

1 State of Arkansas *As Engrossed: H2/8/17 H2/24/17*

2 91st General Assembly

# A Bill

3 Regular Session, 2017

HOUSE BILL 1214

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, 2018; AND FOR OTHER PURPOSES.

12

13

14

## Subtitle

15

AN ACT FOR THE DEPARTMENT OF COMMUNITY

16

CORRECTION APPROPRIATION FOR THE 2017-

17

2018 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 2017-2018 fiscal year, the

24 following maximum number of regular employees.

25

26

Maximum Annual

27

Maximum

Salary Rate

28

Item Class

No. of

Fiscal Year

29

No. Code Title

Employees

2017-2018

30

(1) U084U DCC DIRECTOR

1

\$117,179

31

(2) U083U DCC CHIEF DEPUTY DIRECTOR

1

\$96,754

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) A010C AGENCY CONTROLLER II

1

GRADE C128

36

(7) T004C DCC PROG ADMR PAROLE & PROBATION SVCS

4

GRADE C128



1	(8)	D094C	DCC PROJ & ENTERPRISE PROG MGMT ADMIN	1	GRADE C128
2	(9)	M001C	DCC TREATMENT ADMINISTRATOR	2	GRADE C128
3	(10)	D007C	INFORMATION SYSTEMS MANAGER	1	GRADE C128
4	(11)	T005C	ADC/DCC CORRECTIONAL WARDEN	6	GRADE C127
5	(12)	G025C	ATTORNEY SUPERVISOR	1	GRADE C127
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	7	GRADE C124
11	(18)	D030C	INFORMATION SYSTEMS COORDINATOR	1	GRADE C124
12	(19)	R013C	AGENCY HUMAN RESOURCES MANAGER	1	GRADE C123
13	(20)	V036C	AGENCY PROCUREMENT ADMINISTRATOR	1	GRADE C123
14	(21)	X025C	DCC PAROLE/PROBATION AREA MANAGER	16	GRADE C123
15	(22)	P004C	PUBLIC INFORMATION MANAGER	1	GRADE C123
16	(23)	D038C	SENIOR SOFTWARE SUPPORT ANALYST	2	GRADE C123
17	(24)	M007C	DCC ASST TREATMENT PROGRAM MGR	5	GRADE C122
18	(25)	G222C	ADC/DCC INTERNAL AFFAIRS ADMINISTRATOR	1	GRADE C121
19	(26)	T027C	ADC/DCC TRAINING ADMINISTRATOR	1	GRADE C121
20	(27)	X042C	DCC PAROLE/PROBATION ASST AREA MGR	45	GRADE C121
21	(28)	D052C	SOFTWARE SUPPORT ANALYST	6	GRADE C121
22	(29)	T033C	ADC/DCC MAJOR	3	GRADE C120
23	(30)	T104C	ADC/DCC TRAINING ACADEMY SUPERVISOR	1	GRADE C120
24	(31)	R021C	BUDGET ANALYST	1	GRADE C119
25	(32)	G154C	DCC PROGRAM COORDINATOR	6	GRADE C119
26	(33)	M021C	DCC TREATMENT SUPERVISOR	7	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	499	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	56	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	19	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	217	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	91	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>71</u>	GRADE C109
35			MAX. NO. OF EMPLOYEES	1,455	

36

SECTION 2. EXTRA HELP. There is hereby authorized, for the Department of Community Correction for the 2017-2018 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, 2018, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2017-2018</u>
(01) REGULAR SALARIES	\$48,322,586
(02) EXTRA HELP	100,000
(03) PERSONAL SERVICES MATCHING	18,281,863
(04) OVERTIME	10,000
(05) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	15,752,479
(B) CONF. & TRAVEL	2,000
(C) PROF. FEES	6,222,027
(D) CAP. OUTLAY	500,000
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$89,190,955</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 - Operations - Special Revenue for the fiscal year ending June 30, 2018, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2017-2018</u>

1	(01) REGULAR SALARIES	\$2,501,289
2	(02) PERSONAL SERVICES MATCHING	912,895
3	(03) MAINT. & GEN. OPERATION	
4	(A) OPER. EXPENSE	4,200,000
5	(B) CONF. & TRAVEL	100,000
6	(C) PROF. FEES	1,000,000
7	(D) CAP. OUTLAY	1,200,000
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>\$15,332,760</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, 2018, the  
 19 following:

