

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

Act 1291 of the Regular Session

1 State of Arkansas *As Engrossed: H3/5/07 H3/16/07 H3/22/07 H3/27/07*

2 86th General Assembly

A Bill

3 Regular Session, 2007

HOUSE BILL 1440

4

5 By: Joint Budget Committee

6

7

8

For An Act To Be Entitled

9

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL

10

SERVICES AND OPERATING EXPENSES FOR THE

11

DEPARTMENT OF CORRECTION FOR THE BIENNIAL PERIOD

12

ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

13

14

15

Subtitle

16

AN ACT FOR THE DEPARTMENT OF CORRECTION

17

APPROPRIATION FOR THE 2007-2009

18

BIENNIUM.

19

20

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

22

23

SECTION 1. REGULAR SALARIES. There is hereby established for the Department of Correction for the 2007-2009 biennium, the following maximum number of regular employees whose salaries shall be governed by the provisions of the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), 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 (Arkansas Code §21-5-101), or its successor.

34

35

Maximum Annual



				Maximum	Salary Rate	
	Item	Class		No. of	Fiscal Years	
	No.	Code	Title	Employees	2007-2008	2008-2009
4	(1)	9933	COR DIRECTOR	1	\$126,602	\$129,134
5	(2)	9782	ADC COR CHIEF DEPUTY DIRECTOR	1	\$99,093	\$101,075
6	(3)	9257	DEP DIR OF HEALTH AND COR SERVICES	2	\$95,875	\$97,792
7	(4)	8904	CORRECTION DEPUTY DIRECTOR	1	\$94,188	\$96,071
8	(5)	9822	COR ASST DIRECTOR	3	\$90,798	\$92,613
9	(6)	9823	CORRECTIONAL SUPERINTENDENT	1	\$86,016	\$87,736
10	(7)	8055	COR INDUSTRY ADMINISTRATOR	1	\$81,937	\$83,575
11	(8)	9935	COR FARM ADMINISTRATOR	1	\$81,936	\$83,574
12	(9)	9456	COR GENERAL COUNSEL	1	\$75,450	\$76,959
13	(10)	7353	COR MENTAL HLTH SVCS ADMR	2	\$75,340	\$76,846
14	(11)	9876	CORRECTION COMPLIANCE ATTORNEY	1	\$73,665	\$75,138
15	(12)	9455	COR PUBLIC INFORMATION OFFICER	1	\$68,955	\$70,334
16	(13)	827Z	DP CENTER MANAGER	2		GRADE 26
17	(14)	056Z	COR HEAD FARM MANAGER II	4		GRADE 26
18	(15)	102Z	CORRECTIONAL WARDEN	15		GRADE 26
19	(16)	L134	PSYCHOLOGIST SUPERVISOR	3		GRADE 26
20	(17)	L124	PSYCHOLOGIST	14		GRADE 25
21	(18)	019Z	DCP ADMIN SVCS MGR	1		GRADE 25
22	(19)	054Z	COR HEAD FARM MANAGER I	2		GRADE 25
23	(20)	R170	ATTORNEY SPECIALIST	5		GRADE 25
24	(21)	044Z	COR CONSTRUCTION/MAINTENANCE COORD	3		GRADE 24
25	(22)	962Z	CC/COR ACCOUNTING SUPERVISOR	2		GRADE 24
26	(23)	115Z	COR WARDEN I	2		GRADE 24
27	(24)	108Z	COR MEDICAL/DENTAL	1		GRADE 23
28	(25)	T064	WORK RELEASE CENTER SUPV III	1		GRADE 23
29	(26)	949Z	COR INDUSTRY PRGM TRADE SPEC SUPV	4		GRADE 23
30	(27)	091Z	ASST WARDEN	22		GRADE 23
31	(28)	117Z	COR AGRI PRODUCTION SUPERVISOR	2		GRADE 23
32	(29)	196Z	COR BOOT CAMP ADMINISTRATOR	1		GRADE 23
33	(30)	D100	DP SENIOR PROJECT LEADER	1		GRADE 23
34	(31)	R033	COR INTERNAL AFFAIRS ADMINISTRATOR	1		GRADE 23
35	(32)	T014	CHIEF SECURITY OFFICER	25		GRADE 22
36	(33)	T041	SOSRA PROGRAM ADMINISTRATOR	1		GRADE 22

1	(34)	T072	COR INMATE TRANSPORTATION COORD	1	GRADE 22
2	(35)	Y020	COR INDUSTRY PRGM MANAGER	10	GRADE 22
3	(36)	Y026	COR CONSTRUCTION/MAINT SUPV II	16	GRADE 22
4	(37)	D106	DP OPERATIONS MANAGER	1	GRADE 22
5	(38)	D124	LEAD PROGRAMMER/ANALYST	3	GRADE 22
6	(39)	E010	COR TRAINING ADMINISTRATOR	1	GRADE 22
7	(40)	904Z	REHAB PROGRAM ADMINISTRATOR	10	GRADE 22
8	(41)	119Z	CC/COR PERSONNEL MANAGER	1	GRADE 22
9	(42)	114Z	COR CLASSIFICATION ADMINISTRATOR	1	GRADE 22
10	(43)	A032	AGENCY FISCAL MANAGER	2	GRADE 22
11	(44)	D036	SR PROGRAMMER/ANALYST	3	GRADE 21
12	(45)	V016	COR PROCUREMENT & PROPERTY MGR	1	GRADE 21
13	(46)	A008	ACCOUNTING SUPERVISOR II	4	GRADE 21
14	(47)	D123	APPLICATIONS & SYSTEMS ANALYST	5	GRADE 21
15	(48)	A251	SR AUDITOR	4	GRADE 21
16	(49)	H001	COR COMMODITY & FOOD SVC ADMR	1	GRADE 21
17	(50)	L122	PSYCHOLOGICAL EXAMINER II	25	GRADE 21
18	(51)	M014	ADMINISTRATOR OF CHAPLAINCY SVCS	1	GRADE 21
19	(52)	Y018	COR ASST HEAD FARM MANAGER	4	GRADE 21
20	(53)	T066	WORK RELEASE CENTER SUPV II	3	GRADE 21
21	(54)	R298	AGENCY PROGRAM COORDINATOR	1	GRADE 21
22	(55)	T008	CC/COR OFFICER IV	48	GRADE 21
23	(56)	R266	MANAGEMENT PROJECT ANALYST II	32	GRADE 20
24	(57)	M115	SUBSTANCE ABUSE PROGRAM COORD	51	GRADE 20
25	(58)	M045	COR REHAB FACILITY SUPERVISOR	4	GRADE 20
26	(59)	M064	REHAB FACILITY SUPERVISOR	1	GRADE 20
27	(60)	M088	SOCIAL WORKER II	33	GRADE 20
28	(61)	T006	CC/COR OFFICER III	151	GRADE 20
29	(62)	T016	AGRI UNIT SUPERVISOR II	32	GRADE 20
30	(63)	Y123	COR CONSTRUCTION ELECTRICAL SUPV	3	GRADE 20
31	(64)	Y125	COR CONSTRUCTION PLUMBER SUPV	3	GRADE 20
32	(65)	Y127	COR CONSTRUCTION REFRIGERATION SUPV	4	GRADE 20
33	(66)	M016	SR CHAPLAIN	5	GRADE 20
34	(67)	L070	NURSE II	2	GRADE 20
35	(68)	E012	COR INDUSTRIAL SUPV II	34	GRADE 20
36	(69)	E100	COR TRAINING ACADEMY SUPERVISOR	2	GRADE 20

1	(70)	E114	STAFF DEVELOPMENT COORDINATOR	1	GRADE 20
2	(71)	A186	COR BUDGET MANAGER	1	GRADE 20
3	(72)	A056	INTERNAL AUDITOR	2	GRADE 20
4	(73)	R049	CLASSIFICATION & ASSIGNMENT OFFICER	15	GRADE 20
5	(74)	M019	CHAPLAIN	20	GRADE 19
6	(75)	H030	CC/COR FOOD PRODUCTION MGR II	21	GRADE 19
7	(76)	T075	RECORDS/INTAKE SUPV	4	GRADE 19
8	(77)	V008	BUYER III	1	GRADE 19
9	(78)	T068	WORK RELEASE CENTER SUPV I	6	GRADE 19
10	(79)	M107	COR COUNSELING PROGRAM LEADER	105	GRADE 19
11	(80)	M114	SUBSTANCE ABUSE PROGRAM LEADER	4	GRADE 19
12	(81)	M086	SOCIAL WORKER I	2	GRADE 19
13	(82)	Q068	PUB HLTH INVESTIGATOR II	5	GRADE 19
14	(83)	R048	BUDGET SPECIALIST	1	GRADE 19
15	(84)	T010	CC/COR SERGEANT	857	GRADE 19
16	(85)	R030	ASST PERSONNEL MANAGER	17	GRADE 19
17	(86)	R150	RESEARCH PROJECT ANALYST	1	GRADE 19
18	(87)	R068	EEO/GRIEVANCE OFFICER	4	GRADE 19
19	(88)	R070	COR MARKETING SPECIALIST	1	GRADE 19
20	(89)	R072	COR SALES REPRESENTATIVE	3	GRADE 19
21	(90)	T012	DISCIPLINARY HEARING OFFICER	9	GRADE 18
22	(91)	R322	CC/COR UNIT PERS & TRNG OFFICER	3	GRADE 18
23	(92)	T005	CC/COR OFFICER II	2,387	GRADE 18
24	(93)	R264	MANAGEMENT PROJECT ANALYST I	1	GRADE 18
25	(94)	M050	RECREATIONAL ACTIVITY LEADER SUPV	15	GRADE 18
26	(95)	M096	CC/COR PROGRAM COORD	13	GRADE 18
27	(96)	M105	CC/COR COUNSELOR	5	GRADE 18
28	(97)	V040	PURCHASE AGENT II/PURCHASE AGENT	7	GRADE 18
29	(98)	W009	CC/COR RECORDS SUPERVISOR	18	GRADE 18
30	(99)	T062	PAROLE/PROBATION OFFICER	5	GRADE 18
31	(100)	Y131	CC/COR CONSTR/MAINT SUPV I	44	GRADE 18
32	(101)	X450	CC/COR INTERNAL AFFAIRS INVESTGTR	10	GRADE 18
33	(102)	Y005	AUTO/DIESEL MECHANIC SUPERVISOR	1	GRADE 18
34	(103)	E011	COR INDUSTRIAL SUPV	5	GRADE 18
35	(104)	D128	P C SUPPORT SPECIALIST	7	GRADE 18
36	(105)	E053	COR UNIT TRAINING SUPERVISOR	3	GRADE 18

