

1 State of Arkansas
2 89th General Assembly
3 Fiscal Session, 2014
4

A Bill

HOUSE BILL 1102

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
9 AND OPERATING EXPENSES FOR THE DEPARTMENT OF
10 COMMUNITY CORRECTION FOR THE FISCAL YEAR ENDING JUNE
11 30, 2015; AND FOR OTHER PURPOSES.
12
13

Subtitle

14 AN ACT FOR THE DEPARTMENT OF COMMUNITY
15 CORRECTION APPROPRIATION FOR THE 2014-
16 2015 FISCAL YEAR.
17
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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 Community Correction for the 2014-2015 fiscal year, the
24 following maximum number of regular employees.
25

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2014-2015
30	(1) U084U	DCC DIRECTOR	1	\$114,870
31	(2) U083U	DCC CHIEF DEPUTY DIRECTOR	1	\$94,848
32	(3) N130N	DCC DEPUTY DIR ADMINISTRATIVE SERVICES	1	GRADE N904
33	(4) N129N	DCC DEPUTY DIR PAROLE/PROBATION SVCS	1	GRADE N904
34	(5) N114N	DCC DEPUTY DIR RESIDENTIAL SVCS	1	GRADE N904
35	(6) T004C	DCC PROGRAM ADMR PAROLE & PROBATION	2	GRADE C128
36	(7) M001C	DCC TREATMENT ADMINISTRATOR	2	GRADE C128



1	(8)	D007C	INFORMATION SYSTEMS MANAGER	1	GRADE C128
2	(9)	T005C	ADC/DCC CORRECTIONAL WARDEN	6	GRADE C127
3	(10)	A021C	AGENCY CONTROLLER I	1	GRADE C126
4	(11)	G047C	ATTORNEY SPECIALIST	1	GRADE C126
5	(12)	G046C	DCC PLANNING & MGMT SVCS ADMIN	1	GRADE C126
6	(13)	R006C	HUMAN RESOURCES ADMINISTRATOR	1	GRADE C126
7	(14)	T015C	ADC/DCC DEPUTY WARDEN	6	GRADE C124
8	(15)	D030C	INFORMATION SYSTEMS COORDINATOR	1	GRADE C124
9	(16)	R013C	AGENCY HUMAN RESOURCES MANAGER	1	GRADE C123
10	(17)	X025C	DCC PAROLE/PROBATION AREA MANAGER	16	GRADE C123
11	(18)	P004C	PUBLIC INFORMATION MANAGER	1	GRADE C123
12	(19)	D038C	SENIOR SOFTWARE SUPPORT ANALYST	2	GRADE C123
13	(20)	M007C	DCC ASST TREATMENT PROGRAM MGR	6	GRADE C122
14	(21)	G222C	ADC/DCC INTERNAL AFFAIRS ADMIN	1	GRADE C121
15	(22)	T027C	ADC/DCC TRAINING ADMINISTRATOR	1	GRADE C121
16	(23)	X042C	DCC PAROLE/PROBATION ASST AREA MGR	44	GRADE C121
17	(24)	D052C	SOFTWARE SUPPORT ANALYST	6	GRADE C121
18	(25)	T033C	ADC/DCC MAJOR	3	GRADE C120
19	(26)	T038C	ADC TRAINING ACADEMY SUPERVISOR	1	GRADE C119
20	(27)	R021C	BUDGET ANALYST	1	GRADE C119
21	(28)	G154C	DCC PROGRAM COORDINATOR	6	GRADE C119
22	(29)	M021C	DCC TREATMENT SUPERVISOR	7	GRADE C119
23	(30)	D061C	INFO SYSTEMS COORDINATION SPECIALIST	1	GRADE C119
24	(31)	V007C	PROCUREMENT COORDINATOR	1	GRADE C119
25	(32)	T048C	ADC/DCC CAPTAIN	6	GRADE C118
26	(33)	T045C	DCC PAROLE/PROBATION OFFICER	504	GRADE C118
27	(34)	C010C	EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE C118
28	(35)	A074C	FISCAL SUPPORT SUPERVISOR	3	GRADE C118
29	(36)	M026C	LICENSED SOCIAL WORKER	1	GRADE C118
30	(37)	T054C	ADC/DCC LIEUTENANT	31	GRADE C117
31	(38)	M046C	ADC/DCC TREATMENT COORDINATOR	19	GRADE C117
32	(39)	T093C	DCC PAROLE/PROBATION OFFICER II	1	GRADE C117
33	(40)	G180C	GRANTS ANALYST	2	GRADE C117
34	(41)	S026C	ADC/DCC ASST MAINTENANCE SUPERVISOR	8	GRADE C116
35	(42)	T059C	ADC/DCC FOOD PREPARATION MANAGER	11	GRADE C116
36	(43)	C024C	ADC/DCC RECORDS SUPERVISOR	8	GRADE C116

