

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
4

As Engrossed: H3/27/97

A Bill

HOUSE BILL 1443

5 By: Joint Budget Committee
6
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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 DEAF FOR THE BIENNIAL PERIOD ENDING JUNE
12 30, 1999; AND FOR OTHER PURPOSES."
13

Subtitle

14 "AN ACT FOR THE DEPARTMENT OF EDUCATION
15 - SCHOOL FOR THE DEAF APPROPRIATION FOR
16 THE 1997-99 BIENNIUM."
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. REGULAR SALARIES. There is hereby established for the
22 Department of Education - School for the Deaf 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.
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		Maximum Annual	
		Maximum	Salary Rate
Item	Class	No. of	Fiscal Years
No.	Code	Title	Employees 1997-98 1998-99

1	(1)	9949 ED SUPT DEAF SCHOOL	1	\$ 63,187	\$ 64,956
2	(2)	297Z GENERAL BUSINESS MANAGER	1	GRADE 24	
3	(3)	E015 ED SCHOOL PRINCIPAL	2	GRADE 23	
4		M122 EVAL/ADMISSIONS/HLTH SVCS MGR	1		
5		990Z ED COORD STUDENT ASSESSMENT PROGRAM	1		
6	(4)	E057 TEACHER F/T SENSORY IMPAIRED SUPV	1	GRADE 22	
7	(5)	L122 PSYCHOLOGICAL EXAMINER II	2	GRADE 21	
8		M090 CAMPUS LIFE COORDINATOR	1		
9		E028 ED PROGRAM ADMINISTRATOR	1		
10	(6)	R266 MANAGEMENT PROJECT ANALYST II	3	GRADE 20	
11		L008 SENIOR AUDIOLOGIST	3		
12		L140 SPEECH PATHOLOGIST II	4		
13		M028 COUNSELOR II	1		
14		E077 TEACHER F/T SENSORY IMPAIRED IV	5		
15		D121 USER SUPPORT ANALYST	1		
16		E078 VOCATIONAL INSTRUCTOR IV	6		
17	(7)	G026 BUILDING AND GROUNDS COORDINATOR	1	GRADE 19	
18		E063 TEACHER F/T SENSORY IMPAIRED III	44		
19		L028 DIETICIAN	1		
20		M086 SOCIAL WORKER I	1		
21		E014 DIRECTOR OF MULTI-MEDIA SERVICES	1		
22		E039 LIBRARIAN III	1		
23	(8)	G028 BUILDING PLANT MAINTENANCE SUPV II	1	GRADE 18	
24		A111 ACCOUNTANT	1		
25		L138 SPEECH PATHOLOGIST I	1		
26	(9)	Y061 JOURNEYMAN PLUMBER	1	GRADE 17	
27		G161 GENERAL MAINTENANCE REPAIRMAN	2		
28		Y039 HEATING & A/C MECHANIC	1		
29		Y057 JOURNEYMAN PAINTER	1		
30		Y053 JOURNEYMAN CARPENTER	1		
31		R190 PERSONNEL OFFICER II	1		
32	(10)	A108 ACCOUNTING TECHNICIAN II	1	GRADE 15	
33		V011 CENTRAL SUPPLY SUPV	1		
34		L115 LPN II/LPTN II	3		
35		M039 HOUSEPARENT SUPERVISOR	3		

