

1 State of Arkansas  
2 80th General Assembly  
3 Regular Session, 1995

# A Bill

SENATE BILL 264

4 By: Joint Budget Committee  
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## For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND  
9 OPERATING EXPENSES FOR THE ARKANSAS DEPARTMENT OF  
10 COMMUNITY PUNISHMENT FOR THE BIENNIAL PERIOD ENDING JUNE  
11 30, 1997; AND FOR OTHER PURPOSES."  
12

## Subtitle

13 "AN ACT FOR THE ARKANSAS DEPARTMENT OF  
14 COMMUNITY PUNISHMENT APPROPRIATION FOR  
15 THE 1995-97 BIENNIUM."  
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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20 SECTION 1. REGULAR SALARIES. There is hereby established for the  
21 Arkansas Department of Community Punishment for the 1995-97 biennium, the  
22 following maximum number of regular employees whose salaries shall be  
23 governed by the provisions of the Uniform Classification and Compensation Act  
24 (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws amendatory  
25 thereto. Provided, however, that any position to which a specific maximum  
26 annual salary is set out herein in dollars, shall be exempt from the  
27 provisions of said Uniform Classification and Compensation Act. All persons  
28 occupying positions authorized herein are hereby governed by the provisions  
29 of the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-  
30 101), or its successor.  
31

		Maximum Annual			
		Maximum	Salary Rate		
Item	Class	No. of	Fiscal Years		
No.	Code	Title	Employees	1995-96	1996-97

1	(1) 8052 COMMUNITY PUNISHMENT DIRECTOR	1	\$ 66,349	\$
2	68,007			
3	(2) 8053 COMM PUNISHMENT ASST DIR	1	\$ 52,967	\$
4	54,291			
5	(3) 8801 DCP INSTITUTIONAL ADMINISTRATOR	1	\$ 51,250	\$
6	52,531			
7	(4) 8906 CP ASST DIRECTOR FIELD OPERATIONS	1	\$ 49,102	\$
8	50,329			
9	(5) 8905 COMMUNITY PUNISHMENT PROGRAM ADMR	3	\$ 43,898	\$
10	44,995			
11	(6) N334 ASST. PUBLIC RELATIONS	1	\$ 33,600	\$
12	34,440			
13	(7) 102Z WARDEN II	4		GRADE 26
14	(8) R170 ATTORNEY SPECIALIST	1		GRADE 25
15	L124 PSYCHOLOGIST	1		
16	(9) D130 INFORMATION SYSTEMS ADMINISTRATOR	1		GRADE 24
17	(10) 091Z ASSISTANT WARDEN	4		GRADE 23
18	181Z COMPLIANCE ADMINISTRATOR	1		
19	(11) T014 CHIEF SECURITY OFFICER	4		GRADE 22
20	E051 TRAINING PROJECT MANAGER	1		
21	119Z CP/COR PERSONNEL MANAGER	1		
22	(12) L122 PSYCHOLOGICAL EXAMINER II	3		GRADE 21
23	T008 CP/CORRECTIONAL OFFICER IV	13		
24	V012 PURCHASING MANAGER	1		
25	D036 SR PROGRAMMER/ANALYST	1		
26	R172 INTERSTATE COMPACT ADMR	1		
27	T001 CP/COR PARDONS & PAROLES ASST ADMR	1		
28	(13) M088 SOCIAL WORKER II	4		GRADE 20
29	T006 CP/CORRECTIONAL OFFICER III	38		
30	M016 SR CHAPLAIN	3		
31	R266 MANAGEMENT PROJECT ANALYST II	3		
32	T034 PAROLE/PROBATION OFFICER SUPV	19		
33	(14) T010 CP/CORRECTIONAL SERGEANT	51		GRADE 19
34	M114 SUBSTANCE ABUSE PROGRAM LEADER	12		
35	H030 CP/COR FOOD PRODUCTION MGR II	4		

