

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
2 82nd General Assembly
3 Regular Session, 1999
4

As Engrossed: H3/25/99

A Bill

HOUSE BILL 1427

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
10 AND OPERATING EXPENSES FOR THE DEPARTMENT OF EDUCATION
11 - SCHOOL FOR THE BLIND FOR THE BIENNIAL PERIOD ENDING
12 JUNE 30, 2001; AND FOR OTHER PURPOSES. "
13

Subtitle

14 "AN ACT FOR THE DEPARTMENT OF EDUCATION
15 - SCHOOL FOR THE BLIND APPROPRIATION
16 FOR THE 1999-2001 BIENNIUM. "
17
18
19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
21

22 SECTION 1. REGULAR SALARIES. There is hereby established for the
23 Department of Education - School for the Blind for the 1999-2001 biennium, the
24 following maximum number of regular employees whose salaries shall be governed
25 by the provisions of the Uniform Classification and Compensation Act (Arkansas
26 Code §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
27 Provided, however, that any position to which a specific maximum annual salary
28 is set out herein in dollars, shall be exempt from the provisions of said
29 Uniform Classification and Compensation Act. All persons occupying positions
30 authorized herein are hereby governed by the provisions of the Regular
31 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its
32 successor.
33

34			Maximum Annual
35		Maximum	Salary Rate
36	Item Class	No. of	Fiscal Years

KCA036

	No.	Code	Title	Employees	1999-2000	2000-2001
1						
2	(1)	9948	ED SUPT BLIND SCHOOL	1	\$68,333	\$70,246
3	(2)	E015	ED SCHOOL PRINCIPAL	2	GRADE 23	
4	(3)	909Z	PROGRAM SUPPORT MANAGER	2	GRADE 22	
5	(4)	A008	ACCOUNTING SUPERVISOR II	1	GRADE 21	
6	(5)	L122	PSYCHOLOGICAL EXAMINER II	1	GRADE 21	
7	(6)	L030	DIETARY SERVICES DIRECTOR	1	GRADE 20	
8	(7)	L070	NURSE II	1	GRADE 20	
9	(8)	E077	TEACHER F/T SENSORY IMPAIRED IV	23	GRADE 20	
10	(9)	E039	LIBRARIAN III	2	GRADE 19	
11	(10)	E063	TEACHER F/T SENSORY IMPAIRED III	30	GRADE 19	
12	(11)	A111	ACCOUNTANT	2	GRADE 18	
13	(12)	R190	PERSONNEL OFFICER II	1	GRADE 17	
14	(13)	M039	HOUSEPARENT SUPERVISOR	2	GRADE 15	
15	(14)	L115	LPN II/LPTN II	2	GRADE 15	
16	(15)	M048	RECREATIONAL ACTIVITY LEADER II	2	GRADE 15	
17	(16)	M037	HOUSEPARENT	15	GRADE 13	
18	(17)	E017	INSTITUTION ASSISTANT LIBRARIAN	1	GRADE 13	
19	(18)	E027	INSTITUTIONAL TEACHER ASSISTANT	5	GRADE 13	
20	(19)	K153	SECRETARY II	4	GRADE 13	
21	(20)	L081	NURSING ASST II	1	GRADE 11	
22	(21)	K155	SECRETARY I	1	GRADE 11	
23	(22)	H005	BAKER II	1	GRADE 10	
24	(23)	H027	COOK II	3	GRADE 10	
25	(24)	H053	FOOD SERVICE WORKER III	1	GRADE 08	
26	(25)	H043	FOOD SERVICE WORKER II	5	GRADE 05	
27	(26)	G035	CUSTODIAL WRKR II	4	GRADE 04	
28	(27)	G075	HOUSEKEEPER	<u>1</u>	GRADE 04	
29		MAX. NO. OF EMPLOYEES		115		

30

31 SECTION 2. EXTRA HELP - STATE OPERATIONS. There is hereby authorized, for
32 the Department of Education - School for the Blind - State Operations for the
33 1999-2001 biennium, the following maximum number of part-time or temporary
34 employees, to be known as "Extra Help", payable from funds appropriated herein
35 for such purposes: twelve (12) temporary or part-time employees, when needed,
36 at rates of pay not to exceed those provided in the Uniform Classification and

1 Compensation Act, or its successor, or this act for the appropriate
2 classification.

3

4 SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby appropriated,
5 to the Department of Education - School for the Blind, to be payable from the
6 School for the Blind Fund Account, for personal services and operating
7 expenses of the Department of Education - School for the Blind - State
8 Operations for the biennial period ending June 30, 2001, the following:

9

10	ITEM	FISCAL YEARS	
11	NO.	1999-2000	2000-2001
12	(01) REGULAR SALARIES	\$ 2,917,260	\$ 2,998,942
13	(02) EXTRA HELP	15,000	15,000
14	(03) PERSONAL SERV MATCHING	916,937	933,359
15	(04) OVERTIME	16,873	16,873
16	(05) MAINT. & GEN. OPERATION		
17	(A) OPER. EXPENSE	482,242	497,242
18	(B) CONF. & TRAVEL	14,515	17,015
19	(C) PROF. FEES	40,100	42,100
20	(D) CAP. OUTLAY	150,000	150,000
21	(E) DATA PROC.	2,650	2,650
22	(06) DEFERRED MAINTENANCE	250,000	250,000
23	(07) STUDENT VOCATIONAL EDUC	10,000	10,000
24	(08) SUMMER PROJECTS	<u>20,000</u>	<u>20,000</u>
25	TOTAL AMOUNT APPROPRIATED	<u>\$ 4,835,577</u>	<u>\$ 4,953,181</u>

26

27 SECTION 4. APPROPRIATION - FEDERAL OPERATIONS. There is hereby
28 appropriated, to the Department of Education - School for the Blind, to be
29 payable from the federal funds as designated by the Chief Fiscal Officer of
30 the State, for personal services and operating expenses of the Department of
31 Education - School for the Blind - Federal Operations for the biennial period
32 ending June 30, 2001, the following:

33

34	ITEM	FISCAL YEARS	
35	NO.	1999-2000	2000-2001
36	(01) REGULAR SALARIES	\$ 593,239	\$ 609,849

1	(02) PERSONAL SERV MATCHING	164,437	167,772
2	(03) MAINT. & GEN. OPERATION		
3	(A) OPER. EXPENSE	110,350	110,350
4	(B) CONF. & TRAVEL	20,882	20,882
5	(C) PROF. FEES	4,632	4,632
6	(D) CAP. OUTLAY	50,000	50,000
7	(E) DATA PROC.	<u>0</u>	<u>0</u>
8	TOTAL AMOUNT APPROPRIATED	<u>\$ 943,540</u>	<u>\$ 963,485</u>

9

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

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

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

13 for the Blind, for Operating Expenses of the Department of Education - School

14 for the Blind - Cash for the biennial period ending June 30, 2001, the

15 following:

17	ITEM	FISCAL YEARS	
18	<u>NO.</u>	<u>1999-2000</u>	<u>2000-2001</u>
19	(01) MAINT. & GEN. OPERATION		
20	(A) OPER. EXPENSE	186,508	186,508
21	(B) CONF. & TRAVEL	13,000	13,000
22	(C) PROF. FEES	100,000	100,000
23	(D) CAP. OUTLAY	50,000	50,000
24	(E) DATA PROC.	0	0
25	(02) SPECIAL MAINTENANCE	<u>75,000</u>	<u>75,000</u>
26	TOTAL AMOUNT APPROPRIATED	<u>\$ 424,508</u>	<u>\$ 424,508</u>

27

28 SECTION 6. APPROPRIATION - BRAILLE TEXTBOOKS. There is hereby appropriated,

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

30 School for the Blind Fund Account, for the purchase of braille and large print

31 text books for the blind and visually impaired students attending the public

32 schools in Arkansas of the Department of Education - School for the Blind -

33 Braille Textbooks for the biennial period ending June 30, 2001, the following:

35	ITEM	FISCAL YEARS	
36	<u>NO.</u>	<u>1999-2000</u>	<u>2000-2001</u>

1 (01) PURCHASE BRAILLE TEXTBOOK \$ 125,000 \$ 125,000

2

3 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
4 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. BRAILLE AND
5 LARGEPRINT TEXTBOOKS. The State Board of Education shall make reasonable rules
6 and regulations to implement the Braille and Large Print Textbooks
7 appropriation and is hereby authorized to negotiate directly with publishers
8 of Braille and Large Print Textbooks for the purchase of such textbooks.

9

10 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
11 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SUMMER SCHOOL
12 EMPLOYEES. Employees who, in addition to working during the regular school
13 term, also work during summer months shall be authorized as additional
14 compensation an amount not to exceed 1/12 of their annual salary for each
15 month or part thereof worked. Such additional compensation shall not be
16 construed as exceeding the maximum salary authorized for said employees.
17 Payment of additional compensation shall be limited to employees in the
18 following classifications:

SUMMER SCHOOL POSITIONS	GRADE
Teacher for the Sens Imp I	16
Teacher for the Sens Imp II	18
Teacher for the Sens Imp III	19
Teacher for the Sens Imp IV	20

24

25 SECTION 9. SPECIAL LANGUAGE. TEACHERS FOR SENSORY IMPAIRED ENTERING STATE
26 SERVICE. Upon the superintendent's certification to the State Personnel
27 Administrator of prior service at an educational institution and most recent
28 contractual salary, the salary of teachers holding certification in teaching
29 the visually impaired and entering state service as teachers for the sensory
30 impaired may be adjusted to a rate of pay closest to but not less than their
31 most recent annual salary.

