

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  
4

*As Engrossed: H3/5/07 H3/16/07*

# A Bill

HOUSE BILL 1440

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, 2009; AND FOR OTHER PURPOSES.  
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14

## Subtitle

15 AN ACT FOR THE DEPARTMENT OF CORRECTION  
16 APPROPRIATION FOR THE 2007-2009  
17 BIENNIUM.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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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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35 Maximum Annual  
36 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	

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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.

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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		FISCAL YEARS	
4	ITEM		
5	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
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>

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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		FISCAL YEARS	
26	ITEM		
27	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
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>

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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>

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 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.

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 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:

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

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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.

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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:

11	ITEM	FISCAL YEARS	
12	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
13	(01) DEBT SERVICE	<u>\$ 800,000</u>	<u>\$ 800,000</u>

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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:

21	ITEM	FISCAL YEARS	
22	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
23	(01) DEBT SERVICE	<u>\$ 200,000</u>	<u>\$ 200,000</u>

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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:

32	ITEM	FISCAL YEARS	
33	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
34	(01) DEBT SERVICE	<u>\$ 500,000</u>	<u>\$ 500,000</u>

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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>

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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:

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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:

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

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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:

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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

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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:

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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	<del>2005-06</del>	<del>2006-07</del>	
		<u>2007-08</u>	<u>2008-09</u>		
17 GEN ADMIN - NON-CLASSIFIED POSITIONS					
18	<u>(01)</u>	<u>CORR PSYCHIATRIST</u>	<u>6</u>	<u>180,000</u>	<u>183,600</u>
19	<del>(01)</del>	COR CHIEF OF MED SVCS	1	<del>155,304</del>	<del>158,544</del>
20	<u>(02)</u>			<u>161,714</u>	<u>164,949</u>
21	<del>(02)</del>	COR CHIEF OF DENTAL SVCS	1	<del>142,296</del>	<del>145,341</del>
22	<u>(03)</u>			<u>148,247</u>	<u>151,212</u>
23	<del>(03)</del>	COR CHIEF OF PHARM SVCS	1	<del>100,444</del>	<del>102,861</del>
24	<u>(04)</u>			<u>104,918</u>	<u>107,016</u>
25	<del>(04)</del>	COR HEALTH SVCS ADM	1	<del>97,947</del>	<del>100,327</del>
26	<u>(05)</u>			<u>102,333</u>	<u>104,380</u>
27	<u>(06)</u>	<u>PHYSICIAN SPECIALIST</u>	<u>5</u>	<u>133,966</u>	<u>136,676</u>
28	<del>(05)</del>	COR ASST HEALTH SVCS ADM	3	<del>85,024</del>	<del>87,190</del>
29	<u>(07)</u>			<u>88,933</u>	<u>90,712</u>
30	<del>(06)</del>	COR CHIEF OF NURSING SVCS	1	<del>88,365</del>	<del>90,594</del>
31	<u>(08)</u>			<u>92,773</u>	<u>94,628</u>
32	<del>(07)</del>	COR DIR OF MED RECORDS	1	<del>85,430</del>	<del>87,603</del>
33	<u>(09)</u>			<u>89,355</u>	<u>91,142</u>
34	<del>(08)</del>	COR UNIT/FACILITY MED MGR	11	<del>71,282</del>	<del>73,186</del>
35	<u>(10)</u>			<u>74,649</u>	<u>76,142</u>
36	<del>(09)</del>	COR UNIT/FACILITY MED SUPV	7	<del>54,308</del>	<del>55,889</del>