1	(44)	C022C	BUSINESS OPERATIONS SPECIALIST	6	GRADE C116
2	(45)	V014C	BUYER	5	GRADE C116
3	(46)	G200C	CLASSIFICATION & ASSIGNMENT OFFICER	4	GRADE C116
4	(47)	E048C	EDUCATION & INSTRUCTION SPECIALIST	2	GRADE C116
5	(48)	R030C	EEO/GRIEVANCE OFFICER	1	GRADE C116
6	(49)	M048C	SUBSTANCE ABUSE PROGRAM LEADER	51	GRADE C116
7	(50)	E046C	TRAINING INSTRUCTOR	4	GRADE C116
8	(51)	M059C	ADC/DCC ADVISOR	109	GRADE C115
9	(52)	T065C	ADC/DCC CORRECTIONAL SERGEANT	68	GRADE C115
10	(53)	M058C	ADC/DCC PROGRAM SPECIALIST	10	GRADE C115
11	(54)	C037C	ADMINISTRATIVE ANALYST	11	GRADE C115
12	(55)	R033C	BENEFITS ANALYST	1	GRADE C115
13	(56)	M057C	CHAPLAIN	6	GRADE C115
14	(57)	A091C	FISCAL SUPPORT ANALYST	1	GRADE C115
15	(58)	R031C	INSTITUTION HUMAN RESOURCES COORD	6	GRADE C115
16	(59)	A090C	PAYROLL SERVICES SPECIALIST	1	GRADE C115
17	(60)	T070C	ADC/DCC FOOD PREPARATION SUPERVISOR	20	GRADE C114
18	(61)	G215C	CAREER PLANNING & PLACEMENT SPEC	13	GRADE C114
19	(62)	E051C	STAFF DEVELOPMENT SPECIALIST	1	GRADE C114
20	(63)	T076C	ADC/DCC ADMIN REVIEW OFFICER	7	GRADE C113
21	(64)	T075C	ADC/DCC CORPORAL	216	GRADE C113
22	(65)	R036C	HUMAN RESOURCES SPECIALIST	1	GRADE C113
23	(66)	T083C	ADC/DCC CORRECTIONAL OFFICER I	1	GRADE C112
24	(67)	C056C	ADMINISTRATIVE SPECIALIST III	93	GRADE C112
25	(68)	T081C	COMMISSARY MANAGER	6	GRADE C112
26	(69)	A098C	FISCAL SUPPORT SPECIALIST	11	GRADE C112
27	(70)	A097C	PAYROLL TECHNICIAN	1	GRADE C112
28	(71)	V022C	PURCHASING TECHNICIAN	1	GRADE C112
29	(72)	C073C	ADMINISTRATIVE SPECIALIST II	<u>73</u>	GRADE C109
30			MAX. NO. OF EMPLOYEES	1,450	

31

32 SECTION 2. EXTRA HELP. There is hereby authorized, for the Department
33 of Community Correction for the 2014-2015 fiscal year, the following maximum
34 number of part-time or temporary employees, to be known as "Extra Help",
35 payable from funds appropriated herein for such purposes: ten (10) temporary
36 or part-time employees, when needed, at rates of pay not to exceed those

1 provided in the Uniform Classification and Compensation Act, or its
 2 successor, or this act for the appropriate classification.

