

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009
4

As Engrossed: H2/23/09
A Bill

HOUSE BILL 1449

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES AND OPERATING EXPENSES FOR THE
11 DEPARTMENT OF CORRECTION FOR THE FISCAL YEAR
12 ENDING JUNE 30, 2010; AND FOR OTHER PURPOSES.
13

Subtitle

14
15 AN ACT FOR THE DEPARTMENT OF CORRECTION
16 APPROPRIATION FOR THE 2009-2010 FISCAL
17 YEAR.
18
19
20

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

23 SECTION 1. REGULAR SALARIES. There is hereby established for the
24 Department of Correction for the 2009-2010 fiscal year, the following maximum
25 number of regular employees whose salaries shall be governed by the
26 provisions of the Uniform Classification and Compensation Act (Arkansas Code
27 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
28 Provided, however, that any position to which a specific maximum annual
29 salary is set out herein in dollars, shall be exempt from the provisions of
30 said Uniform Classification and Compensation Act. All persons occupying
31 positions authorized herein are hereby governed by the provisions of the
32 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),
33 or its successor.
34

35 Maximum Annual
36 Maximum Salary Rate



1	Item	Class		No. of	Fiscal Year
2	No.	Code	Title	Employees	2009-2010
3	(1)	U035U	ADC DIRECTOR	1	\$135,590
4	(2)	U062U	ADC CHIEF DEPUTY DIRECTOR	1	\$106,128
5	(3)	N039N	ADC DEPUTY DIRECTOR	3	GRADE N909
6	(4)	N048N	ADC ASSISTANT DIRECTOR	3	GRADE N908
7	(5)	T001N	ADC SUPERINTENDENT	7	GRADE N906
8	(6)	G014N	ADC COMPLIANCE ATTORNEY	1	GRADE N904
9	(7)	N120N	ADC FARM ADMINISTRATOR	1	GRADE N904
10	(8)	N119N	ADC INDUSTRY ADMINISTRATOR	1	GRADE N904
11	(9)	N136N	ADC HEALTH SERVICE ADMINISTRATOR	2	GRADE N903
12	(10)	G024N	ADC GENERAL COUNSEL	1	GRADE N902
13	(11)	P003N	ADC PUBLIC INFORMATION OFFICER	1	GRADE N901
14	(12)	L001C	PSYCHOLOGIST SUPERVISOR	3	GRADE C129
15	(13)	A010C	AGENCY CONTROLLER II	1	GRADE C128
16	(14)	D007C	INFORMATION SYSTEMS MANAGER	2	GRADE C128
17	(15)	T006C	ADC HEAD FARM MANAGER II	3	GRADE C127
18	(16)	T005C	ADC/DCC CORRECTIONAL WARDEN	11	GRADE C127
19	(17)	G025C	ATTORNEY SUPERVISOR	1	GRADE C127
20	(18)	L003C	PSYCHOLOGIST	14	GRADE C127
21	(19)	G047C	ATTORNEY SPECIALIST	4	GRADE C126
22	(20)	R006C	HUMAN RESOURCES ADMINISTRATOR	1	GRADE C126
23	(21)	B026C	ADC CONSTRUCTION/MAINTENANCE COORD	3	GRADE C124
24	(22)	T015C	ADC/DCC DEPUTY WARDEN	23	GRADE C124
25	(23)	D030C	INFORMATION SYSTEMS COORDINATOR	1	GRADE C124
26	(24)	R013C	AGENCY HUMAN RESOURCES MANAGER	1	GRADE C123
27	(25)	A038C	FISCAL SUPPORT MANAGER	2	GRADE C123
28	(26)	D038C	SENIOR SOFTWARE SUPPORT ANALYST	2	GRADE C123
29	(27)	T021C	ADC HEAD FARM MANAGER I	2	GRADE C122
30	(28)	B040C	ADC AGRI PRODUCTION SUPERVISOR	1	GRADE C121
31	(29)	G222C	ADC/DCC INTERNAL AFFAIRS ADMIN	1	GRADE C121
32	(30)	T027C	ADC/DCC TRAINING ADMINISTRATOR	1	GRADE C121
33	(31)	A050C	AGENCY FISCAL MANAGER	1	GRADE C121
34	(32)	M009C	LICENSED CERTIFIED SOCIAL WORKER	21	GRADE C121
35	(33)	L033C	PSYCHOLOGICAL EXAMINER	19	GRADE C121
36	(34)	D052C	SOFTWARE SUPPORT ANALYST	11	GRADE C121

1	(35)	L041C	ADC ASST MEDICAL PROGRAM MANAGER	1	GRADE C120
2	(36)	G142C	ADC CLASSIFICATION ADMINISTRATOR	1	GRADE C120
3	(37)	G141C	ADC INDUSTRY ASSISTANT ADMR	3	GRADE C120
4	(38)	T033C	ADC/DCC MAJOR	25	GRADE C120
5	(39)	L038C	REGISTERED NURSE	4	GRADE C120
6	(40)	G121C	REHAB PROGRAM MANAGER	9	GRADE C120
7	(41)	T028C	SOSRA PROGRAM ADMINISTRATOR	1	GRADE C120
8	(42)	T040C	ADC ASSISTANT HEAD FARM MANAGER	5	GRADE C119
9	(43)	S011C	ADC COMMODITY & FOOD SVC ADMR	1	GRADE C119
10	(44)	B069C	ADC CONSTRUCTION PROJECT SPECIALIST	8	GRADE C119
11	(45)	B070C	ADC CONSTRUCTION PROJECT SUPERVISOR	14	GRADE C119
12	(46)	S010C	ADC INDUSTRY PROGRAM MANAGER	9	GRADE C119
13	(47)	T039C	ADC INMATE TRANSPORTATION COORD	1	GRADE C119
14	(48)	V009C	ADC PROCUREMENT & PROPERTY MANAGER	1	GRADE C119
15	(49)	T038C	ADC TRAINING ACADEMY SUPERVISOR	1	GRADE C119
16	(50)	R021C	BUDGET ANALYST	1	GRADE C119
17	(51)	A066C	INTERNAL AUDITOR	1	GRADE C119
18	(52)	M020C	LICENSED PROFESSIONAL COUNSELOR	81	GRADE C119
19	(53)	V007C	PROCUREMENT COORDINATOR	1	GRADE C119
20	(54)	A060C	SENIOR AUDITOR	3	GRADE C119
21	(55)	T034C	WORK RELEASE CENTER SUPERVISOR	4	GRADE C119
22	(56)	T048C	ADC/DCC CAPTAIN	47	GRADE C118
23	(57)	M031C	ADMINISTRATOR OF CHAPLAINCY SVCS	1	GRADE C118
24	(58)	R024C	ASSISTANT PERSONNEL MANAGER	6	GRADE C118
25	(59)	C010C	EXECUTIVE ASSISTANT TO THE DIRECTOR	2	GRADE C118
26	(60)	A074C	FISCAL SUPPORT SUPERVISOR	6	GRADE C118
27	(61)	M026C	LICENSED SOCIAL WORKER	2	GRADE C118
28	(62)	M023C	SUBSTANCE ABUSE PROGRAM COORD	1	GRADE C118
29	(63)	T041C	WORK RELEASE PROGRAM SUPERVISOR	3	GRADE C118
30	(64)	T054C	ADC/DCC LIEUTENANT	151	GRADE C117
31	(65)	M046C	ADC/DCC TREATMENT COORDINATOR	3	GRADE C117
32	(66)	T053C	AGRICULTURE UNIT SUPERVISOR II	29	GRADE C117
33	(67)	M044C	ASSOCIATE PROFESSIONAL COUNSELOR	13	GRADE C117
34	(68)	D071C	COMPUTER SUPPORT ANALYST	4	GRADE C117
35	(69)	S019C	DIRECTOR MAINTENANCE	11	GRADE C117
36	(70)	L052C	REHAB FACILITY SUPERVISOR	1	GRADE C117

