

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

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003
4

As Engrossed: H3/26/03 H4/9/03 H4/15/03

A Bill

HOUSE BILL 1574

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES AND OPERATING EXPENSES FOR THE
11 DEPARTMENT OF CORRECTION FOR THE BIENNIAL PERIOD
12 ENDING JUNE 30, 2005; AND FOR OTHER PURPOSES.
13
14

Subtitle

15 AN ACT FOR THE DEPARTMENT OF CORRECTION
16 APPROPRIATION FOR THE 2003-2005
17 BIENNIUM.
18
19
20

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

23 SECTION 1. REGULAR SALARIES. There is hereby established for the
24 Department of Correction for the 2003-2005 biennium, the following maximum
25 number of regular employees whose salaries shall be governed by the
26 provisions of the Uniform Classification and Compensation Act (Arkansas Code
27 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
28 Provided, however, that any position to which a specific maximum annual
29 salary is set out herein in dollars, shall be exempt from the provisions of
30 said Uniform Classification and Compensation Act. All persons occupying
31 positions authorized herein are hereby governed by the provisions of the
32 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),
33 or its successor.
34

35 Maximum Annual
36 Maximum Salary Rate



02172003KCA1301.KCA560

Item	Class		No. of Employees	Fiscal Years	
	No.	Code Title		2003-2004	2004-2005
3	(1)	6617 PSYCHIATRIC SPECIALIST	5	\$138,118	\$140,902
4	(2)	9933 COR DIRECTOR	1	\$116,223	\$118,700
5	(3)	9257 COR CHIEF DEPUTY DIRECTOR	1	\$87,401	\$89,462
6	(4)	8904 CORRECTION DEPUTY DIRECTOR	2	\$85,831	\$87,862
7	(5)	9822 COR ASST DIRECTOR	3	\$82,690	\$84,661
8	(6)	9823 CORRECTIONAL SUPERINTENDENT	1	\$78,259	\$80,146
9	(7)	8055 COR INDUSTRY ADMINISTRATOR	1	\$74,480	\$76,295
10	(8)	9935 COR FARM ADMINISTRATOR	1	\$74,479	\$76,294
11	(9)	7353 COR MENTAL HLTH SVCS ADMR	2	\$68,367	\$70,066
12	(10)	9876 CORRECTION COMPLIANCE ATTORNEY	1	\$66,814	\$68,484
13	(11)	056Z COR HEAD FARM MANAGER II	4		GRADE 26
14	(12)	102Z CORRECTIONAL WARDEN	14		GRADE 26
15	(13)	827Z DP CENTER MANAGER	2		GRADE 26
16	(14)	L134 PSYCHOLOGIST SUPERVISOR	3		GRADE 26
17	(15)	019Z DCP ADMIN SVCS MGR	1		GRADE 25
18	(16)	054Z COR HEAD FARM MANAGER I	2		GRADE 25
19	(17)	L124 PSYCHOLOGIST	10		GRADE 25
20	(18)	R170 ATTORNEY SPECIALIST	6		GRADE 25
21	(19)	044Z COR CONSTRUCTION/MAINTENANCE COORD	3		GRADE 24
22	(20)	115Z COR WARDEN I	1		GRADE 24
23	(21)	962Z CC/COR ACCOUNTING SUPERVISOR	2		GRADE 24
24	(22)	091Z ASST WARDEN	22		GRADE 23
25	(23)	108Z COR MEDICAL/DENTAL ADMR	1		GRADE 23
26	(24)	117Z COR AGRI PRODUCTION SUPERVISOR	2		GRADE 23
27	(25)	196Z COR BOOT CAMP ADMINISTRATOR	1		GRADE 23
28	(26)	D100 DP SENIOR PROJECT LEADER	1		GRADE 23
29	(27)	N334 COR ASST TO THE DIR/PUB RELATIONS	1		GRADE 23
30	(28)	T064 WORK RELEASE CENTER SUPV III	1		GRADE 23
31	(29)	114Z COR CLASSIFICATION ADMINISTRATOR	1		GRADE 22
32	(30)	119Z CC/COR PERSONNEL MANAGER	1		GRADE 22
33	(31)	904Z REHAB PROGRAM ADMINISTRATOR	8		GRADE 22
34	(32)	A032 AGENCY FISCAL MANAGER	2		GRADE 22
35	(33)	D106 DP OPERATIONS MANAGER	1		GRADE 22
36	(34)	D124 LEAD PROGRAMMER/ANALYST	3		GRADE 22

1	(35)	E010	COR TRAINING ADMINISTRATOR	1	GRADE 22
2	(36)	R033	COR INTERNAL AFFAIRS ADMINISTRATOR	1	GRADE 22
3	(37)	T014	CHIEF SECURITY OFFICER	25	GRADE 22
4	(38)	T072	COR INMATE TRANSPORTATION COORD	1	GRADE 22
5	(39)	Y026	COR CONSTRUCTION/MAINT SUPV II	16	GRADE 22
6	(40)	949Z	COR INDUSTRY PRGM TRADE SPEC SUPV	3	GRADE 21
7	(41)	A008	ACCOUNTING SUPERVISOR II	4	GRADE 21
8	(42)	A251	SR AUDITOR	4	GRADE 21
9	(43)	D036	SR PROGRAMMER/ANALYST	3	GRADE 21
10	(44)	D123	APPLICATIONS & SYSTEMS ANALYST	5	GRADE 21
11	(45)	H001	COR COMMODITY & FOOD SVC ADMR	1	GRADE 21
12	(46)	L122	PSYCHOLOGICAL EXAMINER II	20	GRADE 21
13	(47)	M014	ADMINISTRATOR OF CHAPLAINCY SVCS	1	GRADE 21
14	(48)	R298	AGENCY PROGRAM COORDINATOR	1	GRADE 21
15	(49)	T008	CC/COR OFFICER IV	45	GRADE 21
16	(50)	T066	WORK RELEASE CENTER SUPV II	3	GRADE 21
17	(51)	V016	COR PROCUREMENT & PROPERTY MANAGER	1	GRADE 21
18	(52)	Y018	COR ASST HEAD FARM MANAGER	4	GRADE 21
19	(53)	Y020	COR INDUSTRY PRGM MANAGER	9	GRADE 21
20	(54)	A056	INTERNAL AUDITOR	2	GRADE 20
21	(55)	A186	COR BUDGET MANAGER	1	GRADE 20
22	(56)	E012	COR INDUSTRIAL SUPV II	35	GRADE 20
23	(57)	E100	COR TRAINING ACADEMY SUPERVISOR	2	GRADE 20
24	(58)	E114	STAFF DEVELOPMENT COORDINATOR	1	GRADE 20
25	(59)	L070	NURSE II	1	GRADE 20
26	(60)	M016	SR CHAPLAIN	5	GRADE 20
27	(61)	M045	COR REHAB FACILITY SUPERVISOR	4	GRADE 20
28	(62)	M088	SOCIAL WORKER II	27	GRADE 20
29	(63)	M115	SUBSTANCE ABUSE PROGRAM COORD	39	GRADE 20
30	(64)	R266	MANAGEMENT PROJECT ANALYST II	30	GRADE 20
31	(65)	T006	CC/COR OFFICER III	148	GRADE 20
32	(66)	T016	AGRI UNIT SUPERVISOR II	30	GRADE 20
33	(67)	Y123	COR CONSTRUCTION ELECTRICAL SUPV	3	GRADE 20
34	(68)	Y125	COR CONSTRUCTION PLUMBER SUPV	3	GRADE 20
35	(69)	Y127	COR CONSTRUCTION REFRIGERATION SUPV	4	GRADE 20
36	(70)	H030	CC/COR FOOD PRODUCTION MGR II	21	GRADE 19

