

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

As Engrossed: H3/23/21

A Bill

HOUSE BILL 1146

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, 2022; AND FOR OTHER
12 PURPOSES.
13
14

Subtitle

15 AN ACT FOR THE DEPARTMENT OF CORRECTIONS
16 - DIVISION OF COMMUNITY CORRECTION
17 APPROPRIATION FOR THE 2021-2022 FISCAL
18 YEAR.
19
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21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23

24 SECTION 1. REGULAR SALARIES. There is hereby established for the
25 Department of Corrections - Division of Community Correction for the 2021-
26 2022 fiscal year, the following maximum number of regular employees.
27

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2021-2022
32	(1) U084U	DCC DIRECTOR	1	GRADE SE02
33	(2) N129N	DCC DEPUTY DIR PAROLE/PROBATION SERV	1	GRADE GS14
34	(3) N114N	DCC DEPUTY DIR RESIDENTIAL SVCS	1	GRADE GS14
35	(4) T005C	DOC CORRECTIONAL WARDEN	6	GRADE GS12
36	(5) T004C	DCC PROGRAM ADMR PAROLE & PROBATION	5	GRADE GS11



1	(6)	M001C DCC TREATMENT ADMINISTRATOR	1	GRADE GS11
2	(7)	X025C DCC PAROLE/PROBATION AREA MANAGER	16	GRADE GS10
3	(8)	T015C DOC DEPUTY WARDEN	6	GRADE GS10
4	(9)	G222C DOC INTERNAL AFFAIRS ADMINISTRATOR	1	GRADE GS09
5	(10)	T033C DOC MAJOR	3	GRADE GS09
6	(11)	T027C DOC TRAINING ADMINISTRATOR	1	GRADE GS09
7	(12)	S094C ADC CONSTRUCTION/MAINTENANCE COORD	2	GRADE GS08
8	(13)	M007C DCC ASST TREATMENT PROGRAM MGR	7	GRADE GS08
9	(14)	X042C DCC PAROLE/PROBATION ASST AREA MGR	46	GRADE GS08
10	(15)	M021C DCC TREATMENT SUPERVISOR	7	GRADE GS08
11	(16)	T048C DOC CAPTAIN	4	GRADE GS08
12	(17)	T104C DOC TRAINING ACADEMY SUPERVISOR	1	GRADE GS08
13	(18)	T045C DCC PAROLE/PROBATION OFFICER	532	GRADE GS07
14	(19)	G154C DCC PROGRAM COORDINATOR	6	GRADE GS07
15	(20)	T059C DOC FOOD PREPARATION MANAGER	11	GRADE GS07
16	(21)	T054C DOC LIEUTENANT	33	GRADE GS07
17	(22)	M046C DOC TREATMENT COORDINATOR	18	GRADE GS07
18	(23)	C010C EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE GS07
19	(24)	C037C ADMINISTRATIVE ANALYST	6	GRADE GS06
20	(25)	M057C CHAPLAIN	6	GRADE GS06
21	(26)	T065C DOC CORRECTIONAL SERGEANT	67	GRADE GS06
22	(27)	T070C DOC FOOD PREPARATION SUPERVISOR	19	GRADE GS06
23	(28)	R030C EEO/GRIEVANCE OFFICER	1	GRADE GS06
24	(29)	G180C GRANTS ANALYST	1	GRADE GS06
25	(30)	T103C LAW ENFORCEMENT TRAINING INSTRUCTOR	5	GRADE GS06
26	(31)	M048C SUBSTANCE ABUSE PROGRAM LEADER	58	GRADE GS06
27	(32)	C022C BUSINESS OPERATIONS SPECIALIST	7	GRADE GS05
28	(33)	G215C CAREER PLANNING & PLACEMENT SPECIALIST	14	GRADE GS05
29	(34)	G200C CLASSIFICATION & ASSIGNMENT OFFICER	4	GRADE GS05
30	(35)	X128C CORRECTIONAL UNIT ACCREDITATION SPEC	1	GRADE GS05
31	(36)	T092C DCC PAROLE/PROBATION OFFICER I	1	GRADE GS05
32	(37)	T076C DOC ADMIN REVIEW OFFICER	7	GRADE GS05
33	(38)	M059C DOC ADVISOR	134	GRADE GS05
34	(39)	S026C DOC ASST MAINTENANCE SUPERVISOR	9	GRADE GS05
35	(40)	T075C DOC CORPORAL	237	GRADE GS05
36	(41)	M058C DOC PROGRAM SPECIALIST	9	GRADE GS05