1	(71)	E041C	SENIOR LIBRARIAN	1	GRADE C117
2	(72)	S027C	ADC INDUSTRIAL SUPERVISOR II	30	GRADE C116
3	(73)	S026C	ADC/DCC ASST MAINT SUPERVISOR	17	GRADE C116
4	(74)	X133C	ADC/DCC INTERNAL AFFAIRS INVEST	9	GRADE C116
5	(75)	T059C	ADC/DCC FOOD PREPARATION MANAGER	18	GRADE C116
6	(76)	C024C	ADC/DCC RECORDS SUPERVISOR	18	GRADE C116
7	(77)	T058C	AGRICULTURE UNIT SUPERVISOR I	3	GRADE C116
8	(78)	C022C	BUSINESS OPERATIONS SPECIALIST	17	GRADE C116
9	(79)	V014C	BUYER	2	GRADE C116
10	(80)	G200C	CLASSIFICATION & ASSIGNMENT OFFICER	18	GRADE C116
11	(81)	B091C	CONSTRUCTION SUPERVISOR	1	GRADE C116
12	(82)	X128C	CORRECTIONAL UNIT ACCRED SPECIALIST	11	GRADE C116
13	(83)	X127C	DISCIPLINARY HEARING OFFICER	8	GRADE C116
14	(84)	L058C	DISEASE INTERVENTION SPECIALIST	4	GRADE C116
15	(85)	R030C	EEO/GRIEVANCE OFFICER	1	GRADE C116
16	(86)	M049C	SENIOR CHAPLAIN	5	GRADE C116
17	(87)	S022C	SKILLED TRADES SUPERVISOR	1	GRADE C116
18	(88)	M048C	SUBSTANCE ABUSE PROGRAM LEADER	53	GRADE C116
19	(89)	E046C	TRAINING INSTRUCTOR	17	GRADE C116
20	(90)	M059C	ADC/DCC ADVISOR	9	GRADE C115
21	(91)	T065C	ADC/DCC CORRECTIONAL SERGEANT	856	GRADE C115
22	(92)	M058C	ADC/DCC PROGRAM SPECIALIST	14	GRADE C115
23	(93)	C037C	ADMINISTRATIVE ANALYST	18	GRADE C115
24	(94)	M057C	CHAPLAIN	18	GRADE C115
25	(95)	V017C	COMMISSARY COORDINATOR	1	GRADE C115
26	(96)	D079C	COMPUTER SUPPORT TECHNICIAN	14	GRADE C115
27	(97)	A091C	FISCAL SUPPORT ANALYST	12	GRADE C115
28	(98)	R031C	INSTITUTION HUMAN RESOURCES COORD	12	GRADE C115
29	(99)	V015C	PURCHASING SPECIALIST	5	GRADE C115
30	(100)	C026C	RECORDS/INTAKE SUPERVISOR	4	GRADE C115
31	(101)	S043C	ADC INDUSTRIAL SUPERVISOR I	1	GRADE C114
32	(102)	G216C	ADC INMATE GRIEVANCE COORDINATOR	23	GRADE C114
33	(103)	P044C	ADC SALES REPRESENTATIVE	3	GRADE C114
34	(104)	T071C	ADC UNIT TRAINING SUPERVISOR	1	GRADE C114
35	(105)	S044C	FOOD PREPARATION MANAGER	1	GRADE C114
36	(106)	M065C	RECREATIONAL ACTIVITY SUPERVISOR	15	GRADE C114

1	(107)	T077C	ADC MAILROOM SERVICES COORDINATOR	14	GRADE C113
2	(108)	T076C	ADC/DCC ADMIN REVIEW OFFICER	7	GRADE C113
3	(109)	T075C	ADC/DCC CORPORAL	2,345	GRADE C113
4	(110)	E054C	ADC/DCC UNIT TRAINER	12	GRADE C113
5	(111)	R036C	HUMAN RESOURCES SPECIALIST	4	GRADE C113
6	(112)	V020C	INVENTORY CONTROL MANAGER	5	GRADE C113
7	(113)	C046C	LEGAL SUPPORT SPECIALIST	2	GRADE C113
8	(114)	S046C	MAINTENANCE TECHNICIAN	24	GRADE C113
9	(115)	L072C	ADC HIV/AIDS EDUCATOR	1	GRADE C112
10	(116)	C056C	ADMINISTRATIVE SPECIALIST III	32	GRADE C112
11	(117)	R037C	BENEFITS TECHNICIAN	1	GRADE C112
12	(118)	T081C	COMMISSARY MANAGER	28	GRADE C112
13	(119)	A098C	FISCAL SUPPORT SPECIALIST	39	GRADE C112
14	(120)	S051C	INSTRUMENTATION TECHNICIAN	1	GRADE C112
15	(121)	V024C	ADC PROPERTY OFFICER	4	GRADE C111
16	(122)	S056C	FOOD PREPARATION SUPERVISOR	77	GRADE C111
17	(123)	M076C	RECREATIONAL ACTIVITY LEADER II	2	GRADE C111
18	(124)	M078C	VOLUNTEER SERVICES COORDINATOR	1	GRADE C111
19	(125)	R039C	BENEFITS SPECIALIST	1	GRADE C110
20	(126)	R038C	HUMAN RESOURCES ASSISTANT	20	GRADE C110
21	(127)	A100C	PAYROLL OFFICER	3	GRADE C110
22	(128)	C073C	ADMINISTRATIVE SPECIALIST II	85	GRADE C109
23	(129)	C087C	ADMINISTRATIVE SPECIALIST I	111	GRADE C106
24	(130)	V030C	SHIPPING & RECEIVING CLERK	<u>1</u>	GRADE C105
25			MAX. NO. OF EMPLOYEES	4,667	

