

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

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009

A Bill

HOUSE BILL 1421

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5 By: Representative Saunders
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For An Act To Be Entitled

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9 AN ACT TO ALLOW THE DEPARTMENT OF CORRECTION TO
10 ISSUE SURPLUS ITEMS PROCESSED BY THE FARMING
11 OPERATIONS OF THE DEPARTMENT; AND FOR OTHER
12 PURPOSES.
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Subtitle

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15 TO ALLOW THE DEPARTMENT OF CORRECTION TO
16 ISSUE SURPLUS ITEMS PROCESSED BY THE
17 FARMING OPERATIONS OF THE DEPARTMENT.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code § 12-27-116 is amended to read as follows:
23 12-27-116. Use of fuel and provisions – Issuance or sale of items
24 produced.

25 (a) Except as authorized by the Board of Corrections, no officer of
26 the Department of Correction or employee of the department shall give to
27 anyone any fuel, forage, provisions, or manufactured articles under his or
28 her charge, nor permit such things to be taken or used except for the use and
29 benefit of the state.

30 (b)(1) The department shall adopt rules and regulations to establish a
31 program to provide for the orderly and equitable issuance or sale of surplus
32 items produced or processed by the farming operations of the department to
33 employees and, in addition, shall implement a monitoring system to guarantee
34 fiscal accountability in that program.

35 (2) Only those individuals identified as emergency force
36 personnel meeting the following requirements may participate in the issuance



1 of items under this program:

2 (A) Individuals whose duties require long working hours
3 beyond the normal workday of approximately 8:00 a.m. to 5:00 p.m., and the
4 normal workweek of five (5) days a week;

5 (B) Individuals required for long working hours, regularly
6 worked weekends, and holidays; or

7 (C) Individuals on twenty-four-hour call, seven (7) days a
8 week.

9 (3) Reasonable quantities, as determined by availability after
10 meeting the needs of the inmate population, of items produced or processed by
11 the farming operations of the department or purchased in bulk for processing.

12 (4) There shall be a twenty-five dollar (\$25.00) per month
13 minimum allowance for commissary items.

14 (5)(A) Fresh surplus vegetables will be available at the cost of
15 production as determined by the Department of Correction's Farm Accounting
16 Division and Central Office Accounting Division to all nonemergency force
17 employees.

18 (B) Vegetables will be for the use of the employee and
19 domicile correction's family only.

20 (C) Only one (1) member of the domicile family will be
21 entitled to the issuance or purchase of vegetables.

22 (6) The department will implement, maintain, and guarantee
23 accountability of all items so issued to assure fiscal responsibility and
24 total honesty in the program.

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