1	(71)	L120	PSYCHOLOGICAL EXAMINER I	1	GRADE 19
2	(72)	M019	CHAPLAIN	18	GRADE 19
3	(73)	M086	SOCIAL WORKER I	2	GRADE 19
4	(74)	M107	COR COUNSELING PROGRAM LEADER	87	GRADE 19
5	(75)	M114	SUBSTANCE ABUSE PROGRAM LEADER	5	GRADE 19
6	(76)	Q068	PUB HLTH INVESTIGATOR II	5	GRADE 19
7	(77)	R030	ASST PERSONNEL MANAGER	17	GRADE 19
8	(78)	R048	BUDGET SPECIALIST	1	GRADE 19
9	(79)	R068	EEO/GRIEVANCE OFFICER	4	GRADE 19
10	(80)	R070	COR MARKETING SPECIALIST	1	GRADE 19
11	(81)	R150	RESEARCH PROJECT ANALYST	1	GRADE 19
12	(82)	T010	CC/COR SERGEANT	827	GRADE 19
13	(83)	T068	WORK RELEASE CENTER SUPV I	6	GRADE 19
14	(84)	T075	RECORDS/INTAKE SUPV	4	GRADE 19
15	(85)	V008	BUYER III	1	GRADE 19
16	(86)	A111	ACCOUNTANT	14	GRADE 18
17	(87)	A114	CC/COR BUSINESS MANAGER	16	GRADE 18
18	(88)	D128	P C SUPPORT SPECIALIST	2	GRADE 18
19	(89)	E011	COR INDUSTRIAL SUPV	4	GRADE 18
20	(90)	E053	COR UNIT TRAINING SUPERVISOR	3	GRADE 18
21	(91)	E072	TRAINING INSTRUCTOR	17	GRADE 18
22	(92)	M050	RECREATIONAL ACTIVITY LEADER SUPV	13	GRADE 18
23	(93)	M096	CC/COR PROGRAM COORD	8	GRADE 18
24	(94)	M105	CC/COR COUNSELOR	5	GRADE 18
25	(95)	R072	COR SALES REPRESENTATIVE	2	GRADE 18
26	(96)	R264	MANAGEMENT PROJECT ANALYST I	1	GRADE 18
27	(97)	R322	CC/COR UNIT PERS & TRNG OFFICER	3	GRADE 18
28	(98)	T005	CC/COR OFFICER II	2,094	GRADE 18
29	(99)	T012	DISCIPLINARY HEARING OFFICER	10	GRADE 18
30	(100)	T062	PAROLE/PROBATION OFFICER	5	GRADE 18
31	(101)	V040	PURCHASE AGENT II/PURCHASE AGENT	7	GRADE 18
32	(102)	W009	CC/COR RECORDS SUPERVISOR	19	GRADE 18
33	(103)	X450	CC/COR INTERNAL AFFAIRS INVESTGTR	12	GRADE 18
34	(104)	Y005	AUTO/DIESEL MECHANIC SUPERVISOR	1	GRADE 18
35	(105)	Y131	CC/COR CONSTR/MAINT SUPV I	41	GRADE 18
36	(106)	E055	CC/COR UNIT TRAINER	4	GRADE 17

1	(107)	H029	CC/COR FOOD PRODUCTION MANAGER I	80	GRADE 17
2	(108)	L004	COR HIV/AIDS EDUCATOR	1	GRADE 17
3	(109)	M144	COR VOLUNTEER SERVICE COORDINATOR	1	GRADE 17
4	(110)	R010	ADMINISTRATIVE ASSISTANT II	7	GRADE 17
5	(111)	R049	CLASSIFICATION & ASSIGNMENT OFFICER	14	GRADE 17
6	(112)	R190	PERSONNEL OFFICER II	3	GRADE 17
7	(113)	R321	COR GRIEVANCE OFFICER	9	GRADE 17
8	(114)	V030	INVENTORY CONTROL MANAGER	4	GRADE 17
9	(115)	A053	INSURANCE SPECIALIST II	1	GRADE 16
10	(116)	R105	MANAGER OF MAILING SERVICES	1	GRADE 16
11	(117)	V076	COR PROPERTY OFFICER	3	GRADE 16
12	(118)	X318	CC/COR ADMIN REVIEW OFFICER	11	GRADE 16
13	(119)	A063	PAYROLL OFFICER	3	GRADE 15
14	(120)	A108	ACCOUNTING TECHNICIAN II	38	GRADE 15
15	(121)	K011	ADMINISTRATIVE OFFICE SUPERVISOR	1	GRADE 15
16	(122)	M048	RECREATIONAL ACTIVITY LEADER II	2	GRADE 15
17	(123)	R009	ADMINISTRATIVE ASSISTANT I	1	GRADE 15
18	(124)	H023	COMMISSARY MANAGER	21	GRADE 14
19	(125)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	5	GRADE 14
20	(126)	K117	MEDICAL OR LEGAL SECRETARY	1	GRADE 14
21	(127)	K153	SECRETARY II	93	GRADE 13
22	(128)	R125	PERSONNEL OFFICER	4	GRADE 13
23	(129)	A106	ACCOUNTING TECHNICIAN I	4	GRADE 12
24	(130)	K039	DOCUMENT EXAMINER II	48	GRADE 12
25	(131)	K181	MAILROOM SUPERVISOR	1	GRADE 12
26	(132)	K155	SECRETARY I	33	GRADE 11
27	(133)	V043	SHIPPING & RECEIVING CLERK	1	GRADE 11
28	(134)	K023	CLERICAL ASSISTANT	<u>3</u>	GRADE 10
29			MAX. NO. OF EMPLOYEES	4,270	

30

31 SECTION 2. EXTRA HELP. There is hereby authorized, for the Department of
32 Correction for the 2003-2005 biennium, the following maximum number of part-
33 time or temporary employees, to be known as "Extra Help", payable from funds
34 appropriated herein for such purposes: one hundred twenty (120) temporary or
35 part-time employees, when needed, at rates of pay not to exceed those
36 provided in the Uniform Classification and Compensation Act, or its

1 successor, or this act for the appropriate classification.

