

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 84th General Assembly
3 First Extraordinary Session, 2003
4

Call Item 3

A Bill

HOUSE BILL 1025

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
9 SERVICES AND OPERATING EXPENSES FOR THE
10 DEPARTMENT OF CORRECTION FOR THE BIENNIAL PERIOD
11 ENDING JUNE 30, 2005; AND FOR OTHER PURPOSES.
12
13

Subtitle

14 AN ACT FOR THE DEPARTMENT OF CORRECTION
15 APPROPRIATION FOR THE 2003-2005
16 BIENNIUM.
17
18
19

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 2003-2005 biennium, the following maximum
24 number of regular employees whose salaries shall be governed by the
25 provisions of the Uniform Classification and Compensation Act (Arkansas Code
26 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
27 Provided, however, that any position to which a specific maximum annual
28 salary is set out herein in dollars, shall be exempt from the provisions of
29 said Uniform Classification and Compensation Act. All persons occupying
30 positions authorized herein are hereby governed by the provisions of the
31 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),
32 or its successor.
33

		Maximum Annual	
		Maximum	Salary Rate
Item	Class	No. of	Fiscal Years
34			
35			
36			



	No.	Code	Title	Employees	2003-2004	2004-2005
1						
2	(1)	6617	PSYCHIATRIC SPECIALIST	5	\$138,118	\$140,902
3	(2)	9933	COR DIRECTOR	1	\$116,223	\$118,700
4	(3)	9257	COR CHIEF DEPUTY DIRECTOR	1	\$87,401	\$89,462
5	(4)	8904	CORRECTION DEPUTY DIRECTOR	2	\$85,831	\$87,862
6	(5)	9822	COR ASST DIRECTOR	3	\$82,690	\$84,661
7	(6)	9823	CORRECTIONAL SUPERINTENDENT	1	\$78,259	\$80,146
8	(7)	8055	COR INDUSTRY ADMINISTRATOR	1	\$74,480	\$76,295
9	(8)	9935	COR FARM ADMINISTRATOR	1	\$74,479	\$76,294
10	(9)	7353	COR MENTAL HLTH SVCS ADMR	2	\$68,367	\$70,066
11	(10)	9876	CORRECTION COMPLIANCE ATTORNEY	1	\$66,814	\$68,484
12	(11)	056Z	COR HEAD FARM MANAGER II	4	GRADE	26
13	(12)	102Z	CORRECTIONAL WARDEN	14	GRADE	26
14	(13)	827Z	DP CENTER MANAGER	2	GRADE	26
15	(14)	L134	PSYCHOLOGIST SUPERVISOR	3	GRADE	26
16	(15)	019Z	DCP ADMIN SVCS MGR	1	GRADE	25
17	(16)	054Z	COR HEAD FARM MANAGER I	2	GRADE	25
18	(17)	L124	PSYCHOLOGIST	10	GRADE	25
19	(18)	R170	ATTORNEY SPECIALIST	6	GRADE	25
20	(19)	044Z	COR CONSTRUCTION/MAINTENANCE COORD	3	GRADE	24
21	(20)	115Z	COR WARDEN I	1	GRADE	24
22	(21)	962Z	CC/COR ACCOUNTING SUPERVISOR	2	GRADE	24
23	(22)	091Z	ASST WARDEN	22	GRADE	23
24	(23)	108Z	COR MEDICAL/DENTAL ADMR	1	GRADE	23
25	(24)	117Z	COR AGRI PRODUCTION SUPERVISOR	2	GRADE	23
26	(25)	196Z	COR BOOT CAMP ADMINISTRATOR	1	GRADE	23
27	(26)	D100	DP SENIOR PROJECT LEADER	1	GRADE	23
28	(27)	N334	COR ASST TO THE DIR/PUB RELATIONS	1	GRADE	23
29	(28)	T064	WORK RELEASE CENTER SUPV III	1	GRADE	23
30	(29)	114Z	COR CLASSIFICATION ADMINISTRATOR	1	GRADE	22
31	(30)	119Z	CC/COR PERSONNEL MANAGER	1	GRADE	22
32	(31)	904Z	REHAB PROGRAM ADMINISTRATOR	8	GRADE	22
33	(32)	A032	AGENCY FISCAL MANAGER	2	GRADE	22
34	(33)	D106	DP OPERATIONS MANAGER	1	GRADE	22
35	(34)	D124	LEAD PROGRAMMER/ANALYST	3	GRADE	22
36	(35)	E010	COR TRAINING ADMINISTRATOR	1	GRADE	22

1	(36)	R033	COR INTERNAL AFFAIRS ADMINISTRATOR	1	GRADE 22
2	(37)	T014	CHIEF SECURITY OFFICER	25	GRADE 22
3	(38)	T072	COR INMATE TRANSPORTATION COORD	1	GRADE 22
4	(39)	Y026	COR CONSTRUCTION/MAINT SUPV II	16	GRADE 22
5	(40)	949Z	COR INDUSTRY PRGM TRADE SPEC SUPV	3	GRADE 21
6	(41)	A008	ACCOUNTING SUPERVISOR II	4	GRADE 21
7	(42)	A251	SR AUDITOR	4	GRADE 21
8	(43)	D036	SR PROGRAMMER/ANALYST	3	GRADE 21
9	(44)	D123	APPLICATIONS & SYSTEMS ANALYST	5	GRADE 21
10	(45)	H001	COR COMMODITY & FOOD SVC ADMR	1	GRADE 21
11	(46)	L122	PSYCHOLOGICAL EXAMINER II	20	GRADE 21
12	(47)	M014	ADMINISTRATOR OF CHAPLAINCY SVCS	1	GRADE 21
13	(48)	R298	AGENCY PROGRAM COORDINATOR	1	GRADE 21
14	(49)	T008	CC/COR OFFICER IV	45	GRADE 21
15	(50)	T066	WORK RELEASE CENTER SUPV II	3	GRADE 21
16	(51)	V016	COR PROCUREMENT & PROPERTY MANAGER	1	GRADE 21
17	(52)	Y018	COR ASST HEAD FARM MANAGER	4	GRADE 21
18	(53)	Y020	COR INDUSTRY PRGM MANAGER	9	GRADE 21
19	(54)	A056	INTERNAL AUDITOR	2	GRADE 20
20	(55)	A186	COR BUDGET MANAGER	1	GRADE 20
21	(56)	E012	COR INDUSTRIAL SUPV II	35	GRADE 20
22	(57)	E100	COR TRAINING ACADEMY SUPERVISOR	2	GRADE 20
23	(58)	E114	STAFF DEVELOPMENT COORDINATOR	1	GRADE 20
24	(59)	L070	NURSE II	1	GRADE 20
25	(60)	M016	SR CHAPLAIN	5	GRADE 20
26	(61)	M045	COR REHAB FACILITY SUPERVISOR	4	GRADE 20
27	(62)	M088	SOCIAL WORKER II	27	GRADE 20
28	(63)	M115	SUBSTANCE ABUSE PROGRAM COORD	39	GRADE 20
29	(64)	R266	MANAGEMENT PROJECT ANALYST II	30	GRADE 20
30	(65)	T006	CC/COR OFFICER III	148	GRADE 20
31	(66)	T016	AGRI UNIT SUPERVISOR II	30	GRADE 20
32	(67)	Y123	COR CONSTRUCTION ELECTRICAL SUPV	3	GRADE 20
33	(68)	Y125	COR CONSTRUCTION PLUMBER SUPV	3	GRADE 20
34	(69)	Y127	COR CONSTRUCTION REFRIGERATION SUPV	4	GRADE 20
35	(70)	H030	CC/COR FOOD PRODUCTION MGR II	21	GRADE 19
36	(71)	L120	PSYCHOLOGICAL EXAMINER I	1	GRADE 19

