

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Joint Budget Committee**

A Bill

HOUSE BILL 1284

For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND
9 OPERATING EXPENSES FOR THE DEPARTMENT OF EDUCATION -
10 SCHOOL FOR THE DEAF FOR THE BIENNIAL PERIOD ENDING JUNE
11 30, 1995; AND FOR OTHER PURPOSES."

Subtitle

14 "AN ACT FOR THE DEPARTMENT OF EDUCATION - SCHOOL FOR THE
15 DEAF APPROPRIATION."

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

19 SECTION 1. REGULAR SALARIES. There is hereby established for the
20 Department of Education - School for the Deaf for the 1993-95 biennium, the
21 following maximum number of regular employees whose salaries shall be governed
22 by the provisions of the Uniform Classification and Compensation Act (Arkansas
23 Code §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
24 Provided, however, that any position to which a specific maximum annual salary
25 is set out herein in dollars, shall be exempt from the provisions of said
26 Uniform Classification and Compensation Act. All persons occupying positions
27 authorized herein are hereby governed by the provisions of the Regular
28 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its
29 successor.

			Maximum Annual		
			Maximum	Salary Rate	
Item	Class		No. of	Fiscal Years	
No.	Code	Title	Employees	1993-94	1994-95
35	(1) 9949	ED SUPT DEAF SCHOOL	1	\$ 54,016	\$ 55,906

1	(2)	297Z GENERAL BUSINESS MANAGER	1	GRADE 24
2	(3)	E015 ED SCHOOL PRINCIPAL	2	GRADE 23
3		M122 EVAL/ADMISSIONS/HLTH SVCS MGR	1	
4	(4)	E057 TEACHER F/T SENSORY IMPAIRED SUPV	2	GRADE 22
5		909Z PROGRAM SUPPORT MANAGER	1	
6	(5)	L122 PSYCHOLOGICAL EXAMINER II	2	GRADE 21
7		M090 CAMPUS LIFE COORDINATOR	1	
8		E028 ED PROGRAM ADMINISTRATOR	1	
9	(6)	L104 PHYSICAL THERAPIST II/PHYSICAL THPT	1	GRADE 20
10		R266 MANAGEMENT PROJECT ANALYST II	2	
11		L008 AUDIOLOGIST	3	
12		L140 SPEECH PATHOLOGIST II	4	
13		M028 COUNSELOR II	1	
14		E077 TEACHER F/T SENSORY IMPAIRED IV	3	
15		E078 VOCATIONAL INSTRUCTOR IV	6	
16	(7)	M086 SOCIAL WORKER I	1	GRADE 19
17		E063 TEACHER FOR SENSORY IMPAIRED III	48	
18		L028 DIETICIAN	1	
19		E014 DIRECTOR OF MULTI-MEDIA SERVICES	1	
20	(8)	G028 BUILDING PLANT MAINTENANCE SUPV II	1	GRADE 18
21		A111 ACCOUNTANT	1	
22		L138 SPEECH PATHOLOGIST I	1	
23		E037 LIBRARIAN II	1	
24	(9)	Y057 JOURNEYMAN PAINTER	1	GRADE 17
25		Y039 HEATING & A/C MECHANIC	1	
26		Y055 JOURNEYMAN ELECTRICIAN	1	
27		R190 PERSONNEL OFFICER II	1	
28	(10)	M039 HOUSEPARENT SUPERVISOR	3	GRADE 15
29		M048 RECREATIONAL ACTIVITY LEADER II	4	
30		A108 ACCOUNTING TECHNICIAN II	1	
31	(11)	K041 EXECUTIVE SECY/ADMINISTRATIVE SECY	1	GRADE 14
32		L049 LPN II	3	
33	(12)	E027 INSTITUTIONAL TEACHER ASSISTANT	7	GRADE 13
34		M037 HOUSEPARENT	30	
35		G021 BOILER OPERATOR	1	

1	H049 SUPERVISOR OF COOKING	1	
2	K153 SECRETARY II	5	
3	E017 INSTITUTION ASSISTANT LIBRARIAN	1	
4	(13) A106 ACCOUNTING TECHNICIAN I	2	GRADE 12
5	(14) H047 MEAT CUTTER II/BUTCHER II	1	GRADE 11
6	K155 SECRETARY I	4	
7	(15) G165 WORK MAINTENANCE LEADER	2	GRADE 10
8	H027 COOK II	4	
9	(16) H003 BAKER I	3	GRADE 08
10	H025 COOK I	13	
11	G109 BLDG/EQUIP MAINT REPAIRMAN II	1	
12	(17) G008 LAUNDRY WORKER	1	GRADE 04
13	G173 MAINTENANCE WORKER I	<u>9</u>	
14	MAX NO. OF EMPLOYEES	188	

SECTION 2. EXTRA HELP. There is hereby authorized, for the Department of Education - School for the Deaf for the 1993-95 biennium, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: Eighteen (18) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, or this act for the appropriate classification.

