

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4

A Bill

HOUSE BILL 1223

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
9 AND OPERATING EXPENSES FOR THE DEPARTMENT OF
10 CORRECTION FOR THE FISCAL YEAR ENDING JUNE 30, 2014;
11 AND FOR OTHER PURPOSES.
12
13

Subtitle

14 AN ACT FOR THE DEPARTMENT OF CORRECTION
15 APPROPRIATION FOR THE 2013-2014 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 2013-2014 fiscal year, the following maximum
24 number of regular employees.
25

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2013-2014
30	(1) U035U	ADC DIRECTOR	1	\$147,542
31	(2) U062U	ADC CHIEF DEPUTY DIRECTOR	1	\$115,482
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)	A108C	ADC ASST CHIEF FINANCIAL OFFICER (CFO)	1	GRADE C130
6	(13)	A007C	AUDIT MANAGER	1	GRADE C129
7	(14)	L001C	PSYCHOLOGIST SUPERVISOR	3	GRADE C129
8	(15)	L097C	ADC PSYCHOLOGIST	12	GRADE C128
9	(16)	D007C	INFORMATION SYSTEMS MANAGER	2	GRADE C128
10	(17)	T006C	ADC HEAD FARM MANAGER II	4	GRADE C127
11	(18)	T005C	ADC/DCC CORRECTIONAL WARDEN	10	GRADE C127
12	(19)	G025C	ATTORNEY SUPERVISOR	2	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	24	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	3	GRADE C122
24	(31)	G099C	DHS PROGRAM ADMINISTRATOR	1	GRADE C122
25	(32)	D046C	STATE PRODUCTION CONTROL SUPERVISOR	1	GRADE C122
26	(33)	B040C	ADC AGRICULTURE PRODUCTION SUPERVISOR	2	GRADE C121
27	(34)	G222C	ADC/DCC INTERNAL AFFAIRS ADMIN	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	17	GRADE C121
31	(38)	L033C	PSYCHOLOGICAL EXAMINER	9	GRADE C121
32	(39)	D052C	SOFTWARE SUPPORT ANALYST	6	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	3	GRADE C120
36	(43)	T033C	ADC/DCC MAJOR	26	GRADE C120

1	(44)	E026C	EDUCATION & INSTRUCTION COORDINATOR	1	GRADE C120
2	(45)	M088C	LICENSED MASTER SOCIAL WORKER	4	GRADE C120
3	(46)	L038C	REGISTERED NURSE	1	GRADE C120
4	(47)	G121C	REHAB PROGRAM MANAGER	9	GRADE C120
5	(48)	T040C	ADC ASSISTANT HEAD FARM MANAGER	5	GRADE C119
6	(49)	S011C	ADC COMMODITY & FOOD SVC ADMR	1	GRADE C119
7	(50)	S095C	ADC CONSTRUCTION PROJECT SPECIALIST	9	GRADE C119
8	(51)	S096C	ADC CONSTRUCTION PROJECT SUPERVISOR	15	GRADE C119
9	(52)	S010C	ADC INDUSTRY PROGRAM MANAGER	9	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	2	GRADE C119
13	(56)	A066C	INTERNAL AUDITOR	2	GRADE C119
14	(57)	M020C	LICENSED PROFESSIONAL COUNSELOR	74	GRADE C119
15	(58)	V007C	PROCUREMENT COORDINATOR	2	GRADE C119
16	(59)	A060C	SENIOR AUDITOR	1	GRADE C119
17	(60)	T034C	WORK RELEASE CENTER SUPERVISOR	5	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	4	GRADE C118
26	(69)	T054C	ADC/DCC LIEUTENANT	150	GRADE C117
27	(70)	T053C	AGRICULTURE UNIT SUPERVISOR II	32	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	25	GRADE C116
36	(79)	X133C	ADC/DCC INTERNAL AFFAIRS INVESTIGATOR	9	GRADE C116

