

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

As Engrossed: H3/29/11
A Bill

HOUSE BILL 1347

5 By: Joint Budget Committee
6

7 **For An Act To Be Entitled**

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
9 SERVICES AND OPERATING EXPENSES FOR THE
10 DEPARTMENT OF COMMUNITY CORRECTION FOR THE FISCAL
11 YEAR ENDING JUNE 30, 2012; AND FOR OTHER
12 PURPOSES.
13

14 **Subtitle**

15 AN ACT FOR THE DEPARTMENT OF COMMUNITY
16 CORRECTION APPROPRIATION FOR THE 2011-2012
17 FISCAL YEAR.
18

19
20
21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

23 SECTION 1. REGULAR SALARIES. There is hereby established for the
24 Department of Community Correction for the 2011-2012 fiscal year, the
25 following maximum number of regular employees.
26

Item	Class		Maximum	Maximum Annual
No.	Code	Title	No. of	Salary Rate
			Employees	Fiscal Year
				2011-2012
31	(1) U084U	DCC DIRECTOR	1	\$110,000
32	(2) U083U	DCC CHIEF DEPUTY DIRECTOR	1	\$90,827
33	(3) N130N	DCC DEPUTY DIR ADMIN SERVICES	1	GRADE N904
34	(4) N129N	DCC DEPUTY DIR PAROLE/PROBATION SVCS	1	GRADE N904
35	(5) N114N	DCC DEPUTY DIR RESIDENTIAL SVCS	1	GRADE N904
36	(6) T004C	DCC PROGRAM ADMR PAROLE & PROBATION	2	GRADE C128



1	(7)	M001C	DCC TREATMENT ADMINISTRATOR	2	GRADE C128
2	(8)	D007C	INFORMATION SYSTEMS MANAGER	1	GRADE C128
3	(9)	T005C	ADC/DCC CORRECTIONAL WARDEN	6	GRADE C127
4	(10)	A021C	AGENCY CONTROLLER I	1	GRADE C126
5	(11)	G047C	ATTORNEY SPECIALIST	1	GRADE C126
6	(12)	G046C	DCC PLANNING & MGMT SVCS ADMIN	1	GRADE C126
7	(13)	R006C	HUMAN RESOURCES ADMINISTRATOR	1	GRADE C126
8	(14)	T015C	ADC/DCC DEPUTY WARDEN	6	GRADE C124
9	(15)	D030C	INFORMATION SYSTEMS COORDINATOR	1	GRADE C124
10	(16)	R013C	AGENCY HUMAN RESOURCES MANAGER	1	GRADE C123
11	(17)	X025C	DCC PAROLE/PROBATION AREA MANAGER	16	GRADE C123
12	(18)	P004C	PUBLIC INFORMATION MANAGER	1	GRADE C123
13	(19)	D038C	SENIOR SOFTWARE SUPPORT ANALYST	2	GRADE C123
14	(20)	M007C	DCC ASST TREATMENT PROGRAM MGR	6	GRADE C122
15	(21)	G222C	ADC/DCC INTERNAL AFFAIRS ADMIN	1	GRADE C121
16	(22)	T027C	ADC/DCC TRAINING ADMINISTRATOR	1	GRADE C121
17	(23)	X042C	DCC PAROLE/PROBATION ASST AREA MGR	36	GRADE C121
18	(24)	D052C	SOFTWARE SUPPORT ANALYST	5	GRADE C121
19	(25)	T033C	ADC/DCC MAJOR	3	GRADE C120
20	(26)	T038C	ADC TRAINING ACADEMY SUPERVISOR	1	GRADE C119
21	(27)	R021C	BUDGET ANALYST	1	GRADE C119
22	(28)	G154C	DCC PROGRAM COORDINATOR	6	GRADE C119
23	(29)	M021C	DCC TREATMENT SUPERVISOR	7	GRADE C119
24	(30)	D061C	INFO SYSTEMS COORDINATION SPECIALIST	1	GRADE C119
25	(31)	V007C	PROCUREMENT COORDINATOR	1	GRADE C119
26	(32)	T048C	ADC/DCC CAPTAIN	6	GRADE C118
27	(33)	T045C	DCC PAROLE/PROBATION OFFICER	440	GRADE C118
28	(34)	C010C	EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE C118
29	(35)	A074C	FISCAL SUPPORT SUPERVISOR	3	GRADE C118
30	(36)	M026C	LICENSED SOCIAL WORKER	1	GRADE C118
31	(37)	T054C	ADC/DCC LIEUTENANT	31	GRADE C117
32	(38)	M046C	ADC/DCC TREATMENT COORDINATOR	19	GRADE C117
33	(39)	T093C	DCC PAROLE/PROBATION OFFICER II	1	GRADE C117
34	(40)	G180C	GRANTS ANALYST	2	GRADE C117
35	(41)	S026C	ADC/DCC ASST MAINTENANCE SUPERVISOR	8	GRADE C116
36	(42)	T059C	ADC/DCC FOOD PREPARATION MANAGER	10	GRADE C116

