

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Joint Budget Committee**

A Bill

SENATE BILL 815

For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND
9 OPERATING EXPENSES FOR THE DEPARTMENT OF CORRECTION FOR
10 THE BIENNIAL PERIOD ENDING JUNE 30, 1995; AND FOR OTHER
11 PURPOSES."

Subtitle

14 "AN ACT FOR THE DEPARTMENT OF CORRECTION APPROPRIATION."

15

16 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

17

18 SECTION 1. REGULAR SALARIES - INMATE CARE AND CUSTODY. There is hereby
19 established for the Department of Correction - Inmate Care and Custody for the
20 1993-95 biennium, the following maximum number of regular employees whose
21 salaries shall be governed by the provisions of the Uniform Classification and
22 Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and all
23 laws amendatory thereto. Provided, however, that any position to which a
24 specific maximum annual salary is set out herein in dollars, shall be exempt
25 from the provisions of said Uniform Classification and Compensation Act. All
26 persons occupying positions authorized herein are hereby governed by the
27 provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas
28 Code §21-5-101), or its successor.

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Item	Class	No. of	Maximum Annual	
			Employees	Salary Rate
No.	Code	Title	1993-94	1994-95
(1)	9933	COR DIRECTOR	1	\$ 83,114 \$ 86,022
(2)	8904	COR DEPUTY DIRECTOR	3	59,000 61,056

1	(3)	9822 COR ASST. DIRECTOR	1	56,679	58,662
2	(4)	9930 COR CONSTR & MAINTENANCE ADMR	1	56,679	58,662
3	(5)	9823 CORRECTIONAL SUPERINTENDENT	1	55,815	57,768
4	(6)	8055 COR INDUSTRY ADMINISTRATOR	1	53,107	54,965
5	(7)	9935 COR FARM ADMINISTRATOR	1	53,106	54,964
6	(8)	7353 COR MENTAL HLTH SVCS ADMR	1	48,725	50,430
7	(9)	9876 CORRECTIONAL COMPLIANCE ATTORNEY	1	47,612	49,278
8	(10)	7737 COR INDUSTRY COORDINATOR	1	40,174	41,580
9	(11)	6621 PSYCHIATRIST	3	94,080	97,372
10	(12)	104Z COR ASST DIR FOR ADMIN SERVICES	1	GRADE 26	
11		102Z WARDEN II	10		
12		827Z DATA PROCESSING CENTER MANAGER	1		
13		056Z CP/COR HEAD FARM MANAGER II	1		
14	(13)	L124 PSYCHOLOGIST	6	GRADE 25	
15		054Z CP/COR HEAD FARM MANAGER I	2		
16		R170 ATTORNEY SPECIALIST	2		
17	(14)	115Z WARDEN I	1	GRADE 24	
18		962Z CP/COR ACCOUNTING SUPERVISOR	1		
19		R036 ATTORNEY	2		
20	(15)	D100 DP SR PROJECT LEADER	1	GRADE 23	
21		N334 COR ASST TO THE DIR/PUB RELATIONS	1		
22		091Z ASST WARDEN	15		
23		108Z COR MEDICAL/DENTAL ADMR	1		
24		196Z COR BOOT CAMP ADMINISTRATOR	1		
25		117Z CP/COR AGRI PRODUCTION SUPERVISOR	2		
26	(16)	R033 CP/COR INTERNAL AFFAIRS ADMINISTRATOR	1	GRADE 22	
27		Y026 CP/COR CONSTR/MAINTENANCE SUPV II	11		
28		114Z CP/COR CLASSIFICATION ADMINISTRATOR	1		
29		119Z CP/COR PERSONNEL ADMINISTRATOR	1		
30		E010 CP/COR TRAINING ADMINISTRATOR	1		
31		T014 CHIEF SECURITY OFFICER	17		
32	(17)	M014 ADMINISTRATOR OF CHAPLAINCY SVCS	1	GRADE 21	
33		T066 WORK RELEASE CENTER SUPV II	2		
34		D036 SR PROGRAMMER/ANALYST	1		
35		A251 SR AUDITOR	1		

