

1 State of Arkansas  
2 92nd General Assembly  
3 Regular Session, 2019  
4

As Engrossed: H1/23/19

# A Bill

HOUSE BILL 1141

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, 2020; AND FOR OTHER PURPOSES.  
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## Subtitle

14 AN ACT FOR THE DEPARTMENT OF COMMUNITY  
15 CORRECTION APPROPRIATION FOR THE 2019-  
16 2020 FISCAL YEAR.  
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. REGULAR SALARIES. There is hereby established for the  
23 Department of Community Correction for the 2019-2020 fiscal year, the  
24 following maximum number of regular employees.  
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Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2019-2020
30	(1) U084U	DCC DIRECTOR	1	GRADE SE02
31	(2) U083U	DCC CHIEF DEPUTY DIRECTOR	1	GRADE SE01
32	(3) D094C	DCC PROJ & ENTERPRISE PROG MGMT ADMIN	1	GRADE IT08
33	(4) D007C	INFORMATION SYSTEMS MANAGER	1	GRADE IT08
34	(5) D030C	INFORMATION SYSTEMS COORDINATOR	1	GRADE IT07
35	(6) D038C	SENIOR SOFTWARE SUPPORT ANALYST	2	GRADE IT06
36	(7) D061C	INFO SYSTEMS COORDINATION SPECIALIST	1	GRADE IT05



1	(8)	D052C SOFTWARE SUPPORT ANALYST	6	GRADE IT05
2	(9)	D079C COMPUTER SUPPORT TECHNICIAN	3	GRADE IT02
3	(10)	N130N DCC DEP DIR ADMINISTRATIVE SERVICES	2	GRADE GS14
4	(11)	N129N DCC DEPUTY DIR PAROLE/PROBATION SVCS	1	GRADE GS14
5	(12)	N114N DCC DEPUTY DIR RESIDENTIAL SERVICES	1	GRADE GS14
6	(13)	A010C AGENCY CONTROLLER II	1	GRADE GS13
7	(14)	G019C GENERAL COUNSEL	1	GRADE GS13
8	(15)	T005C ADC/DCC CORRECTIONAL WARDEN	6	GRADE GS12
9	(16)	R006C HUMAN RESOURCES ADMINISTRATOR	1	GRADE GS12
10	(17)	A027C ACCOUNTING OPERATIONS MANAGER	1	GRADE GS11
11	(18)	R013C AGENCY HUMAN RESOURCES MANAGER	1	GRADE GS11
12	(19)	T004C DCC PROGRAM ADMR PAROLE & PROBATION	4	GRADE GS11
13	(20)	M001C DCC TREATMENT ADMINISTRATOR	2	GRADE GS11
14	(21)	T015C ADC/DCC DEPUTY WARDEN	6	GRADE GS10
15	(22)	V036C AGENCY PROCUREMENT ADMINISTRATOR	1	GRADE GS10
16	(23)	X025C DCC PAROLE/PROBATION AREA MANAGER	16	GRADE GS10
17	(24)	G046C DCC PLANNING & MGMT SVCS ADMINISTRATOR	1	GRADE GS10
18	(25)	G222C ADC/DCC INTERNAL AFFAIRS ADMINISTRATOR	1	GRADE GS09
19	(26)	T033C ADC/DCC MAJOR	3	GRADE GS09
20	(27)	T027C ADC/DCC TRAINING ADMINISTRATOR	1	GRADE GS09
21	(28)	P004C PUBLIC INFORMATION MANAGER	1	GRADE GS09
22	(29)	S094C ADC CONSTRUCTION/MAINTENANCE COORD	2	GRADE GS08
23	(30)	T048C ADC/DCC CAPTAIN	6	GRADE GS08
24	(31)	T104C ADC/DCC TRAINING ACADEMY SUPERVISOR	1	GRADE GS08
25	(32)	M007C DCC ASST TREATMENT PROGRAM MGR	5	GRADE GS08
26	(33)	X042C DCC PAROLE/PROBATION ASST AREA MGR	46	GRADE GS08
27	(34)	M021C DCC TREATMENT SUPERVISOR	7	GRADE GS08
28	(35)	V007C PROCUREMENT COORDINATOR	2	GRADE GS08
29	(36)	T054C ADC/DCC LIEUTENANT	31	GRADE GS07
30	(37)	M046C ADC/DCC TREATMENT COORDINATOR	18	GRADE GS07
31	(38)	T045C DCC PAROLE/PROBATION OFFICER	530	GRADE GS07
32	(39)	G154C DCC PROGRAM COORDINATOR	6	GRADE GS07
33	(40)	C010C EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE GS07
34	(41)	M026C LICENSED SOCIAL WORKER	1	GRADE GS07
35	(42)	T065C ADC/DCC CORRECTIONAL SERGEANT	67	GRADE GS06
36	(43)	C037C ADMINISTRATIVE ANALYST	8	GRADE GS06