1	(72)	M019	CHAPLAIN	18	GRADE 19
2	(73)	M086	SOCIAL WORKER I	2	GRADE 19
3	(74)	M107	COR COUNSELING PROGRAM LEADER	87	GRADE 19
4	(75)	M114	SUBSTANCE ABUSE PROGRAM LEADER	5	GRADE 19
5	(76)	Q068	PUB HLTH INVESTIGATOR II	5	GRADE 19
6	(77)	R030	ASST PERSONNEL MANAGER	17	GRADE 19
7	(78)	R048	BUDGET SPECIALIST	1	GRADE 19
8	(79)	R068	EEO/GRIEVANCE OFFICER	4	GRADE 19
9	(80)	R070	COR MARKETING SPECIALIST	1	GRADE 19
10	(81)	R150	RESEARCH PROJECT ANALYST	1	GRADE 19
11	(82)	T010	CC/COR SERGEANT	827	GRADE 19
12	(83)	T068	WORK RELEASE CENTER SUPV I	6	GRADE 19
13	(84)	T075	RECORDS/INTAKE SUPV	4	GRADE 19
14	(85)	V008	BUYER III	1	GRADE 19
15	(86)	A111	ACCOUNTANT	14	GRADE 18
16	(87)	A114	CC/COR BUSINESS MANAGER	16	GRADE 18
17	(88)	D128	P C SUPPORT SPECIALIST	2	GRADE 18
18	(89)	E011	COR INDUSTRIAL SUPV	4	GRADE 18
19	(90)	E053	COR UNIT TRAINING SUPERVISOR	3	GRADE 18
20	(91)	E072	TRAINING INSTRUCTOR	17	GRADE 18
21	(92)	M050	RECREATIONAL ACTIVITY LEADER SUPV	13	GRADE 18
22	(93)	M096	CC/COR PROGRAM COORD	8	GRADE 18
23	(94)	M105	CC/COR COUNSELOR	5	GRADE 18
24	(95)	R072	COR SALES REPRESENTATIVE	2	GRADE 18
25	(96)	R264	MANAGEMENT PROJECT ANALYST I	1	GRADE 18
26	(97)	R322	CC/COR UNIT PERS & TRNG OFFICER	3	GRADE 18
27	(98)	T005	CC/COR OFFICER II	2,094	GRADE 18
28	(99)	T012	DISCIPLINARY HEARING OFFICER	10	GRADE 18
29	(100)	T062	PAROLE/PROBATION OFFICER	5	GRADE 18
30	(101)	V040	PURCHASE AGENT II/PURCHASE AGENT	7	GRADE 18
31	(102)	W009	CC/COR RECORDS SUPERVISOR	19	GRADE 18
32	(103)	X450	CC/COR INTERNAL AFFAIRS INVESTGTR	12	GRADE 18
33	(104)	Y005	AUTO/DIESEL MECHANIC SUPERVISOR	1	GRADE 18
34	(105)	Y131	CC/COR CONSTR/MAINT SUPV I	41	GRADE 18
35	(106)	E055	CC/COR UNIT TRAINER	4	GRADE 17
36	(107)	H029	CC/COR FOOD PRODUCTION MANAGER I	80	GRADE 17

1	(108)	L004	COR HIV/AIDS EDUCATOR	1	GRADE 17
2	(109)	M144	COR VOLUNTEER SERVICE COORDINATOR	1	GRADE 17
3	(110)	R010	ADMINISTRATIVE ASSISTANT II	7	GRADE 17
4	(111)	R049	CLASSIFICATION & ASSIGNMENT OFFICER	14	GRADE 17
5	(112)	R190	PERSONNEL OFFICER II	3	GRADE 17
6	(113)	R321	COR GRIEVANCE OFFICER	9	GRADE 17
7	(114)	V030	INVENTORY CONTROL MANAGER	4	GRADE 17
8	(115)	A053	INSURANCE SPECIALIST II	1	GRADE 16
9	(116)	R105	MANAGER OF MAILING SERVICES	1	GRADE 16
10	(117)	V076	COR PROPERTY OFFICER	3	GRADE 16
11	(118)	X318	CC/COR ADMIN REVIEW OFFICER	11	GRADE 16
12	(119)	A063	PAYROLL OFFICER	3	GRADE 15
13	(120)	A108	ACCOUNTING TECHNICIAN II	38	GRADE 15
14	(121)	K011	ADMINISTRATIVE OFFICE SUPERVISOR	1	GRADE 15
15	(122)	M048	RECREATIONAL ACTIVITY LEADER II	2	GRADE 15
16	(123)	R009	ADMINISTRATIVE ASSISTANT I	1	GRADE 15
17	(124)	H023	COMMISSARY MANAGER	21	GRADE 14
18	(125)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	5	GRADE 14
19	(126)	K117	MEDICAL OR LEGAL SECRETARY	1	GRADE 14
20	(127)	K153	SECRETARY II	93	GRADE 13
21	(128)	R125	PERSONNEL OFFICER	4	GRADE 13
22	(129)	A106	ACCOUNTING TECHNICIAN I	4	GRADE 12
23	(130)	K039	DOCUMENT EXAMINER II	48	GRADE 12
24	(131)	K181	MAILROOM SUPERVISOR	1	GRADE 12
25	(132)	K155	SECRETARY I	33	GRADE 11
26	(133)	V043	SHIPPING & RECEIVING CLERK	1	GRADE 11
27	(134)	K023	CLERICAL ASSISTANT	<u>3</u>	GRADE 10
28			MAX. NO. OF EMPLOYEES	4,270	

29

30 SECTION 2. EXTRA HELP. There is hereby authorized, for the Department of
 31 Correction for the 2003-2005 biennium, the following maximum number of part-
 32 time or temporary employees, to be known as "Extra Help", payable from funds
 33 appropriated herein for such purposes: one hundred twenty (120) temporary or
 34 part-time employees, when needed, at rates of pay not to exceed those
 35 provided in the Uniform Classification and Compensation Act, or its
 36 successor, or this act for the appropriate classification.

