

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

A Bill

HOUSE BILL 1142

5 By: Joint Budget Committee
6

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, 2020;
11 AND FOR OTHER PURPOSES.
12
13

Subtitle

14 AN ACT FOR THE DEPARTMENT OF CORRECTION
15 APPROPRIATION FOR THE 2019-2020 FISCAL
16 YEAR.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
21

22 SECTION 1. REGULAR SALARIES. There is hereby established for the
23 Department of Correction for the 2019-2020 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	2019-2020
30	(1)	U035U	ADC DIRECTOR	1	GRADE SE04
31	(2)	U062U	ADC CHIEF DEPUTY DIRECTOR	1	GRADE SE02
32	(3)	L001C	PSYCHOLOGIST SUPERVISOR	3	GRADE MP04
33	(4)	L097C	ADC PSYCHOLOGIST	12	GRADE MP03
34	(5)	L003C	PSYCHOLOGIST	1	GRADE MP03
35	(6)	L038C	REGISTERED NURSE	1	GRADE MP01
36	(7)	D007C	INFORMATION SYSTEMS MANAGER	1	GRADE IT08



1	(8)	D030C INFORMATION SYSTEMS COORDINATOR	1	GRADE IT07
2	(9)	D017C INFO SYSTEMS SECURITY SPECIALIST	1	GRADE IT07
3	(10)	D038C SENIOR SOFTWARE SUPPORT ANALYST	3	GRADE IT06
4	(11)	D052C SOFTWARE SUPPORT ANALYST	4	GRADE IT05
5	(12)	D071C COMPUTER SUPPORT ANALYST	4	GRADE IT03
6	(13)	D079C COMPUTER SUPPORT TECHNICIAN	16	GRADE IT02
7	(14)	N039N ADC DEPUTY DIRECTOR	3	GRADE GS15
8	(15)	N048N ADC ASSISTANT DIRECTOR	3	GRADE GS14
9	(16)	A108C ADC ASST CHIEF FINANCIAL OFFICER(CFO)	1	GRADE GS13
10	(17)	G014N ADC COMPLIANCE ATTORNEY	1	GRADE GS13
11	(18)	G024N ADC GENERAL COUNSEL	1	GRADE GS13
12	(19)	T001N ADC SUPERINTENDENT	7	GRADE GS13
13	(20)	N120N ADC FARM ADMINISTRATOR	1	GRADE GS12
14	(21)	N136N ADC HEALTH SERVICE ADMINISTRATOR	2	GRADE GS12
15	(22)	N119N ADC INDUSTRY ADMINISTRATOR	1	GRADE GS12
16	(23)	P003N ADC PUBLIC INFORMATION OFFICER	1	GRADE GS12
17	(24)	T005C ADC/DCC CORRECTIONAL WARDEN	10	GRADE GS12
18	(25)	A021C AGENCY CONTROLLER I	1	GRADE GS12
19	(26)	G025C ATTORNEY SUPERVISOR	2	GRADE GS12
20	(27)	R006C HUMAN RESOURCES ADMINISTRATOR	1	GRADE GS12
21	(28)	T109C SEX OFFENDER COMM NOTIFCTN ASMT ADMIN	1	GRADE GS12
22	(29)	R013C AGENCY HUMAN RESOURCES MANAGER	1	GRADE GS11
23	(30)	G047C ATTORNEY SPECIALIST	2	GRADE GS11
24	(31)	C112C ADC POLICY & RESEARCH COORDINATOR	1	GRADE GS10
25	(32)	T015C ADC/DCC DEPUTY WARDEN	23	GRADE GS10
26	(33)	T006C ADC HEAD FARM MANAGER II	3	GRADE GS09
27	(34)	G222C ADC/DCC INTERNAL AFFAIRS ADMIN	1	GRADE GS09
28	(35)	T033C ADC/DCC MAJOR	26	GRADE GS09
29	(36)	A050C AGENCY FISCAL MANAGER	1	GRADE GS09
30	(37)	E022C EDUCATION & INSTRUCTION MANAGER	2	GRADE GS09
31	(38)	B042C ENGINEER	1	GRADE GS09
32	(39)	A038C FISCAL SUPPORT MANAGER	2	GRADE GS09
33	(40)	M009C LICENSED CERTIFIED SOCIAL WORKER	27	GRADE GS09
34	(41)	L033C PSYCHOLOGICAL EXAMINER	4	GRADE GS09
35	(42)	L041C ADC ASST MEDICAL PROGRAM MANAGER	1	GRADE GS08
36	(43)	S094C ADC CONSTRUCTION/MAINTENANCE COORD	4	GRADE GS08