1	<u>(11)</u>		<u>57,006</u>	<u>58,146</u>
2	<del>(10)</del> COR MED SVC SPEC	8	<del>72,742</del>	<del>74,674</del>
3	<u>(12)</u>		<u>76,167</u>	<u>77,690</u>
4				
5	PATIENT CARE – NON-CLASSIFIED POSITIONS			
6	<del>(11)</del> 6603 COR STAFF PHYSICIAN	17	<del>142,296</del>	<del>145,340</del>
7	<u>(13)</u>		<u>148,246</u>	<u>151,211</u>
8	<del>(12)</del> 6601 COR STAFF DENTIST	15	<del>112,446</del>	<del>115,042</del>
9	<u>(14)</u>		<u>117,342</u>	<u>119,689</u>
10	<del>(13)</del> COR STAFF PHARM	3	<del>98,390</del>	<del>100,776</del>
11	<u>(15)</u>		<u>102,791</u>	<u>104,847</u>
12	<del>(14)</del> COR NURSE PRAC/PHYS. ASST	13	<del>72,742</del>	<del>74,674</del>
13	<u>(16)</u>		<u>76,167</u>	<u>77,690</u>
14	<del>(15)</del> COR HEAD NURSE- HOSPITAL	1	<del>78,548</del>	<del>80,590</del>
15	<u>(17)</u>		<u>82,201</u>	<u>83,845</u>
16	<del>(16)</del> COR REGISTERED NURSE SUPV	40	<del>74,711</del>	<del>76,681</del>
17	<u>(18)</u>	<u>41</u>	<u>78,214</u>	<u>79,778</u>
18	<del>(17)</del> COR LICENSED PRAC NURSE	172	<del>48,641</del>	<del>50,100</del>
19	<u>(19)</u>		<u>51,102</u>	<u>52,124</u>
20	<del>(18)</del> COR LABORATORY SPECIALIST	5	<del>41,841</del>	<del>43,096</del>
21	<u>(20)</u>		<u>43,957</u>	<u>44,837</u>
22	<del>(19)</del> COR RADIOLOGY SPECIALIST	5	<del>41,254</del>	<del>42,492</del>
23	<u>(21)</u>		<u>43,341</u>	<u>44,208</u>
24				
25	PATIENT CARE - CLASSIFIED POSITIONS			
26	<del>(20)</del> L124 PSYCHOLOGIST	2	GRADE 25	
27	<u>(22)</u>	<u>10</u>		
28	<u>(23)</u> 904Z REHABILITATION PROG.ADMIN.	7	GRADE 22	
29	<del>(21)</del> L122 PSYCH. EXAMINER II	2	GRADE 21	
30	<u>(24)</u>	<u>12</u>		
31	<del>(22)</del> M088 SOCIAL WORKER II	3	GRADE 20	
32	<u>(25)</u>	<u>10</u>		
33	<u>(26)</u> M045 COR.REHAB FACILITY SUPER	2	GRADE 20	
34	<u>(27)</u> M086 SOCIAL WORKER I	4	GRADE 19	
35	<del>(23)</del> M107 COR COUNSELOR PRO LDR	7	GRADE 19	
36	<u>(28)</u>	<u>15</u>		

1	<u>(29)</u> M105 COR COUNSELOR	<u>28</u>	<u>GRADE 18</u>
2	<del>(24)</del> R010 ADMINISTRATIVE ASST II	4	GRADE 17
3	<u>(30)</u>		
4	<del>(25)</del> L026 DENTAL HYGIENIST	8	GRADE 16
5	<u>(31)</u>		
6	<del>(26)</del> W015 MEDICAL RECORDS TECH	24	GRADE 15
7	<u>(32)</u>		
8	<del>(27)</del> K041 EXECUTIVE SECRETARY	4	GRADE 14
9	<u>(33)</u>		
10	<del>(28)</del> K117 MEDICAL SECRETARY	15	GRADE 14
11	<u>(34)</u>		
12	<u>(35)</u> K153 SECRETARY II	<u>2</u>	<u>GRADE 13</u>
13	<del>(29)</del> K155 SECRETARY I	<del>10</del>	GRADE 11
14	<u>(36)</u>	<u>8</u>	
15	<del>(30)</del> L025 DENTAL ASST	12	GRADE 11
16	<u>(37)</u>		
17			
18	CLASSIFIED NON-PATIENT CARE		
19	<del>(31)</del> ACCTG TECHS	<del>3</del>	<del>GRADE 15</del>
20	<del>(32)</del> PAYROLL OFFICER	<del>2</del>	<del>GRADE 15</del>
21	<del>(33)</del> BUYERS	2	GRADE 18
22	<u>(38)</u>		
23	<del>(34)</del> PURCHASING ASSISTANT	1	GRADE 15
24	<u>(39)</u>		
25	<del>(35)</del> ACCOUNTING TECH	<del>1</del>	GRADE 15
26	<u>(40)</u>	<u>4</u>	
27	<del>(36)</del> ACCOUNTANT	1	GRADE 18
28	<u>(41)</u>		
29	<del>(37)</del> PERS TRNG OFF	1	GRADE 18
30	<u>(42)</u>		
31	<del>(38)</del> PERS OFFICER II	1	GRADE 17
32	<u>(43)</u>		
33	<del>(39)</del> PAYROLL OFFICER	<del>1</del>	GRADE 15
34	<u>(44)</u>	<u>3</u>	
35	<del>(40)</del> PC SUPPORT	1	GRADE 18
36	<u>(45)</u>		