SECTION 3. APPROPRIATION - INMATE CARE & CUSTODY. There is hereby appropriated, to the Department of Correction, to be payable from the Department of Correction Inmate Care and Custody Fund Account, for personal services and operating expenses of the Department of Correction - Inmate Care & Custody for the biennial period ending June 30, 2005, the following:

ITEM NO.	FISCAL YEARS	
	2003-2004	2004-2005
(01) REGULAR SALARIES	\$ 111,497,788	\$ 114,428,183
(02) EXTRA HELP	190,000	190,000
(03) PERSONAL SERVICE MATCH	36,608,181	37,211,097
(04) OVERTIME	1,550,000	1,550,000
(05) EXTRA SALARY	13,522	13,522
(06) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	30,865,777	30,578,739
(B) CONF. & TRAVEL	161,476	161,476
(C) PROF. FEES	34,080,931	36,514,154
(D) CAP. OUTLAY	1,645,594	928,470
(E) DATA PROC.	876,038	900,264
(07) CORRECTIONAL SCHOOL DISTRICT AID	70,448	70,448
(08) JAIL CONTRACTS	<u>1,533,000</u>	<u>1,533,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 219,092,755</u>	<u>\$ 224,079,353</u>

SECTION 4. APPROPRIATIONS - INMATE WELFARE PROGRAM. There is hereby appropriated, to the Department of Correction, to be payable from cash funds as defined by Arkansas Code 19-4-801 of the Department of Correction, for personal services and operating expenses of the Department of Correction - Inmate Welfare Program for the biennial period ending June 30, 2005, the following:

ITEM NO.	FISCAL YEARS	
	2003-2004	2004-2005
(01) REGULAR SALARIES	\$ 876,794	\$ 900,468
(02) PERSONAL SERVICE MATCH	318,204	323,076
(03) MAINT. & GEN. OPERATION		

1	(A) OPER. EXPENSE	7,864,789	8,841,789
2	(B) CONF. & TRAVEL	0	0
3	(C) PROF. FEES	0	0
4	(D) CAP. OUTLAY	100,000	100,000
5	(E) DATA PROC.	<u>0</u>	<u>0</u>
6	TOTAL AMOUNT APPROPRIATED	<u>\$ 9,159,787</u>	<u>\$ 10,165,333</u>

7

8 SECTION 5. APPROPRIATIONS - WORK RELEASE PROGRAM. There is hereby

9 appropriated, to the Department of Correction, to be payable from cash funds

10 as defined by Arkansas Code 19-4-801 of the Department of Correction, for

11 operating expenses and debt service of the Department of Correction - Work

12 Release Program for the biennial period ending June 30, 2005, the following:

14	ITEM	FISCAL YEARS	
15	<u>NO.</u>	<u>2003-2004</u>	<u>2004-2005</u>
16	(01) MAINT. & GEN. OPERATION		
17	(A) OPER. EXPENSE	\$ 2,513,321	\$ 2,506,042
18	(B) CONF. & TRAVEL	40,000	40,000
19	(C) PROF. FEES	1,000,000	1,000,000
20	(D) CAP. OUTLAY	1,510,247	1,562,334
21	(E) DATA PROC.	225,000	225,000
22	(02) DEBT SERVICE	<u>500,000</u>	<u>500,000</u>
23	TOTAL AMOUNT APPROPRIATED	<u>\$ 5,788,568</u>	<u>\$ 5,833,376</u>

24

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

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

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

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

29 for the biennial period ending June 30, 2005, the following:

31	ITEM	FISCAL YEARS	
32	<u>NO.</u>	<u>2003-2004</u>	<u>2004-2005</u>
33	(01) REGULAR SALARIES	\$ 1,871,689	\$ 1,922,225
34	(02) EXTRA HELP	10,000	10,000
35	(03) PERSONAL SERVICE MATCH	587,852	598,251
36	(04) MAINT. & GEN. OPERATION		

1	(A) OPER. EXPENSE	5,548,856	5,551,856
2	(B) CONF. & TRAVEL	25,000	25,000
3	(C) PROF. FEES	0	0
4	(D) CAP. OUTLAY	120,000	57,500
5	(E) DATA PROC.	<u>0</u>	<u>0</u>
6	TOTAL AMOUNT APPROPRIATED	<u>\$ 8,163,397</u>	<u>\$ 8,164,832</u>

7

8 SECTION 7. EXTRA HELP - PRISON INDUSTRY PROGRAM. There is hereby
 9 authorized, for the Department of Correction - Prison Industry Program for
 10 the 2003-2005 biennium, the following maximum number of part-time or
 11 temporary employees, to be known as "Extra Help", payable from funds
 12 appropriated herein for such purposes: twenty five (25) temporary or part-
 13 time employees, when needed, at rates of pay not to exceed those provided in
 14 the Uniform Classification and Compensation Act, or its successor, or this
 15 act for the appropriate classification.

16

17 SECTION 8. APPROPRIATION - FARM OPERATIONS PROGRAM. There is hereby
 18 appropriated, to the Department of Correction, to be payable from the
 19 Department of Correction Farm Fund, for personal services and operating
 20 expenses of the Department of Correction - Farm Operations Program for the
 21 biennial period ending June 30, 2005, the following:

23	ITEM	FISCAL YEARS	
24	<u>NO.</u>	<u>2003-2004</u>	<u>2004-2005</u>
25	(01) REGULAR SALARIES	\$ 1,891,011	\$ 1,942,068
26	(02) EXTRA HELP	10,000	10,000
27	(03) PERSONAL SERVICE MATCH	581,748	592,256
28	(04) MAINT. & GEN. OPERATION		
29	(A) OPER. EXPENSE	6,532,188	6,537,188
30	(B) CONF. & TRAVEL	21,750	21,750
31	(C) PROF. FEES	149,994	149,994
32	(D) CAP. OUTLAY	1,140,000	732,500
33	(E) DATA PROC.	0	0
34	(05) PURCHASE CATTLE/MEAT	<u>300,000</u>	<u>300,000</u>
35	TOTAL AMOUNT APPROPRIATED	<u>\$ 10,626,691</u>	<u>\$ 10,285,756</u>

36 SECTION 9. EXTRA HELP - FARM OPERATIONS PROGRAM. There is hereby

1 authorized, for the Department of Correction - Farm Operations Program for
2 the 2003-2005 biennium, the following maximum number of part-time or
3 temporary employees, to be known as "Extra Help", payable from funds
4 appropriated herein for such purposes: twenty five (25) temporary or part-
5 time employees, when needed, at rates of pay not to exceed those provided in
6 the Uniform Classification and Compensation Act, or its successor, or this
7 act for the appropriate classification.

8
9 SECTION 10. APPROPRIATIONS - REGIONAL FACILITIES OPERATIONS ACCOUNT.

