

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

A Bill

HOUSE BILL 1440

4
5 By: Joint Budget Committee

For An Act To Be Entitled

9 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND
10 OPERATING EXPENSES FOR THE DEPARTMENT OF EDUCATION -
11 SCHOOL FOR THE BLIND FOR THE BIENNIAL PERIOD ENDING JUNE
12 30, 1999; AND FOR OTHER PURPOSES."

Subtitle

15 "AN ACT FOR THE DEPARTMENT OF EDUCATION
16 - SCHOOL FOR THE BLIND APPROPRIATION FOR
17 THE 1997-99 BIENNIUM."

18
19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

20
21 SECTION 1. REGULAR SALARIES. There is hereby established for the
22 Department of Education - School for the Blind for the 1997-99 biennium, the
23 following maximum number of regular employees whose salaries shall be governed
24 by the provisions of the Uniform Classification and Compensation Act (Arkansas
25 Code §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
26 Provided, however, that any position to which a specific maximum annual salary
27 is set out herein in dollars, shall be exempt from the provisions of said
28 Uniform Classification and Compensation Act. All persons occupying positions
29 authorized herein are hereby governed by the provisions of the Regular
30 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its
31 successor.

Item Class	Maximum	Maximum Annual
No. Code Title	No. of	Salary Rate
No. Code Title	Employees	Fiscal Years
No. Code Title	Employees	1997-98 1998-99

1	(1)	9948 ED SUPT BLIND SCHOOL	1	\$ 63,187	\$ 64,956
2	(2)	E015 ED SCHOOL PRINCIPAL	2	GRADE	23
3	(3)	909Z PROGRAM SUPPORT MANAGER	1	GRADE	22
4	(4)	A008 ACCOUNTING SUPERVISOR II	1	GRADE	21
5		L122 PSYCHOLOGICAL EXAMINER II	1		
6	(5)	E077 TEACHER F/T SENSORY IMPAIRED IV	15	GRADE	20
7		L030 DIETARY SERVICES DIRECTOR	1		
8		L070 NURSE II	1		
9		M088 SOCIAL WORKER II	1		
10	(6)	E063 TEACHER F/T SENSORY IMPAIRED III	40	GRADE	19
11	(7)	M050 RECREATIONAL ACTIVITY LEADER SUPV	1	GRADE	18
12		A111 ACCOUNTANT	2		
13		E037 LIBRARIAN II	2		
14	(8)	R010 ADMINISTRATIVE ASSISTANT II	1	GRADE	17
15		R190 PERSONNEL OFFICER II	1		
16	(9)	M048 RECREATIONAL ACTIVITY LEADER II	1	GRADE	15
17		L115 LPN II/LPTN II	2		
18		M039 HOUSEPARENT SUPERVISOR	2		
19	(10)	K061 LIBRARY TECHNICAL ASST III	1	GRADE	14
20	(11)	K153 SECRETARY II	4	GRADE	13
21		E017 INSTITUTION ASSISTANT LIBRARIAN	1		
22		E027 INSTITUTIONAL TEACHER ASSISTANT	5		
23		M047 RECREATIONAL ACTIVITY LEADER I	1		
24		M037 HOUSEPARENT	15		
25	(12)	K155 SECRETARY I	1	GRADE	11
26		K059 LIBRARY TECHNICAL ASST II	1		
27	(13)	H027 COOK II	2	GRADE	10
28	(14)	H003 BAKER I	1	GRADE	08
29		H025 COOK I	2		
30		L079 NURSING AIDE/NURSING ASST I	1		
31	(15)	H043 FOOD SERVICE WORKER II	1	GRADE	05
32	(16)	G075 HOUSEKEEPER	1	GRADE	04
33	(17)	H039 FOOD SERVICE WORKER I	9	GRADE	03
34		G171 CUSTODIAL WRKR I	<u>4</u>		
35		MAX NO. OF EMPLOYEES	126		

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2 SECTION 2. EXTRA HELP. There is hereby authorized, for the
 3 Department of Education - School for the Blind for the 1997-99 biennium, the
 4 following maximum number of part-time or temporary employees, to be known as
 5 "Extra Help", payable from funds appropriated herein for such purposes:
 6 twelve (12) temporary or part-time employees, when needed, at rates of pay not
 7 to exceed those provided in the Uniform Classification and Compensation Act,
 8 or its successor, or this act for the appropriate classification.

