

1 State of Arkansas
2 87th General Assembly
3 Fiscal Session, 2010

A Bill

HOUSE BILL 1094

4
5 By: Joint Budget Committee
6
7

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 FISCAL YEAR
12 ENDING JUNE 30, 2011; AND FOR OTHER PURPOSES.
13

Subtitle

14
15 AN ACT FOR THE DEPARTMENT OF CORRECTION
16 APPROPRIATION FOR THE 2010-2011 FISCAL
17 YEAR.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. REGULAR SALARIES. There is hereby established for the
24 Department of Correction for the 2010-2011 fiscal year, the following maximum
25 number of regular employees whose salaries shall be governed by the
26 provisions of the Uniform Classification and Compensation Act (Arkansas Code
27 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
28 Provided, however, that any position to which a specific maximum annual
29 salary is set out herein in dollars, shall be exempt from the provisions of
30 said Uniform Classification and Compensation Act. All persons occupying
31 positions authorized herein are hereby governed by the provisions of the
32 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),
33 or its successor.
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Maximum Annual
Maximum Salary Rate

1	Item	Class		No. of	Fiscal Year
2	No.	Code	Title	Employees	2010-2011
3	(1)	U035U	ADC DIRECTOR	1	\$138,708
4	(2)	U062U	ADC CHIEF DEPUTY DIRECTOR	1	\$108,568
5	(3)	N039N	ADC DEPUTY DIRECTOR	3	GRADE N909
6	(4)	N048N	ADC ASSISTANT DIRECTOR	3	GRADE N908
7	(5)	T001N	ADC SUPERINTENDENT	7	GRADE N906
8	(6)	G014N	ADC COMPLIANCE ATTORNEY	1	GRADE N904
9	(7)	N120N	ADC FARM ADMINISTRATOR	1	GRADE N904
10	(8)	N119N	ADC INDUSTRY ADMINISTRATOR	1	GRADE N904
11	(9)	N136N	ADC HEALTH SERVICE ADMINISTRATOR	2	GRADE N903
12	(10)	G024N	ADC GENERAL COUNSEL	1	GRADE N902
13	(11)	P003N	ADC PUBLIC INFORMATION OFFICER	1	GRADE N901
14	(12)	L001C	PSYCHOLOGIST SUPERVISOR	3	GRADE C129
15	(13)	A010C	AGENCY CONTROLLER II	1	GRADE C128
16	(14)	D007C	INFORMATION SYSTEMS MANAGER	2	GRADE C128
17	(15)	T006C	ADC HEAD FARM MANAGER II	3	GRADE C127
18	(16)	T005C	ADC/DCC CORRECTIONAL WARDEN	11	GRADE C127
19	(17)	G025C	ATTORNEY SUPERVISOR	1	GRADE C127
20	(18)	L003C	PSYCHOLOGIST	14	GRADE C127
21	(19)	G047C	ATTORNEY SPECIALIST	4	GRADE C126
22	(20)	R006C	HUMAN RESOURCES ADMINISTRATOR	1	GRADE C126
23	(21)	B026C	ADC CONSTRUCTION/MAINTENANCE COORD	3	GRADE C124
24	(22)	T015C	ADC/DCC DEPUTY WARDEN	23	GRADE C124
25	(23)	D030C	INFORMATION SYSTEMS COORDINATOR	1	GRADE C124
26	(24)	R013C	AGENCY HUMAN RESOURCES MANAGER	1	GRADE C123
27	(25)	A038C	FISCAL SUPPORT MANAGER	2	GRADE C123
28	(26)	D038C	SENIOR SOFTWARE SUPPORT ANALYST	2	GRADE C123
29	(27)	T021C	ADC HEAD FARM MANAGER I	2	GRADE C122
30	(28)	B040C	ADC AGRICULTURE PRODUCTION SUPERVISOR	1	GRADE C121
31	(29)	G222C	ADC/DCC INTERNAL AFFAIRS ADMIN	1	GRADE C121
32	(30)	T027C	ADC/DCC TRAINING ADMINISTRATOR	1	GRADE C121
33	(31)	A050C	AGENCY FISCAL MANAGER	1	GRADE C121
34	(32)	M009C	LICENSED CERTIFIED SOCIAL WORKER	21	GRADE C121
35	(33)	L033C	PSYCHOLOGICAL EXAMINER	19	GRADE C121
36	(34)	D052C	SOFTWARE SUPPORT ANALYST	11	GRADE C121