1	(44)	T021C ADC HEAD FARM MANAGER I	3	GRADE GS08
2	(45)	S010C ADC INDUSTRY PROGRAM MANAGER	8	GRADE GS08
3	(46)	T048C ADC/DCC CAPTAIN	55	GRADE GS08
4	(47)	T104C ADC/DCC TRAINING ACADEMY SUPERVISOR	1	GRADE GS08
5	(48)	M031C ADMINISTRATOR OF CHAPLAINCY SVCS	1	GRADE GS08
6	(49)	R021C BUDGET ANALYST	1	GRADE GS08
7	(50)	A066C INTERNAL AUDITOR	2	GRADE GS08
8	(51)	M088C LICENSED MASTER SOCIAL WORKER	7	GRADE GS08
9	(52)	M020C LICENSED PROFESSIONAL COUNSELOR	74	GRADE GS08
10	(53)	R014C PERSONNEL MANAGER	2	GRADE GS08
11	(54)	V007C PROCUREMENT COORDINATOR	2	GRADE GS08
12	(55)	G121C REHAB PROGRAM MANAGER	9	GRADE GS08
13	(56)	A062C RETIREMENT COORDINATOR	1	GRADE GS08
14	(57)	A060C SENIOR AUDITOR	1	GRADE GS08
15	(58)	T034C WORK RELEASE CENTER SUPERVISOR	3	GRADE GS08
16	(59)	A089C ACCOUNTANT I	1	GRADE GS07
17	(60)	G142C ADC CLASSIFICATION ADMINISTRATOR	1	GRADE GS07
18	(61)	S096C ADC CONSTRUCTION PROJECT SUPERVISOR	15	GRADE GS07
19	(62)	T054C ADC/DCC LIEUTENANT	158	GRADE GS07
20	(63)	M046C ADC/DCC TREATMENT COORDINATOR	1	GRADE GS07
21	(64)	R024C ASSISTANT PERSONNEL MANAGER	2	GRADE GS07
22	(65)	A081C AUDITOR	1	GRADE GS07
23	(66)	G159C DEPARTMENT BUSINESS COORDINATOR	1	GRADE GS07
24	(67)	C010C EXECUTIVE ASSISTANT TO THE DIRECTOR	2	GRADE GS07
25	(68)	M026C LICENSED SOCIAL WORKER	1	GRADE GS07
26	(69)	L052C REHAB FACILITY SUPERVISOR	6	GRADE GS07
27	(70)	A063C RESEARCH & STATISTICS SUPERVISOR	1	GRADE GS07
28	(71)	M049C SENIOR CHAPLAIN	7	GRADE GS07
29	(72)	E041C SENIOR LIBRARIAN	1	GRADE GS07
30	(73)	M023C SUBSTANCE ABUSE PROGRAM COORD	4	GRADE GS07
31	(74)	B040C ADC AGRICULTURE PRODUCTION SUPERVISOR	2	GRADE GS06
32	(75)	T040C ADC ASSISTANT HEAD FARM MANAGER	5	GRADE GS06
33	(76)	S011C ADC COMMODITY & FOOD SVC ADMR	1	GRADE GS06
34	(77)	S095C ADC CONSTRUCTION PROJECT SPECIALIST	9	GRADE GS06
35	(78)	S027C ADC INDUSTRIAL SUPERVISOR II	21	GRADE GS06
36	(79)	G141C ADC INDUSTRY ASSISTANT ADMR	1	GRADE GS06

1	(80)	S105C ADC INDUSTRY PROGRAM SPECIALIST	2	GRADE GS06
2	(81)	T039C ADC INMATE TRANSPORTATION COORD	1	GRADE GS06
3	(82)	X133C ADC/DCC INTERNAL AFFAIRS INVESTIGATOR	9	GRADE GS06
4	(83)	T065C ADC/DCC CORRECTIONAL SERGEANT	888	GRADE GS06
5	(84)	C037C ADMINISTRATIVE ANALYST	16	GRADE GS06
6	(85)	T053C AGRICULTURE UNIT SUPERVISOR II	31	GRADE GS06
7	(86)	M044C ASSOCIATE PROFESSIONAL COUNSELOR	14	GRADE GS06
8	(87)	M057C CHAPLAIN	18	GRADE GS06
9	(88)	S019C DIRECTOR MAINTENANCE	10	GRADE GS06
10	(89)	L058C DISEASE INTERVENTION SPECIALIST	3	GRADE GS06
11	(90)	R030C EEO/GRIEVANCE OFFICER	1	GRADE GS06
12	(91)	A074C FISCAL SUPPORT SUPERVISOR	4	GRADE GS06
13	(92)	R029C HUMAN RESOURCES RECRUITER	1	GRADE GS06
14	(93)	T103C LAW ENFORCEMENT TRAINING INSTRUCTOR	7	GRADE GS06
15	(94)	G178C POLICY DEVELOPMENT COORDINATOR	1	GRADE GS06
16	(95)	P027C PUBLIC INFORMATION SPECIALIST	1	GRADE GS06
17	(96)	C026C RECORDS/INTAKE SUPERVISOR	1	GRADE GS06
18	(97)	B076C RESEARCH PROJECT ANALYST	1	GRADE GS06
19	(98)	T061C SENIOR INTELLIGENCE ANALYST	1	GRADE GS06
20	(99)	S016C SKILLED TRADES FOREMAN	1	GRADE GS06
21	(100)	M048C SUBSTANCE ABUSE PROGRAM LEADER	44	GRADE GS06
22	(101)	T041C WORK RELEASE PROGRAM SUPERVISOR	4	GRADE GS06
23	(102)	G216C ADC INMATE GRIEVANCE COORDINATOR	23	GRADE GS05
24	(103)	P044C ADC SALES REPRESENTATIVE	5	GRADE GS05
25	(104)	T071C ADC UNIT TRAINING SUPERVISOR	17	GRADE GS05
26	(105)	T076C ADC/DCC ADMIN REVIEW OFFICER	6	GRADE GS05
27	(106)	M059C ADC/DCC ADVISOR	14	GRADE GS05
28	(107)	S026C ADC/DCC ASST MAINTENANCE SUPERVISOR	14	GRADE GS05
29	(108)	T075C ADC/DCC CORPORAL	2,384	GRADE GS05
30	(109)	T059C ADC/DCC FOOD PREPARATION MANAGER	20	GRADE GS05
31	(110)	M058C ADC/DCC PROGRAM SPECIALIST	12	GRADE GS05
32	(111)	C024C ADC/DCC RECORDS SUPERVISOR	26	GRADE GS05
33	(112)	T058C AGRICULTURE UNIT SUPERVISOR I	3	GRADE GS05
34	(113)	C022C BUSINESS OPERATIONS SPECIALIST	17	GRADE GS05
35	(114)	V014C BUYER	2	GRADE GS05
36	(115)	G215C CAREER PLANNING & PLACEMENT SPECIALIST	1	GRADE GS05

