

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007

A Bill

HOUSE BILL 1375

4
5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES AND OPERATING EXPENSES FOR THE
11 DEPARTMENT OF COMMUNITY CORRECTION FOR THE
12 BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR
13 OTHER PURPOSES.
14

Subtitle

15
16 AN ACT FOR THE DEPARTMENT OF COMMUNITY
17 CORRECTION APPROPRIATION FOR THE
18 2007-2009 BIENNIUM.
19
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23

24 SECTION 1. REGULAR SALARIES. There is hereby established for the
25 Department of Community Correction for the 2007-2009 biennium, the following
26 maximum number of regular employees whose salaries shall be governed by the
27 provisions of the Uniform Classification and Compensation Act (Arkansas Code
28 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
29 Provided, however, that any position to which a specific maximum annual
30 salary is set out herein in dollars, shall be exempt from the provisions of
31 said Uniform Classification and Compensation Act. All persons occupying
32 positions authorized herein are hereby governed by the provisions of the
33 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),
34 or its successor.
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Maximum Annual



1				Maximum	Salary Rate	
2	Item	Class		No. of	Fiscal Years	
3	No.	Code	Title	Employees	2007-2008	2008-2009
4	(1)	8052	COMMUNITY PUNISHMENT DIRECTOR	1	\$94,296	\$96,181
5	(2)	8053	DCC CHIEF DEPUTY DIRECTOR	1	\$81,388	\$83,015
6	(3)	9355	DEPUTY DIR ADMIN SRVCS	1	\$73,570	\$75,041
7	(4)	9324	DEPUTY DIR PAROLE/PROBATION SERVICE	1	\$73,561	\$75,032
8	(5)	8801	DCC DEP DIRECTOR RESIDENTIAL SVCS	1	\$73,291	\$74,756
9	(6)	8905	COMMUNITY PUNISHMENT PROGRAM ADMR	3	\$63,060	\$64,321
10	(7)	827Z	DP CENTER MANAGER	1	GRADE 26	
11	(8)	102Z	CORRECTIONAL WARDEN	6	GRADE 26	
12	(9)	R170	ATTORNEY SPECIALIST	1	GRADE 25	
13	(10)	110Z	A&D ABUSE PREV ASST DEP DIR/PRG DEV	1	GRADE 24	
14	(11)	181Z	COMPLIANCE ADMINISTRATOR	1	GRADE 23	
15	(12)	055Z	DP MANAGER	1	GRADE 23	
16	(13)	091Z	ASST WARDEN	6	GRADE 23	
17	(14)	N334	COR ASST TO THE DIR/PUB RELATIONS	1	GRADE 23	
18	(15)	T015	PAROLE/PROBATION AREA MANAGER	19	GRADE 23	
19	(16)	T014	CHIEF SECURITY OFFICER	5	GRADE 22	
20	(17)	909Z	PROGRAM SUPPORT MANAGER	3	GRADE 22	
21	(18)	E051	TRAINING PROJECT MANAGER	1	GRADE 22	
22	(19)	D123	APPLICATIONS & SYSTEMS ANALYST	3	GRADE 21	
23	(20)	A008	ACCOUNTING SUPERVISOR II	1	GRADE 21	
24	(21)	D036	SR PROGRAMMER/ANALYST	1	GRADE 21	
25	(22)	T076	DCC PROGRAM COORDINATOR	10	GRADE 21	
26	(23)	V012	PURCHASING MANAGER	1	GRADE 21	
27	(24)	T008	CC/COR OFFICER IV	5	GRADE 21	
28	(25)	T002	PAROLE/PROBATION ASST AREA MGR	40	GRADE 21	
29	(26)	T006	CC/COR OFFICER III	36	GRADE 20	
30	(27)	T034	PAROLE/PROBATION OFFICER II	379	GRADE 20	
31	(28)	R144	PROGRAM COORDINATOR	1	GRADE 20	
32	(29)	R266	MANAGEMENT PROJECT ANALYST II	24	GRADE 20	
33	(30)	D121	USER SUPPORT ANALYST	1	GRADE 20	
34	(31)	M115	SUBSTANCE ABUSE PROGRAM COORD	7	GRADE 20	
35	(32)	L070	NURSE II	1	GRADE 20	
36	(33)	M016	SR CHAPLAIN	6	GRADE 20	