2

3 SECTION 3. APPROPRIATION - INMATE CARE & CUSTODY. There is hereby
 4 appropriated, to the Department of Correction, to be payable from the
 5 Department of Correction Inmate Care and Custody Fund Account, for personal
 6 services and operating expenses of the Department of Correction - Inmate Care
 7 & Custody for the biennial period ending June 30, 2005, the following:

8

9 ITEM	FISCAL YEARS	
10 NO.	2003-2004	2004-2005
11 (01) REGULAR SALARIES	\$ 111,497,788	\$ 114,428,183
12 (02) EXTRA HELP	190,000	190,000
13 (03) PERSONAL SERVICE MATCH	36,608,181	37,211,097
14 (04) OVERTIME	1,550,000	1,550,000
15 (05) EXTRA SALARY	13,522	13,522
16 (06) MAINT. & GEN. OPERATION		
17 (A) OPER. EXPENSE	30,865,777	30,578,739
18 (B) CONF. & TRAVEL	161,476	161,476
19 (C) PROF. FEES	34,080,931	36,514,154
20 (D) CAP. OUTLAY	1,645,594	928,470
21 (E) DATA PROC.	876,038	900,264
22 (07) CORRECTIONAL SCHOOL DISTRICT AID	70,448	70,448
23 (08) JAIL CONTRACTS	<u>1,533,000</u>	<u>1,533,000</u>
24 TOTAL AMOUNT APPROPRIATED	<u>\$ 219,092,755</u>	<u>\$ 224,079,353</u>

25

26 SECTION 4. APPROPRIATIONS - INMATE WELFARE PROGRAM. There is hereby
 27 appropriated, to the Department of Correction, to be payable from cash funds
 28 as defined by Arkansas Code 19-4-801 of the Department of Correction, for
 29 personal services and operating expenses of the Department of Correction -
 30 Inmate Welfare Program for the biennial period ending June 30, 2005, the
 31 following:

32

33 ITEM	FISCAL YEARS	
34 NO.	2003-2004	2004-2005
35 (01) REGULAR SALARIES	\$ 876,794	\$ 900,468
36 (02) PERSONAL SERVICE MATCH	318,204	323,076

1	(03) MAINT. & GEN. OPERATION		
2	(A) OPER. EXPENSE	7,864,789	8,841,789
3	(B) CONF. & TRAVEL	0	0
4	(C) PROF. FEES	0	0
5	(D) CAP. OUTLAY	100,000	100,000
6	(E) DATA PROC.	<u>0</u>	<u>0</u>
7	TOTAL AMOUNT APPROPRIATED	<u>\$ 9,159,787</u>	<u>\$ 10,165,333</u>

8

9 SECTION 5. APPROPRIATIONS - WORK RELEASE PROGRAM. There is hereby
 10 appropriated, to the Department of Correction, to be payable from cash funds
 11 as defined by Arkansas Code 19-4-801 of the Department of Correction, for
 12 operating expenses and debt service of the Department of Correction - Work
 13 Release Program for the biennial period ending June 30, 2005, the following:

14

15	ITEM	FISCAL YEARS	
16	<u>NO.</u>	<u>2003-2004</u>	<u>2004-2005</u>
17	(01) MAINT. & GEN. OPERATION		
18	(A) OPER. EXPENSE	\$ 2,513,321	\$ 2,506,042
19	(B) CONF. & TRAVEL	40,000	40,000
20	(C) PROF. FEES	1,000,000	1,000,000
21	(D) CAP. OUTLAY	1,510,247	1,562,334
22	(E) DATA PROC.	225,000	225,000
23	(02) DEBT SERVICE	<u>500,000</u>	<u>500,000</u>
24	TOTAL AMOUNT APPROPRIATED	<u>\$ 5,788,568</u>	<u>\$ 5,833,376</u>

25

26 SECTION 6. APPROPRIATION - PRISON INDUSTRY PROGRAM. There is hereby
 27 appropriated, to the Department of Correction, to be payable from the
 28 Department of Correction Prison Industry Fund, for personal services and
 29 operating expenses of the Department of Correction - Prison Industry Program
 30 for the biennial period ending June 30, 2005, the following:

31

32	ITEM	FISCAL YEARS	
33	<u>NO.</u>	<u>2003-2004</u>	<u>2004-2005</u>
34	(01) REGULAR SALARIES	\$ 1,871,689	\$ 1,922,225
35	(02) EXTRA HELP	10,000	10,000
36	(03) PERSONAL SERVICE MATCH	587,852	598,251

1	(04) MAINT. & GEN. OPERATION		
2	(A) OPER. EXPENSE	5,548,856	5,551,856
3	(B) CONF. & TRAVEL	25,000	25,000
4	(C) PROF. FEES	0	0
5	(D) CAP. OUTLAY	120,000	57,500
6	(E) DATA PROC.	<u>0</u>	<u>0</u>
7	TOTAL AMOUNT APPROPRIATED	<u>\$ 8,163,397</u>	<u>\$ 8,164,832</u>

8

9 SECTION 7. EXTRA HELP - PRISON INDUSTRY PROGRAM. There is hereby
 10 authorized, for the Department of Correction - Prison Industry Program for
 11 the 2003-2005 biennium, the following maximum number of part-time or
 12 temporary employees, to be known as "Extra Help", payable from funds
 13 appropriated herein for such purposes: twenty five (25) temporary or part-
 14 time employees, when needed, at rates of pay not to exceed those provided in
 15 the Uniform Classification and Compensation Act, or its successor, or this
 16 act for the appropriate classification.

17

18 SECTION 8. APPROPRIATION - FARM OPERATIONS PROGRAM. There is hereby
 19 appropriated, to the Department of Correction, to be payable from the
 20 Department of Correction Farm Fund, for personal services and operating
 21 expenses of the Department of Correction - Farm Operations Program for the
 22 biennial period ending June 30, 2005, the following:

24	ITEM	FISCAL YEARS	
25	<u>NO.</u>	<u>2003-2004</u>	<u>2004-2005</u>
26	(01) REGULAR SALARIES	\$ 1,891,011	\$ 1,942,068
27	(02) EXTRA HELP	10,000	10,000
28	(03) PERSONAL SERVICE MATCH	581,748	592,256
29	(04) MAINT. & GEN. OPERATION		
30	(A) OPER. EXPENSE	6,532,188	6,537,188
31	(B) CONF. & TRAVEL	21,750	21,750
32	(C) PROF. FEES	149,994	149,994
33	(D) CAP. OUTLAY	1,140,000	732,500
34	(E) DATA PROC.	0	0
35	(05) PURCHASE CATTLE/MEAT	<u>300,000</u>	<u>300,000</u>
36	TOTAL AMOUNT APPROPRIATED	<u>\$ 10,626,691</u>	<u>\$ 10,285,756</u>

1 SECTION 9. EXTRA HELP - FARM OPERATIONS PROGRAM. There is hereby
 2 authorized, for the Department of Correction - Farm Operations Program for
 3 the 2003-2005 biennium, the following maximum number of part-time or
 4 temporary employees, to be known as "Extra Help", payable from funds
 5 appropriated herein for such purposes: twenty five (25) temporary or part-
 6 time employees, when needed, at rates of pay not to exceed those provided in
 7 the Uniform Classification and Compensation Act, or its successor, or this
 8 act for the appropriate classification.

