

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 86th General Assembly
3 Regular Session, 2007

A Bill

HOUSE BILL 1440

4
5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

8
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, 2009; AND FOR OTHER PURPOSES.
13

Subtitle

14
15 AN ACT FOR THE DEPARTMENT OF CORRECTION
16 APPROPRIATION FOR THE 2007-2009
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 2007-2009 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.
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36
Maximum Annual
Maximum Salary Rate



Item	Class		No. of	Fiscal Years	
No.	Code	Title	Employees	2007-2008	2008-2009
3	(1) 6617	PSYCHIATRIC SPECIALIST	6	\$149,932	\$152,930
4	(2) 9933	COR DIRECTOR	1	\$126,602	\$129,134
5	(3) 9257	COR CHIEF DEPUTY DIRECTOR	1	\$95,875	\$97,792
6	(4) 8904	CORRECTION DEPUTY DIRECTOR	1	\$94,188	\$96,071
7	(5) 9822	COR ASST DIRECTOR	3	\$90,798	\$92,613
8	(6) 9823	CORRECTIONAL SUPERINTENDENT	1	\$86,016	\$87,736
9	(7) 8055	COR INDUSTRY ADMINISTRATOR	1	\$81,937	\$83,575
10	(8) 9935	COR FARM ADMINISTRATOR	1	\$81,936	\$83,574
11	(9) 9456	COR GENERAL COUNSEL	1	\$75,450	\$76,959
12	(10) 7353	COR MENTAL HLTH SVCS ADMR	2	\$75,340	\$76,846
13	(11) 9876	CORRECTION COMPLIANCE ATTORNEY	1	\$73,665	\$75,138
14	(12) 9455	COR PUBLIC INFORMATION OFFICER	1	\$68,955	\$70,334
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	13	GRADE 26	
18	(16) L134	PSYCHOLOGIST SUPERVISOR	3	GRADE 26	
19	(17) L124	PSYCHOLOGIST	12	GRADE 25	
20	(18) 019Z	DCP ADMIN SVCS MGR	1	GRADE 25	
21	(19) 054Z	COR HEAD FARM MANAGER I	1	GRADE 25	
22	(20) R170	ATTORNEY SPECIALIST	3	GRADE 25	
23	(21) 044Z	COR CONSTRUCTION/MAINTENANCE COORD	3	GRADE 24	
24	(22) 962Z	CC/COR ACCOUNTING SUPERVISOR	2	GRADE 24	
25	(23) 949Z	COR INDUSTRY PRGM TRADE SPEC SUPV	4	GRADE 23	
26	(24) 091Z	ASST WARDEN	20	GRADE 23	
27	(25) 117Z	COR AGRI PRODUCTION SUPERVISOR	2	GRADE 23	
28	(26) 196Z	COR BOOT CAMP ADMINISTRATOR	1	GRADE 23	
29	(27) D100	DP SENIOR PROJECT LEADER	1	GRADE 23	
30	(28) R033	COR INTERNAL AFFAIRS ADMINISTRATOR	1	GRADE 23	
31	(29) T014	CHIEF SECURITY OFFICER	24	GRADE 22	
32	(30) T041	SOSRA PROGRAM ADMINISTRATOR	1	GRADE 22	
33	(31) T072	COR INMATE TRANSPORTATION COORD	1	GRADE 22	
34	(32) Y020	COR INDUSTRY PRGM MANAGER	6	GRADE 22	
35	(33) Y026	COR CONSTRUCTION/MAINT SUPV II	16	GRADE 22	
36	(34) D106	DP OPERATIONS MANAGER	1	GRADE 22	

1	(35)	D124	LEAD PROGRAMMER/ANALYST	3	GRADE 22
2	(36)	E010	COR TRAINING ADMINISTRATOR	1	GRADE 22
3	(37)	904Z	REHAB PROGRAM ADMINISTRATOR	9	GRADE 22
4	(38)	119Z	CC/COR PERSONNEL MANAGER	1	GRADE 22
5	(39)	114Z	COR CLASSIFICATION ADMINISTRATOR	1	GRADE 22
6	(40)	A008	ACCOUNTING SUPERVISOR II	2	GRADE 21
7	(41)	D123	APPLICATIONS & SYSTEMS ANALYST	2	GRADE 21
8	(42)	A251	SR AUDITOR	2	GRADE 21
9	(43)	H001	COR COMMODITY & FOOD SVC ADMR	1	GRADE 21
10	(44)	L122	PSYCHOLOGICAL EXAMINER II	20	GRADE 21
11	(45)	M014	ADMINISTRATOR OF CHAPLAINCY SVCS	1	GRADE 21
12	(46)	Y018	COR ASST HEAD FARM MANAGER	4	GRADE 21
13	(47)	T066	WORK RELEASE CENTER SUPV II	3	GRADE 21
14	(48)	R298	AGENCY PROGRAM COORDINATOR	1	GRADE 21
15	(49)	T008	CC/COR OFFICER IV	43	GRADE 21
16	(50)	R266	MANAGEMENT PROJECT ANALYST II	31	GRADE 20
17	(51)	M115	SUBSTANCE ABUSE PROGRAM COORD	35	GRADE 20
18	(52)	M045	COR REHAB FACILITY SUPERVISOR	4	GRADE 20
19	(53)	M064	REHAB FACILITY SUPERVISOR	1	GRADE 20
20	(54)	M088	SOCIAL WORKER II	28	GRADE 20
21	(55)	T006	CC/COR OFFICER III	144	GRADE 20
22	(56)	T016	AGRI UNIT SUPERVISOR II	30	GRADE 20
23	(57)	Y123	COR CONSTRUCTION ELECTRICAL SUPV	3	GRADE 20
24	(58)	Y125	COR CONSTRUCTION PLUMBER SUPV	3	GRADE 20
25	(59)	Y127	COR CONSTRUCTION REFRIGERATION SUPV	4	GRADE 20
26	(60)	M016	SR CHAPLAIN	4	GRADE 20
27	(61)	L070	NURSE II	1	GRADE 20
28	(62)	E012	COR INDUSTRIAL SUPV II	31	GRADE 20
29	(63)	E100	COR TRAINING ACADEMY SUPERVISOR	2	GRADE 20
30	(64)	E114	STAFF DEVELOPMENT COORDINATOR	1	GRADE 20
31	(65)	A186	COR BUDGET MANAGER	1	GRADE 20
32	(66)	A056	INTERNAL AUDITOR	2	GRADE 20
33	(67)	M019	CHAPLAIN	18	GRADE 19
34	(68)	H030	CC/COR FOOD PRODUCTION MGR II	21	GRADE 19
35	(69)	T075	RECORDS/INTAKE SUPV	4	GRADE 19
36	(70)	V008	BUYER III	1	GRADE 19

