

State of Arkansas
89th General Assembly
Fiscal Session, 2014

A Bill

HOUSE BILL 1102

By: Joint Budget Committee

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
AND OPERATING EXPENSES FOR THE DEPARTMENT OF
COMMUNITY CORRECTION FOR THE FISCAL YEAR ENDING JUNE
30, 2015; AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE DEPARTMENT OF COMMUNITY
CORRECTION APPROPRIATION FOR THE 2014-
2015 FISCAL YEAR.

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

SECTION 1. REGULAR SALARIES. There is hereby established for the
Department of Community Correction for the 2014-2015 fiscal year, the
following maximum number of regular employees.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2014-2015
(1)	U084U	DCC DIRECTOR	1	\$114,870
(2)	U083U	DCC CHIEF DEPUTY DIRECTOR	1	\$94,848
(3)	N130N	DCC DEPUTY DIR ADMINISTRATIVE SERVICES	1	GRADE N904
(4)	N129N	DCC DEPUTY DIR PAROLE/PROBATION SVCS	1	GRADE N904
(5)	N114N	DCC DEPUTY DIR RESIDENTIAL SVCS	1	GRADE N904
(6)	T004C	DCC PROGRAM ADMR PAROLE & PROBATION	2	GRADE C128
(7)	M001C	DCC TREATMENT ADMINISTRATOR	2	GRADE C128



(8)	D007C	INFORMATION SYSTEMS MANAGER	1	GRADE C128
(9)	T005C	ADC/DCC CORRECTIONAL WARDEN	6	GRADE C127
(10)	A021C	AGENCY CONTROLLER I	1	GRADE C126
(11)	G047C	ATTORNEY SPECIALIST	1	GRADE C126
(12)	G046C	DCC PLANNING & MGMT SVCS ADMIN	1	GRADE C126
(13)	R006C	HUMAN RESOURCES ADMINISTRATOR	1	GRADE C126
(14)	T015C	ADC/DCC DEPUTY WARDEN	6	GRADE C124
(15)	D030C	INFORMATION SYSTEMS COORDINATOR	1	GRADE C124
(16)	R013C	AGENCY HUMAN RESOURCES MANAGER	1	GRADE C123
(17)	X025C	DCC PAROLE/PROBATION AREA MANAGER	16	GRADE C123
(18)	P004C	PUBLIC INFORMATION MANAGER	1	GRADE C123
(19)	D038C	SENIOR SOFTWARE SUPPORT ANALYST	2	GRADE C123
(20)	M007C	DCC ASST TREATMENT PROGRAM MGR	6	GRADE C122
(21)	G222C	ADC/DCC INTERNAL AFFAIRS ADMIN	1	GRADE C121
(22)	T027C	ADC/DCC TRAINING ADMINISTRATOR	1	GRADE C121
(23)	X042C	DCC PAROLE/PROBATION ASST AREA MGR	44	GRADE C121
(24)	D052C	SOFTWARE SUPPORT ANALYST	6	GRADE C121
(25)	T033C	ADC/DCC MAJOR	3	GRADE C120
(26)	T038C	ADC TRAINING ACADEMY SUPERVISOR	1	GRADE C119
(27)	R021C	BUDGET ANALYST	1	GRADE C119
(28)	G154C	DCC PROGRAM COORDINATOR	6	GRADE C119
(29)	M021C	DCC TREATMENT SUPERVISOR	7	GRADE C119
(30)	D061C	INFO SYSTEMS COORDINATION SPECIALIST	1	GRADE C119
(31)	V007C	PROCUREMENT COORDINATOR	1	GRADE C119
(32)	T048C	ADC/DCC CAPTAIN	6	GRADE C118
(33)	T045C	DCC PAROLE/PROBATION OFFICER	504	GRADE C118
(34)	C010C	EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE C118
(35)	A074C	FISCAL SUPPORT SUPERVISOR	3	GRADE C118
(36)	M026C	LICENSED SOCIAL WORKER	1	GRADE C118
(37)	T054C	ADC/DCC LIEUTENANT	31	GRADE C117
(38)	M046C	ADC/DCC TREATMENT COORDINATOR	19	GRADE C117
(39)	T093C	DCC PAROLE/PROBATION OFFICER II	1	GRADE C117
(40)	G180C	GRANTS ANALYST	2	GRADE C117
(41)	S026C	ADC/DCC ASST MAINTENANCE SUPERVISOR	8	GRADE C116
(42)	T059C	ADC/DCC FOOD PREPARATION MANAGER	11	GRADE C116
(43)	C024C	ADC/DCC RECORDS SUPERVISOR	8	GRADE C116

