

State of Arkansas
89th General Assembly
Regular Session, 2013

A Bill

HOUSE BILL 1223

By: Joint Budget Committee

For An Act To Be Entitled

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

Subtitle

AN ACT FOR THE DEPARTMENT OF CORRECTION
APPROPRIATION FOR THE 2013-2014 FISCAL
YEAR.

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

SECTION 1. REGULAR SALARIES. There is hereby established for the Department of Correction for the 2013-2014 fiscal year, the following maximum number of regular employees.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2013-2014
(1)	U035U	ADC DIRECTOR	1	\$147,542
(2)	U062U	ADC CHIEF DEPUTY DIRECTOR	1	\$115,482
(3)	N039N	ADC DEPUTY DIRECTOR	3	GRADE N909
(4)	N048N	ADC ASSISTANT DIRECTOR	3	GRADE N908
(5)	T001N	ADC SUPERINTENDENT	7	GRADE N906
(6)	G014N	ADC COMPLIANCE ATTORNEY	1	GRADE N904
(7)	N120N	ADC FARM ADMINISTRATOR	1	GRADE N904



(8)	N119N	ADC INDUSTRY ADMINISTRATOR	1	GRADE N904
(9)	N136N	ADC HEALTH SERVICE ADMINISTRATOR	2	GRADE N903
(10)	G024N	ADC GENERAL COUNSEL	1	GRADE N902
(11)	P003N	ADC PUBLIC INFORMATION OFFICER	1	GRADE N901
(12)	A108C	ADC ASST CHIEF FINANCIAL OFFICER (CFO)	1	GRADE C130
(13)	A007C	AUDIT MANAGER	1	GRADE C129
(14)	L001C	PSYCHOLOGIST SUPERVISOR	3	GRADE C129
(15)	L097C	ADC PSYCHOLOGIST	12	GRADE C128
(16)	D007C	INFORMATION SYSTEMS MANAGER	2	GRADE C128
(17)	T006C	ADC HEAD FARM MANAGER II	4	GRADE C127
(18)	T005C	ADC/DCC CORRECTIONAL WARDEN	10	GRADE C127
(19)	G025C	ATTORNEY SUPERVISOR	2	GRADE C127
(20)	L003C	PSYCHOLOGIST	1	GRADE C127
(21)	A021C	AGENCY CONTROLLER I	1	GRADE C126
(22)	G047C	ATTORNEY SPECIALIST	2	GRADE C126
(23)	R006C	HUMAN RESOURCES ADMINISTRATOR	1	GRADE C126
(24)	S094C	ADC CONSTRUCTION/MAINTENANCE COORD	3	GRADE C124
(25)	T015C	ADC/DCC DEPUTY WARDEN	24	GRADE C124
(26)	D030C	INFORMATION SYSTEMS COORDINATOR	1	GRADE C124
(27)	R013C	AGENCY HUMAN RESOURCES MANAGER	1	GRADE C123
(28)	A038C	FISCAL SUPPORT MANAGER	2	GRADE C123
(29)	D038C	SENIOR SOFTWARE SUPPORT ANALYST	2	GRADE C123
(30)	T021C	ADC HEAD FARM MANAGER I	3	GRADE C122
(31)	G099C	DHS PROGRAM ADMINISTRATOR	1	GRADE C122
(32)	D046C	STATE PRODUCTION CONTROL SUPERVISOR	1	GRADE C122
(33)	B040C	ADC AGRICULTURE PRODUCTION SUPERVISOR	2	GRADE C121
(34)	G222C	ADC/DCC INTERNAL AFFAIRS ADMIN	1	GRADE C121
(35)	A050C	AGENCY FISCAL MANAGER	1	GRADE C121
(36)	B042C	ENGINEER	1	GRADE C121
(37)	M009C	LICENSED CERTIFIED SOCIAL WORKER	17	GRADE C121
(38)	L033C	PSYCHOLOGICAL EXAMINER	9	GRADE C121
(39)	D052C	SOFTWARE SUPPORT ANALYST	6	GRADE C121
(40)	L041C	ADC ASST MEDICAL PROGRAM MANAGER	1	GRADE C120
(41)	G142C	ADC CLASSIFICATION ADMINISTRATOR	1	GRADE C120
(42)	G141C	ADC INDUSTRY ASSISTANT ADMR	3	GRADE C120
(43)	T033C	ADC/DCC MAJOR	26	GRADE C120

