

Stricken language will be deleted and underlined language will be added.
Act 263 of the Fiscal Session

1 State of Arkansas
2 90th General Assembly
3 Fiscal Session, 2016
4

As Engrossed: H4/27/16
A Bill

HOUSE BILL 1102

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, 2017; AND FOR OTHER PURPOSES.
12
13

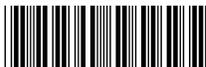
14 **Subtitle**

15 AN ACT FOR THE DEPARTMENT OF COMMUNITY
16 CORRECTION APPROPRIATION FOR THE 2016-
17 2017 FISCAL YEAR.
18
19

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

22 SECTION 1. REGULAR SALARIES. There is hereby established for the
23 Department of Community Correction for the 2016-2017 fiscal year, the
24 following maximum number of regular employees.
25

				Maximum Annual
			Maximum	Salary Rate
Item	Class		No. of	Fiscal Year
No.	Code	Title	Employees	2016-2017
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 SERVICES	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	2	GRADE C124
10	(17)	T015C	ADC/DCC DEPUTY WARDEN	7	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	7	GRADE C119
25	(32)	M021C	DCC TREATMENT SUPERVISOR	9	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	7	GRADE C118
30	(37)	T045C	DCC PAROLE/PROBATION OFFICER	516	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	39	GRADE C117
36	(43)	M046C	ADC/DCC TREATMENT COORDINATOR	22	GRADE C117

1	(44)	G180C	GRANTS ANALYST	2	GRADE C117
2	(45)	S026C	ADC/DCC ASST MAINTENANCE SUPERVISOR	11	GRADE C116
3	(46)	T059C	ADC/DCC FOOD PREPARATION MANAGER	12	GRADE C116
4	(47)	C024C	ADC/DCC RECORDS SUPERVISOR	9	GRADE C116
5	(48)	C022C	BUSINESS OPERATIONS SPECIALIST	7	GRADE C116
6	(49)	V014C	BUYER	4	GRADE C116
7	(50)	G200C	CLASSIFICATION & ASSIGNMENT OFFICER	5	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	69	GRADE C116
12	(55)	M059C	ADC/DCC ADVISOR	131	GRADE C115
13	(56)	T065C	ADC/DCC CORRECTIONAL SERGEANT	89	GRADE C115
14	(57)	M058C	ADC/DCC PROGRAM SPECIALIST	11	GRADE C115
15	(58)	C037C	ADMINISTRATIVE ANALYST	8	GRADE C115
16	(59)	R033C	BENEFITS ANALYST	1	GRADE C115
17	(60)	M057C	CHAPLAIN	7	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	7	GRADE C115
21	(64)	A090C	PAYROLL SERVICES SPECIALIST	1	GRADE C115
22	(65)	T070C	ADC/DCC FOOD PREPARATION SUPERVISOR	24	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	8	GRADE C113
26	(69)	T075C	ADC/DCC CORPORAL	282	GRADE C113
27	(70)	R036C	HUMAN RESOURCES SPECIALIST	1	GRADE C113
28	(71)	T083C	ADC/DCC CORRECTIONAL OFFICER I	2	GRADE C112
29	(72)	C056C	ADMINISTRATIVE SPECIALIST III	101	GRADE C112
30	(73)	T081C	COMMISSARY MANAGER	8	GRADE C112
31	(74)	A098C	FISCAL SUPPORT SPECIALIST	12	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>76</u>	GRADE C109
35			MAX. NO. OF EMPLOYEES	1,651	

36

SECTION 2. EXTRA HELP. There is hereby authorized, for the Department of Community Correction for the 2016-2017 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, 2017, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2016-2017</u>
(01) REGULAR SALARIES	\$49,413,778
(02) EXTRA HELP	100,000
(03) PERSONAL SERVICES MATCHING	18,531,095
(04) OVERTIME	10,000
(05) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	22,170,874
(B) CONF. & TRAVEL	47,109
(C) PROF. FEES	7,543,170
(D) CAP. OUTLAY	971,457
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$98,787,483</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, 2017, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2016-2017</u>

1	(01) REGULAR SALARIES	\$2,435,183
2	(02) PERSONAL SERVICES MATCHING	886,474
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>\$8,740,233</u></u>

13

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, 2017, the
 19 following:

20

21	ITEM	FISCAL YEAR
22	<u>NO.</u>	<u>2016-2017</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>

32

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 2017, the following:

3		
4	ITEM	FISCAL YEAR
5	<u>NO.</u>	<u>2016-2017</u>
6	(01) MAINT. & GEN. OPERATION	
7	(A) OPER. EXPENSE	\$2,557,846
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>\$2,722,516</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, 2017, the following:

19		
20	ITEM	FISCAL YEAR
21	<u>NO.</u>	<u>2016-2017</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 2017, the following:

30		
31	ITEM	FISCAL YEAR
32	<u>NO.</u>	<u>2016-2017</u>
33	(01) COMMUNITY CORRECTION PROGRAM	<u><u>\$4,000,000</u></u>

34
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 2017, the following:

6 ITEM	FISCAL YEAR
7 <u>NO.</u>	<u>2016-2017</u>
8 (01) COURT ACCOUNTABILITY GRANTS	<u>\$2,800,000</u>

9
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 of the Department of Community Correction for the fiscal
14 year ending June 30, 2017, the following:

16 ITEM	FISCAL YEAR
17 <u>NO.</u>	<u>2016-2017</u>
18 (01) PAY-FOR-SUCCESS PROGRAM	<u>\$3,000,000</u>

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

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

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

11 The provisions of this section shall be in effect only from July 1, ~~2015~~
12 2016 through June 30, ~~2016~~ 2017.

13

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

19 The provisions of this section shall be in effect only from July 1, ~~2015~~
20 2016 through June 30, ~~2016~~ 2017.

21

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

28 The provisions of this section shall be in effect only from July 1, ~~2015~~
29 2016 through June 30, ~~2016~~ 2017.

30

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

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

19 The provisions of this section shall be in effect only from July 1, ~~2015~~
20 2016 through June 30, ~~2016~~ 2017.

21

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

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

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

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

36 The provisions of this section shall be in effect only from July 1, ~~2015~~

1 2016 through June 30, ~~2016~~ 2017.