1	(35)	L041C	ADC ASST MEDICAL PROGRAM MANAGER	1	GRADE C120
2	(36)	G142C	ADC CLASSIFICATION ADMINISTRATOR	1	GRADE C120
3	(37)	G141C	ADC INDUSTRY ASSISTANT ADMR	3	GRADE C120
4	(38)	T033C	ADC/DCC MAJOR	25	GRADE C120
5	(39)	L038C	REGISTERED NURSE	4	GRADE C120
6	(40)	G121C	REHAB PROGRAM MANAGER	9	GRADE C120
7	(41)	T028C	SOSRA PROGRAM ADMINISTRATOR	1	GRADE C120
8	(42)	T040C	ADC ASSISTANT HEAD FARM MANAGER	5	GRADE C119
9	(43)	S011C	ADC COMMODITY & FOOD SVC ADMR	1	GRADE C119
10	(44)	B069C	ADC CONSTRUCTION PROJECT SPECIALIST	8	GRADE C119
11	(45)	B070C	ADC CONSTRUCTION PROJECT SUPERVISOR	14	GRADE C119
12	(46)	S010C	ADC INDUSTRY PROGRAM MANAGER	9	GRADE C119
13	(47)	T039C	ADC INMATE TRANSPORTATION COORD	1	GRADE C119
14	(48)	V009C	ADC PROCUREMENT & PROPERTY MANAGER	1	GRADE C119
15	(49)	T038C	ADC TRAINING ACADEMY SUPERVISOR	1	GRADE C119
16	(50)	R021C	BUDGET ANALYST	1	GRADE C119
17	(51)	A066C	INTERNAL AUDITOR	1	GRADE C119
18	(52)	M020C	LICENSED PROFESSIONAL COUNSELOR	87	GRADE C119
19	(53)	V007C	PROCUREMENT COORDINATOR	1	GRADE C119
20	(54)	A060C	SENIOR AUDITOR	3	GRADE C119
21	(55)	T034C	WORK RELEASE CENTER SUPERVISOR	4	GRADE C119
22	(56)	T048C	ADC/DCC CAPTAIN	47	GRADE C118
23	(57)	M031C	ADMINISTRATOR OF CHAPLAINCY SVCS	1	GRADE C118
24	(58)	R024C	ASSISTANT PERSONNEL MANAGER	6	GRADE C118
25	(59)	C010C	EXECUTIVE ASSISTANT TO THE DIRECTOR	2	GRADE C118
26	(60)	A074C	FISCAL SUPPORT SUPERVISOR	6	GRADE C118
27	(61)	M026C	LICENSED SOCIAL WORKER	4	GRADE C118
28	(62)	M023C	SUBSTANCE ABUSE PROGRAM COORD	1	GRADE C118
29	(63)	T041C	WORK RELEASE PROGRAM SUPERVISOR	3	GRADE C118
30	(64)	T054C	ADC/DCC LI EUTENANT	152	GRADE C117
31	(65)	M046C	ADC/DCC TREATMENT COORDINATOR	3	GRADE C117
32	(66)	T053C	AGRICULTURE UNIT SUPERVISOR II	29	GRADE C117
33	(67)	M044C	ASSOCIATE PROFESSIONAL COUNSELOR	13	GRADE C117
34	(68)	D071C	COMPUTER SUPPORT ANALYST	4	GRADE C117
35	(69)	S019C	DIRECTOR MAINTENANCE	11	GRADE C117
36	(70)	L052C	REHAB FACILITY SUPERVISOR	1	GRADE C117

1	(71)	E041C	SENIOR LIBRARIAN	1	GRADE C117
2	(72)	S027C	ADC INDUSTRIAL SUPERVISOR II	30	GRADE C116
3	(73)	S026C	ADC/DCC ASST MAINT SUPERVISOR	17	GRADE C116
4	(74)	X133C	ADC/DCC INTERNAL AFFAIRS INVEST	9	GRADE C116
5	(75)	T059C	ADC/DCC FOOD PREPARATION MANAGER	18	GRADE C116
6	(76)	C024C	ADC/DCC RECORDS SUPERVISOR	18	GRADE C116
7	(77)	T058C	AGRICULTURE UNIT SUPERVISOR I	3	GRADE C116
8	(78)	C022C	BUSINESS OPERATIONS SPECIALIST	17	GRADE C116
9	(79)	V014C	BUYER	2	GRADE C116
10	(80)	G200C	CLASSIFICATION & ASSIGNMENT OFFICER	18	GRADE C116
11	(81)	B091C	CONSTRUCTION SUPERVISOR	1	GRADE C116
12	(82)	X128C	CORRECTIONAL UNIT ACCRED SPECIALIST	11	GRADE C116
13	(83)	X127C	DISCIPLINARY HEARING OFFICER	8	GRADE C116
14	(84)	L058C	DI SEASE INTERVENTION SPECIALIST	4	GRADE C116
15	(85)	R030C	EEO/GRIEVANCE OFFICER	1	GRADE C116
16	(86)	M049C	SENIOR CHAPLAIN	5	GRADE C116
17	(87)	S022C	SKILLED TRADES SUPERVISOR	1	GRADE C116
18	(88)	M048C	SUBSTANCE ABUSE PROGRAM LEADER	53	GRADE C116
19	(89)	E046C	TRAINING INSTRUCTOR	17	GRADE C116
20	(90)	M059C	ADC/DCC ADVISOR	9	GRADE C115
21	(91)	T065C	ADC/DCC CORRECTIONAL SERGEANT	861	GRADE C115
22	(92)	M058C	ADC/DCC PROGRAM SPECIALIST	17	GRADE C115
23	(93)	C037C	ADMINISTRATIVE ANALYST	18	GRADE C115
24	(94)	M057C	CHAPLAIN	19	GRADE C115
25	(95)	V017C	COMMISSARY COORDINATOR	1	GRADE C115
26	(96)	D079C	COMPUTER SUPPORT TECHNICIAN	14	GRADE C115
27	(97)	A091C	FISCAL SUPPORT ANALYST	12	GRADE C115
28	(98)	R031C	INSTITUTION HUMAN RESOURCES COORD	12	GRADE C115
29	(99)	V015C	PURCHASING SPECIALIST	5	GRADE C115
30	(100)	C026C	RECORDS/INTAKE SUPERVISOR	4	GRADE C115
31	(101)	S043C	ADC INDUSTRIAL SUPERVISOR I	1	GRADE C114
32	(102)	G216C	ADC INMATE GRIEVANCE COORDINATOR	23	GRADE C114
33	(103)	P044C	ADC SALES REPRESENTATIVE	3	GRADE C114
34	(104)	T071C	ADC UNIT TRAINING SUPERVISOR	1	GRADE C114
35	(105)	S044C	FOOD PREPARATION MANAGER	1	GRADE C114
36	(106)	M065C	RECREATIONAL ACTIVITY SUPERVISOR	15	GRADE C114

