Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1	State of Arkansas	As Engrossed: H3/25/99	
2	82nd General Assembly	A Bill	Act 1013 of 1999
3	Regular Session, 1999		HOUSE BILL 1428
4			
5	By: Joint Budget Committee	;	
6			
7			
8		For An Act To Be Entitled	
9	"AN ACT T	O MAKE AN APPROPRIATION FOR PERSO	NAL SERVICES
10	AND OPERA	TING EXPENSES FOR THE DEPARTMENT	OF EDUCATION
11	- SCHOOL	FOR THE DEAF FOR THE BIENNIAL PER	I OD ENDI NG
12	JUNE 30,	2001; AND FOR OTHER PURPOSES."	
13			
14		Subtitle	
15	"AN	ACT FOR THE DEPARTMENT OF EDUCATI	ON
16	- SC	CHOOL FOR THE DEAF APPROPRIATION F	OR
17	THE	1999-2001 BIENNIUM."	
18			
19			
20	BE IT ENACTED BY THE	GENERAL ASSEMBLY OF THE STATE OF	ARKANSAS:
21			
22		SALARIES. There is hereby estab	
23	•	on - School for the Deaf for the	
24	-	ber of regular employees whose sa	_
25		the Uniform Classification and Co	
26		q.), or its successor, and all la	2
27		at any position to which a specif	-
28		dollars, shall be exempt from the	•
29		n and Compensation Act. All pers	
30		hereby governed by the provision	e e
31		nd Restrictions Act (Arkansas Cod	e §21-5-101), or its
32	successor.		
33			<b></b>
34			Maximum Annual
35		Maxi mu	3
36	Item Class	No. of	Fiscal Years



0203990600. KCA041

1	No.	Code	Title	Employees	1999-2000	2000-2001
2	(1)	9949	ED SUPT DEAF SCHOOL	1	\$68, 333	\$70, 246
3	(2)	026Z	ASD/ASB BUSINESS MANAGER	1	GRADE	26
4	(3)	990Z	ED COORD STUDENT ASSESSMENT PROGR	AM 1	GRADE	23
5	(4)	E015	ED SCHOOL PRINCIPAL	2	GRADE	23
6	(5)	M122	EVAL/ADMISSIONS/HLTH SVCS MGR	1	GRADE	23
7	(6)	909Z	PROGRAM SUPPORT MANAGER	1	GRADE	22
8	(7)	E057	TEACHER F/T SENSORY IMPAIRED SUPV	′ 1	GRADE	22
9	(8)	M090	CAMPUS LIFE COORDINATOR	1	GRADE	21
10	(9)	E028	ED PROGRAM ADMINISTRATOR	1	GRADE	21
11	(10)	L122	PSYCHOLOGICAL EXAMINER II	2	GRADE	21
12	(11)	M028	COUNSELOR II	2	GRADE	20
13	(12)	R266	MANAGEMENT PROJECT ANALYST II	2	GRADE	20
14	(13)	L140	SPEECH PATHOLOGIST II	5	GRADE	20
15	(14)	L008	SR AUDI OLOGI ST	3	GRADE	20
16	(15)	E077	TEACHER F/T SENSORY IMPAIRED IV	13	GRADE	20
17	(16)	D121	USER SUPPORT ANALYST	1	GRADE	20
18	(17)	E078	VOCATIONAL INSTRUCTOR IV	6	GRADE	20
19	(18)	R030	ASST PERSONNEL MANAGER	1	GRADE	19
20	(19)	G026	BLDG AND GROUNDS COORDINATOR	1	GRADE	19
21	(20)	L028	DIETICIAN	1	GRADE	19
22	(21)	E014	DIRECTOR MULTI-MEDIA SERVICES	1	GRADE	19
23	(22)	E039	LIBRARIAN III	1	GRADE	19
24	(23)	E063	TEACHER F/T SENSORY IMPAIRED III	36	GRADE	19
25	(24)	A111	ACCOUNTANT	1	GRADE	18
26	(25)	R010	ADMINISTRATIVE ASSISTANT II	1	GRADE	17
27	(26)	G161	GENERAL MAINTENANCE REPAIRMAN	4	GRADE	17
28	(27)	Y039	HEATING & A/C MECHANIC	1	GRADE	17
29	(28)	Y053	JOURNEYMAN CARPENTER	1	GRADE	17
30	(29)	Y057	JOURNEYMAN PAINTER	1	GRADE	17
31	(30)	Y061	JOURNEYMAN PLUMBER	1	GRADE	17
32	(31)	R190	PERSONNEL OFFICER II	1	GRADE	17
33	(32)	A108	ACCOUNTING TECHNICIAN II	2	GRADE	15
34	(33)	V011	CENTRAL SUPPLY SUPV	1	GRADE	15
35	(34)	M039	HOUSEPARENT SUPERVI SOR	3	GRADE	15
36	(35)	L115	LPN II/LPTN II	3	GRADE	15