26

27 SECTION 2. EXTRA HELP. There is hereby authorized, for the Department of
 28 Correction for the 2009-2010 fiscal year, the following maximum number of
 29 part-time or temporary employees, to be known as "Extra Help", payable from
 30 funds appropriated herein for such purposes: one hundred twenty (120)
 31 temporary or part-time employees, when needed, at rates of pay not to exceed
 32 those provided in the Uniform Classification and Compensation Act, or its
 33 successor, or this act for the appropriate classification.

34

35 SECTION 3. APPROPRIATION - INMATE CARE & CUSTODY. There is hereby
 36 appropriated, to the Department of Correction, to be payable from the

1 Department of Correction Inmate Care and Custody Fund Account, for personal
 2 services and operating expenses of the Department of Correction - Inmate Care
 3 and Custody for the fiscal year ending June 30, 2010, the following:

4	5 ITEM	FISCAL YEAR
6	<u>NO.</u>	<u>2009-2010</u>
7	(01) REGULAR SALARIES	\$ 139,343,737
8	(02) EXTRA HELP	200,000
9	(03) PERSONAL SERVICES MATCHING	50,062,632
10	(04) OVERTIME	1,550,000
11	(05) MAINT. & GEN. OPERATION	
12	(A) OPER. EXPENSE	52,235,724
13	(B) CONF. & TRAVEL	336,141
14	(C) PROF. FEES	45,024,729
15	(D) CAP. OUTLAY	0
16	(E) DATA PROC.	0
17	(06) JAIL CONTRACTS	<u>1,533,000</u>
18	TOTAL AMOUNT APPROPRIATED	<u>\$ 290,285,963</u>

19

20 SECTION 4. APPROPRIATION - INMATE WELFARE PROGRAM. There is hereby
 21 appropriated, to the Department of Correction, to be payable from the cash
 22 fund deposited in the State Treasury as determined by the Chief Fiscal
 23 Officer of the State, for personal services and operating expenses of the
 24 Department of Correction - Inmate Welfare Program for the fiscal year ending
 25 June 30, 2010, the following:

26	27 ITEM	FISCAL YEAR
28	<u>NO.</u>	<u>2009-2010</u>
29	(01) REGULAR SALARIES	\$ 751,339
30	(02) PERSONAL SERVICES MATCHING	290,604
31	(03) MAINT. & GEN. OPERATION	
32	(A) OPER. EXPENSE	10,923,240
33	(B) CONF. & TRAVEL	0
34	(C) PROF. FEES	0
35	(D) CAP. OUTLAY	605,000
36	(E) DATA PROC.	<u>0</u>

1 TOTAL AMOUNT APPROPRIATED \$ 12,570,183

2

3 SECTION 5. APPROPRIATION - WORK RELEASE PROGRAM. There is hereby
4 appropriated, to the Department of Correction, to be payable from the cash
5 fund deposited in the State Treasury as determined by the Chief Fiscal
6 Officer of the State, for operating expenses and debt service of the
7 Department of Correction - Work Release Program for the fiscal year ending
8 June 30, 2010, the following:

9

10 ITEM	FISCAL YEAR
11 NO.	2009-2010
12 (01) MAINT. & GEN. OPERATION	
13 (A) OPER. EXPENSE	\$ 4,213,552
14 (B) CONF. & TRAVEL	84,150
15 (C) PROF. FEES	1,000,000
16 (D) CAP. OUTLAY	1,704,352
17 (E) DATA PROC.	0
18 (02) DEBT SERVICE	<u>500,000</u>
19 TOTAL AMOUNT APPROPRIATED	\$ <u>7,502,054</u>

20

21 SECTION 6. APPROPRIATION - PRISON INDUSTRY PROGRAM. There is hereby
22 appropriated, to the Department of Correction, to be payable from the
23 Department of Correction Prison Industry Fund, for personal services and
24 operating expenses of the Department of Correction - Prison Industry Program
25 for the fiscal year ending June 30, 2010, the following:

26

27 ITEM	FISCAL YEAR
28 NO.	2009-2010
29 (01) REGULAR SALARIES	\$ 2,008,044
30 (02) EXTRA HELP	10,000
31 (03) PERSONAL SERVICES MATCHING	674,768
32 (04) MAINT. & GEN. OPERATION	
33 (A) OPER. EXPENSE	7,140,638
34 (B) CONF. & TRAVEL	20,000
35 (C) PROF. FEES	0
36 (D) CAP. OUTLAY	428,786

1 (E) DATA PROC. 0
 2 TOTAL AMOUNT APPROPRIATED \$ 10,282,236

3
 4 SECTION 7. EXTRA HELP - PRISON INDUSTRY PROGRAM. There is hereby
 5 authorized, for the Department of Correction - Prison Industry Program for
 6 the 2009-2010 fiscal year, the following maximum number of part-time or
 7 temporary employees, to be known as "Extra Help", payable from funds
 8 appropriated herein for such purposes: twenty five (25) temporary or part-
 9 time employees, when needed, at rates of pay not to exceed those provided in
 10 the Uniform Classification and Compensation Act, or its successor, or this
 11 act for the appropriate classification.

12
 13 SECTION 8. APPROPRIATION - FARM OPERATIONS PROGRAM. There is hereby
 14 appropriated, to the Department of Correction, to be payable from the
 15 Department of Correction Farm Fund, for personal services and operating
 16 expenses of the Department of Correction - Farm Operations Program for the
 17 fiscal year ending June 30, 2010, the following:

19 ITEM	FISCAL YEAR
20 <u>NO.</u>	<u>2009-2010</u>
21 (01) REGULAR SALARIES	\$ 2,393,503
22 (02) EXTRA HELP	10,000
23 (03) PERSONAL SERVICES MATCHING	794,014
24 (04) MAINT. & GEN. OPERATION	
25 (A) OPER. EXPENSE	10,091,135
26 (B) CONF. & TRAVEL	31,040
27 (C) PROF. FEES	322,354
28 (D) CAP. OUTLAY	1,815,000
29 (E) DATA PROC.	0
30 (05) PURCHASE CATTLE/MEAT	<u>650,000</u>
31 TOTAL AMOUNT APPROPRIATED	<u>\$ 16,107,046</u>

32
 33 SECTION 9. EXTRA HELP - FARM OPERATIONS PROGRAM. There is hereby
 34 authorized, for the Department of Correction - Farm Operations Program for
 35 the 2009-2010 fiscal year, the following maximum number of part-time or
 36 temporary employees, to be known as "Extra Help", payable from funds

1 appropriated herein for such purposes: twenty five (25) temporary or part-
2 time employees, when needed, at rates of pay not to exceed those provided in
3 the Uniform Classification and Compensation Act, or its successor, or this
4 act for the appropriate classification.

