) or fewer years of professional service;

(G) Active participation of the community in the work of the school;

(H) Active involvement of parents in the academic work of the student; and

(I) A means of collecting the data necessary to evaluate the progress of each participating public school and the education renewal zone in its entirety.

(o) Each education renewal zone, using guidelines and indicators set by the office, shall prepare an annual report to the office describing the progress toward accomplishing the goals of the education renewal zone.

(p) The office, shall prepare an annual report to the Governor, the General Assembly, and the State Board of Education describing the progress toward accomplishing the goals of the individual education renewal zones and the overall

education renewal zone program.

(q) The office shall establish a website, accessible by the public, to provide for broad dissemination of both the education renewal zone plans and strategies and the results of the annual reports on progress toward accomplishing the goals of the individual education renewal zones and the overall education renewal zone program."

AND

Page 16, delete line 35, and substitute

"§ 6-13-1601(b)."

AND

Page 17, line 4, delete "seven hundred (700)" and substitute "five hundred (500)"

AND

Page 17, delete line 15 and substitute:

"1602(a)."

AND

Page 17, delete line 20, and substitute:

" of any grades kindergarten through eight (K-8) school facilities.

6-13-1603. Personnel in consolidated school districts.

All school district personnel policies, decisions regarding personnel, and the application of any reduction-in-force policies shall be in compliance with the Federal Civil Rights Act of 1964, as amended, the Federal Civil Rights Act of 1866, the Federal Civil Rights Act of 1871, the Fourteenth Amendment to the United States Constitution, the Arkansas Civil Rights Act of 1993, § 16-123-101, et seq. and any applicable court orders."

AND

Page 18, line 2, delete "is in" and substitute "is in a"

AND

Page 19, line 31, delete "§§ 6-13-906 and 6-13-907" and substitute "§§ 6-13-905 and 6-13-906"

AND

Page 22, line 12, delete "Chapter 13 Subsection 10" and substitute "Chapter 13, Subchapter 10"

AND

Page 22, line 17, delete "center" and substitute "cooperative"

AND

Page 22, line 33, delete "center" and substitute "cooperative"

AND

Page 25, delete line 3 and substitute the following:

"district.

(3) The interim personnel policies committee shall reflect the diversity of the population of the new school district.

(4) Any personnel policies shall be in compliance with the Federal Civil Rights Act of 1964, as amended, the Federal Civil Rights Act of 1866, the Federal Civil Rights Act of 1871, the Fourteenth Amendment to the United States Constitution, the Arkansas Civil Rights Act of 1993, § 16-123-101, et seq. and any applicable court orders."

AND

Page 27, line 28, delete "or" and substitute "of"

AND

Page 27, line 30, delete "amended, when" and substitute "amended, or § 6-13-1603, when"

AND

Page 29, delete line 31, and substitute:

"(g) and (h) of this section.

(j) The Arkansas Employment Security Division shall be available to assist laid-off employees as may be appropriate.

(k) The provisions of this section shall not interfere with or restrict the authority of a school district to comply with applicable court orders regarding personnel matters."

AND

Page 30, line 18, delete "2003-2004" and substitute "2004-2005"

AND

Page 30, line 26, delete "2003-2004" and substitute "2004-2005"

AND

Page 33, delete lines 4 through 8, and substitute the following:

~~"(m) Subsections (f)-(l) of this section shall not apply to any local school district whose minimum salary for teachers exceeds twenty one thousand eight hundred sixty dollars (\$21,860) and whose average salary exceeds the state average salary for teachers for the previous year."~~

AND

Page 33, line 9, delete "(h)" and substitute "(f)"

AND

Page 33, line 21, delete "(i)" and substitute "(g)"

AND

Page 33, line 25, delete "(j)(1)" and substitute "(h)(1)"

AND

Page 33, line 34, delete "Section 18." and substitute "SECTION 18."

AND

Page 36, line 28, delete "center" and substitute "cooperative"

AND

Page 37, line 25, delete "~~(d)(1)(A)(F)(1)(A)~~ ~~(d)Each~~" and substitute "~~(d)(1)(A)(F)(1)(A)~~ Each"

AND

Page 38, line 26, delete "Type 3" and substitute "Type 2"

AND

Page 38, line 33, delete "Type 3" and substitute "Type 2"

/s/ Calvin Johnson

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Agee, Anderson, Biggs, Blair, Bledsoe, Bond, P. Bookout, Borhauer, Bradford, Bright, Childers, Clemons, Dees, Dickinson, Dobbins, Eason, Edwards, Elliott, Fite, Gipson, Goss, Green, Hardwick, Harris, House, Hutchinson, C. Johnson, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Matayo, Mathis, Medley, Moore, Napper, Pace, Parks, Penix, Pickett, S. Prater, Pritchard, Roebuck, Rosenbaum, Seawel, R. Smith, C. Taylor, Thomas, Thyer, White, Wood.

