

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

# A Bill

**ACT 158 OF 1995**  
**SENATE BILL 313**

## 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 FOR  
10 THE BIENNIAL PERIOD ENDING JUNE 30, 1997; AND FOR OTHER  
11 PURPOSES."

## Subtitle

14 "AN ACT FOR THE DEPARTMENT OF CORRECTION  
15 APPROPRIATION FOR THE 1995-97 BIENNIUM."

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

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

Item	Class	No. of	Maximum Annual		
			Maximum	Salary Rate	
		No. of	Fiscal Years		
<del>No.</del>	<del>Code</del>	<del>Title</del>	<del>Employees</del>	<del>1995-96</del>	<del>1996-97</del>
35	(1) 6621	PSYCHIATRIST	2	\$101,801	\$104,346
36	(2) 9933	COR DIRECTOR	1	\$ 89,935	\$ 92,183

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1	(3)	8904	CORRECTION DEPUTY DIRECTOR	3	\$ 63,833	\$ 65,428
2	(4)	9822	COR ASST DIRECTOR	1	\$ 61,330	\$ 62,863
3	(5)	9930	COR CONSTR & MAINTENANCE ADMR	1	\$ 61,330	\$ 62,863
4	(6)	9823	CORRECTIONAL SUPERINTENDENT	1	\$ 60,396	\$ 61,905
5	(7)	8055	COR INDUSTRY ADMINISTRATOR	1	\$ 57,465	\$ 58,901
6	(8)	9935	COR FARM ADMINISTRATOR	1	\$ 57,464	\$ 58,900
7	(9)	7353	COR MENTAL HLTH SVCS ADMR	1	\$ 52,723	\$ 54,041
8	(10)	9876	CORRECTION COMPLIANCE ATTORNEY	1	\$ 51,519	\$ 52,806
9	(11)	7737	COR INDUSTRY COORDINATOR	1	\$ 43,471	\$ 44,557
10	(12)	104Z	COR ASST DIR FOR ADMIN SERVICES	1		GRADE 26
11		102Z	WARDEN II	10		
12		827Z	DATA PROCESSING CENTER MANAGER	1		
13		056Z	COR HEAD FARM MANAGER II	1		
14	(13)	L124	PSYCHOLOGIST	5		GRADE 25
15		R170	ATTORNEY SPECIALIST	1		
16		054Z	COR HEAD FARM MANAGER I	3		
17	(14)	115Z	COR WARDEN I	1		GRADE 24
18		962Z	COR ACCOUNTING SUPERVISOR	1		
19		R036	ATTORNEY	2		
20	(15)	D100	DP SENIOR PROJECT LEADER	1		GRADE 23
21		N334	COR ASST TO THE DIR/PUB RELATIONS	1		
22		091Z	ASSISTANT WARDEN	15		
23		117Z	COR AGRI PRODUCTION SUPERVISOR	2		
24		108Z	COR MEDICAL/DENTAL ADMR	1		
25		196Z	COR BOOT CAMP ADMINISTRATOR	1		
26	(16)	Y026	COR CONSTRUCTION/MAINT SUPV II	16		GRADE 22
27		904Z	REHAB PROGRAM ADMINISTRATOR	4		
28		R033	COR INTERNAL AFFAIRS ADMINISTRATOR	1		
29		114Z	COR CLASSIFICATION ADMINISTRATOR	1		
30		119Z	CP/COR PERSONNEL MANAGER	1		
31		E010	COR TRAINING ADMINISTRATOR	1		
32		T014	CHIEF SECURITY OFFICER	18		
33	(17)	M014	ADMINISTRATOR OF CHAPLAINCY SVCS	1		GRADE 21
34		T066	WORK RELEASE CENTER SUPV II	2		
35		D036	SR PROGRAMMER/ANALYST	1		