1	(44)	M057C CHAPLAIN	6	GRADE GS06
2	(45)	R030C EEO/GRIEVANCE OFFICER	1	GRADE GS06
3	(46)	A074C FISCAL SUPPORT SUPERVISOR	3	GRADE GS06
4	(47)	G180C GRANTS ANALYST	2	GRADE GS06
5	(48)	T103C LAW ENFORCEMENT TRAINING INSTRUCTOR	5	GRADE GS06
6	(49)	M048C SUBSTANCE ABUSE PROGRAM LEADER	55	GRADE GS06
7	(50)	T076C ADC/DCC ADMIN REVIEW OFFICER	7	GRADE GS05
8	(51)	M059C ADC/DCC ADVISOR	113	GRADE GS05
9	(52)	S026C ADC/DCC ASST MAINTENANCE SUPERVISOR	9	GRADE GS05
10	(53)	T075C ADC/DCC CORPORAL	217	GRADE GS05
11	(54)	T059C ADC/DCC FOOD PREPARATION MANAGER	11	GRADE GS05
12	(55)	M058C ADC/DCC PROGRAM SPECIALIST	9	GRADE GS05
13	(56)	C024C ADC/DCC RECORDS SUPERVISOR	8	GRADE GS05
14	(57)	R033C BENEFITS ANALYST	1	GRADE GS05
15	(58)	C022C BUSINESS OPERATIONS SPECIALIST	7	GRADE GS05
16	(59)	V014C BUYER	4	GRADE GS05
17	(60)	G215C CAREER PLANNING & PLACEMENT SPECIALIST	13	GRADE GS05
18	(61)	G200C CLASSIFICATION & ASSIGNMENT OFFICER	4	GRADE GS05
19	(62)	X128C CORRECTIONAL UNIT ACCREDITATION SPEC	2	GRADE GS05
20	(63)	T092C DCC PAROLE/PROBATION OFFICER I	1	GRADE GS05
21	(64)	A091C FISCAL SUPPORT ANALYST	1	GRADE GS05
22	(65)	R031C INSTITUTION HUMAN RESOURCES COORD	6	GRADE GS05
23	(66)	E051C STAFF DEVELOPMENT SPECIALIST	1	GRADE GS05
24	(67)	T083C ADC/DCC CORRECTIONAL OFFICER I	1	GRADE GS04
25	(68)	T070C ADC/DCC FOOD PREPARATION SUPERVISOR	19	GRADE GS04
26	(69)	C056C ADMINISTRATIVE SPECIALIST III	94	GRADE GS04
27	(70)	A098C FISCAL SUPPORT SPECIALIST	9	GRADE GS04
28	(71)	R036C HUMAN RESOURCES SPECIALIST	1	GRADE GS04
29	(72)	V022C PURCHASING TECHNICIAN	1	GRADE GS04
30	(73)	C073C ADMINISTRATIVE SPECIALIST II	72	GRADE GS03
31	(74)	T081C COMMISSARY MANAGER	<u>6</u>	GRADE GS03
32		MAX. NO. OF EMPLOYEES	1,488	

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34 SECTION 2. EXTRA HELP. There is hereby authorized, for the Department  
 35 of Community Correction for the 2019-2020 fiscal year, the following maximum  
 36 number of part-time or temporary employees, to be known as "Extra Help",

1 payable from funds appropriated herein for such purposes: ten (10) temporary  
 2 or part-time employees, when needed, at rates of pay not to exceed those  
 3 provided in the Uniform Classification and Compensation Act, or its  
 4 successor, or this act for the appropriate classification.

