

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997
4

As Engrossed: H3/25/97

A Bill

ACT 1050 OF 1997
SENATE BILL 203

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND
10 OPERATING EXPENSES FOR THE ARKANSAS DEPARTMENT OF
11 COMMUNITY PUNISHMENT FOR THE BIENNIAL PERIOD ENDING JUNE
12 30, 1999; AND FOR OTHER PURPOSES."
13

Subtitle

14 "AN ACT FOR THE ARKANSAS DEPARTMENT OF
15 COMMUNITY PUNISHMENT APPROPRIATION FOR
16 THE 1997-99 BIENNIUM."
17
18

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

21 SECTION 1. REGULAR SALARIES. There is hereby established for the
22 Arkansas Department of Community Punishment for the 1997-99 biennium, the
23 following maximum number of regular employees whose salaries shall be governed
24 by the provisions of the Uniform Classification and Compensation Act (Arkansas
25 Code §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
26 Provided, however, that any position to which a specific maximum annual salary
27 is set out herein in dollars, shall be exempt from the provisions of said
28 Uniform Classification and Compensation Act. All persons occupying positions
29 authorized herein are hereby governed by the provisions of the Regular
30 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its
31 successor.
32

Item	Class	No. of	Maximum Annual
		Employees	Salary Rate
			Fiscal Years
No.	Code	Title	1997-98 1998-99

1	(1)	8052 COMMUNITY PUNISHMENT DIRECTOR	1	\$ 71,726	\$ 73,734
2	(2)	8053 COMM PUNISHMENT DEPUTY DIRECTOR	1	\$ 57,260	\$ 58,863
3	(3)	8801 DCP INSTITUTIONAL ADMINISTRATOR	1	\$ 55,404	\$ 56,955
4	(4)	8906 CP ASST DIRECTOR FIELD OPERATIONS	1	\$ 53,081	\$ 54,567
5	(5)	8905 COMMUNITY PUNISHMENT PROGRAM ADMR	3	\$ 47,456	\$ 48,784
6	(6)	102Z WARDEN II	4		GRADE 26
7	(7)	R170 ATTORNEY SPECIALIST	1		GRADE 25
8		L124 PSYCHOLOGIST	1		
9	(8)	962Z CP/COR ACCOUNTING SUPERVISOR	1		GRADE 24
10	(9)	181Z COMPLIANCE ADMINISTRATOR	1		GRADE 23
11		091Z ASSISTANT WARDEN	4		
12		N334 COR ASST TO THE DIR/PUB RELATIONS	1		
13	(10)	E051 TRAINING PROJECT MANAGER	1		GRADE 22
14		119Z CP/COR PERSONNEL MANAGER	1		
15		T014 CHIEF SECURITY OFFICER	4		
16	(11)	V012 PURCHASING MANAGER	1		GRADE 21
17		D036 SR PROGRAMMER/ANALYST	1		
18		R172 INTERSTATE COMPACT ADMR	1		
19		T001 COR INSTITUTIONAL PAROLE ADMR	1		
20		L122 PSYCHOLOGICAL EXAMINER II	3		
21		T008 CP/CORRECTIONAL OFFICER IV	12		
22	(12)	R266 MANAGEMENT PROJECT ANALYST II	3		GRADE 20
23		T034 PAROLE/PROBATION OFFICER SUPV	19		
24		M016 SR CHAPLAIN	3		
25		T006 CP/CORRECTIONAL OFFICER III	28		
26		M088 SOCIAL WORKER II	3		
27	(13)	A103 FIELD AUDITOR	7		GRADE 19
28		M114 SUBSTANCE ABUSE PROGRAM LEADER	11		
29		A087 BUDGET OFFICER	1		
30		T010 CP/CORRECTIONAL SERGEANT	34		
31		H030 CP/COR FOOD PRODUCTION MGR II	3		
32		M086 SOCIAL WORKER I	1		
33	(14)	T062 PAROLE/PROBATION OFFICER	235		GRADE 18
34		E050 STAFF DEVELOPMENT SPECIALIST II	3		
35		R264 MANAGEMENT PROJECT ANALYST I	2		

