

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 As Engrossed: H3/5/07 H3/16/07 H3/22/07 H3/27/07

2 86th General Assembly

# A Bill

3 Regular Session, 2007

HOUSE BILL 1440

4

5 By: Joint Budget Committee

6

7

8

## 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.

13

14

15

## Subtitle

16

AN ACT FOR THE DEPARTMENT OF CORRECTION

17

APPROPRIATION FOR THE 2007-2009

18

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*



| 1  | Item Class |   | No. of | Fiscal Years |           |
|----|------------|---|--------|--------------|-----------|
|    | No.        | Code Title                              |        | Employees    | 2007-2008 |
| 3  | (1)        | 9933 COR DIRECTOR                       | 1      | \$126,602    | \$129,134 |
| 4  | (2)        | 9782 ADC COR CHIEF DEPUTY DIRECTOR      | 1      | \$99,093     | \$101,075 |
| 5  | (3)        | 9257 DEP DIR OF HEALTH AND COR SERVICES | 2      | \$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                | 15     | GRADE 26     |           |
| 18 | (16)       | L134 PSYCHOLOGIST SUPERVISOR            | 3      | GRADE 26     |           |
| 19 | (17)       | L124 PSYCHOLOGIST                       | 14     | GRADE 25     |           |
| 20 | (18)       | 019Z DCP ADMIN SVCS MGR                 | 1      | GRADE 25     |           |
| 21 | (19)       | 054Z COR HEAD FARM MANAGER I            | 2      | GRADE 25     |           |
| 22 | (20)       | R170 ATTORNEY SPECIALIST                | 5      | GRADE 25     |           |
| 23 | (21)       | 044Z COR CONSTRUCTION/MAINTENANCE COORD | 3      | GRADE 24     |           |
| 24 | (22)       | 962Z CC/COR ACCOUNTING SUPERVISOR       | 2      | GRADE 24     |           |
| 25 | (23)       | 115Z COR WARDEN I                       | 2      | GRADE 24     |           |
| 26 | (24)       | 108Z COR MEDICAL/DENTAL                 | 1      | GRADE 23     |           |
| 27 | (25)       | T064 WORK RELEASE CENTER SUPV III       | 1      | GRADE 23     |           |
| 28 | (26)       | 949Z COR INDUSTRY PRGM TRADE SPEC SUPV  | 4      | GRADE 23     |           |
| 29 | (27)       | 091Z ASST WARDEN                        | 22     | GRADE 23     |           |
| 30 | (28)       | 117Z COR AGRI PRODUCTION SUPERVISOR     | 2      | GRADE 23     |           |
| 31 | (29)       | 196Z COR BOOT CAMP ADMINISTRATOR        | 1      | GRADE 23     |           |
| 32 | (30)       | D100 DP SENIOR PROJECT LEADER           | 1      | GRADE 23     |           |
| 33 | (31)       | R033 COR INTERNAL AFFAIRS ADMINISTRATOR | 1      | GRADE 23     |           |
| 34 | (32)       | T014 CHIEF SECURITY OFFICER             | 25     | GRADE 22     |           |
| 35 | (33)       | T041 SOSRA PROGRAM ADMINISTRATOR        | 1      | GRADE 22     |           |
| 36 | (34)       | T072 COR INMATE TRANSPORTATION COORD    | 1      | GRADE 22     |           |

|    |      |      |                                     |     |          |
|----|------|------|-------------------------------------|-----|----------|
| 1  | (35) | Y020 | COR INDUSTRY PRGM MANAGER           | 10  | GRADE 22 |
| 2  | (36) | Y026 | COR CONSTRUCTION/MAINT SUPV II      | 16  | GRADE 22 |
| 3  | (37) | D106 | DP OPERATIONS MANAGER               | 1   | GRADE 22 |
| 4  | (38) | D124 | LEAD PROGRAMMER/ANALYST             | 3   | GRADE 22 |
| 5  | (39) | E010 | COR TRAINING ADMINISTRATOR          | 1   | GRADE 22 |
| 6  | (40) | 904Z | REHAB PROGRAM ADMINISTRATOR         | 10  | GRADE 22 |
| 7  | (41) | 119Z | CC/COR PERSONNEL MANAGER            | 1   | GRADE 22 |
| 8  | (42) | 114Z | COR CLASSIFICATION ADMINISTRATOR    | 1   | GRADE 22 |
| 9  | (43) | A032 | AGENCY FISCAL MANAGER               | 2   | GRADE 22 |
| 10 | (44) | D036 | SR PROGRAMMER/ANALYST               | 3   | GRADE 21 |
| 11 | (45) | V016 | COR PROCUREMENT & PROPERTY MGR      | 1   | GRADE 21 |
| 12 | (46) | A008 | ACCOUNTING SUPERVISOR II            | 4   | GRADE 21 |
| 13 | (47) | D123 | APPLICATIONS & SYSTEMS ANALYST      | 5   | GRADE 21 |
| 14 | (48) | A251 | SR AUDITOR                          | 4   | GRADE 21 |
| 15 | (49) | H001 | COR COMMODITY & FOOD SVC ADMR       | 1   | GRADE 21 |
| 16 | (50) | L122 | PSYCHOLOGICAL EXAMINER II           | 25  | GRADE 21 |
| 17 | (51) | M014 | ADMINISTRATOR OF CHAPLAINCY SVCS    | 1   | GRADE 21 |
| 18 | (52) | Y018 | COR ASST HEAD FARM MANAGER          | 4   | GRADE 21 |
| 19 | (53) | T066 | WORK RELEASE CENTER SUPV II         | 3   | GRADE 21 |
| 20 | (54) | R298 | AGENCY PROGRAM COORDINATOR          | 1   | GRADE 21 |
| 21 | (55) | T008 | CC/COR OFFICER IV                   | 48  | GRADE 21 |
| 22 | (56) | R266 | MANAGEMENT PROJECT ANALYST II       | 32  | GRADE 20 |
| 23 | (57) | M115 | SUBSTANCE ABUSE PROGRAM COORD       | 51  | GRADE 20 |
| 24 | (58) | M045 | COR REHAB FACILITY SUPERVISOR       | 4   | GRADE 20 |
| 25 | (59) | M064 | REHAB FACILITY SUPERVISOR           | 1   | GRADE 20 |
| 26 | (60) | M088 | SOCIAL WORKER II                    | 33  | GRADE 20 |
| 27 | (61) | T006 | CC/COR OFFICER III                  | 151 | GRADE 20 |
| 28 | (62) | T016 | AGRI UNIT SUPERVISOR II             | 32  | GRADE 20 |
| 29 | (63) | Y123 | COR CONSTRUCTION ELECTRICAL SUPV    | 3   | GRADE 20 |
| 30 | (64) | Y125 | COR CONSTRUCTION PLUMBER SUPV       | 3   | GRADE 20 |
| 31 | (65) | Y127 | COR CONSTRUCTION REFRIGERATION SUPV | 4   | GRADE 20 |
| 32 | (66) | M016 | SR CHAPLAIN                         | 5   | GRADE 20 |
| 33 | (67) | L070 | NURSE II                            | 2   | GRADE 20 |
| 34 | (68) | E012 | COR INDUSTRIAL SUPV II              | 34  | GRADE 20 |
| 35 | (69) | E100 | COR TRAINING ACADEMY SUPERVISOR     | 2   | GRADE 20 |
| 36 | (70) | E114 | STAFF DEVELOPMENT COORDINATOR       | 1   | GRADE 20 |

