

Act 923 of the 1989 Regular Session.

Act 923

SB544

By: Joint Budget Committee

"AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES OF THE DEPARTMENT OF CORRECTION FOR THE BIENNIAL PERIOD ENDING JUNE 30, 1991; AND FOR OTHER PURPOSES."

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

SECTION 1. REGULAR SALARIES - INMATE CARE AND CUSTODY. There is hereby established for the Department of Correction - Inmate Care and Custody for the 1989-91 biennium, the following maximum number of regular employees whose salaries shall be governed by the provisions of the Uniform Classification and Compensation Act, or its successor, and all laws amendatory thereto. Provided, however, that any position to which a specific maximum annual salary is set out herein in dollars, shall be exempt from the provisions of said Uniform Classification and Compensation Act. All persons occupying positions authorized herein are hereby governed by the provisions of the Regular Salaries Procedures and Restrictions Act, or its successor.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Years	
				1989-90	1990-91
(1)	9933	COR DIRECTOR	1	\$63,421	\$65,006
(2)	9822	COR ASST DIRECTOR	5	\$42,873	\$43,945
(3)	9930	COR CONSTR & MAINTENANCE ADMR	1	\$42,873	\$43,945
(4)	9931	COR INTERNAL AUDITOR SUPERVISOR	1	\$42,873	\$43,945
(5)	9935	COR FARM ADMINISTRATOR	1	\$42,872	\$43,944
(6)	9934	COR PARDONS & PAROLE HEARING EXAMR	1	\$40,414	\$41,425
(7)	7353	COR MENTAL HLTH SVCS ADMR	1	\$39,335	\$40,318
(8)	9876	CORRECTION COMPLIANCE ATTORNEY	1	\$38,438	\$39,398
(9)	9936	COR PARDONS & PAROLE ADMINISTRATOR	1	\$32,751	\$33,571
(10)	7737	COR INDUSTRY COORDINATOR	1	\$32,433	\$33,244
(11)	6621	PSYCHIATRIST	1	\$75,947	\$77,846
(12)	6601	DENTIST	1	\$66,247	\$67,903
(13)	104Z	COR BUSINESS ADMINISTRATOR	1		GRADE 26
	112Z	COR SUPT III	1		
(14)	102Z	COR SUPT II	7		GRADE 25
(15)	115Z	COR SUPT I	4		GRADE 24
	962Z	COR ACCOUNTING SUPERVISOR	2		
	L124	PSYCHOLOGIST	3		
	R036	ATTORNEY	2		
(16)	T064	WORK RELEASE CENTER SUPV III	1		GRADE 23
	096Z	COR CHIEF PSYCHOLOGIST	3		
	425Z	COR ASST TO THE DIR/PUBLIC RELATION	1		
	090Z	COR HEAD FARM MANAGER	2		
	108Z	COR MEDICAL/DENTAL ADMR	1		
(17)	091Z	COR ASST SUPERINTENDENT	16		GRADE 22
	Y026	COR CONSTR/MAINTENANCE SUPV II	11		
	093Z	COR CLASS & INTERNAL AFF ADMR	1		
	117Z	COR AGRI PRODUCTION SUPERVISOR	2		

