

FORTY-FIRST DAY'S PROCEEDINGS
HALL OF THE HOUSE OF REPRESENTATIVES

Little Rock, Arkansas

January 17, 2004

The House was called to order at 10:02 a.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, Childers, Clemons, Cowling, Creekmore, Dangeau, Dees, Dobbins, Eason, Edwards, Elliott, D.Evans, L. Evans, Ferguson, Fite, Gillespie, Goss, Green, Haak, Hardwick, Harris, Hathorn, Hickinbotham, House, Hutchinson, Jackson, Jacobs, Jeffrey, C.Johnson, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Napper, Nichols, Norton, Oglesby, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, Smith, Stovall, Sullivan, Sumpter, C.Taylor, J.Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, White, Wood, Mr. Speaker.

Total95

The following member(s) was absent and did not answer to the roll call:
Chesterfield, Dickinson, Gipson, Rankin, Weaver.

Total5

A quorum was present.

Unanimous leave was granted for Representative(s) Chesterfield, Dickinson, Gipson, Rankin, Weaver.

The House stood and was led in prayer by Representative Jay Martin.

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

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

Upon motion of Representative Jackson, **HOUSE BILL NO. 1105** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1105

Amend **HOUSE BILL NO. 1105** as originally introduced:

Page 2, delete line 4 and substitute the following:

"the water's edge combined reporting method in § 26-51-817."

AND

Page 2, delete line 22

AND

Page 2, delete lines 23 through 26, and substitute the following:

"(3) 'Water's edge combined reporting method' means a combined reporting method where the income and apportionment factors of the reporting corporations, its United States affiliates, and its foreign affiliates listed in subsection (e) of this section are included in the apportionable base, provided that the corporations are all members of the same unitary business group."

AND

Page 3, delete line 18 and substitute the following:

"income tax return, the income to be included in the combined report is the net"

AND

Page 3, delete lines 21 and 22 and substitute the following:

"corporation that is prepared for filing with the United States Securities and Exchange Commission."

AND

Page 3, delete line 31 and substitute the following:

"the federal Internal Revenue Code, subject to the appropriate adjustments under the provisions of the Income Tax Act of 1929, § 26-51-101, et seq."

AND

Page 4, line 5, add the word "or" after the semicolon.

AND

Page 4, line 9, delete "country:" and substitute "country."

AND

Page 4, delete lines 10 through 12.

AND

Page 4, line 28, add a new subdivision to read as follows:

"(4) The determination of the factors in (e)(2)(A)(i) and (ii) of this section shall be computed by equally weighting each factor."

/s/ P. E. Jackson

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Ledbetter, **HOUSE BILL NO. 1118** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1118

Amend **HOUSE BILL NO. 1118** as originally introduced:

Add Senator Brown as the Senate cosponsor of the bill

/s/ Sam Ledbetter

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Judy, **HOUSE BILL NO. 1091** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1091

Amend **HOUSE BILL NO. 1091** as engrossed, H1/12/04

(version: 01-12-2004 08:44):

Add Representatives C. Johnson, S. Borhauer, L. Chesterfield, J. Elliott, and B. King as cosponsors of the bill

AND

Page 1, immediately before the enacting clause on line 16, add the following:

“WHEREAS, the State Child Abuse and Neglect Prevention Board has a proven record as an advocate for the children of the State of Arkansas; and

WHEREAS, the legislature has determined that, rather than create a new board, commission, or agency to carry out the duties of the Family Resource Centers Act and because of the State Child Abuse and Neglect Prevention Board’s proven record as an advocate for the children of the State of Arkansas, the State Child Abuse and Neglect Prevention Board shall be given the duties under this act, NOW THEREFORE,”

AND

Delete everything after the enacting clause and substitute the following:

“SECTION 1. Arkansas Code Title 6, Chapter 18, is amended to add an additional subchapter to read as follows:

6-18-1401. Title.

This subchapter shall be known and may be cited as the “Family Resource Centers Act”.

6-18-1402. Definitions.