1	(106)	E072	TRAINING INSTRUCTOR	19	GRADE 18
2	(107)	A111	ACCOUNTANT	14	GRADE 18
3	(108)	A114	CC/COR BUSINESS MANAGER	16	GRADE 18
4	(109)	H029	CC/COR FOOD PRODUCTION MGR I	83	GRADE 17
5	(110)	E055	CC/COR UNIT TRAINER	4	GRADE 17
6	(111)	L004	COR HIV/AIDS EDUCATOR	1	GRADE 17
7	(112)	V030	INVENTORY CONTROL MANAGER	4	GRADE 17
8	(113)	R010	ADMINISTRATIVE ASSISTANT II	8	GRADE 17
9	(114)	M144	COR VOLUNTEER SERVICE COORDINATOR	1	GRADE 17
10	(115)	R321	COR GRIEVANCE OFFICER	10	GRADE 17
11	(116)	R190	PERSONNEL OFFICER II	3	GRADE 17
12	(117)	X318	CC/COR ADMIN REVIEW OFFICER	12	GRADE 16
13	(118)	V076	COR PROPERTY OFFICER	4	GRADE 16
14	(119)	A053	INSURANCE SPECIALIST II	1	GRADE 16
15	(120)	A108	ACCOUNTING TECHNICIAN II	45	GRADE 15
16	(121)	A063	PAYROLL OFFICER	4	GRADE 15
17	(122)	K011	ADMINISTRATIVE OFFICE SUPERVISOR	1	GRADE 15
18	(123)	R009	ADMINISTRATIVE ASSISTANT I	2	GRADE 15
19	(124)	M048	RECREATIONAL ACTIVITY LEADER II	2	GRADE 15
20	(125)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	3	GRADE 14
21	(126)	K117	MEDICAL OR LEGAL SECRETARY	1	GRADE 14
22	(127)	H023	COMMISSARY MANAGER	22	GRADE 14
23	(128)	K153	SECRETARY II	95	GRADE 13
24	(129)	R125	PERSONNEL OFFICER	5	GRADE 13
25	(130)	K039	DOCUMENT EXAMINER II	72	GRADE 12
26	(131)	K181	MAILROOM SUPERVISOR	2	GRADE 12
27	(132)	K155	SECRETARY I	30	GRADE 11
28	(133)	V043	SHIPPING & RECEIVING CLERK	1	GRADE 11
29	(134)	K023	CLERICAL ASSISTANT	<u>1</u>	GRADE 10
30			MAX. NO. OF EMPLOYEES	4,701	

31

32 SECTION 2. EXTRA HELP. There is hereby authorized, for the Department of
 33 Correction for the 2007-2009 biennium, the following maximum number of part-
 34 time or temporary employees, to be known as "Extra Help", payable from funds
 35 appropriated herein for such purposes: one hundred twenty (120) temporary or
 36 part-time employees, when needed, at rates of pay not to exceed those

1 provided in the Uniform Classification and Compensation Act, or its
2 successor, or this act for the appropriate classification.

3
4 SECTION 3. APPROPRIATION - INMATE CARE & CUSTODY. There is hereby
5 appropriated, to the Department of Correction, to be payable from the
6 Department of Correction Inmate Care and Custody Fund Account, for personal
7 services and operating expenses of the Department of Correction - Inmate Care
8 & Custody for the biennial period ending June 30, 2009, the following:

10 ITEM	FISCAL YEARS	
11 NO.	2007-2008	2008-2009
12 (01) REGULAR SALARIES	\$ 129,358,988	\$ 135,611,751
13 (02) EXTRA HELP	200,000	200,000
14 (03) PERSONAL SERVICES MATCHING	45,624,270	48,121,847
15 (04) OVERTIME	1,550,000	1,550,000
16 (05) MAINT. & GEN. OPERATION		
17 (A) OPER. EXPENSE	48,918,026	55,249,892
18 (B) CONF. & TRAVEL	251,141	336,141
19 (C) PROF. FEES	45,496,015	48,882,162
20 (D) CAP. OUTLAY	500,000	500,000
21 (E) DATA PROC.	0	0
22 (06) JAIL CONTRACTS	<u>1,533,000</u>	<u>1,533,000</u>
23 TOTAL AMOUNT APPROPRIATED	<u>\$ 273,431,440</u>	<u>\$ 291,984,792</u>

24
25 SECTION 4. APPROPRIATIONS - INMATE WELFARE PROGRAM. There is hereby
26 appropriated, to the Department of Correction, to be payable from cash funds
27 as defined by Arkansas Code 19-4-801 of the Department of Correction, for
28 personal services and operating expenses of the Department of Correction -
29 Inmate Welfare Program for the biennial period ending June 30, 2009, the
30 following:

32 ITEM	FISCAL YEARS	
33 NO.	2007-2008	2008-2009
34 (01) REGULAR SALARIES	\$ 572,656	\$ 590,809
35 (02) PERSONAL SERVICES MATCHING	227,661	235,756
36 (03) MAINT. & GEN. OPERATION		

1	(A) OPER. EXPENSE	9,314,280	9,989,280
2	(B) CONF. & TRAVEL	0	0
3	(C) PROF. FEES	0	0
4	(D) CAP. OUTLAY	500,000	500,000
5	(E) DATA PROC.	<u>0</u>	<u>0</u>
6	TOTAL AMOUNT APPROPRIATED	<u>\$ 10,614,597</u>	<u>\$ 11,315,845</u>

7

8 SECTION 5. APPROPRIATIONS - WORK RELEASE PROGRAM. There is hereby
 9 appropriated, to the Department of Correction, to be payable from cash funds
 10 as defined by Arkansas Code 19-4-801 of the Department of Correction, for
 11 operating expenses and debt service of the Department of Correction - Work
 12 Release Program for the biennial period ending June 30, 2009, the following:

13

14	ITEM	FISCAL YEARS	
15	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
16	(01) MAINT. & GEN. OPERATION		
17	(A) OPER. EXPENSE	\$ 3,796,951	\$ 3,937,872
18	(B) CONF. & TRAVEL	68,360	68,360
19	(C) PROF. FEES	1,500,000	1,500,000
20	(D) CAP. OUTLAY	579,015	574,000
21	(E) DATA PROC.	0	0
22	(02) DEBT SERVICE	<u>500,000</u>	<u>500,000</u>
23	TOTAL AMOUNT APPROPRIATED	<u>\$ 6,444,326</u>	<u>\$ 6,580,232</u>

24

25 SECTION 6. APPROPRIATION - PRISON INDUSTRY PROGRAM. There is hereby
 26 appropriated, to the Department of Correction, to be payable from the
 27 Department of Correction Prison Industry Fund, for personal services and
 28 operating expenses of the Department of Correction - Prison Industry Program
 29 for the biennial period ending June 30, 2009, the following:

30

31	ITEM	FISCAL YEARS	
32	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
33	(01) REGULAR SALARIES	\$ 1,922,370	\$ 1,960,788
34	(02) EXTRA HELP	10,000	10,000
35	(03) PERSONAL SERVICES MATCHING	647,864	656,088
36	(04) MAINT. & GEN. OPERATION		

1	(A) OPER. EXPENSE	6,863,856	6,863,856
2	(B) CONF. & TRAVEL	5,000	5,000
3	(C) PROF. FEES	0	0
4	(D) CAP. OUTLAY	693,240	425,700
5	(E) DATA PROC.	<u>0</u>	<u>0</u>
6	TOTAL AMOUNT APPROPRIATED	<u>\$ 10,142,330</u>	<u>\$ 9,921,432</u>

7

8 SECTION 7. EXTRA HELP - PRISON INDUSTRY PROGRAM. There is hereby
 9 authorized, for the Department of Correction - Prison Industry Program for
 10 the 2007-2009 biennium, the following maximum number of part-time or
 11 temporary employees, to be known as "Extra Help", payable from funds
 12 appropriated herein for such purposes: twenty five (25) temporary or part-
 13 time employees, when needed, at rates of pay not to exceed those provided in
 14 the Uniform Classification and Compensation Act, or its successor, or this
 15 act for the appropriate classification.

