

1 **State of Arkansas**
2 **80th General Assembly**
3 **Regular Session, 1995**
4 **By: Joint Budget Committee**

A Bill

ACT 316 OF 1995
SENATE BILL 264

For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND
9 OPERATING EXPENSES FOR THE ARKANSAS DEPARTMENT OF
10 COMMUNITY PUNISHMENT FOR THE BIENNIAL PERIOD ENDING JUNE
11 30, 1997; AND FOR OTHER PURPOSES."

Subtitle

14 "AN ACT FOR THE ARKANSAS DEPARTMENT OF
15 COMMUNITY PUNISHMENT APPROPRIATION FOR
16 THE 1995-97 BIENNIUM."

18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

20 SECTION 1. REGULAR SALARIES. There is hereby established for the
21 Arkansas Department of Community Punishment for the 1995-97 biennium, the
22 following maximum number of regular employees whose salaries shall be governed
23 by the provisions of the Uniform Classification and Compensation Act (Arkansas
24 Code §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
25 Provided, however, that any position to which a specific maximum annual salary
26 is set out herein in dollars, shall be exempt from the provisions of said
27 Uniform Classification and Compensation Act. All persons occupying positions
28 authorized herein are hereby governed by the provisions of the Regular
29 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its
30 successor.

Item	Class	No. of	Maximum Annual	
			Employees	Salary Rate
No.	Code	Title	1995-96	1996-97
36	(1) 8052	COMMUNITY PUNISHMENT DIRECTOR	1	\$ 66,349 \$ 68,007

1	(2)	8053 COMM PUNISHMENT ASST DIR	1	\$ 52,967	\$ 54,291
2	(3)	8801 DCP INSTITUTIONAL ADMINISTRATOR	1	\$ 51,250	\$ 52,531
3	(4)	8906 CP ASST DIRECTOR FIELD OPERATIONS	1	\$ 49,102	\$ 50,329
4	(5)	8905 COMMUNITY PUNISHMENT PROGRAM ADMR	3	\$ 43,898	\$ 44,995
5	(6)	N334 ASST. PUBLIC RELATIONS	1	\$ 33,600	\$ 34,440
6	(7)	102Z WARDEN II	4		GRADE 26
7	(8)	R170 ATTORNEY SPECIALIST	1		GRADE 25
8		L124 PSYCHOLOGIST	1		
9	(9)	D130 INFORMATION SYSTEMS ADMINISTRATOR	1		GRADE 24
10	(10)	091Z ASSISTANT WARDEN	4		GRADE 23
11		181Z COMPLIANCE ADMINISTRATOR	1		
12	(11)	T014 CHIEF SECURITY OFFICER	4		GRADE 22
13		E051 TRAINING PROJECT MANAGER	1		
14		119Z CP/COR PERSONNEL MANAGER	1		
15	(12)	L122 PSYCHOLOGICAL EXAMINER II	3		GRADE 21
16		T008 CP/CORRECTIONAL OFFICER IV	13		
17		V012 PURCHASING MANAGER	1		
18		D036 SR PROGRAMMER/ANALYST	1		
19		R172 INTERSTATE COMPACT ADMR	1		
20		T001 CP/COR PARDONS & PAROLES ASST ADMR	1		
21	(13)	M088 SOCIAL WORKER II	4		GRADE 20
22		T006 CP/CORRECTIONAL OFFICER III	38		
23		M016 SR CHAPLAIN	3		
24		R266 MANAGEMENT PROJECT ANALYST II	3		
25		T034 PAROLE/PROBATION OFFICER SUPV	19		
26	(14)	T010 CP/CORRECTIONAL SERGEANT	51		GRADE 19
27		M114 SUBSTANCE ABUSE PROGRAM LEADER	12		
28		H030 CP/COR FOOD PRODUCTION MGR II	4		
29		A103 FIELD AUDITOR	7		
30		A087 BUDGET OFFICER	1		
31		M086 SOCIAL WORKER I	1		
32	(15)	T005 CP/CORRECTIONAL OFFICER II	50		GRADE 18
33		Y131 CP/COR CONSTR/MAINT SUPV I	4		
34		R322 CP/COR UNIT PERS & TNG OFFICER	4		
35		M105 CP/CORRECTIONAL COUNSELOR	8		

