

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

State of Arkansas
92nd General Assembly
Regular Session, 2019

As Engrossed: H1/23/19
A Bill

HOUSE BILL 1141

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, 2020; AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE DEPARTMENT OF COMMUNITY
CORRECTION APPROPRIATION FOR THE 2019-
2020 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 2019-2020 fiscal year, the
following maximum number of regular employees.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2019-2020
(1)	U084U	DCC DIRECTOR	1	GRADE SE02
(2)	U083U	DCC CHIEF DEPUTY DIRECTOR	1	GRADE SE01
(3)	D094C	DCC PROJ & ENTERPRISE PROG MGMT ADMIN	1	GRADE IT08
(4)	D007C	INFORMATION SYSTEMS MANAGER	1	GRADE IT08
(5)	D030C	INFORMATION SYSTEMS COORDINATOR	1	GRADE IT07
(6)	D038C	SENIOR SOFTWARE SUPPORT ANALYST	2	GRADE IT06
(7)	D061C	INFO SYSTEMS COORDINATION SPECIALIST	1	GRADE IT05



(8)	D052C SOFTWARE SUPPORT ANALYST	6	GRADE IT05
(9)	D079C COMPUTER SUPPORT TECHNICIAN	3	GRADE IT02
(10)	N130N DCC DEP DIR ADMINISTRATIVE SERVICES	2	GRADE GS14
(11)	N129N DCC DEPUTY DIR PAROLE/PROBATION SVCS	1	GRADE GS14
(12)	N114N DCC DEPUTY DIR RESIDENTIAL SERVICES	1	GRADE GS14
(13)	A010C AGENCY CONTROLLER II	1	GRADE GS13
(14)	G019C GENERAL COUNSEL	1	GRADE GS13
(15)	T005C ADC/DCC CORRECTIONAL WARDEN	6	GRADE GS12
(16)	R006C HUMAN RESOURCES ADMINISTRATOR	1	GRADE GS12
(17)	A027C ACCOUNTING OPERATIONS MANAGER	1	GRADE GS11
(18)	R013C AGENCY HUMAN RESOURCES MANAGER	1	GRADE GS11
(19)	T004C DCC PROGRAM ADMR PAROLE & PROBATION	4	GRADE GS11
(20)	M001C DCC TREATMENT ADMINISTRATOR	2	GRADE GS11
(21)	T015C ADC/DCC DEPUTY WARDEN	6	GRADE GS10
(22)	V036C AGENCY PROCUREMENT ADMINISTRATOR	1	GRADE GS10
(23)	X025C DCC PAROLE/PROBATION AREA MANAGER	16	GRADE GS10
(24)	G046C DCC PLANNING & MGMT SVCS ADMINISTRATOR	1	GRADE GS10
(25)	G222C ADC/DCC INTERNAL AFFAIRS ADMINISTRATOR	1	GRADE GS09
(26)	T033C ADC/DCC MAJOR	3	GRADE GS09
(27)	T027C ADC/DCC TRAINING ADMINISTRATOR	1	GRADE GS09
(28)	P004C PUBLIC INFORMATION MANAGER	1	GRADE GS09
(29)	S094C ADC CONSTRUCTION/MAINTENANCE COORD	2	GRADE GS08
(30)	T048C ADC/DCC CAPTAIN	6	GRADE GS08
(31)	T104C ADC/DCC TRAINING ACADEMY SUPERVISOR	1	GRADE GS08
(32)	M007C DCC ASST TREATMENT PROGRAM MGR	5	GRADE GS08
(33)	X042C DCC PAROLE/PROBATION ASST AREA MGR	46	GRADE GS08
(34)	M021C DCC TREATMENT SUPERVISOR	7	GRADE GS08
(35)	V007C PROCUREMENT COORDINATOR	2	GRADE GS08
(36)	T054C ADC/DCC LIEUTENANT	31	GRADE GS07
(37)	M046C ADC/DCC TREATMENT COORDINATOR	18	GRADE GS07
(38)	T045C DCC PAROLE/PROBATION OFFICER	530	GRADE GS07
(39)	G154C DCC PROGRAM COORDINATOR	6	GRADE GS07
(40)	C010C EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE GS07
(41)	M026C LICENSED SOCIAL WORKER	1	GRADE GS07
(42)	T065C ADC/DCC CORRECTIONAL SERGEANT	67	GRADE GS06
(43)	C037C ADMINISTRATIVE ANALYST	8	GRADE GS06

