Stricken language will be deleted and underlined language will be added. Act 289 of the Fiscal Session

2 Soun General Assembly IN LDII1 3 Fiscal Session, 2014 HOUSE BILL 115 4 By: Joint Budget Committee For An Act To Be Entitled 6 An ACT TO MAKE AN APPROPRIATION FOR THE PAYMENT OF 7 For An Act To Be Entitled 8 AN ACT TO MAKE AN APPROPRIATION FOR THE DEPARTMENT OF CORRECTION 10 WHICH SHALL BE SUPPLEMENTAL AND IN ADDITION TO THOSE 11 FUNDS APPROPRIATED BY ACT 1207 OF 2013; AND FOR OTHER 12 PURPOSES. 13 I 14 Subtitle 15 Subtitle 16 AN ACT FOR THE DEPARTMENT OF CORRECTION - 17 HOLIDAY COMPENSATION SUPPLEMENTAL 18 APPROPRIATION. 19 I 20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS: 21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS: 22 SECTION 1. APPROPRIATION - INMATE CARE & CUSTODY. There is hereby 23 SECTION 1. APPROPRIATION - INMATE CARE & CUSTODY. There is hereby 24 appropriated, to the Department of Correction, to be payable from the 25 Department of Correction Numate Care and Cus	1	State of Arkansas	As Engrossed:	$\operatorname{ABill}^{{\scriptscriptstyle H3/4/14}}$				
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10 WHICH SHALL BE SUPPLEMENTAL AND IN ADDITION TO THOSE 11 FUNDS APPROPRIATED BY ACT 1207 OF 2013; AND FOR OTHER 12 PURPOSES. 13 PURPOSES. 14 Subtile 15 Subtile 16 AN ACT FOR THE DEPARTMENT OF CORRECTION - 17 HOLIDAY COMPENSATION SUPPLEMENTAL 18 APPROPRIATION. 19	-							
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18 APPROPRIATION. 19	16	AN .	ACT FOR THE DEPART	IMENT OF CORRECTION	-			
19 20 21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS: 22 23 SECTION 1. APPROPRIATION - INMATE CARE & CUSTODY. There is hereby 24 appropriated, to the Department of Correction, to be payable from the 25 Department of Correction Inmate Care and Custody Fund Account, for personal 26 services of the Department of Correction which shall be supplemental and in 27 addition to those funds appropriated in Section 3 of Act 1207 of 2013, the 28 following: 29	17	HOL	IDAY COMPENSATION	SUPPLEMENTAL				
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22 23 SECTION 1. APPROPRIATION - INMATE CARE & CUSTODY. There is hereby 24 appropriated, to the Department of Correction, to be payable from the 25 Department of Correction Inmate Care and Custody Fund Account, for personal 26 services of the Department of Correction which shall be supplemental and in 27 addition to those funds appropriated in Section 3 of Act 1207 of 2013, the 28 following: 29	20							
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services of the Department of Correction which shall be supplemental and in addition to those funds appropriated in Section 3 of Act 1207 of 2013, the following:	24	appropriated, to the	Department of Cor	rection, to be paya	able from the			
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28 following: 29	26	services of the Depar	rtment of Correcti	on which shall be s	supplemental and in			
29	27	addition to those fur	nds appropriated i	In Section 3 of Act	1207 of 2013, the			
		following:						
30 ITEM FISCAL YEAR								
31 <u>NO.</u> 2013-2014								
32 (01) REGULAR SALARIES \$3,757,000								
33 (02) PERSONAL SERVICES MATCHING <u>1,243,000</u>								
34 TOTAL AMOUNT APPROPRIATED \$5,000,000		TOTAL AMOUNT API	PROPRIATED		<u> </u>			
3536 SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS		ፍድርጥተለክ ን ፍክም			TINTO THE ADVANCAS			



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As Engrossed: H3/4/14 H3/7/14