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10 SECTION 3. APPROPRIATIONS - STATE OPERATIONS. There is hereby
 11 appropriated, to the Department of Education - School for the Blind, to be
 12 payable from the School for the Blind Fund Account, for personal services and
 13 operating expenses of the Department of Education - School for the Blind -
 14 State Operations for the biennial period ending June 30, 1999, the following:

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16	ITEM	FISCAL YEARS	
17	NO.	1997-98	1998-99
18	(01) REGULAR SALARIES	\$ 3,030,763	\$ 3,113,292
19	(02) EXTRA HELP	7,000	7,000
20	(03) PERSONAL SERV MATCHING	969,077	985,865
21	(04) OVERTIME	16,873	16,873
22	(05) MAINT. & GEN. OPERATION		
23	(A) OPER. EXPENSE	432,242	432,242
24	(B) CONF. & TRVL.	4,515	4,515
25	(C) PROF. FEES	37,100	37,100
26	(D) CAP. OUTLAY	25,000	25,000
27	(E) DATA PROC.	2,650	2,650
28	(06) DEFERRED MAINTENANCE	150,000	150,000
29	(07) STUDENT VOCATIONAL EDUC	7,500	7,500
30	(08) SUMMER SCHOOL	20,000	20,000
31	TOTAL AMOUNT APPROPRIATED	<u>\$ 4,702,720</u>	<u>\$ 4,802,037</u>

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33 SECTION 4. APPROPRIATIONS - FEDERAL OPERATIONS. There is hereby
 34 appropriated, to the Department of Education - School for the Blind, to be
 35 payable from federal funds as designated by the Chief Fiscal Officer of the

1 State, for personal services and operating expenses of the Department of
 2 Education - School for the Blind - Federal Operations for the biennial period
 3 ending June 30, 1999, the following:

5 ITEM	FISCAL YEARS	
6 NO.	1997-98	1998-99
7 (01) REGULAR SALARIES	\$ 553,283	\$ 568,364
8 (02) PERSONAL SERV MATCHING	157,719	160,785
9 (03) MAINT. & GEN. OPERATION		
10 (A) OPER. EXPENSE	110,350	110,350
11 (B) CONF. & TRVL.	20,882	20,882
12 (C) PROF. FEES	4,632	4,632
13 (D) CAP. OUTLAY	50,000	50,000
14 (E) DATA PROC.	<u>0</u>	<u>0</u>
15 TOTAL AMOUNT APPROPRIATED	<u>\$ 896,866</u>	<u>\$ 915,013</u>

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 17 SECTION 5. APPROPRIATIONS - CASH. There is hereby appropriated, to the
 18 Department of Education - School for the Blind, to be payable from cash funds
 19 as defined by Arkansas Code 19-4-801 of the Department of Education - School
 20 for the Blind, for operating expenses of the Department of Education - School
 21 for the Blind for the biennial period ending June 30, 1999, the following:

23 ITEM	FISCAL YEARS	
24 NO.	1997-98	1998-99
25 (01) MAINT. & GEN. OPERATION		
26 (A) OPER. EXPENSE	\$ 186,508	\$ 186,508
27 (B) CONF. & TRVL.	13,000	13,000
28 (C) PROF. FEES	100,000	100,000
29 (D) CAP. OUTLAY	50,000	50,000
30 (E) DATA PROC.	0	0
31 (02) DEFERRED MAINTENANCE	<u>75,000</u>	<u>75,000</u>
32 TOTAL AMOUNT APPROPRIATED	<u>\$ 424,508</u>	<u>\$ 424,508</u>

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 34 SECTION 6. APPROPRIATIONS - BRAILLE TEXTBOOKS. There is hereby
 35 appropriated, to the Department of Education - School for the Blind, to be

1 payable from the School for the Blind Fund Account, for the purchase of
 2 braille and large print textbooks for visually impaired and blind students
 3 attending public schools in Arkansas by the Department of Education - School
 4 ~~for the Blind for the biennial period ending June 30, 1999, the following:~~

6 ITEM	FISCAL YEARS	
7 NO.	1997-98	1998-99
8 (01) PURCHASE BRAILLE TEXTBOOK	<u>\$ 85,000</u>	<u>\$ 85,000</u>

10 SECTION 7. SPECIAL LANGUAGE. The State Board of Education shall make
 11 reasonable rules and regulations to implement the Braille and Large Print
 12 Textbooks appropriation and is hereby authorized to negotiate directly with
 13 publishers of Braille and Large Print Textbooks for the purchase of such
 14 textbooks.

16 SECTION 8. SPECIAL LANGUAGE. SUMMER SCHOOL EMPLOYEES. Employees who,
 17 in addition to working during the regular school term, also work during summer
 18 months shall be authorized as additional compensation an amount not to exceed
 19 1/12 of their annual salary for each month or part thereof worked. Such
 20 additional compensation shall not be construed as exceeding the maximum salary
 21 authorized for said employees. Payment of additional compensation shall be
 22 limited to employees in the following classifications:

23 <u>SUMMER SCHOOL POSITIONS</u>	<u>GRADE</u>
24 <u>Teacher for the Sens Imp I</u>	<u>16</u>
25 <u>Teacher for the Sens Imp II</u>	<u>18</u>
26 <u>Teacher for the Sens Imp III</u>	<u>19</u>
27 <u>Teacher for the Sens Imp IV</u>	<u>20</u>

29 SECTION 9. SPECIAL LANGUAGE. Upon the superintendent's certification
 30 to the State Personnel Administrator of prior service at an educational
 31 institution and most recent contractual salary, the salary of teachers holding
 32 certification in teaching the visually impaired and entering state service as
 33 teachers for the sensory impaired may be adjusted to a rate of pay closest to
 34 but not less than their most recent annual salary.