	119Z COR PERSONNEL ADMINISTRATOR	1	
	120Z COR TRAINING ADMINISTRATOR	1	
(18)	M005 ADMR OF THERAPEUTIC CMMTY DIRS	1	GRADE 21
	M014 ADMINISTRATOR OF CHAPLAINCY SVCS	1	
	T066 WORK RELEASE CENTER SUPV II	1	
	083Z COR ADMR OF PLNNG, TRNG, & RESRCH	1	
	941Z COR ASST HEAD FARM MANAGER	3	
	993Z COR CHIEF SECURITY OFFICER	17	
	949Z COR INDUSTRY PROG TRADE SPEC SUPV	2	
	082Z COR COMMODITY&FOOD SERVICE ADMR	1	
	948Z COR INDUSTRY PROGRAM MANAGER	7	
	101Z COR COORDINATOR OF COMMUNITY SVCS	1	
	085Z COR PARDONS & PAROLE ASST ADMR	1	
(19)	M152 COR THERAPEUTIC COMM DIRECTOR	16	GRADE 20
	T008 CORRECTIONAL OFFICER IV	36	
	L122 PSYCHOLOGICAL EXAMINER II	9	
	A008 ACCOUNTING SUPV II	3	
	A186 COR BUDGET MANAGER	3	
	M016 SENIOR CHAPLAIN	1	
	Y123 COR CONSTRUCTION ELECTRICAL SUPV	1	
	Y125 COR CONSTRUCTION PLUMBER SUPV	1	
	Y127 COR CONSTRUCTION REFRIGERATION SUPV	1	
	111Z COR REHAB FACILITY SUPERVISOR	3	
	947Z COR PROCUREMENT & PROPERTY MANAGER	1	
	E012 COR INDUSTRIAL SUPV III	10	
	G004 AGRICULTURAL UNIT SUPERVISOR II	15	
	T034 PAROLE & PROBATION OFFICER SUPV	11	
(20)	T006 CORRECTIONAL OFFICER III	90	GRADE 19
	M088 SOCIAL WORKER III/SOCIAL WORKER II	1	
	E114 STAFF DEVELOPMENT COORDINATOR	1	
	H030 COR FOOD PRODUCTION MGR II	16	
	M019 CHAPLAIN	11	
	R266 MANAGEMENT PROJECT ANALYST II	1	
	T068 WORK RELEASE CENTER SUPERVISOR I	7	
	R070 COR SALES REPRESENTATIVE MGR	1	
(21)	T084 COR UNIT TRAINER SUPV	1	GRADE 18
	E100 COR TRAINING ACADEMY SUPERVISOR	1	
	T010 CORRECTIONAL SERGEANT	227	
	M024 CORRECTIONAL COUNSELOR III	5	
	R264 MANAGEMENT PROJECT ANALYST I	3	
	R322 COR UNIT PERS & TRAINING OFFICER	8	
	A006 ACCOUNTING SUPV I	2	
	M086 SOCIAL WORKER II/SOCIAL WORKER I	6	
	R136 PLANNING SPECIALIST III	3	
	T012 DISCIPLINARY COMMITTEE CHAIRPERSON	3	
	V040 PURCHASE AGENT II/PURCHASE AGENT	4	
	X450 COR INTERNAL AFFAIRS INVESTIGATOR	6	
	Y131 COR CONSTR/MAINTENANCE SUPV I	11	
	107Z COR MANAGER OF FLEET MAINTENANCE	1	
	L180 CORRECTIONAL COMMUNITY COUNSELOR	10	
	V006 BUYER II	1	
	L022 COR MENTAL HEALTH COUNSELOR III	15	
	T062 PAROLE OFFICER	71	
	R072 COR SALES REPRESENTATIVE	3	
	G160 AGRICULTURAL UNIT SUPERVISOR I	12	
(22)	E072 TRAINING INSTRUCTOR II	4	GRADE 17
	T085 CORRECTIONAL UNIT TRAINER	2	

	T005	CORRECTIONAL OFFICER II	165	
	H029	COR FOOD PRODUCTION MGR I	46	
	A004	ACCOUNTANT II	9	
	M050	RECREATIONAL ACTIVITY LEADER SUPV	4	
	R321	CORRECTIONAL GRIEVANCE OFFICER	2	
	R134	PLANNING SPECIALIST II	1	
	T075	RECORDS/INTAKE SUPV	1	
	W002	CHIEF OF RECORDS & IDENTIFICATION	1	
	Y005	AUTO/DIESEL MECHANIC SUPERVISOR	1	
	E011	COR INDUSTRIAL SUPV II	27	
(23)	A114	COR BUSINESS MANAGER	5	GRADE 16
	M023	CORRECTIONAL COUNSELOR II	15	
	G161	GENERAL MAINTENANCE REPAIRMAN	1	
	M096	TREATMENT COORDINATOR II	3	
	R010	ADMINISTRATIVE ASSISTANT II	4	
	R049	CLASSIFICATION & ASSIGNMENT OFFICER	5	
	V076	COR PROPERTY OFFICER	1	
	X318	COR ADMIN REVIEW OFFICER	5	
	M144	COR VOLUNTEER SERVICE COORDINATOR	1	
(24)	T003	CORRECTIONAL OFFICER I	1,023	GRADE 15
	A002	ACCOUNTANT I	5	
	G027	BUILDING PLANT MAINTENANCE SUPV I	1	
	R190	PERSONNEL OFFICER II	2	
	V030	INVENTORY CONTROL MANAGER	3	
(25)	H023	COMMISSARY SUPV II	7	GRADE 14
	R009	ADMINISTRATIVE ASSISTANT I	1	
	E009	COR INDUSTRIAL SUPV I	2	
	W009	INMATE RECORDS SUPERVISOR	9	
(26)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	5	GRADE 13
	A051	INSURANCE SPECIALIST I	1	
	K133	MANAGEMENT SUPPORT TECHNICIAN	2	
	H021	COMMISSARY SUPV I	6	
(27)	T023	INVESTIGATIVE ASSISTANT	1	GRADE 12
(28)	T045	SECURITY OFFICER II	1	GRADE 11
	A013	BOOKKEEPER II/ACCOUNTING ASST II	21	
	K011	CLERICAL SUPERVISOR	1	
	K153	SECRETARY II	19	
	K161	DATA ENTRY SUPV I/DATA ENTRY OP SUP	1	
(29)	K178	SECRETARY/WORD PROCESSING OPERATOR	5	GRADE 10
(30)	K155	SECRETARY I	46	GRADE 09
(31)	K065	MAIL OFFICER	1	GRADE 08
(32)	K023	CLERK TYPIST II	34	GRADE 07
		MAX NO. OF EMPLOYEES	2,244	