For the purpose of this subchapter:

(1) “Board” means the State Child Abuse and Neglect Prevention Board;

(2) “Core component” means one (1) of the activities or services for children and their families provided by a family resource center pursuant to the school district’s grant application;

(3) “Family resource center” means a center in or near a priority elementary school;

(4) “National school lunch students” mean those students from low socioeconomic backgrounds as indicated by eligibility for free or reduced-priced meals under the National School Lunch Act as calculated on October 1 of each year

and submitted to the Department of Education;

(5) "Optional component" means one (1) of the activities or services for children or their families provided by a family resource center to satisfy unique community needs;

(6) "Parent" means a parent, legal guardian, or person standing in loco parentis; and

(7) "Priority elementary school" means a public school that meets the following requirements:

(A) Has one (1) or more of grades kindergarten through six (K-6); and

(B)(i) Has fifty percent (50%) or more of the enrolled students that are national school lunch students based on data from the 2002-2003 school year; or

(ii) Has fifty percent (50%) or more of the students that are performing below proficient on any or all benchmark examinations based on examination results from the 2002-2003 school year.

6-18-1403. Administration.

This subchapter shall be administered by the State Child Abuse and Neglect Prevention Board as created under § 9-30-104.

6-18-1404. Duties.

(a) The State Child Abuse and Neglect Prevention Board shall have the following duties:

(1) To determine which schools are priority elementary schools under this subchapter;

(2) To review grant applications and to award grants to school districts for family resource centers;

(3)(A) To formulate and assist with the implementation of an implementation plan to establish a goal of ten (10) family resource centers, subject to funding.

(B) The family resource centers shall be designed to meet the following goals:

(i) To remove nonacademic barriers to student success in school;

(ii) To enhance the abilities of students to succeed in school; and

(iii) To meet the needs of children and their families;

(4) To monitor the family resource centers;

(5) To modify the implementation plans as necessary;

(6) To promulgate rules and forms for the administration of this subchapter;

(7) To employ administrative or training staff as needed;

(8) To create local advisory groups;

(9)(A) To provide additional resources to assist school districts in the development of methods and strategies to effectively use poverty funding that they receive more effectively.

(B) The resources may include the following:

(i) Technical assistance;

(ii) Organizational assistance;

(iii) Program assistance;

(iv) Professional assistance; or

(v) Any other assistance that is determined to be needed to help school districts overcome nonacademic barriers; and

(10) Other duties as determined by the board.

(b)(1) This subchapter is the framework for schools to address student poverty issues and to remove nonacademic barriers that hinder student performance.

(2) A school district may fund programs or services under this subchapter with moneys received from the Department of Education Public School Fund, or its successor fund, for poverty index funding, National School Lunch Act student funding, national school lunch students funding, or other funding for students eligible for the free or reduced-price lunch program.

(3) The programs under this subchapter shall be included in any list of approved programs and purposes established by rule of the Department of Education, any successor agency of the Department of Education, or the State Board of Education regarding the use of poverty index funding, National School Lunch Act student funding, national school lunch students funding, or other funding for students eligible for the free or reduced-price lunch program.

(4) School districts may use any available funding resources to establish and administer family resource centers under this subchapter, including, but not limited to, federal or state Medicaid moneys or reimbursements.

(c) On or before October 1 of each year, the chairperson of the board or his or her designee shall report to the House Interim Committee on Aging, Children and Youth, Legislative and Military Affairs and Senate Interim Committee on Children and Youth regarding the status of the development of the family resource centers and the outcomes achieved at each operational family resource center.

6-18-1405. Purposes.

(a) Family resource centers shall be designed to remove nonacademic barriers to success and to enhance the abilities of the students to succeed in school.

(b) Students and families who are the most economically disadvantaged shall have priority status for receiving services at the family resource centers.

(c) Family resource centers shall work in conjunction with the parent facilitator at the school to avoid duplication of services and to maximize personnel and resources.

6-18-1406. Implementation plans.

(a) The implementation plan developed by the State Child Abuse and Neglect Prevention Board with input from the local advisory groups, the local school district, and the priority elementary school shall include an effort to implement a network of family resource centers across the state.

(b) The family resource centers shall be located in or near each priority elementary school.

(c) The implementation plan shall promote identification and coordination of existing resources including any program that currently exists at the school under a parental involvement plan under §§ 6-15-1701 through 6-15-1705.