SECTION 3. APPROPRIATIONS - STATE. There is hereby appropriated, to the Department of Education - School for the Deaf, to be payable from the School for the Deaf Fund Account, for personal services and operating expenses of the Department of Education - School for the Deaf - State for the biennial period ending June 30, 1995, the following:

ITEM		FISCAL YEARS	
NO.		1993-94	1994-95
(01)	REGULAR SALARIES	\$ 3,798,875	\$ 3,932,765
(02)	EXTRA HELP	13,529	13,529
(03)	PERSONAL SERV MATCHING	1,224,744	1,254,309
(04)	MAINT. & GEN. OPERATION		

1	(A) OPER. EXPENSE \$	832,929	\$	832,929
2	(B) CONF. & TRVL.	20,000		20,000
3	(C) PROF. FEES	75,000		75,000
4	(D) CAP. OUTLAY	45,000		45,000
5	(E) DATA PROC.	<u>0</u>		<u>0</u>
6	TOTAL MAINT. & GEN. OPER.		972,929	972,929
7	(05) DEFERRED MAINTENANCE		<u>75,000</u>	<u>75,000</u>
8	TOTAL AMOUNT APPROPRIATED		<u>\$ 6,085,077</u>	<u>\$ 6,248,532</u>

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10 SECTION 4. APPROPRIATIONS - FEDERAL VOCATIONAL EDUCATION. There is

11 hereby appropriated, to the Department of Education - School for the Deaf, to

12 be payable from the federal funds as designated by the Chief Fiscal Officer of

13 the State, for operating expenses of the Department of Education - School for

14 the Deaf - Federal Vocational Education for the biennial period ending June

15 ~~30, 1995, the following:~~

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17 ITEM	FISCAL YEARS	
18 NO.	1993-94	1994-95
19 (01) MAINT. & GEN. OPERATION		
20 (A) OPER. EXPENSE \$	0	\$ 0
21 (B) CONF. & TRVL.	0	0
22 (C) PROF. FEES	0	0
23 (D) CAP. OUTLAY	17,000	17,000
24 (E) DATA PROC.	<u>0</u>	<u>0</u>
25 TOTAL MAINT. & GEN. OPER.	<u>17,000</u>	<u>17,000</u>
26 TOTAL AMOUNT APPROPRIATED	<u>\$ 17,000</u>	<u>\$ 17,000</u>

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28 SECTION 5. APPROPRIATIONS - FEDERAL OPERATIONS. There is hereby

29 appropriated, to the Department of Education - School for the Deaf, to be

30 payable from the federal funds as designated by the Chief Fiscal Officer of

31 the State, for personal services and operating expenses of the Department of

32 Education - School for the Deaf - Federal Operations for the biennial period

33 ending June 30, 1995, the following:

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35 ITEM	FISCAL YEARS	
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1	NO.		1993-94	1994-95
2	(01)	REGULAR SALARIES	\$ 93,391	\$ 96,682
3	(02)	PERSONAL SERV MATCHING	28,591	29,318
4	(03)	MAINT. & GEN. OPERATION		
5	(A)	OPER. EXPENSE \$	23,703 \$	23,703
6	(B)	CONF. & TRVL.	4,611	4,611
7	(C)	PROF. FEES	0	0
8	(D)	CAP. OUTLAY	7,000	7,000
9	(E)	DATA PROC.	<u>0</u>	<u>0</u>
10		TOTAL MAINT. & GEN. OPER.	<u>35,314</u>	<u>35,314</u>
11		TOTAL AMOUNT APPROPRIATED	<u>\$ 157,296</u>	<u>\$ 161,314</u>

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13 SECTION 6. APPROPRIATIONS - AREA SERVICES FOR LOW INCIDENCE HANDICAPPED.