1	(116)	V013C CENTRAL WAREHOUSE OPERATIONS MGR	1	GRADE GS05
2	(117)	G200C CLASSIFICATION & ASSIGNMENT OFFICER	20	GRADE GS05
3	(118)	X128C CORRECTIONAL UNIT ACCREDITATION SPEC	13	GRADE GS05
4	(119)	X127C DISCIPLINARY HEARING OFFICER	6	GRADE GS05
5	(120)	A091C FISCAL SUPPORT ANALYST	12	GRADE GS05
6	(121)	R032C HUMAN RESOURCES PROGRAM REP.	1	GRADE GS05
7	(122)	R031C INSTITUTION HUMAN RESOURCES COORD	16	GRADE GS05
8	(123)	A090C PAYROLL SERVICES SPECIALIST	1	GRADE GS05
9	(124)	V015C PURCHASING SPECIALIST	6	GRADE GS05
10	(125)	M065C RECREATIONAL ACTIVITY SUPERVISOR	20	GRADE GS05
11	(126)	S022C SKILLED TRADES SUPERVISOR	1	GRADE GS05
12	(127)	E051C STAFF DEVELOPMENT SPECIALIST	2	GRADE GS05
13	(128)	S043C ADC INDUSTRIAL SUPERVISOR I	7	GRADE GS04
14	(129)	T077C ADC MAILROOM SERVICES COORDINATOR	15	GRADE GS04
15	(130)	T083C ADC/DCC CORRECTIONAL OFFICER I	5	GRADE GS04
16	(131)	T070C ADC/DCC FOOD PREPARATION SUPERVISOR	86	GRADE GS04
17	(132)	C056C ADMINISTRATIVE SPECIALIST III	35	GRADE GS04
18	(133)	R037C BENEFITS TECHNICIAN	1	GRADE GS04
19	(134)	A098C FISCAL SUPPORT SPECIALIST	33	GRADE GS04
20	(135)	R038C HUMAN RESOURCES ASSISTANT	23	GRADE GS04
21	(136)	R036C HUMAN RESOURCES SPECIALIST	7	GRADE GS04
22	(137)	S051C INSTRUMENTATION TECHNICIAN	1	GRADE GS04
23	(138)	V020C INVENTORY CONTROL MANAGER	4	GRADE GS04
24	(139)	C046C LEGAL SUPPORT SPECIALIST	2	GRADE GS04
25	(140)	S046C MAINTENANCE TECHNICIAN	26	GRADE GS04
26	(141)	A097C PAYROLL TECHNICIAN	2	GRADE GS04
27	(142)	V024C ADC PROPERTY OFFICER	2	GRADE GS03
28	(143)	C073C ADMINISTRATIVE SPECIALIST II	78	GRADE GS03
29	(144)	T081C COMMISSARY MANAGER	29	GRADE GS03
30	(145)	P045C PUBLIC INFORMATION TECHNICIAN	1	GRADE GS03
31	(146)	C087C ADMINISTRATIVE SPECIALIST I	102	GRADE GS02
32	(147)	V030C SHIPPING & RECEIVING CLERK	<u>1</u>	GRADE GS02
33		MAX. NO. OF EMPLOYEES	4,757	

34

35 SECTION 2. EXTRA HELP. There is hereby authorized, for the Department
 36 of Correction for the 2019-2020 fiscal year, the following maximum number of

1 part-time or temporary employees, to be known as "Extra Help", payable from
 2 funds appropriated herein for such purposes: one hundred seventy (170)
 3 temporary or part-time employees, when needed, at rates of pay not to exceed
 4 those provided in the Uniform Classification and Compensation Act, or its
 5 successor, or this act for the appropriate classification.

6
 7 SECTION 3. APPROPRIATION - INMATE CARE & CUSTODY. There is hereby
 8 appropriated, to the Department of Correction, to be payable from the
 9 Department of Correction Inmate Care and Custody Fund Account, for personal
 10 services and operating expenses of the Department of Correction - Inmate Care
 11 & Custody for the fiscal year ending June 30, 2020, the following:

13 ITEM	FISCAL YEAR
14 NO.	2019-2020
15 (01) REGULAR SALARIES	\$176,991,060
16 (02) EXTRA HELP	100,000
17 (03) PERSONAL SERVICES MATCHING	67,005,094
18 (04) OVERTIME	3,050,000
19 (05) MAINT. & GEN. OPERATION	
20 (A) OPER. EXPENSE	60,756,716
21 (B) CONF. & TRAVEL	155,398
22 (C) PROF. FEES	72,573,039
23 (D) CAP. OUTLAY	1,708,946
24 (E) DATA PROC.	0
25 (06) JAIL CONTRACTS	1,533,000
26 (07) OUT-OF-STATE-BEDS	<u>4,427,136</u>
27 TOTAL AMOUNT APPROPRIATED	<u>\$388,300,389</u>

28
 29 SECTION 4. APPROPRIATION - INMATE WELFARE PROGRAM. There is hereby
 30 appropriated, to the Department of Correction, to be payable from the cash
 31 fund deposited in the State Treasury as determined by the Chief Fiscal
 32 Officer of the State, for personal services and operating expenses of the
 33 Department of Correction - Inmate Welfare Program for the fiscal year ending
 34 June 30, 2020, the following:

36 ITEM	FISCAL YEAR
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1	<u>NO.</u>	<u>2019-2020</u>
2	(01) REGULAR SALARIES	\$810,727
3	(02) PERSONAL SERVICES MATCHING	342,830
4	(03) MAINT. & GEN. OPERATION	
5	(A) OPER. EXPENSE	13,028,560
6	(B) CONF. & TRAVEL	0
7	(C) PROF. FEES	0
8	(D) CAP. OUTLAY	0
9	(E) DATA PROC.	<u>0</u>
10	TOTAL AMOUNT APPROPRIATED	<u><u>\$14,182,117</u></u>