1	A103 FIELD AUDITOR	7	
2	A087 BUDGET OFFICER	1	
3	M086 SOCIAL WORKER I	1	
4	(15) T005 CP/CORRECTIONAL OFFICER II	50	GRADE 18
5	Y131 CP/COR CONSTR/MAINT SUPV I	4	
6	R322 CP/COR UNIT PERS & TNG OFFICER	4	
7	M105 CP/CORRECTIONAL COUNSELOR	8	
8	M096 CP/COR PROGRAM COORD	8	
9	T012 DISCIPLINARY HEARING OFFICER	4	
10	X450 CP/COR INTERNAL AFFAIRS INVESTGTR	3	
11	W009 CP/COR RECORDS SUPERVISOR	6	
12	A114 CP/COR BUSINESS MANAGER	6	
13	T062 PAROLE/PROBATION OFFICER	267	
14	E050 STAFF DEVELOPMENT SPECIALIST II	3	
15	R264 MANAGEMENT PROJECT ANALYST I	2	
16	A111 ACCOUNTANT	1	
17	D034 PROGRAMMER ANALYST	1	
18	R183 COMMUNITY PUNISHMENT SPECIALIST	1	
19	(16) H029 CP/COR FOOD PRODUCTION MGR I	16	GRADE 17
20	E055 CP/COR UNIT TRAINER	3	
21	R049 CLASSIFICATION & ASSIGNMENT OFFICER	3	
22	R430 ADMINISTRATIVE OFFICER	1	
23	M125 WORK PROGRAM ADVISOR	24	
24	(17) T003 CP/CORRECTIONAL OFFICER I	201	GRADE 16
25	X318 CP/COR ADMIN REVIEW OFFICER	6	
26	V056 WAREHOUSE MANAGER	1	
27	A053 INSURANCE SPECIALIST II	1	
28	L116 LPN III	1	
29	(18) M048 RECREATIONAL ACTIVITY LEADER II	3	GRADE 15
30	R009 ADMINISTRATIVE ASSISTANT I	2	
31	A108 ACCOUNTING TECHNICIAN II	3	
32	K011 ADMINISTRATIVE OFFICE SUPERVISOR	1	
33	(19) H023 COMMISSARY MANAGER	4	GRADE 14
34	K041 EXECUTIVE SECY/ADMINISTRATIVE SECY	1	
35	(20) K153 SECRETARY II	21	GRADE 13

1	(21) A106 ACCOUNTING TECHNICIAN I	41	GRADE 12
2	(22) K155 SECRETARY I	10	GRADE 11
3	(23) K023 CLERK TYPIST	<u>4</u>	GRADE 10
4	MAX NO. OF EMPLOYEES	904	

6 SECTION 2. EXTRA HELP - COMMUNITY PUNISHMENT STATE OPERATIONS.

7 There is hereby authorized, for the Arkansas Department of Community  
8 Punishment - State Operations for the 1995-97 biennium, the following maximum  
9 number of part-time or temporary employees, to be known as "Extra Help",  
10 payable from funds appropriated herein for such purposes: ten (10) temporary  
11 or part-time employees, when needed, at rates of pay not to exceed those  
12 provided in the Uniform Classification and Compensation Act, or its  
13 successor, or this act for the appropriate classification.

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15 SECTION 3. APPROPRIATIONS - COMMUNITY PUNISHMENT - STATE OPERATIONS.

16 There is hereby appropriated, to the Arkansas Department of Community  
17 Punishment, to be payable from the Department of Community Punishment Fund  
18 Account, for personal services and operating expenses of the Arkansas  
19 Department of Community Punishment - State Operations for the biennial period  
20 ending June 30, 1997, the following:

22 ITEM	23 FISCAL YEARS	
24 NO.	1995-96	1996-97
24 (01) REGULAR SALARIES	\$ 12,878,689	\$
25 15,598,585		
26 (02) EXTRA HELP	50,000	
27 50,000		
28 (03) PERSONAL SERV MATCHING	3,688,841	
29 4,623,605		
30 (04) OVERTIME	30,000	
31 40,000		
32 (05) MAINT. & GEN. OPERATION		
33 (A) OPER. EXPENSE \$	5,475,963	\$ 6,436,558
34 (B) CONF. & TRVL.	34,800	31,800
35 (C) PROF. FEES	388,750	755,000