14 There is hereby appropriated, to the Department of Education - School for the
15 Deaf, to be payable from the federal funds as designated by the Chief Fiscal
16 Officer of the State, for personal services and operating expenses of the
17 Department of Education - School for the Deaf - Area Services for Low
18 ~~Incidence Handicapped for the biennial period ending June 30, 1995, the~~
19 following:

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21	ITEM		FISCAL YEARS	
22	NO.		1993-94	1994-95
23	(01)	REGULAR SALARIES	\$ 404,515	\$ 418,779
24	(02)	PERSONAL SERV MATCHING	120,054	123,205
25	(03)	MAINT. & GEN. OPERATION		
26	(A)	OPER. EXPENSE \$	102,818 \$	102,818
27	(B)	CONF. & TRVL.	18,240	18,240
28	(C)	PROF. FEES	6,000	6,000
29	(D)	CAP. OUTLAY	12,000	12,000
30	(E)	DATA PROC.	<u>0</u>	<u>0</u>
31		TOTAL MAINT. & GEN. OPER.	<u>139,058</u>	<u>139,058</u>
32		TOTAL AMOUNT APPROPRIATED	<u>\$ 663,627</u>	<u>\$ 681,042</u>

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34 SECTION 7. APPROPRIATIONS - MEDICAID PROVIDER PROGRAM. There is hereby
35 appropriated, to the Department of Education - School for the Deaf, to be

1 payable from the federal funds as designated by the Chief Fiscal Officer of
2 ~~the State, for operating expenses of the Department of Education - School for~~
3 the Deaf - Medicaid Provider Program for the biennial period ending June 30,
4 1995, the following:

6 ITEM		FISCAL YEARS	
7 NO.		1993-94	1994-95
8 (01)	MAINT. & GEN. OPERATION		
9	(A) OPER. EXPENSE \$	13,000 \$	13,000
10	(B) CONF. & TRVL.	10,000	10,000
11	(C) PROF. FEES	8,000	8,000
12	(D) CAP. OUTLAY	37,000	37,000
13	(E) DATA PROC.	<u>0</u>	<u>0</u>
14	TOTAL MAINT. & GEN. OPER.	<u>68,000</u>	<u>68,000</u>
15	TOTAL AMOUNT APPROPRIATED	<u>\$ 68,000</u>	<u>\$ 68,000</u>

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17 SECTION 8. APPROPRIATIONS - DEAF/BLIND. There is hereby appropriated,
18 to the Department of Education - School for the Deaf, to be payable from the
19 federal funds as designated by the Chief Fiscal Officer of the State, for
20 ~~personal services and operating expenses of the Department of Education -~~
21 School for the Deaf - Deaf/Blind for the biennial period ending June 30, 1995,
22 the following:

24 ITEM		FISCAL YEARS	
25 NO.		1993-94	1994-95
26 (01)	REGULAR SALARIES	\$ 62,723	\$ 64,933
27 (02)	PERSONAL SERV MATCHING	18,402	18,892
28 (03)	MAINT. & GEN. OPERATION		
29	(A) OPER. EXPENSE \$	14,500 \$	14,500
30	(B) CONF. & TRVL.	5,000	5,000
31	(C) PROF. FEES	4,000	4,000
32	(D) CAP. OUTLAY	6,500	6,500
33	(E) DATA PROC.	<u>0</u>	<u>0</u>
34	TOTAL MAINT. & GEN. OPER.	<u>30,000</u>	<u>30,000</u>
35	TOTAL AMOUNT APPROPRIATED	<u>\$ 111,125</u>	<u>\$ 113,825</u>

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2 SECTION 9. APPROPRIATIONS - CASH. There is hereby appropriated, to the
3 Department of Education - School for the Deaf, to be payable from cash funds
4 ~~as defined by Arkansas Code 19-4-801 of the Department of Education - School~~
5 for the Deaf, for operating expenses of the Department of Education - School
6 for the Deaf - Cash for the biennial period ending June 30, 1995, the
7 following:

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9 ITEM		FISCAL YEARS	
10 NO.		1993-94	1994-95
11 (01)	MAINT. & GEN. OPERATION		
12	(A) OPER. EXPENSE \$	120,136 \$	120,136
13	(B) CONF. & TRVL.	5,000	5,000
14	(C) PROF. FEES	3,000	3,000
15	(D) CAP. OUTLAY	30,000	30,000
16	(E) DATA PROC.	<u>0</u>	<u>0</u>
17	TOTAL MAINT. & GEN. OPER.	<u>158,136</u>	<u>158,136</u>
18	TOTAL AMOUNT APPROPRIATED	<u>\$ 158,136</u>	<u>\$ 158,136</u>

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20 SECTION 10. SUMMER SCHOOL EMPLOYEES. Employees who, in addition to
21 working during the regular school term, also work during summer months shall
22 be authorized as additional compensation an amount not to exceed 1/12 of their
23 annual salary for each month or part thereof worked. Such additional
24 compensation shall not be construed as exceeding the maximum salary authorized
25 for said employees.