9
 10 SECTION 10. APPROPRIATIONS - REGIONAL FACILITIES OPERATIONS ACCOUNT.
 11 There is hereby appropriated, to the Department of Correction, to be payable
 12 from cash funds as defined by Arkansas Code 19-4-801 of the Department of
 13 Correction, for Debt Service of the Department of Correction - Regional
 14 Facilities Operations Account for the biennial period ending June 30, 2005,
 15 the following:

16

17 ITEM	FISCAL YEARS	
18 <u>NO.</u>	2003-2004	2004-2005
19 (01) DEBT SERVICE	<u>\$ 800,000</u>	<u>\$ 800,000</u>

20
 21 SECTION 11. APPROPRIATIONS - PRISONER HOUSING CONTRACT ACCOUNT. There is
 22 hereby appropriated, to the Department of Correction, to be payable from cash
 23 funds as defined by Arkansas Code 19-4-801 of the Department of Correction,
 24 for Debt Service of the Department of Correction - Prisoner Housing Contract
 25 Account for the biennial period ending June 30, 2005, the following:

26

27 ITEM	FISCAL YEARS	
28 <u>NO.</u>	2003-2004	2004-2005
29 (01) DEBT SERVICE	<u>\$ 200,000</u>	<u>\$ 200,000</u>

30
 31 SECTION 12. APPROPRIATIONS - CONSTRUCTION FUND DEFICIENCY ACCOUNT. There
 32 is hereby appropriated, to the Department of Correction, to be payable from
 33 cash funds as defined by Arkansas Code 19-4-801 of the Department of
 34 Correction, for Debt Service of the Department of Correction - Construction
 35 Fund Deficiency Account for the biennial period ending June 30, 2005, the
 36 following:

ITEM NO.	FISCAL YEARS	
	2003-2004	2004-2005
(01) DEBT SERVICE	\$ 500,000	\$ 500,000

4

5 SECTION 13. APPROPRIATIONS - NON-TAX REVENUE RECEIPTS PROGRAM. There is
 6 hereby appropriated, to the Department of Correction, to be payable from cash
 7 funds as defined by Arkansas Code 19-4-801 of the Department of Correction,
 8 for operating expenses of the Department of Correction - Non-Tax Revenue
 9 Receipts Program for the biennial period ending June 30, 2005, the following:

10

ITEM NO.	FISCAL YEARS	
	2003-2004	2004-2005
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	\$ 3,820,399	\$ 3,705,027
(B) CONF. & TRAVEL	20,000	20,000
(C) PROF. FEES	120,610	120,610
(D) CAP. OUTLAY	1,053,091	1,100,530
(E) DATA PROC.	250,000	250,000
(02) CONSTRUCTION	<u>500,000</u>	<u>500,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 5,764,100</u>	<u>\$ 5,696,167</u>

21

22 SECTION 14. APPROPRIATION - SUBSTANCE ABUSE TREATMENT PROGRAM - FEDERAL.
 23 There is hereby appropriated, to the Department of Correction, to be payable
 24 from the federal funds as designated by the Chief Fiscal Officer of the
 25 State, for personal services and operating expenses of the Department of
 26 Correction - Substance Abuse Treatment Program for the biennial period ending
 27 June 30, 2005, the following:

28

ITEM NO.	FISCAL YEARS	
	2003-2004	2004-2005
(01) REGULAR SALARIES	\$ 590,398	\$ 606,341
(02) PERSONAL SERVICE MATCH	192,064	195,345
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	62,750	62,750
(B) CONF. & TRAVEL	13,000	13,000
(C) PROF. FEES	198,000	198,000

36

1	(D) CAP. OUTLAY	0	0
2	(E) DATA PROC.	<u>0</u>	<u>0</u>
3	TOTAL AMOUNT APPROPRIATED	<u>\$ 1,056,212</u>	<u>\$ 1,075,436</u>

SECTION 15. 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 ~~2001-2003~~ 2003-2005 biennium, the following maximum number of regular employees whose salaries shall be governed by the provisions of the Uniform Classification and Compensation Act (Arkansas Code 21-5-201 et seq.), or its successor, and all laws amendatory thereto. Provided, however, that any position to which a specific maximum annual salary is set out herein in dollars, shall be exempt from the provisions of said Uniform Classification and Compensation Act. All persons occupying positions authorized herein are hereby governed by the provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas Code 21-5-101), or its successor.

CONTINGENT POSITIONS - MEDICAL SERVICES

ITEM CLASS		MAXIMUM	MAXIMUM ANNUAL SALARY RATE	
NO.	CODE	TITLE	NO. OF EMPLOYEES	FISCAL YEARS
				2001-02 2002-03
				<u>2003-04</u> <u>2004-05</u>
GEN ADMIN / NON-CLASSIFIED POSITION				
27	(01)	COR CHIEF OF MED SVCS	1	140,291 <u>148,113</u> 144,219 <u>152,112</u>
28	(02)	COR CHIEF OF DENTAL SVCS	1	128,470 <u>135,634</u> 132,068 <u>139,296</u>
29	(03)	COR CHIEF OF PHARM SVCS	1	90,442 <u>95,485</u> 92,975 <u>98,063</u>
30	(04)	COR HEALTH SVCS ADM	1	88,173 <u>93,089</u> 90,642 <u>95,603</u>
31	(05)	COR ASST HEALTH SVCS ADM	3	76,457 <u>80,719</u> 78,597 <u>82,899</u>
32	(06)	COR CHIEF OF NURSING SVCS	1	79,479 <u>83,911</u> 81,705 <u>86,177</u>
33	(07)	COR DIR OF MED RECORDS	1	76,823 <u>81,107</u> 78,975 <u>83,297</u>
34	(08)	COR UNIT/FACILITY MED MGR	11	64,019 <u>67,588</u> 65,811 <u>69,413</u>
35	(09)	COR UNIT/FACILITY MED SUPV	7	48,655 <u>51,368</u> 50,018 <u>52,755</u>
36	(10)	COR MED SVC SPEC	8	65,340 <u>68,984</u> 67,170 <u>70,846</u>