(d) The implementation plan may include the following components for each site:

(1)(A) Information and referral activities for off-site services to assist participants in having their basic needs met.

(B) Information and referral activities provide participants with a point of entry to available support networks.

(C) Examples of off-site service referrals include, but are not limited to, the following:

(i) Child care centers;

(ii) Health care providers;

(iii) Counseling services;

(iv) Legal aid;

(v) Food banks;

(vi) Housing and domestic violence shelters;

and

(vii) Federal agencies, state agencies, or other entities that provide benefits or services that the participants may need;

(2)(A) Parenting education services to promote the sharing of information, strategies, and tools to help parents with the difficult job of being parents.

(B) Examples of parenting activities include, but are not limited

to, the following:

- (i) Group-based parent education classes;
- (ii) Providing credentialed guest speakers; or
- (iii) Making materials on parenting issues available to

parents through lending libraries or take home materials;

(3)(A) Child development activities to strengthen the parent and child bond and promote optimal development of a child by assisting parents in the utilization, understanding, and application of early child development activities.

(B) Child development activities shall emphasize child development during the earliest years, specifically age zero to three (0-3).

(C) Child development activities shall address the following:

- (i) Healthy physical development;
- (ii) Cognitive development;
- (iii) Social development; or
- (iv) Emotional development.

(D) Specific strategies to promote child development within family resource centers may include the following:

(i) Referring or establishing quality childcare or after-school care programs;

(ii) Providing developmental screenings;

(iii) Educating parents about developmental milestones;

(iv) Providing literacy and pre-literacy activities such as story time;

(v) Providing play groups or “make and take” activities for young children; or

(iv) Establishing toy, book, computer, or technology sharing or lending libraries.

(E) Child development activities may be conducted at the family resource centers, through home visiting programs such as Home Instruction for Parents of Preschool Youngsters (HIPPY), or as part of Head Start;

(4) Life skills education to provide an opportunity for participants to strengthen skills and competencies that will help them succeed in everyday tasks to include, but not be limited to, the following:

- (A) Developing and maintaining a household budget;
- (B) Shopping for and preparing nutritious meals;
- (C) Securing and maintaining employment;
- (D) Conflict resolution skills;
- (E) Goal setting;

- (F) Time management;
- (G) Decision making; or
- (H) Stress management;

(5)(A) Family literacy to connect education for children with literacy instruction for their parents.

(B) Family literacy activities may include the following:

- (i) Adult literacy instruction for parents;
- (ii) General education diploma instruction for parents;
- (iii) Referral to a vocational educational institution or an institution of higher education in the state;
- (iv) Providing information on scholarships that might be available to the parent if the parent decides to proceed with higher education;
- (v) Child literacy programs; or
- (vi) Parent and child literacy activities; and

(6)(A) Informal network building to assist families in developing a network of mutual support to include caring, resource sharing, emotional support, and social support.

(B) The informal network building program shall be designed to promote activities to help parents get to know one another, raise their social capital, and reduce their isolation.

(C) Examples of informal network building programs include the following:

- (i) Support groups;
- (ii) Social activities;
- (iii) Family celebrations;
- (iv) Recreational activities;
- (v) Holiday gatherings; or
- (vi) Newsletters.

(e) The board and the local advisory group shall agree which of the components in subsection (d) of this section are core components or optional components based on the individual implementation plan for each priority elementary school's family resource center.

(f)(1) The board shall determine which schools meet the definition of priority elementary schools under this subchapter by July 1, 2004.

(2) The Department of Education and the State Board of Education shall provide all information necessary in the format necessary for the board to meet the deadline under this subsection (f).

(g)(1) The board shall select a minimum of ten (10) eligible priority

elementary schools for which an implementation plan shall be completed, subject to funding.

(2) The board shall complete its implementation plan for a minimum of ten (10) priority elementary schools on or before December 1, 2004, subject to funding.

(h) On or before August 1, 2005, family resource centers shall be established in or adjacent to a minimum of ten (10) priority elementary schools, subject to funding.

6-18-1407. Grant program.

(a) A grant program is established to provide financial assistance to school districts with priority elementary schools that establish family resource centers.