5
6 SECTION 10. APPROPRIATION - REGIONAL FACILITIES OPERATIONS ACCOUNT. There
7 is hereby appropriated, to the Department of Correction, to be payable from
8 cash funds as defined by Arkansas Code 19-4-801 of the Department of
9 Correction, for debt service of the Department of Correction - Regional
10 Facilities Operations Account for the fiscal year ending June 30, 2010, the
11 following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2009-2010</u>
(01) DEBT SERVICE	<u>\$ 800,000</u>

12
13
14
15
16
17 SECTION 11. APPROPRIATION - PRISONER HOUSING CONTRACT ACCOUNT. There is
18 hereby appropriated, to the Department of Correction, to be payable from cash
19 funds as defined by Arkansas Code 19-4-801 of the Department of Correction,
20 for debt service of the Department of Correction - Prisoner Housing Contract
21 Account for the fiscal year ending June 30, 2010, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2009-2010</u>
(01) DEBT SERVICE	<u>\$ 200,000</u>

22
23
24
25
26
27 SECTION 12. APPROPRIATION - CONSTRUCTION FUND DEFICIENCY ACCOUNT. There
28 is hereby appropriated, to the Department of Correction, to be payable from
29 cash funds as defined by Arkansas Code 19-4-801 of the Department of
30 Correction, for debt service of the Department of Correction - Construction
31 Fund Deficiency Account for the fiscal year ending June 30, 2010, the
32 following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2009-2010</u>
(01) DEBT SERVICE	<u>\$ 500,000</u>

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

SECTION 13. APPROPRIATION - NON-TAX REVENUE RECEIPTS PROGRAM. There is hereby appropriated, to the Department of Correction, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for operating expenses of the Department of Correction - Non-Tax Revenue Receipts Program for the fiscal year ending June 30, 2010, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2009-2010</u>
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$ 2,903,750
(B) CONF. & TRAVEL	0
(C) PROF. FEES	213,151
(D) CAP. OUTLAY	400,000
(E) DATA PROC.	0
(02) CONSTRUCTION	<u>2,255,725</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 5,772,626</u>

SECTION 14. APPROPRIATION - FEDERAL PROGRAMS. There is hereby appropriated, to the Department of Correction, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Department of Correction - Federal Programs for the fiscal year ending June 30, 2010, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2009-2010</u>
(01) REGULAR SALARIES	\$ 41,877
(02) PERSONAL SERVICES MATCHING	13,623
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	0
(B) CONF. & TRAVEL	0
(C) PROF. FEES	197,705
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 253,205</u>

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

SECTION 15. APPROPRIATION - COUNTY JAIL REIMBURSEMENT. There is hereby appropriated, to the Department of Correction, to be payable from the County Jail Reimbursement Fund, for reimbursement to counties housing state inmates of the Department of Correction - County Jail Reimbursement for the fiscal year ending June 30, 2010, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2009-2010</u>
(01) REIMBURSEMENTS TO COUNTIES HOUSING STATE INMATES	\$ <u>7,500,035</u>

SECTION 16. APPROPRIATION - UAMS JUVENILE ASSESSMENT. There is hereby appropriated, to the Department of Correction, to be payable from the Sex and Child Offenders Registration Fund, for operating expenses of the Department of Correction - UAMS Juvenile Assessment for the fiscal year ending June 30, 2010, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2009-2010</u>
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$ 25,000
(B) CONF. & TRAVEL	0
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	\$ <u>25,000</u>

SECTION 17. APPROPRIATION - FIRE STATION - PROTECTION. There is hereby appropriated, to the Department of Correction, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for construction of the Department of Correction - Fire Station - Protection for the fiscal year ending June 30, 2010, the following:

ITEM	FISCAL YEAR
------	-------------

1	NO.	2009-2010
2	(01) CONSTRUCTION	\$ <u>50,000</u>

3

4 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REGULAR
 6 SALARIES - CONTINGENT POSITIONS. There is hereby established for the
 7 Department of Correction - Contingent Positions for the ~~2007-2009 biennium~~
 8 2009-2010 fiscal year, the following maximum number of regular employees
 9 whose salaries shall be governed by the provisions of the Uniform
 10 Classification and Compensation Act (Arkansas Code 21-5-201 et seq.), or its
 11 successor, and all laws amendatory thereto. Provided, however, that any
 12 position to which a specific maximum annual salary is set out herein in
 13 dollars, shall be exempt from the provisions of said Uniform Classification
 14 and Compensation Act. All persons occupying positions authorized herein are
 15 hereby governed by the provisions of the Regular Salaries Procedures and
 16 Restrictions Act (Arkansas Code 21-5-101), or its successor.

17 CONTINGENT POSITIONS - MEDICAL SERVICES

18 ~~GEN ADMIN - NON CLASSIFIED POSITIONS~~

19					MAXIMUM ANNUAL
20	ITEM	CLASS		MAXIMUM	SALARY RATE
21	NO.	CODE	TITLE	NO. OF	FISCAL YEARS
22				EMPLOYEES	2007-08 2008-09 <u>2009-2010</u>
23	(01)		CORR PSYCHIATRIST	6	180,000 183,600
24	(02)		COR CHIEF OF MED SVCS	1	161,714 164,949
25	<u>(01)</u>		<u>CHIEF OF MEDICAL SERVICES</u>	<u>1</u>	<u>225,000</u>
26	(03)		COR CHIEF OF DENTAL SVCS	1	148,247 151,212
27	<u>(02)</u>		<u>CHIEF OF DENTAL SERVICES</u>	<u>1</u>	<u>175,000</u>
28	(04)		COR CHIEF OF PHARM SVCS	1	104,918 107,016
29	<u>(03)</u>		<u>CHIEF OF PHARMACY</u>	<u>1</u>	<u>125,000</u>
30	(05)		COR HEALTH SVCS ADM	1	102,333 104,380
31	<u>(04)</u>		<u>HEALTH SERVICES ADMIN</u>	<u>1</u>	<u>110,000</u>
32	(06)		PHYSICIAN SPECIALIST	5	133,966 136,676
33	<u>(05)</u>		<u>PHYSICIANS SPECIALIST</u>	<u>6</u>	<u>170,000</u>
34	(07)		COR ASST HEALTH SVCS ADM	3	88,933 90,712
35	<u>(06)</u>		<u>ASST HEALTH SERVICES ADMN</u>	<u>3</u>	<u>90,000</u>
36	(08)		COR CHIEF OF NURSING SVCS	1	92,773 94,628