16

17 SECTION 8. APPROPRIATION - FARM OPERATIONS PROGRAM. There is hereby
 18 appropriated, to the Department of Correction, to be payable from the
 19 Department of Correction Farm Fund, for personal services and operating
 20 expenses of the Department of Correction - Farm Operations Program for the
 21 biennial period ending June 30, 2009, the following:

22

23	ITEM	FISCAL YEARS	
24	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
25	(01) REGULAR SALARIES	\$ 2,175,483	\$ 2,218,961
26	(02) EXTRA HELP	10,000	10,000
27	(03) PERSONAL SERVICES MATCHING	723,073	732,392
28	(04) MAINT. & GEN. OPERATION		
29	(A) OPER. EXPENSE	9,009,853	9,004,453
30	(B) CONF. & TRAVEL	23,270	23,270
31	(C) PROF. FEES	264,452	264,452
32	(D) CAP. OUTLAY	1,799,600	1,573,750
33	(E) DATA PROC.	0	0
34	(05) PURCHASE CATTLE/MEAT	<u>650,000</u>	<u>650,000</u>
35	TOTAL AMOUNT APPROPRIATED	<u>\$ 14,655,731</u>	<u>\$ 14,477,278</u>

36

1 SECTION 9. EXTRA HELP - FARM OPERATIONS PROGRAM. There is hereby
 2 authorized, for the Department of Correction - Farm Operations Program for
 3 the 2007-2009 biennium, the following maximum number of part-time or
 4 temporary employees, to be known as "Extra Help", payable from funds
 5 appropriated herein for such purposes: twenty five (25) temporary or part-
 6 time employees, when needed, at rates of pay not to exceed those provided in
 7 the Uniform Classification and Compensation Act, or its successor, or this
 8 act for the appropriate classification.

9
 10 SECTION 10. APPROPRIATIONS - REGIONAL FACILITIES OPERATIONS ACCOUNT.
 11 There is hereby appropriated, to the Department of Correction, to be payable
 12 from cash funds as defined by Arkansas Code 19-4-801 of the Department of
 13 Correction, for Debt Service of the Department of Correction - Regional
 14 Facilities Operations Account for the biennial period ending June 30, 2009,
 15 the following:

16
 17

ITEM	FISCAL YEARS	
<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
19 (01) DEBT SERVICE	<u>\$ 800,000</u>	<u>\$ 800,000</u>

20

21 SECTION 11. APPROPRIATIONS - PRISONER HOUSING CONTRACT ACCOUNT. There is
 22 hereby appropriated, to the Department of Correction, to be payable from cash
 23 funds as defined by Arkansas Code 19-4-801 of the Department of Correction,
 24 for Debt Service of the Department of Correction - Prisoner Housing Contract
 25 Account for the biennial period ending June 30, 2009, the following:

26
 27

ITEM	FISCAL YEARS	
<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
29 (01) DEBT SERVICE	<u>\$ 200,000</u>	<u>\$ 200,000</u>

30

31 SECTION 12. APPROPRIATIONS - CONSTRUCTION FUND DEFICIENCY ACCOUNT. There
 32 is hereby appropriated, to the Department of Correction, to be payable from
 33 cash funds as defined by Arkansas Code 19-4-801 of the Department of
 34 Correction, for Debt Service of the Department of Correction - Construction
 35 Fund Deficiency Account for the biennial period ending June 30, 2009, the
 36 following:

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) DEBT SERVICE	\$ 500,000	\$ 500,000

SECTION 13. APPROPRIATIONS - NON-TAX REVENUE RECEIPTS PROGRAM. There is hereby appropriated, to the Department of Correction, to be payable from cash funds as defined by Arkansas Code 19-4-801 of the Department of Correction, for operating expenses of the Department of Correction - Non-Tax Revenue Receipts Program for the biennial period ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	\$ 2,867,000	\$ 2,867,000
(B) CONF. & TRAVEL	20,000	20,000
(C) PROF. FEES	393,000	393,000
(D) CAP. OUTLAY	950,000	950,000
(E) DATA PROC.	0	0
(02) CONSTRUCTION	<u>1,435,000</u>	<u>1,435,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 5,665,000</u>	<u>\$ 5,665,000</u>

SECTION 14. APPROPRIATION - FEDERAL PROGRAMS. There is hereby appropriated, to the Department of Correction, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for operating expenses of the Department of Correction - Federal Programs for the biennial period ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	\$ 500,000	\$ 500,000
(B) CONF. & TRAVEL	0	0
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	186,028	186,028
(E) DATA PROC.	<u>0</u>	<u>0</u>

1 TOTAL AMOUNT APPROPRIATED \$ 686,028 \$ 686,028

2

3 SECTION 15. APPROPRIATION - COUNTY JAIL REIMBURSEMENT. There is hereby
 4 appropriated, to the Department of Correction, to be payable from the County
 5 Jail Reimbursement Fund, for reimbursement to counties housing state inmates
 6 of the Department of Correction - County Jail Reimbursement for the biennial
 7 period ending June 30, 2009, the following:

8

9 ITEM	FISCAL YEARS	
10 <u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
11 (01) REIMBURSEMENT TO COUNTIES HOUSING		
12 STATE INMATES	\$ <u>7,500,035</u>	\$ <u>7,500,035</u>

13

14 SECTION 16. APPROPRIATION - UAMS JUVENILE ASSESSMENT. There is hereby
 15 appropriated, to the Department of Correction, to be payable from the Sex and
 16 Child Offenders Registration Fund, for operating expenses of the Department
 17 of Correction - UAMS Juvenile Assessment for the biennial period ending June
 18 30, 2009, the following:

19

20 ITEM	FISCAL YEARS	
21 <u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
22 (01) MAINT. & GEN. OPERATION		
23 (A) OPER. EXPENSE	\$ 25,000	\$ 25,000
24 (B) CONF. & TRAVEL	0	0
25 (C) PROF. FEES	0	0
26 (D) CAP. OUTLAY	0	0
27 (E) DATA PROC.	<u>0</u>	<u>0</u>
28 TOTAL AMOUNT APPROPRIATED	\$ <u>25,000</u>	\$ <u>25,000</u>

29

30 SECTION 17. APPROPRIATIONS - FIRE STATION - PROTECTION. There is hereby
 31 appropriated, to the Department of Correction, to be payable from cash funds
 32 as defined by Arkansas Code 19-4-801 of the Department of Correction, for
 33 construction of the Department of Correction - Fire Station - Protection for
 34 the biennial period ending June 30, 2009, the following:

35

36 ITEM FISCAL YEARS

NO.	2007-2008	2008-2009
(01) CONSTRUCTION	\$ 50,000	\$ 50,000

SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REGULAR SALARIES - CONTINGENT POSITIONS. There is hereby established for the Department of Correction - Contingent Positions for the ~~2005-2007~~ 2007-2009 biennium, the following maximum number of regular employees whose salaries shall be governed by the provisions of the Uniform Classification and Compensation Act (Arkansas Code 21-5-201 et seq.), 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 (Arkansas Code 21-5-101), or its successor.

CONTINGENT POSITIONS - MEDICAL SERVICES

ITEM NO.	CLASS CODE	TITLE	MAXIMUM NO. OF EMPLOYEES	MAXIMUM ANNUAL SALARY RATE	
				FISCAL YEARS 2005-06	2006-07
				2007-08	2008-09
GEN ADMIN - NON-CLASSIFIED POSITIONS					
<u>(01)</u>	<u>CORR PSYCHIATRIST</u>		<u>6</u>	<u>180,000</u>	<u>183,600</u>
(01)	COR CHIEF OF MED SVCS		1	155,304	158,544
<u>(02)</u>				<u>161,714</u>	<u>164,949</u>
(02)	COR CHIEF OF DENTAL SVCS		1	142,296	145,341
<u>(03)</u>				<u>148,247</u>	<u>151,212</u>
(03)	COR CHIEF OF PHARM SVCS		1	100,444	102,861
<u>(04)</u>				<u>104,918</u>	<u>107,016</u>
(04)	COR HEALTH SVCS ADM		1	97,947	100,327
<u>(05)</u>				<u>102,333</u>	<u>104,380</u>
<u>(06)</u>	<u>PHYSICIAN SPECIALIST</u>		<u>5</u>	<u>133,966</u>	<u>136,676</u>
(05)	COR ASST HEALTH SVCS ADM		3	85,024	87,190
<u>(07)</u>				<u>88,933</u>	<u>90,712</u>
(06)	COR CHIEF OF NURSING SVCS		1	88,365	90,594