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1	A251 SR AUDITOR	1	
2	H001 COR COMMODITY & FOOD SVC ADMR	1	
3	L122 PSYCHOLOGICAL EXAMINER II	10	
4	T008 CP/CORRECTIONAL OFFICER IV	27	
5	T001 CP/COR PARDONS & PAROLES ASST ADMR	1	
6	V016 COR PROCUREMENT & PROPERTY MANAGER	1	
7	A008 ACCOUNTING SUPERVISOR II	1	
8	949Z COR INDUSTRY PROG TRADE SPEC SUPV	2	
9	Y020 COR INDUSTRY PROG MANAGER	7	
10	Y018 COR ASST HEAD FARM MANAGER	4	
11	(18) Y125 COR CONSTRUCTION PLUMBER SUPV	3	GRADE 20
12	L070 NURSE II	1	
13	A056 INTERNAL AUDITOR	1	
14	M115 SUBSTANCE ABUSE PROGRAM COORD	1	
15	A186 COR BUDGET MANAGER	3	
16	M016 SR CHAPLAIN	1	
17	Y123 COR CONSTRUCTION ELECTRICAL SUPV	3	
18	Y127 COR CONSTRUCTION REFRIGERATION SUPV	4	
19	M045 COR REHAB FACILITY SUPERVISOR	3	
20	E114 STAFF DEVELOPMENT COORDINATOR	1	
21	R266 MANAGEMENT PROJECT ANALYST II	4	
22	T006 CP/CORRECTIONAL OFFICER III	109	
23	A006 ACCOUNTING SUPERVISOR I	1	
24	E100 COR TRAINING ACADEMY SUPERVISOR	1	
25	T034 PAROLE/PROBATION OFFICER SUPV	1	
26	M088 SOCIAL WORKER II	3	
27	E012 COR INDUSTRIAL SUPV II	10	
28	T016 AGRI UNIT SUPERVISOR II	16	
29	(19) T010 CP/CORRECTIONAL SERGEANT	325	GRADE 19
30	Q068 PUBLIC HLTH INVESTIGATOR II	4	
31	M107 COR COUNSELING PROGRAM LEADER	32	
32	M114 SUBSTANCE ABUSE PROGRAM LEADER	18	
33	H030 CP/COR FOOD PRODUCTION MGR II	14	
34	M019 CHAPLAIN	12	
35	T068 WORK RELEASE CENTER SUPV I	3	

1	R030 ASST PERSONNEL MANAGER	1	
2	M086 SOCIAL WORKER I	5	
3	R068 EEO/GRIEVANCE OFFICER	2	
4	R150 RESEARCH PROJECT ANALYST	1	
5	T075 RECORDS/INTAKE SUPV	1	
6	R070 COR MARKETING SPECIALIST	1	
7	T018 AGRI UNIT SUPERVISOR I	14	
8	(20) T005 CP/CORRECTIONAL OFFICER II	145	GRADE 18
9	W009 CP/COR RECORDS SUPERVISOR	11	
10	A111 ACCOUNTANT	11	
11	R264 MANAGEMENT PROJECT ANALYST I	3	
12	R322 CP/COR UNIT PERS & TNG OFFICER	9	
13	T012 DISCIPLINARY HEARING OFFICER	6	
14	V040 PURCHASE AGENT II/PURCHASE AGENT	3	
15	X450 CP/COR INTERNAL AFFAIRS INVESTGTR	7	
16	Y131 CP/COR CONSTR/MAINT SUPV I	16	
17	V023 REAL PROPERTY MANAGEMENT SPECIALIST	1	
18	E072 TRAINING INSTRUCTOR	4	
19	M050 RECREATIONAL ACTIVITY LEADER SUPV	5	
20	A114 CP/COR BUSINESS MANAGER	9	
21	T062 PAROLE/PROBATION OFFICER	11	
22	E011 COR INDUSTRIAL SUPV	28	
23	M105 CP/CORRECTIONAL COUNSELOR	18	
24	M096 CP/COR PROGRAM COORD	5	
25	D128 P C SUPPORT SPECIALIST	1	
26	E053 COR UNIT TRAINING SUPERVISOR	1	
27	V006 BUYER II	1	
28	R072 COR SALES REPRESENTATIVE	3	
29	Y005 AUTO/DIESEL MECHANIC SUPERVISOR	1	
30	(21) R321 COR GRIEVANCE OFFICER	2	GRADE 17
31	H029 CP/COR FOOD PRODUCTION MGR I	56	
32	W002 CHIEF OF RECORDS & IDENTIFICATION	2	
33	R010 ADMINISTRATIVE ASSISTANT II	4	
34	R049 CLASSIFICATION & ASSIGNMENT OFFICER	7	
35	M144 COR VOLUNTEER SERVICE COORDINATOR	1	