1	<u>(07)</u>	<u>CHIEF OF NURSING SERVICES</u>	<u>1</u>	<u>90,000</u>
2	(09)	COR DIR OF MED RECORDS	1	89,355 91,142
3	<u>(08)</u>	<u>RNP/PA</u>	<u>13</u>	<u>85,000</u>
4	<u>(09)</u>	<u>DIR OF MEDICAL RECORDS</u>	<u>1</u>	<u>75,000</u>
5	(10)	COR MED SVC SPEC	8	76,167 77,690
6	<u>(10)</u>	<u>UNIT/FACILITY MEDICAL MGR</u>	<u>11</u>	<u>70,000</u>
7	(11)	COR UNIT/FACILITY MED MGR	11	74,649 76,142
8	<u>(11)</u>	<u>MEDICAL SERVICES SPECIALIST</u>	<u>8</u>	<u>65,000</u>
9	(12)	COR UNIT/FACILITY MED SUPV	7	57,006 58,146
10	<u>(12)</u>	<u>UNIT/FACILITY MEDICAL SUPV</u>	<u>7</u>	<u>60,000</u>

11

12 PATIENT CARE — ~~NON CLASSIFIED POSITIONS~~

13	MAXIMUM ANNUAL			
14	ITEM	CLASS	MAXIMUM	SALARY RATE
15	NO.	CODE	TITLE	NO. OF FISCAL YEARS
16	EMPLOYEES			2007 08 2008 09
17	(13)	6603	COR STAFF PHYSICIAN	17 148,246 151,211
18	<u>(13)</u>	<u>L008N</u>	<u>PHYSICIAN SPECIALIST</u>	<u>17 GRADE N917</u>
19	(14)	6601	COR STAFF DENTIST	15 117,342 119,689
20	<u>(14)</u>	<u>L011N</u>	<u>DENTIST</u>	<u>15 GRADE N916</u>
21	(15)		COR STAFF PHARM	3 102,791 104,847
22	<u>(15)</u>	<u>L016N</u>	<u>REGISTERED PHARMACIST</u>	<u>3 GRADE N911</u>
23	(16)		COR HEAD NURSE HOSPITAL	1 82,201 83,845
24	<u>(16)</u>	<u>L019C</u>	<u>REGISTERED NURSE COORDIN</u>	<u>1 GRADE C123</u>
25	(17)		COR REGISTERED NURSE SUPV	41 78,214 79,778
26	<u>(17)</u>	<u>L027C</u>	<u>REGISTERED NURSE SUPV</u>	<u>41 GRADE C122</u>
27	(18)		COR NURSE PRAC/PHYS. ASST	13 76,167 77,690
28	(19)		COR LICENSED PRAC NURSE	172 51,102 52,124
29	<u>(18)</u>	<u>L069C</u>	<u>LICENSED PRACTICAL NURSE</u>	<u>172 GRADE C113</u>
30	(20)		COR LABORATORY SPECIALIST	5 43,957 44,837
31	<u>(19)</u>	<u>B111C</u>	<u>LABORATORY TECHNICIAN</u>	<u>5 GRADE C110</u>
32	(21)		COR RADIOLOGY SPECIALIST	5 43,341 44,208
33	<u>(20)</u>	<u>L064C</u>	<u>RADIOLOGY TECHNICIAN</u>	<u>5 GRADE C114</u>

34

35 PATIENT CARE - CLASSIFIED POSITIONS

36	<u>(21)</u>	<u>L001C</u>	<u>PSYCHOLOGIST SUPERVISOR</u>	<u>2 GRADE C129</u>
----	-------------	--------------	--------------------------------	---------------------

1	(22) <u>L124</u>	PSYCHOLOGIST	10	GRADE 25
2	<u>(22)</u> <u>L003C</u>	<u>PSYCHOLOGIST</u>	<u>12</u>	<u>GRADE C127</u>
3	(23) <u>904Z</u>	REHABILITATION PROG. ADMIN.	7	GRADE 22
4	<u>(23)</u> <u>L033C</u>	<u>PSYCHOLOGIST EXAMINER</u>	<u>7</u>	<u>GRADE C121</u>
5	(24) <u>L122</u>	PSYCH. EXAMINER II	12	GRADE 21
6	<u>(24)</u> <u>G121C</u>	<u>REHAB PROGRAM MANAGER</u>	<u>9</u>	<u>GRADE C120</u>
7	(25) <u>M088</u>	SOCIAL WORKER II	10	GRADE 20
8	(26) <u>M045</u>	COR. REHAB FACILITY SUPER	2	GRADE 20
9	(27) <u>M086</u>	SOCIAL WORKER I	4	GRADE 19
10	(28) <u>M107</u>	COR COUNSELOR PRO LDR	15	GRADE 19
11	(29) <u>M105</u>	COR COUNSELOR	28	GRADE 18
12	(30) <u>R010</u>	ADMINISTRATIVE ASST II	4	GRADE 17
13	(31) <u>L026</u>	DENTAL HYGIENIST	8	GRADE 16
14	(32) <u>W015</u>	MEDICAL RECORDS TECH	24	GRADE 15
15	(33) <u>K041</u>	EXECUTIVE SECRETARY	4	GRADE 14
16	(34) <u>K117</u>	MEDICAL SECRETARY	15	GRADE 14
17	(35) <u>K153</u>	SECRETARY II	2	GRADE 13
18	(36) <u>K155</u>	SECRETARY I	8	GRADE 11
19	(37) <u>L025</u>	DENTAL ASSISTANT	12	GRADE 11
20	<u>(25)</u> <u>L038C</u>	<u>REGISTERED NURSE</u>	<u>3</u>	<u>GRADE C120</u>
21	<u>(26)</u> <u>M020C</u>	<u>LICENSED PROF COUNSELOR</u>	<u>82</u>	<u>GRADE C119</u>
22	<u>(27)</u> <u>M026C</u>	<u>LICENSED SOCIAL WORKER</u>	<u>21</u>	<u>GRADE C118</u>
23	<u>(28)</u> <u>M046C</u>	<u>ADC/DCC TREATMENT COORD</u>	<u>4</u>	<u>GRADE C117</u>
24	<u>(29)</u> <u>M048C</u>	<u>SUBSTANCE ABUSE PRGM LDR</u>	<u>37</u>	<u>GRADE C116</u>
25	<u>(30)</u> <u>C037C</u>	<u>ADMINISTRATIVE ANALYST</u>	<u>2</u>	<u>GRADE C115</u>
26	<u>(31)</u> <u>L071C</u>	<u>DENTAL HYGIENIST</u>	<u>8</u>	<u>GRADE C113</u>
27	<u>(32)</u> <u>C053C</u>	<u>MEDICAL RECORDS TECH</u>	<u>24</u>	<u>GRADE C112</u>
28	<u>(33)</u> <u>C056C</u>	<u>ADMINISTRATIVE SPEC III</u>	<u>23</u>	<u>GRADE C112</u>
29	<u>(34)</u> <u>C073C</u>	<u>ADMINISTRATIVE SPEC II</u>	<u>4</u>	<u>GRADE C109</u>
30	<u>(35)</u> <u>L081C</u>	<u>DENTAL ASSISTANT</u>	<u>12</u>	<u>GRADE C109</u>
31	<u>(36)</u> <u>C087C</u>	<u>ADMINISTRATIVE SPEC I</u>	<u>11</u>	<u>GRADE C106</u>
32				
33	CLASSIFIED - NON-PATIENT CARE			
34	(38) <u>(37)</u>	<u>BUYERS BUYER</u>	<u>2</u>	<u>GRADE 18C116</u>
35	(39) <u>(38)</u>	<u>PURCHASING ASSISTANT</u>	<u>1</u>	<u>GRADE 15C106</u>
36	(40) <u>(39)</u>	<u>ACCOUNTING TECH</u>	<u>4</u>	<u>GRADE 15C109</u>