1	(107)	T077C	ADC MAILROOM SERVICES COORDINATOR	14	GRADE C113
2	(108)	T076C	ADC/DCC ADMIN REVIEW OFFICER	8	GRADE C113
3	(109)	T075C	ADC/DCC CORPORAL	2,389	GRADE C113
4	(110)	E054C	ADC/DCC UNIT TRAINER	12	GRADE C113
5	(111)	R036C	HUMAN RESOURCES SPECIALIST	4	GRADE C113
6	(112)	V020C	INVENTORY CONTROL MANAGER	5	GRADE C113
7	(113)	C046C	LEGAL SUPPORT SPECIALIST	2	GRADE C113
8	(114)	S046C	MAINTENANCE TECHNICIAN	24	GRADE C113
9	(115)	L072C	ADC HIV/AIDS EDUCATOR	1	GRADE C112
10	(116)	C056C	ADMINISTRATIVE SPECIALIST III	33	GRADE C112
11	(117)	R037C	BENEFITS TECHNICIAN	1	GRADE C112
12	(118)	T081C	COMMISARY MANAGER	28	GRADE C112
13	(119)	A098C	FISCAL SUPPORT SPECIALIST	39	GRADE C112
14	(120)	S051C	INSTRUMENTATION TECHNICIAN	1	GRADE C112
15	(121)	V024C	ADC PROPERTY OFFICER	4	GRADE C111
16	(122)	S056C	FOOD PREPARATION SUPERVISOR	79	GRADE C111
17	(123)	M076C	RECREATIONAL ACTIVITY LEADER II	2	GRADE C111
18	(124)	M078C	VOLUNTEER SERVICES COORDINATOR	1	GRADE C111
19	(125)	R039C	BENEFITS SPECIALIST	1	GRADE C110
20	(126)	R038C	HUMAN RESOURCES ASSISTANT	21	GRADE C110
21	(127)	A100C	PAYROLL OFFICER	3	GRADE C110
22	(128)	C073C	ADMINISTRATIVE SPECIALIST II	85	GRADE C109
23	(129)	C087C	ADMINISTRATIVE SPECIALIST I	114	GRADE C106
24	(130)	V030C	SHIPPING & RECEIVING CLERK	<u>1</u>	GRADE C105
25			MAX. NO. OF EMPLOYEES	4,737	

26

27 SECTION 2. EXTRA HELP. There is hereby authorized, for the Department of
 28 Correction for the 2010-2011 fiscal year, the following maximum number of
 29 part-time or temporary employees, to be known as "Extra Help", payable from
 30 funds appropriated herein for such purposes: one hundred twenty (120)
 31 temporary or part-time employees, when needed, at rates of pay not to exceed
 32 those provided in the Uniform Classification and Compensation Act, or its
 33 successor, or this act for the appropriate classification.

34

35 SECTION 3. APPROPRIATION - INMATE CARE & CUSTODY. There is hereby
 36 appropriated, to the Department of Correction, to be payable from the

1 Department of Correction Inmate Care and Custody Fund Account, for personal
 2 services and operating expenses of the Department of Correction - Inmate Care
 3 and Custody for the fiscal year ending June 30, 2011, the following:

4

5 ITEM	FISCAL YEAR
6 <u>NO.</u>	<u>2010-2011</u>
7 (01) REGULAR SALARIES	\$ 150,680,650
8 (02) EXTRA HELP	200,000
9 (03) PERSONAL SERVICES MATCHING	53,910,013
10 (04) OVERTIME	2,400,000
11 (05) MAINT. & GEN. OPERATION	
12 (A) OPER. EXPENSE	62,914,129
13 (B) CONF. & TRAVEL	413,141
14 (C) PROF. FEES	64,409,316
15 (D) CAP. OUTLAY	2,012,000
16 (E) DATA PROC.	0
17 (06) JAIL CONTRACTS	<u>1,533,000</u>
18 TOTAL AMOUNT APPROPRIATED	<u>\$ 338,472,249</u>

19

20 SECTION 4. APPROPRIATION - INMATE WELFARE PROGRAM. There is hereby
 21 appropriated, to the Department of Correction, to be payable from the cash
 22 fund deposited in the State Treasury as determined by the Chief Fiscal
 23 Officer of the State, for personal services and operating expenses of the
 24 Department of Correction - Inmate Welfare Program for the fiscal year ending
 25 June 30, 2011, the following:

26

27 ITEM	FISCAL YEAR
28 <u>NO.</u>	<u>2010-2011</u>
29 (01) REGULAR SALARIES	\$ 776,478
30 (02) PERSONAL SERVICES MATCHING	295,710
31 (03) MAINT. & GEN. OPERATION	
32 (A) OPER. EXPENSE	11,479,400
33 (B) CONF. & TRAVEL	0
34 (C) PROF. FEES	0
35 (D) CAP. OUTLAY	600,000
36 (E) DATA PROC.	<u>0</u>

1 TOTAL AMOUNT APPROPRIATED \$ 13,151,588

2

3 SECTION 5. APPROPRIATION - WORK RELEASE PROGRAM. There is hereby
 4 appropriated, to the Department of Correction, to be payable from the cash
 5 fund deposited in the State Treasury as determined by the Chief Fiscal
 6 Officer of the State, for operating expenses and debt service of the
 7 Department of Correction - Work Release Program for the fiscal year ending
 8 June 30, 2011, the following:

9

10 ITEM	FISCAL YEAR
11 <u>NO.</u>	<u>2010-2011</u>
12 (01) MAINT. & GEN. OPERATION	
13 (A) OPER. EXPENSE	\$ 4,496,532
14 (B) CONF. & TRAVEL	85,240
15 (C) PROF. FEES	1,000,000
16 (D) CAP. OUTLAY	1,679,500
17 (E) DATA PROC.	0
18 (02) DEBT SERVICE	<u>500,000</u>
19 TOTAL AMOUNT APPROPRIATED	<u>\$ 7,761,272</u>

20

21 SECTION 6. APPROPRIATION - PRISON INDUSTRY PROGRAM. There is hereby
 22 appropriated, to the Department of Correction, to be payable from the
 23 Department of Correction Prison Industry Fund, for personal services and
 24 operating expenses of the Department of Correction - Prison Industry Program
 25 for the fiscal year ending June 30, 2011, the following:

26

27 ITEM	FISCAL YEAR
28 <u>NO.</u>	<u>2010-2011</u>
29 (01) REGULAR SALARIES	\$ 2,050,904
30 (02) EXTRA HELP	10,000
31 (03) PERSONAL SERVICES MATCHING	683,493
32 (04) MAINT. & GEN. OPERATION	
33 (A) OPER. EXPENSE	7,649,295
34 (B) CONF. & TRAVEL	30,000
35 (C) PROF. FEES	0
36 (D) CAP. OUTLAY	650,310

1	(E) DATA PROC.	<u>0</u>
2	TOTAL AMOUNT APPROPRIATED	<u>\$ 11,074,002</u>

3

4 SECTION 7. EXTRA HELP - PRISON INDUSTRY PROGRAM. There is hereby
5 authorized, for the Department of Correction - Prison Industry Program for
6 the 2010-2011 fiscal year, the following maximum number of part-time or
7 temporary employees, to be known as "Extra Help", payable from funds
8 appropriated herein for such purposes: twenty five (25) temporary or part-
9 time employees, when needed, at rates of pay not to exceed those provided in
10 the Uni form Classi fication and Compensation Act, or its successor, or this
11 act for the appropriate classi fication.