|    |       |      |                                     |       |          |
|----|-------|------|-------------------------------------|-------|----------|
| 1  | (71)  | A186 | COR BUDGET MANAGER                  | 1     | GRADE 20 |
| 2  | (72)  | A056 | INTERNAL AUDITOR                    | 2     | GRADE 20 |
| 3  | (73)  | R049 | CLASSIFICATION & ASSIGNMENT OFFICER | 15    | GRADE 20 |
| 4  | (74)  | M019 | CHAPLAIN                            | 20    | GRADE 19 |
| 5  | (75)  | H030 | CC/COR FOOD PRODUCTION MGR II       | 21    | GRADE 19 |
| 6  | (76)  | T075 | RECORDS/INTAKE SUPV                 | 4     | GRADE 19 |
| 7  | (77)  | V008 | BUYER III                           | 1     | GRADE 19 |
| 8  | (78)  | T068 | WORK RELEASE CENTER SUPV I          | 6     | GRADE 19 |
| 9  | (79)  | M107 | COR COUNSELING PROGRAM LEADER       | 105   | GRADE 19 |
| 10 | (80)  | M114 | SUBSTANCE ABUSE PROGRAM LEADER      | 4     | GRADE 19 |
| 11 | (81)  | M086 | SOCIAL WORKER I                     | 2     | GRADE 19 |
| 12 | (82)  | Q068 | PUB HLTH INVESTIGATOR II            | 5     | GRADE 19 |
| 13 | (83)  | R048 | BUDGET SPECIALIST                   | 1     | GRADE 19 |
| 14 | (84)  | T010 | CC/COR SERGEANT                     | 857   | GRADE 19 |
| 15 | (85)  | R030 | ASST PERSONNEL MANAGER              | 17    | GRADE 19 |
| 16 | (86)  | R150 | RESEARCH PROJECT ANALYST            | 1     | GRADE 19 |
| 17 | (87)  | R068 | EEO/GRIEVANCE OFFICER               | 4     | GRADE 19 |
| 18 | (88)  | R070 | COR MARKETING SPECIALIST            | 1     | GRADE 19 |
| 19 | (89)  | R072 | COR SALES REPRESENTATIVE            | 3     | GRADE 19 |
| 20 | (90)  | T012 | DISCIPLINARY HEARING OFFICER        | 9     | GRADE 18 |
| 21 | (91)  | R322 | CC/COR UNIT PERS & TRNG OFFICER     | 3     | GRADE 18 |
| 22 | (92)  | T005 | CC/COR OFFICER II                   | 2,387 | GRADE 18 |
| 23 | (93)  | R264 | MANAGEMENT PROJECT ANALYST I        | 1     | GRADE 18 |
| 24 | (94)  | M050 | RECREATIONAL ACTIVITY LEADER SUPV   | 15    | GRADE 18 |
| 25 | (95)  | M096 | CC/COR PROGRAM COORD                | 13    | GRADE 18 |
| 26 | (96)  | M105 | CC/COR COUNSELOR                    | 5     | GRADE 18 |
| 27 | (97)  | V040 | PURCHASE AGENT II/PURCHASE AGENT    | 7     | GRADE 18 |
| 28 | (98)  | W009 | CC/COR RECORDS SUPERVISOR           | 18    | GRADE 18 |
| 29 | (99)  | T062 | PAROLE/PROBATION OFFICER            | 5     | GRADE 18 |
| 30 | (100) | Y131 | CC/COR CONSTR/MAINT SUPV I          | 44    | GRADE 18 |
| 31 | (101) | X450 | CC/COR INTERNAL AFFAIRS INVESTGTR   | 10    | GRADE 18 |
| 32 | (102) | Y005 | AUTO/DIESEL MECHANIC SUPERVISOR     | 1     | GRADE 18 |
| 33 | (103) | E011 | COR INDUSTRIAL SUPV                 | 5     | GRADE 18 |
| 34 | (104) | D128 | P C SUPPORT SPECIALIST              | 7     | GRADE 18 |
| 35 | (105) | E053 | COR UNIT TRAINING SUPERVISOR        | 3     | GRADE 18 |
| 36 | (106) | E072 | TRAINING INSTRUCTOR                 | 19    | GRADE 18 |

|    |       |      |                                    |          |          |
|----|-------|------|------------------------------------|----------|----------|
| 1  | (107) | A111 | ACCOUNTANT                         | 14       | GRADE 18 |
| 2  | (108) | A114 | CC/COR BUSINESS MANAGER            | 16       | GRADE 18 |
| 3  | (109) | H029 | CC/COR FOOD PRODUCTION MGR I       | 83       | GRADE 17 |
| 4  | (110) | E055 | CC/COR UNIT TRAINER                | 4        | GRADE 17 |
| 5  | (111) | L004 | COR HIV/AIDS EDUCATOR              | 1        | GRADE 17 |
| 6  | (112) | V030 | INVENTORY CONTROL MANAGER          | 4        | GRADE 17 |
| 7  | (113) | R010 | ADMINISTRATIVE ASSISTANT II        | 8        | GRADE 17 |
| 8  | (114) | M144 | COR VOLUNTEER SERVICE COORDINATOR  | 1        | GRADE 17 |
| 9  | (115) | R321 | COR GRIEVANCE OFFICER              | 10       | GRADE 17 |
| 10 | (116) | R190 | PERSONNEL OFFICER II               | 3        | GRADE 17 |
| 11 | (117) | X318 | CC/COR ADMIN REVIEW OFFICER        | 12       | GRADE 16 |
| 12 | (118) | V076 | COR PROPERTY OFFICER               | 4        | GRADE 16 |
| 13 | (119) | A053 | INSURANCE SPECIALIST II            | 1        | GRADE 16 |
| 14 | (120) | A108 | ACCOUNTING TECHNICIAN II           | 45       | GRADE 15 |
| 15 | (121) | A063 | PAYROLL OFFICER                    | 4        | GRADE 15 |
| 16 | (122) | K011 | ADMINISTRATIVE OFFICE SUPERVISOR   | 1        | GRADE 15 |
| 17 | (123) | R009 | ADMINISTRATIVE ASSISTANT I         | 2        | GRADE 15 |
| 18 | (124) | M048 | RECREATIONAL ACTIVITY LEADER II    | 2        | GRADE 15 |
| 19 | (125) | K041 | EXECUTIVE SECY/ADMINISTRATIVE SECY | 3        | GRADE 14 |
| 20 | (126) | K117 | MEDICAL OR LEGAL SECRETARY         | 1        | GRADE 14 |
| 21 | (127) | H023 | COMMISSARY MANAGER                 | 22       | GRADE 14 |
| 22 | (128) | K153 | SECRETARY II                       | 95       | GRADE 13 |
| 23 | (129) | R125 | PERSONNEL OFFICER                  | 5        | GRADE 13 |
| 24 | (130) | K039 | DOCUMENT EXAMINER II               | 72       | GRADE 12 |
| 25 | (131) | K181 | MAILROOM SUPERVISOR                | 2        | GRADE 12 |
| 26 | (132) | K155 | SECRETARY I                        | 30       | GRADE 11 |
| 27 | (133) | V043 | SHIPPING & RECEIVING CLERK         | 1        | GRADE 11 |
| 28 | (134) | K023 | CLERICAL ASSISTANT                 | <u>1</u> | GRADE 10 |
| 29 |       |      | MAX. NO. OF EMPLOYEES              | 4,701    |          |

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

1 successor, or this act for the appropriate classification.