(44)	C022C	BUSINESS OPERATIONS SPECIALIST	6	GRADE C116
(45)	V014C	BUYER	5	GRADE C116
(46)	G200C	CLASSIFICATION & ASSIGNMENT OFFICER	4	GRADE C116
(47)	E048C	EDUCATION & INSTRUCTION SPECIALIST	2	GRADE C116
(48)	R030C	EEO/GRIEVANCE OFFICER	1	GRADE C116
(49)	M048C	SUBSTANCE ABUSE PROGRAM LEADER	51	GRADE C116
(50)	E046C	TRAINING INSTRUCTOR	4	GRADE C116
(51)	M059C	ADC/DCC ADVISOR	109	GRADE C115
(52)	T065C	ADC/DCC CORRECTIONAL SERGEANT	68	GRADE C115
(53)	M058C	ADC/DCC PROGRAM SPECIALIST	10	GRADE C115
(54)	C037C	ADMINISTRATIVE ANALYST	11	GRADE C115
(55)	R033C	BENEFITS ANALYST	1	GRADE C115
(56)	M057C	CHAPLAIN	6	GRADE C115
(57)	A091C	FISCAL SUPPORT ANALYST	1	GRADE C115
(58)	R031C	INSTITUTION HUMAN RESOURCES COORD	6	GRADE C115
(59)	A090C	PAYROLL SERVICES SPECIALIST	1	GRADE C115
(60)	T070C	ADC/DCC FOOD PREPARATION SUPERVISOR	20	GRADE C114
(61)	G215C	CAREER PLANNING & PLACEMENT SPEC	13	GRADE C114
(62)	E051C	STAFF DEVELOPMENT SPECIALIST	1	GRADE C114
(63)	T076C	ADC/DCC ADMIN REVIEW OFFICER	7	GRADE C113
(64)	T075C	ADC/DCC CORPORAL	216	GRADE C113
(65)	R036C	HUMAN RESOURCES SPECIALIST	1	GRADE C113
(66)	T083C	ADC/DCC CORRECTIONAL OFFICER I	1	GRADE C112
(67)	C056C	ADMINISTRATIVE SPECIALIST III	93	GRADE C112
(68)	T081C	COMMISSARY MANAGER	6	GRADE C112
(69)	A098C	FISCAL SUPPORT SPECIALIST	11	GRADE C112
(70)	A097C	PAYROLL TECHNICIAN	1	GRADE C112
(71)	V022C	PURCHASING TECHNICIAN	1	GRADE C112
(72)	C073C	ADMINISTRATIVE SPECIALIST II	<u>73</u>	GRADE C109
		MAX. NO. OF EMPLOYEES	1,450	

SECTION 2. EXTRA HELP. There is hereby authorized, for the Department of Community Correction for the 2014-2015 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, 2015, the following:

ITEM NO.	FISCAL YEAR 2014-2015
(01) REGULAR SALARIES	\$47,297,009
(02) EXTRA HELP	0
(03) PERSONAL SERVICES MATCHING	17,645,378
(04) OVERTIME	100,000
(05) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	11,019,842
(B) CONF. & TRAVEL	2,400
(C) PROF. FEES	9,218,181
(D) CAP. OUTLAY	134,000
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$85,416,810</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 - Special Revenue Operations for the fiscal year ending June 30, 2015, the following:

ITEM NO.	FISCAL YEAR 2014-2015
(01) REGULAR SALARIES	\$3,121,251
(02) PERSONAL SERVICES MATCHING	1,160,451
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	727,646
(B) CONF. & TRAVEL	1,000

(C) PROF. FEES	0
(D) CAP. OUTLAY	90,000
(E) DATA PROC.	0
(04) WAR MEMORIAL STADIUM COMMISSION	
PARKING SERVICES FROM FEES	10,000
(05) COMMUNITY CORRECTION PROGRAM	<u>8,004,077</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$13,114,425</u></u>

SECTION 5. APPROPRIATION - FEDERAL PROGRAMS. There is hereby appropriated, to the Department of Community Correction, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for operating expenses of the Department of Community Correction - Federal Programs for the fiscal year ending June 30, 2015, the following:

ITEM NO.	FISCAL YEAR <u>2014-2015</u>
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$206,270
(B) CONF. & TRAVEL	74,415
(C) PROF. FEES	3,210,386
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(02) FEDERAL GRANTS AND AID	<u>646,811</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$4,137,882</u></u>