1	(34)	M045	COR REHAB FACILITY SUPERVISOR	17	GRADE 20
2	(35)	M088	SOCIAL WORKER II	6	GRADE 20
3	(36)	M114	SUBSTANCE ABUSE PROGRAM LEADER	61	GRADE 19
4	(37)	E074	TRAINING REPRESENTATIVE	3	GRADE 19
5	(38)	H030	CC/COR FOOD PRODUCTION MGR II	28	GRADE 19
6	(39)	A087	BUDGET OFFICER	1	GRADE 19
7	(40)	A103	FIELD AUDITOR	6	GRADE 19
8	(41)	R068	EEO/GRIEVANCE OFFICER	1	GRADE 19
9	(42)	T010	CC/COR SERGEANT	74	GRADE 19
10	(43)	V022	LEASING SPECIALIST II	1	GRADE 19
11	(44)	V040	PURCHASE AGENT II/PURCHASE AGENT	1	GRADE 18
12	(45)	W009	CC/COR RECORDS SUPERVISOR	7	GRADE 18
13	(46)	Y131	CC/COR CONSTR/MAINT SUPV I	7	GRADE 18
14	(47)	R264	MANAGEMENT PROJECT ANALYST I	2	GRADE 18
15	(48)	T005	CC/COR OFFICER II	242	GRADE 18
16	(49)	R322	CC/COR UNIT PERS & TRNG OFFICER	5	GRADE 18
17	(50)	A111	ACCOUNTANT	1	GRADE 18
18	(51)	A114	CC/COR BUSINESS MANAGER	6	GRADE 18
19	(52)	E050	STAFF DEVELOPMENT SPECIALIST II	15	GRADE 18
20	(53)	M096	CC/COR PROGRAM COORD	8	GRADE 18
21	(54)	M105	CC/COR COUNSELOR	90	GRADE 18
22	(55)	M125	WORK PROGRAM ADVISOR	16	GRADE 17
23	(56)	E055	CC/COR UNIT TRAINER	1	GRADE 17
24	(57)	R430	ADMINISTRATIVE OFFICER	1	GRADE 17
25	(58)	R190	PERSONNEL OFFICER II	1	GRADE 17
26	(59)	R010	ADMINISTRATIVE ASSISTANT II	67	GRADE 17
27	(60)	R049	CLASSIFICATION & ASSIGNMENT OFFICER	4	GRADE 17
28	(61)	X318	CC/COR ADMIN REVIEW OFFICER	7	GRADE 16
29	(62)	T073	DCC INTAKE OFFICER	36	GRADE 15
30	(63)	A108	ACCOUNTING TECHNICIAN II	10	GRADE 15
31	(64)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	3	GRADE 14
32	(65)	H023	COMMISSARY MANAGER	6	GRADE 14
33	(66)	K153	SECRETARY II	<u>28</u>	GRADE 13
34			MAX. NO. OF EMPLOYEES	1,332	

35

36 SECTION 2. EXTRA HELP - STATE OPERATIONS. There is hereby authorized, for

1 the Department of Community Correction - State Operations for the 2007-2009
2 biennium, the following maximum number of part-time or temporary employees,
3 to be known as "Extra Help", payable from funds appropriated herein for such
4 purposes: ten (10) temporary or part-time employees, when needed, at rates
5 of pay not to exceed those provided in the Uniform Classification and
6 Compensation Act, or its successor, or this act for the appropriate
7 classification.

8

9 SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby appropriated,
10 to the Department of Community Correction, to be payable from the Department
11 of Community Correction Fund Account, for personal services and operating
12 expenses of the Department of Community Correction - State Operations for the
13 biennial period ending June 30, 2009, the following:

14

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) REGULAR SALARIES	\$ 31,677,576	\$ 32,383,510
(02) EXTRA HELP	25,000	25,000
(03) PERSONAL SERVICES MATCHING	10,965,242	11,108,187
(04) OVERTIME	0	0
(05) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	7,847,139	7,847,139
(B) CONF. & TRAVEL	11,857	11,857
(C) PROF. FEES	4,081,852	4,081,852
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 54,608,666</u>	<u>\$ 55,457,545</u>

28

29 SECTION 4. APPROPRIATION - SPECIAL REVENUE OPERATIONS. There is hereby
30 appropriated, to the Department of Community Correction, to be payable from
31 the Community Punishment Revolving Fund, for personal services and operating
32 expenses of the Department of Community Correction - Special Revenue
33 Operations for the biennial period ending June 30, 2009, the following:

