

1 **State of Arkansas**
2 **80th General Assembly**
3 **Regular Session, 1995**
4 **By: Joint Budget Committee**

A Bill

ACT 1079 OF 1995
SENATE BILL 805

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 158 OF 1995 FOR THE BIENNIAL PERIOD
12 ENDING JUNE 30, 1997; AND FOR OTHER PURPOSES."

Subtitle

14 "AN ACT TO MAKE A SUPPLEMENTAL APPROPRIATION FOR THE
15 DEPARTMENT OF CORRECTION."
16

17
18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

19
20 SECTION 1. REGULAR SALARIES. There is hereby established for the
21 Department of Correction for the 1995-97 biennium, the following maximum
22 number of regular employees which shall be supplemental and in addition to
23 those positions authorized in Section 1 of Act 158 of 1995 and whose salaries
24 shall be governed by the provisions of the Uniform Classification and
25 Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and all
26 laws amendatory thereto. Provided, however, that any position to which a
27 specific maximum annual salary is set out herein in dollars, shall be exempt
28 from the provisions of said Uniform Classification and Compensation Act. All
29 persons occupying positions authorized herein are hereby governed by the
30 provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas
31 Code §21-5-101), or its successor.

| | | | Maximum Annual | |
|----------------|-----------------|-----------------------|----------------------|---------------------------------------|
| | | | Maximum | Salary Rate |
| Item | Class | | No. of | Fiscal Years |
| No. | Code | Title | Employees | 1995-96 1996-97 |
| 36 | (01) | 091Z ASSISTANT WARDEN | 2 | Grade 23 |

| | | | | | |
|----|----------------|-----------------|--|----------------------|---------------------------------------|
| 1 | (02) | R266 | MANAGEMENT PROJECT ANALYST II | 2 | Grade 20 |
| 2 | (03) | T003 | CP/CORRECTIONAL OFFICER I | <u>67</u> | Grade 16 |
| 3 | | | MAX NO. OF EMPLOYEES | 71 | |
| 4 | | | CONTINGENT POSITIONS - CORRECTIONAL FACILITIES | | |
| 5 | | | | | Maximum Annual |
| 6 | | | | Maximum | Salary Rate |
| 7 | Item | Class | | No. of | Fiscal Years |
| 8 | No. | Code | Title | Employees | 1995-96 1996-97 |
| 9 | (01) | 102Z | Corr. Warden II | 2 | Grade 26 |
| 10 | (02) | 091Z | Corr. Asst. Warden | 2 | Grade 23 |
| 11 | (03) | T014 | Chief Security Officer | 2 | Grade 22 |
| 12 | (04) | T008 | Corr. Officer IV | 10 | Grade 21 |
| 13 | | L122 | Psych. Examiner II | 2 | |
| 14 | (05) | T006 | Corr. Officer III | 22 | Grade 20 |
| 15 | | M088 | Social Worker II | 4 | |
| 16 | (06) | T010 | Corr. Sergeant | 62 | Grade 19 |
| 17 | | M107 | Corr. Couns. Prog. Ldr. | 2 | |
| 18 | | M086 | Social Worker I | 2 | |
| 19 | | T068 | Work Rel. Ctr. Supv I | 2 | |
| 20 | | H030 | Food Production Mgr. | 2 | |
| 21 | | M019 | Chaplain | 2 | |
| 22 | | M114 | Subst. Abuse Prog. Ldr. | 2 | |
| 23 | (07) | T005 | Corr. Officer II | 24 | Grade 18 |
| 24 | | Y131 | Const. Maint. Supv. I | 2 | |
| 25 | | R322 | Personnel & Trng. Off. | 2 | |
| 26 | | M105 | Corr. Counselor | 4 | |
| 27 | | T062 | Inst. Parole Officer | 2 | |
| 28 | | M050 | Rec. & Activity Ldr. | 2 | |
| 29 | | M096 | Treatment Prog. Coord. | 2 | |
| 30 | | T012 | Disc. Hearing Off. | 2 | |
| 31 | | X450 | Int. Affairs Invest. | 2 | |
| 32 | | A114 | Business Manager | 2 | |
| 33 | | W009 | CP/COR Records Supv. | 2 | |
| 34 | (08) | H029 | Food Prod. Mgr. I | 8 | Grade 17 |
| 35 | | E055 | Unit Trainers | 4 | |

| | | | | |
|----|------|-----------------------------------|------------|----------|
| 1 | R049 | Class/Assign. Officer | 2 | |
| 2 | (09) | T003 Corr. Officer I | 248 | Grade 16 |
| 3 | | X318 Admin. Review Officer | 2 | |
| 4 | (10) | H023 Commissary Manager | 2 | Grade 14 |
| 5 | (11) | K153 Secretary II | 2 | Grade 13 |
| 6 | (12) | A106 Accounting Tech I | 2 | Grade 12 |
| 7 | (13) | K155 Secretary I | 8 | Grade 11 |
| 8 | (14) | K023 Clerk Typist II | <u>8</u> | Grade 10 |
| 9 | | Max. No. Contingent Employees | 450 | |
| 10 | | GRAND TOTAL MAX. NO. OF EMPLOYEES | <u>521</u> | |