1	M096 CP/COR PROGRAM COORD	8	
2	T012 DISCIPLINARY HEARING OFFICER	4	
3	X450 CP/COR INTERNAL AFFAIRS INVESTGTR	3	
4	W009 CP/COR RECORDS SUPERVISOR	6	
5	A114 CP/COR BUSINESS MANAGER	6	
6	T062 PAROLE/PROBATION OFFICER	267	
7	E050 STAFF DEVELOPMENT SPECIALIST II	3	
8	R264 MANAGEMENT PROJECT ANALYST I	2	
9	A111 ACCOUNTANT	1	
10	D034 PROGRAMMER ANALYST	1	
11	R183 COMMUNITY PUNISHMENT SPECIALIST	1	
12	(16) H029 CP/COR FOOD PRODUCTION MGR I	16	GRADE 17
13	E055 CP/COR UNIT TRAINER	3	
14	R049 CLASSIFICATION & ASSIGNMENT OFFICER	3	
15	R430 ADMINISTRATIVE OFFICER	1	
16	M125 WORK PROGRAM ADVISOR	24	
17	(17) T003 CP/CORRECTIONAL OFFICER I	201	GRADE 16
18	X318 CP/COR ADMIN REVIEW OFFICER	6	
19	V056 WAREHOUSE MANAGER	1	
20	A053 INSURANCE SPECIALIST II	1	
21	L116 LPN III	1	
22	(18) M048 RECREATIONAL ACTIVITY LEADER II	3	GRADE 15
23	R009 ADMINISTRATIVE ASSISTANT I	2	
24	A108 ACCOUNTING TECHNICIAN II	3	
25	K011 ADMINISTRATIVE OFFICE SUPERVISOR	1	
26	(19) H023 COMMISSARY MANAGER	4	GRADE 14
27	K041 EXECUTIVE SECY/ADMINISTRATIVE SECY	1	
28	(20) K153 SECRETARY II	21	GRADE 13
29	(21) A106 ACCOUNTING TECHNICIAN I	41	GRADE 12
30	(22) K155 SECRETARY I	10	GRADE 11
31	(23) K023 CLERK TYPIST	<u>4</u>	GRADE 10
32			
	MAX NO. OF EMPLOYEES	904	

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34 SECTION 2. EXTRA HELP - COMMUNITY PUNISHMENT STATE OPERATIONS.

35 There is hereby authorized, for the Arkansas Department of Community

1 Punishment - State Operations for the 1995-97 biennium, the following maximum
2 number of part-time or temporary employees, to be known as "Extra Help",
3 payable from funds appropriated herein for such purposes: ten (10) temporary
4 or part-time employees, when needed, at rates of pay not to exceed those
5 provided in the Uniform Classification and Compensation Act, or its successor,
6 or this act for the appropriate classification.

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8 SECTION 3. APPROPRIATIONS - COMMUNITY PUNISHMENT - STATE OPERATIONS.

9 There is hereby appropriated, to the Arkansas Department of Community
10 Punishment, to be payable from the Department of Community Punishment Fund
11 Account, for personal services and operating expenses of the Arkansas
12 Department of Community Punishment - State Operations for the biennial period
13 ending June 30, 1997, the following:

15 ITEM		FISCAL YEARS	
16 NO.		1995-96	1996-97
17 (01)	REGULAR SALARIES	\$ 12,878,689	\$ 15,598,585
18 (02)	EXTRA HELP	50,000	50,000
19 (03)	PERSONAL SERV MATCHING	3,688,841	4,623,605
20 (04)	OVERTIME	30,000	40,000
21 (05)	MAINT. & GEN. OPERATION		
22	(A) OPER. EXPENSE	\$ 5,475,963	\$ 6,436,558
23	(B) CONF. & TRVL.	34,800	31,800
24	(C) PROF. FEES	388,750	755,000
25	(D) CAP. OUTLAY	366,939	346,939
26	(E) DATA PROC.	<u>12,521</u>	<u>10,621</u>
27	TOTAL MAINT. & GEN. OPER.	6,278,973	7,580,918
28 (06)	COUNTY JAIL REIMBURSEMENTS	25,000	25,000
29 (07)	COMMUNITY PUNISHMENT PROGRAMS	<u>3,300,000</u>	<u>3,300,000</u>
30	TOTAL AMOUNT APPROPRIATED	<u>\$ 26,251,503</u>	<u>\$ 31,218,108</u>

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32 SECTION 4. APPROPRIATIONS. There is hereby appropriated, to the
33 Arkansas Department of Community Punishment, to be payable from the Community
34 Punishment Revolving Fund, for personal services and operating expenses of the
35 Arkansas Department of Community Punishment for the biennial period ending