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

SECTION 2. EXTRA HELP. There is hereby authorized, for the Department of Community Correction for the 2019-2020 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, 2020, the following:

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

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

ITEM NO.	FISCAL YEAR 2019-2020
(01) REGULAR SALARIES	\$2,562,204
(02) PERSONAL SERVICES MATCHING	933,462
(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>\$18,005,666</u>

SECTION 5. 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 - Cash for the fiscal year ending June 30, 2020, the following:

ITEM NO.	FISCAL YEAR 2019-2020
(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>\$3,159,646</u>

SECTION 6. 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, 2020, the following:

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

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
NO.	2019-2020
(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.

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, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

SECTION 9. 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 Parking Services from Fees to War Memorial.

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

SECTION 10. 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 the State Operations and Operations - Special Revenue Appropriations of this Act to any other line item authorized in the State Operations and Operations - Special Revenue Appropriations 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, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

SECTION 11. 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, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

SECTION 12. 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	Code Title	Maximum Annual
		Salary Rate
		Fiscal Year
		2018-2019 2019-2020
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, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

SECTION 13. 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 the State Operations Appropriation 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, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

SECTION 14. 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 ~~2018-2019~~ 2019-2020 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	
				2018-2019	<u>2019-2020</u>
(1)	L009C	NURSE MANAGER	1	GRADE MP03	
(2)	L033C	PSYCH. EXAMINER	1	GRADE GS09	
(3)	M026C	LICENSED SOCIAL WORKER	6	GRADE GS07	
(4)	L032C	REGISTERED NURSE HOSPITAL	7	GRADE MP01	
(5)	L069C	LIC PRACT NURSE	25	GRADE GS06	
(6)	C056C	ADMIN SPECIALIST III	2	GRADE GS04	
(7)	G238C	ADMINISTRATOR	1	GRADE GS09	
(8)	L081C	DENTAL ASSISTANT	1	GRADE GS04	
(9)	L013N	DENTAL DIRECTOR	1	GRADE MP06	
(10)	L071C	DENTAL HYGIENIST	1	GRADE GS05	
(11)	L011N	DENTIST	1	GRADE MP06	
(12)	Q109C	MEDICAL RECORDS DIRECTOR	1	GRADE C118	
(13)	L008N	PHYSICIAN - STAFF	1	GRADE MP07	
(14)	L024N	PSYCHIATRIC DIRECTOR	1	GRADE GS09	
(15)	L005N	PSYCHIATRIST	1	GRADE MP08	
(16)	L003C	PSYCHOLOGIST - PT	1	GRADE MP03	
(17)	G019C	REGIONAL MANAGER	1	GRADE C117	
(18)	C056C	SECRETARY/ADMIN ASST	<u>1</u>	GRADE GS04	

MAXIMUM NUMBER OF CONTINGENT EMPLOYEES - MEDICAL SERVICES 54 52

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, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

SECTION 15. 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 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, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

SECTION 16. 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 the State Operations Appropriation to the Operating Expense line item in the State Operations Appropriation 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.

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

SECTION 17. 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.

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

SECTION 18. 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 the State Operations and Special Revenue Operations appropriations in this Act.

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

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

CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

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

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

SECTION 20. 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 21. 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 22. 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, 2019 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, 2019 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, 2019.

/s/Joint Budget Committee

APPROVED: 2/13/19