

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL NO. 1347

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after the semicolon insert “prohibiting certain retirees from being rehired within a certain period of time under certain circumstances;”; in line 10, after “information” insert “within a certain period of time; requiring the Board of Trustees for the State Retirement and Pension System and the State Department of Education to review certain information from certain superintendents of local school systems; requiring the Board of Trustees for the State Retirement and Pension System to notify certain superintendents of local school systems of certain findings”; in line 12, strike “the county boards of education” and substitute “certain local school superintendents”; in lines 12 and 16, in each instance, strike “Board” and substitute “Department”; and strike beginning with “requiring” in line 13 down through the semicolon in line 16.

On page 2, in line 1, strike “certain committees” and substitute “the Joint Committee on Pensions; requiring the Board of Trustees for the State Retirement and Pension System to submit certain reports by a certain date to the Joint Committee on Pensions; providing for the termination of certain sections of this Act”.

AMENDMENT NO. 2

On page 2 in line 28, on page 6 in line 27, on page 7 in line 25, on page 8 in line 24, on page 12 in line 17, and on page 13 in line 15, in each instance, strike “BOARD” and substitute “DEPARTMENT”.

On page 4 in lines 22 and 27, and on page 10 in lines 15 and 20, in each instance, strike “BETTER THAN”.

AMENDMENT NO. 3

On page 4, in line 35, after “TEACHER,” insert “OR”; and in the same line, strike “, OR SUBSTITUTE TEACHER MENTOR”.

(Over)

On page 5, in lines 2 and 25, in each instance, strike ““IN SCHOOL IMPROVEMENT”” and substitute “IN NEED OF IMPROVEMENT”; in lines 7 and 30, in each instance, after “FOR” insert “ADJUDICATED YOUTHS OR”; strike beginning with “EXCEPT” in line 10 down through the comma in line 11; strike in their entirety lines 18 through 21, inclusive; and after line 36, insert:

“(8) (I) NOTWITHSTANDING PARAGRAPH (5) OF THIS SUBSECTION, EACH SUPERINTENDENT OF A LOCAL SCHOOL SYSTEM MAY REHIRE AN ADDITIONAL NUMBER OF INDIVIDUALS DESCRIBED UNDER PARAGRAPH (4)(V) OF THIS SUBSECTION EQUAL TO THE GREATER OF:

1. THREE; OR

2. 0.1% OF THE TOTAL FULL-TIME EQUIVALENT INSTRUCTIONAL TEACHERS EMPLOYED BY THAT LOCAL SCHOOL SYSTEM, ROUNDED UP TO THE NEAREST WHOLE NUMBER NOT TO EXCEED 10, AS REPORTED ANNUALLY BY THE STATE DEPARTMENT OF EDUCATION.

(II) AT ANY ONE TIME, THE TOTAL NUMBER OF INDIVIDUALS REHIRED BY A SUPERINTENDENT OF A LOCAL SCHOOL SYSTEM UNDER THIS PARAGRAPH MAY NOT EXCEED THE NUMBER DETERMINED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.

(III) AN INDIVIDUAL REHIRED UNDER THIS PARAGRAPH:

1. SHALL BE REEMPLOYED AT A SCHOOL SPECIFIED IN PARAGRAPH (5)(I) OF THIS SUBSECTION; AND

2. MAY TEACH ANY SUBJECT OR CLASS OR PROVIDE EDUCATIONAL SERVICES ASSIGNED BY THE INDIVIDUAL’S SUPERINTENDENT.”.

On page 10, in line 25, after “TEACHER,” insert “OR”; in the same line, strike “, OR SUBSTITUTE TEACHER MENTOR”; in line 28, strike ““IN SCHOOL IMPROVEMENT”” and substitute “IN NEED OF IMPROVEMENT”; and in line 33, after “FOR” insert “ADJUDICATED YOUTHS OR”.