21	ITEM	FISCAL YEAR
22	<u>NO.</u>	<u>2017-2018</u>
23	(01) REGULAR SALARIES	\$211,028
24	(02) PERSONAL SERVICES MATCHING	81,326
25	(03) MAINT. & GEN. OPERATION	
26	(A) OPER. EXPENSE	1,270,246
27	(B) CONF. & TRAVEL	28,313
28	(C) PROF. FEES	309,439
29	(D) CAP. OUTLAY	0
30	(E) DATA PROC.	<u>0</u>
31	TOTAL AMOUNT APPROPRIATED	<u><u>\$1,900,352</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 - Cash for the fiscal year ending  
2 June 30, 2018, the following:

3		
4	ITEM	FISCAL YEAR
5	<u>NO.</u>	<u>2017-2018</u>
6	(01) MAINT. & GEN. OPERATION	
7	(A) OPER. EXPENSE	\$2,557,846
8	(B) CONF. & TRAVEL	0
9	(C) PROF. FEES	101,800
10	(D) CAP. OUTLAY	500,000
11	(E) DATA PROC.	<u>0</u>
12	TOTAL AMOUNT APPROPRIATED	<u><u>\$3,159,646</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, 2018, the following:

19

20	ITEM	FISCAL YEAR
21	<u>NO.</u>	<u>2017-2018</u>
22	(01) REIMBURSEMENT TO COUNTIES HOUSING	
23	STATE INMATES	<u><u>\$3,000,000</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 2018, the following:

30

31	ITEM	FISCAL YEAR
32	<u>NO.</u>	<u>2017-2018</u>
33	(01) COMMUNITY CORRECTION PROGRAM	<u><u>\$8,000,000</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 2018, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2017-2018</u>
(01) COURT ACCOUNTABILITY GRANTS	<u>\$1,400,000</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, 2018, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2017-2018</u>
(01) PAY-FOR-SUCCESS PROGRAM	<u>\$3,000,000</u>

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16  
17  
18  
19  
20 SECTION 11. APPROPRIATION - PAY-FOR-SUCCESS - SOCIAL INNOVATION  
21 ASSURANCE. There is hereby appropriated, to the Department of Community  
22 Correction, to be payable from the Social Innovation Fund, for payment of  
23 debt service as authorized by the Pay for Success Act, §12-27-201 et. seq.,  
24 for the fiscal year ending June 30, 2018, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2017-2018</u>
(01) DEBT SERVICE	<u>\$1,000,000</u>

25  
26  
27  
28  
29  
30 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDING  
32 TRANSFER. Upon approval of the Board of Corrections and the Chief Fiscal  
33 Officer of the State, the Arkansas Department of Community Correction may  
34 transfer from the Community Correction Revolving Fund and/or the Best  
35 Practices Fund an amount not to exceed one million dollars (\$1,000,000) to  
36 the Social Innovation Fund there to be used for debt service payments and

1 other costs associated with the issuance of bonds.

2 The provisions of this section shall be in effect only from July 1,  
3 2017 through June 30, 2018."

4  
5 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COMMUNITY  
7 CORRECTION PROGRAMS LINE ITEM USES. After seeking and receiving approval of  
8 the Governor and Chief Fiscal Officer of the State and upon approval by the  
9 Arkansas Legislative Council or Joint Budget Committee, the Director of the  
10 Department of Community Correction, as authorized by the Board of  
11 Corrections, is authorized to use funds appropriated for "Community  
12 Correction Programs" line item of the Operations - Special Revenue  
13 appropriation provided in this Act to construct new or renovate existing  
14 facilities to support the development of community correction facilities in  
15 the state.

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

32 The provisions of this section shall be in effect only from July 1, ~~2016~~  
33 2017 through June 30, ~~2017~~ 2018.

34  
35 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PARKING

1 FEES. On July 1, of each year the Department of Community Correction shall  
2 pay from the appropriation provided herein from non-general revenue, the  
3 total amount appropriated for War Memorial Stadium Commission Parking  
4 Services from Fees to the War Memorial Stadium Commission.