1	(43)	C024C	ADC/DCC RECORDS SUPERVISOR	8	GRADE C116
2	(44)	C022C	BUSINESS OPERATIONS SPECIALIST	6	GRADE C116
3	(45)	V014C	BUYER	4	GRADE C116
4	(46)	G200C	CLASSIFICATION & ASSIGNMENT OFFICER	4	GRADE C116
5	(47)	E048C	EDUCATION & INSTRUCTION SPECIALIST	2	GRADE C116
6	(48)	R030C	EEO/GRIEVANCE OFFICER	1	GRADE C116
7	(49)	M048C	SUBSTANCE ABUSE PROGRAM LEADER	45	GRADE C116
8	(50)	E046C	TRAINING INSTRUCTOR	4	GRADE C116
9	(51)	M059C	ADC/DCC ADVISOR	114	GRADE C115
10	(52)	T065C	ADC/DCC CORRECTIONAL SERGEANT	68	GRADE C115
11	(53)	M058C	ADC/DCC PROGRAM SPECIALIST	10	GRADE C115
12	(54)	C037C	ADMINISTRATIVE ANALYST	11	GRADE C115
13	(55)	R033C	BENEFITS ANALYST	1	GRADE C115
14	(56)	M057C	CHAPLAIN	6	GRADE C115
15	(57)	A091C	FISCAL SUPPORT ANALYST	1	GRADE C115
16	(58)	R031C	INSTITUTION HUMAN RESOURCES COORD	6	GRADE C115
17	(59)	A090C	PAYROLL SERVICES SPECIALIST	1	GRADE C115
18	(60)	T070C	ADC/DCC FOOD PREPARATION SUPERVISOR	20	GRADE C114
19	(61)	G215C	CAREER PLANNING & PLACEMENT SPEC	14	GRADE C114
20	(62)	E051C	STAFF DEVELOPMENT SPECIALIST	1	GRADE C114
21	(63)	T076C	ADC/DCC ADMIN REVIEW OFFICER	7	GRADE C113
22	(64)	T075C	ADC/DCC CORPORAL	211	GRADE C113
23	(65)	R036C	HUMAN RESOURCES SPECIALIST	1	GRADE C113
24	(66)	T083C	ADC/DCC CORRECTIONAL OFFICER I	1	GRADE C112
25	(67)	C056C	ADMINISTRATIVE SPECIALIST III	100	GRADE C112
26	(68)	T081C	COMMISSARY MANAGER	6	GRADE C112
27	(69)	A098C	FISCAL SUPPORT SPECIALIST	11	GRADE C112
28	(70)	A097C	PAYROLL TECHNICIAN	1	GRADE C112
29	(71)	C073C	ADMINISTRATIVE SPECIALIST II	<u>73</u>	GRADE C109
30			MAX. NO. OF EMPLOYEES	1,376	

31

32 SECTION 2. EXTRA HELP. There is hereby authorized, for the Department
 33 of Community Correction for the 2011-2012 fiscal year, the following maximum
 34 number of part-time or temporary employees, to be known as "Extra Help",
 35 payable from funds appropriated herein for such purposes: ten (10) temporary
 36 or part-time employees, when needed, at rates of pay not to exceed those

1 provided in the Uniform Classification and Compensation Act, or its
 2 successor, or this act for the appropriate classification.