10 There is hereby appropriated, to the Department of Correction, to be payable
11 from cash funds as defined by Arkansas Code 19-4-801 of the Department of
12 Correction, for Debt Service of the Department of Correction - Regional
13 Facilities Operations Account for the biennial period ending June 30, 2005,
14 the following:

ITEM NO.	FISCAL YEARS	
	2003-2004	2004-2005
(01) DEBT SERVICE	\$ 800,000	\$ 800,000

19
20 SECTION 11. APPROPRIATIONS - PRISONER HOUSING CONTRACT ACCOUNT. There is
21 hereby appropriated, to the Department of Correction, to be payable from cash
22 funds as defined by Arkansas Code 19-4-801 of the Department of Correction,
23 for Debt Service of the Department of Correction - Prisoner Housing Contract
24 Account for the biennial period ending June 30, 2005, the following:

ITEM NO.	FISCAL YEARS	
	2003-2004	2004-2005
(01) DEBT SERVICE	\$ 200,000	\$ 200,000

25
26 SECTION 12. APPROPRIATIONS - CONSTRUCTION FUND DEFICIENCY ACCOUNT. There
27 is hereby appropriated, to the Department of Correction, to be payable from
28 cash funds as defined by Arkansas Code 19-4-801 of the Department of
29 Correction, for Debt Service of the Department of Correction - Construction
30 Fund Deficiency Account for the biennial period ending June 30, 2005, the
31 following:

ITEM	FISCAL YEARS	
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NO.	2003-2004	2004-2005
(01) DEBT SERVICE	\$ 500,000	\$ 500,000

SECTION 13. APPROPRIATIONS - NON-TAX REVENUE RECEIPTS PROGRAM. There is hereby appropriated, to the Department of Correction, to be payable from cash funds as defined by Arkansas Code 19-4-801 of the Department of Correction, for operating expenses of the Department of Correction - Non-Tax Revenue Receipts Program for the biennial period ending June 30, 2005, the following:

ITEM NO.	FISCAL YEARS	
NO.	2003-2004	2004-2005
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	\$ 3,820,399	\$ 3,705,027
(B) CONF. & TRAVEL	20,000	20,000
(C) PROF. FEES	120,610	120,610
(D) CAP. OUTLAY	1,053,091	1,100,530
(E) DATA PROC.	250,000	250,000
(02) CONSTRUCTION	<u>500,000</u>	<u>500,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 5,764,100</u>	<u>\$ 5,696,167</u>

SECTION 14. APPROPRIATION - SUBSTANCE ABUSE TREATMENT PROGRAM - FEDERAL. 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 - Substance Abuse Treatment Program for the biennial period ending June 30, 2005, the following:

ITEM NO.	FISCAL YEARS	
NO.	2003-2004	2004-2005
(01) REGULAR SALARIES	\$ 590,398	\$ 606,341
(02) PERSONAL SERVICE MATCH	192,064	195,345
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	62,750	62,750
(B) CONF. & TRAVEL	13,000	13,000
(C) PROF. FEES	198,000	198,000
(D) CAP. OUTLAY	0	0

1	(E) DATA PROC.	<u>0</u>	<u>0</u>
2	TOTAL AMOUNT APPROPRIATED	<u>\$ 1,056,212</u>	<u>\$ 1,075,436</u>

3

4 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REGULAR

6 SALARIES - CONTINGENT POSITIONS. There is hereby established for the

7 Department of Correction - Contingent Positions for the ~~2001-2003~~ 2003-2005

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

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

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

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

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

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

14 persons occupying positions authorized herein are hereby governed by the

15 provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas

16 Code 21-5-101), or its successor.

17

18 CONTINGENT POSITIONS - MEDICAL SERVICES

		MAXIMUM ANNUAL			
		SALARY RATE			
ITEM CLASS		MAXIMUM	FISCAL YEARS		
NO.	CODE	TITLE	NO. OF	2001-02	2002-03
			EMPLOYEES	<u>2003-04</u>	<u>2004-05</u>
24 GEN ADMIN / NON-CLASSIFIED POSITION					
26	(01)	COR CHIEF OF MED SVCS	1	140,291	<u>148,113</u> 144,219 <u>152,112</u>
27	(02)	COR CHIEF OF DENTAL SVCS	1	128,470	<u>135,634</u> 132,068 <u>139,296</u>
28	(03)	COR CHIEF OF PHARM SVCS	1	90,442	<u>95,485</u> 92,975 <u>98,063</u>
29	(04)	COR HEALTH SVCS ADM	1	88,173	<u>93,089</u> 90,642 <u>95,603</u>
30	(05)	COR ASST HEALTH SVCS ADM	3	76,457	<u>80,719</u> 78,597 <u>82,899</u>
31	(06)	COR CHIEF OF NURSING SVCS	1	79,479	<u>83,911</u> 81,705 <u>86,177</u>
32	(07)	COR DIR OF MED RECORDS	1	76,823	<u>81,107</u> 78,975 <u>83,297</u>
33	(08)	COR UNIT/FACILITY MED MGR	11	64,019	<u>67,588</u> 65,811 <u>69,413</u>
34	(09)	COR UNIT/FACILITY MED SUPV	7	48,655	<u>51,368</u> 50,018 <u>52,755</u>
35	(10)	COR MED SVC SPEC	8	65,340	<u>68,984</u> 67,170 <u>70,846</u>

36

1	PATIENT CARE/NON-CLASSIFIED POSITIONS							
2	(11)	6603	COR STAFF PHYSICIAN	17	128,470	<u>135,634</u>	132,068	<u>139,296</u>
3	(12)	6601	COR STAFF DENTIST	15	101,150	<u>106,998</u>	104,185	<u>109,887</u>
4	(13)		COR STAFF PHARM	3	88,576	<u>93,515</u>	91,056	<u>96,039</u>
5	(14)		COR NURSE PRAC/PHYS. ASST	13	65,340	<u>68,984</u>	67,170	<u>70,846</u>
6	(15)		COR HEAD NURSE- HOSPITAL	1	70,593	<u>74,530</u>	72,571	<u>76,543</u>
7	(16)		COR REGISTERED NURSE SUPV	40	67,123	<u>70,865</u>	69,002	<u>72,778</u>
8	(17)		COR LICENSED PRAC NURSE	172	43,555	<u>45,983</u>	44,774	<u>47,224</u>
9	(18)		COR LABORATORY SPECIALIST	5	37,466	<u>39,554</u>	38,514	<u>40,622</u>
10	(19)		COR RADIOLOGY SPECIALIST	5	36,940	<u>38,999</u>	37,974	<u>40,052</u>