1	(42) C024C DOC RECORDS SUPERVISOR	8	GRADE GS05
2	(43) R031C INSTITUTION HUMAN RESOURCES COORD	6	GRADE GS05
3	(44) C056C ADMINISTRATIVE SPECIALIST III	90	GRADE GS04
4	(45) T083C DOC CORRECTIONAL OFFICER I	1	GRADE GS04
5	(46) A098C FISCAL SUPPORT SPECIALIST	4	GRADE GS04
6	(47) C073C ADMINISTRATIVE SPECIALIST II	69	GRADE GS03
7	(48) M084C BEHAV HLTH AIDE	<u>1</u>	GRADE GS03
8	MAX. NO. OF EMPLOYEES	1,475	

9

10 SECTION 2. EXTRA HELP. There is hereby authorized, for the Department
 11 of Corrections - Division of Community Correction for the 2021-2022 fiscal
 12 year, the following maximum number of part-time or temporary employees, to be
 13 known as "Extra Help", payable from funds appropriated herein for such
 14 purposes: ten (10) temporary or part-time employees, when needed, at rates
 15 of pay not to exceed those provided in the Uniform Classification and
 16 Compensation Act, or its successor, or this act for the appropriate
 17 classification.

18

19 SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby
 20 appropriated, to the Department of Corrections, to be payable from the
 21 Division of Community Correction Fund Account, for personal services and
 22 operating expenses of the Department of Corrections - Division of Community
 23 Correction - State Operations for the fiscal year ending June 30, 2022, the
 24 following:

25

26	ITEM	FISCAL YEAR
27	<u>NO.</u>	<u>2021-2022</u>
28	(01) REGULAR SALARIES	\$59,139,188
29	(02) EXTRA HELP	100,000
30	(03) PERSONAL SERVICES MATCHING	22,063,548
31	(04) OVERTIME	210,000
32	(05) MAINT. & GEN. OPERATION	
33	(A) OPER. EXPENSE	10,724,558
34	(B) CONF. & TRAVEL	2,800
35	(C) PROF. FEES	166,229
36	(D) CAP. OUTLAY	500,000

1	(E) DATA PROC.	0
2	(06) REENTRY	<u>3,285,000</u>
3	TOTAL AMOUNT APPROPRIATED	<u>\$96,191,323</u>

4

5 SECTION 4. APPROPRIATION - OPERATIONS - SPECIAL REVENUE. There is
6 hereby appropriated, to the Department of Corrections, to be payable from the
7 Community Correction Revolving Fund, for operating expenses of the Department
8 of Corrections - Division of Community Correction - Operations - Special
9 Revenue for the fiscal year ending June 30, 2022, the following:

10

11	ITEM	FISCAL YEAR
12	<u>NO.</u>	<u>2021-2022</u>
13	(01) MAINT. & GEN. OPERATION	
14	(A) OPER. EXPENSE	\$4,200,000
15	(B) CONF. & TRAVEL	100,000
16	(C) PROF. FEES	1,000,000
17	(D) CAP. OUTLAY	1,200,000
18	(E) DATA PROC.	0
19	(02) WAR MEMORIAL	10,000
20	(03) COMMUNITY CORRECTION PROGRAMS	6,200,000
21	(04) TRANSITIONAL HOUSING	<u>1,800,000</u>
22	TOTAL AMOUNT APPROPRIATED	<u>\$14,510,000</u>