2

3 SECTION 3. APPROPRIATION - INMATE CARE & CUSTODY. There is hereby  
 4 appropriated, to the Department of Correction, to be payable from the  
 5 Department of Correction Inmate Care and Custody Fund Account, for personal  
 6 services and operating expenses of the Department of Correction - Inmate Care  
 7 & Custody for the biennial period ending June 30, 2009, the following:

8

| 9  | ITEM                            | FISCAL YEARS          |                       |
|----|---------------------------------|-----------------------|-----------------------|
| 10 | <u>NO.</u>                      | <u>2007-2008</u>      | <u>2008-2009</u>      |
| 11 | (01) REGULAR SALARIES           | \$ 129,358,988        | \$ 135,611,751        |
| 12 | (02) EXTRA HELP                 | 200,000               | 200,000               |
| 13 | (03) PERSONAL SERVICES MATCHING | 45,624,270            | 48,121,847            |
| 14 | (04) OVERTIME                   | 1,550,000             | 1,550,000             |
| 15 | (05) MAINT. & GEN. OPERATION    |                       |                       |
| 16 | (A) OPER. EXPENSE               | 48,918,026            | 55,249,892            |
| 17 | (B) CONF. & TRAVEL              | 251,141               | 336,141               |
| 18 | (C) PROF. FEES                  | 45,496,015            | 48,882,162            |
| 19 | (D) CAP. OUTLAY                 | 500,000               | 500,000               |
| 20 | (E) DATA PROC.                  | 0                     | 0                     |
| 21 | (06) JAIL CONTRACTS             | <u>1,533,000</u>      | <u>1,533,000</u>      |
| 22 | TOTAL AMOUNT APPROPRIATED       | <u>\$ 273,431,440</u> | <u>\$ 291,984,792</u> |

23

24 SECTION 4. APPROPRIATIONS - INMATE WELFARE PROGRAM. 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 personal services and operating expenses of the Department of Correction -  
 28 Inmate Welfare Program for the biennial period ending June 30, 2009, the  
 29 following:

30

| 31 | ITEM                            | FISCAL YEARS     |                  |
|----|---------------------------------|------------------|------------------|
| 32 | <u>NO.</u>                      | <u>2007-2008</u> | <u>2008-2009</u> |
| 33 | (01) REGULAR SALARIES           | \$ 572,656       | \$ 590,809       |
| 34 | (02) PERSONAL SERVICES MATCHING | 227,661          | 235,756          |
| 35 | (03) MAINT. & GEN. OPERATION    |                  |                  |
| 36 | (A) OPER. EXPENSE               | 9,314,280        | 9,989,280        |

|   |                           |                      |                      |
|---|---------------------------|----------------------|----------------------|
| 1 | (B) CONF. & TRAVEL        | 0                    | 0                    |
| 2 | (C) PROF. FEES            | 0                    | 0                    |
| 3 | (D) CAP. OUTLAY           | 500,000              | 500,000              |
| 4 | (E) DATA PROC.            | <u>0</u>             | <u>0</u>             |
| 5 | TOTAL AMOUNT APPROPRIATED | <u>\$ 10,614,597</u> | <u>\$ 11,315,845</u> |

6  
 7 SECTION 5. APPROPRIATIONS - WORK RELEASE PROGRAM. There is hereby  
 8 appropriated, to the Department of Correction, to be payable from cash funds  
 9 as defined by Arkansas Code 19-4-801 of the Department of Correction, for  
 10 operating expenses and debt service of the Department of Correction - Work  
 11 Release Program for the biennial period ending June 30, 2009, the following:  
 12

| 13 | ITEM                         | FISCAL YEARS        |                     |
|----|------------------------------|---------------------|---------------------|
| 14 | <u>NO.</u>                   | <u>2007-2008</u>    | <u>2008-2009</u>    |
| 15 | (01) MAINT. & GEN. OPERATION |                     |                     |
| 16 | (A) OPER. EXPENSE            | \$ 3,796,951        | \$ 3,937,872        |
| 17 | (B) CONF. & TRAVEL           | 68,360              | 68,360              |
| 18 | (C) PROF. FEES               | 1,500,000           | 1,500,000           |
| 19 | (D) CAP. OUTLAY              | 579,015             | 574,000             |
| 20 | (E) DATA PROC.               | 0                   | 0                   |
| 21 | (02) DEBT SERVICE            | <u>500,000</u>      | <u>500,000</u>      |
| 22 | TOTAL AMOUNT APPROPRIATED    | <u>\$ 6,444,326</u> | <u>\$ 6,580,232</u> |

23  
 24 SECTION 6. APPROPRIATION - PRISON INDUSTRY PROGRAM. There is hereby  
 25 appropriated, to the Department of Correction, to be payable from the  
 26 Department of Correction Prison Industry Fund, for personal services and  
 27 operating expenses of the Department of Correction - Prison Industry Program  
 28 for the biennial period ending June 30, 2009, the following:  
 29

| 30 | ITEM                            | FISCAL YEARS     |                  |
|----|---------------------------------|------------------|------------------|
| 31 | <u>NO.</u>                      | <u>2007-2008</u> | <u>2008-2009</u> |
| 32 | (01) REGULAR SALARIES           | \$ 1,922,370     | \$ 1,960,788     |
| 33 | (02) EXTRA HELP                 | 10,000           | 10,000           |
| 34 | (03) PERSONAL SERVICES MATCHING | 647,864          | 656,088          |
| 35 | (04) MAINT. & GEN. OPERATION    |                  |                  |
| 36 | (A) OPER. EXPENSE               | 6,863,856        | 6,863,856        |

|   |                           |                      |                     |
|---|---------------------------|----------------------|---------------------|
| 1 | (B) CONF. & TRAVEL        | 5,000                | 5,000               |
| 2 | (C) PROF. FEES            | 0                    | 0                   |
| 3 | (D) CAP. OUTLAY           | 693,240              | 425,700             |
| 4 | (E) DATA PROC.            | <u>0</u>             | <u>0</u>            |
| 5 | TOTAL AMOUNT APPROPRIATED | <u>\$ 10,142,330</u> | <u>\$ 9,921,432</u> |