3

4 SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby
 5 appropriated, to the Department of Community Correction, to be payable from
 6 the Department of Community Correction Fund Account, for personal services
 7 and operating expenses of the Department of Community Correction - State
 8 Operations for the fiscal year ending June 30, 2012, the following:

9

10	ITEM	FISCAL YEAR
11	<u>NO.</u>	<u>2011-2012</u>
12	(01) REGULAR SALARIES	\$43,148,685
13	(02) EXTRA HELP	25,000
14	(03) PERSONAL SERVICES MATCHING	14,886,870
15	(04) MAINT. & GEN. OPERATION	
16	(A) OPER. EXPENSE	11,338,733
17	(B) CONF. & TRAVEL	21,807
18	(C) PROF. FEES	18,428,841
19	(D) CAP. OUTLAY	488,577
20	(E) DATA PROC.	<u>0</u>
21	TOTAL AMOUNT APPROPRIATED	<u><u>\$88,338,513</u></u>

22

23 SECTION 4. APPROPRIATION - OPERATIONS - SPECIAL REVENUE. There is
 24 hereby appropriated, to the Department of Community Correction, to be payable
 25 from the Community Correction Revolving Fund, for personal services and
 26 operating expenses of the Department of Community Correction - Special
 27 Revenue Operations for the fiscal year ending June 30, 2012, the following:

28

29	ITEM	FISCAL YEAR
30	<u>NO.</u>	<u>2011-2012</u>
31	(01) REGULAR SALARIES	\$4,423,890
32	(02) PERSONAL SERVICES MATCHING	1,442,219
33	(03) MAINT. & GEN. OPERATION	
34	(A) OPER. EXPENSE	153,417
35	(B) CONF. & TRAVEL	1,000
36	(C) PROF. FEES	0

1	(D) CAP. OUTLAY	663,825
2	(E) DATA PROC.	0
3	(04) WAR MEMORIAL STADIUM COMMISSION	
4	PARKING SERVICES FROM FEES	10,000
5	(05) COMMUNITY CORRECTION PROGRAM	<u>5,192,745</u>
6	TOTAL AMOUNT APPROPRIATED	<u>\$11,887,096</u>

7

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

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

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

11 operating expenses of the Department of Community Correction - Federal

12 Programs for the fiscal year ending June 30, 2012, the following:

14	ITEM	FISCAL YEAR
15	<u>NO.</u>	<u>2011-2012</u>
16	(01) MAINT. & GEN. OPERATION	
17	(A) OPER. EXPENSE	\$206,270
18	(B) CONF. & TRAVEL	74,415
19	(C) PROF. FEES	3,210,386
20	(D) CAP. OUTLAY	0
21	(E) DATA PROC.	0
22	(02) FEDERAL GRANTS AND AID	<u>646,811</u>
23	TOTAL AMOUNT APPROPRIATED	<u>\$4,137,882</u>

24

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

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

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

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

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

30 2012, the following:

32	ITEM	FISCAL YEAR
33	<u>NO.</u>	<u>2011-2012</u>
34	(01) MAINT. & GEN. OPERATION	
35	(A) OPER. EXPENSE	\$1,717,354
36	(B) CONF. & TRAVEL	62,870

1	(C) PROF. FEES	101,800
2	(D) CAP. OUTLAY	0
3	(E) DATA PROC.	<u>0</u>
4	TOTAL AMOUNT APPROPRIATED	<u><u>\$1,882,024</u></u>

