

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

A Bill

HOUSE BILL 1401

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
9 SERVICES AND OPERATING EXPENSES FOR THE
10 DEPARTMENT OF CORRECTION FOR THE FISCAL YEAR
11 ENDING JUNE 30, 2012; AND FOR OTHER PURPOSES.
12
13

Subtitle

14 AN ACT FOR THE DEPARTMENT OF CORRECTION
15 APPROPRIATION FOR THE 2011-2012 FISCAL
16 YEAR.
17
18
19

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

22 SECTION 1. REGULAR SALARIES. There is hereby established for the
23 Department of Correction for the 2011-2012 fiscal year, the following maximum
24 number of regular employees.
25

26				Maximum Annual
27				Salary Rate
28	Item	Class	Maximum	Fiscal Year
29	No.	Code	No. of	2011-2012
		Title	Employees	
30	(1)	U035U	ADC DIRECTOR	1 \$141,287
31	(2)	U062U	ADC CHIEF DEPUTY DIRECTOR	1 \$110,587
32	(3)	N039N	ADC DEPUTY DIRECTOR	3 GRADE N909
33	(4)	N048N	ADC ASSISTANT DIRECTOR	3 GRADE N908
34	(5)	T001N	ADC SUPERINTENDENT	7 GRADE N906
35	(6)	G014N	ADC COMPLIANCE ATTORNEY	1 GRADE N904
36	(7)	N120N	ADC FARM ADMINISTRATOR	1 GRADE N904



1	(8)	N119N	ADC INDUSTRY ADMINISTRATOR	1	GRADE N904
2	(9)	N136N	ADC HEALTH SERVICE ADMINISTRATOR	2	GRADE N903
3	(10)	G024N	ADC GENERAL COUNSEL	1	GRADE N902
4	(11)	P003N	ADC PUBLIC INFORMATION OFFICER	1	GRADE N901
5	(12)	L001C	PSYCHOLOGIST SUPERVISOR	3	GRADE C129
6	(13)	L097C	ADC PSYCHOLOGIST	13	GRADE C128
7	(14)	A010C	AGENCY CONTROLLER II	1	GRADE C128
8	(15)	D007C	INFORMATION SYSTEMS MANAGER	2	GRADE C128
9	(16)	T006C	ADC HEAD FARM MANAGER II	3	GRADE C127
10	(17)	T005C	ADC/DCC CORRECTIONAL WARDEN	6	GRADE C127
11	(18)	G025C	ATTORNEY SUPERVISOR	1	GRADE C127
12	(19)	A021C	AGENCY CONTROLLER I	1	GRADE C126
13	(20)	G047C	ATTORNEY SPECIALIST	2	GRADE C126
14	(21)	R006C	HUMAN RESOURCES ADMINISTRATOR	1	GRADE C126
15	(22)	S094C	ADC CONSTRUCTION/MAINTENANCE COORD	3	GRADE C124
16	(23)	T015C	ADC/DCC DEPUTY WARDEN	21	GRADE C124
17	(24)	D030C	INFORMATION SYSTEMS COORDINATOR	1	GRADE C124
18	(25)	R013C	AGENCY HUMAN RESOURCES MANAGER	1	GRADE C123
19	(26)	A038C	FISCAL SUPPORT MANAGER	2	GRADE C123
20	(27)	D038C	SENIOR SOFTWARE SUPPORT ANALYST	2	GRADE C123
21	(28)	T021C	ADC HEAD FARM MANAGER I	1	GRADE C122
22	(29)	D046C	STATE PRODUCTION CONTROL SUPERVISOR	1	GRADE C122
23	(30)	B040C	ADC AGRI PRODUCTION SUPERVISOR	1	GRADE C121
24	(31)	G222C	ADC/DCC INTERNAL AFFAIRS ADMIN	1	GRADE C121
25	(32)	T027C	ADC/DCC TRAINING ADMINISTRATOR	1	GRADE C121
26	(33)	A050C	AGENCY FISCAL MANAGER	1	GRADE C121
27	(34)	B042C	ENGINEER	1	GRADE C121
28	(35)	M009C	LICENSED CERTIFIED SOCIAL WORKER	19	GRADE C121
29	(36)	L033C	PSYCHOLOGICAL EXAMINER	6	GRADE C121
30	(37)	D052C	SOFTWARE SUPPORT ANALYST	5	GRADE C121
31	(38)	L041C	ADC ASST MEDICAL PROGRAM MANAGER	1	GRADE C120
32	(39)	G142C	ADC CLASSIFICATION ADMINISTRATOR	1	GRADE C120
33	(40)	G141C	ADC INDUSTRY ASSISTANT ADMR	2	GRADE C120
34	(41)	T033C	ADC/DCC MAJOR	25	GRADE C120
35	(42)	M088C	LICENSED MASTER SOCIAL WORKER	4	GRADE C120
36	(43)	L038C	REGISTERED NURSE	1	GRADE C120