1	(41) (40)	ACCOUNTANT I	1	GRADE 18 C116
2	(42)	PERS TRNG OFF	1	GRADE 18
3	(41)	INSTITUTIONAL HR COORDINATOR	1	GRADE C115
4	(43)	PERS OFFICER II	1	GRADE 17
5	(42)	HR SPECIALIST	1	GRADE C113
6	(44)	PAYROLL OFFICER	3	GRADE 15
7	(43)	ADC INMATE GRIEVANCE COORD	3	GRADE C114
8	(45)	PC SUPPORT	1	GRADE 18
9	(44)	COMPUTER SUPPORT TECH	1	GRADE C115
10	GRAND TOTAL CONTINGENT EMPLOYEES		497 588	

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

14 The provisions of this section shall be in effect only from July 1, ~~2007~~
 15 2009 through June 30, ~~2009~~ 2010.

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

33 The provisions of this section shall be in effect only from July 1, ~~2007~~
 34 2009 through June 30, ~~2009~~ 2010.

35
 36 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY
2 REIMBURSEMENT RATE RESTRICTION. Notwithstanding any other provision of law or
3 departmental commitment which may exist to the contrary, the Board of
4 Corrections shall not increase any reimbursement rate for payments made to
5 any county for the purpose of reimbursing the expenses of the care and
6 custody of state inmates, without first seeking and receiving the approval of
7 the Governor and the Chief Fiscal Officer of the State.

8 The provisions of this section shall be in effect only from July 1, ~~2007~~
9 2009 through June 30, ~~2009~~ 2010.

10
11 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY
13 JAIL REIMBURSEMENT. In the event the Department of Correction cannot accept
14 inmates from county jails due to insufficient bed space, the Department shall
15 reimburse the counties at a rate determined by the Chief Fiscal Officer of
16 the State, after consultation with the Division of Legislative Audit and the
17 Department of Correction, and upon approval by the Governor, until the
18 appropriation and funding for such purpose, is exhausted. The reimbursement
19 rate shall include the county's cost of transporting the inmates to the
20 department. The appropriation provided by Item (06) of Section 3 may be used
21 for contracts with county jails for pre release inmates.

22 The provisions of this section shall be in effect only from July 1, ~~2007~~
23 2009 through June 30, ~~2009~~ 2010.

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

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, ~~2007~~
17 2009 through June 30, ~~2009~~ 2010.

18

19 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
21 REALLOCATION OF RESOURCES. Upon determination by the Board of Corrections
22 that a reallocation of resources within the Department of Community
23 Correction and Department of Correction is necessary for the efficient and
24 effective operation of the departments, the Board, with approval of the
25 Governor and approval by the Arkansas Legislative Council or Joint Budget
26 Committee, shall have the authority to instruct the department directors, to
27 request from the Chief Fiscal Officer of the State, a transfer of positions,
28 programs, funds, appropriations, and line-item appropriations within or
29 between existing and newly created divisions, offices, sections, or units of
30 the departments. If it is determined that the requested transfer should be
31 made, the Chief Fiscal Officer of the State shall then initiate the necessary
32 transfer documents to reflect the transfers upon the fiscal records of the
33 State Treasurer, the State Auditor, the Chief Fiscal Officer of the State,
34 and the Departments of Correction and Community Correction. Provided,
35 however, that the Board shall be limited to submitting no more than ~~four~~ two
36 requests, encompassing a single purpose listed in this section, ~~for~~

1 ~~Reallocation of Resources Transfer requests~~ during any fiscal year per
2 department. Transfer authority shall further be limited to no more than five
3 percent (5%) of the total General Revenue and Special Revenue appropriation,
4 funding, and positions specific to each agency. However, there shall be no
5 transfers to or from the County Jail Reimbursement Fund. A Reallocation of
6 Resources Transfer shall be limited to 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, ~~2007~~
34 2009 through June 30, ~~2009~~ 2010.

