

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

As Engrossed: H3/29/11  
**A Bill**

HOUSE BILL 1401

5 By: Joint Budget Committee  
6

7 **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

			<i>Maximum Annual</i>	
			<i>Maximum</i>	<i>Salary Rate</i>
			<i>No. of</i>	<i>Fiscal Year</i>
<i>Item</i>	<i>Class</i>		<i>Employees</i>	<i>2011-2012</i>
<i>No.</i>	<i>Code</i>	<i>Title</i>		
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)	A007C	AUDIT MANAGER	1	GRADE C129
6	(13)	L001C	PSYCHOLOGIST SUPERVISOR	3	GRADE C129
7	(14)	L097C	ADC PSYCHOLOGIST	14	GRADE C128
8	(15)	A010C	AGENCY CONTROLLER II	1	GRADE C128
9	(16)	D007C	INFORMATION SYSTEMS MANAGER	2	GRADE C128
10	(17)	T006C	ADC HEAD FARM MANAGER II	3	GRADE C127
11	(18)	T005C	ADC/DCC CORRECTIONAL WARDEN	11	GRADE C127
12	(19)	G025C	ATTORNEY SUPERVISOR	1	GRADE C127
13	(20)	L003C	PSYCHOLOGIST	1	GRADE C127
14	(21)	A021C	AGENCY CONTROLLER I	1	GRADE C126
15	(22)	G047C	ATTORNEY SPECIALIST	2	GRADE C126
16	(23)	R006C	HUMAN RESOURCES ADMINISTRATOR	1	GRADE C126
17	(24)	S094C	ADC CONSTRUCTION/MAINTENANCE COORD	3	GRADE C124
18	(25)	T015C	ADC/DCC DEPUTY WARDEN	23	GRADE C124
19	(26)	D030C	INFORMATION SYSTEMS COORDINATOR	1	GRADE C124
20	(27)	R013C	AGENCY HUMAN RESOURCES MANAGER	1	GRADE C123
21	(28)	A038C	FISCAL SUPPORT MANAGER	2	GRADE C123
22	(29)	D038C	SENIOR SOFTWARE SUPPORT ANALYST	2	GRADE C123
23	(30)	T021C	ADC HEAD FARM MANAGER I	2	GRADE C122
24	(31)	D046C	STATE PRODUCTION CONTROL SUPERVISOR	1	GRADE C122
25	(32)	B040C	ADC AGRI PRODUCTION SUPERVISOR	1	GRADE C121
26	(33)	G222C	ADC/DCC INTERNAL AFFAIRS ADMIN	1	GRADE C121
27	(34)	T027C	ADC/DCC TRAINING ADMINISTRATOR	1	GRADE C121
28	(35)	A050C	AGENCY FISCAL MANAGER	1	GRADE C121
29	(36)	B042C	ENGINEER	1	GRADE C121
30	(37)	M009C	LICENSED CERTIFIED SOCIAL WORKER	23	GRADE C121
31	(38)	L033C	PSYCHOLOGICAL EXAMINER	12	GRADE C121
32	(39)	D052C	SOFTWARE SUPPORT ANALYST	10	GRADE C121
33	(40)	L041C	ADC ASST MEDICAL PROGRAM MANAGER	1	GRADE C120
34	(41)	G142C	ADC CLASSIFICATION ADMINISTRATOR	1	GRADE C120
35	(42)	G141C	ADC INDUSTRY ASSISTANT ADMR	2	GRADE C120
36	(43)	T033C	ADC/DCC MAJOR	25	GRADE C120