CONTINGENT POSITIONS

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate	
				1989-90	1990-91
(01)		MEDICAL DIRECTOR	1	\$85,000	\$85,000
(02)	6609	PHYSICIAN	8	75,000	75,000
(03)	L096	PHARMACIST II	1		GRADE 21
		HOSPITAL ADMINISTRATOR	1		
(04)	109Z	COR NURSING DIRECTOR	1		GRADE 20
		QUALITY ASSURANCE OFFICER	1		
	L094	PHARMACIST I	2		

(05)	L170	PHYSICIAN ASSISTANT II	7	GRADE 18
	L012	CHARGE NURSE	1	
	L070	NURSE II	7	
(06)	W012	MEDICAL RECORDS ADMINISTRATOR	1	GRADE 17
(07)	L160	COR INFIRMARY ADMINISTRATOR	8	GRADE 16
	L166	CHIEF RADIOLOGIC TECH	1	
	L068	NURSE I	23	
(08)		ACCOUNTANT I	1	GRADE 15
(09)	B046	LABORATORY SUPERVISOR	1	GRADE 14
(10)	L049	LPN II	116	GRADE 13
	W015	MEDICAL RECORDS TECHNICIAN	20	
(11)	L151	X-RAY TECH/X-RAY TECH I	7	GRADE 12
(12)	B049	LABORATORY TECH II	4	GRADE 11
(13)	K155	SECRETARY I	7	GRADE 09
		MAX NO. OF CONGINGENT EMPLOYEES	219	

GRAND TOTAL MAX NO. OF EMPLOYEES 2,463

SECTION 2. EXTRA HELP - INMATE CARE AND CUSTODY. There is hereby authorized, for the Department of Correction - Inmate Care and Custody for the 1989-91 biennium, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: Forty (40) 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, for the appropriate classification.

SECTION 3. APPROPRIATIONS - INMATE CARE AND CUSTODY. There is hereby appropriated, to the Department of Correction - Inmate Care and Custody, to be payable from the Department of Correction Inmate Care and Custody Fund Account, for personal services and operating expenses of the Department of Correction - Inmate Care and Custody for the biennial period ending June 30, 1991, the following:

ITEM NO.	FISCAL YEARS	
	1989-90	1990-91
(01) REGULAR SALARIES	\$ 28,442,839	\$ 32,836,560
(02) EXTRA HELP	30,000	30,000
(03) PERSONAL SERV MATCHING	7,311,347	7,989,962
(04) OVERTIME	350,000	350,000
(05) EXTRA SALARIES	7,000	7,000
(06) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSES	\$ 9,905,608	\$ 11,139,107
(B) CONF. & TRAVEL	50,736	59,091
(C) PROF. FEES	6,581,340	7,840,812
(D) CAPITAL OUTLAY	755,822	1,048,850
(E) DATA PROCESSING	600,000	600,000
TOTAL MAINT. & GEN. OPER.	17,893,506	20,687,860
(07) AID SCHOOL	70,448	70,448
(08) JAIL CONTRACTS	402,704	402,704
TOTAL AMOUNT APPROPRIATED	\$ 54,507,844	\$ 62,374,534

SECTION 4. REGULAR SALARIES - PLASMA CENTER - CASH. There is hereby established for the Department of Correction - Plasma Center for the 1989-91 biennium, the following maximum number of regular employees whose salaries shall be governed by the provisions of the Uniform Classification and Compensation Act, or its successor, and all laws amendatory thereto.