35
36 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HOLIDAY
 2 COMPENSATION. The Department of Correction is authorized to pay employees for
 3 up to one-hundred fifty (150) hours of unused holidays exceeding a balance in
 4 the employee's holiday account of ninety-six (96) hours following the end of
 5 the calendar year. Payments of unused Holiday hours must be processed on or
 6 before June 1st in each fiscal year. Employees terminating employment from
 7 the Department of Correction will be eligible for all holiday pay accrued
 8 during the years of service. This request is contingent on approval by the
 9 Chief Fiscal Officer of the State after the Director of the Department of
 10 Correction has verified that sufficient revenues are available to make such
 11 payments to employees who have served in the following classifications:

12 Class

13 Code	Title	Grade
14 T003	GP/COR Officer	16
15 H029	GP/COR Food Prod Mgr I	17
16 T005	GP/COR Officer II	18
17 H030	GP/COR Food Production Mgr II	19
18 T010	GP/COR Sergeant	19
19 T006	GP/COR Officer III	20
20 T008	GP/COR Officer IV	21
21 T014	Chief Security Officer	22
22 <u>T033C</u>	<u>ADC/DCC MAJOR</u>	<u>GRADE C120</u>
23 <u>T048C</u>	<u>ADC/DCC CAPTAIN</u>	<u>GRADE C118</u>
24 <u>T054C</u>	<u>ADC/DCC LIEUTENANT</u>	<u>GRADE C117</u>
25 <u>T065C</u>	<u>ADC/DCC CORRECTIONAL SERGEANT</u>	<u>GRADE C115</u>
26 <u>S044C</u>	<u>FOOD PREPARATION MANAGER</u>	<u>GRADE C114</u>
27 <u>T075C</u>	<u>ADC/DCC CORPORAL</u>	<u>GRADE C113</u>
28 <u>T083C</u>	<u>ADC/DCC CORRECTIONAL OFFICER I</u>	<u>GRADE C112</u>
29 <u>S056C</u>	<u>FOOD PREPARATION SUPERVISOR</u>	<u>GRADE C111</u>

30 The provisions of this section shall be in effect only from July 1, ~~2007~~
 31 2009 through June 30, ~~2009~~ 2010.

32

33 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. UAMS
 35 FAMILY TREATMENT PROGRAM. The Arkansas Department of Correction is
 36 authorized to enter into a cooperative agreement with the UAMS Family

1 Treatment Program to conduct assessments of juvenile sex or child offenders
2 as required by provisions of ACA 12-12-901 et. seq. and pay for services upon
3 receipt of invoice.

4 The provisions of this section shall be in effect only from July 1, ~~2007~~
5 2009 through June 30, ~~2009~~ 2010.

6
7 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. INMATE
9 COST REPORTING – STATE FACILITIES.

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

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

21 (1) Record all expenditures in a manner that provides for the
22 association of costs with each facility. Costs not directly attributable
23 to a particular facility (overhead, administration, treatment, etc.) shall
24 be allocated to each facility on the basis of inmate population.

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

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

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

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

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

36 (7) Include the state matching requirements associated with federal

1 grant expenditures. Documentation shall be maintained sufficient to
2 identify such costs by grant.

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

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

8 (A) ADC expenses incurred through fund transfers;

9 (B) Retirement costs;

10 (C) Audit costs;

11 (D) ADC cost for shared employees paid by another state
12 governmental entity;

13 (E) Inmate educational and rehabilitation costs;

14 (F) Inmate related expenses incurred by the Attorney General;

15 however; expenses shall not include costs of defending Habeas
16 Corpus cases.

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

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

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

27 (3) Maintain documentation supporting the number of inmates housed at
28 ADC facilities.

29
30 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY
32 JAIL REIMBURSEMENT FUND YEAR-END FUND BALANCE CARRY FORWARD. Notwithstanding
33 any law pertaining to the transfer of year-end fund balances or any law to
34 the contrary, any funds which remain in the County Jail Reimbursement Fund at
35 the end of a fiscal year shall remain in the County Jail Reimbursement Fund
36 and made available to fund appropriations authorized by law payable from the

1 County Jail Reimbursement Fund for the following fiscal year.

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

4 (1) Prior to June 30, ~~2008~~ 2010 the Agency shall by written statement set
5 forth its reason(s) for the need to carry forward said ~~appropriation and/or~~
6 funding to the Department of Finance and Administration Office of Budget;

7 (2) The Department of Finance and Administration Office of Budget shall
8 report to the Arkansas Legislative Council all amounts carried forward from
9 the first fiscal year of the biennium to the second fiscal year of the
10 biennium by the September Arkansas Legislative Council or Joint Budget
11 Committee meeting in the second fiscal year of the biennial period which
12 report shall include the name of the Agency, Board, Commission or Institution
13 and the amount of the ~~appropriation and/or~~ funding carried forward from the
14 first fiscal year to the second fiscal year, the program name or line item,
15 the funding source of that appropriation and a copy of the written request
16 set forth in (1) above;

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

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

29
30 SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REFUND TO
32 EXPENDITURE. The proceeds from the sale of feeder cattle by the Department
33 of Correction shall be deposited into the State Treasury as a refund to
34 expenditure to the credit of the appropriation available to the Department of
35 Correction for the "Purchase Cattle/Meat" line item.

36 The provisions of this section shall be in effect only from July 1, ~~2007~~

1 2009 through July 1, ~~2009~~ 2010.

2

3 SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. USE OF
5 MAINTENANCE AND OPERATION APPROPRIATION AND SALVAGED MATERIALS CONSTRUCTION.
6 The Department of Correction is hereby authorized to utilize Maintenance and
7 General Operation Appropriation in conjunction with surplus and/or
8 salvageable materials for the purpose of implementing construction projects
9 to benefit the Department and its various programs. Before such projects may
10 be undertaken, a Method of Finance must be submitted for prior review and
11 approval by the Arkansas Legislative Council or Joint Budget Committee, and
12 review and approval by the Department of Finance and Administration and the
13 Arkansas ~~State Building Services~~ Authority.

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, ~~2007~~
31 2009 through June 30, ~~2009~~ 2010.

32

33 SECTION 30. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. UTILITY
35 RATE INCREASE TRANSFER. In the event of a ten percent (10%) increase in
36 utility rates and fuel rates, the Department of Correction is authorized to

1 transfer any line item appropriation in this Act to the Maintenance and
2 Operation line item for support of the increase after receiving approval of
3 the Chief Fiscal Officer of the State. Prior to the utilization of the
4 transfer authority, a report shall be made to the Arkansas Legislative
5 Council or Joint Budget Committee including justification for the transfer
6 and the amount of the transfer.

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, ~~2007~~
24 2009 through June 30, ~~2009~~ 2010.