1 GRAND TOTAL CONTINGENT EMPLOYEES 411  
2 497  
3

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

7 *The provisions of this section shall be in effect only from July 1,*  
8 *~~2005~~2007 through June 30, ~~2007~~2009.*  
9

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

26 The provisions of this section shall be in effect only from July 1, ~~2005~~  
27 2007 through June 30, ~~2007~~ 2009.  
28

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

1 The provisions of this section shall be in effect only from July 1, 2005  
2 2007 through June 30, ~~2007~~ 2009.

3  
4 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA  
6 SALARIES. There is hereby authorized, for the Department of Correction, for  
7 the ~~2005-07~~ 2007-09 biennium, the following increases in salaries for certain  
8 positions provided in the Regular Salary schedule in this Act, and to be in  
9 addition to the annual amounts as established by the Uniform Classification  
10 and Compensation Act, as amended, for full-time physicians who are certified  
11 by the American Specialty Boards at rates of pay not to exceed an additional  
12 \$4,500 per year. If certified in forensic psychiatry, an additional \$2,500  
13 per year will be allowed. Total extra salaries may not exceed \$7,000 per year  
14 per position. In the event the physician is not a full time employee, the  
15 amount specified herein shall be adjusted proportionately to the amount of  
16 time worked for the Department of Correction by that physician.

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

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 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
36 OF APPROPRIATION WITHIN CAPITAL IMPROVEMENT PROJECTS. The Department of



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

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

25 The provisions of this section shall be in effect only from July 1, 2005  
26 2007 through June 30, ~~2007~~ 2009.

27  
28 SECTION 24. Arkansas Code Annotated 12-27-138, concerning the Reallocation  
29 of Resources, is repealed.

30 ~~(a)(1) Upon determination by the Board of Corrections that a reallocation of~~  
31 ~~resources within the Department of Community Correction and Department of~~  
32 ~~Correction is necessary for the efficient and effective operation of the~~  
33 ~~departments, the Board, with approval of the Governor and approval by the~~  
34 ~~Arkansas Legislative Council or Joint Budget Committee, shall have the~~  
35 ~~authority to instruct the Director of the Department of Community Correction~~  
36 ~~and the Director of the Department of Correction, to request from the Chief~~

1 ~~Fiscal Officer of the State, a transfer of positions, programs, funds,~~  
2 ~~appropriations, and line item appropriations within or between existing and~~  
3 ~~newly created divisions, offices, sections, or units of the Department of~~  
4 ~~Correction and Department of Community Correction.~~

5 ~~(2) If it is determined that the requested transfer should be made, the~~  
6 ~~Chief Fiscal Officer of the State shall then initiate the necessary transfer~~  
7 ~~documents to reflect the transfers upon the fiscal records of the State~~  
8 ~~Treasurer, the State Auditor, the Chief Fiscal Officer of the State, and the~~  
9 ~~Departments of Correction and Community Correction.~~

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

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

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

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

18 ~~b) Payment of Debt Service;~~

19 ~~e) Payment of Overtime Expenses;~~

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

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

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

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

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

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

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

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

35 ~~(2)(A) Further, the General Assembly has determined that the Department of~~  
36 ~~Correction and the Department of Community Correction may operate more~~

1 efficiently if some flexibility is provided to the Board of Corrections  
2 authorizing broad powers under subsection (a) of this section.  
3 ~~(B)(i) Therefore, it is both necessary and appropriate that the General  
4 Assembly maintain oversight by requiring prior approval of the Legislative  
5 Council or Joint Budget Committee as provided by this section.  
6 (ii) The requirement of approval by the Legislative Council or Joint Budget  
7 Committee is not a severable part of this section.  
8 (iii) If the requirement of approval by the Legislative Council or Joint  
9 Budget Committee is ruled unconstitutional by a court jurisdiction, this  
10 entire section is void.~~