Total59

NEGATIVE: Adams, Berry, Bolin, Boyd, Chesterfield, Cowling, Creekmore, Dangeau, L. Evans, Gillespie, Hathorn, Hickinbotham, Jackson, Jacobs, Jeffrey, Milligan, Nichols, Norton, Oglesby, Ormond, Pate, Petrus, Rankin, Schulte, Scrimshire, Scroggin, Sullivan, Sumpter, Thomason, Verkamp, Walters, Weaver.

Total32

ABSENT OR NOT VOTING: Bennett, D. Evans, Ferguson, Haak, Martin, L. Prater, Stovall, J. Taylor, Mr. Speaker.

Total9

VOTING PRESENT:

Total0

Total number of votes cast.....91

Total number voting in the affirmative59

Necessary to the adoption of the amendment.....51

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

/s/ Ms. Jo Renshaw

Chief Clerk

Motion was made by Representative Scrimshire for immediate consideration of **SENATE BILL NO. 28, AMENDMENT NO. 6**. Motion carried.

Upon motion of Representative Bennett, **SENATE BILL NO. 28** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 6 TO SENATE BILL NO. 28

Amend **SENATE BILL NO. 28** as engrossed, S12/16/03
(version: 12-16-2003 14:52):

Pages 15 through 19, delete Section 7, Section 8, and Section 9 entirely
AND
Appropriately renumber the remaining sections of the bill

/s/ Russ Bennett

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Adams, Bennett, Berry, Blair, Bolin, Boyd, Bright, Chesterfield, Clemons, Cowling, Creekmore, Dangeau, Dickinson, Dobbins, L. Evans, Fite, Gillespie, Goss, Hathorn, Hickinbotham, House, Jackson, Jacobs, Jeffrey, Jones, Judy, King, Mack, Milligan, Nichols, Norton, Oglesby, Ormond, Pate, Petrus, L. Prater, Rankin, Roebuck, Schulte, Scrimshire, Scroggin, Seawel, Stovall, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Verkamp, Walters, Weaver, Mr. Speaker.

Total53

NEGATIVE: Agee, Anderson, Biggs, Bledsoe, Bond, P. Bookout, Borhauer, Bradford, Childers, Dees, Eason, Edwards, Elliott, Ferguson, Gipson, Green, Hardwick, Harris, Hutchinson, C. Johnson, J. Johnson, Kenney, Key, Lamoureux, Ledbetter, Lendall, Lewellen, Mahony, Matayo, Mathis, Medley, Moore, Napper, Pace, Parks, Penix, Pickett, S. Prater, Pritchard, Rosenbaum, R. Smith, Thyer, White, Wood.

Total44

ABSENT OR NOT VOTING: D. Evans, Haak, Martin.

Total3

VOTING PRESENT:

Total0

Total number of votes cast.....97

Total number voting in the affirmative53

Necessary to the adoption of the amendment.....51

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

/s/ Ms. Jo Renshaw
Chief Clerk

The Clerk requested the Sounding of the Ballot on **AMENDMENT NO. 6 TO SENATE BILL NO. 28** and the call was sustained. The following members votes were successfully challenged:

AYE: 0

Total	0
Total number of votes cast	97
Necessary to the adoption of the amendment.....	51
Total number voting in the affirmative	53
Total number voting in the negative	44
Total number absent or not voting.....	3
Total number voting present.....	0

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Bennett the Clincher motion prevailed.

Leave was granted for Representative Chesterfield to pull **AMENDMENT NO. 7, SENATE BILL NO. 28.**

Upon motion of Representative Chesterfield, **SENATE BILL NO. 28** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 8 TO SENATE BILL NO. 28

Amend **SENATE BILL NO. 28** as engrossed, S12/16/03

(version: 12-16-2003 14:52):

Page 17, delete line 20, and substitute:

"of any grades kindergarten through eight (K-8) school facilities.

(e)(1) An applicant for a position of superintendent of a school district created as a result of consolidation or annexation under this section who is not hired may request a written statement detailing all of the reasons that the members of the local school board did not hire the individual to serve as superintendent.

(2) Within thirty (30) calendar days after receiving the request of the applicant, the school board shall provide a written statement that details all of the reasons that the members of the local school board did not hire the individual to serve as superintendent."

/s/ Linda Chesterfield

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Bolin, Bond, Boyd, Chesterfield, Clemons, Cowling, Dangeau, Dickinson, Dobbins, Eason, Fite, Gillespie, Goss, House, Jacobs, Jeffrey, J. Johnson, Jones, Judy, King, Lewellen, Milligan, L. Prater, Scrimshire, Scroggin, Seawel, Sullivan, Thomas, Thomason, Weaver, Mr. Speaker.

