

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Joint Budget Committee**

A Bill

SENATE BILL

For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND
9 OPERATING EXPENSES FOR THE DEPARTMENT OF CORRECTION WHICH
10 SHALL BE SUPPLEMENTAL AND IN ADDITION TO THOSE FUNDS
11 APPROPRIATED BY ACT 118 OF THE FIRST EXTRAORDINARY SESSION
12 OF 1989, FOR THE FISCAL YEAR ENDING JUNE 30, 1991; AND FOR
13 OTHER PURPOSES."

14
15 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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17 SECTION 1. REGULAR SALARIES - INMATE CARE AND CUSTODY. There is hereby
18 established for the Department of Correction - Inmate Care and Custody for the
19 1989-91 biennium, the following maximum number of regular employees which
20 shall be supplemental and in addition to those positions authorized in Section
21 1 of Act 118 of the First Extraordinary Session of 1989 and whose salaries
22 shall be governed by the provisions of the Uniform Classification and
23 Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and all
24 laws amendatory thereto. Provided, however, that any position to which a
25 specific maximum annual salary is set out herein in dollars, shall be exempt
26 from the provisions of said Uniform Classification and Compensation Act. All
27 persons occupying positions authorized herein are hereby governed by the
28 provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas
29 Code §21-5-101), or its successor.

30				Maximum Annual
31				Maximum Salary Rate
32	Item	Class		No. of Fiscal Year
33	No.	Code	Title	Employees 1990-91
34	(1)	091Z	COR ASST SUPERINTENDENT	1 GRADE 22
35	(2)	993Z	COR CHIEF SECURITY OFFICER	1 GRADE 21

1	(3)	T008	COR OFFICER IV	3	GRADE 20
2		L122	PSYCH EXAMINER II	2	
3	(4)	T006	COR OFFICER III	5	GRADE 19
4		H030	FOOD PRODUCTION MGR II	1	
5		M019	CHAPLAIN	1	
6	(5)	T010	COR SERGEANT	30	GRADE 18
7		M024	COR COUNSELOR III	1	
8		M086	SOCIAL WORKER II/SOCIAL WORKER I	1	
9		L180	COR COMMUNITY COUNSELOR	1	
10		T062	PAROLE OFFICER	10	
11	(6)	M050	REC ACTIVITY LEADER SUPV	1	GRADE 17
12		H029	FOOD PRODUCTION MGR I	4	
13		M054	REHAB COUNSELOR II	3	
14	(7)	M023	COR COUNSELOR II	1	GRADE 16
15		V076	COR PROPERTY OFFICER	1	
16		X318	COR ADMIN REVIEW OFFICER	1	
17	(8)	T003	COR OFFICER I	82	GRADE 15
18	(9)	W009	INMATE RECORDS SUPV	2	GRADE 14
19	(10)	K153	SECRETARY II	1	GRADE 11
20	(11)	K155	SECRETARY I	1	GRADE 09
21	(12)	K023	CLERK TYPIST	<u>1</u>	GRADE 07
22			MAXIMUM NO. OF EMPLOYEES	155	

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24 SECTION 2. APPROPRIATIONS - INMATE CARE AND CUSTODY. There is hereby
25 appropriated, to the Department of Correction - Inmate Care and Custody, to be
26 payable from the Department of Correction Inmate Care and Custody Fund
27 Account, for operating expenses of the Department of Correction - Inmate Care
28 and Custody which shall be supplemental and in addition to those funds
29 appropriated in Section 3 of Act 118 of the First Extraordinary Session of
30 1989, for the remainder of the fiscal year ending June 30, 1991, the
31 following:

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33	ITEM	FISCAL YEAR
34	NO.	1990-91
35	(01)	MAINTENANCE & GENERAL OPERATIONS

1	(A)	OPER. EXPENSES	\$ 1,563,192	
2	(B)	CONF. & TRAVEL	3,240	
3	(C)	PROF. FEES	915,165	
4	(D)	CAPITAL OUTLAY	137,520	
5	(E)	DATA PROCESSING	<u>0</u>	
6		TOTAL MAINT. & GEN. OPERATIONS		2,619,117
7	(02)	JAIL CONTRACTS		<u>5,006,302</u>
8		TOTAL AMOUNT APPROPRIATED		<u>\$ 7,625,419</u>

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10 SECTION 3. APPROPRIATIONS - PARDONS AND PAROLES. There is hereby

11 appropriated, to the Department of Correction - Pardons and Paroles, to be

12 payable from the Department of Correction Inmate Care and Custody Fund

13 Account, for personal services and operating expenses of the Department of

14 Correction - Pardons and Paroles which shall be supplemental and in addition

15 to those funds appropriated in Section 9 of Act 118 of the First Extraordinary

16 Session of 1989, for the remainder of the fiscal year ending June 30, 1991,

17 the following:

19	ITEM		FISCAL YEAR
20	NO.		1990-91
21	(01)	REGULAR SALARIES	\$ 107,976
22	(02)	PERSONAL SERVICES MATCHING	26,995
23	(03)	MAINTENANCE & GENERAL OPERATIONS	
24	(A)	OPER. EXPENSES	\$ 123,102
25	(B)	CONF. & TRAVEL	1,200
26	(C)	PROF. FEES	0
27	(D)	CAPITAL OUTLAY	110,219
28	(E)	DATA PROCESSING	<u>0</u>
29		TOTAL MAINT. & GEN. OPERATIONS	<u>234,521</u>
30		TOTAL AMOUNT APPROPRIATED	<u>\$369,492</u>

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32 SECTION 4. FUNDING TRANSFER. Immediately upon the effective date of

33 this Act, the Chief Fiscal Officer of the State shall transfer on his books

34 and those of the State Treasurer the sum of five million five hundred sixty

35 four thousand two hundred fifty six dollars (\$5,564,256) from the General

1 Revenue Allotment Reserve Fund to the Department of Correction Inmate Care and
2 Custody Fund Account to provide funds for the appropriations provided in
3 Sections 2 and 3 of this Act.