11  
12 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
14 REALLOCATION OF RESOURCES. Upon determination by the Board of Corrections  
15 that a reallocation of resources within the Department of Community  
16 Correction and Department of Correction is necessary for the efficient and  
17 effective operation of the departments, the Board, with approval of the  
18 Governor and approval by the Arkansas Legislative Council or Joint Budget  
19 Committee, shall have the authority to instruct the department directors, to  
20 request from the Chief Fiscal Officer of the State, a transfer of positions,  
21 programs, funds, appropriations, and line-item appropriations within or  
22 between existing and newly created divisions, offices, sections, or units of  
23 the departments. If it is determined that the requested transfer should be  
24 made, the Chief Fiscal Officer of the State shall then initiate the necessary  
25 transfer documents to reflect the transfers upon the fiscal records of the  
26 State Treasurer, the State Auditor, the Chief Fiscal Officer of the State,  
27 and the Departments of Correction and Community Correction. Provided,  
28 however, that the Board shall be limited to submitting no more than ~~Four~~  
29 individual transaction transfer four requests, encompassing a single purpose  
30 listed in this section, for Reallocation of Resources Transfer requests  
31 during any fiscal year per department. Transfer authority ~~for unforeseen~~  
32 ~~purposes~~ shall further be limited to no more than five percent (5%) of the  
33 total General Revenue and Special Revenue appropriation, funding, and  
34 positions specific to each agency. However, there shall be no transfers to  
35 or from the County Jail Reimbursement Fund. ~~Other than for unforeseen~~  
36 ~~purposes, transfers~~ A Reallocation of Resources Transfer shall be limited to

1 the following specific purposes:

- 2 a) Costs to open and operate temporary beds;
- 3 b) Payment of Debt Service;
- 4 c) Payment of Overtime Expenses;
- 5 d) Unanticipated increases for medical or private prison contracts;
- 6 e) Construction/renovation/equipping of new beds;
- 7 f) Deficits in Farm or Industry Program;
- 8 g) Losses not covered by insurance proceeds;
- 9 h) Costs of personnel for critical services or necessary to carry out the
- 10 mission of the agency.

11 Determining the maximum number of employees and the maximum amount of  
12 appropriation and general revenue funding for a state agency each fiscal year  
13 is the prerogative of the General Assembly. This is usually accomplished by  
14 delineating such maximums in the appropriation act(s) for a state agency and  
15 the general revenue allocations authorized for each fund and fund account by  
16 amendment to the Revenue Stabilization law. Further, the General Assembly  
17 has determined that the Department of Correction and the Department of  
18 Community Correction may operate more efficiently if some flexibility is  
19 provided to the Board of Corrections authorizing broad powers under the  
20 Reallocation of Resources provisions herein. Therefore, it is both necessary  
21 and appropriate that the General Assembly maintain oversight by requiring  
22 prior approval of the Legislative Council or Joint Budget Committee as  
23 provided by this section. The requirement of approval by the Legislative  
24 Council or Joint Budget Committee is not a severable part of this section.  
25 If the requirement of approval by the Legislative Council or Joint Budget  
26 Committee is ruled unconstitutional by a court 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 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HAZARDOUS  
33 DUTY PAY. The Department of Correction is hereby authorized to pay hazardous  
34 duty pay to provide special compensation to eligible security personnel to  
35 compensate for the increased risk of personal injury. The hazardous duty pay  
36 authorized herein shall not exceed an amount equal to five and one-half

1 percent (5.5%) of the annual salary authorized by law to any eligible  
 2 employee and shall only be made available to the personnel occupying the  
 3 following positions.

4	Class Code	Title	Grade
5	T003	CP/COR Officer	16
6	H029	CP/COR Food Prod Mgr I	17
7	T005	CP/COR Officer II	18
8	H030	CP/COR Food Production Mgr II	19
9	T010	CP/COR Sergeant	19
10	T006	CP/COR Officer III	20
11	T008	CP/COR Officer IV	21
12	T014	Chief Security Officer	22

13 Employees assigned to these classifications may be eligible for hazardous  
 14 duty pay if the Director of the Department of Correction certifies to the  
 15 Chief Fiscal Officer that employees in these positions have been assigned  
 16 direct supervision of inmates which requires these positions to be exposed to  
 17 increased risk of personal injury.

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

27 The amounts received under the provisions of this section shall not be  
 28 considered as exceeding the maximum authorized annual salary allowance for  
 29 employees in receipt of such amounts. Such amounts shall be considered as  
 30 Regular Salary and the Department of Finance and Administration shall adopt  
 31 the necessary rules and regulations for the administration of this provision.  
 32 Employees covered by the provisions of this Section shall be eligible for  
 33 special compensation for hazardous duty and additional compensation for  
 34 maximum security assignment only upon a determination by the Chief Fiscal  
 35 Officer of the State that sufficient general revenues are available to  
 36 sustain payment of the additional compensation levels herein authorized. It

1 is the intent of this section that such payments shall be optional, at the  
 2 discretion of the Chief Fiscal Officer of the State and the Director of the  
 3 Department of Correction, dependent upon sufficient revenues and shall not be  
 4 implemented using funds specifically set aside for other programs within the  
 5 Department.