Total31

NEGATIVE: Agee, Anderson, Berry, Biggs, Blair, Bledsoe, Borhauer, Bradford, Childers, Creekmore, Edwards, Gipson, Green, Harris, Hathorn, Hickinbotham, Hutchinson, C. Johnson, Key, Lamoureux, Ledbetter, Mahony, Matayo, Mathis, Medley, Moore, Napper, Norton, Ormond, Pace, Parks, Penix, Petrus, Pickett, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, C. Taylor, J. Taylor, Thyer, White, Wood.

Total44

ABSENT OR NOT VOTING: Adams, Bennett, P. Bookout, Bright, Dees, Elliott, D. Evans, L. Evans, Ferguson, Haak, Hardwick, Jackson, Kenney, Lendall, Mack, Martin, Nichols, Oglesby, Pate, Schulte, R. Smith, Stovall, Sumpter, Verkamp, Walters.

Total25

VOTING PRESENT:

Total0

Total number of votes cast75

Total number voting in the affirmative31

Necessary to the adoption of the amendment.....51

So the Amendment failed of adoption.

/s/ Ms. Jo Renshaw
Chief Clerk

Morning Hour Expired.

The House stood in recess at 2:37 p.m. until 4:00 p.m.

NOTICE OF RETURN OF HOUSE BILLS AS REQUESTED

HOUSE BILL NO. 1060 BY REPRESENTATIVE CHESTERFIELD

ARKANSAS SENATE
SENATE BILLS RECEIVED FROM SENATE

SENATE BILL NO. 42 BY SENATOR BISBEE

ENROLLED AND DELIVERY TO GOVERNOR REPORTS

Little Rock, Arkansas
January 6, 2004

MR. SPEAKER:

We, your committee on Enrolled Bills, to whom was referred the following:

HOUSE BILL NO. 1054 BY REPRESENTATIVE C. JOHNSON

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 1:55 p.m. delivered them to the Governor for his approval.

Respectfully submitted,

/s/ Herschel W. Cleveland
Chairman

RECEIPT FROM THE GOVERNOR

RECEIVED FROM THE HOUSE:

HOUSE BILL NO. 1054 BY REPRESENTATIVE C. JOHNSON

/s/ Mike Huckabee - Governor

TIME: 1:55 p.m.

By: Stacy DeJarnett

STATE OF ARKANSAS
HOUSE OF REPRESENTATIVES

MEMORANDUM

TO: Whom It May Concern
FROM: House Committee on the Journal; Engrossed and Enrolled Bills
DATE: January 6, 2004
SUBJECT: Amendment #3 to Senate Bill 28

The House Committee on the Journal; Engrossed and Enrolled Bills, by this letter, approves the correction of an error in Amendment #3 to SB28. In the Amendment, the first line of the fourth paragraph should read, "Page 4, delete lines 1 through 5, and substitute the following:"

And,

The first line of the sixth paragraph should read, "Page 6, delete lines 14 through 20 and substitute."

The Committee authorizes the Chief Clerk to carry out the intent of the amendment by correctly engrossing **SENATE BILL NO. 28**.

/s/ Herschel W. Cleveland
Speaker of the House

/s/ Jodie Mahony

/s/ Mike Creekmore, Chairman
House Rules

/s/ Lenville Evans

/s/ Robert J. White, Chairman
House Management Committee

/s/ Tim Massanelli, Parliamentarian

cc: Jo Renshaw, Chief Clerk

HOUSE BILL NO. 1089

BY: HOUSE MANAGEMENT

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS HOUSE OF REPRESENTATIVES WHICH SHALL BE SUPPLEMENTAL AND IN ADDITION TO THOSE FUNDS APPROPRIATED BY ACT 1 OF 2003, ACT 1025 OF 2003, AND ACT 1 OF THE SECOND EXTRAORDINARY SESSION OF 2003; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and placed on the Calendar.

HOUSE BILL NO. 1090

BY: REPRESENTATIVE CLEVELAND

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CREATE THE EDUCATIONAL ADEQUACY TRUST FUND; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on EDUCATION.

HOUSE BILL NO. 1091

BY: REPRESENTATIVE JUDY

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REMOVE NONACADEMIC BARRIERS TO ACADEMIC SUCCESS THROUGH THE ESTABLISHMENT OF FAMILY RESOURCE CENTERS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on EDUCATION.

SENATE BILL NO. 42

BY: SENATORS BISBEE, BROADWAY

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PROVIDE EQUITABLE FUNDING TO PUBLIC SCHOOLS; TO PROVIDE A SYSTEM FOR MONITORING PUBLIC SCHOOL EXPENDITURES; TO INCREASE MINIMUM TEACHER SALARIES; TO ESTABLISH A KNOWLEDGE AND SKILLS-BASED PAY SYSTEM FOR TEACHERS; TO PROVIDE FOR SCHOOL-BASED PERFORMANCE AWARDS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

Upon motion of Representative Gillespie the House adjourned at 4:05 P.M. until 1:30 p.m. Wednesday, January 7, 2004.

ATTEST:

Herschel W. Cleveland
Speaker of the House of Representatives

Jo Renshaw
Chief Clerk