(b) Local school districts shall submit to the State Child Abuse and Neglect Prevention Board the grant applications and plans for their family resource centers by March 1, 2005.

(c) Beginning July 1, 2005, the board shall award grants to school districts that establish family resource centers at priority elementary schools in their districts.

(d)(1) The board or its designee shall develop a grant application process that includes the following:

(A) An application for a grant under this subchapter;

(B) Instructions about the grant process; and

(C) Scoring procedures to determine the award of the grants.

(2)(A) The grant application process shall include the preparation of a grant application package that is distributed to each priority elementary school and the superintendent of the school district containing each priority elementary school.

(B) The board shall distribute the grant application package no later than December 15, 2004.

(3) The grant application process shall be straightforward and require a minimum amount of paperwork.

(e) In the award of grants under this subchapter, special consideration shall be given to the most impoverished and the lowest performing schools.

6-18-1408. Local advisory councils.

(a) Each family resource center shall have a local advisory council that has a central role in designing and delivering services.

(b) Members of the local advisory council shall be representative of the diversity of the students in the priority elementary school that is served.

(c)(1) Except for the initial chairperson, the members shall determine annually and by majority vote who shall serve as chairperson.

(2) The superintendent of the priority elementary school shall appoint

the initial chairperson for the purpose of calling the first organizational meeting.

(3) The initial chairperson shall call an organizational meeting no fewer than thirty (30) days after all of the members are appointed.

(d)(1) The council shall meet at such times and places that the chairperson deems necessary but no meetings shall be held outside of the county where the priority elementary school is located.

(2) A quorum is not required for the council to transact business.

(3) All actions of the council shall be by a majority vote of all members who are present.

(e) The local school district shall provide meeting facilities for the council.

6-18-1409. Family resource centers.

(a) Each family resource center shall have the following:

(1) A full-time coordinator;

(2) At least fifteen (15) hours a week of social work services; and

(3) Sufficient staff to implement the plan submitted with the grant application.

(b) The services provided at the family resource centers shall take into consideration the schedule of the student and the student's family to provide discreet after-hour services where appropriate.

(c) The family resource centers shall work with the local advisory council to give the members notice of all activities and needs of the family resource centers.

SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that the Arkansas Supreme Court in Lake View District No. 25 v. Huckabee, 351 Ark. 31 (2002) declared our current public education system to be unconstitutional because it is both inequitable and inadequate; that the Arkansas Supreme Court has set forth the test for a constitutional system to be one in which the state has an "absolute duty" to provide an "equal opportunity to an adequate education"; that the Arkansas Supreme Court has instructed the General Assembly to correct these constitutional infirmities with our public education system; and that this act is immediately necessary to provide additional resources to the poorest and most disadvantaged students in the state that face countless nonacademic barriers in their quest for academic success. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.”

/s/ Jan Judy

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Pickett, **HOUSE BILL NO. 1088** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1088

Amend **HOUSE BILL NO. 1088** as originally introduced:

Delete everything following the enacting clause and substitute the following:

"SECTION 1. Arkansas Code Title 6, Chapter 15, Subchapter 4 is amended to add an additional section to read as follows:

6-15-433. Education assistance teams.

In accordance with §§ 6-15-1901 through 6-15-1915, the school improvement section of the Department of Education, or its successor, shall create education assistance teams to provide public schools in school improvement status under § 6-15-425 with additional resources to evaluate the school and to provide services that will improve the education of children in the school.

SECTION 2. Arkansas Code Title 6, Chapter 15, is amended to add an additional subchapter to read as follows:

6-15-1801. Education assistance teams — Creation.

(a)(1) The school improvement section of the Department of Education, or its successor, shall create education assistance teams to provide public schools in school improvement status under § 6-15-425 with additional resources to evaluate the school and to provide services that will improve the education of children in the school.

(2) The Department of Education may contract with other entities to provide the services of education assistance teams as set forth under this subchapter.

(b) The education assistance teams shall consist of the following members:

(1) Currently practicing teachers and staff;
(2) Representatives of higher education;
(3) School administrators; and
(4) Others that the school improvement section of the Department of Education, or its successor, considers to be appropriate.