1	M048 RECREATIONAL ACTIVITY LEADER II	4	
2	(11) K041 EXECUTIVE SECY/ADMINISTRATIVE SECY	1	GRADE 14
3	(12) E027 INSTITUTIONAL TEACHER ASSISTANT	9	GRADE 13
4	M037 HOUSEPARENT	30	
5	G021 BOILER OPERATOR	1	
6	K153 SECRETARY II	7	
7	E017 INSTITUTION ASSISTANT LIBRARIAN	1	
8	(13) A106 ACCOUNTING TECHNICIAN I	2	GRADE 12
9	(14) V043 SHIPPING & RECEIVING CLERK	1	GRADE 11
10	K155 SECRETARY I	3	
11	(15) G165 WORK MAINTENANCE LEADER	2	GRADE 10
12	G006 MOTOR VEHICLE OPERATOR	1	
13	V029 INVENTORY CONTROL CLERK	1	
14	H027 COOK II	4	
15	(16) G010 LAUNDRY SUPERVISOR	1	GRADE 08
16	G109 BLDG/EQUIP MAINT REPAIRMAN II	2	
17	H025 COOK I	16	
18	(17) G107 BLDG/EQUIP MAINT REPAIRMAN I	1	GRADE 06
19	(18) G008 LAUNDRY WORKER	1	GRADE 04
20	G173 MAINTENANCE WORKER I	<u>9</u>	
21	MAX NO. OF EMPLOYEES	198	

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23 SECTION 2. EXTRA HELP. There is hereby authorized, for the
 24 Department of Education - School for the Deaf for the 1997-99 biennium, the
 25 following maximum number of part-time or temporary employees, to be known as
 26 "Extra Help", payable from funds appropriated herein for such purposes:
 27 thirty five (35) temporary or part-time employees, when needed, at rates of
 28 pay not to exceed those provided in the Uniform Classification and
 29 Compensation Act, or its successor, or this act for the appropriate
 30 classification.

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32 SECTION 3. APPROPRIATIONS - STATE OPERATIONS. There is hereby
 33 appropriated, to the Department of Education - School for the Deaf, to be
 34 payable from the School for the Deaf Fund Account, for personal services and
 35 operating expenses of the Department of Education - School for the Deaf for

1 the biennial period ending June 30, 1999, the following:

2		FISCAL YEARS	
3 ITEM		1997-98	1998-99
4 NO.			
5 (01)	REGULAR SALARIES	\$ 4,634,137	\$ 4,760,344
6 (02)	EXTRA HELP	41,029	41,029
7 (03)	PERSONAL SERV MATCHING	1,464,529	1,489,587
8 (04)	OVERTIME	12,500	12,500
9 (05)	MAINT. & GEN. OPERATION		
10 (A)	OPER. EXPENSE	1,185,197	1,194,305
11 (B)	CONF. & TRVL.	20,000	20,000
12 (C)	PROF. FEES	75,000	75,000
13 (D)	CAP. OUTLAY	100,000	100,000
14 (E)	DATA PROC.	0	0
15 (06)	DEFERRED MAINTENANCE	<u>300,000</u>	<u>300,000</u>
16	TOTAL AMOUNT APPROPRIATED	<u>\$ 7,832,392</u>	<u>\$ 7,992,765</u>

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18 SECTION 4. APPROPRIATIONS - FEDERAL OPERATIONS. There is hereby
 19 appropriated, to the Department of Education - School for the Deaf, to be
 20 payable from the federal funds as designated by the Chief Fiscal Officer of
 21 the State, for personal services and operating expenses of the Department of
 22 Education - School for the Deaf Federal Operations for the biennial period
 23 ending June 30, 1999, the following:

24		FISCAL YEARS	
25 ITEM		1997-98	1998-99
26 NO.			
27 (01)	REGULAR SALARIES	\$ 48,864	\$ 50,177
28 (02)	PERSONAL SERV MATCHING	15,723	15,985
29 (03)	MAINT. & GEN. OPERATION		
30 (A)	OPER. EXPENSE	23,703	23,703
31 (B)	CONF. & TRVL.	4,611	4,611
32 (C)	PROF. FEES	0	0
33 (D)	CAP. OUTLAY	7,000	7,000
34 (E)	DATA PROC.	<u>0</u>	<u>0</u>
35	TOTAL AMOUNT APPROPRIATED	<u>\$ 99,901</u>	<u>\$ 101,476</u>