1	(80)	S026C	ADC/DCC ASST MAINTENANCE SUPERVISOR	14	GRADE C116
2	(81)	T059C	ADC/DCC FOOD PREPARATION MANAGER	20	GRADE C116
3	(82)	C024C	ADC/DCC RECORDS SUPERVISOR	24	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	19	GRADE C116
8	(87)	X128C	CORRECTIONAL UNIT ACCREDITATION SPEC	15	GRADE C116
9	(88)	X127C	DISCIPLINARY HEARING OFFICER	7	GRADE C116
10	(89)	L058C	DISEASE INTERVENTION SPECIALIST	4	GRADE C116
11	(90)	E048C	EDUCATION & INSTRUCTION SPECIALIST	1	GRADE C116
12	(91)	R030C	EEO/GRIEVANCE OFFICER	1	GRADE C116
13	(92)	R029C	HUMAN RESOURCES RECRUITER	1	GRADE C116
14	(93)	M049C	SENIOR CHAPLAIN	6	GRADE C116
15	(94)	S022C	SKILLED TRADES SUPERVISOR	1	GRADE C116
16	(95)	M048C	SUBSTANCE ABUSE PROGRAM LEADER	38	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	856	GRADE C115
20	(99)	M058C	ADC/DCC PROGRAM SPECIALIST	10	GRADE C115
21	(100)	C037C	ADMINISTRATIVE ANALYST	13	GRADE C115
22	(101)	M057C	CHAPLAIN	17	GRADE C115
23	(102)	D079C	COMPUTER SUPPORT TECHNICIAN	16	GRADE C115
24	(103)	A091C	FISCAL SUPPORT ANALYST	13	GRADE C115
25	(104)	R031C	INSTITUTION HUMAN RESOURCES COORD	16	GRADE C115
26	(105)	V015C	PURCHASING SPECIALIST	5	GRADE C115
27	(106)	C026C	RECORDS/INTAKE SUPERVISOR	1	GRADE C115
28	(107)	T061C	SENIOR INTELLIGENCE ANALYST	1	GRADE C115
29	(108)	S043C	ADC INDUSTRIAL SUPERVISOR I	7	GRADE C114
30	(109)	G216C	ADC INMATE GRIEVANCE COORDINATOR	22	GRADE C114
31	(110)	P044C	ADC SALES REPRESENTATIVE	4	GRADE C114
32	(111)	T071C	ADC UNIT TRAINING SUPERVISOR	16	GRADE C114
33	(112)	T070C	ADC/DCC FOOD PREPARATION SUPERVISOR	82	GRADE C114
34	(113)	G215C	CAREER PLANNING & PLACEMENT SPECIALIST	1	GRADE C114
35	(114)	M065C	RECREATIONAL ACTIVITY SUPERVISOR	18	GRADE C114
36	(115)	X151C	SAFETY SUPERVISOR	1	GRADE C114

1	(116)	T077C	ADC MAILROOM SERVICES COORDINATOR	14	GRADE C113
2	(117)	T076C	ADC/DCC ADMIN REVIEW OFFICER	6	GRADE C113
3	(118)	T075C	ADC/DCC CORPORAL	2,192	GRADE C113
4	(119)	R036C	HUMAN RESOURCES SPECIALIST	4	GRADE C113
5	(120)	V020C	INVENTORY CONTROL MANAGER	4	GRADE C113
6	(121)	C046C	LEGAL SUPPORT SPECIALIST	2	GRADE C113
7	(122)	S046C	MAINTENANCE TECHNICIAN	26	GRADE C113
8	(123)	P045C	PUBLIC INFORMATION TECHNICIAN	1	GRADE C113
9	(124)	T083C	ADC/DCC CORRECTIONAL OFFICER I	2	GRADE C112
10	(125)	C056C	ADMINISTRATIVE SPECIALIST III	35	GRADE C112
11	(126)	R037C	BENEFITS TECHNICIAN	1	GRADE C112
12	(127)	T081C	COMMISSARY MANAGER	28	GRADE C112
13	(128)	A098C	FISCAL SUPPORT SPECIALIST	37	GRADE C112
14	(129)	S051C	INSTRUMENTATION TECHNICIAN	1	GRADE C112
15	(130)	A097C	PAYROLL TECHNICIAN	4	GRADE C112
16	(131)	V024C	ADC PROPERTY OFFICER	3	GRADE C111
17	(132)	M078C	VOLUNTEER SERVICES COORDINATOR	1	GRADE C111
18	(133)	R038C	HUMAN RESOURCES ASSISTANT	23	GRADE C110
19	(134)	A100C	PAYROLL OFFICER	1	GRADE C110
20	(135)	C073C	ADMINISTRATIVE SPECIALIST II	79	GRADE C109
21	(136)	C087C	ADMINISTRATIVE SPECIALIST I	98	GRADE C106
22	(137)	V030C	SHIPPING & RECEIVING CLERK	<u>1</u>	GRADE C105
23			MAX. NO. OF EMPLOYEES	4,489	

24

25 SECTION 2. EXTRA HELP. There is hereby authorized, for the Department
 26 of Correction for the 2013-2014 fiscal year, the following maximum number of
 27 part-time or temporary employees, to be known as "Extra Help", payable from
 28 funds appropriated herein for such purposes: one hundred seventy (170)
 29 temporary or part-time employees, when needed, at rates of pay not to exceed
 30 those provided in the Uniform Classification and Compensation Act, or its
 31 successor, or this act for the appropriate classification.