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

21 Class

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

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 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MEDICAL  
 36 SERVICES - SPECIAL PROVISIONS FOR CERTAIN CLASSIFIED POSITIONS. The following

1 patient care classified positions, L026 Dental Hygienist and L025 Dental  
2 Assistant, identified within the Special Language section "REGULAR SALARIES -  
3 CONTINGENT POSITIONS" of this Act, may upon prior approval of the Chief  
4 Fiscal Officer of the State, be compensated at a rate up to Pay Level IV of  
5 the respective position classification.

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

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

18

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

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

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

33 (1) Record all expenditures in a manner that provides for the  
34 association of costs with each facility. Costs not directly  
35 attributable to a particular facility (overhead, administration,  
36 treatment, etc.) shall be allocated to each facility on the basis of

1 inmate population.

2 (2) Maintain documentation to support all elements of costs and cost  
3 reimbursement both in total and by facility;

4 (3) Exclude capital outlay disbursements. However, depreciation expense  
5 for all ADC fixed assets shall be included. Depreciation expense not  
6 directly associated with the fixed assets of a particular facility  
7 shall be allocated to each facility on the basis of inmate population.

8 (4) Include any interest expense incurred by ADC or another state  
9 governmental entity as a result of prison construction;

10 (5) Exclude all payments to local governments for care of inmates housed  
11 in local government facilities;

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

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

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

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

21 (A) ADC expenses incurred through fund transfers;

22 (B) Retirement costs;

23 (C) Audit costs;

24 (D) ADC cost for shared employees paid by another state  
25 governmental entity;

26 (E) Inmate educational and rehabilitation costs;

27 (F) Inmate related expenses incurred by the Attorney General;  
28 however; expenses shall not include costs of defending Habeas  
29 Corpus cases.

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

33 (1) Accumulate the number of inmates housed at each ADC facility each  
34 day throughout the state fiscal year for which costs are being  
35 reported. This accumulation shall result in total inmate days and  
36 shall be divided into total direct and indirect costs compiled in



1 accordance with subsections (a) and (b) of this section.

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

5 Maintain documentation supporting the number of inmates housed at ADC  
6 facilities.

7  
8 SECTION 31. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY  
10 JAIL REIMBURSEMENT FUND YEAR-END FUND BALANCE CARRY FORWARD. Notwithstanding  
11 any law pertaining to the transfer of year-end fund balances or any law to  
12 the contrary, any funds which remain in the County Jail Reimbursement Fund at  
13 the end of a fiscal year shall remain in the County Jail Reimbursement Fund  
14 and made available to fund appropriations authorized by law payable from the  
15 County Jail Reimbursement Fund for the following fiscal year.

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

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

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

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

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

7  
8 SECTION 32. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY  
10 JAIL REIMBURSEMENT FUND APPROPRIATION CARRY FORWARD. Any unexpended balance  
11 of appropriation made payable from the County Jail Reimbursement Fund  
12 remaining on June 30th each fiscal year shall be carried forward and made  
13 available for the same purpose the following fiscal year.  
14 Any carry forward of unexpended balance of appropriation and/or funding as  
15 authorized herein, may be carried forward under the following conditions:  
16 (1) Prior to June 30, 2008 the Agency shall by written statement set forth  
17 its reason(s) for the need to carry forward said appropriation and/or funding  
18 to the Department of Finance and Administration Office of Budget;  
19 (2) The Department of Finance and Administration Office of Budget shall  
20 report to the Arkansas Legislative Council all amounts carried forward from  
21 the first fiscal year of the biennium to the second fiscal year of the  
22 biennium by the September Arkansas Legislative Council or Joint Budget  
23 Committee meeting in the second fiscal year of the biennial period which  
24 report shall include the name of the Agency, Board, Commission or Institution  
25 and the amount of the appropriation and/or funding carried forward from the  
26 first fiscal year to the second fiscal year, the program name or line item,  
27 the funding source of that appropriation and a copy of the written request  
28 set forth in (1) above;  
29 (3) Each Agency, Board, Commission or Institution shall provide a written  
30 report to the Arkansas Legislative Council or Joint Budget Committee  
31 containing all information set forth in item (2) above, along with a written  
32 statement as to the current status of the project, contract, purpose etc. for  
33 which the carry forward was originally requested no later than thirty (30)  
34 days prior to the time the Agency, Board, Commission or Institution presents  
35 its budget request to the Arkansas Legislative Council/Joint Budget  
36 Committee; and