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

15

16 SECTION 8. APPROPRIATION - FARM OPERATIONS PROGRAM. There is hereby  
 17 appropriated, to the Department of Correction, to be payable from the  
 18 Department of Correction Farm Fund, for personal services and operating  
 19 expenses of the Department of Correction - Farm Operations Program for the  
 20 biennial period ending June 30, 2009, the following:

21

| 22 | ITEM                            | FISCAL YEARS         |                      |
|----|---------------------------------|----------------------|----------------------|
| 23 | <u>NO.</u>                      | <u>2007-2008</u>     | <u>2008-2009</u>     |
| 24 | (01) REGULAR SALARIES           | \$ 2,175,483         | \$ 2,218,961         |
| 25 | (02) EXTRA HELP                 | 10,000               | 10,000               |
| 26 | (03) PERSONAL SERVICES MATCHING | 723,073              | 732,392              |
| 27 | (04) MAINT. & GEN. OPERATION    |                      |                      |
| 28 | (A) OPER. EXPENSE               | 9,009,853            | 9,004,453            |
| 29 | (B) CONF. & TRAVEL              | 23,270               | 23,270               |
| 30 | (C) PROF. FEES                  | 264,452              | 264,452              |
| 31 | (D) CAP. OUTLAY                 | 1,799,600            | 1,573,750            |
| 32 | (E) DATA PROC.                  | 0                    | 0                    |
| 33 | (05) PURCHASE CATTLE/MEAT       | <u>650,000</u>       | <u>650,000</u>       |
| 34 | TOTAL AMOUNT APPROPRIATED       | <u>\$ 14,655,731</u> | <u>\$ 14,477,278</u> |

35

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



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

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

10 There is hereby appropriated, to the Department of Correction, to be payable  
 11 from cash funds as defined by Arkansas Code 19-4-801 of the Department of  
 12 Correction, for Debt Service of the Department of Correction - Regional  
 13 Facilities Operations Account for the biennial period ending June 30, 2009,  
 14 the following:

15

| ITEM<br>NO.       | FISCAL YEARS |            |
|-------------------|--------------|------------|
|                   | 2007-2008    | 2008-2009  |
| (01) DEBT SERVICE | \$ 800,000   | \$ 800,000 |

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

25

| ITEM<br>NO.       | FISCAL YEARS |            |
|-------------------|--------------|------------|
|                   | 2007-2008    | 2008-2009  |
| (01) DEBT SERVICE | \$ 200,000   | \$ 200,000 |

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

| ITEM<br>NO.       | FISCAL YEARS |            |
|-------------------|--------------|------------|
|                   | 2007-2008    | 2008-2009  |
| (01) DEBT SERVICE | \$ 500,000   | \$ 500,000 |

4

5 SECTION 13. APPROPRIATIONS - NON-TAX REVENUE RECEIPTS PROGRAM. There is  
 6 hereby appropriated, to the Department of Correction, to be payable from cash  
 7 funds as defined by Arkansas Code 19-4-801 of the Department of Correction,  
 8 for operating expenses of the Department of Correction - Non-Tax Revenue  
 9 Receipts Program for the biennial period ending June 30, 2009, the following:

10

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

21

22 SECTION 14. APPROPRIATION - FEDERAL PROGRAMS. There is hereby  
 23 appropriated, to the Department of Correction, to be payable from the federal  
 24 funds as designated by the Chief Fiscal Officer of the State, for operating  
 25 expenses of the Department of Correction - Federal Programs for the biennial  
 26 period ending June 30, 2009, the following:

27

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

36

1  
2 SECTION 15. APPROPRIATION - COUNTY JAIL REIMBURSEMENT. There is hereby  
3 appropriated, to the Department of Correction, to be payable from the County  
4 Jail Reimbursement Fund, for reimbursement to counties housing state inmates  
5 of the Department of Correction - County Jail Reimbursement for the biennial  
6 period ending June 30, 2009, the following:

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

12  
13 SECTION 16. APPROPRIATION - UAMS JUVENILE ASSESSMENT. There is hereby  
14 appropriated, to the Department of Correction, to be payable from the Sex and  
15 Child Offenders Registration Fund, for operating expenses of the Department  
16 of Correction - UAMS Juvenile Assessment for the biennial period ending June  
17 30, 2009, the following:

| ITEM<br>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.               | <u>0</u>         | <u>0</u>         |
| TOTAL AMOUNT APPROPRIATED    | \$ <u>25,000</u> | \$ <u>25,000</u> |

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

| ITEM<br>NO. | FISCAL YEARS |           |
|-------------|--------------|-----------|
|             | 2007-2008    | 2008-2009 |

1 (01) CONSTRUCTION \$ 50,000 \$ 50,000

2

3 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REGULAR  
 5 SALARIES - CONTINGENT POSITIONS. There is hereby established for the  
 6 Department of Correction - Contingent Positions for the ~~2005-2007~~ 2007-2009  
 7 biennium, the following maximum number of regular employees whose salaries  
 8 shall be governed by the provisions of the Uniform Classification and  
 9 Compensation Act (Arkansas Code 21-5-201 et seq.), or its successor, and all  
 10 laws amendatory thereto. Provided, however, that any position to which a  
 11 specific maximum annual salary is set out herein in dollars, shall be exempt  
 12 from the provisions of said Uniform Classification and Compensation Act. All  
 13 persons occupying positions authorized herein are hereby governed by the  
 14 provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas  
 15 Code 21-5-101), or its successor.

16 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>     |                    |
| 22 GEN ADMIN - NON-CLASSIFIED POSITIONS |                 |                             |                    |                    |                    |
| 23                                      | <u>(01)</u>     | <u>CORR PSYCHIATRIST</u>    | <u>6</u>           | <u>180,000</u>     | <u>183,600</u>     |
| 24                                      | <del>(01)</del> | COR CHIEF OF MED SVCS       | 1                  | <del>155,304</del> | <del>158,544</del> |
| 25                                      | <u>(02)</u>     |                             |                    | <u>161,714</u>     | <u>164,949</u>     |
| 26                                      | <del>(02)</del> | COR CHIEF OF DENTAL SVCS    | 1                  | <del>142,296</del> | <del>145,341</del> |
| 27                                      | <u>(03)</u>     |                             |                    | <u>148,247</u>     | <u>151,212</u>     |
| 28                                      | <del>(03)</del> | COR CHIEF OF PHARM SVCS     | 1                  | <del>100,444</del> | <del>102,861</del> |
| 29                                      | <u>(04)</u>     |                             |                    | <u>104,918</u>     | <u>107,016</u>     |
| 30                                      | <del>(04)</del> | COR HEALTH SVCS ADM         | 1                  | <del>97,947</del>  | <del>100,327</del> |
| 31                                      | <u>(05)</u>     |                             |                    | <u>102,333</u>     | <u>104,380</u>     |
| 32                                      | <u>(06)</u>     | <u>PHYSICIAN SPECIALIST</u> | <u>5</u>           | <u>133,966</u>     | <u>136,676</u>     |
| 33                                      | <del>(05)</del> | COR ASST HEALTH SVCS ADM    | 3                  | <del>85,024</del>  | <del>87,190</del>  |
| 34                                      | <u>(07)</u>     |                             |                    | <u>88,933</u>      | <u>90,712</u>      |
| 35                                      | <del>(06)</del> | COR CHIEF OF NURSING SVCS   | 1                  | <del>88,365</del>  | <del>90,594</del>  |
| 36                                      | <u>(08)</u>     |                             |                    | <u>92,773</u>      | <u>94,628</u>      |

