

1 State of Arkansas  
2 88th General Assembly  
3 Fiscal Session, 2012  
4

# A Bill

HOUSE BILL 1130

5 By: Joint Budget Committee  
6

## For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL  
9 SERVICES AND OPERATING EXPENSES FOR THE  
10 DEPARTMENT OF COMMUNITY CORRECTION FOR THE FISCAL  
11 YEAR ENDING JUNE 30, 2013; AND FOR OTHER  
12 PURPOSES.  
13  
14

## Subtitle

15 AN ACT FOR THE DEPARTMENT OF COMMUNITY  
16 CORRECTION APPROPRIATION FOR THE 2012-2013  
17 FISCAL YEAR.  
18  
19  
20

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

23 SECTION 1. REGULAR SALARIES. There is hereby established for the  
24 Department of Community Correction for the 2012-2013 fiscal year, the  
25 following maximum number of regular employees.  
26

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2012-2013
31	(1) U084U	DCC DIRECTOR	1	\$112,618
32	(2) U083U	DCC CHIEF DEPUTY DIRECTOR	1	\$92,988
33	(3) N130N	DCC DEPUTY DIR ADMIN SERVICES	1	GRADE N904
34	(4) N129N	DCC DEPUTY DIR PAROLE/PROBATION SVCS	1	GRADE N904
35	(5) N114N	DCC DEPUTY DIR RESIDENTIAL SVCS	1	GRADE N904
36	(6) T004C	DCC PROGRAM ADMR PAROLE & PROBATION	2	GRADE C128



1	(7)	M001C	DCC TREATMENT ADMINISTRATOR	2	GRADE C128
2	(8)	D007C	INFORMATION SYSTEMS MANAGER	1	GRADE C128
3	(9)	T005C	ADC/DCC CORRECTIONAL WARDEN	6	GRADE C127
4	(10)	A021C	AGENCY CONTROLLER I	1	GRADE C126
5	(11)	G047C	ATTORNEY SPECIALIST	1	GRADE C126
6	(12)	G046C	DCC PLANNING & MGMT SVCS ADMIN	1	GRADE C126
7	(13)	R006C	HUMAN RESOURCES ADMINISTRATOR	1	GRADE C126
8	(14)	T015C	ADC/DCC DEPUTY WARDEN	6	GRADE C124
9	(15)	D030C	INFORMATION SYSTEMS COORDINATOR	1	GRADE C124
10	(16)	R013C	AGENCY HUMAN RESOURCES MANAGER	1	GRADE C123
11	(17)	X025C	DCC PAROLE/PROBATION AREA MANAGER	16	GRADE C123
12	(18)	P004C	PUBLIC INFORMATION MANAGER	1	GRADE C123
13	(19)	D038C	SENIOR SOFTWARE SUPPORT ANALYST	2	GRADE C123
14	(20)	M007C	DCC ASST TREATMENT PROGRAM MGR	6	GRADE C122
15	(21)	G222C	ADC/DCC INTERNAL AFFAIRS ADMIN	1	GRADE C121
16	(22)	T027C	ADC/DCC TRAINING ADMINISTRATOR	1	GRADE C121
17	(23)	X042C	DCC PAROLE/PROBATION ASST AREA MGR	36	GRADE C121
18	(24)	D052C	SOFTWARE SUPPORT ANALYST	5	GRADE C121
19	(25)	T033C	ADC/DCC MAJOR	3	GRADE C120
20	(26)	T038C	ADC TRAINING ACADEMY SUPERVISOR	1	GRADE C119
21	(27)	R021C	BUDGET ANALYST	1	GRADE C119
22	(28)	G154C	DCC PROGRAM COORDINATOR	6	GRADE C119
23	(29)	M021C	DCC TREATMENT SUPERVISOR	7	GRADE C119
24	(30)	D061C	INFO SYSTEMS COORDINATION SPECIALIST	1	GRADE C119
25	(31)	V007C	PROCUREMENT COORDINATOR	1	GRADE C119
26	(32)	T048C	ADC/DCC CAPTAIN	6	GRADE C118
27	(33)	T045C	DCC PAROLE/PROBATION OFFICER	440	GRADE C118
28	(34)	C010C	EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE C118
29	(35)	A074C	FISCAL SUPPORT SUPERVISOR	3	GRADE C118
30	(36)	M026C	LICENSED SOCIAL WORKER	1	GRADE C118
31	(37)	T054C	ADC/DCC LIEUTENANT	31	GRADE C117
32	(38)	M046C	ADC/DCC TREATMENT COORDINATOR	19	GRADE C117
33	(39)	T093C	DCC PAROLE/PROBATION OFFICER II	1	GRADE C117
34	(40)	G180C	GRANTS ANALYST	2	GRADE C117
35	(41)	S026C	ADC/DCC ASST MAINTENANCE SUPERVISOR	8	GRADE C116
36	(42)	T059C	ADC/DCC FOOD PREPARATION MANAGER	10	GRADE C116

