

1 State of Arkansas
2 88th General Assembly
3 Fiscal Session, 2012
4

A Bill

HOUSE BILL 1130

5 By: Joint Budget Committee
6

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, 2013; AND FOR OTHER PURPOSES.
12
13

Subtitle

14 AN ACT FOR THE DEPARTMENT OF COMMUNITY
15 CORRECTION APPROPRIATION FOR THE 2012-2013
16 FISCAL YEAR.
17
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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 2012-2013 fiscal year, the
24 following maximum number of regular employees.
25

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2012-2013
30	(1) U084U	DCC DIRECTOR	1	\$112,618
31	(2) U083U	DCC CHIEF DEPUTY DIRECTOR	1	\$92,988
32	(3) N130N	DCC DEPUTY DIR ADMIN SERVICES	1	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 PROGRAM ADMR PAROLE & PROBATION	2	GRADE C128
36	(7) M001C	DCC TREATMENT ADMINISTRATOR	2	GRADE C128



1	(8)	D007C	INFORMATION SYSTEMS MANAGER	1	GRADE C128
2	(9)	T005C	ADC/DCC CORRECTIONAL WARDEN	6	GRADE C127
3	(10)	A021C	AGENCY CONTROLLER I	1	GRADE C126
4	(11)	G047C	ATTORNEY SPECIALIST	1	GRADE C126
5	(12)	G046C	DCC PLANNING & MGMT SVCS ADMIN	1	GRADE C126
6	(13)	R006C	HUMAN RESOURCES ADMINISTRATOR	1	GRADE C126
7	(14)	T015C	ADC/DCC DEPUTY WARDEN	6	GRADE C124
8	(15)	D030C	INFORMATION SYSTEMS COORDINATOR	1	GRADE C124
9	(16)	R013C	AGENCY HUMAN RESOURCES MANAGER	1	GRADE C123
10	(17)	X025C	DCC PAROLE/PROBATION AREA MANAGER	16	GRADE C123
11	(18)	P004C	PUBLIC INFORMATION MANAGER	1	GRADE C123
12	(19)	D038C	SENIOR SOFTWARE SUPPORT ANALYST	2	GRADE C123
13	(20)	M007C	DCC ASST TREATMENT PROGRAM MGR	6	GRADE C122
14	(21)	G222C	ADC/DCC INTERNAL AFFAIRS ADMIN	1	GRADE C121
15	(22)	T027C	ADC/DCC TRAINING ADMINISTRATOR	1	GRADE C121
16	(23)	X042C	DCC PAROLE/PROBATION ASST AREA MGR	36	GRADE C121
17	(24)	D052C	SOFTWARE SUPPORT ANALYST	5	GRADE C121
18	(25)	T033C	ADC/DCC MAJOR	3	GRADE C120
19	(26)	T038C	ADC TRAINING ACADEMY SUPERVISOR	1	GRADE C119
20	(27)	R021C	BUDGET ANALYST	1	GRADE C119
21	(28)	G154C	DCC PROGRAM COORDINATOR	6	GRADE C119
22	(29)	M021C	DCC TREATMENT SUPERVISOR	7	GRADE C119
23	(30)	D061C	INFO SYSTEMS COORDINATION SPECIALIST	1	GRADE C119
24	(31)	V007C	PROCUREMENT COORDINATOR	1	GRADE C119
25	(32)	T048C	ADC/DCC CAPTAIN	6	GRADE C118
26	(33)	T045C	DCC PAROLE/PROBATION OFFICER	440	GRADE C118
27	(34)	C010C	EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE C118
28	(35)	A074C	FISCAL SUPPORT SUPERVISOR	3	GRADE C118
29	(36)	M026C	LICENSED SOCIAL WORKER	1	GRADE C118
30	(37)	T054C	ADC/DCC LIEUTENANT	31	GRADE C117
31	(38)	M046C	ADC/DCC TREATMENT COORDINATOR	19	GRADE C117
32	(39)	T093C	DCC PAROLE/PROBATION OFFICER II	1	GRADE C117
33	(40)	G180C	GRANTS ANALYST	2	GRADE C117
34	(41)	S026C	ADC/DCC ASST MAINTENANCE SUPERVISOR	8	GRADE C116
35	(42)	T059C	ADC/DCC FOOD PREPARATION MANAGER	10	GRADE C116
36	(43)	C024C	ADC/DCC RECORDS SUPERVISOR	8	GRADE C116