11

12 SECTION 5. APPROPRIATION - WORK RELEASE PROGRAM. There is hereby
 13 appropriated, to the Department of Correction, to be payable from the cash
 14 fund deposited in the State Treasury as determined by the Chief Fiscal
 15 Officer of the State, for operating expenses and debt service of the
 16 Department of Correction - Work Release Program for the fiscal year ending
 17 June 30, 2020, the following:

18

19	ITEM	FISCAL YEAR
20	<u>NO.</u>	<u>2019-2020</u>
21	(01) MAINT. & GEN. OPERATION	
22	(A) OPER. EXPENSE	\$5,394,120
23	(B) CONF. & TRAVEL	104,150
24	(C) PROF. FEES	100,000
25	(D) CAP. OUTLAY	2,427,590
26	(E) DATA PROC.	0
27	(02) DEBT SERVICE	<u>0</u>
28	TOTAL AMOUNT APPROPRIATED	<u><u>\$8,025,860</u></u>

29

30 SECTION 6. APPROPRIATION - PRISON INDUSTRY PROGRAM. There is hereby
 31 appropriated, to the Department of Correction, to be payable from the
 32 Department of Correction Prison Industry Fund, for personal services and
 33 operating expenses of the Department of Correction - Prison Industry Program
 34 for the fiscal year ending June 30, 2020, the following:

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36	ITEM	FISCAL YEAR
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1	<u>NO.</u>	<u>2019-2020</u>
2	(01) REGULAR SALARIES	\$2,186,824
3	(02) EXTRA HELP	10,000
4	(03) PERSONAL SERVICES MATCHING	811,816
5	(04) OVERTIME	8,000
6	(05) MAINT. & GEN. OPERATION	
7	(A) OPER. EXPENSE	6,955,213
8	(B) CONF. & TRAVEL	41,280
9	(C) PROF. FEES	50,000
10	(D) CAP. OUTLAY	182,500
11	(E) DATA PROC.	<u>0</u>
12	TOTAL AMOUNT APPROPRIATED	<u><u>\$10,245,633</u></u>

13

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

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

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

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

18 fiscal year ending June 30, 2020, the following:

20	ITEM	FISCAL YEAR
21	<u>NO.</u>	<u>2019-2020</u>
22	(01) REGULAR SALARIES	\$2,857,568
23	(02) EXTRA HELP	10,000
24	(03) PERSONAL SERVICES MATCHING	1,026,581
25	(04) MAINT. & GEN. OPERATION	
26	(A) OPER. EXPENSE	11,900,000
27	(B) CONF. & TRAVEL	53,010
28	(C) PROF. FEES	168,354
29	(D) CAP. OUTLAY	330,000
30	(E) DATA PROC.	0
31	(05) PURCHASE CATTLE/MEAT	<u>650,000</u>
32	TOTAL AMOUNT APPROPRIATED	<u><u>\$16,995,513</u></u>

33

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

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

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

1 Officer of the State, for operating expenses of the Department of Correction
 2 - Non-Tax Revenue Receipts for the fiscal year ending June 30, 2020, the
 3 following:

5 ITEM	FISCAL YEAR
6 <u>NO.</u>	<u>2019-2020</u>
7 (01) MAINT. & GEN. OPERATION	
8 (A) OPER. EXPENSE	\$601,000
9 (B) CONF. & TRAVEL	0
10 (C) PROF. FEES	30,000
11 (D) CAP. OUTLAY	0
12 (E) DATA PROC.	0
13 (02) CONSTRUCTION	<u>1,870,200</u>
14 TOTAL AMOUNT APPROPRIATED	<u><u>\$2,501,200</u></u>

15
 16 SECTION 9. APPROPRIATION - COUNTY JAIL REIMBURSEMENT. There is hereby
 17 appropriated, to the Department of Correction, to be payable from the County
 18 Jail Reimbursement Fund, for reimbursement to counties housing state inmates
 19 of the Department of Correction - County Jail Reimbursement for the fiscal
 20 year ending June 30, 2020, the following:

22 ITEM	FISCAL YEAR
23 <u>NO.</u>	<u>2019-2020</u>
24 (01) REIMBURSEMENTS TO COUNTIES HOUSING	
25 STATE INMATES	<u>\$17,453,607</u>

26
 27 SECTION 10. APPROPRIATION - ADC SEX OFFENDER ASSESSMENT. There is
 28 hereby appropriated, to the Department of Correction, to be payable from the
 29 Sex and Child Offenders Registration Fund, for operating expenses of the
 30 Department of Correction - ADC Sex Offender Assessment for the fiscal year
 31 ending June 30, 2020, the following:

33 ITEM	FISCAL YEAR
34 <u>NO.</u>	<u>2019-2020</u>
35 (01) MAINT. & GEN. OPERATION	
36 (A) OPER. EXPENSE	\$25,000

1	(B) CONF. & TRAVEL	0
2	(C) PROF. FEES	0
3	(D) CAP. OUTLAY	0
4	(E) DATA PROC.	<u>0</u>
5	TOTAL AMOUNT APPROPRIATED	<u><u>\$25,000</u></u>

6

7 SECTION 11. APPROPRIATION - FIRE STATION - PROTECTION. There is hereby

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

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

10 Officer of the State, for operations of the Department of Correction - Fire

11 Station - Protection for the fiscal year ending June 30, 2020, the following:

13	ITEM	FISCAL YEAR
14	<u>NO.</u>	<u>2019-2020</u>
15	(01) MAINT. & GEN. OPERATION	
16	(A) OPER. EXPENSE	\$25,000
17	(B) CONF. & TRAVEL	0
18	(C) PROF. FEES	0
19	(D) CAP. OUTLAY	0
20	(E) DATA PROC.	<u>0</u>
21	TOTAL AMOUNT APPROPRIATED	<u><u>\$25,000</u></u>