1	(43)	C024C	ADC/DCC RECORDS SUPERVISOR	8	GRADE C116
2	(44)	C022C	BUSINESS OPERATIONS SPECIALIST	6	GRADE C116
3	(45)	V014C	BUYER	4	GRADE C116
4	(46)	G200C	CLASSIFICATION & ASSIGNMENT OFFICER	4	GRADE C116
5	(47)	E048C	EDUCATION & INSTRUCTION SPECIALIST	2	GRADE C116
6	(48)	R030C	EEO/GRIEVANCE OFFICER	1	GRADE C116
7	(49)	M048C	SUBSTANCE ABUSE PROGRAM LEADER	45	GRADE C116
8	(50)	E046C	TRAINING INSTRUCTOR	4	GRADE C116
9	(51)	M059C	ADC/DCC ADVISOR	114	GRADE C115
10	(52)	T065C	ADC/DCC CORRECTIONAL SERGEANT	68	GRADE C115
11	(53)	M058C	ADC/DCC PROGRAM SPECIALIST	10	GRADE C115
12	(54)	C037C	ADMINISTRATIVE ANALYST	11	GRADE C115
13	(55)	R033C	BENEFITS ANALYST	1	GRADE C115
14	(56)	M057C	CHAPLAIN	6	GRADE C115
15	(57)	A091C	FISCAL SUPPORT ANALYST	1	GRADE C115
16	(58)	R031C	INSTITUTION HUMAN RESOURCES COORD	6	GRADE C115
17	(59)	A090C	PAYROLL SERVICES SPECIALIST	1	GRADE C115
18	(60)	T070C	ADC/DCC FOOD PREPARATION SUPERVISOR	20	GRADE C114
19	(61)	G215C	CAREER PLANNING & PLACEMENT SPEC	14	GRADE C114
20	(62)	E051C	STAFF DEVELOPMENT SPECIALIST	1	GRADE C114
21	(63)	T076C	ADC/DCC ADMIN REVIEW OFFICER	7	GRADE C113
22	(64)	T075C	ADC/DCC CORPORAL	211	GRADE C113
23	(65)	R036C	HUMAN RESOURCES SPECIALIST	1	GRADE C113
24	(66)	T083C	ADC/DCC CORRECTIONAL OFFICER I	1	GRADE C112
25	(67)	C056C	ADMINISTRATIVE SPECIALIST III	100	GRADE C112
26	(68)	T081C	COMMISSARY MANAGER	6	GRADE C112
27	(69)	A098C	FISCAL SUPPORT SPECIALIST	11	GRADE C112
28	(70)	A097C	PAYROLL TECHNICIAN	1	GRADE C112
29	(71)	C073C	ADMINISTRATIVE SPECIALIST II	<u>73</u>	GRADE C109
30			MAX. NO. OF EMPLOYEES	1,376	

31

32 SECTION 2. EXTRA HELP. There is hereby authorized, for the Department  
 33 of Community Correction for the 2012-2013 fiscal year, the following maximum  
 34 number of part-time or temporary employees, to be known as "Extra Help",  
 35 payable from funds appropriated herein for such purposes: ten (10) temporary  
 36 or part-time employees, when needed, at rates of pay not to exceed those

1 provided in the Uniform Classification and Compensation Act, or its  
 2 successor, or this act for the appropriate classification.