1	(44)	G121C	REHAB PROGRAM MANAGER	9	GRADE C120
2	(45)	T028C	SOSRA PROGRAM ADMINISTRATOR	1	GRADE C120
3	(46)	T040C	ADC ASSISTANT HEAD FARM MANAGER	4	GRADE C119
4	(47)	S011C	ADC COMMODITY & FOOD SVC ADMR	1	GRADE C119
5	(48)	S095C	ADC CONSTRUCTION PROJECT SPECIALIST	8	GRADE C119
6	(49)	S096C	ADC CONSTRUCTION PROJECT SUPERVISOR	14	GRADE C119
7	(50)	S010C	ADC INDUSTRY PROGRAM MANAGER	6	GRADE C119
8	(51)	T039C	ADC INMATE TRANSPORTATION COORD	1	GRADE C119
9	(52)	T038C	ADC TRAINING ACADEMY SUPERVISOR	1	GRADE C119
10	(53)	R021C	BUDGET ANALYST	1	GRADE C119
11	(54)	A066C	INTERNAL AUDITOR	1	GRADE C119
12	(55)	M020C	LICENSED PROFESSIONAL COUNSELOR	74	GRADE C119
13	(56)	V007C	PROCUREMENT COORDINATOR	1	GRADE C119
14	(57)	A060C	SENIOR AUDITOR	1	GRADE C119
15	(58)	T034C	WORK RELEASE CENTER SUPERVISOR	3	GRADE C119
16	(59)	T048C	ADC/DCC CAPTAIN	46	GRADE C118
17	(60)	M031C	ADMINISTRATOR OF CHAPLAINCY SVCS	1	GRADE C118
18	(61)	R024C	ASSISTANT PERSONNEL MANAGER	2	GRADE C118
19	(62)	C010C	EXECUTIVE ASSISTANT TO THE DIRECTOR	2	GRADE C118
20	(63)	A074C	FISCAL SUPPORT SUPERVISOR	4	GRADE C118
21	(64)	M026C	LICENSED SOCIAL WORKER	1	GRADE C118
22	(65)	M023C	SUBSTANCE ABUSE PROGRAM COORD	4	GRADE C118
23	(66)	T041C	WORK RELEASE PROGRAM SUPERVISOR	3	GRADE C118
24	(67)	T054C	ADC/DCC LIEUTENANT	146	GRADE C117
25	(68)	T053C	AGRICULTURE UNIT SUPERVISOR II	29	GRADE C117
26	(69)	M044C	ASSOCIATE PROFESSIONAL COUNSELOR	13	GRADE C117
27	(70)	D071C	COMPUTER SUPPORT ANALYST	4	GRADE C117
28	(71)	S019C	DIRECTOR MAINTENANCE	10	GRADE C117
29	(72)	G178C	POLICY DEVELOPMENT COORDINATOR	1	GRADE C117
30	(73)	L052C	REHAB FACILITY SUPERVISOR	6	GRADE C117
31	(74)	E041C	SENIOR LIBRARIAN	1	GRADE C117
32	(75)	S016C	SKILLED TRADES FOREMAN	1	GRADE C117
33	(76)	S027C	ADC INDUSTRIAL SUPERVISOR II	23	GRADE C116
34	(77)	X133C	ADC/DCC INTERNAL AFFAIRS INVEST	9	GRADE C116
35	(78)	S026C	ADC/DCC ASST MAINTENANCE SUPERVISOR	14	GRADE C116
36	(79)	T059C	ADC/DCC FOOD PREPARATION MANAGER	18	GRADE C116

1	(80)	C024C	ADC/DCC RECORDS SUPERVISOR	20	GRADE C116
2	(81)	T058C	AGRICULTURE UNIT SUPERVISOR I	3	GRADE C116
3	(82)	C022C	BUSINESS OPERATIONS SPECIALIST	17	GRADE C116
4	(83)	V014C	BUYER	2	GRADE C116
5	(84)	G200C	CLASSIFICATION & ASSIGNMENT OFFICER	17	GRADE C116
6	(85)	X128C	CORRECTIONAL UNIT ACCRED SPECIALIST	12	GRADE C116
7	(86)	X127C	DISCIPLINARY HEARING OFFICER	8	GRADE C116
8	(87)	L058C	DISEASE INTERVENTION SPECIALIST	4	GRADE C116
9	(88)	E048C	EDUCATION & INSTRUCTION SPECIALIST	1	GRADE C116
10	(89)	R030C	EEO/GRIEVANCE OFFICER	2	GRADE C116
11	(90)	M049C	SENIOR CHAPLAIN	4	GRADE C116
12	(91)	S022C	SKILLED TRADES SUPERVISOR	1	GRADE C116
13	(92)	M048C	SUBSTANCE ABUSE PROGRAM LEADER	38	GRADE C116
14	(93)	E046C	TRAINING INSTRUCTOR	7	GRADE C116
15	(94)	M059C	ADC/DCC ADVISOR	13	GRADE C115
16	(95)	T065C	ADC/DCC CORRECTIONAL SERGEANT	846	GRADE C115
17	(96)	M058C	ADC/DCC PROGRAM SPECIALIST	11	GRADE C115
18	(97)	C037C	ADMINISTRATIVE ANALYST	12	GRADE C115
19	(98)	M057C	CHAPLAIN	17	GRADE C115
20	(99)	D079C	COMPUTER SUPPORT TECHNICIAN	16	GRADE C115
21	(100)	S097C	CONSTRUCTION SPECIALIST	1	GRADE C115
22	(101)	A091C	FISCAL SUPPORT ANALYST	13	GRADE C115
23	(102)	R031C	INSTITUTION HUMAN RESOURCES COORD	16	GRADE C115
24	(103)	V015C	PURCHASING SPECIALIST	5	GRADE C115
25	(104)	C026C	RECORDS/INTAKE SUPERVISOR	3	GRADE C115
26	(105)	T061C	SENIOR INTELLIGENCE ANALYST	1	GRADE C115
27	(106)	S043C	ADC INDUSTRIAL SUPERVISOR I	3	GRADE C114
28	(107)	G216C	ADC INMATE GRIEVANCE COORDINATOR	20	GRADE C114
29	(108)	P044C	ADC SALES REPRESENTATIVE	4	GRADE C114
30	(109)	T071C	ADC UNIT TRAINING SUPERVISOR	15	GRADE C114
31	(110)	T070C	ADC/DCC FOOD PREPARATION SUPERVISOR	78	GRADE C114
32	(111)	G215C	CAREER PLANNING & PLACEMENT SPECIAL	1	GRADE C114
33	(112)	M065C	RECREATIONAL ACTIVITY SUPERVISOR	16	GRADE C114
34	(113)	T077C	ADC MAILROOM SERVICES COORDINATOR	14	GRADE C113
35	(114)	T076C	ADC/DCC ADMIN REVIEW OFFICER	6	GRADE C113
36	(115)	T075C	ADC/DCC CORPORAL	2,174	GRADE C113