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

5  
6 SECTION 33. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REFUND  
8 TO EXPENDITURE. The proceeds from the sale of feeder cattle by the  
9 Department of Correction shall be deposited into the State Treasury as a  
10 refund to expenditure to the credit of the appropriation available to the  
11 Department of Correction for the "Purchase Cattle/Meat" line item.

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

14  
15 SECTION 34. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. USE OF  
17 MAINTENANCE AND OPERATION APPROPRIATION AND SALVAGED MATERIALS CONSTRUCTION.  
18 The Department of Correction is hereby authorized to utilize Maintenance and  
19 General Operation Appropriation in conjunction with surplus and/or  
20 salvageable materials for the purpose of implementing construction projects  
21 to benefit the Department and its various programs. Before such projects may  
22 be undertaken, a Method of Finance must be submitted for prior review and  
23 approval by the Arkansas Legislative Council or Joint Budget Committee, and  
24 review and approval by the Department of Finance and Administration and the  
25 Arkansas State Building Services.

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

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

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 35. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. UTILITY  
11 RATE INCREASE TRANSFER. In the event of a ~~substantial~~ ten percent (10%)  
12 increase in utility rates and fuel rates, the Department of Correction is  
13 authorized to transfer any line item appropriation in this Act to the  
14 Maintenance and Operation line item for support of the increase after  
15 receiving approval of the Chief Fiscal Officer of the State. Prior to the  
16 utilization of the transfer authority, a report shall be made to the Arkansas  
17 Legislative Council or Joint Budget Committee including justification for the  
18 transfer and the amount of the transfer.

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

35 The provisions of this section shall be in effect only from July 1, 2005  
36 2007 through June 30, ~~2007~~ 2009.

1  
2 SECTION 36. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
3 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MENTAL  
4 HEALTH SERVICES. In the event the Department determines to enter into a  
5 professional contract for mental health services, the Department may, upon  
6 approval of the Chief Fiscal Officer of the State and after prior review and  
7 approval by the Arkansas Legislative Council or Joint Budget Committee, make  
8 appropriate transfers from regular salaries, personal services matching and  
9 various maintenance and operation classifications to the professional fees  
10 and services classification for payment of the contractual amount.  
11 Determining the maximum number of employees and the maximum amount of  
12 appropriation and general revenue funding for a state agency each fiscal year  
13 is the prerogative of the General Assembly. This is usually accomplished by  
14 delineating such maximums in the appropriation act(s) for a state agency and  
15 the general revenue allocations authorized for each fund and fund account by  
16 amendment to the Revenue Stabilization law. Further, the General Assembly  
17 has determined that the Department of Correction may operate more efficiently  
18 if some flexibility is provided to the Department of Correction authorizing  
19 broad powers under this Section. Therefore, it is both necessary and  
20 appropriate that the General Assembly maintain oversight by requiring prior  
21 approval of the Legislative Council or Joint Budget Committee as provided by  
22 this section. The requirement of approval by the Legislative Council or  
23 Joint Budget Committee is not a severable part of this section. If the  
24 requirement of approval by the Legislative Council or Joint Budget Committee  
25 is ruled unconstitutional by a court of competent jurisdiction, this entire  
26 section is void.

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

29  
30 SECTION 37. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL  
32 REVENUE/CASH FUNDS TRANSFER. The Department of Correction is authorized to  
33 transfer funds from various Special Revenue and Cash Funds into the Inmate  
34 Care and Custody Fund Account in order to adjust to the budget needs upon  
35 prior approval by the Arkansas Legislative Council or Joint Budget Committee  
36 and approval of the Board of Corrections and the Chief Fiscal Officer of the