1	<u>(08)</u>			<u>92,773</u>	<u>94,628</u>
2	(07)	COR DIR OF MED RECORDS	1	85,430	87,603
3	<u>(09)</u>			<u>89,355</u>	<u>91,142</u>
4	(08)	COR UNIT/FACILITY MED MGR	11	71,282	73,186
5	<u>(10)</u>			<u>74,649</u>	<u>76,142</u>
6	(09)	COR UNIT/FACILITY MED SUPV	7	54,308	55,889
7	<u>(11)</u>			<u>57,006</u>	<u>58,146</u>
8	(10)	COR MED SVC SPEC	8	72,742	74,674
9	<u>(12)</u>			<u>76,167</u>	<u>77,690</u>
10					
11		PATIENT CARE – NON-CLASSIFIED POSITIONS			
12	(11)	6603 COR STAFF PHYSICIAN	17	142,296	145,340
13	<u>(13)</u>			<u>148,246</u>	<u>151,211</u>
14	(12)	6601 COR STAFF DENTIST	15	112,446	115,042
15	<u>(14)</u>			<u>117,342</u>	<u>119,689</u>
16	(13)	COR STAFF PHARM	3	98,390	100,776
17	<u>(15)</u>			<u>102,791</u>	<u>104,847</u>
18	(14)	COR NURSE PRAC/PHYS. ASST	13	72,742	74,674
19	<u>(16)</u>			<u>76,167</u>	<u>77,690</u>
20	(15)	COR HEAD NURSE- HOSPITAL	1	78,548	80,590
21	<u>(17)</u>			<u>82,201</u>	<u>83,845</u>
22	(16)	COR REGISTERED NURSE SUPV	40	74,711	76,681
23	<u>(18)</u>		<u>41</u>	<u>78,214</u>	<u>79,778</u>
24	(17)	COR LICENSED PRAC NURSE	172	48,641	50,100
25	<u>(19)</u>			<u>51,102</u>	<u>52,124</u>
26	(18)	COR LABORATORY SPECIALIST	5	41,841	43,096
27	<u>(20)</u>			<u>43,957</u>	<u>44,837</u>
28	(19)	COR RADIOLOGY SPECIALIST	5	41,254	42,492
29	<u>(21)</u>			<u>43,341</u>	<u>44,208</u>
30					
31		PATIENT CARE - CLASSIFIED POSITIONS			
32	(20)	L124 PSYCHOLOGIST	2		GRADE 25
33	<u>(22)</u>		<u>10</u>		
34	<u>(23)</u>	<u>904Z REHABILITATION PROG.ADMIN.</u>	<u>7</u>		<u>GRADE 22</u>
35	(21)	L122 PSYCH. EXAMINER II	2		GRADE 21
36	<u>(24)</u>		<u>12</u>		

1	(22) M088 SOCIAL WORKER II	3	GRADE 20
2	<u>(25)</u>	<u>10</u>	
3	<u>(26)</u> M045 COR.REHAB FACILITY SUPER	<u>2</u>	<u>GRADE 20</u>
4	<u>(27)</u> M086 SOCIAL WORKER I	<u>4</u>	<u>GRADE 19</u>
5	(23) M107 COR COUNSELOR PRO LDR	7	GRADE 19
6	<u>(28)</u>	<u>15</u>	
7	<u>(29)</u> M105 COR COUNSELOR	<u>28</u>	<u>GRADE 18</u>
8	(24) R010 ADMINISTRATIVE ASST II	4	GRADE 17
9	<u>(30)</u>		
10	(25) L026 DENTAL HYGIENIST	8	GRADE 16
11	<u>(31)</u>		
12	(26) W015 MEDICAL RECORDS TECH	24	GRADE 15
13	<u>(32)</u>		
14	(27) K041 EXECUTIVE SECRETARY	4	GRADE 14
15	<u>(33)</u>		
16	(28) K117 MEDICAL SECRETARY	15	GRADE 14
17	<u>(34)</u>		
18	<u>(35)</u> K153 SECRETARY II	<u>2</u>	<u>GRADE 13</u>
19	(29) K155 SECRETARY I	10	GRADE 11
20	<u>(36)</u>	<u>8</u>	
21	(30) L025 DENTAL ASST	12	GRADE 11
22	<u>(37)</u>		
23			
24	CLASSIFIED NON-PATIENT CARE		
25	(31) ACCTG TECHS	3	GRADE 15
26	(32) PAYROLL OFFICER	2	GRADE 15
27	(33) BUYERS	2	GRADE 18
28	<u>(38)</u>		
29	(34) PURCHASING ASSISTANT	1	GRADE 15
30	<u>(39)</u>		
31	(35) ACCOUNTING TECH	4	GRADE 15
32	<u>(40)</u>	<u>4</u>	
33	(36) ACCOUNTANT	1	GRADE 18
34	<u>(41)</u>		
35	(37) PERS TRNG OFF	1	GRADE 18
36	<u>(42)</u>		

1	(38)	PERS OFFICER II	1	GRADE 17
2	<u>(43)</u>			
3	(39)	PAYROLL OFFICER	1	GRADE 15
4	<u>(44)</u>		<u>3</u>	
5	(40)	PC SUPPORT	1	GRADE 18
6	<u>(45)</u>			
7		GRAND TOTAL CONTINGENT EMPLOYEES	411	
8			<u>497</u>	

9

10 *If the agency requests continuation of a "Growth Pool" position(s) as*
 11 *established herein during the next biennium, the position(s) must be*
 12 *requested as a new position(s) in the agencies biennial budget request.*

13 *The provisions of this section shall be in effect only from July 1,*
 14 *~~2005~~2007 through June 30, ~~2007~~2009.*

15

16 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MEDICAL
 18 SERVICES - CONTINGENCY POSITIONS. If it has been determined by the Board of
 19 Corrections that the Department cannot continue a medical contract with a
 20 private provider and the Board deems it necessary to utilize Department staff
 21 to provide the required services, the Department is allowed, upon
 22 notification of the Chief Fiscal Officer of the State and after seeking prior
 23 review by the Arkansas Legislative Council or Joint Budget Committee, to
 24 utilize the contingent positions for medical services contained in this Act
 25 and make the appropriate transfers from the Professional Fees and Services
 26 line item contained in Section 3 of this Act to Regular Salaries, Personal
 27 Services Matching and various Maintenance and General Operations
 28 classifications. Further, the Department may utilize the service(s) of a
 29 state-based or national-based Professional Recruitment Service, or network,
 30 as may be necessary to recruit, fill, or maintain the occupancy of the
 31 positions stated herein.

32 The provisions of this section shall be in effect only from July 1, ~~2005~~
 33 2007 through June 30, ~~2007~~ 2009.

34

35 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY

1 REIMBURSEMENT RATE RESTRICTION. Notwithstanding any other provision of law or
2 departmental commitment which may exist to the contrary, the Board of
3 Corrections shall not increase any reimbursement rate for payments made to
4 any county for the purpose of reimbursing the expenses of the care and
5 custody of state inmates, without first seeking and receiving the approval of
6 the Governor and the Chief Fiscal Officer of the State.

7 The provisions of this section shall be in effect only from July 1, ~~2005~~
8 2007 through June 30, ~~2007~~ 2009.

9
10 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA
12 SALARIES. There is hereby authorized, for the Department of Correction, for
13 the ~~2005-07~~ 2007-09 biennium, the following increases in salaries for certain
14 positions provided in the Regular Salary schedule in this Act, and to be in
15 addition to the annual amounts as established by the Uniform Classification
16 and Compensation Act, as amended, for full-time physicians who are certified
17 by the American Specialty Boards at rates of pay not to exceed an additional
18 \$4,500 per year. If certified in forensic psychiatry, an additional \$2,500
19 per year will be allowed. Total extra salaries may not exceed \$7,000 per year
20 per position. In the event the physician is not a full time employee, the
21 amount specified herein shall be adjusted proportionately to the amount of
22 time worked for the Department of Correction by that physician.

23 The provisions of this section shall be in effect only from July 1, ~~2005~~
24 2007 through June 30, ~~2007~~ 2009.

25
26 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY
28 JAIL REIMBURSEMENT. In the event the Department of Correction cannot accept
29 inmates from county jails due to insufficient bed space, the Department shall
30 reimburse the counties at a rate determined by the Chief Fiscal Officer of
31 the State, after consultation with the Division of Legislative Audit and the
32 Department of Correction, and upon approval by the Governor, until the
33 appropriation and funding for such purpose, is exhausted. The reimbursement
34 rate shall include the county's cost of transporting the inmates to the
35 department. The appropriation provided by Item (06) of Section 3 may be used
36 for contracts with county jails for pre release inmates.

1 The provisions of this section shall be in effect only from July 1, 2005
2 2007 through June 30, ~~2007~~ 2009.

3
4 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
6 OF APPROPRIATION WITHIN CAPITAL IMPROVEMENT PROJECTS. The Department of
7 Correction is hereby authorized to transfer appropriation between and/or
8 among the various capital improvements/construction projects authorized by
9 the General Assembly. Such transfers may be made only after approval by the
10 Governor and after prior ~~review~~ approval by the Arkansas Legislative Council
11 or Joint Budget Committee. Such authorization shall in no way mean that the
12 total amount of funds or appropriations for capital improvement/construction
13 projects be greater than that provided by the General Assembly for the
14 Department of Correction.

15 Determining the maximum number of employees and the maximum amount of
16 appropriation and general revenue funding for a state agency each fiscal year
17 is the prerogative of the General Assembly. This is usually accomplished by
18 delineating such maximums in the appropriation act(s) for a state agency and
19 the general revenue allocations authorized for each fund and fund account by
20 amendment to the Revenue Stabilization law. Further, the General Assembly
21 has determined that the Department of Correction may operate more efficiently
22 if some flexibility is provided to the Department of Correction authorizing
23 broad powers under this Section. Therefore, it is both necessary and
24 appropriate that the General Assembly maintain oversight by requiring prior
25 approval of the Legislative Council or Joint Budget Committee as provided by
26 this section. The requirement of approval by the Legislative Council or
27 Joint Budget Committee is not a severable part of this section. If the
28 requirement of approval by the Legislative Council or Joint Budget Committee
29 is ruled unconstitutional by a court of competent jurisdiction, this entire
30 section is void.

31 The provisions of this section shall be in effect only from July 1, 2005
32 2007 through June 30, ~~2007~~ 2009.

33
34 SECTION 24. Arkansas Code Annotated 12-27-138, concerning the Reallocation
35 of Resources, is repealed.