1	<del>(D) CAP. OUTLAY</del>	<del>366,939</del>	<del>346,939</del>
2	(E) DATA PROC.	<u>12,521</u>	<u>10,621</u>
3	TOTAL MAINT. & GEN. OPER.		6,278,973
4	7,580,918		
5	(06) COUNTY JAIL REIMBURSEMENTS		25,000
6	25,000		
7	(07) COMMUNITY PUNISHMENT PROGRAMS		<u>3,300,000</u>
8	<u>3,300,000</u>		
9	TOTAL AMOUNT APPROPRIATED		<u>\$ 26,251,503</u>
10	<u>31,218,108</u>		

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12 SECTION 4. APPROPRIATIONS. There is hereby appropriated, to the  
 13 Arkansas Department of Community Punishment, to be payable from the Community  
 14 Punishment Revolving Fund, for personal services and operating expenses of  
 15 the Arkansas Department of Community Punishment for the biennial period  
 16 ending June 30, 1997, the following:

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18 ITEM	FISCAL YEARS	
19 NO.	1995-96	1996-97
20 (01) REGULAR SALARIES	\$ 2,417,816	\$
21 2,437,303		
22 (02) PERSONAL SERV MATCHING	791,983	
23 795,444		
24 (03) OVERTIME	10,000	
25 10,000		
26 (04) MAINT. & GEN. OPERATION		
27 (A) OPER. EXPENSE \$	120,776	\$ 84,500
28 (B) CONF. & TRVL.	32,500	4,000
29 (C) PROF. FEES	0	0
30 (D) CAP. OUTLAY	2,650	0
31 (E) DATA PROC.	<u>0</u>	<u>0</u>
32 TOTAL MAINT. & GEN. OPER.		155,926
33 88,500 (05) COMMUNITY PUNISHMENT PROGRAMS		<u>1,650,000</u>
34 <u>1,650,000</u>		
35 TOTAL AMOUNT APPROPRIATED		<u>\$ 5,025,725</u>

1 4,981,247

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3 SECTION 5. APPROPRIATIONS - FEDERAL PROGRAMS. There is hereby  
4 appropriated, to the Arkansas Department of Community Punishment, to be  
5 payable from the federal funds as designated by the Chief Fiscal Officer of  
6 the State, for personal services and operating expenses of the Arkansas  
7 Department of Community Punishment for the biennial period ending June 30,  
8 1997, the following:

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10 ITEM	FISCAL YEARS	
11 NO.	1995-96	1996-97
12 (01) REGULAR SALARIES	\$ 298,705	\$
13 304,647		
14 (02) PERSONAL SERV MATCHING	92,271	
15 93,327		
16 (03) MAINT. & GEN. OPERATION		
17 (A) OPER. EXPENSE \$	50,508	\$ 50,508
18 (B) CONF. & TRVL.	13,000	13,000
19 (C) PROF. FEES	52,900	52,900
20 (D) CAP. OUTLAY	0	0
21 (E) DATA PROC.	<u>0</u>	<u>0</u>
22 TOTAL MAINT. & GEN. OPER.		116,408
23 <del>116,408</del>	<hr/>	
24 (04) AUDIT		<u>2,638</u>
25 <u>2,638</u>		
26 TOTAL AMOUNT APPROPRIATED	<u>\$</u>	<u>510,022</u> <u>\$</u>
27 <u>517,020</u>		

28

29 SECTION 6. APPROPRIATIONS - RESIDENTS SERVICES FUND. There is hereby  
30 appropriated, to the Arkansas Department of Community Punishment, to be  
31 payable from cash funds as defined by Arkansas Code 19-4-801 of the Arkansas  
32 Department of Community Punishment, for commissary operations and resident  
33 programs at community punishment centers of the Arkansas Department of  
34 Community Punishment for the biennial period ending June 30, 1997, the  
35 following:

1			
2	ITEM	FISCAL YEARS	
3	NO.	1995-96	1996-97
4	(01) MAINT. & GEN. OPERATION		
5	(A) OPER. EXPENSE \$	210,000 \$	280,000
6	(B) CONF. & TRVL.	0	0
7	(C) PROF. FEES	0	0
8	(D) CAP. OUTLAY	60,000	80,000
9	<del>(E) DATA PROC.</del>	<del>0</del>	<del>0</del>
10	TOTAL MAINT. & GEN. OPER.		<u>270,000</u>
11	<u>360,000</u>		
12	TOTAL AMOUNT APPROPRIATED		<u>\$ 270,000 \$</u>
13	<u>360,000</u>		
14			

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

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

1 Punishment.

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3         SECTION 9. The appropriations authorized under the line item  
4 established herein for "Community Punishment Programs" are to be used by the  
5 Department of Community Punishment for establishment and operation of, to  
6 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. After seeking and receiving approval of the Governor and  
14 Chief Fiscal Officer of the State and upon review by the Arkansas Legislative  
15 Council or Joint Budget Committee, the Director of the Department of  
16 Community Punishment, as authorized by the Board of Correction and Community  
17 Punishment, is authorized to use funds appropriated for "Community Punishment  
18 Programs" line items in this Act to construct new or renovate existing  
19 facilities to support the development of community punishment facilities in  
20 the state.

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

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26         SECTION 12. It is hereby authorized that the Department of Community  
27 Punishment may move an incumbent classified as a Community  
28 Punishment/Correctional Officer I, Grade 16, up to Pay Level II of Grade 16,  
29 after the following criteria has been met: the incumbent Community  
30 Punishment/Correctional Officer I must have completed at least six (6) months  
31 continuous service as a Community Punishment/Correctional Officer I; and the  
32 incumbent must have completed a minimum of two hundred (200) hours Community  
33 Punishment/Correctional Officer training; and the incumbent must have passed  
34 a six (6) months evaluation.

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1 SECTION 13. In the event the Department of Community Punishment cannot  
2 accept inmates from county jails due to insufficient bed space or shall have  
3 an inmate confined in a county jail under any pre-release program, the  
4 Department shall reimburse the counties at a rate determined by the Board of  
5 Correction and Community Punishment until the appropriation provided for such  
6 purpose is exhausted. The prevailing rate of the county jail will be  
7 considered by the Board in determining the rate to be reimbursed.

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

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

27  
28 SECTION 16. CODE. All provisions of this Act of a general and  
29 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and  
30 the Arkansas Code Revision Commission shall incorporate the same in the Code.

31  
32 SECTION 17. SEVERABILITY. If any provision of this Act or the  
33 application thereof to any person or circumstance is held invalid, such  
34 invalidity shall not affect other provisions or applications of the Act which  
35 can be given effect without the invalid provision or application, and to this

1 end the provisions of this Act are declared to be severable.

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3 SECTION 18. GENERAL REPEALER. All laws and parts of laws in conflict  
4 with this Act are hereby repealed.

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6 SECTION 19. EMERGENCY CLAUSE. It is hereby found and determined by  
7 the Eightieth General Assembly, that the Constitution of the State of  
8 Arkansas prohibits the appropriation of funds for more than a two (2) year  
9 period; that the effectiveness of this Act on July 1, 1995 is essential to  
10 the operation of the agency for which the appropriations in this Act are  
11 provided, and that in the event of an extension of the Regular Session, the  
12 delay in the effective date of this Act beyond July 1, 1995 could work  
13 irreparable harm upon the proper administration and provision of essential  
14 governmental programs. Therefore, an emergency is hereby declared to exist  
15 and this Act being necessary for the immediate preservation of the public  
16 peace, health and safety shall be in full force and effect from and after  
17 July 1, 1995.

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*/s/Russ*

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