

1 State of Arkansas  
2 90th General Assembly  
3 Regular Session, 2015  
4

*As Engrossed: H3/2/15*

# A Bill

HOUSE BILL 1264

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, 2016; AND FOR OTHER PURPOSES.  
12  
13

## Subtitle

14 AN ACT FOR THE DEPARTMENT OF COMMUNITY  
15 CORRECTION APPROPRIATION FOR THE 2015-  
16 2016 FISCAL YEAR.  
17  
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19

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

22 SECTION 1. REGULAR SALARIES. There is hereby established for the  
23 Department of Community Correction for the 2015-2016 fiscal year, the  
24 following maximum number of regular employees.  
25

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2015-2016
30	(1) U084U	DCC DIRECTOR	1	\$116,019
31	(2) U083U	DCC CHIEF DEPUTY DIRECTOR	1	\$95,796
32	(3) N130N	DCC DEPUTY DIR ADMINISTRATIVE SERVICES	2	GRADE N904
33	(4) N129N	DCC DEPUTY DIR PAROLE/PROBATION SVCS	1	GRADE N904
34	(5) N114N	DCC DEPUTY DIR RESIDENTIAL SVCS	1	GRADE N904
35	(6) T004C	DCC PROG ADMR PAROLE & PROBATION SVCS	4	GRADE C128
36	(7) D094C	DCC PROJ & ENTERPRISE PROG MGMT ADMIN	1	GRADE C128



1	(8)	M001C	DCC TREATMENT ADMINISTRATOR	2	GRADE C128
2	(9)	D007C	INFORMATION SYSTEMS MANAGER	1	GRADE C128
3	(10)	T005C	ADC/DCC CORRECTIONAL WARDEN	6	GRADE C127
4	(11)	D012C	DATABASE SPECIALIST	1	GRADE C127
5	(12)	A021C	AGENCY CONTROLLER I	1	GRADE C126
6	(13)	G047C	ATTORNEY SPECIALIST	1	GRADE C126
7	(14)	G046C	DCC PLANNING & MGMT SVCS ADMINISTRATOR	1	GRADE C126
8	(15)	R006C	HUMAN RESOURCES ADMINISTRATOR	1	GRADE C126
9	(16)	S094C	ADC CONSTRUCTION/MAINTENANCE COORD	1	GRADE C124
10	(17)	T015C	ADC/DCC DEPUTY WARDEN	6	GRADE C124
11	(18)	D030C	INFORMATION SYSTEMS COORDINATOR	1	GRADE C124
12	(19)	R013C	AGENCY HUMAN RESOURCES MANAGER	1	GRADE C123
13	(20)	X025C	DCC PAROLE/PROBATION AREA MANAGER	16	GRADE C123
14	(21)	P004C	PUBLIC INFORMATION MANAGER	1	GRADE C123
15	(22)	D038C	SENIOR SOFTWARE SUPPORT ANALYST	2	GRADE C123
16	(23)	M007C	DCC ASST TREATMENT PROGRAM MGR	7	GRADE C122
17	(24)	G222C	ADC/DCC INTERNAL AFFAIRS ADMINISTRATOR	1	GRADE C121
18	(25)	T027C	ADC/DCC TRAINING ADMINISTRATOR	1	GRADE C121
19	(26)	X042C	DCC PAROLE/PROBATION ASST AREA MGR	49	GRADE C121
20	(27)	D052C	SOFTWARE SUPPORT ANALYST	7	GRADE C121
21	(28)	T033C	ADC/DCC MAJOR	3	GRADE C120
22	(29)	T104C	ADC/DCC TRAINING ACADEMY SUPERVISOR	1	GRADE C120
23	(30)	R021C	BUDGET ANALYST	1	GRADE C119
24	(31)	G154C	DCC PROGRAM COORDINATOR	6	GRADE C119
25	(32)	M021C	DCC TREATMENT SUPERVISOR	7	GRADE C119
26	(33)	G147C	GRANTS COORDINATOR	1	GRADE C119
27	(34)	D061C	INFORMATION SYSTEMS COORDINATION SPEC	1	GRADE C119
28	(35)	V007C	PROCUREMENT COORDINATOR	2	GRADE C119
29	(36)	T048C	ADC/DCC CAPTAIN	6	GRADE C118
30	(37)	T045C	DCC PAROLE/PROBATION OFFICER	511	GRADE C118
31	(38)	C010C	EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE C118
32	(39)	A074C	FISCAL SUPPORT SUPERVISOR	3	GRADE C118
33	(40)	T103C	LAW ENFORCEMENT TRAINING INSTRUCTOR	5	GRADE C118
34	(41)	M026C	LICENSED SOCIAL WORKER	1	GRADE C118
35	(42)	T054C	ADC/DCC LIEUTENANT	31	GRADE C117
36	(43)	M046C	ADC/DCC TREATMENT COORDINATOR	18	GRADE C117

