

Stricken language will be deleted and underlined language will be added.
Act 266 of the Fiscal Session

1 State of Arkansas
2 88th General Assembly
3 Fiscal Session, 2012
4

As Engrossed: H2/22/12
A Bill

HOUSE BILL 1131

5 By: Joint Budget Committee
6

7 **For An Act To Be Entitled**

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
9 AND OPERATING EXPENSES FOR THE DEPARTMENT OF
10 CORRECTION FOR THE FISCAL YEAR ENDING JUNE 30, 2013;
11 AND FOR OTHER PURPOSES.
12
13

14 **Subtitle**

15 AN ACT FOR THE DEPARTMENT OF CORRECTION
16 APPROPRIATION FOR THE 2012-2013 FISCAL
17 YEAR.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. REGULAR SALARIES. There is hereby established for the
23 Department of Correction for the 2012-2013 fiscal year, the following maximum
24 number of regular employees.
25

26				Maximum Annual	
27			Maximum	Salary Rate	
28	Item	Class	No. of	Fiscal Year	
29	No.	Code	Title	Employees	2012-2013
30	(1)	U035U	ADC DIRECTOR	1	\$144,649
31	(2)	U062U	ADC CHIEF DEPUTY DIRECTOR	1	\$113,218
32	(3)	N039N	ADC DEPUTY DIRECTOR	3	GRADE N909
33	(4)	N048N	ADC ASSISTANT DIRECTOR	3	GRADE N908
34	(5)	T001N	ADC SUPERINTENDENT	7	GRADE N906
35	(6)	G014N	ADC COMPLIANCE ATTORNEY	1	GRADE N904
36	(7)	N120N	ADC FARM ADMINISTRATOR	1	GRADE N904



1	(8)	N119N	ADC INDUSTRY ADMINISTRATOR	1	GRADE N904
2	(9)	N136N	ADC HEALTH SERVICE ADMINISTRATOR	2	GRADE N903
3	(10)	G024N	ADC GENERAL COUNSEL	1	GRADE N902
4	(11)	P003N	ADC PUBLIC INFORMATION OFFICER	1	GRADE N901
5	(12)	A007C	AUDIT MANAGER	1	GRADE C129
6	(13)	L001C	PSYCHOLOGIST SUPERVISOR	3	GRADE C129
7	(14)	L097C	ADC PSYCHOLOGIST	14	GRADE C128
8	(15)	A010C	AGENCY CONTROLLER II	1	GRADE C128
9	(16)	D007C	INFORMATION SYSTEMS MANAGER	2	GRADE C128
10	(17)	T006C	ADC HEAD FARM MANAGER II	3	GRADE C127
11	(18)	T005C	ADC/DCC CORRECTIONAL WARDEN	11	GRADE C127
12	(19)	G025C	ATTORNEY SUPERVISOR	1	GRADE C127
13	(20)	L003C	PSYCHOLOGIST	1	GRADE C127
14	(21)	A021C	AGENCY CONTROLLER I	1	GRADE C126
15	(22)	G047C	ATTORNEY SPECIALIST	2	GRADE C126
16	(23)	R006C	HUMAN RESOURCES ADMINISTRATOR	1	GRADE C126
17	(24)	S094C	ADC CONSTRUCTION/MAINTENANCE COORD	3	GRADE C124
18	(25)	T015C	ADC/DCC DEPUTY WARDEN	23	GRADE C124
19	(26)	D030C	INFORMATION SYSTEMS COORDINATOR	1	GRADE C124
20	(27)	R013C	AGENCY HUMAN RESOURCES MANAGER	1	GRADE C123
21	(28)	A038C	FISCAL SUPPORT MANAGER	2	GRADE C123
22	(29)	D038C	SENIOR SOFTWARE SUPPORT ANALYST	2	GRADE C123
23	(30)	T021C	ADC HEAD FARM MANAGER I	2	GRADE C122
24	(31)	D046C	STATE PRODUCTION CONTROL SUPERVISOR	1	GRADE C122
25	(32)	B040C	ADC AGRI PRODUCTION SUPERVISOR	1	GRADE C121
26	(33)	G222C	ADC/DCC INTERNAL AFFAIRS ADMIN	1	GRADE C121
27	(34)	T027C	ADC/DCC TRAINING ADMINISTRATOR	1	GRADE C121
28	(35)	A050C	AGENCY FISCAL MANAGER	1	GRADE C121
29	(36)	B042C	ENGINEER	1	GRADE C121
30	(37)	M009C	LICENSED CERTIFIED SOCIAL WORKER	23	GRADE C121
31	(38)	L033C	PSYCHOLOGICAL EXAMINER	12	GRADE C121
32	(39)	D052C	SOFTWARE SUPPORT ANALYST	10	GRADE C121
33	(40)	L041C	ADC ASST MEDICAL PROGRAM MANAGER	1	GRADE C120
34	(41)	G142C	ADC CLASSIFICATION ADMINISTRATOR	1	GRADE C120
35	(42)	G141C	ADC INDUSTRY ASSISTANT ADMR	2	GRADE C120
36	(43)	T033C	ADC/DCC MAJOR	25	GRADE C120