1 ~~June 30, 1997, the following:~~

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3 ITEM		FISCAL YEARS	
4 NO.		1995-96	1996-97
5 (01)	REGULAR SALARIES	\$ 2,417,816	\$ 2,437,303
6 (02)	PERSONAL SERV MATCHING	791,983	795,444
7 (03)	OVERTIME	10,000	10,000
8 (04)	MAINT. & GEN. OPERATION		
9	(A) OPER. EXPENSE \$	120,776	\$ 84,500
10	(B) CONF. & TRVL.	32,500	4,000
11	(C) PROF. FEES	0	0
12	(D) CAP. OUTLAY	2,650	0
13	(E) DATA PROC.	<u>0</u>	<u>0</u>
14	TOTAL MAINT. & GEN. OPER.	155,926	88,500
15 (05)	COMMUNITY PUNISHMENT PROGRAMS	<u>1,650,000</u>	<u>1,650,000</u>
16	TOTAL AMOUNT APPROPRIATED	<u>\$ 5,025,725</u>	<u>\$ 4,981,247</u>

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18 SECTION 5. APPROPRIATIONS - FEDERAL PROGRAMS. There is hereby
 19 appropriated, to the Arkansas Department of Community Punishment, 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 Arkansas
 22 Department of Community Punishment for the biennial period ending June 30,
 23 ~~1997, the following:~~

24

25 ITEM		FISCAL YEARS	
26 NO.		1995-96	1996-97
27 (01)	REGULAR SALARIES	\$ 298,705	\$ 304,647
28 (02)	PERSONAL SERV MATCHING	92,271	93,327
29 (03)	MAINT. & GEN. OPERATION		
30	(A) OPER. EXPENSE \$	50,508	\$ 50,508
31	(B) CONF. & TRVL.	13,000	13,000
32	(C) PROF. FEES	52,900	52,900
33	(D) CAP. OUTLAY	0	0
34	(E) DATA PROC.	<u>0</u>	<u>0</u>
35	TOTAL MAINT. & GEN. OPER.	116,408	116,408

1	(04) AUDIT	<u>2,638</u>	<u>2,638</u>
2	TOTAL AMOUNT APPROPRIATED	<u>\$ 510,022</u>	<u>\$ 517,020</u>

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4 SECTION 6. APPROPRIATIONS - RESIDENTS SERVICES FUND. There is hereby
5 appropriated, to the Arkansas Department of Community Punishment, to be
6 payable from cash funds as defined by Arkansas Code 19-4-801 of the Arkansas
7 Department of Community Punishment, for commissary operations and resident
8 programs at community punishment centers of the Arkansas Department of
9 ~~Community Punishment for the biennial period ending June 30, 1997, the~~

10 following:

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12	ITEM	FISCAL YEARS	
13	NO.	1995-96	1996-97
14	(01) MAINT. & GEN. OPERATION		
15	(A) OPER. EXPENSE \$	210,000	\$ 280,000
16	(B) CONF. & TRVL.	0	0
17	(C) PROF. FEES	0	0
18	(D) CAP. OUTLAY	60,000	80,000
19	(E) DATA PROC.	<u>0</u>	<u>0</u>
20	TOTAL MAINT. & GEN. OPER.	<u>270,000</u>	<u>360,000</u>
21	TOTAL AMOUNT APPROPRIATED	<u>\$ 270,000</u>	<u>\$ 360,000</u>

22

23 SECTION 7. TRANSFER PROVISION. Upon seeking and receiving approval
24 from the Chief Fiscal Officer of the State and review by the Arkansas
25 Legislative Council or Joint Budget Committee, the Director of the Department
26 of Community Punishment is authorized to transfer appropriation from any line
27 item authorized in Section 3 and Section 4 of this Act to any other line item
28 authorized in Section 3 and Section 4 of this Act.

29

30 SECTION 8. REALLOCATION OF RESOURCES. Upon determination by the Board
31 of Correction and Community Punishment that a reallocation of resources within
32 the Department of Community Punishment and Department of Correction is
33 necessary for the efficient and effective operation of the departments, the
34 Board, with approval of the Governor and review by the Arkansas Legislative
35 Council or Joint Budget Committee, shall have the authority to instruct the

1 department directors, to request from the Chief Fiscal Officer of the State, a
2 transfer of positions, programs, funds, appropriations, and line-item
3 appropriations within or between existing and newly created divisions,
4 offices, sections, or units of the departments. If it is determined that the
5 requested transfer should be made, the Chief Fiscal Officer of the State shall
6 then initiate the necessary transfer documents to reflect the transfers upon
7 the fiscal records of the State Treasurer, the State Auditor, the Chief Fiscal
8 Officer of the State, and the Departments of Correction and Community
9 Punishment.