12

13 SECTION 8. APPROPRIATION - FARM OPERATIONS PROGRAM. There is hereby
14 appropriated, to the Department of Correction, to be payable from the
15 Department of Correction Farm Fund, for personal services and operating
16 expenses of the Department of Correction - Farm Operations Program for the
17 fiscal year ending June 30, 2011, the following:

19	ITEM	FISCAL YEAR
20	<u>NO.</u>	<u>2010-2011</u>
21	(01) REGULAR SALARIES	\$ 2,443,140
22	(02) EXTRA HELP	10,000
23	(03) PERSONAL SERVICES MATCHING	804,112
24	(04) MAINT. & GEN. OPERATION	
25	(A) OPER. EXPENSE	11,822,019
26	(B) CONF. & TRAVEL	38,910
27	(C) PROF. FEES	328,354
28	(D) CAP. OUTLAY	1,683,000
29	(E) DATA PROC.	0
30	(05) PURCHASE CATTLE/MEAT	<u>650,000</u>
31	TOTAL AMOUNT APPROPRIATED	<u>\$ 17,779,535</u>

32

33 SECTION 9. EXTRA HELP - FARM OPERATIONS PROGRAM. There is hereby
34 authorized, for the Department of Correction - Farm Operations Program for
35 the 2010-2011 fiscal year, the following maximum number of part-time or
36 temporary employees, to be known as "Extra Help", payable from funds

1 appropriated herein for such purposes: twenty five (25) temporary or part-
2 time employees, when needed, at rates of pay not to exceed those provided in
3 the Uni form Classi fication and Compensation Act, or its successor, or this
4 act for the appropriate classi fication.

5
6 SECTION 10. APPROPRIATION - REGIONAL FACILITIES OPERATIONS ACCOUNT. There
7 is hereby appropriated, to the Department of Correction, to be payable from
8 cash funds as defined by Arkansas Code 19-4-801 of the Department of
9 Correction, for debt service of the Department of Correction - Regional
10 Facilities Operations Account for the fi scal year ending June 30, 2011, the
11 fol lowi ng:

13 ITEM	FISCAL YEAR
14 NO.	2010-2011
15 (01) DEBT SERVICE	\$ <u>800,000</u>

16
17 SECTION 11. APPROPRIATION - PRISONER HOUSING CONTRACT ACCOUNT. There is
18 hereby appropriated, to the Department of Correction, to be payable from cash
19 funds as defined by Arkansas Code 19-4-801 of the Department of Correction,
20 for debt service of the Department of Correction - Prisoner Housing Contract
21 Account for the fi scal year ending June 30, 2011, the fol lowi ng:

23 ITEM	FISCAL YEAR
24 NO.	2010-2011
25 (01) DEBT SERVICE	\$ <u>200,000</u>

26
27 SECTION 12. APPROPRIATION - CONSTRUCTION FUND DEFICIENCY ACCOUNT. There
28 is hereby appropriated, to the Department of Correction, to be payable from
29 cash funds as defined by Arkansas Code 19-4-801 of the Department of
30 Correction, for debt service of the Department of Correction - Construction
31 Fund Deficiency Account for the fi scal year ending June 30, 2011, the
32 fol lowi ng:

34 ITEM	FISCAL YEAR
35 NO.	2010-2011
36 (01) DEBT SERVICE	\$ <u>500,000</u>

SECTION 13. APPROPRIATION - NON-TAX REVENUE RECEIPTS PROGRAM. There is hereby appropriated, to the Department of Correction, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for operating expenses of the Department of Correction - Non-Tax Revenue Receipts Program for the fiscal year ending June 30, 2011, the following:

ITEM NO.	FISCAL YEAR
	2010-2011
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$ 2,903,750
(B) CONF. & TRAVEL	0
(C) PROF. FEES	213,151
(D) CAP. OUTLAY	400,000
(E) DATA PROC.	0
(02) CONSTRUCTION	<u>2,255,725</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 5,772,626</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 personal services and operating expenses of the Department of Correction - Federal Programs for the fiscal year ending June 30, 2011, the following:

ITEM NO.	FISCAL YEAR
	2010-2011
(01) REGULAR SALARIES	\$ 167,677
(02) PERSONAL SERVICES MATCHING	56,891
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	2,500
(B) CONF. & TRAVEL	2,000
(C) PROF. FEES	897,267
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 1,126,335</u>

SECTION 15. APPROPRIATION - COUNTY JAIL REIMBURSEMENT. There is hereby appropriated, to the Department of Correction, to be payable from the County Jail Reimbursement Fund, for reimbursement to counties housing state inmates of the Department of Correction - County Jail Reimbursement for the fiscal year ending June 30, 2011, the following:

ITEM NO.	FISCAL YEAR
	2010-2011
(01) REIMBURSEMENTS TO COUNTIES HOUSING STATE INMATES	\$ <u>7,500,035</u>

SECTION 16. APPROPRIATION - UAMS JUVENILE ASSESSMENT. There is hereby appropriated, to the Department of Correction, to be payable from the Sex and Child Offenders Registration Fund, for operating expenses of the Department of Correction - UAMS Juvenile Assessment for the fiscal year ending June 30, 2011, the following:

ITEM NO.	FISCAL YEAR
	2010-2011
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$ 25,000
(B) CONF. & TRAVEL	0
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	\$ <u>25,000</u>