36 ~~(a)(1) Upon determination by the Board of Corrections that a reallocation of~~

1 ~~resources within the Department of Community Correction and Department of~~
2 ~~Correction is necessary for the efficient and effective operation of the~~
3 ~~departments, the Board, with approval of the Governor and approval by the~~
4 ~~Arkansas Legislative Council or Joint Budget Committee, shall have the~~
5 ~~authority to instruct the Director of the Department of Community Correction~~
6 ~~and the Director of the Department of Correction, to request from the Chief~~
7 ~~Fiscal Officer of the State, a transfer of positions, programs, funds,~~
8 ~~appropriations, and line item appropriations within or between existing and~~
9 ~~newly created divisions, offices, sections, or units of the Department of~~
10 ~~Correction and Department of Community Correction.~~

11 ~~(2) If it is determined that the requested transfer should be made, the~~
12 ~~Chief Fiscal Officer of the State shall then initiate the necessary transfer~~
13 ~~documents to reflect the transfers upon the fiscal records of the State~~
14 ~~Treasurer, the State Auditor, the Chief Fiscal Officer of the State, and the~~
15 ~~Departments of Correction and Community Correction.~~

16 ~~(3) However, the Board shall be limited to submitting no more than~~
17 ~~four (4) requests during any fiscal year.~~

18 ~~(4)(A) Transfer authority for unforeseen purposes shall further be limited to~~
19 ~~no more than five percent (5%) of the total appropriation, funding, and~~
20 ~~positions specific to each agency.~~

21 ~~(B)(i) Other than for unforeseen purposes, transfers shall be limited to the~~
22 ~~following specific purposes:~~

23 ~~a) Costs to open and operate temporary beds;~~

24 ~~b) Payment of Debt Service;~~

25 ~~e) Payment of Overtime Expenses;~~

26 ~~d) Unanticipated increases for medical or private prison contracts;~~

27 ~~e) Construction/renovation/equipping of new beds;~~

28 ~~f) Deficits in Farm or Industry Program;~~

29 ~~g) Losses not covered by insurance proceeds;~~

30 ~~h) Costs of personnel for critical services or necessary to carry out the~~
31 ~~mission of the agency.~~

32 ~~(ii) However, there shall be no transfers to or from the County Jail~~
33 ~~Reimbursement Fund.~~

34 ~~(b)(1)(A) Determining the maximum number of employees and the maximum amount~~
35 ~~of appropriation and general revenue funding for a state agency each fiscal~~
36 ~~year is the prerogative of the General Assembly.~~

1 ~~(B) This is usually accomplished by delineating such maximums in the~~
2 ~~appropriation act(s) for a state agency and the general revenue allocations~~
3 ~~authorized for each fund and fund account by amendment to the Revenue~~
4 ~~Stabilization Law, 19-5-101 et seq.~~

5 ~~(2)(A) Further, the General Assembly has determined that the Department of~~
6 ~~Correction and the Department of Community Correction may operate more~~
7 ~~efficiently if some flexibility is provided to the Board of Corrections~~
8 ~~authorizing broad powers under subsection (a) of this section.~~

9 ~~(B)(i) Therefore, it is both necessary and appropriate that the General~~
10 ~~Assembly maintain oversight by requiring prior approval of the Legislative~~
11 ~~Council or Joint Budget Committee as provided by this section.~~

12 ~~(ii) The requirement of approval by the Legislative Council or Joint Budget~~
13 ~~Committee is not a severable part of this section.~~

14 ~~(iii) If the requirement of approval by the Legislative Council or Joint~~
15 ~~Budget Committee is ruled unconstitutional by a court jurisdiction, this~~
16 ~~entire section is void.~~

17
18 *SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS*
19 *CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.*
20 *REALLOCATION OF RESOURCES. Upon determination by the Board of Corrections*
21 *that a reallocation of resources within the Department of Community*
22 *Correction and Department of Correction is necessary for the efficient and*
23 *effective operation of the departments, the Board, with approval of the*
24 *Governor and approval by the Arkansas Legislative Council or Joint Budget*
25 *Committee, shall have the authority to instruct the department directors, to*
26 *request from the Chief Fiscal Officer of the State, a transfer of positions,*
27 *programs, funds, appropriations, and line-item appropriations within or*
28 *between existing and newly created divisions, offices, sections, or units of*
29 *the departments. If it is determined that the requested transfer should be*
30 *made, the Chief Fiscal Officer of the State shall then initiate the necessary*
31 *transfer documents to reflect the transfers upon the fiscal records of the*
32 *State Treasurer, the State Auditor, the Chief Fiscal Officer of the State,*
33 *and the Departments of Correction and Community Correction. Provided,*
34 *however, that the Board shall be limited to submitting no more than ~~Four~~*
35 *individual transaction transfer four requests, encompassing a single purpose*
36 *listed in this section, for Reallocation of Resources Transfer requests*

1 during any fiscal year per department. Transfer authority ~~for unforeseen~~
2 ~~purposes~~ shall further be limited to no more than five percent (5%) of the
3 total General Revenue and Special Revenue appropriation, funding, and
4 positions specific to each agency. However, there shall be no transfers to
5 or from the County Jail Reimbursement Fund. ~~Other than for unforeseen~~
6 ~~purposes, transfers~~ A Reallocation of Resources Transfer shall be limited to
7 the following specific purposes:

- 8 a) Costs to open and operate temporary beds;
- 9 b) Payment of Debt Service;
- 10 c) Payment of Overtime Expenses;
- 11 d) Unanticipated increases for medical or private prison contracts;
- 12 e) Construction/renovation/equipping of new beds;
- 13 f) Deficits in Farm or Industry Program;
- 14 g) Losses not covered by insurance proceeds;
- 15 h) Costs of personnel for critical services or necessary to carry out the
16 mission of the agency.

17 Determining the maximum number of employees and the maximum amount of
18 appropriation and general revenue funding for a state agency each fiscal year
19 is the prerogative of the General Assembly. This is usually accomplished by
20 delineating such maximums in the appropriation act(s) for a state agency and
21 the general revenue allocations authorized for each fund and fund account by
22 amendment to the Revenue Stabilization law. Further, the General Assembly
23 has determined that the Department of Correction and the Department of
24 Community Correction may operate more efficiently if some flexibility is
25 provided to the Board of Corrections authorizing broad powers under the
26 Reallocation of Resources provisions herein. Therefore, it is both necessary
27 and appropriate that the General Assembly maintain oversight by requiring
28 prior approval of the Legislative Council or Joint Budget Committee as
29 provided by this section. The requirement of approval by the Legislative
30 Council or Joint Budget Committee is not a severable part of this section.
31 If the requirement of approval by the Legislative Council or Joint Budget
32 Committee is ruled unconstitutional by a court jurisdiction, this entire
33 section is void.

34 The provisions of this section shall be in effect only from July 1, 2005
35 2007 through June 30, ~~2007~~ 2009.

36

1 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HAZARDOUS
 3 DUTY PAY. The Department of Correction is hereby authorized to pay hazardous
 4 duty pay to provide special compensation to eligible security personnel to
 5 compensate for the increased risk of personal injury. The hazardous duty pay
 6 authorized herein shall not exceed an amount equal to five and one-half
 7 percent (5.5%) of the annual salary authorized by law to any eligible
 8 employee and shall only be made available to the personnel occupying the
 9 following positions.

10	Class Code	Title	Grade
11	T003	CP/COR Officer	16
12	H029	CP/COR Food Prod Mgr I	17
13	T005	CP/COR Officer II	18
14	H030	CP/COR Food Production Mgr II	19
15	T010	CP/COR Sergeant	19
16	T006	CP/COR Officer III	20
17	T008	CP/COR Officer IV	21
18	T014	Chief Security Officer	22

19 Employees assigned to these classifications may be eligible for hazardous
 20 duty pay if the Director of the Department of Correction certifies to the
 21 Chief Fiscal Officer that employees in these positions have been assigned
 22 direct supervision of inmates which requires these positions to be exposed to
 23 increased risk of personal injury.

24 Employees in the above classifications who are assigned to Maximum Security
 25 lockup areas, i.e. administrative, segregation, punitive isolation and death
 26 row at the maximum security unit, Varner Unit, Cummins Unit, and East
 27 Arkansas Regional Unit, are authorized to receive the hazardous duty pay
 28 allowance and an additional amount of maximum security incentive pay to five
 29 and one-half percent of the annual salary authorized by law. This pay will
 30 only be paid while the employee continues to work in the maximum security
 31 lockup areas and pay will be discontinued should the employee terminate work
 32 in this area.

33 The amounts received under the provisions of this section shall not be
 34 considered as exceeding the maximum authorized annual salary allowance for
 35 employees in receipt of such amounts. Such amounts shall be considered as
 36 Regular Salary and the Department of Finance and Administration shall adopt

1 the necessary rules and regulations for the administration of this provision.
 2 Employees covered by the provisions of this Section shall be eligible for
 3 special compensation for hazardous duty and additional compensation for
 4 maximum security assignment only upon a determination by the Chief Fiscal
 5 Officer of the State that sufficient general revenues are available to
 6 sustain payment of the additional compensation levels herein authorized. It
 7 is the intent of this section that such payments shall be optional, at the
 8 discretion of the Chief Fiscal Officer of the State and the Director of the
 9 Department of Correction, dependent upon sufficient revenues and shall not be
 10 implemented using funds specifically set aside for other programs within the
 11 Department.

