

ARKANSAS SENATE

84th General Assembly - Second Extraordinary Session, 2003 Amendment Form

Subtitle of Senate Bill No. 83

"AN ACT TO CREATE A REDUCTION IN FORCE POLICY FOR TEACHERS AND
CLASSIFIED EMPLOYEES."

Amendment No. 1 to Senate Bill No. 83.

Amend Senate Bill No. 83 as originally introduced:

Page 3, delete lines 8 through 12, and substitute:

"(2)(A) Between July 1, 2004 and July 1, 2006, this subchapter shall replace and supersede any existing or to be enacted school district policy that may apply, and any personnel policy or any other school district policy, procedure, or process concerning a reduction in force triggered by a consolidation of the school districts shall be null and void, and shall not be legally binding on any party.

(B) The provisions of section shall be considered to be incorporated as terms of the contracts, entered into after the effective date of this section, of classified employees and teachers as defined under subsection (a) of this section and shall be binding upon the classified employees and teachers who are employed in a district subject to the reduction in force procedure under this section and the district."

AND

Page 6, line 20, insert a Section 2 to read as follows:

"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 School District No. 25 v. Huckabee, 351 Ark. 31 (2002) declared the current system of education in the state to be unconstitutional because it is both inequitable and inadequate; and the Arkansas Supreme Court 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"; the Arkansas Supreme Court instructed the General Assembly to undertake actions as necessary to provide an opportunity for an adequate and equitable education for the children of Arkansas; and the provisions of this bill are necessary steps toward accomplishing that goal. 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."

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator Wilkins

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Secretary