On page 11, strike beginning with “EXCEPT” in line 1 down through the comma in line 2;

strike in their entirety lines 9 through 12, inclusive; in line 16, strike ““IMPROVEMENT STATUS”” and substitute “NEED OF IMPROVEMENT”; in line 20, after “FOR” insert “ADJUDICATED YOUTHS OR”; and after line 26, insert:

“(8) (I) NOTWITHSTANDING PARAGRAPH (5) OF THIS SUBSECTION, EACH SUPERINTENDENT OF A LOCAL SCHOOL SYSTEM MAY REHIRE AN ADDITIONAL NUMBER OF INDIVIDUALS DESCRIBED UNDER PARAGRAPH (4)(V) OF THIS SUBSECTION EQUAL TO THE GREATER OF:

1. THREE; OR

2. 0.1%, OF THE TOTAL FULL-TIME EQUIVALENT INSTRUCTIONAL TEACHERS EMPLOYED BY THAT LOCAL SCHOOL SYSTEM, ROUNDED UP TO THE NEAREST WHOLE NUMBER NOT TO EXCEED 10, AS REPORTED ANNUALLY BY THE STATE DEPARTMENT OF EDUCATION.

(II) AT ANY ONE TIME, THE TOTAL NUMBER OF INDIVIDUALS REHIRED BY A SUPERINTENDENT OF A LOCAL SCHOOL SYSTEM UNDER THIS PARAGRAPH MAY NOT EXCEED THE NUMBER DETERMINED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.

(III) AN INDIVIDUAL REHIRED UNDER THIS PARAGRAPH:

1. SHALL BE REEMPLOYED AT A SCHOOL SPECIFIED IN PARAGRAPH (5)(I) OF THIS SUBSECTION; AND

2. MAY TEACH ANY SUBJECT OR CLASS OR PROVIDE EDUCATIONAL SERVICES ASSIGNED BY THE INDIVIDUAL’S SUPERINTENDENT.”.

AMENDMENT NO. 4

On page 6, in line 1, strike “(8)” and substitute “(9)”; in line 4, after the semicolon insert “AND”; in line 6, strike “; AND” and substitute a period; in line 7, strike “3.” and substitute “(II)”; strike beginning with “ON” in line 7 down through “COMPLETE” in line 8 and substitute “WITHIN”

30 DAYS AFTER REHIRING AN INDIVIDUAL, THE SUPERINTENDENT OF A LOCAL SCHOOL SYSTEM SHALL COMPLETE AND FILE WITH THE BOARD OF TRUSTEES AND THE STATE DEPARTMENT OF EDUCATION"; strike in its entirety line 9; in line 10, strike "SATISFIES" and substitute "REHIRED BY THE LOCAL SCHOOL SYSTEM UNDER PARAGRAPH (4)(V) OR (VI) OF THIS SUBSECTION:"

1. SATISFIED";

in line 11, strike "SUBSECTION AND IS" and substitute "SUBSECTION:"

2. WAS";

in line 12, strike "(5)" and substitute "(5)(I)"; in the same line, after "SUBSECTION" insert "AND

3. IF REHIRED UNDER PARAGRAPH (4)(V) OF THIS SUBSECTION, WAS:

A. TEACHING IN AN AREA SPECIFIED IN PARAGRAPH (5)(II) OF THIS SUBSECTION; OR

B. TEACHING IN ANY CLASS OR SUBJECT OR PROVIDING EDUCATIONAL SERVICES AS PROVIDED UNDER PARAGRAPH (8) OF THIS SUBSECTION";

in line 13, strike "(II)" and substitute "(III)"; strike beginning with "IF" in line 13 down through the comma in line 19 and substitute "ON OR BEFORE APRIL 1 OF EACH YEAR, THE BOARD OF TRUSTEES AND THE STATE DEPARTMENT OF EDUCATION SHALL JOINTLY REVIEW ANY FORMS FILED BY A SUPERINTENDENT OF A LOCAL SCHOOL SYSTEM UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH DURING THE PREVIOUS CALENDAR YEAR.