3  
 4 SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby  
 5 appropriated, to the Department of Community Correction, to be payable from  
 6 the Department of Community Correction Fund Account, for personal services  
 7 and operating expenses of the Department of Community Correction - State  
 8 Operations for the fiscal year ending June 30, 2013, the following:

10 ITEM	FISCAL YEAR
11 <u>NO.</u>	<u>2012-2013</u>
12 (01) REGULAR SALARIES	\$44,047,863
13 (02) EXTRA HELP	25,000
14 (03) PERSONAL SERVICES MATCHING	15,070,998
15 (04) MAINT. & GEN. OPERATION	
16 (A) OPER. EXPENSE	11,081,800
17 (B) CONF. & TRAVEL	21,807
18 (C) PROF. FEES	17,473,817
19 (D) CAP. OUTLAY	0
20 (E) DATA PROC.	<u>0</u>
21 TOTAL AMOUNT APPROPRIATED	<u><u>\$87,721,285</u></u>

22  
 23 SECTION 4. APPROPRIATION - OPERATIONS - SPECIAL REVENUE. There is  
 24 hereby appropriated, to the Department of Community Correction, to be payable  
 25 from the Community Correction Revolving Fund, for personal services and  
 26 operating expenses of the Department of Community Correction - Special  
 27 Revenue Operations for the fiscal year ending June 30, 2013, the following:

29 ITEM	FISCAL YEAR
30 <u>NO.</u>	<u>2012-2013</u>
31 (01) REGULAR SALARIES	\$4,523,203
32 (02) PERSONAL SERVICES MATCHING	1,462,523
33 (03) MAINT. & GEN. OPERATION	
34 (A) OPER. EXPENSE	153,417
35 (B) CONF. & TRAVEL	1,000
36 (C) PROF. FEES	0



1	(C) PROF. FEES	101,800
2	(D) CAP. OUTLAY	0
3	(E) DATA PROC.	<u>0</u>
4	TOTAL AMOUNT APPROPRIATED	<u><u>\$1,882,024</u></u>

5  
 6 SECTION 7. APPROPRIATION - COUNTY JAIL REIMBURSEMENT. There is hereby  
 7 appropriated, to the Department of Community Correction, to be payable from  
 8 the County Jail Reimbursement Fund, for reimbursement to counties housing  
 9 state inmates of the Department of Community Correction for the fiscal year  
 10 ending June 30, 2013, the following:

11		
12	ITEM	FISCAL YEAR
13	<u>NO.</u>	<u>2012-2013</u>
14	(01) REIMBURSEMENT TO COUNTIES HOUSING	
15	STATE INMATES	<u><u>\$3,453,572</u></u>

16  
 17 SECTION 8. APPROPRIATION - BEST PRACTICES. There is hereby  
 18 appropriated, to the Department of Community Correction, to be payable from  
 19 the Best Practices Fund, for operation expenses of the Department of  
 20 Community Correction - Best Practices for the fiscal year ending June 30,  
 21 2013, the following:

22		
23	ITEM	FISCAL YEAR
24	<u>NO.</u>	<u>2012-2013</u>
25	(01) COMMUNITY CORRECTION PROGRAM	<u><u>\$3,000,000</u></u>

26  
 27 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COMMUNITY  
 29 CORRECTION PROGRAMS LINE ITEM USES. After seeking and receiving approval of  
 30 the Governor and Chief Fiscal Officer of the State and upon approval by the  
 31 Arkansas Legislative Council or Joint Budget Committee, the Director of the  
 32 Department of Community Correction, as authorized by the Board of  
 33 Corrections, is authorized to use funds appropriated for "Community  
 34 Correction Programs" line item in this Act to construct new or renovate  
 35 existing facilities to support the development of community correction  
 36 facilities in the state.

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

17 The provisions of this section shall be in effect only from July 1,  
18 ~~2010~~2012 through June 30, ~~2011~~2013.

19  
20 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MOTOR  
22 VEHICLE PURCHASE PROVISION. The Department of Community Correction is hereby  
23 authorized to purchase motor vehicles from the appropriations authorized for  
24 Capital Outlay in Section 3 and Section 4 in this Act.

25 The provisions of this section shall be in effect only from July 1,  
26 ~~2010~~2012 through June 30, ~~2011~~2013.

27  
28 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PARKING  
30 FEES. On July 1, of each year the Department of Community Correction shall  
31 pay from the appropriation provided herein from non-general revenue, the  
32 total amount appropriated for War Memorial Stadium Commission Parking  
33 Services from Fees to the War Memorial Stadium Commission.

34 The provisions of this section shall be in effect only from July 1,  
35 ~~2010~~2012 through June 30, ~~2011~~2013.

36

1 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
3 PROVISION. Upon seeking and receiving approval from the Chief Fiscal Officer  
4 of the State and review and approval by the Arkansas Legislative Council or  
5 Joint Budget Committee, the Director of the Department of Community  
6 Correction is authorized to transfer appropriation from any line item  
7 authorized in Section 3 and Section 4 of this Act to any other line item  
8 authorized in Section 3 and Section 4 of this Act.