SECTION 6. APPROPRIATION - RESIDENTS SERVICES - CASH. There is hereby appropriated, to the Department of Community Correction, 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 Community Correction - Residents Services for the fiscal year ending June 30, 2015, the following:

ITEM NO.	FISCAL YEAR <u>2014-2015</u>
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$2,182,846

(B) CONF. & TRAVEL	62,870
(C) PROF. FEES	101,800
(D) CAP. OUTLAY	241,500
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$2,589,016</u></u>

SECTION 7. APPROPRIATION - COUNTY JAIL REIMBURSEMENT. There is hereby appropriated, to the Department of Community Correction, to be payable from the County Jail Reimbursement Fund, for reimbursement to counties housing state inmates of the Department of Community Correction for the fiscal year ending June 30, 2015, the following:

ITEM NO.	FISCAL YEAR 2014-2015
(01) REIMBURSEMENT TO COUNTIES HOUSING STATE INMATES	<u><u>\$3,109,636</u></u>

SECTION 8. APPROPRIATION - BEST PRACTICES. There is hereby appropriated, to the Department of Community Correction, to be payable from the Best Practices Fund, for operation expenses of the Department of Community Correction - Best Practices for the fiscal year ending June 30, 2015, the following:

ITEM NO.	FISCAL YEAR 2014-2015
(01) COMMUNITY CORRECTION PROGRAM	<u><u>\$4,000,000</u></u>

SECTION 9. APPROPRIATION - DRUG COURTS. There is hereby appropriated, to the Department of Community Correction, to be payable from the Department of Community Correction Fund Account, for programming, personal services and operating expenses for Drug Courts of the Department of Community Correction for the fiscal year ending June 30, 2015, the following:

ITEM NO.	FISCAL YEAR 2014-2015
(01) DRUG COURTS	<u><u>\$500,000</u></u>

SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COMMUNITY CORRECTION PROGRAM 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 Program" line item 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. If the requirement of approval by the Legislative Council or Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this entire section is void.

The provisions of this section shall be in effect only from July 1, ~~2013~~ 2014 through June 30, ~~2014~~ 2015.

SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MOTOR VEHICLE PURCHASE PROVISION. The Department of Community Correction is hereby authorized to purchase motor vehicles from the appropriations authorized for Capital Outlay in Section 3 and Section 4 in this Act.

The provisions of this section shall be in effect only from July 1, ~~2013~~

2014 through June 30, ~~2014~~ 2015.

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

The provisions of this section shall be in effect only from July 1, ~~2013~~ 2014 through June 30, ~~2014~~ 2015.

SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER PROVISION. Upon seeking and receiving approval from the Chief Fiscal Officer of the State and review and approval by the Arkansas Legislative Council or Joint Budget Committee, the Director of the Department of Community Correction is authorized to transfer appropriation from any line item authorized in Section 3 and Section 4 of this Act to any other line item authorized in Section 3 and Section 4 of this Act.

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

The provisions of this section shall be in effect only from July 1, ~~2013~~

2014 through June 30, ~~2014~~ 2015.

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

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

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

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 Correction and the Department of Community Correction may operate more efficiently if some flexibility is provided to the Board of Corrections authorizing broad powers under the Reallocation of Resources provisions herein. 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. If the requirement of approval by the Legislative Council or Joint Budget Committee is ruled unconstitutional by a court jurisdiction, this entire section is void.

The provisions of this section shall be in effect only from July 1, ~~2013~~ 2014 through June 30, ~~2014~~ 2015.

SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HOLIDAY COMPENSATION. The Department 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 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 Community Correction has verified that sufficient revenues are available to make such payments to employees in the following classifications:

Class	Maximum Annual Salary Rate Fiscal Year
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Code	Title	2013-2014 2014-2015
T033C	ADC/DCC MAJOR	GRADE C120
T048C	ADC/DCC CAPTAIN	GRADE C118
T054C	ADC/DCC LIEUTENANT	GRADE C117
T065C	ADC/DCC CORRECTIONAL SERGEANT	GRADE C115
T075C	ADC/DCC CORPORAL	GRADE C113
T083C	ADC/DCC CORRECTIONAL OFFICER I	GRADE C112

The provisions of this section shall be in effect only from July 1, ~~2013~~ 2014 through June 30, ~~2014~~ 2015.