34

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009

36

1	(01)	REGULAR SALARIES	\$	3,641,965	\$	3,714,743
2	(02)	PERSONAL SERVICES MATCHING		1,224,703		1,239,431
3	(03)	MAINT. & GEN. OPERATION				
4	(A)	OPER. EXPENSE		153,417		153,417
5	(B)	CONF. & TRAVEL		1,000		1,000
6	(C)	PROF. FEES		0		0
7	(D)	CAP. OUTLAY		621,133		374,731
8	(E)	DATA PROC.		0		0
9	(04)	WAR MEMORIAL STADIUM COMMISSION		10,000		10,000
10		PARKING SERVICES FROM FEES				
11	(05)	COMMUNITY CORRECTION PROG		<u>3,977,469</u>		<u>3,977,469</u>
12		TOTAL AMOUNT APPROPRIATED	\$	<u>9,629,687</u>	\$	<u>9,470,791</u>

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 14 SECTION 5. APPROPRIATION - FEDERAL PROGRAMS. There is hereby appropriated,
 15 to the Department of Community Correction, to be payable from the federal
 16 funds as designated by the Chief Fiscal Officer of the State, for personal
 17 services and operating expenses of the Department of Community Correction -
 18 Federal Programs for the biennial period ending June 30, 2009, the following:

20	ITEM	FISCAL YEARS	
21	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
22	(01) REGULAR SALARIES	\$ 63,159	\$ 64,422
23	(02) PERSONAL SERVICES MATCHING	16,990	17,245
24	(03) MAINT. & GEN. OPERATION		
25	(A) OPER. EXPENSE	203,933	206,270
26	(B) CONF. & TRAVEL	74,415	74,415
27	(C) PROF. FEES	3,210,386	3,210,386
28	(D) CAP. OUTLAY	0	0
29	(E) DATA PROC.	0	0
30	(04) GRANTS AND AID	<u>646,811</u>	<u>646,811</u>
31	TOTAL AMOUNT APPROPRIATED	<u>\$ 4,215,694</u>	<u>\$ 4,219,549</u>

32
 33 SECTION 6. APPROPRIATION - RESIDENTS SERVICES FUND - CASH. There is hereby
 34 appropriated, to the Department of Community Correction, to be payable from
 35 the cash fund deposited in the State Treasury as determined by the Chief
 36 Fiscal Officer of the State, for operating expenses of the Department of

1 Community Correction - Residents Services Fund - Cash for the biennial period
 2 ending June 30, 2009, the following:

3

4 ITEM	FISCAL YEARS	
5 NO.	2007-2008	2008-2009
6 (01) MAINT. & GEN. OPERATION		
7 (A) OPER. EXPENSE	\$ 1,428,659	\$ 1,717,354
8 (B) CONF. & TRAVEL	57,875	62,870
9 (C) PROF. FEES	75,490	101,800
10 (D) CAP. OUTLAY	0	0
11 (E) DATA PROC.	<u>0</u>	<u>0</u>
12 TOTAL AMOUNT APPROPRIATED	<u>\$ 1,562,024</u>	<u>\$ 1,882,024</u>

13

14 SECTION 7. APPROPRIATION - COUNTY JAIL REIMBURSEMENT. There is hereby
 15 appropriated, to the Department of Community Correction, to be payable from
 16 the County Jail Reimbursement Fund, for reimbursement to counties housing
 17 state inmates of the Department of Community Correction for the biennial
 18 period ending June 30, 2009, the following:

19

20 ITEM	FISCAL YEARS	
21 NO.	2007-2008	2008-2009
22 (01) REIMBURSEMENT TO COUNTIES HOUSING		
23 STATE INMATES	<u>\$ 2,000,000</u>	<u>\$ 2,000,000</u>

24

25 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COMMUNITY
 27 CORRECTION PROGRAMS LINE ITEM USES. After seeking and receiving approval of
 28 the Governor and Chief Fiscal Officer of the State and upon ~~review~~ approval
 29 by the Arkansas Legislative Council or Joint Budget Committee, the Director
 30 of the Department of Community Correction, as authorized by the Board of
 31 Corrections, is authorized to use funds appropriated for "Community
 32 Correction Programs" line item in this Act to construct new or renovate
 33 existing facilities to support the development of community correction
 34 facilities in the state.

35 Determining the maximum number of employees and the maximum amount of
 36 appropriation and general revenue funding for a state agency each fiscal year

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

15 The provisions of this section shall be in effect only from July 1, 2005
 16 2007 through June 30, 2007 2009.

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 18 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MOTOR
 20 VEHICLE PURCHASE PROVISION. The Department of Community Correction is hereby
 21 authorized to purchase motor vehicles from the appropriations authorized for
 22 Capital Outlay in Section 3 and Section 4 in this Act.

