

Stricken language will be deleted and underlined language will be added.
Act 1075 of the Regular Session

1 State of Arkansas *As Engrossed: H3/2/15 H3/27/15*

2 90th General Assembly

A Bill

3 Regular Session, 2015

HOUSE BILL 1264

4

5 By: Joint Budget Committee

6

7

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, 2016; AND FOR OTHER PURPOSES.

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13

14

Subtitle

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AN ACT FOR THE DEPARTMENT OF COMMUNITY

16

CORRECTION APPROPRIATION FOR THE 2015-

17

2016 FISCAL YEAR.

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

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SECTION 1. REGULAR SALARIES. There is hereby established for the

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Department of Community Correction for the 2015-2016 fiscal year, the

24

following maximum number of regular employees.

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Maximum Annual

27

Maximum

Salary Rate

28

Item Class

No. of

Fiscal Year

29

No. Code Title

Employees

2015-2016

30

(1) U084U DCC DIRECTOR

1

\$116,019

31

(2) U083U DCC CHIEF DEPUTY DIRECTOR

1

\$95,796

32

(3) N130N DCC DEPUTY DIR ADMINISTRATIVE SERVICES

2

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 PROG ADMR PAROLE & PROBATION SVCS

4

GRADE C128

36

(7) D094C DCC PROJ & ENTERPRISE PROG MGMT ADMIN

1

GRADE C128



1	(8)	M001C	DCC TREATMENT ADMINISTRATOR	2	GRADE C128
2	(9)	D007C	INFORMATION SYSTEMS MANAGER	1	GRADE C128
3	(10)	T005C	ADC/DCC CORRECTIONAL WARDEN	6	GRADE C127
4	(11)	D012C	DATABASE SPECIALIST	1	GRADE C127
5	(12)	A021C	AGENCY CONTROLLER I	1	GRADE C126
6	(13)	G047C	ATTORNEY SPECIALIST	1	GRADE C126
7	(14)	G046C	DCC PLANNING & MGMT SVCS ADMINISTRATOR	1	GRADE C126
8	(15)	R006C	HUMAN RESOURCES ADMINISTRATOR	1	GRADE C126
9	(16)	S094C	ADC CONSTRUCTION/MAINTENANCE COORD	1	GRADE C124
10	(17)	T015C	ADC/DCC DEPUTY WARDEN	6	GRADE C124
11	(18)	D030C	INFORMATION SYSTEMS COORDINATOR	1	GRADE C124
12	(19)	R013C	AGENCY HUMAN RESOURCES MANAGER	1	GRADE C123
13	(20)	X025C	DCC PAROLE/PROBATION AREA MANAGER	16	GRADE C123
14	(21)	P004C	PUBLIC INFORMATION MANAGER	1	GRADE C123
15	(22)	D038C	SENIOR SOFTWARE SUPPORT ANALYST	2	GRADE C123
16	(23)	M007C	DCC ASST TREATMENT PROGRAM MGR	7	GRADE C122
17	(24)	G222C	ADC/DCC INTERNAL AFFAIRS ADMINISTRATOR	1	GRADE C121
18	(25)	T027C	ADC/DCC TRAINING ADMINISTRATOR	1	GRADE C121
19	(26)	X042C	DCC PAROLE/PROBATION ASST AREA MGR	49	GRADE C121
20	(27)	D052C	SOFTWARE SUPPORT ANALYST	7	GRADE C121
21	(28)	T033C	ADC/DCC MAJOR	3	GRADE C120
22	(29)	T104C	ADC/DCC TRAINING ACADEMY SUPERVISOR	1	GRADE C120
23	(30)	R021C	BUDGET ANALYST	1	GRADE C119
24	(31)	G154C	DCC PROGRAM COORDINATOR	6	GRADE C119
25	(32)	M021C	DCC TREATMENT SUPERVISOR	7	GRADE C119
26	(33)	G147C	GRANTS COORDINATOR	1	GRADE C119
27	(34)	D061C	INFORMATION SYSTEMS COORDINATION SPEC	1	GRADE C119
28	(35)	V007C	PROCUREMENT COORDINATOR	2	GRADE C119
29	(36)	T048C	ADC/DCC CAPTAIN	6	GRADE C118
30	(37)	T045C	DCC PAROLE/PROBATION OFFICER	511	GRADE C118
31	(38)	C010C	EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE C118
32	(39)	A074C	FISCAL SUPPORT SUPERVISOR	3	GRADE C118
33	(40)	T103C	LAW ENFORCEMENT TRAINING INSTRUCTOR	5	GRADE C118
34	(41)	M026C	LICENSED SOCIAL WORKER	1	GRADE C118
35	(42)	T054C	ADC/DCC LIEUTENANT	31	GRADE C117
36	(43)	M046C	ADC/DCC TREATMENT COORDINATOR	18	GRADE C117

