

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 85th General Assembly
3 Regular Session, 2005

A Bill

HOUSE BILL 1449

4
5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES AND OPERATING EXPENSES FOR THE
11 DEPARTMENT OF CORRECTION FOR THE BIENNIAL PERIOD
12 ENDING JUNE 30, 2007; AND FOR OTHER PURPOSES.
13

Subtitle

14
15 AN ACT FOR THE DEPARTMENT OF CORRECTION
16 APPROPRIATION FOR THE 2005-2007
17 BIENNIUM.
18
19
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

23 SECTION 1. REGULAR SALARIES. There is hereby established for the
24 Department of Correction for the 2005-2007 biennium, the following maximum
25 number of regular employees whose salaries shall be governed by the
26 provisions of the Uniform Classification and Compensation Act (Arkansas Code
27 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
28 Provided, however, that any position to which a specific maximum annual
29 salary is set out herein in dollars, shall be exempt from the provisions of
30 said Uniform Classification and Compensation Act. All persons occupying
31 positions authorized herein are hereby governed by the provisions of the
32 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),
33 or its successor.
34

35 Maximum Annual
36 Maximum Salary Rate



Item	Class		No. of	Fiscal Years		
2	No.	Code	Title	Employees	2005-2006	2006-2007
3	(1)	6617	PSYCHIATRIC SPECIALIST	6	\$143,925	\$146,993
4	(2)	9933	COR DIRECTOR	1	\$121,390	\$124,120
5	(3)	9257	COR CHIEF DEPUTY DIRECTOR	1	\$91,711	\$93,996
6	(4)	8904	CORRECTION DEPUTY DIRECTOR	2	\$90,081	\$92,342
7	(5)	9822	COR ASST DIRECTOR	3	\$86,819	\$89,018
8	(6)	9823	CORRECTIONAL SUPERINTENDENT	1	\$82,218	\$84,330
9	(7)	8055	COR INDUSTRY ADMINISTRATOR	1	\$78,294	\$80,331
10	(8)	9935	COR FARM ADMINISTRATOR	1	\$78,293	\$80,330
11	(9)	9456	COR GENERAL COUNSEL	1	\$72,052	\$73,971
12	(10)	7353	COR MENTAL HLTH SVCS ADMR	2	\$71,947	\$73,863
13	(11)	9876	CORRECTION COMPLIANCE ATTORNEY	1	\$70,335	\$72,221
14	(12)	9455	COR PUBLIC INFORMATION OFFICER	1	\$65,803	\$67,603
15	(13)	827Z	DP CENTER MANAGER	2	GRADE	26
16	(14)	056Z	COR HEAD FARM MANAGER II	4	GRADE	26
17	(15)	102Z	CORRECTIONAL WARDEN	14	GRADE	26
18	(16)	L134	PSYCHOLOGIST SUPERVISOR	3	GRADE	26
19	(17)	019Z	DCP ADMIN SVCS MGR	1	GRADE	25
20	(18)	054Z	COR HEAD FARM MANAGER I	2	GRADE	25
21	(19)	L124	PSYCHOLOGIST	13	GRADE	25
22	(20)	R170	ATTORNEY SPECIALIST	5	GRADE	25
23	(21)	044Z	COR CONSTRUCTION/MAINTENANCE COORD	3	GRADE	24
24	(22)	115Z	COR WARDEN I	1	GRADE	24
25	(23)	962Z	CC/COR ACCOUNTING SUPERVISOR	2	GRADE	24
26	(24)	949Z	COR INDUSTRY PRGM TRADE SPEC SUPV	4	GRADE	23
27	(25)	117Z	COR AGRI PRODUCTION SUPERVISOR	2	GRADE	23
28	(26)	108Z	COR MEDICAL/DENTAL ADMR	1	GRADE	23
29	(27)	091Z	ASST WARDEN	21	GRADE	23
30	(28)	196Z	COR BOOT CAMP ADMINISTRATOR	1	GRADE	23
31	(29)	D100	DP SENIOR PROJECT LEADER	1	GRADE	23
32	(30)	R033	COR INTERNAL AFFAIRS ADMINISTRATOR	1	GRADE	23
33	(31)	T064	WORK RELEASE CENTER SUPV III	1	GRADE	23
34	(32)	T041	SOSRA PROGRAM ADMINISTRATOR	1	GRADE	22
35	(33)	T014	CHIEF SECURITY OFFICER	25	GRADE	22
36	(34)	T072	COR INMATE TRANSPORTATION COORD	1	GRADE	22