1	(44)	G180C	GRANTS ANALYST	2	GRADE C117
2	(45)	S026C	ADC/DCC ASST MAINTENANCE SUPERVISOR	9	GRADE C116
3	(46)	T059C	ADC/DCC FOOD PREPARATION MANAGER	11	GRADE C116
4	(47)	C024C	ADC/DCC RECORDS SUPERVISOR	8	GRADE C116
5	(48)	C022C	BUSINESS OPERATIONS SPECIALIST	6	GRADE C116
6	(49)	V014C	BUYER	4	GRADE C116
7	(50)	G200C	CLASSIFICATION & ASSIGNMENT OFFICER	4	GRADE C116
8	(51)	X128C	CORRECTIONAL UNIT ACCREDITATION SPEC	2	GRADE C116
9	(52)	T092C	DCC PAROLE/PROBATION OFFICER I	1	GRADE C116
10	(53)	R030C	EEO/GRIEVANCE OFFICER	1	GRADE C116
11	(54)	M048C	SUBSTANCE ABUSE PROGRAM LEADER	63	GRADE C116
12	(55)	M059C	ADC/DCC ADVISOR	110	GRADE C115
13	(56)	T065C	ADC/DCC CORRECTIONAL SERGEANT	68	GRADE C115
14	(57)	M058C	ADC/DCC PROGRAM SPECIALIST	9	GRADE C115
15	(58)	C037C	ADMINISTRATIVE ANALYST	8	GRADE C115
16	(59)	R033C	BENEFITS ANALYST	1	GRADE C115
17	(60)	M057C	CHAPLAIN	6	GRADE C115
18	(61)	D079C	COMPUTER SUPPORT TECHNICIAN	3	GRADE C115
19	(62)	A091C	FISCAL SUPPORT ANALYST	1	GRADE C115
20	(63)	R031C	INSTITUTION HUMAN RESOURCES COORD	6	GRADE C115
21	(64)	A090C	PAYROLL SERVICES SPECIALIST	1	GRADE C115
22	(65)	T070C	ADC/DCC FOOD PREPARATION SUPERVISOR	20	GRADE C114
23	(66)	G215C	CAREER PLANNING & PLACEMENT SPEC	13	GRADE C114
24	(67)	E051C	STAFF DEVELOPMENT SPECIALIST	1	GRADE C114
25	(68)	T076C	ADC/DCC ADMIN REVIEW OFFICER	7	GRADE C113
26	(69)	T075C	ADC/DCC CORPORAL	221	GRADE C113
27	(70)	R036C	HUMAN RESOURCES SPECIALIST	1	GRADE C113
28	(71)	T083C	ADC/DCC CORRECTIONAL OFFICER I	1	GRADE C112
29	(72)	C056C	ADMINISTRATIVE SPECIALIST III	97	GRADE C112
30	(73)	T081C	COMMISSARY MANAGER	6	GRADE C112
31	(74)	A098C	FISCAL SUPPORT SPECIALIST	11	GRADE C112
32	(75)	A097C	PAYROLL TECHNICIAN	1	GRADE C112
33	(76)	V022C	PURCHASING TECHNICIAN	1	GRADE C112
34	(77)	C073C	ADMINISTRATIVE SPECIALIST II	<u>74</u>	GRADE C109
35			MAX. NO. OF EMPLOYEES	1,494	

36

SECTION 2. EXTRA HELP. There is hereby authorized, for the Department of Community Correction for the 2015-2016 fiscal year, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: ten (10) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, or this act for the appropriate classification.

SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby appropriated, to the Department of Community Correction, to be payable from the Department of Community Correction Fund Account, for personal services and operating expenses of the Department of Community Correction - State Operations for the fiscal year ending June 30, 2016, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2015-2016</u>
(01) REGULAR SALARIES	\$47,256,429
(02) EXTRA HELP	100,000
(03) PERSONAL SERVICES MATCHING	17,706,350
(04) OVERTIME	10,000
(05) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	16,137,882
(B) CONF. & TRAVEL	47,109
(C) PROF. FEES	6,532,373
(D) CAP. OUTLAY	1,482,042
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$89,272,185</u></u>

SECTION 4. APPROPRIATION - OPERATIONS - SPECIAL REVENUE. There is hereby appropriated, to the Department of Community Correction, to be payable from the Community Correction Revolving Fund, for personal services and operating expenses of the Department of Community Correction - Special Revenue Operations for the fiscal year ending June 30, 2016, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2015-2016</u>

1	(01) REGULAR SALARIES	\$2,433,683
2	(02) PERSONAL SERVICES MATCHING	886,131
3	(03) MAINT. & GEN. OPERATION	
4	(A) OPER. EXPENSE	0
5	(B) CONF. & TRAVEL	0
6	(C) PROF. FEES	0
7	(D) CAP. OUTLAY	0
8	(E) DATA PROC.	0
9	(04) WAR MEMORIAL STADIUM COMMISSION	
10	PARKING SERVICES FROM FEES	10,000
11	(05) COMMUNITY CORRECTION PROGRAMS	<u>5,408,576</u>
12	TOTAL AMOUNT APPROPRIATED	<u><u>\$8,738,390</u></u>

13

14 SECTION 5. APPROPRIATION - FEDERAL PROGRAMS. There is hereby  
 15 appropriated, to the Department of Community Correction, to be payable from  
 16 the federal funds as designated by the Chief Fiscal Officer of the State, for  
 17 personal services and operating expenses of the Department of Community  
 18 Correction - Federal Programs for the fiscal year ending June 30, 2016, the  
 19 following:

20

21	ITEM	FISCAL YEAR
22	<u>NO.</u>	<u>2015-2016</u>
23	(01) REGULAR SALARIES	\$253,518
24	(02) PERSONAL SERVICES MATCHING	76,977
25	(03) MAINT. & GEN. OPERATION	
26	(A) OPER. EXPENSE	70,246
27	(B) CONF. & TRAVEL	28,313
28	(C) PROF. FEES	9,439
29	(D) CAP. OUTLAY	0
30	(E) DATA PROC.	<u>0</u>
31	TOTAL AMOUNT APPROPRIATED	<u><u>\$438,493</u></u>

32

33 SECTION 6. APPROPRIATION - RESIDENTS SERVICES - CASH. There is hereby  
 34 appropriated, to the Department of Community Correction, to be payable from  
 35 the cash fund deposited in the State Treasury as determined by the Chief  
 36 Fiscal Officer of the State, for operating expenses of the Department of

1 Community Correction - Residents Services for the fiscal year ending June 30,  
 2 2016, the following:

3

4 ITEM	FISCAL YEAR
5 <u>NO.</u>	<u>2015-2016</u>
6 (01) MAINT. & GEN. OPERATION	
7 (A) OPER. EXPENSE	\$2,282,846
8 (B) CONF. & TRAVEL	62,870
9 (C) PROF. FEES	101,800
10 (D) CAP. OUTLAY	0
11 (E) DATA PROC.	<u>0</u>
12 TOTAL AMOUNT APPROPRIATED	<u><u>\$2,447,516</u></u>

13

14 SECTION 7. APPROPRIATION - COUNTY JAIL REIMBURSEMENT. There is hereby  
 15 appropriated, to the Department of Community Correction, to be payable from  
 16 the County Jail Reimbursement Fund, for reimbursement to counties housing  
 17 state inmates of the Department of Community Correction for the fiscal year  
 18 ending June 30, 2016, the following:

19

20 ITEM	FISCAL YEAR
21 <u>NO.</u>	<u>2015-2016</u>
22 (01) REIMBURSEMENT TO COUNTIES HOUSING	
23 STATE INMATES	<u><u>\$3,109,636</u></u>

24

25 SECTION 8. APPROPRIATION - BEST PRACTICES. There is hereby  
 26 appropriated, to the Department of Community Correction, to be payable from  
 27 the Best Practices Fund, for operating expenses of the Department of  
 28 Community Correction - Best Practices for the fiscal year ending June 30,  
 29 2016, the following:

30

31 ITEM	FISCAL YEAR
32 <u>NO.</u>	<u>2015-2016</u>
33 (01) COMMUNITY CORRECTION PROGRAM	<u><u>\$4,000,000</u></u>

34

35 SECTION 9. APPROPRIATION - COURT ACCOUNTABILITY GRANTS. There is  
 36 hereby appropriated, to the Department of Community Correction, to be payable

1 from the Accountability Court Fund, for Court Accountability grants for  
 2 personal services and operating expenses of the Department of Community  
 3 Correction - Court Accountability Grants for the fiscal year ending June 30,  
 4 2016, the following:

<i>ITEM</i>	<i>FISCAL YEAR</i>
<u><i>NO.</i></u>	<u><i>2015-2016</i></u>
<i>(01) COURT ACCOUNTABILITY GRANTS</i>	<u><u><i>\$2,800,000</i></u></u>

9  
 10 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COMMUNITY  
 12 CORRECTION PROGRAMS LINE ITEM USES. After seeking and receiving approval of  
 13 the Governor and Chief Fiscal Officer of the State and upon approval by the  
 14 Arkansas Legislative Council or Joint Budget Committee, the Director of the  
 15 Department of Community Correction, as authorized by the Board of  
 16 Corrections, is authorized to use funds appropriated for "Community  
 17 Correction Programs" line item of the Operations - Special Revenue  
 18 appropriation provided in this Act to construct new or renovate existing  
 19 facilities to support the development of community correction facilities in  
 20 the state.

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

1 The provisions of this section shall be in effect only from July 1, ~~2014~~  
2 2015 through June 30, ~~2015~~ 2016.

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

9 The provisions of this section shall be in effect only from July 1, ~~2014~~  
10 2015 through June 30, ~~2015~~ 2016.

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

18 The provisions of this section shall be in effect only from July 1, ~~2014~~  
19 2015 through June 30, ~~2015~~ 2016.

20  
21 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
23 PROVISION. Upon seeking and receiving approval from the Chief Fiscal Officer  
24 of the State and review and approval by the Arkansas Legislative Council or  
25 Joint Budget Committee, the Director of the Department of Community  
26 Correction is authorized to transfer appropriation from any line item  
27 authorized in Section 3 and Section 4 of this Act to any other line item  
28 authorized in Section 3 and Section 4 of this Act.

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

9 The provisions of this section shall be in effect only from July 1, ~~2014~~  
10 2015 through June 30, ~~2015~~ 2016.

11  
12 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

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

36 a) Costs to open and operate temporary beds;

- 1 b) Payment of Debt Service;
- 2 c) Payment of Overtime Expenses;
- 3 d) Unanticipated increases for medical or private prison contracts;
- 4 e) Construction/renovation/equipping of new beds;
- 5 f) Deficits in Farm or Industry Program;
- 6 g) Losses not covered by insurance proceeds;
- 7 h) Costs of personnel for critical services or necessary to carry out the
- 8 mission of the agency.

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 Correction and the Department of  
16 Community Correction may operate more efficiently if some flexibility is  
17 provided to the Board of Corrections authorizing broad powers under the  
18 Reallocation of Resources provisions herein. Therefore, it is both necessary  
19 and appropriate that the General Assembly maintain oversight by requiring  
20 prior approval of the Legislative Council or Joint Budget Committee as  
21 provided by this section. The requirement of approval by the Legislative  
22 Council or Joint Budget Committee is not a severable part of this section.  
23 If the requirement of approval by the Legislative Council or Joint Budget  
24 Committee is ruled unconstitutional by a court jurisdiction, this entire  
25 section is void.

26 The provisions of this section shall be in effect only from July 1, ~~2014~~  
27 2015 through June 30, ~~2015~~ 2016.

28

29 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HOLIDAY  
31 COMPENSATION. The Department of Community Correction is authorized to pay  
32 employees for up to ninety-six (96) hours of unused holidays exceeding a  
33 balance in the employee's holiday account of one-hundred fifty (150) hours  
34 following the end of the calendar year. Payments of unused holiday hours must  
35 be processed on or before June 1st in each fiscal year. Employees terminating  
36 employment from the Department of Community Correction will be eligible for

1 all holiday pay accrued during the years of service. This request is  
 2 contingent on approval by the Chief Fiscal Officer of the State after the  
 3 Director of the Department of Community Correction has verified that  
 4 sufficient revenues are available to make such payments to employees in the  
 5 following classifications:

6		Maximum Annual
7		Salary Rate
8		Fiscal Year
9	Class	
10	<u>Code Title</u>	<u>2014-2015 2015-2016</u>
11	T033C ADC/DCC MAJOR	GRADE C120
12	T048C ADC/DCC CAPTAIN	GRADE C118
13	T054C ADC/DCC LIEUTENANT	GRADE C117
14	T065C ADC/DCC CORRECTIONAL SERGEANT	GRADE C115
15	T075C ADC/DCC CORPORAL	GRADE C113
16	T083C ADC/DCC CORRECTIONAL OFFICER I	GRADE C112

17 The provisions of this section shall be in effect only from July 1, ~~2014~~  
 18 2015 through June 30, ~~2015~~ 2016.

