

Stricken language will be deleted and underlined language will be added.

1 State of Arkansas *As Engrossed: H2/20/18 H3/1/18*

2 91st General Assembly **A Bill**

3 Fiscal Session, 2018

HOUSE BILL 1082

4

5 By: Joint Budget Committee

6

7 **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, 2019; AND FOR OTHER PURPOSES.

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**Subtitle**

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

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22 SECTION 1. REGULAR SALARIES. There is hereby established for the  
23 Department of Community Correction for the 2018-2019 fiscal year, the  
24 following maximum number of regular employees.

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Maximum Annual

Maximum Salary Rate

No. of Fiscal Year

Employees 2018-2019

| Item No. | Class Code | Title                                 | Maximum No. of Employees | Maximum Annual Salary Rate Fiscal Year 2018-2019 |
|----------|------------|---------------------------------------|--------------------------|--|
| (1)      | U084U      | DCC DIRECTOR                          | 1                        | GRADE SE02                                       |
| (2)      | U083U      | DCC CHIEF DEPUTY DIRECTOR             | 1                        | GRADE SE01                                       |
| (3)      | D094C      | DCC PROJ & ENTERPRISE PROG MGMT ADMIN | 1                        | GRADE IT08                                       |
| (4)      | D007C      | INFORMATION SYSTEMS MANAGER           | 1                        | GRADE IT08                                       |
| (5)      | D030C      | INFORMATION SYSTEMS COORDINATOR       | 1                        | GRADE IT07                                       |
| (6)      | D038C      | SENIOR SOFTWARE SUPPORT ANALYST       | 2                        | GRADE IT06                                       |
| (7)      | D061C      | INFO SYSTEMS COORDINATION SPECIALIST  | 1                        | GRADE IT05                                       |



|    |      |  |     |            |
|----|------|--|-----|------------|
| 1  | (8)  | D052C SOFTWARE SUPPORT ANALYST                 | 6   | GRADE IT05 |
| 2  | (9)  | D079C COMPUTER SUPPORT TECHNICIAN              | 3   | GRADE IT02 |
| 3  | (10) | N130N DCC DEP DIR ADMINISTRATIVE SERVICES      | 2   | GRADE GS14 |
| 4  | (11) | N129N DCC DEPUTY DIR PAROLE/PROBATION SVCS     | 1   | GRADE GS14 |
| 5  | (12) | N114N DCC DEPUTY DIR RESIDENTIAL SERVICES      | 1   | GRADE GS14 |
| 6  | (13) | A010C AGENCY CONTROLLER II                     | 1   | GRADE GS13 |
| 7  | (14) | G019C GENERAL COUNSEL                          | 1   | GRADE GS13 |
| 8  | (15) | T005C ADC/DCC CORRECTIONAL WARDEN              | 6   | GRADE GS12 |
| 9  | (16) | R006C HUMAN RESOURCES ADMINISTRATOR            | 1   | GRADE GS12 |
| 10 | (17) | R013C AGENCY HUMAN RESOURCES MANAGER           | 1   | GRADE GS11 |
| 11 | (18) | G047C ATTORNEY SPECIALIST                      | 1   | GRADE GS11 |
| 12 | (19) | T004C DCC PROGRAM ADMR PAROLE & PROBATION SVCS | 4   | GRADE GS11 |
| 13 | (20) | M001C DCC TREATMENT ADMINISTRATOR              | 2   | GRADE GS11 |
| 14 | (21) | T015C ADC/DCC DEPUTY WARDEN                    | 7   | GRADE GS10 |
| 15 | (22) | V036C AGENCY PROCUREMENT ADMINISTRATOR         | 1   | GRADE GS10 |
| 16 | (23) | X025C DCC PAROLE/PROBATION AREA MANAGER        | 16  | GRADE GS10 |
| 17 | (24) | G046C DCC PLANNING & MGMT SVCS ADMIN           | 1   | GRADE GS10 |
| 18 | (25) | G222C ADC/DCC INTERNAL AFFAIRS ADMIN           | 1   | GRADE GS09 |
| 19 | (26) | T033C ADC/DCC MAJOR                            | 3   | GRADE GS09 |
| 20 | (27) | T027C ADC/DCC TRAINING ADMINISTRATOR           | 1   | GRADE GS09 |
| 21 | (28) | P004C PUBLIC INFORMATION MANAGER               | 1   | GRADE GS09 |
| 22 | (29) | S094C ADC CONSTRUCTION/MAINTENANCE COORD       | 1   | GRADE GS08 |
| 23 | (30) | T048C ADC/DCC CAPTAIN                          | 6   | GRADE GS08 |
| 24 | (31) | T104C ADC/DCC TRAINING ACADEMY SUPERVISOR      | 1   | GRADE GS08 |
| 25 | (32) | R021C BUDGET ANALYST                           | 1   | GRADE GS08 |
| 26 | (33) | M007C DCC ASST TREATMENT PROGRAM MGR           | 5   | GRADE GS08 |
| 27 | (34) | X042C DCC PAROLE/PROBATION ASST AREA MGR       | 45  | GRADE GS08 |
| 28 | (35) | M021C DCC TREATMENT SUPERVISOR                 | 7   | GRADE GS08 |
| 29 | (36) | V007C PROCUREMENT COORDINATOR                  | 2   | GRADE GS08 |
| 30 | (37) | T054C ADC/DCC LIEUTENANT                       | 31  | GRADE GS07 |
| 31 | (38) | M046C ADC/DCC TREATMENT COORDINATOR            | 18  | GRADE GS07 |
| 32 | (39) | T045C DCC PAROLE/PROBATION OFFICER             | 500 | GRADE GS07 |
| 33 | (40) | G154C DCC PROGRAM COORDINATOR                  | 6   | GRADE GS07 |
| 34 | (41) | C010C EXECUTIVE ASSISTANT TO THE DIRECTOR      | 1   | GRADE GS07 |
| 35 | (42) | M026C LICENSED SOCIAL WORKER                   | 1   | GRADE GS07 |
| 36 | (43) | T065C ADC/DCC CORRECTIONAL SERGEANT            | 68  | GRADE GS06 |