1	(71)	T068	WORK RELEASE CENTER SUPV I	5	GRADE 19
2	(72)	M107	COR COUNSELING PROGRAM LEADER	86	GRADE 19
3	(73)	M114	SUBSTANCE ABUSE PROGRAM LEADER	4	GRADE 19
4	(74)	M086	SOCIAL WORKER I	2	GRADE 19
5	(75)	Q068	PUB HLTH INVESTIGATOR II	4	GRADE 19
6	(76)	R048	BUDGET SPECIALIST	1	GRADE 19
7	(77)	T010	CC/COR SERGEANT	822	GRADE 19
8	(78)	R030	ASST PERSONNEL MANAGER	16	GRADE 19
9	(79)	R150	RESEARCH PROJECT ANALYST	1	GRADE 19
10	(80)	R068	EEO/GRIEVANCE OFFICER	2	GRADE 19
11	(81)	R070	COR MARKETING SPECIALIST	1	GRADE 19
12	(82)	R072	COR SALES REPRESENTATIVE	3	GRADE 19
13	(83)	T012	DISCIPLINARY HEARING OFFICER	9	GRADE 18
14	(84)	R322	CC/COR UNIT PERS & TRNG OFFICER	3	GRADE 18
15	(85)	T005	CC/COR OFFICER II	2,139	GRADE 18
16	(86)	R264	MANAGEMENT PROJECT ANALYST I	1	GRADE 18
17	(87)	M050	RECREATIONAL ACTIVITY LEADER SUPV	14	GRADE 18
18	(88)	M096	CC/COR PROGRAM COORD	8	GRADE 18
19	(89)	M105	CC/COR COUNSELOR	5	GRADE 18
20	(90)	V040	PURCHASE AGENT II/PURCHASE AGENT	7	GRADE 18
21	(91)	W009	CC/COR RECORDS SUPERVISOR	18	GRADE 18
22	(92)	T062	PAROLE/PROBATION OFFICER	5	GRADE 18
23	(93)	Y131	CC/COR CONSTR/MAINT SUPV I	40	GRADE 18
24	(94)	X450	CC/COR INTERNAL AFFAIRS INVESTGTR	10	GRADE 18
25	(95)	Y005	AUTO/DIESEL MECHANIC SUPERVISOR	1	GRADE 18
26	(96)	E011	COR INDUSTRIAL SUPV	5	GRADE 18
27	(97)	D128	P C SUPPORT SPECIALIST	7	GRADE 18
28	(98)	E053	COR UNIT TRAINING SUPERVISOR	3	GRADE 18
29	(99)	E072	TRAINING INSTRUCTOR	17	GRADE 18
30	(100)	A111	ACCOUNTANT	13	GRADE 18
31	(101)	A114	CC/COR BUSINESS MANAGER	15	GRADE 18
32	(102)	H029	CC/COR FOOD PRODUCTION MGR I	83	GRADE 17
33	(103)	E055	CC/COR UNIT TRAINER	4	GRADE 17
34	(104)	L004	COR HIV/AIDS EDUCATOR	1	GRADE 17
35	(105)	V030	INVENTORY CONTROL MANAGER	4	GRADE 17
36	(106)	R010	ADMINISTRATIVE ASSISTANT II	7	GRADE 17

1	(107)	R049	CLASSIFICATION & ASSIGNMENT OFFICER	14	GRADE 17
2	(108)	M144	COR VOLUNTEER SERVICE COORDINATOR	1	GRADE 17
3	(109)	R321	COR GRIEVANCE OFFICER	9	GRADE 17
4	(110)	R190	PERSONNEL OFFICER II	3	GRADE 17
5	(111)	X318	CC/COR ADMIN REVIEW OFFICER	11	GRADE 16
6	(112)	V076	COR PROPERTY OFFICER	3	GRADE 16
7	(113)	A053	INSURANCE SPECIALIST II	1	GRADE 16
8	(114)	A108	ACCOUNTING TECHNICIAN II	39	GRADE 15
9	(115)	A063	PAYROLL OFFICER	4	GRADE 15
10	(116)	K011	ADMINISTRATIVE OFFICE SUPERVISOR	1	GRADE 15
11	(117)	R009	ADMINISTRATIVE ASSISTANT I	1	GRADE 15
12	(118)	M048	RECREATIONAL ACTIVITY LEADER II	2	GRADE 15
13	(119)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	3	GRADE 14
14	(120)	K117	MEDICAL OR LEGAL SECRETARY	1	GRADE 14
15	(121)	H023	COMMISSARY MANAGER	22	GRADE 14
16	(122)	K153	SECRETARY II	94	GRADE 13
17	(123)	R125	PERSONNEL OFFICER	4	GRADE 13
18	(124)	K039	DOCUMENT EXAMINER II	61	GRADE 12
19	(125)	K181	MAILROOM SUPERVISOR	1	GRADE 12
20	(126)	A106	ACCOUNTING TECHNICIAN I	3	GRADE 12
21	(127)	K155	SECRETARY I	26	GRADE 11
22	(128)	V043	SHIPPING & RECEIVING CLERK	1	GRADE 11
23	(129)	K023	CLERICAL ASSISTANT	<u>2</u>	GRADE 10
24			MAX. NO. OF EMPLOYEES	4,278	

25

26 SECTION 2. EXTRA HELP. There is hereby authorized, for the Department of
 27 Correction for the 2007-2009 biennium, the following maximum number of part-
 28 time or temporary employees, to be known as "Extra Help", payable from funds
 29 appropriated herein for such purposes: one hundred twenty (120) temporary or
 30 part-time employees, when needed, at rates of pay not to exceed those
 31 provided in the Uniform Classification and Compensation Act, or its
 32 successor, or this act for the appropriate classification.

33

34 SECTION 3. APPROPRIATION - INMATE CARE & CUSTODY. There is hereby
 35 appropriated, to the Department of Correction, to be payable from the
 36 Department of Correction Inmate Care and Custody Fund Account, for personal

1 services and operating expenses of the Department of Correction - Inmate Care
 2 & Custody for the biennial period ending June 30, 2009, the following:

3

4 ITEM		FISCAL YEARS	
5 NO.		2007-2008	2008-2009
6 (01)	REGULAR SALARIES	\$ 128,714,574	\$ 131,216,675
7 (02)	EXTRA HELP	200,000	200,000
8 (03)	PERSONAL SERVICES MATCHING	45,263,765	45,824,701
9 (04)	OVERTIME	1,550,000	1,550,000
10 (05)	MAINT. & GEN. OPERATION		
11 (A)	OPER. EXPENSE	38,445,038	38,445,038
12 (B)	CONF. & TRAVEL	251,141	251,141
13 (C)	PROF. FEES	42,056,199	42,056,199
14 (D)	CAP. OUTLAY	0	0
15 (E)	DATA PROC.	0	0
16 (06)	JAIL CONTRACTS	<u>1,533,000</u>	<u>1,533,000</u>
17	TOTAL AMOUNT APPROPRIATED	<u>\$ 258,013,717</u>	<u>\$ 261,076,754</u>

18

19 SECTION 4. APPROPRIATIONS - INMATE WELFARE PROGRAM. There is hereby
 20 appropriated, to the Department of Correction, to be payable from cash funds
 21 as defined by Arkansas Code 19-4-801 of the Department of Correction, for
 22 personal services and operating expenses of the Department of Correction -
 23 Inmate Welfare Program for the biennial period ending June 30, 2009, the
 24 following:

25

26 ITEM		FISCAL YEARS	
27 NO.		2007-2008	2008-2009
28 (01)	REGULAR SALARIES	\$ 572,656	\$ 590,809
29 (02)	PERSONAL SERVICES MATCHING	227,661	235,756
30 (03)	MAINT. & GEN. OPERATION		
31 (A)	OPER. EXPENSE	9,314,280	9,989,280
32 (B)	CONF. & TRAVEL	0	0
33 (C)	PROF. FEES	0	0
34 (D)	CAP. OUTLAY	500,000	500,000
35 (E)	DATA PROC.	<u>0</u>	<u>0</u>
36	TOTAL AMOUNT APPROPRIATED	<u>\$ 10,614,597</u>	<u>\$ 11,315,845</u>

