

1 State of Arkansas
2 92nd General Assembly
3 Fiscal Session, 2020
4

A Bill

HOUSE BILL 1057

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 CORRECTIONS - DIVISION OF COMMUNITY CORRECTION FOR
11 THE FISCAL YEAR ENDING JUNE 30, 2021; AND FOR OTHER
12 PURPOSES.
13
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Subtitle

15 AN ACT FOR THE DEPARTMENT OF CORRECTIONS
16 - DIVISION OF COMMUNITY CORRECTION
17 APPROPRIATION FOR THE 2020-2021 FISCAL
18 YEAR.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. REGULAR SALARIES. There is hereby established for the
25 Department of Corrections - Division of Community Correction for the 2020-
26 2021 fiscal year, the following maximum number of regular employees.
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Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2020-2021
32	(1) U084U	DCC DIRECTOR	1	GRADE SE02
33	(2) U083U	DCC CHIEF DEPUTY DIRECTOR	1	GRADE SE01
34	(3) D094C	DCC PROJ & ENTERPRISE PROG MGMT ADMIN	1	GRADE IT08
35	(4) D007C	INFORMATION SYSTEMS MANAGER	1	GRADE IT08
36	(5) D030C	INFORMATION SYSTEMS COORDINATOR	1	GRADE IT07



1	(6)	D038C SENIOR SOFTWARE SUPPORT ANALYST	2	GRADE IT06
2	(7)	D061C INFO SYSTEMS COORDINATION SPECIALIST	1	GRADE IT05
3	(8)	D052C SOFTWARE SUPPORT ANALYST	6	GRADE IT05
4	(9)	D079C COMPUTER SUPPORT TECHNICIAN	3	GRADE IT02
5	(10)	N130N DCC DEP DIR ADMINISTRATIVE SERVICES	2	GRADE GS14
6	(11)	N129N DCC DEPUTY DIR PAROLE/PROBATION SVCS	1	GRADE GS14
7	(12)	N114N DCC DEPUTY DIR RESIDENTIAL SERVICES	1	GRADE GS14
8	(13)	A010C AGENCY CONTROLLER II	1	GRADE GS13
9	(14)	G019C GENERAL COUNSEL	1	GRADE GS13
10	(15)	T005C ADC/DCC CORRECTIONAL WARDEN	6	GRADE GS12
11	(16)	R006C HUMAN RESOURCES ADMINISTRATOR	1	GRADE GS12
12	(17)	A027C ACCOUNTING OPERATIONS MANAGER	1	GRADE GS11
13	(18)	R013C AGENCY HUMAN RESOURCES MANAGER	1	GRADE GS11
14	(19)	T004C DCC PROGRAM ADMR PAROLE & PROBATION	4	GRADE GS11
15	(20)	M001C DCC TREATMENT ADMINISTRATOR	2	GRADE GS11
16	(21)	T015C ADC/DCC DEPUTY WARDEN	6	GRADE GS10
17	(22)	V036C AGENCY PROCUREMENT ADMINISTRATOR	1	GRADE GS10
18	(23)	X025C DCC PAROLE/PROBATION AREA MANAGER	16	GRADE GS10
19	(24)	G046C DCC PLANNING & MGMT SVCS ADMINISTRATOR	1	GRADE GS10
20	(25)	G222C ADC/DCC INTERNAL AFFAIRS ADMINISTRATOR	1	GRADE GS09
21	(26)	T033C ADC/DCC MAJOR	3	GRADE GS09
22	(27)	T027C ADC/DCC TRAINING ADMINISTRATOR	1	GRADE GS09
23	(28)	P004C PUBLIC INFORMATION MANAGER	1	GRADE GS09
24	(29)	S094C ADC CONSTRUCTION/MAINTENANCE COORD	2	GRADE GS08
25	(30)	T048C ADC/DCC CAPTAIN	6	GRADE GS08
26	(31)	T104C ADC/DCC TRAINING ACADEMY SUPERVISOR	1	GRADE GS08
27	(32)	M007C DCC ASST TREATMENT PROGRAM MGR	5	GRADE GS08
28	(33)	X042C DCC PAROLE/PROBATION ASST AREA MGR	46	GRADE GS08
29	(34)	M021C DCC TREATMENT SUPERVISOR	7	GRADE GS08
30	(35)	V007C PROCUREMENT COORDINATOR	2	GRADE GS08
31	(36)	T054C ADC/DCC LIEUTENANT	31	GRADE GS07
32	(37)	M046C ADC/DCC TREATMENT COORDINATOR	18	GRADE GS07
33	(38)	T045C DCC PAROLE/PROBATION OFFICER	530	GRADE GS07
34	(39)	G154C DCC PROGRAM COORDINATOR	6	GRADE GS07
35	(40)	C010C EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE GS07
36	(41)	M026C LICENSED SOCIAL WORKER	1	GRADE GS07