5 The provisions of this section shall be in effect only from July 1, ~~2016~~  
6 2017 through June 30, ~~2017~~ 2018.

7

8 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
10 PROVISION. Upon seeking and receiving approval from the Chief Fiscal Officer  
11 of the State and review and approval by the Arkansas Legislative Council or  
12 Joint Budget Committee, the Director of the Department of Community  
13 Correction is authorized to transfer appropriation from any line item  
14 authorized in the State Operations and Operations - Special Revenue  
15 Appropriations of this Act to any other line item authorized in the State  
16 Operations and Operations - Special Revenue Appropriations of this Act.  
17 Determining the maximum number of employees and the maximum amount of  
18 appropriation and general revenue funding for a state agency each fiscal year  
19 is the prerogative of the General Assembly. This is usually accomplished by  
20 delineating such maximums in the appropriation act(s) for a state agency and  
21 the general revenue allocations authorized for each fund and fund account by  
22 amendment to the Revenue Stabilization law. Further, the General Assembly  
23 has determined that the Department of Community Correction may operate more  
24 efficiently if some flexibility is provided to the Department of Community  
25 Correction authorizing broad powers under this Section. Therefore, it is both  
26 necessary and appropriate that the General Assembly maintain oversight by  
27 requiring prior approval of the Legislative Council or Joint Budget Committee  
28 as provided by this section. The requirement of approval by the Legislative  
29 Council or Joint Budget Committee is not a severable part of this section.  
30 If the requirement of approval by the Legislative Council or Joint Budget  
31 Committee is ruled unconstitutional by a court of competent jurisdiction,  
32 this entire section is void.

33 The provisions of this section shall be in effect only from July 1, ~~2016~~  
34 2017 through June 30, ~~2017~~ 2018.

35

36 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
2 REALLOCATION OF RESOURCES. Upon determination by the Board of Corrections  
3 that a reallocation of resources within the Department of Community  
4 Correction and Department of Correction is necessary for the efficient and  
5 effective operation of the departments, the Board, with approval of the  
6 Governor and approval by the Arkansas Legislative Council or Joint Budget  
7 Committee, shall have the authority to instruct the department directors, to  
8 request from the Chief Fiscal Officer of the State, a transfer of positions,  
9 programs, funds, appropriations, and line-item appropriations within or  
10 between existing and newly created divisions, offices, sections, or units of  
11 the departments. If it is determined that the requested transfer should be  
12 made, the Chief Fiscal Officer of the State shall then initiate the necessary  
13 transfer documents to reflect the transfers upon the fiscal records of the  
14 State Treasurer, the State Auditor, the Chief Fiscal Officer of the State,  
15 and the Departments of Correction and Community Correction. Provided,  
16 however, that the Board shall be limited to submitting no more than two  
17 requests, encompassing a single purpose listed in this section, during any  
18 fiscal year per department. Transfer authority shall further be limited to  
19 no more than five percent (5%) of the total General Revenue and Special  
20 Revenue appropriation, funding, and positions specific to each agency.  
21 However, there shall be no transfers to or from the County Jail Reimbursement  
22 Fund. A Reallocation of Resources Transfer shall be limited to the following  
23 specific purposes:  
24 a) Costs to open and operate temporary beds;  
25 b) Payment of Debt Service;  
26 c) Payment of Overtime Expenses;  
27 d) Unanticipated increases for medical or private prison contracts;  
28 e) Construction/renovation/equipping of new beds;  
29 f) Deficits in Farm or Industry Program;  
30 g) Losses not covered by insurance proceeds;  
31 h) Costs of personnel for critical services or necessary to carry out the  
32 mission of the agency.  
33 Determining the maximum number of employees and the maximum amount of  
34 appropriation and general revenue funding for a state agency each fiscal year  
35 is the prerogative of the General Assembly. This is usually accomplished by  
36 delineating such maximums in the appropriation act(s) for a state agency and

1 the general revenue allocations authorized for each fund and fund account by  
 2 amendment to the Revenue Stabilization law. Further, the General Assembly  
 3 has determined that the Department of Correction and the Department of  
 4 Community Correction may operate more efficiently if some flexibility is  
 5 provided to the Board of Corrections authorizing broad powers under the  
 6 Reallocation of Resources provisions herein. Therefore, it is both necessary  
 7 and appropriate that the General Assembly maintain oversight by requiring  
 8 prior approval of the Legislative Council or Joint Budget Committee as  
 9 provided by this section. The requirement of approval by the Legislative  
 10 Council or Joint Budget Committee is not a severable part of this section.  
 11 If the requirement of approval by the Legislative Council or Joint Budget  
 12 Committee is ruled unconstitutional by a court jurisdiction, this entire  
 13 section is void.

14 The provisions of this section shall be in effect only from July 1, ~~2016~~  
 15 2017 through June 30, ~~2017~~ 2018.