32

33 SECTION 3. APPROPRIATION - INMATE CARE & CUSTODY. There is hereby
 34 appropriated, to the Department of Correction, to be payable from the
 35 Department of Correction Inmate Care and Custody Fund Account, for personal
 36 services and operating expenses of the Department of Correction - Inmate Care

1 & Custody for the fiscal year ending June 30, 2014, the following:

2

3 ITEM	FISCAL YEAR
4 <u>NO.</u>	<u>2013-2014</u>
5 (01) REGULAR SALARIES	\$160,263,509
6 (02) EXTRA HELP	100,000
7 (03) PERSONAL SERVICES MATCHING	63,594,398
8 (04) OVERTIME	1,550,000
9 (05) MAINT. & GEN. OPERATION	
10 (A) OPER. EXPENSE	48,074,903
11 (B) CONF. & TRAVEL	150,000
12 (C) PROF. FEES	59,448,679
13 (D) CAP. OUTLAY	2,177,663
14 (E) DATA PROC.	0
15 (06) JAIL CONTRACTS	<u>1,533,000</u>
16 TOTAL AMOUNT APPROPRIATED	<u><u>\$336,892,152</u></u>

17

18 SECTION 4. APPROPRIATION - INMATE WELFARE PROGRAM. There is hereby
 19 appropriated, to the Department of Correction, to be payable from the cash
 20 fund deposited in the State Treasury as determined by the Chief Fiscal
 21 Officer of the State, for personal services and operating expenses of the
 22 Department of Correction - Inmate Welfare Program for the fiscal year ending
 23 June 30, 2014, the following:

24

25 ITEM	FISCAL YEAR
26 <u>NO.</u>	<u>2013-2014</u>
27 (01) REGULAR SALARIES	\$817,338
28 (02) PERSONAL SERVICES MATCHING	340,953
29 (03) MAINT. & GEN. OPERATION	
30 (A) OPER. EXPENSE	11,028,960
31 (B) CONF. & TRAVEL	0
32 (C) PROF. FEES	0
33 (D) CAP. OUTLAY	500,000
34 (E) DATA PROC.	<u>0</u>
35 TOTAL AMOUNT APPROPRIATED	<u><u>\$12,687,251</u></u>

36

1 SECTION 5. APPROPRIATION - WORK RELEASE PROGRAM. There is hereby
 2 appropriated, to the Department of Correction, to be payable from the cash
 3 fund deposited in the State Treasury as determined by the Chief Fiscal
 4 Officer of the State, for operating expenses and debt service of the
 5 Department of Correction - Work Release Program for the fiscal year ending
 6 June 30, 2014, the following:

8 ITEM	FISCAL YEAR
9 NO.	2013-2014
10 (01) MAINT. & GEN. OPERATION	
11 (A) OPER. EXPENSE	\$4,892,832
12 (B) CONF. & TRAVEL	104,830
13 (C) PROF. FEES	500,000
14 (D) CAP. OUTLAY	1,260,000
15 (E) DATA PROC.	0
16 (02) DEBT SERVICE	<u>500,000</u>
17 TOTAL AMOUNT APPROPRIATED	<u><u>\$7,257,662</u></u>

18
 19 SECTION 6. APPROPRIATION - PRISON INDUSTRY PROGRAM. There is hereby
 20 appropriated, to the Department of Correction, to be payable from the
 21 Department of Correction Prison Industry Fund, for personal services and
 22 operating expenses of the Department of Correction - Prison Industry Program
 23 for the fiscal year ending June 30, 2014, the following:

25 ITEM	FISCAL YEAR
26 NO.	2013-2014
27 (01) REGULAR SALARIES	\$2,231,953
28 (02) PERSONAL SERVICES MATCHING	856,977
29 (03) OVERTIME	8,000
30 (04) MAINT. & GEN. OPERATION	
31 (A) OPER. EXPENSE	8,076,400
32 (B) CONF. & TRAVEL	39,400
33 (C) PROF. FEES	0
34 (D) CAP. OUTLAY	278,300
35 (E) DATA PROC.	<u>0</u>
36 TOTAL AMOUNT APPROPRIATED	<u><u>\$11,491,030</u></u>