10

11 SECTION 9. The appropriations authorized under the line item
12 established herein for "Community Punishment Programs" are to be used by the
13 Department of Community Punishment for establishment and operation of, to
14 include construction, renovation, and contracting for establishment and
15 operation of, residential and non-residential community punishment programs
16 such as, but not limited to, community punishment centers, drug, alcohol, and
17 mental health treatments, intensive supervision, restitution, and others as
18 established and approved by the Board of Correction and Community Punishment
19 and as may be provided by law.

20

21 SECTION 10. After seeking and receiving approval of the Governor and
22 Chief Fiscal Officer of the State and upon review by the Arkansas Legislative
23 Council or Joint Budget Committee, the Director of the Department of Community
24 Punishment, as authorized by the Board of Correction and Community Punishment,
25 is authorized to use funds appropriated for "Community Punishment Programs"
26 line items in this Act to construct new or renovate existing facilities to
27 support the development of community punishment facilities in the state.

28

29 SECTION 11. The Department of Community Punishment is hereby authorized
30 to purchase motor vehicles from the appropriations authorized for Capital
31 Outlay in Section 3 and Section 4 of this Act.

32

33 SECTION 12. It is hereby authorized that the Department of Community
34 Punishment may move an incumbent classified as a Community
35 Punishment/Correctional Officer I, Grade 16, up to Pay Level II of Grade 16,

1 after the following criteria has been met: the incumbent Community
2 Punishment/Correctional Officer I must have completed at least six (6) months
3 continuous service as a Community Punishment/Correctional Officer I; and the
4 incumbent must have completed a minimum of two hundred (200) hours Community
5 Punishment/Correctional Officer training; and the incumbent must have passed a
6 six (6) months evaluation.

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8 SECTION 13. In the event the Department of Community Punishment cannot
9 accept inmates from county jails due to insufficient bed space or shall have
10 an inmate confined in a county jail under any pre-release program, the
11 Department shall reimburse the counties at a rate determined by the Board of
12 Correction and Community Punishment until the appropriation provided for such
13 purpose is exhausted. The prevailing rate of the county jail will be
14 considered by the Board in determining the rate to be reimbursed.

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

25

26 SECTION 15. LEGISLATIVE INTENT. It is the intent of the General
27 Assembly that any funds disbursed under the authority of the appropriations
28 contained in this Act shall be in compliance with the stated reasons for which
29 this Act was adopted, as evidenced by the Agency Requests, Executive
30 Recommendations and Legislative Recommendations contained in the budget
31 manuals prepared by the Department of Finance and Administration, letters, or
32 summarized oral testimony in the official minutes of the Arkansas Legislative
33 Council or Joint Budget Committee which relate to its passage and adoption.

34

35 SECTION 16. CODE. All provisions of this Act of a general and

1 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the
2 Arkansas Code Revision Commission shall incorporate the same in the Code.

3

4 SECTION 17. SEVERABILITY. If any provision of this Act or the
5 application thereof to any person or circumstance is held invalid, such
6 invalidity shall not affect other provisions or applications of the Act which
7 can be given effect without the invalid provision or application, and to this
8 end the provisions of this Act are declared to be severable.

9

10 SECTION 18. GENERAL REPEALER. All laws and parts of laws in conflict
11 with this Act are hereby repealed.

12

13 SECTION 19. EMERGENCY CLAUSE. It is hereby found and determined by the
14 Eightieth General Assembly, that the Constitution of the State of Arkansas
15 prohibits the appropriation of funds for more than a two (2) year period; that
16 the effectiveness of this Act on July 1, 1995 is essential to the operation of
17 the agency for which the appropriations in this Act are provided, and that in
18 the event of an extension of the Regular Session, the delay in the effective
19 date of this Act beyond July 1, 1995 could work irreparable harm upon the
20 proper administration and provision of essential governmental programs.
21 Therefore, an emergency is hereby declared to exist and this Act being
22 necessary for the immediate preservation of the public peace, health and
23 safety shall be in full force and effect from and after July 1, 1995.

24

/s/Russ

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APPROVED: 2-14-95

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