SECTION 5. APPROPRIATIONS - WORK RELEASE 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 and debt service of the Department of Correction - Work Release Program for the biennial period ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	\$ 3,796,951	\$ 3,937,872
(B) CONF. & TRAVEL	68,360	68,360
(C) PROF. FEES	1,500,000	1,500,000
(D) CAP. OUTLAY	579,015	574,000
(E) DATA PROC.	0	0
(02) DEBT SERVICE	<u>500,000</u>	<u>500,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 6,444,326</u>	<u>\$ 6,580,232</u>

SECTION 6. APPROPRIATION - PRISON INDUSTRY PROGRAM. There is hereby appropriated, to the Department of Correction, to be payable from the Department of Correction Prison Industry Fund, for personal services and operating expenses of the Department of Correction - Prison Industry Program for the biennial period ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) REGULAR SALARIES	\$ 1,922,370	\$ 1,960,788
(02) EXTRA HELP	10,000	10,000
(03) PERSONAL SERVICES MATCHING	647,864	656,088
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	6,863,856	6,863,856
(B) CONF. & TRAVEL	5,000	5,000
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 9,449,090</u>	<u>\$ 9,495,732</u>

1
 2 SECTION 7. EXTRA HELP - PRISON INDUSTRY PROGRAM. There is hereby
 3 authorized, for the Department of Correction - Prison Industry Program for
 4 the 2007-2009 biennium, the following maximum number of part-time or
 5 temporary employees, to be known as "Extra Help", payable from funds
 6 appropriated herein for such purposes: twenty five (25) temporary or part-
 7 time employees, when needed, at rates of pay not to exceed those provided in
 8 the Uniform Classification and Compensation Act, or its successor, or this
 9 act for the appropriate classification.

10
 11 SECTION 8. APPROPRIATION - FARM OPERATIONS PROGRAM. There is hereby
 12 appropriated, to the Department of Correction, to be payable from the
 13 Department of Correction Farm Fund, for personal services and operating
 14 expenses of the Department of Correction - Farm Operations Program for the
 15 biennial period ending June 30, 2009, the following:

16
 17 ITEM FISCAL YEARS

18 NO.		2007-2008	2008-2009
19 (01)	REGULAR SALARIES	\$ 2,175,483	\$ 2,218,961
20 (02)	EXTRA HELP	10,000	10,000
21 (03)	PERSONAL SERVICES MATCHING	723,073	732,392
22 (04)	MAINT. & GEN. OPERATION		
23 (A)	OPER. EXPENSE	9,009,853	9,004,453
24 (B)	CONF. & TRAVEL	23,270	23,270
25 (C)	PROF. FEES	264,452	264,452
26 (D)	CAP. OUTLAY	1,799,600	1,573,750
27 (E)	DATA PROC.	0	0
28 (05)	PURCHASE CATTLE/MEAT	<u>650,000</u>	<u>650,000</u>
29	TOTAL AMOUNT APPROPRIATED	<u>\$ 14,655,731</u>	<u>\$ 14,477,278</u>

30
 31 SECTION 9. EXTRA HELP - FARM OPERATIONS PROGRAM. There is hereby
 32 authorized, for the Department of Correction - Farm Operations Program for
 33 the 2007-2009 biennium, the following maximum number of part-time or
 34 temporary employees, to be known as "Extra Help", payable from funds
 35 appropriated herein for such purposes: twenty five (25) temporary or part-
 36 time employees, when needed, at rates of pay not to exceed those provided in

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

3
4 SECTION 10. APPROPRIATIONS - REGIONAL FACILITIES OPERATIONS ACCOUNT.

5 There is hereby appropriated, to the Department of Correction, to be payable
6 from cash funds as defined by Arkansas Code 19-4-801 of the Department of
7 Correction, for Debt Service of the Department of Correction - Regional
8 Facilities Operations Account for the biennial period ending June 30, 2009,
9 the following:

10	11 ITEM	12 FISCAL YEARS	
13	NO.	2007-2008	2008-2009
14	(01) DEBT SERVICE	\$ 800,000	\$ 800,000

15 SECTION 11. APPROPRIATIONS - PRISONER HOUSING CONTRACT ACCOUNT. There is
16 hereby appropriated, to the Department of Correction, to be payable from cash
17 funds as defined by Arkansas Code 19-4-801 of the Department of Correction,
18 for Debt Service of the Department of Correction - Prisoner Housing Contract
19 Account for the biennial period ending June 30, 2009, the following:

20	21 ITEM	22 FISCAL YEARS	
23	NO.	2007-2008	2008-2009
24	(01) DEBT SERVICE	\$ 200,000	\$ 200,000

25 SECTION 12. APPROPRIATIONS - CONSTRUCTION FUND DEFICIENCY ACCOUNT. There
26 is hereby appropriated, to the Department of Correction, to be payable from
27 cash funds as defined by Arkansas Code 19-4-801 of the Department of
28 Correction, for Debt Service of the Department of Correction - Construction
29 Fund Deficiency Account for the biennial period ending June 30, 2009, the
30 following:

31	32 ITEM	33 FISCAL YEARS	
34	NO.	2007-2008	2008-2009
35	(01) DEBT SERVICE	\$ 500,000	\$ 500,000

36 SECTION 13. APPROPRIATIONS - NON-TAX REVENUE RECEIPTS PROGRAM. There is

1 hereby appropriated, to the Department of Correction, to be payable from cash
 2 funds as defined by Arkansas Code 19-4-801 of the Department of Correction,
 3 for operating expenses of the Department of Correction - Non-Tax Revenue
 4 Receipts Program for the biennial period ending June 30, 2009, the following:

6 ITEM	FISCAL YEARS	
7 NO.	2007-2008	2008-2009
8 (01) MAINT. & GEN. OPERATION		
9 (A) OPER. EXPENSE	\$ 2,867,000	\$ 2,867,000
10 (B) CONF. & TRAVEL	20,000	20,000
11 (C) PROF. FEES	393,000	393,000
12 (D) CAP. OUTLAY	950,000	950,000
13 (E) DATA PROC.	0	0
14 (02) CONSTRUCTION	<u>1,435,000</u>	<u>1,435,000</u>
15 TOTAL AMOUNT APPROPRIATED	<u>\$ 5,665,000</u>	<u>\$ 5,665,000</u>

16
 17 SECTION 14. APPROPRIATION - FEDERAL PROGRAMS. There is hereby
 18 appropriated, to the Department of Correction, to be payable from the federal
 19 funds as designated by the Chief Fiscal Officer of the State, for operating
 20 expenses of the Department of Correction - Federal Programs for the biennial
 21 period ending June 30, 2009, the following:

23 ITEM	FISCAL YEARS	
24 NO.	2007-2008	2008-2009
25 (01) MAINT. & GEN. OPERATION		
26 (A) OPER. EXPENSE	\$ 500,000	\$ 500,000
27 (B) CONF. & TRAVEL	0	0
28 (C) PROF. FEES	0	0
29 (D) CAP. OUTLAY	186,028	186,028
30 (E) DATA PROC.	<u>0</u>	<u>0</u>
31 TOTAL AMOUNT APPROPRIATED	<u>\$ 686,028</u>	<u>\$ 686,028</u>

