

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

1 State of Arkansas *As Engrossed: H3/4/14 H3/7/14*

2 89th General Assembly

A Bill

3 Fiscal Session, 2014

HOUSE BILL 1158

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5 By: Joint Budget Committee

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For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR THE PAYMENT OF
9 HOLIDAY COMPENSATION 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.

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Subtitle

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AN ACT FOR THE DEPARTMENT OF CORRECTION -

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HOLIDAY COMPENSATION SUPPLEMENTAL

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APPROPRIATION.

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

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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

30 ITEM	FISCAL YEAR
31 <u>NO.</u>	<u>2013-2014</u>
32 (01) REGULAR SALARIES	\$3,757,000
33 (02) PERSONAL SERVICES MATCHING	<u>1,243,000</u>
34 TOTAL AMOUNT APPROPRIATED	<u><u>\$5,000,000</u></u>

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36 SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS



1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND
 2 TRANSFER. Immediately upon the effective date of this Act, the 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 Improvement Fund to
 6 the Department of Correction Inmate Care and Custody Fund Account to provide
 7 funds for the payments of banked employee holiday compensation balances.

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 9 SECTION 3. Section 18 of uncodified Act 1207 of 2013 is amended to
 10 read as follows:

11 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HOLIDAY
 13 COMPENSATION. The Department of Correction ~~is authorized to~~ shall pay
 14 employees for ~~up to one hundred fifty (150) hours of unused holidays~~
 15 compensation exceeding a balance in the employee's holiday account of ninety-
 16 six (96) hours ~~following the end of the calendar year. Payments of unused~~
 17 ~~Holiday hours must be processed on or before June 1st 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 classifications:

24
 25 Class

26	Code	Title	Grade
27	T033C	ADC/DCC MAJOR	GRADE C120
28	T048C	ADC/DCC CAPTAIN	GRADE C118
29	T054C	ADC/DCC LIEUTENANT	GRADE C117
30	T065C	ADC/DCC CORRECTIONAL SERGEANT	GRADE C115
31	S044C	FOOD PREPARATION MANAGER	GRADE C114
32	T075C	ADC/DCC CORPORAL	GRADE C113
33	T083C	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 from July 1, ~~2012~~
 36 2013 through June 30, ~~2013~~ 2014.

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2 SECTION 4. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
3 authorized by this act shall be limited to the appropriation for such agency
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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12 SECTION 5. LEGISLATIVE INTENT. It is the intent of the General
13 Assembly that any funds disbursed under the authority of the appropriations
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.

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21 SECTION 6. EMERGENCY CLAUSE. It is found and determined by the General
22 Assembly, that funds provided by the General Assembly for the operations of
23 the Department of Correction are, due to unforeseen circumstances,
24 insufficient for the Department of Correction to continue to provide
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
28 irreparable harm upon the proper administration and provision of essential
29 governmental programs. Therefore, an emergency is hereby declared to exist
30 and this Act being necessary for the immediate preservation of the public
31 peace, health and safety shall be in full force and effect from and after the
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
36 veto is overridden, it shall become effective on the date the last house

1 overrides the veto.

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/s/Joint Budget Committee

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APPROVED: 03/13/2014

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