1 State.  
2 Determining the maximum number of employees and the maximum amount of  
3 appropriation and general revenue funding for a state agency each fiscal year  
4 is the prerogative of the General Assembly. This is usually accomplished by  
5 delineating such maximums in the appropriation act(s) for a state agency and  
6 the general revenue allocations authorized for each fund and fund account by  
7 amendment to the Revenue Stabilization law. Further, the General Assembly  
8 has determined that the Department of Correction may operate more efficiently  
9 if some flexibility is provided to the Department of Correction authorizing  
10 broad powers under this Section. Therefore, it is both necessary and  
11 appropriate that the General Assembly maintain oversight by requiring prior  
12 approval of the Legislative Council or Joint Budget Committee as provided by  
13 this section. The requirement of approval by the Legislative Council or  
14 Joint Budget Committee is not a severable part of this section. If the  
15 requirement of approval by the Legislative Council or Joint Budget Committee  
16 is ruled unconstitutional by a court of competent 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 38. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. NEW  
23 FACILITIES. If it is found that contracting for the operation of new  
24 facilities is economically beneficial to the State of Arkansas, the  
25 Department of Correction may, after receiving approval of the Chief Fiscal  
26 Officer, and seeking prior review and approval by the Arkansas Legislative  
27 Council or Joint Budget Committee, transfer from any line item appropriation  
28 contained in Section 3 of this Act into the Professional Fees and Services  
29 line item contained in Section 3 of this Act to operate new facilities opened  
30 during the biennium.

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

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

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

13  
14 SECTION 39. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
15 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

16 APPROPRIATION TRANSFER FOR CONSTRUCTING AND EQUIPPING. The Department of  
17 Correction is hereby authorized to transfer appropriations between any line  
18 items authorized herein but only for the purpose of financing construction or  
19 equipment for a facility of the department. Any transfers authorized by this  
20 section shall require the approval of the Chief Fiscal Officer of the State  
21 after prior review and approval by the Legislative Council or Joint Budget  
22 Committee.

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

1 is ruled unconstitutional by a court of competent jurisdiction, this entire  
2 section is void.

3 The provisions of this section shall be in effect only from July 1, 2005  
4 2007 through June 30, ~~2007~~ 2009.

5  
6 SECTION 40. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FOOD  
8 SERVICE CONTRACT. In the event the Department is able to contract with a  
9 private provider for food services at a unit(s), transfers may be made from  
10 Regular Salaries, Personal Services Matching, and Maintenance and Operations  
11 line items to Professional Fees and Services upon approval by the Chief  
12 Fiscal Officer of the State and after receiving prior review and approval by  
13 the Legislative Council or Joint Budget Committee.  
14 Determining the maximum number of employees and the maximum amount of  
15 appropriation and general revenue funding for a state agency each fiscal year  
16 is the prerogative of the General Assembly. This is usually accomplished by  
17 delineating such maximums in the appropriation act(s) for a state agency and  
18 the general revenue allocations authorized for each fund and fund account by  
19 amendment to the Revenue Stabilization law. Further, the General Assembly  
20 has determined that the Department of Correction may operate more efficiently  
21 if some flexibility is provided to the Department of Correction authorizing  
22 broad powers under this Section. Therefore, it is both necessary and  
23 appropriate that the General Assembly maintain oversight by requiring prior  
24 approval of the Legislative Council or Joint Budget Committee as provided by  
25 this section. The requirement of approval by the Legislative Council or  
26 Joint Budget Committee is not a severable part of this section. If the  
27 requirement of approval by the Legislative Council or Joint Budget Committee  
28 is ruled unconstitutional by a court of competent jurisdiction, this entire  
29 section is void.

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

32  
33 SECTION 41. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY  
35 JAIL INVOICE SUMMARY. The Departments of Correction and Community  
36 Correction, shall at a minimum and on a fiscal year basis, prepare and post



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

9  
 10 SECTION 42. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MOTOR  
 12 VEHICLE PURCHASE PROVISION. The Department of Correction is hereby  
 13 authorized to purchase motor vehicles as may be approved for the purpose of  
 14 equipping new bed additions at the various institutions from the  
 15 appropriations authorized for Capital Outlay in Section 3 of this Act.