32
 33 SECTION 15. APPROPRIATION - COUNTY JAIL REIMBURSEMENT. There is hereby
 34 appropriated, to the Department of Correction, to be payable from the County
 35 Jail Reimbursement Fund, for reimbursement to counties housing state inmates
 36 of the Department of Correction - County Jail Reimbursement for the biennial

1 period ending June 30, 2009, the following:

2

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) REIMBURSEMENT TO COUNTIES HOUSING		
STATE INMATES	\$ 7,500,035	\$ 7,500,035

7

8 SECTION 16. APPROPRIATION - UAMS JUVENILE ASSESSMENT. There is hereby
 9 appropriated, to the Department of Correction, to be payable from the Sex and
 10 Child Offenders Registration Fund, for operating expenses of the Department
 11 of Correction - UAMS Juvenile Assessment for the biennial period ending June
 12 30, 2009, the following:

13

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	\$ 25,000	\$ 25,000
(B) CONF. & TRAVEL	0	0
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	0	0
TOTAL AMOUNT APPROPRIATED	\$ 25,000	\$ 25,000

23

24 SECTION 17. APPROPRIATIONS - FIRE STATION - PROTECTION. There is hereby
 25 appropriated, to the Department of Correction, to be payable from cash funds
 26 as defined by Arkansas Code 19-4-801 of the Department of Correction, for
 27 construction of the Department of Correction - Fire Station - Protection for
 28 the biennial period ending June 30, 2009, the following:

29

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) CONSTRUCTION	\$ 50,000	\$ 50,000

33

34 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REGULAR
 36 SALARIES - CONTINGENT POSITIONS. There is hereby established for the

1 Department of Correction - Contingent Positions for the ~~2005-2007~~ 2007-2009
 2 biennium, the following maximum number of regular employees whose salaries
 3 shall be governed by the provisions of the Uniform Classification and
 4 Compensation Act (Arkansas Code 21-5-201 et seq.), or its successor, and all
 5 laws amendatory thereto. Provided, however, that any position to which a
 6 specific maximum annual salary is set out herein in dollars, shall be exempt
 7 from the provisions of said Uniform Classification and Compensation Act. All
 8 persons occupying positions authorized herein are hereby governed by the
 9 provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas
 10 Code 21-5-101), or its successor.

11 CONTINGENT POSITIONS - MEDICAL SERVICES

				MAXIMUM ANNUAL			
ITEM	CLASS		MAXIMUM	SALARY RATE			
NO.	CODE	TITLE	NO. OF	FISCAL YEARS			
			EMPLOYEES	2005-06	<u>2007-08</u>	2006-07	<u>2008-09</u>
16 GEN ADMIN / NON-CLASSIFIED POSITION							
17	(01)	COR CHIEF OF MED SVCS	1	155,304	<u>165,450</u>	158,544	<u>170,614</u>
18	(02)	COR CHIEF OF DENTAL SVCS	1	142,296	<u>155,614</u>	145,341	<u>160,482</u>
19	(03)	COR CHIEF OF PHARM SVCS	1	100,444	<u>109,610</u>	102,861	<u>113,098</u>
20	(04)	COR HEALTH SVCS ADM	1	97,947	<u>106,740</u>	100,327	<u>110,069</u>
21	<u>(05)</u>	<u>Physician Specialist</u>	<u>5</u>		<u>148,443</u>		<u>153,096</u>
22	(05) <u>(06)</u>	COR ASST HEALTH SVCS ADM	3	85,024	<u>92,491</u>	87,190	<u>92,266</u>
23	(06) <u>(07)</u>	COR CHIEF OF NURSING SVCS	1	88,365	<u>96,223</u>	90,594	<u>99,236</u>
24	(07) <u>(08)</u>	COR DIR OF MED RECORDS	1	85,430	<u>92,935</u>	87,603	<u>95,723</u>
25	(08) <u>(09)</u>	COR UNIT/FACILITY MED MGR	11	71,282	<u>77,520</u>	73,186	<u>79,972</u>
26	(09) <u>(10)</u>	COR UNIT/FACILITY MED SUPV	7	54,308	<u>58,933</u>	55,889	<u>60,827</u>
27	(10) <u>(11)</u>	COR MED SVC SPE	8	72,742	<u>79,118</u>	74,674	<u>81,618</u>
28 PATIENT CARE/NON-CLASSIFIED POSITIONS							
29	(11) <u>(12)</u>	6603 COR STAFF PHYSICIAN	17	142,296	<u>155,614</u>	145,340	<u>160,482</u>
30	(12) <u>(13)</u>	6601 COR STAFF DENTIST	15	112,446	<u>122,801</u>	115,042	<u>126,685</u>
31	(13) <u>(14)</u>	COR STAFF PHARM	3	98,390	<u>107,351</u>	100,776	<u>110,772</u>
32	(14) <u>(15)</u>	COR NURSE PRAC/PHYS. ASST	13	72,742	<u>79,243</u>	74,674	<u>81,820</u>
33	(15) <u>(16)</u>	COR HEAD NURSE- HOSPITAL	1	78,548	<u>85,474</u>	80,590	<u>88,165</u>
34	(16) <u>(17)</u>	COR REGISTERED NURSE SUPV	40 <u>41</u>	74,711	<u>81,274</u>	76,681	<u>83,839</u>
35	(17) <u>(18)</u>	COR LICENSED PRAC NURSE	172	48,641	<u>52,763</u>	50,100	<u>54,472</u>
36	(18) <u>(19)</u>	COR LABORATORY SPECIALIST	5	41,841	<u>45,322</u>	43,096	<u>46,682</u>

1	(19) (20) COR RADIOLOGY SPECIALIST	5	41,254 <u>44,687</u>	42,492 <u>46,028</u>
2	PATIENT CARE - CLASSIFIED POSITIONS			
3	(20) (21) L124 PSYCHOLOGIST	2 <u>10</u>		GRADE 25
4	<u>(22) 904Z REHABILITATION PROG. ADMIN.</u>	<u>7</u>		<u>GRADE 22</u>
5	(21) (23) L122 PSYCH. EXAMINER II 2	<u>12</u>		GRADE 21
6	(22) (24) M088 SOCIAL WORKER II	3 <u>10</u>		GRADE 20
7	<u>(25) M045 COR. REHAB FACILITY SUPERVISOR</u>	<u>2</u>		<u>GRADE 20</u>
8	<u>(26) M086 SOCIAL WORKER I</u>	<u>4</u>		<u>GRADE 19</u>
9	(23) (27) M107 COR. COUNSELOR PRO LDR	7 <u>15</u>		GRADE 19
10	<u>(28) M105 COR COUNSELOR</u>	<u>28</u>		<u>GRADE 18</u>
11	(24) (29) R010 ADMINISTRATIVE ASST II	4		GRADE 17
12	(25) (30) L026 DENTAL HYGIENIST	8		GRADE 16
13	(26) (31) W015 MEDICAL RECORDS TECH	24		GRADE 15
14	(27) (32) K041 EXECUTIVE SECRETARY	4		GRADE 14
15	(28) (33) K117 MEDICAL SECRETARY	15		GRADE 14
16	<u>(34) K153 SECRETARY II</u>	<u>2</u>		<u>GRADE 13</u>
17	(29) (35) K155 SECRETARY I	10 <u>8</u>		GRADE 11
18	(30) (36) L025 DENTAL ASST	12		GRADE 11
19	CLASSIFIED NON-PATIENT CARE			
20	(31) ACCTG TECHS	3		GRADE 15
21	(32) PAYROLL OFFICER	2		GRADE 15
22	(33) (37) BUYERS	2		GRADE 18
23	(34) (38) PURCHASING ASSISTANT	1		GRADE 15
24	(35) (39) ACCOUNTING TECH	1 <u>4</u>		GRADE 15
25	(36) (40) ACCOUNTANT	1		GRADE 18
26	(37) (41) PERS TRNG OFF	1		GRADE 18
27	(38) (42) PERS OFFICER II	1		GRADE 17
28	(39) (43) PAYROLL OFFICER	1 <u>3</u>		GRADE 15
29	(40) (44) PC SUPPORT	1		GRADE 18
30	GRAND TOTAL CONTINGENT EMPLOYEES	411 <u>491</u>		

31

32 If the agency requests continuation of a "Growth Pool" position(s) as
 33 established herein during the next biennium, the position(s) must be
 34 requested as a new position(s) in the agencies biennial budget request.
 35 The provisions of this section shall be in effect only from July 1, ~~2005~~ 2007
 36 through June 30, ~~2007~~ 2009.