SECTION 17. APPROPRIATION - FIRE STATION - PROTECTION. There is hereby appropriated, to the Department of Correction, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for construction of the Department of Correction - Fire Station - Protection for the fiscal year ending June 30, 2011, the following:

ITEM NO.	FISCAL YEAR
	2010-2011

1 (01) CONSTRUCTION \$ 50,000

2

3 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REGULAR
 5 SALARIES - CONTINGENT POSITIONS. There is hereby established for the
 6 Department of Correction - Contingent Positions for the ~~2009-2010~~2010-2011
 7 fiscal year, the following maximum number of regular employees whose salaries
 8 shall be governed by the provisions of the Uniform Classification and
 9 Compensation Act (Arkansas Code 21-5-201 et seq.), or its successor, and all
 10 laws amendatory thereto. Provided, however, that any position to which a
 11 specific maximum annual salary is set out herein in dollars, shall be exempt
 12 from the provisions of said Uniform Classification and Compensation Act. All
 13 persons occupying positions authorized herein are hereby governed by the
 14 provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas
 15 Code 21-5-101), or its successor.

16

17 CONTINGENT POSITIONS - MEDICAL SERVICES

18

				MAXIMUM ANNUAL	
ITEM	CLASS		MAXIMUM	SALARY RATE	
NO.	CODE	TITLE	NO. OF	FISCAL YEAR	
			EMPLOYEES	2009-2010	<u>2010-2011</u>
22	(01)	CHIEF OF MEDICAL SERVICES	1	225,000	
23	(02)	CHIEF OF DENTAL SERVICES	1	175,000	
24	(03)	CHIEF OF PHARMACY	1	125,000	
25	(04)	HEALTH SERVICES ADMIN	1	110,000	
26	(05)	PHYSICIANS SPECIALIST	6	170,000	
27	(06)	ASST HEALTH SERVICES ADMN	3	90,000	
28	(07)	CHIEF OF NURSING SERVICES	1	90,000	
29	(08)	RNP/PA	13	85,000	
30	(09)	DIR OF MEDICAL RECORDS	1	75,000	
31	(10)	UNIT/FACILITY MEDICAL MGR	11	70,000	
32	(11)	MEDICAL SERVICES SPECIALIST	8	65,000	
33	(12)	UNIT/FACILITY MEDICAL SUPV	7	60,000	
34	PATIENT CARE -				
35	(13)	L008N PHYSICIAN SPECIALIST	17	GRADE N917	
36	(14)	L011N DENTIST	15	GRADE N916	

1	(15)	L016N	REGI STERED PHARMACI ST	3	GRADE N911
2	(16)	L019C	REGI STERED NURSE COORDIN	1	GRADE C123
3	(17)	L027C	REGI STERED NURSE SUPV	41	GRADE C122
4	(18)	L069C	LI CENSED PRACTI CAL NURSE	172	GRADE C113
5	(19)	B111C	LABORATORY TECHNI CI AN	5	GRADE C110
6	(20)	L064C	RADI OLOGY TECHNI CI AN	5	GRADE C114
7	PATI ENT CARE - CLASSI FIED POSI TI ONS				
8	(21)	L001C	PSYCHOLOGI ST SUPERVI SOR	2	GRADE C129
9	(22)	L003C	PSYCHOLOGI ST	12	GRADE C127
10	(23)	L033C	PSYCHOLOGI ST EXAMI NER	7	GRADE C121
11	(24)	G121C	REHAB PROGRAM MANAGER	9	GRADE C120
12	(25)	L038C	REGI STERED NURSE	3	GRADE C120
13	(26)	M020C	LI CENSED PROF COUNSELOR	82	GRADE C119
14	(27)	M026C	LI CENSED SOCI AL WORKER	21	GRADE C118
15	(28)	M046C	ADC/DCC TREATMENT COORD	4	GRADE C117
16	(29)	M048C	SUBSTANCE ABUSE PRGM LDR	37	GRADE C116
17	(30)	C037C	ADMI NI STRATI VE ANALYST	2	GRADE C115
18	(31)	L071C	DENTAL HYGI ENI ST	8	GRADE C113
19	(32)	C053C	MEDI CAL RECORDS TECH	24	GRADE C112
20	(33)	C056C	ADMI NI STRATI VE SPEC IIII	23	GRADE C112
21	(34)	C073C	ADMI NI STRATI VE SPEC II	4	GRADE C109
22	(35)	L081C	DENTAL ASSI STANT	12	GRADE C109
23	(36)	C087C	ADMI NI STRATI VE SPEC I	11	GRADE C106
24	CLASSI FIED - NON-PATI ENT CARE				
25	(37)	BUYER		2	GRADE C116
26	(38)	PURCHASI NG ASSI STANT		1	GRADE C106
27	(39)	ACCOUNTI NG TECH		4	GRADE C109
28	(40)	ACCOUNTANT I		1	GRADE C116
29	(41)	I NSTI TUTI ONAL HR COORDI NATOR		1	GRADE C115
30	(42)	HR SPECI ALI ST		1	GRADE C113
31	(43)	ADC I NMATE GRI EVANCE COORD		3	GRADE C114
32	(44)	COMPUTER SUPPORT TECH		<u>1</u>	GRADE C115
33	GRAND TOTAL CONTINGENT EMPLOYEES			588	

34 If the agency requests continuation of a "Growth Pool" position(s) as
 35 established herein during the next fiscal year, the position(s) must be
 36 requested as a new position(s) in the agencies budget request.

1 The provisions of this section shall be in effect only from July 1, ~~2007~~
2 2010 through June 30, ~~2009~~2011.

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

20 The provisions of this section shall be in effect only from July 1, ~~2007~~
21 2010 through June 30, ~~2009~~2011.

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23 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY
25 REIMBURSEMENT RATE RESTRICTION. Notwithstanding any other provision of law or
26 departmental commitment which may exist to the contrary, the Board of
27 Corrections shall not increase any reimbursement rate for payments made to
28 any county for the purpose of reimbursing the expenses of the care and
29 custody of state inmates, without first seeking and receiving the approval of
30 the Governor and the Chief Fiscal Officer of the State.