1	(35)	Y020	COR INDUSTRY PRGM MANAGER	10	GRADE 22
2	(36)	Y026	COR CONSTRUCTION/MAINT SUPV II	16	GRADE 22
3	(37)	D106	DP OPERATIONS MANAGER	1	GRADE 22
4	(38)	D124	LEAD PROGRAMMER/ANALYST	3	GRADE 22
5	(39)	E010	COR TRAINING ADMINISTRATOR	1	GRADE 22
6	(40)	904Z	REHAB PROGRAM ADMINISTRATOR	10	GRADE 22
7	(41)	114Z	COR CLASSIFICATION ADMINISTRATOR	1	GRADE 22
8	(42)	119Z	CC/COR PERSONNEL MANAGER	1	GRADE 22
9	(43)	A032	AGENCY FISCAL MANAGER	2	GRADE 22
10	(44)	A008	ACCOUNTING SUPERVISOR II	4	GRADE 21
11	(45)	D123	APPLICATIONS & SYSTEMS ANALYST	5	GRADE 21
12	(46)	A251	SR AUDITOR	4	GRADE 21
13	(47)	D036	SR PROGRAMMER/ANALYST	3	GRADE 21
14	(48)	H001	COR COMMODITY & FOOD SVC ADMR	1	GRADE 21
15	(49)	M014	ADMINISTRATOR OF CHAPLAINCY SVCS	1	GRADE 21
16	(50)	L122	PSYCHOLOGICAL EXAMINER II	25	GRADE 21
17	(51)	Y018	COR ASST HEAD FARM MANAGER	4	GRADE 21
18	(52)	V016	COR PROCUREMENT & PROPERTY MANAGER	1	GRADE 21
19	(53)	T008	CC/COR OFFICER IV	45	GRADE 21
20	(54)	T066	WORK RELEASE CENTER SUPV II	3	GRADE 21
21	(55)	R298	AGENCY PROGRAM COORDINATOR	1	GRADE 21
22	(56)	R266	MANAGEMENT PROJECT ANALYST II	32	GRADE 20
23	(57)	T006	CC/COR OFFICER III	146	GRADE 20
24	(58)	M045	COR REHAB FACILITY SUPERVISOR	4	GRADE 20
25	(59)	M064	REHAB FACILITY SUPERVISOR	1	GRADE 20
26	(60)	M088	SOCIAL WORKER II	30	GRADE 20
27	(61)	M115	SUBSTANCE ABUSE PROGRAM COORD	51	GRADE 20
28	(62)	T016	AGRI UNIT SUPERVISOR II	31	GRADE 20
29	(63)	Y123	COR CONSTRUCTION ELECTRICAL SUPV	3	GRADE 20
30	(64)	Y125	COR CONSTRUCTION PLUMBER SUPV	3	GRADE 20
31	(65)	Y127	COR CONSTRUCTION REFRIGERATION SUPV	4	GRADE 20
32	(66)	L070	NURSE II	1	GRADE 20
33	(67)	M016	SR CHAPLAIN	5	GRADE 20
34	(68)	E100	COR TRAINING ACADEMY SUPERVISOR	2	GRADE 20
35	(69)	E114	STAFF DEVELOPMENT COORDINATOR	1	GRADE 20
36	(70)	E012	COR INDUSTRIAL SUPV II	34	GRADE 20

1	(71)	A186	COR BUDGET MANAGER	1	GRADE 20
2	(72)	A056	INTERNAL AUDITOR	2	GRADE 20
3	(73)	M019	CHAPLAIN	18	GRADE 19
4	(74)	H030	CC/COR FOOD PRODUCTION MGR II	21	GRADE 19
5	(75)	T010	CC/COR SERGEANT	825	GRADE 19
6	(76)	T068	WORK RELEASE CENTER SUPV I	6	GRADE 19
7	(77)	T075	RECORDS/INTAKE SUPV	4	GRADE 19
8	(78)	V008	BUYER III	1	GRADE 19
9	(79)	M107	COR COUNSELING PROGRAM LEADER	90	GRADE 19
10	(80)	M114	SUBSTANCE ABUSE PROGRAM LEADER	4	GRADE 19
11	(81)	Q068	PUB HLTH INVESTIGATOR II	5	GRADE 19
12	(82)	R030	ASST PERSONNEL MANAGER	17	GRADE 19
13	(83)	M086	SOCIAL WORKER I	2	GRADE 19
14	(84)	R150	RESEARCH PROJECT ANALYST	1	GRADE 19
15	(85)	R048	BUDGET SPECIALIST	1	GRADE 19
16	(86)	R068	EEO/GRIEVANCE OFFICER	4	GRADE 19
17	(87)	R070	COR MARKETING SPECIALIST	1	GRADE 19
18	(88)	R072	COR SALES REPRESENTATIVE	3	GRADE 19
19	(89)	R264	MANAGEMENT PROJECT ANALYST I	1	GRADE 18
20	(90)	R322	CC/COR UNIT PERS & TRNG OFFICER	3	GRADE 18
21	(91)	T005	CC/COR OFFICER II	2,149	GRADE 18
22	(92)	M096	CC/COR PROGRAM COORD	8	GRADE 18
23	(93)	M105	CC/COR COUNSELOR	5	GRADE 18
24	(94)	M050	RECREATIONAL ACTIVITY LEADER SUPV	14	GRADE 18
25	(95)	V040	PURCHASE AGENT II/PURCHASE AGENT	7	GRADE 18
26	(96)	W009	CC/COR RECORDS SUPERVISOR	18	GRADE 18
27	(97)	T062	PAROLE/PROBATION OFFICER	5	GRADE 18
28	(98)	T012	DISCIPLINARY HEARING OFFICER	9	GRADE 18
29	(99)	Y131	CC/COR CONSTR/MAINT SUPV I	43	GRADE 18
30	(100)	X450	CC/COR INTERNAL AFFAIRS INVESTGTR	10	GRADE 18
31	(101)	Y005	AUTO/DIESEL MECHANIC SUPERVISOR	1	GRADE 18
32	(102)	E072	TRAINING INSTRUCTOR	17	GRADE 18
33	(103)	E053	COR UNIT TRAINING SUPERVISOR	3	GRADE 18
34	(104)	E011	COR INDUSTRIAL SUPV	5	GRADE 18
35	(105)	D128	P C SUPPORT SPECIALIST	7	GRADE 18
36	(106)	A111	ACCOUNTANT	14	GRADE 18