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

The provisions of this section shall be in effect only from July 1, ~~2005~~ 2007 through June 30, ~~2007~~ 2009.

SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY REIMBURSEMENT RATE RESTRICTION. Notwithstanding any other provision of law or departmental commitment which may exist to the contrary, the Board of Corrections shall not increase any reimbursement rate for payments made to any county for the purpose of reimbursing the expenses of the care and custody of state inmates, without first seeking and receiving the approval of the Governor and the Chief Fiscal Officer of the State.

The provisions of this section shall be in effect only from July 1, ~~2005~~ 2007 through June 30, ~~2007~~ 2009.

SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA SALARIES. There is hereby authorized, for the Department of Correction, for the ~~2005-07~~ 2007-09 biennium, the following increases in salaries for certain positions provided in the Regular Salary schedule in this Act, and to be in

1 addition to the annual amounts as established by the Uniform Classification
 2 and Compensation Act, as amended, for full-time physicians who are certified
 3 by the American Specialty Boards at rates of pay not to exceed an additional
 4 \$4,500 per year. If certified in forensic psychiatry, an additional \$2,500
 5 per year will be allowed. Total extra salaries may not exceed \$7,000 per year
 6 per position. In the event the physician is not a full time employee, the
 7 amount specified herein shall be adjusted proportionately to the amount of
 8 time worked for the Department of Correction by that physician.

9 The provisions of this section shall be in effect only from July 1, ~~2005~~
 10 2007 through June 30, ~~2007~~ 2009.

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 12 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY
 14 JAIL REIMBURSEMENT. In the event the Department of Correction cannot accept
 15 inmates from county jails due to insufficient bed space, the Department shall
 16 reimburse the counties at a rate determined by the Chief Fiscal Officer of
 17 the State, after consultation with the Division of Legislative Audit and the
 18 Department of Correction, and upon approval by the Governor, until the
 19 appropriation and funding for such purpose, is exhausted. The reimbursement
 20 rate shall include the county's cost of transporting the inmates to the
 21 department. The appropriation provided by Item (06) of Section 3 may be used
 22 for contracts with county jails for pre release inmates.

23 The provisions of this section shall be in effect only from July 1, ~~2005~~
 24 2007 through June 30, ~~2007~~ 2009.

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

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

17 The provisions of this section shall be in effect only from July 1, 2005
 18 2007 through June 30, ~~2007~~ 2009.

19
 20 SECTION 24. Arkansas Code Annotated 12-27-138, concerning the Reallocation
 21 of Resources, is repealed.

22 ~~(a)(1) Upon determination by the Board of Corrections that a reallocation of~~
 23 ~~resources within the Department of Community Correction and Department of~~
 24 ~~Correction is necessary for the efficient and effective operation of the~~
 25 ~~departments, the Board, with approval of the Governor and approval by the~~
 26 ~~Arkansas Legislative Council or Joint Budget Committee, shall have the~~
 27 ~~authority to instruct the Director of the Department of Community Correction~~
 28 ~~and the Director of the Department of Correction, to request from the Chief~~
 29 ~~Fiscal Officer of the State, a transfer of positions, programs, funds,~~
 30 ~~appropriations, and line item appropriations within or between existing and~~
 31 ~~newly created divisions, offices, sections, or units of the Department of~~
 32 ~~Correction and Department of Community Correction.~~

33 ~~(2) If it is determined that the requested transfer should be made, the~~
 34 ~~Chief Fiscal Officer of the State shall then initiate the necessary transfer~~
 35 ~~documents to reflect the transfers upon the fiscal records of the State~~
 36 ~~Treasurer, the State Auditor, the Chief Fiscal Officer of the State, and the~~

~~Departments of Correction and Community Correction.~~

~~(3) However, the Board shall be limited to submitting no more than four (4) requests during any fiscal year.~~

~~(4)(A) Transfer authority for unforeseen purposes shall further be limited to no more than five percent (5%) of the total appropriation, funding, and positions specific to each agency.~~

~~(B)(i) Other than for unforeseen purposes, transfers shall be limited to the following specific purposes:~~

~~a) Costs to open and operate temporary beds;~~

~~b) Payment of Debt Service;~~

~~e) Payment of Overtime Expenses;~~

~~d) Unanticipated increases for medical or private prison contracts;~~

~~e) Construction/renovation/equipping of new beds;~~

~~f) Deficits in Farm or Industry Program;~~

~~g) Losses not covered by insurance proceeds;~~

~~h) Costs of personnel for critical services or necessary to carry out the mission of the agency.~~

~~(ii) However, there shall be no transfers to or from the County Jail Reimbursement Fund.~~

~~(b)(1)(A) Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly.~~

~~(B) This is usually accomplished by delineating such maximums in the appropriation act(s) for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization Law, 19-5-101 et seq.~~

~~(2)(A) Further, the General Assembly has determined that the Department of Correction and the Department of Community Correction may operate more efficiently if some flexibility is provided to the Board of Corrections authorizing broad powers under subsection (a) of this section.~~

~~(B)(i) Therefore, it is both necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative Council or Joint Budget Committee as provided by this section.~~

~~(ii) The requirement of approval by the Legislative Council or Joint Budget Committee is not a severable part of this section.~~

~~(iii) If the requirement of approval by the Legislative Council or Joint~~

1 ~~Budget Committee is ruled unconstitutional by a court jurisdiction, this~~
 2 ~~entire section is void.~~

3
 4 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

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

22 Transfer authority ~~for unforeseen purposes~~ shall further be limited to no
 23 more than five percent (5%) of the total General Revenue and Special Revenue
 24 appropriation, funding, and positions specific to each agency. However,
 25 there shall be no transfers to or from the County Jail Reimbursement Fund.

26 ~~Other than for unforeseen purposes, transfers~~ Transfers shall be limited to
 27 the following specific purposes:

- 28 a) Costs to open and operate temporary beds;
- 29 b) Payment of Debt Service;
- 30 c) Payment of Overtime Expenses;
- 31 d) Unanticipated increases for medical or private prison contracts;
- 32 e) Construction/renovation/equipping of new beds;
- 33 f) Deficits in Farm or Industry Program;
- 34 g) Losses not covered by insurance proceeds;
- 35 h) Costs of personnel for critical services or necessary to carry out the
- 36 mission of the agency.