2. IF THE BOARD OF TRUSTEES AND THE STATE DEPARTMENT OF EDUCATION AGREE THAT A SUPERINTENDENT OF A LOCAL SCHOOL SYSTEM HAS REHIRED AN INDIVIDUAL THAT DOES NOT SATISFY THE CRITERIA PROVIDED IN PARAGRAPH (4)(V) OR (VI) AND (5), (6), OR (8) OF THIS

SUBSECTION:

A. ON OR BEFORE JULY 1 OF THE YEAR OF THE FINDING, THE BOARD OF TRUSTEES SHALL NOTIFY THE SUPERINTENDENT OF THE LOCAL SCHOOL SYSTEM OF THIS INDIVIDUAL; AND

B.”;

in line 23, strike “2.” and substitute “(IV)”; strike beginning with “JUNE” in line 24 down through “TAKEN” in line 25 and substitute “DECEMBER 31 OF THE YEAR THE LOCAL SCHOOL SYSTEM RECEIVES NOTICE FROM THE BOARD OF TRUSTEES UNDER SUBPARAGRAPH (III)2A OF THIS PARAGRAPH”; in line 26, strike “(III)” and substitute “(10)”; in line 28, strike “ON” and substitute “FOR THE PREVIOUS SCHOOL YEAR”; in lines 29, 31, 33, and 35, strike “1.”, “2.”, “3.”, and “4.”, respectively, and substitute “(I)”, “(II)”, “(IV)”, and “(V)”, respectively; in line 30, after “(VI)” insert “OR (8)”; and strike beginning with “THE” in line 31 down through “EMPLOYED” in line 32 and substitute:

“1. THE SCHOOL AND SCHOOL SYSTEM WHERE EACH INDIVIDUAL WAS REHIRED; AND

2. WHETHER THE SCHOOL:

A. WAS NOT MAKING ADEQUATE YEARLY PROGRESS OR WAS A SCHOOL IN NEED OF IMPROVEMENT AS DEFINED UNDER THE FEDERAL NO CHILD LEFT BEHIND ACT OF 2001 AND AS IMPLEMENTED BY THE STATE DEPARTMENT OF EDUCATION;

B. WAS RECEIVING FUNDS UNDER TITLE 1 OF THE FEDERAL NO CHILD LEFT BEHIND ACT OF 2001; OR

C. PROVIDED AN ALTERNATIVE EDUCATION PROGRAM FOR ADJUDICATED YOUTHS OR STUDENTS WHO HAVE BEEN EXPELLED, SUSPENDED, OR IDENTIFIED FOR SUSPENSION OR EXPULSION FROM A PUBLIC

(Over)

SCHOOL;

(III) THE ORIGINAL DATE OF REHIRE FOR EACH INDIVIDUAL”.

On page 11, in line 27, strike “(8)” and substitute “(9)”; in line 30, after the semicolon insert “AND”; in line 32, strike “; AND” and substitute a period; in line 33, strike “3.” and substitute “(II)”; strike beginning with “ON” in line 33 down through “COMPLETE” in line 34 and substitute “WITHIN 30 DAYS AFTER REHIRING AN INDIVIDUAL, THE SUPERINTENDENT OF A LOCAL SCHOOL SYSTEM SHALL COMPLETE AND FILE WITH THE BOARD OF TRUSTEES AND THE STATE DEPARTMENT OF EDUCATION”; strike in its entirety line 35; in line 36, strike “STATES” and substitute “CERTIFIES”; and in the same line, strike “SATISFIES” and substitute “REHIRED BY THE LOCAL SCHOOL SYSTEM UNDER PARAGRAPH (4)(V) OR (VI) OF THIS SUBSECTION:

1. SATISFIED”.

On page 12, in line 1, strike “SUBSECTION AND IS” and substitute “SUBSECTION;

2. WAS”;

in line 2, strike “(5)” and substitute “(5)(I)”; in the same line, after “SUBSECTION” insert “; AND

3. IF REHIRED UNDER PARAGRAPH (4)(IV) OF THIS SUBSECTION, WAS:

A. TEACHING IN AN AREA SPECIFIED IN PARAGRAPH (5)(I) OF THIS SUBSECTION; OR

B. TEACHING IN ANY CLASS OR SUBJECT OR PROVIDING EDUCATIONAL SERVICES AS PROVIDED UNDER PARAGRAPH (8) OF THIS SUBSECTION”;

in line 3, strike “(II)” and substitute “(III)”; strike beginning with “IF” in line 3 down through the comma in line 9 and substitute “ON OR BEFORE APRIL 1 OF EACH YEAR, THE BOARD OF

TRUSTEES AND THE STATE DEPARTMENT OF EDUCATION SHALL JOINTLY REVIEW ANY FORMS FILED BY A SUPERINTENDENT OF A LOCAL SCHOOL SYSTEM UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH.