(c) The school improvement section of the Department of Education, or its successor, shall select team members who possess a high degree of knowledge and skill in the following areas:

- (1) School leadership;
- (2) Curriculum and instruction;
- (3) Classroom management and discipline;
- (4) Academic assessment;
- (5) Home and school relations; and
- (6) Evaluation and research.

(d)(1) Education assistance team members shall have the following qualifications:

(A) Either:

(i) Be certified in elementary or middle school education to serve on an education assistance team at the grades kindergarten through eight (K-8) level; or

(ii) Have teaching experience in either English, mathematics, social studies, science, or grades kindergarten through twelve (K-12) reading to serve on an education assistance team at the high school level; and

(B) At least four (4) years of successful experience in classroom instruction in reading, writing, and mathematics, or in the appropriate content area for high school.

(2) Preference is given to applicants whose performance has been recognized as exemplary.

6-15-1802. Duties.

Education assistance teams shall:

(1) Conduct a comprehensive needs assessment of all facets of the school;

(2)(A) Evaluate teachers and administrators.

(B)(i) When evaluating teachers and administrators, the education assistance team may make recommendations of methods and strategies for teachers and administrators to improve classroom instruction or school administration to include, but not be limited to, recommending specific professional development objectives.

(ii) Specific professional development objectives may include requiring the teacher or administrator to obtain additional course work in subjects taught or administration duties;

(3) Collaborate with the school's faculty and staff to revise and assist with the implementation of the school improvement plan, as necessary;

(4) Be mentors to the teachers and administrators of the school by providing hands-on instructional leadership in the classrooms and in the administration of the school;

(5) Make recommendations for continuous improvement as the plan is implemented;

(6) Review the school's progress; and

(7) Make appropriate progress reports to the following:

(A) The superintendent;

(B) The local school board;

(C) The State Board of Education; and

(D) The school improvement section of the Department of Education, or its successor.

(b) An education assistance team placed in a public school that is in school improvement status shall remain in the school on a continuous basis for a minimum of one (1) year or until the school is no longer in need of the type of assistance that is being provided by the education assistance team.

6-15-1803. Comprehensive needs assessment.

(a) The education assistance teams shall:

(1) Review and investigate all facets of the school improvement plan and school operations; and

(2) Assist in developing recommendations for improving student performance.

(b) Information about the school may be gathered by using any of the following:

(1) Surveys;

(2) Classroom observations;

(3) Questionnaires;

(4) Focus group interviews with students, parents, staff, or community members;

(5) Historical student achievement data and goal summaries;

(6) Previous school improvement plans;

(7) Student promotion data;

(8) Attendance, discipline, and school violence reports;

(9) Dropout data; or

(10) Other data as may be available and relevant.

(c) A comprehensive review shall include, but is not limited to, the following:

(1) Curricula and program offerings;

(2) Instruction and scheduling;

(3) Student services;

(4) School and community relations;

(5) School climates;

(6) Achievement results;

(7) Staff development opportunities;

(8) School improvement planning process;

(9) School-based management practices; and

(10) Human and fiscal resources.

(d) Once the education assistance team and the school improvement team have carefully reviewed all available data, the education assistance team shall recommend specific actions to improve student achievement at the school.

6-15-1804. Recommendations for improvement — Review progress — Report progress.

(a)(1) The education assistance team shall make recommendations as the school develops and implements the school improvement plan.

(2) The team and the school staff may accept the school's original plan or develop a new, more focused plan.

(3) Continuous assessment of the school improvement plan and the progress of the school improvement plan is required.

(4) The team and the school staff shall identify areas of the plan for adjustment.

(5) The plan may be modified as necessary to serve as a working guide for the school improvement process.

(b)(1) The education assistance team shall review the school's progress under the school improvement plan.

(2) The review should include an analysis of student achievement.

(3) The review should be conducted monthly.

(c)(1) The education assistance team shall report, as appropriate, to the local school board of each community and the State Board of Education on the school's progress.

(2) Monthly reports shall be submitted by education assistance team leaders to the school improvement section of the Department of Education, or its successor.

(3) The progress reports shall be provided to the principal and the staff of the school, the superintendent, and the local school board chairperson.