31 The provisions of this section shall be in effect only from July 1, ~~2007~~
32 2010 through June 30, ~~2009~~2011.

33
34 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY
36 JAIL REIMBURSEMENT. In the event the Department of Correction cannot accept

1 inmates from county jails due to insufficient bed space, the Department shall
2 reimburse the counties at a rate determined by the Chief Fiscal Officer of
3 the State, after consultation with the Division of Legislative Audit and the
4 Department of Correction, and upon approval by the Governor, until the
5 appropriation and funding for such purpose, is exhausted. The reimbursement
6 rate shall include the county's cost of transporting the inmates to the
7 department. The appropriation provided by Item (06) of Section 3 may be used
8 for contracts with county jails for pre release inmates.

9 The provisions of this section shall be in effect only from July 1, ~~2007~~
10 2010 through June 30, ~~2009~~2011.

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12 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
14 OF APPROPRIATION WITHIN CAPITAL IMPROVEMENT PROJECTS. The Department of
15 Correction is hereby authorized to transfer appropriation between and/or
16 among the various capital improvements/construction projects authorized by
17 the General Assembly. Such transfers may be made only after approval by the
18 Governor and after prior approval by the Arkansas Legislative Council or
19 Joint Budget Committee. Such authorization shall in no way mean that the
20 total amount of funds or appropriations for capital improvement/construction
21 projects be greater than that provided by the General Assembly for the
22 Department of Correction.

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

1 is ruled unconstitutional by a court of competent jurisdiction, this entire
 2 section is void.

3 The provisions of this section shall be in effect only from July 1, ~~2007~~
 4 2010 through June 30, ~~2009~~2011.

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6 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

8 REALLOCATION OF RESOURCES. Upon determination by the Board of Corrections
 9 that a reallocation of resources within the Department of Community

10 Correction and Department of Correction is necessary for the efficient and
 11 effective operation of the departments, the Board, with approval of the

12 Governor and approval by the Arkansas Legislative Council or Joint Budget
 13 Committee, shall have the authority to instruct the department directors, to

14 request from the Chief Fiscal Officer of the State, a transfer of positions,
 15 programs, funds, appropriations, and line-item appropriations within or

16 between existing and newly created divisions, offices, sections, or units of
 17 the departments. If it is determined that the requested transfer should be

18 made, the Chief Fiscal Officer of the State shall then initiate the necessary
 19 transfer documents to reflect the transfers upon the fiscal records of the

20 State Treasurer, the State Auditor, the Chief Fiscal Officer of the State,
 21 and the Departments of Correction and Community Correction. Provided,

22 however, that the Board shall be limited to submitting no more than two
 23 requests, encompassing a single purpose listed in this section, during any

24 fiscal year per department. Transfer authority shall further be limited to
 25 no more than five percent (5%) of the total General Revenue and Special

26 Revenue appropriation, funding, and positions specific to each agency.
 27 However, there shall be no transfers to or from the County Jail Reimbursement

28 Fund. A Reallocation of Resources Transfer shall be limited to the following
 29 specific purposes:

- 30 a) Costs to open and operate temporary beds;
- 31 b) Payment of Debt Service;
- 32 c) Payment of Overtime Expenses;
- 33 d) Unanticipated increases for medical or private prison contracts;
- 34 e) Construction/renovation/equipping of new beds;
- 35 f) Deficits in Farm or Industry Program;
- 36 g) Losses not covered by insurance proceeds;

1 h) Costs of personnel for critical services or necessary to carry out the
2 mission of the agency.

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

20 The provisions of this section shall be in effect only from July 1, ~~2007~~
21 2010 through June 30, ~~2009~~2011.

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23 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HOLIDAY
25 COMPENSATION. The Department of Correction is authorized to pay employees for
26 up to one-hundred fifty (150) hours of unused holidays exceeding a balance in
27 the employee's holiday account of ninety-six (96) hours following the end of
28 the calendar year. Payments of unused Holiday hours must be processed on or
29 before June 1st in each fiscal year. Employees terminating employment from
30 the Department of Correction will be eligible for all holiday pay accrued
31 during the years of service. This request is contingent on approval by the
32 Chief Fiscal Officer of the State after the Director of the Department of
33 Correction has verified that sufficient revenues are available to make such
34 payments to employees who have served in the following classifications:

35 Class
36 Code Title Grade

1	T033C	ADC/DCC MAJOR	GRADE C120
2	T048C	ADC/DCC CAPTAIN	GRADE C118
3	T054C	ADC/DCC LI EUTENANT	GRADE C117
4	T065C	ADC/DCC CORRECTIONAL SERGEANT	GRADE C115
5	S044C	FOOD PREPARATION MANAGER	GRADE C114
6	T075C	ADC/DCC CORPORAL	GRADE C113
7	T083C	ADC/DCC CORRECTIONAL OFFICER I	GRADE C112
8	S056C	FOOD PREPARATION SUPERVISOR	GRADE C111

9 The provisions of this section shall be in effect only from July 1, ~~2007~~
 10 2010 through June 30, ~~2009~~2011.

11

12 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. UAMS
 14 FAMILY TREATMENT PROGRAM. The Arkansas Department of Correction is
 15 authorized to enter into a cooperative agreement with the UAMS Family
 16 Treatment Program to conduct assessments of juvenile sex or child offenders
 17 as required by provisions of ACA 12-12-901 et. seq. and pay for services upon
 18 receipt of invoice.

19 The provisions of this section shall be in effect only from July 1, ~~2007~~
 20 2010 through June 30, ~~2009~~2011.

21

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

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

33 (b) In compiling costs and reporting to the Arkansas Legislative Council in
 34 accordance with subsection (a) of this section of this Act, the Department of
 35 Correction shall:

36 (1) Record all expenditures in a manner that provides for the

1 association of costs with each facility. Costs not directly attributable
 2 to a particular facility (overhead, administration, treatment, etc.) shall
 3 be allocated to each facility on the basis of inmate population.