SECTION 7. APPROPRIATION - FARM OPERATIONS PROGRAM. There is hereby appropriated, to the Department of Correction, to be payable from the Department of Correction Farm Fund, for personal services and operating expenses of the Department of Correction - Farm Operations Program for the fiscal year ending June 30, 2014, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2013-2014</u>
(01) REGULAR SALARIES	\$2,660,116
(02) PERSONAL SERVICES MATCHING	976,187
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	13,768,808
(B) CONF. & TRAVEL	53,010
(C) PROF. FEES	128,354
(D) CAP. OUTLAY	3,383,955
(E) DATA PROC.	0
(04) PURCHASE CATTLE/MEAT	<u>650,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$21,620,430</u>

SECTION 8. APPROPRIATION - NON-TAX REVENUE RECEIPTS. There is hereby appropriated, to the Department of Correction, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for operating expenses of the Department of Correction - Non-Tax Revenue Receipts for the fiscal year ending June 30, 2014, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2013-2014</u>
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$3,829,195
(B) CONF. & TRAVEL	0
(C) PROF. FEES	200,000
(D) CAP. OUTLAY	400,000
(E) DATA PROC.	0
(02) CONSTRUCTION	<u>2,010,805</u>

1 TOTAL AMOUNT APPROPRIATED \$6,440,000

2

3 SECTION 9. APPROPRIATION - COUNTY JAIL REIMBURSEMENT. There is hereby
 4 appropriated, to the Department of Correction, to be payable from the County
 5 Jail Reimbursement Fund, for reimbursement to counties housing state inmates
 6 of the Department of Correction - County Jail Reimbursement for the fiscal
 7 year ending June 30, 2014, the following:

8

9 ITEM	FISCAL YEAR
10 <u>NO.</u>	<u>2013-2014</u>
11 (01) REIMBURSEMENTS TO COUNTIES HOUSING	
12 STATE INMATES	<u>\$7,453,607</u>

13

14 SECTION 10. APPROPRIATION - ADC SEX OFFENDER ASSESSMENT. There is
 15 hereby appropriated, to the Department of Correction, to be payable from the
 16 Sex and Child Offenders Registration Fund, for operating expenses of the
 17 Department of Correction - ADC Sex Offender Assessment for the fiscal year
 18 ending June 30, 2014, the following:

19

20 ITEM	FISCAL YEAR
21 <u>NO.</u>	<u>2013-2014</u>
22 (01) MAINT. & GEN. OPERATION	
23 (A) OPER. EXPENSE	\$25,000
24 (B) CONF. & TRAVEL	0
25 (C) PROF. FEES	0
26 (D) CAP. OUTLAY	0
27 (E) DATA PROC.	<u>0</u>
28 TOTAL AMOUNT APPROPRIATED	<u>\$25,000</u>

29

30 SECTION 11. APPROPRIATION - FIRE STATION - PROTECTION. There is hereby
 31 appropriated, to the Department of Correction, to be payable from the cash
 32 fund deposited in the State Treasury as determined by the Chief Fiscal
 33 Officer of the State, for construction of the Department of Correction Fire
 34 Station, of the Department of Correction - Fire Station - Protection for the
 35 fiscal year ending June 30, 2014, the following:

36

ITEM NO.	FISCAL YEAR
(01) CONSTRUCTION	<u>\$50,000</u>

SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REGULAR SALARIES - CONTINGENT POSITIONS. There is hereby established for the Department of Correction - Contingent Positions for the ~~2012-2013~~2013-2014 fiscal year, the following maximum number of regular employees.