1	H001 CP/COR COMMODITY & FOOD SVC ADMR	1	
2	L122 PSYCHOLOGICAL EXAMINER II	11	
3	T008 CP/COR OFFICER IV	34	
4	V016 CP/COR PROCUREMENT & PROPERTY MANAGER	1	
5	A008 ACCOUNTING SUPV II	1	
6	T001 COR PARDONS & PAROLE ASST ADMR	1	
7	949Z CP/COR INDUSTRY PROG TRADE SPEC SUPV	2	
8	Y020 CP/COR INDUSTRY PROGRAM MANAGER	7	
9	Y018 CP/COR ASST HEAD FARM MANAGER	4	
10	(18) R266 MANAGEMENT PROJECT ANALYST II	3	GRADE 20
11	M115 SUBSTANCE ABUSE PROGRAM COORD	1	
12	A186 CP/COR BUDGET MANAGER	3	
13	M016 SENIOR CHAPLAIN	2	
14	Y123 CP/COR CONSTRUCTION ELECTRICAL SUPV	1	
15	Y127 CP/COR CONSTRUCTION REFRIGERATION SUPV	2	
16	Y125 CP/COR CONSTRUCTION PLUMBER SUPV	1	
17	M045 CP/COR REHAB FACILITY SUPERVISOR	3	
18	E114 STAFF DEVELOPMENT COORD	1	
19	T006 CP/COR OFFICER III	114	
20	A006 ACCOUNTING SUPV I	1	
21	E100 CP/COR TRAINING ACADEMY SUPERVISOR	1	
22	M088 SOCIAL WORKER II	2	
23	T034 PAROLE/PROBATION OFFICER SUPERVISOR	2	
24	E012 CP/COR INDUSTRIAL SUPV II	10	
25	T016 AGRICULTURAL UNIT SUPERVISOR II	16	
26	(19) M114 SUBSTANCE ABUSE PROGRAM LEADER	22	GRADE 19
27	M107 CP/COR COUNSELING PROGRAM LEADER	33	
28	T010 CP/COR SERGEANT	354	
29	H030 CP/COR FOOD PRODUCTION MGR II	14	
30	M019 CHAPLAIN	13	
31	T068 WORK RELEASE CENTER SUPV I	3	
32	R030 ASST PERSONNEL MANAGER	1	
33	M086 SOCIAL WORKER I	8	
34	R068 EEO/GRIEVANCE OFFICER	2	
35	R150 RESEARCH PROJECT ANALYST	1	

1	R070 CP/COR MARKETING SPECIALIST	1	
2	T018 AGRICULTURAL UNIT SUPERVISOR I	13	
3	(20) M105 CP/COR COUNSELOR	21	GRADE 18
4	A111 ACCOUNTANT	11	
5	R264 MANAGEMENT PROJECT ANALYST I	3	
6	R322 CP/COR UNIT PERS & TRAINING OFFICER	9	
7	T012 DISCIPLINARY HEARING OFFICER	5	
8	V040 PURCHASE AGENT II/PURCHASING AGENT	3	
9	X450 CP/COR INTERNAL AFFAIRS INVESTIGATOR	6	
10	Y131 CP/COR CONSTR/MAINTENANCE SUPV I	17	
11	V023 REAL PROPERTY MANAGEMENT SPECIALIST	1	
12	E072 TRAINING INSTRUCTOR	4	
13	M050 RECREATIONAL ACTIVITY LEADER SUPV	4	
14	T005 CP/COR OFFICER II	161	
15	M096 CP/COR PROGRAM COORD	4	
16	E053 CP/COR UNIT TRAINING SUPERVISOR	1	
17	T062 PAROLE/PROBATION OFFICER	11	
18	V006 BUYER II	1	
19	R072 CP/COR SALES REPRESENTATIVE	5	
20	Y005 AUTO/DIESEL MECHANIC SUPERVISOR	1	
21	(21) R321 CP/COR GRIEVANCE OFFICER	2	GRADE 17
22	H029 CP/COR FOOD PRODUCTION MGR I	58	
23	T075 RECORDS/INTAKE SUPV	1	
24	W002 CHIEF OF RECORDS & IDENTIFICATION	2	
25	A114 CP/COR BUSINESS MANAGER	8	
26	R010 ADMINISTRATIVE ASSISTANT II	5	
27	R049 CLASSIFICATION & ASSIGNMENT OFFICER	6	
28	V030 INVENTORY CONTROL MANAGER	4	
29	R190 PERSONNEL OFFICER II	2	
30	D128 COMPUTER OPERATIONS SPECIALIST	1	
31	E055 CP/COR UNIT TRAINER	4	
32	M144 CP/COR VOLUNTEER SERVICE COORDINATOR	1	
33	E011 CP/COR INDUSTRIAL SUPV	29	
34	W028 RECORDS MGMT ANALYST I	1	
35	(22) T003 CP/COR OFFICER I	1478	GRADE 16