1						
2	PATIENT CARE/NON-CLASSIFIED POSITIONS					
3	(11)	6603	COR STAFF PHYSICIAN	17	128,470	<u>135,634</u> 132,068 <u>139,296</u>
4	(12)	6601	COR STAFF DENTIST	15	101,150	<u>106,998</u> 104,185 <u>109,887</u>
5	(13)		COR STAFF PHARM	3	88,576	<u>93,515</u> 91,056 <u>96,039</u>
6	(14)		COR NURSE PRAC/PHYS. ASST	13	65,340	<u>68,984</u> 67,170 <u>70,846</u>
7	(15)		COR HEAD NURSE- HOSPITAL	1	70,593	<u>74,530</u> 72,571 <u>76,543</u>
8	(16)		COR REGISTERED NURSE SUPV	40	67,123	<u>70,865</u> 69,002 <u>72,778</u>
9	(17)		COR LICENSED PRAC NURSE	172	43,555	<u>45,983</u> 44,774 <u>47,224</u>
10	(18)		COR LABORATORY SPECIALIST	5	37,466	<u>39,554</u> 38,514 <u>40,622</u>
11	(19)		COR RADIOLOGY SPECIALIST	5	36,940	<u>38,999</u> 37,974 <u>40,052</u>
12						
13	PATIENT CARE - CLASSIFIED POSITIONS					
14	(20)	L124	PSYCHOLOGIST	2		GRADE 25
15	(21)	L122	PSYCH. EXAMINER II	2		GRADE 21
16	(22)	M088	SOCIAL WORKER II	3		GRADE 20
17	(23)	M107	COR. COUNSELOR PRO LDR	7		GRADE 19
18	(24)	R010	ADMINISTRATIVE ASST II	4		GRADE 17
19	(25)	L026	DENTAL HYGIENIST	8		GRADE 16
20	(26)	W015	MEDICAL RECORDS TECH	24		GRADE 15
21	(27)	K041	EXECUTIVE SECRETARY	4		GRADE 14
22	(28)	K117	MEDICAL SECRETARY	15		GRADE 14
23	(29)	K155	SECRETARY I	10		GRADE 11
24	(30)	L025	DENTAL ASST	12		GRADE 11
25						
26	CLASSIFIED NON-PATIENT CARE					
27	(31)		ACCTG TECHS	3		GRADE 15
28	(32)		PAYROLL OFFICER	2		GRADE 15
29	(33)		BUYERS	2		GRADE 18
30	(34)		PURCHASING ASSISTANT	1		GRADE 15
31	(35)		ACCOUNTING TECH	1		GRADE 15
32	(36)		ACCOUNTANT	1		GRADE 18
33	(37)		PERS TRNG OFF	1		GRADE 18
34	(38)		PERS OFFICER II	1		GRADE 17
35	(39)		PAYROLL OFFICER	1		GRADE 15
36	(40)		PC SUPPORT	<u>1</u>		GRADE 18

		MAXIMUM ANNUAL	
		MAXIMUM	SALARY RATE
ITEM CLASS	NO. OF	FISCAL YEARS	
NO. CODE TITLE	EMPLOYEES	2001-02	2002-03
1	MAX NUMBER CONTINGENT EMPLOYEES-MEDICAL SERVICES	<u>411</u>	
2			
3	CONT POS CORRECTIONAL FACILITIES		
4			
5			
6			
7			
8	(01) 102Z Corr. Warden II	2	Grade 26
9	(02) 091Z Corr. Asst. Warden	2	Grade 23
10	(03) T014 Chief Security Off	2	Grade 22
11	(04) T008 Corr. Officer IV	10	Grade 21
12	(05) L122 Psych. Examiner II	2	Grade 21
13	(06) T006 Corr. Officer III	22	Grade 20
14	(07) M088 Social Worker II	6	Grade 20
15	(08) T010 Corr. Sergeant	62	Grade 19
16	(09) M107 Corr. Couns. Prog. Ldr.	2	Grade 19
17	(10) M086 Social Worker I	2	Grade 19
18	(11) T068 Work Rel. Ctr. Supv. I	2	Grade 19
19	(12) H030 Food Production Mgr.	2	Grade 19
20	(13) M019 Chaplain	2	Grade 19
21	(14) M114 Subst. Abuse Prog. Ldr.	2	Grade 19
22	(15) T005 Corr. Officer II	276	Grade 18
23	(16) Y131 Const. Maint. Supv. I	2	Grade 18
24	(17) R322 Personnel & Trng. Off.	2	Grade 18
25	(18) M105 Corr. Counselor	4	Grade 18
26	(19) T062 Inst. Parole Officer	2	Grade 18
27	(20) M050 Rec. & Activity Ldr.	2	Grade 18
28	(21) M096 Treatment Prog. Coord.	2	Grade 18
29	(22) T012 Disc. Hearing Off	2	Grade 18
30	(23) X450 Int. Affairs Invest.	2	Grade 18
31	(24) A114 Bus Mg	2	Grade 18
32	(25) W009 CP/COR Records Supv.	2	Grade 18
33	(26) H029 Food Prod. Mgr. I	8	Grade 17
34	(27) E055 Unit Trnrs	4	Grade 17
35	(28) R049 Class/Assign. Officer	2	Grade 17
36	(29) X318 Admin. Review Officer	2	Grade 16

1	(30)	H023	Commissary Manager	2	Grade 14
2	(31)	K153	Secretary II	2	Grade 13
3	(32)	A106	Accounting Tech I	3	Grade 12
4	(33)	K155	Secretary I	8	Grade 11
5	(34)	K023	Clerk Typist II	8	Grade 10

6					
7			Max. No. Contingent Employees		
8			————— Correctional Facilities	457	
9			GRAND TOTAL CONTINGENT EMPLOYEES	<u>868</u>	<u>411</u>

10 If the agency requests continuation of a "Growth Pool" position(s) as
 11 established herein during the next biennium, the position(s) must be
 12 requested as a new position(s) in the agencies biennial budget request.
 13 The provisions of this section shall be in effect only from ~~July 1, 2001~~ July
 14 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

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

32 The provisions of this section shall be in effect only from ~~July 1, 2001~~
 33 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

34
 35 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REFUND TO

1 EXPENDITURE. The proceeds from the sale of feeder cattle by the Department
2 of Correction shall be deposited into the State Treasury as a refund to
3 expenditure to the credit of the appropriation available to the Department of
4 Correction for the "Purchase Cattle/Meat" line item.

5 The provisions of this section shall be in effect only from ~~July 1, 2001~~
6 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

7
8 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY
10 REIMBURSEMENT RATE RESTRICTION. Notwithstanding any other provision of law or
11 departmental commitment which may exist to the contrary, the Board of
12 Corrections shall not increase any reimbursement rate for payments made to
13 any county for the purpose of reimbursing the expenses of the care and
14 custody of state inmates, without first seeking and receiving the approval of
15 the Governor and the Chief Fiscal Officer of the State.

