

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003
4

As Engrossed: H4/15/03

A Bill

HOUSE BILL 1535

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES AND OPERATING EXPENSES FOR THE
11 DEPARTMENT OF COMMUNITY CORRECTION FOR THE
12 BIENNIAL PERIOD ENDING JUNE 30, 2005; AND FOR
13 OTHER PURPOSES.
14

Subtitle

15
16 AN ACT FOR THE DEPARTMENT OF COMMUNITY
17 CORRECTION APPROPRIATION FOR THE
18 2003-2005 BIENNIUM.
19
20
21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23

24 SECTION 1. REGULAR SALARIES. There is hereby established for the
25 Department of Community Correction for the 2003-2005 biennium, the following
26 maximum number of regular employees whose salaries shall be governed by the
27 provisions of the Uniform Classification and Compensation Act (Arkansas Code
28 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
29 Provided, however, that any position to which a specific maximum annual
30 salary is set out herein in dollars, shall be exempt from the provisions of
31 said Uniform Classification and Compensation Act. All persons occupying
32 positions authorized herein are hereby governed by the provisions of the
33 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),
34 or its successor.
35

36 Maximum Annual



02122003KCA1738.KCA554

1				Maximum	Salary Rate	
2	Item	Class		No. of	Fiscal Years	
3	No.	Code	Title	Employees	2003-2004	2004-2005
4	(1)	8052	COMMUNITY PUNISHMENT DIRECTOR	1	\$85,932	\$87,965
5	(2)	8053	DCC CHIEF DEPUTY DIRECTOR	1	\$68,682	\$70,387
6	(3)	9324	DEPUTY DIR PAROLE/PROBATION SERVICES	1	\$66,588	\$68,386
7	(4)	8801	DCC DEPUTY DIRECTOR RESIDENTIAL SERV	1	\$66,468	\$68,131
8	(5)	8905	COMMUNITY PUNISHMENT PROGRAM ADMR	3	\$56,989	\$58,472
9	(6)	102Z	CORRECTIONAL WARDEN	5	GRADE 26	
10	(7)	827Z	DP CENTER MANAGER	1	GRADE 26	
11	(8)	019Z	DCP ADMIN SVCS MANAGER	1	GRADE 25	
12	(9)	R170	ATTORNEY SPECIALIST	1	GRADE 25	
13	(10)	110Z	A&D ABUSE PREV ASST DEP DIR/PRG DEV	1	GRADE 24	
14	(11)	091Z	ASST WARDEN	5	GRADE 23	
15	(12)	181Z	COMPLIANCE ADMINISTRATOR	1	GRADE 23	
16	(13)	N334	COR ASST TO THE DIR/PUB RELATIONS	1	GRADE 23	
17	(14)	T015	PAROLE/PROBATION AREA MANAGER	20	GRADE 23	
18	(15)	909Z	PROGRAM SUPPORT MANAGER	2	GRADE 22	
19	(16)	E051	TRAINING PROJECT MANAGER	1	GRADE 22	
20	(17)	M118	MEN HLTH DIR OF CMTY SUPPORT PROG	1	GRADE 22	
21	(18)	T014	CHIEF SECURITY OFFICER	4	GRADE 22	
22	(19)	686Z	REHAB SPECIAL PROGRAM ADMINISTRATOR	1	GRADE 21	
23	(20)	D036	SENIOR PROGRAMMER/ANALYST	1	GRADE 21	
24	(21)	D123	APPLICATIONS & SYSTEMS ANALYST	3	GRADE 21	
25	(22)	L122	PSYCHOLOGICAL EXAMINER II	1	GRADE 21	
26	(23)	T002	PAROLE/PROBATION ASST AREA MGR	37	GRADE 21	
27	(24)	T008	CC/COR OFFICER IV	5	GRADE 21	
28	(25)	T076	DCC PROGRAM COORDINATOR	8	GRADE 21	
29	(26)	V012	PURCHASING MANAGER	1	GRADE 21	
30	(27)	D121	USER SUPPORT ANALYST	1	GRADE 20	
31	(28)	L070	NURSE II	1	GRADE 20	
32	(29)	M016	SR CHAPLAIN	5	GRADE 20	
33	(30)	M045	COR REHAB FACILITY SUPERVISOR	16	GRADE 20	
34	(31)	M088	SOCIAL WORKER II	1	GRADE 20	
35	(32)	M115	SUBSTANCE ABUSE PROGRAM COORD	7	GRADE 20	
36	(33)	R144	PROGRAM COORDINATOR	1	GRADE 20	