1	(36)	M048	RECREATIONAL ACTIVITY LEADER II	4	GRADE 15
2	(37)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	1	GRADE 14
3	(38)	G021	BOILER OPERATOR	1	GRADE 13
4	(39)	M037	HOUSEPARENT	30	GRADE 13
5	(40)	E017	INSTITUTION ASSISTANT LIBRARIAN	1	GRADE 13
6	(41)	E027	INSTITUTIONAL TEACHER ASSISTANT	8	GRADE 13
7	(42)	R125	PERSONNEL OFFICER	1	GRADE 13
8	(43)	K153	SECRETARY II	10	GRADE 13
9	(44)	A106	ACCOUNTING TECHNICIAN I	1	GRADE 12
10	(45)	Y001	APPRENTICE TRADESMAN	2	GRADE 11
11	(46)	K155	SECRETARY I	1	GRADE 11
12	(47)	V043	SHIPPING & RECEIVING CLERK	1	GRADE 11
13	(48)	H027	COOK II	19	GRADE 10
14	(49)	V029	INVENTORY CONTROL CLERK	1	GRADE 10
15	(50)	G006	MOTOR VEHICLE OPERATOR	1	GRADE 10
16	(51)	G165	WORK MAINTENANCE LEADER	2	GRADE 10
17	(52)	G109	BLDG/EQUIP MAINT REPAIRMAN II	2	GRADE 08
18	(53)	G010	LAUNDRY SUPERVI SOR	1	GRADE 08
19	(54)	G175	MAINTENANCE WORKER II	8	GRADE 05
20	(55)	G008	LAUNDRY WORKER	1	GRADE 04
21		MAX.	NO. OF EMPLOYEES	201	

22

23 SECTION 2. EXTRA HELP. There is hereby authorized, for the Department of 24 Education - School for the Deaf for the 1999-2001 biennium, the following 25 maximum number of part-time or temporary employees, to be known as "Extra 26 Help", payable from funds appropriated herein for such purposes: thirty five 27 (35) temporary or part-time employees, when needed, at rates of pay not to 28 exceed those provided in the Uniform Classification and Compensation Act, or 29 its successor, or this act for the appropriate classification.

30

31 SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby appropriated, 32 to the Department of Education - School for the Deaf, to be payable from the 33 School for the Deaf Fund Account, for personal services and operating expenses 34 of the Department of Education - School for the Deaf for the biennial period 35 ending June 30, 2001, the following:

36

1	ITEM	FISC	CAL YEARS
2	<u>NO.</u>	1999-2000	2000-2001
3	(01) REGULAR SALARIES	\$ 4, 898, 750	\$5,035,918
4	(02) EXTRA HELP	46,029	46,029
5	(03) PERSONAL SERV MATCHING	1, 572, 731	1, 599, 965
6	(04) OVERTIME	17, 500	17,500
7	(05) MAINT. & GEN. OPERATION		
8	(A) OPER. EXPENSE	1, 228, 305	1, 228, 305
9	(B) CONF. & TRAVEL	25,000	25,000
10	(C) PROF. FEES	80,000	80,000
11	(D) CAP. OUTLAY	150, 000	150,000
12	(E) DATA PROC.	0	0
13	(06) DEFERRED MAINTENANCE	400, 000	400,000
14	(07) VOCATIONAL ED - STUDENT WORK PAYMENTS	7,500	7, 500
15	(08) SCPI TEST LEVEL PAYMENTS	45,000	50,000
16	(09) SUMMER PROJECTS	20,000	20,000
17	TOTAL AMOUNT APPROPRIATED	<u>\$ 8, 490, 815</u>	<u>\$8,660,217</u>
18			
19	SECTION 4. APPROPRIATION - FEDERAL OPERAT	IONS. There is	hereby
20	appropriated, to the Department of Education	n - School for t	the Deaf, to be
21	payable from the federal funds as designated	l by the Chief F	iscal Officer of
22	the State, for personal services and operati	ng expenses of	the Department of
23	Education - School for the Deaf - Federal Op	perations for th	ne biennial period
24	ending June 30, 2001, the following:		
25			
26	ITEM	FISC	CAL YEARS
27	<u>NO.</u>	1999-2000	2000-2001
28	(01) REGULAR SALARIES	\$ 52,610	\$ 54,083
29	(02) PERSONAL SERV MATCHING	16, 910	17, 202
30	(O3) MAINT. & GEN. OPERATION		
31	(A) OPER. EXPENSE	23, 703	23, 703
32	(B) CONF. & TRAVEL	4, 611	4, 611
33	(C) PROF. FEES	0	0
34	(D) CAP. OUTLAY	7,000	7,000