16 The provisions of this section shall be in effect only from ~~July 1, 2001~~
17 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

18
19 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. USE OF
21 MAINTENANCE AND OPERATION APPROPRIATION AND SALVAGED MATERIALS CONSTRUCTION.

22 The Department of Correction is hereby authorized to utilize Maintenance and
23 General Operation Appropriation in conjunction with surplus and/or
24 salvageable materials for the purpose of implementing construction projects
25 to benefit the Department and its various programs. Before such projects may
26 be undertaken, a Method of Finance must be submitted for prior review and
27 approval by the Arkansas Legislative Council or Joint Budget Committee, and
28 review and approval by the Department of Finance and Administration and the
29 Arkansas State Building Services.

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

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

10 The provisions of this section shall be in effect only from ~~July 1, 2001~~
11 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

12
13 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA
15 SALARIES. There is hereby authorized, for the Department of Correction, for
16 the ~~2001-03~~ 2003-05 biennium, the following increases in salaries for certain
17 positions provided in the Regular Salary schedule in this Act, and to be in
18 addition to the annual amounts as established by the Uniform Classification
19 and Compensation Act, as amended, for full-time physicians who are certified
20 by the American Specialty Boards at rates of pay not to exceed an additional
21 \$4,500 per year. If certified in forensic psychiatry, an additional \$2,500
22 per year will be allowed. Total extra salaries may not exceed \$7,000 per year
23 per position. In the event the physician is not a full time employee, the
24 amount specified herein shall be adjusted proportionately to the amount of
25 time worked for the Department of Correction by that physician.

26 The provisions of this section shall be in effect only from ~~July 1, 2001~~
27 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

28
29 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY
31 JAIL REIMBURSEMENT. In the event the Department of Correction cannot accept
32 inmates from county jails due to insufficient bed space, the Department shall
33 *reimburse the counties at a rate determined by the ~~Board of Corrections~~*
34 *Chief Fiscal Officer of the State, after consultation with the Division of*
35 *Legislative Audit and the Department of Correction, and upon approval by the*
36 *Governor, until the appropriation and funding provided for such purpose is*

1 exhausted. The reimbursement rate shall include the county's cost of
2 transporting the inmates to the department. The appropriation provided by
3 Item (08) of Section 3 may ~~also~~ be used for contracts with county jails for
4 pre release inmates.

5 The provisions of this section shall be in effect only from ~~July 1, 2001~~
6 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

7

8 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. UTILITY
10 RATE INCREASE TRANSFER. In the event of a substantial increase in utility
11 rates, the Department of Correction is authorized to transfer any line item
12 appropriation in this Act to the Maintenance and Operation line item for
13 support of the increase after receiving approval of the Chief Fiscal Officer
14 of the State.

15 The provisions of this section shall be in effect only from ~~July 1, 2001~~
16 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

17

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

29 The provisions of this section shall be in effect only from ~~July 1, 2001~~
30 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

31

32 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MENTAL
34 HEALTH SERVICES. In the event the Department determines to enter into a
35 professional contract for mental health services, the Department may, upon
36 approval of the Chief Fiscal Officer of the State and after prior review and

1 approval by the Arkansas Legislative Council or Joint Budget Committee, make
2 appropriate transfers from regular salaries, personal services matching and
3 various maintenance and operation classifications to the professional fees
4 and services classification for payment of the contractual amount.

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

21 The provisions of this section shall be in effect only from ~~July 1, 2001~~
22 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

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

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, 2001~~
13 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

14

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

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

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

5 The provisions of this section shall be in effect only from ~~July 1, 2001~~
6 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

7
8 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

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

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 may operate more efficiently
24 if some flexibility is provided to the Department of Correction authorizing
25 broad powers under this Section. Therefore, it is both necessary and
26 appropriate that the General Assembly maintain oversight by requiring prior
27 approval of the Legislative Council or Joint Budget Committee as provided by
28 this section. The requirement of approval by the Legislative Council or
29 Joint Budget Committee is not a severable part of this section. If the
30 requirement of approval by the Legislative Council or Joint Budget Committee
31 is ruled unconstitutional by a court of competent jurisdiction, this entire
32 section is void.

33 The provisions of this section shall be in effect only from ~~July 1, 2001~~
34 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

35
36 SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 2 REALLOCATION OF RESOURCES. Upon determination by the Board of Corrections
 3 that a reallocation of resources within the Department of Community
 4 Correction and Department of Correction is necessary for the efficient and
 5 effective operation of the departments, the Board, with approval of the
 6 Governor and approval by the Arkansas Legislative Council or Joint Budget
 7 Committee, shall have the authority to instruct the department directors, to
 8 request from the Chief Fiscal Officer of the State, a transfer of positions,
 9 programs, funds, appropriations, and line-item appropriations within or
 10 between existing and newly created divisions, offices, sections, or units of
 11 the departments. If it is determined that the requested transfer should be
 12 made, the Chief Fiscal Officer of the State shall then initiate the necessary
 13 transfer documents to reflect the transfers upon the fiscal records of the
 14 State Treasurer, the State Auditor, the Chief Fiscal Officer of the State,
 15 and the Departments of Correction and Community Correction. Provided,
 16 however, that the Board shall be limited to submitting no more than
 17 Four requests during any fiscal year. Transfer authority for unforeseen
 18 purposes shall further be limited to no more than five percent (5%) of the
 19 total appropriation, funding, and positions specific to each agency.
 20 However, there shall be no transfers to or from the County Jail Reimbursement
 21 Fund. Other than for unforeseen purposes, transfers shall be limited to the
 22 following specific purposes:
 23 ~~a) Payment of County Jail Reimbursement expenses;~~
 24 ~~b) a) Costs to open and operate temporary beds;~~
 25 ~~c) b) Payment of Debt Service;~~
 26 ~~d) c) Payment of Overtime Expenses;~~
 27 ~~e) d) Unanticipated increases for medical or private prison contracts;~~
 28 ~~f) e) Construction/renovation/equipping of new beds;~~
 29 ~~g) f) Deficits in Farm or Industry Program;~~
 30 ~~h) g) Losses not covered by insurance proceeds;~~
 31 ~~i) h) Costs of personnel for critical services or necessary to carry out the~~
 32 ~~mission of the agency.~~

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

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

14 The provisions of this section shall be in effect only from ~~July 1, 2001~~
 15 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

16

17 SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HAZARDOUS
 19 DUTY PAY. The Department of Correction is hereby authorized to pay hazardous
 20 duty pay to provide special compensation to eligible security personnel to
 21 compensate for the increased risk of personal injury. The hazardous duty pay
 22 authorized herein shall not exceed an amount equal to five and one-half
 23 percent (5.5%) of the annual salary authorized by law to any eligible
 24 employee and shall only be made available to the personnel occupying the
 25 following positions.