1	V030 INVENTORY CONTROL MANAGER	4	
2	R190 PERSONNEL OFFICER II	2	
3	E055 CP/COR UNIT TRAINER	5	
4	(22) T003 CP/CORRECTIONAL OFFICER I	1517	GRADE 16
5	V076 COR PROPERTY OFFICER	2	
6	X318 CP/COR ADMIN REVIEW OFFICER	7	
7	G027 BUILDING PLANT MAINTENANCE SUPV I	1	
8	(23) M048 RECREATIONAL ACTIVITY LEADER II	1	GRADE 15
9	A108 ACCOUNTING TECHNICIAN II	1	
10	R009 ADMINISTRATIVE ASSISTANT I	1	
11	A063 PAYROLL OFFICER	1	
12	K011 ADMINISTRATIVE OFFICE SUPERVISOR	1	
13	(24) K041 EXECUTIVE SECY/ADMINISTRATIVE SECY	8	GRADE 14
14	H023 COMMISSARY MANAGER	14	
15	K117 MEDICAL OR LEGAL SECRETARY	1	
16	(25) K153 SECRETARY II	25	GRADE 13
17	A051 INSURANCE SPECIALIST I	1	
18	H021 COMMISSARY SUPERVISOR	3	
19	(26) A106 ACCOUNTING TECHNICIAN I	28	GRADE 12
20	K039 DOCUMENT EXAMINER II	1	
21	(27) K155 SECRETARY I	46	GRADE 11
22	V043 SHIPPING & RECEIVING CLERK	1	
23	(28) K023 CLERK TYPIST	36	GRADE 10
24	K006 DATA ENTRY SPECIALIST	2	
25	(29) K065 MAIL OFFICER	1	GRADE 09
26	(30) K182 MAIL PROCESSOR	<u>1</u>	GRADE 08
27	MAX NO. OF EMPLOYEES	2843	

CONTINGENT POSITIONS

			Maximum Annual	
			Maximum	salary rate
Item	Class		No. of	Fiscal Years
<u>No.</u>	<u>Code</u>	<u>Title</u>	<u>Employees</u>	<u>1995-96</u> <u>1996-97</u>
35	(01)	MEDICAL DIRECTOR	1	\$85,000 \$85,000

1	(02)	6609	PHYSICIAN	8	\$75,000	\$75,000
2	(03)	L096	SENIOR PHARMACIST	1	GRADE	24
3	(04)		HOSPITAL ADMINISTRATOR	1	GRADE	21
4	(05)	109Z	COR NURSING DIRECTOR	1	GRADE	20
5			QUALITY ASSURANCE OFFICER	1		
6		L094	PHARMACIST I	2		
7		L070	NURSE II	7		
8	(06)	W012	MEDICAL RECORDS ADMIN.	1	GRADE	19
9	(07)	L170	PHYSICIAN ASST. II	7	GRADE	18
10		L012	CHARGE NURSE	1		
11		L068	NURSE I	23		
12		A111	ACCOUNTANT I	1		
13	(08)	L160	COR INFIRMARY ADMIN.	8	GRADE	16
14		L166	CHIEF RADIOLOGIC TECH.	1		
15	(09)	W015	MEDICAL RECORDS TECHNICIAN	20	GRADE	15
16	(10)	B046	LABORATORY SUPERVISOR	1	GRADE	14
17		L049	LPN II	116		
18		L151	X-RAY TECH/X-RAY TECH I	7		
19	(11)	B049	LAB TECH II	4	GRADE	13
20	(12)	K155	SECRETARY I	<u>7</u>	GRADE	11
21			MAX. NBR OF CONTINGENT EMPLOYEES	219		
22			GRAND TOTAL MAX. NO. OF EMPLOYEES	<u>3,062</u>		

23

24 SECTION 2. EXTRA HELP - INMATE CARE AND CUSTODY. There is hereby  
 25 authorized, for the Department of Correction - Inmate Care and Custody for the  
 26 1995-97 biennium, the following maximum number of part-time or temporary  
 27 employees, to be known as "Extra Help", payable from funds appropriated herein  
 28 for such purposes: forty (40) temporary or part-time employees, when needed,  
 29 at rates of pay not to exceed those provided in the Uniform Classification and  
 30 Compensation Act, or its successor, or this act for the appropriate  
 31 classification.