1	(42)	T065C ADC/DCC CORRECTIONAL SERGEANT	67	GRADE GS06
2	(43)	C037C ADMINISTRATIVE ANALYST	8	GRADE GS06
3	(44)	M057C CHAPLAIN	6	GRADE GS06
4	(45)	R030C EEO/GRIEVANCE OFFICER	1	GRADE GS06
5	(46)	A074C FISCAL SUPPORT SUPERVISOR	3	GRADE GS06
6	(47)	G180C GRANTS ANALYST	2	GRADE GS06
7	(48)	T103C LAW ENFORCEMENT TRAINING INSTRUCTOR	5	GRADE GS06
8	(49)	M048C SUBSTANCE ABUSE PROGRAM LEADER	55	GRADE GS06
9	(50)	T076C ADC/DCC ADMIN REVIEW OFFICER	7	GRADE GS05
10	(51)	M059C ADC/DCC ADVISOR	113	GRADE GS05
11	(52)	S026C ADC/DCC ASST MAINTENANCE SUPERVISOR	9	GRADE GS05
12	(53)	T075C ADC/DCC CORPORAL	217	GRADE GS05
13	(54)	T059C ADC/DCC FOOD PREPARATION MANAGER	11	GRADE GS05
14	(55)	M058C ADC/DCC PROGRAM SPECIALIST	9	GRADE GS05
15	(56)	C024C ADC/DCC RECORDS SUPERVISOR	8	GRADE GS05
16	(57)	R033C BENEFITS ANALYST	1	GRADE GS05
17	(58)	C022C BUSINESS OPERATIONS SPECIALIST	7	GRADE GS05
18	(59)	V014C BUYER	4	GRADE GS05
19	(60)	G215C CAREER PLANNING & PLACEMENT SPECIALIST	13	GRADE GS05
20	(61)	G200C CLASSIFICATION & ASSIGNMENT OFFICER	4	GRADE GS05
21	(62)	X128C CORRECTIONAL UNIT ACCREDITATION SPEC	2	GRADE GS05
22	(63)	T092C DCC PAROLE/PROBATION OFFICER I	1	GRADE GS05
23	(64)	A091C FISCAL SUPPORT ANALYST	1	GRADE GS05
24	(65)	R031C INSTITUTION HUMAN RESOURCES COORD	6	GRADE GS05
25	(66)	E051C STAFF DEVELOPMENT SPECIALIST	1	GRADE GS05
26	(67)	T083C ADC/DCC CORRECTIONAL OFFICER I	1	GRADE GS04
27	(68)	T070C ADC/DCC FOOD PREPARATION SUPERVISOR	19	GRADE GS04
28	(69)	C056C ADMINISTRATIVE SPECIALIST III	94	GRADE GS04
29	(70)	A098C FISCAL SUPPORT SPECIALIST	9	GRADE GS04
30	(71)	R036C HUMAN RESOURCES SPECIALIST	1	GRADE GS04
31	(72)	V022C PURCHASING TECHNICIAN	1	GRADE GS04
32	(73)	C073C ADMINISTRATIVE SPECIALIST II	72	GRADE GS03
33	(74)	T081C COMMISSARY MANAGER	<u>6</u>	GRADE GS03
34		MAX. NO. OF EMPLOYEES	1,488	

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SECTION 2. EXTRA HELP. There is hereby authorized, for the Department of Corrections - Division of Community Corrections for the 2020-2021 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 Corrections - Division of Community Correction, to be payable from the Division of Community Correction Fund Account, for personal services and operating expenses of the Department of Corrections - Division of Community Correction - State Operations for the fiscal year ending June 30, 2021, the following:

ITEM NO.	FISCAL YEAR
	2020-2021
(01) REGULAR SALARIES	\$55,720,618
(02) EXTRA HELP	100,000
(03) PERSONAL SERVICES MATCHING	20,588,328
(04) OVERTIME	310,000
(05) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	15,912,156
(B) CONF. & TRAVEL	2,800
(C) PROF. FEES	7,512,992
(D) CAP. OUTLAY	500,000
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$100,646,894</u>

