

State of Arkansas

77th General Assembly

Second Extraordinary Session, 1989 H.C.R. 1001

By: Representatives Thicksten, Mahony, George and Givens

HOUSE CONCURRENT RESOLUTION

REVISING THE MEMBERSHIP OF THE DESEGREGATION LITIGATION  
OVERSIGHT SUBCOMMITTEE AND PRESCRIBING ADDITIONAL FUNCTIONS  
AND DUTIES.

Whereas, the General Assembly and the executive branch need to consult and coordinate efforts concerning desegregation issues; and

Whereas, it is the best interest of the State that the General Assembly and the executive branch work together to prepare legislation, to limit the potential for the State's liability in future desegregation cases; and

Whereas, the Desegregation Litigation Oversight Subcommittee was created by House Resolution 1065 and Senate Resolution 23 of 1989; and

Whereas, the membership and duties of the Desegregation Litigation Oversight Subcommittee should be expanded to enhance the State's ability to deal with desegregation issues.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE SEVENTY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ARKANSAS, THE SENATE CONCURRING THEREIN:

THAT the provisions of House Resolution 1065 of 1989 and Senate Resolution 23 of 1989 are hereby amended to read as follows:

"There is hereby established the Desegregation Litigation Oversight Subcommittee of the General Assembly which shall have the authority and duty to monitor the implementation of the Pulaski County Desegregation Case Settlement Agreement and to monitor the state's participation in any future desegregation case in which the Department of Education and/or the State Board of Education is a defendant. The Committee shall consist of four members from the Senate appointed by the President Pro Tempore; four members of the House of Representatives appointed by the Speaker of the House; and three persons appointed by the Governor. The members appointed by the Governor shall be representative of the education community in Arkansas. At least one member from the Senate and at least one member from the House shall be a lawyer. At least one member of the subcommittee shall be a woman and at least one additional member shall be black. The Department of education and the Attorney General shall report regularly to the Oversight Committee on Implementation of the Settlement Agreement on any future desegregation litigation involving the state of Arkansas. Neither the Department of Education nor the Attorney General shall enter into a final settlement of any future desegregation litigation without seeking the advice of the Oversight Committee.

The Committee shall examine possible methods to reduce the potential for the State being liable in future desegregation litigation and make recommendations for legislation to the Governor and to the General Assembly.

The Arkansas Department of Education will provide reports to the Joint Interim Committee on Education regarding the implementation of the Pulaski County School Desegregation Case Settlement

Agreement on a quarterly basis and at such other times as may be necessary to keep the Committee fully advised on these matters."

BE IT FURTHER RESOLVED:

THAT the members of the General Assembly appointed to the Desegregation Litigation Oversight Subcommittee pursuant to House Resolution 1065 and Senate Resolution 23 shall continue to serve as members of the subcommittee.

□