2. IF THE BOARD OF TRUSTEES AND THE STATE DEPARTMENT OF EDUCATION AGREE THAT A SUPERINTENDENT OF A LOCAL SCHOOL SYSTEM HAS REHIRED AN INDIVIDUAL THAT DOES NOT SATISFY THE CRITERIA PROVIDED IN PARAGRAPH (4)(IV) OR (V) AND (5), (6), OR (8) OF THIS SUBSECTION:

A. ON OR BEFORE JULY 1 OF THE YEAR OF THE FINDING, THE BOARD OF TRUSTEES SHALL NOTIFY THE SUPERINTENDENT OF THE LOCAL SCHOOL SYSTEM OF THIS INDIVIDUAL; AND

B.”;

in line 13, strike “2.” and substitute “(IV)”; strike beginning with “JUNE” in line 14 down through “TAKEN” in line 15 and substitute “DECEMBER 31 OF THE YEAR THE LOCAL SCHOOL SYSTEM RECEIVES NOTICE FROM THE BOARD OF TRUSTEES UNDER SUBPARAGRAPH (III)2A OF THIS PARAGRAPH”; in line 16, strike “(III)” and substitute “(10)”; in line 18, strike “ON” and substitute “FOR THE PREVIOUS SCHOOL YEAR”; in lines 19, 21, 23, and 25, strike “1.”, “2.”, “3.”, and “4.”, respectively, and substitute “(I)”, “(II)”, “(IV)”, and “(V)”, respectively; in line 20, after “(V)” insert “OR (8)”; and strike beginning with “THE” in line 21 down through “EMPLOYED” in line 22 and substitute:

“1. THE SCHOOL AND SCHOOL SYSTEM WHERE EACH INDIVIDUAL WAS REHIRED; AND

2. WHETHER THE SCHOOL:

A. WAS NOT MAKING ADEQUATE YEARLY PROGRESS OR WAS A SCHOOL IN NEED OF IMPROVEMENT AS DEFINED UNDER THE FEDERAL NO CHILD LEFT BEHIND ACT OF 2001 AND AS IMPLEMENTED BY THE STATE

DEPARTMENT OF EDUCATION;

B. WAS RECEIVING FUNDS UNDER TITLE 1 OF THE FEDERAL NO CHILD LEFT BEHIND ACT OF 2001; OR

C. PROVIDED AN ALTERNATIVE EDUCATION PROGRAM FOR ADJUDICATED YOUTHS OR STUDENTS WHO HAVE BEEN EXPELLED, SUSPENDED, OR IDENTIFIED FOR SUSPENSION OR EXPULSION FROM A PUBLIC SCHOOL;

(III) THE ORIGINAL DATE OF REHIRE FOR EACH INDIVIDUAL”.

AMENDMENT NO. 5

On page 6 in line 37, and on page 12 in line 27, in each instance, after “RETIRED” insert “IF:

(1) THE INDIVIDUAL’S CURRENT EMPLOYER IS A PARTICIPATING EMPLOYER OTHER THAN THE STATE AND IS THE SAME PARTICIPATING EMPLOYER THAT EMPLOYED THE INDIVIDUAL AT THE TIME OF THE INDIVIDUAL’S LAST SEPARATION FROM EMPLOYMENT WITH A PARTICIPATING EMPLOYER BEFORE THE INDIVIDUAL COMMENCED RECEIVING A SERVICE RETIREMENT ALLOWANCE; OR

(2) THE INDIVIDUAL’S CURRENT EMPLOYER IS ANY UNIT OF STATE GOVERNMENT AND THE INDIVIDUAL’S EMPLOYER AT THE TIME OF THE INDIVIDUAL’S LAST SEPARATION FROM EMPLOYMENT WITH THE STATE BEFORE THE INDIVIDUAL COMMENCED RECEIVING A SERVICE RETIREMENT ALLOWANCE WAS ALSO A UNIT OF STATE GOVERNMENT”.