1	(44)	M088C	LICENSED MASTER SOCIAL WORKER	4	GRADE C120
2	(45)	L038C	REGISTERED NURSE	2	GRADE C120
3	(46)	G121C	REHAB PROGRAM MANAGER	9	GRADE C120
4	(47)	T028C	SOSRA PROGRAM ADMINISTRATOR	1	GRADE C120
5	(48)	T040C	ADC ASSISTANT HEAD FARM MANAGER	4	GRADE C119
6	(49)	S011C	ADC COMMODITY & FOOD SVC ADMR	1	GRADE C119
7	(50)	S095C	ADC CONSTRUCTION PROJECT SPECIALIST	8	GRADE C119
8	(51)	B070C	ADC CONSTRUCTION PROJECT SUPERVISOR	15	GRADE C119
9	(52)	S010C	ADC INDUSTRY PROGRAM MANAGER	7	GRADE C119
10	(53)	T039C	ADC INMATE TRANSPORTATION COORD	1	GRADE C119
11	(54)	T038C	ADC TRAINING ACADEMY SUPERVISOR	1	GRADE C119
12	(55)	R021C	BUDGET ANALYST	1	GRADE C119
13	(56)	A066C	INTERNAL AUDITOR	2	GRADE C119
14	(57)	M020C	LICENSED PROFESSIONAL COUNSELOR	88	GRADE C119
15	(58)	V007C	PROCUREMENT COORDINATOR	1	GRADE C119
16	(59)	A060C	SENIOR AUDITOR	1	GRADE C119
17	(60)	T034C	WORK RELEASE CENTER SUPERVISOR	4	GRADE C119
18	(61)	T048C	ADC/DCC CAPTAIN	51	GRADE C118
19	(62)	M031C	ADMINISTRATOR OF CHAPLAINCY SVCS	1	GRADE C118
20	(63)	R024C	ASSISTANT PERSONNEL MANAGER	2	GRADE C118
21	(64)	C010C	EXECUTIVE ASSISTANT TO THE DIRECTOR	2	GRADE C118
22	(65)	A074C	FISCAL SUPPORT SUPERVISOR	5	GRADE C118
23	(66)	M026C	LICENSED SOCIAL WORKER	1	GRADE C118
24	(67)	M023C	SUBSTANCE ABUSE PROGRAM COORD	4	GRADE C118
25	(68)	T041C	WORK RELEASE PROGRAM SUPERVISOR	3	GRADE C118
26	(69)	T054C	ADC/DCC LIEUTENANT	155	GRADE C117
27	(70)	T053C	AGRICULTURE UNIT SUPERVISOR II	29	GRADE C117
28	(71)	M044C	ASSOCIATE PROFESSIONAL COUNSELOR	13	GRADE C117
29	(72)	D071C	COMPUTER SUPPORT ANALYST	4	GRADE C117
30	(73)	S019C	DIRECTOR MAINTENANCE	10	GRADE C117
31	(74)	G178C	POLICY DEVELOPMENT COORDINATOR	1	GRADE C117
32	(75)	L052C	REHAB FACILITY SUPERVISOR	6	GRADE C117
33	(76)	E041C	SENIOR LIBRARIAN	1	GRADE C117
34	(77)	S016C	SKILLED TRADES FOREMAN	1	GRADE C117
35	(78)	S027C	ADC INDUSTRIAL SUPERVISOR II	24	GRADE C116
36	(79)	X133C	ADC/DCC INTERNAL AFFAIRS INVEST	10	GRADE C116

1	(80)	S026C	ADC/DCC ASST MAINTENANCE SUPERVISOR	16	GRADE C116
2	(81)	T059C	ADC/DCC FOOD PREPARATION MANAGER	18	GRADE C116
3	(82)	C024C	ADC/DCC RECORDS SUPERVISOR	20	GRADE C116
4	(83)	T058C	AGRICULTURE UNIT SUPERVISOR I	3	GRADE C116
5	(84)	C022C	BUSINESS OPERATIONS SPECIALIST	17	GRADE C116
6	(85)	V014C	BUYER	2	GRADE C116
7	(86)	G200C	CLASSIFICATION & ASSIGNMENT OFFICER	18	GRADE C116
8	(87)	B091C	CONSTRUCTION SUPERVISOR	2	GRADE C116
9	(88)	X128C	CORRECTIONAL UNIT ACCRED SPECIALIST	12	GRADE C116
10	(89)	X127C	DISCIPLINARY HEARING OFFICER	9	GRADE C116
11	(90)	L058C	DISEASE INTERVENTION SPECIALIST	4	GRADE C116
12	(91)	E048C	EDUCATION & INSTRUCTION SPECIALIST	1	GRADE C116
13	(92)	R030C	EEO/GRIEVANCE OFFICER	2	GRADE C116
14	(93)	M049C	SENIOR CHAPLAIN	5	GRADE C116
15	(94)	S022C	SKILLED TRADES SUPERVISOR	1	GRADE C116
16	(95)	M048C	SUBSTANCE ABUSE PROGRAM LEADER	47	GRADE C116
17	(96)	E046C	TRAINING INSTRUCTOR	8	GRADE C116
18	(97)	M059C	ADC/DCC ADVISOR	14	GRADE C115
19	(98)	T065C	ADC/DCC CORRECTIONAL SERGEANT	868	GRADE C115
20	(99)	M058C	ADC/DCC PROGRAM SPECIALIST	16	GRADE C115
21	(100)	C037C	ADMINISTRATIVE ANALYST	13	GRADE C115
22	(101)	M057C	CHAPLAIN	19	GRADE C115
23	(102)	D079C	COMPUTER SUPPORT TECHNICIAN	16	GRADE C115
24	(103)	S097C	CONSTRUCTION SPECIALIST	1	GRADE C115
25	(104)	A091C	FISCAL SUPPORT ANALYST	13	GRADE C115
26	(105)	R031C	INSTITUTION HUMAN RESOURCES COORD	16	GRADE C115
27	(106)	V015C	PURCHASING SPECIALIST	5	GRADE C115
28	(107)	C026C	RECORDS/INTAKE SUPERVISOR	3	GRADE C115
29	(108)	T061C	SENIOR INTELLIGENCE ANALYST	1	GRADE C115
30	(109)	S043C	ADC INDUSTRIAL SUPERVISOR I	3	GRADE C114
31	(110)	G216C	ADC INMATE GRIEVANCE COORDINATOR	22	GRADE C114
32	(111)	P044C	ADC SALES REPRESENTATIVE	4	GRADE C114
33	(112)	T071C	ADC UNIT TRAINING SUPERVISOR	16	GRADE C114
34	(113)	T070C	ADC/DCC FOOD PREPARATION SUPERVISOR	79	GRADE C114
35	(114)	G215C	CAREER PLANNING & PLACEMENT SPECIAL	1	GRADE C114
36	(115)	M065C	RECREATIONAL ACTIVITY SUPERVISOR	17	GRADE C114