12 The provisions of this section shall be in effect only from July 1, ~~2005~~
 13 2007 through June 30, ~~2007~~ 2009.

14
 15 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HOLIDAY
 17 COMPENSATION. The Department of Correction is authorized to pay employees for
 18 up to ~~ninety-six (96)~~ one-hundred fifty (150) hours of unused holidays
 19 exceeding a balance in the employee's holiday account of ~~one-hundred-fifty~~
 20 ~~(150)~~ ninety-six (96) hours following the end of the calendar year. Employees
 21 terminating employment from the Department of Correction will be eligible for
 22 all holiday pay accrued during the years of service. This request is
 23 contingent on approval by the Chief Fiscal Officer of the State after the
 24 Director of the Department of Correction has verified that sufficient
 25 revenues are available to make such payments to employees who have served in
 26 the following classifications:

27 Class

28 Code	Title	Grade
29 T003	CP/COR Officer	16
30 H029	CP/COR Food Prod Mgr I	17
31 T005	CP/COR Officer II	18
32 H030	CP/COR Food Prod Mgr II	19
33 T010	CP/COR Sergeant	19
34 T006	CP/COR Officer III	20
35 T008	CP/COR Officer IV	21
36 T014	CP/COR Security Officer	22

1 The provisions of this section shall be in effect only from July 1, 2005
2 2007 through June 30, ~~2007~~ 2009.

3
4 SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MEDICAL
6 SERVICES - SPECIAL PROVISIONS FOR CERTAIN CLASSIFIED POSITIONS. The following
7 patient care classified positions, L026 Dental Hygienist and L025 Dental
8 Assistant, identified within the Special Language section "REGULAR SALARIES -
9 CONTINGENT POSITIONS" of this Act, may upon prior approval of the Chief
10 Fiscal Officer of the State, be compensated at a rate up to Pay Level IV of
11 the respective position classification.

12 The provisions of this section shall be in effect only from July 1, 2005
13 2007 through June 30, ~~2007~~ 2009.

14
15 SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. UAMS
17 FAMILY TREATMENT PROGRAM. The Arkansas Department of Correction is
18 authorized to enter into a cooperative agreement with the UAMS Family
19 Treatment Program to conduct assessments of juvenile sex or child offenders
20 as required by provisions of ACA 12-12-901 et. seq. and pay for services upon
21 receipt of invoice.

22 The provisions of this section shall be in effect only from July 1, 2005
23 2007 through June 30, ~~2007~~ 2009.

24
25 SECTION 30. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. INMATE
27 COST REPORTING - STATE FACILITIES.

28 (a) Within 90 days of the close of each state fiscal year, the Arkansas
29 Department of Correction (ADC) shall submit to the Arkansas Legislative
30 Council a report of all direct and indirect costs incurred by the State of
31 Arkansas in housing and caring for inmates incarcerated in the State's
32 facilities. Such costs shall be calculated and reported in total for the
33 Department and in total by each facility. The report shall also reflect
34 overall cost per inmate per day, cost per inmate per day for each facility,
35 overall cost per bed per day, and cost per bed per day for each facility.

36 (b) In compiling costs and reporting to the Arkansas Legislative Council in

1 accordance with subsection (a) of this section of this Act, the Department of
2 Correction shall:

- 3 (1) Record all expenditures in a manner that provides for the
4 association of costs with each facility. Costs not directly
5 attributable to a particular facility (overhead, administration,
6 treatment, etc.) shall be allocated to each facility on the basis of
7 inmate population.
- 8 (2) Maintain documentation to support all elements of costs and cost
9 reimbursement both in total and by facility;
- 10 (3) Exclude capital outlay disbursements. However, depreciation expense
11 for all ADC fixed assets shall be included. Depreciation expense not
12 directly associated with the fixed assets of a particular facility
13 shall be allocated to each facility on the basis of inmate population.
- 14 (4) Include any interest expense incurred by ADC or another state
15 governmental entity as a result of prison construction;
- 16 (5) Exclude all payments to local governments for care of inmates housed
17 in local government facilities;
- 18 (6) Exclude all payments to local governments for Act 309 prisoners;
- 19 (7) Include the state matching requirements associated with federal
20 grant expenditures. Documentation shall be maintained sufficient to
21 identify such costs by grant.
- 22 (8) Deduct reimbursements for costs incurred. The amount of the
23 reimbursement deducted shall be equal to or less than the cost with
24 which the reimbursement is associated.
- 25 (9) Include all ancillary costs. These costs shall include, but are not
26 limited to:
 - 27 (A) ADC expenses incurred through fund transfers;
 - 28 (B) Retirement costs;
 - 29 (C) Audit costs;
 - 30 (D) ADC cost for shared employees paid by another state
31 governmental entity;
 - 32 (E) Inmate educational and rehabilitation costs;
 - 33 (F) Inmate related expenses incurred by the Attorney General;
34 however; expenses shall not include costs of defending Habeas
35 Corpus cases.

36 (c) In determining costs per inmate per day for reporting to the Arkansas

1 Legislative Council in accordance with subsection (a) of this section, ADC
2 shall:

3 (1) Accumulate the number of inmates housed at each ADC facility each
4 day throughout the state fiscal year for which costs are being
5 reported. This accumulation shall result in total inmate days and
6 shall be divided into total direct and indirect costs compiled in
7 accordance with subsections (a) and (b) of this section.

8 (2) Exclude those ADC inmates housed in local governmental facilities
9 and Act 309 prisoners from the number of inmates housed at ADC
10 facilities.

11 Maintain documentation supporting the number of inmates housed at ADC
12 facilities.

13

14 SECTION 31. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
15 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY
16 JAIL REIMBURSEMENT FUND YEAR-END FUND BALANCE CARRY FORWARD. Notwithstanding
17 any law pertaining to the transfer of year-end fund balances or any law to
18 the contrary, any funds which remain in the County Jail Reimbursement Fund at
19 the end of a fiscal year shall remain in the County Jail Reimbursement Fund
20 and made available to fund appropriations authorized by law payable from the
21 County Jail Reimbursement Fund for the following fiscal year.

22 Any carry forward of unexpended balance of appropriation and/or funding as
23 authorized herein, may be carried forward under the following conditions:

24 (1) Prior to June 30, 2008 the Agency shall by written statement set forth
25 its reason(s) for the need to carry forward said appropriation and/or funding
26 to the Department of Finance and Administration Office of Budget;

27 (2) The Department of Finance and Administration Office of Budget shall
28 report to the Arkansas Legislative Council all amounts carried forward from
29 the first fiscal year of the biennium to the second fiscal year of the
30 biennium by the September Arkansas Legislative Council or Joint Budget
31 Committee meeting in the second fiscal year of the biennial period which
32 report shall include the name of the Agency, Board, Commission or Institution
33 and the amount of the appropriation and/or funding carried forward from the
34 first fiscal year to the second fiscal year, the program name or line item,
35 the funding source of that appropriation and a copy of the written request
36 set forth in (1) above;

1 (3) Each Agency, Board, Commission or Institution shall provide a written
2 report to the Arkansas Legislative Council or Joint Budget Committee
3 containing all information set forth in item (2) above, along with a written
4 statement as to the current status of the project, contract, purpose etc. for
5 which the carry forward was originally requested no later than thirty (30)
6 days prior to the time the Agency, Board, Commission or Institution presents
7 its budget request to the Arkansas Legislative Council/Joint Budget
8 Committee; and

9 (4) Thereupon, the Department of Finance and Administration shall include
10 all information obtained in item (3) above in the biennial budget manuals
11 and/or a statement of non-compliance by the Agency, Board, Commission or
12 Institution.

13
14 SECTION 32. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
15 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY
16 JAIL REIMBURSEMENT FUND APPROPRIATION CARRY FORWARD. Any unexpended balance
17 of appropriation made payable from the County Jail Reimbursement Fund
18 remaining on June 30th each fiscal year shall be carried forward and made
19 available for the same purpose the following fiscal year.

20 Any carry forward of unexpended balance of appropriation and/or funding as
21 authorized herein, may be carried forward under the following conditions:

22 (1) Prior to June 30, 2008 the Agency shall by written statement set forth
23 its reason(s) for the need to carry forward said appropriation and/or funding
24 to the Department of Finance and Administration Office of Budget;

25 (2) The Department of Finance and Administration Office of Budget shall
26 report to the Arkansas Legislative Council all amounts carried forward from
27 the first fiscal year of the biennium to the second fiscal year of the
28 biennium by the September Arkansas Legislative Council or Joint Budget
29 Committee meeting in the second fiscal year of the biennial period which
30 report shall include the name of the Agency, Board, Commission or Institution
31 and the amount of the appropriation and/or funding carried forward from the
32 first fiscal year to the second fiscal year, the program name or line item,
33 the funding source of that appropriation and a copy of the written request
34 set forth in (1) above;

35 (3) Each Agency, Board, Commission or Institution shall provide a written
36 report to the Arkansas Legislative Council or Joint Budget Committee

1 containing all information set forth in item (2) above, along with a written
2 statement as to the current status of the project, contract, purpose etc. for
3 which the carry forward was originally requested no later than thirty (30)
4 days prior to the time the Agency, Board, Commission or Institution presents
5 its budget request to the Arkansas Legislative Council/Joint Budget
6 Committee; and
7 (4) Thereupon, the Department of Finance and Administration shall include
8 all information obtained in item (3) above in the biennial budget manuals
9 and/or a statement of non-compliance by the Agency, Board, Commission or
10 Institution.

11
12 SECTION 33. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REFUND
14 TO EXPENDITURE. The proceeds from the sale of feeder cattle by the
15 Department of Correction shall be deposited into the State Treasury as a
16 refund to expenditure to the credit of the appropriation available to the
17 Department of Correction for the "Purchase Cattle/Meat" line item.