23

24 SECTION 5. APPROPRIATION - RESIDENTS SERVICES - CASH. There is hereby
25 appropriated, to the Department of Corrections, to be payable from the cash
26 fund deposited in the State Treasury as determined by the Chief Fiscal
27 Officer of the State, for operating expenses of the Department of Corrections
28 - Division of Community Correction - Residents Services - Cash for the fiscal
29 year ending June 30, 2022, the following:

30

31	ITEM	FISCAL YEAR
32	<u>NO.</u>	<u>2021-2022</u>
33	(01) MAINT. & GEN. OPERATION	
34	(A) OPER. EXPENSE	\$2,557,846
35	(B) CONF. & TRAVEL	0
36	(C) PROF. FEES	101,800

1	(D) CAP. OUTLAY	660,000
2	(E) DATA PROC.	<u>0</u>
3	TOTAL AMOUNT APPROPRIATED	<u><u>\$3,319,646</u></u>

4

5 SECTION 6. APPROPRIATION - FEDERAL ASSET FORFEITURE. There is hereby
6 appropriated, to the Department of Corrections, to be payable from the cash
7 fund deposited in the State Treasury as determined by the Chief Fiscal
8 Officer of the State, for operating expenses of the Department of Corrections
9 - Division of Community Correction - Federal Asset Forfeiture for the fiscal
10 year ending June 30, 2022, the following:

11

12	ITEM	FISCAL YEAR
13	<u>NO.</u>	<u>2021-2022</u>
14	(01) MAINT. & GEN. OPERATION	
15	(A) OPER. EXPENSE	\$500,000
16	(B) CONF. & TRAVEL	0
17	(C) PROF. FEES	0
18	(D) CAP. OUTLAY	0
19	(E) DATA PROC.	<u>0</u>
20	TOTAL AMOUNT APPROPRIATED	<u><u>\$500,000</u></u>

21

22 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
23 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COMMUNITY
24 CORRECTION PROGRAMS LINE ITEM USES. After seeking and receiving approval of
25 the Governor and Chief Fiscal Officer of the State and upon approval by the
26 Arkansas Legislative Council or Joint Budget Committee, the Director of the
27 Department of Corrections - Division of Community Correction, as authorized
28 by the Board of Corrections, is authorized to use funds appropriated for
29 "Community Correction Programs" line item of the Operations - Special Revenue
30 appropriation provided in this Act to construct new or renovate existing
31 facilities to support the development of community correction facilities in
32 the state.

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

14 The provisions of this section shall be in effect only from July 1, ~~2020~~
15 2021 through June 30, ~~2021~~ 2022.

16
17 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PARKING
19 FEES. On July 1, of each year the Department of Corrections - Division of
20 Community Correction shall pay from the appropriation provided herein from
21 non-general revenue, the total amount appropriated for War Memorial Parking
22 Services from Fees to War Memorial.

23 The provisions of this section shall be in effect only from July 1, ~~2020~~
24 2021 through June 30, ~~2021~~ 2022.

25
26 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
28 PROVISION. Upon seeking and receiving approval from the Chief Fiscal Officer
29 of the State and review and approval by the Arkansas Legislative Council or
30 Joint Budget Committee, the Director of the Department of Corrections -
31 Division of Community Correction is authorized to transfer appropriation from
32 any line item authorized in the State Operations and Operations - Special
33 Revenue Appropriations of this Act to any other line item authorized in the
34 State Operations and Operations - Special Revenue Appropriations of this Act.
35 Determining the maximum number of employees and the maximum amount of
36 appropriation and general revenue funding for a state agency each fiscal year

1 is the prerogative of the General Assembly. This is usually accomplished by
2 delineating such maximums in the appropriation act(s) for a state agency and
3 the general revenue allocations authorized for each fund and fund account by
4 amendment to the Revenue Stabilization law. Further, the General Assembly
5 has determined that the Department of Corrections - Division of Community
6 Correction may operate more efficiently if some flexibility is provided to
7 the Department of Corrections - Division of Community Correction authorizing
8 broad powers under this Section. Therefore, it is both necessary and
9 appropriate that the General Assembly maintain oversight by requiring prior
10 approval of the Legislative Council or Joint Budget Committee as provided by
11 this section. The requirement of approval by the Legislative Council or
12 Joint Budget Committee is not a severable part of this section. If the
13 requirement of approval by the Legislative Council or Joint Budget Committee
14 is ruled unconstitutional by a court of competent jurisdiction, this entire
15 section is void.