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

18  
 19 SECTION 43. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
 21 EDUCATIONAL INCENTIVE BONUS PAYMENT - In recognition of the value of higher  
 22 education, the Arkansas Department of Correction is authorized to issue one-  
 23 time monetary bonus payments to employees who, while serving in a position  
 24 with the Arkansas Department of Correction, earn a degree or professional  
 25 license over and above that required by the Office of Personnel Management as  
 26 qualifications for the position. In addition, the degree earned must be  
 27 related to the functions of the position (such as a Correctional Officer II  
 28 earning a Bachelor's Degree in Criminal Justice, as opposed to a Correctional  
 29 Officer II earning a Bachelor's Degree in Mathematics). Bonuses will be paid  
 30 at the following rates:

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

36 Generally a professional license would only qualify for a bonus if it

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

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

14  
15 *SECTION 44. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS*  
16 *CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. NEW OR*  
17 *ADDITIONAL POSITIONS FUNDING RESTRICTION. The Chief Fiscal Officer of the*  
18 *State shall determine the amount of general revenue authorized by the 86th*  
19 *General Assembly to be distributed to the Department of Correction Inmate Care*  
20 *and Custody Fund Account to fund additional Regular Salary positions and*  
21 *Personal Services Matching costs each fiscal year of the 2007-09 biennium over*  
22 *and above the amount of general revenue the Department of Correction budgeted*  
23 *for Regular Salaries and Personal Services Matching costs during the fiscal*  
24 *year ending June 30, 2006. The Chief Fiscal Officer of the State shall cause*  
25 *the amount of general revenue so determined each fiscal year to be set aside*  
26 *within the Department of Correction Inmate Care and Custody Fund Account, and*  
27 *that the amount determined, or any portion thereof, shall not be budgeted or*  
28 *committed for expenditure by the Department of Correction without prior*  
29 *approval from the Arkansas Legislative Council or Joint Budget Committee. From*  
30 *time to time, the Department of Correction may request approval of the Chief*  
31 *Fiscal Officer of the State and the Legislative Council or Joint Budget*  
32 *Committee for release of the amount set aside, or a portion thereof, in the*  
33 *Inmate Care and Custody Fund Account for purposes of budgeting and expenditure.*  
34 *On July 1, of each fiscal year or as soon thereafter as is practical, the Chief*  
35 *Fiscal Officer of the State shall report the amount of general revenue set-*  
36 *aside for funding the additional Regular Salary positions and Personal Services*

1 Matching costs within the Inmate Care and Custody Fund Account due to the  
2 provisions of this section to the Arkansas Legislative Council or Joint Budget  
3 Committee.

4  
5 Determining the maximum number of employees and the maximum amount of  
6 appropriation and general revenue funding for a state agency each fiscal year  
7 is the prerogative of the General Assembly. This is usually accomplished by  
8 delineating such maximums in the appropriation act(s) for a state agency and  
9 the general revenue allocations authorized for each fund and fund account by  
10 amendment to the Revenue Stabilization law. 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 of competent jurisdiction,  
17 then the amount determined to be set aside within the Department of  
18 Correction Inmate Care and Custody Fund Account by the Chief Fiscal Officer  
19 of the State each fiscal year due to the provisions of this section shall not  
20 be budgeted or committed for expenditure in either fiscal year of the 2007-09  
21 biennium.

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

24  
25 SECTION 45. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
26 by this act shall be limited to the appropriation for such agency and funds  
27 made available by law for the support of such appropriations; and the  
28 restrictions of the State Procurement Law, the General Accounting and  
29 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
30 Procedures and Restrictions Act, or their successors, and other fiscal  
31 control laws of this State, where applicable, and regulations promulgated by  
32 the Department of Finance and Administration, as authorized by law, shall be  
33 strictly complied with in disbursement of said funds.

34  
35 SECTION 46. LEGISLATIVE INTENT. It is the intent of the General Assembly  
36 that any funds disbursed under the authority of the appropriations contained

1 in this act shall be in compliance with the stated reasons for which this act  
2 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
3 and Legislative Recommendations contained in the budget manuals prepared by  
4 the Department of Finance and Administration, letters, or summarized oral  
5 testimony in the official minutes of the Arkansas Legislative Council or  
6 Joint Budget Committee which relate to its passage and adoption.

7  
8 SECTION 47. EMERGENCY CLAUSE. It is found and determined by the General  
9 Assembly, that the Constitution of the State of Arkansas prohibits the  
10 appropriation of funds for more than a two (2) year period; that the  
11 effectiveness of this Act on July 1, 2007 is essential to the operation of  
12 the agency for which the appropriations in this Act are provided, and that in  
13 the event of an extension of the Regular Session, the delay in the effective  
14 date of this Act beyond July 1, 2007 could work irreparable harm upon the  
15 proper administration and provision of essential governmental programs.  
16 Therefore, an emergency is hereby declared to exist and this Act being  
17 necessary for the immediate preservation of the public peace, health and  
18 safety shall be in full force and effect from and after July 1, 2007.

19  
20 /s/ Joint Budget Committee  
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