3
 4 SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby
 5 appropriated, to the Department of Community Correction, to be payable from
 6 the Department of Community Correction Fund Account, for personal services
 7 and operating expenses of the Department of Community Correction - State
 8 Operations for the fiscal year ending June 30, 2015, the following:

10 ITEM	FISCAL YEAR
11 <u>NO.</u>	<u>2014-2015</u>
12 (01) REGULAR SALARIES	\$47,297,009
13 (02) EXTRA HELP	0
14 (03) PERSONAL SERVICES MATCHING	17,645,378
15 (04) OVERTIME	100,000
16 (05) MAINT. & GEN. OPERATION	
17 (A) OPER. EXPENSE	11,019,842
18 (B) CONF. & TRAVEL	2,400
19 (C) PROF. FEES	9,218,181
20 (D) CAP. OUTLAY	134,000
21 (E) DATA PROC.	<u>0</u>
22 TOTAL AMOUNT APPROPRIATED	<u>\$85,416,810</u>

23
 24 SECTION 4. APPROPRIATION - OPERATIONS - SPECIAL REVENUE. There is
 25 hereby appropriated, to the Department of Community Correction, to be payable
 26 from the Community Correction Revolving Fund, for personal services and
 27 operating expenses of the Department of Community Correction - Special
 28 Revenue Operations for the fiscal year ending June 30, 2015, the following:

30 ITEM	FISCAL YEAR
31 <u>NO.</u>	<u>2014-2015</u>
32 (01) REGULAR SALARIES	\$3,121,251
33 (02) PERSONAL SERVICES MATCHING	1,160,451
34 (03) MAINT. & GEN. OPERATION	
35 (A) OPER. EXPENSE	727,646
36 (B) CONF. & TRAVEL	1,000

1	(C) PROF. FEES	0
2	(D) CAP. OUTLAY	90,000
3	(E) DATA PROC.	0
4	(04) WAR MEMORIAL STADIUM COMMISSION	
5	PARKING SERVICES FROM FEES	10,000
6	(05) COMMUNITY CORRECTION PROGRAM	<u>8,004,077</u>
7	TOTAL AMOUNT APPROPRIATED	<u>\$13,114,425</u>

8

9 SECTION 5. APPROPRIATION - FEDERAL PROGRAMS. There is hereby

10 appropriated, to the Department of Community Correction, to be payable from

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

12 operating expenses of the Department of Community Correction - Federal

13 Programs for the fiscal year ending June 30, 2015, the following:

15	ITEM	FISCAL YEAR
16	<u>NO.</u>	<u>2014-2015</u>
17	(01) MAINT. & GEN. OPERATION	
18	(A) OPER. EXPENSE	\$206,270
19	(B) CONF. & TRAVEL	74,415
20	(C) PROF. FEES	3,210,386
21	(D) CAP. OUTLAY	0
22	(E) DATA PROC.	0
23	(02) FEDERAL GRANTS AND AID	<u>646,811</u>
24	TOTAL AMOUNT APPROPRIATED	<u>\$4,137,882</u>

25

26 SECTION 6. APPROPRIATION - RESIDENTS SERVICES - CASH. There is hereby

27 appropriated, to the Department of Community Correction, to be payable from

28 the cash fund deposited in the State Treasury as determined by the Chief

29 Fiscal Officer of the State, for operating expenses of the Department of

30 Community Correction - Residents Services for the fiscal year ending June 30,

31 2015, the following:

33	ITEM	FISCAL YEAR
34	<u>NO.</u>	<u>2014-2015</u>
35	(01) MAINT. & GEN. OPERATION	
36	(A) OPER. EXPENSE	\$2,182,846

1	(B) CONF. & TRAVEL	62,870
2	(C) PROF. FEES	101,800
3	(D) CAP. OUTLAY	241,500
4	(E) DATA PROC.	<u>0</u>
5	TOTAL AMOUNT APPROPRIATED	<u><u>\$2,589,016</u></u>

6

7 SECTION 7. APPROPRIATION - COUNTY JAIL REIMBURSEMENT. There is hereby

8 appropriated, to the Department of Community Correction, to be payable from

9 the County Jail Reimbursement Fund, for reimbursement to counties housing

10 state inmates of the Department of Community Correction for the fiscal year

11 ending June 30, 2015, the following:

12		
13	ITEM	FISCAL YEAR
14	<u>NO.</u>	<u>2014-2015</u>
15	(01) REIMBURSEMENT TO COUNTIES HOUSING	
16	STATE INMATES	<u><u>\$3,109,636</u></u>