5
 6 SECTION 7. APPROPRIATION - COUNTY JAIL REIMBURSEMENT. There is hereby
 7 appropriated, to the Department of Community Correction, to be payable from
 8 the County Jail Reimbursement Fund, for reimbursement to counties housing
 9 state inmates of the Department of Community Correction for the fiscal year
 10 ending June 30, 2012, the following:

11		
12	ITEM	FISCAL YEAR
13	<u>NO.</u>	<u>2011-2012</u>
14	(01) REIMBURSEMENT TO COUNTIES HOUSING	
15	STATE INMATES	<u><u>\$3,453,572</u></u>

16
 17 SECTION 8. APPROPRIATION - BEST PRACTICES. There is hereby
 18 appropriated, to the Department of Community Correction, to be payable from
 19 the Best Practices Fund, for operation expenses of the Department of
 20 Community Correction - Best Practices for the fiscal year ending June 30,
 21 2012, the following:

22		
23	<i>Item</i>	<i>FISCAL YEAR</i>
24	<u><i>No.</i></u>	<u><i>2011-2012</i></u>
25	(01) COMMUNITY CORRECTION PROGRAM	<u><u>\$3,000,000</u></u>

26
 27
 28 SECTION 9. APPROPRIATION - PEW INITIATIVE. There is hereby
 29 appropriated, to the Department of Community Correction, to be payable from
 30 the General Improvement Fund or its successor fund or fund accounts, for the
 31 training and implementation of new programs for the Evidence-Base Practices,
 32 Administrative Probation Sanctions and the Victim Restitution Study for the
 33 fiscal year ending June 30, 2012, the sum of\$500,000.

34
 35 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COMMUNITY

1 CORRECTION PROGRAMS LINE ITEM USES. After seeking and receiving approval of
2 the Governor and Chief Fiscal Officer of the State and upon approval by the
3 Arkansas Legislative Council or Joint Budget Committee, the Director of the
4 Department of Community Correction, as authorized by the Board of
5 Corrections, is authorized to use funds appropriated for "Community
6 Correction Programs" line item in this Act to construct new or renovate
7 existing facilities to support the development of community correction
8 facilities in the state.

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

25 The provisions of this section shall be in effect only from July 1,
26 ~~2010~~ 2011 through June 30, ~~2011~~ 2012.

27
28 *SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS*
29 *CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MOTOR*
30 *VEHICLE PURCHASE PROVISION. The Department of Community Correction is hereby*
31 *authorized to purchase motor vehicles from the appropriations authorized for*
32 *Capital Outlay in Section 3 and Section 4 in this Act.*

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

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

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PARKING
2 FEES. On July 1, of each year the Department of Community Correction shall
3 pay from the appropriation provided herein from non-general revenue, the
4 total amount appropriated for War Memorial Stadium Commission Parking
5 Services from Fees to the War Memorial Stadium Commission.

6 The provisions of this section shall be in effect only from July 1,
7 ~~2010~~ 2011 through June 30, ~~2011~~ 2012.

8
9 *SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS*
10 *CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER*
11 *PROVISION. Upon seeking and receiving approval from the Chief Fiscal Officer*
12 *of the State and review and approval by the Arkansas Legislative Council or*
13 *Joint Budget Committee, the Director of the Department of Community*
14 *Correction is authorized to transfer appropriation from any line item*
15 *authorized in Section 3 and Section 4 of this Act to any other line item*
16 *authorized in Section 3 and Section 4 of this Act.*