22

23 SECTION 12. APPROPRIATION - PAWS IN PRISON. There is hereby

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

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

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

27 - Paws in Prison for the fiscal year ending June 30, 2020, the following:

29	ITEM	FISCAL YEAR
30	<u>NO.</u>	<u>2019-2020</u>
31	(01) PAWS IN PRISON	<u><u>\$150,000</u></u>

32

33 SECTION 13. APPROPRIATION - MEDICAL MONETARY SANCTIONS. There is

34 hereby appropriated, to the Department of Correction, to be payable from the

35 cash fund deposited in the State Treasury as determined by the Chief Fiscal

36 Officer of the State, for comprehensive inmate/offender health services of

1 the Department of Correction - Medical Monetary Sanctions for the fiscal year
 2 ending June 30, 2020, the following:

ITEM	FISCAL YEAR
NO.	2019-2020
(01) MEDICAL MONETARY SANCTIONS	<u>\$1,500,000</u>

7
 8 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REGULAR
 10 SALARIES - CONTINGENT POSITIONS. There is hereby established for the
 11 Department of Correction - Contingent Positions for the ~~2018-2019~~2019-2020
 12 fiscal year, the following maximum number of regular employees.

13
 14 CONTINGENT POSITIONS - MEDICAL SERVICES

ITEM	CLASS	TITLE	MAXIMUM NO. OF EMPLOYEES	MAXIMUM ANNUAL SALARY RATE	FISCAL YEAR
NO.	CODE				2018-2019 2019-2020
19	(01)	CHIEF OF MEDICAL SERVICES	1	\$225,000	
20	(02)	CHIEF OF DENTAL SERVICES	1	175,000	
21	(03)	PHYSICIANS SPECIALIST	15	170,000	
22	(04)	CHIEF OF PHARMACY	1	125,000	
23	(05)	CHIEF OF NURSING SERVICES	1	90,000	
24	(06)	UNIT/FACILITY MEDICAL MGR	15	90,000	
25	(07)	RNP/PA	13	85,000	
26	(08)	DIR OF MEDICAL RECORDS	1	75,000	
27	PATIENT CARE -				
28	(09)	L011N DENTIST	15	GRADE MP06	
29	(10)	L016N REGISTERED PHARMACIST	3	GRADE MP05	
30	(11)	L019C REGISTERED NURSE COORD	13	GRADE MP02	
31	(12)	L027C REGISTERED NURSE SUPV	45	GRADE MP02	
32	(13)	L064C RADIOLOGY TECHNICIAN	8	GRADE GS07	
33	(14)	L069C LICENSED PRACTICAL NURSE	180	GRADE GS06	
34	(15)	B111C LABORATORY TECHNICIAN	3	GRADE GS04	
35	PATIENT CARE - CLASSIFIED POSITIONS				
36	(16)	L071C DENTAL HYGIENIST	8	GRADE GS05	

1	(17) C056C	ADMINISTRATIVE SPEC III	11	GRADE GS04
2	(18) C053C	MEDICAL RECORDS TECH	26	GRADE GS03
3	(19) C073C	ADMINISTRATIVE SPEC II	9	GRADE GS03
4	(20) L081C	DENTAL ASSISTANT	14	GRADE GS04
5	CLASSIFIED - NON-PATIENT CARE			
6	(21)	CHIEF PSYCHIATRIC SERV.	1	\$400,000
7	(22)	VP OPERATIONS	1	\$200,000
8	(23)	REGIONAL MANAGER	3	\$120,000
9	(24)	PSYCHIATRIC SPECIALIST	6	GRADE MP08
10	(25) A014C	FISCAL DIVISION MANAGER	1	GRADE GS12
11	(26) D030C	INFO SYSTEMS COORDINATOR	1	GRADE IT07
12	(27) G178C	POLICY DEVELOP. COORDINATOR	1	GRADE GS06
13	(28) A089C	ACCOUNTANT I	1	GRADE GS07
14	(29) V014C	BUYER	2	GRADE GS05
15	(30) D079C	COMPUTER SUPPORT TECH	1	GRADE IT02
16	(31)	INSTITUTIONAL HR COORDINATOR	1	GRADE C115
17	(32)	HR SPECIALIST	1	GRADE C113
18	(33) A098C	FISCAL SUPPORT SPECIALIST	1	GRADE GS04
19	(34)	NURSING ASSISTANT	53	GRADE C110
20	(35) A101C	ACCOUNTING TECH	4	GRADE GS04
21	(36) V029C	PURCHASING ASSISTANT	<u>1</u>	GRADE GS01
22	GRAND TOTAL CONTINGENT EMPLOYEES		462	

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

26 The provisions of this section shall be in effect only from July 1, ~~2018~~
 27 2019 through June 30, ~~2019~~ 2020.

28
 29 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 31 MEDICAL/MENTAL HEALTH SERVICES - CONTINGENCY POSITIONS. If it has been
 32 determined by the Board of Corrections that the Department cannot continue a
 33 medical contract with a private provider and the Board deems it necessary to
 34 utilize Department staff to provide the required services, the Department is
 35 allowed, upon notification of the Chief Fiscal Officer of the State and after
 36 seeking prior review by the Arkansas Legislative Council or Joint Budget

1 Committee, to utilize the contingent positions for medical services contained
2 in this Act and make the appropriate transfers from the Professional Fees and
3 Services line item contained in the Inmate Care & Custody appropriation of
4 this Act to Regular Salaries, Personal Services Matching and various
5 Maintenance and General Operations classifications. Further, the Department
6 may utilize the service(s) of a state-based or national-based Professional
7 Recruitment Service, or network, as may be necessary to recruit, fill, or
8 maintain the occupancy of the positions stated herein.