16 The provisions of this section shall be in effect only from July 1, ~~2020~~
17 2021 through June 30, ~~2021~~ 2022.

18
19 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

21 REALLOCATION OF RESOURCES. Upon determination by the Board of Corrections,
22 at the request of the Secretary of Corrections, that a reallocation of
23 resources within the Department of Corrections - Divisions of Community
24 Correction and ~~Department of~~ Corrections is necessary for the efficient and
25 effective operation of the departments, the Board, with approval of the
26 Governor and approval by the Arkansas Legislative Council or Joint Budget
27 Committee, shall have the authority to instruct the ~~department~~
28 ~~directors~~ Department Secretary, to request from the Chief Fiscal Officer of
29 the State, a transfer of positions, programs, funds, appropriations, and
30 line-item appropriations within or between existing and newly created
31 divisions, offices, sections, or units of the departments. If it is
32 determined that the requested transfer should be made, the Chief Fiscal
33 Officer of the State shall then initiate the necessary transfer documents to
34 reflect the transfers upon the fiscal records of the State Treasurer, the
35 State Auditor, the Chief Fiscal Officer of the State, and the Department of
36 Corrections - Divisions of Correction and ~~Department of~~ Community Correction.

1 Provided, however, that the Board shall be limited to submitting no more than
2 two requests, encompassing a single purpose listed in this section, during
3 any fiscal year per department. Transfer authority shall further be limited
4 to no more than five percent (5%) of the total General Revenue and Special
5 Revenue appropriation, funding, and positions specific to each
6 ~~agency~~division. However, there shall be no transfers to or from the County
7 Jail Reimbursement Fund. A Reallocation of Resources Transfer shall be
8 limited to the following specific purposes:

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

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

35 The provisions of this section shall be in effect only from July 1, ~~2020~~
36 2021 through June 30, ~~2021~~ 2022.

SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HOLIDAY COMPENSATION. The Department of Corrections - Division of Community Correction is authorized to pay employees for up to ninety-six (96) hours of unused holidays exceeding a balance in the employee's holiday account of one-hundred fifty (150) hours ~~following the end of the calendar year~~. Payments of unused holiday hours must be processed on or before June 1st in each fiscal year. Employees terminating employment from the Department of Corrections - Division of Community Correction will be eligible for all holiday pay accrued during the years of service. This request is contingent on approval by the Chief Fiscal Officer of the State after the Director of the Department of Corrections - Division of Community Correction has verified that sufficient revenues are available to make such payments to employees in the following classifications:

Class	Code Title	Maximum Annual Salary Rate	Fiscal Year
			2020-2021 2021-2022
T033C	ADC/DCC MAJOR	GRADE GS09	
T048C	ADC/DCC CAPTAIN	GRADE GS08	
T054C	ADC/DCC LIEUTENANT	GRADE GS07	
T065C	ADC/DCC CORRECTIONAL SERGEANT	GRADE GS06	
T075C	ADC/DCC CORPORAL	GRADE GS05	
T083C	ADC/DCC CORRECTIONAL OFFICER I	GRADE GS04	

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MEDICAL SERVICES - CONTINGENCY POSITIONS. If it has been determined by the Board of Corrections that the Department of Corrections - Division of Community Correction cannot continue a medical contract with a private provider and the Board deems it necessary to utilize ~~Department~~ staff to provide the required services, the Department of Corrections - Division of Community Correction is

1 allowed, upon notification of the Chief Fiscal Officer of the State and after
 2 seeking prior review by the Arkansas Legislative Council or Joint Budget
 3 Committee, to utilize the contingent positions for medical services contained
 4 in this Act and make the appropriate transfers from the Professional Fees and
 5 Services line item contained in the State Operations Appropriation of this
 6 Act to Regular Salaries, Personal Services Matching and various Maintenance
 7 and General Operations classifications. Further, the Department may utilize
 8 the service(s) of a state-based or national-based Professional Recruitment
 9 Service, or network, as may be necessary to recruit, fill, or maintain the
 10 occupancy of the positions stated herein.