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

36 The provisions of this section shall be in effect only from July 1, ~~2014~~

1 2015 through June 30, ~~2015~~ 2016.

2

3 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REGULAR  
 5 SALARIES - CONTINGENT POSITIONS. There is hereby established for the  
 6 Department of Community Correction - Contingent Positions for the ~~2014-2015~~  
 7 2015-2016 fiscal year, the following maximum number of regular employees.

8

9 CONTINGENT POSITIONS - MEDICAL SERVICES

				MAXIMUM ANNUAL		
				MAXIMUM	SALARY RATE	
ITEM	CLASS			NO. OF	FISCAL YEAR	
NO.	CODE	TITLE		EMPLOYEES	<del>2014-2015</del>	<u>2015-2016</u>
14	(1)	L009C	NURSE MANAGER	1	GRADE C125	
15	(2)	L033C	PSYCH. EXAMINER	1	GRADE C121	
16	(3)	M026C	LICENSED SOCIAL WORKER	6	GRADE C118	
17	(4)	L032C	REGISTERED NURSE HOSPITAL	7	GRADE C121	
18	(5)	L069C	LIC PRACT NURSE	25	GRADE C113	
19	(6)	C056C	ADMIN SPECIALIST III	2	GRADE C112	
20	(7)	G238C	ADMINISTRATOR	1	GRADE C123	
21	(8)	L081C	DENTAL ASSISTANT	1	GRADE C109	
22	(9)	L013N	DENTAL DIRECTOR	1	GRADE N916	
23	(10)	L071C	DENTAL HYGIENIST	1	GRADE C113	
24	(11)	L011N	DENTIST	1	GRADE N916	
25	(12)	Q109C	MEDICAL RECORDS DIRECTOR	1	GRADE C118	
26	(13)	L008N	PHYSICIAN - STAFF	1	GRADE N917	
27	(14)	L024N	PSYCHIATRIC DIRECTOR	1	GRADE N919	
28	(15)	L005N	PSYCHIATRIST	1	GRADE N919	
29	(16)	L003C	PSYCHOLOGIST - PT	1	GRADE C127	
30	(17)	C019C	REGIONAL MANAGER	1	GRADE C117	
31	(18)	C056C	SECRETARY/ADMIN ASST	<u>1</u>	GRADE C112	
32	MAXIMUM NUMBER OF CONTINGENT					
33	EMPLOYEES - MEDICAL SERVICES				54	

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

1 The provisions of this section shall be in effect only from July 1, ~~2014~~  
2 2015 through June 30, ~~2015~~ 2016.

3  
4 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COMMUNITY  
6 CORRECTION PROGRAM LINE ITEM USES. 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, ~~2014~~  
16 2015 through June 30, ~~2015~~ 2016.

17  
18 SECTION 19. 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 Section 3 - State  
23 Operations to Operating Expense Item (05)(A) in Section 3 - State Operations  
24 for support of the increase after receiving approval of the Chief Fiscal  
25 Officer of the State. Prior to the utilization of the transfer authority a  
26 report shall be made to the Arkansas Legislative Council or Joint Budget  
27 Committee including justification for the transfer and the amount of  
28 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,  
10 2015 through June 30, 2016.

11  
12 SECTION 20. 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,  
25 2015 through June 30, 2016.

26  
27 SECTION 21. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
28 authorized by this act shall be limited to the appropriation for such agency  
29 and funds made available by law for the support of such appropriations; and  
30 the restrictions of the State Procurement Law, the General Accounting and  
31 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
32 Procedures and Restrictions Act, or their successors, and other fiscal  
33 control laws of this State, where applicable, and regulations promulgated by  
34 the Department of Finance and Administration, as authorized by law, shall be  
35 strictly complied with in disbursement of said funds.

36

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

9  
10 SECTION 23. EMERGENCY CLAUSE. It is found and determined by the  
11 General Assembly, that the Constitution of the State of Arkansas prohibits  
12 the appropriation of funds for more than a one (1) year period; that the  
13 effectiveness of this Act on July 1, 2015 is essential to the operation of  
14 the agency for which the appropriations in this Act are provided, and that in  
15 the event of an extension of the legislative session, the delay in the  
16 effective date of this Act beyond July 1, 2015 could work irreparable harm  
17 upon the proper administration and provision of essential governmental  
18 programs. Therefore, an emergency is hereby declared to exist and this Act  
19 being necessary for the immediate preservation of the public peace, health  
20 and safety shall be in full force and effect from and after July 1, 2015.

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22 */s/Joint Budget Committee*  
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