

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
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 1078 OF 1991, FOR THE REMAINDER OF THE
12 BIENNIAL PERIOD ENDING JUNE 30, 1993; AND FOR OTHER
13 PURPOSES."

Subtitle

16 "AN ACT FOR THE DEPARTMENT OF CORRECTION SUPPLEMENTAL
17 APPROPRIATION."

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

21 SECTION 1. APPROPRIATIONS - INMATE CARE AND CUSTODY. There is hereby
22 appropriated, to the Department of Correction - Inmate Care and Custody, to be
23 payable from the Department of Correction Inmate Care and Custody Fund
24 Account, for personal services and operating expenses of the Department of
25 Correction - Inmate Care and Custody which shall be supplemental and in
26 addition to those funds appropriated in Section 3 of Act 1078 of 1991, for the
27 remainder of the biennial period ending June 30, 1993, the following:

| 29 ITEM | FISCAL YEAR |
|--|-------------|
| 30 NO. | 1992-93 |
| 31 (01) REGULAR SALARIES | \$733,730 |
| 32 (02) EXTRA HELP | 0 |
| 33 (03) PERSONAL SERVICES MATCHING | 183,433 |
| 34 (04) MAINTENANCE & GENERAL OPERATIONS | |
| 35 (A) OPER. EXPENSES | \$433,951 |

| | | |
|---|------------------------------------|---------------------|
| 1 | (B) CONF. & TRAVEL | 2,550 |
| 2 | (C) PROF. FEES | 245,000 |
| 3 | (D) CAPITAL OUTLAY | 282,661 |
| 4 | (E) DATA PROCESSING | <u>18,100</u> |
| 5 | TOTAL MAINT. & GEN. OPERATIONS | 982,262 |
| 6 | (05) JAIL CONTRACTS/REIMBURSEMENTS | <u>1,649,512</u> |
| 7 | TOTAL AMOUNT APPROPRIATED | <u>\$ 3,548,937</u> |

8

9 SECTION 2. REGULAR SALARIES - FARM OPERATIONS. There is hereby

10 established for the Department of Correction - Farm Operations for the

11 remainder of the 1991-93 biennium, the following maximum number of regular

12 employees which shall be supplemental and in addition to those positions

13 authorized in Section 1 of Act 1078 of 1991 and whose salaries shall be

14 governed by the provisions of the Uniform Classification and Compensation Act

15 (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws amendatory

16 thereto. Provided, however, that any position to which a specific maximum

17 annual salary is set out herein in dollars, shall be exempt from the

18 provisions of said Uniform Classification and Compensation Act. All persons

19 occupying positions authorized herein are hereby governed by the provisions of

20 the Regular Salaries Procedures and Restrictions Act (Arkansas Code

21 §21-5-101), or its successor.

| | | | Maximum Annual | |
|-----------------------|----------|-----------------------------|-------------------|------------------------|
| | | | Maximum | Salary Rate |
| Item Class | | | No. of | Fiscal Year |
| No. | Code | Title | Employees | 1992-93 |
| 26 | (1) 054Z | CORRECTION HEAD FARM MGR. I | 1 | GRADE 25 |
| 27 | (2) T016 | AGRI. UNIT SUPER. II | 1 | GRADE 20 |
| 28 | (3) T018 | AGRI. UNIT SUPER. I | <u>1</u> | GRADE 19 |
| 29 | | MAX. NO. OF EMPLOYEES | 3 | |

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31 SECTION 3. APPROPRIATIONS - FARM OPERATIONS. There is hereby

32 appropriated, to the Department of Correction - Farm Operations, to be payable

33 from the Department of Correction Farm Fund, for personal services and

34 operating expenses of the Department of Correction - Farm Operations which

35 shall be supplemental and in addition to those funds appropriated in Section

1 11 of Act 1078 of 1991, for the remainder of the biennial period ending June
2 ~~30, 1993, the following:~~

| | | |
|----|---------------------------------------|-------------------|
| 3 | | |
| 4 | ITEM | FISCAL YEAR |
| 5 | NO. | 1992-93 |
| 6 | (01) REGULAR SALARIES | \$ 39,025 |
| 7 | (02) PERSONAL SERVICES MATCHING | 10,121 |
| 8 | (03) MAINTENANCE & GENERAL OPERATIONS | |
| 9 | (A) OPER. EXPENSES | \$ 350,000 |
| 10 | (B) CONF. & TRAVEL | 0 |
| 11 | (C) PROF. FEES | 0 |
| 12 | (D) CAPITAL OUTLAY | 554,000 |
| 13 | (E) DATA PROCESSING | <u>0</u> |
| 14 | TOTAL MAINT. & GEN. OPERATIONS | <u>904,000</u> |
| 15 | TOTAL AMOUNT APPROPRIATED | <u>\$ 953,146</u> |

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17 SECTION 4. FUNDING TRANSFER. Immediately upon the effective date of
18 this Act, the Chief Fiscal Officer of the State shall transfer on his books
19 and those of the State Treasurer the sum of three million five hundred forty
20 eight thousand nine hundred thirty seven dollars (\$3,548,937) from the General
21 Revenue Allotment Reserve Fund to the Department of Correction Inmate Care and
22 Custody Fund Account to provide funds for the appropriation provided herein.
23

24 SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
25 authorized by this Act shall be limited to the appropriation for such agency
26 and funds made available by law for the support of such appropriations; and
27 the restrictions of the State Purchasing Law, the General Accounting and
28 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
29 Procedures and Restrictions Act, or their successors, and other fiscal control
30 laws of this State, where applicable, and regulations promulgated by the
31 Department of Finance and Administration, as authorized by law, shall be
32 strictly complied with in disbursement of said funds.

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34 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General
35 Assembly that any funds disbursed under the authority of the appropriations

1 contained in this Act shall be in compliance with the stated reasons for which
2 this Act was adopted, as evidenced by the Agency Requests, Executive
3 Recommendations and Legislative Recommendations contained in the budget
4 manuals prepared by the Department of Finance and Administration, letters, or
5 summarized oral testimony in the official minutes of the Arkansas Legislative
6 Council or Joint Budget Committee which relate to its passage and adoption.

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8 SECTION 7. CODE. All provisions of this Act of a general and permanent
9 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
10 Code Revision Commission shall incorporate the same in the Code.

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12 SECTION 8. SEVERABILITY. If any provision of this Act or the
13 application thereof to any person or circumstance is held invalid, such
14 invalidity shall not affect other provisions or applications of the Act which
15 can be given effect without the invalid provision or application, and to this
16 end the provisions of this Act are declared to be severable.

17

18 SECTION 9. GENERAL REPEALER. All laws and parts of laws in conflict
19 with this Act are hereby repealed.

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21 SECTION 10. EMERGENCY CLAUSE. It is hereby found and determined by the
22 Seventy-Ninth General Assembly meeting in Regular Session, that funds provided
23 by the Seventy-Eighth General Assembly for the operations of the Department of
24 Correction are, due to unforeseen circumstances, insufficient for the
25 Department of Correction to continue to provide essential governmental
26 services; that the provisions of this act will provide the necessary monies
27 for the Department of Correction to continue such services; and that a delay
28 in the effective date of this Act could work irreparable harm upon the proper
29 administration and provision of essential governmental programs. Therefore,
30 an emergency is hereby declared to exist and this Act being necessary for the
31 immediate preservation of the public peace, health and safety shall be in full
32 force and effect from and after the date of its passage and approval.

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