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

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

35
36 *SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS*

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
2 REALLOCATION OF RESOURCES. Upon determination by the Board of Corrections
3 that a reallocation of resources within the Department of Community
4 Correction and Department of Correction is necessary for the efficient and
5 effective operation of the departments, the Board, with approval of the
6 Governor and approval by the Arkansas Legislative Council or Joint Budget
7 Committee, shall have the authority to instruct the department directors, to
8 request from the Chief Fiscal Officer of the State, a transfer of positions,
9 programs, funds, appropriations, and line-item appropriations within or
10 between existing and newly created divisions, offices, sections, or units of
11 the departments. If it is determined that the requested transfer should be
12 made, the Chief Fiscal Officer of the State shall then initiate the necessary
13 transfer documents to reflect the transfers upon the fiscal records of the
14 State Treasurer, the State Auditor, the Chief Fiscal Officer of the State,
15 and the Departments of Correction and Community Correction. Provided,
16 however, that the Board shall be limited to submitting no more than two
17 requests, encompassing a single purpose listed in this section, during any
18 fiscal year per department. Transfer authority shall further be limited to
19 no more than five percent (5%) of the total General Revenue and Special
20 Revenue appropriation, funding, and positions specific to each agency.
21 However, there shall be no transfers to or from the County Jail Reimbursement
22 Fund. A Reallocation of Resources Transfer shall be limited to the following
23 specific purposes:
24 a) Costs to open and operate temporary beds;
25 b) Payment of Debt Service;
26 c) Payment of Overtime Expenses;
27 d) Unanticipated increases for medical or private prison contracts;
28 e) Construction/renovation/equipping of new beds;
29 f) Deficits in Farm or Industry Program;
30 g) Losses not covered by insurance proceeds;
31 h) Costs of personnel for critical services or necessary to carry out the
32 mission of the agency.
33 Determining the maximum number of employees and the maximum amount of
34 appropriation and general revenue funding for a state agency each fiscal year
35 is the prerogative of the General Assembly. This is usually accomplished by
36 delineating such maximums in the appropriation act(s) for a state agency and

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

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

16

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

30

31

Maximum Annual

32

Salary Rate

33 Class

Fiscal Year

34 Code Title

~~2010-2011~~2011-2012

35 T033C ADC/DCC MAJOR

GRADE C120

36 T048C ADC/DCC CAPTAIN

GRADE C118

- 1 T054C ADC/DCC LIEUTENANT GRADE C117
- 2 T065C ADC/DCC CORRECTIONAL SERGEANT GRADE C115
- 3 T075C ADC/DCC CORPORAL GRADE C113
- 4 T083C ADC/DCC CORRECTIONAL OFFICER I GRADE C112

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

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

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

26
 27 *SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS*
 28 *CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REGULAR*
 29 *SALARIES - CONTINGENT POSITIONS. There is hereby established for the*
 30 *Department of Community Correction - Contingent Positions for the ~~2010-2011~~*
 31 *2011-2012 fiscal year, the following maximum number of regular employees.*

32
 33 CONTINGENT POSITIONS - MEDICAL SERVICES

34		MAXIMUM ANNUAL
35	MAXIMUM	SALARY RATE
36	NO. OF	FISCAL YEAR
ITEM CLASS		

1	<u>NO.</u>	<u>CODE</u>	<u>TITLE</u>	<u>EMPLOYEES</u>	<u>2010-2011</u> <u>2011-2012</u>
2	(1)	L009C	NURSE MANAGER	1	GRADE C125
3	(2)	L033C	PSYCH. EXAMINER	1	GRADE C121
4	(3)	M026C	LICENSED SOCIAL WORKER	6	GRADE C118
5	(4)	L032C	REGISTERED NURSE HOSPITAL	7	GRADE C121
6	(5)	L069C	LIC PRACT NURSE	25	GRADE C113
7	(6)	C056C	ADMIN SPECIALIST III	<u>2</u>	GRADE C112
8			MAXIMUM NUMBER OF CONTINGENT		
9			EMPLOYEES - MEDICAL SERVICES	42	