1	(44)	G180C	GRANTS ANALYST	2	GRADE C117
2	(45)	S026C	ADC/DCC ASST MAINTENANCE SUPERVISOR	9	GRADE C116
3	(46)	T059C	ADC/DCC FOOD PREPARATION MANAGER	11	GRADE C116
4	(47)	C024C	ADC/DCC RECORDS SUPERVISOR	8	GRADE C116
5	(48)	C022C	BUSINESS OPERATIONS SPECIALIST	6	GRADE C116
6	(49)	V014C	BUYER	4	GRADE C116
7	(50)	G200C	CLASSIFICATION & ASSIGNMENT OFFICER	4	GRADE C116
8	(51)	X128C	CORRECTIONAL UNIT ACCREDITATION SPEC	2	GRADE C116
9	(52)	T092C	DCC PAROLE/PROBATION OFFICER I	1	GRADE C116
10	(53)	R030C	EEO/GRIEVANCE OFFICER	1	GRADE C116
11	(54)	M048C	SUBSTANCE ABUSE PROGRAM LEADER	63	GRADE C116
12	(55)	M059C	ADC/DCC ADVISOR	110	GRADE C115
13	(56)	T065C	ADC/DCC CORRECTIONAL SERGEANT	68	GRADE C115
14	(57)	M058C	ADC/DCC PROGRAM SPECIALIST	9	GRADE C115
15	(58)	C037C	ADMINISTRATIVE ANALYST	8	GRADE C115
16	(59)	R033C	BENEFITS ANALYST	1	GRADE C115
17	(60)	M057C	CHAPLAIN	6	GRADE C115
18	(61)	D079C	COMPUTER SUPPORT TECHNICIAN	3	GRADE C115
19	(62)	A091C	FISCAL SUPPORT ANALYST	1	GRADE C115
20	(63)	R031C	INSTITUTION HUMAN RESOURCES COORD	6	GRADE C115
21	(64)	A090C	PAYROLL SERVICES SPECIALIST	1	GRADE C115
22	(65)	T070C	ADC/DCC FOOD PREPARATION SUPERVISOR	20	GRADE C114
23	(66)	G215C	CAREER PLANNING & PLACEMENT SPEC	13	GRADE C114
24	(67)	E051C	STAFF DEVELOPMENT SPECIALIST	1	GRADE C114
25	(68)	T076C	ADC/DCC ADMIN REVIEW OFFICER	7	GRADE C113
26	(69)	T075C	ADC/DCC CORPORAL	221	GRADE C113
27	(70)	R036C	HUMAN RESOURCES SPECIALIST	1	GRADE C113
28	(71)	T083C	ADC/DCC CORRECTIONAL OFFICER I	1	GRADE C112
29	(72)	C056C	ADMINISTRATIVE SPECIALIST III	97	GRADE C112
30	(73)	T081C	COMMISSARY MANAGER	6	GRADE C112
31	(74)	A098C	FISCAL SUPPORT SPECIALIST	11	GRADE C112
32	(75)	A097C	PAYROLL TECHNICIAN	1	GRADE C112
33	(76)	V022C	PURCHASING TECHNICIAN	1	GRADE C112
34	(77)	C073C	ADMINISTRATIVE SPECIALIST II	<u>74</u>	GRADE C109
35			MAX. NO. OF EMPLOYEES	1,494	

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SECTION 2. EXTRA HELP. There is hereby authorized, for the Department of Community Correction for the 2015-2016 fiscal year, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: ten (10) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, or this act for the appropriate classification.

SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby appropriated, to the Department of Community Correction, to be payable from the Department of Community Correction Fund Account, for personal services and operating expenses of the Department of Community Correction - State Operations for the fiscal year ending June 30, 2016, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2015-2016</u>
(01) REGULAR SALARIES	\$47,256,429
(02) EXTRA HELP	100,000
(03) PERSONAL SERVICES MATCHING	17,706,350
(04) OVERTIME	10,000
(05) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	16,137,882
(B) CONF. & TRAVEL	47,109
(C) PROF. FEES	6,532,373
(D) CAP. OUTLAY	1,482,042
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$89,272,185</u></u>

SECTION 4. APPROPRIATION - OPERATIONS - SPECIAL REVENUE. There is hereby appropriated, to the Department of Community Correction, to be payable from the Community Correction Revolving Fund, for personal services and operating expenses of the Department of Community Correction - Special Revenue Operations for the fiscal year ending June 30, 2016, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2015-2016</u>

1	(01) REGULAR SALARIES	\$2,433,683
2	(02) PERSONAL SERVICES MATCHING	886,131
3	(03) MAINT. & GEN. OPERATION	
4	(A) OPER. EXPENSE	0
5	(B) CONF. & TRAVEL	0
6	(C) PROF. FEES	0
7	(D) CAP. OUTLAY	0
8	(E) DATA PROC.	0
9	(04) WAR MEMORIAL STADIUM COMMISSION	
10	PARKING SERVICES FROM FEES	10,000
11	(05) COMMUNITY CORRECTION PROGRAMS	<u>5,408,576</u>
12	TOTAL AMOUNT APPROPRIATED	<u><u>\$8,738,390</u></u>

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14 SECTION 5. APPROPRIATION - FEDERAL PROGRAMS. There is hereby
 15 appropriated, to the Department of Community Correction, to be payable from
 16 the federal funds as designated by the Chief Fiscal Officer of the State, for
 17 personal services and operating expenses of the Department of Community
 18 Correction - Federal Programs for the fiscal year ending June 30, 2016, the
 19 following:

20

21	ITEM	FISCAL YEAR
22	<u>NO.</u>	<u>2015-2016</u>
23	(01) REGULAR SALARIES	\$253,518
24	(02) PERSONAL SERVICES MATCHING	76,977
25	(03) MAINT. & GEN. OPERATION	
26	(A) OPER. EXPENSE	70,246
27	(B) CONF. & TRAVEL	28,313
28	(C) PROF. FEES	9,439
29	(D) CAP. OUTLAY	0
30	(E) DATA PROC.	<u>0</u>
31	TOTAL AMOUNT APPROPRIATED	<u><u>\$438,493</u></u>

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33 SECTION 6. APPROPRIATION - RESIDENTS SERVICES - CASH. There is hereby
 34 appropriated, to the Department of Community Correction, to be payable from
 35 the cash fund deposited in the State Treasury as determined by the Chief
 36 Fiscal Officer of the State, for operating expenses of the Department of

1 Community Correction - Residents Services for the fiscal year ending June 30,
 2 2016, the following:

3

4 ITEM	FISCAL YEAR
5 <u>NO.</u>	<u>2015-2016</u>
6 (01) MAINT. & GEN. OPERATION	
7 (A) OPER. EXPENSE	\$2,282,846
8 (B) CONF. & TRAVEL	62,870
9 (C) PROF. FEES	101,800
10 (D) CAP. OUTLAY	0
11 (E) DATA PROC.	<u>0</u>
12 TOTAL AMOUNT APPROPRIATED	<u><u>\$2,447,516</u></u>

13

14 SECTION 7. APPROPRIATION - COUNTY JAIL REIMBURSEMENT. There is hereby
 15 appropriated, to the Department of Community Correction, to be payable from
 16 the County Jail Reimbursement Fund, for reimbursement to counties housing
 17 state inmates of the Department of Community Correction for the fiscal year
 18 ending June 30, 2016, the following:

19

20 ITEM	FISCAL YEAR
21 <u>NO.</u>	<u>2015-2016</u>
22 (01) REIMBURSEMENT TO COUNTIES HOUSING	
23 STATE INMATES	<u><u>\$3,109,636</u></u>

24

25 SECTION 8. APPROPRIATION - BEST PRACTICES. There is hereby
 26 appropriated, to the Department of Community Correction, to be payable from
 27 the Best Practices Fund, for operating expenses of the Department of
 28 Community Correction - Best Practices for the fiscal year ending June 30,
 29 2016, the following:

30

31 ITEM	FISCAL YEAR
32 <u>NO.</u>	<u>2015-2016</u>
33 (01) COMMUNITY CORRECTION PROGRAM	<u><u>\$4,000,000</u></u>

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35 SECTION 9. APPROPRIATION - COURT ACCOUNTABILITY GRANTS. There is
 36 hereby appropriated, to the Department of Community Correction, to be payable

1 from the Accountability Court Fund, for Court Accountability grants for
2 personal services and operating expenses of the Department of Community
3 Correction - Court Accountability Grants for the fiscal year ending June 30,
4 2016, the following:

<i>ITEM</i>	<i>FISCAL YEAR</i>
<u><i>NO.</i></u>	<u><i>2015-2016</i></u>
<i>(01) COURT ACCOUNTABILITY GRANTS</i>	<u><u><i>\$2,800,000</i></u></u>

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10 SECTION 10. APPROPRIATION - PAY-FOR-SUCCESS PROGRAM. There is hereby
11 appropriated, to the Department of Community Correction, to be payable from
12 the Social Innovation Fund, for payments for intervention services on a pay-
13 for-success basis for the fiscal year ending June 30, 2016, the following:

<i>ITEM</i>	<i>FISCAL YEAR</i>
<u><i>NO.</i></u>	<u><i>2015-2016</i></u>
<i>(01) PAY-FOR-SUCCESS PROGRAM</i>	<u><u><i>\$3,000,000</i></u></u>

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19 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COMMUNITY
21 CORRECTION PROGRAMS LINE ITEM USES. After seeking and receiving approval of
22 the Governor and Chief Fiscal Officer of the State and upon approval by the
23 Arkansas Legislative Council or Joint Budget Committee, the Director of the
24 Department of Community Correction, as authorized by the Board of
25 Corrections, is authorized to use funds appropriated for "Community
26 Correction Programs" line item of the Operations - Special Revenue
27 appropriation provided in this Act to construct new or renovate existing
28 facilities to support the development of community correction facilities in
29 the state.

30 Determining the maximum number of employees and the maximum amount of
31 appropriation and general revenue funding for a state agency each fiscal year
32 is the prerogative of the General Assembly. This is usually accomplished by
33 delineating such maximums in the appropriation act(s) for a state agency and
34 the general revenue allocations authorized for each fund and fund account by
35 amendment to the Revenue Stabilization law. Further, the General Assembly
36 has determined that the Department of Community Correction may operate more

1 efficiently if some flexibility is provided to the Department of Community
2 Correction authorizing broad powers under this Section. Therefore, it is both
3 necessary and appropriate that the General Assembly maintain oversight by
4 requiring prior approval of the Legislative Council or Joint Budget Committee
5 as provided by this section. The requirement of approval by the Legislative
6 Council or Joint Budget Committee is not a severable part of this section.
7 If the requirement of approval by the Legislative Council or Joint Budget
8 Committee is ruled unconstitutional by a court of competent jurisdiction,
9 this entire section is void.

10 The provisions of this section shall be in effect only from July 1, ~~2014~~
11 2015 through June 30, ~~2015~~ 2016.

12
13 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MOTOR
15 VEHICLE PURCHASE PROVISION. The Department of Community Correction is hereby
16 authorized to purchase motor vehicles from the appropriations authorized for
17 Capital Outlay in Section 3 and Section 4 in this Act.

18 The provisions of this section shall be in effect only from July 1, ~~2014~~
19 2015 through June 30, ~~2015~~ 2016.

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21 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PARKING
23 FEES. On July 1, of each year the Department of Community Correction shall
24 pay from the appropriation provided herein from non-general revenue, the
25 total amount appropriated for War Memorial Stadium Commission Parking
26 Services from Fees to the War Memorial Stadium Commission.

27 The provisions of this section shall be in effect only from July 1, ~~2014~~
28 2015 through June 30, ~~2015~~ 2016.

29
30 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
32 PROVISION. Upon seeking and receiving approval from the Chief Fiscal Officer
33 of the State and review and approval by the Arkansas Legislative Council or
34 Joint Budget Committee, the Director of the Department of Community
35 Correction is authorized to transfer appropriation from any line item
36 authorized in Section 3 and Section 4 of this Act to any other line item

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

18 The provisions of this section shall be in effect only from July 1, ~~2014~~
19 2015 through June 30, ~~2015~~ 2016.

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21 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
23 REALLOCATION OF RESOURCES. Upon determination by the Board of Corrections
24 that a reallocation of resources within the Department of Community
25 Correction and Department of Correction is necessary for the efficient and
26 effective operation of the departments, the Board, with approval of the
27 Governor and approval by the Arkansas Legislative Council or Joint Budget
28 Committee, shall have the authority to instruct the department directors, to
29 request from the Chief Fiscal Officer of the State, a transfer of positions,
30 programs, funds, appropriations, and line-item appropriations within or
31 between existing and newly created divisions, offices, sections, or units of
32 the departments. If it is determined that the requested transfer should be
33 made, the Chief Fiscal Officer of the State shall then initiate the necessary
34 transfer documents to reflect the transfers upon the fiscal records of the
35 State Treasurer, the State Auditor, the Chief Fiscal Officer of the State,
36 and the Departments of Correction and Community Correction. Provided,