SECTION 4. APPROPRIATION - OPERATIONS - SPECIAL REVENUE. There is hereby appropriated, to the Department of Corrections, to be payable from the Community Correction Revolving Fund, for personal services and operating expenses of the Department of Corrections - Division of Community Correction - Operations - Special Revenue for the fiscal year ending June 30, 2021, the following:

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ITEM	FISCAL YEAR
<u>NO.</u>	<u>2020-2021</u>
(01) REGULAR SALARIES	\$2,565,504
(02) PERSONAL SERVICES MATCHING	934,258
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	4,200,000
(B) CONF. & TRAVEL	100,000
(C) PROF. FEES	1,000,000
(D) CAP. OUTLAY	1,200,000
(E) DATA PROC.	0
(04) WAR MEMORIAL - PARKING	10,000
(05) COMMUNITY CORRECTION PROGRAMS	<u>8,000,000</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$18,009,762</u></u>

SECTION 5. APPROPRIATION - RESIDENTS SERVICES - CASH. There is hereby appropriated, to the Department of Corrections, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for operating expenses of the Department of Corrections - Division of Community Correction - Residents Services - Cash for the fiscal year ending June 30, 2021, the following:

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ITEM	FISCAL YEAR
<u>NO.</u>	<u>2020-2021</u>
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$2,557,846
(B) CONF. & TRAVEL	0
(C) PROF. FEES	101,800
(D) CAP. OUTLAY	500,000
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$3,159,646</u></u>

SECTION 6. APPROPRIATION - COUNTY JAIL REIMBURSEMENT. There is hereby appropriated, to the Department of Corrections, to be payable from the County Jail Reimbursement Fund, for reimbursement to counties housing state inmates of the Department of Corrections - Division of Community Correction for the

1 fiscal year ending June 30, 2021, the following:

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3 ITEM	FISCAL YEAR
4 <u>NO.</u>	<u>2020-2021</u>
5 (01) REIMBURSEMENT TO COUNTIES HOUSING	
6 STATE INMATES	<u>\$3,000,000</u>

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8 SECTION 7. APPROPRIATION - COURT ACCOUNTABILITY GRANTS. There is
 9 hereby appropriated, to the Department of Corrections, to be payable from the
 10 Accountability Court Fund, for Court Accountability grants for personal
 11 services and operating expenses of the Department of Corrections - Division
 12 of Community Correction - Court Accountability Grants for the fiscal year
 13 ending June 30, 2021, the following:

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15 ITEM	FISCAL YEAR
16 <u>NO.</u>	<u>2020-2021</u>
17 (01) COURT ACCOUNTABILITY GRANTS	<u>\$1,400,000</u>

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19 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COMMUNITY
 21 CORRECTION PROGRAMS LINE ITEM USES. After seeking and receiving approval of
 22 the Governor and Chief Fiscal Officer of the State and upon approval by the
 23 Arkansas Legislative Council or Joint Budget Committee, the Director of the
 24 Department of Community Correction, as authorized by the Board of
 25 Corrections, is authorized to use funds appropriated for "Community
 26 Correction Programs" line item of the Operations - Special Revenue
 27 appropriation provided in this Act to construct new or renovate existing
 28 facilities to support the development of community correction facilities in
 29 the state.

30 Determining the maximum number of employees and the maximum amount of
 31 appropriation and general revenue funding for a state agency each fiscal year
 32 is the prerogative of the General Assembly. This is usually accomplished by
 33 delineating such maximums in the appropriation act(s) for a state agency and
 34 the general revenue allocations authorized for each fund and fund account by
 35 amendment to the Revenue Stabilization law. Further, the General Assembly
 36 has determined that the Department of Community Correction may operate more

1 efficiently if some flexibility is provided to the Department of Community
2 Correction authorizing broad powers under this Section. Therefore, it is both
3 necessary and appropriate that the General Assembly maintain oversight by
4 requiring prior approval of the Legislative Council or Joint Budget Committee
5 as provided by this section. The requirement of approval by the Legislative
6 Council or Joint Budget Committee is not a severable part of this section.
7 If the requirement of approval by the Legislative Council or Joint Budget
8 Committee is ruled unconstitutional by a court of competent jurisdiction,
9 this entire section is void.

10 The provisions of this section shall be in effect only from July 1, ~~2019~~
11 2020 through June 30, ~~2020~~ 2021.

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13 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PARKING
15 FEES. On July 1, of each year the Department of Community Correction shall
16 pay from the appropriation provided herein from non-general revenue, the
17 total amount appropriated for War Memorial Parking Services from Fees to War
18 Memorial.