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

18 The provisions of this section shall be in effect only from July 1, ~~2005~~
 19 2007 through June 30, ~~2007~~ 2009.

20
 21 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HAZARDOUS
 23 DUTY PAY. The Department of Correction is hereby authorized to pay hazardous
 24 duty pay to provide special compensation to eligible security personnel to
 25 compensate for the increased risk of personal injury. The hazardous duty pay
 26 authorized herein shall not exceed an amount equal to five and one-half
 27 percent (5.5%) of the annual salary authorized by law to any eligible
 28 employee and shall only be made available to the personnel occupying the
 29 following positions.

30	Class Code	Title	Grade
31	T003	CP/COR Officer	16
32	H029	CP/COR Food Prod Mgr I	17
33	T005	CP/COR Officer II	18
34	H030	CP/COR Food Production Mgr II	19
35	T010	CP/COR Sergeant	19
36	T006	CP/COR Officer III	20

1 T008 CP/COR Officer IV 21
 2 T014 Chief Security Officer 22

3 Employees assigned to these classifications may be eligible for hazardous
 4 duty pay if the Director of the Department of Correction certifies to the
 5 Chief Fiscal Officer that employees in these positions have been assigned
 6 direct supervision of inmates which requires these positions to be exposed to
 7 increased risk of personal injury.

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

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

32 The provisions of this section shall be in effect only from July 1, 2005
 33 2007 through June 30, ~~2007~~ 2009.

34

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

1 COMPENSATION. The Department of Correction is authorized to pay employees for
2 up to ~~ninety-six (96)~~ one-hundred fifty (150) hours of unused holidays
3 exceeding a balance in the employee's holiday account of ~~one-hundred-fifty~~
4 ~~(150)~~ ninety-six (96) hours following the end of the calendar year. Employees
5 terminating employment from the Department of Correction will be eligible for
6 all holiday pay accrued during the years of service. This request is
7 contingent on approval by the Chief Fiscal Officer of the State after the
8 Director of the Department of Correction has verified that sufficient
9 revenues are available to make such payments to employees who have served in
10 the following classifications:

11 Class

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

21 The provisions of this section shall be in effect only from July 1, 2005
22 2007 through June 30, ~~2007~~ 2009.

23
24 SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MEDICAL
26 SERVICES - SPECIAL PROVISIONS FOR CERTAIN CLASSIFIED POSITIONS. The following
27 patient care classified positions, L026 Dental Hygienist and L025 Dental
28 Assistant, identified within the Special Language section "REGULAR SALARIES -
29 CONTINGENT POSITIONS" of this Act, may upon prior approval of the Chief
30 Fiscal Officer of the State, be compensated at a rate up to Pay Level IV of
31 the respective position classification.

32 The provisions of this section shall be in effect only from July 1, 2005
33 2007 through June 30, ~~2007~~ 2009.

34
35 SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. UAMS

1 FAMILY TREATMENT PROGRAM. The Arkansas Department of Correction is
 2 authorized to enter into a cooperative agreement with the UAMS Family
 3 Treatment Program to conduct assessments of juvenile sex or child offenders
 4 as required by provisions of ACA 12-12-901 et. seq. and pay for services upon
 5 receipt of invoice.

6 The provisions of this section shall be in effect only from July 1, 2005
 7 2007 through June 30, ~~2007~~ 2009.

8

9 SECTION 30. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. INMATE
 11 COST REPORTING – STATE FACILITIES.

12 (a) Within 90 days of the close of each state fiscal year, the Arkansas
 13 Department of Correction (ADC) shall submit to the Arkansas Legislative
 14 Council a report of all direct and indirect costs incurred by the State of
 15 Arkansas in housing and caring for inmates incarcerated in the State’s
 16 facilities. Such costs shall be calculated and reported in total for the
 17 Department and in total by each facility. The report shall also reflect
 18 overall cost per inmate per day, cost per inmate per day for each facility,
 19 overall cost per bed per day, and cost per bed per day for each facility.

20 (b) In compiling costs and reporting to the Arkansas Legislative Council in
 21 accordance with subsection (a) of this section of this Act, the Department of
 22 Correction shall:

- 23 (1) Record all expenditures in a manner that provides for the
 24 association of costs with each facility. Costs not directly
 25 attributable to a particular facility (overhead, administration,
 26 treatment, etc.) shall be allocated to each facility on the basis of
 27 inmate population.
- 28 (2) Maintain documentation to support all elements of costs and cost
 29 reimbursement both in total and by facility;
- 30 (3) Exclude capital outlay disbursements. However, depreciation expense
 31 for all ADC fixed assets shall be included. Depreciation expense not
 32 directly associated with the fixed assets of a particular facility
 33 shall be allocated to each facility on the basis of inmate population.
- 34 (4) Include any interest expense incurred by ADC or another state
 35 governmental entity as a result of prison construction;
- 36 (5) Exclude all payments to local governments for care of inmates housed

1 in local government facilities;

2 (6) Exclude all payments to local governments for Act 309 prisoners;

3 (7) Include the state matching requirements associated with federal
4 grant expenditures. Documentation shall be maintained sufficient to
5 identify such costs by grant.

6 (8) Deduct reimbursements for costs incurred. The amount of the
7 reimbursement deducted shall be equal to or less than the cost with
8 which the reimbursement is associated.

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

11 (A) ADC expenses incurred through fund transfers;

12 (B) Retirement costs;

13 (C) Audit costs;

14 (D) ADC cost for shared employees paid by another state
15 governmental entity;

16 (E) Inmate educational and rehabilitation costs;

17 (F) Inmate related expenses incurred by the Attorney General;
18 however; expenses shall not include costs of defending Habeas
19 Corpus cases.

20 (c) In determining costs per inmate per day for reporting to the Arkansas
21 Legislative Council in accordance with subsection (a) of this section, ADC
22 shall:

23 (1) Accumulate the number of inmates housed at each ADC facility each
24 day throughout the state fiscal year for which costs are being
25 reported. This accumulation shall result in total inmate days and
26 shall be divided into total direct and indirect costs compiled in
27 accordance with subsections (a) and (b) of this section.

28 (2) Exclude those ADC inmates housed in local governmental facilities
29 and Act 309 prisoners from the number of inmates housed at ADC
30 facilities.

31 Maintain documentation supporting the number of inmates housed at ADC
32 facilities.

33
34 SECTION 31. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LOCAL
36 GOVERNMENT INMATE COST REPORT. Within 90 days of the close of each calendar

1 year, each local governmental unit housing inmates sentenced to the Arkansas
 2 Department of Correction (ADC) shall submit to the Arkansas Legislative
 3 Council a report of all direct and indirect costs incurred by the local
 4 governmental unit in housing and caring for such inmates. Guidelines for
 5 preparing this cost report shall be developed by ADC in coordination with the
 6 Division of Legislative Audit and shall be distributed to the local
 7 governmental units within 90 days of the enactment of this law.

8
 9 SECTION 32. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY
 11 JAIL REIMBURSEMENT FUND YEAR-END FUND BALANCE CARRY FORWARD. Notwithstanding
 12 any law pertaining to the transfer of year-end fund balances or any law to
 13 the contrary, any funds which remain in the County Jail Reimbursement Fund at
 14 the end of a fiscal year shall remain in the County Jail Reimbursement Fund
 15 and made available to fund appropriations authorized by law payable from the
 16 County Jail Reimbursement Fund for the following fiscal year.