1	(34)	R266	MANAGEMENT PROJECT ANALYST II	15	GRADE 20
2	(35)	T006	CC/COR OFFICER III	31	GRADE 20
3	(36)	T034	PAROLE/PROBATION OFFICER II	333	GRADE 20
4	(37)	A087	BUDGET OFFICER	1	GRADE 19
5	(38)	A103	FIELD AUDITOR	6	GRADE 19
6	(39)	E074	TRAINING REPRESENTATIVE	3	GRADE 19
7	(40)	H030	CC/COR FOOD PRODUCTION MGR II	23	GRADE 19
8	(41)	M114	SUBSTANCE ABUSE PROGRAM LEADER	38	GRADE 19
9	(42)	R068	EEO/GRIEVANCE OFFICER	1	GRADE 19
10	(43)	T010	CC/COR SERGEANT	67	GRADE 19
11	(44)	V022	LEASING SPECIALIST II	1	GRADE 19
12	(45)	A111	ACCOUNTANT	1	GRADE 18
13	(46)	A114	CC/COR BUSINESS MANAGER	5	GRADE 18
14	(47)	E050	STAFF DEVELOPMENT SPECIALIST II	15	GRADE 18
15	(48)	M096	CC/COR PROGRAM COORD	7	GRADE 18
16	(49)	M105	CC/COR COUNSELOR	71	GRADE 18
17	(50)	R264	MANAGEMENT PROJECT ANALYST I	2	GRADE 18
18	(51)	R322	CC/COR UNIT PERS & TRNG OFFICER	5	GRADE 18
19	(52)	T005	CC/COR OFFICER II	200	GRADE 18
20	(53)	T062	PAROLE/PROBATION OFFICER	1	GRADE 18
21	(54)	W009	CC/COR RECORDS SUPERVISOR	7	GRADE 18
22	(55)	Y131	CC/COR CONSTR/MAINT SUPV I	6	GRADE 18
23	(56)	E055	CC/COR UNIT TRAINER	1	GRADE 17
24	(57)	M125	WORK PROGRAM ADVISOR	17	GRADE 17
25	(58)	R010	ADMINISTRATIVE ASSISTANT II	4	GRADE 17
26	(59)	R049	CLASSIFICATION & ASSIGNMENT OFFICER	4	GRADE 17
27	(60)	R430	ADMINISTRATIVE OFFICER	1	GRADE 17
28	(61)	A053	INSURANCE SPECIALIST II	1	GRADE 16
29	(62)	T003	CC/COR OFFICER I	3	GRADE 16
30	(63)	X318	CC/COR ADMIN REVIEW OFFICER	6	GRADE 16
31	(64)	A108	ACCOUNTING TECHNICIAN II	9	GRADE 15
32	(65)	R009	ADMINISTRATIVE ASSISTANT I	40	GRADE 15
33	(66)	T073	DCC INTAKE OFFICER	38	GRADE 15
34	(67)	V039	PURCHASE AGENT I/ASST PURCHASE AGEN	1	GRADE 15
35	(68)	H023	COMMISSARY MANAGER	5	GRADE 14
36	(69)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	3	GRADE 14

1	(70)	K153	SECRETARY II	34	GRADE 13
2	(71)	A106	ACCOUNTING TECHNICIAN I	1	GRADE 12
3	(72)	K155	SECRETARY I	<u>1</u>	GRADE 11
4			MAX. NO. OF EMPLOYEES	1,148	

5

6 SECTION 2. EXTRA HELP - STATE OPERATIONS. There is hereby authorized, for
 7 the Department of Community Correction - State Operations for the 2003-2005
 8 biennium, the following maximum number of part-time or temporary employees,
 9 to be known as "Extra Help", payable from funds appropriated herein for such
 10 purposes: ten (10) temporary or part-time employees, when needed, at rates
 11 of pay not to exceed those provided in the Uniform Classification and
 12 Compensation Act, or its successor, or this act for the appropriate
 13 classification.

