

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

A Bill

ACT 496 OF 1993
HOUSE BILL 1282

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 BLIND FOR THE BIENNIAL PERIOD ENDING
11 JUNE 30, 1995; AND FOR OTHER PURPOSES."

Subtitle

14 "AN ACT FOR THE DEPARTMENT OF EDUCATION - SCHOOL FOR THE
15 BLIND 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 Blind 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) 9948	ED SUPT BLIND SCHOOL	1	\$ 54,016 \$ 55,906
36	(2) 297Z	GENERAL BUSINESS MANAGER	1	GRADE 24

1	(3)	E015 ED SCHOOL PRINCIPAL	4	GRADE 23
2	(4)	909Z PROGRAM SUPPORT MANAGER	1	GRADE 22
3	(5)	M090 CAMPUS LIFE COORDINATOR	1	GRADE 21
4		L122 PSYCHOLOGICAL EXAMINER II	1	
5	(6)	L030 DIETARY SERVICES DIRECTOR	1	GRADE 20
6		E077 TEACHER F/T SENSORY IMPAIRED IV	13	
7		L070 NURSE II	1	
8		M088 SOCIAL WORKER II	1	
9	(7)	E063 TEACHER FOR SENSORY IMPAIRED III	40	GRADE 19
10	(8)	G028 BUILDING PLANT MAINTENANCE SUPV II	1	GRADE 18
11		A111 ACCOUNTANT	2	
12		E037 LIBRARIAN II	2	
13	(9)	G161 GENERAL MAINTENANCE REPAIRMAN	1	GRADE 17
14		R010 ADMINISTRATIVE ASSISTANT II	1	
15		R190 PERSONNEL OFFICER II	1	
16		Y039 HEATING & A/C MECHANIC	1	
17		Y057 JOURNEYMAN PAINTER	1	
18		Y053 JOURNEYMAN CARPENTER	1	
19	(10)	M048 RECREATIONAL ACTIVITY LEADER II	1	GRADE 15
20		M039 HOUSEPARENT SUPERVISOR	2	
21	(11)	K061 LIBRARY TECHNICAL ASST III	1	GRADE 14
22		L049 LPN II	2	
23	(12)	K153 SECRETARY II	4	GRADE 13
24		E017 INSTITUTION ASSISTANT LIBRARIAN	1	
25		E027 INSTITUTIONAL TEACHER ASSISTANT	5	
26		M047 RECREATIONAL ACTIVITY LEADER I	1	
27		M037 HOUSEPARENT	14	
28	(13)	K155 SECRETARY I	2	GRADE 11
29		K059 LIBRARY TECHNICAL ASST II	1	
30	(14)	H027 COOK II	2	GRADE 10
31		G165 WORK MAINTENANCE LEADER	1	
32		G006 MOTOR VEHICLE OPERATOR	1	
33	(15)	H003 BAKER I	1	GRADE 08
34		H025 COOK I	2	
35		G010 LAUNDRY SUPERVISOR	1	

1	G109 BLDG/EQUIP MAINT REPAIRMAN II	1	
2	L079 NURSING AIDE/NURSING ASST I	1	
3	(16) G107 BLDG/EQUIP MAINT REPAIRMAN I	1	GRADE 06
4	(17) H043 FOOD SERVICE WORKER II	1	GRADE 05
5	G175 MAINTENANCE WORKER II	1	
6	(18) G075 HOUSEKEEPER	1	GRADE 04
7	(19) H039 FOOD SERVICE WORKER I	9	GRADE 03
8	G171 CUSTODIAL WRKR I	<u>4</u>	
9	MAX NO. OF EMPLOYEES	137	

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11 SECTION 2. EXTRA HELP. There is hereby authorized, for the
 12 Department of Education - School for the Blind for the 1993-95 biennium, the
 13 following maximum number of part-time or temporary employees, to be known as
 14 "Extra Help", payable from funds appropriated herein for such purposes:
 15 twelve (12) temporary or part-time employees, when needed, at rates of pay not
 16 to exceed those provided in the Uniform Classification and Compensation Act,
 17 or its successor, or this act for the appropriate classification.