19 The provisions of this section shall be in effect only from July 1, ~~2019~~
20 2020 through June 30, ~~2020~~ 2021.

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22 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
23 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
24 PROVISION. Upon seeking and receiving approval from the Chief Fiscal Officer
25 of the State and review and approval by the Arkansas Legislative Council or
26 Joint Budget Committee, the Director of the Department of Community
27 Correction is authorized to transfer appropriation from any line item
28 authorized in the State Operations and Operations - Special Revenue
29 Appropriations of this Act to any other line item authorized in the State
30 Operations and Operations - Special Revenue Appropriations of this Act.
31 Determining the maximum number of employees and the maximum amount of
32 appropriation and general revenue funding for a state agency each fiscal year
33 is the prerogative of the General Assembly. This is usually accomplished by
34 delineating such maximums in the appropriation act(s) for a state agency and
35 the general revenue allocations authorized for each fund and fund account by
36 amendment to the Revenue Stabilization law. Further, the General Assembly

1 has determined that the Department of Community Correction may operate more
2 efficiently if some flexibility is provided to the Department of Community
3 Correction authorizing broad powers under this Section. Therefore, it is both
4 necessary and appropriate that the General Assembly maintain oversight by
5 requiring prior approval of the Legislative Council or Joint Budget Committee
6 as provided by this section. The requirement of approval by the Legislative
7 Council or Joint Budget Committee is not a severable part of this section.
8 If the requirement of approval by the Legislative Council or Joint Budget
9 Committee is ruled unconstitutional by a court of competent jurisdiction,
10 this entire section is void.

11 The provisions of this section shall be in effect only from July 1, ~~2019~~
12 2020 through June 30, ~~2020~~ 2021.

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14 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
15 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
16 REALLOCATION OF RESOURCES. Upon determination by the Board of Corrections
17 that a reallocation of resources within the Department of Community
18 Correction and Department of Corrections is necessary for the efficient and
19 effective operation of the departments, the Board, with approval of the
20 Governor and approval by the Arkansas Legislative Council or Joint Budget
21 Committee, shall have the authority to instruct the department directors, to
22 request from the Chief Fiscal Officer of the State, a transfer of positions,
23 programs, funds, appropriations, and line-item appropriations within or
24 between existing and newly created divisions, offices, sections, or units of
25 the departments. If it is determined that the requested transfer should be
26 made, the Chief Fiscal Officer of the State shall then initiate the necessary
27 transfer documents to reflect the transfers upon the fiscal records of the
28 State Treasurer, the State Auditor, the Chief Fiscal Officer of the State,
29 and the Department of Corrections and Department of Community Correction.
30 Provided, however, that the Board shall be limited to submitting no more than
31 two requests, encompassing a single purpose listed in this section, during
32 any fiscal year per department. Transfer authority shall further be limited
33 to no more than five percent (5%) of the total General Revenue and Special
34 Revenue appropriation, funding, and positions specific to each agency.
35 However, there shall be no transfers to or from the County Jail Reimbursement
36 Fund. A Reallocation of Resources Transfer shall be limited to the following

1 specific purposes:

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

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

28 The provisions of this section shall be in effect only from July 1, ~~2019~~
29 2020 through June 30, ~~2020~~ 2021.

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31 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HOLIDAY
33 COMPENSATION. The Department of Community Correction is authorized to pay
34 employees for up to ninety-six (96) hours of unused holidays exceeding a
35 balance in the employee's holiday account of one-hundred fifty (150) hours
36 following the end of the calendar year. Payments of unused holiday hours must

1 be processed on or before June 1st in each fiscal year. Employees terminating
 2 employment from the Department of Community Correction will be eligible for
 3 all holiday pay accrued during the years of service. This request is
 4 contingent on approval by the Chief Fiscal Officer of the State after the
 5 Director of the Department of Community Correction has verified that
 6 sufficient revenues are available to make such payments to employees in the
 7 following classifications:

8		Maximum Annual
9		Salary Rate
10		Fiscal Year
11	Class	
12	<u>Code Title</u>	<u>2019-2020 2020-2021</u>
13	T033C ADC/DCC MAJOR	GRADE GS09
14	T048C ADC/DCC CAPTAIN	GRADE GS08
15	T054C ADC/DCC LIEUTENANT	GRADE GS07
16	T065C ADC/DCC CORRECTIONAL SERGEANT	GRADE GS06
17	T075C ADC/DCC CORPORAL	GRADE GS05
18	T083C ADC/DCC CORRECTIONAL OFFICER I	GRADE GS04