CONTINGENT POSITIONS - MEDICAL SERVICES

ITEM NO.	CLASS CODE	TITLE	MAXIMUM NO. OF EMPLOYEES	MAXIMUM ANNUAL SALARY RATE FISCAL YEAR
				2012-2013 <u>2013-2014</u>
(01)		CHIEF OF MEDICAL SERVICES	1	\$225,000
(02)		CHIEF OF DENTAL SERVICES	1	175,000
(03)		CHIEF OF PHARMACY	1	125,000
(04)		HEALTH SERVICES ADMIN	1	110,000
(05) <u>(04)</u>		PHYSICIANS SPECIALIST	6 <u>15</u>	170,000
(06)		ASST HEALTH SERVICES ADMN	3	90,000
(07) <u>(05)</u>		CHIEF OF NURSING SERVICES	1	90,000
(08) <u>(06)</u>		RNP/PA	13	85,000
(09) <u>(07)</u>		DIR OF MEDICAL RECORDS	1	75,000
(10) <u>(08)</u>		UNIT/FACILITY MEDICAL MGR	1 <u>15</u>	70,000 <u>90,000</u>
(11)		MEDICAL SERVICES SPECIALIST	8	65,000
(12)		UNIT/FACILITY MEDICAL SUPV	7	60,000
PATIENT CARE -				
(13)	L008N	PHYSICIAN SPECIALIST	17	GRADE N917
(14) <u>(09)</u>	L011N	DENTIST	15	GRADE N916
(15) <u>(10)</u>	L016N	REGISTERED PHARMACIST	3	GRADE N911
(16) <u>(11)</u>	L019C	REGISTERED NURSE COORD	1 <u>13</u>	GRADE C123
(17) <u>(12)</u>	L027C	REGISTERED NURSE SUPV	4 <u>45</u>	GRADE C122
(18) <u>(13)</u>	L069C	LICENSED PRACTICAL NURSE	17 <u>180</u>	GRADE C113
(19) <u>(14)</u>	B111C	LABORATORY TECHNICIAN	5 <u>3</u>	GRADE C110
(20) <u>(15)</u>	L064C	RADIOLOGY TECHNICIAN	5 <u>8</u>	GRADE C114

1	PATIENT CARE - CLASSIFIED POSITIONS		
2	(21) L001C PSYCHOLOGIST SUPERVISOR	2	GRADE C129
3	(22) L003C PSYCHOLOGIST	12	GRADE C127
4	(23) L033C PSYCHOLOGIST EXAMINER	7	GRADE C121
5	(24) C121C REHAB PROGRAM MANAGER	9	GRADE C120
6	(25) L038C REGISTERED NURSE	3	GRADE C120
7	(26) M020C LICENSED PROF COUNSELOR	82	GRADE C119
8	(27) M026C LICENSED SOCIAL WORKER	21	GRADE C118
9	(28) M046C ADG/DCC TREATMENT COORD	4	GRADE C117
10	(29) M048C SUBSTANCE ABUSE PRGM LDR	37	GRADE C116
11	(30) C037C ADMINISTRATIVE ANALYST	2	GRADE C115
12	(31) (16) L071C DENTAL HYGIENIST	8	GRADE C113
13	(32) (17) C053C MEDICAL RECORDS TECH	2426	GRADE C112
14	(33) (18) C056C ADMINISTRATIVE SPEC III	2311	GRADE C112
15	(34) (19) C073C ADMINISTRATIVE SPEC II	49	GRADE C109
16	(35) (20) L081C DENTAL ASSISTANT	1214	GRADE C109
17	(36) C087C ADMINISTRATIVE SPEC I	11	GRADE C106
18	CLASSIFIED - NON-PATIENT CARE		
19	(37) (21) BUYER	2	GRADE C116
20	(38) (22) PURCHASING ASSISTANT	1	GRADE C106
21	(39) (23) ACCOUNTING TECH	4	GRADE C109
22	(40) (24) ACCOUNTANT I	1	GRADE C116
23	(41) (25) INSTITUTIONAL HR COORDINATOR	1	GRADE C115
24	(42) (26) HR SPECIALIST	1	GRADE C113
25	(43) ADG INMATE GRIEVANCE COORD	3	GRADE C114
26	(44) (27) COMPUTER SUPPORT TECH	1	GRADE C115
27	(28) FISCAL DIVISION MANAGER	<u>1</u>	<u>GRADE C127</u>
28	(29) GOODS RECEIPT	<u>1</u>	<u>GRADE C112</u>
29	(30) INFO SYSTEMS COORDINATOR	<u>1</u>	<u>GRADE C124</u>
30	(31) NURSING ASSISTANT	<u>53</u>	<u>GRADE C110</u>
31	(32) POLICY DEVELOP. COORDINATOR	<u>1</u>	<u>GRADE C117</u>
32	(33) CHIEF PSYCHIATRIC SERV.	<u>1</u>	<u>\$400,000</u>
33	(34) PSYCHIATRIC SPECIALIST	<u>6</u>	<u>GRADE N919</u>
34	(35) REGIONAL MANAGER	<u>3</u>	<u>\$120,000</u>
35	(36) VP OPERATIONS	<u>1</u>	<u>\$200,000</u>
36	GRAND TOTAL CONTINGENT EMPLOYEES	<u>588462</u>	