1	(44)	M088C	LICENSED MASTER SOCIAL WORKER	4	GRADE C120
2	(45)	L038C	REGISTERED NURSE	2	GRADE C120
3	(46)	G121C	REHAB PROGRAM MANAGER	9	GRADE C120
4	(47)	T028C	SOSRA PROGRAM ADMINISTRATOR	1	GRADE C120
5	(48)	T040C	ADC ASSISTANT HEAD FARM MANAGER	4	GRADE C119
6	(49)	S011C	ADC COMMODITY & FOOD SVC ADMR	1	GRADE C119
7	(50)	S095C	ADC CONSTRUCTION PROJECT SPECIALIST	8	GRADE C119
8	(51)	B070C	ADC CONSTRUCTION PROJECT SUPERVISOR	15	GRADE C119
9	(52)	S010C	ADC INDUSTRY PROGRAM MANAGER	7	GRADE C119
10	(53)	T039C	ADC INMATE TRANSPORTATION COORD	1	GRADE C119
11	(54)	T038C	ADC TRAINING ACADEMY SUPERVISOR	1	GRADE C119
12	(55)	R021C	BUDGET ANALYST	1	GRADE C119
13	(56)	A066C	INTERNAL AUDITOR	2	GRADE C119
14	(57)	M020C	LICENSED PROFESSIONAL COUNSELOR	88	GRADE C119
15	(58)	V007C	PROCUREMENT COORDINATOR	1	GRADE C119
16	(59)	A060C	SENIOR AUDITOR	1	GRADE C119
17	(60)	T034C	WORK RELEASE CENTER SUPERVISOR	4	GRADE C119
18	(61)	T048C	ADC/DCC CAPTAIN	51	GRADE C118
19	(62)	M031C	ADMINISTRATOR OF CHAPLAINCY SVCS	1	GRADE C118
20	(63)	R024C	ASSISTANT PERSONNEL MANAGER	2	GRADE C118
21	(64)	C010C	EXECUTIVE ASSISTANT TO THE DIRECTOR	2	GRADE C118
22	(65)	A074C	FISCAL SUPPORT SUPERVISOR	5	GRADE C118
23	(66)	M026C	LICENSED SOCIAL WORKER	1	GRADE C118
24	(67)	M023C	SUBSTANCE ABUSE PROGRAM COORD	4	GRADE C118
25	(68)	T041C	WORK RELEASE PROGRAM SUPERVISOR	3	GRADE C118
26	(69)	T054C	ADC/DCC LIEUTENANT	154	GRADE C117
27	(70)	T053C	AGRICULTURE UNIT SUPERVISOR II	29	GRADE C117
28	(71)	M044C	ASSOCIATE PROFESSIONAL COUNSELOR	13	GRADE C117
29	(72)	D071C	COMPUTER SUPPORT ANALYST	4	GRADE C117
30	(73)	S019C	DIRECTOR MAINTENANCE	10	GRADE C117
31	(74)	G178C	POLICY DEVELOPMENT COORDINATOR	1	GRADE C117
32	(75)	L052C	REHAB FACILITY SUPERVISOR	6	GRADE C117
33	(76)	E041C	SENIOR LIBRARIAN	1	GRADE C117
34	(77)	S016C	SKILLED TRADES FOREMAN	1	GRADE C117
35	(78)	S027C	ADC INDUSTRIAL SUPERVISOR II	24	GRADE C116
36	(79)	X133C	ADC/DCC INTERNAL AFFAIRS INVEST	10	GRADE C116