|    |      |  |          |            |
|----|------|--|----------|------------|
| 1  | (44) | C037C ADMINISTRATIVE ANALYST               | 8        | GRADE GS06 |
| 2  | (45) | M057C CHAPLAIN                             | 6        | GRADE GS06 |
| 3  | (46) | R030C EEO/GRIEVANCE OFFICER                | 1        | GRADE GS06 |
| 4  | (47) | A074C FISCAL SUPPORT SUPERVISOR            | 3        | GRADE GS06 |
| 5  | (48) | G180C GRANTS ANALYST                       | 2        | GRADE GS06 |
| 6  | (49) | T103C LAW ENFORCEMENT TRAINING INSTRUCTOR  | 5        | GRADE GS06 |
| 7  | (50) | M048C SUBSTANCE ABUSE PROGRAM LEADER       | 56       | GRADE GS06 |
| 8  | (51) | T076C ADC/DCC ADMIN REVIEW OFFICER         | 7        | GRADE GS05 |
| 9  | (52) | M059C ADC/DCC ADVISOR                      | 111      | GRADE GS05 |
| 10 | (53) | S026C ADC/DCC ASST MAINTENANCE SUPERVISOR  | 9        | GRADE GS05 |
| 11 | (54) | T075C ADC/DCC CORPORAL                     | 217      | GRADE GS05 |
| 12 | (55) | T059C ADC/DCC FOOD PREPARATION MANAGER     | 11       | GRADE GS05 |
| 13 | (56) | M058C ADC/DCC PROGRAM SPECIALIST           | 9        | GRADE GS05 |
| 14 | (57) | C024C ADC/DCC RECORDS SUPERVISOR           | 8        | GRADE GS05 |
| 15 | (58) | R033C BENEFITS ANALYST                     | 1        | GRADE GS05 |
| 16 | (59) | C022C BUSINESS OPERATIONS SPECIALIST       | 6        | GRADE GS05 |
| 17 | (60) | V014C BUYER                                | 4        | GRADE GS05 |
| 18 | (61) | G215C CAREER PLANNING & PLACEMENT SPEC     | 13       | GRADE GS05 |
| 19 | (62) | G200C CLASSIFICATION & ASSIGNMENT OFFICER  | 4        | GRADE GS05 |
| 20 | (63) | X128C CORRECTIONAL UNIT ACCREDITATION SPEC | 2        | GRADE GS05 |
| 21 | (64) | T092C DCC PAROLE/PROBATION OFFICER I       | 1        | GRADE GS05 |
| 22 | (65) | A091C FISCAL SUPPORT ANALYST               | 1        | GRADE GS05 |
| 23 | (66) | R031C INSTITUTION HUMAN RESOURCES COORD    | 6        | GRADE GS05 |
| 24 | (67) | A090C PAYROLL SERVICES SPECIALIST          | 1        | GRADE GS05 |
| 25 | (68) | E051C STAFF DEVELOPMENT SPECIALIST         | 1        | GRADE GS05 |
| 26 | (69) | T083C ADC/DCC CORRECTIONAL OFFICER I       | 1        | GRADE GS04 |
| 27 | (70) | T070C ADC/DCC FOOD PREPARATION SUPERVISOR  | 19       | GRADE GS04 |
| 28 | (71) | C056C ADMINISTRATIVE SPECIALIST III        | 91       | GRADE GS04 |
| 29 | (72) | A098C FISCAL SUPPORT SPECIALIST            | 11       | GRADE GS04 |
| 30 | (73) | R036C HUMAN RESOURCES SPECIALIST           | 1        | GRADE GS04 |
| 31 | (74) | A097C PAYROLL TECHNICIAN                   | 1        | GRADE GS04 |
| 32 | (75) | V022C PURCHASING TECHNICIAN                | 1        | GRADE GS04 |
| 33 | (76) | C073C ADMINISTRATIVE SPECIALIST II         | 72       | GRADE GS03 |
| 34 | (77) | T081C COMMISSARY MANAGER                   | <u>6</u> | GRADE GS03 |
| 35 |      | MAX. NO. OF EMPLOYEES                      | 1,458    |            |