(44)	E026C	EDUCATION & INSTRUCTION COORDINATOR	1	GRADE C120
(45)	M088C	LICENSED MASTER SOCIAL WORKER	4	GRADE C120
(46)	L038C	REGISTERED NURSE	1	GRADE C120
(47)	G121C	REHAB PROGRAM MANAGER	9	GRADE C120
(48)	T040C	ADC ASSISTANT HEAD FARM MANAGER	5	GRADE C119
(49)	S011C	ADC COMMODITY & FOOD SVC ADMR	1	GRADE C119
(50)	S095C	ADC CONSTRUCTION PROJECT SPECIALIST	9	GRADE C119
(51)	S096C	ADC CONSTRUCTION PROJECT SUPERVISOR	15	GRADE C119
(52)	S010C	ADC INDUSTRY PROGRAM MANAGER	9	GRADE C119
(53)	T039C	ADC INMATE TRANSPORTATION COORD	1	GRADE C119
(54)	T038C	ADC TRAINING ACADEMY SUPERVISOR	1	GRADE C119
(55)	R021C	BUDGET ANALYST	2	GRADE C119
(56)	A066C	INTERNAL AUDITOR	2	GRADE C119
(57)	M020C	LICENSED PROFESSIONAL COUNSELOR	74	GRADE C119
(58)	V007C	PROCUREMENT COORDINATOR	2	GRADE C119
(59)	A060C	SENIOR AUDITOR	1	GRADE C119
(60)	T034C	WORK RELEASE CENTER SUPERVISOR	5	GRADE C119
(61)	T048C	ADC/DCC CAPTAIN	51	GRADE C118
(62)	M031C	ADMINISTRATOR OF CHAPLAINCY SVCS	1	GRADE C118
(63)	R024C	ASSISTANT PERSONNEL MANAGER	2	GRADE C118
(64)	C010C	EXECUTIVE ASSISTANT TO THE DIRECTOR	2	GRADE C118
(65)	A074C	FISCAL SUPPORT SUPERVISOR	5	GRADE C118
(66)	M026C	LICENSED SOCIAL WORKER	1	GRADE C118
(67)	M023C	SUBSTANCE ABUSE PROGRAM COORD	4	GRADE C118
(68)	T041C	WORK RELEASE PROGRAM SUPERVISOR	4	GRADE C118
(69)	T054C	ADC/DCC LIEUTENANT	150	GRADE C117
(70)	T053C	AGRICULTURE UNIT SUPERVISOR II	32	GRADE C117
(71)	M044C	ASSOCIATE PROFESSIONAL COUNSELOR	13	GRADE C117
(72)	D071C	COMPUTER SUPPORT ANALYST	4	GRADE C117
(73)	S019C	DIRECTOR MAINTENANCE	10	GRADE C117
(74)	G178C	POLICY DEVELOPMENT COORDINATOR	1	GRADE C117
(75)	L052C	REHAB FACILITY SUPERVISOR	6	GRADE C117
(76)	E041C	SENIOR LIBRARIAN	1	GRADE C117
(77)	S016C	SKILLED TRADES FOREMAN	1	GRADE C117
(78)	S027C	ADC INDUSTRIAL SUPERVISOR II	25	GRADE C116
(79)	X133C	ADC/DCC INTERNAL AFFAIRS INVESTIGATOR	9	GRADE C116