19 The provisions of this section shall be in effect only from July 1, ~~2019~~
 20 2020 through June 30, ~~2020~~ 2021.

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 22 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 23 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MEDICAL
 24 SERVICES - CONTINGENCY POSITIONS. If it has been determined by the Board of
 25 Corrections that the Department of Community Correction cannot continue a
 26 medical contract with a private provider and the Board deems it necessary to
 27 utilize Department staff to provide the required services, the Department is
 28 allowed, upon notification of the Chief Fiscal Officer of the State and after
 29 seeking prior review by the Arkansas Legislative Council or Joint Budget
 30 Committee, to utilize the contingent positions for medical services contained
 31 in this Act and make the appropriate transfers from the Professional Fees and
 32 Services line item contained in the State Operations Appropriation of this
 33 Act to Regular Salaries, Personal Services Matching and various Maintenance
 34 and General Operations classifications. Further, the Department may utilize
 35 the service(s) of a state-based or national-based Professional Recruitment
 36 Service, or network, as may be necessary to recruit, fill, or maintain the

1 occupancy of the positions stated herein.

2 The provisions of this section shall be in effect only from July 1, 2019
 3 2020 through June 30, ~~2020~~ 2021.

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5 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REGULAR
 7 SALARIES - CONTINGENT POSITIONS. There is hereby established for the
 8 Department of Community Correction - Contingent Positions for the ~~2019-2020~~
 9 2020-2021 fiscal year, the following maximum number of regular employees.

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11 CONTINGENT POSITIONS - MEDICAL SERVICES

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			MAXIMUM ANNUAL	
			MAXIMUM	SALARY RATE
ITEM	CLASS		NO. OF	FISCAL YEAR
NO.	CODE	TITLE	EMPLOYEES	2019-2020 2020-2021
16	(1)	L009C NURSE MANAGER	1	GRADE MP03
17	(2)	L033C PSYCH. EXAMINER	1	GRADE GS09
18	(3)	M026C LICENSED SOCIAL WORKER	6	GRADE GS07
19	(4)	L032C REGISTERED NURSE HOSPITAL	7	GRADE MP01
20	(5)	L069C LIC PRACT NURSE	25	GRADE GS06
21	(6)	C056C ADMIN SPECIALIST III	2	GRADE GS04
22	(7)	G238C ADMINISTRATOR	1	GRADE GS09
23	(8)	L081C DENTAL ASSISTANT	1	GRADE GS04
24	(9)	L013N DENTAL DIRECTOR	1	GRADE MP06
25	(10)	L071C DENTAL HYGIENIST	1	GRADE GS05
26	(11)	L011N DENTIST	1	GRADE MP06
27	(12)	L008N PHYSICIAN - STAFF	1	GRADE MP07
28	(13)	L024N PSYCHIATRIC DIRECTOR	1	GRADE GS09
29	(14)	L005N PSYCHIATRIST	1	GRADE MP08
30	(15)	L003C PSYCHOLOGIST - PT	1	GRADE MP03
31	(16)	C056C SECRETARY/ADMIN ASST	<u>1</u>	GRADE GS04

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33 MAXIMUM NUMBER OF CONTINGENT
 EMPLOYEES - MEDICAL SERVICES 52

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If the agency requests continuation of a "Growth Pool" position(s) as established herein during the next fiscal year, the position(s) must be 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, ~~2019~~
2 2020 through June 30, ~~2020~~ 2021.

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4 SECTION 15. 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. After seeking and receiving approval of
7 the Governor and Chief Fiscal Officer of the State and upon approval by the
8 Arkansas Legislative Council or Joint Budget Committee, the Director of the
9 Department of Community Correction, as authorized by the Board of
10 Corrections, is authorized to use the appropriations authorized under the
11 line item established herein for "Community Correction Program" are to be
12 used by the Department of Community Correction for establishment and
13 operation of, to include construction, renovation, and contracting for
14 establishment and operation of, residential and non-residential community
15 correction programs such as, but not limited to, community correction
16 centers, drug, alcohol, and mental health treatments, intensive supervision,
17 restitution, and others as established and approved by the Board of
18 Corrections and as may be provided by law.