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6 SECTION 5. APPROPRIATIONS - FARM OPERATIONS. There is hereby
7 appropriated, to the Department of Correction - Farm Operations, to be payable
8 from the Department of Correction Farm Fund, for operating expenses of the
9 ~~Department of Correction - Farm Operations for the biennial period ending~~
10 June 30, 1991, the following:

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12 ITEM		FISCAL YEAR
13 NO.		1990-91
14 (01)	MAINTENANCE & GENERAL OPERATIONS	
15	(A) OPER. EXPENSES	\$ 500,000
16	(B) CONF. & TRAVEL	0
17	(C) PROF. FEES	0
18	(D) CAPITAL OUTLAY	3,000,000
19	(E) DATA PROCESSING	<u>0</u>
20	TOTAL MAINT. & GEN. OPERATIONS	<u>3,500,000</u>
21	TOTAL AMOUNT APPROPRIATED	<u>\$3,500,000</u>

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23 SECTION 6. APPROPRIATIONS - PRISON INDUSTRY. There is hereby
24 appropriated, to the Department of Correction - Prison Industry, to be payable
25 from the Department of Correction Prison Industry Fund, for operating expenses
26 ~~of the Department of Correction - Prison Industry for the biennial period~~
27 ending June 30, 1991, the following:

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29 ITEM		FISCAL YEAR
30 NO.		1990-91
31 (01)	MAINTENANCE & GENERAL OPERATIONS	
32	(A) OPER. EXPENSES	\$ 0
33	(B) CONF. & TRAVEL	0
34	(C) PROF. FEES	0
35	(D) CAPITAL OUTLAY	1,000,000

1	(E) DATA PROCESSING	<u>0</u>	
2	TOTAL MAINT. & GEN. OPERATIONS		<u>1,000,000</u>
3	TOTAL AMOUNT APPROPRIATED		<u>\$1,000,000</u>

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5 SECTION 7. APPROPRIATIONS - INMATE WELFARE - CASH. There is hereby

6 appropriated, to the Department of Correction - Inmate Welfare, to be payable

7 from cash funds as defined by Arkansas Code §19-4-801 of the Department of

8 Correction, for operating expenses of the Department of Correction - Inmate

9 Welfare which shall be supplemental and in addition to those funds

10 ~~appropriated in Section 6 of Act 118 of the First Extraordinary Session of~~

11 1989, for the remainder of the fiscal year ending June 30, 1991, the

12 following:

14	ITEM		FISCAL YEAR
15	NO.		1990-91
16	(01) MAINTENANCE & GENERAL OPERATIONS		
17	(A) OPER. EXPENSES	\$ 650,000	
18	(B) CONF. & TRAVEL	0	
19	(C) PROF. FEES	0	
20	(D) CAPITAL OUTLAY	0	
21	(E) DATA PROCESSING	<u>0</u>	
22	TOTAL MAINT. & GEN. OPERATIONS		<u>650,000</u>
23	TOTAL AMOUNT APPROPRIATED		<u>\$ 650,000</u>

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25 SECTION 8. CARRY FORWARD - FARM OPERATIONS. The unexpended balances of

26 appropriation authorized for capital outlay in Section 5 of this Act on

27 June 30, 1991, shall be carried forward and made available for the same

28 purposes during the fiscal year ending June 30, 1992.

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30 SECTION 9. CARRY FORWARD - PRISON INDUSTRY. The unexpended balances of

31 appropriation authorized for capital outlay in Section 6 of this Act on

32 June 30, 1991, shall be carried forward and made available for the same

33 purposes during the fiscal year ending June 30, 1992.

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35 SECTION 10. The Department of Correction is hereby authorized to expend

1 the appropriation and funds provided by Item (02) of Section 2 of this Act, to
2 reimburse counties for obligations incurred by the Department during any
3 fiscal year.

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

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15 SECTION 12. LEGISLATIVE INTENT. It is the intent of the General
16 Assembly that any funds disbursed under the authority of the appropriations
17 contained in this Act shall be in compliance with the stated reasons for which
18 this Act was adopted, as evidenced by the Agency Requests, Executive
19 Recommendations and Legislative Recommendations contained in the budget
20 manuals prepared by the Department of Finance and Administration, letters, or
21 summarized oral testimony in the official minutes of the Arkansas Legislative
22 Council or Joint Budget Committee which relate to its passage and adoption.

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24 SECTION 13. CODE. All provisions of this Act of a general and
25 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and
26 the Arkansas Code Revision Commission shall incorporate the same in the Code.

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28 SECTION 14. SEVERABILITY. If any provision of this Act or the
29 application thereof to any person or circumstance is held invalid, such
30 invalidity shall not affect other provisions or applications of the Act which
31 can be given effect without the invalid provision or application, and to this
32 end the provisions of this Act are declared to be severable.

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34 SECTION 15. GENERAL REPEALER. All laws and parts of laws in conflict
35 with this Act are hereby repealed.

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SECTION 16. EMERGENCY CLAUSE. It is hereby found and determined by the Seventy-Eighth General Assembly, that funds provided by the Seventy-Seventh General Assembly for the operations of the Department of Correction are, due to unforeseen circumstances, insufficient for the Department of Correction to continue to provide essential governmental services; that the provisions of this act will provide the necessary monies for the Department of Correction to continue such services; and that a delay in the effective date of this Act 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 the date of its passage and approval.

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