9 The provisions of this section shall be in effect only from July 1, ~~2018~~
10 2019 through June 30, ~~2019~~ 2020.

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

20 The provisions of this section shall be in effect only from July 1, ~~2018~~
21 2019 through June 30, ~~2019~~ 2020.

22
23 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY
25 JAIL REIMBURSEMENT. In the event the Department of Correction cannot accept
26 inmates from county jails due to insufficient bed space, the Department shall
27 reimburse the counties at a rate determined by the Chief Fiscal Officer of
28 the State, after consultation with the Division of Legislative Audit and the
29 Department of Correction, and upon approval by the Governor, until the
30 appropriation and funding for such purpose, is exhausted. The reimbursement
31 rate shall include the county's cost of transporting the inmates to the
32 department. The appropriation provided by the Jail Contracts line item in the
33 Inmate Care & Custody appropriation may be used for contracts with county
34 jails for pre release inmates.

35 The provisions of this section shall be in effect only from July 1, ~~2018~~
36 2019 through June 30, ~~2019~~ 2020.

1
2 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
3 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
4 OF APPROPRIATION WITHIN CAPITAL IMPROVEMENT PROJECTS. The Department of
5 Correction is hereby authorized to transfer appropriation between and/or
6 among the various capital improvements/construction projects authorized by
7 the General Assembly. Such transfers may be made only after approval by the
8 Governor and after prior approval by the Arkansas Legislative Council or
9 Joint Budget Committee. Such authorization shall in no way mean that the
10 total amount of funds or appropriations for capital improvement/construction
11 projects be greater than that provided by the General Assembly for the
12 Department of Correction.

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, ~~2018~~
30 2019 through June 30, ~~2019~~ 2020.

31
32 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
34 REALLOCATION OF RESOURCES. Upon determination by the Board of Corrections
35 that a reallocation of resources within the Department of Community
36 Correction and Department of Correction is necessary for the efficient and

1 effective operation of the departments, the Board, with approval of the
2 Governor and approval by the Arkansas Legislative Council or Joint Budget
3 Committee, shall have the authority to instruct the department directors, to
4 request from the Chief Fiscal Officer of the State, a transfer of positions,
5 programs, funds, appropriations, and line-item appropriations within or
6 between existing and newly created divisions, offices, sections, or units of
7 the departments. If it is determined that the requested transfer should be
8 made, the Chief Fiscal Officer of the State shall then initiate the necessary
9 transfer documents to reflect the transfers upon the fiscal records of the
10 State Treasurer, the State Auditor, the Chief Fiscal Officer of the State,
11 and the Departments of Correction and Community Correction. Provided,
12 however, that the Board shall be limited to submitting no more than two
13 requests, encompassing a single purpose listed in this section, during any
14 fiscal year per department. Transfer authority shall further be limited to
15 no more than five percent (5%) of the total General Revenue and Special
16 Revenue appropriation, funding, and positions specific to each agency.
17 However, there shall be no fund transfers to or from the County Jail
18 Reimbursement Fund. A Reallocation of Resources Transfer shall be limited to
19 the following specific purposes:

- 20 a) Costs to open and operate temporary beds;
- 21 b) Payment of Debt Service;
- 22 c) Payment of Overtime Expenses;
- 23 d) Unanticipated increases for medical or private prison contracts;
- 24 e) Construction/renovation/equipping of new beds;
- 25 f) Deficits in Farm or Industry Program;
- 26 g) Losses not covered by insurance proceeds;
- 27 h) Costs of personnel for critical services or necessary to carry out the
28 mission of the agency.

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

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

10 The provisions of this section shall be in effect only from July 1, ~~2018~~
 11 2019 through June 30, ~~2019~~ 2020.

13 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HOLIDAY
 15 COMPENSATION. The Department of Correction is authorized to pay employees for
 16 hours of unused holidays in the employee's holiday account following the end
 17 of the calendar year. Payments of unused Holiday hours must be processed on
 18 or before June 1st in each fiscal year. Employees terminating employment from
 19 the Department of Correction will be eligible for all holiday pay accrued.
 20 This request is contingent on approval by the Chief Fiscal Officer of the
 21 State after the Director of the Department of Correction has verified that
 22 sufficient revenues are available to make such payments to employees who have
 23 served in the following classifications, with the exception that those
 24 employees wishing to accrue banked hours be allowed the option to bank unused
 25 holiday hours in the employee's holiday account, not to exceed one-hundred
 26 fifty (150) hours:

27
 28 Class

29	<u>Code</u>	<u>Title</u>	<u>Grade</u>
30	T033C	ADC/DCC MAJOR	GRADE GS09
31	T048C	ADC/DCC CAPTAIN	GRADE GS08
32	T054C	ADC/DCC LIEUTENANT	GRADE GS07
33	T065C	ADC/DCC CORRECTIONAL SERGEANT	GRADE GS06
34	T059C	ADC/DCC FOOD PREPARATION MANAGER	GRADE GS05
35	T075C	ADC/DCC CORPORAL	GRADE GS05
36	T083C	ADC/DCC CORRECTIONAL OFFICER I	GRADE GS04

1 T070C ADC/DCC FOOD PREPARATION SUPERVISOR GRADE GS04

2 The provisions of this section shall be in effect only from July 1, ~~2018~~
3 2019 through June 30, ~~2019~~ 2020.

4
5 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EMPLOYEE
7 COMPENSATION REPORT. The Department of Finance and Administration Office of
8 Budget shall prepare and submit to the Arkansas Legislative Council or Joint
9 Budget Committee a report reflecting the amount of appropriation and funding
10 necessary for the Department of Correction to sufficiently budget for the
11 expenditure of payments to employees for all Holiday Liability, Straight Time
12 Liability, Overtime, and Hazardous Duty Compensation incurred, including the
13 current balances of said liabilities. This report shall be included in the
14 summary budget information manual submitted during the biennial budget
15 process.