1	(116)	E054C	ADC/DCC UNIT TRAINER	1	GRADE C113
2	(117)	R036C	HUMAN RESOURCES SPECIALIST	5	GRADE C113
3	(118)	V020C	INVENTORY CONTROL MANAGER	4	GRADE C113
4	(119)	C046C	LEGAL SUPPORT SPECIALIST	2	GRADE C113
5	(120)	S046C	MAINTENANCE TECHNICIAN	27	GRADE C113
6	(121)	P045C	PUBLIC INFORMATION TECHNICIAN	1	GRADE C113
7	(122)	T083C	ADC/DCC CORRECTIONAL OFFICER I	2	GRADE C112
8	(123)	C056C	ADMINISTRATIVE SPECIALIST III	34	GRADE C112
9	(124)	R037C	BENEFITS TECHNICIAN	1	GRADE C112
10	(125)	T081C	COMMISSARY MANAGER	28	GRADE C112
11	(126)	A098C	FISCAL SUPPORT SPECIALIST	37	GRADE C112
12	(127)	S051C	INSTRUMENTATION TECHNICIAN	1	GRADE C112
13	(128)	A097C	PAYROLL TECHNICIAN	3	GRADE C112
14	(129)	V024C	ADC PROPERTY OFFICER	3	GRADE C111
15	(130)	M078C	VOLUNTEER SERVICES COORDINATOR	1	GRADE C111
16	(131)	R038C	HUMAN RESOURCES ASSISTANT	22	GRADE C110
17	(132)	C073C	ADMINISTRATIVE SPECIALIST II	79	GRADE C109
18	(133)	C087C	ADMINISTRATIVE SPECIALIST I	101	GRADE C106
19	(134)	V030C	SHIPPING & RECEIVING CLERK	<u>1</u>	GRADE C105
20			MAX. NO. OF EMPLOYEES	4,394	

21

22 SECTION 2. EXTRA HELP. There is hereby authorized, for the Department
 23 of Correction for the 2011-2012 fiscal year, the following maximum number of
 24 part-time or temporary employees, to be known as "Extra Help", payable from
 25 funds appropriated herein for such purposes: one hundred seventy (170)
 26 temporary or part-time employees, when needed, at rates of pay not to exceed
 27 those provided in the Uniform Classification and Compensation Act, or its
 28 successor, or this act for the appropriate classification.

29

30 SECTION 3. APPROPRIATION - INMATE CARE & CUSTODY. There is hereby
 31 appropriated, to the Department of Correction, to be payable from the
 32 Department of Correction Inmate Care and Custody Fund Account, for personal
 33 services and operating expenses of the Department of Correction - Inmate Care
 34 & Custody for the fiscal year ending June 30, 2012, the following:

35

36 ITEM FISCAL YEAR

1	<u>NO.</u>	<u>2011-2012</u>
2	(01) REGULAR SALARIES	\$148,342,798
3	(02) EXTRA HELP	100,000
4	(03) PERSONAL SERVICES MATCHING	55,260,961
5	(04) OVERTIME	1,550,000
6	(05) MAINT. & GEN. OPERATION	
7	(A) OPER. EXPENSE	48,395,765
8	(B) CONF. & TRAVEL	200,000
9	(C) PROF. FEES	55,330,521
10	(D) CAP. OUTLAY	0
11	(E) DATA PROC.	0
12	(06) JAIL CONTRACTS	<u>1,533,000</u>
13	TOTAL AMOUNT APPROPRIATED	<u>\$310,713,045</u>

14

15 SECTION 4. APPROPRIATION - INMATE WELFARE PROGRAM. There is hereby
 16 appropriated, to the Department of Correction, to be payable from the cash
 17 fund deposited in the State Treasury as determined by the Chief Fiscal
 18 Officer of the State, for personal services and operating expenses of the
 19 Department of Correction - Inmate Welfare Program for the fiscal year ending
 20 June 30, 2012, the following:

21

22	ITEM	FISCAL YEAR
23	<u>NO.</u>	<u>2011-2012</u>
24	(01) REGULAR SALARIES	\$827,497
25	(02) PERSONAL SERVICES MATCHING	325,789
26	(03) MAINT. & GEN. OPERATION	
27	(A) OPER. EXPENSE	12,429,400
28	(B) CONF. & TRAVEL	0
29	(C) PROF. FEES	0
30	(D) CAP. OUTLAY	500,000
31	(E) DATA PROC.	<u>0</u>
32	TOTAL AMOUNT APPROPRIATED	<u>\$14,082,686</u>

33

34 SECTION 5. APPROPRIATION - WORK RELEASE PROGRAM. There is hereby
 35 appropriated, to the Department of Correction, to be payable from the cash
 36 fund deposited in the State Treasury as determined by the Chief Fiscal

1 Officer of the State, for operating expenses and debt service of the
 2 Department of Correction - Work Release Program for the fiscal year ending
 3 June 30, 2012, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2011-2012</u>
7 (01) MAINT. & GEN. OPERATION	
8 (A) OPER. EXPENSE	\$4,180,274
9 (B) CONF. & TRAVEL	84,150
10 (C) PROF. FEES	1,000,000
11 (D) CAP. OUTLAY	1,553,000
12 (E) DATA PROC.	0
13 (02) DEBT SERVICE	<u>500,000</u>
14 TOTAL AMOUNT APPROPRIATED	<u><u>\$7,317,424</u></u>

15

16 SECTION 6. APPROPRIATION - PRISON INDUSTRY PROGRAM. There is hereby
 17 appropriated, to the Department of Correction, to be payable from the
 18 Department of Correction Prison Industry Fund, for personal services and
 19 operating expenses of the Department of Correction - Prison Industry Program
 20 for the fiscal year ending June 30, 2012, the following:

21

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2011-2012</u>
24 (01) REGULAR SALARIES	\$2,048,174
25 (02) PERSONAL SERVICES MATCHING	734,030
26 (03) MAINT. & GEN. OPERATION	
27 (A) OPER. EXPENSE	7,649,295
28 (B) CONF. & TRAVEL	31,880
29 (C) PROF. FEES	0
30 (D) CAP. OUTLAY	331,095
31 (E) DATA PROC.	<u>0</u>
32 TOTAL AMOUNT APPROPRIATED	<u><u>\$10,794,474</u></u>

33

34 SECTION 7. APPROPRIATION - FARM OPERATIONS PROGRAM. There is hereby
 35 appropriated, to the Department of Correction, to be payable from the
 36 Department of Correction Farm Fund, for personal services and operating

1 expenses of the Department of Correction - Farm Operations Program for the
 2 fiscal year ending June 30, 2012, the following:

3

4 ITEM	FISCAL YEAR
5 <u>NO.</u>	<u>2011-2012</u>
6 (01) REGULAR SALARIES	\$2,501,943
7 (02) PERSONAL SERVICES MATCHING	868,335
8 (03) MAINT. & GEN. OPERATION	
9 (A) OPER. EXPENSE	9,478,988
10 (B) CONF. & TRAVEL	43,610
11 (C) PROF. FEES	128,354
12 (D) CAP. OUTLAY	1,777,500
13 (E) DATA PROC.	0
14 (04) PURCHASE CATTLE/MEAT	<u>650,000</u>
15 TOTAL AMOUNT APPROPRIATED	<u>\$15,448,730</u>

16

17 SECTION 8. APPROPRIATION - NON-TAX REVENUE RECEIPTS. There is hereby
 18 appropriated, to the Department of Correction, to be payable from the cash
 19 fund deposited in the State Treasury as determined by the Chief Fiscal
 20 Officer of the State, for operating expenses of the Department of Correction
 21 - Non-Tax Revenue Receipts for the fiscal year ending June 30, 2012, the
 22 following:

23

24 ITEM	FISCAL YEAR
25 <u>NO.</u>	<u>2011-2012</u>
26 (01) MAINT. & GEN. OPERATION	
27 (A) OPER. EXPENSE	\$1,679,195
28 (B) CONF. & TRAVEL	0
29 (C) PROF. FEES	100,000
30 (D) CAP. OUTLAY	400,000
31 (E) DATA PROC.	0
32 (02) CONSTRUCTION	<u>4,038,275</u>
33 TOTAL AMOUNT APPROPRIATED	<u>\$6,217,470</u>

34

35 SECTION 9. APPROPRIATION - FEDERAL PROGRAMS. There is hereby
 36 appropriated, to the Department of Correction, to be payable from the federal

1 funds as designated by the Chief Fiscal Officer of the State, for personal
 2 services and operating expenses of the Department of Correction - Federal
 3 Programs for the fiscal year ending June 30, 2012, the following:

4

5 ITEM	FISCAL YEAR
6 <u>NO.</u>	<u>2011-2012</u>
7 (01) REGULAR SALARIES	\$50,000
8 (02) PERSONAL SERVICES MATCHING	28,475
9 (03) MAINT. & GEN. OPERATION	
10 (A) OPER. EXPENSE	2,500
11 (B) CONF. & TRAVEL	2,000
12 (C) PROF. FEES	428,900
13 (D) CAP. OUTLAY	0
14 (E) DATA PROC.	<u>0</u>
15 TOTAL AMOUNT APPROPRIATED	<u><u>\$511,875</u></u>

16

17 SECTION 10. APPROPRIATION - COUNTY JAIL REIMBURSEMENT. There is hereby
 18 appropriated, to the Department of Correction, to be payable from the County
 19 Jail Reimbursement Fund, for reimbursement to counties housing state inmates
 20 of the Department of Correction - County Jail Reimbursement for the fiscal
 21 year ending June 30, 2012, the following:

22

23 ITEM	FISCAL YEAR
24 <u>NO.</u>	<u>2011-2012</u>
25 (01) REIMBURSEMENTS TO COUNTIES HOUSING 26 STATE INMATES	<u><u>\$20,830,069</u></u>

27

28 SECTION 11. APPROPRIATION - JUVENILE SEX OFFENDER ASSESSMENT. There is
 29 hereby appropriated, to the Department of Correction, to be payable from the
 30 Sex and Child Offenders Registration Fund, for operating expenses of the
 31 Department of Correction - Juvenile Sex Offender Assessment for the fiscal
 32 year ending June 30, 2012, the following:

33

34 ITEM	FISCAL YEAR
35 <u>NO.</u>	<u>2011-2012</u>
36 (01) MAINT. & GEN. OPERATION	

1	(A) OPER. EXPENSE	\$25,000
2	(B) CONF. & TRAVEL	0
3	(C) PROF. FEES	0
4	(D) CAP. OUTLAY	0
5	(E) DATA PROC.	<u>0</u>
6	TOTAL AMOUNT APPROPRIATED	<u><u>\$25,000</u></u>

7

8 SECTION 12. APPROPRIATION - FIRE STATION - PROTECTION. There is hereby

9 appropriated, to the Department of Correction, to be payable from the cash

10 fund deposited in the State Treasury as determined by the Chief Fiscal

11 Officer of the State, for construction of the Department of Correction Fire

12 Station - Protection for the fiscal year ending June 30, 2012, the following:

14	ITEM	FISCAL YEAR
15	<u>NO.</u>	<u>2011-2012</u>
16	(01) CONSTRUCTION	<u><u>\$50,000</u></u>

17

18 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REGULAR

20 SALARIES - CONTINGENT POSITIONS. There is hereby established for the

21 Department of Correction - Contingent Positions for the ~~2010-2011~~ 2011-2012

22 fiscal year, the following maximum number of regular employees.

23 CONTINGENT POSITIONS - MEDICAL SERVICES

24			MAXIMUM ANNUAL	
25	ITEM	CLASS	MAXIMUM	SALARY RATE
26	<u>NO.</u>	<u>CODE</u> <u>TITLE</u>	NO. OF	FISCAL YEAR
27			<u>EMPLOYEES</u>	2010-2011 <u>2011-2012</u>
28	(01)	CHIEF OF MEDICAL SERVICES	1	\$225,000
29	(02)	CHIEF OF DENTAL SERVICES	1	175,000
30	(03)	CHIEF OF PHARMACY	1	125,000
31	(04)	HEALTH SERVICES ADMIN	1	110,000
32	(05)	PHYSICIANS SPECIALIST	6	170,000
33	(06)	ASST HEALTH SERVICES ADMN	3	90,000
34	(07)	CHIEF OF NURSING SERVICES	1	90,000
35	(08)	RNP/PA	13	85,000
36	(09)	DIR OF MEDICAL RECORDS	1	75,000

1	(10)	UNIT/FACILITY MEDICAL MGR	11	70,000
2	(11)	MEDICAL SERVICES SPECIALIST	8	65,000
3	(12)	UNIT/FACILITY MEDICAL SUPV	7	60,000
4	PATIENT CARE -			
5	(13)	L008N PHYSICIAN SPECIALIST	17	GRADE N917
6	(14)	L011N DENTIST	15	GRADE N916
7	(15)	L016N REGISTERED PHARMACIST	3	GRADE N911
8	(16)	L019C REGISTERED NURSE COORD	1	GRADE C123
9	(17)	L027C REGISTERED NURSE SUPV	41	GRADE C122
10	(18)	L069C LICENSED PRACTICAL NURSE	172	GRADE C113
11	(19)	B111C LABORATORY TECHNICIAN	5	GRADE C110
12	(20)	L064C RADIOLOGY TECHNICIAN	5	GRADE C114
13	PATIENT CARE - CLASSIFIED POSITIONS			
14	(21)	L001C PSYCHOLOGIST SUPERVISOR	2	GRADE C129
15	(22)	L003C PSYCHOLOGIST	12	GRADE C127
16	(23)	L033C PSYCHOLOGIST EXAMINER	7	GRADE C121
17	(24)	G121C REHAB PROGRAM MANAGER	9	GRADE C120
18	(25)	L038C REGISTERED NURSE	3	GRADE C120
19	(26)	M020C LICENSED PROF COUNSELOR	82	GRADE C119
20	(27)	M026C LICENSED SOCIAL WORKER	21	GRADE C118
21	(28)	M046C ADC/DCC TREATMENT COORD	4	GRADE C117
22	(29)	M048C SUBSTANCE ABUSE PRGM LDR	37	GRADE C116
23	(30)	C037C ADMINISTRATIVE ANALYST	2	GRADE C115
24	(31)	L071C DENTAL HYGIENIST	8	GRADE C113
25	(32)	C053C MEDICAL RECORDS TECH	24	GRADE C112
26	(33)	C056C ADMINISTRATIVE SPEC III	23	GRADE C112
27	(34)	C073C ADMINISTRATIVE SPEC II	4	GRADE C109
28	(35)	L081C DENTAL ASSISTANT	12	GRADE C109
29	(36)	C087C ADMINISTRATIVE SPEC I	11	GRADE C106
30	CLASSIFIED - NON-PATIENT CARE			
31	(37)	BUYER	2	GRADE C116
32	(38)	PURCHASING ASSISTANT	1	GRADE C106
33	(39)	ACCOUNTING TECH	4	GRADE C109
34	(40)	ACCOUNTANT I	1	GRADE C116
35	(41)	INSTITUTIONAL HR COORDINATOR	1	GRADE C115
36	(42)	HR SPECIALIST	1	GRADE C113