17

18 SECTION 8. APPROPRIATION - BEST PRACTICES. There is hereby

19 appropriated, to the Department of Community Correction, to be payable from

20 the Best Practices Fund, for operation expenses of the Department of

21 Community Correction - Best Practices for the fiscal year ending June 30,

22 2015, the following:

23		
24	ITEM	FISCAL YEAR
25	<u>NO.</u>	<u>2014-2015</u>
26	(01) COMMUNITY CORRECTION PROGRAM	<u><u>\$4,000,000</u></u>

27

28 SECTION 9. APPROPRIATION - DRUG COURTS. There is hereby appropriated,

29 to the Department of Community Correction, to be payable from the Department

30 of Community Correction Fund Account, for programming, personal services and

31 operating expenses for Drug Courts of the Department of Community Correction

32 for the fiscal year ending June 30, 2015, the following:

33		
34	ITEM	FISCAL YEAR
35	<u>NO.</u>	<u>2014-2015</u>
36	(01) DRUG COURTS	<u><u>\$500,000</u></u>

1
2 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
3 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COMMUNITY
4 CORRECTION PROGRAM LINE ITEM USES. After seeking and receiving approval of
5 the Governor and Chief Fiscal Officer of the State and upon approval by the
6 Arkansas Legislative Council or Joint Budget Committee, the Director of the
7 Department of Community Correction, as authorized by the Board of
8 Corrections, is authorized to use funds appropriated for "Community
9 Correction Program" line item in this Act to construct new or renovate
10 existing facilities to support the development of community correction
11 facilities in the state.

12 Determining the maximum number of employees and the maximum amount of
13 appropriation and general revenue funding for a state agency each fiscal year
14 is the prerogative of the General Assembly. This is usually accomplished by
15 delineating such maximums in the appropriation act(s) for a state agency and
16 the general revenue allocations authorized for each fund and fund account by
17 amendment to the Revenue Stabilization law. Further, the General Assembly
18 has determined that the Department of Community Correction may operate more
19 efficiently if some flexibility is provided to the Department of Community
20 Correction authorizing broad powers under this Section. Therefore, it is both
21 necessary and appropriate that the General Assembly maintain oversight by
22 requiring prior approval of the Legislative Council or Joint Budget Committee
23 as provided by this section. The requirement of approval by the Legislative
24 Council or Joint Budget Committee is not a severable part of this section.
25 If the requirement of approval by the Legislative Council or Joint Budget
26 Committee is ruled unconstitutional by a court of competent jurisdiction,
27 this entire section is void.

28 The provisions of this section shall be in effect only from July 1, ~~2013~~
29 2014 through June 30, ~~2014~~ 2015.

30
31 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MOTOR
33 VEHICLE PURCHASE PROVISION. The Department of Community Correction is hereby
34 authorized to purchase motor vehicles from the appropriations authorized for
35 Capital Outlay in Section 3 and Section 4 in this Act.

36 The provisions of this section shall be in effect only from July 1, ~~2013~~

1 2014 through June 30, ~~2014~~ 2015.

2
3 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PARKING
5 FEES. On July 1, of each year the Department of Community Correction shall
6 pay from the appropriation provided herein from non-general revenue, the
7 total amount appropriated for War Memorial Stadium Commission Parking
8 Services from Fees to the War Memorial Stadium Commission.

9 The provisions of this section shall be in effect only from July 1, ~~2013~~
10 2014 through June 30, ~~2014~~ 2015.

11
12 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
14 PROVISION. Upon seeking and receiving approval from the Chief Fiscal Officer
15 of the State and review and approval by the Arkansas Legislative Council or
16 Joint Budget Committee, the Director of the Department of Community
17 Correction is authorized to transfer appropriation from any line item
18 authorized in Section 3 and Section 4 of this Act to any other line item
19 authorized in Section 3 and Section 4 of this Act.