25
26 SECTION 31. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MENTAL
28 HEALTH SERVICES. In the event the Department determines to enter into a
29 professional contract for mental health services, the Department may, upon
30 approval of the Chief Fiscal Officer of the State and after prior review and
31 approval by the Arkansas Legislative Council or Joint Budget Committee, make
32 appropriate transfers from regular salaries, personal services matching and
33 various maintenance and operation classifications to the professional fees
34 and services classification for payment of the contractual amount.
35 Determining the maximum number of employees and the maximum amount of
36 appropriation and general revenue funding for a state agency each fiscal year

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

15 The provisions of this section shall be in effect only from July 1, ~~2007~~
16 2009 through June 30, ~~2009~~ 2010.

17

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

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

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

6 The provisions of this section shall be in effect only from July 1, 2007
7 2009 through June 30, ~~2009~~ 2010.

8

9 SECTION 33. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. NEW
11 FACILITIES. If it is found that contracting for the operation of new
12 facilities is economically beneficial to the State of Arkansas, the
13 Department of Correction may, after receiving approval of the Chief Fiscal
14 Officer, and seeking prior review and approval by the Arkansas Legislative
15 Council or Joint Budget Committee, transfer from any line item appropriation
16 contained in Section 3 of this Act into the Professional Fees and Services
17 line item contained in Section 3 of this Act to operate new facilities ~~opened~~
18 ~~during the biennium.~~

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, 2007
36 2009 through June 30, ~~2009~~ 2010.

1
2 SECTION 34. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
3 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

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

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

27 The provisions of this section shall be in effect only from July 1, ~~2007~~
28 2009 through June 30, ~~2009~~ 2010.

29
30 SECTION 35. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FOOD
32 SERVICE CONTRACT. In the event the Department is able to contract with a
33 private provider for food services at a unit(s), transfers may be made from
34 Regular Salaries, Personal Services Matching, and Maintenance and Operations
35 line items to Professional Fees and Services upon approval by the Chief
36 Fiscal Officer of the State and after receiving prior review and approval by

1 the Legislative Council or Joint Budget Committee.

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

18 The provisions of this section shall be in effect only from July 1, ~~2007~~
19 2009 through June 30, ~~2009~~ 2010.

20
21 SECTION 36. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY
23 JAIL INVOICE SUMMARY. The Departments of Correction and Community
24 Correction, shall at a minimum and on a fiscal year basis, prepare and post
25 on the applicable agency web site, a monthly summary of county jail
26 reimbursement invoices prepared and forwarded to each county sheriff for
27 verification by the Departments and for payment from the County Jail
28 Reimbursement Fund. In addition, the report shall include a summary of
29 invoices returned by each county for payment for previous months within the
30 fiscal year, the amounts paid, and any balances owed. Each fiscal year-end
31 report shall be maintained on the web sites for a period of no less than
32 three (3) years.

33
34 SECTION 37. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MOTOR
36 VEHICLE PURCHASE PROVISION. The Department of Correction is hereby

1 authorized to purchase motor vehicles as may be approved for the purpose of
2 equipping new bed additions at the various institutions from the
3 appropriations authorized for Capital Outlay in Section 3 of this Act.

4 The provisions of this section shall be in effect only from July 1, ~~2007~~
5 2009 through June 30, ~~2009~~ 2010.

6
7 SECTION 38. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
9 OF APPROPRIATION AND FUNDS TO THE COUNTY JAIL REIMBURSEMENT FUND. If any
10 savings of general revenue appropriation and funds accrue during the ~~2007-~~
11 ~~2009 biennium~~ 2009-2010 fiscal year in the operations of the Department of
12 Correction, the Director of the Department of Correction may request a
13 transfer of appropriation and funds from any line item appropriation in the
14 Inmate Care and Custody Fund Account to the County Jail Reimbursement Fund in
15 order to meet obligations to counties for housing state inmates. Such
16 transfer request shall be made upon the approval of the Chief Fiscal Officer
17 of the State and prior review and approval by the Arkansas Legislative
18 Council or Joint Budget Committee.

19 The provisions of this section shall be in effect only from July 1, ~~2007~~
20 2009 through June 30, ~~2009~~ 2010.

21
22 SECTION 39. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
23 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LOCAL
24 GOVERNMENT INMATE COST REPORT. Each calendar year, the Association of
25 Arkansas Counties shall compile and submit a report to the Arkansas
26 Legislative Council, of all costs incurred, excluding construction costs, by
27 local government units housing inmates sentenced to the Department of
28 Correction and Department of Community Correction. The cost report shall be
29 a representative sample of all counties housing and caring for state inmates.
30 The report shall be submitted no later than July 1 of the calendar year
31 immediately following the reporting year.
32 The Association of Arkansas Counties in coordination with Legislative Audit
33 shall determine which counties will be included in the sample and shall
34 include a sufficient number of counties from each classification based upon
35 population and each congressional district to ensure a fair representation of
36 costs incurred. Guidelines for preparing this cost report shall be developed

1 by the Division of Legislative Audit in coordination with the Association of
2 Arkansas Counties. The Division of Legislative Audit shall test the accuracy
3 of the information submitted during the routine audit of the applicable
4 county.

5 The provisions of this section shall be in effect only from July 1, 2009
6 through June 30, 2010.

7
8 SECTION 40. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
9 by this act shall be limited to the appropriation for such agency and funds
10 made available by law for the support of such appropriations; and the
11 restrictions of the State Procurement Law, the General Accounting and
12 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
13 Procedures and Restrictions Act, or their successors, and other fiscal
14 control laws of this State, where applicable, and regulations promulgated by
15 the Department of Finance and Administration, as authorized by law, shall be
16 strictly complied with in disbursement of said funds.

17
18 SECTION 41. LEGISLATIVE INTENT. It is the intent of the General Assembly
19 that any funds disbursed under the authority of the appropriations contained
20 in this act shall be in compliance with the stated reasons for which this act
21 was adopted, as evidenced by the Agency Requests, Executive Recommendations
22 and Legislative Recommendations contained in the budget manuals prepared by
23 the Department of Finance and Administration, letters, or summarized oral
24 testimony in the official minutes of the Arkansas Legislative Council or
25 Joint Budget Committee which relate to its passage and adoption.

26
27 SECTION 42. EMERGENCY CLAUSE. It is found and determined by the General
28 Assembly, that the Constitution of the State of Arkansas prohibits the
29 appropriation of funds for more than a one (1) year period; that the
30 effectiveness of this Act on July 1, 2009 is essential to the operation of
31 the agency for which the appropriations in this Act are provided, and that in
32 the event of an extension of the Regular Session, the delay in the effective
33 date of this Act beyond July 1, 2009 could work irreparable harm upon the
34 proper administration and provision of essential governmental programs.
35 Therefore, an emergency is hereby declared to exist and this Act being
36 necessary for the immediate preservation of the public peace, health and

1 safety shall be in full force and effect from and after July 1, 2009.

2

3

/s/ Joint Budget Committee

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36