19 The provisions of this section shall be in effect only from July 1, ~~2019~~
20 2020 through June 30, ~~2020~~ 2021.

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22 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
23 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
24 AUTHORITY FOR UTILITY AND FUEL RATE INCREASE. In the event of a ten percent
25 (10%) increase in utility and fuel rates, the Department of Community
26 Correction is authorized to transfer from any line item in the State
27 Operations Appropriation to the Operating Expense line item in the State
28 Operations Appropriation for support of the increase after receiving approval
29 of the Chief Fiscal Officer of the State. Prior to the utilization of the
30 transfer authority a report shall be made to the Arkansas Legislative Council
31 or Joint Budget Committee including justification for the transfer and the
32 amount of transfer.

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 Community Correction may operate more
4 efficiently if some flexibility is provided to the Department of Community
5 Correction authorizing broad powers under this Section. Therefore, it is
6 both necessary and appropriate that the General Assembly maintain oversight
7 by requiring prior approval of the Legislative Council or Joint Budget
8 Committee as provided by this section. The requirement of approval by the
9 Legislative Council or Joint Budget Committee is not a severable part of this
10 section. If the requirement of approval by the Legislative Council or Joint
11 Budget Committee is ruled unconstitutional by a court of competent
12 jurisdiction, this entire section is void.

13 The provisions of this section shall be in effect only from July 1, ~~2019~~
14 2020 through June 30, ~~2020~~ 2021.

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16 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY
18 JAIL INVOICE SUMMARY. The Department of Corrections and Department of
19 Community Correction, shall at a minimum and on a fiscal year basis, prepare
20 and post on the applicable agency web site, a monthly summary of county jail
21 reimbursement invoices prepared and forwarded to each county sheriff for
22 verification by the Departments and for payment from the County Jail
23 Reimbursement Fund. In addition, the report shall include a summary of
24 invoices returned by each county for payment for previous months within the
25 fiscal year, the amounts paid, and any balances owed. Each fiscal year-end
26 report shall be maintained on the web sites for a period of no less than
27 three (3) years.

28 The provisions of this section shall be in effect only from July 1, ~~2019~~
29 2020 through June 30, ~~2020~~ 2021.

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

1 The provisions of this section shall be in effect only from July 1, 2019
2 2020 through June 30, ~~2020~~ 2021.

3
4 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

6 PAROLE/PROBATION OFFICERS HIRING. The Department of Community Correction
7 shall report quarterly to the Arkansas Legislative Council or Joint Budget
8 Committee the number of vacant Parole/Probation Officer, Parole/Probation
9 Area Manager, Parole/Probation Assistant Area Manager positions and average
10 case load per Parole/Probation Officer.

11 The provisions of this section shall be in effect only from July 1, 2019
12 2020 through June 30, ~~2020~~ 2021.

13
14 SECTION 20. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
15 authorized by this act shall be limited to the appropriation for such agency
16 and funds made available by law for the support of such appropriations; and
17 the restrictions of the State Procurement Law, the General Accounting and
18 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
19 Procedures and Restrictions Act, or their successors, and other fiscal
20 control laws of this State, where applicable, and regulations promulgated by
21 the Department of Finance and Administration, as authorized by law, shall be
22 strictly complied with in disbursement of said funds.

23
24 SECTION 21. LEGISLATIVE INTENT. It is the intent of the General
25 Assembly that any funds disbursed under the authority of the appropriations
26 contained in this act shall be in compliance with the stated reasons for
27 which this act was adopted, as evidenced by the Agency Requests, Executive
28 Recommendations and Legislative Recommendations contained in the budget
29 manuals prepared by the Department of Finance and Administration, letters, or
30 summarized oral testimony in the official minutes of the Arkansas Legislative
31 Council or Joint Budget Committee which relate to its passage and adoption.

32
33 SECTION 22. EMERGENCY CLAUSE. It is found and determined by the
34 General Assembly, that the Constitution of the State of Arkansas prohibits
35 the appropriation of funds for more than a one (1) year period; that the
36 effectiveness of this Act on July 1, 2020 is essential to the operation of

1 the agency for which the appropriations in this Act are provided, and that in
2 the event of an extension of the legislative session, the delay in the
3 effective date of this Act beyond July 1, 2020 could work irreparable harm
4 upon the proper administration and provision of essential governmental
5 programs. Therefore, an emergency is hereby declared to exist and this Act
6 being necessary for the immediate preservation of the public peace, health
7 and safety shall be in full force and effect from and after July 1, 2020.

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