

Stricken language will be deleted and underlined language will be added.
Act 119 of the Regular Session

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

As Engrossed: H1/23/19

A Bill

HOUSE BILL 1141

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
9 AND OPERATING EXPENSES FOR THE DEPARTMENT OF
10 COMMUNITY CORRECTION FOR THE FISCAL YEAR ENDING JUNE
11 30, 2020; AND FOR OTHER PURPOSES.
12
13

Subtitle

14 AN ACT FOR THE DEPARTMENT OF COMMUNITY
15 CORRECTION APPROPRIATION FOR THE 2019-
16 2020 FISCAL YEAR.
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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 2019-2020 fiscal year, the
24 following maximum number of regular employees.
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| 26 | | | | Maximum Annual | |
|----|------|-------|---------------------------------------|----------------|------------|
| 27 | | | Maximum | Salary Rate | |
| 28 | Item | Class | No. of | Fiscal Year | |
| 29 | No. | Code | Title | Employees | 2019-2020 |
| 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 |



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|----|------|--|-----|------------|
| 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) | A027C ACCOUNTING OPERATIONS MANAGER | 1 | GRADE GS11 |
| 11 | (18) | R013C AGENCY HUMAN RESOURCES MANAGER | 1 | GRADE GS11 |
| 12 | (19) | T004C DCC PROGRAM ADMR PAROLE & PROBATION | 4 | GRADE GS11 |
| 13 | (20) | M001C DCC TREATMENT ADMINISTRATOR | 2 | GRADE GS11 |
| 14 | (21) | T015C ADC/DCC DEPUTY WARDEN | 6 | 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 ADMINISTRATOR | 1 | GRADE GS10 |
| 18 | (25) | G222C ADC/DCC INTERNAL AFFAIRS ADMINISTRATOR | 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 | 2 | GRADE GS08 |
| 23 | (30) | T048C ADC/DCC CAPTAIN | 6 | GRADE GS08 |
| 24 | (31) | T104C ADC/DCC TRAINING ACADEMY SUPERVISOR | 1 | GRADE GS08 |
| 25 | (32) | M007C DCC ASST TREATMENT PROGRAM MGR | 5 | GRADE GS08 |
| 26 | (33) | X042C DCC PAROLE/PROBATION ASST AREA MGR | 46 | GRADE GS08 |
| 27 | (34) | M021C DCC TREATMENT SUPERVISOR | 7 | GRADE GS08 |
| 28 | (35) | V007C PROCUREMENT COORDINATOR | 2 | GRADE GS08 |
| 29 | (36) | T054C ADC/DCC LIEUTENANT | 31 | GRADE GS07 |
| 30 | (37) | M046C ADC/DCC TREATMENT COORDINATOR | 18 | GRADE GS07 |
| 31 | (38) | T045C DCC PAROLE/PROBATION OFFICER | 530 | GRADE GS07 |
| 32 | (39) | G154C DCC PROGRAM COORDINATOR | 6 | GRADE GS07 |
| 33 | (40) | C010C EXECUTIVE ASSISTANT TO THE DIRECTOR | 1 | GRADE GS07 |
| 34 | (41) | M026C LICENSED SOCIAL WORKER | 1 | GRADE GS07 |
| 35 | (42) | T065C ADC/DCC CORRECTIONAL SERGEANT | 67 | GRADE GS06 |
| 36 | (43) | C037C ADMINISTRATIVE ANALYST | 8 | GRADE GS06 |

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

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34 SECTION 2. EXTRA HELP. There is hereby authorized, for the Department
 35 of Community Correction for the 2019-2020 fiscal year, the following maximum
 36 number of part-time or temporary employees, to be known as "Extra Help",

1 payable from funds appropriated herein for such purposes: ten (10) temporary
 2 or part-time employees, when needed, at rates of pay not to exceed those
 3 provided in the Uniform Classification and Compensation Act, or its
 4 successor, or this act for the appropriate classification.