32

33 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
35 PROVISION. Upon approval from the Chief Fiscal Officer of the State, the
36 Arkansas School for the Blind shall transfer appropriation from Item No. (08)

1 ~~Summer School Projects~~, in Section 3 of this Act, to Item No. (01) ~~Regular~~
 2 ~~Salaries and to~~ through Item No. ~~(03) Personal Services Matching, (05)~~ in
 3 Section 3 of this Act, to compensate Teachers, Houseparents, Food Service,
 4 Nursing staff, and any other necessary staff who work during the summer ~~term~~
 5 months on summer projects, and to cover other expenses of summer project
 6 activities and to compensate coaches and organization sponsors as referenced
 7 in Section ~~10~~ 11 of this Act.

8

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

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

16 4) Interpretive Services

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

19

20 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ADDITIONAL
 22 SALARY/COMPENSATION PROVISION. No employee drawing a salary or other form of
 23 compensation from the Arkansas Schools for the Deaf or Blind shall be paid an
 24 additional salary or receive additional compensation, other than reimbursement
 25 for actual expenses, from that agency, nor from any other agency or
 26 institution of higher education, except from the Superintendent's written
 27 certification to and approval by the Chief Fiscal Officer of the State that
 28 the work performed by the employee for the other position does not interfere
 29 with the proper and required performance of the employee's primary duties, and
 30 that the combined salary payments from both positions will not exceed the
 31 maximum annual salary for whichever of the two positions has the higher
 32 authorized maximum annual salary.

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

1 any sums received by such employee in violation of this section, together with
2 interest at a rate of ten percent (10%) per annum.

3
4 SECTION 13. SPECIAL LANGUAGE. DUAL POSITION OCCUPANCY. The Board of
5 Trustees for the School for the Blind and the School for the Deaf shall employ
6 and maintain a separate Superintendent and Secondary Principal as authorized
7 by law for each school. In no event shall any one person employed as a
8 Superintendent or Principal for either school occupy more than one position at
9 one time.

10 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SHARED
12 SERVICES. The Chief Fiscal Officer of the State and the State Treasurer are
13 authorized to establish a joint paying account in the State Treasury, upon
14 direction of the Board of Trustees for the Arkansas School for the Blind and
15 the Arkansas School for the Deaf. The Board may transfer positions, funds and
16 appropriations to the paying account from either school to serve both schools
17 in the areas of Accounting, Personnel, Inventory, Safety and Health Services.
18 Funding and appropriations for this account will be from transfers from the
19 fund accounts and appropriations of each agency and shall be divided
20 proportionately from each agency based on student population. Said funds
21 shall be payable from the joint account as if the positions and other
22 budgetary line items of appropriation had originally been established in the
23 joint account. Supervision of this account and supervision of the positions
24 within may come from either school as determined by the Board of Trustees.

25
26 SECTION 15. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
27 by this act shall be limited to the appropriation for such agency and funds
28 made available by law for the support of such appropriations; and the
29 restrictions of the State Purchasing Law, the General Accounting and Budgetary
30 Procedures Law, the Revenue Stabilization Law, the Regular Salary Procedures
31 and Restrictions Act, or their successors, and other fiscal control laws of
32 this State, where applicable, and regulations promulgated by the Department of
33 Finance and Administration, as authorized by law, shall be strictly complied
34 with in disbursement of said funds.

35
36 SECTION 16. LEGISLATIVE INTENT. It is the intent of the General Assembly

1 that any funds disbursed under the authority of the appropriations contained
2 in this act shall be in compliance with the stated reasons for which this act
3 was adopted, as evidenced by the Agency Requests, Executive Recommendations
4 and Legislative Recommendations contained in the budget manuals prepared by
5 the Department of Finance and Administration, letters, or summarized oral
6 testimony in the official minutes of the Arkansas Legislative Council or Joint
7 Budget Committee which relate to its passage and adoption.

8
9 SECTION 17. CODE. All provisions of this Act of a general and permanent
10 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
11 Code Revision Commission shall incorporate the same in the Code.

12
13 SECTION 18. SEVERABILITY. If any provision of this act or the application
14 thereof to any person or circumstance is held invalid, such invalidity shall
15 not affect other provisions or applications of the act which can be given
16 effect without the invalid provision or application, and to this end the
17 provisions of this act are declared to be severable.

18
19 SECTION 19. GENERAL REPEALER. All laws and parts of laws in conflict with
20 this act are hereby repealed.

21
22 SECTION 20. EMERGENCY CLAUSE. It is hereby found and determined by the
23 Eighty-second General Assembly, that the Constitution of the State of Arkansas
24 prohibits the appropriation of funds for more than a two (2) year period; that
25 the effectiveness of this Act on July 1, 1999 is essential to the operation of
26 the agency for which the appropriations in this Act are provided, and that in
27 the event of an extension of the Regular Session, the delay in the effective
28 date of this Act beyond July 1, 1999 could work irreparable harm upon the
29 proper administration and provision of essential governmental programs.
30 Therefore, an emergency is hereby declared to exist and this Act being
31 necessary for the immediate preservation of the public peace, health and
32 safety shall be in full force and effect from and after July 1, 1999.

33 /s/ Joint Budget Committee
34
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36