1	(107)	A114	CC/COR BUSINESS MANAGER	16	GRADE 18
2	(108)	E055	CC/COR UNIT TRAINER	4	GRADE 17
3	(109)	H029	CC/COR FOOD PRODUCTION MGR I	83	GRADE 17
4	(110)	L004	COR HIV/AIDS EDUCATOR	1	GRADE 17
5	(111)	V030	INVENTORY CONTROL MANAGER	4	GRADE 17
6	(112)	R010	ADMINISTRATIVE ASSISTANT II	7	GRADE 17
7	(113)	M144	COR VOLUNTEER SERVICE COORDINATOR	1	GRADE 17
8	(114)	R321	COR GRIEVANCE OFFICER	9	GRADE 17
9	(115)	R049	CLASSIFICATION & ASSIGNMENT OFFICER	14	GRADE 17
10	(116)	R190	PERSONNEL OFFICER II	3	GRADE 17
11	(117)	X318	CC/COR ADMIN REVIEW OFFICER	11	GRADE 16
12	(118)	V076	COR PROPERTY OFFICER	3	GRADE 16
13	(119)	A053	INSURANCE SPECIALIST II	1	GRADE 16
14	(120)	A063	PAYROLL OFFICER	4	GRADE 15
15	(121)	A108	ACCOUNTING TECHNICIAN II	39	GRADE 15
16	(122)	K011	ADMINISTRATIVE OFFICE SUPERVISOR	1	GRADE 15
17	(123)	R009	ADMINISTRATIVE ASSISTANT I	1	GRADE 15
18	(124)	M048	RECREATIONAL ACTIVITY LEADER II	2	GRADE 15
19	(125)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	3	GRADE 14
20	(126)	K117	MEDICAL OR LEGAL SECRETARY	1	GRADE 14
21	(127)	H023	COMMISSARY MANAGER	21	GRADE 14
22	(128)	K153	SECRETARY II	95	GRADE 13
23	(129)	R125	PERSONNEL OFFICER	4	GRADE 13
24	(130)	K039	DOCUMENT EXAMINER II	62	GRADE 12
25	(131)	K181	MAILROOM SUPERVISOR	1	GRADE 12
26	(132)	A106	ACCOUNTING TECHNICIAN I	3	GRADE 12
27	(133)	K155	SECRETARY I	32	GRADE 11
28	(134)	V043	SHIPPING & RECEIVING CLERK	1	GRADE 11
29	(135)	K023	CLERICAL ASSISTANT	<u>3</u>	GRADE 10
30			MAX. NO. OF EMPLOYEES	4,375	

31

32 SECTION 2. EXTRA HELP. There is hereby authorized, for the Department of
 33 Correction for the 2005-2007 biennium, the following maximum number of part-
 34 time or temporary employees, to be known as "Extra Help", payable from funds
 35 appropriated herein for such purposes: one hundred seventy (170) temporary
 36 or part-time employees, when needed, at rates of pay not to exceed those

1 provided in the Uniform Classification and Compensation Act, or its
2 successor, or this act for the appropriate classification.

3
4 SECTION 3. APPROPRIATION - ADMINISTRATION PROGRAM. There is hereby
5 appropriated, to be payable from the funds and fund accounts as set out
6 herein, to the Department of Correction for the biennial period ending June
7 30, 2007, the following:

8 (a) For the DOC Administration Program, the sum of \$32,738,518 for the 2005-
9 2006 fiscal year and \$33,019,454 for the 2006-2007 fiscal year.

10 (1) Program Description. The Board of Correction is responsible for
11 management of correctional resources in the state and has general supervisory
12 power and control over the Arkansas Department of Correction (ADC). The
13 Director of the ADC reports directly to the Board of Correction as the
14 agency's chief executive, administrative and fiscal officer, responsible for
15 the agency's philosophy, mission, and operation. These functions are put
16 into operation through the ADC Management Team and four divisions
17 administratively supervised by a deputy director or assistant director.
18 Divisions are Administrative Services, Institutions, Construction and
19 Maintenance, and Health and Correctional Programs. Professional staff
20 members who perform functions across all agency program areas are included in
21 ADC Administration.

22 (2) Appropriation payable from:

	FISCAL YEARS	
	<u>2005-2006</u>	<u>2006-2007</u>
23		
24 (A) General Revenue:		
25 Department of Correction Inmate		
26 Care and Custody Fund Account	\$ <u>18,251,809</u>	\$ <u>18,508,321</u>
27 TOTAL General Revenue	\$ 18,251,809	\$ 18,508,321
28 (B) Special Revenue	\$ 14,466	\$ 14,466
29 (C) Other Funds	\$ 6,803,903	\$ 6,809,863

30 (3) Performance Targets:

31 (A) % Attainment of overall agency		
32 program objectives	95%	95%
33 (B) % Of Administrative Program		
34 expenditures compared to total		
35 agency expenditures	9.6%	10.0%
36 (C) % Of reported allegations of		

1	inmate abuse or criminal activity		
2	investigated by Internal Affairs		
3	and appropriate action taken	100%	100%
4	(D) Correctional Officer Turnover		
5	Rate	30%	25%
6	(E) Number prior year audit findings		
7	repeated in subsequent audit	0	0

8

9 SECTION 4. APPROPRIATION - INMATE CARE & CUSTODY. There is hereby

10 appropriated, to be payable from the funds and fund accounts as set out

11 herein, to the Department of Correction for the biennial period ending June

12 30, 2007, the following:

13 (a) For the DOC Inmate Care & Custody Program (ICC), the sum of \$178,748,351

14 for the 2005-2006 fiscal year and \$183,867,974 for the 2006-2007 fiscal year.

15 (1) Program Description. The Arkansas Department of Correction has

16 exclusive jurisdiction over the care, custody, control, management,

17 administration, and supervision of all persons and offenders committed to, or

18 in the custody of the state penitentiary. The ICC program includes all

19 security classifications of institutions, regional jails, boot camp, work

20 release, and pre-release facilities. Operations include administrative and

21 executive staff as well as security staff involved in direct supervision of

22 state inmates. Responsibilities include emergency preparedness, inmate

23 classification, construction and maintenance, transportation, warehouse and

24 food services.

25	(2) Appropriation payable from:	FISCAL YEARS	
26		<u>2005-2006</u>	<u>2006-2007</u>
27	(A) General Revenue:		
28	Department of Correction Inmate		
29	Care and Custody Fund Account	\$ 157,624,581	\$ 161,154,930
30	County Jail Reimbursement Fund	\$ <u>2,806,592</u>	\$ <u>2,806,592</u>
31	TOTAL General Revenue	\$ 160,431,173	\$ 163,961,522
32	(B) Other Funds	\$ 17,634,476	\$ 18,777,880

33 (3) Performance Targets:

34	(A) % Of Work Release Program costs		
35	reimbursed by collection of fees		
36	from inmates	20%	20%

1	(B) All state-owned institutions are		
2	accredited by the American		
3	Correctional Association (ACA)		
4	(excludes only Texarkana and		
5	Northwest AR Work Release Centers)	Accredited	Accredited
6	(C) Inmate cost per day	53.07	55.72
7	(D) Number of escape events from		
8	secure facilities.	0	0
9	(E) Regional jail operations meet		
10	state standards	Pass	Pass

11

12 SECTION 5. APPROPRIATION - HEALTH & CORRECTIONAL PROGRAM. There is hereby
 13 appropriated, to be payable from the funds and fund accounts as set out
 14 herein, to the Department of Correction for the biennial period ending June
 15 30, 2007, the following:

16 (a) For the DOC Health & Correctional Program, the sum of \$46,790,119 for
 17 the 2005-2006 fiscal year and \$46,870,482 for the 2006-2007 fiscal year.