5
 6 SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby
 7 appropriated, to the Department of Community Correction, to be payable from
 8 the Department of Community Correction Fund Account, for personal services
 9 and operating expenses of the Department of Community Correction - State
 10 Operations for the fiscal year ending June 30, 2020, the following:

| 12 ITEM | FISCAL YEAR |
|------------------------------------|----------------------|
| 13 <u>NO.</u> | <u>2019-2020</u> |
| 14 (01) REGULAR SALARIES | \$55,689,218 |
| 15 (02) EXTRA HELP | 100,000 |
| 16 (03) PERSONAL SERVICES MATCHING | 20,580,779 |
| 17 (04) OVERTIME | 310,000 |
| 18 (05) MAINT. & GEN. OPERATION | |
| 19 (A) OPER. EXPENSE | 16,022,399 |
| 20 (B) CONF. & TRAVEL | 2,800 |
| 21 (C) PROF. FEES | 7,349,571 |
| 22 (D) CAP. OUTLAY | 500,000 |
| 23 (E) DATA PROC. | <u>0</u> |
| 24 TOTAL AMOUNT APPROPRIATED | <u>\$100,554,767</u> |

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 26 SECTION 4. APPROPRIATION - OPERATIONS - SPECIAL REVENUE. There is
 27 hereby appropriated, to the Department of Community Correction, to be payable
 28 from the Community Correction Revolving Fund, for personal services and
 29 operating expenses of the Department of Community Correction - Operations -
 30 Special Revenue for the fiscal year ending June 30, 2020, the following:

| 32 ITEM | FISCAL YEAR |
|------------------------------------|------------------|
| 33 <u>NO.</u> | <u>2019-2020</u> |
| 34 (01) REGULAR SALARIES | \$2,562,204 |
| 35 (02) PERSONAL SERVICES MATCHING | 933,462 |
| 36 (03) MAINT. & GEN. OPERATION | |

| | | |
|---|------------------------------------|---------------------|
| 1 | (A) OPER. EXPENSE | 4,200,000 |
| 2 | (B) CONF. & TRAVEL | 100,000 |
| 3 | (C) PROF. FEES | 1,000,000 |
| 4 | (D) CAP. OUTLAY | 1,200,000 |
| 5 | (E) DATA PROC. | 0 |
| 6 | (04) WAR MEMORIAL - PARKING | 10,000 |
| 7 | (05) COMMUNITY CORRECTION PROGRAMS | <u>8,000,000</u> |
| 8 | TOTAL AMOUNT APPROPRIATED | <u>\$18,005,666</u> |

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10 SECTION 5. APPROPRIATION - RESIDENTS SERVICES - CASH. There is hereby
 11 appropriated, to the Department of Community Correction, to be payable from
 12 the cash fund deposited in the State Treasury as determined by the Chief
 13 Fiscal Officer of the State, for operating expenses of the Department of
 14 Community Correction - Residents Services - Cash for the fiscal year ending
 15 June 30, 2020, the following:

16

| 17 | ITEM | FISCAL YEAR |
|----|------------------------------|--------------------|
| 18 | <u>NO.</u> | <u>2019-2020</u> |
| 19 | (01) MAINT. & GEN. OPERATION | |
| 20 | (A) OPER. EXPENSE | \$2,557,846 |
| 21 | (B) CONF. & TRAVEL | 0 |
| 22 | (C) PROF. FEES | 101,800 |
| 23 | (D) CAP. OUTLAY | 500,000 |
| 24 | (E) DATA PROC. | <u>0</u> |
| 25 | TOTAL AMOUNT APPROPRIATED | <u>\$3,159,646</u> |

26

27 SECTION 6. APPROPRIATION - COUNTY JAIL REIMBURSEMENT. There is hereby
 28 appropriated, to the Department of Community Correction, to be payable from
 29 the County Jail Reimbursement Fund, for reimbursement to counties housing
 30 state inmates of the Department of Community Correction for the fiscal year
 31 ending June 30, 2020, the following:

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| 33 | ITEM | FISCAL YEAR |
|----|--|--------------------|
| 34 | <u>NO.</u> | <u>2019-2020</u> |
| 35 | (01) REIMBURSEMENT TO COUNTIES HOUSING | |
| 36 | STATE INMATES | <u>\$3,000,000</u> |

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SECTION 7. APPROPRIATION - COURT ACCOUNTABILITY GRANTS. There is hereby appropriated, to the Department of Community Correction, to be payable from the Accountability Court Fund, for Court Accountability grants for personal services and operating expenses of the Department of Community Correction - Court Accountability Grants for the fiscal year ending June 30, 2020, the following:

| ITEM | FISCAL YEAR |
|----------------------------------|--------------------|
| <u>NO.</u> | <u>2019-2020</u> |
| (01) COURT ACCOUNTABILITY GRANTS | <u>\$1,400,000</u> |

SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COMMUNITY CORRECTION PROGRAMS LINE ITEM USES. After seeking and receiving approval of the Governor and Chief Fiscal Officer of the State and upon approval by the Arkansas Legislative Council or Joint Budget Committee, the Director of the Department of Community Correction, as authorized by the Board of Corrections, is authorized to use funds appropriated for "Community Correction Programs" line item of the Operations - Special Revenue appropriation provided in this Act to construct new or renovate existing facilities to support the development of community correction facilities in the state. Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. This is usually accomplished by delineating such maximums in the appropriation act(s) for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization law. Further, the General Assembly has determined that the Department of Community Correction may operate more efficiently if some flexibility is provided to the Department of Community Correction authorizing broad powers under this Section. Therefore, it is both necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative Council or Joint Budget Committee as provided by this section. The requirement of approval by the Legislative Council or Joint Budget Committee is not a severable part of this section.

1 If the requirement of approval by the Legislative Council or Joint Budget
2 Committee is ruled unconstitutional by a court of competent jurisdiction,
3 this entire section is void.

4 The provisions of this section shall be in effect only from July 1, ~~2018~~
5 2019 through June 30, ~~2019~~ 2020.

6
7 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PARKING
9 FEES. On July 1, of each year the Department of Community Correction shall
10 pay from the appropriation provided herein from non-general revenue, the
11 total amount appropriated for War Memorial Parking Services from Fees to War
12 Memorial.

13 The provisions of this section shall be in effect only from July 1, ~~2018~~
14 2019 through June 30, ~~2019~~ 2020.

15
16 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
18 PROVISION. Upon seeking and receiving approval from the Chief Fiscal Officer
19 of the State and review and approval by the Arkansas Legislative Council or
20 Joint Budget Committee, the Director of the Department of Community
21 Correction is authorized to transfer appropriation from any line item
22 authorized in the State Operations and Operations - Special Revenue
23 Appropriations of this Act to any other line item authorized in the State
24 Operations and Operations - Special Revenue Appropriations of this Act.
25 Determining the maximum number of employees and the maximum amount of
26 appropriation and general revenue funding for a state agency each fiscal year
27 is the prerogative of the General Assembly. This is usually accomplished by
28 delineating such maximums in the appropriation act(s) for a state agency and
29 the general revenue allocations authorized for each fund and fund account by
30 amendment to the Revenue Stabilization law. Further, the General Assembly
31 has determined that the Department of Community Correction may operate more
32 efficiently if some flexibility is provided to the Department of Community
33 Correction authorizing broad powers under this Section. Therefore, it is both
34 necessary and appropriate that the General Assembly maintain oversight by
35 requiring prior approval of the Legislative Council or Joint Budget Committee
36 as provided by this section. The requirement of approval by the Legislative

1 Council or Joint Budget Committee is not a severable part of this section.
2 If the requirement of approval by the Legislative Council or Joint Budget
3 Committee is ruled unconstitutional by a court of competent jurisdiction,
4 this entire section is void.

5 The provisions of this section shall be in effect only from July 1, ~~2018~~
6 2019 through June 30, ~~2019~~ 2020.

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

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

- 32 a) Costs to open and operate temporary beds;
33 b) Payment of Debt Service;
34 c) Payment of Overtime Expenses;
35 d) Unanticipated increases for medical or private prison contracts;
36 e) Construction/renovation/equipping of new beds;

1 f) Deficits in Farm or Industry Program;
2 g) Losses not covered by insurance proceeds;
3 h) Costs of personnel for critical services or necessary to carry out the
4 mission of the agency.
5 Determining the maximum number of employees and the maximum amount of
6 appropriation and general revenue funding for a state agency each fiscal year
7 is the prerogative of the General Assembly. This is usually accomplished by
8 delineating such maximums in the appropriation act(s) for a state agency and
9 the general revenue allocations authorized for each fund and fund account by
10 amendment to the Revenue Stabilization law. Further, the General Assembly
11 has determined that the Department of Correction and the Department of
12 Community Correction may operate more efficiently if some flexibility is
13 provided to the Board of Corrections authorizing broad powers under the
14 Reallocation of Resources provisions herein. Therefore, it is both necessary
15 and appropriate that the General Assembly maintain oversight by requiring
16 prior approval of the Legislative Council or Joint Budget Committee as
17 provided by this section. The requirement of approval by the Legislative
18 Council or Joint Budget Committee is not a severable part of this section.
19 If the requirement of approval by the Legislative Council or Joint Budget
20 Committee is ruled unconstitutional by a court jurisdiction, this entire
21 section is void.