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 6 SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby  
 7 appropriated, to the Department of Community Correction, to be payable from  
 8 the Department of Community Correction Fund Account, for personal services  
 9 and operating expenses of the Department of Community Correction - State  
 10 Operations for the fiscal year ending June 30, 2020, the following:

12 ITEM	FISCAL YEAR
13 <u>NO.</u>	<u>2019-2020</u>
14 (01) REGULAR SALARIES	\$55,689,218
15 (02) EXTRA HELP	100,000
16 (03) PERSONAL SERVICES MATCHING	20,580,779
17 (04) OVERTIME	310,000
18 (05) MAINT. & GEN. OPERATION	
19 (A) OPER. EXPENSE	16,022,399
20 (B) CONF. & TRAVEL	2,800
21 (C) PROF. FEES	7,349,571
22 (D) CAP. OUTLAY	500,000
23 (E) DATA PROC.	<u>0</u>
24 TOTAL AMOUNT APPROPRIATED	<u>\$100,554,767</u>

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 26 SECTION 4. APPROPRIATION - OPERATIONS - SPECIAL REVENUE. There is  
 27 hereby appropriated, to the Department of Community Correction, to be payable  
 28 from the Community Correction Revolving Fund, for personal services and  
 29 operating expenses of the Department of Community Correction - Operations -  
 30 Special Revenue for the fiscal year ending June 30, 2020, the following:

32 ITEM	FISCAL YEAR
33 <u>NO.</u>	<u>2019-2020</u>
34 (01) REGULAR SALARIES	\$2,562,204
35 (02) PERSONAL SERVICES MATCHING	933,462
36 (03) MAINT. & GEN. OPERATION	

1	(A) OPER. EXPENSE	4,200,000
2	(B) CONF. & TRAVEL	100,000
3	(C) PROF. FEES	1,000,000
4	(D) CAP. OUTLAY	1,200,000
5	(E) DATA PROC.	0
6	(04) WAR MEMORIAL - PARKING	10,000
7	(05) COMMUNITY CORRECTION PROGRAMS	<u>8,000,000</u>
8	TOTAL AMOUNT APPROPRIATED	<u>\$18,005,666</u>

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10 SECTION 5. APPROPRIATION - RESIDENTS SERVICES - CASH. There is hereby  
 11 appropriated, to the Department of Community Correction, to be payable from  
 12 the cash fund deposited in the State Treasury as determined by the Chief  
 13 Fiscal Officer of the State, for operating expenses of the Department of  
 14 Community Correction - Residents Services - Cash for the fiscal year ending  
 15 June 30, 2020, the following:

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17	ITEM	FISCAL YEAR
18	<u>NO.</u>	<u>2019-2020</u>
19	(01) MAINT. & GEN. OPERATION	
20	(A) OPER. EXPENSE	\$2,557,846
21	(B) CONF. & TRAVEL	0
22	(C) PROF. FEES	101,800
23	(D) CAP. OUTLAY	500,000
24	(E) DATA PROC.	<u>0</u>
25	TOTAL AMOUNT APPROPRIATED	<u>\$3,159,646</u>

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27 SECTION 6. APPROPRIATION - COUNTY JAIL REIMBURSEMENT. There is hereby  
 28 appropriated, to the Department of Community Correction, to be payable from  
 29 the County Jail Reimbursement Fund, for reimbursement to counties housing  
 30 state inmates of the Department of Community Correction for the fiscal year  
 31 ending June 30, 2020, the following:

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33	ITEM	FISCAL YEAR
34	<u>NO.</u>	<u>2019-2020</u>
35	(01) REIMBURSEMENT TO COUNTIES HOUSING	
36	STATE INMATES	<u>\$3,000,000</u>

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SECTION 7. APPROPRIATION - COURT ACCOUNTABILITY GRANTS. There is hereby appropriated, to the Department of Community Correction, to be payable from the Accountability Court Fund, for Court Accountability grants for personal services and operating expenses of the Department of Community Correction - Court Accountability Grants for the fiscal year ending June 30, 2020, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2019-2020</u>
(01) COURT ACCOUNTABILITY GRANTS	<u>\$1,400,000</u>

SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COMMUNITY CORRECTION PROGRAMS LINE ITEM USES. After seeking and receiving approval of the Governor and Chief Fiscal Officer of the State and upon approval by the Arkansas Legislative Council or Joint Budget Committee, the Director of the Department of Community Correction, as authorized by the Board of Corrections, is authorized to use funds appropriated for "Community Correction Programs" line item of the Operations - Special Revenue appropriation provided in this Act to construct new or renovate existing facilities to support the development of community correction facilities in the state. Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. This is usually accomplished by delineating such maximums in the appropriation act(s) for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization law. Further, the General Assembly has determined that the Department of Community Correction may operate more efficiently if some flexibility is provided to the Department of Community Correction authorizing broad powers under this Section. Therefore, it is both necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative Council or Joint Budget Committee as provided by this section. The requirement of approval by the Legislative Council or Joint Budget Committee is not a severable part of this section.