1	(116)	X151C	SAFETY SUPERVISOR	1	GRADE C114
2	(117)	T077C	ADC MAILROOM SERVICES COORDINATOR	14	GRADE C113
3	(118)	T076C	ADC/DCC ADMIN REVIEW OFFICER	7	GRADE C113
4	(119)	T075C	ADC/DCC CORPORAL	2,378	GRADE C113
5	(120)	E054C	ADC/DCC UNIT TRAINER	4	GRADE C113
6	(121)	R036C	HUMAN RESOURCES SPECIALIST	5	GRADE C113
7	(122)	V020C	INVENTORY CONTROL MANAGER	5	GRADE C113
8	(123)	C046C	LEGAL SUPPORT SPECIALIST	2	GRADE C113
9	(124)	S046C	MAINTENANCE TECHNICIAN	27	GRADE C113
10	(125)	P045C	PUBLIC INFORMATION TECHNICIAN	1	GRADE C113
11	(126)	T083C	ADC/DCC CORRECTIONAL OFFICER I	2	GRADE C112
12	(127)	C056C	ADMINISTRATIVE SPECIALIST III	36	GRADE C112
13	(128)	R037C	BENEFITS TECHNICIAN	1	GRADE C112
14	(129)	T081C	COMMISSARY MANAGER	28	GRADE C112
15	(130)	A098C	FISCAL SUPPORT SPECIALIST	37	GRADE C112
16	(131)	S051C	INSTRUMENTATION TECHNICIAN	1	GRADE C112
17	(132)	A097C	PAYROLL TECHNICIAN	3	GRADE C112
18	(133)	V024C	ADC PROPERTY OFFICER	4	GRADE C111
19	(134)	S056C	FOOD PREPARATION SUPERVISOR	4	GRADE C111
20	(135)	M076C	RECREATIONAL ACTIVITY LEADER II	3	GRADE C111
21	(136)	M078C	VOLUNTEER SERVICES COORDINATOR	1	GRADE C111
22	(137)	R039C	BENEFITS SPECIALIST	1	GRADE C110
23	(138)	R038C	HUMAN RESOURCES ASSISTANT	22	GRADE C110
24	(139)	A100C	PAYROLL OFFICER	2	GRADE C110
25	(140)	C073C	ADMINISTRATIVE SPECIALIST II	85	GRADE C109
26	(141)	C087C	ADMINISTRATIVE SPECIALIST I	119	GRADE C106
27	(142)	V030C	SHIPPING & RECEIVING CLERK	<u>1</u>	GRADE C105
28		MAX. NO. OF EMPLOYEES		4,756	

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30 SECTION 2. EXTRA HELP. There is hereby authorized, for the Department
 31 of Correction for the 2012-2013 fiscal year, the following maximum number of
 32 part-time or temporary employees, to be known as "Extra Help", payable from
 33 funds appropriated herein for such purposes: one hundred seventy (170)
 34 temporary or part-time employees, when needed, at rates of pay not to exceed
 35 those provided in the Uniform Classification and Compensation Act, or its
 36 successor, or this act for the appropriate classification.

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SECTION 3. APPROPRIATION - INMATE CARE & CUSTODY. There is hereby appropriated, to the Department of Correction, to be payable from the Department of Correction Inmate Care and Custody Fund Account, for personal services and operating expenses of the Department of Correction - Inmate Care & Custody for the fiscal year ending June 30, 2013, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2012-2013</u>
(01) REGULAR SALARIES	\$160,631,643
(02) EXTRA HELP	100,000
(03) PERSONAL SERVICES MATCHING	59,505,501
(04) OVERTIME	1,550,000
(05) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	52,608,645
(B) CONF. & TRAVEL	200,000
(C) PROF. FEES	60,437,096
(D) CAP. OUTLAY	2,072,803
(E) DATA PROC.	0
(06) JAIL CONTRACTS	<u>1,779,375</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$338,885,063</u></u>

SECTION 4. APPROPRIATION - INMATE WELFARE 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 personal services and operating expenses of the Department of Correction - Inmate Welfare Program for the fiscal year ending June 30, 2013, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2012-2013</u>
(01) REGULAR SALARIES	\$846,497
(02) PERSONAL SERVICES MATCHING	330,133
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	12,429,400
(B) CONF. & TRAVEL	0

1	(C) PROF. FEES	0
2	(D) CAP. OUTLAY	500,000
3	(E) DATA PROC.	<u>0</u>
4	TOTAL AMOUNT APPROPRIATED	<u><u>\$14,106,030</u></u>

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6 SECTION 5. APPROPRIATION - WORK RELEASE PROGRAM. There is hereby