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SECTION 2. EXTRA HELP. There is hereby authorized, for the Department of Community Correction for the 2018-2019 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, 2019, the following:

| ITEM                            | FISCAL YEAR         |
|---------------------------------|---------------------|
| <u>NO.</u>                      | <u>2018-2019</u>    |
| (01) REGULAR SALARIES           | \$48,463,377        |
| (02) EXTRA HELP                 | 100,000             |
| (03) PERSONAL SERVICES MATCHING | 18,330,876          |
| (04) OVERTIME                   | 10,000              |
| (05) MAINT. & GEN. OPERATION    |                     |
| (A) OPER. EXPENSE               | 15,789,725          |
| (B) CONF. & TRAVEL              | 2,800               |
| (C) PROF. FEES                  | 6,384,956           |
| (D) CAP. OUTLAY                 | 523,638             |
| (E) DATA PROC.                  | <u>0</u>            |
| TOTAL AMOUNT APPROPRIATED       | <u>\$89,605,372</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 - Operations - Special Revenue for the fiscal year ending June 30, 2019, the following:

| ITEM       | FISCAL YEAR      |
|------------|------------------|
| <u>NO.</u> | <u>2018-2019</u> |

|    |                                      |                     |
|----|--------------------------------------|---------------------|
| 1  | (01) REGULAR SALARIES                | \$2,504,089         |
| 2  | (02) PERSONAL SERVICES MATCHING      | 913,550             |
| 3  | (03) MAINT. & GEN. OPERATION         |                     |
| 4  | (A) OPER. EXPENSE                    | 4,200,000           |
| 5  | (B) CONF. & TRAVEL                   | 100,000             |
| 6  | (C) PROF. FEES                       | 1,000,000           |
| 7  | (D) CAP. OUTLAY                      | 1,200,000           |
| 8  | (E) DATA PROC.                       | 0                   |
| 9  | (04) WAR MEMORIAL STADIUM COMMISSION |                     |
| 10 | PARKING SERVICES FROM FEES           | 10,000              |
| 11 | (05) COMMUNITY CORRECTION PROGRAMS   | <u>3,000,000</u>    |
| 12 | TOTAL AMOUNT APPROPRIATED            | <u>\$12,927,639</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, 2019, the  
 19 following:

20

| 21 | ITEM                            | FISCAL YEAR        |
|----|---------------------------------|--------------------|
| 22 | <u>NO.</u>                      | <u>2018-2019</u>   |
| 23 | (01) REGULAR SALARIES           | \$211,028          |
| 24 | (02) PERSONAL SERVICES MATCHING | 81,326             |
| 25 | (03) MAINT. & GEN. OPERATION    |                    |
| 26 | (A) OPER. EXPENSE               | 1,270,246          |
| 27 | (B) CONF. & TRAVEL              | 28,313             |
| 28 | (C) PROF. FEES                  | 309,439            |
| 29 | (D) CAP. OUTLAY                 | 0                  |
| 30 | (E) DATA PROC.                  | <u>0</u>           |
| 31 | TOTAL AMOUNT APPROPRIATED       | <u>\$1,900,352</u> |