1	A111 ACCOUNTANT	1	
2	W009 CP/COR RECORDS SUPERVISOR	6	
3	D034 PROGRAMMER ANALYST	1	
4	R183 COMMUNITY PUNISHMENT SPECIALIST	1	
5	T005 CP/CORRECTIONAL OFFICER II	37	
6	R322 CP/COR UNIT PERS & TRNG OFFICER	4	
7	Y131 CP/COR CONSTR/MAINT SUPV I	4	
8	M105 CP/CORRECTIONAL COUNSELOR	8	
9	M096 CP/COR PROGRAM COORD	8	
10	T012 DISCIPLINARY HEARING OFFICER	4	
11	A114 CP/COR BUSINESS MANAGER	4	
12	X450 CP/COR INTERNAL AFFAIRS INVESTGTR	3	
13	(15) R430 ADMINISTRATIVE OFFICER	1	GRADE 17
14	H029 CP/COR FOOD PRODUCTION MGR I	12	
15	E055 CP/COR UNIT TRAINER	3	
16	R049 CLASSIFICATION & ASSIGNMENT OFFICER	3	
17	M125 WORK PROGRAM ADVISOR	22	
18	(16) A053 INSURANCE SPECIALIST II	1	GRADE 16
19	X318 CP/COR ADMIN REVIEW OFFICER	5	
20	T003 CP/CORRECTIONAL OFFICER I	160	
21	V056 WAREHOUSE MANAGER	1	
22	L116 LPN III/LPTN III	1	
23	(17) R009 ADMINISTRATIVE ASSISTANT I	2	GRADE 15
24	A108 ACCOUNTING TECHNICIAN II	3	
25	K011 ADMINISTRATIVE OFFICE SUPERVISOR	1	
26	M048 RECREATIONAL ACTIVITY LEADER II	3	
27	(18) K041 EXECUTIVE SECY/ADMINISTRATIVE SECY	1	GRADE 14
28	H023 COMMISSARY MANAGER	4	
29	(19) K153 SECRETARY II	21	GRADE 13
30	(20) A106 ACCOUNTING TECHNICIAN I	40	GRADE 12
31	(21) K155 SECRETARY I	11	GRADE 11
32	(22) K023 CLERK TYPIST	<u>5</u>	GRADE 10
33	MAX NO. OF EMPLOYEES	779	

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35 SECTION 2. EXTRA HELP - STATE OPERATIONS. There is hereby

1 authorized, for the Arkansas Department of Community Punishment - State
 2 Operations for the 1997-99 biennium, the following maximum number of part-time
 3 or temporary employees, to be known as "Extra Help", payable from funds
 4 appropriated herein for such purposes: ten (10) temporary or part-time
 5 employees, when needed, at rates of pay not to exceed those provided in the
 6 Uniform Classification and Compensation Act, or its successor, or this act for
 7 the appropriate classification.

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9 SECTION 3. APPROPRIATIONS - STATE OPERATIONS. There is hereby
 10 appropriated, to the Arkansas Department of Community Punishment, to be
 11 payable from the Department of Community Punishment Fund Account, for personal
 12 services and operating expenses of the Arkansas Department of Community
 13 Punishment - State Operations for the biennial period ending June 30, 1999,
 14 the following:

15

16 ITEM	FISCAL YEARS	
17 NO.	1997-98	1998-99
18 (01) REGULAR SALARIES	\$ 15,776,305	\$ 16,198,213
19 (02) EXTRA HELP	50,000	50,000
20 (03) PERSONAL SERV MATCHING	4,754,369	4,829,915
21 (04) OVERTIME	30,000	30,000
22 (05) MAINT. & GEN. OPERATION		
23 (A) OPER. EXPENSE	6,541,573	6,541,573
24 (B) CONF. & TRVL.	31,800	31,800
25 (C) PROF. FEES	1,338,623	1,366,623
26 (D) CAP. OUTLAY	350,000	350,000
27 (E) DATA PROC.	10,621	10,621
28 (06) COMMUNITY PUNISHMENT PROG	<u>2,600,452</u>	<u>0</u>
29 TOTAL AMOUNT APPROPRIATED	<u>\$ 31,483,743</u>	<u>\$ 29,408,745</u>