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

8 fund deposited in the State Treasury as determined by the Chief Fiscal

9 Officer of the State, for operating expenses and debt service of the

10 Department of Correction - Work Release Program for the fiscal year ending

11 June 30, 2013, the following:

12		
13	ITEM	FISCAL YEAR
14	<u>NO.</u>	<u>2012-2013</u>
15	(01) MAINT. & GEN. OPERATION	
16	(A) OPER. EXPENSE	\$4,180,274
17	(B) CONF. & TRAVEL	84,150
18	(C) PROF. FEES	1,000,000
19	(D) CAP. OUTLAY	1,553,000
20	(E) DATA PROC.	0
21	(02) DEBT SERVICE	<u>500,000</u>
22	TOTAL AMOUNT APPROPRIATED	<u><u>\$7,317,424</u></u>

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24 SECTION 6. APPROPRIATION - PRISON INDUSTRY PROGRAM. There is hereby

25 appropriated, to the Department of Correction, to be payable from the

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

27 operating expenses of the Department of Correction - Prison Industry Program

28 for the fiscal year ending June 30, 2013, the following:

29		
30	ITEM	FISCAL YEAR
31	<u>NO.</u>	<u>2012-2013</u>
32	(01) REGULAR SALARIES	\$2,088,196
33	(02) PERSONAL SERVICES MATCHING	743,367
34	(03) MAINT. & GEN. OPERATION	
35	(A) OPER. EXPENSE	7,649,295
36	(B) CONF. & TRAVEL	33,760

1	(C) PROF. FEES	0
2	(D) CAP. OUTLAY	142,200
3	(E) DATA PROC.	<u>0</u>
4	TOTAL AMOUNT APPROPRIATED	<u>\$10,656,818</u>

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6 SECTION 7. APPROPRIATION - FARM OPERATIONS PROGRAM. There is hereby

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

8 Department of Correction Farm Fund, for personal services and operating

9 expenses of the Department of Correction - Farm Operations Program for the

10 fiscal year ending June 30, 2013, the following:

11	ITEM	FISCAL YEAR
12		
13	<u>NO.</u>	<u>2012-2013</u>
14	(01) REGULAR SALARIES	\$2,552,521
15	(02) PERSONAL SERVICES MATCHING	879,987
16	(03) MAINT. & GEN. OPERATION	
17	(A) OPER. EXPENSE	9,494,388
18	(B) CONF. & TRAVEL	48,310
19	(C) PROF. FEES	128,354
20	(D) CAP. OUTLAY	1,442,000
21	(E) DATA PROC.	0
22	(04) PURCHASE CATTLE/MEAT	<u>650,000</u>
23	TOTAL AMOUNT APPROPRIATED	<u>\$15,195,560</u>

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25 SECTION 8. APPROPRIATION - NON-TAX REVENUE RECEIPTS. There is hereby

26 appropriated, to the Department of Correction, to be payable from the cash

27 fund deposited in the State Treasury as determined by the Chief Fiscal

28 Officer of the State, for operating expenses of the Department of Correction

29 - Non-Tax Revenue Receipts for the fiscal year ending June 30, 2013, the

30 following:

31	ITEM	FISCAL YEAR
32		
33	<u>NO.</u>	<u>2012-2013</u>
34	(01) MAINT. & GEN. OPERATION	
35	(A) OPER. EXPENSE	\$1,679,195
36	(B) CONF. & TRAVEL	0

1	(C) PROF. FEES	100,000
2	(D) CAP. OUTLAY	400,000
3	(E) DATA PROC.	0
4	(02) CONSTRUCTION	<u>4,038,275</u>
5	TOTAL AMOUNT APPROPRIATED	<u><u>\$6,217,470</u></u>

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7 SECTION 9. APPROPRIATION - FEDERAL PROGRAMS. There is hereby
 8 appropriated, to the Department of Correction, to be payable from the federal
 9 funds as designated by the Chief Fiscal Officer of the State, for personal
 10 services and operating expenses of the Department of Correction - Federal
 11 Programs for the fiscal year ending June 30, 2013, the following:

12

13	ITEM	FISCAL YEAR
14	<u>NO.</u>	<u>2012-2013</u>
15	(01) REGULAR SALARIES	\$50,000
16	(02) PERSONAL SERVICES MATCHING	28,475
17	(03) MAINT. & GEN. OPERATION	
18	(A) OPER. EXPENSE	2,500
19	(B) CONF. & TRAVEL	2,000
20	(C) PROF. FEES	428,900
21	(D) CAP. OUTLAY	0
22	(E) DATA PROC.	<u>0</u>
23	TOTAL AMOUNT APPROPRIATED	<u><u>\$511,875</u></u>

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25 SECTION 10. APPROPRIATION - COUNTY JAIL REIMBURSEMENT. There is hereby
 26 appropriated, to the Department of Correction, to be payable from the County
 27 Jail Reimbursement Fund, for reimbursement to counties housing state inmates
 28 of the Department of Correction - County Jail Reimbursement for the fiscal
 29 year ending June 30, 2013, the following:

30

31	ITEM	FISCAL YEAR
32	<u>NO.</u>	<u>2012-2013</u>
33	(01) REIMBURSEMENTS TO COUNTIES HOUSING	
34	STATE INMATES	<u><u>\$14,846,171</u></u>

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36 SECTION 11. APPROPRIATION - JUVENILE SEX OFFENDER ASSESSMENT. There is

1 hereby appropriated, to the Department of Correction, to be payable from the
 2 Sex and Child Offenders Registration Fund, for operating expenses of the
 3 Department of Correction - Juvenile Sex Offender Assessment for the fiscal
 4 year ending June 30, 2013, the following:

6 ITEM	FISCAL YEAR
7 <u>NO.</u>	<u>2012-2013</u>
8 (01) MAINT. & GEN. OPERATION	
9 (A) OPER. EXPENSE	\$25,000
10 (B) CONF. & TRAVEL	0
11 (C) PROF. FEES	0
12 (D) CAP. OUTLAY	0
13 (E) DATA PROC.	<u>0</u>
14 TOTAL AMOUNT APPROPRIATED	<u><u>\$25,000</u></u>