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

4 The provisions of this section shall be in effect only from July 1, ~~2012~~
5 2013 through June 30, ~~2013~~ 2014.

6
7 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

9 MEDICAL/MENTAL HEALTH SERVICES - CONTINGENCY POSITIONS. If it has been
10 determined by the Board of Corrections that the Department cannot continue a
11 medical contract with a private provider and the Board deems it necessary to
12 utilize Department staff to provide the required services, the Department is
13 allowed, upon notification of the Chief Fiscal Officer of the State and after
14 seeking prior review by the Arkansas Legislative Council or Joint Budget
15 Committee, to utilize the contingent positions for medical services contained
16 in this Act and make the appropriate transfers from the Professional Fees and
17 Services line item contained in Section 3 of this Act to Regular Salaries,
18 Personal Services Matching and various Maintenance and General Operations
19 classifications. Further, the Department may utilize the service(s) of a
20 state-based or national-based Professional Recruitment Service, or network,
21 as may be necessary to recruit, fill, or maintain the occupancy of the
22 positions stated herein.

23 The provisions of this section shall be in effect only from July 1, ~~2012~~
24 2013 through June 30, ~~2013~~ 2014.

25
26 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY
28 REIMBURSEMENT RATE RESTRICTION. Notwithstanding any other provision of law or
29 departmental commitment which may exist to the contrary, the Board of
30 Corrections shall not increase any reimbursement rate for payments made to
31 any county for the purpose of reimbursing the expenses of the care and
32 custody of state inmates, without first seeking and receiving the approval of
33 the Governor and the Chief Fiscal Officer of the State.

34 The provisions of this section shall be in effect only from July 1, ~~2012~~
35 2013 through June 30, ~~2013~~ 2014.

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 JAIL REIMBURSEMENT. In the event the Department of Correction cannot accept
4 inmates from county jails due to insufficient bed space, the Department shall
5 reimburse the counties at a rate determined by the Chief Fiscal Officer of
6 the State, after consultation with the Division of Legislative Audit and the
7 Department of Correction, and upon approval by the Governor, until the
8 appropriation and funding for such purpose, is exhausted. The reimbursement
9 rate shall include the county's cost of transporting the inmates to the
10 department. The appropriation provided by Item (06) of Section 3 may be used
11 for contracts with county jails for pre release inmates.

12 The provisions of this section shall be in effect only from July 1, ~~2012~~
13 2013 through June 30, ~~2013~~ 2014.

14
15 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
17 OF APPROPRIATION WITHIN CAPITAL IMPROVEMENT PROJECTS. The Department of
18 Correction is hereby authorized to transfer appropriation between and/or
19 among the various capital improvements/construction projects authorized by
20 the General Assembly. Such transfers may be made only after approval by the
21 Governor and after prior approval by the Arkansas Legislative Council or
22 Joint Budget Committee. Such authorization shall in no way mean that the
23 total amount of funds or appropriations for capital improvement/construction
24 projects be greater than that provided by the General Assembly for the
25 Department of Correction.

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, ~~2012~~
7 2013 through June 30, ~~2013~~ 2014.

8
9 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

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

- 33 a) Costs to open and operate temporary beds;
34 b) Payment of Debt Service;
35 c) Payment of Overtime Expenses;
36 d) Unanticipated increases for medical or private prison contracts;

- 1 e) Construction/renovation/equipping of new beds;
2 f) Deficits in Farm or Industry Program;
3 g) Losses not covered by insurance proceeds;
4 h) Costs of personnel for critical services or necessary to carry out the
5 mission of the agency.

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

23 The provisions of this section shall be in effect only from July 1, ~~2012~~
24 2013 through June 30, ~~2013~~ 2014.

25
26 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HOLIDAY
28 COMPENSATION. The Department of Correction is authorized to pay employees for
29 up to one-hundred fifty (150) hours of unused holidays exceeding a balance in
30 the employee's holiday account of ninety-six (96) hours following the end of
31 the calendar year. Payments of unused Holiday hours must be processed on or
32 before June 1st in each fiscal year. Employees terminating employment from
33 the Department of Correction will be eligible for all holiday pay accrued
34 during the years of service. This request is contingent on approval by the
35 Chief Fiscal Officer of the State after the Director of the Department of
36 Correction has verified that sufficient revenues are available to make such

1 payments to employees who have served in the following classifications:

2 Class

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

12 The provisions of this section shall be in effect only from July 1, ~~2012~~
 13 2013 through June 30, ~~2013~~ 2014.

14

15 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

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

22 The provisions of this section shall be in effect only from July 1, ~~2012~~
 23 2013 through June 30, ~~2013~~ 2014.

24

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

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

36 (b) In compiling costs and reporting to the Arkansas Legislative Council in

1 accordance with subsection (a) of this section of this Act, the Department of
2 Correction shall:

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

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

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

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

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

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

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

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

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

26 (A) ADC expenses incurred through fund transfers;

27 (B) Retirement costs;

28 (C) Audit costs;

29 (D) ADC cost for shared employees paid by another state governmental
30 entity;

31 (E) Inmate educational and rehabilitation costs;

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

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

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

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

8 (3) Maintain documentation supporting the number of inmates housed at ADC
9 facilities.