32

33 SECTION 3. APPROPRIATIONS - INMATE CARE AND CUSTODY. There is hereby  
 34 appropriated, to the Department of Correction, to be payable from the  
 35 Department of Correction Inmate Care and Custody Fund Account, for personal

1 services and operating expenses of the Department of Correction - Inmate Care  
 2 and Custody for the biennial period ending June 30, 1997, the following:

3

4 ITEM	FISCAL YEARS	
5 NO.	1995-96	1996-97
6 (01) REGULAR SALARIES	\$ 56,328,398	\$ 57,954,297
7 (02) EXTRA HELP	30,000	30,000
8 (03) PERSONAL SERV MATCHING	16,197,026	16,740,969
9 (04) OVERTIME	500,000	600,000
10 (05) EXTRA SALARIES	9,022	9,022
11 (06) MAINT. & GEN. OPERATION		
12 (A) OPER. EXPENSE	\$ 16,715,019	\$ 18,126,566
13 (B) CONF. & TRVL.	57,064	67,924
14 (C) PROF. FEES	17,861,140	19,392,187
15 (D) CAP. OUTLAY	1,304,148	761,066
16 (E) DATA PROC.	<u>712,164</u>	<u>728,940</u>
17 TOTAL MAINT. & GEN. OPER.	36,649,535	39,076,683
18 (07) AID SCHOOL	70,448	70,448
19 (08) JAIL CONTRACTS/REIMBURSEMENTS	<u>10,860,275</u>	<u>7,860,275</u>
20 TOTAL AMOUNT APPROPRIATED	<u>\$ 120,644,704</u>	<u>\$ 122,341,694</u>

21

22 SECTION 4. APPROPRIATIONS - INMATE WELFARE - CASH. There is hereby  
 23 appropriated, to the Department of Correction, to be payable from cash funds  
 24 ~~as defined by Arkansas Code 19-4-801 of the Department of Correction, for~~  
 25 personal services and operating expenses of the Department of Correction -  
 26 Inmate Welfare for the biennial period ending June 30, 1997, the following:

27

28 ITEM	FISCAL YEARS	
29 NO.	1995-96	1996-97
30 (01) REGULAR SALARIES	\$ 472,572	\$ 475,428
31 (02) PERSONAL SERV MATCHING	153,905	154,465
32 (03) MAINT. & GEN. OPERATION		
33 (A) OPER. EXPENSE	\$ 4,134,238	\$ 4,134,238
34 (B) CONF. & TRVL.	0	0
35 (C) PROF. FEES	0	0

1	(D) CAP. OUTLAY	172,214	150,800
2	(E) DATA PROC.	<u>0</u>	<u>0</u>
3	TOTAL MAINT. & GEN. OPER.		<u>4,306,452</u> <u>4,285,038</u>
4	TOTAL AMOUNT APPROPRIATED		<u>\$ 4,932,929</u> <u>\$ 4,914,931</u>

5

6 SECTION 5. APPROPRIATIONS - WORK RELEASE CENTER - CASH. There is hereby

7 appropriated, to the Department of Correction, to be payable from cash funds

8 ~~as defined by Arkansas Code 19-4-801 of the Department of Correction, for~~

9 personal services and operating expenses of the Department of Correction -

10 Work Release Center for the biennial period ending June 30, 1997, the

11 following:

13	ITEM	FISCAL YEARS	
14	NO.	1995-96	1996-97
15	(01) PERSONAL SERV MATCHING	\$ 240,000	\$ 240,000
16	(02) MAINT. & GEN. OPERATION		
17	(A) OPER. EXPENSE	\$ 1,192,064	\$ 1,192,064
18	(B) CONF. & TRVL.	3,984	3,984
19	(C) PROF. FEES	300,000	300,000
20	(D) CAP. OUTLAY	500,000	500,000
21	(E) DATA PROC.	<u>60,000</u>	<u>60,000</u>
22	TOTAL MAINT. & GEN. OPER.	2,056,048	2,056,048
23	(03) DEBT SERVICE/LEASE PAYMENTS	<u>500,000</u>	<u>500,000</u>
24	TOTAL AMOUNT APPROPRIATED	<u>\$ 2,796,048</u>	<u>\$ 2,796,048</u>