14

15 SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby appropriated,
 16 to the Department of Community Correction, to be payable from the Department
 17 of Community Correction Fund Account, for personal services and operating
 18 expenses of the Department of Community Correction - State Operations for the
 19 biennial period ending June 30, 2005, the following:

20

21

22	ITEM	FISCAL YEARS	
23	<u>NO.</u>	<u>2003-2004</u>	<u>2004-2005</u>
24	(01) REGULAR SALARIES	\$ 28,002,676	\$ 28,758,784
25	(02) EXTRA HELP	25,000	25,000
26	(03) PERSONAL SERVICE MATCH	8,375,787	8,713,665
27	(04) OVERTIME	10,000	10,000
28	(05) MAINT. & GEN. OPERATION		
29	(A) OPER. EXPENSE	8,659,367	7,383,848
30	(B) CONF. & TRAVEL	12,493	12,493
31	(C) PROF. FEES	3,513,875	4,277,255
32	(D) CAP. OUTLAY	1,413,000	0
33	(E) DATA PROC.	<u>0</u>	<u>0</u>
34	TOTAL AMOUNT APPROPRIATED	<u>\$ 50,012,198</u>	<u>\$ 49,181,045</u>

35

36 SECTION 4. APPROPRIATION - SPECIAL REVENUE OPERATIONS. There is hereby

1 appropriated, to the Department of Community Correction, to be payable from
 2 the Community Punishment Revolving Fund, for personal services and operating
 3 expenses of the Department of Community Correction - Special Revenue
 4 Operations for the biennial period ending June 30, 2005, the following:

ITEM	FISCAL YEARS	
<u>NO.</u>	<u>2003-2004</u>	<u>2004-2005</u>
(01) REGULAR SALARIES	\$ 3,325,721	\$ 3,415,516
(02) PERSONAL SERVICE MATCH	1,016,531	1,032,911
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	153,417	153,417
(B) CONF. & TRAVEL	1,000	1,000
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	0	0
(04) WAR MEMORIAL STADIUM COMMISSION PARKING		
SERVICES FROM FEES	10,000	10,000
(05) COMMUNITY CORRECTION PROGRAMS	<u>1,977,469</u>	<u>1,977,469</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 6,484,138</u>	<u>\$ 6,590,313</u>

22 SECTION 5. APPROPRIATION - FEDERAL PROGRAMS. There is hereby appropriated,
 23 to the Department of Community Correction, to be payable from the federal
 24 funds as designated by the Chief Fiscal Officer of the State, for personal
 25 services and operating expenses of the Department of Community Correction -
 26 Federal Programs for the biennial period ending June 30, 2005, the following:

ITEM	FISCAL YEARS	
<u>NO.</u>	<u>2003-2004</u>	<u>2004-2005</u>
(01) REGULAR SALARIES	\$ 166,228	\$ 170,716
(02) PERSONAL SERVICE MATCH	50,480	51,299
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	123,000	123,000
(B) CONF. & TRAVEL	27,000	27,000
(C) PROF. FEES	420,000	520,000

1	(D) CAP. OUTLAY	15,000	0
2	(E) DATA PROC.	<u>0</u>	<u>0</u>
3	TOTAL AMOUNT APPROPRIATED	<u>\$ 801,708</u>	<u>\$ 892,015</u>

4
5
6
7
8
9
10

SECTION 6. APPROPRIATION - RESIDENTS SERVICES FUND - CASH. There is hereby appropriated, to the Department of Community Correction, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for operating expenses of the Department of Community Correction for the biennial period ending June 30, 2005, the following:

11
12
13
14

ITEM	FISCAL YEARS	
<u>NO.</u>	<u>2003-2004</u>	<u>2004-2005</u>
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	\$ 769,198	\$ 769,198
(B) CONF. & TRAVEL	50,000	50,000
(C) PROF. FEES	50,000	50,000
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 869,198</u>	<u>\$ 869,198</u>