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31 SECTION 4. APPROPRIATIONS - SPECIAL REVENUE OPERATIONS. There is hereby
 32 appropriated, to the Arkansas Department of Community Punishment, to be
 33 payable from the Community Punishment Revolving Fund, for personal services
 34 and operating expenses of the Arkansas Department of Community Punishment for
 35 the biennial period ending June 30, 1999, the following:

1			
2	ITEM	FISCAL YEARS	
3	NO.	1997-98	1998-99
4	(01) REGULAR SALARIES	\$ 2,309,835	\$ 2,372,464
5	(02) PERSONAL SERV MATCHING	747,503	758,726
6	(03) MAINT. & GEN. OPERATION		
7	(A) OPER. EXPENSE	84,500	84,500
8	(B) CONF. & TRVL.	4,000	4,000
9	(C) PROF. FEES	0	0
10	(D) CAP. OUTLAY	0	0
11	(E) DATA PROC.	0	0
12	(04) COMMUNITY PUNISHMENT PROG	<u>4,400,930</u>	<u>1,400,930</u>
13	TOTAL AMOUNT APPROPRIATED	<u>\$ 7,546,768</u>	<u>\$ 4,620,620</u>
14			

15 SECTION 5. APPROPRIATIONS - FEDERAL PROGRAMS. There is hereby
 16 appropriated, to the Arkansas Department of Community Punishment, to be
 17 payable from the federal funds as designated by the Chief Fiscal Officer of
 18 the State, for personal services and operating expenses of the Arkansas
 19 Department of Community Punishment for the biennial period ending June 30,
 20 ~~1999, the following:~~

21			
22	ITEM	FISCAL YEARS	
23	NO.	1997-98	1998-99
24	(01) REGULAR SALARIES	\$ 250,848	\$ 257,619
25	(02) PERSONAL SERV MATCHING	72,036	73,245
26	(03) MAINT. & GEN. OPERATION		
27	(A) OPER. EXPENSE	59,265	59,800
28	(B) CONF. & TRVL.	19,413	16,273
29	(C) PROF. FEES	66,120	69,420
30	(D) CAP. OUTLAY	0	0
31	(E) DATA PROC.	<u>0</u>	<u>0</u>
32	TOTAL AMOUNT APPROPRIATED	<u>\$ 467,682</u>	<u>\$ 476,357</u>
33			

34 SECTION 6. APPROPRIATIONS - CASH. There is hereby appropriated, to the
 35 Arkansas Department of Community Punishment, to be payable from cash funds as

1 defined by Arkansas Code 19-4-801 of the Arkansas Department of Community
 2 ~~Punishment, for operating expenses of the Arkansas Department of Community~~
 3 Punishment for the biennial period ending June 30, 1999, the following:

5 ITEM	FISCAL YEARS	
6 NO.	1997-98	1998-99
7 (01) MAINT. & GEN. OPERATION		
8 (A) OPER. EXPENSE	709,360	795,240
9 (B) CONF. & TRVL.	0	0
10 (C) PROF. FEES	0	0
11 (D) CAP. OUTLAY	107,200	56,400
12 (E) DATA PROC.	<u>0</u>	<u>0</u>
13 TOTAL AMOUNT APPROPRIATED	<u>\$ 816,560</u>	<u>\$ 851,640</u>

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 15 SECTION 7. SPECIAL LANGUAGE - TRANSFER PROVISION. Upon seeking and
 16 receiving approval from the Chief Fiscal Officer of the State and review by
 17 the Arkansas Legislative Council or Joint Budget Committee, the Director of
 18 the Department of Community Punishment is authorized to transfer appropriation
 19 from any line item authorized in Section 3 and Section 4 of this Act to any
 20 other line item authorized in Section 3 and Section 4 of this Act.