1	(80)	S026C	ADC/DCC ASST MAINTENANCE SUPERVISOR	16	GRADE C116
2	(81)	T059C	ADC/DCC FOOD PREPARATION MANAGER	18	GRADE C116
3	(82)	C024C	ADC/DCC RECORDS SUPERVISOR	20	GRADE C116
4	(83)	T058C	AGRICULTURE UNIT SUPERVISOR I	3	GRADE C116
5	(84)	C022C	BUSINESS OPERATIONS SPECIALIST	17	GRADE C116
6	(85)	V014C	BUYER	2	GRADE C116
7	(86)	G200C	CLASSIFICATION & ASSIGNMENT OFFICER	18	GRADE C116
8	(87)	B091C	CONSTRUCTION SUPERVISOR	2	GRADE C116
9	(88)	X128C	CORRECTIONAL UNIT ACCRED SPECIALIST	12	GRADE C116
10	(89)	X127C	DISCIPLINARY HEARING OFFICER	9	GRADE C116
11	(90)	L058C	DISEASE INTERVENTION SPECIALIST	4	GRADE C116
12	(91)	E048C	EDUCATION & INSTRUCTION SPECIALIST	1	GRADE C116
13	(92)	R030C	EEO/GRIEVANCE OFFICER	2	GRADE C116
14	(93)	M049C	SENIOR CHAPLAIN	5	GRADE C116
15	(94)	S022C	SKILLED TRADES SUPERVISOR	1	GRADE C116
16	(95)	M048C	SUBSTANCE ABUSE PROGRAM LEADER	47	GRADE C116
17	(96)	E046C	TRAINING INSTRUCTOR	8	GRADE C116
18	(97)	M059C	ADC/DCC ADVISOR	14	GRADE C115
19	(98)	T065C	ADC/DCC CORRECTIONAL SERGEANT	867	GRADE C115
20	(99)	M058C	ADC/DCC PROGRAM SPECIALIST	16	GRADE C115
21	(100)	C037C	ADMINISTRATIVE ANALYST	13	GRADE C115
22	(101)	M057C	CHAPLAIN	19	GRADE C115
23	(102)	D079C	COMPUTER SUPPORT TECHNICIAN	16	GRADE C115
24	(103)	S097C	CONSTRUCTION SPECIALIST	1	GRADE C115
25	(104)	A091C	FISCAL SUPPORT ANALYST	13	GRADE C115
26	(105)	R031C	INSTITUTION HUMAN RESOURCES COORD	16	GRADE C115
27	(106)	V015C	PURCHASING SPECIALIST	5	GRADE C115
28	(107)	C026C	RECORDS/INTAKE SUPERVISOR	3	GRADE C115
29	(108)	T061C	SENIOR INTELLIGENCE ANALYST	1	GRADE C115
30	(109)	S043C	ADC INDUSTRIAL SUPERVISOR I	3	GRADE C114
31	(110)	G216C	ADC INMATE GRIEVANCE COORDINATOR	22	GRADE C114
32	(111)	P044C	ADC SALES REPRESENTATIVE	4	GRADE C114
33	(112)	T071C	ADC UNIT TRAINING SUPERVISOR	16	GRADE C114
34	(113)	T070C	ADC/DCC FOOD PREPARATION SUPERVISOR	78	GRADE C114
35	(114)	G215C	CAREER PLANNING & PLACEMENT SPECIAL	1	GRADE C114
36	(115)	M065C	RECREATIONAL ACTIVITY SUPERVISOR	17	GRADE C114

1	(116)	X151C	SAFETY SUPERVISOR	1	GRADE C114
2	(117)	T077C	ADC MAILROOM SERVICES COORDINATOR	14	GRADE C113
3	(118)	T076C	ADC/DCC ADMIN REVIEW OFFICER	7	GRADE C113
4	(119)	T075C	ADC/DCC CORPORAL	2,372	GRADE C113
5	(120)	E054C	ADC/DCC UNIT TRAINER	4	GRADE C113
6	(121)	R036C	HUMAN RESOURCES SPECIALIST	5	GRADE C113
7	(122)	V020C	INVENTORY CONTROL MANAGER	5	GRADE C113
8	(123)	C046C	LEGAL SUPPORT SPECIALIST	2	GRADE C113
9	(124)	S046C	MAINTENANCE TECHNICIAN	27	GRADE C113
10	(125)	P045C	PUBLIC INFORMATION TECHNICIAN	1	GRADE C113
11	(126)	T083C	ADC/DCC CORRECTIONAL OFFICER I	2	GRADE C112
12	(127)	C056C	ADMINISTRATIVE SPECIALIST III	36	GRADE C112
13	(128)	R037C	BENEFITS TECHNICIAN	1	GRADE C112
14	(129)	T081C	COMMISSARY MANAGER	28	GRADE C112
15	(130)	A098C	FISCAL SUPPORT SPECIALIST	37	GRADE C112
16	(131)	S051C	INSTRUMENTATION TECHNICIAN	1	GRADE C112
17	(132)	A097C	PAYROLL TECHNICIAN	3	GRADE C112
18	(133)	V024C	ADC PROPERTY OFFICER	4	GRADE C111
19	(134)	S056C	FOOD PREPARATION SUPERVISOR	4	GRADE C111
20	(135)	M076C	RECREATIONAL ACTIVITY LEADER II	3	GRADE C111
21	(136)	R039C	BENEFITS SPECIALIST	1	GRADE C111
22	(137)	M078C	VOLUNTEER SERVICES COORDINATOR	1	GRADE C111
23	(138)	R038C	HUMAN RESOURCES ASSISTANT	22	GRADE C110
24	(139)	A100C	PAYROLL OFFICER	2	GRADE C110
25	(140)	C073C	ADMINISTRATIVE SPECIALIST II	85	GRADE C109
26	(141)	C087C	ADMINISTRATIVE SPECIALIST I	119	GRADE C106
27	(142)	V030C	SHIPPING & RECEIVING CLERK	<u>1</u>	GRADE C105
28			MAX. NO. OF EMPLOYEES	4,747	