11

12 PATIENT CARE - CLASSIFIED POSITIONS

13	(20)	L124	PSYCHOLOGIST	2	GRADE 25
14	(21)	L122	PSYCH. EXAMINER II	2	GRADE 21
15	(22)	M088	SOCIAL WORKER II	3	GRADE 20
16	(23)	M107	COR. COUNSELOR PRO LDR	7	GRADE 19
17	(24)	R010	ADMINISTRATIVE ASST II	4	GRADE 17
18	(25)	L026	DENTAL HYGIENIST	8	GRADE 16
19	(26)	W015	MEDICAL RECORDS TECH	24	GRADE 15
20	(27)	K041	EXECUTIVE SECRETARY	4	GRADE 14
21	(28)	K117	MEDICAL SECRETARY	15	GRADE 14
22	(29)	K155	SECRETARY I	10	GRADE 11
23	(30)	L025	DENTAL ASST	12	GRADE 11

24

25 CLASSIFIED NON-PATIENT CARE

26	(31)		ACCTG TECHS	3	GRADE 15
27	(32)		PAYROLL OFFICER	2	GRADE 15
28	(33)		BUYERS	2	GRADE 18
29	(34)		PURCHASING ASSISTANT	1	GRADE 15
30	(35)		ACCOUNTING TECH	1	GRADE 15
31	(36)		ACCOUNTANT	1	GRADE 18
32	(37)		PERS TRNG OFF	1	GRADE 18
33	(38)		PERS OFFICER II	1	GRADE 17
34	(39)		PAYROLL OFFICER	1	GRADE 15
35	(40)		PC SUPPORT	<u>1</u>	GRADE 18

36 MAX NUMBER CONTINGENT EMPLOYEES-MEDICAL SERVICES 411

		CORRECTIONAL FACILITIES		
		MAXIMUM ANNUAL		
		MAXIMUM	SALARY RATE	
ITEM CLASS	NO. OF	FISCAL YEARS		
NO. CODE TITLE	EMPLOYEES	2001-02	2002-03	
(01) 102Z	Corr. Warden II	2	Grade 26	
(02) 091Z	Corr. Asst. Warden	2	Grade 23	
(03) T014	Chief Security Off	2	Grade 22	
(04) T008	Corr. Officer IV	10	Grade 21	
(05) L122	Psych. Examiner II	2	Grade 21	
(06) T006	Corr. Officer III	22	Grade 20	
(07) M088	Social Worker II	6	Grade 20	
(08) T010	Corr. Sergeant	62	Grade 19	
(09) M107	Corr. Couns. Prog. Ldr.	2	Grade 19	
(10) M086	Social Worker I	2	Grade 19	
(11) T068	Work Rel. Ctr. Supv. I	2	Grade 19	
(12) H030	Food Production Mgr.	2	Grade 19	
(13) M019	Chaplain	2	Grade 19	
(14) M114	Subst. Abuse Prog. Ldr.	2	Grade 19	
(15) T005	Corr. Officer II	276	Grade 18	
(16) Y131	Const. Maint. Supv. I	2	Grade 18	
(17) R322	Personnel & Trng. Off.	2	Grade 18	
(18) M105	Corr. Counselor	4	Grade 18	
(19) T062	Inst. Parole Officer	2	Grade 18	
(20) M050	Rec. & Activity Ldr.	2	Grade 18	
(21) M096	Treatment Prog. Coord.	2	Grade 18	
(22) T012	Disc. Hearing Off	2	Grade 18	
(23) X450	Int. Affairs Invest.	2	Grade 18	
(24) A114	Bus Mg	2	Grade 18	
(25) W009	CP/COR Records Supv.	2	Grade 18	
(26) H029	Food Prod. Mgr. I	8	Grade 17	
(27) E055	Unit Trnrs	4	Grade 17	
(28) R049	Class/Assign. Officer	2	Grade 17	
(29) X318	Admin. Review Officer	2	Grade 16	
(30) H023	Commissary Manager	2	Grade 14	

1	(31)	K153	Secretary II	2	Grade 13
2	(32)	A106	Accounting Tech I	3	Grade 12
3	(33)	K155	Secretary I	8	Grade 11
4	(34)	K023	Clerk Typist II	8	Grade 10

5

6 ~~Max. No. Contingent Employees~~

7 ~~_____ Correctional Facilities 457~~

8 GRAND TOTAL CONTINGENT EMPLOYEES 868 411

9 If the agency requests continuation of a "Growth Pool" position(s) as
10 established herein during the next biennium, the position(s) must be
11 requested as a new position(s) in the agencies biennial budget request.

12 The provisions of this section shall be in effect only from ~~July 1, 2001~~ July
13 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

14

15 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MEDICAL
17 SERVICES - CONTINGENCY POSITIONS. If it has been determined by the Board of
18 Corrections that the Department cannot continue a medical contract with a
19 private provider and the Board deems it necessary to utilize Department staff
20 to provide the required services, the Department is allowed, upon
21 notification of the Chief Fiscal Officer of the State and after seeking prior
22 review by the Arkansas Legislative Council or Joint Budget Committee, to
23 utilize the contingent positions for medical services contained in Section 15
24 of this Act and make the appropriate transfers from the Professional Fees and
25 Services line item contained in Section 3 of this Act to Regular Salaries,
26 Personal Services Matching and various Maintenance and General Operations
27 classifications. Further, the Department may utilize the service(s) of a
28 state-based or national-based Professional Recruitment Service, or network,
29 as may be necessary to recruit, fill, or maintain the occupancy of the
30 positions stated herein.

31 The provisions of this section shall be in effect only from ~~July 1, 2001~~
32 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

33

34 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REFUND TO
36 EXPENDITURE. The proceeds from the sale of feeder cattle by the Department

1 of Correction shall be deposited into the State Treasury as a refund to
 2 expenditure to the credit of the appropriation available to the Department of
 3 Correction for the "Purchase Cattle/Meat" line item.

4 The provisions of this section shall be in effect only from ~~July 1, 2001~~
 5 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

6
 7 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY
 9 REIMBURSEMENT RATE RESTRICTION. Notwithstanding any other provision of law or
 10 departmental commitment which may exist to the contrary, the Board of
 11 Corrections shall not increase any reimbursement rate for payments made to
 12 any county for the purpose of reimbursing the expenses of the care and
 13 custody of state inmates, without first seeking and receiving the approval of
 14 the Governor and the Chief Fiscal Officer of the State.

15 The provisions of this section shall be in effect only from ~~July 1, 2001~~
 16 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

17
 18 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. USE OF
 20 MAINTENANCE AND OPERATION APPROPRIATION AND SALVAGED MATERIALS CONSTRUCTION.
 21 The Department of Correction is hereby authorized to utilize Maintenance and
 22 General Operation Appropriation in conjunction with surplus and/or
 23 salvageable materials for the purpose of implementing construction projects
 24 to benefit the Department and its various programs. Before such projects may
 25 be undertaken, a Method of Finance must be submitted for prior review and
 26 approval by the Arkansas Legislative Council or Joint Budget Committee, and
 27 review and approval by the Department of Finance and Administration and the
 28 Arkansas State Building Services.