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16 SECTION 12. APPROPRIATION - FIRE STATION - PROTECTION. There is hereby
 17 appropriated, to the Department of Correction, to be payable from the cash
 18 fund deposited in the State Treasury as determined by the Chief Fiscal
 19 Officer of the State, for construction of the Department of Correction Fire
 20 Station - Protection for the fiscal year ending June 30, 2013, the following:

21

22 ITEM	FISCAL YEAR
23 <u>NO.</u>	<u>2012-2013</u>
24 (01) CONSTRUCTION	<u><u>\$50,000</u></u>

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26 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REGULAR
 28 SALARIES - CONTINGENT POSITIONS. There is hereby established for the
 29 Department of Correction - Contingent Positions for the ~~2010-2011~~2012-2013
 30 fiscal year, the following maximum number of regular employees.

31 CONTINGENT POSITIONS - MEDICAL SERVICES

		MAXIMUM ANNUAL	
33 ITEM	CLASS	MAXIMUM	SALARY RATE
34 <u>NO.</u>	<u>CODE</u> <u>TITLE</u>	NO. OF	FISCAL YEAR
		<u>EMPLOYEES</u>	<u>2010-20112012-2013</u>
36 (01)	CHIEF OF MEDICAL SERVICES	1	\$225,000

1	(02)	CHIEF OF DENTAL SERVICES	1	175,000
2	(03)	CHIEF OF PHARMACY	1	125,000
3	(04)	HEALTH SERVICES ADMIN	1	110,000
4	(05)	PHYSICIANS SPECIALIST	6	170,000
5	(06)	ASST HEALTH SERVICES ADMN	3	90,000
6	(07)	CHIEF OF NURSING SERVICES	1	90,000
7	(08)	RNP/PA	13	85,000
8	(09)	DIR OF MEDICAL RECORDS	1	75,000
9	(10)	UNIT/FACILITY MEDICAL MGR	11	70,000
10	(11)	MEDICAL SERVICES SPECIALIST	8	65,000
11	(12)	UNIT/FACILITY MEDICAL SUPV	7	60,000
12	PATIENT CARE -			
13	(13)	L008N PHYSICIAN SPECIALIST	17	GRADE N917
14	(14)	L011N DENTIST	15	GRADE N916
15	(15)	L016N REGISTERED PHARMACIST	3	GRADE N911
16	(16)	L019C REGISTERED NURSE COORD	1	GRADE C123
17	(17)	L027C REGISTERED NURSE SUPV	41	GRADE C122
18	(18)	L069C LICENSED PRACTICAL NURSE	172	GRADE C113
19	(19)	B111C LABORATORY TECHNICIAN	5	GRADE C110
20	(20)	L064C RADIOLOGY TECHNICIAN	5	GRADE C114
21	PATIENT CARE - CLASSIFIED POSITIONS			
22	(21)	L001C PSYCHOLOGIST SUPERVISOR	2	GRADE C129
23	(22)	L003C PSYCHOLOGIST	12	GRADE C127
24	(23)	L033C PSYCHOLOGIST EXAMINER	7	GRADE C121
25	(24)	G121C REHAB PROGRAM MANAGER	9	GRADE C120
26	(25)	L038C REGISTERED NURSE	3	GRADE C120
27	(26)	M020C LICENSED PROF COUNSELOR	82	GRADE C119
28	(27)	M026C LICENSED SOCIAL WORKER	21	GRADE C118
29	(28)	M046C ADC/DCC TREATMENT COORD	4	GRADE C117
30	(29)	M048C SUBSTANCE ABUSE PRGM LDR	37	GRADE C116
31	(30)	C037C ADMINISTRATIVE ANALYST	2	GRADE C115
32	(31)	L071C DENTAL HYGIENIST	8	GRADE C113
33	(32)	C053C MEDICAL RECORDS TECH	24	GRADE C112
34	(33)	C056C ADMINISTRATIVE SPEC III	23	GRADE C112
35	(34)	C073C ADMINISTRATIVE SPEC II	4	GRADE C109
36	(35)	L081C DENTAL ASSISTANT	12	GRADE C109

1	(36) C087C ADMINISTRATIVE SPEC I	11	GRADE C106
2	CLASSIFIED - NON-PATIENT CARE		
3	(37) BUYER	2	GRADE C116
4	(38) PURCHASING ASSISTANT	1	GRADE C106
5	(39) ACCOUNTING TECH	4	GRADE C109
6	(40) ACCOUNTANT I	1	GRADE C116
7	(41) INSTITUTIONAL HR COORDINATOR	1	GRADE C115
8	(42) HR SPECIALIST	1	GRADE C113
9	(43) ADC INMATE GRIEVANCE COORD	3	GRADE C114
10	(44) COMPUTER SUPPORT TECH	<u>1</u>	GRADE C115
11	GRAND TOTAL CONTINGENT EMPLOYEES	588	

12 If the agency requests continuation of a "Growth Pool" position(s) as
 13 established herein during the next fiscal year, the position(s) must be
 14 requested as a new position(s) in the agency's budget request.

15 The provisions of this section shall be in effect only from July 1,
 16 ~~2010~~2012 through June 30, ~~2011~~2013.

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

34 The provisions of this section shall be in effect only from July 1,
 35 ~~2010~~2012 through June 30, ~~2011~~2013.

36

1 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY
3 REIMBURSEMENT RATE RESTRICTION. Notwithstanding any other provision of law or
4 departmental commitment which may exist to the contrary, the Board of
5 Corrections shall not increase any reimbursement rate for payments made to
6 any county for the purpose of reimbursing the expenses of the care and
7 custody of state inmates, without first seeking and receiving the approval of
8 the Governor and the Chief Fiscal Officer of the State.