AMENDMENT NO. 6

On page 7, strike in their entirety lines 17 through 23, inclusive; in line 24, strike “(K)” and substitute “(I)””; strike beginning with the first “IN” in line 24 down through “ARTICLE,” in line 25; strike beginning with “CONCERNING” in line 26 down through “OF” in line 27 and substitute “TO CARRY OUT””; strike in their entirety lines 28 through 32, inclusive; and in line 33, strike “(M)” and substitute “(J)””.

On page 13, strike in their entirety lines 7 through 13, inclusive; in line 14, strike “(K)” and substitute “(I)”; strike beginning with the first “IN” in line 14 down through “ARTICLE,” in line 15; strike beginning with “CONCERNING” in line 16 down through “OF” in line 17 and substitute “TO CARRY OUT”; strike in their entirety lines 18 through 22, inclusive; and in line 23, strike “(M)” and substitute “(J)”.

AMENDMENT NO. 7

On page 8, in line 3, strike “(N)” and substitute “(K)”; in the same line, strike “SEPTEMBER 1” and substitute “OCTOBER 1”; in line 4, after “REPORT” insert “FOR THE PREVIOUS SCHOOL YEAR,”; strike beginning with “EDUCATION” in line 4 down through “THE” in line 7; in line 10, after “(VI)” insert “AND (8)”; in line 11, after “(2)” insert “(I)”; in lines 11 and 12, strike “HAS BEEN” and substitute “WAS”; in line 12, after the semicolon insert “AND

(II) WHETHER THE SCHOOL:

1. WAS NOT MAKING ADEQUATE YEARLY PROGRESS OR WAS A SCHOOL IN NEED OF IMPROVEMENT AS DEFINED UNDER THE FEDERAL NO CHILD LEFT BEHIND ACT OF 2001 AND AS IMPLEMENTED BY THE STATE DEPARTMENT OF EDUCATION;

2. WAS RECEIVING FUNDS UNDER TITLE 1 OF THE FEDERAL NO CHILD LEFT BEHIND ACT OF 2001; OR

3. PROVIDED AN ALTERNATIVE EDUCATION PROGRAM FOR ADJUDICATED YOUTHS OR STUDENTS WHO HAVE BEEN EXPELLED, SUSPENDED, OR IDENTIFIED FOR SUSPENSION OR EXPULSION FROM A PUBLIC SCHOOL;”;

in line 13, strike “ANY” and substitute “THE ANNUAL STAFFING”; in line 14, strike “UNDER” and substitute “IN ACCORDANCE WITH”; strike beginning with “AND” in line 15 down through “AREA” in line 16 and substitute “CERTIFYING AREAS”; in line 16, after “SHORTAGE” insert “FOR THE PREVIOUS SCHOOL YEAR”; in line 19, strike “IS” and substitute “WAS”; in line 20, strike “AND”; and in line 21, after “RETIREE” insert “; AND

(Over)

(6) THE TOTAL NUMBER OF YEARS EACH RETIREE HAS BEEN REEMPLOYED AT THE SCHOOL WHERE THE RETIREE WAS REHIRED FOR THE PREVIOUS SCHOOL YEAR.

(L) ON OR BEFORE OCTOBER 1 OF EACH YEAR, THE BOARD OF TRUSTEES SHALL SUBMIT A REPORT FOR THE PREVIOUS CALENDAR YEAR TO THE JOINT COMMITTEE ON PENSIONS, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THAT PROVIDES:

(1) THE NUMBER OF INDIVIDUALS IN EACH LOCAL SCHOOL SYSTEM THAT THE BOARD OF TRUSTEES AND THE STATE DEPARTMENT OF EDUCATION AGREE WERE REHIRED AND DID NOT SATISFY THE CRITERIA PROVIDED IN SUBSECTION (B)(4)(V) OR (VI) AND (5), (6), OR (8) OF THIS SECTION; AND

(2) ANY REIMBURSEMENTS A LOCAL SCHOOL SYSTEM MADE UNDER SUBSECTION (B)(9)(III) OF THIS SECTION”.

On page 13, in line 32, strike “(N)” and substitute “(K)”; in the same line, strike “SEPTEMBER 1” and substitute “OCTOBER 1”; in line 33, after “REPORT” insert “FOR THE PREVIOUS SCHOOL YEAR,”; strike beginning with “EDUCATION” in line 33 down through “THE” in line 36; and in line 39, after “(V)” insert “AND (8)”.