1	W009 CP/COR INMATE RECORDS SUPERVISOR	11	
2	V076 CP/COR PROPERTY OFFICER	2	
3	X318 CP/COR ADMIN REVIEW OFFICER	6	
4	G027 BUILDING PLANT MAINTENANCE SUPV I	1	
5	(23) M048 RECREATIONAL ACTIVITY LEADER II	1	GRADE 15
6	A108 ACCOUNTING TECHNICIAN II	1	
7	R009 ADMINISTRATIVE ASSISTANT I	1	
8	A063 PAYROLL OFFICER	1	
9	K011 ADMIN SUPPORT SUPERVISOR	1	
10	(24) K041 EXECUTIVE SECY/ADMINISTRATIVE SECY	7	GRADE 14
11	H023 COMMISSARY MANAGER	11	
12	K117 MEDICAL OR LEGAL SECRETARY	1	
13	(25) A051 INSURANCE SPECIALIST I	1	GRADE 13
14	K153 SECRETARY II	22	
15	H021 COMMISSARY SUPERVISOR	3	
16	(26) A106 ACCOUNTING TECHNICIAN I	24	GRADE 12
17	(27) K155 SECRETARY I	43	GRADE 11
18	V043 SHIPPING & RECEIVING CLERK	1	
19	(28) K023 CLERK TYPIST	36	GRADE 10
20	K037 DOCUMENT EXAMINER I	1	
21	(29) K065 MAIL OFFICER	1	GRADE 09
22	(30) K182 MAIL PROCESSOR	<u>1</u>	GRADE 08
23		MAXIMUM NO. OF EMPLOYEES	2837

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~~CONTINGENT POSITIONS~~

26					Maximum Annual	
27				Maximum	Salary Rate	
28	Item	Class		No. of	Fiscal Years	
29	No.	Code	Title	Employees	1993-94	1994-95
30	(01)		MEDICAL DIRECTOR	1	\$ 85,000	\$85,000
31	(02)	6609	PHYSICIAN	8	\$ 75,000	\$75,000
32	(03)	L096	SENIOR PHARMACIST	1		GRADE 24
33	(04)		HOSPITAL ADMINISTRATOR	1		GRADE 21
34	(05)	109Z	COR NURSING DIRECTOR	1		GRADE 20
35			QUALITY ASSURANCE OFFICER	1		

1	L094	PHARMACIST I	2	
2	L070	NURSE II	7	
3	(06) W012	MEDICAL RECORDS ADMIN.	1	GRADE 19
4	(07) L170	PHYSICIAN ASST. II	7	GRADE 18
5	L012	CHARGE NURSE	1	
6	L068	NURSE I	23	
7	A111	ACCOUNTANT I	1	
8	(08) L160	COR INFIRMARY ADMIN.	8	GRADE 16
9	L166	CHIEF RADIOLOGIC TECH	1	
10	(09) W015	MEDICAL RECORDS TECHNICIAN	20	GRADE 15
11	(10) B046	LABORATORY SUPERVISOR	1	GRADE 14
12	L049	LPN II	116	
13	L151	X-RAY TECH/X-RAY TECH I	7	
14	(11) B049	LAB TECH II	4	GRADE 13
15	(12) K155	SECRETARY I	<u>7</u>	GRADE 11
16		MAX. NO. OF CONTINGENT EMPLOYEES	219	
17		GRAND TOTAL MAX. NO. OF EMPLOYEES	<u>3,056</u>	

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19 SECTION 2. EXTRA HELP - INMATE CARE AND CUSTODY. There is hereby

20 authorized, for the Department of Correction - Inmate Care and Custody for the

21 1993-95 biennium, the following maximum number of part-time or temporary

22 employees, to be known as "Extra Help", payable from funds appropriated herein

23 for such purposes: Forty (40) temporary or part-time employees, when needed,

24 at rates of pay not to exceed those provided in the Uniform Classification and

25 Compensation Act, or its successor, or this act for the appropriate

26 classification.