1	(44)	C022C	BUSINESS OPERATIONS SPECIALIST	6	GRADE C116
2	(45)	V014C	BUYER	4	GRADE C116
3	(46)	G200C	CLASSIFICATION & ASSIGNMENT OFFICER	4	GRADE C116
4	(47)	E048C	EDUCATION & INSTRUCTION SPECIALIST	2	GRADE C116
5	(48)	R030C	EEO/GRIEVANCE OFFICER	1	GRADE C116
6	(49)	M048C	SUBSTANCE ABUSE PROGRAM LEADER	45	GRADE C116
7	(50)	E046C	TRAINING INSTRUCTOR	4	GRADE C116
8	(51)	M059C	ADC/DCC ADVISOR	114	GRADE C115
9	(52)	T065C	ADC/DCC CORRECTIONAL SERGEANT	68	GRADE C115
10	(53)	M058C	ADC/DCC PROGRAM SPECIALIST	10	GRADE C115
11	(54)	C037C	ADMINISTRATIVE ANALYST	11	GRADE C115
12	(55)	R033C	BENEFITS ANALYST	1	GRADE C115
13	(56)	M057C	CHAPLAIN	6	GRADE C115
14	(57)	A091C	FISCAL SUPPORT ANALYST	1	GRADE C115
15	(58)	R031C	INSTITUTION HUMAN RESOURCES COORD	6	GRADE C115
16	(59)	A090C	PAYROLL SERVICES SPECIALIST	1	GRADE C115
17	(60)	T070C	ADC/DCC FOOD PREPARATION SUPERVISOR	20	GRADE C114
18	(61)	G215C	CAREER PLANNING & PLACEMENT SPEC	14	GRADE C114
19	(62)	E051C	STAFF DEVELOPMENT SPECIALIST	1	GRADE C114
20	(63)	T076C	ADC/DCC ADMIN REVIEW OFFICER	7	GRADE C113
21	(64)	T075C	ADC/DCC CORPORAL	211	GRADE C113
22	(65)	R036C	HUMAN RESOURCES SPECIALIST	1	GRADE C113
23	(66)	T083C	ADC/DCC CORRECTIONAL OFFICER I	1	GRADE C112
24	(67)	C056C	ADMINISTRATIVE SPECIALIST III	100	GRADE C112
25	(68)	T081C	COMMISSARY MANAGER	6	GRADE C112
26	(69)	A098C	FISCAL SUPPORT SPECIALIST	11	GRADE C112
27	(70)	A097C	PAYROLL TECHNICIAN	1	GRADE C112
28	(71)	C073C	ADMINISTRATIVE SPECIALIST II	<u>73</u>	GRADE C109
29			MAX. NO. OF EMPLOYEES	1,376	

30

31 SECTION 2. EXTRA HELP. There is hereby authorized, for the Department
32 of Community Correction for the 2012-2013 fiscal year, the following maximum
33 number of part-time or temporary employees, to be known as "Extra Help",
34 payable from funds appropriated herein for such purposes: ten (10) temporary
35 or part-time employees, when needed, at rates of pay not to exceed those
36 provided in the Uniform Classification and Compensation Act, or its

1 successor, or this act for the appropriate classification.

2
 3 SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby
 4 appropriated, to the Department of Community Correction, to be payable from
 5 the Department of Community Correction Fund Account, for personal services
 6 and operating expenses of the Department of Community Correction - State
 7 Operations for the fiscal year ending June 30, 2013, the following:

8

9 ITEM	FISCAL YEAR
10 <u>NO.</u>	<u>2012-2013</u>
11 (01) REGULAR SALARIES	\$44,047,863
12 (02) EXTRA HELP	25,000
13 (03) PERSONAL SERVICES MATCHING	15,070,998
14 (04) MAINT. & GEN. OPERATION	
15 (A) OPER. EXPENSE	11,081,800
16 (B) CONF. & TRAVEL	21,807
17 (C) PROF. FEES	17,473,817
18 (D) CAP. OUTLAY	0
19 (E) DATA PROC.	<u>0</u>
20 TOTAL AMOUNT APPROPRIATED	<u><u>\$87,721,285</u></u>

21
 22 SECTION 4. APPROPRIATION - OPERATIONS - SPECIAL REVENUE. There is
 23 hereby appropriated, to the Department of Community Correction, to be payable
 24 from the Community Correction Revolving Fund, for personal services and
 25 operating expenses of the Department of Community Correction - Special
 26 Revenue Operations for the fiscal year ending June 30, 2013, the following:

27

28 ITEM	FISCAL YEAR
29 <u>NO.</u>	<u>2012-2013</u>
30 (01) REGULAR SALARIES	\$4,523,203
31 (02) PERSONAL SERVICES MATCHING	1,462,523
32 (03) MAINT. & GEN. OPERATION	
33 (A) OPER. EXPENSE	153,417
34 (B) CONF. & TRAVEL	1,000
35 (C) PROF. FEES	0
36 (D) CAP. OUTLAY	352,965

1	(E) DATA PROC.	0
2	(04) WAR MEMORIAL STADIUM COMMISSION	
3	PARKING SERVICES FROM FEES	10,000
4	(05) COMMUNITY CORRECTION PROGRAM	<u>5,192,745</u>
5	TOTAL AMOUNT APPROPRIATED	<u><u>\$11,695,853</u></u>

6

7 SECTION 5. APPROPRIATION - FEDERAL PROGRAMS. There is hereby

8 appropriated, to the Department of Community Correction, to be payable from

9 the federal funds as designated by the Chief Fiscal Officer of the State, for

10 operating expenses of the Department of Community Correction - Federal

11 Programs for the fiscal year ending June 30, 2013, the following:

13	ITEM	FISCAL YEAR
14	<u>NO.</u>	<u>2012-2013</u>
15	(01) MAINT. & GEN. OPERATION	
16	(A) OPER. EXPENSE	\$206,270
17	(B) CONF. & TRAVEL	74,415
18	(C) PROF. FEES	3,210,386
19	(D) CAP. OUTLAY	0
20	(E) DATA PROC.	0
21	(02) FEDERAL GRANTS AND AID	<u>646,811</u>
22	TOTAL AMOUNT APPROPRIATED	<u><u>\$4,137,882</u></u>

23

24 SECTION 6. APPROPRIATION - RESIDENTS SERVICES - CASH. There is hereby

25 appropriated, to the Department of Community Correction, to be payable from

26 the cash fund deposited in the State Treasury as determined by the Chief

27 Fiscal Officer of the State, for operating expenses of the Department of

28 Community Correction - Residents Services for the fiscal year ending June 30,

29 2013, the following:

31	ITEM	FISCAL YEAR
32	<u>NO.</u>	<u>2012-2013</u>
33	(01) MAINT. & GEN. OPERATION	
34	(A) OPER. EXPENSE	\$1,717,354
35	(B) CONF. & TRAVEL	62,870
36	(C) PROF. FEES	101,800

1	(D) CAP. OUTLAY	0
2	(E) DATA PROC.	<u>0</u>
3	TOTAL AMOUNT APPROPRIATED	<u><u>\$1,882,024</u></u>

4

5 SECTION 7. APPROPRIATION - COUNTY JAIL REIMBURSEMENT. There is hereby

6 appropriated, to the Department of Community Correction, to be payable from

7 the County Jail Reimbursement Fund, for reimbursement to counties housing

8 state inmates of the Department of Community Correction for the fiscal year

9 ending June 30, 2013, the following:

10		
11	ITEM	FISCAL YEAR
12	<u>NO.</u>	<u>2012-2013</u>
13	(01) REIMBURSEMENT TO COUNTIES HOUSING	
14	STATE INMATES	<u><u>\$3,453,572</u></u>

15

16 SECTION 8. APPROPRIATION - BEST PRACTICES. There is hereby

17 appropriated, to the Department of Community Correction, to be payable from

18 the Best Practices Fund, for operation expenses of the Department of

19 Community Correction - Best Practices for the fiscal year ending June 30,

20 2013, the following:

21		
22	ITEM	FISCAL YEAR
23	<u>NO.</u>	<u>2012-2013</u>
24	(01) COMMUNITY CORRECTION PROGRAM	<u><u>\$3,000,000</u></u>

25

26 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COMMUNITY

28 CORRECTION PROGRAMS LINE ITEM USES. After seeking and receiving approval of

29 the Governor and Chief Fiscal Officer of the State and upon approval by the

30 Arkansas Legislative Council or Joint Budget Committee, the Director of the

31 Department of Community Correction, as authorized by the Board of

32 Corrections, is authorized to use funds appropriated for "Community

33 Correction Programs" line item in this Act to construct new or renovate

34 existing facilities to support the development of community correction

35 facilities in the state.

36 Determining the maximum number of employees and the maximum amount of

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

16 The provisions of this section shall be in effect only from July 1,
17 ~~2010~~2012 through June 30, ~~2011~~2013.

18
19 SECTION 10. 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 Section 3 and Section 4 in this Act.

24 The provisions of this section shall be in effect only from July 1,
25 ~~2010~~2012 through June 30, ~~2011~~2013.

26
27 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PARKING
29 FEES. On July 1, of each year the Department of Community Correction shall
30 pay from the appropriation provided herein from non-general revenue, the
31 total amount appropriated for War Memorial Stadium Commission Parking
32 Services from Fees to the War Memorial Stadium Commission.