On page 14, in line 1, after “(2)” insert “(I)”; in lines 1 and 2, strike “HAS BEEN” and substitute “WAS”; in line 2, after the semicolon insert “AND

(II) WHETHER THE SCHOOL:

1. WAS NOT MAKING ADEQUATE YEARLY PROGRESS OR WAS A SCHOOL IN NEED OF IMPROVEMENT AS DEFINED UNDER THE FEDERAL NO CHILD LEFT BEHIND ACT OF 2001 AND AS IMPLEMENTED BY THE STATE DEPARTMENT OF EDUCATION;

2. WAS RECEIVING FUNDS UNDER TITLE 1 OF THE

FEDERAL NO CHILD LEFT BEHIND ACT OF 2001; OR

3. PROVIDED AN ALTERNATIVE EDUCATION PROGRAM FOR ADJUDICATED YOUTHS OR STUDENTS WHO HAVE BEEN EXPELLED, SUSPENDED, OR IDENTIFIED FOR SUSPENSION OR EXPULSION FROM A PUBLIC SCHOOL;”;

in line 3, strike “ANY” and substitute “THE ANNUAL STAFFING”; in line 4, strike “UNDER” and substitute “IN ACCORDANCE WITH”; strike beginning with “AND” in line 5 down through “AREA” in line 6 and substitute “CERTIFYING AREAS”; in the same line, after “SHORTAGE” insert “FOR THE PREVIOUS SCHOOL YEAR”; in line 9, strike “IS” and substitute “WAS”; in line 10, strike “AND”; and in line 11, after “RETIREE” insert “; AND

(6) THE TOTAL NUMBER OF YEARS EACH RETIREE HAS BEEN REEMPLOYED AT THE SCHOOL WHERE THE RETIREE WAS REHIRED FOR THE PREVIOUS SCHOOL YEAR.

(L) ON OR BEFORE OCTOBER 1 OF EACH YEAR, THE BOARD OF TRUSTEES SHALL SUBMIT A REPORT FOR THE PREVIOUS CALENDAR YEAR TO THE JOINT COMMITTEE ON PENSIONS, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THAT PROVIDES:

(1) THE NUMBER OF INDIVIDUALS IN EACH LOCAL SCHOOL SYSTEM THAT THE BOARD OF TRUSTEES AND THE STATE DEPARTMENT OF EDUCATION AGREE WERE REHIRED AND DID NOT SATISFY THE CRITERIA PROVIDED IN SUBSECTION (B)(4)(IV) OR (V) AND (5), (6), OR (8) OF THIS SECTION; AND

(2) ANY REIMBURSEMENTS A LOCAL SCHOOL SYSTEM MADE UNDER SUBSECTION (B)(9)(II) OF THIS SECTION”.

AMENDMENT NO. 8

On page 14, in line 12, after “That” insert “;”

(Over)

(a) This section applies to an individual who:

(1) is a retiree of the Teachers' Retirement System or Teachers' Pension System;  
and

(2) was reemployed as a principal for the 2004-2005 school year:

(i) by a school system that, for the 2003-2004 school year did not make annual yearly progress as defined under the federal No Child Left Behind Act of 2001 and as implemented by the State Department of Education; and

(ii) at a school that, for 2003-2004 school year:

1. made annual yearly progress as defined under the federal No Child Left Behind Act of 2001 and as implemented by the State Department of Education; and

2. is not receiving funds under Title 1 of the federal No Child Left Behind Act of 2001.

(b) An individual described under subsection (a) of this section may continue to be reemployed until June 30, 2007, without being subject to a reduction to the individual's retirement allowance as specified in § 22-406(c)(2) or § 23-407(c)(2) of the State Personnel and Pensions Article, if the individual remains a principal at the same school where the individual was placed for the 2004-2005 school year.

SECTION 3. AND BE IT FURTHER ENACTED, That";

and in line 13, after the period insert "Section 2 of this Act shall remain effective for a period of 2 years and, at the end of June 30, 2007, with no further action required by the General Assembly, Section 2 of this Act shall be abrogated and of no further force and effect.".