25

26 SECTION 6. APPROPRIATIONS - PRISON INDUSTRY. There is hereby

27 ~~appropriated, to the Department of Correction, to be payable from the~~

28 Department of Correction Prison Industry Fund, for personal services and

29 operating expenses of the Department of Correction - Prison Industry for the

30 biennial period ending June 30, 1997, the following:

32	ITEM	FISCAL YEARS	
33	NO.	1995-96	1996-97
34	(01) REGULAR SALARIES	\$ 1,792,104	\$ 1,802,896
35	(02) PERSONAL SERV MATCHING	568,694	570,833

1	(03) MAINT. & GEN. OPERATION		
2	(A) OPER. EXPENSE \$	4,222,940	\$ 4,022,940
3	(B) CONF. & TRVL.	1,600	1,600
4	(C) PROF. FEES	0	0
5	(D) CAP. OUTLAY	475,000	74,000
6	(E) DATA PROC.	<u>0</u>	<u>0</u>
7	TOTAL MAINT. & GEN. OPER.		<u>4,699,540</u> <u>4,098,540</u>
8	TOTAL AMOUNT APPROPRIATED		<u>\$ 7,060,338</u> <u>\$ 6,472,269</u>

9

10 ~~SECTION 7. APPROPRIATIONS - FARM OPERATIONS. There is hereby~~  
 11 appropriated, to the Department of Correction, to be payable from the  
 12 Department of Correction Farm Fund, for personal services and operating  
 13 expenses of the Department of Correction - Farm Operations for the biennial  
 14 period ending June 30, 1997, the following:

15			
16	ITEM	FISCAL YEARS	
17	NO.	1995-96	1996-97
18	(01) REGULAR SALARIES	\$ 1,415,452	\$ 1,422,519
19	(02) PERSONAL SERV MATCHING	483,322	484,710
20	(03) MAINT. & GEN. OPERATION		
21	(A) OPER. EXPENSE \$	5,504,055	\$ 5,504,055
22	(B) CONF. & TRVL.	1,600	1,600
23	(C) PROF. FEES	67,663	67,663
24	(D) CAP. OUTLAY	1,141,600	887,000
25	(E) DATA PROC.	<u>0</u>	<u>0</u>
26	TOTAL MAINT. & GEN. OPER.	6,714,918	6,460,318
27	(04) PURCHASE FEEDER CATTLE FOR SLAUGHTER	<u>150,000</u>	<u>150,000</u>
28	TOTAL AMOUNT APPROPRIATED	<u>\$ 8,763,692</u>	<u>\$ 8,517,547</u>

29

30 SECTION 8. APPROPRIATIONS - REGIONAL FACILITIES OPERATIONS ACCOUNT -  
 31 CASH. There is hereby appropriated, to the Department of Correction, to be  
 32 payable from cash funds as defined by Arkansas Code 19-4-801 of the Department  
 33 of Correction, for debt service/lease payments for the bonded indebtedness or  
 34 leases of regional correction facilities of the Department of Correction for  
 35 the biennial period ending June 30, 1997, the following:

1

ITEM	FISCAL YEARS	
NO.	1995-96	1996-97
(01) DEBT SERVICE/LEASE PAYMENTS	<u>\$ 800,000</u>	<u>\$ 800,000</u>

5

~~6 SECTION 9. APPROPRIATIONS - PRISONER HOUSING CONTRACT ACCOUNT - CASH.~~

7 There is hereby appropriated, to the Department of Correction, to be payable  
 8 from cash funds as defined by Arkansas Code 19-4-801 of the Department of  
 9 Correction, for debt service/lease payments for the bonded indebtedness or  
 10 leases of regional correction facilities of the Department of Correction for  
 11 the biennial period ending June 30, 1997, the following:

12

ITEM	FISCAL YEARS	
NO.	1995-96	1996-97
(01) DEBT SERVICE/LEASE PAYMENTS	<u>\$ 200,000</u>	<u>\$ 200,000</u>

16

~~17 SECTION 10. APPROPRIATIONS - CONSTRUCTION FUND DEFICIENCY ACCOUNT~~

18 CASH. There is hereby appropriated, to the Department of Correction, to be  
 19 payable from cash funds as defined by Arkansas Code 19-4-801 of the Department  
 20 of Correction, for debt service/lease payments for the bonded indebtedness or  
 21 leases of regional correction facilities of the Department of Correction for  
 22 the biennial period ending June 30, 1997, the following:

23

ITEM	FISCAL YEARS	
NO.	1995-96	1996-97
(01) DEBT SERVICE/LEASE PAYMENTS	<u>\$ 500,000</u>	<u>\$ 500,000</u>

27

28 SECTION 11. APPROPRIATIONS - COUNTY JAIL REIMBURSEMENTS FOR EMERGENCY  
 29 MEDICAL ASSISTANCE. There is hereby appropriated, to the Department of  
 30 Correction, to be payable from the Department of Correction Inmate Care and  
 31 ~~Custody Fund Account, for reimbursements to counties for the cost of emergency~~  
 32 medical assistance to inmates housed in county jails by the Department of  
 33 Correction for the biennial period ending June 30, 1997, the following:

34

ITEM	FISCAL YEARS	
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1 NO.	1995-96	1996-97
2 (01) JAIL REIMBURSEMENTS	<u>\$ 250,000</u>	<u>\$ 350,000</u>

3

4 SECTION 12. The proceeds from the sale of feeder cattle by the  
5 Department of Correction shall be deposited into the State Treasury as a  
6 refund to expenditure to the credit of the appropriation available to the  
7 Department of Correction for the "Purchase of Feeder Cattle for Slaughter".

8

9 SECTION 13. Notwithstanding any other provision of law or departmental  
10 commitment which may exist to the contrary, the State Board of Correction and  
11 Community Punishment shall not increase any reimbursement rate for payments  
12 made to any county for the purpose of reimbursing the expenses of the care and  
13 custody of state inmates, without first seeking and receiving the approval of  
14 the Governor and the Chief Fiscal Officer of the State.

15

16 SECTION 14. USE OF MAINTENANCE AND OPERATION APPROPRIATION AND SALVAGED  
17 MATERIALS CONSTRUCTION. The Department of Correction is hereby authorized to  
18 utilize Maintenance and General Operation Appropriation in conjunction with  
19 surplus and/or salvageable materials for the purpose of implementing  
20 construction projects to benefit the Department and its various programs.  
21 Before such projects may be undertaken, a Method of Finance must be submitted  
22 for prior review by the Arkansas Legislative Council, and review and approval  
23 by the Department of Finance and Administration and the Arkansas State  
24 Building Services.

25

26 SECTION 15. EXTRA SALARIES. There is hereby authorized, for the  
27 Department of Correction, for the 1995-97 biennium, the following increases in  
28 ~~salaries for certain positions provided in the Regular Salary schedule in this~~  
29 Act, and to be in addition to the annual amounts as established by the Uniform  
30 Classification and Compensation Act, as amended, for three (3) full-time  
31 physicians who are certified by the American Specialty Boards at rates of pay  
32 not to exceed an additional \$4,500 per year. If certified in forensic  
33 psychiatry, an additional \$2,500 per year will be allowed. Total extra  
34 salaries may not exceed \$7,000 per year per position. In the event the  
35 physician is not a full time employee, the amount specified herein shall be

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

3

4 SECTION 16. It is hereby authorized that the Department of Correction  
5 may move an incumbent classified as a Correctional Officer I, Grade 16, up to  
6 Pay Level II of Grade 16, after the following criteria has been met: the  
7 incumbent Correctional Officer I must have completed at least six (6) months  
8 continuous service as a Correctional Officer I; and the incumbent must have  
9 completed a minimum of two hundred forty (240) hours Correctional Officer  
10 training; and the incumbent must have passed a six (6) months evaluation.

11

12 SECTION 17. MEDICAL SERVICES. If it has been found that the Department  
13 cannot continue a medical contract with a private provider and the Board deems  
14 it necessary to utilize Department staff to provide the required services, the  
15 Department is allowed, upon notification of the Chief Fiscal Officer of the  
16 State and after seeking prior review by the Arkansas Legislative Council, to  
17 utilize the contingent positions contained in Section 1 of this Act and make  
18 the appropriate transfers from Professional Fees and Services character  
19 contained in Section 3 of this Act to Regular Salaries, Personal Services  
20 Matching and various Maintenance and General Operations classifications.