(80)	S026C	ADC/DCC ASST MAINTENANCE SUPERVISOR	14	GRADE C116
(81)	T059C	ADC/DCC FOOD PREPARATION MANAGER	20	GRADE C116
(82)	C024C	ADC/DCC RECORDS SUPERVISOR	24	GRADE C116
(83)	T058C	AGRICULTURE UNIT SUPERVISOR I	3	GRADE C116
(84)	C022C	BUSINESS OPERATIONS SPECIALIST	17	GRADE C116
(85)	V014C	BUYER	2	GRADE C116
(86)	G200C	CLASSIFICATION & ASSIGNMENT OFFICER	19	GRADE C116
(87)	X128C	CORRECTIONAL UNIT ACCREDITATION SPEC	15	GRADE C116
(88)	X127C	DISCIPLINARY HEARING OFFICER	7	GRADE C116
(89)	L058C	DISEASE INTERVENTION SPECIALIST	4	GRADE C116
(90)	E048C	EDUCATION & INSTRUCTION SPECIALIST	1	GRADE C116
(91)	R030C	EEO/GRIEVANCE OFFICER	1	GRADE C116
(92)	R029C	HUMAN RESOURCES RECRUITER	1	GRADE C116
(93)	M049C	SENIOR CHAPLAIN	6	GRADE C116
(94)	S022C	SKILLED TRADES SUPERVISOR	1	GRADE C116
(95)	M048C	SUBSTANCE ABUSE PROGRAM LEADER	38	GRADE C116
(96)	E046C	TRAINING INSTRUCTOR	8	GRADE C116
(97)	M059C	ADC/DCC ADVISOR	14	GRADE C115
(98)	T065C	ADC/DCC CORRECTIONAL SERGEANT	856	GRADE C115
(99)	M058C	ADC/DCC PROGRAM SPECIALIST	10	GRADE C115
(100)	C037C	ADMINISTRATIVE ANALYST	13	GRADE C115
(101)	M057C	CHAPLAIN	17	GRADE C115
(102)	D079C	COMPUTER SUPPORT TECHNICIAN	16	GRADE C115
(103)	A091C	FISCAL SUPPORT ANALYST	13	GRADE C115
(104)	R031C	INSTITUTION HUMAN RESOURCES COORD	16	GRADE C115
(105)	V015C	PURCHASING SPECIALIST	5	GRADE C115
(106)	C026C	RECORDS/INTAKE SUPERVISOR	1	GRADE C115
(107)	T061C	SENIOR INTELLIGENCE ANALYST	1	GRADE C115
(108)	S043C	ADC INDUSTRIAL SUPERVISOR I	7	GRADE C114
(109)	G216C	ADC INMATE GRIEVANCE COORDINATOR	22	GRADE C114
(110)	P044C	ADC SALES REPRESENTATIVE	4	GRADE C114
(111)	T071C	ADC UNIT TRAINING SUPERVISOR	16	GRADE C114
(112)	T070C	ADC/DCC FOOD PREPARATION SUPERVISOR	82	GRADE C114
(113)	G215C	CAREER PLANNING & PLACEMENT SPECIALIST	1	GRADE C114
(114)	M065C	RECREATIONAL ACTIVITY SUPERVISOR	18	GRADE C114
(115)	X151C	SAFETY SUPERVISOR	1	GRADE C114

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

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

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

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

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

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

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

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

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

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

ITEM NO.	FISCAL YEAR 2013-2014
(01) REGULAR SALARIES	\$2,231,953
(02) PERSONAL SERVICES MATCHING	856,977
(03) OVERTIME	8,000
(04) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	8,076,400
(B) CONF. & TRAVEL	39,400
(C) PROF. FEES	0
(D) CAP. OUTLAY	278,300
(E) DATA PROC.	<u>0</u>
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 NO.	FISCAL YEAR 2013-2014
(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 NO.	FISCAL YEAR 2013-2014
(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>

TOTAL AMOUNT APPROPRIATED \$6,440,000

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

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

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

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

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

ITEM NO.	FISCAL YEAR
(01) CONSTRUCTION	2013-2014
	<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 2013-2014
(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) (04)		PHYSICIANS SPECIALIST	6 <u>15</u>	170,000
(06)		ASST HEALTH SERVICES ADMN	3	90,000
(07) (05)		CHIEF OF NURSING SERVICES	1	90,000
(08) (06)		RNP/PA	13	85,000
(09) (07)		DIR OF MEDICAL RECORDS	1	75,000
(10) (08)		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) (09)	L011N	DENTIST	15	GRADE N916
(15) (10)	L016N	REGISTERED PHARMACIST	3	GRADE N911
(16) (11)	L019C	REGISTERED NURSE COORD	1 <u>13</u>	GRADE C123
(17) (12)	L027C	REGISTERED NURSE SUPV	4 <u>45</u>	GRADE C122
(18) (13)	L069C	LICENSED PRACTICAL NURSE	17 <u>180</u>	GRADE C113
(19) (14)	B111C	LABORATORY TECHNICIAN	5 <u>3</u>	GRADE C110
(20) (15)	L064C	RADIOLOGY TECHNICIAN	5 <u>8</u>	GRADE C114