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SECTION 5. APPROPRIATIONS - AREA SERVICES FOR LOW INCIDENCE HANDICAPPED.
 There is hereby appropriated, to the Department of Education - School for the Deaf, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Department of Education - School for the Deaf - Area Services for Low Incidence Handicapped for the biennial period ending June 30, 1999, the following:

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ITEM	FISCAL YEARS	
NO.	1997-98	1998-99
(01) REGULAR SALARIES	\$ 463,225	\$ 475,829
(02) PERSONAL SERV MATCHING	128,096	130,601
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	110,818	110,818
(B) CONF. & TRVL.	18,240	18,240
(C) PROF. FEES	6,000	6,000
(D) CAP. OUTLAY	12,000	12,000
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 738,379</u>	<u>\$ 753,488</u>

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SECTION 6. APPROPRIATIONS - MEDICAID PROVIDER PROGRAM. There is hereby appropriated, to the Department of Education - School for the Deaf, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for operating expenses of the Department of Education - School for the Deaf - Medicaid Provider Program for the biennial period ending June 30, 1999, the following:

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ITEM	FISCAL YEARS	
NO.	1997-98	1998-99
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	30,000	30,000
(B) CONF. & TRVL.	10,000	10,000
(C) PROF. FEES	10,000	10,000
(D) CAP. OUTLAY	38,000	38,000

1	(E) DATA PROC.	<u>0</u>	<u>0</u>
2	TOTAL AMOUNT APPROPRIATED	<u>\$ 88,000</u>	<u>\$ 88,000</u>

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4 SECTION 7. APPROPRIATIONS - DEAF/BLIND. There is hereby appropriated,

5 to the Department of Education - School for the Deaf, to be payable from the

6 federal funds as designated by the Chief Fiscal Officer of the State, for

7 personal services and operating expenses of the Department of Education -

8 ~~School for the Deaf - Deaf/Blind for the biennial period ending June 30, 1999,~~

9 the following:

11	ITEM	FISCAL YEARS	
12	NO.	1997-98	1998-99
13	(01) REGULAR SALARIES	\$ 86,945	\$ 89,301
14	(02) PERSONAL SERV MATCHING	27,804	28,270
15	(03) MAINT. & GEN. OPERATION		
16	(A) OPER. EXPENSE	20,000	20,000
17	(B) CONF. & TRVL.	7,500	7,500
18	(C) PROF. FEES	4,000	4,000
19	(D) CAP. OUTLAY	7,500	7,500
20	(E) DATA PROC.	<u>0</u>	<u>0</u>
21	TOTAL AMOUNT APPROPRIATED	<u>\$ 153,749</u>	<u>\$ 156,571</u>

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23 SECTION 8. APPROPRIATIONS - CASH OPERATIONS. There is hereby

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

25 payable from cash funds as defined by Arkansas Code 19-4-801 of the Department

26 of Education - School for the Deaf, for operating expenses and deferred

27 ~~maintenance of the Department of Education - School for the Deaf for the~~

28 biennial period ending June 30, 1999, the following:

30	ITEM	FISCAL YEARS	
31	NO.	1997-98	1998-99
32	(01) MAINT. & GEN. OPERATION		
33	(A) OPER. EXPENSE	\$ 127,136	\$ 127,136
34	(B) CONF. & TRVL.	5,000	5,000
35	(C) PROF. FEES	8,000	8,000

1	(D) CAP. OUTLAY	35,000	35,000
2	(E) DATA PROC.	0	0
3	(02) DEFERRED MAINTENANCE	<u>25,000</u>	<u>25,000</u>
4	TOTAL AMOUNT APPROPRIATED	<u>\$ 200,136</u>	<u>\$ 200,136</u>

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 6 SECTION 9. SPECIAL LANGUAGE. The Arkansas School for the Deaf shall be
 7 responsible for providing maintenance, transportation, and security for the
 8 Arkansas School for the Blind. The Arkansas School for the Deaf is authorized
 9 to spend general revenue funds to provide for these services.