9 The provisions of this section shall be in effect only from July 1,
10 ~~2010~~2012 through June 30, ~~2011~~2013.

11
12 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY
14 JAIL REIMBURSEMENT. In the event the Department of Correction cannot accept
15 inmates from county jails due to insufficient bed space, the Department shall
16 reimburse the counties at a rate determined by the Chief Fiscal Officer of
17 the State, after consultation with the Division of Legislative Audit and the
18 Department of Correction, and upon approval by the Governor, until the
19 appropriation and funding for such purpose, is exhausted. The reimbursement
20 rate shall include the county's cost of transporting the inmates to the
21 department. The appropriation provided by Item (06) of Section 3 may be used
22 for contracts with county jails for pre release inmates.

23 The provisions of this section shall be in effect only from July 1,
24 ~~2010~~2012 through June 30, ~~2011~~2013.

25
26 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
28 OF APPROPRIATION WITHIN CAPITAL IMPROVEMENT PROJECTS. The Department of
29 Correction is hereby authorized to transfer appropriation between and/or
30 among the various capital improvements/construction projects authorized by
31 the General Assembly. Such transfers may be made only after approval by the
32 Governor and after prior approval by the Arkansas Legislative Council or
33 Joint Budget Committee. Such authorization shall in no way mean that the
34 total amount of funds or appropriations for capital improvement/construction
35 projects be greater than that provided by the General Assembly for the
36 Department of Correction.

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,
18 ~~2010~~2012 through June 30, ~~2011~~2013.

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

1 requests, encompassing a single purpose listed in this section, during any
2 fiscal year per department. Transfer authority shall further be limited to
3 no more than five percent (5%) of the total General Revenue and Special
4 Revenue appropriation, funding, and positions specific to each agency.
5 However, there shall be no fund transfers to or from the County Jail
6 Reimbursement Fund. 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,
35 ~~2010~~2012 through June 30, ~~2011~~2013.

36

1 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HOLIDAY
 3 COMPENSATION. The Department of Correction is authorized to pay employees for
 4 up to one-hundred fifty (150) hours of unused holidays exceeding a balance in
 5 the employee's holiday account of ninety-six (96) hours following the end of
 6 the calendar year. Payments of unused Holiday hours must be processed on or
 7 before June 1st in each fiscal year. Employees terminating employment from
 8 the Department of Correction will be eligible for all holiday pay accrued
 9 during the years of service. This request is contingent on approval by the
 10 Chief Fiscal Officer of the State after the Director of the Department of
 11 Correction has verified that sufficient revenues are available to make such
 12 payments to employees who have served in the following classifications:

13 Class

14	<u>Code</u>	<u>Title</u>	<u>Grade</u>
15	T033C	ADC/DCC MAJOR	GRADE C120
16	T048C	ADC/DCC CAPTAIN	GRADE C118
17	T054C	ADC/DCC LIEUTENANT	GRADE C117
18	T065C	ADC/DCC CORRECTIONAL SERGEANT	GRADE C115
19	S044C	FOOD PREPARATION MANAGER	GRADE C114
20	T075C	ADC/DCC CORPORAL	GRADE C113
21	T083C	ADC/DCC CORRECTIONAL OFFICER I	GRADE C112
22	S056C	FOOD PREPARATION SUPERVISOR	GRADE C111

23 The provisions of this section shall be in effect only from July 1,
 24 ~~2010~~2012 through June 30, ~~2011~~2013.

25

26 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. JUVENILE
 28 SEX OFFENDER ASSESSMENT. The Arkansas Department of Correction is authorized
 29 to enter into a cooperative agreement with a qualified state treatment and
 30 assessment agency to conduct assessments of juvenile sex or child offenders
 31 as required by provisions of ACA 12-12-901 et. seq. and pay for services upon
 32 receipt of invoice.

33 The provisions of this section shall be in effect only from July 1,
 34 ~~2011~~2012 through June 30, ~~2012~~2013.

35

36 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. INMATE
2 COST REPORTING – STATE FACILITIES.

3 (a) Within 90 days of the close of each state fiscal year, the Arkansas
4 Department of Correction (ADC) shall submit to the Arkansas Legislative
5 Council a report of all direct and indirect costs incurred by the State of
6 Arkansas in housing and caring for inmates incarcerated in the State's
7 facilities. Such costs shall be calculated and reported in total for the
8 Department and in total by each facility. The report shall also reflect
9 overall cost per inmate per day, cost per inmate per day for each facility,
10 overall cost per bed per day, and cost per bed per day for each facility.

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

14 (1) Record all expenditures in a manner that provides for the
15 association of costs with each facility. Costs not directly attributable
16 to a particular facility (overhead, administration, treatment, etc.) shall
17 be allocated to each facility on the basis of inmate population.

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

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

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

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

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

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

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

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

- 1 (A) ADC expenses incurred through fund transfers;
2 (B) Retirement costs;
3 (C) Audit costs;
4 (D) ADC cost for shared employees paid by another state
5 governmental entity;
6 (E) Inmate educational and rehabilitation costs;
7 (F) Inmate related expenses incurred by the Attorney General;
8 however; expenses shall not include costs of defending Habeas
9 Corpus cases.

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

- 13 (1) Accumulate the number of inmates housed at each ADC facility each day
14 throughout the state fiscal year for which costs are being reported. This
15 accumulation shall result in total inmate days and shall be divided into
16 total direct and indirect costs compiled in accordance with subsections
17 (a) and (b) of this section.
18 (2) Exclude those ADC inmates housed in local governmental facilities and
19 Act 309 prisoners from the number of inmates housed at ADC facilities.
20 (3) Maintain documentation supporting the number of inmates housed at ADC
21 facilities.