|    |   |           |                    |                    |
|----|---|-----------|--------------------|--------------------|
| 1  | <del>(07)</del> COR DIR OF MED RECORDS      | 1         | <del>85,430</del>  | <del>87,603</del>  |
| 2  | <u>(09)</u>                                 |           | <u>89,355</u>      | <u>91,142</u>      |
| 3  | <del>(08)</del> COR UNIT/FACILITY MED MGR   | 11        | <del>71,282</del>  | <del>73,186</del>  |
| 4  | <u>(10)</u>                                 |           | <u>74,649</u>      | <u>76,142</u>      |
| 5  | <del>(09)</del> COR UNIT/FACILITY MED SUPV  | 7         | <del>54,308</del>  | <del>55,889</del>  |
| 6  | <u>(11)</u>                                 |           | <u>57,006</u>      | <u>58,146</u>      |
| 7  | <del>(10)</del> COR MED SVC SPEC            | 8         | <del>72,742</del>  | <del>74,674</del>  |
| 8  | <u>(12)</u>                                 |           | <u>76,167</u>      | <u>77,690</u>      |
| 9  |   |           |                    |                    |
| 10 | PATIENT CARE – NON-CLASSIFIED POSITIONS     |           |                    |                    |
| 11 | <del>(11)</del> 6603 COR STAFF PHYSICIAN    | 17        | <del>142,296</del> | <del>145,340</del> |
| 12 | <u>(13)</u>                                 |           | <u>148,246</u>     | <u>151,211</u>     |
| 13 | <del>(12)</del> 6601 COR STAFF DENTIST      | 15        | <del>112,446</del> | <del>115,042</del> |
| 14 | <u>(14)</u>                                 |           | <u>117,342</u>     | <u>119,689</u>     |
| 15 | <del>(13)</del> COR STAFF PHARM             | 3         | <del>98,390</del>  | <del>100,776</del> |
| 16 | <u>(15)</u>                                 |           | <u>102,791</u>     | <u>104,847</u>     |
| 17 | <del>(14)</del> COR NURSE PRAC/PHYS. ASST   | 13        | <del>72,742</del>  | <del>74,674</del>  |
| 18 | <u>(16)</u>                                 |           | <u>76,167</u>      | <u>77,690</u>      |
| 19 | <del>(15)</del> COR HEAD NURSE- HOSPITAL    | 1         | <del>78,548</del>  | <del>80,590</del>  |
| 20 | <u>(17)</u>                                 |           | <u>82,201</u>      | <u>83,845</u>      |
| 21 | <del>(16)</del> COR REGISTERED NURSE SUPV   | 40        | <del>74,711</del>  | <del>76,681</del>  |
| 22 | <u>(18)</u>                                 | <u>41</u> | <u>78,214</u>      | <u>79,778</u>      |
| 23 | <del>(17)</del> COR LICENSED PRAC NURSE     | 172       | <del>48,641</del>  | <del>50,100</del>  |
| 24 | <u>(19)</u>                                 |           | <u>51,102</u>      | <u>52,124</u>      |
| 25 | <del>(18)</del> COR LABORATORY SPECIALIST   | 5         | <del>41,841</del>  | <del>43,096</del>  |
| 26 | <u>(20)</u>                                 |           | <u>43,957</u>      | <u>44,837</u>      |
| 27 | <del>(19)</del> COR RADIOLOGY SPECIALIST    | 5         | <del>41,254</del>  | <del>42,492</del>  |
| 28 | <u>(21)</u>                                 |           | <u>43,341</u>      | <u>44,208</u>      |
| 29 |   |           |                    |                    |
| 30 | PATIENT CARE - CLASSIFIED POSITIONS         |           |                    |                    |
| 31 | <del>(20)</del> L124 PSYCHOLOGIST           | 2         | GRADE 25           |                    |
| 32 | <u>(22)</u>                                 | <u>10</u> |                    |                    |
| 33 | <u>(23)</u> 904Z REHABILITATION PROG.ADMIN. | 7         | GRADE 22           |                    |
| 34 | <del>(21)</del> L122 PSYCH. EXAMINER II     | 2         | GRADE 21           |                    |
| 35 | <u>(24)</u>                                 | <u>12</u> |                    |                    |
| 36 | <del>(22)</del> M088 SOCIAL WORKER II       | 3         | GRADE 20           |                    |

|    |   |  |               |                     |
|----|---|--|---------------|---------------------|
| 1  | <u>(25)</u>                                 |  | <u>10</u>     |                     |
| 2  | <u>(26) M045 COR.REHAB FACILITY SUPER</u>   |  | <u>2</u>      | <u>GRADE 20</u>     |
| 3  | <u>(27) M086 SOCIAL WORKER I</u>            |  | <u>4</u>      | <u>GRADE 19</u>     |
| 4  | <del>(23) M107 COR COUNSELOR PRO LDR</del>  |  | <del>7</del>  | <del>GRADE 19</del> |
| 5  | <u>(28)</u>                                 |  | <u>15</u>     |                     |
| 6  | <u>(29) M105 COR COUNSELOR</u>              |  | <u>28</u>     | <u>GRADE 18</u>     |
| 7  | <del>(24) R010 ADMINISTRATIVE ASST II</del> |  | <del>4</del>  | <del>GRADE 17</del> |
| 8  | <u>(30)</u>                                 |  |               |                     |
| 9  | <del>(25) L026 DENTAL HYGIENIST</del>       |  | <del>8</del>  | <del>GRADE 16</del> |
| 10 | <u>(31)</u>                                 |  |               |                     |
| 11 | <del>(26) W015 MEDICAL RECORDS TECH</del>   |  | <del>24</del> | <del>GRADE 15</del> |
| 12 | <u>(32)</u>                                 |  |               |                     |
| 13 | <del>(27) K041 EXECUTIVE SECRETARY</del>    |  | <del>4</del>  | <del>GRADE 14</del> |
| 14 | <u>(33)</u>                                 |  |               |                     |
| 15 | <del>(28) K117 MEDICAL SECRETARY</del>      |  | <del>15</del> | <del>GRADE 14</del> |
| 16 | <u>(34)</u>                                 |  |               |                     |
| 17 | <u>(35) K153 SECRETARY II</u>               |  | <u>2</u>      | <u>GRADE 13</u>     |
| 18 | <del>(29) K155 SECRETARY I</del>            |  | <del>10</del> | <del>GRADE 11</del> |
| 19 | <u>(36)</u>                                 |  | <u>8</u>      |                     |
| 20 | <del>(30) L025 DENTAL ASST</del>            |  | <del>12</del> | <del>GRADE 11</del> |
| 21 | <u>(37)</u>                                 |  |               |                     |
| 22 |   |  |               |                     |
| 23 | CLASSIFIED NON-PATIENT CARE                 |  |               |                     |
| 24 | <del>(31) ACCTG TECHS</del>                 |  | <del>3</del>  | <del>GRADE 15</del> |
| 25 | <del>(32) PAYROLL OFFICER</del>             |  | <del>2</del>  | <del>GRADE 15</del> |
| 26 | <del>(33) BUYERS</del>                      |  | <del>2</del>  | <del>GRADE 18</del> |
| 27 | <u>(38)</u>                                 |  |               |                     |
| 28 | <del>(34) PURCHASING ASSISTANT</del>        |  | <del>1</del>  | <del>GRADE 15</del> |
| 29 | <u>(39)</u>                                 |  |               |                     |
| 30 | <del>(35) ACCOUNTING TECH</del>             |  | <del>4</del>  | <del>GRADE 15</del> |
| 31 | <u>(40)</u>                                 |  | <u>4</u>      |                     |
| 32 | <del>(36) ACCOUNTANT</del>                  |  | <del>1</del>  | <del>GRADE 18</del> |
| 33 | <u>(41)</u>                                 |  |               |                     |
| 34 | <del>(37) PERS TRNG OFF</del>               |  | <del>1</del>  | <del>GRADE 18</del> |
| 35 | <u>(42)</u>                                 |  |               |                     |
| 36 | <del>(38) PERS OFFICER II</del>             |  | <del>1</del>  | <del>GRADE 17</del> |