21

22 SECTION 18. In the event the Department of Correction cannot accept  
23 inmates from county jails due to insufficient bed space, the Department shall  
24 reimburse the counties at a rate determined by the Board of Correction and  
25 Community Punishment until the appropriation provided for such purpose is  
26 exhausted. The prevailing rate of the county jail will be considered by the  
27 Board in determining the rate to be reimbursed. The appropriation provided by  
28 Item (08) of Section 3 may also be used for contracts with county jails for  
29 pre-release inmates.

30

31 SECTION 19. In the event of a substantial increase in utility rates,  
32 the Department of Correction is authorized to transfer any line item  
33 appropriation in this Act to the Maintenance and Operation line item for  
34 support of the increase after receiving approval of the Chief Fiscal Officer  
35 of the State.

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SECTION 20. 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 21. 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 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 Community Punishment 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. 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

1 department. Any transfers authorized by this section shall require the  
2 approval of the Chief Fiscal Officer of the State after prior review by the  
3 Legislative Council or Joint Budget Committee.

4  
5 SECTION 25. REALLOCATION OF RESOURCES. Upon determination by the  
6 Board of Correction and Community Punishment that a reallocation of resources  
7 within the Department of Community Punishment and Department of Correction is  
8 necessary for the efficient and effective operation of the departments, the  
9 Board, with approval of the Governor and review by the Arkansas Legislative  
10 Council or Joint Budget Committee, shall have the authority to instruct the  
11 department directors, to request from the Chief Fiscal Officer of the State, a  
12 transfer of positions, programs, funds, appropriations, and line-item  
13 appropriations within or between existing and newly created divisions,  
14 offices, sections, or units of the departments. If it is determined that the  
15 requested transfer should be made, the Chief Fiscal Officer of the State shall  
16 then initiate the necessary transfer documents to reflect the transfers upon  
17 the fiscal records of the State Treasurer, the State Auditor, the Chief Fiscal  
18 Officer of the State, and the Departments of Correction and Community  
19 Punishment.

20  
21 SECTION 26. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
22 authorized by this Act shall be limited to the appropriation for such agency  
23 and funds made available by law for the support of such appropriations; and  
24 the restrictions of the State Purchasing Law, the General Accounting and  
25 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
26 Procedures and Restrictions Act, or their successors, and other fiscal control  
27 laws of this State, where applicable, and regulations promulgated by the  
28 Department of Finance and Administration, as authorized by law, shall be  
29 strictly complied with in disbursement of said funds.

30  
31 SECTION 27. LEGISLATIVE INTENT. It is the intent of the General  
32 Assembly that any funds disbursed under the authority of the appropriations  
33 contained in this Act shall be in compliance with the stated reasons for which  
34 this Act was adopted, as evidenced by the Agency Requests, Executive  
35 Recommendations and Legislative Recommendations contained in the budget

1 manuals prepared by the Department of Finance and Administration, letters, or  
2 summarized oral testimony in the official minutes of the Arkansas Legislative  
3 Council or Joint Budget Committee which relate to its passage and adoption.

4

5 SECTION 28. CODE. All provisions of this Act of a general and  
6 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the  
7 Arkansas Code Revision Commission shall incorporate the same in the Code.

8

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

14

15 SECTION 30. GENERAL REPEALER. All laws and parts of laws in conflict  
16 with this Act are hereby repealed.

17

18 SECTION 31. EMERGENCY CLAUSE. It is hereby found and determined by the  
19 Eightieth General Assembly, that the Constitution of the State of Arkansas  
20 prohibits the appropriation of funds for more than a two (2) year period; that  
21 the effectiveness of this Act on July 1, 1995 is essential to the operation of  
22 the agency for which the appropriations in this Act are provided, and that in  
23 the event of an extension of the Regular Session, the delay in the effective  
24 date of this Act beyond July 1, 1995 could work irreparable harm upon the  
25 proper administration and provision of essential governmental programs.  
26 Therefore, an emergency is hereby declared to exist and this Act being  
27 necessary for the immediate preservation of the public peace, health and  
28 safety shall be in full force and effect from and after July 1, 1995.

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30 APPROVED: 2-6-95

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