29

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

1

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

7

8	ITEM	FISCAL YEAR
9	<u>NO.</u>	<u>2011-2012</u>
10	(01) REGULAR SALARIES	\$156,912,695
11	(02) EXTRA HELP	100,000
12	(03) PERSONAL SERVICES MATCHING	58,659,527
13	(04) OVERTIME	1,550,000
14	(05) MAINT. & GEN. OPERATION	
15	(A) OPER. EXPENSE	52,370,945
16	(B) CONF. & TRAVEL	200,000
17	(C) PROF. FEES	58,066,482
18	(D) CAP. OUTLAY	2,072,803
19	(E) DATA PROC.	0
20	(06) JAIL CONTRACTS	<u>1,779,375</u>
21	TOTAL AMOUNT APPROPRIATED	<u>\$331,771,827</u>

22

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

29

30	ITEM	FISCAL YEAR
31	<u>NO.</u>	<u>2011-2012</u>
32	(01) REGULAR SALARIES	\$827,497
33	(02) PERSONAL SERVICES MATCHING	325,789
34	(03) MAINT. & GEN. OPERATION	
35	(A) OPER. EXPENSE	12,429,400
36	(B) CONF. & TRAVEL	0

1	(C) PROF. FEES	0
2	(D) CAP. OUTLAY	500,000
3	(E) DATA PROC.	<u>0</u>
4	TOTAL AMOUNT APPROPRIATED	<u><u>\$14,082,686</u></u>

5

6 SECTION 5. APPROPRIATION - WORK RELEASE PROGRAM. There is hereby

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

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

9 Officer of the State, for operating expenses and debt service of the

10 Department of Correction - Work Release Program for the fiscal year ending

11 June 30, 2012, the following:

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

23

24 SECTION 6. APPROPRIATION - PRISON INDUSTRY PROGRAM. There is hereby

25 appropriated, to the Department of Correction, to be payable from the

26 Department of Correction Prison Industry Fund, for personal services and

27 operating expenses of the Department of Correction - Prison Industry Program

28 for the fiscal year ending June 30, 2012, the following:

29		
30	ITEM	FISCAL YEAR
31	<u>NO.</u>	<u>2011-2012</u>
32	(01) REGULAR SALARIES	\$2,048,174
33	(02) PERSONAL SERVICES MATCHING	734,030
34	(03) MAINT. & GEN. OPERATION	
35	(A) OPER. EXPENSE	7,649,295
36	(B) CONF. & TRAVEL	31,880

1	(C) PROF. FEES	0
2	(D) CAP. OUTLAY	331,095
3	(E) DATA PROC.	<u>0</u>
4	TOTAL AMOUNT APPROPRIATED	<u>\$10,794,474</u>

5

6 SECTION 7. APPROPRIATION - FARM OPERATIONS PROGRAM. There is hereby

7 appropriated, to the Department of Correction, to be payable from the

8 Department of Correction Farm Fund, for personal services and operating

9 expenses of the Department of Correction - Farm Operations Program for the

10 fiscal year ending June 30, 2012, the following:

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

24

25 SECTION 8. APPROPRIATION - NON-TAX REVENUE RECEIPTS. There is hereby

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

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

28 Officer of the State, for operating expenses of the Department of Correction

29 - Non-Tax Revenue Receipts for the fiscal year ending June 30, 2012, the

30 following:

31	ITEM	FISCAL YEAR
32		
33	<u>NO.</u>	<u>2011-2012</u>
34	(01) MAINT. & GEN. OPERATION	
35	(A) OPER. EXPENSE	\$1,679,195
36	(B) CONF. & TRAVEL	0



1	(C) PROF. FEES	100,000
2	(D) CAP. OUTLAY	400,000
3	(E) DATA PROC.	0
4	(02) CONSTRUCTION	<u>4,038,275</u>
5	TOTAL AMOUNT APPROPRIATED	<u><u>\$6,217,470</u></u>

6  
 7 SECTION 9. APPROPRIATION - FEDERAL PROGRAMS. There is hereby  
 8 appropriated, to the Department of Correction, to be payable from the federal  
 9 funds as designated by the Chief Fiscal Officer of the State, for personal  
 10 services and operating expenses of the Department of Correction - Federal  
 11 Programs for the fiscal year ending June 30, 2012, the following:

13	ITEM	FISCAL YEAR
14	<u>NO.</u>	<u>2011-2012</u>
15	(01) REGULAR SALARIES	\$50,000
16	(02) PERSONAL SERVICES MATCHING	28,475
17	(03) MAINT. & GEN. OPERATION	
18	(A) OPER. EXPENSE	2,500
19	(B) CONF. & TRAVEL	2,000
20	(C) PROF. FEES	428,900
21	(D) CAP. OUTLAY	0
22	(E) DATA PROC.	<u>0</u>
23	TOTAL AMOUNT APPROPRIATED	<u><u>\$511,875</u></u>

24  
 25 SECTION 10. APPROPRIATION - COUNTY JAIL REIMBURSEMENT. There is hereby  
 26 appropriated, to the Department of Correction, to be payable from the County  
 27 Jail Reimbursement Fund, for reimbursement to counties housing state inmates  
 28 of the Department of Correction - County Jail Reimbursement for the fiscal  
 29 year ending June 30, 2012, the following:

31	ITEM	FISCAL YEAR
32	<u>NO.</u>	<u>2011-2012</u>
33	(01) REIMBURSEMENTS TO COUNTIES HOUSING	
34	STATE INMATES	<u><u>\$20,830,069</u></u>

35  
 36 SECTION 11. APPROPRIATION - JUVENILE SEX OFFENDER ASSESSMENT. There is

1 hereby appropriated, to the Department of Correction, to be payable from the  
 2 Sex and Child Offenders Registration Fund, for operating expenses of the  
 3 Department of Correction - Juvenile Sex Offender Assessment for the fiscal  
 4 year ending June 30, 2012, the following:

6 ITEM	FISCAL YEAR
7 <u>NO.</u>	<u>2011-2012</u>
8 (01) MAINT. & GEN. OPERATION	
9 (A) OPER. EXPENSE	\$25,000
10 (B) CONF. & TRAVEL	0
11 (C) PROF. FEES	0
12 (D) CAP. OUTLAY	0
13 (E) DATA PROC.	<u>0</u>
14 TOTAL AMOUNT APPROPRIATED	<u><u>\$25,000</u></u>

15

16 SECTION 12. APPROPRIATION - FIRE STATION - PROTECTION. There is hereby  
 17 appropriated, to the Department of Correction, to be payable from the cash  
 18 fund deposited in the State Treasury as determined by the Chief Fiscal  
 19 Officer of the State, for construction of the Department of Correction Fire  
 20 Station - Protection for the fiscal year ending June 30, 2012, the following:

21

22 ITEM	FISCAL YEAR
23 <u>NO.</u>	<u>2011-2012</u>
24 (01) CONSTRUCTION	<u><u>\$50,000</u></u>

25

26 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REGULAR  
 28 SALARIES - CONTINGENT POSITIONS. There is hereby established for the  
 29 Department of Correction - Contingent Positions for the ~~2010-2011~~ 2011-2012  
 30 fiscal year, the following maximum number of regular employees.

31 CONTINGENT POSITIONS - MEDICAL SERVICES

		MAXIMUM ANNUAL	
33 ITEM	CLASS	MAXIMUM	SALARY RATE
34 <u>NO.</u>	<u>CODE</u> <u>TITLE</u>	NO. OF	FISCAL YEAR
		<u>EMPLOYEES</u>	<del>2010-2011</del> <u>2011-2012</u>
36 (01)	CHIEF OF MEDICAL SERVICES	1	\$225,000