|   |                                  |                 |                |          |
|---|----------------------------------|-----------------|----------------|----------|
| 1 | <u>(43)</u>                      |                 |                |          |
| 2 | <del>(39)</del>                  | PAYROLL OFFICER | <del>4</del>   | GRADE 15 |
| 3 | <u>(44)</u>                      |                 | <u>3</u>       |          |
| 4 | <del>(40)</del>                  | PC SUPPORT      | 1              | GRADE 18 |
| 5 | <u>(45)</u>                      |                 |                |          |
| 6 | GRAND TOTAL CONTINGENT EMPLOYEES |                 | <del>411</del> |          |
| 7 |                                  |                 | <u>497</u>     |          |

8

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

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

14

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

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

33

34 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY  
 36 REIMBURSEMENT RATE RESTRICTION. Notwithstanding any other provision of law or

1 departmental commitment which may exist to the contrary, the Board of  
2 Corrections shall not increase any reimbursement rate for payments made to  
3 any county for the purpose of reimbursing the expenses of the care and  
4 custody of state inmates, without first seeking and receiving the approval of  
5 the Governor and the Chief Fiscal Officer of the State.

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 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA  
11 SALARIES. There is hereby authorized, for the Department of Correction, for  
12 the ~~2005-07~~ 2007-09 biennium, the following increases in salaries for certain  
13 positions provided in the Regular Salary schedule in this Act, and to be in  
14 addition to the annual amounts as established by the Uniform Classification  
15 and Compensation Act, as amended, for full-time physicians who are certified  
16 by the American Specialty Boards at rates of pay not to exceed an additional  
17 \$4,500 per year. If certified in forensic psychiatry, an additional \$2,500  
18 per year will be allowed. Total extra salaries may not exceed \$7,000 per year  
19 per position. In the event the physician is not a full time employee, the  
20 amount specified herein shall be adjusted proportionately to the amount of  
21 time worked for the Department of Correction by that physician.

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

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

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



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

2

3 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
5 OF APPROPRIATION WITHIN CAPITAL IMPROVEMENT PROJECTS. The Department of  
6 Correction is hereby authorized to transfer appropriation between and/or  
7 among the various capital improvements/construction projects authorized by  
8 the General Assembly. Such transfers may be made only after approval by the  
9 Governor and after prior ~~review~~ approval by the Arkansas Legislative Council  
10 or Joint Budget Committee. Such authorization shall in no way mean that the  
11 total amount of funds or appropriations for capital improvement/construction  
12 projects be greater than that provided by the General Assembly for the  
13 Department of Correction.

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

35 ~~(a)(1) Upon determination by the Board of Corrections that a reallocation of~~  
36 ~~resources within the Department of Community Correction and Department of~~

1 ~~Correction is necessary for the efficient and effective operation of the~~  
2 ~~departments, the Board, with approval of the Governor and approval by the~~  
3 ~~Arkansas Legislative Council or Joint Budget Committee, shall have the~~  
4 ~~authority to instruct the Director of the Department of Community Correction~~  
5 ~~and the Director of the Department of Correction, to request from the Chief~~  
6 ~~Fiscal Officer of the State, a transfer of positions, programs, funds,~~  
7 ~~appropriations, and line item appropriations within or between existing and~~  
8 ~~newly created divisions, offices, sections, or units of the Department of~~  
9 ~~Correction and Department of Community Correction.~~

10 ~~(2) If it is determined that the requested transfer should be made, the~~  
11 ~~Chief Fiscal Officer of the State shall then initiate the necessary transfer~~  
12 ~~documents to reflect the transfers upon the fiscal records of the State~~  
13 ~~Treasurer, the State Auditor, the Chief Fiscal Officer of the State, and the~~  
14 ~~Departments of Correction and Community Correction.~~

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

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

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

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

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

24 ~~c) Payment of Overtime Expenses;~~

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

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

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

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

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

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

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

36 ~~(B) This is usually accomplished by delineating such maximums in the~~

1 ~~appropriation act(s) for a state agency and the general revenue allocations~~  
2 ~~authorized for each fund and fund account by amendment to the Revenue~~  
3 ~~Stabilization Law, 19-5-101 et seq.~~

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

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

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

13 ~~(iii) If the requirement of approval by the Legislative Council or Joint~~  
14 ~~Budget Committee is ruled unconstitutional by a court jurisdiction, this~~  
15 ~~entire section is void.~~

16  
17 *SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS*  
18 *CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.*

19 *REALLOCATION OF RESOURCES. Upon determination by the Board of Corrections*  
20 *that a reallocation of resources within the Department of Community*  
21 *Correction and Department of Correction is necessary for the efficient and*  
22 *effective operation of the departments, the Board, with approval of the*  
23 *Governor and approval by the Arkansas Legislative Council or Joint Budget*  
24 *Committee, shall have the authority to instruct the department directors, to*  
25 *request from the Chief Fiscal Officer of the State, a transfer of positions,*  
26 *programs, funds, appropriations, and line-item appropriations within or*  
27 *between existing and newly created divisions, offices, sections, or units of*  
28 *the departments. If it is determined that the requested transfer should be*  
29 *made, the Chief Fiscal Officer of the State shall then initiate the necessary*  
30 *transfer documents to reflect the transfers upon the fiscal records of the*  
31 *State Treasurer, the State Auditor, the Chief Fiscal Officer of the State,*  
32 *and the Departments of Correction and Community Correction. Provided,*  
33 *however, that the Board shall be limited to submitting no more than ~~Four~~*  
34 *individual transaction transfer four requests, encompassing a single purpose*  
35 *listed in this section, for Reallocation of Resources Transfer requests*  
36 *during any fiscal year per department. Transfer authority ~~for unforeseen~~*

