

**DEPARTMENT OF CORRECTION  
AGENCY #480 - 2009-11 BIENNIUM**

**D) AGENCY SUMMARY & REVENUE SOURCES**

**MISSION**

The Department is responsible for the custody, control and management of the state penitentiary, to execute the orders of the criminal courts of the state, and to provide for the custody, treatment, rehabilitation and restoration of adult offenders as useful law-abiding citizens.

**BIENNIAL BUDGET**

The biennial budget for the Department of Correction totals \$380,961,587 for FY10 and \$402,358,867 FY11. General Revenue funding totals \$313,452,914 FY10 and \$332,473,041 FY11, including \$7,500,035 each year for County Jail Reimbursements.

**FUNDING SOURCES**

Department Operations is funded primarily by General Revenues 82%, with the remaining funded from Special Revenue 5%, Cash Funds 6%, Federal Funds and the remaining from Fund Balances.

**II) SIGNIFICANT CHANGES:**

Increases provide for the Special Needs Unit opening of Phase I (488 beds, 232 restored positions) totaling \$12,447,453, medical contract incremental increase of \$7,768,803 and the restoration of 104 flex positions, unfunded/nonappropriated.

Act 517 (HB1510) Lease payments associated with debt service in the amount of \$12.M, medical services risk pool payment to provide for off-site and/or contracted health care costs and expenses in excess of the annual aggregate cap in the amount of \$6M, and \$2M for various maintenance, construction and repair projects, all payable from GIF.

Act 105 (HB1297) Supplemental to Act 1291 of 2007. County Jail Reimbursement supplemental appropriation for \$5,151,067 with general revenue funding of \$2,979,432, for the payment of reimbursement to counties housing state inmates for FY09.

- COUNTY JAIL REIMBURSEMENT General Revenue Funding and appropriation of \$7,500,035 each year of the biennium.
- WORK RELEASE CASH - Increases totaling \$2,495,822 FY10 and \$2,755,040 FY11. Capital Outlay of 1.7M each year for equipment replacement at the Work Release Centers
- UAMS JUVENILE ASSESSMENT - Base Level appropriation of \$25,000 each year
- FIRE STATION TREASURY CASH - Base Level appropriation of \$50,000 each year
- INMATE CARE & CUSTODY - funding and appropriation of approximately \$305.9M FY10 and \$324.9M FY11.
- PRISON INDUSTRY - Increase of \$722,168 FY10 and \$1,462,349 FY11 to provide for increases in fuel, raw materials, capital outlay.
- FARM OPERATIONS - Increases totaling \$3,103,068 FY10 and \$4,718,588 FY11. Provide for three new positions, increases in utilities, equipment costs.
- FEDERAL PROGRAMS - Appropriation of \$253,205 the first year and \$122,5560 the second year

- INMATE WELFARE TREASURY CASH- Pen Stores. Two New Positions and increase in appropriation of \$1,599,844 FY10 and \$2,162,538 FY11 for operating and capital outlay expenses.
- NON-TAX REVENUE RECEIPTS - Coin-less Phone Program. Increase appropriation of \$1,750,000 each year of the biennium for construction and operating expenses.
- REGIONAL FACILITIES OPERATIONS - CASH - Debt service, provides for base level of \$800,000 each year.
- PRISON HOUSING CONTRACT - CASH - Debt service, provides for base level of \$200,000 each year.
- CONSTRUCTION FUND DEFICIENCY - CASH - Debt service, provides for base level of \$500,000 each year.

### **III) ADDITIONAL POSITIONS:**

Total Positions for FY 2007-09 Biennium: 4,701

Total Positions for FY 2009-11 Biennium: 4,667 FY10 4,737 FY11

Provided restoration of 271 positions and 36 new positions (including 30 Corporals, Commissary Manager, Food Prep Supervisor, Human Resources Assistant, Agriculture Unit Supervisor (2), Asst Head Farm Manager) and the Restoration of 104 unfunded/nonappropriated flex positions.