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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 - Cash for the fiscal year ending  
 2 June 30, 2019, the following:

| 3  | 4 ITEM                       | FISCAL YEAR               |
|----|------------------------------|---------------------------|
| 5  | <u>NO.</u>                   | <u>2018-2019</u>          |
| 6  | (01) MAINT. & GEN. OPERATION |                           |
| 7  | (A) OPER. EXPENSE            | \$2,557,846               |
| 8  | (B) CONF. & TRAVEL           | 0                         |
| 9  | (C) PROF. FEES               | 101,800                   |
| 10 | (D) CAP. OUTLAY              | 500,000                   |
| 11 | (E) DATA PROC.               | <u>0</u>                  |
| 12 | TOTAL AMOUNT APPROPRIATED    | <u><u>\$3,159,646</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, 2019, the following:

| 19 | 20 ITEM                                | FISCAL YEAR               |
|----|--|---------------------------|
| 21 | <u>NO.</u>                             | <u>2018-2019</u>          |
| 22 | (01) REIMBURSEMENT TO COUNTIES HOUSING |                           |
| 23 | STATE INMATES                          | <u><u>\$3,000,000</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 2019, the following:

| 30 | 31 ITEM                           | FISCAL YEAR               |
|----|-----------------------------------|---------------------------|
| 32 | <u>NO.</u>                        | <u>2018-2019</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 2019, the following:

| 6 ITEM                             | FISCAL YEAR        |
|------------------------------------|--------------------|
| 7 <u>NO.</u>                       | <u>2018-2019</u>   |
| 8 (01) COURT ACCOUNTABILITY GRANTS | <u>\$1,400,000</u> |

9  
 10 SECTION 10. APPROPRIATION - PAY-FOR-SUCCESS PROGRAM. There is hereby  
 11 appropriated, to the Department of Community Correction, to be payable from  
 12 the Social Innovation Fund, for payments for intervention services on a pay-  
 13 for-success basis of the Department of Community Correction for the fiscal  
 14 year ending June 30, 2019, the following:

| 16 ITEM                         | FISCAL YEAR        |
|---------------------------------|--------------------|
| 17 <u>NO.</u>                   | <u>2018-2019</u>   |
| 18 (01) PAY-FOR-SUCCESS PROGRAM | <u>\$3,000,000</u> |

19  
 20 SECTION 11. APPROPRIATION - PAY-FOR-SUCCESS - SOCIAL INNOVATION  
 21 ASSURANCE. There is hereby appropriated, to the Department of Community  
 22 Correction, to be payable from the Social Innovation Fund, for payment of  
 23 debt service as authorized by the Pay for Success Act, §12-27-201 et. seq.,  
 24 for the fiscal year ending June 30, 2019, the following:

| 26 ITEM              | FISCAL YEAR        |
|----------------------|--------------------|
| 27 <u>NO.</u>        | <u>2018-2019</u>   |
| 28 (01) DEBT SERVICE | <u>\$1,000,000</u> |

29  
 30 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDING  
 32 TRANSFER. Upon approval of the Board of Corrections and the Chief Fiscal  
 33 Officer of the State, the Arkansas Department of Community Correction may  
 34 transfer from the Community Correction Revolving Fund and/or the Best  
 35 Practices Fund an amount not to exceed one million dollars (\$1,000,000) to  
 36 the Social Innovation Fund there to be used for debt service payments and

1 other costs associated with the issuance of bonds.

2 The provisions of this section shall be in effect only from July 1, ~~2017~~  
3 2018 through June 30, ~~2018~~ 2019.

4  
5 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COMMUNITY  
7 CORRECTION PROGRAMS LINE ITEM USES. After seeking and receiving approval of  
8 the Governor and Chief Fiscal Officer of the State and upon approval by the  
9 Arkansas Legislative Council or Joint Budget Committee, the Director of the  
10 Department of Community Correction, as authorized by the Board of  
11 Corrections, is authorized to use funds appropriated for "Community  
12 Correction Programs" line item of the Operations - Special Revenue  
13 appropriation provided in this Act to construct new or renovate existing  
14 facilities to support the development of community correction facilities in  
15 the state.