1	CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY	LAW. <u>FUND</u>				
2	TRANSFER. Immediately upon the effective date of this Act, t	he Chief Fiscal				
3	Officer of the State shall transfer on his or her books and those of the					
4	State Treasurer and the Auditor of the State the sum of five	million dollars				
5	(\$5,000,000) from the unobligated funds in the General Improv	rement Fund to				
6	the Department of Correction Inmate Care and Custody Fund Acc	ount to provide				
7	funds for the payments of banked employee holiday compensation	on balances.				
8						
9	SECTION 3. Section 18 of uncodified Act 1207 of 2013 i	is amended to				
10	read as follows:					
11	SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED IN	ITO THE ARKANSAS				
12	CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY	Z LAW. HOLIDAY				
13	COMPENSATION. The Department of Correction is authorized to sh	nall pay				
14	employees for up to one-hundred fifty (150) hours of unused h	noliday s				
15	<u>compensation</u> exceeding a balance in the employee's holiday ac	count of ninety-				
16	six (96) hours following the end of the calendar year. Paymen	nts of unused				
17	Holiday hours must be processed on or before June lst in each fiscal year.					
18	Employees terminating employment from the Department of Correction will be					
19	eligible for all holiday pay accrued during the years of service. This					
20	request is contingent on approval by the Chief Fiscal Officer of the State					
21	after the Director of the Department of Correction has verified that					
22	sufficient revenues are available to make such payments These payments shall					
23	be available to employees who have served in the following cl	lassifications:				
24						
25	Class					
26	<u>Code Title</u>	Grade				
27	TO33C ADC/DCC MAJOR	GRADE C120				
28	TO48C ADC/DCC CAPTAIN	GRADE C118				
29	T054C ADC/DCC LIEUTENANT	GRADE C117				
30	TO65C ADC/DCC CORRECTIONAL SERGEANT	GRADE C115				
31	S044C FOOD PREPARATION MANAGER	GRADE C114				
32	TO75C ADC/DCC CORPORAL	GRADE C113				
33	TO83C ADC/DCC CORRECTIONAL OFFICER I	GRADE C112				
34	S056C FOOD PREPARATION SUPERVISOR	GRADE C111				
35	The provisions of this section shall be in effect only fro	om July 1, 2012				
36	2013 through June 30 2013 2014					

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36 <u>2013</u> through June 30, <u>2013</u> <u>2014</u>.

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SECTION 4. COMPLIANCE WITH OTHER LAWS. Disbursement of funds 2 authorized by this act shall be limited to the appropriation for such agency 3 4 and funds made available by law for the support of such appropriations; and 5 the restrictions of the State Procurement Law, the General Accounting and 6 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary 7 Procedures and Restrictions Act, or their successors, and other fiscal 8 control laws of this State, where applicable, and regulations promulgated by 9 the Department of Finance and Administration, as authorized by law, shall be 10 strictly complied with in disbursement of said funds.

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SECTION 5. LEGISLATIVE INTENT. It is the intent of the General 12 Assembly that any funds disbursed under the authority of the appropriations 13 14 contained in this act shall be in compliance with the stated reasons for 15 which this act was adopted, as evidenced by the Agency Requests, Executive 16 Recommendations and Legislative Recommendations contained in the budget 17 manuals prepared by the Department of Finance and Administration, letters, or 18 summarized oral testimony in the official minutes of the Arkansas Legislative 19 Council or Joint Budget Committee which relate to its passage and adoption. 20

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SECTION 6. EMERGENCY CLAUSE. It is found and determined by the General 21 22 Assembly, that funds provided by the General Assembly for the operations of 23 the Department of Correction are, due to unforeseen circumstances, insufficient for the Department of Correction to continue to provide 24 25 essential governmental services; that the provisions of this act will provide 26 the necessary monies for the Department of Correction to continue such 27 services; and that a delay in the effective date of this Act could work irreparable harm upon the proper administration and provision of essential 28 29 governmental programs. Therefore, an emergency is hereby declared to exist 30 and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after the 31 32 date of its passage and approval. 33 If the bill is neither approved nor vetoed by the Governor, it shall 34 become effective on the expiration of the period of time during which the 35 Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house 36

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1	overrides the veto.	
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3	/s/Joint Budget Committee	
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6	APPROVED: 03/13/2014	
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