18 (1) Program Description. ADC meets standards for medical, mental health,
 19 dental and treatment services as constitutionally mandated, statutorily
 20 required, and as may be authorized to provide for needs of inmates sentenced
 21 to prison. Sex Offender Risk Assessment is included in this program although
 22 all persons assessed are not in the custody of ADC.

23 (2) Appropriation payable from:

FISCAL YEARS

		<u>2005-2006</u>	<u>2006-2007</u>
24			
25	(A) General Revenue:		
26	Department of Correction Inmate		
27	Care and Custody Fund Account	\$ <u>44,418,272</u>	\$ <u>44,677,157</u>
28	TOTAL General Revenue	\$ 44,418,272	\$ 44,677,157
29	(B) Federal Funds as designated by		
30	the Chief Fiscal Officer of the		
31	State	\$ 922,951	\$ 937,986
32	(C) Other Funds	\$ 694,837	\$ 694,837

33 (3) Performance Targets:

34	(A) % of ACA Health Care Standards		
35	are met	98%	98%
36	(B) % Of total projected assessments		

1	completed	75%	90%
2	(C) Average cost per inmate for		
3	Medical, Mental Health Care, and		
4	Dental	6% \$2,857 est.	6% \$3,028 est.
5	(D) Number of inmates receiving GEDs	650	700
6	(E) Recidivism rate	52.1%	52.1%

7
 8 SECTION 6. APPROPRIATION - FARM PROGRAM. There is hereby appropriated, to
 9 be payable from the funds and fund accounts as set out herein, to the
 10 Department of Correction for the biennial period ending June 30, 2007, the
 11 following:

12 (a) For the DOC Farm Program, the sum of \$10,892,480 for the 2005-2006
 13 fiscal year and \$10,790,742 for the 2006-2007 fiscal year.

14 (1) Program Description. The agriculture and livestock program provides
 15 the majority of vegetables, meat, milk and eggs consumed by the ADC inmate
 16 population and generates operating revenue from marketable agricultural
 17 products.

18	(2) Appropriation payable from:	FISCAL YEARS	
19		<u>2005-2006</u>	<u>2006-2007</u>
20	(A) Special Revenue	\$ 6,513,143	\$ 7,190,742
21	(B) Other Funds	\$ 4,379,337	\$ 3,600,000

22 (3) Performance Targets:

23	(A) # Of inmate jobs provided	449	449
24	(B) % Of operational costs generated		
25	by overall sales from farm		
26	operations, federal farm		
27	subsidies, and allowable state		
28	consumption reimbursement	100%	100%
29	(C) Value of food produced and	Minimum of	Minimum of
30	consumed by inmates	of \$3,600,000	of \$3,600,000

31
 32 SECTION 7. APPROPRIATION - INDUSTRY PROGRAM. There is hereby appropriated,
 33 to be payable from the funds and fund accounts as set out herein, to the
 34 Department of Correction for the biennial period ending June 30, 2007, the
 35 following:

36 (a) For the DOC Industry Program, the sum of \$8,437,696 for the 2005-2006

1 fiscal year and \$8,946,355 for the 2006-2007 fiscal year.

2 (1) Program Description. The Arkansas Correctional Industries (ACI)
 3 Program produces goods and provides services for public tax-supported
 4 agencies, nonprofit organizations and employees of ADC and provides
 5 opportunities for inmates to learn productive and marketable skills.

6 (2) Appropriation payable from: FISCAL YEARS

		<u>2005-2006</u>		<u>2006-2007</u>
7				
8	(A) Special Revenue	\$ 8,108,241	\$	8,767,443
9	(B) Other Funds	\$ 298,400	\$	0

10 (3) Performance Targets:

11	(A) # Of inmate work related jobs			
12	provided	578		578
13	(B) # Of inmates receiving			
14	vocational certificates and/or			
15	vocational proficiency			
16	certification through an ACI			
17	Program	58		58
18	(C) % Operational costs generated by			
19	overall sales from ACI programs	100%		100%

20

21 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REGULAR
 23 SALARIES - CONTINGENT POSITIONS. There is hereby established for the
 24 Department of Correction - Contingent Positions for the ~~2003-2005~~ 2005-2007
 25 biennium, the following maximum number of regular employees whose salaries
 26 shall be governed by the provisions of the Uniform Classification and
 27 Compensation Act (Arkansas Code 21-5-201 et seq.), or its successor, and all
 28 laws amendatory thereto. Provided, however, that any position to which a
 29 specific maximum annual salary is set out herein in dollars, shall be exempt
 30 from the provisions of said Uniform Classification and Compensation Act. All
 31 persons occupying positions authorized herein are hereby governed by the
 32 provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas
 33 Code 21-5-101), or its successor.