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106, 599

0

0

\$

<u>104, 834</u>

\$

4

(E) DATA PROC.

TOTAL AMOUNT APPROPRIATED

35

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1

2 SECTION 5. APPROPRIATION - AREA SERVICES FOR LOW INCIDENCE HANDICAPPED. 3 There is hereby appropriated, to the Department of Education - School for the 4 Deaf, to be payable from the federal funds as designated by the Chief Fiscal 5 Officer of the State, for personal services and operating expenses of the 6 Department of Education - School for the Deaf - Area Services For Low 7 Incidence Handicapped for the biennial period ending June 30, 2001, the 8 following:

9

10	ITEM	FISCAL YEARS			
11	NO.		1999-2000	2000-2001	
12	(01) REGULAR SALARIES	\$	467, 414	\$ 480, 503	
13	(02) PERSONAL SERV MATCHING		131, 609	134, 206	
14	(O3) MAINT. & GEN. OPERATION				
15	(A) OPER. EXPENSE		110, 818	110, 818	
16	(B) CONF. & TRAVEL		25,000	25,000	
17	(C) PROF. FEES		10,000	10, 000	
18	(D) CAP. OUTLAY		12,000	12,000	
19	(E) DATA PROC.		0	0	
20	TOTAL AMOUNT APPROPRIATED	<u>\$</u>	<u>756, 841</u>	<u>\$772, 527</u>	

21

22 SECTION 6. APPROPRIATION - MEDICAID PROVIDER - FEDERAL. There is hereby 23 appropriated, to the Department of Education - School for the Deaf, to be 24 payable from the federal funds as designated by the Chief Fiscal Officer of 25 the State, for Operating Expenses of the Department of Education - School for 26 the Deaf - Medicaid Provider Program - Federal for the biennial period ending 27 June 30, 2001, the following:

29	ITEM	FISCAL	YEARS
30	<u>NO.</u>	1999-2000	2000-2001
31	(01) MAINT. & GEN. OPERATION		
32	(A) OPER. EXPENSE	50,000	50,000
33	(B) CONF. & TRAVEL	15,000	15,000
34	(C) PROF. FEES	130, 000	130,000
35	(D) CAP. OUTLAY	50,000	50,000
36	(E) DATA PROC.	0	0

1 TOTAL AMOUNT APPROPRIATED	\$	<u>245,000 </u> \$	<u>245,000</u>
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2

3 SECTION 7. APPROPRIATION - DEAF/BLIND. There is hereby appropriated, to the 4 Department of Education - School for the Deaf, to be payable from the federal 5 funds as designated by the Chief Fiscal Officer of the State, for personal 6 services and operating expenses of the Department of Education - School for 7 the Deaf - Deaf/Blind - Federal for the biennial period ending June 30, 2001, 8 the following:

- 9 ITEM 10 FISCAL YEARS 11 NO. 1999-2000 2000-2001 12 (01) REGULAR SALARIES \$ 91,716 \$ 94,285 13 (02) PERSONAL SERV MATCHING 29,522 30,032 (03) MAINT. & GEN. OPERATION 14 15 (A) OPER. EXPENSE 20,000 20,000 16 (B) CONF. & TRAVEL 7,500 7,500 (C) PROF. FEES 4,000 17 4,000 18 (D) CAP. OUTLAY 7,500 7,500 19 DATA PROC. (E) 0 0 20 TOTAL AMOUNT APPROPRIATED 160,238 163, 317 \$ \$
- 21

22 SECTION 8. APPROPRIATIONS - CASH OPERATIONS. There is hereby appropriated, 23 to the Department of Education - School for the Deaf, to be payable from cash 24 funds as defined by Arkansas Code 19-4-801 of the Department of Education -25 School for the Deaf, for Operating Expenses of the Department of Education -26 School for the Deaf for the biennial period ending June 30, 2001, the 27 following:

- 28
- 29 I TEM

FISCAL YEARS

30	NO.		1999-2000	2000-2001
31	(01) MAI	NT. & GEN. OPERATION		
32	(A)	OPER. EXPENSE	147, 136	147, 136
33	(B)	CONF. & TRAVEL	25,000	25,000
34	(C)	PROF. FEES	28,000	28,000
35	(D)	CAP. OUTLAY	50,000	50,000
36	(E)	DATA PROC.	0	0

1	(02) DEFERRED MAINTENANCE		25,000	25,000
2	TOTAL AMOUNT APPROPRIATED	<u>\$</u>	<u>275, 136</u>	<u>\$275,136</u>

3

4 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE 5 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

MAINTENANCE/TRANSPORTATION/SECURITY. The Arkansas School for the Deaf shall
be responsible for providing maintenance, transportation, and security for the
Arkansas School for the Blind. The Arkansas School for the Deaf is authorized
to spend general revenue funds to provide for these services.

10

SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SUMMER SCHOOL EMPLOYEES. Employees who, in addition to working during the regular school term, also work during summer months shall be authorized as additional compensation an amount not to exceed 1/12 of their annual salary for each month or part thereof worked. Such additional compensation shall not be construed as exceeding the maximum salary authorized for said employees.

Payment of additional compensation shall be limited to employees in thefollowing classifications:

20	SUMMER SCHOOL POSITIONS	GRADE
21	Teacher for the Sens Imp I	17
22	Teacher for the Sens Imp II	18
23	Teacher for the Sens Imp III	19
24	Teacher for the Sens Imp IV	20
25	Speech Pathologist II	20
26	Vocational Instructor II	18
27	Vocational Instructor III	19
28	Vocational Instructor IV	20
29	Teacher for Sen Imp Super	22

30

31 SECTION 11. SPECIAL LANGUAGE. SPECIAL ALLOWANCE. The Arkansas Schools for 32 the Deaf and Blind may make special allowances available to any employee who 33 performs one of the following duties in addition to their normal duties:

- 34 1) Teaching adult education classes on weekends or evenings
- 35 2) Coaching one or more sports
- 36 3) Sponsoring a club or organization that involves additional hours

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1 outside of the normal working day.

2 <u>4) Interpretive Services</u>

Compensation for additional duties may not exceed \$3,000 per school term
for any one employee during each fiscal year.

5

SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS 6 7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ADDI TI ONAL SALARY/COMPENSATION PROVISION. No employee drawing a salary or other form of 8 9 compensation from the Arkansas Schools for the Deaf or Blind shall be paid an 10 additional salary or receive additional compensation, other than reimbursement for actual expenses, from that agency, nor from any other agency or 11 12 institution of higher education, except from the Superintendent's written 13 certification to and approval by the Chief Fiscal Officer of the State that the work performed by the employee for the other position does not interfere 14 15 with the proper and required performance of the employee's primary duties, and 16 that the combined salary payments from both positions will not exceed the 17 maximum annual salary for whichever of the two positions has the higher 18 authorized maximum annual salary.

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

25

26 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS 27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SHIFT 28 DIFFERENTIAL. For Arkansas School for the Deaf, shift work must begin not 29 earlier than 2:00 p.m. and end no later than 8:00 a.m. the following day. 30

31 SECTION 14. SPECIAL LANGUAGE. TEACHERS FOR SENSORY IMPAIRED ENTERING 32 STATE SERVICE. Upon the superintendent's certification to the State Personnel 33 Administrator of prior service at an educational institution and most recent 34 contractual salary, the salary of teachers holding certification in teaching 35 the hearing impaired and entering state service as teachers for the sensory 36 impaired may be adjusted to a rate of pay closest to but not less than their

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1 most recent annual salary.

## 2

3 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS 4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL 5 RATE OF PAY. The Arkansas School for the Deaf is hereby authorized to pay 6 employees hired in the position of teacher for the sensory impaired or senior 7 audiologist for the yearly school term the maximum annual salary rate 8 established for each position.

9

SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS 10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. 11 TRANSFER 12 Upon approval from the Chief Fiscal Officer of the State, the PROVI SI ON. 13 Arkansas School for the Deaf shall transfer appropriation from Item No. (09) Summer Projects, in Section 3 of this Act, to Item No. (01) through Item No. 14 15 (5) in Section 3 of this Act, to compensate Teachers, Houseparents, Food 16 Service, Nursing Staff, and any other necessary staff who work during the 17 summer months on summer projects, and to cover other expenses of summer 18 project activities and to compensate coaches and organization sponsors as 19 referenced in Section 11 of this Act.