16 The provisions of this section shall be in effect only from July 1, ~~2018~~
17 2019 through June 30, ~~2019~~ 2020.

18
19 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ADC SEX
21 OFFENDER ASSESSMENT. The Arkansas Department of Correction is authorized to
22 enter into a cooperative agreement with a qualified state treatment and
23 assessment agency to conduct assessments of juvenile sex or child offenders
24 as required by provisions of ACA 12-12-901 et. seq. and pay for services upon
25 receipt of invoice.

26 The provisions of this section shall be in effect only from July 1, ~~2018~~
27 2019 through June 30, ~~2019~~ 2020.

28
29 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. INMATE
31 COST REPORTING – STATE FACILITIES.

32 (a) Within 90 days of the close of each state fiscal year, the Arkansas
33 Department of Correction (ADC) shall submit to the Arkansas Legislative
34 Council a report of all direct and indirect costs incurred by the State of
35 Arkansas in housing and caring for inmates incarcerated in the State's
36 facilities. Such costs shall be calculated and reported in total for the

1 Department and in total by each facility. The report shall also reflect
2 overall cost per inmate per day, cost per inmate per day for each facility,
3 overall cost per bed per day, and cost per bed per day for each facility.

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

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

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

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

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

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

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

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

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

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

30 (A) ADC expenses incurred through fund transfers;

31 (B) Retirement costs;

32 (C) Audit costs;

33 (D) ADC cost for shared employees paid by another state governmental
34 entity;

35 (E) Inmate educational and rehabilitation costs;

36 (F) Inmate related expenses incurred by the Attorney General; however;

1 expenses shall not include costs of defending Habeas Corpus cases.

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

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

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

12 (3) Maintain documentation supporting the number of inmates housed at ADC
13 facilities.

14 The provisions of this section shall be in effect only from July 1, ~~2018~~
15 2019 through June 30, ~~2019~~ 2020.

16
17 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY
19 JAIL REIMBURSEMENT FUND YEAR-END FUND BALANCE CARRY FORWARD. Notwithstanding
20 any law pertaining to the transfer of year-end fund balances or any law to
21 the contrary, any funds which remain in the County Jail Reimbursement Fund at
22 the end of a fiscal year shall remain in the County Jail Reimbursement Fund
23 and made available to fund appropriations authorized by law payable from the
24 County Jail Reimbursement Fund for the following fiscal year.

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

27 (1) Prior to June 30, ~~2018~~ 2019 the Agency shall by written statement set
28 forth its reason(s) for the need to carry forward said funding to the
29 Department of Finance and Administration Office of Budget;

30 (2) The Department of Finance and Administration Office of Budget shall
31 report to the Arkansas Legislative Council all amounts carried forward from
32 the first fiscal year to the second fiscal year by the September Arkansas
33 Legislative Council or Joint Budget Committee meeting which report shall
34 include the name of the Agency, Board, Commission or Institution and the
35 amount of the funding carried forward from the first fiscal year to the
36 second fiscal year, the program name or line item, the funding source of that

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

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

13 The provisions of this section shall be in effect only from July 1, ~~2018~~
14 2019 through June 30, ~~2019~~ 2020.

15
16 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REFUND TO
18 EXPENDITURE. The proceeds from the sale of feeder cattle by the Department
19 of Correction shall be deposited into the State Treasury as a refund to
20 expenditure to the credit of the appropriation available to the Department of
21 Correction for the "Purchase Cattle/Meat" line item.

22 The provisions of this section shall be in effect only from July 1, ~~2018~~
23 2019 through June 30, ~~2019~~ 2020.

24
25 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. USE OF
27 MAINTENANCE AND OPERATION APPROPRIATION AND SALVAGED MATERIALS CONSTRUCTION.
28 The Department of Correction is hereby authorized to utilize Maintenance and
29 General Operation Appropriation in conjunction with surplus and/or
30 salvageable materials for the purpose of implementing construction projects
31 to benefit the Department and its various programs. Before such projects may
32 be undertaken, a Method of Finance must be submitted for prior review and
33 approval by the Arkansas Legislative Council or Joint Budget Committee, and
34 review and approval by the Department of Finance and Administration and the
35 Building Authority Division of the Department of Finance and Administration.
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, ~~2018~~
17 2019 through June 30, ~~2019~~ 2020.

18
19 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. UTILITY
21 RATE INCREASE TRANSFER. In the event of a ten percent (10%) increase in
22 utility rates and fuel rates, the Department of Correction is authorized to
23 transfer any line item appropriation in this Act to the Maintenance and
24 Operation line item for support of the increase after receiving approval of
25 the Chief Fiscal Officer of the State. Prior to the utilization of the
26 transfer authority, a report shall be made to the Arkansas Legislative
27 Council or Joint Budget Committee including justification for the transfer
28 and the amount of the transfer.

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

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

9 The provisions of this section shall be in effect only from July 1, ~~2018~~
10 2019 through June 30, ~~2019~~ 2020.

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

1 The provisions of this section shall be in effect only from July 1, ~~2018~~
2 2019 through June 30, ~~2019~~ 2020.

3
4 SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL
6 REVENUE/CASH FUNDS TRANSFER. The Department of Correction is authorized to
7 transfer funds from various Special Revenue and Cash Funds into the Inmate
8 Care and Custody Fund Account in order to adjust to the budget needs upon
9 prior approval by the Arkansas Legislative Council or Joint Budget Committee
10 and approval of the Board of Corrections and the Chief Fiscal Officer of the
11 State.

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

28 The provisions of this section shall be in effect only from July 1, ~~2018~~
29 2019 through June 30, ~~2019~~ 2020.

30
31 SECTION 30. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. NEW
33 FACILITIES. If it is found that contracting for the operation of new
34 facilities is economically beneficial to the State of Arkansas, the
35 Department of Correction may, after receiving approval of the Chief Fiscal
36 Officer, and seeking prior review and approval by the Arkansas Legislative

1 Council or Joint Budget Committee, transfer from any line item appropriation
2 contained in the Inmate Care & Custody appropriation of this Act into the
3 Professional Fees and Services line item contained in the Inmate Care &
4 Custody appropriation of this Act to operate new facilities.