(4) The progress reports to the state board shall include the following information:

(A) The identified challenges and needs;

(B) Recommendations; and

(C) The level of cooperation exhibited by the principal, school staff, and the superintendent.

(d)(1) The education assistance team shall provide feedback to the low-performing school at least monthly.

(2) The monthly report shall include a status report on benchmarks, findings, and recommendations.

6-15-1806. Schools showing lack of progress.

(a) If a school fails to improve student performance after assistance is provided under this subchapter, the education assistance team may recommend that assistance continue as consistent with the Quality Education Act of 2003 and State Board of Education rules and regulations.

6-15-1807. Compensation and composition.

(a)(1) The members of the education assistance teams who are teachers and administrators shall be compensated and shall receive employment benefits for twelve (12) months.

(2) The compensated education assistance team members shall serve a minimum of one (1) full school year.

(b) The compensated members shall assist designated public schools in school improvement status.

(c) Typical education assistance teams may have up to five (5) members, but the number of team members may vary depending on the needs of the school or school district, and shall, whenever possible, include educators from the same geographic area of the school that is in school improvement status.

6-15-1808. Training.

(a) Training for education assistance team members shall include the following:

(1) Effective intrapersonal, interpersonal, and communication skills;

(2) School leadership;

(3) Curriculum and instruction;

(4) Classroom management and discipline;

(5) Academic assessment;

(6) Home-school relations; and

(7) Evaluation and research.

(b)(1) The training required under this section shall be provided through the Department of Education.

(2) To the extent possible, the Department of Higher Education and state institutions of higher education shall provide assistance in developing, locating, or providing appropriate training programs for education assistance team members as requested by the Department of Education.

SECTION 3. Arkansas Code Title 6, Chapter 15, is amended to add an additional subchapter to read as follows:

6-15-1901. Safe and orderly schools.

(a)(1)(A) A local school board may request the State Board of Education to help restore safety and an orderly learning environment of a persistently dangerous school.

(B) A "persistently dangerous school" shall be as defined by the state board in keeping with the requirements of the federal No Child Left Behind Act of 2001, 20 U.S.C. § 6301 et seq., as in existence on December 1, 2003.

(2) The local school board shall file a copy of the request with the state board.

(b) The state board may provide an education assistance team as provided under this subchapter to a persistently dangerous school if the local school board or the superintendent requests that the state board provide an education assistance team to the school and the state board determines that the school needs assistance.

(c)(1) If an education assistance team is assigned to a school under this section, the team shall spend a sufficient amount of time at the school to:

(A) Assess the problems at the school;

(B) Assist school personnel with resolving those problems; and

(C) Work with school personnel and others to develop a long-term plan for restoring and maintaining safety and an orderly learning environment at the school.

(2)(A) The education assistance team shall also make recommendations to the local school board and the superintendent on the actions or steps that the local school board and the superintendent shall consider taking to resolve problems at the school.

(B) The recommendations shall be in writing and are public record.

(d) If an education assistance team is assigned to a school under this subchapter, the powers given to the state board and the powers given under this subchapter shall apply as if the school had been identified as a school in school

improvement status, except in cases in which the Department of Education and the school agree that the request is a preemptive intervention to address emerging disciplinary concerns.

/s/ Betty Pickett

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Hathorn, **HOUSE BILL NO. 1123** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1123

Amend **HOUSE BILL NO. 1123** as originally introduced:

Page 3, line 9, delete “(a)(2)(B)” and substitute “(a)(2)”

AND

Page 6, line 24, delete “county” and substitute “county and school district”

AND

Page 6, delete lines 28 through 34 entirely

AND

Page 7, line 1, delete “of” and substitute “within”

AND

Page 7, delete lines 5 through 7 entirely

/s/ Mike Hathorn

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Hathorn, **HOUSE BILL NO. 1123** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1123

Amend **HOUSE BILL NO. 1123** as originally introduced:

Page 5, delete line 29, and substitute:

"members of the county board of directors of each affected school district.

(d) In no event may a county board of directors reorganize subdistricts if there is fifteen (15) miles or more of hard-surfaced highway between the high school facilities in the affected subdistricts, unless the reorganization is approved by a majority of the electors in each of the affected subdistricts."