16  
 17 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HOLIDAY  
 19 COMPENSATION. The Department of Community Correction is authorized to pay  
 20 employees for up to ninety-six (96) hours of unused holidays exceeding a  
 21 balance in the employee's holiday account of one-hundred fifty (150) hours  
 22 following the end of the calendar year. Payments of unused holiday hours must  
 23 be processed on or before June 1st in each fiscal year. Employees terminating  
 24 employment from the Department of Community Correction will be eligible for  
 25 all holiday pay accrued during the years of service. This request is  
 26 contingent on approval by the Chief Fiscal Officer of the State after the  
 27 Director of the Department of Community Correction has verified that  
 28 sufficient revenues are available to make such payments to employees in the  
 29 following classifications:

Class	Code Title	Maximum Annual Salary Rate Fiscal Year
		<del>2016-2017</del> 2017-2018
35	T033C ADC/DCC MAJOR	GRADE C120
36	T048C ADC/DCC CAPTAIN	GRADE C118

- 1 T054C ADC/DCC LIEUTENANT GRADE C117
- 2 T065C ADC/DCC CORRECTIONAL SERGEANT GRADE C115
- 3 T075C ADC/DCC CORPORAL GRADE C113
- 4 T083C ADC/DCC CORRECTIONAL OFFICER I GRADE C112

5 The provisions of this section shall be in effect only from July 1, ~~2016~~  
 6 2017 through June 30, ~~2017~~2018.

7  
 8 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MEDICAL  
 10 SERVICES - CONTINGENCY POSITIONS. If it has been determined by the Board of  
 11 Corrections that the Department of Community Correction cannot continue a  
 12 medical contract with a private provider and the Board deems it necessary to  
 13 utilize Department staff to provide the required services, the Department is  
 14 allowed, upon notification of the Chief Fiscal Officer of the State and after  
 15 seeking prior review by the Arkansas Legislative Council or Joint Budget  
 16 Committee, to utilize the contingent positions for medical services contained  
 17 in this Act and make the appropriate transfers from the Professional Fees and  
 18 Services line item contained in the State Operations Appropriation of this  
 19 Act to Regular Salaries, Personal Services Matching and various Maintenance  
 20 and General Operations classifications. Further, the Department may utilize  
 21 the service(s) of a state-based or national-based Professional Recruitment  
 22 Service, or network, as may be necessary to recruit, fill, or maintain the  
 23 occupancy of the positions stated herein.

24 The provisions of this section shall be in effect only from July 1, ~~2016~~  
 25 2017 through June 30, ~~2017~~ 2018.

26  
 27 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REGULAR  
 29 SALARIES - CONTINGENT POSITIONS. There is hereby established for the  
 30 Department of Community Correction - Contingent Positions for the ~~2016-2017~~  
 31 2017-2018 fiscal year, the following maximum number of regular employees.

32  
 33 CONTINGENT POSITIONS - MEDICAL SERVICES

		MAXIMUM ANNUAL
		SALARY RATE
ITEM	CLASS	FISCAL YEAR
		MAXIMUM
		NO. OF

1	NO.	CODE	TITLE	EMPLOYEES	<del>2016-2017</del> 2017-2018
2	(1)	L009C	NURSE MANAGER	1	GRADE C125
3	(2)	L033C	PSYCH. EXAMINER	1	GRADE C121
4	(3)	M026C	LICENSED SOCIAL WORKER	6	GRADE C118
5	(4)	L032C	REGISTERED NURSE HOSPITAL	7	GRADE C121
6	(5)	L069C	LIC PRACT NURSE	25	GRADE C113
7	(6)	C056C	ADMIN SPECIALIST III	2	GRADE C112
8	(7)	G238C	ADMINISTRATOR	1	GRADE C123
9	(8)	L081C	DENTAL ASSISTANT	1	GRADE C109
10	(9)	L013N	DENTAL DIRECTOR	1	GRADE N916
11	(10)	L071C	DENTAL HYGIENIST	1	GRADE C113
12	(11)	L011N	DENTIST	1	GRADE N916
13	(12)	Q109C	MEDICAL RECORDS DIRECTOR	1	GRADE C118
14	(13)	L008N	PHYSICIAN - STAFF	1	GRADE N917
15	(14)	L024N	PSYCHIATRIC DIRECTOR	1	GRADE N919
16	(15)	L005N	PSYCHIATRIST	1	GRADE N919
17	(16)	L003C	PSYCHOLOGIST - PT	1	GRADE C127
18	(17)	C019C	REGIONAL MANAGER	1	GRADE C117
19	(18)	C056C	SECRETARY/ADMIN ASST	<u>1</u>	GRADE C112
20			MAXIMUM NUMBER OF CONTINGENT		
21			EMPLOYEES - MEDICAL SERVICES	54	

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

25 The provisions of this section shall be in effect only from July 1, ~~2016~~  
 26 2017 through June 30, ~~2017~~ 2018.