10
11 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY
13 JAIL REIMBURSEMENT FUND YEAR-END FUND BALANCE CARRY FORWARD. Notwithstanding
14 any law pertaining to the transfer of year-end fund balances or any law to
15 the contrary, any funds which remain in the County Jail Reimbursement Fund at
16 the end of a fiscal year shall remain in the County Jail Reimbursement Fund
17 and made available to fund appropriations authorized by law payable from the
18 County Jail Reimbursement Fund for the following fiscal year.
19 Any carry forward of unexpended balance of funding as authorized herein, may
20 be carried forward under the following conditions:

21 (1) Prior to June 30, ~~2013~~ 2014 the Agency shall by written statement set
22 forth its reason(s) for the need to carry forward said funding to the
23 Department of Finance and Administration Office of Budget;

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

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

1 days prior to the time the Agency, Board, Commission or Institution presents
2 its budget request to the Arkansas Legislative Council/Joint Budget
3 Committee; and

4 (4) Thereupon, the Department of Finance and Administration shall include
5 all information obtained in item (3) above in the budget manuals and/or a
6 statement of non-compliance by the Agency, Board, Commission or Institution.
7

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

14 The provisions of this section shall be in effect only from July 1, ~~2012~~
15 2013 through June 30, ~~2013~~ 2014.

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

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

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

8 The provisions of this section shall be in effect only from July 1, ~~2012~~
9 2013 through June 30, ~~2013~~ 2014.

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

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

1 The provisions of this section shall be in effect only from July 1, ~~2012~~
2 2013 through June 30, ~~2013~~ 2014.

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

29 The provisions of this section shall be in effect only from July 1, ~~2012~~
30 2013 through June 30, ~~2013~~ 2014.

31
32 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL
34 REVENUE/CASH FUNDS TRANSFER. The Department of Correction is authorized to
35 transfer funds from various Special Revenue and Cash Funds into the Inmate
36 Care and Custody Fund Account in order to adjust to the budget needs upon

1 prior approval by the Arkansas Legislative Council or Joint Budget Committee
2 and approval of the Board of Corrections and the Chief Fiscal Officer of the
3 State.

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, ~~2012~~
21 2013 through June 30, ~~2013~~ 2014.

22
23 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. NEW
25 FACILITIES. If it is found that contracting for the operation of new
26 facilities is economically beneficial to the State of Arkansas, the
27 Department of Correction may, after receiving approval of the Chief Fiscal
28 Officer, and seeking prior review and approval by the Arkansas Legislative
29 Council or Joint Budget Committee, transfer from any line item appropriation
30 contained in Section 3 of this Act into the Professional Fees and Services
31 line item contained in Section 3 of this Act to operate new facilities.
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, ~~2012~~
13 2013 through June 30, ~~2013~~ 2014.

14

15 SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

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

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, ~~2012~~
5 2013 through June 30, ~~2013~~ 2014.

6
7 SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FOOD
9 SERVICE CONTRACT. In the event the Department is able to contract with a
10 private provider for food services at a unit(s), transfers may be made from
11 Regular Salaries, Personal Services Matching, and Maintenance and Operations
12 line items to Professional Fees and Services upon approval by the Chief
13 Fiscal Officer of the State and after receiving prior review and approval by
14 the Legislative Council or Joint Budget Committee.

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, ~~2012~~
32 2013 through June 30, ~~2013~~ 2014.

33
34 SECTION 30. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY
36 JAIL INVOICE SUMMARY. The Departments of Correction and Community

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

10
11 SECTION 31. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MOTOR
13 VEHICLE PURCHASE PROVISION. The Department of Correction is hereby
14 authorized to purchase motor vehicles as may be approved for the purpose of
15 equipping new bed additions at the various institutions from the
16 appropriations authorized for Capital Outlay in Section 3 of this Act.