34 CONTINGENT POSITIONS - MEDICAL SERVICES

35			MAXIMUM ANNUAL
36	ITEM CLASS	MAXIMUM	SALARY RATE

1	NO.	CODE	TITLE	NO. OF	FISCAL YEARS	
2				EMPLOYEES	2003-04	2004-05
3					<u>2005-06</u>	<u>2006-07</u>
4	GEN ADMIN / NON-CLASSIFIED POSITION					
5	(01)	COR CHIEF OF MED SVCS		1	148,113	152,112
6					<u>155,304</u>	<u>158,544</u>
7	(02)	COR CHIEF OF DENTAL SVCS		1	135,634	139,296
8					<u>142,296</u>	<u>145,341</u>
9	(03)	COR CHIEF OF PHARM SVCS		1	95,485	98,063
10					<u>100,444</u>	<u>102,861</u>
11	(04)	COR HEALTH SVCS ADM		1	93,089	95,603
12					<u>97,947</u>	<u>100,327</u>
13	(05)	COR ASST HEALTH SVCS ADM		3	80,719	82,899
14					<u>85,024</u>	<u>87,190</u>
15	(06)	COR CHIEF OF NURSING SVCS		1	83,911	86,177
16					<u>88,365</u>	<u>90,594</u>
17	(07)	COR DIR OF MED RECORDS		1	81,107	83,297
18					<u>85,430</u>	<u>87,603</u>
19	(08)	COR UNIT/FACILITY MED MGR		11	67,588	69,413
20					<u>71,282</u>	<u>73,186</u>
21	(09)	COR UNIT/FACILITY MED SUPV		7	51,368	52,755
22					<u>54,308</u>	<u>55,889</u>
23	(10)	COR MED SVC SPEC		8	68,984	70,846
24					<u>72,742</u>	<u>74,674</u>
25	PATIENT CARE/NON-CLASSIFIED POSITIONS					
26	(11)	6603 COR STAFF PHYSICIAN		17	135,634	139,296
27					<u>142,296</u>	<u>145,340</u>
28	(12)	6601 COR STAFF DENTIST		15	106,998	109,887
29					<u>112,446</u>	<u>115,042</u>
30	(13)	COR STAFF PHARM		3	93,515	96,039
31					<u>98,390</u>	<u>100,776</u>
32	(14)	COR NURSE PRAC/PHYS. ASST		13	68,984	70,846
33					<u>72,742</u>	<u>74,674</u>
34	(15)	COR HEAD NURSE- HOSPITAL		1	74,530	76,543
35					<u>78,548</u>	<u>80,590</u>
36	(16)	COR REGISTERED NURSE SUPV		40	70,865	72,778

1			<u>74,711</u>	<u>76,681</u>
2	(17) COR LICENSED PRAC NURSE	172	<u>45,983</u>	<u>47,224</u>
3			<u>48,641</u>	<u>50,100</u>
4	(18) COR LABORATORY SPECIALIST	5	<u>39,554</u>	<u>40,622</u>
5			<u>41,841</u>	<u>43,096</u>
6	(19) COR RADIOLOGY SPECIALIST	5	<u>38,999</u>	<u>40,052</u>
7			<u>41,254</u>	<u>42,492</u>
8	PATIENT CARE - CLASSIFIED POSITIONS			
9	(20) L124 PSYCHOLOGIST	2	GRADE 25	
10	(21) L122 PSYCH. EXAMINER II	2	GRADE 21	
11	(22) M088 SOCIAL WORKER II	3	GRADE 20	
12	(23) M107 COR. COUNSELOR PRO LDR	7	GRADE 19	
13	(24) R010 ADMINISTRATIVE ASST II	4	GRADE 17	
14	(25) L026 DENTAL HYGIENIST	8	GRADE 16	
15	(26) W015 MEDICAL RECORDS TECH	24	GRADE 15	
16	(27) K041 EXECUTIVE SECRETARY	4	GRADE 14	
17	(28) K117 MEDICAL SECRETARY	15	GRADE 14	
18	(29) K155 SECRETARY I	10	GRADE 11	
19	(30) L025 DENTAL ASST	12	GRADE 11	
20				
21	CLASSIFIED NON-PATIENT CARE			
22	(31) ACCTG TECHS	3	GRADE 15	
23	(32) PAYROLL OFFICER	2	GRADE 15	
24	(33) BUYERS	2	GRADE 18	
25	(34) PURCHASING ASSISTANT	1	GRADE 15	
26	(35) ACCOUNTING TECH	1	GRADE 15	
27	(36) ACCOUNTANT	1	GRADE 18	
28	(37) PERS TRNG OFF	1	GRADE 18	
29	(38) PERS OFFICER II	1	GRADE 17	
30	(39) PAYROLL OFFICER	1	GRADE 15	
31	(40) PC SUPPORT	1	GRADE 18	
32				
33	GRAND TOTAL CONTINGENT EMPLOYEES	411		

34

35 If the agency requests continuation of a "Growth Pool" position(s) as

36 established herein during the next biennium, the position(s) must be

1 requested as a new position(s) in the agencies biennial budget request.
 2 The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005
 3 through June 30, ~~2005~~ 2007.

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 5
 6 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MEDICAL
 8 SERVICES - CONTINGENCY POSITIONS. If it has been determined by the Board of
 9 Corrections that the Department cannot continue a medical contract with a
 10 private provider and the Board deems it necessary to utilize Department staff
 11 to provide the required services, the Department is allowed, upon
 12 notification of the Chief Fiscal Officer of the State and after seeking prior
 13 review by the Arkansas Legislative Council or Joint Budget Committee, to
 14 utilize the contingent positions for medical services contained in ~~Section 15~~
 15 ~~of this Act and make the appropriate transfers from the Professional Fees and~~
 16 ~~Services line item contained in Section 3 of this Act to Regular Salaries,~~
 17 ~~Personal Services Matching and various Maintenance and General Operations~~
 18 ~~classifications.~~ Further, the Department may utilize the service(s) of a
 19 state-based or national-based Professional Recruitment Service, or network,
 20 as may be necessary to recruit, fill, or maintain the occupancy of the
 21 positions stated herein.

22 The provisions of this section shall be in effect only from July 1, ~~2003~~
 23 2005 through June 30, ~~2005~~ 2007.

24
 25 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY
 27 REIMBURSEMENT RATE RESTRICTION. Notwithstanding any other provision of law or
 28 departmental commitment which may exist to the contrary, the Board of
 29 Corrections shall not increase any reimbursement rate for payments made to
 30 any county for the purpose of reimbursing the expenses of the care and
 31 custody of state inmates, without first seeking and receiving the approval of
 32 the Governor and the Chief Fiscal Officer of the State.

