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Hall of the House of Representatives

93rd General Assembly - Regular Session, 2021

Amendment Form

DRAFT

Subtitle of House Bill No. 1206

AN ACT FOR THE DEPARTMENT OF CORRECTIONS - DIVISION OF CORRECTION APPROPRIATION
FOR THE 2021-2022 FISCAL YEAR.

Amendment No. ___ to House Bill No. 1206

Amend House Bill No. 1206 as originally introduced:

Page 28, line 5, delete "or from any",

And

Page 28, delete lines 6 through 9 in their entirety and substitute with the following:

"into the Professional Fees and Services line item contained in the Inmate Care & Custody appropriation of this Act to operate new facilities."

DRAFT

The Amendment was read _____
By: Joint Budget Committee
By: Representative Payton
DJC/DJC - 01-27-2021 09:25:11
DJC016

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021

A Bill

HOUSE BILL 1206

4
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 CORRECTIONS - DIVISION OF CORRECTION FOR THE FISCAL
11 YEAR ENDING JUNE 30, 2022; AND FOR OTHER PURPOSES.
12
13

Subtitle

14 AN ACT FOR THE DEPARTMENT OF CORRECTIONS
15 - DIVISION OF CORRECTION APPROPRIATION
16 FOR THE 2021-2022 FISCAL YEAR.
17
18
19

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

22 SECTION 1. REGULAR SALARIES - SHARED SERVICES. There is hereby
23 established for the Department of Corrections for the 2021-2022 fiscal year,
24 the following maximum number of regular employees.
25

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2021-2022
30	(1) SC003	SECRETARY OF CORRECTIONS	1	GRADE SE05
31	(2) U083U	DOC CHIEF DEPUTY DIRECTOR	1	GRADE SE01
32	(3) D140C	DOC CHIEF INFORMATION OFFICER	1	GRADE IT11
33	(4) D012C	DATABASE SPECIALIST	1	GRADE IT08
34	(5) D094C	DCC PROJ & ENTERPRISE PROGRAM MGMT ADMIN	1	GRADE IT08
35	(6) D007C	INFORMATION SYSTEMS MANAGER	1	GRADE IT08
36	(7) D030C	INFORMATION SYSTEMS COORDINATOR	2	GRADE IT07




1 If the requirement of approval by the Legislative Council or Joint Budget
2 Committee is ruled unconstitutional by a court of competent jurisdiction,
3 this entire section is void.

4 The provisions of this section shall be in effect only from July 1, 2020
5 2021 through June 30, ~~2021~~ 2022.

6
7 SECTION 35. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL
9 REVENUE/CASH FUNDS TRANSFER. The Department of Corrections is authorized to
10 transfer funds from various Special Revenue and Cash Funds into the Inmate
11 Care and Custody Fund Account in order to adjust to the budget needs upon
12 prior approval by the Arkansas Legislative Council or Joint Budget Committee
13 and approval of the Board of Corrections and the Chief Fiscal Officer of the
14 State.

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

31 The provisions of this section shall be in effect only from July 1, 2020
32 2021 through June 30, ~~2021~~ 2022.

33
34  SECTION 36. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. NEW
36 FACILITIES. If it is found that contracting for the operation of new

1 facilities is economically beneficial to the State of Arkansas, the
 2 Department of Corrections may, after receiving approval of the Chief Fiscal
 3 Officer, and seeking prior review and approval by the Arkansas Legislative
 4 Council or Joint Budget Committee, transfer from any line item appropriation
 5 contained in the Inmate Care & Custody appropriation of this Act or from any
 6 other appropriation acts authorized by the department into the ~~Professional~~
 7 ~~Fees and Services line item contained in the Inmate Care & Custody~~
 8 ~~appropriation of this Act~~ Shared Services appropriations and line items for
 9 payment to operate new facilities.

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

26 The provisions of this section shall be in effect only from July 1, 2020
 27 2021 through June 30, ~~2021~~ 2022.

28
 29 SECTION 37. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

31 APPROPRIATION TRANSFER FOR CONSTRUCTING AND EQUIPPING. The Department of
 32 Corrections is hereby authorized to transfer appropriations between any line
 33 items authorized herein but only for the purpose of financing construction or
 34 equipment for a facility of the department. Any transfers authorized by this
 35 section shall require the approval of the Chief Fiscal Officer of the State
 36 after prior review and approval by the Legislative Council or Joint Budget