4 (2) Maintain documentation to support all elements of costs and cost
 5 reimbursement both in total and by facility;

6 (3) Exclude capital outlay disbursements. However, depreciation expense
 7 for all ADC fixed assets shall be included. Depreciation expense not
 8 directly associated with the fixed assets of a particular facility shall
 9 be allocated to each facility on the basis of inmate population.

10 (4) Include any interest expense incurred by ADC or another state
 11 governmental entity as a result of prison construction;

12 (5) Exclude all payments to local governments for care of inmates housed
 13 in local government facilities;

14 (6) Exclude all payments to local governments for Act 309 prisoners;

15 (7) Include the state matching requirements associated with federal
 16 grant expenditures. Documentation shall be maintained sufficient to
 17 identify such costs by grant.

18 (8) Deduct reimbursements for costs incurred. The amount of the
 19 reimbursement deducted shall be equal to or less than the cost with which
 20 the reimbursement is associated.

21 (9) Include all ancillary costs. These costs shall include, but are not
 22 limited to:

23 (A) ADC expenses incurred through fund transfers;

24 (B) Retirement costs;

25 (C) Audit costs;

26 (D) ADC cost for shared employees paid by another state
 27 governmental entity;

28 (E) Inmate educational and rehabilitation costs;

29 (F) Inmate related expenses incurred by the Attorney General;
 30 however; expenses shall not include costs of defending Habeas
 31 Corpus cases.

32 (c) In determining costs per inmate per day for reporting to the Arkansas
 33 Legislative Council in accordance with subsection (a) of this section, ADC
 34 shall:

35 (1) Accumulate the number of inmates housed at each ADC facility each day
 36 throughout the state fiscal year for which costs are being reported. This

1 accumulation shall result in total inmate days and shall be divided into
2 total direct and indirect costs compiled in accordance with subsections
3 (a) and (b) of this section.

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

6 (3) Maintain documentation supporting the number of inmates housed at
7 ADC facilities.

8

9 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY
11 JAIL REIMBURSEMENT FUND YEAR-END FUND BALANCE CARRY FORWARD. Notwithstanding
12 any law pertaining to the transfer of year-end fund balances or any law to
13 the contrary, any funds which remain in the County Jail Reimbursement Fund at
14 the end of a fiscal year shall remain in the County Jail Reimbursement Fund
15 and made available to fund appropriations authorized by law payable from the
16 County Jail Reimbursement Fund for the following fiscal year.

17 Any carry forward of unexpended balance of funding as authorized herein, may
18 be carried forward under the following conditions:

19 (1) Prior to June 30, 2010 the Agency shall by written statement set forth
20 its reason(s) for the need to carry forward said funding to the Department of
21 Finance and Administration Office of Budget;

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

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

1 Committee; and

2 (4) Thereupon, the Department of Finance and Administration shall include
3 all information obtained in item (3) above in the budget manuals and/or a
4 statement of non-compliance by the Agency, Board, Commission or Institution.
5

6 SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REFUND TO
8 EXPENDITURE. The proceeds from the sale of feeder cattle by the Department
9 of Correction shall be deposited into the State Treasury as a refund to
10 expenditure to the credit of the appropriation available to the Department of
11 Correction for the "Purchase Cattle/Meat" line item.

12 The provisions of this section shall be in effect only from July 1, ~~2007~~
13 2010 through June 30, ~~2009~~2011.

14
15 SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. USE OF
17 MAINTENANCE AND OPERATION APPROPRIATION AND SALVAGED MATERIALS CONSTRUCTION.
18 The Department of Correction is hereby authorized to utilize Maintenance and
19 General Operation Appropriation in conjunction with surplus and/or
20 salvageable materials for the purpose of implementing construction projects
21 to benefit the Department and its various programs. Before such projects may
22 be undertaken, a Method of Finance must be submitted for prior review and
23 approval by the Arkansas Legislative Council or Joint Budget Committee, and
24 review and approval by the Department of Finance and Administration and the
25 Arkansas Building Authority.

26 Determining the maximum number of employees and the maximum amount of
27 appropriation and general revenue funding for a state agency each fiscal year
28 is the prerogative of the General Assembly. This is usually accomplished by
29 delineating such maximums in the appropriation act(s) for a state agency and
30 the general revenue allocations authorized for each fund and fund account by
31 amendment to the Revenue Stabilization Law. Further, the General Assembly
32 has determined that the Department of Correction may operate more efficiently
33 if some flexibility is provided to the Department of Correction authorizing
34 broad powers under this Section. Therefore, it is both necessary and
35 appropriate that the General Assembly maintain oversight by requiring prior
36 approval of the Legislative Council or Joint Budget Committee as provided by

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

6 The provisions of this section shall be in effect only from July 1, ~~2007~~
7 2010 through June 30, ~~2009~~2011.

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9 SECTION 30. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. UTILITY
11 RATE INCREASE TRANSFER. In the event of a ten percent (10%) increase in
12 utility rates and fuel rates, the Department of Correction is authorized to
13 transfer any line item appropriation in this Act to the Maintenance and
14 Operation line item for support of the increase after receiving approval of
15 the Chief Fiscal Officer of the State. Prior to the utilization of the
16 transfer authority, a report shall be made to the Arkansas Legislative
17 Council or Joint Budget Committee including justification for the transfer
18 and the amount of the transfer.

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

35 The provisions of this section shall be in effect only from July 1, ~~2007~~
36 2010 through June 30, ~~2009~~2011.

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SECTION 31. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. 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 and approval by the Arkansas Legislative Council or Joint Budget Committee, 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.

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

The provisions of this section shall be in effect only from July 1, ~~2007~~ 2010 through June 30, ~~2009~~2011.

SECTION 32. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL REVENUE/CASH FUNDS TRANSFER. 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 prior approval by the Arkansas Legislative Council or Joint Budget Committee and approval of the Board of Corrections and the Chief Fiscal Officer of the

1 State.

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

18 The provisions of this section shall be in effect only from July 1, ~~2007~~
19 2010 through June 30, ~~2009~~2011.

20
21 SECTION 33. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. NEW
23 FACILITIES. If it is found that contracting for the operation of new
24 facilities is economically beneficial to the State of Arkansas, the
25 Department of Correction may, after receiving approval of the Chief Fiscal
26 Officer, and seeking prior review and approval by the Arkansas Legislative
27 Council or Joint Budget Committee, transfer from any line item appropriation
28 contained in Section 3 of this Act into the Professional Fees and Services
29 line item contained in Section 3 of this Act to operate new facilities.