1	(43)	ADC INMATE GRIEVANCE COORD	3	GRADE C114
2	(44)	COMPUTER SUPPORT TECH	<u>1</u>	GRADE C115
3		GRAND TOTAL CONTINGENT EMPLOYEES	588	

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

7 The provisions of this section shall be in effect only from July 1,
 8 ~~2010~~ 2011 through June 30, ~~2011~~ 2012.

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

26 The provisions of this section shall be in effect only from July 1,
 27 ~~2010~~ 2011 through June 30, ~~2011~~ 2012.

28
 29 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY
 31 REIMBURSEMENT RATE RESTRICTION. Notwithstanding any other provision of law or
 32 departmental commitment which may exist to the contrary, the Board of
 33 Corrections shall not increase any reimbursement rate for payments made to
 34 any county for the purpose of reimbursing the expenses of the care and
 35 custody of state inmates, without first seeking and receiving the approval of
 36 the Governor and the Chief Fiscal Officer of the State.

1 The provisions of this section shall be in effect only from July 1,
2 ~~2010~~ 2011 through June 30, ~~2011~~ 2012.

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

15 The provisions of this section shall be in effect only from July 1,
16 ~~2010~~ 2011 through June 30, ~~2011~~ 2012.

17
18 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
20 OF APPROPRIATION WITHIN CAPITAL IMPROVEMENT PROJECTS. The Department of
21 Correction is hereby authorized to transfer appropriation between and/or
22 among the various capital improvements/construction projects authorized by
23 the General Assembly. Such transfers may be made only after approval by the
24 Governor and after prior approval by the Arkansas Legislative Council or
25 Joint Budget Committee. Such authorization shall in no way mean that the
26 total amount of funds or appropriations for capital improvement/construction
27 projects be greater than that provided by the General Assembly for the
28 Department of Correction.

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

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

9 The provisions of this section shall be in effect only from July 1,
10 ~~2010~~ 2011 through June 30, ~~2011~~ 2012.

11
12 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

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

36 a) Costs to open and operate temporary beds;

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

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

26 The provisions of this section shall be in effect only from July 1,
27 ~~2010~~ 2011 through June 30, ~~2011~~ 2012.

28

29 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HOLIDAY
31 COMPENSATION. The Department of Correction is authorized to pay employees for
32 up to one-hundred fifty (150) hours of unused holidays exceeding a balance in
33 the employee's holiday account of ninety-six (96) hours following the end of
34 the calendar year. Payments of unused Holiday hours must be processed on or
35 before June 1st in each fiscal year. Employees terminating employment from
36 the Department of Correction will be eligible for all holiday pay accrued

during the years of service. This request is contingent on approval by the Chief Fiscal Officer of the State after the Director of the Department of Correction has verified that sufficient revenues are available to make such payments to employees who have served in the following classifications:

Class

<u>Code</u>	<u>Title</u>	<u>Grade</u>
T033C	ADC/DCC MAJOR	GRADE C120
T048C	ADC/DCC CAPTAIN	GRADE C118
T054C	ADC/DCC LIEUTENANT	GRADE C117
T065C	ADC/DCC CORRECTIONAL SERGEANT	GRADE C115
S044C	FOOD PREPARATION MANAGER	GRADE C114
T075C	ADC/DCC CORPORAL	GRADE C113
T083C	ADC/DCC CORRECTIONAL OFFICER I	GRADE C112
S056C	FOOD PREPARATION SUPERVISOR	GRADE C111

The provisions of this section shall be in effect only from July 1, 2010 through June 30, 2011.

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

~~The provisions of this section shall be in effect only from July 1, 2010 through June 30, 2011.~~

JUVENILE SEX OFFENDER ASSESSMENT. The Arkansas Department of Correction is authorized to enter into a cooperative agreement with a qualified state treatment and assessment agency to conduct assessments of juvenile sex or child offenders as required by provisions of ACA 12-12-901 et. seq. and pay for services upon receipt of invoice.

The provisions of this section shall be in effect only from July 1, 2011 through June 30, 2012.

SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. INMATE

1 COST REPORTING – STATE FACILITIES.

2 (a) Within 90 days of the close of each state fiscal year, the Arkansas
3 Department of Correction (ADC) shall submit to the Arkansas Legislative
4 Council a report of all direct and indirect costs incurred by the State of
5 Arkansas in housing and caring for inmates incarcerated in the State's
6 facilities. Such costs shall be calculated and reported in total for the
7 Department and in total by each facility. The report shall also reflect
8 overall cost per inmate per day, cost per inmate per day for each facility,
9 overall cost per bed per day, and cost per bed per day for each facility.

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

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

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

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

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

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

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

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

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

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

36 (A) ADC expenses incurred through fund transfers;

- 1 (B) Retirement costs;
- 2 (C) Audit costs;
- 3 (D) ADC cost for shared employees paid by another state
- 4 governmental entity;
- 5 (E) Inmate educational and rehabilitation costs;
- 6 (F) Inmate related expenses incurred by the Attorney General;
- 7 however; expenses shall not include costs of defending Habeas
- 8 Corpus cases.