22

23 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY
25 JAIL REIMBURSEMENT FUND YEAR-END FUND BALANCE CARRY FORWARD. Notwithstanding
26 any law pertaining to the transfer of year-end fund balances or any law to
27 the contrary, any funds which remain in the County Jail Reimbursement Fund at
28 the end of a fiscal year shall remain in the County Jail Reimbursement Fund
29 and made available to fund appropriations authorized by law payable from the
30 County Jail Reimbursement Fund for the following fiscal year.

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

- 33 (1) Prior to June 30, ~~2010~~2013 the Agency shall by written statement set
34 forth its reason(s) for the need to carry forward said funding to the
35 Department of Finance and Administration Office of Budget;
36 (2) The Department of Finance and Administration Office of Budget shall

1 report to the Arkansas Legislative Council all amounts carried forward from
2 the first fiscal year to the second fiscal year by the September Arkansas
3 Legislative Council or Joint Budget Committee meeting which report shall
4 include the name of the Agency, Board, Commission or Institution and the
5 amount of the funding carried forward from the first fiscal year to the
6 second fiscal year, the program name or line item, the funding source of that
7 appropriation and a copy of the written request set forth in (1) above;

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

16 (4) Thereupon, the Department of Finance and Administration shall include
17 all information obtained in item (3) above in the budget manuals and/or a
18 statement of non-compliance by the Agency, Board, Commission or Institution.
19

20 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REFUND TO
22 EXPENDITURE. The proceeds from the sale of feeder cattle by the Department
23 of Correction shall be deposited into the State Treasury as a refund to
24 expenditure to the credit of the appropriation available to the Department of
25 Correction for the "Purchase Cattle/Meat" line item.

26 The provisions of this section shall be in effect only from July 1,
27 ~~2010~~2012 through June 30, ~~2011~~2013.
28

29 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. USE OF
31 MAINTENANCE AND OPERATION APPROPRIATION AND SALVAGED MATERIALS CONSTRUCTION.
32 The Department of Correction is hereby authorized to utilize Maintenance and
33 General Operation Appropriation in conjunction with surplus and/or
34 salvageable materials for the purpose of implementing construction projects
35 to benefit the Department and its various programs. Before such projects may
36 be undertaken, a Method of Finance must be submitted for prior review and

1 approval by the Arkansas Legislative Council or Joint Budget Committee, and
2 review and approval by the Department of Finance and Administration and the
3 Arkansas Building Authority.

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

20 The provisions of this section shall be in effect only from July 1,
21 ~~2010~~2012 through June 30, ~~2011~~2013.

22
23 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. UTILITY
25 RATE INCREASE TRANSFER. In the event of a ten percent (10%) increase in
26 utility rates and fuel rates, the Department of Correction is authorized to
27 transfer any line item appropriation in this Act to the Maintenance and
28 Operation line item for support of the increase after receiving approval of
29 the Chief Fiscal Officer of the State. Prior to the utilization of the
30 transfer authority, a report shall be made to the Arkansas Legislative
31 Council or Joint Budget Committee including justification for the transfer
32 and the amount of the transfer.

33 Determining the maximum number of employees and the maximum amount of
34 appropriation and general revenue funding for a state agency each fiscal year
35 is the prerogative of the General Assembly. This is usually accomplished by
36 delineating such maximums in the appropriation act(s) for a state agency and

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

13 The provisions of this section shall be in effect only from July 1,
14 ~~2010~~2012 through June 30, ~~2011~~2013.

15

16 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MENTAL
18 HEALTH SERVICES. In the event the Department determines to enter into a
19 professional contract for mental health services, the Department may, upon
20 approval of the Chief Fiscal Officer of the State and after prior review and
21 approval by the Arkansas Legislative Council or Joint Budget Committee, make
22 appropriate transfers from regular salaries, personal services matching and
23 various maintenance and operation classifications to the professional fees
24 and services classification for payment of the contractual amount.

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,
6 ~~2010~~2012 through June 30, ~~2011~~2013.

7
8 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL
10 REVENUE/CASH FUNDS TRANSFER. The Department of Correction is authorized to
11 transfer funds from various Special Revenue and Cash Funds into the Inmate
12 Care and Custody Fund Account in order to adjust to the budget needs upon
13 prior approval by the Arkansas Legislative Council or Joint Budget Committee
14 and approval of the Board of Corrections and the Chief Fiscal Officer of the
15 State.

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

32 The provisions of this section shall be in effect only from July 1,
33 ~~2010~~2012 through June 30, ~~2011~~2013.

34
35 SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. NEW

1 FACILITIES. If it is found that contracting for the operation of new
2 facilities is economically beneficial to the State of Arkansas, the
3 Department of Correction may, after receiving approval of the Chief Fiscal
4 Officer, and seeking prior review and approval by the Arkansas Legislative
5 Council or Joint Budget Committee, transfer from any line item appropriation
6 contained in Section 3 of this Act into the Professional Fees and Services
7 line item contained in Section 3 of this Act to operate new facilities.

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,
25 ~~2010~~2012 through June 30, ~~2011~~2013.

26
27 SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

29 APPROPRIATION TRANSFER FOR CONSTRUCTING AND EQUIPPING. The Department of
30 Correction is hereby authorized to transfer appropriations between any line
31 items authorized herein but only for the purpose of financing construction or
32 equipment for a facility of the department. Any transfers authorized by this
33 section shall require the approval of the Chief Fiscal Officer of the State
34 after prior review and approval by the Legislative Council or Joint Budget
35 Committee.