1	(02)	CHIEF OF DENTAL SERVICES	1	175,000
2	(03)	CHIEF OF PHARMACY	1	125,000
3	(04)	HEALTH SERVICES ADMIN	1	110,000
4	(05)	PHYSICIANS SPECIALIST	6	170,000
5	(06)	ASST HEALTH SERVICES ADMN	3	90,000
6	(07)	CHIEF OF NURSING SERVICES	1	90,000
7	(08)	RNP/PA	13	85,000
8	(09)	DIR OF MEDICAL RECORDS	1	75,000
9	(10)	UNIT/FACILITY MEDICAL MGR	11	70,000
10	(11)	MEDICAL SERVICES SPECIALIST	8	65,000
11	(12)	UNIT/FACILITY MEDICAL SUPV	7	60,000
12	PATIENT CARE -			
13	(13)	L008N PHYSICIAN SPECIALIST	17	GRADE N917
14	(14)	L011N DENTIST	15	GRADE N916
15	(15)	L016N REGISTERED PHARMACIST	3	GRADE N911
16	(16)	L019C REGISTERED NURSE COORD	1	GRADE C123
17	(17)	L027C REGISTERED NURSE SUPV	41	GRADE C122
18	(18)	L069C LICENSED PRACTICAL NURSE	172	GRADE C113
19	(19)	B111C LABORATORY TECHNICIAN	5	GRADE C110
20	(20)	L064C RADIOLOGY TECHNICIAN	5	GRADE C114
21	PATIENT CARE - CLASSIFIED POSITIONS			
22	(21)	L001C PSYCHOLOGIST SUPERVISOR	2	GRADE C129
23	(22)	L003C PSYCHOLOGIST	12	GRADE C127
24	(23)	L033C PSYCHOLOGIST EXAMINER	7	GRADE C121
25	(24)	G121C REHAB PROGRAM MANAGER	9	GRADE C120
26	(25)	L038C REGISTERED NURSE	3	GRADE C120
27	(26)	M020C LICENSED PROF COUNSELOR	82	GRADE C119
28	(27)	M026C LICENSED SOCIAL WORKER	21	GRADE C118
29	(28)	M046C ADC/DCC TREATMENT COORD	4	GRADE C117
30	(29)	M048C SUBSTANCE ABUSE PRGM LDR	37	GRADE C116
31	(30)	C037C ADMINISTRATIVE ANALYST	2	GRADE C115
32	(31)	L071C DENTAL HYGIENIST	8	GRADE C113
33	(32)	C053C MEDICAL RECORDS TECH	24	GRADE C112
34	(33)	C056C ADMINISTRATIVE SPEC III	23	GRADE C112
35	(34)	C073C ADMINISTRATIVE SPEC II	4	GRADE C109
36	(35)	L081C DENTAL ASSISTANT	12	GRADE C109

1	(36) C087C ADMINISTRATIVE SPEC I	11	GRADE C106
2	CLASSIFIED - NON-PATIENT CARE		
3	(37) BUYER	2	GRADE C116
4	(38) PURCHASING ASSISTANT	1	GRADE C106
5	(39) ACCOUNTING TECH	4	GRADE C109
6	(40) ACCOUNTANT I	1	GRADE C116
7	(41) INSTITUTIONAL HR COORDINATOR	1	GRADE C115
8	(42) HR SPECIALIST	1	GRADE C113
9	(43) ADC INMATE GRIEVANCE COORD	3	GRADE C114
10	(44) COMPUTER SUPPORT TECH	<u>1</u>	GRADE C115
11	GRAND TOTAL CONTINGENT EMPLOYEES	588	

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

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

34 The provisions of this section shall be in effect only from July 1,  
 35 ~~2010~~ 2011 through June 30, ~~2011~~ 2012.

36

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

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

23 The provisions of this section shall be in effect only from July 1,  
24 ~~2010~~ 2011 through June 30, ~~2011~~ 2012.

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

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

17 The provisions of this section shall be in effect only from July 1,  
18 ~~2010~~ 2011 through June 30, ~~2011~~ 2012.

19  
20 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
22 REALLOCATION OF RESOURCES. Upon determination by the Board of Corrections  
23 that a reallocation of resources within the Department of Community  
24 Correction and Department of Correction is necessary for the efficient and  
25 effective operation of the departments, the Board, with approval of the  
26 Governor and approval by the Arkansas Legislative Council or Joint Budget  
27 Committee, shall have the authority to instruct the department directors, to  
28 request from the Chief Fiscal Officer of the State, a transfer of positions,  
29 programs, funds, appropriations, and line-item appropriations within or  
30 between existing and newly created divisions, offices, sections, or units of  
31 the departments. If it is determined that the requested transfer should be  
32 made, the Chief Fiscal Officer of the State shall then initiate the necessary  
33 transfer documents to reflect the transfers upon the fiscal records of the  
34 State Treasurer, the State Auditor, the Chief Fiscal Officer of the State,  
35 and the Departments of Correction and Community Correction. Provided,  
36 however, that the Board shall be limited to submitting no more than two

1 requests, encompassing a single purpose listed in this section, during any  
2 fiscal year per department. Transfer authority shall further be limited to  
3 no more than five percent (5%) of the total General Revenue and Special  
4 Revenue appropriation, funding, and positions specific to each agency.  
5 However, there shall be no fund transfers to or from the County Jail  
6 Reimbursement Fund. A Reallocation of Resources Transfer shall be limited to  
7 the following specific purposes:

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

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

34 The provisions of this section shall be in effect only from July 1,  
35 ~~2010~~ 2011 through June 30, ~~2011~~ 2012.