33 The provisions of this section shall be in effect only from July 1, ~~2003~~
 34 2005 through June 30, ~~2005~~ 2007.

35
 36 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA
 2 SALARIES. There is hereby authorized, for the Department of Correction, for
 3 the ~~2003-05~~ 2005-07 biennium, the following increases in salaries for
 4 certain positions provided in the Regular Salary schedule in this Act, and to
 5 be in addition to the annual amounts as established by the Uniform
 6 Classification and Compensation Act, as amended, for full-time physicians who
 7 are certified by the American Specialty Boards at rates of pay not to exceed
 8 an additional \$4,500 per year. If certified in forensic psychiatry, an
 9 additional \$2,500 per year will be allowed. Total extra salaries may not
 10 exceed \$7,000 per year per position. In the event the physician is not a
 11 full time employee, the amount specified herein shall be adjusted
 12 proportionately to the amount of time worked for the Department of Correction
 13 by that physician.

14 The provisions of this section shall be in effect only from July 1, 2003
 15 2005 through June 30, ~~2005~~ 2007.

16
 17 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY
 19 JAIL REIMBURSEMENT. In the event the Department of Correction cannot accept
 20 inmates from county jails due to insufficient bed space, the Department shall
 21 reimburse the counties at a rate determined by the Chief Fiscal Officer of
 22 the State, after consultation with the Division of Legislative Audit and the
 23 Department of Correction, and upon approval by the Governor, until the
 24 ~~appropriation and funding~~ County Jail Reimbursement Fund, provided for such
 25 purpose, is exhausted. The reimbursement rate shall include the county's
 26 cost of transporting the inmates to the department. ~~The appropriation~~
 27 ~~provided by Item (08) of Section 3 may be used for contracts with county~~
 28 ~~jails for pre-release inmates.~~

29 The provisions of this section shall be in effect only from July 1, 2003
 30 2005 through June 30, ~~2005~~ 2007.

31
 32 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
 34 OF APPROPRIATION WITHIN CAPITAL IMPROVEMENT PROJECTS. The Department of
 35 Correction is hereby authorized to transfer appropriation between and/or
 36 among the various capital improvements/construction projects authorized by

1 the General Assembly. Such transfers may be made only after approval by the
 2 Governor and after prior review by the Arkansas Legislative Council or Joint
 3 Budget Committee. Such authorization shall in no way mean that the total
 4 amount of funds or appropriations for capital improvement/construction
 5 projects be greater than that provided by the General Assembly for the
 6 Department of Correction.

7 The provisions of this section shall be in effect only from July 1, ~~2003~~
 8 2005 through June 30, ~~2005~~ 2007.

9
 10 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

12 REALLOCATION OF RESOURCES. Upon determination by the Board of Corrections
 13 that a reallocation of resources within the Department of Community
 14 Correction and Department of Correction is necessary for the efficient and
 15 effective operation of the departments, the Board, with approval of the
 16 Governor and approval by the Arkansas Legislative Council or Joint Budget
 17 Committee, shall have the authority to instruct the department directors, to
 18 request from the Chief Fiscal Officer of the State, a transfer of positions,
 19 programs, funds and appropriations, ~~and line item appropriations~~ within or
 20 between existing and ~~newly created divisions, offices, sections, or units~~
 21 programs of the departments. If it is determined that the requested transfer
 22 should be made, the Chief Fiscal Officer of the State shall then initiate the
 23 necessary transfer documents to reflect the transfers upon the fiscal records
 24 of the State Treasurer, the State Auditor, the Chief Fiscal Officer of the
 25 State, and the Departments of Correction and Community Correction. Provided,
 26 however, that the Board shall be limited to submitting no more than
 27 Four requests during any fiscal year. Transfer authority for unforeseen
 28 purposes shall further be limited to no more than five percent (5%) of the
 29 total appropriation, funding, and positions specific to each agency.
 30 However, there shall be no transfers to or from the County Jail Reimbursement
 31 Fund. Other than for unforeseen purposes, transfers shall be limited to the
 32 following specific purposes:

- 33 a) Costs to open and operate temporary beds;
- 34 b) Payment of Debt Service;
- 35 c) Payment of Overtime Expenses;
- 36 d) Unanticipated increases for medical or private prison contracts;

- 1 e) Construction/renovation/equipping of new beds;
- 2 f) Deficits in Farm or Industry Program;
- 3 g) Losses not covered by insurance proceeds;
- 4 h) Costs of personnel for critical services or necessary to carry out the
- 5 mission of the agency.

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

23 The provisions of this section shall be in effect only from July 1, 2003
 24 2005 through June 30, ~~2005~~ 2007.

25
 26 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HAZARDOUS
 28 DUTY PAY. The Department of Correction is hereby authorized to pay hazardous
 29 duty pay to provide special compensation to eligible security personnel to
 30 compensate for the increased risk of personal injury. The hazardous duty pay
 31 authorized herein shall not exceed an amount equal to five and one-half
 32 percent (5.5%) of the annual salary authorized by law to any eligible
 33 employee and shall only be made available to the personnel occupying the
 34 following positions.

35	Class Code	Title	Grade
36	T003	CP/COR Officer	16

1	H029	CP/COR Food Prod Mgr I	17
2	T005	CP/COR Officer II	18
3	H030	CP/COR Food Production Mgr II	19
4	T010	CP/COR Sergeant	19
5	T006	CP/COR Officer III	20
6	T008	CP/COR Officer IV	21
7	T014	Chief Security Officer	22

8 Employees assigned to these classifications may be eligible for hazardous
9 duty pay if the Director of the Department of Correction certifies to the
10 Chief Fiscal Officer that employees in these positions have been assigned
11 direct supervision of inmates which requires these positions to be exposed to
12 increased risk of personal injury.

13 Employees in the above classifications who are assigned to Maximum Security
14 lockup areas, i.e. administrative, segregation, punitive isolation and death
15 row at the maximum security unit, Varner Unit, Cummins Unit, and East
16 Arkansas Regional Unit, are authorized to receive the hazardous duty pay
17 allowance and an additional amount of maximum security incentive pay to five
18 and one-half percent of the annual salary authorized by law. This pay will
19 only be paid while the employee continues to work in the maximum security
20 lockup areas and pay will be discontinued should the employee terminate work
21 in this area.