AND

Page 5, line 30, delete "(d)" substitute "(e)"

/s/ Mike Hathorn

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 17, 2004

The following bill(s) reported correctly engrossed:

HOUSE BILL NO. 1088 BY REPRESENTATIVE PICKETT, ET AL

HOUSE BILL NO. 1091 - TITLE - BY REPRESENTATIVE JUDY, ET AL

HOUSE BILL NO. 1105 BY REPRESENTATIVE JACKSON

HOUSE BILL NO. 1118 - TITLE - BY REPRESENTATIVE LEDBETTER, ET AL

HOUSE BILL NO. 1123 BY REPRESENTATIVE HATHORN, ET AL

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 1091

BY: REPRESENTATIVES JUDY, *C. JOHNSON, BORHAUER, CHESTERFIELD, ELLIOTT, KING*

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.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 1118

BY: REPRESENTATIVE LEDBETTER
BY: SENATOR BROWN

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AUTHORIZE THE SCHOOL FOR THE BLIND AND THE SCHOOL FOR THE DEAF TO PROVIDE TEACHER SALARY INCREASES FROM TRANSFERS FROM THE MERIT ADJUSTMENT FUND; AND FOR OTHER PURPOSES.

Morning Hour Expired.

HOUSE BILL NO. 1108

BY: REPRESENTATIVE DANGEAU

Was read the third time and placed on final passage, the question being shall the Bill pass and shall the Emergency Clause be adopted. The vote was as follows:

AFFIRMATIVE: Adams, Agee, Anderson, Bennett, Berry, Biggs, Blair, Bolin, Bond, P. Bookout, Borhauer, Boyd, Bradford, Bright, Childers, Clemons, Cowling, Creekmore, Dangeau, Dees, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Goss, Green, Hardwick, Harris, Hathorn, Hickinbotham, House, Hutchinson, Jacobs, Jeffrey, C. Johnson, J. Johnson, Jones, Judy, Kenney, Key, Lamoureux, Ledbetter, Lendall, Mack, Mahony, Martin, Matayo, Mathis, Milligan, Moore, Nichols, Norton, Oglesby, Pace, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Stovall, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomason, Thyer, Verkamp, Walters, White, Wood.

Total84

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Bledsoe, Chesterfield, Dickinson, Gipson, Haak, Jackson, King, Lewellen, Medley, Napper, Ormond, Parks, Rankin, Thomas, Weaver, Mr. Speaker.

Total16

VOTING PRESENT:

Total0

Total number of votes cast84

Total number voting in the affirmative84

Necessary to the passage of the bill51

So the Bill passed and the title as read was agreed to.

There being an Emergency Clause attached to **HOUSE BILL NO. 1108**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: Adams, Agee, Anderson, Bennett, Berry, Biggs, Blair, Bolin, Bond, P. Bookout, Borhauer, Boyd, Bradford, Bright, Childers, Clemons, Cowling, Creekmore, Dangeau, Dees, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Goss, Green, Hardwick, Harris, Hathorn, Hickinbotham, House, Hutchinson, Jacobs, Jeffrey, C. Johnson, J. Johnson, Jones, Judy, Kenney, Key, Lamoureux, Ledbetter, Lendall, Mack, Mahony, Martin, Matayo, Mathis, Milligan, Moore, Nichols, Norton, Oglesby, Pace, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Stovall, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomason, Thyer, Verkamp, Walters, White, Wood.

Total84

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Bledsoe, Chesterfield, Dickinson, Gipson, Haak, Jackson, King, Lewellen, Medley, Napper, Ormond, Parks, Rankin, Thomas, Weaver, Mr. Speaker.

Total16

VOTING PRESENT:

Total0

Total number of votes cast84

Total number voting in the affirmative84

Necessary to the adoption of the emergency clause67

So the Emergency Clause was adopted.