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

13 The provisions of this section shall be in effect only from July 1,
 14 ~~2010~~ 2011 through June 30, ~~2011~~ 2012.

15
 16 *SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS*
 17 *CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COMMUNITY*
 18 *CORRECTION PROGRAMS LINE ITEM USES. The appropriations authorized under the*
 19 *line item established herein for "Community Correction Programs" are to be*
 20 *used by the Department of Community Correction for establishment and*
 21 *operation of, to include construction, renovation, and contracting for*
 22 *establishment and operation of, residential and non-residential community*
 23 *correction programs such as, but not limited to, community correction*
 24 *centers, drug, alcohol, and mental health treatments, intensive supervision,*
 25 *restitution, and others as established and approved by the Board of*
 26 *Corrections and as may be provided by law.*

27 The provisions of this section shall be in effect only from July 1,
 28 ~~2010~~ 2011 through June 30, ~~2011~~ 2012.

29
 30 *SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS*
 31 *CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER*
 32 *AUTHORITY FOR UTILITY AND FUEL RATE INCREASE. In the event of a ten percent*
 33 *(10%) increase in utility and fuel rates, the Department of Community*
 34 *Correction is authorized to transfer from any line item in Section 3 - State*
 35 *Operations to Operating Expense Item (04)(A) in Section 3 - State Operations*
 36 *for support of the increase after receiving approval of the Chief Fiscal*

1 Officer of the State. Prior to the utilization of the transfer authority a
2 report shall be made to the Arkansas Legislative Council or Joint Budget
3 Committee including justification for the transfer and the amount of
4 transfer.

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 Community Correction may operate more
12 efficiently if some flexibility is provided to the Department of Community
13 Correction authorizing broad powers under this Section. Therefore, it is
14 both necessary and appropriate that the General Assembly maintain oversight
15 by requiring prior approval of the Legislative Council or Joint Budget
16 Committee as provided by this section. The requirement of approval by the
17 Legislative Council or Joint Budget Committee is not a severable part of this
18 section. If the requirement of approval by the Legislative Council or Joint
19 Budget Committee is ruled unconstitutional by a court of competent
20 jurisdiction, this entire section is void.

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

34
35 *SECTION 21. COMPLIANCE WITH OTHER LAWS. Disbursement of funds*
36 *authorized by this act shall be limited to the appropriation for such agency*

1 and funds made available by law for the support of such appropriations; and
2 the restrictions of the State Procurement Law, the General Accounting and
3 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
4 Procedures and Restrictions Act, or their successors, and other fiscal
5 control laws of this State, where applicable, and regulations promulgated by
6 the Department of Finance and Administration, as authorized by law, shall be
7 strictly complied with in disbursement of said funds.

8
9 *SECTION 22. LEGISLATIVE INTENT.* It is the intent of the General
10 Assembly that any funds disbursed under the authority of the appropriations
11 contained in this act shall be in compliance with the stated reasons for
12 which this act was adopted, as evidenced by the Agency Requests, Executive
13 Recommendations and Legislative Recommendations contained in the budget
14 manuals prepared by the Department of Finance and Administration, letters, or
15 summarized oral testimony in the official minutes of the Arkansas Legislative
16 Council or Joint Budget Committee which relate to its passage and adoption.

17
18 *SECTION 23. EMERGENCY CLAUSE.* It is found and determined by the
19 General Assembly, that the Constitution of the State of Arkansas prohibits
20 the appropriation of funds for more than a one (1) year period; that the
21 effectiveness of this Act on July 1, 2011 is essential to the operation of
22 the agency for which the appropriations in this Act are provided, and that in
23 the event of an extension of the legislative session, the delay in the
24 effective date of this Act beyond July 1, 2011 could work irreparable harm
25 upon the proper administration and provision of essential governmental
26 programs. Therefore, an emergency is hereby declared to exist and this Act
27 being necessary for the immediate preservation of the public peace, health
28 and safety shall be in full force and effect from and after July 1, 2011.

29
30 */s/ Joint Budget Committee*

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