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

- 12 (1) Accumulate the number of inmates housed at each ADC facility each day
- 13 throughout the state fiscal year for which costs are being reported. This
- 14 accumulation shall result in total inmate days and shall be divided into
- 15 total direct and indirect costs compiled in accordance with subsections
- 16 (a) and (b) of this section.
- 17 (2) Exclude those ADC inmates housed in local governmental facilities and
- 18 Act 309 prisoners from the number of inmates housed at ADC facilities.
- 19 (3) Maintain documentation supporting the number of inmates housed at ADC
- 20 facilities.

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

30 Any carry forward of unexpended balance of funding as authorized herein, may
 31 be carried forward under the following conditions:

32 (1) Prior to June 30, ~~2010~~ 2012 the Agency shall by written statement set
 33 forth its reason(s) for the need to carry forward said funding to the
 34 Department of Finance and Administration Office of Budget;

35 (2) The Department of Finance and Administration Office of Budget shall
 36 report to the Arkansas Legislative Council all amounts carried forward from

1 the first fiscal year to the second fiscal year by the September Arkansas
2 Legislative Council or Joint Budget Committee meeting which report shall
3 include the name of the Agency, Board, Commission or Institution and the
4 amount of the funding carried forward from the first fiscal year to the
5 second fiscal year, the program name or line item, the funding source of that
6 appropriation and a copy of the written request set forth in (1) above;

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

15 (4) Thereupon, the Department of Finance and Administration shall include
16 all information obtained in item (3) above in the budget manuals and/or a
17 statement of non-compliance by the Agency, Board, Commission or Institution.
18

19 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REFUND TO
21 EXPENDITURE. The proceeds from the sale of feeder cattle by the Department
22 of Correction shall be deposited into the State Treasury as a refund to
23 expenditure to the credit of the appropriation available to the Department of
24 Correction for the "Purchase Cattle/Meat" line item.

25 The provisions of this section shall be in effect only from July 1,
26 ~~2010~~ 2011 through June 30, ~~2011~~ 2012.

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

1 review and approval by the Department of Finance and Administration and the
2 Arkansas Building Authority.

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

19 The provisions of this section shall be in effect only from July 1,
20 ~~2010~~ 2011 through June 30, ~~2011~~ 2012.

21
22 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
23 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. UTILITY
24 RATE INCREASE TRANSFER. In the event of a ten percent (10%) increase in
25 utility rates and fuel rates, the Department of Correction is authorized to
26 transfer any line item appropriation in this Act to the Maintenance and
27 Operation line item for support of the increase after receiving approval of
28 the Chief Fiscal Officer of the State. Prior to the utilization of the
29 transfer authority, a report shall be made to the Arkansas Legislative
30 Council or Joint Budget Committee including justification for the transfer
31 and the amount of the transfer.

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

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

12 The provisions of this section shall be in effect only from July 1,
13 ~~2010~~ 2011 through June 30, ~~2011~~ 2012.

14

15 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MENTAL
17 HEALTH SERVICES. In the event the Department determines to enter into a
18 professional contract for mental health services, the Department may, upon
19 approval of the Chief Fiscal Officer of the State and after prior review and
20 approval by the Arkansas Legislative Council or Joint Budget Committee, make
21 appropriate transfers from regular salaries, personal services matching and
22 various maintenance and operation classifications to the professional fees
23 and services classification for payment of the contractual amount.

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,
5 ~~2010~~ 2011 through June 30, ~~2011~~ 2012.

6
7 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL
9 REVENUE/CASH FUNDS TRANSFER. The Department of Correction is authorized to
10 transfer funds from various Special Revenue and Cash Funds into the Inmate
11 Care and Custody Fund Account in order to adjust to the budget needs upon
12 prior approval by the Arkansas Legislative Council or Joint Budget Committee
13 and approval of the Board of Corrections and the Chief Fiscal Officer of the
14 State.

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

31 The provisions of this section shall be in effect only from July 1,
32 ~~2010~~ 2011 through June 30, ~~2011~~ 2012.

33
34 SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. NEW
36 FACILITIES. If it is found that contracting for the operation of new

1 facilities is economically beneficial to the State of Arkansas, the
2 Department of Correction may, after receiving approval of the Chief Fiscal
3 Officer, and seeking prior review and approval by the Arkansas Legislative
4 Council or Joint Budget Committee, transfer from any line item appropriation
5 contained in Section 3 of this Act into the Professional Fees and Services
6 line item contained in Section 3 of this Act to operate new facilities.

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,
24 ~~2010~~ 2011 through June 30, ~~2011~~ 2012.

25
26 SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

28 APPROPRIATION TRANSFER FOR CONSTRUCTING AND EQUIPPING. The Department of
29 Correction is hereby authorized to transfer appropriations between any line
30 items authorized herein but only for the purpose of financing construction or
31 equipment for a facility of the department. Any transfers authorized by this
32 section shall require the approval of the Chief Fiscal Officer of the State
33 after prior review and approval by the Legislative Council or Joint Budget
34 Committee.

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,
16 ~~2010~~ 2011 through June 30, ~~2011~~ 2012.