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

32 The provisions of this section shall be in effect only from July 1, ~~2017~~  
33 2018 through June 30, ~~2018~~ 2019.

34  
35 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PARKING



1 FEES. On July 1, of each year the Department of Community Correction shall  
2 pay from the appropriation provided herein from non-general revenue, the  
3 total amount appropriated for War Memorial Stadium Commission Parking  
4 Services from Fees to the War Memorial Stadium Commission.

5 The provisions of this section shall be in effect only from July 1, ~~2017~~  
6 2018 through June 30, ~~2018~~ 2019.

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8 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
10 PROVISION. Upon seeking and receiving approval from the Chief Fiscal Officer  
11 of the State and review and approval by the Arkansas Legislative Council or  
12 Joint Budget Committee, the Director of the Department of Community  
13 Correction is authorized to transfer appropriation from any line item  
14 authorized in the State Operations and Operations - Special Revenue  
15 Appropriations of this Act to any other line item authorized in the State  
16 Operations and Operations - Special Revenue Appropriations 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, ~~2017~~  
34 2018 through June 30, ~~2018~~ 2019.

35

36 SECTION 16. 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, ~~2017~~  
 15 2018 through June 30, ~~2018~~ 2019.

16

17 SECTION 17. 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

| Class | Code Title            | Maximum Annual<br>Salary Rate<br>Fiscal Year |
|-------|-----------------------|--|
|       |                       | <del>2017-2018</del> 2018-2019               |
| 35    | T033C ADC/DCC MAJOR   | GRADE GS09                                   |
| 36    | T048C ADC/DCC CAPTAIN | GRADE GS08                                   |

- 1 T054C ADC/DCC LIEUTENANT GRADE GS07
- 2 T065C ADC/DCC CORRECTIONAL SERGEANT GRADE GS06
- 3 T075C ADC/DCC CORPORAL GRADE GS05
- 4 T083C ADC/DCC CORRECTIONAL OFFICER I GRADE GS04

5 The provisions of this section shall be in effect only from July 1, ~~2017~~  
 6 2018 through June 30, ~~2018~~ 2019.

7  
 8 SECTION 18. 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 the State Operations Appropriation of this  
 19 Act to Regular Salaries, Personal Services Matching and various Maintenance  
 20 and General Operations classifications. Further, the Department may utilize  
 21 the service(s) of a state-based or national-based Professional Recruitment  
 22 Service, or network, as may be necessary to recruit, fill, or maintain the  
 23 occupancy of the positions stated herein.

24 The provisions of this section shall be in effect only from July 1, ~~2017~~  
 25 2018 through June 30, ~~2018~~ 2019.

26  
 27 SECTION 19. 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 ~~2017-2018~~  
 31 2018-2019 fiscal year, the following maximum number of regular employees.

32  
 33 CONTINGENT POSITIONS - MEDICAL SERVICES

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

| 1  | NO.                          | CODE  | TITLE                     | EMPLOYEES | <del>2017-2018</del> 2018-2019 |
|----|------------------------------|-------|---------------------------|-----------|--------------------------------|
| 2  | (1)                          | L009C | NURSE MANAGER             | 1         | GRADE MP03                     |
| 3  | (2)                          | L033C | PSYCH. EXAMINER           | 1         | GRADE GS09                     |
| 4  | (3)                          | M026C | LICENSED SOCIAL WORKER    | 6         | GRADE GS07                     |
| 5  | (4)                          | L032C | REGISTERED NURSE HOSPITAL | 7         | GRADE MP01                     |
| 6  | (5)                          | L069C | LIC PRACT NURSE           | 25        | GRADE GS06                     |
| 7  | (6)                          | C056C | ADMIN SPECIALIST III      | 2         | GRADE GS04                     |
| 8  | (7)                          | G238C | ADMINISTRATOR             | 1         | GRADE GS09                     |
| 9  | (8)                          | L081C | DENTAL ASSISTANT          | 1         | GRADE GS04                     |
| 10 | (9)                          | L013N | DENTAL DIRECTOR           | 1         | GRADE MP06                     |
| 11 | (10)                         | L071C | DENTAL HYGIENIST          | 1         | GRADE GS05                     |
| 12 | (11)                         | L011N | DENTIST                   | 1         | GRADE MP06                     |
| 13 | (12)                         | Q109C | MEDICAL RECORDS DIRECTOR  | 1         | GRADE C118                     |
| 14 | (13)                         | L008N | PHYSICIAN - STAFF         | 1         | GRADE MP07                     |
| 15 | (14)                         | L024N | PSYCHIATRIC DIRECTOR      | 1         | GRADE GS09                     |
| 16 | (15)                         | L005N | PSYCHIATRIST              | 1         | GRADE MP08                     |
| 17 | (16)                         | L003C | PSYCHOLOGIST - PT         | 1         | GRADE MP03                     |
| 18 | (17)                         | C019C | REGIONAL MANAGER          | 1         | GRADE C117                     |
| 19 | (18)                         | C056C | SECRETARY/ADMIN ASST      | <u>1</u>  | GRADE GS04                     |
| 20 | MAXIMUM NUMBER OF CONTINGENT |       |                           |           |                                |
| 21 | EMPLOYEES - MEDICAL SERVICES |       |                           | 54        |                                |