22 The amounts received under the provisions of this section shall not be
23 considered as exceeding the maximum authorized annual salary allowance for
24 employees in receipt of such amounts. Such amounts shall be considered as
25 Regular Salary and the Department of Finance and Administration shall adopt
26 the necessary rules and regulations for the administration of this provision.

27 Employees covered by the provisions of this Section shall be eligible for
28 special compensation for hazardous duty and additional compensation for
29 maximum security assignment only upon a determination by the Chief Fiscal
30 Officer of the State that sufficient general revenues are available to
31 sustain payment of the additional compensation levels herein authorized. It
32 is the intent of this section that such payments shall be optional, at the
33 discretion of the Chief Fiscal Officer of the State and the Director of the
34 Department of Correction, dependent upon sufficient revenues and shall not be
35 implemented using funds specifically set aside for other programs within the
36 Department.

1 The provisions of this section shall be in effect only from July 1, 2003
2 2005 through June 30, ~~2005~~ 2007.

3
4 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HOLIDAY
6 COMPENSATION. The Department of Correction is authorized to pay employees for
7 up to ~~ninety-six (96)~~ one-hundred ninety two (192) hours of unused holidays
8 exceeding a balance in the employee's holiday account of one-hundred fifty
9 (150) hours following the end of the calendar year. Employees terminating
10 employment from the Department of Correction will be eligible for all holiday
11 pay accrued during the years of service. This request is contingent on
12 approval by the Chief Fiscal Officer of the State after the Director of the
13 Department of Correction has verified that sufficient revenues are available
14 to make such payments to employees in the following classifications:

15 Class

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

25 The provisions of this section shall be in effect only from July 1, 2003
26 2005 through June 30, ~~2005~~ 2007.

27
28 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MEDICAL
30 SERVICES - SPECIAL PROVISIONS FOR CERTAIN CLASSIFIED POSITIONS. The following
31 patient care classified positions, L026 Dental Hygienist and L025 Dental
32 Assistant, identified within Section ~~15~~ 8 of this Act, may upon prior
33 approval of the Chief Fiscal Officer of the State, be compensated at a rate
34 up to Pay Level IV of the respective position classification.

35 The provisions of this section shall be in effect only from July 1, 2003
36 2005 through June 30, ~~2005~~ 2007.

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

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES – NON-TAX REVENUE RECEIPTS CASH FUND. (A) For all appropriations as provided in this Act, the agency disbursing officer shall monitor the level of fund balances in relation to expenditures on a monthly basis. If any proposed expenditures would cause the Non-Tax Revenue Receipts Cash Fund to decline below seven hundred seventy thousand thirty four dollars (\$770,034), the disbursing officer shall immediately notify the executive head of the agency. Prior to any obligations being made under these circumstances, the agency head shall file written documentation with the Chief Fiscal Officer of the State requesting approval of the expenditures. Such documentation shall provide sufficient financial data to justify the expenditures and shall include the following:

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

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

1 The provisions of this section shall be in effect only from July 1, 2003
 2 2005 through June 30, ~~2005~~ 2007.

3
 4 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND
 6 BALANCES – INMATE WELFARE CASH FUND. (A) For all appropriations as provided
 7 in this Act, the agency disbursing officer shall monitor the level of fund
 8 balances in relation to expenditures on a monthly basis. If any proposed
 9 expenditures would cause the Inmate Welfare Cash Fund to decline below seven
 10 hundred fifty thousand dollars (\$750,000) , the disbursing officer shall
 11 immediately notify the executive head of the agency. Prior to any
 12 obligations being made under these circumstances, the agency head shall file
 13 written documentation with the Chief Fiscal Officer of the State requesting
 14 approval of the expenditures. Such documentation shall provide sufficient
 15 financial data to justify the expenditures and shall include the following:
 16 1) a plan that clearly indicates the specific fiscal impact of such
 17 expenditures on the fund balance.
 18 2) information clearly indicating and explaining what programs would be cut
 19 or any other measures to be taken by the agency to restore the fund balance.
 20 3) the extent to which any of the planned expenditures are for one-time costs
 21 or one-time purchase of capitalized items.
 22 4) a statement certifying that the expenditure of fund balances will not
 23 jeopardize the financial health of the agency, nor result in a permanent
 24 depletion of the fund balance.
 25 (B) The Chief Fiscal Officer of the State shall review the request and
 26 approve or disapprove all or any part of the request, after having sought
 27 prior review by the Legislative Council.

28 The provisions of this section shall be in effect only from July 1, 2003
 29 2005 through June 30, ~~2005~~ 2007.

30
 31 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND
 33 BALANCES – DEPARTMENT OF CORRECTION FARM FUND. (A) For all appropriations as
 34 provided in this Act, the agency disbursing officer shall monitor the level
 35 of fund balances in relation to expenditures on a monthly basis. If any
 36 proposed expenditures would cause the Department of Correction Farm Fund to

1 decline below one hundred eight thousand three hundred eighty one dollars
 2 (\$108,381), the disbursing officer shall immediately notify the executive
 3 head of the agency. Prior to any obligations being made under these
 4 circumstances, the agency head shall file written documentation with the
 5 Chief Fiscal Officer of the State requesting approval of the expenditures.
 6 Such documentation shall provide sufficient financial data to justify the
 7 expenditures and shall include the following:

- 8 1) a plan that clearly indicates the specific fiscal impact of such
 9 expenditures on the fund balance.
- 10 2) information clearly indicating and explaining what programs would be cut
 11 or any other measures to be taken by the agency to restore the fund balance.
- 12 3) the extent to which any of the planned expenditures are for one-time costs
 13 or one-time purchase of capitalized items.
- 14 4) a statement certifying that the expenditure of fund balances will not
 15 jeopardize the financial health of the agency, nor result in a permanent
 16 depletion of the fund balance.

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

20 The provisions of this section shall be in effect only from July 1, 2003
 21 2005 through June 30, ~~2005~~ 2007.

22
 23 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. INMATE
 25 COST REPORTING – STATE FACILITIES.