17 Any carry forward of unexpended balance of appropriation and/or funding as
 18 authorized herein, may be carried forward under the following conditions:

19 (1) Prior to June 30, 2008 the Agency shall by written statement set forth
 20 its reason(s) for the need to carry forward said appropriation and/or funding
 21 to the Department of Finance and Administration Office of Budget;

22 (2) The Department of Finance and Administration Office of Budget shall
 23 report to the Arkansas Legislative Council all amounts carried forward from
 24 the first fiscal year of the biennium to the second fiscal year of the
 25 biennium by the September Arkansas Legislative Council or Joint Budget
 26 Committee meeting in the second fiscal year of the biennial period which
 27 report shall include the name of the Agency, Board, Commission or Institution
 28 and the amount of the appropriation and/or funding carried forward from the
 29 first fiscal year to the second fiscal year, the program name or line item,
 30 the funding source of that appropriation and a copy of the written request
 31 set forth in (1) above;

32 (3) Each Agency, Board, Commission or Institution shall provide a written
 33 report to the Arkansas Legislative Council or Joint Budget Committee
 34 containing all information set forth in item (2) above, along with a written
 35 statement as to the current status of the project, contract, purpose etc. for
 36 which the carry forward was originally requested no later than thirty (30)

1 days prior to the time the Agency, Board, Commission or Institution presents
 2 its budget request to the Arkansas Legislative Council/Joint Budget
 3 Committee; and
 4 (4) Thereupon, the Department of Finance and Administration shall include
 5 all information obtained in item (3) above in the biennial budget manuals
 6 and/or a statement of non-compliance by the Agency, Board, Commission or
 7 Institution.

8
 9 SECTION 33. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY
 11 JAIL REIMBURSEMENT FUND APPROPRIATION CARRY FORWARD. Any unexpended balance
 12 of appropriation made payable from the County Jail Reimbursement Fund
 13 remaining on June 30th each fiscal year shall be carried forward and made
 14 available for the same purpose the following fiscal year.

15 Any carry forward of unexpended balance of appropriation and/or funding as
 16 authorized herein, may be carried forward under the following conditions:

17 (1) Prior to June 30, 2008 the Agency shall by written statement set forth
 18 its reason(s) for the need to carry forward said appropriation and/or funding
 19 to the Department of Finance and Administration Office of Budget;

20 (2) The Department of Finance and Administration Office of Budget shall
 21 report to the Arkansas Legislative Council all amounts carried forward from
 22 the first fiscal year of the biennium to the second fiscal year of the
 23 biennium by the September Arkansas Legislative Council or Joint Budget
 24 Committee meeting in the second fiscal year of the biennial period which
 25 report shall include the name of the Agency, Board, Commission or Institution
 26 and the amount of the appropriation and/or funding carried forward from the
 27 first fiscal year to the second fiscal year, the program name or line item,
 28 the funding source of that appropriation and a copy of the written request
 29 set forth in (1) above;

30 (3) Each Agency, Board, Commission or Institution shall provide a written
 31 report to the Arkansas Legislative Council or Joint Budget Committee
 32 containing all information set forth in item (2) above, along with a written
 33 statement as to the current status of the project, contract, purpose etc. for
 34 which the carry forward was originally requested no later than thirty (30)
 35 days prior to the time the Agency, Board, Commission or Institution presents
 36 its budget request to the Arkansas Legislative Council/Joint Budget

1 Committee; and
 2 (4) Thereupon, the Department of Finance and Administration shall include
 3 all information obtained in item (3) above in the biennial budget manuals
 4 and/or a statement of non-compliance by the Agency, Board, Commission or
 5 Institution.

6
 7 SECTION 34. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REFUND
 9 TO EXPENDITURE. The proceeds from the sale of feeder cattle by the
 10 Department of Correction shall be deposited into the State Treasury as a
 11 refund to expenditure to the credit of the appropriation available to the
 12 Department of Correction for the "Purchase Cattle/Meat" line item.

13 The provisions of this section shall be in effect only from July 1, ~~2005~~
 14 2007 through July 1, ~~2007~~ 2009.

15
 16 SECTION 35. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. USE OF
 18 MAINTENANCE AND OPERATION APPROPRIATION AND SALVAGED MATERIALS CONSTRUCTION.
 19 The Department of Correction is hereby authorized to utilize Maintenance and
 20 General Operation Appropriation in conjunction with surplus and/or
 21 salvageable materials for the purpose of implementing construction projects
 22 to benefit the Department and its various programs. Before such projects may
 23 be undertaken, a Method of Finance must be submitted for prior review and
 24 approval by the Arkansas Legislative Council or Joint Budget Committee, and
 25 review and approval by the Department of Finance and Administration and the
 26 Arkansas State Building Services.

27 Determining the maximum number of employees and the maximum amount of
 28 appropriation and general revenue funding for a state agency each fiscal year
 29 is the prerogative of the General Assembly. This is usually accomplished by
 30 delineating such maximums in the appropriation act(s) for a state agency and
 31 the general revenue allocations authorized for each fund and fund account by
 32 amendment to the Revenue Stabilization law. Further, the General Assembly
 33 has determined that the Department of Correction may operate more efficiently
 34 if some flexibility is provided to the Department of Correction authorizing
 35 broad powers under this Section. Therefore, it is both necessary and
 36 appropriate that the General Assembly maintain oversight by requiring prior

1 approval of the Legislative Council or Joint Budget Committee as provided by
 2 this section. The requirement of approval by the Legislative Council or
 3 Joint Budget Committee is not a severable part of this section. If the
 4 requirement of approval by the Legislative Council or Joint Budget Committee
 5 is ruled unconstitutional by a court of competent jurisdiction, this entire
 6 section is void.

7 The provisions of this section shall be in effect only from July 1, 2005
 8 2007 through June 30, ~~2007~~ 2009.

9
 10 SECTION 36. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. UTILITY
 12 RATE INCREASE TRANSFER. In the event of a ~~substantial~~ ten percent (10%)
 13 increase in utility rates and fuel rates, the Department of Correction is
 14 authorized to transfer any line item appropriation in this Act to the
 15 Maintenance and Operation line item for support of the increase after
 16 receiving approval of the Chief Fiscal Officer of the State. Prior to the
 17 utilization of the transfer authority, a report shall be made to the Arkansas
 18 Legislative Council or Joint Budget Committee including justification for the
 19 transfer and the amount of the transfer.
 20 Determining the maximum number of employees and the maximum amount of
 21 appropriation and general revenue funding for a state agency each fiscal year
 22 is the prerogative of the General Assembly. This is usually accomplished by
 23 delineating such maximums in the appropriation act(s) for a state agency and
 24 the general revenue allocations authorized for each fund and fund account by
 25 amendment to the Revenue Stabilization law. Further, the General Assembly
 26 has determined that the Department of Correction may operate more efficiently
 27 if some flexibility is provided to the Department of Correction authorizing
 28 broad powers under this Section. Therefore, it is both necessary and
 29 appropriate that the General Assembly maintain oversight by requiring prior
 30 approval of the Legislative Council or Joint Budget Committee as provided by
 31 this section. The requirement of approval by the Legislative Council or
 32 Joint Budget Committee is not a severable part of this section. If the
 33 requirement of approval by the Legislative Council or Joint Budget Committee
 34 is ruled unconstitutional by a court of competent jurisdiction, this entire
 35 section is void.

36 The provisions of this section shall be in effect only from July 1, 2005

1 2007 through June 30, ~~2007~~ 2009.