22 The provisions of this section shall be in effect only from July 1, ~~2018~~
23 2019 through June 30, ~~2019~~ 2020.

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25 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HOLIDAY
27 COMPENSATION. The Department of Community Correction is authorized to pay
28 employees for up to ninety-six (96) hours of unused holidays exceeding a
29 balance in the employee's holiday account of one-hundred fifty (150) hours
30 following the end of the calendar year. Payments of unused holiday hours must
31 be processed on or before June 1st in each fiscal year. Employees terminating
32 employment from the Department of Community Correction will be eligible for
33 all holiday pay accrued during the years of service. This request is
34 contingent on approval by the Chief Fiscal Officer of the State after the
35 Director of the Department of Community Correction has verified that
36 sufficient revenues are available to make such payments to employees in the

1 following classifications:

| 2 | | Maximum Annual |
|----|--------------------------------------|----------------------------|
| 3 | | Salary Rate |
| 4 | | Fiscal Year |
| 5 | Class | |
| 6 | <u>Code Title</u> | <u>2018-2019 2019-2020</u> |
| 7 | T033C ADC/DCC MAJOR | GRADE GS09 |
| 8 | T048C ADC/DCC CAPTAIN | GRADE GS08 |
| 9 | T054C ADC/DCC LIEUTENANT | GRADE GS07 |
| 10 | T065C ADC/DCC CORRECTIONAL SERGEANT | GRADE GS06 |
| 11 | T075C ADC/DCC CORPORAL | GRADE GS05 |
| 12 | T083C ADC/DCC CORRECTIONAL OFFICER I | GRADE GS04 |

13 The provisions of this section shall be in effect only from July 1, ~~2018~~
 14 2019 through June 30, ~~2019~~ 2020.

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

32 The provisions of this section shall be in effect only from July 1, ~~2018~~
 33 2019 through June 30, ~~2019~~ 2020.

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

1 SALARIES - CONTINGENT POSITIONS. There is hereby established for the
 2 Department of Community Correction - Contingent Positions for the ~~2018-2019~~
 3 2019-2020 fiscal year, the following maximum number of regular employees.

4
 5 CONTINGENT POSITIONS - MEDICAL SERVICES

| | | | | MAXIMUM ANNUAL | |
|------|------------------------------|------------------|-------------------------------------|----------------|--------------------------------|
| | | | | MAXIMUM | SALARY RATE |
| ITEM | CLASS | | | NO. OF | FISCAL YEAR |
| NO. | CODE | TITLE | | EMPLOYEES | 2018-2019 2019-2020 |
| 10 | (1) | L009C | NURSE MANAGER | 1 | GRADE MP03 |
| 11 | (2) | L033C | PSYCH. EXAMINER | 1 | GRADE GS09 |
| 12 | (3) | M026C | LICENSED SOCIAL WORKER | 6 | GRADE GS07 |
| 13 | (4) | L032C | REGISTERED NURSE HOSPITAL | 7 | GRADE MP01 |
| 14 | (5) | L069C | LIC PRACT NURSE | 25 | GRADE GS06 |
| 15 | (6) | C056C | ADMIN SPECIALIST III | 2 | GRADE GS04 |
| 16 | (7) | G238C | ADMINISTRATOR | 1 | GRADE GS09 |
| 17 | (8) | L081C | DENTAL ASSISTANT | 1 | GRADE GS04 |
| 18 | (9) | L013N | DENTAL DIRECTOR | 1 | GRADE MP06 |
| 19 | (10) | L071C | DENTAL HYGIENIST | 1 | GRADE GS05 |
| 20 | (11) | L011N | DENTIST | 1 | GRADE MP06 |
| 21 | (12) | Q109C | MEDICAL RECORDS DIRECTOR | 1 | GRADE C118 |
| 22 | (13) | L008N | PHYSICIAN - STAFF | 1 | GRADE MP07 |
| 23 | (14) | L024N | PSYCHIATRIC DIRECTOR | 1 | GRADE GS09 |
| 24 | (15) | L005N | PSYCHIATRIST | 1 | GRADE MP08 |
| 25 | (16) | L003C | PSYCHOLOGIST - PT | 1 | GRADE MP03 |
| 26 | (17) | C019C | REGIONAL MANAGER | 1 | GRADE C117 |
| 27 | (18) | C056C | SECRETARY/ADMIN ASST | <u>1</u> | GRADE GS04 |
| 28 | MAXIMUM NUMBER OF CONTINGENT | | | | |
| 29 | EMPLOYEES - MEDICAL SERVICES | | | | 54 <u>52</u> |