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, 2001~~
 10 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

11
 12 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA
 14 SALARIES. There is hereby authorized, for the Department of Correction, for
 15 the ~~2001-03~~ 2003-05 biennium, the following increases in salaries for certain
 16 positions provided in the Regular Salary schedule in this Act, and to be in
 17 addition to the annual amounts as established by the Uniform Classification
 18 and Compensation Act, as amended, for full-time physicians who are certified
 19 by the American Specialty Boards at rates of pay not to exceed an additional
 20 \$4,500 per year. If certified in forensic psychiatry, an additional \$2,500
 21 per year will be allowed. Total extra salaries may not exceed \$7,000 per year
 22 per position. In the event the physician is not a full time employee, the
 23 amount specified herein shall be adjusted proportionately to the amount of
 24 time worked for the Department of Correction by that physician.

25 The provisions of this section shall be in effect only from ~~July 1, 2001~~
 26 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

27
 28 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY
 30 JAIL REIMBURSEMENT. In the event the Department of Correction cannot accept
 31 inmates from county jails due to insufficient bed space, the Department shall
 32 reimburse the counties at a rate determined by the ~~Board of Corrections~~
 33 Chief Fiscal Officer of the State, after consultation with the Division of
 34 Legislative Audit and the Department of Correction, and upon approval by the
 35 Governor, until the appropriation and funding provided for such purpose is
 36 exhausted. The reimbursement rate shall include the county's cost of

1 transporting the inmates to the department. The appropriation provided by
 2 Item (08) of Section 3 may ~~also~~ be used for contracts with county jails for
 3 pre release inmates.

4 The provisions of this section shall be in effect only from ~~July 1, 2001~~
 5 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

6
 7 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. UTILITY
 9 RATE INCREASE TRANSFER. In the event of a substantial increase in utility
 10 rates, the Department of Correction is authorized to transfer any line item
 11 appropriation in this Act to the Maintenance and Operation line item for
 12 support of the increase after receiving approval of the Chief Fiscal Officer
 13 of the State.

14 The provisions of this section shall be in effect only from ~~July 1, 2001~~
 15 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

16
 17 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
 19 OF APPROPRIATION WITHIN CAPITAL IMPROVEMENT PROJECTS. The Department of
 20 Correction is hereby authorized to transfer appropriation between and/or
 21 among the various capital improvements/construction projects authorized by
 22 the General Assembly. Such transfers may be made only after approval by the
 23 Governor and after prior review by the Arkansas Legislative Council or Joint
 24 Budget Committee. Such authorization shall in no way mean that the total
 25 amount of funds or appropriations for capital improvement/construction
 26 projects be greater than that provided by the General Assembly for the
 27 Department of Correction.

28 The provisions of this section shall be in effect only from ~~July 1, 2001~~
 29 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

30
 31 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MENTAL
 33 HEALTH SERVICES. In the event the Department determines to enter into a
 34 professional contract for mental health services, the Department may, upon
 35 approval of the Chief Fiscal Officer of the State and after prior review and
 36 approval by the Arkansas Legislative Council or Joint Budget Committee, make

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

20 The provisions of this section shall be in effect only from ~~July 1, 2001~~
 21 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

22
 23 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL
 25 REVENUE/CASH FUNDS TRANSFER. The Department of Correction is authorized to
 26 transfer funds from various Special Revenue and Cash Funds into the Inmate
 27 Care and Custody Fund Account in order to adjust to the budget needs upon
 28 prior approval by the Arkansas Legislative Council or Joint Budget Committee
 29 and approval of the Board of Corrections and the Chief Fiscal Officer of the
 30 State.

31 Determining the maximum number of employees and the maximum amount of
 32 appropriation and general revenue funding for a state agency each fiscal year
 33 is the prerogative of the General Assembly. This is usually accomplished by
 34 delineating such maximums in the appropriation act(s) for a state agency and
 35 the general revenue allocations authorized for each fund and fund account by
 36 amendment to the Revenue Stabilization law. Further, the General Assembly

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

11 The provisions of this section shall be in effect only from ~~July 1, 2001~~
 12 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

13
 14 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 15 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. NEW
 16 FACILITIES. If it is found that contracting for the operation of new
 17 facilities is economically beneficial to the State of Arkansas, the
 18 Department of Correction may, after receiving approval of the Chief Fiscal
 19 Officer, and seeking prior review and approval by the Arkansas Legislative
 20 Council or Joint Budget Committee, transfer from any line item appropriation
 21 contained in Section 3 of this Act into the Professional Fees and Services
 22 line item contained in Section 3 of this Act to operate new facilities opened
 23 during the biennium.

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

1 requirement of approval by the Legislative Council or Joint Budget Committee
 2 is ruled unconstitutional by a court of competent jurisdiction, this entire
 3 section is void.

4 The provisions of this section shall be in effect only from ~~July 1, 2001~~
 5 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

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

9 APPROPRIATION TRANSFER FOR CONSTRUCTING AND EQUIPPING. The Department of
 10 Correction is hereby authorized to transfer appropriations between any line
 11 items authorized herein but only for the purpose of financing construction or
 12 equipment for a facility of the department. Any transfers authorized by this
 13 section shall require the approval of the Chief Fiscal Officer of the State
 14 after prior review and approval by the Legislative Council or Joint Budget
 15 Committee.

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

32 The provisions of this section shall be in effect only from ~~July 1, 2001~~
 33 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

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

1 REALLOCATION OF RESOURCES. Upon determination by the Board of Corrections
 2 that a reallocation of resources within the Department of Community
 3 Correction and Department of Correction is necessary for the efficient and
 4 effective operation of the departments, the Board, with approval of the
 5 Governor and approval by the Arkansas Legislative Council or Joint Budget
 6 Committee, shall have the authority to instruct the department directors, to
 7 request from the Chief Fiscal Officer of the State, a transfer of positions,
 8 programs, funds, appropriations, and line-item appropriations within or
 9 between existing and newly created divisions, offices, sections, or units of
 10 the departments. If it is determined that the requested transfer should be
 11 made, the Chief Fiscal Officer of the State shall then initiate the necessary
 12 transfer documents to reflect the transfers upon the fiscal records of the
 13 State Treasurer, the State Auditor, the Chief Fiscal Officer of the State,
 14 and the Departments of Correction and Community Correction. Provided,
 15 however, that the Board shall be limited to submitting no more than
 16 Four requests during any fiscal year. Transfer authority for unforeseen
 17 purposes shall further be limited to no more than five percent (5%) of the
 18 total appropriation, funding, and positions specific to each agency.

19 However, there shall be no transfers to or from the County Jail Reimbursement
 20 Fund. Other than for unforeseen purposes, transfers shall be limited to the
 21 following specific purposes:

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

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

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

13 The provisions of this section shall be in effect only from ~~July 1, 2001~~
 14 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

15
 16 SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HAZARDOUS
 18 DUTY PAY. The Department of Correction is hereby authorized to pay hazardous
 19 duty pay to provide special compensation to eligible security personnel to
 20 compensate for the increased risk of personal injury. The hazardous duty pay
 21 authorized herein shall not exceed an amount equal to five and one-half
 22 percent (5.5%) of the annual salary authorized by law to any eligible
 23 employee and shall only be made available to the personnel occupying the
 24 following positions.