1 ~~purposes~~ shall further be limited to no more than five percent (5%) of the  
2 total General Revenue and Special Revenue appropriation, funding, and  
3 positions specific to each agency. However, there shall be no transfers to  
4 or from the County Jail Reimbursement Fund. ~~Other than for unforeseen~~  
5 ~~purposes, transfers~~ A Reallocation of Resources Transfer shall be limited to  
6 the following specific purposes:

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

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

33 The provisions of this section shall be in effect only from July 1, ~~2005~~  
34 2007 through June 30, ~~2007~~ 2009.

35  
36 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HAZARDOUS  
 2 DUTY PAY. The Department of Correction is hereby authorized to pay hazardous  
 3 duty pay to provide special compensation to eligible security personnel to  
 4 compensate for the increased risk of personal injury. The hazardous duty pay  
 5 authorized herein shall not exceed an amount equal to five and one-half  
 6 percent (5.5%) of the annual salary authorized by law to any eligible  
 7 employee and shall only be made available to the personnel occupying the  
 8 following positions.

| 9  | Class Code | Title                         | Grade |
|----|------------|-------------------------------|-------|
| 10 | T003       | CP/COR Officer                | 16    |
| 11 | H029       | CP/COR Food Prod Mgr I        | 17    |
| 12 | T005       | CP/COR Officer II             | 18    |
| 13 | H030       | CP/COR Food Production Mgr II | 19    |
| 14 | T010       | CP/COR Sergeant               | 19    |
| 15 | T006       | CP/COR Officer III            | 20    |
| 16 | T008       | CP/COR Officer IV             | 21    |
| 17 | T014       | Chief Security Officer        | 22    |

18 Employees assigned to these classifications may be eligible for hazardous  
 19 duty pay if the Director of the Department of Correction certifies to the  
 20 Chief Fiscal Officer that employees in these positions have been assigned  
 21 direct supervision of inmates which requires these positions to be exposed to  
 22 increased risk of personal injury.

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

32 The amounts received under the provisions of this section shall not be  
 33 considered as exceeding the maximum authorized annual salary allowance for  
 34 employees in receipt of such amounts. Such amounts shall be considered as  
 35 Regular Salary and the Department of Finance and Administration shall adopt  
 36 the necessary rules and regulations for the administration of this provision.

1 Employees covered by the provisions of this Section shall be eligible for  
 2 special compensation for hazardous duty and additional compensation for  
 3 maximum security assignment only upon a determination by the Chief Fiscal  
 4 Officer of the State that sufficient general revenues are available to  
 5 sustain payment of the additional compensation levels herein authorized. It  
 6 is the intent of this section that such payments shall be optional, at the  
 7 discretion of the Chief Fiscal Officer of the State and the Director of the  
 8 Department of Correction, dependent upon sufficient revenues and shall not be  
 9 implemented using funds specifically set aside for other programs within the  
 10 Department.

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

26 Class

| 27 Code | Title                   | Grade |
|---------|-------------------------|-------|
| 28 T003 | CP/COR Officer          | 16    |
| 29 H029 | CP/COR Food Prod Mgr I  | 17    |
| 30 T005 | CP/COR Officer II       | 18    |
| 31 H030 | CP/COR Food Prod Mgr II | 19    |
| 32 T010 | CP/COR Sergeant         | 19    |
| 33 T006 | CP/COR Officer III      | 20    |
| 34 T008 | CP/COR Officer IV       | 21    |
| 35 T014 | CP/COR Security Officer | 22    |

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

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

2

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

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

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 30. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. INMATE  
26 COST REPORTING - STATE FACILITIES.

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

35 (b) In compiling costs and reporting to the Arkansas Legislative Council in  
36 accordance with subsection (a) of this section of this Act, the Department of

1 Correction shall:

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



1 shall:

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

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

10 Maintain documentation supporting the number of inmates housed at ADC  
11 facilities.

12

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

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

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

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

36 (3) Each Agency, Board, Commission or Institution shall provide a written

1 report to the Arkansas Legislative Council or Joint Budget Committee  
2 containing all information set forth in item (2) above, along with a written  
3 statement as to the current status of the project, contract, purpose etc. for  
4 which the carry forward was originally requested no later than thirty (30)  
5 days prior to the time the Agency, Board, Commission or Institution presents  
6 its budget request to the Arkansas Legislative Council/Joint Budget  
7 Committee; and

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

12  
13 SECTION 32. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY  
15 JAIL REIMBURSEMENT FUND APPROPRIATION CARRY FORWARD. Any unexpended balance  
16 of appropriation made payable from the County Jail Reimbursement Fund  
17 remaining on June 30th each fiscal year shall be carried forward and made  
18 available for the same purpose the following fiscal year.

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

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

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

34 (3) Each Agency, Board, Commission or Institution shall provide a written  
35 report to the Arkansas Legislative Council or Joint Budget Committee  
36 containing all information set forth in item (2) above, along with a written

1 statement as to the current status of the project, contract, purpose etc. for  
2 which the carry forward was originally requested no later than thirty (30)  
3 days prior to the time the Agency, Board, Commission or Institution presents  
4 its budget request to the Arkansas Legislative Council/Joint Budget  
5 Committee; and  
6 (4) Thereupon, the Department of Finance and Administration shall include  
7 all information obtained in item (3) above in the biennial budget manuals  
8 and/or a statement of non-compliance by the Agency, Board, Commission or  
9 Institution.

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

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

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

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

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

34  
35 SECTION 37. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL

1 REVENUE/CASH FUNDS TRANSFER. The Department of Correction is authorized to  
2 transfer funds from various Special Revenue and Cash Funds into the Inmate  
3 Care and Custody Fund Account in order to adjust to the budget needs upon  
4 prior approval by the Arkansas Legislative Council or Joint Budget Committee  
5 and approval of the Board of Corrections and the Chief Fiscal Officer of the  
6 State.

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

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

25

26 SECTION 38. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. NEW  
28 FACILITIES. If it is found that contracting for the operation of new  
29 facilities is economically beneficial to the State of Arkansas, the  
30 Department of Correction may, after receiving approval of the Chief Fiscal  
31 Officer, and seeking prior review and approval by the Arkansas Legislative  
32 Council or Joint Budget Committee, transfer from any line item appropriation  
33 contained in Section 3 of this Act into the Professional Fees and Services  
34 line item contained in Section 3 of this Act to operate new facilities opened  
35 during the biennium.