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

33 The provisions of this section shall be in effect only from July 1, ~~2018~~
 34 2019 through June 30, ~~2019~~ 2020.

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 36 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COMMUNITY
2 CORRECTION PROGRAM LINE ITEM USES. After seeking and receiving approval of
3 the Governor and Chief Fiscal Officer of the State and upon approval by the
4 Arkansas Legislative Council or Joint Budget Committee, the Director of the
5 Department of Community Correction, as authorized by the Board of
6 Corrections, is authorized to use the appropriations authorized under the
7 line item established herein for "Community Correction Program" are to be
8 used by the Department of Community Correction for establishment and
9 operation of, to include construction, renovation, and contracting for
10 establishment and operation of, residential and non-residential community
11 correction programs such as, but not limited to, community correction
12 centers, drug, alcohol, and mental health treatments, intensive supervision,
13 restitution, and others as established and approved by the Board of
14 Corrections and as may be provided by law.

15 The provisions of this section shall be in effect only from July 1, ~~2018~~
16 2019 through June 30, ~~2019~~ 2020.

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

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

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

9 The provisions of this section shall be in effect only from July 1, ~~2018~~
10 2019 through June 30, ~~2019~~ 2020.

11
12 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY
14 JAIL INVOICE SUMMARY. The Departments of Correction and Community
15 Correction, shall at a minimum and on a fiscal year basis, prepare and post
16 on the applicable agency web site, a monthly summary of county jail
17 reimbursement invoices prepared and forwarded to each county sheriff for
18 verification by the Departments and for payment from the County Jail
19 Reimbursement Fund. In addition, the report shall include a summary of
20 invoices returned by each county for payment for previous months within the
21 fiscal year, the amounts paid, and any balances owed. Each fiscal year-end
22 report shall be maintained on the web sites for a period of no less than
23 three (3) years.

24 The provisions of this section shall be in effect only from July 1, ~~2018~~
25 2019 through June 30, ~~2019~~ 2020.

26
27 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MOTOR
29 VEHICLE PURCHASE PROVISION. The Department of Community Correction is hereby
30 authorized to purchase motor vehicles from the appropriations authorized for
31 Capital Outlay in the State Operations and Special Revenue Operations
32 appropriations in this Act.

33 The provisions of this section shall be in effect only from July 1, ~~2018~~
34 2019 through June 30, ~~2019~~ 2020.

35
36 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
2 PAROLE/PROBATION OFFICERS HIRING. The Department of Community Correction
3 shall report quarterly to the Arkansas Legislative Council or Joint Budget
4 Committee the number of vacant Parole/Probation Officer, Parole/Probation
5 Area Manager, Parole/Probation Assistant Area Manager positions and average
6 case load per Parole/Probation Officer.

7 The provisions of this section shall be in effect only from July 1, ~~2018~~
8 2019 through June 30, ~~2019~~ 2020.

9

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

19

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

28

29 SECTION 22. EMERGENCY CLAUSE. It is found and determined by the
30 General Assembly, that the Constitution of the State of Arkansas prohibits
31 the appropriation of funds for more than a one (1) year period; that the
32 effectiveness of this Act on July 1, 2019 is essential to the operation of
33 the agency for which the appropriations in this Act are provided, and that in
34 the event of an extension of the legislative session, the delay in the
35 effective date of this Act beyond July 1, 2019 could work irreparable harm
36 upon the proper administration and provision of essential governmental

1 programs. Therefore, an emergency is hereby declared to exist and this Act
2 being necessary for the immediate preservation of the public peace, health
3 and safety shall be in full force and effect from and after July 1, 2019.

4
5 */s/Joint Budget Committee*

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8 **APPROVED: 2/13/19**
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