

State of Arkansas

76th General Assembly

First Extraordinary Session, 1987

SENATE BILL 4

By: Senator Gordon

"AN ACT TO AMEND SECTION 5 OF ACT 34 OF THE FIRST EXTRA-
ORDINARY SESSION OF 1983, AS AMENDED [ARK. STAT. 80-850.14],
TO PROVIDE THAT NO CONSOLIDATION ALLOWANCE SHALL BE MADE FOR
ANY CONSOLIDATION OR ANNEXATION OCCURRING AFTER JUNE 30, 1987
INSTEAD OF MAY 30, 1987; AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Subsection (d) of Section 5 of Act 34 of the First Extra-ordinary Session of 1983, as amended, the same being Arkansas Statute 80-850.14(d), is hereby amended to read as follows:

"(d) One hundred percent (100%) of the consolidation allowance in the form of add-on weights shall be added to the new school district's ADM the first year of consolidation. Sixty-seven percent (67%) of the consolidation allowance in the form of add-on weights shall be added to the new school district's ADM the second year of consolidation. Thirty-three percent (33%) of the consolidation allowance in the form of add-on weights shall be added to the new school district's ADM the third year of consolidation. There shall be no consolidation allowance beginning the fourth year of consolidation. No consolidation allowance shall be permitted unless whole districtes are consolidated. Exceptions may be made based on regulations promulgated by the State Board of Education.

Consolidation allowances shall apply retroactively to school districts that have consolidated or been annexed to another school district since June 30, 1983. No consolidation allowance shall be made for any consolidation or annexation occurring after June 30, 1987."

SECTION 2. Subsection (c) of Section 9 of Act 445 of 1983, the same being Arkansas Statute 80-4609(c), is hereby amended to read as follows:

"(c) Between June 1, 1984 and June 30, 1987, any school district may be annexed to one or more adjoining school districts by petitioning the county board of education of the county in which such district is administered to order the annexation. The annexation request may be by resolution of the board of directors of the district or by a petition signed by majority of the qualified electors in the district. Upon receipt of a request for annexation, the county board of education shall hold a hearing on the request and shall then order the annexation of the district to one or more adjoining school districts. If the county board of education fails to act within sixty (60) days of receipt of a request for annexation, the petitioning district may request the circuit court to issue a writ of mandamus to said county board."

SECTION 3. All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 4. Emergency. It is hereby found and determined by the General Assembly that under present law no consolidation allowance can be made for consolidations or annexations occurring after May 30, 1987; that such date should be changed to June 30, 1987; that this Act makes such change; and that since May 30, 1987 has already passed this Act should be given immediate effect. Therefore, an emergency is hereby declared to exist and this Act being immediately necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.