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28 SECTION 3. APPROPRIATIONS - INMATE CARE AND CUSTODY. There is hereby

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

30 ~~Department of Correction Inmate Care and Custody Fund Account, for personal~~

31 services and operating expenses of the Department of Correction - Inmate Care

32 and Custody for the biennial period ending June 30, 1995, the following:

33			
34	ITEM	FISCAL YEARS	
35	NO.	1993-94	1994-95

1	(01)	REGULAR SALARIES		\$ 52,010,382	\$ 56,110,354
2	(02)	EXTRA HELP		30,000	30,000
3	(03)	PERSONAL SERV MATCHING		15,956,302	17,036,540
4	(04)	OVERTIME		125,000	125,000
5	(05)	EXTRA SALARIES		9,022	9,022
6	(06)	MAINT. & GEN. OPERATION			
7		(A) OPER. EXPENSE	\$ 14,032,294	\$ 15,486,613	
8		(B) CONF & TRVL	29,764	36,244	
9		(C) PROF. FEES	15,399,813	17,627,243	
10		(D) CAP. OUTLAY	837,618	760,126	
11		(E) DATA PROC.	<u>646,140</u>	<u>680,340</u>	
12		TOTAL MAINT. & GEN. OPERATION		30,945,629	34,590,566
13	(07)	AID SCHOOL		70,448	70,448
14	(08)	JAIL CONTRACTS/REIMBURSEMENTS		<u>4,841,300</u>	<u>2,058,400</u>
15		TOTAL AMOUNT APPROPRIATED		<u>\$103,988,083</u>	<u>\$110,030,330</u>

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17 SECTION 4. REGULAR SALARIES - PLASMA CENTER. There is hereby

18 established for the Department of Correction - Plasma Center for the 1993-95

19 biennium, the following maximum number of regular employees whose salaries

20 shall be governed by the provisions of the Uniform Classification and

21 Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and all

22 laws amendatory thereto. Provided, however, that any position to which a

23 specific maximum annual salary is set out herein in dollars, shall be exempt

24 from the provisions of said Uniform Classification and Compensation Act. All

25 persons occupying positions authorized herein are hereby governed by the

26 ~~provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas~~

27 Code §21-5-101), or its successor.

28					
29				Maximum Annual	
30			Maximum	Salary Rate	
31	Item	Class	No. of	Fiscal Years	
32	No.	Code	Title	Employees	1993-94 1994-95
33	(1)	T010	CP/COR SERGEANT	2	GRADE 19
34	(2)	T003	CP/COR OFFICER I	<u>7</u>	GRADE 16
35			MAX NO. OF EMPLOYEES	9	

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2 ~~SECTION 5. APPROPRIATIONS PLASMA CENTER CASH. There is hereby~~
3 appropriated, to the Department of Correction, to be payable from cash funds
4 as defined by Arkansas Code 19-4-801 of the Department of Correction, for
5 personal services and operating expenses of the Department of Correction -
6 Plasma Center for the biennial period ending June 30, 1995, the following:

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8 ITEM		FISCAL YEARS	
9 NO.		1993-94	1994-95
10 (01)	REGULAR SALARIES	\$ 169,603	\$ 175,576
11 (02)	PERSONAL SERV MATCHING	54,355	55,551
12 (03)	MAINT. & GEN. OPERATION		
13	(A) OPER. EXPENSE \$	440,533	\$ 440,533
14	(B) CONF. & TRVL.	0	0
15	(C) PROF. FEES	0	0
16	(D) CAP. OUTLAY	25,000	25,000
17	(E) DATA PROC.	<u>0</u>	<u>0</u>
18	TOTAL MAINT. & GEN. OPER.	<u>465,533</u>	<u>465,533</u>
19	TOTAL AMOUNT APPROPRIATED	<u>\$ 689,491</u>	<u>\$ 696,660</u>

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21 ~~SECTION 6. APPROPRIATIONS INMATE WELFARE CASH. There is hereby~~
22 appropriated, to the Department of Correction, to be payable from cash funds
23 as defined by Arkansas Code 19-4-801 of the Department of Correction, for
24 personal services and operating expenses of the Department of Correction -
25 Inmate Welfare for the biennial period ending June 30, 1995, the following:

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27 ITEM		FISCAL YEARS	
28 NO.		1993-94	1994-95
29 (01)	REGULAR SALARIES	\$ 445,581	\$ 461,285
30 (02)	PERSONAL SERV MATCHING	147,603	150,735
31 (03)	MAINT. & GEN. OPERATION		
32	(A) OPER. EXPENSE \$	3,624,145	\$ 3,624,145
33	(B) CONF. & TRVL.	0	0
34	(C) PROF. FEES	0	0
35	(D) CAP. OUTLAY	179,351	159,880

1	(E) DATA PROC.	<u>0</u>	<u>0</u>
2	TOTAL MAINT. & GEN. OPER.	<u>3,803,496</u>	<u>3,784,025</u>
3	TOTAL AMOUNT APPROPRIATED	<u>\$ 4,396,680</u>	<u>\$ 4,396,045</u>