18

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

24

25	<u>ITEM</u>	<u>FISCAL YEARS</u>	
26	NO.	1993-94	1994-95
27	(01) REGULAR SALARIES	\$ 2,822,768	\$ 2,922,249
28	(02) EXTRA HELP	6,500	7,000
29	(03) PERSONAL SERV MATCHING	875,977	897,103
30	(04) OVERTIME	6,873	6,873
31	(05) MAINT. & GEN. OPERATION		
32	(A) OPER. EXPENSE	\$ 538,242	\$ 538,242
33	(B) CONF. & TRVL.	4,515	4,515
34	(C) PROF. FEES	35,000	35,000
35	(D) CAP. OUTLAY	17,500	17,500

1	(E) DATA PROC.	<u>1,800</u>	<u>1,800</u>	
2	TOTAL MAINT. & GEN. OPER.		597,057	597,057
3	(06) STUDENT VOCATIONAL EDUC		6,000	6,000
4	(07) DEFERRED MAINTENANCE		55,000	55,000
5	(08) SUMMER SCHOOL		<u>20,000</u>	<u>20,000</u>
6	TOTAL AMOUNT APPROPRIATED		<u>\$ 4,390,175</u>	<u>\$ 4,511,282</u>

7

8 SECTION 4. APPROPRIATIONS - FEDERAL OPERATIONS. There is hereby

9 appropriated, to the Department of Education - School for the Blind, to be

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

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

12 Education - School for the Blind - Federal Operations for the biennial period

13 ending June 30, 1995, the following:

15	ITEM	FISCAL YEARS	
16	NO.	1993-94	1994-95
17	(01) REGULAR SALARIES	\$ 489,302	\$ 506,553
18	(02) PERSONAL SERV MATCHING	140,162	143,821
19	(03) MAINT. & GEN. OPERATION		
20	(A) OPER. EXPENSE	\$ 99,350	\$ 100,350
21	(B) CONF. & TRVL.	20,882	20,882
22	(C) PROF. FEES	3,132	3,132
23	(D) CAP. OUTLAY	50,000	50,000
24	(E) DATA PROC.	<u>0</u>	<u>0</u>
25	TOTAL MAINT. & GEN. OPER.	<u>173,364</u>	<u>174,364</u>
26	TOTAL AMOUNT APPROPRIATED	<u>\$ 802,828</u>	<u>\$ 824,738</u>

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28 SECTION 5. APPROPRIATIONS - CASH. There is hereby appropriated, to the

29 Department of Education - School for the Blind, to be payable from cash funds

30 as defined by Arkansas Code 19-4-801 of the Department of Education - School

31 for the Blind, for operating expenses of the Department of Education - School

32 for the Blind - Cash for the biennial period ending June 30, 1995, the

33 following:

35	ITEM	FISCAL YEARS	
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1	NO.		1993-94	1994-95
2	(01) MAINT. & GEN. OPERATION			
3	(A) OPER. EXPENSE \$	185,008	\$ 185,008	
4	(B) CONF. & TRVL.	9,500	9,500	
5	(C) PROF. FEES	4,925	4,925	
6	(D) CAP. OUTLAY	60,000	60,000	
7	(E) DATA PROC.	<u>0</u>	<u>0</u>	
8	TOTAL MAINT. & GEN. OPER.		<u>259,433</u>	<u>259,433</u>
9	TOTAL AMOUNT APPROPRIATED		<u>\$ 259,433</u>	<u>\$ 259,433</u>

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11 SECTION 6. APPROPRIATIONS - BRAILLE TEXTBOOKS. There is hereby
 12 appropriated, to the Department of Education - School for the Blind, to be
 13 payable from the School for the Blind Fund Account, for the purchase of
 14 braille and large print textbooks for visually impaired and blind students
 15 attending public schools in Arkansas by the Department of Education - School
 16 ~~for the Blind for the biennial period ending June 30, 1995, the following:~~

17

18	ITEM		FISCAL YEARS	
19	NO.		1993-94	1994-95
20	(01) PURCHASE BRAILLE TEXTBOOK		<u>\$ 75,000</u>	<u>\$ 75,000</u>

21

22 SECTION 7. The State Board of Education shall make reasonable rules and
 23 regulations to implement the Braille and Large Print Textbooks appropriation
 24 and is hereby authorized to negotiate directly with publishers of Braille and
 25 Large Print Textbooks for the purchase of such textbooks.