36

1 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HOLIDAY  
 3 COMPENSATION. The Department of Correction is authorized to pay employees for  
 4 up to one-hundred fifty (150) hours of unused holidays exceeding a balance in  
 5 the employee's holiday account of ninety-six (96) hours following the end of  
 6 the calendar year. Payments of unused Holiday hours must be processed on or  
 7 before June 1st in each fiscal year. Employees terminating employment from  
 8 the Department of Correction will be eligible for all holiday pay accrued  
 9 during the years of service. This request is contingent on approval by the  
 10 Chief Fiscal Officer of the State after the Director of the Department of  
 11 Correction has verified that sufficient revenues are available to make such  
 12 payments to employees who have served in the following classifications:

13 Class

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

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

33 ~~The provisions of this section shall be in effect only from July 1,~~  
 34 ~~2010~~ 2011 through June 30, ~~2011~~ 2012.

35 JUVENILE SEX OFFENDER ASSESSMENT. The Arkansas Department of Correction is  
 36 authorized to enter into a cooperative agreement with a qualified state



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

4 The provisions of this section shall be in effect only from July 1,  
5 2011 through June 30, 2012.

6  
7 SECTION 21. 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 grant

1 expenditures. Documentation shall be maintained sufficient to identify  
2 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 and  
26 Act 309 prisoners from the number of inmates housed at ADC facilities.

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

29  
30 SECTION 22. 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 funding as authorized herein, may  
3 be carried forward under the following conditions:  
4 (1) Prior to June 30, ~~2010~~ 2012 the Agency shall by written statement set  
5 forth its reason(s) for the need to carry forward said funding to the  
6 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 to the second fiscal year by the September Arkansas  
10 Legislative Council or Joint Budget Committee meeting which report shall  
11 include the name of the Agency, Board, Commission or Institution and the  
12 amount of the funding carried forward from the first fiscal year to the  
13 second fiscal year, the program name or line item, the funding source of that  
14 appropriation and a copy of the written request set forth in (1) above;  
15 (3) Each Agency, Board, Commission or Institution shall provide a written  
16 report to the Arkansas Legislative Council or Joint Budget Committee  
17 containing all information set forth in item (2) above, along with a written  
18 statement as to the current status of the project, contract, purpose etc. for  
19 which the carry forward was originally requested no later than thirty (30)  
20 days prior to the time the Agency, Board, Commission or Institution presents  
21 its budget request to the Arkansas Legislative Council/Joint Budget  
22 Committee; and  
23 (4) Thereupon, the Department of Finance and Administration shall include  
24 all information obtained in item (3) above in the budget manuals and/or a  
25 statement of non-compliance by the Agency, Board, Commission or Institution.

26

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

33 The provisions of this section shall be in effect only from July 1,  
34 ~~2010~~ 2011 through June 30, ~~2011~~ 2012.

35

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

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. USE OF  
2 MAINTENANCE AND OPERATION APPROPRIATION AND SALVAGED MATERIALS CONSTRUCTION.  
3 The Department of Correction is hereby authorized to utilize Maintenance and  
4 General Operation Appropriation in conjunction with surplus and/or  
5 salvageable materials for the purpose of implementing construction projects  
6 to benefit the Department and its various programs. Before such projects may  
7 be undertaken, a Method of Finance must be submitted for prior review and  
8 approval by the Arkansas Legislative Council or Joint Budget Committee, and  
9 review and approval by the Department of Finance and Administration and the  
10 Arkansas Building Authority.

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,  
28 ~~2010~~ 2011 through June 30, ~~2011~~ 2012.

29  
30 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. UTILITY  
32 RATE INCREASE TRANSFER. In the event of a ten percent (10%) increase in  
33 utility rates and fuel rates, the Department of Correction is authorized to  
34 transfer any line item appropriation in this Act to the Maintenance and  
35 Operation line item for support of the increase after receiving approval of  
36 the Chief Fiscal Officer of the State. Prior to the utilization of the

1 transfer authority, a report shall be made to the Arkansas Legislative  
2 Council or Joint Budget Committee including justification for the transfer  
3 and the amount of the transfer.