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5 ~~SECTION 7. APPROPRIATIONS WORK RELEASE CENTER CASH. There is hereby~~
6 appropriated, to the Department of Correction, to be payable from cash funds
7 as defined by Arkansas Code 19-4-801 of the Department of Correction, for
8 personal services and operating expenses of the Department of Correction -
9 Work Release Center for the biennial period ending June 30, 1995, the
10 following:

12	ITEM	FISCAL YEARS	
13	NO.	1993-94	1994-95
14	(01) PERSONAL SERV MATCHING	\$ 240,000	\$ 240,000
15	(02) MAINT. & GEN. OPERATION		
16	(A) OPER. EXPENSE \$ 1,192,064	\$ 1,192,064	
17	(B) CONF & TRVL 3,984	3,984	
18	(C) PROF. FEES 309,500	309,500	
19	(D) CAP. OUTLAY 545,261	500,000	
20	(E) DATA PROC. <u>61,412</u>	<u>61,412</u>	
21	TOTAL MAINT. & GEN. OPERATION	2,112,221	2,066,960
22	(03) DEBT SERVICE/LEASES	<u>500,000</u>	<u>500,000</u>
23	TOTAL AMOUNT APPROPRIATED	<u>\$ 2,852,221</u>	<u>\$ 2,806,960</u>

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25 SECTION 8. REALLOCATION OF RESOURCES. Upon determination by the Board
26 of Correction and Community Punishment that a reallocation of resources within
27 the Department of Community Punishment and Department of Correction is
28 necessary for the efficient and effective operation of the departments, the
29 Board, with approval of the Governor and review by the Arkansas Legislative
30 Council or Joint Budget Committee, shall have the authority to instruct the
31 department directors, to request from the Chief Fiscal Officer of the State, a
32 transfer of positions, programs, funds, appropriations, and line-item
33 appropriations within or between existing and newly created divisions,
34 offices, sections, or units of the departments. If it is determined that the
35 requested transfer should be made, the Chief Fiscal Officer of the State shall

1 then initiate the necessary transfer documents to reflect the transfers upon
2 the fiscal records of the State Treasurer, the State Auditor, the Chief Fiscal
3 Officer of the State, and the Departments of Correction and Community
4 Punishment.

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6 SECTION 9. Notwithstanding any other provision of law, the Governor
7 shall initially appoint the Director of the Department of Correction after
8 which the Board of Correction and Community Punishment shall appoint the
9 Director of the Department with the advice of the Governor.

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12 SECTION 10. Arkansas Code §19-5-302 is hereby amended as follows:

13 "(1) (A) DEPARTMENT OF CORRECTION INMATE CARE AND CUSTODY FUND ACCOUNT. The
14 Department of Correction Inmate Care and Custody Fund Account shall be used
15 for the maintenance, operation, and improvement of the Department of
16 Correction required in carrying out those powers, functions, and duties
17 relating to nonfarm or crop-producing programs as established by law.

18 (B) The fund account shall consist of:

19 (i) Those general revenues as may be provided by law;

20 (ii) Nonrevenue income derived from services provided by the inmate care and
21 custody program;

22 (iii) Excess farm profits as may be provided by law; and

23 (iv) Any other funds provided by law."

24

25 SECTION 11. Such appropriations, funding and regular employees as may be
26 authorized by the 79th General Assembly for the biennial period ending June
27 30, 1995, for the personal services and operating expenses of the Department
28 of Correction as created in Act 549 of 1993, shall hereby be made available to
29 the Department of Correction as currently established in law, until such time
30 as the provisions of Act 549 are effective.

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32 SECTION 12. APPROPRIATIONS - PRISON INDUSTRY. There is hereby
33 appropriated, to the Department of Correction, to be payable from the
34 Department of Correction Prison Industry Fund, for personal services and
35 operating expenses of the Department of Correction - Prison Industry for the

1 biennial period ending June 30, 1995, the following:

3 ITEM	FISCAL YEARS	
4 NO.	1993-94	1994-95
5 (01) REGULAR SALARIES	\$ 1,759,682	\$ 1,821,689
6 (02) PERSONAL SERV MATCHING	524,333	536,710
7 (03) MAINT. & GEN. OPERATION		
8 (A) OPER. EXPENSE	\$ 3,156,849	\$ 3,404,498
9 (B) CONF. & TRVL.	1,600	1,600
10 (C) PROF. FEES	0	0
11 (D) CAP. OUTLAY	2,560,000	1,700,000
12 (E) DATA PROC.	0	0
13 TOTAL MAINT. & GEN. OPER.	<u>5,718,449</u>	<u>5,106,098</u>
14 TOTAL AMOUNT APPROPRIATED	<u>\$ 8,002,464</u>	<u>\$ 7,464,497</u>

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16 SECTION 13. APPROPRIATIONS - FARM OPERATIONS. There is hereby
17 appropriated, to the Department of Correction, to be payable from the
18 Department of Correction Farm Fund, for personal services and operating
19 expenses of the Department of Correction - Farm Operations for the biennial
20 period ending June 30, 1995, the following:

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22 ITEM	FISCAL YEARS	
23 NO.	1993-94	1994-95
24 (01) REGULAR SALARIES	\$ 1,216,944	\$ 1,258,733
25 (02) PERSONAL SERV MATCHING	347,664	356,216
26 (03) MAINT. & GEN. OPERATION		
27 (A) OPER. EXPENSE	\$ 5,466,505	\$ 5,529,205
28 (B) CONF. & TRVL.	1,600	1,600
29 (C) PROF. FEES	67,663	67,663
30 (D) CAP. OUTLAY	1,299,413	1,246,250
31 (E) DATA PROC.	<u>0</u>	<u>0</u>
32 TOTAL MAINT. & GEN. OPER.	6,835,181	6,844,718
33 (04) PURCHASE FEEDER CATTLE	<u>150,000</u>	<u>150,000</u>
34 TOTAL AMOUNT APPROPRIATED	<u>\$ 8,549,789</u>	<u>\$ 8,609,667</u>

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1 SECTION 14. APPROPRIATIONS - REGIONAL FACILITIES OPERATIONS ACCOUNT -
2 CASH. There is hereby appropriated, to the Department of Correction, to be
3 payable from cash funds as defined by Arkansas Code 19-4-801 of the Department
4 of Correction, for debt service/lease payments for the bonded indebtedness or
5 leases of regional correction facilities of the Department of Correction -
6 Regional Facilities Operations Account for the biennial period ending June 30,
7 1995, the following:

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9 ITEM	FISCAL YEARS	
10 NO.	1993-94	1994-95
11 (01) DEBT SERVICE	\$ <u>800,000</u>	\$ <u>800,000</u>

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13 SECTION 15. APPROPRIATIONS - PRISONER HOUSING CONTRACT ACCOUNT - CASH.
14 There is hereby appropriated, to the Department of Correction, to be payable
15 from cash funds as defined by Arkansas Code 19-4-801 of the Department of
16 Correction, for debt service/lease payments for the bonded indebtedness or
17 leases of regional correction facilities of the Department of Correction -
18 Prisoner Housing Contract Account for the biennial period ending June 30,
19 1995, the following:

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21 ITEM	FISCAL YEARS	
22 NO.	1993-94	1994-95
23 (01) DEBT SERVICE	\$ <u>200,000</u>	\$ <u>200,000</u>

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25 SECTION 16. APPROPRIATIONS - CONSTRUCTION FUND DEFICIENCY ACCOUNT -
26 CASH. There is hereby appropriated, to the Department of Correction, to be
27 payable from cash funds as defined by Arkansas Code 19-4-801 of the Department
28 of Correction, for debt service/lease payments for the bonded indebtedness or
29 leases of regional correction facilities of the Department of Correction -
30 Construction Fund Deficiency Account for the biennial period ending June 30,
31 1995, the following:

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33 ITEM	FISCAL YEARS	
34 NO.	1993-94	1994-95
35 (01) DEBT SERVICE	\$ <u>500,000</u>	\$ <u>500,000</u>

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SECTION 17. APPROPRIATIONS - FEDERAL PROGRAMS. There is hereby appropriated, to the Department of Correction, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Department of Correction - Federal Programs for the biennial period ending June 30, 1995, the following:

ITEM		FISCAL YEARS	
NO.		1993-94	1994-95
(01)	REGULAR SALARIES	\$ 65,350	\$ 67,652
(02)	PERSONAL SERV MATCHING	19,877	20,338
(03)	MAINT. & GEN. OPERATION		
	(A) OPER. EXPENSE \$	45,000	\$ 45,000
	(B) CONF. & TRVL.	2,500	2,500
	(C) PROF. FEES	0	0
	(D) CAP. OUTLAY	0	0
	(E) DATA PROC.	0	0
	TOTAL MAINT. & GEN. OPER.	<u>47,500</u>	<u>47,500</u>
	TOTAL AMOUNT APPROPRIATED	<u>\$ 132,727</u>	<u>\$ 135,490</u>

SECTION 18. The proceeds from the sale of feeder cattle by the Department of Correction shall be deposited into the State Treasury as a refund to expenditure to the credit of the appropriation available to the Department of Correction for the "Purchase of Feeder Cattle for Slaughter".