Provided, however, that any position to which a specific maximum annual salary is set out herein in dollars, shall be exempt from the provisions of said Uniform Classification and Compensation Act. All persons occupying positions authorized herein are hereby governed by the provisions of the Regular Salaries Procedures and Restrictions Act, or its successor.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Years	
				1989-90	1990-91
(1)	6621	PSYCHIATRIST	1	\$75,947	\$77,846
(2)	T006	CORRECTIONAL OFFICER III	2		GRADE 19
(3)	T010	CORRECTIONAL SERGEANT	4		GRADE 18
(4)	T003	CORRECTIONAL OFFICER I	12		GRADE 15
		MAX NO. OF EMPLOYEES	19		

SECTION 5. APPROPRIATIONS - PLASMA CENTER - CASH. There is hereby appropriated to the Department of Correction - Plasma Center, to be payable from cash funds of Department of Correction, for personal services and operating expenses of the Department of Correction - Plasma Center for the biennial period ending June 30, 1991, the following:

ITEM NO.	FISCAL YEARS				
	1989-90		1990-91		
(01)	REGULAR SALARIES	\$ 350,894	\$ 359,950		
(02)	PERSONAL SERV MATCHING	91,724	97,065		
(03)	EXTRA SALARIES	7,000	7,000		
(04)	MAINT. & GEN. OPERATION				
	(A) OPER. EXPENSES	\$ 941,799	\$ 941,799		
	(B) CONF. & TRAVEL	0	0		
	(C) PROF. FEES	0	0		
	(D) CAPITAL OUTLAY	0	0		
	(E) DATA PROCESSING	0	0		
	TOTAL MAINT. & GEN. OPER.	941,799	941,799		
	TOTAL AMOUNT APPROPRIATED	\$ 1,391,417	\$ 1,405,814		

SECTION 6. APPROPRIATIONS - INMATE WELFARE - CASH. There is hereby appropriated to the Department of Correction - Inmate Welfare, to be payable from cash funds of the Department of Correction, for personal services and operating expenses of the Department of Correction - Inmate Welfare for the biennial period ending June 30, 1991, the following:

ITEM NO.	FISCAL YEARS				
	1989-90		1990-91		
(01)	REGULAR SALARIES	\$ 308,033	\$ 314,728		
(02)	PERSONAL SERV MATCHING	86,418	91,579		
(03)	MAINT. & GEN. OPERATION				
	(A) OPER. EXPENSES	\$ 2,352,343	\$ 2,352,343		
	(B) CONF. & TRAVEL	0	0		
	(C) PROF. FEES	0	0		
	(D) CAPITAL OUTLAY	100,000	100,000		
	(E) DATA PROCESSING	0	0		
	TOTAL MAINT. & GEN. OPER.	2,452,343	2,452,343		
	TOTAL AMOUNT APPROPRIATED	\$ 2,846,794	\$ 2,858,650		

SECTION 7. APPROPRIATIONS - WORK RELEASE CENTER - CASH. There is hereby appropriated to the Department of Correction - Work Release Center, to be payable from cash funds of the Department of Correction, for operating

expenses of the Department of Correction - Work Release Center for the biennial period ending June 30, 1991, the following:

ITEM NO.	FISCAL YEARS	
	1989-90	1990-91
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSES	\$ 781,885	\$ 781,885
(B) CONF. & TRAVEL	2,794	2,794
(C) PROF. FEES	9,500	9,500
(D) CAPITAL OUTLAY	200,000	200,000
(E) DATA PROCESSING	1,412	1,412
TOTAL MAINT. & GEN. OPER.		995,591
(02) DEBT SERVICE/LEASES		500,000
TOTAL AMOUNT APPROPRIATED	\$ 1,495,591	\$ 1,495,591

SECTION 8. APPROPRIATIONS - COMMUNITY SERVICE CENTER. There is hereby appropriated, to the Department of Correction - Community Service Center, to be payable from the Community Service Revolving Fund, for personal services, operating expenses and establishment of Department of Correction Community Service Centers for the biennial period ending June 30, 1991, the following:

ITEM NO.	FISCAL YEARS	
	1989-90	1990-91
(01) REGULAR SALARIES	\$ 374,175	\$ 384,440
(02) PERSONAL SERVICES MATCHING	103,374	109,841
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSES	\$ 297,263	\$ 297,263
(B) CONF. & TRAVEL	2,008	2,008
(C) PROF. FEES	0	0
(D) CAPITAL OUTLAY	209,115	200,000
(E) DATA PROCESSING	0	0
TOTAL MAINT. & GEN. OPER.		508,386
TOTAL AMOUNT APPROPRIATED	\$ 985,935	\$ 993,552

SECTION 9. APPROPRIATIONS - PARDONS AND PAROLES. There is hereby appropriated, to the Department of Correction - Pardons and Paroles, to be payable from the Department of Correction Inmate Care and Custody Fund Account, for personal services and operating expenses of the Department of Correction - Pardons and Paroles for the biennial period ending June 30, 1991, the following:

ITEM NO.	FISCAL YEARS	
	1989-90	1990-91
(01) REGULAR SALARIES	\$ 1,524,291	\$ 1,588,889
(02) PERSONAL SERV MATCHING	403,490	447,370
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSES	\$ 309,417	\$ 309,417
(B) CONF. & TRAVEL	5,764	5,764
(C) PROF. FEES	0	0
(D) CAPITAL OUTLAY	0	0
(E) DATA PROCESSING	4,376	4,376
TOTAL MAINT. & GEN. OPER.		319,557
TOTAL AMOUNT APPROPRIATED	\$ 2,247,338	\$ 2,355,816

SECTION 10. APPROPRIATIONS - PRISON INDUSTRY. There is hereby appropriated, to the Department of Correction - Prison Industry, to be payable from the Department of Correction Prison Industry Fund, for personal services

and operating expenses of the Department of Correction - Prison Industry for the biennial period ending June 30, 1991, the following:

ITEM NO.	FISCAL YEARS	
	1989-90	1990-91
(01) REGULAR SALARIES	\$ 1,276,219	\$ 1,306,652
(02) PERSONAL SERV MATCHING	344,615	364,572
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSES	\$ 2,656,849	\$ 3,321,061
(B) CONF. & TRAVEL	1,600	1,600
(C) PROF. FEES	0	0
(D) CAPITAL OUTLAY	362,500	501,000
(E) DATA PROCESSING	0	0
TOTAL MAINT. & GEN. OPER.	3,020,949	3,823,661
TOTAL AMOUNT APPROPRIATED	\$ 4,641,783	\$ 5,494,885

SECTION 11. APPROPRIATIONS - FARM OPERATIONS. There is hereby appropriated, to the Department of Correction - Farm Operations, to be payable from the Department of Correction Farm Fund, for personal services and operating expenses of the Department of Correction - Farm Operations for the biennial period ending June 30, 1991, the following:

ITEM NO.	FISCAL YEARS	
	1989-90	1990-91
(01) REGULAR SALARIES	\$ 765,540	\$ 785,244
(02) PERSONAL SERV MATCHING	199,069	210,229
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSES	\$ 5,062,555	\$ 5,062,555
(B) CONF. & TRAVEL	1,600	1,600
(C) PROF. FEES	167,663	167,663
(D) CAPITAL OUTLAY	550,000	550,000
(E) DATA PROCESSING	0	0
TOTAL MAINT. & GEN. OPER.	5,781,818	5,781,818
(04) PURCHASE OF FEEDER CATTLE FOR SLAUGHTER	150,000	150,000
(05) AID SCHOOL	70,448	70,448
TOTAL AMOUNT APPROPRIATED	\$ 6,964,875	\$ 6,997,739

SECTION 12. USE OF MAINTENANCE AND OPERATION APPROPRIATION AND SALVAGED MATERIALS CONSTRUCTION. The Department of Correction is hereby authorized to utilize Maintenance and General Operation Appropriation in conjunction with surplus and/or salvageable materials for the purpose of implementing construction projects to benefit the Department and its various programs. Before such projects may be undertaken, a Method of Finance must be submitted for prior review by the Arkansas Legislative Council, and review and approval by the Department of Finance and Administration and the Arkansas State Building Services.

SECTION 13. EXTRA SALARIES. There is hereby authorized, for the Department of Correction, for the 1989-91 biennium, the following increases in salaries for certain positions provided in the Regular Salary schedule in this Act, and to be in addition to the annual amounts as established by the Uniform Classification and Compensation Act, as amended, for three (3) full-time physicians who are certified by the American Speciality Boards at rates of pay not to exceed an additional \$4,500 per year. If certified in forensic psychiatry, an additional \$2,500 per year will be allowed. Total extra salaries may not exceed \$7,000 per year per position. In the event the physician is not a full time employee, the amount specified herein shall be

adjusted proportionately to the amount of time worked for the Department of Correction by that physician.