18 The provisions of this section shall be in effect only from July 1, ~~2005~~
19 2007 through July 1, ~~2007~~ 2009.

20
21 SECTION 34. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. USE OF
23 MAINTENANCE AND OPERATION APPROPRIATION AND SALVAGED MATERIALS CONSTRUCTION.
24 The Department of Correction is hereby authorized to utilize Maintenance and
25 General Operation Appropriation in conjunction with surplus and/or
26 salvageable materials for the purpose of implementing construction projects
27 to benefit the Department and its various programs. Before such projects may
28 be undertaken, a Method of Finance must be submitted for prior review and
29 approval by the Arkansas Legislative Council or Joint Budget Committee, and
30 review and approval by the Department of Finance and Administration and the
31 Arkansas State Building Services.
32 Determining the maximum number of employees and the maximum amount of
33 appropriation and general revenue funding for a state agency each fiscal year
34 is the prerogative of the General Assembly. This is usually accomplished by
35 delineating such maximums in the appropriation act(s) for a state agency and
36 the general revenue allocations authorized for each fund and fund account by

1 amendment to the Revenue Stabilization law. Further, the General Assembly
2 has determined that the Department of Correction may operate more efficiently
3 if some flexibility is provided to the Department of Correction authorizing
4 broad powers under this Section. Therefore, it is both necessary and
5 appropriate that the General Assembly maintain oversight by requiring prior
6 approval of the Legislative Council or Joint Budget Committee as provided by
7 this section. The requirement of approval by the Legislative Council or
8 Joint Budget Committee is not a severable part of this section. If the
9 requirement of approval by the Legislative Council or Joint Budget Committee
10 is ruled unconstitutional by a court of competent jurisdiction, this entire
11 section is void.

12 The provisions of this section shall be in effect only from July 1, 2005
13 2007 through June 30, ~~2007~~ 2009.

14
15 SECTION 35. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. UTILITY
17 RATE INCREASE TRANSFER. In the event of a ~~substantial~~ ten percent (10%)
18 increase in utility rates and fuel rates, the Department of Correction is
19 authorized to transfer any line item appropriation in this Act to the
20 Maintenance and Operation line item for support of the increase after
21 receiving approval of the Chief Fiscal Officer of the State. Prior to the
22 utilization of the transfer authority, a report shall be made to the Arkansas
23 Legislative Council or Joint Budget Committee including justification for the
24 transfer and the amount of the transfer.
25 Determining the maximum number of employees and the maximum amount of
26 appropriation and general revenue funding for a state agency each fiscal year
27 is the prerogative of the General Assembly. This is usually accomplished by
28 delineating such maximums in the appropriation act(s) for a state agency and
29 the general revenue allocations authorized for each fund and fund account by
30 amendment to the Revenue Stabilization law. Further, the General Assembly
31 has determined that the Department of Correction may operate more efficiently
32 if some flexibility is provided to the Department of Correction authorizing
33 broad powers under this Section. Therefore, it is both necessary and
34 appropriate that the General Assembly maintain oversight by requiring prior
35 approval of the Legislative Council or Joint Budget Committee as provided by
36 this section. The requirement of approval by the Legislative Council or

1 Joint Budget Committee is not a severable part of this section. If the
2 requirement of approval by the Legislative Council or Joint Budget Committee
3 is ruled unconstitutional by a court of competent jurisdiction, this entire
4 section is void.

5 The provisions of this section shall be in effect only from July 1, 2005
6 2007 through June 30, ~~2007~~ 2009.

7
8 SECTION 36. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MENTAL
10 HEALTH SERVICES. In the event the Department determines to enter into a
11 professional contract for mental health services, the Department may, upon
12 approval of the Chief Fiscal Officer of the State and after prior review and
13 approval by the Arkansas Legislative Council or Joint Budget Committee, make
14 appropriate transfers from regular salaries, personal services matching and
15 various maintenance and operation classifications to the professional fees
16 and services classification for payment of the contractual amount.
17 Determining the maximum number of employees and the maximum amount of
18 appropriation and general revenue funding for a state agency each fiscal year
19 is the prerogative of the General Assembly. This is usually accomplished by
20 delineating such maximums in the appropriation act(s) for a state agency and
21 the general revenue allocations authorized for each fund and fund account by
22 amendment to the Revenue Stabilization law. Further, the General Assembly
23 has determined that the Department of Correction may operate more efficiently
24 if some flexibility is provided to the Department of Correction authorizing
25 broad powers under this Section. Therefore, it is both necessary and
26 appropriate that the General Assembly maintain oversight by requiring prior
27 approval of the Legislative Council or Joint Budget Committee as provided by
28 this section. The requirement of approval by the Legislative Council or
29 Joint Budget Committee is not a severable part of this section. If the
30 requirement of approval by the Legislative Council or Joint Budget Committee
31 is ruled unconstitutional by a court of competent jurisdiction, this entire
32 section is void.

33 The provisions of this section shall be in effect only from July 1, 2005
34 2007 through June 30, ~~2007~~ 2009.

35
36 SECTION 37. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL
2 REVENUE/CASH FUNDS TRANSFER. The Department of Correction is authorized to
3 transfer funds from various Special Revenue and Cash Funds into the Inmate
4 Care and Custody Fund Account in order to adjust to the budget needs upon
5 prior approval by the Arkansas Legislative Council or Joint Budget Committee
6 and approval of the Board of Corrections and the Chief Fiscal Officer of the
7 State.

8 Determining the maximum number of employees and the maximum amount of
9 appropriation and general revenue funding for a state agency each fiscal year
10 is the prerogative of the General Assembly. This is usually accomplished by
11 delineating such maximums in the appropriation act(s) for a state agency and
12 the general revenue allocations authorized for each fund and fund account by
13 amendment to the Revenue Stabilization law. Further, the General Assembly
14 has determined that the Department of Correction may operate more efficiently
15 if some flexibility is provided to the Department of Correction authorizing
16 broad powers under this Section. Therefore, it is both necessary and
17 appropriate that the General Assembly maintain oversight by requiring prior
18 approval of the Legislative Council or Joint Budget Committee as provided by
19 this section. The requirement of approval by the Legislative Council or
20 Joint Budget Committee is not a severable part of this section. If the
21 requirement of approval by the Legislative Council or Joint Budget Committee
22 is ruled unconstitutional by a court of competent jurisdiction, this entire
23 section is void.

24 The provisions of this section shall be in effect only from July 1, 2005
25 2007 through June 30, ~~2007~~ 2009.

26

27 SECTION 38. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. NEW
29 FACILITIES. If it is found that contracting for the operation of new
30 facilities is economically beneficial to the State of Arkansas, the
31 Department of Correction may, after receiving approval of the Chief Fiscal
32 Officer, and seeking prior review and approval by the Arkansas Legislative
33 Council or Joint Budget Committee, transfer from any line item appropriation
34 contained in Section 3 of this Act into the Professional Fees and Services
35 line item contained in Section 3 of this Act to operate new facilities opened
36 during the biennium.

1 Determining the maximum number of employees and the maximum amount of
2 appropriation and general revenue funding for a state agency each fiscal year
3 is the prerogative of the General Assembly. This is usually accomplished by
4 delineating such maximums in the appropriation act(s) for a state agency and
5 the general revenue allocations authorized for each fund and fund account by
6 amendment to the Revenue Stabilization law. Further, the General Assembly
7 has determined that the Department of Correction may operate more efficiently
8 if some flexibility is provided to the Department of Correction authorizing
9 broad powers under this Section. Therefore, it is both necessary and
10 appropriate that the General Assembly maintain oversight by requiring prior
11 approval of the Legislative Council or Joint Budget Committee as provided by
12 this section. The requirement of approval by the Legislative Council or
13 Joint Budget Committee is not a severable part of this section. If the
14 requirement of approval by the Legislative Council or Joint Budget Committee
15 is ruled unconstitutional by a court of competent jurisdiction, this entire
16 section is void.

17 The provisions of this section shall be in effect only from July 1, ~~2005~~
18 2007 through June 30, ~~2007~~ 2009.

19

20 SECTION 39. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

22 APPROPRIATION TRANSFER FOR CONSTRUCTING AND EQUIPPING. The Department of
23 Correction is hereby authorized to transfer appropriations between any line
24 items authorized herein but only for the purpose of financing construction or
25 equipment for a facility of the department. Any transfers authorized by this
26 section shall require the approval of the Chief Fiscal Officer of the State
27 after prior review and approval by the Legislative Council or Joint Budget
28 Committee.

29 Determining the maximum number of employees and the maximum amount of
30 appropriation and general revenue funding for a state agency each fiscal year
31 is the prerogative of the General Assembly. This is usually accomplished by
32 delineating such maximums in the appropriation act(s) for a state agency and
33 the general revenue allocations authorized for each fund and fund account by
34 amendment to the Revenue Stabilization law. Further, the General Assembly
35 has determined that the Department of Correction may operate more efficiently
36 if some flexibility is provided to the Department of Correction authorizing

1 broad powers under this Section. Therefore, it is both necessary and
2 appropriate that the General Assembly maintain oversight by requiring prior
3 approval of the Legislative Council or Joint Budget Committee as provided by
4 this section. The requirement of approval by the Legislative Council or
5 Joint Budget Committee is not a severable part of this section. If the
6 requirement of approval by the Legislative Council or Joint Budget Committee
7 is ruled unconstitutional by a court of competent jurisdiction, this entire
8 section is void.