27

28 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COMMUNITY  
 30 CORRECTION PROGRAM LINE ITEM USES. After seeking and receiving approval of  
 31 the Governor and Chief Fiscal Officer of the State and upon approval by the  
 32 Arkansas Legislative Council or Joint Budget Committee, the Director of the  
 33 Department of Community Correction, as authorized by the Board of  
 34 Corrections, is authorized to use the appropriations authorized under the  
 35 line item established herein for "Community Correction Program" are to be  
 36 used by the Department of Community Correction for establishment and

1 operation of, to include construction, renovation, and contracting for  
2 establishment and operation of, residential and non-residential community  
3 correction programs such as, but not limited to, community correction  
4 centers, drug, alcohol, and mental health treatments, intensive supervision,  
5 restitution, and others as established and approved by the Board of  
6 Corrections and as may be provided by law.

7 The provisions of this section shall be in effect only from July 1, ~~2016~~  
8 2017 through June 30, ~~2017~~ 2018.

9

10 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
12 AUTHORITY FOR UTILITY AND FUEL RATE INCREASE. In the event of a ten percent  
13 (10%) increase in utility and fuel rates, the Department of Community  
14 Correction is authorized to transfer from any line item in the State  
15 Operations Appropriation to the Operating Expense line item in the State  
16 Operations Appropriation for support of the increase after receiving approval  
17 of the Chief Fiscal Officer of the State. Prior to the utilization of the  
18 transfer authority a report shall be made to the Arkansas Legislative Council  
19 or Joint Budget Committee including justification for the transfer and the  
20 amount of transfer.

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

1 The provisions of this section shall be in effect only from July 1, 2016  
2 2017 through June 30, ~~2017~~ 2018.

3  
4 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY  
6 JAIL INVOICE SUMMARY. The Departments of Correction and Community  
7 Correction, shall at a minimum and on a fiscal year basis, prepare and post  
8 on the applicable agency web site, a monthly summary of county jail  
9 reimbursement invoices prepared and forwarded to each county sheriff for  
10 verification by the Departments and for payment from the County Jail  
11 Reimbursement Fund. In addition, the report shall include a summary of  
12 invoices returned by each county for payment for previous months within the  
13 fiscal year, the amounts paid, and any balances owed. Each fiscal year-end  
14 report shall be maintained on the web sites for a period of no less than  
15 three (3) years.

16 The provisions of this section shall be in effect only from July 1, 2016  
17 2017 through June 30, ~~2017~~ 2018.

18  
19 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MOTOR  
21 VEHICLE PURCHASE PROVISION. The Department of Community Correction is hereby  
22 authorized to purchase motor vehicles from the appropriations authorized for  
23 Capital Outlay in the State Operations and Special Revenue Operations  
24 appropriations in this Act.

25 The provisions of this section shall be in effect only from July 1, 2017  
26 through June 30, 2018.

27  
28 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
30 PAROLE/PROBATION OFFICERS HIRING. The Department of Community Correction  
31 shall report quarterly to the Arkansas Legislative Council or Joint Budget  
32 Committee the number of vacant Parole/Probation Officer, Parole/Probation  
33 Area Manager, Parole/Probation Assistant Area Manager positions and average  
34 case load per Parole/Probation Officer.

35 The provisions of this section shall be in effect only from July 1,  
36 2017 through June 30, 2018.

1  
2 SECTION 25. 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.

11  
12 SECTION 26. 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.

20  
21 SECTION 27. EMERGENCY CLAUSE. It is found and determined by the  
22 General Assembly, that the Constitution of the State of Arkansas prohibits  
23 the appropriation of funds for more than a one (1) year period; that the  
24 effectiveness of this Act on July 1, 2017 is essential to the operation of  
25 the agency for which the appropriations in this Act are provided, and that in  
26 the event of an extension of the legislative session, the delay in the  
27 effective date of this Act beyond July 1, 2017 could work irreparable harm  
28 upon the proper administration and provision of essential governmental  
29 programs. Therefore, an emergency is hereby declared to exist and this Act  
30 being necessary for the immediate preservation of the public peace, health  
31 and safety shall be in full force and effect from and after July 1, 2017.

32  
33 */s/ Joint Budget Committee*

34  
35 **APPROVED: 03/30/2017**