2

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

16

17		Maximum Annual
18		Salary Rate
19	Class	Fiscal Year
20	<u>Code Title</u>	<u>2015-2016 2016-2017</u>
21	T033C ADC/DCC MAJOR	GRADE C120
22	T048C ADC/DCC CAPTAIN	GRADE C118
23	T054C ADC/DCC LIEUTENANT	GRADE C117
24	T065C ADC/DCC CORRECTIONAL SERGEANT	GRADE C115
25	T075C ADC/DCC CORPORAL	GRADE C113
26	T083C ADC/DCC CORRECTIONAL OFFICER I	GRADE C112

27 The provisions of this section shall be in effect only from July 1, ~~2015~~
 28 2016 through June 30, ~~2016~~ 2017.

29

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

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

10 The provisions of this section shall be in effect only from July 1, ~~2015~~
 11 2016 through June 30, ~~2016~~ 2017.

12
 13 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REGULAR
 15 SALARIES - CONTINGENT POSITIONS. There is hereby established for the
 16 Department of Community Correction - Contingent Positions for the ~~2015-2016~~
 17 2016-2017 fiscal year, the following maximum number of regular employees.

18
 19 CONTINGENT POSITIONS - MEDICAL SERVICES

				MAXIMUM ANNUAL	
				MAXIMUM	SALARY RATE
ITEM	CLASS			NO. OF	FISCAL YEAR
NO.	CODE	TITLE		EMPLOYEES	2015-2016 2016-2017
24	(1)	L009C	NURSE MANAGER	1	GRADE C125
25	(2)	L033C	PSYCH. EXAMINER	1	GRADE C121
26	(3)	M026C	LICENSED SOCIAL WORKER	6	GRADE C118
27	(4)	L032C	REGISTERED NURSE HOSPITAL	7	GRADE C121
28	(5)	L069C	LIC PRACT NURSE	25	GRADE C113
29	(6)	C056C	ADMIN SPECIALIST III	2	GRADE C112
30	(7)	G238C	ADMINISTRATOR	1	GRADE C123
31	(8)	L081C	DENTAL ASSISTANT	1	GRADE C109
32	(9)	L013N	DENTAL DIRECTOR	1	GRADE N916
33	(10)	L071C	DENTAL HYGIENIST	1	GRADE C113
34	(11)	L011N	DENTIST	1	GRADE N916
35	(12)	Q109C	MEDICAL RECORDS DIRECTOR	1	GRADE C118
36	(13)	L008N	PHYSICIAN - STAFF	1	GRADE N917

1	(14)	L024N	PSYCHIATRIC DIRECTOR	1	GRADE N919
2	(15)	L005N	PSYCHIATRIST	1	GRADE N919
3	(16)	L003C	PSYCHOLOGIST - PT	1	GRADE C127
4	(17)	C019C	REGIONAL MANAGER	1	GRADE C117
5	(18)	C056C	SECRETARY/ADMIN ASST	<u>1</u>	GRADE C112
6			MAXIMUM NUMBER OF CONTINGENT		
7			EMPLOYEES - MEDICAL SERVICES	54	

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

11 The provisions of this section shall be in effect only from July 1, ~~2015~~
 12 2016 through June 30, ~~2016~~ 2017.

13

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

25 The provisions of this section shall be in effect only from July 1, ~~2015~~
 26 2016 through June 30, ~~2016~~ 2017.

27

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

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

19 The provisions of this section shall be in effect only from July 1, ~~2015~~
20 2016 through June 30, ~~2016~~ 2017.

21

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

34 The provisions of this section shall be in effect only from July 1, ~~2015~~
35 2016 through June 30, ~~2016~~ 2017.

36

1 SECTION 22. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
2 authorized by this act shall be limited to the appropriation for such agency
3 and funds made available by law for the support of such appropriations; and
4 the restrictions of the State Procurement Law, the General Accounting and
5 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
6 Procedures and Restrictions Act, or their successors, and other fiscal
7 control laws of this State, where applicable, and regulations promulgated by
8 the Department of Finance and Administration, as authorized by law, shall be
9 strictly complied with in disbursement of said funds.

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

19
20 SECTION 24. EMERGENCY CLAUSE. It is found and determined by the
21 General Assembly, that the Constitution of the State of Arkansas prohibits
22 the appropriation of funds for more than a one (1) year period; that the
23 effectiveness of this Act on July 1, 2016 is essential to the operation of
24 the agency for which the appropriations in this Act are provided, and that in
25 the event of an extension of the legislative session, the delay in the
26 effective date of this Act beyond July 1, 2016 could work irreparable harm
27 upon the proper administration and provision of essential governmental
28 programs. Therefore, an emergency is hereby declared to exist and this Act
29 being necessary for the immediate preservation of the public peace, health
30 and safety shall be in full force and effect from and after July 1, 2016.

31
32 */s/ Joint Budget Committee*

33
34
35 **APPROVED: 05/09/2016**