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

SECTION 20. USE OF MAINTENANCE AND OPERATION APPROPRIATION AND SALVAGED MATERIALS CONSTRUCTION. The Department of Correction is hereby authorized to utilize Maintenance and General Operation Appropriation in conjunction with

1 surplus and/or salvageable materials for the purpose of implementing
2 construction projects to benefit the Department and its various programs.
3 Before such projects may be undertaken, a Method of Finance must be submitted
4 for prior review by the Arkansas Legislative Council, and review and approval
5 by the Department of Finance and Administration and the Arkansas State
6 Building Services.

7

8 SECTION 21. EXTRA SALARIES. There is hereby authorized, for the
9 Department of Correction, for the 1993-95 biennium, the following increases in
10 salaries for certain positions provided in the Regular Salary schedule in this
11 Act, and to be in addition to the annual amounts as established by the Uniform
12 Classification and Compensation Act, as amended, for three (3) full-time
13 physicians who are certified by the American Specialty Boards at rates of pay
14 not to exceed an additional \$4,500 per year. If certified in forensic
15 psychiatry, an additional \$2,500 per year will be allowed. Total extra
16 salaries may not exceed \$7,000 per year per position. In the event the
17 physician is not a full time employee, the amount specified herein shall be
18 adjusted proportionately to the amount of time worked for the Department of
19 Correction by that physician.

20

21 SECTION 22. It is hereby authorized that the Department of Correction
22 may move an incumbent classified as a Correctional Officer I, Grade 16, up to
23 Pay Level II of Grade 16, after the following criteria has been met: the
24 incumbent Correctional Officer I must have completed at least six (6) months
25 continuous service as a Correctional Officer I; and the incumbent must have
26 completed a minimum of two hundred (200) hours Correctional Officer training;
27 and the incumbent must have passed a six (6) months evaluation.

28

29 SECTION 23. MEDICAL SERVICES. If it has been found that the Department
30 cannot continue a medical contract with a private provider and the Board deems
31 it necessary to utilize Department staff to provide the required services, the
32 Department is allowed, upon notification of the Chief Fiscal Officer of the
33 State and after seeking prior review by the Arkansas Legislative Council, to
34 utilize the contingent positions contained in Section 1 of this Act and make
35 the appropriate transfers from Professional Fees and Services character

1 contained in Section 3 of this Act to Regular Salaries, Personal Services
2 Matching and various Maintenance and General Operations classifications.

3

4 SECTION 24. In the event the Department of Correction cannot accept
5 inmates from county jails due to insufficient bed space, the Department shall
6 reimburse the counties at a rate determined by the Board of Correction until
7 the appropriation provided for such purpose is exhausted. The prevailing rate
8 of the county jail will be considered by the Board in determining the rate to
9 be reimbursed. The appropriation provided by Item (08) of Section 3 may also
10 be used for contracts with county jails for pre-release inmates.

11

12 SECTION 25. In the event of a substantial increase in utility rates,
13 the Department of Correction is authorized to transfer any line item
14 appropriation in this Act to the Maintenance and Operation line item for
15 support of the increase after receiving approval of the Chief Fiscal Officer
16 of the State.

17

18 SECTION 26. TRANSFER OF APPROPRIATION WITHIN CAPITAL IMPROVEMENT
19 PROJECTS. The Department of Correction is hereby authorized to transfer
20 appropriation between and/or among the various capital
21 improvements/construction projects authorized by the General Assembly. Such
22 transfers may be made only after approval by the Governor. Such authorization
23 shall in no way mean that the total amount of funds or appropriations for
24 capital improvement/construction projects be greater than that provided by the
25 General Assembly for the Department of Correction.

26

27 SECTION 27. MENTAL HEALTH SERVICES. In the event the Department
28 determines to enter into a professional contract for mental health services,
29 the Department may, upon approval of the Chief Fiscal Officer of the State and
30 after prior review by the Arkansas Legislative Council, make appropriate
31 transfers from regular salaries, personal services matching and various
32 maintenance and operation classifications to the professional fees and
33 services classification for payment of the contractual amount.