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11 SECTION 10. SPECIAL LANGUAGE. SUMMER SCHOOL EMPLOYEES. Employees who,
 12 in addition to working during the regular school term, also work during summer
 13 months shall be authorized as additional compensation an amount not to exceed
 14 1/12 of their annual salary for each month or part thereof worked. Such
 15 additional compensation shall not be construed as exceeding the maximum salary
 16 authorized for said employees.

17 Payment of additional compensation shall be limited to employees in the
 18 following classifications:

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

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

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

1 outside of the normal working day.

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

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5 SECTION 12. SPECIAL LANGUAGE. No employee drawing a salary or other
6 form of compensation from the Arkansas Schools for the Deaf or Blind shall be
7 paid an additional salary or receive additional compensation, other than
8 reimbursement for actual expenses, from that agency, nor from any other agency
9 or institution of higher education, except from the Superintendent's written
10 certification to and approval by the Chief Fiscal Officer of the State that
11 the work performed by the employee for the other position does not interfere
12 with the proper and required performance of the employee's primary duties, and
13 that the combined salary payments from both positions will not exceed the
14 maximum annual salary for whichever of the two positions has the higher
15 authorized maximum annual salary.

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

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23 SECTION 13. SPECIAL LANGUAGE. SHIFT DIFFERENTIAL. For Arkansas School
24 for the Deaf, shift work must begin not earlier than 2:00 p.m. and end no
25 later than 8:00 a.m. the following day.

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27 SECTION 14. SPECIAL LANGUAGE. Upon the superintendent's certification
28 to the State Personnel Administrator of prior service at an educational
29 institution and most recent contractual salary, the salary of teachers holding
30 certification in teaching the hearing impaired and entering state service as
31 teachers for the sensory impaired may be adjusted to a rate of pay closest to
32 but not less than their most recent annual salary.

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34 SECTION 15. Arkansas Code Annotated §6-43-305(a) is hereby amended to
35 read as follows:

1 "(a) The Arkansas School for the Deaf is hereby authorized to pay
2 employees hired in the position of teacher for the sensory impaired or senior
3 audiologist for the yearly school term the maximum annual salary rate
4 established for each position."
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6 SECTION 16. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
7 authorized by this Act shall be limited to the appropriation for such agency
8 and funds made available by law for the support of such appropriations; and
9 the restrictions of the State Purchasing Law, the General Accounting and
10 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
11 Procedures and Restrictions Act, or their successors, and other fiscal control
12 laws of this State, where applicable, and regulations promulgated by the
13 Department of Finance and Administration, as authorized by law, shall be
14 strictly complied with in disbursement of said funds.
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16 SECTION 17. LEGISLATIVE INTENT. It is the intent of the General
17 Assembly that any funds disbursed under the authority of the appropriations
18 contained in this Act shall be in compliance with the stated reasons for which
19 this Act was adopted, as evidenced by the Agency Requests, Executive
20 Recommendations and Legislative Recommendations contained in the budget
21 manuals prepared by the Department of Finance and Administration, letters, or
22 summarized oral testimony in the official minutes of the Arkansas Legislative
23 Council or Joint Budget Committee which relate to its passage and adoption.
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25 SECTION 18. CODE. All provisions of this Act of a general and
26 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the
27 Arkansas Code Revision Commission shall incorporate the same in the Code.
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29 SECTION 19. SEVERABILITY. If any provision of this Act or the
30 application thereof to any person or circumstance is held invalid, such
31 invalidity shall not affect other provisions or applications of the Act which
32 can be given effect without the invalid provision or application, and to this
33 end the provisions of this Act are declared to be severable.
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35 SECTION 20. GENERAL REPEALER. All laws and parts of laws in conflict

1 with this Act are hereby repealed.

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

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/s/JBC

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