26 (a) Within 90 days of the close of each state fiscal year, the Arkansas
 27 Department of Correction (ADC) shall submit to the Arkansas Legislative
 28 Council a report of all direct and indirect costs incurred by the State of
 29 Arkansas in housing and caring for inmates incarcerated in the State’s
 30 facilities. Such costs shall be calculated and reported in total for the
 31 Department and in total by each facility. The report shall also reflect
 32 overall cost per inmate per day, cost per inmate per day for each facility,
 33 overall cost per bed per day, and cost per bed per day for each facility.

34 (b) In compiling costs and reporting to the Arkansas Legislative Council in
 35 accordance with Section 22 (a) of this Act, the Department of Correction
 36 shall:

- 1 (1) Record all expenditures in a manner that provides for the
- 2 association of costs with each facility. Costs not directly
- 3 attributable to a particular facility (overhead, administration,
- 4 treatment, etc.) shall be allocated to each facility on the basis of
- 5 inmate population.
- 6 (2) Maintain documentation to support all elements of costs and cost
- 7 reimbursement both in total and by facility;
- 8 (3) Exclude capital outlay disbursements. However, depreciation expense
- 9 for all ADC fixed assets shall be included. Depreciation expense not
- 10 directly associated with the fixed assets of a particular facility
- 11 shall be allocated to each facility on the basis of inmate population.
- 12 (4) Include any interest expense incurred by ADC or another state
- 13 governmental entity as a result of prison construction;
- 14 (5) Exclude all payments to local governments for care of inmates housed
- 15 in local government facilities;
- 16 (6) Exclude all payments to local governments for Act 309 prisoners;
- 17 (7) Include the state matching requirements associated with federal
- 18 grant expenditures. Documentation shall be maintained sufficient to
- 19 identify such costs by grant.
- 20 (8) Deduct reimbursements for costs incurred. The amount of the
- 21 reimbursement deducted shall be equal to or less than the cost with
- 22 which the reimbursement is associated.
- 23 (9) Include all ancillary costs. These costs shall include, but are not
- 24 limited to:
- 25 (A) ADC expenses incurred through fund transfers;
- 26 (B) Retirement costs;
- 27 (C) Audit costs;
- 28 (D) ADC cost for shared employees paid by another state
- 29 governmental entity;
- 30 (E) Inmate educational and rehabilitation costs;
- 31 (F) Inmate related expenses incurred by the Attorney General;
- 32 however; expenses shall not include costs of defending Habeas
- 33 Corpus cases.

34 (c) In determining costs per inmate per day for reporting to the Arkansas
 35 Legislative Council in accordance with Section 22 (a), ADC shall:

- 36 (1) Accumulate the number of inmates housed at each ADC facility each

1 day throughout the state fiscal year for which costs are being
 2 reported. This accumulation shall result in total inmate days and
 3 shall be divided into total direct and indirect costs compiled in
 4 accordance with Section 22 (a)(b).

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

8 Maintain documentation supporting the number of inmates housed at ADC
 9 facilities.

10
 11 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LOCAL
 13 GOVERNMENT INMATE COST REPORT. Within 90 days of the close of each calendar
 14 year, each local governmental unit housing inmates sentenced to the Arkansas
 15 Department of Correction (ADC) shall submit to the Arkansas Legislative
 16 Council a report of all direct and indirect costs incurred by the local
 17 governmental unit in housing and caring for such inmates. Guidelines for
 18 preparing this cost report shall be developed by ADC in coordination with the
 19 Division of Legislative Audit and shall be distributed to the local
 20 governmental units within 90 days of the enactment of this law.

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

30
 31 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY
 33 JAIL REIMBURSEMENT FUND APPROPRIATION CARRYFORWARD. The appropriations
 34 provided in this Act for the Inmate Care and Custody Program includes an
 35 allocation payable from the County Jail Reimbursement Fund to be used as
 36 provided by law. The amount allocated for each year of the FY2005-07

1 Biennium shall be sufficient to utilize available funding for payments for
 2 county jail reimbursements. Any unexpended balance of appropriation made
 3 payable from the County Jail Reimbursement Fund remaining on June 30th each
 4 fiscal year shall be carried forward and made available for the same purpose
 5 the following fiscal year.

6
 7 SECTION 26. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
 8 by this act shall be limited to the appropriation for such agency and funds
 9 made available by law for the support of such appropriations; and the
 10 restrictions of the State Procurement Law, the General Accounting and
 11 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
 12 Procedures and Restrictions Act, or their successors, and other fiscal
 13 control laws of this State, where applicable, and regulations promulgated by
 14 the Department of Finance and Administration, as authorized by law, shall be
 15 strictly complied with in disbursement of said funds.

16
 17 SECTION 27. LEGISLATIVE INTENT. It is the intent of the General Assembly
 18 that any funds disbursed under the authority of the appropriations contained
 19 in this act shall be in compliance with the stated reasons for which this act
 20 was adopted, as evidenced by the Agency Requests, Executive Recommendations
 21 and Legislative Recommendations contained in the budget manuals prepared by
 22 the Department of Finance and Administration, letters, or summarized oral
 23 testimony in the official minutes of the Arkansas Legislative Council or
 24 Joint Budget Committee which relate to its passage and adoption.

25
 26 SECTION 28. EMERGENCY CLAUSE. It is found and determined by the General
 27 Assembly, that the Constitution of the State of Arkansas prohibits the
 28 appropriation of funds for more than a two (2) year period; that the
 29 effectiveness of this Act on July 1, 2005 is essential to the operation of
 30 the agency for which the appropriations in this Act are provided, and that in
 31 the event of an extension of the Regular Session, the delay in the effective
 32 date of this Act beyond July 1, 2005 could work irreparable harm upon the
 33 proper administration and provision of essential governmental programs.
 34 Therefore, an emergency is hereby declared to exist and this Act being
 35 necessary for the immediate preservation of the public peace, health and
 36 safety shall be in full force and effect from and after July 1, 2005.