25

26	Class Code	Title	Grade
27	T003	CP/COR Officer	16
28	H029	CP/COR Food Prod Mgr I	17
29	T005	CP/COR Officer II	18
30	H030	CP/COR Food Production Mgr II	19
31	T010	CP/COR Sergeant	19
32	T006	CP/COR Officer III	20
33	T008	CP/COR Officer IV	21
34	T014	Chief Security Officer	22

35 Employees assigned to these classifications may be eligible for hazardous
 36 duty pay if the Director of the Department of Correction certifies to the

1 Chief Fiscal Officer that employees in these positions have been assigned
 2 direct supervision of inmates which requires these positions to be exposed to
 3 increased risk of personal injury.

4 Employees in the above classifications who are assigned to maximum security
 5 lockup areas, i.e. administrative, segregation, punitive isolation and death
 6 row at the maximum security unit, Varner Unit, Cummins Unit, and East
 7 Arkansas Regional Unit, are authorized to receive the hazardous duty pay
 8 allowance and an additional amount of maximum security incentive pay to five
 9 and one-half percent of the annual salary authorized by law. This pay will
 10 only be paid while the employee continues to work in the maximum security
 11 lockup areas and pay will be discontinued should the employee terminate work
 12 in this area.

13 The amounts received under the provisions of this section shall not be
 14 considered as exceeding the maximum authorized annual salary allowance for
 15 employees in receipt of such amounts. Such amounts shall be considered as
 16 Regular Salary and the Department of Finance and Administration shall adopt
 17 the necessary rules and regulations for the administration of this provision.
 18 Employees covered by the provisions of this Section shall be eligible for
 19 special compensation for hazardous duty and additional compensation for
 20 maximum security assignment only upon a determination by the Chief Fiscal
 21 Officer of the State that sufficient general revenues are available to
 22 sustain payment of the additional compensation levels herein authorized. It
 23 is the intent of this section that such payments shall be optional, at the
 24 discretion of the Chief Fiscal Officer of the State and the Director of the
 25 Department of Correction, dependent upon sufficient revenues and shall not be
 26 implemented using funds specifically set aside for other programs within the
 27 Department.

28 The provisions of this section shall be in effect only from ~~July 1, 2001~~
 29 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

30
 31 SECTION 30. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FOOD
 33 SERVICE CONTRACT. In the event the Department is able to contract with a
 34 private provider for food services at a unit(s), transfers may be made from
 35 Regular Salaries, Personal Services Matching, and Maintenance and Operations
 36 line items to Professional Fees and Services upon approval by the Chief

1 Fiscal Officer of the State and after receiving prior review by the
2 Legislative Council or Joint Budget Committee.

3 The provisions of this section shall be in effect only from ~~July 1, 2001~~
4 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

5

6 SECTION 31. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HOLIDAY
8 COMPENSATION. The Department of Correction is authorized to pay employees for
9 up to ninety-six (96) hours of unused holidays exceeding a balance in the
10 employee's holiday account of one-hundred fifty (150) hours following the end
11 of the calendar year. Employees terminating employment from the Department of
12 Correction will be eligible for all holiday pay accrued during the years of
13 service. This request is contingent on approval by the Chief Fiscal Officer
14 of the State after the Director of the Department of Correction has verified
15 that sufficient revenues are available to make such payments to employees in
16 the following classifications:

17 Class

18	Code Title	Grade
19	T003 CP/COR Officer	16
20	H029 CP/COR Food Prod Mgr I	17
21	T005 CP/COR Officer II	18
22	H030 CP/COR Food Prod Mgr II	19
23	T010 CP/COR Sergeant	19
24	T006 CP/COR Officer III	20
25	T008 CP/COR Officer IV	21
26	T014 CP/COR Security Officer	22

27 The provisions of this section shall be in effect only from ~~July 1, 2001~~
28 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

29

30 SECTION 32. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MEDICAL
32 SERVICES - SPECIAL PROVISIONS FOR CERTAIN CLASSIFIED POSITIONS. The following
33 patient care classified positions, L026 Dental Hygienist and L025 Dental
34 Assistant, identified within Section 15 of this Act, may upon prior approval
35 of the Chief Fiscal Officer of the State, be compensated at a rate up to Pay
36 Level IV of the respective position classification.

1 The provisions of this section shall be in effect only from ~~July 1, 2001~~
 2 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

3
 4 SECTION 33. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. OFFENDER
 6 MANAGEMENT INFORMATION SYSTEM MONITOR. The Executive Chief Information
 7 Officer shall have the authority to monitor the integrated electronic
 8 offender management information system under development by the Department of
 9 Correction and the Department of Community Correction.

10 The provisions of this section shall be in effect only from July 1, 2003
 11 through June 30, 2005.

12
 13 SECTION 34. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. The
 15 Arkansas Department of Correction is authorized to enter into a cooperative
 16 agreement with the UAMS Family Treatment Program to conduct assessments of
 17 juvenile sex or child offenders as required by provisions of ACA12-12-901 et.
 18 seq. and pay for services upon receipt of invoice.

19 The provisions of this section shall be in effect only from July 1, 2003
 20 through June 30, 2005.

21
 22 SECTION 35. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED
 23 SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES – NON-TAX
 24 REVENUE RECEIPTS CASH FUND. (A) For all appropriations as provided in this
 25 Act, the agency disbursing officer shall monitor the level of fund balances
 26 in relation to expenditures on a monthly basis. If any proposed expenditures
 27 would cause the Non-Tax Revenue Receipts Cash Fund to decline below seven
 28 hundred seventy thousand thirty four dollars (\$770,034) a fund balance to
 29 decline to less than fifty percent (50%) of the balance available on July 1,
 30 2001, the disbursing officer shall immediately notify the executive head of
 31 the agency. Prior to any obligations being made under these circumstances,
 32 the agency head shall file written documentation with the Chief Fiscal
 33 Officer of the State requesting approval of the expenditures. Such
 34 documentation shall provide sufficient financial data to justify the
 35 expenditures and shall include the following:

- 36 1) a plan that clearly indicates the specific fiscal impact of such

1 expenditures on the fund balance.

2 2) information clearly indicating and explaining what programs would be cut
3 or any other measures to be taken by the agency to restore the fund balance.

4 3) the extent to which any of the planned expenditures are for one-time costs
5 or one-time purchase of capitalized items.

6 4) a statement certifying that the expenditure of fund balances will not
7 jeopardize the financial health of the agency, nor result in a permanent
8 depletion of the fund balance.

9 (B) The Chief Fiscal Officer of the State shall review the request and
10 approve or disapprove all or any part of the request, after having sought
11 prior review by the Legislative Council.