1 If the requirement of approval by the Legislative Council or Joint Budget  
2 Committee is ruled unconstitutional by a court of competent jurisdiction,  
3 this entire section is void.

4 The provisions of this section shall be in effect only from July 1, ~~2018~~  
5 2019 through June 30, ~~2019~~ 2020.

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7 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PARKING  
9 FEES. On July 1, of each year the Department of Community Correction shall  
10 pay from the appropriation provided herein from non-general revenue, the  
11 total amount appropriated for War Memorial Parking Services from Fees to War  
12 Memorial.

13 The provisions of this section shall be in effect only from July 1, ~~2018~~  
14 2019 through June 30, ~~2019~~ 2020.

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

5 The provisions of this section shall be in effect only from July 1, ~~2018~~  
6 2019 through June 30, ~~2019~~ 2020.

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8 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

10 REALLOCATION OF RESOURCES. Upon determination by the Board of Corrections  
11 that a reallocation of resources within the Department of Community  
12 Correction and Department of Correction is necessary for the efficient and  
13 effective operation of the departments, the Board, with approval of the  
14 Governor and approval by the Arkansas Legislative Council or Joint Budget  
15 Committee, shall have the authority to instruct the department directors, to  
16 request from the Chief Fiscal Officer of the State, a transfer of positions,  
17 programs, funds, appropriations, and line-item appropriations within or  
18 between existing and newly created divisions, offices, sections, or units of  
19 the departments. If it is determined that the requested transfer should be  
20 made, the Chief Fiscal Officer of the State shall then initiate the necessary  
21 transfer documents to reflect the transfers upon the fiscal records of the  
22 State Treasurer, the State Auditor, the Chief Fiscal Officer of the State,  
23 and the Departments of Correction and Community Correction. Provided,  
24 however, that the Board shall be limited to submitting no more than two  
25 requests, encompassing a single purpose listed in this section, during any  
26 fiscal year per department. Transfer authority shall further be limited to  
27 no more than five percent (5%) of the total General Revenue and Special  
28 Revenue appropriation, funding, and positions specific to each agency.  
29 However, there shall be no transfers to or from the County Jail Reimbursement  
30 Fund. A Reallocation of Resources Transfer shall be limited to the following  
31 specific purposes:

- 32 a) Costs to open and operate temporary beds;  
33 b) Payment of Debt Service;  
34 c) Payment of Overtime Expenses;  
35 d) Unanticipated increases for medical or private prison contracts;  
36 e) Construction/renovation/equipping of new beds;



1 f) Deficits in Farm or Industry Program;  
2 g) Losses not covered by insurance proceeds;  
3 h) Costs of personnel for critical services or necessary to carry out the  
4 mission of the agency.  
5 Determining the maximum number of employees and the maximum amount of  
6 appropriation and general revenue funding for a state agency each fiscal year  
7 is the prerogative of the General Assembly. This is usually accomplished by  
8 delineating such maximums in the appropriation act(s) for a state agency and  
9 the general revenue allocations authorized for each fund and fund account by  
10 amendment to the Revenue Stabilization law. Further, the General Assembly  
11 has determined that the Department of Correction and the Department of  
12 Community Correction may operate more efficiently if some flexibility is  
13 provided to the Board of Corrections authorizing broad powers under the  
14 Reallocation of Resources provisions herein. Therefore, it is both necessary  
15 and appropriate that the General Assembly maintain oversight by requiring  
16 prior approval of the Legislative Council or Joint Budget Committee as  
17 provided by this section. The requirement of approval by the Legislative  
18 Council or Joint Budget Committee is not a severable part of this section.  
19 If the requirement of approval by the Legislative Council or Joint Budget  
20 Committee is ruled unconstitutional by a court jurisdiction, this entire  
21 section is void.

22 The provisions of this section shall be in effect only from July 1, ~~2018~~  
23 2019 through June 30, ~~2019~~ 2020.