1 however, that the Board shall be limited to submitting no more than two
2 requests, encompassing a single purpose listed in this section, during any
3 fiscal year per department. Transfer authority shall further be limited to
4 no more than five percent (5%) of the total General Revenue and Special
5 Revenue appropriation, funding, and positions specific to each agency.
6 However, there shall be no transfers to or from the County Jail Reimbursement
7 Fund. A Reallocation of Resources Transfer shall be limited to the following
8 specific purposes:

- 9 a) Costs to open and operate temporary beds;
- 10 b) Payment of Debt Service;
- 11 c) Payment of Overtime Expenses;
- 12 d) Unanticipated increases for medical or private prison contracts;
- 13 e) Construction/renovation/equipping of new beds;
- 14 f) Deficits in Farm or Industry Program;
- 15 g) Losses not covered by insurance proceeds;
- 16 h) Costs of personnel for critical services or necessary to carry out the
17 mission of the agency.

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

35 The provisions of this section shall be in effect only from July 1, ~~2014~~
36 2015 through June 30, ~~2015~~ 2016.

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SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HOLIDAY COMPENSATION. The Department of Community Correction is authorized to pay employees for up to ninety-six (96) hours of unused holidays exceeding a balance in the employee's holiday account of one-hundred fifty (150) hours following the end of the calendar year. Payments of unused holiday hours must be processed on or before June 1st in each fiscal year. Employees terminating employment from the Department of Community Correction will be eligible for all holiday pay accrued during the years of service. This request is contingent on approval by the Chief Fiscal Officer of the State after the Director of the Department of Community Correction has verified that sufficient revenues are available to make such payments to employees in the following classifications:

Class		Maximum Annual Salary Rate	Fiscal Year
<u>Code</u>	<u>Title</u>	<u>2014-2015</u>	<u>2015-2016</u>
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	

The provisions of this section shall be in effect only from July 1, ~~2014~~ 2015 through June 30, ~~2015~~ 2016.

SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MEDICAL SERVICES - CONTINGENCY POSITIONS. If it has been determined by the Board of Corrections that the Department of Community Correction cannot continue a medical contract with a private provider and the Board deems it necessary to utilize Department staff to provide the required services, the Department is allowed, upon notification of the Chief Fiscal Officer of the State and after seeking prior review by the Arkansas Legislative Council or Joint Budget

1 Committee, to utilize the contingent positions for medical services contained
 2 in this Act and make the appropriate transfers from the Professional Fees and
 3 Services line item contained in Section 3 of this Act to Regular Salaries,
 4 Personal Services Matching and various Maintenance and General Operations
 5 classifications. Further, the Department may utilize the service(s) of a
 6 state-based or national-based Professional Recruitment Service, or network,
 7 as may be necessary to recruit, fill, or maintain the occupancy of the
 8 positions stated herein.

9 The provisions of this section shall be in effect only from July 1, ~~2014~~
 10 2015 through June 30, ~~2015~~ 2016.

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12 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REGULAR
 14 SALARIES - CONTINGENT POSITIONS. There is hereby established for the
 15 Department of Community Correction - Contingent Positions for the ~~2014-2015~~
 16 2015-2016 fiscal year, the following maximum number of regular employees.

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18 CONTINGENT POSITIONS - MEDICAL SERVICES

19

				MAXIMUM ANNUAL	
				MAXIMUM	SALARY RATE
				NO. OF	FISCAL YEAR
ITEM	CLASS			EMPLOYEES	2014-2015 2015-2016
NO.	CODE	TITLE			
23	(1)	L009C	NURSE MANAGER	1	GRADE C125
24	(2)	L033C	PSYCH. EXAMINER	1	GRADE C121
25	(3)	M026C	LICENSED SOCIAL WORKER	6	GRADE C118
26	(4)	L032C	REGISTERED NURSE HOSPITAL	7	GRADE C121
27	(5)	L069C	LIC PRACT NURSE	25	GRADE C113
28	(6)	C056C	ADMIN SPECIALIST III	2	GRADE C112
29	(7)	G238C	ADMINISTRATOR	1	GRADE C123
30	(8)	L081C	DENTAL ASSISTANT	1	GRADE C109
31	(9)	L013N	DENTAL DIRECTOR	1	GRADE N916
32	(10)	L071C	DENTAL HYGIENIST	1	GRADE C113
33	(11)	L011N	DENTIST	1	GRADE N916
34	(12)	Q109C	MEDICAL RECORDS DIRECTOR	1	GRADE C118
35	(13)	L008N	PHYSICIAN - STAFF	1	GRADE N917
36	(14)	L024N	PSYCHIATRIC DIRECTOR	1	GRADE N919