36 Determining the maximum number of employees and the maximum amount of

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

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

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

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

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

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

10  
11 SECTION 40. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FOOD  
13 SERVICE CONTRACT. In the event the Department is able to contract with a  
14 private provider for food services at a unit(s), transfers may be made from  
15 Regular Salaries, Personal Services Matching, and Maintenance and Operations  
16 line items to Professional Fees and Services upon approval by the Chief  
17 Fiscal Officer of the State and after receiving prior review and approval by  
18 the Legislative Council or Joint Budget Committee.  
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 41. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
3 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY  
4 JAIL INVOICE SUMMARY. The Departments of Correction and Community  
5 Correction, shall at a minimum and on a fiscal year basis, prepare and post  
6 on the applicable agency web site, a monthly summary of county jail  
7 reimbursement invoices prepared and forwarded to each county sheriff for  
8 verification by the Departments and for payment from the County Jail  
9 Reimbursement Fund. In addition, the report shall include a summary of  
10 invoices returned by each county for payment for previous months within the  
11 fiscal year, the amounts paid, and any balances owed. Each fiscal year-end  
12 report shall be maintained on the web sites for a period of no less than  
13 three (3) years.  
14

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

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

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

36 Associate Degree      \$1,000

|   |                             |                |
|---|-----------------------------|----------------|
| 1 | <u>Bachelor's Degree</u>    | <u>\$1,500</u> |
| 2 | <u>Master's Degree</u>      | <u>\$2,500</u> |
| 3 | <u>Doctoral Degree</u>      | <u>\$3,500</u> |
| 4 | <u>Professional License</u> | <u>\$1,250</u> |

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

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. NEW OR*  
22 *ADDITIONAL POSITIONS FUNDING RESTRICTION. The Chief Fiscal Officer of the*  
23 *State shall determine the amount of general revenue authorized by the 86th*  
24 *General Assembly to be distributed to the Department of Correction Inmate Care*  
25 *and Custody Fund Account to fund additional Regular Salary positions and*  
26 *Personal Services Matching costs each fiscal year of the 2007-09 biennium over*  
27 *and above the amount of general revenue the Department of Correction budgeted*  
28 *for Regular Salaries and Personal Services Matching costs during the fiscal*  
29 *year ending June 30, 2006. The Chief Fiscal Officer of the State shall cause*  
30 *the amount of general revenue so determined each fiscal year to be set aside*  
31 *within the Department of Correction Inmate Care and Custody Fund Account, and*  
32 *that the amount determined, or any portion thereof, shall not be budgeted or*  
33 *committed for expenditure by the Department of Correction without prior*  
34 *approval from the Arkansas Legislative Council or Joint Budget Committee. From*  
35 *time to time, the Department of Correction may request approval of the Chief*  
36 *Fiscal Officer of the State and the Legislative Council or Joint Budget*

1 Committee for release of the amount set aside, or a portion thereof, in the  
2 Inmate Care and Custody Fund Account for purposes of budgeting and expenditure.  
3 On July 1, of each fiscal year or as soon thereafter as is practical, the Chief  
4 Fiscal Officer of the State shall report the amount of general revenue set-  
5 aside for funding the additional Regular Salary positions and Personal Services  
6 Matching costs within the Inmate Care and Custody Fund Account due to the  
7 provisions of this section to the Arkansas Legislative Council or Joint Budget  
8 Committee.

9  
10 Determining the maximum number of employees and the maximum amount of  
11 appropriation and general revenue funding for a state agency each fiscal year  
12 is the prerogative of the General Assembly. This is usually accomplished by  
13 delineating such maximums in the appropriation act(s) for a state agency and  
14 the general revenue allocations authorized for each fund and fund account by  
15 amendment to the Revenue Stabilization law. Therefore, it is both necessary  
16 and appropriate that the General Assembly maintain oversight by requiring  
17 prior approval of the Legislative Council or Joint Budget Committee as  
18 provided by this section. The requirement of approval by the Legislative  
19 Council or Joint Budget Committee is not a severable part of this section.  
20 If the requirement of approval by the Legislative Council or Joint Budget  
21 Committee is ruled unconstitutional by a court of competent jurisdiction,  
22 then the amount determined to be set aside within the Department of  
23 Correction Inmate Care and Custody Fund Account by the Chief Fiscal Officer  
24 of the State each fiscal year due to the provisions of this section shall not  
25 be budgeted or committed for expenditure in either fiscal year of the 2007-09  
26 biennium.

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

29  
30 SECTION 45. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE  
31 ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
32 TRANSFER OF APPROPRIATION AND FUNDS TO THE COUNTY JAIL REIMBURSEMENT FUND.  
33 If any savings of general revenue appropriation and funds accrue during the  
34 2007-2009 biennium in the operations of the Department of Correction, the  
35 Director of the Department of Correction may request a transfer of  
36 appropriation and funds from any line item appropriation in the Inmate Care

1 and Custody Fund Account to the County Jail Reimbursement Fund in order to  
2 meet obligations to counties for housing state inmates. Such transfer  
3 request shall be made upon the approval of the Chief Fiscal Officer of the  
4 State and prior review and approval by the Arkansas Legislative Council or  
5 Joint Budget Committee.

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

8  
9 SECTION 46. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
10 by this act shall be limited to the appropriation for such agency and funds  
11 made available by law for the support of such appropriations; and the  
12 restrictions of the State Procurement Law, the General Accounting and  
13 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
14 Procedures and Restrictions Act, or their successors, and other fiscal  
15 control laws of this State, where applicable, and regulations promulgated by  
16 the Department of Finance and Administration, as authorized by law, shall be  
17 strictly complied with in disbursement of said funds.

18  
19 SECTION 47. LEGISLATIVE INTENT. It is the intent of the General Assembly  
20 that any funds disbursed under the authority of the appropriations contained  
21 in this act shall be in compliance with the stated reasons for which this act  
22 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
23 and Legislative Recommendations contained in the budget manuals prepared by  
24 the Department of Finance and Administration, letters, or summarized oral  
25 testimony in the official minutes of the Arkansas Legislative Council or  
26 Joint Budget Committee which relate to its passage and adoption.

27  
28 SECTION 48. EMERGENCY CLAUSE. It is found and determined by the General  
29 Assembly, that the Constitution of the State of Arkansas prohibits the  
30 appropriation of funds for more than a two (2) year period; that the  
31 effectiveness of this Act on July 1, 2007 is essential to the operation of  
32 the agency for which the appropriations in this Act are provided, and that in  
33 the event of an extension of the Regular Session, the delay in the effective  
34 date of this Act beyond July 1, 2007 could work irreparable harm upon the  
35 proper administration and provision of essential governmental programs.  
36 Therefore, an emergency is hereby declared to exist and this Act being

1 necessary for the immediate preservation of the public peace, health and  
2 safety shall be in full force and effect from and after July 1, 2007.

3  
4 */s/ Joint Budget Committee*  
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