23 The provisions of this section shall be in effect only from July 1, 2005
 24 2007 through June 30, 2007 2009.

25
 26 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PARKING
 28 FEES. On July 1, of each year the Department of Community Correction shall
 29 pay from the appropriation provided herein from non-general revenue, the
 30 total amount appropriated for War Memorial Stadium Commission Parking
 31 Services from Fees to the War Memorial Stadium Commission.

32 The provisions of this section shall be in effect only from July 1, 2005
 33 2007 through June 30, 2007 2009.

34
 35 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER

1 PROVISION. Upon seeking and receiving approval from the Chief Fiscal Officer
 2 of the State and review and approval by the Arkansas Legislative Council or
 3 Joint Budget Committee, the Director of the Department of Community
 4 Correction is authorized to transfer appropriation from any line item
 5 authorized in Section 3 and Section 4 of this Act to any other line item
 6 authorized in Section 3 and Section 4 of this Act.

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

23 The provisions of this section shall be in effect only from July 1, ~~2005~~ 2007
 24 through June 30, ~~2007~~ 2009.

25
 26 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

28 REALLOCATION OF RESOURCES. Upon determination by the Board of Corrections
 29 that a reallocation of resources within the Department of Community
 30 Correction and Department of Correction is necessary for the efficient and
 31 effective operation of the departments, the Board, with approval of the
 32 Governor and approval by the Arkansas Legislative Council or Joint Budget
 33 Committee, shall have the authority to instruct the department directors, to
 34 request from the Chief Fiscal Officer of the State, a transfer of positions,
 35 programs, funds, appropriations, and line-item appropriations within or
 36 between existing and newly created divisions, offices, sections, or units of

1 the departments. If it is determined that the requested transfer should be
 2 made, the Chief Fiscal Officer of the State shall then initiate the necessary
 3 transfer documents to reflect the transfers upon the fiscal records of the
 4 State Treasurer, the State Auditor, the Chief Fiscal Officer of the State,
 5 and the Departments of Correction and Community Correction. Provided,
 6 however, that the Board shall be limited to submitting no more than Four
 7 individual transaction transfer requests during any fiscal year. Transfer
 8 authority ~~for unforeseen purposes~~ shall further be limited to no more than
 9 five percent (5%) of the total General Revenue and Special Revenue
 10 appropriation, funding, and positions specific to each agency. However, there
 11 shall be no transfers to or from the County Jail Reimbursement Fund. ~~Other~~
 12 ~~than for unforeseen purposes, transfers~~ Transfers shall be limited to the
 13 following specific purposes:

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

23 Determining the maximum number of employees and the maximum amount of
 24 appropriation and general revenue funding for a state agency each fiscal year
 25 is the prerogative of the General Assembly. This is usually accomplished by
 26 delineating such maximums in the appropriation act(s) for a state agency and
 27 the general revenue allocations authorized for each fund and fund account by
 28 amendment to the Revenue Stabilization law. Further, the General Assembly
 29 has determined that the Department of Correction and the Department of
 30 Community Correction may operate more efficiently if some flexibility is
 31 provided to the Board of Correction authorizing broad powers under the
 32 Reallocation of Resources provisions herein. Therefore, it is both necessary
 33 and appropriate that the General Assembly maintain oversight by requiring
 34 prior approval of the Legislative Council or Joint Budget Committee as
 35 provided by this section. The requirement of approval by the Legislative
 36 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 jurisdiction, this entire
3 section is void.

4 The provisions of this section shall be in effect only from July 1, ~~2005~~
5 2007 through June 30, ~~2007~~ 2009.

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

- 19 T014 Chief Security Officer Grade 22
- 20 T008 CP/COR Officer IV Grade 21
- 21 T006 CP/COR Officer III Grade 20
- 22 T010 CP/COR Sergeant Grade 19
- 23 T005 CP/COR Officer II Grade 18
- 24 T003 CP/COR Officer Grade 16

25 The provisions of this section shall be in effect only from July 1, ~~2005~~
26 2007 through June 30, ~~2007~~ 2009.

27
28 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MEDICAL
30 SERVICES - CONTINGENCY POSITIONS. If it has been determined by the Board of
31 Corrections that the Department of Community Correction cannot continue a
32 medical contract with a private provider and the Board deems it necessary to
33 utilize Department staff to provide the required services, the Department is
34 allowed, upon notification of the Chief Fiscal Officer of the State and after
35 seeking prior review by the Arkansas Legislative Council or Joint Budget
36 Committee, to utilize the contingent positions for medical services contained