11 The provisions of this section shall be in effect only from July 1, ~~2020~~
 12 2021 through June 30, ~~2021~~ 2022.

13
 14 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 15 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REGULAR
 16 SALARIES - CONTINGENT POSITIONS. There is hereby established for the
 17 Department of Corrections - Division of Community Correction - Contingent
 18 Positions for the ~~2020-2021~~ 2021-2022 fiscal year, the following maximum
 19 number of regular employees.

20
 21 CONTINGENT POSITIONS - MEDICAL SERVICES

				MAXIMUM ANNUAL	
				MAXIMUM	SALARY RATE
ITEM	CLASS			NO. OF	FISCAL YEAR
NO.	CODE	TITLE		EMPLOYEES	2020-2021 2021-2022
26	(1)	L009C	NURSE MANAGER	1	GRADE MP03
27	(2)	L033C	PSYCH. EXAMINER	1	GRADE GS09
28	(3)	M026C	LICENSED SOCIAL WORKER	6	GRADE GS07
29	(4)	L032C	REGISTERED NURSE HOSPITAL	7	GRADE MP01
30	(5)	L069C	LIC PRACT NURSE	25	GRADE GS06
31	(6)	C056C	ADMIN SPECIALIST III	2	GRADE GS04
32	(7)	G238C	ADMINISTRATOR	1	GRADE GS09
33	(8)	L081C	DENTAL ASSISTANT	1	GRADE GS04
34	(9)	L013N	DENTAL DIRECTOR	1	GRADE MP06
35	(10)	L071C	DENTAL HYGIENIST	1	GRADE GS05
36	(11)	L011N	DENTIST	1	GRADE MP06

1	(12)	L008N	PHYSICIAN - STAFF	1	GRADE MP07
2	(13)	L024N	PSYCHIATRIC DIRECTOR	1	GRADE GS09
3	(14)	L005N	PSYCHIATRIST	1	GRADE MP08
4	(15)	L003C	PSYCHOLOGIST - PT	1	GRADE MP03
5	(16)	C056C	SECRETARY/ADMIN ASST	<u>1</u>	GRADE GS04
6			MAXIMUM NUMBER OF CONTINGENT		
7			EMPLOYEES - MEDICAL SERVICES	52	

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

11 The provisions of this section shall be in effect only from July 1, ~~2020~~
 12 2021 through June 30, ~~2021~~ 2022.

13
 14 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 15 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COMMUNITY
 16 CORRECTION PROGRAMS LINE ITEM USES. After seeking and receiving approval of
 17 the Governor and Chief Fiscal Officer of the State and upon approval by the
 18 Arkansas Legislative Council or Joint Budget Committee, the Director of the
 19 Department of Corrections - Division of Community Correction, as authorized
 20 by the Board of Corrections, is authorized to use the appropriations
 21 authorized under the line item established herein for "Community Correction
 22 Programs" are to be used by the Department of Corrections - Division of
 23 Community Correction for establishment and operation of, to include
 24 construction, renovation, and contracting for establishment and operation of,
 25 residential and non-residential community correction programs such as, but
 26 not limited to, community correction centers, drug, alcohol, and mental
 27 health treatments, intensive supervision, restitution, and others as
 28 established and approved by the Board of Corrections and as may be provided
 29 by law.