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25 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HOLIDAY  
27 COMPENSATION. The Department of Community Correction is authorized to pay  
28 employees for up to ninety-six (96) hours of unused holidays exceeding a  
29 balance in the employee's holiday account of one-hundred fifty (150) hours  
30 following the end of the calendar year. Payments of unused holiday hours must  
31 be processed on or before June 1st in each fiscal year. Employees terminating  
32 employment from the Department of Community Correction will be eligible for  
33 all holiday pay accrued during the years of service. This request is  
34 contingent on approval by the Chief Fiscal Officer of the State after the  
35 Director of the Department of Community Correction has verified that  
36 sufficient revenues are available to make such payments to employees in the

1 following classifications:

2		Maximum Annual
3		Salary Rate
4		Fiscal Year
5	Class	
6	<u>Code Title</u>	<u>2018-2019 2019-2020</u>
7	T033C ADC/DCC MAJOR	GRADE GS09
8	T048C ADC/DCC CAPTAIN	GRADE GS08
9	T054C ADC/DCC LIEUTENANT	GRADE GS07
10	T065C ADC/DCC CORRECTIONAL SERGEANT	GRADE GS06
11	T075C ADC/DCC CORPORAL	GRADE GS05
12	T083C ADC/DCC CORRECTIONAL OFFICER I	GRADE GS04

13 The provisions of this section shall be in effect only from July 1, ~~2018~~  
 14 2019 through June 30, ~~2019~~ 2020.

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

32 The provisions of this section shall be in effect only from July 1, ~~2018~~  
 33 2019 through June 30, ~~2019~~ 2020.

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

1 SALARIES - CONTINGENT POSITIONS. There is hereby established for the  
 2 Department of Community Correction - Contingent Positions for the ~~2018-2019~~  
 3 2019-2020 fiscal year, the following maximum number of regular employees.

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 5 CONTINGENT POSITIONS - MEDICAL SERVICES

				MAXIMUM ANNUAL	
				MAXIMUM	SALARY RATE
ITEM	CLASS			NO. OF	FISCAL YEAR
NO.	CODE	TITLE		EMPLOYEES	<del>2018-2019</del> 2019-2020
10	(1)	L009C	NURSE MANAGER	1	GRADE MP03
11	(2)	L033C	PSYCH. EXAMINER	1	GRADE GS09
12	(3)	M026C	LICENSED SOCIAL WORKER	6	GRADE GS07
13	(4)	L032C	REGISTERED NURSE HOSPITAL	7	GRADE MP01
14	(5)	L069C	LIC PRACT NURSE	25	GRADE GS06
15	(6)	C056C	ADMIN SPECIALIST III	2	GRADE GS04
16	(7)	G238C	ADMINISTRATOR	1	GRADE GS09
17	(8)	L081C	DENTAL ASSISTANT	1	GRADE GS04
18	(9)	L013N	DENTAL DIRECTOR	1	GRADE MP06
19	(10)	L071C	DENTAL HYGIENIST	1	GRADE GS05
20	(11)	L011N	DENTIST	1	GRADE MP06
21	<del>(12)</del>	<del>Q109C</del>	<del>MEDICAL RECORDS DIRECTOR</del>	<del>1</del>	<del>GRADE C118</del>
22	(13)	L008N	PHYSICIAN - STAFF	1	GRADE MP07
23	(14)	L024N	PSYCHIATRIC DIRECTOR	1	GRADE GS09
24	(15)	L005N	PSYCHIATRIST	1	GRADE MP08
25	(16)	L003C	PSYCHOLOGIST - PT	1	GRADE MP03
26	<del>(17)</del>	<del>G019C</del>	<del>REGIONAL MANAGER</del>	<del>1</del>	<del>GRADE C117</del>
27	(18)	C056C	SECRETARY/ADMIN ASST	<u>1</u>	GRADE GS04
28	MAXIMUM NUMBER OF CONTINGENT				
29	EMPLOYEES - MEDICAL SERVICES				<del>54</del> <u>52</u>

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

33 The provisions of this section shall be in effect only from July 1, ~~2018~~  
 34 2019 through June 30, ~~2019~~ 2020.