33 The provisions of this section shall be in effect only from July 1,
34 ~~2010~~2012 through June 30, ~~2011~~2013.

35
36 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
2 PROVISION. Upon seeking and receiving approval from the Chief Fiscal Officer
3 of the State and review and approval by the Arkansas Legislative Council or
4 Joint Budget Committee, the Director of the Department of Community
5 Correction is authorized to transfer appropriation from any line item
6 authorized in Section 3 and Section 4 of this Act to any other line item
7 authorized in Section 3 and Section 4 of this Act.

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

24 The provisions of this section shall be in effect only from July 1,
25 ~~2010~~2012 through June 30, ~~2011~~2013.

26
27 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
29 REALLOCATION OF RESOURCES. Upon determination by the Board of Corrections
30 that a reallocation of resources within the Department of Community
31 Correction and Department of Correction is necessary for the efficient and
32 effective operation of the departments, the Board, with approval of the
33 Governor and approval by the Arkansas Legislative Council or Joint Budget
34 Committee, shall have the authority to instruct the department directors, to
35 request from the Chief Fiscal Officer of the State, a transfer of positions,
36 programs, funds, appropriations, and line-item appropriations within or

1 between existing and newly created divisions, offices, sections, or units of
2 the departments. If it is determined that the requested transfer should be
3 made, the Chief Fiscal Officer of the State shall then initiate the necessary
4 transfer documents to reflect the transfers upon the fiscal records of the
5 State Treasurer, the State Auditor, the Chief Fiscal Officer of the State,
6 and the Departments of Correction and Community Correction. Provided,
7 however, that the Board shall be limited to submitting no more than two
8 requests, encompassing a single purpose listed in this section, during any
9 fiscal year per department. Transfer authority shall further be limited to
10 no more than five percent (5%) of the total General Revenue and Special
11 Revenue appropriation, funding, and positions specific to each agency.
12 However, there shall be no transfers to or from the County Jail Reimbursement
13 Fund. A Reallocation of Resources Transfer shall be limited to the following
14 specific purposes:

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

24 Determining the maximum number of employees and the maximum amount of
25 appropriation and general revenue funding for a state agency each fiscal year
26 is the prerogative of the General Assembly. This is usually accomplished by
27 delineating such maximums in the appropriation act(s) for a state agency and
28 the general revenue allocations authorized for each fund and fund account by
29 amendment to the Revenue Stabilization law. Further, the General Assembly
30 has determined that the Department of Correction and the Department of
31 Community Correction may operate more efficiently if some flexibility is
32 provided to the Board of Corrections authorizing broad powers under the
33 Reallocation of Resources provisions herein. Therefore, it is both necessary
34 and appropriate that the General Assembly maintain oversight by requiring
35 prior approval of the Legislative Council or Joint Budget Committee as
36 provided by this section. The requirement of approval by the Legislative

1 Council or Joint Budget Committee is not a severable part of this section.
 2 If the requirement of approval by the Legislative Council or Joint Budget
 3 Committee is ruled unconstitutional by a court jurisdiction, this entire
 4 section is void.

5 The provisions of this section shall be in effect only from July 1,
 6 ~~2010~~2012 through June 30, ~~2011~~2013.

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

Class	Maximum Annual Salary Rate Fiscal Year
<u>Code</u> <u>Title</u>	2010-2011 <u>2012-2013</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

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 32 The provisions of this section shall be in effect only from July 1,
 33 ~~2010~~2012 through June 30, ~~2011~~2013.

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 35 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MEDICAL

1 SERVICES - CONTINGENCY POSITIONS. If it has been determined by the Board of
 2 Corrections that the Department of Community Correction cannot continue a
 3 medical contract with a private provider and the Board deems it necessary to
 4 utilize Department staff to provide the required services, the Department is
 5 allowed, upon notification of the Chief Fiscal Officer of the State and after
 6 seeking prior review by the Arkansas Legislative Council or Joint Budget
 7 Committee, to utilize the contingent positions for medical services contained
 8 in this Act and make the appropriate transfers from the Professional Fees and
 9 Services line item contained in Section 3 of this Act to Regular Salaries,
 10 Personal Services Matching and various Maintenance and General Operations
 11 classifications. Further, the Department may utilize the service(s) of a
 12 state-based or national-based Professional Recruitment Service, or network,
 13 as may be necessary to recruit, fill, or maintain the occupancy of the
 14 positions stated herein.