Motion was made by Representative R. Smith to recess for 15 minutes at 10:16 a.m. until 10:30 a.m. On this motion the vote was as follows:

AFFIRMATIVE: Adams, Agee, Biggs, Blair, Bond, Borhauer, Bradford, Bright, Childers, Creekmore, Dees, Dobbins, Eason, Edwards, D. Evans, L. Evans, Ferguson, Fite, Green, Hardwick, Harris, Hathorn, House, Hutchinson, Jackson, Jacobs, J. Johnson, Jones, Judy, Kenney, Key, Lamoureux, Ledbetter, Lendall, Mack, Mahony, Martin, Matayo, Mathis, Medley, Moore, Napper, Oglesby, Ormond, Pace, Penix, Petrus, S. Prater, Pritchard, Roebuck, Rosenbaum, Schulte, Seawel, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas Thyer, Walters, Wood.

Total61

NEGATIVE: Bennett, Berry, Bolin, P. Bookout, Boyd, Cowling, Dangeau, Elliott, Gillespie, Goss, Hickinbotham, Jeffrey, Milligan, Nichols, Pate, Pickett, L. Prater, Scrimshire, Scroggin, Stovall, Thomason, Verkamp, White.

Total23

ABSENT OR NOT VOTING: Anderson, Bledsoe, Chesterfield, Clemons, Dickinson, Gipson, Haak, C. Johnson, King, Lewellen, Norton, Parks, Rankin, R. Smith, Weaver, Mr. Speaker.

Total16

VOTING PRESENT:

Total0

Total number of votes cast.....84

Total number voting in the affirmative61

Necessary to the adoption of the motion.....51

So the motion was adopted.

The House reconvened at 10:31 a.m.

SENATE BILL NO. 42

BY: SENATOR BISBEE

Was read the third time and placed on final passage, the question being shall the Bill pass. The vote was as follows:

AFFIRMATIVE: Adams, Agee, Anderson, Berry, Biggs, Blair, Bledsoe, Bond, P. Bookout, Borhauer, Boyd, Bradford, Bright, Childers, Clemons, Cowling, Creekmore, Dees, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Goss, Green, Haak, Hardwick, Harris, Hickinbotham, House, Hutchinson, Jacobs, Jeffrey, C. Johnson, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Moore, Napper, Norton, Oglesby, Pace, Pate, Penix, Pickett, L. Prater, S. Prater, Pritchard, Roebuck, Schulte, Seawel, R. Smith, Sullivan, Sumpter, C. Taylor, Thomas, Thomason, Thyer, Walters, White, Wood.

Total78

NEGATIVE: Bolin, Dangeau, Hathorn, Jackson, Milligan, Nichols, Ormond, Parks, Petrus, Rosenbaum, Scrimshire, Scroggin, Stovall, Verkamp.

Total14

ABSENT OR NOT VOTING: Chesterfield, Dickinson, Gipson, Rankin, Weaver, Mr. Speaker.

Total6

VOTING PRESENT: Bennett, J. Taylor.

Total2

Total number of votes cast94

Total number voting in the affirmative78

Necessary to the passage of the bill51

So the Bill passed and the title as read was agreed to.

Upon motion of Representative King the Clincher motion prevailed.

Motion was made by Representative King to take **SENATE BILL NO. 42** out of proper order. **SENATE BILL NO. 42** is to be held in the House for 3 working days. Motion passed.

HOUSE BILLS ORDERED TRANSMITTED TO THE SENATE AS PASSED

HOUSE BILL NO. 1108 BY REPRESENTATIVE DANGEAU

ARKANSAS SENATE

HOUSE BILLS RETURNED FROM THE SENATE AS PASSED

HOUSE BILL NO. 1064 BY REPRESENTATIVE JACKSON
AS AMENDED #1

HOUSE BILL NO. 1117 BY REPRESENTATIVE R. SMITH

ARKANSAS SENATE

SENATE BILLS RECEIVED FROM SENATE

SENATE BILL NO. 70 BY JOINT BUDGET COMMITTEE

HOUSE BILL NO. 1129

BY: REPRESENTATIVES LEDBETTER, MAHONY, THYER

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO EXTEND CERTAIN LIMITATIONS ON A LOCAL SCHOOL BOARD'S AUTHORITY TO ENTER INTO CONTRACTS; 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 10:56 a.m. until 1:30 p.m. Tuesday, January 20, 2004.

ATTEST:

Herschel W. Cleveland
Speaker of the House of Representatives

Jo Renshaw
Chief Clerk