1	(15)	L005N	PSYCHIATRIST	1	GRADE N919
2	(16)	L003C	PSYCHOLOGIST - PT	1	GRADE C127
3	(17)	C019C	REGIONAL MANAGER	1	GRADE C117
4	(18)	C056C	SECRETARY/ADMIN ASST	<u>1</u>	GRADE C112
5			MAXIMUM NUMBER OF CONTINGENT		
6			EMPLOYEES - MEDICAL SERVICES	54	

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

10 The provisions of this section shall be in effect only from July 1, ~~2014~~
 11 2015 through June 30, ~~2015~~ 2016.

12

13 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COMMUNITY
 15 CORRECTION PROGRAM LINE ITEM USES. The appropriations authorized under the
 16 line item established herein for "Community Correction Program" are to be
 17 used by the Department of Community Correction for establishment and
 18 operation of, to include construction, renovation, and contracting for
 19 establishment and operation of, residential and non-residential community
 20 correction programs such as, but not limited to, community correction
 21 centers, drug, alcohol, and mental health treatments, intensive supervision,
 22 restitution, and others as established and approved by the Board of
 23 Corrections and as may be provided by law.

24 The provisions of this section shall be in effect only from July 1, ~~2014~~
 25 2015 through June 30, ~~2015~~ 2016.

26

27 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
 29 AUTHORITY FOR UTILITY AND FUEL RATE INCREASE. In the event of a ten percent
 30 (10%) increase in utility and fuel rates, the Department of Community
 31 Correction is authorized to transfer from any line item in Section 3 - State
 32 Operations to Operating Expense Item (05)(A) in Section 3 - State Operations
 33 for support of the increase after receiving approval of the Chief Fiscal
 34 Officer of the State. Prior to the utilization of the transfer authority a
 35 report shall be made to the Arkansas Legislative Council or Joint Budget
 36 Committee including justification for the transfer and the amount of

1 transfer.

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

18 The provisions of this section shall be in effect only from July 1,
19 2015 through June 30, 2016.

20
21 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY
23 JAIL INVOICE SUMMARY. The Departments of Correction and Community
24 Correction, shall at a minimum and on a fiscal year basis, prepare and post
25 on the applicable agency web site, a monthly summary of county jail
26 reimbursement invoices prepared and forwarded to each county sheriff for
27 verification by the Departments and for payment from the County Jail
28 Reimbursement Fund. In addition, the report shall include a summary of
29 invoices returned by each county for payment for previous months within the
30 fiscal year, the amounts paid, and any balances owed. Each fiscal year-end
31 report shall be maintained on the web sites for a period of no less than
32 three (3) years.

33 The provisions of this section shall be in effect only from July 1,
34 2015 through June 30, 2016.

35
36 SECTION 22. COMPLIANCE WITH OTHER LAWS. Disbursement of funds

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

9
10 SECTION 23. LEGISLATIVE INTENT. It is the intent of the General
11 Assembly that any funds disbursed under the authority of the appropriations
12 contained in this act shall be in compliance with the stated reasons for
13 which this act was adopted, as evidenced by the Agency Requests, Executive
14 Recommendations and Legislative Recommendations contained in the budget
15 manuals prepared by the Department of Finance and Administration, letters, or
16 summarized oral testimony in the official minutes of the Arkansas Legislative
17 Council or Joint Budget Committee which relate to its passage and adoption.

18
19 SECTION 24. EMERGENCY CLAUSE. It is found and determined by the
20 General Assembly, that the Constitution of the State of Arkansas prohibits
21 the appropriation of funds for more than a one (1) year period; that the
22 effectiveness of this Act on July 1, 2015 is essential to the operation of
23 the agency for which the appropriations in this Act are provided, and that in
24 the event of an extension of the legislative session, the delay in the
25 effective date of this Act beyond July 1, 2015 could work irreparable harm
26 upon the proper administration and provision of essential governmental
27 programs. Therefore, an emergency is hereby declared to exist and this Act
28 being necessary for the immediate preservation of the public peace, health
29 and safety shall be in full force and effect from and after July 1, 2015.

30
31 */s/ Joint Budget Committee*

32
33
34 **APPROVED: 04/06/2015**