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

25 The provisions of this section shall be in effect only from July 1,  
26 ~~2010~~2012 through June 30, ~~2011~~2013.

27  
28 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
30 REALLOCATION OF RESOURCES. Upon determination by the Board of Corrections  
31 that a reallocation of resources within the Department of Community  
32 Correction and Department of Correction is necessary for the efficient and  
33 effective operation of the departments, the Board, with approval of the  
34 Governor and approval by the Arkansas Legislative Council or Joint Budget  
35 Committee, shall have the authority to instruct the department directors, to  
36 request from the Chief Fiscal Officer of the State, a transfer of positions,

1 programs, funds, appropriations, and line-item appropriations within or  
2 between existing and newly created divisions, offices, sections, or units of  
3 the departments. If it is determined that the requested transfer should be  
4 made, the Chief Fiscal Officer of the State shall then initiate the necessary  
5 transfer documents to reflect the transfers upon the fiscal records of the  
6 State Treasurer, the State Auditor, the Chief Fiscal Officer of the State,  
7 and the Departments of Correction and Community Correction. Provided,  
8 however, that the Board shall be limited to submitting no more than two  
9 requests, encompassing a single purpose listed in this section, during any  
10 fiscal year per department. Transfer authority shall further be limited to  
11 no more than five percent (5%) of the total General Revenue and Special  
12 Revenue appropriation, funding, and positions specific to each agency.  
13 However, there shall be no transfers to or from the County Jail Reimbursement  
14 Fund. A Reallocation of Resources Transfer shall be limited to the following  
15 specific purposes:

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

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 Correction and the Department of  
32 Community Correction may operate more efficiently if some flexibility is  
33 provided to the Board of Corrections authorizing broad powers under the  
34 Reallocation of Resources provisions herein. Therefore, it is both necessary  
35 and appropriate that the General Assembly maintain oversight by requiring  
36 prior approval of the Legislative Council or Joint Budget Committee as

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

6 The provisions of this section shall be in effect only from July 1,  
7 ~~2010~~2012 through June 30, ~~2011~~2013.

8  
9 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HOLIDAY  
11 COMPENSATION. The Department of Community Correction is authorized to pay  
12 employees for up to ninety-six (96) hours of unused holidays exceeding a  
13 balance in the employee's holiday account of one-hundred fifty (150) hours  
14 following the end of the calendar year. Payments of unused holiday hours must  
15 be processed on or before June 1st in each fiscal year. Employees terminating  
16 employment from the Department of Community Correction will be eligible for  
17 all holiday pay accrued during the years of service. This request is  
18 contingent on approval by the Chief Fiscal Officer of the State after the  
19 Director of the Department of Community Correction has verified that  
20 sufficient revenues are available to make such payments to employees in the  
21 following classifications:

Class	<u>Code</u> <u>Title</u>	Maximum Annual Salary Rate Fiscal Year
	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

33 The provisions of this section shall be in effect only from July 1,  
34 ~~2010~~2012 through June 30, ~~2011~~2013.

35  
36 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MEDICAL  
 2 SERVICES - CONTINGENCY POSITIONS. If it has been determined by the Board of  
 3 Corrections that the Department of Community Correction cannot continue a  
 4 medical contract with a private provider and the Board deems it necessary to  
 5 utilize Department staff to provide the required services, the Department is  
 6 allowed, upon notification of the Chief Fiscal Officer of the State and after  
 7 seeking prior review by the Arkansas Legislative Council or Joint Budget  
 8 Committee, to utilize the contingent positions for medical services contained  
 9 in this Act and make the appropriate transfers from the Professional Fees and  
 10 Services line item contained in Section 3 of this Act to Regular Salaries,  
 11 Personal Services Matching and various Maintenance and General Operations  
 12 classifications. Further, the Department may utilize the service(s) of a  
 13 state-based or national-based Professional Recruitment Service, or network,  
 14 as may be necessary to recruit, fill, or maintain the occupancy of the  
 15 positions stated herein.