### **IV) SPECIAL LANGUAGE**

**-Regular Salaries - Contingent Positions**, establishes non-classified contingent positions for Medical Services, not to exceed 588 employees

**-Medical Services Contingency:** If the Department cannot continue a medical contract with a private entity and the Board deems it necessary, authority to utilize up to 588 authorized contingent positions and make the necessary appropriation transfers to provide inmate medical services, upon notification of the Chief Fiscal Officer and review by the Legislative Council;

**-County Reimbursement Rate Restriction:** Codified A.C.A 12-27-130 The Board of Corrections shall not increase any county jail reimbursement rate without approval of the Governor and Chief Fiscal Officer of the State;

**-County Jail Reimbursement:** Codified A.C.A. 12-27-114 Authorizes the Department to utilize its JAIL CONTRACTS special line item appropriation for contracts with county jails for prerelease inmates;

**-Transfer of Appropriation within Capital Improvement Projects:** Authorizes transfer of appropriation within capital improvement projects authorized by the General Assembly, upon approval of the Governor and ALC/JBC;

**-Reallocation of Resources:** Authorizes one reallocation of resources each fiscal year within each Department of Correction and Department of Community Correction, requires prior review and approval and is limited to no more than 5% of the total General Revenue and Special Revenue appropriation, funding, and positions specific to each agency.

**-Holiday Compensation:** Authorize the department to pay employees for up to 150 hours of unused holidays exceeding a balance of 96 hours following the end of each calendar year. Payments must be processed on or before June 1st each fiscal year;

**-UAMS Family Treatment Program:** Authorizes Department to contract with UAMS Family Treatment Program to conduct juvenile sex or child offender assessments as required by ACA 12-

12-901;

**-Inmate Cost Reporting - State Facilities:** Within 90 days of each fiscal year, the DOC shall submit to the ALC a report of all direct and indirect costs incurred for the housing and caring for all inmates;

**-County Jail Reimbursement Fund Year-End Fund Balance Carry Forward:** Any funds remaining at the end of each fiscal year shall remain and made available to fund appropriations for the following fiscal year;

**- County Jail Reimbursement Fund Appropriation Carry Forward:** Any unexpended balance of appropriation payable from said fund shall be carried forward and made available for the same purpose the following year;

**-Refund to Expenditure:** Proceeds from the sale of feeder cattle shall be deposited into the State Treasury as a refund to expenditure to the credit of appropriation for the "Purchase Cattle/Meat" line item;

**-Use of Maintenance and Operation Appropriation and Salvaged Materials Construction -** said appropriation may be used to implement construction projects, with prior review & approval;

**-Utility Rate Increase Transfer:** In the event of a 10% increase in utility rates and fuel rates, provides Line Item appropriation transfer authority to M&O, reported to ALC/JBC;

**-Mental Health Services -** provides authority to transfer appropriation from salaries and match to fund a professional contract for mental health services, with review & approval;

**-Special Revenue/Cash Funds Transfer -** with Board, CFO approval and prior review and approval of ALC/JBC, authorizes transfer of special revenues/cash funds to Inmate Care and Custody Fund Account according to budget needs;

**-New Facilities:** with review & approval, allows transfer of appropriation into Professional Fees/ICC to operate new facilities opened;

**-Appropriation Transfer for Construction & Equipping:** after prior review and approval, authorizes appropriation transfer between any line item to finance construction or equipping;

**-Food Service Contract:** with prior review & approval, provides line item appropriation transfer authority in the event the dept. contracts with a private provider for food services;

**-County Jail Invoice Summary:** requires depts. to prepare and post a monthly and maintain a three year history, of the county jail reimbursement invoices sent to each county submitted for payment;

**-Motor Vehicle Purchase Provision:** authorizes purchase of motor vehicles for the purpose of adding new beds from Capital Outlay;

**-Transfer of Appropriation and Funds to the County Jail Reimbursement Fund:** Provides to request a transfer of any savings of General Revenue appropriation and funds from ICC to County Jail Reimbursement Fund.

**-Local Government Inmate Cost Report - NEW LANGUAGE** the Association of AR Counties shall yearly compile and submit to ALC/JBC a report of all costs incurred by local government units housing state inmates, representative of all counties.