30 The provisions of this section shall be in effect only from July 1, ~~2020~~
 31 2021 through June 30, ~~2021~~ 2022.

32
 33 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
 35 AUTHORITY FOR UTILITY AND FUEL RATE INCREASE. In the event of a ten percent
 36 (10%) increase in utility and fuel rates, the Department of Corrections -

1 Division of Community Correction is authorized to transfer from any line item
2 in the State Operations Appropriation to the Operating Expense line item in
3 the State Operations Appropriation for support of the increase after
4 receiving approval of the Chief Fiscal Officer of the State. Prior to the
5 utilization of the transfer authority a report shall be made to the Arkansas
6 Legislative Council or Joint Budget Committee including justification for the
7 transfer and the amount of transfer.

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

25 The provisions of this section shall be in effect only from July 1, ~~2020~~
26 2021 through June 30, ~~2021~~ 2022.

27
28 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY
30 JAIL INVOICE SUMMARY. The ~~Department~~ Divisions of Corrections and ~~Department~~
31 ~~of~~ Community Correction, shall at a minimum and on a fiscal year basis,
32 prepare and post on the applicable agency web site, a monthly summary of
33 county jail reimbursement invoices prepared and forwarded to each county
34 sheriff for verification by the Departments and for payment from the County
35 Jail Reimbursement Fund. In addition, the report shall include a summary of
36 invoices returned by each county for payment for previous months within the

1 fiscal year, the amounts paid, and any balances owed. Each fiscal year-end
2 report shall be maintained on the web sites for a period of no less than
3 three (3) years.

4 The provisions of this section shall be in effect only from July 1, ~~2020~~
5 2021 through June 30, ~~2021~~ 2022.

6
7 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MOTOR
9 VEHICLE PURCHASE PROVISION. The Department of Corrections - Division of
10 Community Correction is hereby authorized to purchase motor vehicles from the
11 appropriations authorized for Capital Outlay in the State Operations and
12 Special Revenue Operations appropriations in this Act.

13 The provisions of this section shall be in effect only from July 1, ~~2020~~
14 2021 through June 30, ~~2021~~ 2022.

15
16 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

18 PAROLE/PROBATION OFFICERS HIRING. The Department of Corrections - Division
19 of Community Correction shall report quarterly to the Arkansas Legislative
20 Council or Joint Budget Committee the number of vacant Parole/Probation
21 Officer, Parole/Probation Area Manager, Parole/Probation Assistant Area
22 Manager positions and average case load per Parole/Probation Officer.

23 The provisions of this section shall be in effect only from July 1, ~~2020~~
24 2021 through June 30, ~~2021~~ 2022.

25
26 SECTION 19. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
27 authorized by this act shall be limited to the appropriation for such agency
28 and funds made available by law for the support of such appropriations; and
29 the restrictions of the State Procurement Law, the General Accounting and
30 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
31 Procedures and Restrictions Act, or their successors, and other fiscal
32 control laws of this State, where applicable, and regulations promulgated by
33 the Department of Finance and Administration, as authorized by law, shall be
34 strictly complied with in disbursement of said funds.

35
36 SECTION 20. LEGISLATIVE INTENT. It is the intent of the General

1 Assembly that any funds disbursed under the authority of the appropriations
2 contained in this act shall be in compliance with the stated reasons for
3 which this act was adopted, as evidenced by the Agency Requests, Executive
4 Recommendations and Legislative Recommendations contained in the budget
5 manuals prepared by the Department of Finance and Administration, letters, or
6 summarized oral testimony in the official minutes of the Arkansas Legislative
7 Council or Joint Budget Committee which relate to its passage and adoption.
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9 SECTION 21. EMERGENCY CLAUSE. It is found and determined by the
10 General Assembly, that the Constitution of the State of Arkansas prohibits
11 the appropriation of funds for more than a one (1) year period; that the
12 effectiveness of this Act on July 1, 2021 is essential to the operation of
13 the agency for which the appropriations in this Act are provided, and that in
14 the event of an extension of the legislative session, the delay in the
15 effective date of this Act beyond July 1, 2021 could work irreparable harm
16 upon the proper administration and provision of essential governmental
17 programs. Therefore, an emergency is hereby declared to exist and this Act
18 being necessary for the immediate preservation of the public peace, health
19 and safety shall be in full force and effect from and after July 1, 2021.
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21 /s/Joint Budget Committee
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