15
16
17
18
19
20
21
22
23

SECTION 7. APPROPRIATION - DRUG COURTS. There is hereby appropriated, to the Department of Community Correction, to be payable from the Department of Community Correction Fund Account, for personal services of the Department of Community Correction - Drug Courts for the biennial period ending June 30, 2005, the following:

24
25
26
27
28
29
30
31

ITEM	FISCAL YEARS	
<u>NO.</u>	<u>2003-2004</u>	<u>2004-2005</u>
(01) REGULAR SALARIES	\$ 472,232	\$ 484,982
(02) PERSONAL SERV MATCH	<u>146,614</u>	<u>148,941</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 618,846</u>	<u>\$ 633,923</u>

32
33
34
35
36

SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COMMUNITY
2 ~~PUNISHMENT~~ CORRECTION PROGRAMS LINE ITEM USES. After seeking and receiving
3 approval of the Governor and Chief Fiscal Officer of the State and upon
4 review by the Arkansas Legislative Council or Joint Budget Committee, the
5 Director of the Department of Community ~~Punishment~~ Correction, as authorized
6 by the Board of ~~Correction and Community Punishment~~ Corrections, is
7 authorized to use funds appropriated for "Community ~~Punishment~~ Correction
8 Programs" line item in this Act to construct new or renovate existing
9 facilities to support the development of community ~~punishment~~ correction
10 facilities in the state.

11 The provisions of this section shall be in effect only from ~~July 1, 2001~~
12 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

13
14 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
15 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MOTOR
16 VEHICLE PURCHASE PROVISION. The Department of Community ~~Punishment~~
17 Correction is hereby authorized to purchase motor vehicles from the
18 appropriations authorized for Capital Outlay in Section 3 and Section 4 of
19 this Act.

20 The provisions of this section shall be in effect only from ~~July 1, 2001~~
21 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

22
23 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PARKING
25 FEES. On July 1, of each year the Department of Community ~~Punishment~~
26 Correction shall pay from the appropriation provided herein from non-general
27 revenue, the total amount appropriated for War Memorial Stadium Commission
28 Parking Services from Fees to the War Memorial Stadium Commission.

29 The provisions of this section shall be in effect only from ~~July 1, 2001~~
30 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

31
32 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
34 PROVISION. Upon seeking and receiving approval from the Chief Fiscal Officer
35 of the State and review and approval by the Arkansas Legislative Council or
36 Joint Budget Committee, the Director of the Department of Community

1 ~~Punishment~~ Correction is authorized to transfer appropriation from any line
 2 item authorized in Section 3 and Section 4 of this Act to any other line item
 3 authorized in Section 3 and Section 4 of this Act.

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

20 The provisions of this section shall be in effect only from ~~July 1, 2001~~ July
 21 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

22
 23 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 25 REALLOCATION OF RESOURCES. Upon determination by the Board of ~~Correction and~~
 26 ~~Community Punishment~~ Corrections that a reallocation of resources within the
 27 Department of Community ~~Punishment~~ Correction and Department of Correction is
 28 necessary for the efficient and effective operation of the departments, the
 29 Board, with approval of the Governor and approval by the Arkansas Legislative
 30 Council or Joint Budget Committee, shall have the authority to instruct the
 31 department directors, to request from the Chief Fiscal Officer of the State,
 32 a transfer of positions, programs, funds, appropriations, and line-item
 33 appropriations within or between existing and newly created divisions,
 34 offices, sections, or units of the departments. If it is determined that the
 35 requested transfer should be made, the Chief Fiscal Officer of the State
 36 shall then initiate the necessary transfer documents to reflect the transfers

1 upon the fiscal records of the State Treasurer, the State Auditor, the Chief
 2 Fiscal Officer of the State, and the Departments of Correction and Community
 3 ~~Punishment~~ Correction. Provided, however, that the Board shall be limited to
 4 submitting no more than Four requests during any fiscal year. Transfer
 5 authority for unforeseen purposes shall further be limited to no more than
 6 five percent (5%) of the total appropriation, funding, and positions specific
 7 to each agency. However, there shall be no transfers to or from the County
 8 Jail Reimbursement Fund. Other than for unforeseen purposes, transfers shall
 9 be limited to the following specific purposes:

10 ~~a) Payment of County Jail Reimbursement expenses;~~

11 ~~b) a) Costs to open and operate temporary beds;~~

12 ~~c) b) Payment of Debt Service;~~

13 ~~d) c) Payment of Overtime Expenses;~~

14 ~~e) d) Unanticipated increases for medical or private prison contracts;~~

15 ~~f) e) Construction/renovation/equipping of new beds;~~

16 ~~g) f) Deficits in Farm or Industry Program;~~

17 ~~h) g) Losses not covered by insurance proceeds;~~

18 ~~i) h) Costs of personnel for critical services or necessary to carry out the~~
 19 ~~mission of the agency.~~

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

1 The provisions of this section shall be in effect only from ~~July 1, 2001~~
2 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

3
4 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COMMUNITY
6 ~~PUNISHMENT~~ CORRECTION PROGRAMS LINE ITEM USES. The appropriations authorized
7 under the line item established herein for "Community ~~Punishment~~ Correction
8 Programs" are to be used by the Department of Community ~~Punishment~~ Correction
9 for establishment and operation of, to include construction, renovation, and
10 contracting for establishment and operation of, residential and non-
11 residential community ~~punishment~~ correction programs such as, but not limited
12 to, community ~~punishment~~ correction centers, drug, alcohol, and mental health
13 treatments, intensive supervision, restitution, and others as established and
14 approved by the Board of ~~Correction and Community Punishment~~ Corrections and
15 as may be provided by law.

16 The provisions of this section shall be in effect only from ~~July 1, 2001~~
17 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

18
19 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HOLIDAY
21 COMPENSATION. The Department of Community ~~Punishment~~ Correction is
22 authorized to pay employees for up to ninety-six (96) hours of unused
23 holidays exceeding a balance in the employee's holiday account of one-hundred
24 fifty (150) hours following the end of the calendar year. Employees
25 terminating employment from the Department of Community ~~Punishment~~ Correction
26 will be eligible for all holiday pay accrued during the years of service.
27 This request is contingent on approval by the Chief Fiscal Officer of the
28 State after the Director of the Department of Community ~~Punishment~~ Correction
29 has verified that sufficient revenues are available to make such payments to
30 employees in the following classifications:

- 31
32 T014 Chief Security Officer Grade 22
33 T008 CP/COR Officer IV Grade 21
34 T006 CP/COR Officer III Grade 20
35 T010 CP/COR Sergeant Grade 19
36 T005 CP/COR Officer II Grade 18

1 T003 CP/COR Officer Grade 16

2

3 The provisions of this section shall be in effect only from July 1, ~~2001~~ 2003
4 through June 30, ~~2003~~ 2005.

5

6 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MEDICAL
8 SERVICES - CONTINGENCY POSITIONS. If it has been determined by the Board of
9 Corrections that the Department of Community Correction cannot continue a
10 medical contract with a private provider and the Board deems it necessary to
11 utilize Department staff to provide the required services, the Department is
12 allowed, upon notification of the Chief Fiscal Officer of the State and after
13 seeking prior review by the Arkansas Legislative Council or Joint Budget
14 Committee, to utilize the contingent positions for medical services contained
15 in Section 16 of this Act and make the appropriate transfers from the
16 Professional Fees and Services line item contained in Section 3 of this Act
17 to Regular Salaries, Personal Services Matching and various Maintenance and
18 General Operations classifications. Further, the Department may utilize the
19 service(s) of a state-based or national-based Professional Recruitment
20 Service, or network, as may be necessary to recruit, fill, or maintain the
21 occupancy of the positions stated herein.