36 Determining the maximum number of employees and the maximum amount of

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

16 The provisions of this section shall be in effect only from July 1,
17 ~~2010~~2012 through June 30, ~~2011~~2013.

18

19 SECTION 30. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FOOD
21 SERVICE CONTRACT. In the event the Department is able to contract with a
22 private provider for food services at a unit(s), transfers may be made from
23 Regular Salaries, Personal Services Matching, and Maintenance and Operations
24 line items to Professional Fees and Services upon approval by the Chief
25 Fiscal Officer of the State and after receiving prior review and approval by
26 the Legislative Council or Joint Budget Committee.

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

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

7 The provisions of this section shall be in effect only from July 1,
8 ~~2010~~2012 through June 30, ~~2011~~2013.

9

10 SECTION 31. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY
12 JAIL INVOICE SUMMARY. The Departments of Correction and Community
13 Correction, shall at a minimum and on a fiscal year basis, prepare and post
14 on the applicable agency web site, a monthly summary of county jail
15 reimbursement invoices prepared and forwarded to each county sheriff for
16 verification by the Departments and for payment from the County Jail
17 Reimbursement Fund. In addition, the report shall include a summary of
18 invoices returned by each county for payment for previous months within the
19 fiscal year, the amounts paid, and any balances owed. Each fiscal year-end
20 report shall be maintained on the web sites for a period of no less than
21 three (3) years.

22

23 SECTION 32. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MOTOR
25 VEHICLE PURCHASE PROVISION. The Department of Correction is hereby
26 authorized to purchase motor vehicles as may be approved for the purpose of
27 equipping new bed additions at the various institutions from the
28 appropriations authorized for Capital Outlay in Section 3 of this Act.

29 The provisions of this section shall be in effect only from July 1,
30 ~~2010~~2012 through June 30, ~~2011~~2013.

31

32 SECTION 33. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
34 OF APPROPRIATION TO THE COUNTY JAIL REIMBURSEMENT FUND. If any savings of
35 general revenue appropriation and funds accrue during the ~~2010-2011~~2012-2013
36 fiscal year in the operations of the Department of Correction, the Director

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

7 The provisions of this section shall be in effect only from July 1,
8 ~~2010~~2012 through June 30, ~~2011~~2013.

9

10 SECTION 34. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LOCAL
12 GOVERNMENT INMATE COST REPORT. Each calendar year, the Association of
13 Arkansas Counties shall compile and submit a report to the Arkansas
14 Legislative Council, of all costs incurred, excluding construction costs, by
15 local government units housing inmates sentenced to the Department of
16 Correction and Department of Community Correction. The cost report shall be
17 a representative sample of all counties housing and caring for state inmates.
18 The report shall be submitted no later than July 1 of the calendar year
19 immediately following the reporting year.

20 The Association of Arkansas Counties in coordination with Legislative
21 Audit shall determine which counties will be included in the sample and shall
22 include a sufficient number of counties from each classification based upon
23 population and each congressional district to ensure a fair representation of
24 costs incurred. Guidelines for preparing this cost report shall be developed
25 by the Division of Legislative Audit in coordination with the Association of
26 Arkansas Counties. The Division of Legislative Audit shall test the accuracy
27 of the information submitted during the routine audit of the applicable
28 county.

29 The provisions of this section shall be in effect only from July 1,
30 ~~2010~~2012 through June 30, ~~2011~~2013.

31

32 SECTION 35. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ESSENTIAL
34 SERVICES STIPEND. The Arkansas Department of Correction (ADC) may award
35 additional compensation to those exempt employees who are members of the
36 emergency response unit. These employees are eligible to receive up to 3% per

1 hour additional compensation for the actual number of hours that an employee
2 spends on an emergency response action.

3 The provisions of this section shall be in effect only from July 1,
4 ~~2011~~2012 through June 30, ~~2012~~2013.

5
6 SECTION 36. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
7 authorized by this act shall be limited to the appropriation for such agency
8 and funds made available by law for the support of such appropriations; and
9 the restrictions of the State Procurement Law, the General Accounting and
10 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
11 Procedures and Restrictions Act, or their successors, and other fiscal
12 control laws of this State, where applicable, and regulations promulgated by
13 the Department of Finance and Administration, as authorized by law, shall be
14 strictly complied with in disbursement of said funds.

15
16 SECTION 37. LEGISLATIVE INTENT. It is the intent of the General
17 Assembly that any funds disbursed under the authority of the appropriations
18 contained in this act shall be in compliance with the stated reasons for
19 which this act was adopted, as evidenced by the Agency Requests, Executive
20 Recommendations and Legislative Recommendations contained in the budget
21 manuals prepared by the Department of Finance and Administration, letters, or
22 summarized oral testimony in the official minutes of the Arkansas Legislative
23 Council or Joint Budget Committee which relate to its passage and adoption.

24
25 SECTION 38. EMERGENCY CLAUSE. It is found and determined by the
26 General Assembly, that the Constitution of the State of Arkansas prohibits
27 the appropriation of funds for more than a one (1) year period; that the
28 effectiveness of this Act on July 1, 2012 is essential to the operation of
29 the agency for which the appropriations in this Act are provided, and that in
30 the event of an extension of the legislative session, the delay in the
31 effective date of this Act beyond July 1, 2012 could work irreparable harm
32 upon the proper administration and provision of essential governmental
33 programs. Therefore, an emergency is hereby declared to exist and this Act
34 being necessary for the immediate preservation of the public peace, health
35 and safety shall be in full force and effect from and after July 1, 2012.

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/s/Joint Budget Committee

APPROVED: 03/02/2012