17 The provisions of this section shall be in effect only from July 1, ~~2012~~
18 2013 through June 30, ~~2013~~ 2014.

19
20 SECTION 32. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
22 OF APPROPRIATION TO THE COUNTY JAIL REIMBURSEMENT FUND. If any savings of
23 general revenue appropriation and funds accrue during the ~~2012-2013~~2013-2014
24 fiscal year in the operations of the Department of Correction, the Director
25 of the Department of Correction may request a transfer of appropriation from
26 any line item appropriation in the Inmate Care and Custody Fund Account to
27 the County Jail Reimbursement Fund in order to meet obligations to counties
28 for housing state inmates. Such transfer request shall be made upon the
29 approval of the Chief Fiscal Officer of the State and prior review and
30 approval by the Arkansas Legislative Council or Joint Budget Committee.

31 The provisions of this section shall be in effect only from July 1, ~~2012~~
32 2013 through June 30, ~~2013~~ 2014.

33
34 SECTION 33. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LOCAL
36 GOVERNMENT INMATE COST REPORT. Each calendar year, the Association of

1 Arkansas Counties shall compile and submit a report to the Arkansas
2 Legislative Council, of all costs incurred, excluding construction costs, by
3 local government units housing inmates sentenced to the Department of
4 Correction and Department of Community Correction. The cost report shall be
5 a representative sample of all counties housing and caring for state inmates.
6 The report shall be submitted no later than July 1 of the calendar year
7 immediately following the reporting year.

8 The Association of Arkansas Counties in coordination with Legislative
9 Audit shall determine which counties will be included in the sample and shall
10 include a sufficient number of counties from each classification based upon
11 population and each congressional district to ensure a fair representation of
12 costs incurred. Guidelines for preparing this cost report shall be developed
13 by the Division of Legislative Audit in coordination with the Association of
14 Arkansas Counties. The Division of Legislative Audit shall test the accuracy
15 of the information submitted during the routine audit of the applicable
16 county.

17 The provisions of this section shall be in effect only from July 1, ~~2012~~
18 2013 through June 30, ~~2013~~ 2014.

19
20 SECTION 34. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ESSENTIAL
22 SERVICES STIPEND. The Arkansas Department of Correction (ADC) may award
23 additional compensation to those exempt employees who are members of the
24 emergency response unit. These employees are eligible to receive up to 3% per
25 hour additional compensation for the actual number of hours that an employee
26 spends on an emergency response action.

27 The provisions of this section shall be in effect only from July 1, ~~2012~~
28 2013 through June 30, ~~2013~~ 2014.

29
30 SECTION 35. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. USE OF
32 MARKETING AND REDISTRIBUTION PROCEEDS FROM SALE OF STATE PROPERTY. The
33 proceeds from the sale of state property through the Marketing and
34 Redistribution Section of the Department of Finance and Administration, may
35 be deposited into the Cash in State Treasury fund in an amount not to exceed
36 \$100,000 there to be used for operating expenses for the Paws in Prison

1 program.

2 The provisions of this section shall be in effect only from July 1, 2013
3 through June 30, 2014.

4
5 SECTION 36. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
6 authorized by this act shall be limited to the appropriation for such agency
7 and funds made available by law for the support of such appropriations; and
8 the restrictions of the State Procurement Law, the General Accounting and
9 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
10 Procedures and Restrictions Act, or their successors, and other fiscal
11 control laws of this State, where applicable, and regulations promulgated by
12 the Department of Finance and Administration, as authorized by law, shall be
13 strictly complied with in disbursement of said funds.

14
15 SECTION 37. LEGISLATIVE INTENT. It is the intent of the General
16 Assembly that any funds disbursed under the authority of the appropriations
17 contained in this act shall be in compliance with the stated reasons for
18 which this act was adopted, as evidenced by the Agency Requests, Executive
19 Recommendations and Legislative Recommendations contained in the budget
20 manuals prepared by the Department of Finance and Administration, letters, or
21 summarized oral testimony in the official minutes of the Arkansas Legislative
22 Council or Joint Budget Committee which relate to its passage and adoption.

23
24 SECTION 38. EMERGENCY CLAUSE. It is found and determined by the
25 General Assembly, that the Constitution of the State of Arkansas prohibits
26 the appropriation of funds for more than a one (1) year period; that the
27 effectiveness of this Act on July 1, 2013 is essential to the operation of
28 the agency for which the appropriations in this Act are provided, and that in
29 the event of an extension of the legislative session, the delay in the
30 effective date of this Act beyond July 1, 2013 could work irreparable harm
31 upon the proper administration and provision of essential governmental
32 programs. Therefore, an emergency is hereby declared to exist and this Act
33 being necessary for the immediate preservation of the public peace, health
34 and safety shall be in full force and effect from and after July 1, 2013.

35
36