

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

1 State of Arkansas As Engrossed: H2/20/18 H3/1/18 H3/6/18

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.

12

13

14

Subtitle

15

AN ACT FOR THE DEPARTMENT OF COMMUNITY

16

CORRECTION APPROPRIATION FOR THE 2018-

17

2019 FISCAL YEAR.

18

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 2018-2019 fiscal year, the

24 following maximum number of regular employees.

25

26

Maximum Annual

27

Maximum

Salary Rate

28

Item Class

No. of

Fiscal Year

29

No. Code Title

Employees

2018-2019

30

(1) U084U DCC DIRECTOR

1

GRADE SE02

31

(2) U083U DCC CHIEF DEPUTY DIRECTOR

1

GRADE SE01

32

(3) D094C DCC PROJ & ENTERPRISE PROG MGMT ADMIN

1

GRADE IT08

33

(4) D007C INFORMATION SYSTEMS MANAGER

1

GRADE IT08

34

(5) D030C INFORMATION SYSTEMS COORDINATOR

1

GRADE IT07

35

(6) D038C SENIOR SOFTWARE SUPPORT ANALYST

2

GRADE IT06

36

(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	530	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	1,488	

36

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	\$49,673,377
(02) EXTRA HELP	100,000
(03) PERSONAL SERVICES MATCHING	18,669,652
(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><u>\$91,154,148</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 - 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><u>\$12,927,639</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, 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><u>\$1,900,352</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 - Cash for the fiscal year ending
 2 June 30, 2019, the following:

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:

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:

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.

7

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

31

Maximum Annual

32

Salary Rate

33 Class

Fiscal Year

34 Code Title

~~2017-2018~~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	MAXIMUM SALARY RATE
36 ITEM CLASS	NO. OF FISCAL YEAR

1	NO.	CODE	TITLE	EMPLOYEES	2017-2018 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.

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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.

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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.

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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.

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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