21
 22 SECTION 8. SPECIAL LANGUAGE - REALLOCATION OF RESOURCES. Upon
 23 determination by the Board of Correction and Community Punishment that a
 24 reallocation of resources within the Department of Community Punishment and
 25 Department of Correction is necessary for the efficient and effective
 26 operation of the departments, the Board, with approval of the Governor and
 27 review by the Arkansas Legislative Council or Joint Budget Committee, shall
 28 have the authority to instruct the department directors, to request from the
 29 Chief Fiscal Officer of the State, a transfer of positions, programs, funds,
 30 appropriations, and line-item appropriations within or between existing and
 31 newly created divisions, offices, sections, or units of the departments. If
 32 it is determined that the requested transfer should be made, the Chief Fiscal
 33 Officer of the State shall then initiate the necessary transfer documents to
 34 reflect the transfers upon the fiscal records of the State Treasurer, the
 35 State Auditor, the Chief Fiscal Officer of the State, and the Departments of

1 Correction and Community Punishment.

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3 SECTION 9. SPECIAL LANGUAGE. The appropriations authorized under the
4 line item established herein for "Community Punishment Programs" are to be
5 used by the Department of Community Punishment for establishment and operation
6 of, to include construction, renovation, and contracting for establishment and
7 operation of, residential and non-residential community punishment programs
8 such as, but not limited to, community punishment centers, drug, alcohol, and
9 mental health treatments, intensive supervision, restitution, and others as
10 established and approved by the Board of Correction and Community Punishment
11 and as may be provided by law.

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13 SECTION 10. SPECIAL LANGUAGE - After seeking and receiving approval of
14 the Governor and Chief Fiscal Officer of the State and upon review by the
15 Arkansas Legislative Council or Joint Budget Committee, the Director of the
16 Department of Community Punishment, as authorized by the Board of Correction
17 and Community Punishment, is authorized to use funds appropriated for
18 "Community Punishment Programs" line items in this Act to construct new or
19 renovate existing facilities to support the development of community
20 punishment facilities in the state.

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22 SECTION 11. SPECIAL LANGUAGE - The Department of Community Punishment
23 is hereby authorized to purchase motor vehicles from the appropriations
24 authorized for Capital Outlay in Section 3 and Section 4 of this Act.

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26 SECTION 12. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
27 authorized by this Act shall be limited to the appropriation for such agency
28 and funds made available by law for the support of such appropriations; and
29 the restrictions of the State Purchasing Law, the General Accounting and
30 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
31 Procedures and Restrictions Act, or their successors, and other fiscal control
32 laws of this State, where applicable, and regulations promulgated by the
33 Department of Finance and Administration, as authorized by law, shall be
34 strictly complied with in disbursement of said funds.

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1 SECTION 13. LEGISLATIVE INTENT. It is the intent of the General
2 Assembly that any funds disbursed under the authority of the appropriations
3 contained in this Act shall be in compliance with the stated reasons for which
4 this Act was adopted, as evidenced by the Agency Requests, Executive
5 Recommendations and Legislative Recommendations contained in the budget
6 manuals prepared by the Department of Finance and Administration, letters, or
7 summarized oral testimony in the official minutes of the Arkansas Legislative
8 Council or Joint Budget Committee which relate to its passage and adoption.

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10 SECTION 14. CODE. All provisions of this Act of a general and
11 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the
12 Arkansas Code Revision Commission shall incorporate the same in the Code.

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14 SECTION 15. SEVERABILITY. If any provision of this Act or the
15 application thereof to any person or circumstance is held invalid, such
16 invalidity shall not affect other provisions or applications of the Act which
17 can be given effect without the invalid provision or application, and to this
18 end the provisions of this Act are declared to be severable.

19

20 SECTION 16. GENERAL REPEALER. All laws and parts of laws in conflict
21 with this Act are hereby repealed.

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23 SECTION 17. EMERGENCY CLAUSE. It is hereby found and determined by the
24 Eighty-First General Assembly, that the Constitution of the State of Arkansas
25 prohibits the appropriation of funds for more than a two (2) year period; that
26 the effectiveness of this Act on July 1, 1997 is essential to the operation of
27 the agency for which the appropriations in this Act are provided, and that in
28 the event of an extension of the Regular Session, the delay in the effective
29 date of this Act beyond July 1, 1997 could work irreparable harm upon the
30 proper administration and provision of essential governmental programs.
31 Therefore, an emergency is hereby declared to exist and this Act being
32 necessary for the immediate preservation of the public peace, health and
33 safety shall be in full force and effect from and after July 1, 1997.

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/s/JBC

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APPROVED: 4-02-97