SECTION 16. 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 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 is allowed, upon notification of the Chief Fiscal Officer of the State and after seeking prior review by the Arkansas Legislative Council or Joint Budget Committee, to utilize the contingent positions for medical services contained in this Act and make the appropriate transfers from the Professional Fees and Services line item contained in Section 3 of this Act to Regular Salaries, Personal Services Matching and various Maintenance and General Operations classifications. Further, the Department may utilize the service(s) of a state-based or national-based Professional Recruitment Service, or network, as may be necessary to recruit, fill, or maintain the occupancy of the positions stated herein.

The provisions of this section shall be in effect only from July 1, ~~2013~~ 2014 through June 30, ~~2014~~ 2015.

SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REGULAR SALARIES - CONTINGENT POSITIONS. There is hereby established for the Department of Community Correction - Contingent Positions for the ~~2013-2014~~ 2014-2015 fiscal year, the following maximum number of regular employees.

CONTINGENT POSITIONS - MEDICAL SERVICES

ITEM NO.	CLASS CODE	TITLE	MAXIMUM NO. OF EMPLOYEES	MAXIMUM ANNUAL SALARY RATE	
				FISCAL YEAR	FISCAL YEAR
(1)	L009C	NURSE MANAGER	1	2013-2014	2014-2015
(2)	L033C	PSYCH. EXAMINER	1	2013-2014	2014-2015
(3)	M026C	LICENSED SOCIAL WORKER	6	2013-2014	2014-2015
(4)	L032C	REGISTERED NURSE HOSPITAL	7	2013-2014	2014-2015
(5)	L069C	LIC PRACT NURSE	25	2013-2014	2014-2015
(6)	C056C	ADMIN SPECIALIST III	2	2013-2014	2014-2015
(7)	G238C	ADMINISTRATOR	1	2013-2014	2014-2015
(8)	L081C	DENTAL ASSISTANT	1	2013-2014	2014-2015
(9)	L013N	DENTAL DIRECTOR	1	2013-2014	2014-2015
(10)	L071C	DENTAL HYGIENIST	1	2013-2014	2014-2015
(11)	L011N	DENTIST	1	2013-2014	2014-2015
(12)	Q109C	MEDICAL RECORDS DIRECTOR	1	2013-2014	2014-2015
(13)	L008N	PHYSICIAN - STAFF	1	2013-2014	2014-2015
(14)	L024N	PSYCHIATRIC DIRECTOR	1	2013-2014	2014-2015
(15)	L005N	PSYCHIATRIST	1	2013-2014	2014-2015
(16)	L003C	PSYCHOLOGIST - PT	1	2013-2014	2014-2015
(17)	C019C	REGIONAL MANAGER	1	2013-2014	2014-2015
(18)	C056C	SECRETARY/ADMIN ASST	<u>1</u>	2013-2014	2014-2015

MAXIMUM NUMBER OF CONTINGENT EMPLOYEES - MEDICAL SERVICES 54

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.

The provisions of this section shall be in effect only from July 1, ~~2013~~ 2014 through June 30, ~~2014~~ 2015.

SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COMMUNITY CORRECTION PROGRAM LINE ITEM USES. The appropriations authorized under the line item established herein for "Community Correction Program" are to be used by the Department of Community Correction for establishment and operation of, to include construction, renovation, and contracting for

establishment and operation of, residential and non-residential community correction programs such as, but not limited to, community correction centers, drug, alcohol, and mental health treatments, intensive supervision, restitution, and others as established and approved by the Board of Corrections and as may be provided by law.

The provisions of this section shall be in effect only from July 1, ~~2013~~ 2014 through June 30, ~~2014~~ 2015.

SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER AUTHORITY FOR UTILITY AND FUEL RATE INCREASE. In the event of a ten percent (10%) increase in utility and fuel rates, the Department of Community Correction is authorized to transfer from any line item in Section 3 - State Operations to Operating Expense Item (05)(A) in Section 3 - State Operations for support of the increase after receiving approval of the Chief Fiscal Officer of the State. Prior to the utilization of the transfer authority a report shall be made to the Arkansas Legislative Council or Joint Budget Committee including justification for the transfer and the amount of transfer.

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

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

SECTION 21. 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 22. 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 23. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year period; that the effectiveness of this Act on July 1, 2014 is essential to the operation of

the agency for which the appropriations in this Act are provided, and that in the event of an extension of the legislative session, the delay in the effective date of this Act beyond July 1, 2014 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2014.

APPROVED: 02/28/2014