20 Determining the maximum number of employees and the maximum amount of
21 appropriation and general revenue funding for a state agency each fiscal year
22 is the prerogative of the General Assembly. This is usually accomplished by
23 delineating such maximums in the appropriation act(s) for a state agency and
24 the general revenue allocations authorized for each fund and fund account by
25 amendment to the Revenue Stabilization law. Further, the General Assembly
26 has determined that the Department of Community Correction may operate more
27 efficiently if some flexibility is provided to the Department of Community
28 Correction authorizing broad powers under this Section. Therefore, it is both
29 necessary and appropriate that the General Assembly maintain oversight by
30 requiring prior approval of the Legislative Council or Joint Budget Committee
31 as provided by this section. The requirement of approval by the Legislative
32 Council or Joint Budget Committee is not a severable part of this section.
33 If the requirement of approval by the Legislative Council or Joint Budget
34 Committee is ruled unconstitutional by a court of competent jurisdiction,
35 this entire section is void.

36 The provisions of this section shall be in effect only from July 1, ~~2013~~

1 2014 through June 30, ~~2014~~ 2015.

2

3 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
5 REALLOCATION OF RESOURCES. Upon determination by the Board of Corrections
6 that a reallocation of resources within the Department of Community
7 Correction and Department of Correction is necessary for the efficient and
8 effective operation of the departments, the Board, with approval of the
9 Governor and approval by the Arkansas Legislative Council or Joint Budget
10 Committee, shall have the authority to instruct the department directors, to
11 request from the Chief Fiscal Officer of the State, a transfer of positions,
12 programs, funds, appropriations, and line-item appropriations within or
13 between existing and newly created divisions, offices, sections, or units of
14 the departments. If it is determined that the requested transfer should be
15 made, the Chief Fiscal Officer of the State shall then initiate the necessary
16 transfer documents to reflect the transfers upon the fiscal records of the
17 State Treasurer, the State Auditor, the Chief Fiscal Officer of the State,
18 and the Departments of Correction and Community Correction. Provided,
19 however, that the Board shall be limited to submitting no more than two
20 requests, encompassing a single purpose listed in this section, during any
21 fiscal year per department. Transfer authority shall further be limited to
22 no more than five percent (5%) of the total General Revenue and Special
23 Revenue appropriation, funding, and positions specific to each agency.
24 However, there shall be no transfers to or from the County Jail Reimbursement
25 Fund. A Reallocation of Resources Transfer shall be limited to the following
26 specific purposes:
27 a) Costs to open and operate temporary beds;
28 b) Payment of Debt Service;
29 c) Payment of Overtime Expenses;
30 d) Unanticipated increases for medical or private prison contracts;
31 e) Construction/renovation/equipping of new beds;
32 f) Deficits in Farm or Industry Program;
33 g) Losses not covered by insurance proceeds;
34 h) Costs of personnel for critical services or necessary to carry out the
35 mission of the agency.
36 Determining the maximum number of employees and the maximum amount of

1 appropriation and general revenue funding for a state agency each fiscal year
 2 is the prerogative of the General Assembly. This is usually accomplished by
 3 delineating such maximums in the appropriation act(s) for a state agency and
 4 the general revenue allocations authorized for each fund and fund account by
 5 amendment to the Revenue Stabilization law. Further, the General Assembly
 6 has determined that the Department of Correction and the Department of
 7 Community Correction may operate more efficiently if some flexibility is
 8 provided to the Board of Corrections authorizing broad powers under the
 9 Reallocation of Resources provisions herein. Therefore, it is both necessary
 10 and appropriate that the General Assembly maintain oversight by requiring
 11 prior approval of the Legislative Council or Joint Budget Committee as
 12 provided by this section. The requirement of approval by the Legislative
 13 Council or Joint Budget Committee is not a severable part of this section.
 14 If the requirement of approval by the Legislative Council or Joint Budget
 15 Committee is ruled unconstitutional by a court jurisdiction, this entire
 16 section is void.

17 The provisions of this section shall be in effect only from July 1, ~~2013~~
 18 2014 through June 30, ~~2014~~ 2015.

19
 20 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HOLIDAY
 22 COMPENSATION. The Department of Community Correction is authorized to pay
 23 employees for up to ninety-six (96) hours of unused holidays exceeding a
 24 balance in the employee's holiday account of one-hundred fifty (150) hours
 25 following the end of the calendar year. Payments of unused holiday hours must
 26 be processed on or before June 1st in each fiscal year. Employees terminating
 27 employment from the Department of Community Correction will be eligible for
 28 all holiday pay accrued during the years of service. This request is
 29 contingent on approval by the Chief Fiscal Officer of the State after the
 30 Director of the Department of Community Correction has verified that
 31 sufficient revenues are available to make such payments to employees in the
 32 following classifications:

33
 34
 35
 36

	Maximum Annual
	Salary Rate
Class	Fiscal Year

Code	Title	2013-2014 2014-2015
T033C	ADC/DCC MAJOR	GRADE C120
T048C	ADC/DCC CAPTAIN	GRADE C118
T054C	ADC/DCC LIEUTENANT	GRADE C117
T065C	ADC/DCC CORRECTIONAL SERGEANT	GRADE C115
T075C	ADC/DCC CORPORAL	GRADE C113
T083C	ADC/DCC CORRECTIONAL OFFICER I	GRADE C112

8 The provisions of this section shall be in effect only from July 1, ~~2013~~
 9 2014 through June 30, ~~2014~~ 2015.

10

11 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MEDICAL
 13 SERVICES - CONTINGENCY POSITIONS. If it has been determined by the Board of
 14 Corrections that the Department of Community Correction cannot continue a
 15 medical contract with a private provider and the Board deems it necessary to
 16 utilize Department staff to provide the required services, the Department is
 17 allowed, upon notification of the Chief Fiscal Officer of the State and after
 18 seeking prior review by the Arkansas Legislative Council or Joint Budget
 19 Committee, to utilize the contingent positions for medical services contained
 20 in this Act and make the appropriate transfers from the Professional Fees and
 21 Services line item contained in Section 3 of this Act to Regular Salaries,
 22 Personal Services Matching and various Maintenance and General Operations
 23 classifications. Further, the Department may utilize the service(s) of a
 24 state-based or national-based Professional Recruitment Service, or network,
 25 as may be necessary to recruit, fill, or maintain the occupancy of the
 26 positions stated herein.

27 The provisions of this section shall be in effect only from July 1, ~~2013~~
 28 2014 through June 30, ~~2014~~ 2015.

29

30 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REGULAR
 32 SALARIES - CONTINGENT POSITIONS. There is hereby established for the
 33 Department of Community Correction - Contingent Positions for the ~~2013-2014~~
 34 2014-2015 fiscal year, the following maximum number of regular employees.

35

36 CONTINGENT POSITIONS - MEDICAL SERVICES

				MAXIMUM ANNUAL	
				MAXIMUM	SALARY RATE
ITEM	CLASS			NO. OF	FISCAL YEAR
NO.	CODE	TITLE		EMPLOYEES	2013-2014 2014-2015
5	(1)	L009C	NURSE MANAGER	1	GRADE C125
6	(2)	L033C	PSYCH. EXAMINER	1	GRADE C121
7	(3)	M026C	LICENSED SOCIAL WORKER	6	GRADE C118
8	(4)	L032C	REGISTERED NURSE HOSPITAL	7	GRADE C121
9	(5)	L069C	LIC PRACT NURSE	25	GRADE C113
10	(6)	C056C	ADMIN SPECIALIST III	2	GRADE C112
11	(7)	G238C	ADMINISTRATOR	1	GRADE C123
12	(8)	L081C	DENTAL ASSISTANT	1	GRADE C109
13	(9)	L013N	DENTAL DIRECTOR	1	GRADE N916
14	(10)	L071C	DENTAL HYGIENIST	1	GRADE C113
15	(11)	L011N	DENTIST	1	GRADE N916
16	(12)	Q109C	MEDICAL RECORDS DIRECTOR	1	GRADE C118
17	(13)	L008N	PHYSICIAN - STAFF	1	GRADE N917
18	(14)	L024N	PSYCHIATRIC DIRECTOR	1	GRADE N919
19	(15)	L005N	PSYCHIATRIST	1	GRADE N919
20	(16)	L003C	PSYCHOLOGIST - PT	1	GRADE C127
21	(17)	C019C	REGIONAL MANAGER	1	GRADE C117
22	(18)	C056C	SECRETARY/ADMIN ASST	<u>1</u>	GRADE C112

23 MAXIMUM NUMBER OF CONTINGENT
 24 EMPLOYEES - MEDICAL SERVICES 54

25 If the agency requests continuation of a "Growth Pool" position(s) as
 26 established herein during the next fiscal year, the position(s) must be
 27 requested as a new position(s) in the agency's budget request.