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

25 The provisions of this section shall be in effect only from July 1, ~~2017~~  
 26 2018 through June 30, ~~2018~~ 2019.

27

28 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COMMUNITY  
 30 CORRECTION PROGRAM LINE ITEM USES. After seeking and receiving approval of  
 31 the Governor and Chief Fiscal Officer of the State and upon approval by the  
 32 Arkansas Legislative Council or Joint Budget Committee, the Director of the  
 33 Department of Community Correction, as authorized by the Board of  
 34 Corrections, is authorized to use the appropriations authorized under the  
 35 line item established herein for "Community Correction Program" are to be  
 36 used by the Department of Community Correction for establishment and

1 operation of, to include construction, renovation, and contracting for  
2 establishment and operation of, residential and non-residential community  
3 correction programs such as, but not limited to, community correction  
4 centers, drug, alcohol, and mental health treatments, intensive supervision,  
5 restitution, and others as established and approved by the Board of  
6 Corrections and as may be provided by law.

7 The provisions of this section shall be in effect only from July 1, ~~2017~~  
8 2018 through June 30, ~~2018~~ 2019.

9

10 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
12 AUTHORITY FOR UTILITY AND FUEL RATE INCREASE. In the event of a ten percent  
13 (10%) increase in utility and fuel rates, the Department of Community  
14 Correction is authorized to transfer from any line item in the State  
15 Operations Appropriation to the Operating Expense line item in the State  
16 Operations Appropriation for support of the increase after receiving approval  
17 of the Chief Fiscal Officer of the State. Prior to the utilization of the  
18 transfer authority a report shall be made to the Arkansas Legislative Council  
19 or Joint Budget Committee including justification for the transfer and the  
20 amount of transfer.

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  
30 both necessary and appropriate that the General Assembly maintain oversight  
31 by requiring prior approval of the Legislative Council or Joint Budget  
32 Committee as provided by this section. The requirement of approval by the  
33 Legislative Council or Joint Budget Committee is not a severable part of this  
34 section. If the requirement of approval by the Legislative Council or Joint  
35 Budget Committee is ruled unconstitutional by a court of competent  
36 jurisdiction, this entire section is void.

1 The provisions of this section shall be in effect only from July 1, ~~2017~~  
2 2018 through June 30, ~~2018~~ 2019.

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

16 The provisions of this section shall be in effect only from July 1, ~~2017~~  
17 2018 through June 30, ~~2018~~ 2019.

18  
19 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MOTOR  
21 VEHICLE PURCHASE PROVISION. The Department of Community Correction is hereby  
22 authorized to purchase motor vehicles from the appropriations authorized for  
23 Capital Outlay in the State Operations and Special Revenue Operations  
24 appropriations in this Act.

25 The provisions of this section shall be in effect only from July 1, ~~2017~~  
26 2018 through June 30, ~~2018~~ 2019.

27  
28 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
30 PAROLE/PROBATION OFFICERS HIRING. The Department of Community Correction  
31 shall report quarterly to the Arkansas Legislative Council or Joint Budget  
32 Committee the number of vacant Parole/Probation Officer, Parole/Probation  
33 Area Manager, Parole/Probation Assistant Area Manager positions and average  
34 case load per Parole/Probation Officer.

35 The provisions of this section shall be in effect only from July 1, ~~2017~~  
36 2018 through June 30, ~~2018~~ 2019.

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SECTION 25. 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 Procurement 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 26. 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 27. EFFECTIVE DATE. This act is effective on and after July 1, 2018.

*/s/ Joint Budget Committee*