SECTION 14. It is hereby authorized that the Department of Correction may move an incumbent classified as a Correctional Officer I, Grade 15, up to a Step 3 of Grade 15, after the following criteria has been met: the incumbent Correctional Officer I must have completed at least six (6) months continuous service as a Correctional Officer I; and the incumbent must have completed a minimum of one hundred and sixty (160) hours Correctional Officer training; and the incumbent must have successfully passed a six (6) months evaluation.

SECTION 15. MEDICAL SERVICES. If it has been found that the Department 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, to utilize the contingent positions contained in Section 1 of this Act and make the appropriate transfers from Professional Fees and Services character contained in Section 3 of this Act to Regular Salaries, Personal Services Matching and various Maintenance and General Operations classifications.

SECTION 16. The Community Service Revolving Fund is hereby authorized to borrow from the Budget Stabilization Trust Fund for the establishment of new Work Release Centers for the Department of Correction. Such loans shall be repaid by the end of the fiscal year in which said loans are made.

SECTION 17. In the event the Department of Correction cannot accept inmates from county jails due to insufficient bed space, the Department shall reimburse the counties at a rate determined by the Board of Correction until the appropriation provided for such purpose is exhausted. The prevailing rate of the county jail will be considered by the Board in determining the rate to be reimbursed. The appropriation provided by Item (08) of Section 3 may also be used for contracts with county jails for pre-release inmates.

SECTION 18. In the event of a substantial increase in utility rates, the Department of Correction is authorized to transfer any line item appropriation in this Act to the Maintenance and Operation line item for support of the increase after receiving approval of the Chief Fiscal Officer of the State.

SECTION 19. TRANSFER OF APPROPRIATION WITHIN CAPITAL IMPROVEMENT PROJECTS. The Department of Correction is hereby authorized to transfer appropriation between and/or among the various capital improvements/construction projects authorized by the General Assembly. Such transfers may be made only after approval by the Governor. Such authorization shall in no way mean that the total amount of funds or appropriations for capital improvement/construction projects be greater than that provided by the General Assembly for the Department of Correction.

SECTION 20. MENTAL HEALTH SERVICES. In the event the Department determines to enter into a professional contract for mental health services, the Department may, upon approval of the Chief Fiscal Officer of the State and after prior review by the Arkansas Legislative Council, make appropriate transfers from regular salaries, personal services matching and various maintenance and operation classifications to the professional fees and services classification for payment of the contractual amount.

SECTION 21. The Department of Correction may, from time to time, make payment from the Department of Correction Inmate Care and Custody Fund Account to the Department of Correction Farm Fund in an amount not to exceed fifty cents (\$.50) on each dollar's worth of food produced on the Department of Correction Farm for consumption in the Inmate Care and Custody Program. The Department of Correction shall keep appropriate records reflecting farm production and the value of farm-produced products utilized in the Inmate Care and Custody Program, and shall keep records of current market values in support of any such payments. In no event shall the amount received under this Section, when combined with any loans forgiven under provisions of other laws, exceed the value of the farm products utilized by the Inmate Care and Custody Program.

SECTION 22. The Department of Correction is authorized to transfer funds from various Special Revenue and Cash Funds into the Inmate Care and Custody Fund Account in order to adjust to the budget needs upon approval of the Board of Correction and the Chief Fiscal Officer of the State.

SECTION 23. NEW FACILITIES. If it is found that contracting for the operation of new facilities is economically beneficial to the State of Arkansas, the Department of Correction may, after receiving approval of the Chief Fiscal Officer, and seeking prior review by the Arkansas Legislative Council, transfer from any line item appropriation contained in Section 3 of this Act into the Professional Fees and Services character contained in Section 3 of this Act to operate new facilities opened during the biennium.

SECTION 24. Receipts from cities or counties reimbursed to the Department for daily care of city or county prisoners shall be accounted for separately. Such receipts shall be used for payment of debt service on bonds, loans or any other instruments used to finance regional jail facilities.