34

35 SECTION 28. The Department of Correction is authorized to transfer

1 funds from various Special Revenue and Cash Funds into the Inmate Care and
2 Custody Fund Account in order to adjust to the budget needs upon approval of
3 the Board of Correction and the Chief Fiscal Officer of the State.

4

5 SECTION 29. NEW FACILITIES. If it is found that contracting for the
6 operation of new facilities is economically beneficial to the State of
7 Arkansas, the Department of Correction may, after receiving approval of the
8 Chief Fiscal Officer, and seeking prior review by the Arkansas Legislative
9 Council, transfer from any line item appropriation contained in Section 3 of
10 this Act into the Professional Fees and Services character contained in
11 Section 3 of this Act to operate new facilities opened during the biennium.

12

13 SECTION 30. Receipts from cities or counties reimbursed to the
14 Department for daily care of city or county prisoners shall be accounted for
15 separately. The debt service of such receipts shall be used for payment of
16 debt service on bonds, loans or any other instruments used to finance regional
17 jail facilities. The operational portion of such receipts shall also be used
18 for debt service unless approval is received from the Director of the
19 Department of Finance and Administration for other usages.

20

21 SECTION 31. The Department of Correction is hereby authorized to
22 transfer appropriations between any line items authorized herein but only for
23 the purpose of financing construction or equipment for a facility of the
24 department. Any transfers authorized by this section shall require the
25 approval of the Chief Fiscal Officer of the State after prior review by the
26 Legislative Council or Joint Budget Committee.

27

28 SECTION 32. The Department of Correction may report to the Joint
29 Interim Committee on State Agencies and Governmental Affairs no later than
30 December 1 of each year regarding its efforts in rehabilitating the inmate
31 population. Such report may include the Department's rehabilitative efforts
32 regarding inmate education, specific job training, behavior modification,
33 psychological treatment and assistance, and substance abuse programs.
34 Further, the report is to include the amount of meritorious good time awarded
35 inmates by the Department for the successful completion of the various

1 rehabilitative programs.

2

3 SECTION 33. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
4 authorized by this Act shall be limited to the appropriation for such agency
5 and funds made available by law for the support of such appropriations; and
6 the restrictions of the State Purchasing Law, the General Accounting and
7 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
8 Procedures and Restrictions Act, or their successors, and other fiscal control
9 laws of this State, where applicable, and regulations promulgated by the
10 Department of Finance and Administration, as authorized by law, shall be
11 strictly complied with in disbursement of said funds.

12

13 SECTION 34. LEGISLATIVE INTENT. It is the intent of the General
14 Assembly that any funds disbursed under the authority of the appropriations
15 contained in this Act shall be in compliance with the stated reasons for which
16 this Act was adopted, as evidenced by the Agency Requests, Executive
17 Recommendations and Legislative Recommendations contained in the budget
18 manuals prepared by the Department of Finance and Administration, letters, or
19 summarized oral testimony in the official minutes of the Arkansas Legislative
20 Council or Joint Budget Committee which relate to its passage and adoption.

21

22 SECTION 35. CODE. All provisions of this Act of a general and
23 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the
24 Arkansas Code Revision Commission shall incorporate the same in the Code.

25

26 SECTION 36. SEVERABILITY. If any provision of this Act or the
27 application thereof to any person or circumstance is held invalid, such
28 invalidity shall not affect other provisions or applications of the Act which
29 can be given effect without the invalid provision or application, and to this
30 end the provisions of this Act are declared to be severable.

31

32 SECTION 37. GENERAL REPEALER. All laws and parts of laws in conflict
33 with this Act are hereby repealed.

34

35 SECTION 38. EMERGENCY CLAUSE. It is hereby found and determined by the

1 Seventy-Ninth General Assembly, that the Constitution of the State of Arkansas
2 prohibits the appropriation of funds for more than a two (2) year period; that
3 the effectiveness of this Act on July 1, 1993 is essential to the operation of
4 the agency for which the appropriations in this Act are provided, and that in
5 the event of an extension of the Regular Session, the delay in the effective
6 date of this Act beyond July 1, 1993 could work irreparable harm upon the
7 proper administration and provision of essential governmental programs.
8 Therefore, an emergency is hereby declared to exist and this Act being
9 necessary for the immediate preservation of the public peace, health and
10 safety shall be in full force and effect from and after July 1, 1993.

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17

/s/Senator Russ