26 Payment of additional compensation shall be limited to employees in the
27 following classifications:

28	<u>SUMMER SCHOOL POSITIONS</u>	<u>GRADE</u>
29	Teacher for the Sens Imp I	17
30	Teacher for the Sens Imp II	18
31	Teacher for the Sens Imp III	19
32	Teacher for the Sens Imp IV	20
33	Speech Pathologist II	20
34	Vocational Instructor II	18
35	Vocational Instructor III	19

1 Vocational Instructor IV 20

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3 SECTION 11. Upon the superintendent's certification to the State
4 Personnel Administrator of prior service at an educational institution and
5 most recent contractual salary, the salary of teachers holding certification
6 in teaching the hearing impaired and entering state service as teachers for
7 the sensory impaired may be adjusted to a rate of pay closest to but not less
8 than their most recent annual salary.

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10 SECTION 12. SHIFT DIFFERENTIAL. For Arkansas School for the Deaf,
11 shift work must begin not earlier than 2:00 p.m. and end no later than 8:00
12 a.m. the following day.

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14 SECTION 13. SPECIAL ALLOWANCE. The Arkansas Schools for the Deaf and
15 Blind may make special allowances available to any instructor (Teacher for the
16 Sensory Impaired I, II, III, IV and Teacher Assistant) who performs one of the
17 following duties in addition to their normal teaching duties:

- 18 1) Teaching adult education classes on weekends or evenings
19 2) Coaching one or more sports
20 3) Sponsoring a club or organization that involves additional hours
21 outside of the normal working day.

22 Compensation for additional duties may not exceed \$3,000 per school term
23 for any one instructor during each year of the 1993-95 biennium.

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25 SECTION 14. *No employee drawing a salary or other form of compensation*
26 *from the Arkansas Schools for the Deaf or Blind shall be paid an additional*
27 *salary or receive additional compensation, other than reimbursement for actual*
28 *expenses, from that agency, nor from any other agency or institution of higher*
29 *education, except from the Superintendent's written certification to and*
30 *approval by the Chief Fiscal Officer of the state that the work performed by*
31 *the employee for the other position does not interfere with the proper and*
32 *required performance of the employee's primary duties, and that the combined*
33 *salary payments from both positions will not exceed the maximum annual salary*
34 *for whichever of the two positions has the higher authorized maximum annual*
35 *salary.*

1 Any employee knowingly violating the provisions of this section shall be
2 subject to immediate termination and shall be barred from employment by any
3 agency or institution of the State of Arkansas for a period of not less than
4 three (3) years or until such employee shall repay to the State of Arkansas
5 any sums received by such employee in violation of this section, together with
6 interest at a rate of ten percent (10%) per annum.

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8 SECTION 15. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
9 authorized by this Act shall be limited to the appropriation for such agency
10 and funds made available by law for the support of such appropriations; and
11 the restrictions of the State Purchasing Law, the General Accounting and
12 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
13 Procedures and Restrictions Act, or their successors, and other fiscal control
14 laws of this State, where applicable, and regulations promulgated by the
15 Department of Finance and Administration, as authorized by law, shall be
16 strictly complied with in disbursement of said funds.

17

18 SECTION 16. LEGISLATIVE INTENT. It is the intent of the General
19 Assembly that any funds disbursed under the authority of the appropriations
20 contained in this Act shall be in compliance with the stated reasons for which
21 this Act was adopted, as evidenced by the Agency Requests, Executive
22 Recommendations and Legislative Recommendations contained in the budget
23 manuals prepared by the Department of Finance and Administration, letters, or
24 summarized oral testimony in the official minutes of the Arkansas Legislative
25 Council or Joint Budget Committee which relate to its passage and adoption.

26

27 SECTION 17. CODE. All provisions of this Act of a general and
28 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the
29 Arkansas Code Revision Commission shall incorporate the same in the Code.

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31 SECTION 18. SEVERABILITY. If any provision of this Act or the
32 application thereof to any person or circumstance is held invalid, such
33 invalidity shall not affect other provisions or applications of the Act which
34 can be given effect without the invalid provision or application, and to this
35 end the provisions of this Act are declared to be severable.

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SECTION 19. GENERAL REPEALER. All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 20. EMERGENCY CLAUSE. It is hereby found and determined by the Seventy-Ninth General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1993 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1993 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1993.

/s/John E. Miller

As Engrossed: 3/2/93

HB 1284

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