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 36 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COMMUNITY  
2 CORRECTION PROGRAM LINE ITEM USES. After seeking and receiving approval of  
3 the Governor and Chief Fiscal Officer of the State and upon approval by the  
4 Arkansas Legislative Council or Joint Budget Committee, the Director of the  
5 Department of Community Correction, as authorized by the Board of  
6 Corrections, is authorized to use the appropriations authorized under the  
7 line item established herein for "Community Correction Program" are to be  
8 used by the Department of Community Correction for establishment and  
9 operation of, to include construction, renovation, and contracting for  
10 establishment and operation of, residential and non-residential community  
11 correction programs such as, but not limited to, community correction  
12 centers, drug, alcohol, and mental health treatments, intensive supervision,  
13 restitution, and others as established and approved by the Board of  
14 Corrections and as may be provided by law.

15 The provisions of this section shall be in effect only from July 1, ~~2018~~  
16 2019 through June 30, ~~2019~~ 2020.

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

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

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

9 The provisions of this section shall be in effect only from July 1, ~~2018~~  
10 2019 through June 30, ~~2019~~ 2020.

11  
12 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY  
14 JAIL INVOICE SUMMARY. The Departments of Correction and Community  
15 Correction, shall at a minimum and on a fiscal year basis, prepare and post  
16 on the applicable agency web site, a monthly summary of county jail  
17 reimbursement invoices prepared and forwarded to each county sheriff for  
18 verification by the Departments and for payment from the County Jail  
19 Reimbursement Fund. In addition, the report shall include a summary of  
20 invoices returned by each county for payment for previous months within the  
21 fiscal year, the amounts paid, and any balances owed. Each fiscal year-end  
22 report shall be maintained on the web sites for a period of no less than  
23 three (3) years.

24 The provisions of this section shall be in effect only from July 1, ~~2018~~  
25 2019 through June 30, ~~2019~~ 2020.

26  
27 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MOTOR  
29 VEHICLE PURCHASE PROVISION. The Department of Community Correction is hereby  
30 authorized to purchase motor vehicles from the appropriations authorized for  
31 Capital Outlay in the State Operations and Special Revenue Operations  
32 appropriations in this Act.

33 The provisions of this section shall be in effect only from July 1, ~~2018~~  
34 2019 through June 30, ~~2019~~ 2020.

35  
36 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
2 PAROLE/PROBATION OFFICERS HIRING. The Department of Community Correction  
3 shall report quarterly to the Arkansas Legislative Council or Joint Budget  
4 Committee the number of vacant Parole/Probation Officer, Parole/Probation  
5 Area Manager, Parole/Probation Assistant Area Manager positions and average  
6 case load per Parole/Probation Officer.

7 The provisions of this section shall be in effect only from July 1, ~~2018~~  
8 2019 through June 30, ~~2019~~ 2020.

9

10 SECTION 20. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
11 authorized by this act shall be limited to the appropriation for such agency  
12 and funds made available by law for the support of such appropriations; and  
13 the restrictions of the State Procurement Law, the General Accounting and  
14 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
15 Procedures and Restrictions Act, or their successors, and other fiscal  
16 control laws of this State, where applicable, and regulations promulgated by  
17 the Department of Finance and Administration, as authorized by law, shall be  
18 strictly complied with in disbursement of said funds.

19

20 SECTION 21. LEGISLATIVE INTENT. It is the intent of the General  
21 Assembly that any funds disbursed under the authority of the appropriations  
22 contained in this act shall be in compliance with the stated reasons for  
23 which this act was adopted, as evidenced by the Agency Requests, Executive  
24 Recommendations and Legislative Recommendations contained in the budget  
25 manuals prepared by the Department of Finance and Administration, letters, or  
26 summarized oral testimony in the official minutes of the Arkansas Legislative  
27 Council or Joint Budget Committee which relate to its passage and adoption.

28

29 SECTION 22. EMERGENCY CLAUSE. It is found and determined by the  
30 General Assembly, that the Constitution of the State of Arkansas prohibits  
31 the appropriation of funds for more than a one (1) year period; that the  
32 effectiveness of this Act on July 1, 2019 is essential to the operation of  
33 the agency for which the appropriations in this Act are provided, and that in  
34 the event of an extension of the legislative session, the delay in the  
35 effective date of this Act beyond July 1, 2019 could work irreparable harm  
36 upon the proper administration and provision of essential governmental

1 programs. Therefore, an emergency is hereby declared to exist and this Act  
2 being necessary for the immediate preservation of the public peace, health  
3 and safety shall be in full force and effect from and after July 1, 2019.

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5 */s/Joint Budget Committee*  
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