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3 SECTION 37. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MENTAL

5 HEALTH SERVICES. In the event the Department determines to enter into a
 6 professional contract for mental health services, the Department may, upon
 7 approval of the Chief Fiscal Officer of the State and after prior review and
 8 approval by the Arkansas Legislative Council or Joint Budget Committee, make
 9 appropriate transfers from regular salaries, personal services matching and
 10 various maintenance and operation classifications to the professional fees
 11 and services classification for payment of the contractual amount.

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

28 The provisions of this section shall be in effect only from July 1, ~~2005~~
 29 2007 through June 30, ~~2007~~ 2009.

30

31 SECTION 38. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL

33 REVENUE/CASH FUNDS TRANSFER. The Department of Correction is authorized to
 34 transfer funds from various Special Revenue and Cash Funds into the Inmate
 35 Care and Custody Fund Account in order to adjust to the budget needs upon
 36 prior approval by the Arkansas Legislative Council or Joint Budget Committee

1 and approval of the Board of Corrections and the Chief Fiscal Officer of the
 2 State.

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

19 The provisions of this section shall be in effect only from July 1, 2005
 20 2007 through June 30, ~~2007~~ 2009.

21

22 SECTION 39. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 23 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. NEW
 24 FACILITIES. If it is found that contracting for the operation of new
 25 facilities is economically beneficial to the State of Arkansas, the
 26 Department of Correction may, after receiving approval of the Chief Fiscal
 27 Officer, and seeking prior review and approval by the Arkansas Legislative
 28 Council or Joint Budget Committee, transfer from any line item appropriation
 29 contained in Section 3 of this Act into the Professional Fees and Services
 30 line item contained in Section 3 of this Act to operate new facilities opened
 31 during the biennium.

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

12 The provisions of this section shall be in effect only from July 1, ~~2005~~
 13 2007 through June 30, ~~2007~~ 2009.

14
 15 SECTION 40. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 17 APPROPRIATION TRANSFER FOR CONSTRUCTING AND EQUIPPING. The Department of
 18 Correction is hereby authorized to transfer appropriations between any line
 19 items authorized herein but only for the purpose of financing construction or
 20 equipment for a facility of the department. Any transfers authorized by this
 21 section shall require the approval of the Chief Fiscal Officer of the State
 22 after prior review and approval by the Legislative Council or Joint Budget
 23 Committee.

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, 2005
 5 2007 through June 30, ~~2007~~ 2009.

6
 7 SECTION 41. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FOOD
 9 SERVICE CONTRACT. In the event the Department is able to contract with a
 10 private provider for food services at a unit(s), transfers may be made from
 11 Regular Salaries, Personal Services Matching, and Maintenance and Operations
 12 line items to Professional Fees and Services upon approval by the Chief
 13 Fiscal Officer of the State and after receiving prior review and approval by
 14 the Legislative Council or Joint Budget Committee.

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

31 The provisions of this section shall be in effect only from July 1, 2005
 32 2007 through June 30, ~~2007~~ 2009.

33
 34 SECTION 42. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY
 36 JAIL INVOICE SUMMARY. The Departments of Correction and Community

1 Correction, shall at a minimum and on a fiscal year basis, prepare and post
2 on the applicable agency web site, a monthly summary of county jail
3 reimbursement invoices prepared and forwarded to each county sheriff for
4 verification by the Departments and for payment from the County Jail
5 Reimbursement Fund. In addition, the report shall include a summary of
6 invoices returned by each county for payment for previous months within the
7 fiscal year, the amounts paid, and any balances owed. Each fiscal year-end
8 report shall be maintained on the web sites for a period of no less than
9 three (3) years.

10
11 SECTION 43. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MOTOR
13 VEHICLE PURCHASE PROVISION. The Department of Correction is hereby
14 authorized to purchase motor vehicles as may be approved for the purpose of
15 equipping new bed additions at the various institutions from the
16 appropriations authorized for Capital Outlay in Section 3 of this Act.

17 The provisions of this section shall be in effect only from July 1, 2007
18 through June 30, 2009.

19
20 SECTION 44. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
22 EDUCATIONAL INCENTIVE BONUS PAYMENT - In recognition of the value of higher
23 education, the Arkansas Department of Correction is authorized to issue one-
24 time monetary bonus payments to employees who, while serving in a position
25 with the Arkansas Department of Correction, earn a degree or professional
26 license over and above that required by the Office of Personnel Management as
27 qualifications for the position. In addition, the degree earned must be
28 related to the functions of the position (such as a Correctional Officer II
29 earning a Bachelor's Degree in Criminal Justice, as opposed to a Correctional
30 Officer II earning a Bachelor's Degree in Mathematics). Bonuses will be paid
31 at the following rates:

<u>Associate Degree</u>	<u>\$1,000</u>
<u>Bachelor's Degree</u>	<u>\$1,500</u>
<u>Master's Degree</u>	<u>\$2,500</u>
<u>Doctoral Degree</u>	<u>\$3,500</u>
<u>Professional License</u>	<u>\$1,250</u>

1 Generally a professional license would only qualify for a bonus if it
 2 permitted the individual to carry out his/her profession in the Arkansas
 3 Department of Correction at a higher level - e.g., psychologist,
 4 psychological examiner, journeyman plumber, licensed social worker, etc.
 5 The amounts received under the provisions of this section shall not be
 6 considered as exceeding the maximum authorized annual salary allowance for
 7 employees in receipt of such amounts. Such amounts shall be considered
 8 Regular Salary, and the Director of the Department of Correction shall adopt
 9 necessary rules and regulations for administration of this provision. Such
 10 payments shall be optional, at the discretion of the Director of the
 11 Department of Correction, dependent upon sufficient revenues and shall not be
 12 implemented using funds specifically set aside for other agency programs.

13 The provisions of this section shall be in effect only from July 1, 2007
 14 through June 30, 2009.

15
 16 SECTION 45. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
 17 by this act shall be limited to the appropriation for such agency and funds
 18 made available by law for the support of such appropriations; and the
 19 restrictions of the State Procurement Law, the General Accounting and
 20 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
 21 Procedures and Restrictions Act, or their successors, and other fiscal
 22 control laws of this State, where applicable, and regulations promulgated by
 23 the Department of Finance and Administration, as authorized by law, shall be
 24 strictly complied with in disbursement of said funds.

25
 26 SECTION 46. LEGISLATIVE INTENT. It is the intent of the General Assembly
 27 that any funds disbursed under the authority of the appropriations contained
 28 in this act shall be in compliance with the stated reasons for which this act
 29 was adopted, as evidenced by the Agency Requests, Executive Recommendations
 30 and Legislative Recommendations contained in the budget manuals prepared by
 31 the Department of Finance and Administration, letters, or summarized oral
 32 testimony in the official minutes of the Arkansas Legislative Council or
 33 Joint Budget Committee which relate to its passage and adoption.

34
 35 SECTION 47. EMERGENCY CLAUSE. It is found and determined by the General
 36 Assembly, that the Constitution of the State of Arkansas prohibits the

1 appropriation of funds for more than a two (2) year period; that the
2 effectiveness of this Act on July 1, 2007 is essential to the operation of
3 the agency for which the appropriations in this Act are provided, and that in
4 the event of an extension of the Regular Session, the delay in the effective
5 date of this Act beyond July 1, 2007 could work irreparable harm upon the
6 proper administration and provision of essential governmental programs.
7 Therefore, an emergency is hereby declared to exist and this Act being
8 necessary for the immediate preservation of the public peace, health and
9 safety shall be in full force and effect from and after July 1, 2007.

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