16 The provisions of this section shall be in effect only from July 1,  
 17 ~~2010~~2012 through June 30, ~~2011~~2013.

18  
 19 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REGULAR  
 21 SALARIES - CONTINGENT POSITIONS. There is hereby established for the  
 22 Department of Community Correction - Contingent Positions for the ~~2010-~~  
 23 ~~2011~~2012-2013 fiscal year, the following maximum number of regular employees.

24  
 25 CONTINGENT POSITIONS - MEDICAL SERVICES

				MAXIMUM ANNUAL	
				MAXIMUM	SALARY RATE
				NO. OF	FISCAL YEAR
ITEM	CLASS			<u>EMPLOYEES</u>	<del>2010-2011</del> <u>2012-2013</u>
<u>NO.</u>	<u>CODE</u>	<u>TITLE</u>			
30	(1)	L009C	NURSE MANAGER	1	GRADE C125
31	(2)	L033C	PSYCH. EXAMINER	1	GRADE C121
32	(3)	M026C	LICENSED SOCIAL WORKER	6	GRADE C118
33	(4)	L032C	REGISTERED NURSE HOSPITAL	7	GRADE C121
34	(5)	L069C	LIC PRACT NURSE	25	GRADE C113
35	(6)	C056C	ADMIN SPECIALIST III	<u>2</u>	GRADE C112
36	MAXIMUM NUMBER OF CONTINGENT				

## EMPLOYEES - MEDICAL SERVICES 42

1  
2 If the agency requests continuation of a "Growth Pool" position(s) as  
3 established herein during the next fiscal year, the position(s) must be  
4 requested as a new position(s) in the agency's budget request.

5 The provisions of this section shall be in effect only from July 1,  
6 ~~2010~~2012 through June 30, ~~2011~~2013.

7  
8 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COMMUNITY  
10 CORRECTION PROGRAMS LINE ITEM USES. The appropriations authorized under the  
11 line item established herein for "Community Correction Programs" are to be  
12 used by the Department of Community Correction for establishment and  
13 operation of, to include construction, renovation, and contracting for  
14 establishment and operation of, residential and non-residential community  
15 correction programs such as, but not limited to, community correction  
16 centers, drug, alcohol, and mental health treatments, intensive supervision,  
17 restitution, and others as established and approved by the Board of  
18 Corrections and as may be provided by law.

19 The provisions of this section shall be in effect only from July 1,  
20 ~~2010~~2012 through June 30, ~~2011~~2013.

21  
22 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
23 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
24 AUTHORITY FOR UTILITY AND FUEL RATE INCREASE. In the event of a ten percent  
25 (10%) increase in utility and fuel rates, the Department of Community  
26 Correction is authorized to transfer from any line item in Section 3 - State  
27 Operations to Operating Expense Item (04)(A) in Section 3 - State Operations  
28 for support of the increase after receiving approval of the Chief Fiscal  
29 Officer of the State. Prior to the utilization of the transfer authority a  
30 report shall be made to the Arkansas Legislative Council or Joint Budget  
31 Committee including justification for the transfer and the amount of  
32 transfer.

33 Determining the maximum number of employees and the maximum amount of  
34 appropriation and general revenue funding for a state agency each fiscal year  
35 is the prerogative of the General Assembly. This is usually accomplished by  
36 delineating such maximums in the appropriation act(s) for a state agency and

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

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

26  
27 SECTION 20. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
28 authorized by this act shall be limited to the appropriation for such agency  
29 and funds made available by law for the support of such appropriations; and  
30 the restrictions of the State Procurement Law, the General Accounting and  
31 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
32 Procedures and Restrictions Act, or their successors, and other fiscal  
33 control laws of this State, where applicable, and regulations promulgated by  
34 the Department of Finance and Administration, as authorized by law, shall be  
35 strictly complied with in disbursement of said funds.

36

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

9  
10           SECTION 22. EMERGENCY CLAUSE. It is found and determined by the  
11 General Assembly, that the Constitution of the State of Arkansas prohibits  
12 the appropriation of funds for more than a one (1) year period; that the  
13 effectiveness of this Act on July 1, 2012 is essential to the operation of  
14 the agency for which the appropriations in this Act are provided, and that in  
15 the event of an extension of the legislative session, the delay in the  
16 effective date of this Act beyond July 1, 2012 could work irreparable harm  
17 upon the proper administration and provision of essential governmental  
18 programs. Therefore, an emergency is hereby declared to exist and this Act  
19 being necessary for the immediate preservation of the public peace, health  
20 and safety shall be in full force and effect from and after July 1, 2012.

21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36