28 The provisions of this section shall be in effect only from July 1, ~~2013~~
 29 2014 through June 30, ~~2014~~ 2015.

30
 31 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COMMUNITY
 33 CORRECTION PROGRAM LINE ITEM USES. The appropriations authorized under the
 34 line item established herein for "Community Correction Program" are to be
 35 used by the Department of Community Correction for establishment and
 36 operation of, to include construction, renovation, and contracting for

1 establishment and operation of, residential and non-residential community
2 correction programs such as, but not limited to, community correction
3 centers, drug, alcohol, and mental health treatments, intensive supervision,
4 restitution, and others as established and approved by the Board of
5 Corrections and as may be provided by law.

6 The provisions of this section shall be in effect only from July 1, ~~2013~~
7 2014 through June 30, ~~2014~~ 2015.

8
9 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
11 AUTHORITY FOR UTILITY AND FUEL RATE INCREASE. In the event of a ten percent
12 (10%) increase in utility and fuel rates, the Department of Community
13 Correction is authorized to transfer from any line item in Section 3 - State
14 Operations to Operating Expense Item (05)(A) in Section 3 - State Operations
15 for support of the increase after receiving approval of the Chief Fiscal
16 Officer of the State. Prior to the utilization of the transfer authority a
17 report shall be made to the Arkansas Legislative Council or Joint Budget
18 Committee including justification for the transfer and the amount of
19 transfer.

20 Determining the maximum number of employees and the maximum amount of
21 appropriation and general revenue funding for a state agency each fiscal year
22 is the prerogative of the General Assembly. This is usually accomplished by
23 delineating such maximums in the appropriation act(s) for a state agency and
24 the general revenue allocations authorized for each fund and fund account by
25 amendment to the Revenue Stabilization law. Further, the General Assembly
26 has determined that the Department of Community Correction may operate more
27 efficiently if some flexibility is provided to the Department of Community
28 Correction authorizing broad powers under this Section. Therefore, it is
29 both necessary and appropriate that the General Assembly maintain oversight
30 by requiring prior approval of the Legislative Council or Joint Budget
31 Committee as provided by this section. The requirement of approval by the
32 Legislative Council or Joint Budget Committee is not a severable part of this
33 section. If the requirement of approval by the Legislative Council or Joint
34 Budget Committee is ruled unconstitutional by a court of competent
35 jurisdiction, this entire section is void.

36

1 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY
3 JAIL INVOICE SUMMARY. The Departments of Correction and Community
4 Correction, shall at a minimum and on a fiscal year basis, prepare and post
5 on the applicable agency web site, a monthly summary of county jail
6 reimbursement invoices prepared and forwarded to each county sheriff for
7 verification by the Departments and for payment from the County Jail
8 Reimbursement Fund. In addition, the report shall include a summary of
9 invoices returned by each county for payment for previous months within the
10 fiscal year, the amounts paid, and any balances owed. Each fiscal year-end
11 report shall be maintained on the web sites for a period of no less than
12 three (3) years.
13

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

24 SECTION 22. LEGISLATIVE INTENT. It is the intent of the General
25 Assembly that any funds disbursed under the authority of the appropriations
26 contained in this act shall be in compliance with the stated reasons for
27 which this act was adopted, as evidenced by the Agency Requests, Executive
28 Recommendations and Legislative Recommendations contained in the budget
29 manuals prepared by the Department of Finance and Administration, letters, or
30 summarized oral testimony in the official minutes of the Arkansas Legislative
31 Council or Joint Budget Committee which relate to its passage and adoption.
32

33 SECTION 23. EMERGENCY CLAUSE. It is found and determined by the
34 General Assembly, that the Constitution of the State of Arkansas prohibits
35 the appropriation of funds for more than a one (1) year period; that the
36 effectiveness of this Act on July 1, 2014 is essential to the operation of

1 the agency for which the appropriations in this Act are provided, and that in
2 the event of an extension of the legislative session, the delay in the
3 effective date of this Act beyond July 1, 2014 could work irreparable harm
4 upon the proper administration and provision of essential governmental
5 programs. Therefore, an emergency is hereby declared to exist and this Act
6 being necessary for the immediate preservation of the public peace, health
7 and safety shall be in full force and effect from and after July 1, 2014.

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10 **APPROVED: 02/28/2014**
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