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

21 The provisions of this section shall be in effect only from July 1, ~~2018~~
22 2019 through June 30, ~~2019~~ 2020.

23
24 SECTION 31. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

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

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, ~~2018~~
14 2019 through June 30, ~~2019~~ 2020.

15

16 SECTION 32. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY
18 JAIL INVOICE SUMMARY. The Departments of Correction and Community
19 Correction, shall at a minimum and on a fiscal year basis, prepare and post
20 on the applicable agency web site, a monthly summary of county jail
21 reimbursement invoices prepared and forwarded to each county sheriff for
22 verification by the Departments and for payment from the County Jail
23 Reimbursement Fund. In addition, the report shall include a summary of
24 invoices returned by each county for payment for previous months within the
25 fiscal year, the amounts paid, and any balances owed. Each fiscal year-end
26 report shall be maintained on the web sites for a period of no less than
27 three (3) years.

28 The provisions of this section shall be in effect only from July 1, ~~2018~~
29 2019 through June 30, ~~2019~~ 2020.

30

31 SECTION 33. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
33 OF APPROPRIATION TO THE COUNTY JAIL REIMBURSEMENT FUND. If any savings of
34 general revenue appropriation and funds accrue during the ~~2018-2019~~ 2019-2020
35 fiscal year in the operations of the Department of Correction, the Director
36 of the Department of Correction may request a transfer of appropriation from

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

6 The provisions of this section shall be in effect only from July 1, ~~2018~~
7 2019 through June 30, ~~2019~~ 2020.

8
9 SECTION 34. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LOCAL
11 GOVERNMENT INMATE COST REPORT. Each calendar year, the Association of
12 Arkansas Counties shall compile and submit a report to the Arkansas
13 Legislative Council, of all costs incurred, excluding construction costs, by
14 local government units housing inmates sentenced to the Department of
15 Correction and Department of Community Correction. The cost report shall be
16 a representative sample of all counties housing and caring for state inmates.
17 The report shall be submitted no later than July 1 of the calendar year
18 immediately following the reporting year.

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

28 The provisions of this section shall be in effect only from July 1, ~~2018~~
29 2019 through June 30, ~~2019~~ 2020.

30
31 SECTION 35. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ESSENTIAL
33 SERVICES STIPEND. The Arkansas Department of Correction (ADC) may award
34 additional compensation to those exempt employees who are members of the
35 emergency response unit. These employees are eligible to receive up to 3% per
36 hour additional compensation for the actual number of hours that an employee

1 spends on an emergency response action.

2 The provisions of this section shall be in effect only from July 1, ~~2018~~
3 2019 through June 30, ~~2019~~ 2020.

4
5 SECTION 36. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MARKETING
7 AND REDISTRIBUTION PROCEEDS FROM SALE OF STATE PROPERTY. The proceeds from
8 the sale of state property through the Marketing and Redistribution Section
9 of the Department of Finance and Administration, may be deposited into the
10 Cash in State Treasury fund in an amount not to exceed \$100,000 there to be
11 used for operating expenses for the Paws in Prison program.

12 The provisions of this section shall be in effect only from July 1, ~~2018~~
13 2019 through June 30, ~~2019~~ 2020.

14
15 SECTION 37. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
17 PROMOTIONAL ITEMS. The Department of Correction is hereby authorized to
18 purchase from Maintenance & General Operations Classifications in the
19 Industry Program (SDD0100) appropriation provided by this act, up to an
20 amount not to exceed \$5,000 each fiscal year for promotional items produced
21 by its prison industry division, to meet the Agency's employee recruitment
22 needs; subject to the authorization of the Director of the Agency, and with
23 the approval of the Chief Fiscal Officer of the State. The Director of the
24 Agency shall report quarterly to the Board of Corrections the amount and type
25 of promotional items purchased under this Section.

26 The provisions of this section shall be in effect only from July 1,
27 2019 through June 30, 2020.

28
29 SECTION 38. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
30 authorized by this act shall be limited to the appropriation for such agency
31 and funds made available by law for the support of such appropriations; and
32 the restrictions of the State Procurement Law, the General Accounting and
33 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
34 Procedures and Restrictions Act, or their successors, and other fiscal
35 control laws of this State, where applicable, and regulations promulgated by
36 the Department of Finance and Administration, as authorized by law, shall be

1 strictly complied with in disbursement of said funds.

2
 3 SECTION 39. LEGISLATIVE INTENT. It is the intent of the General
 4 Assembly that any funds disbursed under the authority of the appropriations
 5 contained in this act shall be in compliance with the stated reasons for
 6 which this act was adopted, as evidenced by the Agency Requests, Executive
 7 Recommendations and Legislative Recommendations contained in the budget
 8 manuals prepared by the Department of Finance and Administration, letters, or
 9 summarized oral testimony in the official minutes of the Arkansas Legislative
 10 Council or Joint Budget Committee which relate to its passage and adoption.

11
 12 SECTION 40. EMERGENCY CLAUSE. It is found and determined by the
 13 General Assembly, that the Constitution of the State of Arkansas prohibits
 14 the appropriation of funds for more than a one (1) year period; that the
 15 effectiveness of this Act on July 1, 2019 is essential to the operation of
 16 the agency for which the appropriations in this Act are provided, and that in
 17 the event of an extension of the legislative session, the delay in the
 18 effective date of this Act beyond July 1, 2019 could work irreparable harm
 19 upon the proper administration and provision of essential governmental
 20 programs. Therefore, an emergency is hereby declared to exist and this Act
 21 being necessary for the immediate preservation of the public peace, health
 22 and safety shall be in full force and effect from and after July 1, 2019.

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 25 **APPROVED: 2/13/19**
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