26

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

36 Employees assigned to these classifications may be eligible for hazardous

1 duty pay if the Director of the Department of Correction certifies to the
2 Chief Fiscal Officer that employees in these positions have been assigned
3 direct supervision of inmates which requires these positions to be exposed to
4 increased risk of personal injury.

5 Employees in the above classifications who are assigned to maximum security
6 lockup areas, i.e. administrative, segregation, punitive isolation and death
7 row at the maximum security unit, Varner Unit, Cummins Unit, and East
8 Arkansas Regional Unit, are authorized to receive the hazardous duty pay
9 allowance and an additional amount of maximum security incentive pay to five
10 and one-half percent of the annual salary authorized by law. This pay will
11 only be paid while the employee continues to work in the maximum security
12 lockup areas and pay will be discontinued should the employee terminate work
13 in this area.

14 The amounts received under the provisions of this section shall not be
15 considered as exceeding the maximum authorized annual salary allowance for
16 employees in receipt of such amounts. Such amounts shall be considered as
17 Regular Salary and the Department of Finance and Administration shall adopt
18 the necessary rules and regulations for the administration of this provision.
19 Employees covered by the provisions of this Section shall be eligible for
20 special compensation for hazardous duty and additional compensation for
21 maximum security assignment only upon a determination by the Chief Fiscal
22 Officer of the State that sufficient general revenues are available to
23 sustain payment of the additional compensation levels herein authorized. It
24 is the intent of this section that such payments shall be optional, at the
25 discretion of the Chief Fiscal Officer of the State and the Director of the
26 Department of Correction, dependent upon sufficient revenues and shall not be
27 implemented using funds specifically set aside for other programs within the
28 Department.

29 The provisions of this section shall be in effect only from ~~July 1, 2001~~
30 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

31
32 SECTION 30. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FOOD
34 SERVICE CONTRACT. In the event the Department is able to contract with a
35 private provider for food services at a unit(s), transfers may be made from
36 Regular Salaries, Personal Services Matching, and Maintenance and Operations

1 line items to Professional Fees and Services upon approval by the Chief
 2 Fiscal Officer of the State and after receiving prior review by the
 3 Legislative Council or Joint Budget Committee.

4 The provisions of this section shall be in effect only from ~~July 1, 2001~~
 5 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

6

7 SECTION 31. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HOLIDAY
 9 COMPENSATION. The Department of Correction is authorized to pay employees for
 10 up to ninety-six (96) hours of unused holidays exceeding a balance in the
 11 employee's holiday account of one-hundred fifty (150) hours following the end
 12 of the calendar year. Employees terminating employment from the Department of
 13 Correction will be eligible for all holiday pay accrued during the years of
 14 service. This request is contingent on approval by the Chief Fiscal Officer
 15 of the State after the Director of the Department of Correction has verified
 16 that sufficient revenues are available to make such payments to employees in
 17 the following classifications:

18 Class

19 Code	Title	Grade
20 T003	CP/COR Officer	16
21 H029	CP/COR Food Prod Mgr I	17
22 T005	CP/COR Officer II	18
23 H030	CP/COR Food Prod Mgr II	19
24 T010	CP/COR Sergeant	19
25 T006	CP/COR Officer III	20
26 T008	CP/COR Officer IV	21
27 T014	CP/COR Security Officer	22

28 The provisions of this section shall be in effect only from ~~July 1, 2001~~
 29 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

30

31 SECTION 32. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MEDICAL
 33 SERVICES - SPECIAL PROVISIONS FOR CERTAIN CLASSIFIED POSITIONS. The following
 34 patient care classified positions, L026 Dental Hygienist and L025 Dental
 35 Assistant, identified within Section 15 of this Act, may upon prior approval
 36 of the Chief Fiscal Officer of the State, be compensated at a rate up to Pay

1 Level IV of the respective position classification.

2 The provisions of this section shall be in effect only from ~~July 1, 2001~~
3 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

4
5 SECTION 33. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. OFFENDER
7 MANAGEMENT INFORMATION SYSTEM MONITOR. The Executive Chief Information
8 Officer shall have the authority to monitor the integrated electronic
9 offender management information system under development by the Department of
10 Correction and the Department of Community Correction.

11 The provisions of this section shall be in effect only from July 1, 2003
12 through June 30, 2005.

13
14 SECTION 34. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
15 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. The
16 Arkansas Department of Correction is authorized to enter into a cooperative
17 agreement with the UAMS Family Treatment Program to conduct assessments of
18 juvenile sex or child offenders as required by provisions of ACA12-12-901 et.
19 seq. and pay for services upon receipt of invoice.

20 The provisions of this section shall be in effect only from July 1, 2003
21 through June 30, 2005.

22
23 SECTION 35. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED
24 SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES – NON-TAX
25 REVENUE RECEIPTS CASH FUND. (A) For all appropriations as provided in this
26 Act, the agency disbursing officer shall monitor the level of fund balances
27 in relation to expenditures on a monthly basis. If any proposed expenditures
28 would cause the Non-Tax Revenue Receipts Cash Fund to decline below seven
29 hundred seventy thousand thirty four dollars (\$770,034) a fund balance to
30 decline to less than fifty percent (50%) of the balance available on July 1,
31 2001, the disbursing officer shall immediately notify the executive head of
32 the agency. Prior to any obligations being made under these circumstances,
33 the agency head shall file written documentation with the Chief Fiscal
34 Officer of the State requesting approval of the expenditures. Such
35 documentation shall provide sufficient financial data to justify the
36 expenditures and shall include the following:

- 1) a plan that clearly indicates the specific fiscal impact of such expenditures on the fund balance.
- 2) information clearly indicating and explaining what programs would be cut or any other measures to be taken by the agency to restore the fund balance.
- 3) the extent to which any of the planned expenditures are for one-time costs or one-time purchase of capitalized items.
- 4) a statement certifying that the expenditure of fund balances will not jeopardize the financial health of the agency, nor result in a permanent depletion of the fund balance.

(B) The Chief Fiscal Officer of the State shall review the request and approve or disapprove all or any part of the request, after having sought prior review by the Legislative Council.

The provisions of this section shall be in effect only from July 1, 2003 through June 30, 2005.

SECTION 36. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES – INMATE WELFARE CASH FUND. (A) For all appropriations as provided in this Act, the agency disbursing officer shall monitor the level of fund balances in relation to expenditures on a monthly basis. If any proposed expenditures would cause the Inmate Welfare Cash Fund to decline below seven hundred fifty thousand dollars (\$750,000) ~~a fund balance to decline to less than fifty percent (50%) of the balance available on July 1, 2001,~~ the disbursing officer shall immediately notify the executive head of the agency. Prior to any obligations being made under these circumstances, the agency head shall file written documentation with the Chief Fiscal Officer of the State requesting approval of the expenditures. Such documentation shall provide sufficient financial data to justify the expenditures and shall include the following:

- 1) a plan that clearly indicates the specific fiscal impact of such expenditures on the fund balance.
- 2) information clearly indicating and explaining what programs would be cut or any other measures to be taken by the agency to restore the fund balance.
- 3) the extent to which any of the planned expenditures are for one-time costs or one-time purchase of capitalized items.
- 4) a statement certifying that the expenditure of fund balances will not

1 jeopardize the financial health of the agency, nor result in a permanent
2 depletion of the fund balance.