9 The provisions of this section shall be in effect only from July 1, 2005
10 2007 through June 30, ~~2007~~ 2009.

11
12 SECTION 40. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FOOD
14 SERVICE CONTRACT. In the event the Department is able to contract with a
15 private provider for food services at a unit(s), transfers may be made from
16 Regular Salaries, Personal Services Matching, and Maintenance and Operations
17 line items to Professional Fees and Services upon approval by the Chief
18 Fiscal Officer of the State and after receiving prior review and approval by
19 the Legislative Council or Joint Budget Committee.
20 Determining the maximum number of employees and the maximum amount of
21 appropriation and general revenue funding for a state agency each fiscal year
22 is the prerogative of the General Assembly. This is usually accomplished by
23 delineating such maximums in the appropriation act(s) for a state agency and
24 the general revenue allocations authorized for each fund and fund account by
25 amendment to the Revenue Stabilization law. Further, the General Assembly
26 has determined that the Department of Correction may operate more efficiently
27 if some flexibility is provided to the Department of Correction authorizing
28 broad powers under this Section. Therefore, it is both necessary and
29 appropriate that the General Assembly maintain oversight by requiring prior
30 approval of the Legislative Council or Joint Budget Committee as provided by
31 this section. The requirement of approval by the Legislative Council or
32 Joint Budget Committee is not a severable part of this section. If the
33 requirement of approval by the Legislative Council or Joint Budget Committee
34 is ruled unconstitutional by a court of competent jurisdiction, this entire
35 section is void.

36 The provisions of this section shall be in effect only from July 1, 2005

1 2007 through June 30, ~~2007~~ 2009.

2

3 SECTION 41. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY
5 JAIL INVOICE SUMMARY. The Departments of Correction and Community
6 Correction, shall at a minimum and on a fiscal year basis, prepare and post
7 on the applicable agency web site, a monthly summary of county jail
8 reimbursement invoices prepared and forwarded to each county sheriff for
9 verification by the Departments and for payment from the County Jail
10 Reimbursement Fund. In addition, the report shall include a summary of
11 invoices returned by each county for payment for previous months within the
12 fiscal year, the amounts paid, and any balances owed. Each fiscal year-end
13 report shall be maintained on the web sites for a period of no less than
14 three (3) years.

15

16 SECTION 42. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MOTOR
18 VEHICLE PURCHASE PROVISION. The Department of Correction is hereby
19 authorized to purchase motor vehicles as may be approved for the purpose of
20 equipping new bed additions at the various institutions from the
21 appropriations authorized for Capital Outlay in Section 3 of this Act.

22 The provisions of this section shall be in effect only from July 1, 2007
23 through June 30, 2009.

24

25 SECTION 43. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
27 EDUCATIONAL INCENTIVE BONUS PAYMENT - In recognition of the value of higher
28 education, the Arkansas Department of Correction is authorized to issue one-
29 time monetary bonus payments to employees who, while serving in a position
30 with the Arkansas Department of Correction, earn a degree or professional
31 license over and above that required by the Office of Personnel Management as
32 qualifications for the position. In addition, the degree earned must be
33 related to the functions of the position (such as a Correctional Officer II
34 earning a Bachelor's Degree in Criminal Justice, as opposed to a Correctional
35 Officer II earning a Bachelor's Degree in Mathematics). Bonuses will be paid
36 at the following rates:

1	<u>Associate Degree</u>	<u>\$1,000</u>
2	<u>Bachelor's Degree</u>	<u>\$1,500</u>
3	<u>Master's Degree</u>	<u>\$2,500</u>
4	<u>Doctoral Degree</u>	<u>\$3,500</u>
5	<u>Professional License</u>	<u>\$1,250</u>

6 Generally a professional license would only qualify for a bonus if it
7 permitted the individual to carry out his/her profession in the Arkansas
8 Department of Correction at a higher level - e.g., psychologist,
9 psychological examiner, journeyman plumber, licensed social worker, etc.
10 The amounts received under the provisions of this section shall not be
11 considered as exceeding the maximum authorized annual salary allowance for
12 employees in receipt of such amounts. Such amounts shall be considered
13 Regular Salary, and the Director of the Department of Correction shall adopt
14 necessary rules and regulations for administration of this provision. Such
15 payments shall be optional, at the discretion of the Director of the
16 Department of Correction, dependent upon sufficient revenues and shall not be
17 implemented using funds specifically set aside for other agency programs.

18 The provisions of this section shall be in effect only from July 1, 2007
19 through June 30, 2009.

20

21 *SECTION 44. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS*
22 *CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. NEW OR*
23 *ADDITIONAL POSITIONS FUNDING RESTRICTION. The Chief Fiscal Officer of the*
24 *State shall determine the amount of general revenue authorized by the 86th*
25 *General Assembly to be distributed to the Department of Correction Inmate Care*
26 *and Custody Fund Account to fund additional Regular Salary positions and*
27 *Personal Services Matching costs each fiscal year of the 2007-09 biennium over*
28 *and above the amount of general revenue the Department of Correction budgeted*
29 *for Regular Salaries and Personal Services Matching costs during the fiscal*
30 *year ending June 30, 2006. The Chief Fiscal Officer of the State shall cause*
31 *the amount of general revenue so determined each fiscal year to be set aside*
32 *within the Department of Correction Inmate Care and Custody Fund Account, and*
33 *that the amount determined, or any portion thereof, shall not be budgeted or*
34 *committed for expenditure by the Department of Correction without prior*
35 *approval from the Arkansas Legislative Council or Joint Budget Committee. From*
36 *time to time, the Department of Correction may request approval of the Chief*

1 Fiscal Officer of the State and the Legislative Council or Joint Budget
2 Committee for release of the amount set aside, or a portion thereof, in the
3 Inmate Care and Custody Fund Account for purposes of budgeting and expenditure.
4 On July 1, of each fiscal year or as soon thereafter as is practical, the Chief
5 Fiscal Officer of the State shall report the amount of general revenue set-
6 aside for funding the additional Regular Salary positions and Personal Services
7 Matching costs within the Inmate Care and Custody Fund Account due to the
8 provisions of this section to the Arkansas Legislative Council or Joint Budget
9 Committee.

10
11 Determining the maximum number of employees and the maximum amount of
12 appropriation and general revenue funding for a state agency each fiscal year
13 is the prerogative of the General Assembly. This is usually accomplished by
14 delineating such maximums in the appropriation act(s) for a state agency and
15 the general revenue allocations authorized for each fund and fund account by
16 amendment to the Revenue Stabilization law. Therefore, it is both necessary
17 and appropriate that the General Assembly maintain oversight by requiring
18 prior approval of the Legislative Council or Joint Budget Committee as
19 provided by this section. The requirement of approval by the Legislative
20 Council or Joint Budget Committee is not a severable part of this section.
21 If the requirement of approval by the Legislative Council or Joint Budget
22 Committee is ruled unconstitutional by a court of competent jurisdiction,
23 then the amount determined to be set aside within the Department of
24 Correction Inmate Care and Custody Fund Account by the Chief Fiscal Officer
25 of the State each fiscal year due to the provisions of this section shall not
26 be budgeted or committed for expenditure in either fiscal year of the 2007-09
27 biennium.

28 The provisions of this section shall be in effect only from July 1, 2007
29 through June 30, 2009.

30
31 SECTION 45. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE
32 ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
33 TRANSFER OF APPROPRIATION AND FUNDS TO THE COUNTY JAIL REIMBURSEMENT FUND.
34 If any savings of general revenue appropriation and funds accrue during the
35 2007-2009 biennium in the operations of the Department of Correction, the
36 Director of the Department of Correction may request a transfer of

1 appropriation and funds from any line item appropriation in the Inmate Care
2 and Custody Fund Account to the County Jail Reimbursement Fund in order to
3 meet obligations to counties for housing state inmates. Such transfer
4 request shall be made upon the approval of the Chief Fiscal Officer of the
5 State and prior review and approval by the Arkansas Legislative Council or
6 Joint Budget Committee.

7 The provisions of this section shall be in effect only from July 1, 2007
8 through June 30, 2009.

9
10 SECTION 46. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
11 by this act shall be limited to the appropriation for such agency and funds
12 made available by law for the support of such appropriations; and the
13 restrictions of the State Procurement Law, the General Accounting and
14 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
15 Procedures and Restrictions Act, or their successors, and other fiscal
16 control laws of this State, where applicable, and regulations promulgated by
17 the Department of Finance and Administration, as authorized by law, shall be
18 strictly complied with in disbursement of said funds.

19
20 SECTION 47. LEGISLATIVE INTENT. It is the intent of the General Assembly
21 that any funds disbursed under the authority of the appropriations contained
22 in this act shall be in compliance with the stated reasons for which this act
23 was adopted, as evidenced by the Agency Requests, Executive Recommendations
24 and Legislative Recommendations contained in the budget manuals prepared by
25 the Department of Finance and Administration, letters, or summarized oral
26 testimony in the official minutes of the Arkansas Legislative Council or
27 Joint Budget Committee which relate to its passage and adoption.

28
29 SECTION 48. EMERGENCY CLAUSE. It is found and determined by the General
30 Assembly, that the Constitution of the State of Arkansas prohibits the
31 appropriation of funds for more than a two (2) year period; that the
32 effectiveness of this Act on July 1, 2007 is essential to the operation of
33 the agency for which the appropriations in this Act are provided, and that in
34 the event of an extension of the Regular Session, the delay in the effective
35 date of this Act beyond July 1, 2007 could work irreparable harm upon the
36 proper administration and provision of essential governmental programs.

1 Therefore, an emergency is hereby declared to exist and this Act being
2 necessary for the immediate preservation of the public peace, health and
3 safety shall be in full force and effect from and after July 1, 2007.

4
5 */s/ Joint Budget Committee*

6
7 *APPROVED: 4/5/2007*
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36