20

SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS 21 22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SI GN 23 LANGUAGE PROFICIENCY INTERVIEW. The Arkansas School for the Deaf is hereby 24 authorized, after prior review by the Arkansas Legislative Council and approval of the Chief Fiscal Officer of the State, to grant a 2.5 percent 25 26 (2.5%) salary bonus payment to employees meeting the required level of Sign 27 Language Communication Proficiency Interview (SCPI) for the employee's current 28 position. The bonus payment will be awarded upon submission of documented 29 proof of such certification to the Office of Personnel Management, provided 30 the employee's most recent performance evaluation results in a satisfactory 31 rating. New and probationary employees shall be eligible for bonus payments after their probationary period expires, provided that the above requirements 32 33 are met. Employees are eligible for only one bonus payment for the 1999-2001 34 biennium as authorized by this subsection. 35

36 SECTION 18. SPECIAL LANGUAGE. DUAL POSITION OCCUPANCY. The Board of

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Trustees for the School for the Blind and the School for the Deaf shall employ 1 2 and maintain a separate Superintendent and Secondary Principal as authorized 3 by law for each school. In no event shall any one person employed as a Superintendent or Principal for either school occupy more than one position at 4 5 one time. 6 7 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SHARED 8 9 SERVICES. The Chief Fiscal Officer of the State and the State Treasurer are authorized to establish a joint paying account in the State Treasury, upon 10 direction of the Board of Trustees for the Arkansas School for the Blind and 11 the Arkansas School for the Deaf. The Board may transfer positions, funds and 12 13 appropriations to the paying account from either school to serve both schools in the areas of Accounting, Personnel, Inventory, Safety and Health Services. 14 15 Funding and appropriations for this account will be from transfers from the 16 fund accounts and appropriations of each agency and shall be divided 17 proportionately from each agency based on student population. Said funds 18 shall be payable from the joint account as if the positions and other 19 budgetary line items of appropriation had originally been established in the 20 joint account. Supervision of this account and supervision of the positions within may come from either school as determined by the Board of Trustees. 21 22 SECTION 20. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized 23 24 by this act shall be limited to the appropriation for such agency and funds made available by law for the support of such appropriations; and the 25 26 restrictions of the State Purchasing Law, the General Accounting and Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary Procedures 27 28 and Restrictions Act, the Higher Education Expenditures Restrictions Act, or 29 their successors, and other fiscal control laws of this State, where 30 applicable, and regulations promulgated by the Department of Finance and 31 Administration, as authorized by law, shall be strictly complied with in 32 disbursement of said funds. 33 SECTION 21. LEGISLATIVE INTENT. It is the intent of the General Assembly 34 35 that any funds disbursed under the authority of the appropriations contained in this act shall be in compliance with the stated reasons for which this act 36

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was adopted, as evidenced by the Agency Requests, Executive Recommendations 1 2 and Legislative Recommendations contained in the budget manuals prepared by 3 the Department of Finance and Administration, letters, or summarized oral 4 testimony in the official minutes of the Arkansas Legislative Council or Joint Budget Committee which relate to its passage and adoption. 5 6 7 SECTION 22. CODE. All provisions of this Act of a general and permanent 8 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas 9 Code Revision Commission shall incorporate the same in the Code. 10 11 SECTION 23. SEVERABILITY. If any provision of this act or the application 12 thereof to any person or circumstance is held invalid, such invalidity shall 13 not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the 14 15 provisions of this act are declared to be severable. 16 17 SECTION 24. GENERAL REPEALER. All laws and parts of laws in conflict with 18 this act are hereby repealed. 19 20 SECTION 25. EMERGENCY CLAUSE. It is hereby found and determined by the Eighty-second General Assembly, that the Constitution of the State of Arkansas 21 22 prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1999 is essential to the operation of 23 24 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 25 date of this Act beyond July 1, 1999 could work irreparable harm upon the 26 proper administration and provision of essential governmental programs. 27 28 Therefore, an emergency is hereby declared to exist and this Act being 29 necessary for the immediate preservation of the public peace, health and 30 safety shall be in full force and effect from and after July 1, 1999. 31 32 /s/ Joint Budget Committee 33 34 35 APPROVED: 3/31/1999 36