17
18 SECTION 30. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FOOD
20 SERVICE CONTRACT. In the event the Department is able to contract with a
21 private provider for food services at a unit(s), transfers may be made from
22 Regular Salaries, Personal Services Matching, and Maintenance and Operations
23 line items to Professional Fees and Services upon approval by the Chief
24 Fiscal Officer of the State and after receiving prior review and approval by
25 the Legislative Council or Joint Budget Committee.

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,
7 ~~2010~~ 2011 through June 30, ~~2011~~ 2012.

8
9 SECTION 31. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY
11 JAIL INVOICE SUMMARY. The Departments of Correction and Community
12 Correction, shall at a minimum and on a fiscal year basis, prepare and post
13 on the applicable agency web site, a monthly summary of county jail
14 reimbursement invoices prepared and forwarded to each county sheriff for
15 verification by the Departments and for payment from the County Jail
16 Reimbursement Fund. In addition, the report shall include a summary of
17 invoices returned by each county for payment for previous months within the
18 fiscal year, the amounts paid, and any balances owed. Each fiscal year-end
19 report shall be maintained on the web sites for a period of no less than
20 three (3) years.

21
22 SECTION 32. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
23 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MOTOR
24 VEHICLE PURCHASE PROVISION. The Department of Correction is hereby
25 authorized to purchase motor vehicles as may be approved for the purpose of
26 equipping new bed additions at the various institutions from the
27 appropriations authorized for Capital Outlay in Section 3 of this Act.

28 The provisions of this section shall be in effect only from July 1,
29 ~~2010~~ 2011 through June 30, ~~2011~~ 2012.

30
31 SECTION 33. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
33 OF APPROPRIATION ~~AND FUNDS~~ TO THE COUNTY JAIL REIMBURSEMENT FUND. If any
34 savings of general revenue appropriation and funds accrue during the ~~2010-~~
35 ~~2011~~ 2011-2012 fiscal year in the operations of the Department of Correction,
36 the Director of the Department of Correction may request a transfer of

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

7 The provisions of this section shall be in effect only from July 1, ~~2010~~
8 2011 through June 30, ~~2011~~ 2012.

9
10 SECTION 34. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LOCAL
12 GOVERNMENT INMATE COST REPORT. Each calendar year, the Association of
13 Arkansas Counties shall compile and submit a report to the Arkansas
14 Legislative Council, of all costs incurred, excluding construction costs, by
15 local government units housing inmates sentenced to the Department of
16 Correction and Department of Community Correction. The cost report shall be
17 a representative sample of all counties housing and caring for state inmates.
18 The report shall be submitted no later than July 1 of the calendar year
19 immediately following the reporting year.

20 The Association of Arkansas Counties in coordination with Legislative
21 Audit shall determine which counties will be included in the sample and shall
22 include a sufficient number of counties from each classification based upon
23 population and each congressional district to ensure a fair representation of
24 costs incurred. Guidelines for preparing this cost report shall be developed
25 by the Division of Legislative Audit in coordination with the Association of
26 Arkansas Counties. The Division of Legislative Audit shall test the accuracy
27 of the information submitted during the routine audit of the applicable
28 county.

29 The provisions of this section shall be in effect only from July 1, ~~2010~~ 2011
30 through June 30, ~~2011~~ 2012.

31
32 SECTION 35. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ESSENTIAL
34 SERVICES STIPEND. The Arkansas Department of Correction (ADC) may award
35 additional compensation to those exempt employees who are members of the
36 emergency response unit. These employees are eligible to receive up to 3% per

1 hour additional compensation for the actual number of hours that an employee
2 spends on an emergency response action.

3 The provisions of this section shall be in effect only from July 1,
4 2011 through June 30, 2012.

5
6 SECTION 36. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
7 authorized by this act shall be limited to the appropriation for such agency
8 and funds made available by law for the support of such appropriations; and
9 the restrictions of the State Procurement Law, the General Accounting and
10 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
11 Procedures and Restrictions Act, or their successors, and other fiscal
12 control laws of this State, where applicable, and regulations promulgated by
13 the Department of Finance and Administration, as authorized by law, shall be
14 strictly complied with in disbursement of said funds.

15
16 SECTION 37. LEGISLATIVE INTENT. It is the intent of the General
17 Assembly that any funds disbursed under the authority of the appropriations
18 contained in this act shall be in compliance with the stated reasons for
19 which this act was adopted, as evidenced by the Agency Requests, Executive
20 Recommendations and Legislative Recommendations contained in the budget
21 manuals prepared by the Department of Finance and Administration, letters, or
22 summarized oral testimony in the official minutes of the Arkansas Legislative
23 Council or Joint Budget Committee which relate to its passage and adoption.

24
25 SECTION 38. EMERGENCY CLAUSE. It is found and determined by the
26 General Assembly, that the Constitution of the State of Arkansas prohibits
27 the appropriation of funds for more than a one (1) year period; that the
28 effectiveness of this Act on July 1, 2011 is essential to the operation of
29 the agency for which the appropriations in this Act are provided, and that in
30 the event of an extension of the legislative session, the delay in the
31 effective date of this Act beyond July 1, 2011 could work irreparable harm
32 upon the proper administration and provision of essential governmental
33 programs. Therefore, an emergency is hereby declared to exist and this Act
34 being necessary for the immediate preservation of the public peace, health
35 and safety shall be in full force and effect from and after July 1, 2011.

36