26

27 SECTION 8. SUMMER SCHOOL EMPLOYEES. Employees who, in addition to
 28 working during the regular school term, also work during summer months shall
 29 be authorized as additional compensation an amount not to exceed 1/12 of their
 30 annual salary for each month or part thereof worked. Such additional
 31 compensation shall not be construed as exceeding the maximum salary authorized
 32 for said employees. Payment of additional compensation shall be limited to
 33 employees in the following classifications:

34	SUMMER SCHOOL POSITIONS	GRADE
35	Teacher for the Sens Imp I	16

1	Teacher for the Sens Imp II	18
2	Teacher for the Sens Imp III	19
3	Teacher for the Sens Imp IV	20

4
5 SECTION 9. Upon the superintendent's certification to the State
6 Personnel Administrator of prior service at an educational institution and
7 most recent contractual salary, the salary of teachers holding certification
8 in teaching the visually impaired and entering state service as teachers for
9 the sensory impaired may be adjusted to a rate of pay closest to but not less
10 than their most recent annual salary.

11
12 SECTION 10. SPECIAL ALLOWANCE. The Arkansas Schools for the Deaf and
13 Blind may make special allowances available to any instructor (Teacher for the
14 Sensory Impaired I, II, III, IV and Teacher Assistant) who performs one of the
15 following duties in addition to their normal teaching duties:

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

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

22
23 SECTION 11. TRANSFER PROVISION. Upon approval from the Chief Fiscal
24 Officer of the State, the Arkansas School for the Blind shall transfer
25 appropriation from Item No. (08) Summer School, in Section 3 of this Act, to
26 Item No. (01) Regular Salaries and to Item No. (03) Personal Services
27 Matching, in Section 3 of this Act, to compensate Teachers, Houseparents, Food
28 Service and Nursing staff who work during the summer school term and to
29 compensate coaches and organization sponsors as referenced in Section 10 of
30 this Act.

31
32 SECTION 12. *No employee drawing a salary or other form of compensation*
33 *from the Arkansas Schools for the Deaf or Blind shall be paid an additional*
34 *salary or receive additional compensation, other than reimbursement for actual*
35 *expenses, from that agency, nor from any other agency or institution of higher*

1 education, except from the Superintendent's written certification to and
2 approval by the Chief Fiscal Officer of the state that the work performed by
3 the employee for the other position does not interfere with the proper and
4 required performance of the employee's primary duties, and that the combined
5 salary payments from both positions will not exceed the maximum annual salary
6 for whichever of the two positions has the higher authorized maximum annual
7 salary.

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

14

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

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25 SECTION 14. LEGISLATIVE INTENT. It is the intent of the General
26 Assembly that any funds disbursed under the authority of the appropriations
27 contained in this Act shall be in compliance with the stated reasons for which
28 this Act was adopted, as evidenced by the Agency Requests, Executive
29 Recommendations and Legislative Recommendations contained in the budget
30 manuals prepared by the Department of Finance and Administration, letters, or
31 summarized oral testimony in the official minutes of the Arkansas Legislative
32 Council or Joint Budget Committee which relate to its passage and adoption.

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34 SECTION 15. CODE. All provisions of this Act of a general and
35 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the

1 Arkansas Code Revision Commission shall incorporate the same in the Code.

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3 SECTION 16. SEVERABILITY. If any provision of this Act or the
4 application thereof to any person or circumstance is held invalid, such
5 invalidity shall not affect other provisions or applications of the Act which
6 can be given effect without the invalid provision or application, and to this
7 end the provisions of this Act are declared to be severable.

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9 SECTION 17. GENERAL REPEALER. All laws and parts of laws in conflict
10 with this Act are hereby repealed.

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12 SECTION 18. EMERGENCY CLAUSE. It is hereby found and determined by the
13 Seventy-Ninth General Assembly, that the Constitution of the State of Arkansas
14 prohibits the appropriation of funds for more than a two (2) year period; that
15 the effectiveness of this Act on July 1, 1993 is essential to the operation of
16 the agency for which the appropriations in this Act are provided, and that in
17 the event of an extension of the Regular Session, the delay in the effective
18 date of this Act beyond July 1, 1993 could work irreparable harm upon the
19 proper administration and provision of essential governmental programs.
20 Therefore, an emergency is hereby declared to exist and this Act being
21 necessary for the immediate preservation of the public peace, health and
22 safety shall be in full force and effect from and after July 1, 1993.

23

/s/John E. Miller

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APPROVED: 03/15/93

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As Engrossed: 3/2/93

HB 1282

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