1 in this Act and make the appropriate transfers from the Professional Fees and
 2 Services line item contained in Section 3 of this Act to Regular Salaries,
 3 Personal Services Matching and various Maintenance and General Operations
 4 classifications. Further, the Department may utilize the service(s) of a
 5 state-based or national-based Professional Recruitment Service, or network,
 6 as may be necessary to recruit, fill, or maintain the occupancy of the
 7 positions stated herein.

8 The provisions of this section shall be in effect only from July 1, ~~2005~~
 9 2007 through June 30, ~~2007~~ 2009.

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 11 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REGULAR
 13 SALARIES - CONTINGENT POSITIONS. There is hereby established for the
 14 Department of Community Correction - Contingent Positions for the ~~2005-2007~~
 15 2007-2009 biennium, the following maximum number of regular employees whose
 16 salaries shall be governed by the provisions of the Uniform Classification
 17 and Compensation Act (Arkansas Code 21-5-201 et seq.), or its successor, and
 18 all laws amendatory thereto. Provided, however, that any position to which a
 19 specific maximum annual salary is set out herein in dollars, shall be exempt
 20 from the provisions of said Uniform Classification and Compensation Act. All
 21 persons occupying positions authorized herein are hereby governed by the
 22 provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas
 23 Code 21-5-101), or its successor.

24 CONTINGENT POSITIONS - MEDICAL SERVICES

				MAXIMUM				
				MAXIMUM	SALARY RATE			
ITEM	CLASS			NO. OF	FISCAL YEARS			
NO.	CODE	TITLE		EMPLOYEES	2005-06	<u>2007-08</u>	2006-07	<u>2008-09</u>
29	(1)	108Z	COR MED/DENTAL ADMR	1			GRADE 23	
30	(2)	L122	PSYCH. EXAMINER II	1			GRADE 21	
31	(3)	M088	SOCIAL WORKER II	5 <u>6</u>			GRADE 20	
32	(4)	L070	NURSE II	6 <u>7</u>			GRADE 20	
33	(5)	L115	LPN II/LPTN II	20 <u>25</u>			GRADE 15	
34	(6)	R009	ADMIN ASSISTANT I	1 <u>2</u>			GRADE 17	
35	MAXIMUM NUMBER OF CONTINGENT							
36	EMPLOYEES MEDICAL SVCS				34 <u>42</u>			

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If the agency requests continuation of a "Growth Pool" position(s) as established herein during the next biennium, the position(s) must be requested as a new position(s) in the agencies biennial budget request.

The provisions of this section shall be in effect only from July 1, ~~2005~~ 2007 through June 30, ~~2007~~ 2009.

SECTION 16. 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. The appropriations authorized under the line item established herein for "Community Correction Programs" 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, ~~2005~~ 2007 through June 30, ~~2007~~ 2009.

SECTION 17. 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 ~~substantial~~ 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

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.

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 14 SECTION 18. 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 19. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
 28 by this act shall be limited to the appropriation for such agency and funds
 29 made available by law for the support of such appropriations; and the
 30 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 20. LEGISLATIVE INTENT. It is the intent of the General Assembly
 2 that any funds disbursed under the authority of the appropriations contained
 3 in this act shall be in compliance with the stated reasons for which this act
 4 was adopted, as evidenced by the Agency Requests, Executive Recommendations
 5 and Legislative Recommendations contained in the budget manuals prepared by
 6 the Department of Finance and Administration, letters, or summarized oral
 7 testimony in the official minutes of the Arkansas Legislative Council or
 8 Joint Budget Committee which relate to its passage and adoption.

9
 10 SECTION 21. EMERGENCY CLAUSE. It is found and determined by the General
 11 Assembly, that the Constitution of the State of Arkansas prohibits the
 12 appropriation of funds for more than a two (2) year period; that the
 13 effectiveness of this Act on July 1, 2007 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 Regular Session, the delay in the effective
 16 date of this Act beyond July 1, 2007 could work irreparable harm upon the
 17 proper administration and provision of essential governmental programs.
 18 Therefore, an emergency is hereby declared to exist and this Act being
 19 necessary for the immediate preservation of the public peace, health and
 20 safety shall be in full force and effect from and after July 1, 2007.

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