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

20 The provisions of this section shall be in effect only from July 1,  
21 ~~2010~~ 2011 through June 30, ~~2011~~ 2012.

22

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

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

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

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

3 The provisions of this section shall be in effect only from July 1,  
4 ~~2010~~ 2011 through June 30, ~~2011~~ 2012.

5

6 SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. NEW  
8 FACILITIES. If it is found that contracting for the operation of new  
9 facilities is economically beneficial to the State of Arkansas, the  
10 Department of Correction may, after receiving approval of the Chief Fiscal  
11 Officer, and seeking prior review and approval by the Arkansas Legislative  
12 Council or Joint Budget Committee, transfer from any line item appropriation  
13 contained in Section 3 of this Act into the Professional Fees and Services  
14 line item contained in Section 3 of this Act to operate new facilities.

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 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
36 APPROPRIATION TRANSFER FOR CONSTRUCTING AND EQUIPPING. The Department of

1 Correction is hereby authorized to transfer appropriations between any line  
2 items authorized herein but only for the purpose of financing construction or  
3 equipment for a facility of the department. Any transfers authorized by this  
4 section shall require the approval of the Chief Fiscal Officer of the State  
5 after prior review and approval by the Legislative Council or Joint Budget  
6 Committee.

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

34 Determining the maximum number of employees and the maximum amount of  
35 appropriation and general revenue funding for a state agency each fiscal year  
36 is the prerogative of the General Assembly. This is usually accomplished by



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

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

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

29  
30 SECTION 32. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MOTOR  
32 VEHICLE PURCHASE PROVISION. The Department of Correction is hereby  
33 authorized to purchase motor vehicles as may be approved for the purpose of  
34 equipping new bed additions at the various institutions from the  
35 appropriations authorized for Capital Outlay in Section 3 of this Act.

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

1 ~~2010~~ 2011 through June 30, ~~2011~~ 2012.

2

3 SECTION 33. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
5 OF APPROPRIATION ~~AND FUNDS~~ TO THE COUNTY JAIL REIMBURSEMENT FUND. If any  
6 savings of general revenue appropriation and funds accrue during the ~~2010-~~  
7 ~~2011~~ 2011-2012 fiscal year in the operations of the Department of Correction,  
8 the Director of the Department of Correction may request a transfer of  
9 appropriation ~~and funds~~ from any line item appropriation in the Inmate Care  
10 and Custody Fund Account to the County Jail Reimbursement Fund in order to  
11 meet obligations to counties for housing state inmates. Such transfer  
12 request shall be made upon the approval of the Chief Fiscal Officer of the  
13 State and prior review and approval by the Arkansas Legislative Council or  
14 Joint Budget Committee.

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

17

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

28 The Association of Arkansas Counties in coordination with Legislative  
29 Audit shall determine which counties will be included in the sample and shall  
30 include a sufficient number of counties from each classification based upon  
31 population and each congressional district to ensure a fair representation of  
32 costs incurred. Guidelines for preparing this cost report shall be developed  
33 by the Division of Legislative Audit in coordination with the Association of  
34 Arkansas Counties. The Division of Legislative Audit shall test the accuracy  
35 of the information submitted during the routine audit of the applicable  
36 county.

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

3  
4 SECTION 35. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ESSENTIAL  
6 SERVICES STIPEND. The Arkansas Department of Correction (ADC) may award  
7 additional compensation to those exempt employees who are members of the  
8 emergency response unit. These employees are eligible to receive up to 3% per  
9 hour additional compensation for the actual number of hours that an employee  
10 spends on an emergency response action.

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

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

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

32  
33 SECTION 38. EMERGENCY CLAUSE. It is found and determined by the  
34 General Assembly, that the Constitution of the State of Arkansas prohibits  
35 the appropriation of funds for more than a one (1) year period; that the  
36 effectiveness of this Act on July 1, 2011 is essential to the operation of

1 the agency for which the appropriations in this Act are provided, and that in  
2 the event of an extension of the legislative session, the delay in the  
3 effective date of this Act beyond July 1, 2011 could work irreparable harm  
4 upon the proper administration and provision of essential governmental  
5 programs. Therefore, an emergency is hereby declared to exist and this Act  
6 being necessary for the immediate preservation of the public peace, health  
7 and safety shall be in full force and effect from and after July 1, 2011.

8  
9 /s/*Joint Budget Committee*

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