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12 SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the
 13 Department of Correction to be payable from the Department of Correction
 14 Inmate Care and Custody Fund Account, for personal services and operating
 15 expenses of the Department of Correction-Inmate Care and Custody which shall
 16 be supplemental and in addition to those funds appropriated in Section 3 of
 17 Act 158 of 1995 for the biennial period ending June 30, 1997, the following:

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| 19 | <u>ITEM</u> | <u>FISCAL YEARS</u> | |
|----|--------------------------------|---------------------|----------------------|
| 20 | NO. | 1995-96 | 1996-97 |
| 21 | (01) REGULAR SALARIES | \$1,127,074 | \$ 1,250,775 |
| 22 | (02) PERSONAL SERV MATCHING | 338,123 | 412,756 |
| 23 | (03) MAINTENANCE AND OPERATION | | |
| 24 | (A) OPER. EXPENSE | \$ 6,231 | \$ 6,231 |
| 25 | (B) CONF. & TRVL. | 0 | 0 |
| 26 | (C) PROF. FEES | 0 | 16,206,000 |
| 27 | (D) CAP. OUTLAY | 0 | 0 |
| 28 | (E) DATA PROC. | <u>0</u> | <u>0</u> |
| 29 | TOTAL MAINT. & GEN. OPER. | 6,231 | 16,212,231 |
| 30 | (4) DEBT SERVICE/LEASE PAYMENT | <u>0</u> | <u>4,380,000</u> |
| 31 | TOTAL AMOUNT APPROPRIATED | <u>\$ 1,471,428</u> | <u>\$ 22,255,762</u> |

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33 SECTION 3. DEPARTMENT OF CORRECTION - CONTINGENCY POSITIONS. If it has
 34 been determined by the Board of Correction and Community Punishment that the
 35 Department cannot continue a management contract with a private entity and the

1 Board deems it necessary to utilize Department staff to provide the required
2 services, the Department of Correction is allowed, upon notification of the
3 Chief Fiscal Officer of the State and after seeking prior review by the
4 Arkansas Legislative Council, to utilize the contingent positions established
5 in Section 1 of this Act for operating correctional facilities at salary rates
6 not to exceed the maximum salaries established in the Uniform Classification
7 and Compensation Act and in Act 158 of 1995 and may further make the
8 appropriate transfers from the appropriation contained in Section 2 of this
9 Act to Regular Salaries, Personal Services Matching, and various Maintenance
10 and General Operations classifications.

11

12 SECTION 4. Item (04) of Section 7 of Act 158 of 1995 is hereby amended
13 to read as follows:

14 "(04) PURCHASE FEEDER CATTLE FOR SLAUGHTER/BULK MEAT 150,000 150,000".

15

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

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26 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General
27 Assembly that any funds disbursed under the authority of the appropriations
28 contained in this Act shall be in compliance with the stated reasons for which
29 this Act was adopted, as evidenced by the Agency Requests, Executive
30 Recommendations and Legislative Recommendations contained in the budget
31 manuals prepared by the Department of Finance and Administration, letters, or
32 summarized oral testimony in the official minutes of the Arkansas Legislative
33 Council or Joint Budget Committee which relate to its passage and adoption.

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35 SECTION 7. CODE. All provisions of this Act of a general and permanent

1 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
2 Code Revision Commission shall incorporate the same in the Code.

3

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

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

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13 SECTION 10. EMERGENCY CLAUSE. It is hereby found and determined by the
14 Eightieth General Assembly, that the funds provided previously by the
15 Eightieth General Assembly for the operations of the Department of Correction
16 are, due to unforeseen circumstances, insufficient for the Department of
17 Correction to continue to provide essential governmental services; that the
18 provisions of the act will provide the necessary monies for the Department of
19 Correction to continue such services, and that a delay in the effective date
20 of this Act could work irreparable harm upon the proper administration and
21 provision of essential governmental programs. Therefore, an emergency is
22 hereby declared to exist and this Act being necessary for the immediate
23 preservation of the public peace, health and safety shall be in full force and
24 effect from and after July 1, 1995.

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APPROVED: 4-10-95

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