1 SECTION 10. SPECIAL LANGUAGE. TRANSFER PROVISION. Upon approval from
2 the Chief Fiscal Officer of the State, the Arkansas School for the Blind shall
3 transfer appropriation from Item No. (08) Summer School, in Section 3 of this
4 Act, to Item No. (01) Regular Salaries and to Item No. (03) Personal Services
5 Matching, in Section 3 of this Act, to compensate Teachers, Houseparents, Food
6 Service and Nursing staff who work during the summer school term and to
7 compensate coaches and organization sponsors as referenced in Section 11 of
8 this Act.

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10 SECTION 11. SPECIAL LANGUAGE. SPECIAL ALLOWANCE. The Arkansas Schools
11 for the Deaf and Blind may make special allowances available to any employee
12 who performs one of the following duties in addition to their normal duties:
13 1) Teaching adult education classes on weekends or evenings
14 2) Coaching one or more sports
15 3) Sponsoring a club or organization that involves additional hours
16 outside of the normal working day.

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

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20 SECTION 12. SPECIAL LANGUAGE. No employee drawing a salary or other
21 form of compensation from the Arkansas Schools for the Deaf or Blind shall be
22 paid an additional salary or receive additional compensation, other than
23 reimbursement for actual expenses, from that agency, nor from any other agency
24 or institution of higher education, except from the Superintendent's written
25 certification to and approval by the Chief Fiscal Officer of the State that
26 the work performed by the employee for the other position does not interfere
27 with the proper and required performance of the employee's primary duties, and
28 that the combined salary payments from both positions will not exceed the
29 maximum annual salary for whichever of the two positions has the higher
30 authorized maximum annual salary.

31 Any employee knowingly violating the provisions of this section shall be
32 subject to immediate termination and shall be barred from employment by any
33 agency or institution of the State of Arkansas for a period of not less than
34 three (3) years or until such employee shall repay to the State of Arkansas
35 any sums received by such employee in violation of this section, together with

1 interest at a rate of ten percent (10%) per annum.

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3 SECTION 13. SPECIAL LANGUAGE. POOL POSITIONS. The Department of
4 Education - School for the Blind, may establish and maintain for the 1997-99
5 biennium a pool of fifty (50) classified positions not to exceed the maximum
6 grade of 24. These positions are to be used if necessary in the event the
7 School for the Blind reorganizes during the 1997-99 biennium and the personnel
8 services needs of the School as authorized in Section 1 herein do not meet the
9 needs of such reorganization. To obtain a position from the pool, the School
10 for the Blind must surrender the position being reclassified. No
11 classification, grade, or salary level will be assigned to the pool positions
12 until such time as specific positions are requested by the School for the
13 Blind and approved by the Chief Fiscal Officer of the State after receiving
14 prior review by the Arkansas Legislative Council or Joint Budget Committee.

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

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26 SECTION 15. LEGISLATIVE INTENT. It is the intent of the General
27 Assembly that any funds disbursed under the authority of the appropriations
28 contained in this Act shall be in compliance with the stated reasons for which
29 this Act was adopted, as evidenced by the Agency Requests, Executive
30 Recommendations and Legislative Recommendations contained in the budget
31 manuals prepared by the Department of Finance and Administration, letters, or
32 summarized oral testimony in the official minutes of the Arkansas Legislative
33 Council or Joint Budget Committee which relate to its passage and adoption.

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35 SECTION 16. CODE. All provisions of this Act of a general and

1 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the
 2 Arkansas Code Revision Commission shall incorporate the same in the Code.

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4 SECTION 17. SEVERABILITY. If any provision of this Act or the
 5 application thereof to any person or circumstance is held invalid, such
 6 invalidity shall not affect other provisions or applications of the Act which
 7 can be given effect without the invalid provision or application, and to this
 8 end the provisions of this Act are declared to be severable.

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10 SECTION 18. GENERAL REPEALER. All laws and parts of laws in conflict
 11 with this Act are hereby repealed.

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13 SECTION 19. EMERGENCY CLAUSE. It is hereby found and determined by the
 14 Eighty-First General Assembly, that the Constitution of the State of Arkansas
 15 prohibits the appropriation of funds for more than a two (2) year period; that
 16 the effectiveness of this Act on July 1, 1997 is essential to the operation of
 17 the agency for which the appropriations in this Act are provided, and that in
 18 the event of an extension of the Regular Session, the delay in the effective
 19 date of this Act beyond July 1, 1997 could work irreparable harm upon the
 20 proper administration and provision of essential governmental programs.
 21 Therefore, an emergency is hereby declared to exist and this Act being
 22 necessary for the immediate preservation of the public peace, health and
 23 safety shall be in full force and effect from and after July 1, 1997.

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