15 The provisions of this section shall be in effect only from July 1,
 16 ~~2010~~2012 through June 30, ~~2011~~2013.

17
 18 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REGULAR
 20 SALARIES - CONTINGENT POSITIONS. There is hereby established for the
 21 Department of Community Correction - Contingent Positions for the ~~2010-~~
 22 ~~2011~~2012-2013 fiscal year, the following maximum number of regular employees.

23
 24 CONTINGENT POSITIONS - MEDICAL SERVICES

			MAXIMUM ANNUAL	
			MAXIMUM	SALARY RATE
ITEM	CLASS		NO. OF	FISCAL YEAR
<u>NO.</u>	<u>CODE</u>	<u>TITLE</u>	<u>EMPLOYEES</u>	<u>2010-2011</u> <u>2012-2013</u>
29	(1)	L009C NURSE MANAGER	1	GRADE C125
30	(2)	L033C PSYCH. EXAMINER	1	GRADE C121
31	(3)	M026C LICENSED SOCIAL WORKER	6	GRADE C118
32	(4)	L032C REGISTERED NURSE HOSPITAL	7	GRADE C121
33	(5)	L069C LIC PRACT NURSE	25	GRADE C113
34	(6)	C056C ADMIN SPECIALIST III	<u>2</u>	GRADE C112
35	MAXIMUM NUMBER OF CONTINGENT			
36	EMPLOYEES - MEDICAL SERVICES			42

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

4 The provisions of this section shall be in effect only from July 1,
5 ~~2010~~2012 through June 30, ~~2011~~2013.

6
7 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COMMUNITY
9 CORRECTION PROGRAMS LINE ITEM USES. The appropriations authorized under the
10 line item established herein for "Community Correction Programs" are to be
11 used by the Department of Community Correction for establishment and
12 operation of, to include construction, renovation, and contracting for
13 establishment and operation of, residential and non-residential community
14 correction programs such as, but not limited to, community correction
15 centers, drug, alcohol, and mental health treatments, intensive supervision,
16 restitution, and others as established and approved by the Board of
17 Corrections and as may be provided by law.

18 The provisions of this section shall be in effect only from July 1,
19 ~~2010~~2012 through June 30, ~~2011~~2013.

20
21 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
23 AUTHORITY FOR UTILITY AND FUEL RATE INCREASE. In the event of a ten percent
24 (10%) increase in utility and fuel rates, the Department of Community
25 Correction is authorized to transfer from any line item in Section 3 - State
26 Operations to Operating Expense Item (04)(A) in Section 3 - State Operations
27 for support of the increase after receiving approval of the Chief Fiscal
28 Officer of the State. Prior to the utilization of the transfer authority a
29 report shall be made to the Arkansas Legislative Council or Joint Budget
30 Committee including justification for the transfer and the amount of
31 transfer.

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

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

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13 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY
15 JAIL INVOICE SUMMARY. The Departments of Correction and Community
16 Correction, shall at a minimum and on a fiscal year basis, prepare and post
17 on the applicable agency web site, a monthly summary of county jail
18 reimbursement invoices prepared and forwarded to each county sheriff for
19 verification by the Departments and for payment from the County Jail
20 Reimbursement Fund. In addition, the report shall include a summary of
21 invoices returned by each county for payment for previous months within the
22 fiscal year, the amounts paid, and any balances owed. Each fiscal year-end
23 report shall be maintained on the web sites for a period of no less than
24 three (3) years.

25

26 SECTION 20. 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 Procurement 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
32 control laws of this State, where applicable, and regulations promulgated by
33 the Department of Finance and Administration, as authorized by law, shall be
34 strictly complied with in disbursement of said funds.

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36 SECTION 21. LEGISLATIVE INTENT. It is the intent of the General

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

8
 9 SECTION 22. EMERGENCY CLAUSE. It is found and determined by the
 10 General Assembly, that the Constitution of the State of Arkansas prohibits
 11 the appropriation of funds for more than a one (1) year period; that the
 12 effectiveness of this Act on July 1, 2012 is essential to the operation of
 13 the agency for which the appropriations in this Act are provided, and that in
 14 the event of an extension of the legislative session, the delay in the
 15 effective date of this Act beyond July 1, 2012 could work irreparable harm
 16 upon the proper administration and provision of essential governmental
 17 programs. Therefore, an emergency is hereby declared to exist and this Act
 18 being necessary for the immediate preservation of the public peace, health
 19 and safety shall be in full force and effect from and after July 1, 2012.

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 22 **APPROVED: 03/05/2012**
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