12 The provisions of this section shall be in effect only from July 1, 2003
13 through June 30, 2005.

14

15 SECTION 36. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED
16 SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES – INMATE

17 WELFARE CASH FUND. (A) For all appropriations as provided in this Act, the
18 agency disbursing officer shall monitor the level of fund balances in

19 relation to expenditures on a monthly basis. If any proposed expenditures
20 would cause the Inmate Welfare Cash Fund to decline below seven hundred fifty

21 thousand dollars (\$750,000) a fund balance to decline to less than fifty
22 percent (50%) of the balance available on July 1, 2001, the disbursing

23 officer shall immediately notify the executive head of the agency. Prior to
24 any obligations being made under these circumstances, the agency head shall

25 file written documentation with the Chief Fiscal Officer of the State

26 requesting approval of the expenditures. Such documentation shall provide
27 sufficient financial data to justify the expenditures and shall include the

28 following:

29 1) a plan that clearly indicates the specific fiscal impact of such
30 expenditures on the fund balance.

31 2) information clearly indicating and explaining what programs would be cut
32 or any other measures to be taken by the agency to restore the fund balance.

33 3) the extent to which any of the planned expenditures are for one-time costs
34 or one-time purchase of capitalized items.

35 4) a statement certifying that the expenditure of fund balances will not
36 jeopardize the financial health of the agency, nor result in a permanent

1 depletion of the fund balance.

2 (B) The Chief Fiscal Officer of the State shall review the request and
3 approve or disapprove all or any part of the request, after having sought
4 prior review by the Legislative Council.

5 The provisions of this section shall be in effect only from July 1, 2003
6 through June 30, 2005.

7
8 SECTION 37. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED
9 SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES – DEPARTMENT
10 OF CORRECTION FARM FUND. (A) For all appropriations as provided in this
11 Act, the agency disbursing officer shall monitor the level of fund balances
12 in relation to expenditures on a monthly basis. If any proposed expenditures
13 would cause the Department of Correction Farm Fund to decline below one
14 hundred eight thousand three hundred eighty one dollars (\$108,381) a fund
15 balance to decline to less than fifty percent (50%) of the balance available
16 on July 1, 2001, the disbursing officer shall immediately notify the
17 executive head of the agency. Prior to any obligations being made under
18 these circumstances, the agency head shall file written documentation with
19 the Chief Fiscal Officer of the State requesting approval of the
20 expenditures. Such documentation shall provide sufficient financial data to
21 justify the expenditures and shall include the following:

- 22 1) a plan that clearly indicates the specific fiscal impact of such
23 expenditures on the fund balance.
- 24 2) information clearly indicating and explaining what programs would be cut
25 or any other measures to be taken by the agency to restore the fund balance.
- 26 3) the extent to which any of the planned expenditures are for one-time costs
27 or one-time purchase of capitalized items.
- 28 4) a statement certifying that the expenditure of fund balances will not
29 jeopardize the financial health of the agency, nor result in a permanent
30 depletion of the fund balance.

31 (B) The Chief Fiscal Officer of the State shall review the request and
32 approve or disapprove all or any part of the request, after having sought
33 prior review by the Legislative Council.

34 The provisions of this section shall be in effect only from July 1, 2003
35 through June 30, 2005.

36 SECTION 38. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

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

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

12
13 (b) In compiling costs and reporting to the Arkansas Legislative Council in
14 accordance with Section 38 (a) of this Act, the Department of Correction
15 shall:

- 16
17 (1) Record all expenditures in a manner that provides for the
18 association of costs with each facility. Costs not directly
19 attributable to a particular facility (overhead, administration,
20 treatment, etc.) shall be allocated to each facility on the basis of
21 inmate population.
- 22 (2) Maintain documentation to support all elements of costs and cost
23 reimbursement both in total and by facility;
- 24 (3) Exclude capital outlay disbursements. However, depreciation expense
25 for all ADC fixed assets shall be included. Depreciation expense not
26 directly associated with the fixed assets of a particular facility
27 shall be allocated to each facility on the basis of inmate population.
- 28 (4) Include any interest expense incurred by ADC or another state
29 governmental entity as a result of prison construction;
- 30 (5) Exclude all payments to local governments for care of inmates housed
31 in local government facilities;
- 32 (6) Exclude all payments to local governments for Act 309 prisoners;
- 33 (7) Include the state matching requirements associated with federal
34 grant expenditures. Documentation shall be maintained sufficient to
35 identify such costs by grant.
- 36 (8) Deduct reimbursements for costs incurred. The amount of the

1 reimbursement deducted shall be equal to or less than the cost with
2 which the reimbursement is associated.

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

5 (A) ADC expenses incurred through fund transfers;

6 (B) Retirement costs;

7 (C) Audit costs;

8 (D) ADC cost for shared employees paid by another state
9 governmental entity;

10 (E) Inmate educational and rehabilitation costs;

11 (F) Inmate related expenses incurred by the Attorney General.

12
13 (c) In determining costs per inmate per day for reporting to the Arkansas
14 Legislative Council in accordance with Section 38 (a), ADC shall:

15 (1) Accumulate the number of inmates housed at each ADC facility each
16 day throughout the state fiscal year for which costs are being
17 reported. This accumulation shall result in total inmate days and
18 shall be divided into total direct and indirect costs compiled in
19 accordance with Section 38 (a)(b).

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

23 (3) Maintain documentation supporting the number of inmates housed at
24 ADC facilities.

25
26
27 SECTION 39. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LOCAL
29 GOVERNMENT INMATE COST REPORT. Within 90 days of the close of each calendar
30 year, each local governmental unit housing inmates sentenced to the Arkansas
31 Department of Correction (ADC) shall submit to the Arkansas Legislative
32 Council a report of all direct and indirect costs incurred by the local
33 governmental unit in housing and caring for such inmates. Guidelines for
34 preparing this cost report shall be developed by ADC in coordination with the
35 Division of Legislative Audit and shall be distributed to the local
36 governmental units within 90 days of the enactment of this law.

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SECTION 40. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by this act shall be limited to the appropriation for such agency and funds made available by law for the support of such appropriations; and the restrictions of the State Purchasing Law, the General Accounting and Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary Procedures and Restrictions Act, or their successors, and other fiscal control laws of this State, where applicable, and regulations promulgated by the Department of Finance and Administration, as authorized by law, shall be strictly complied with in disbursement of said funds.

SECTION 41. LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds disbursed under the authority of the appropriations contained in this act shall be in compliance with the stated reasons for which this act was adopted, as evidenced by the Agency Requests, Executive Recommendations and Legislative Recommendations contained in the budget manuals prepared by the Department of Finance and Administration, letters, or summarized oral testimony in the official minutes of the Arkansas Legislative Council or Joint Budget Committee which relate to its passage and adoption.

SECTION 42. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 2003 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 2003 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2003.