SECTION 25. APPROPRIATIONS - CASH. There is hereby appropriated, to the Department of Correction, to be payable from the Construction Fund Deficiency Account, for debt service/leases of the Department of Correction for the biennial period ending June 30, 1991, the following:

ITEM NO.	FISCAL YEARS	
	1989-90	1990-91
(01) DEBT SERVICE/LEASES	\$500,000	\$500,000

SECTION 26. APPROPRIATIONS - CASH. There is hereby appropriated, to the Department of Correction, to be payable from the Prisoner Housing Contract Account, for debt service/leases of the Department of Correction for the biennial period ending June 30, 1991, the following:

ITEM NO.	FISCAL YEARS	
	1989-90	1990-91
(01) DEBT SERVICE/LEASES	\$200,000	\$200,000

SECTION 27. APPROPRIATIONS - CASH. There is hereby appropriated, to the Department of Correction, to be payable from the Regional Facilities Operations Account, for debt service/leases of the Department of Correction for the biennial period ending June 30, 1991, the following:

ITEM NO.	FISCAL YEARS	
	1989-90	1990-91
(01) DEBT SERVICE/LEASES	\$500,000	\$500,000

SECTION 28. CARRY FORWARD. The unexpended balances in appropriation and funds provided for in Act 953 of 1987 in the Inmate Care and Custody

appropriation for Capital Outlay, not to exceed four hundred thousand dollars (\$400,000), on June 30, 1989 shall be carried forward and made available for expenditures for the purpose of completing construction of two (2) two-hundred man facilities for the Department of Correction, for the fiscal year ending June 30, 1990.

SECTION 29. The Department of Correction is hereby authorized to transfer appropriations between any line items authorized herein but only for the purpose of financing construction or equipment for a facility of the department. Any transfers authorized by this section shall require the approval of the Chief Fiscal Officer of the State after prior review by the Legislative Council or Joint Budget Committee.

SECTION 30. The proceeds from the sale of feeder cattle by the Department of Correction shall be deposited into the State Treasury as a refund to expenditure to the credit of the appropriation available to the Department of Correction for the "Purchase of Feeder Cattle for Slaughter".

SECTION 31. Supervision and Transfer of Employees. All staff, employees, and other personnel of the Department of Correction shall be under the direct supervision and control of the Director of the Department of Correction, who shall report directly to the Board of Correction.

SECTION 32. The Correction Compliance Attorney and Auditor (authorized as one of the Accounting Supv. II positions contained in Section I herein) may work directly under the Board of Correction.

SECTION 33. (a) The Department of Correction shall adopt rules and regulations to establish a program to provide for the orderly and equitable issuance and/or sale of surplus items produced by the farming operations of the Arkansas Department of Correction to employees and in addition will implement a monitoring system to guarantee fiscal accountability in that program.

(b) Only those individuals identified as emergency force personnel meeting the following requirements:

(1) whose duties require long working hours beyond the normal workday of approximately 8:00 a.m. to 5:00 p.m., and the normal workweek of five (5) days a week, or

(2) that require long working hours, regularly worked weekends and holidays, or

(3) on twenty-four (24) hour call, seven (7) days a week, may participate in the issuance of items under this program.

(c) Reasonable quantities, as determined by availability after meeting the needs of the inmate population, of items produced by the farming operations of the Arkansas Department of Correction or purchased in bulk.

(d) There shall be a twenty-five dollar (\$25.00) per month minimum allowance for commissary items.

(e) Fresh surplus vegetables will be available at the cost of production as determined by the Department Farm and Central Office Accounting Division to all non-emergency force employees.

Vegetables will be for the use of the employee and domicile family only. Only one (1) member of the domicile family will be entitled to the issuance/purchase of vegetables.

(f) The Department of Correction will implement, maintain and guarantee accountability of all items so issued to assure fiscal responsibility and total honesty in said program.

(g) Since employees previously receiving such benefits have suffered

deprivation of the same, immediate enactment is in order to restore Department of Correction employee benefits, thereby increasing morale, productivity and effectiveness. Therefore, this section shall become effective immediately upon passage and approval.

SECTION 34. 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 Purchasing 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 35. 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 36. All provisions of this Act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 37. EMERGENCY CLAUSE. It is hereby found and determined by the Seventy-Seventh General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1989 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 Regular Session, the delay in the effective date of this Act beyond July 1, 1989 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 Sections 1 through 32 shall be in full force and effect from and after July 1, 1989 and Sections 33 through 37 shall be in full force and effect upon the date of its passage and approval.

APPROVED: March 23, 1989