3 (B) The Chief Fiscal Officer of the State shall review the request and
4 approve or disapprove all or any part of the request, after having sought
5 prior review by the Legislative Council.

6 The provisions of this section shall be in effect only from July 1, 2003
7 through June 30, 2005.

8
9 SECTION 37. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED
10 SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES – DEPARTMENT
11 OF CORRECTION FARM FUND. (A) For all appropriations as provided in this
12 Act, the agency disbursing officer shall monitor the level of fund balances
13 in relation to expenditures on a monthly basis. If any proposed expenditures
14 would cause the Department of Correction Farm Fund to decline below one
15 hundred eight thousand three hundred eighty one dollars (\$108,381) a fund
16 balance to decline to less than fifty percent (50%) of the balance available
17 on July 1, 2001, the disbursing officer shall immediately notify the
18 executive head of the agency. Prior to any obligations being made under
19 these circumstances, the agency head shall file written documentation with
20 the Chief Fiscal Officer of the State requesting approval of the
21 expenditures. Such documentation shall provide sufficient financial data to
22 justify the expenditures and shall include the following:

- 23 1) a plan that clearly indicates the specific fiscal impact of such
24 expenditures on the fund balance.
25 2) information clearly indicating and explaining what programs would be cut
26 or any other measures to be taken by the agency to restore the fund balance.
27 3) the extent to which any of the planned expenditures are for one-time costs
28 or one-time purchase of capitalized items.
29 4) a statement certifying that the expenditure of fund balances will not
30 jeopardize the financial health of the agency, nor result in a permanent
31 depletion of the fund balance.

32 (B) The Chief Fiscal Officer of the State shall review the request and
33 approve or disapprove all or any part of the request, after having sought
34 prior review by the Legislative Council.

35 The provisions of this section shall be in effect only from July 1, 2003
36 through June 30, 2005.

1 SECTION 38. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. INMATE
3 COST REPORT. INMATE COST REPORTING – STATE FACILITIES.

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

13
14 (b) In compiling costs and reporting to the Arkansas Legislative Council in
15 accordance with Section 38 (a) of this Act, the Department of Correction
16 shall:

- 17
18 (1) Record all expenditures in a manner that provides for the
19 association of costs with each facility. Costs not directly
20 attributable to a particular facility (overhead, administration,
21 treatment, etc.) shall be allocated to each facility on the basis of
22 inmate population.
- 23 (2) Maintain documentation to support all elements of costs and cost
24 reimbursement both in total and by facility;
- 25 (3) Exclude capital outlay disbursements. However, depreciation expense
26 for all ADC fixed assets shall be included. Depreciation expense not
27 directly associated with the fixed assets of a particular facility
28 shall be allocated to each facility on the basis of inmate population.
- 29 (4) Include any interest expense incurred by ADC or another state
30 governmental entity as a result of prison construction;
- 31 (5) Exclude all payments to local governments for care of inmates housed
32 in local government facilities;
- 33 (6) Exclude all payments to local governments for Act 309 prisoners;
- 34 (7) Include the state matching requirements associated with federal
35 grant expenditures. Documentation shall be maintained sufficient to
36 identify such costs by grant.

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

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

6 (A) ADC expenses incurred through fund transfers;

7 (B) Retirement costs;

8 (C) Audit costs;

9 (D) ADC cost for shared employees paid by another state
10 governmental entity;

11 (E) Inmate educational and rehabilitation costs;

12 (F) Inmate related expenses incurred by the Attorney General.

13
14 (c) In determining costs per inmate per day for reporting to the Arkansas
15 Legislative Council in accordance with Section 38 (a), ADC shall:

16 (1) Accumulate the number of inmates housed at each ADC facility each
17 day throughout the state fiscal year for which costs are being
18 reported. This accumulation shall result in total inmate days and
19 shall be divided into total direct and indirect costs compiled in
20 accordance with Section 38 (a)(b).

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

24 (3) Maintain documentation supporting the number of inmates housed at
25 ADC facilities.

26
27
28 SECTION 39. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LOCAL
30 GOVERNMENT INMATE COST REPORT. Within 90 days of the close of each calendar
31 year, each local governmental unit housing inmates sentenced to the Arkansas
32 Department of Correction (ADC) shall submit to the Arkansas Legislative
33 Council a report of all direct and indirect costs incurred by the local
34 governmental unit in housing and caring for such inmates. Guidelines for
35 preparing this cost report shall be developed by ADC in coordination with the
36 Division of Legislative Audit and shall be distributed to the local

1 governmental units within 90 days of the enactment of this law.

2
3 SECTION 40. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
4 by this act shall be limited to the appropriation for such agency and funds
5 made available by law for the support of such appropriations; and the
6 restrictions of the State Purchasing Law, the General Accounting and
7 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
8 Procedures and Restrictions Act, or their successors, and other fiscal
9 control laws of this State, where applicable, and regulations promulgated by
10 the Department of Finance and Administration, as authorized by law, shall be
11 strictly complied with in disbursement of said funds.

12
13 SECTION 41. LEGISLATIVE INTENT. It is the intent of the General Assembly
14 that any funds disbursed under the authority of the appropriations contained
15 in this act shall be in compliance with the stated reasons for which this act
16 was adopted, as evidenced by the Agency Requests, Executive Recommendations
17 and Legislative Recommendations contained in the budget manuals prepared by
18 the Department of Finance and Administration, letters, or summarized oral
19 testimony in the official minutes of the Arkansas Legislative Council or
20 Joint Budget Committee which relate to its passage and adoption.

21
22 SECTION 42. EMERGENCY CLAUSE. It is found and determined by the General
23 Assembly, that the Constitution of the State of Arkansas prohibits the
24 appropriation of funds for more than a two (2) year period; that the
25 effectiveness of this Act on July 1, 2003 is essential to the operation of
26 the agency for which the appropriations in this Act are provided, and that in
27 the event of an extension of the Regular Session, the delay in the effective
28 date of this Act beyond July 1, 2003 could work irreparable harm upon the
29 proper administration and provision of essential governmental programs.
30 Therefore, an emergency is hereby declared to exist and this Act being
31 necessary for the immediate preservation of the public peace, health and
32 safety shall be in full force and effect from and after July 1, 2003.

33
34 /s/ Joint Budget Committee
35
36