22 The provisions of this section shall be in effect only from July 1, 2003
23 through June 30, 2005.

24

25 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REGULAR
27 SALARIES - CONTINGENT POSITIONS. There is hereby established for the
28 Department of Community Correction - Contingent Positions for the 2003-2005
29 biennium, the following maximum number of regular employees whose salaries
30 shall be governed by the provisions of the Uniform Classification and
31 Compensation Act (Arkansas Code 21-5-201 et seq.), or its successor, and all
32 laws amendatory thereto. Provided, however, that any position to which a
33 specific maximum annual salary is set out herein in dollars, shall be exempt
34 from the provisions of said Uniform Classification and Compensation Act. All
35 persons occupying positions authorized herein are hereby governed by the
36 provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas

1 Code 21-5-101), or its successor.

2

<u>CONTINGENT POS - MEDICAL SERVICES</u>	<u>NO. OF</u>	<u>FISCAL YEARS</u>	
	<u>EMP</u>	<u>2003-04</u>	<u>2004-05</u>
5 PATIENT CARE - CLASSIFIED POSITIONS			
6 <u>(1) 108Z COR MED/DENTAL ADMR</u>	<u>1</u>		<u>GRADE 23</u>
7 <u>(2) L122 PSYCH. EXAMINER II</u>	<u>1</u>		<u>GRADE 21</u>
8 <u>(3) M088 SOCIAL WORKER II</u>	<u>5</u>		<u>GRADE 20</u>
9 <u>(4) L070 NURSE II</u>	<u>5</u>		<u>GRADE 20</u>
10 <u>(5) L115 LPN II/LPTN II</u>	<u>16</u>		<u>GRADE 15</u>
11 <u>(6) R009 ADMIN ASSISTANT I</u>	<u>1</u>		<u>GRADE 15</u>

12

13 MAXIMUM NUMBER OF CONTINGENT

14 EMPLOYEES MEDICAL SVCS 29

15

16 If the agency requests continuation of a "Growth Pool" position(s) as
 17 established herein during the next biennium, the position(s) must be
 18 requested as a new position(s) in the agencies biennial budget request.

19 The provisions of this section shall be in effect only from July 1, 2003
 20 through June 30, 2005.

21

22

23 SECTION 17. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED
 24 SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES RESIDENTS
 25 SERVICES CASH FUND. (A) For all appropriations as provided in this Act,
 26 the agency disbursing officer shall monitor the level of fund balances in
 27 relation to expenditures on a monthly basis. If any proposed expenditures
 28 would cause the Residents Services Cash Fund to decline below three hundred
 29 sixty nine thousand seven hundred seventy dollars (\$369,770) a fund balancee
 30 to decline to less than fifty percent (50%) of the balance available on July
 31 1, 2001, the disbursing officer shall immediately notify the executive head
 32 of the agency. Prior to any obligations being made under these
 33 circumstances, the agency head shall file written documentation with the
 34 Chief Fiscal Officer of the State requesting approval of the expenditures.
 35 Such documentation shall provide sufficient financial data to justify the
 36 expenditures and shall include the following:

- 1) a plan that clearly indicates the specific fiscal impact of such expenditures on the fund balance.
- 2) information clearly indicating and explaining what programs would be cut or any other measures to be taken by the agency to restore the fund balance.
- 3) the extent to which any of the planned expenditures are for one-time costs or one-time purchase of capitalized items.
- 4) a statement certifying that the expenditure of fund balances will not jeopardize the financial health of the agency, nor result in a permanent depletion of the fund balance.

(B) The Chief Fiscal Officer of the State shall review the request and approve or disapprove all or any part of the request, after having sought prior review by the Legislative Council.

The provisions of this section shall be in effect only from July 1, 2003 through June 30, 2005.

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

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

SECTION 20. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the

1 appropriation of funds for more than a two (2) year period; that the
2 effectiveness of this Act on July 1, 2003 is essential to the operation of
3 the agency for which the appropriations in this Act are provided, and that in
4 the event of an extension of the Regular Session, the delay in the effective
5 date of this Act beyond July 1, 2003 could work irreparable harm upon the
6 proper administration and provision of essential governmental programs.
7 Therefore, an emergency is hereby declared to exist and this Act being
8 necessary for the immediate preservation of the public peace, health and
9 safety shall be in full force and effect from and after July 1, 2003.

10
11 */s/ Joint Budget Committee*
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36