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

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

10 The provisions of this section shall be in effect only from July 1, ~~2007~~
 11 2010 through June 30, ~~2009~~2011.

12
 13 SECTION 34. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

15 APPROPRIATION TRANSFER FOR CONSTRUCTING AND EQUIPPING. The Department of
 16 Correction is hereby authorized to transfer appropriations between any line
 17 items authorized herein but only for the purpose of financing construction or
 18 equipment for a facility of the department. Any transfers authorized by this
 19 section shall require the approval of the Chief Fiscal Officer of the State
 20 after prior review and approval by the Legislative Council or Joint Budget
 21 Committee.

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

1 section is void.

2 The provisions of this section shall be in effect only from July 1, ~~2007~~
3 2010 through June 30, ~~2009~~2011.

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5 SECTION 35. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FOOD
7 SERVICE CONTRACT. In the event the Department is able to contract with a
8 private provider for food services at a unit(s), transfers may be made from
9 Regular Salaries, Personal Services Matching, and Maintenance and Operations
10 line items to Professional Fees and Services upon approval by the Chief
11 Fiscal Officer of the State and after receiving prior review and approval by
12 the Legislative Council or Joint Budget Committee.

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

29 The provisions of this section shall be in effect only from July 1, ~~2007~~
30 2010 through June 30, ~~2009~~2011.

31

32 SECTION 36. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY
34 JAIL INVOICE SUMMARY. The Departments of Correction and Community
35 Correction, shall at a minimum and on a fiscal year basis, prepare and post
36 on the applicable agency web site, a monthly summary of county jail

1 reimbursement invoices prepared and forwarded to each county sheriff for
 2 verification by the Departments and for payment from the County Jail
 3 Reimbursement Fund. In addition, the report shall include a summary of
 4 invoices returned by each county for payment for previous months within the
 5 fiscal year, the amounts paid, and any balances owed. Each fiscal year-end
 6 report shall be maintained on the web sites for a period of no less than
 7 three (3) years.

8
 9 SECTION 37. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MOTOR
 11 VEHICLE PURCHASE PROVISION. The Department of Correction is hereby
 12 authorized to purchase motor vehicles as may be approved for the purpose of
 13 equipping new bed additions at the various institutions from the
 14 appropriations authorized for Capital Outlay in Section 3 of this Act.

15 The provisions of this section shall be in effect only from July 1, ~~2007~~
 16 2010 through June 30, ~~2009~~2011.

17
 18 SECTION 38. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
 20 OF APPROPRIATION AND FUNDS TO THE COUNTY JAIL REIMBURSEMENT FUND. If any
 21 savings of general revenue appropriation and funds accrue during the ~~2009-~~
 22 ~~2010~~2010-2011 fiscal year in the operations of the Department of Correction,
 23 the Director of the Department of Correction may request a transfer of
 24 appropriation and funds from any line item appropriation in the Inmate Care
 25 and Custody Fund Account to the County Jail Reimbursement Fund in order to
 26 meet obligations to counties for housing state inmates. Such transfer
 27 request shall be made upon the approval of the Chief Fiscal Officer of the
 28 State and prior review and approval by the Arkansas Legislative Council or
 29 Joint Budget Committee.

30 The provisions of this section shall be in effect only from July 1, ~~2007~~
 31 2010 through June 30, ~~2009~~2011.

32
 33 SECTION 39. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LOCAL
 35 GOVERNMENT INMATE COST REPORT. Each calendar year, the Association of
 36 Arkansas Counties shall compile and submit a report to the Arkansas

1 Legislative Council, of all costs incurred, excluding construction costs, by
 2 local government units housing inmates sentenced to the Department of
 3 Correction and Department of Community Correction. The cost report shall be
 4 a representative sample of all counties housing and caring for state inmates.
 5 The report shall be submitted no later than July 1 of the calendar year
 6 immediately following the reporting year.

7 The Association of Arkansas Counties in coordination with Legislative
 8 Audit shall determine which counties will be included in the sample and shall
 9 include a sufficient number of counties from each classification based upon
 10 population and each congressional district to ensure a fair representation of
 11 costs incurred. Guidelines for preparing this cost report shall be developed
 12 by the Division of Legislative Audit in coordination with the Association of
 13 Arkansas Counties. The Division of Legislative Audit shall test the accuracy
 14 of the information submitted during the routine audit of the applicable
 15 county.

16 The provisions of this section shall be in effect only from July 1, ~~2007~~
 17 2010 through June 30, ~~2009~~2011.

18
 19 SECTION 40. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
 20 by this act shall be limited to the appropriation for such agency and funds
 21 made available by law for the support of such appropriations; and the
 22 restrictions of the State Procurement Law, the General Accounting and
 23 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
 24 Procedures and Restrictions Act, or their successors, and other fiscal
 25 control laws of this State, where applicable, and regulations promulgated by
 26 the Department of Finance and Administration, as authorized by law, shall be
 27 strictly complied with in disbursement of said funds.

28
 29 SECTION 41. LEGISLATIVE INTENT. It is the intent of the General Assembly
 30 that any funds disbursed under the authority of the appropriations contained
 31 in this act shall be in compliance with the stated reasons for which this act
 32 was adopted, as evidenced by the Agency Requests, Executive Recommendations
 33 and Legislative Recommendations contained in the budget manuals prepared by
 34 the Department of Finance and Administration, letters, or summarized oral
 35 testimony in the official minutes of the Arkansas Legislative Council or
 36 Joint Budget Committee which relate to its passage and adoption.

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SECTION 42. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year period; that the effectiveness of this Act on July 1, 2010 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the legislative session, the delay in the effective date of this Act beyond July 1, 2010 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2010.

APPROVED: 2/24/2010