PATIENT CARE - CLASSIFIED POSITIONS

(21)	L001C PSYCHOLOGIST SUPERVISOR	2	GRADE C129
(22)	L003C PSYCHOLOGIST	12	GRADE C127
(23)	L033C PSYCHOLOGIST EXAMINER	7	GRADE C121
(24)	G121C REHAB PROGRAM MANAGER	9	GRADE C120
(25)	L038C REGISTERED NURSE	3	GRADE C120
(26)	M020C LICENSED PROF COUNSELOR	82	GRADE C119
(27)	M026C LICENSED SOCIAL WORKER	21	GRADE C118
(28)	M046C ADC/DCC TREATMENT COORD	4	GRADE C117
(29)	M048C SUBSTANCE ABUSE PRGM LDR	37	GRADE C116
(30)	G037C ADMINISTRATIVE ANALYST	2	GRADE C115
(31)	<u>(16) L071C DENTAL HYGIENIST</u>	<u>8</u>	<u>GRADE C113</u>
(32)	<u>(17) C053C MEDICAL RECORDS TECH</u>	<u>2426</u>	<u>GRADE C112</u>
(33)	<u>(18) C056C ADMINISTRATIVE SPEC III</u>	<u>2311</u>	<u>GRADE C112</u>
(34)	<u>(19) C073C ADMINISTRATIVE SPEC II</u>	<u>49</u>	<u>GRADE C109</u>
(35)	<u>(20) L081C DENTAL ASSISTANT</u>	<u>1214</u>	<u>GRADE C109</u>
(36)	G087C ADMINISTRATIVE SPEC I	11	GRADE C106

CLASSIFIED - NON-PATIENT CARE

(37)	<u>(21) BUYER</u>	<u>2</u>	<u>GRADE C116</u>
(38)	<u>(22) PURCHASING ASSISTANT</u>	<u>1</u>	<u>GRADE C106</u>
(39)	<u>(23) ACCOUNTING TECH</u>	<u>4</u>	<u>GRADE C109</u>
(40)	<u>(24) ACCOUNTANT I</u>	<u>1</u>	<u>GRADE C116</u>
(41)	<u>(25) INSTITUTIONAL HR COORDINATOR</u>	<u>1</u>	<u>GRADE C115</u>
(42)	<u>(26) HR SPECIALIST</u>	<u>1</u>	<u>GRADE C113</u>
(43)	ADC INMATE GRIEVANCE COORD	3	GRADE C114
(44)	<u>(27) COMPUTER SUPPORT TECH</u>	<u>1</u>	<u>GRADE C115</u>
<u>(28)</u>	<u>FISCAL DIVISION MANAGER</u>	<u>1</u>	<u>GRADE C127</u>
<u>(29)</u>	<u>GOODS RECEIPT</u>	<u>1</u>	<u>GRADE C112</u>
<u>(30)</u>	<u>INFO SYSTEMS COORDINATOR</u>	<u>1</u>	<u>GRADE C124</u>
<u>(31)</u>	<u>NURSING ASSISTANT</u>	<u>53</u>	<u>GRADE C110</u>
<u>(32)</u>	<u>POLICY DEVELOP. COORDINATOR</u>	<u>1</u>	<u>GRADE C117</u>
<u>(33)</u>	<u>CHIEF PSYCHIATRIC SERV.</u>	<u>1</u>	<u>\$400,000</u>
<u>(34)</u>	<u>PSYCHIATRIC SPECIALIST</u>	<u>6</u>	<u>GRADE N919</u>
<u>(35)</u>	<u>REGIONAL MANAGER</u>	<u>3</u>	<u>\$120,000</u>
<u>(36)</u>	<u>VP OPERATIONS</u>	<u>1</u>	<u>\$200,000</u>
GRAND TOTAL CONTINGENT EMPLOYEES		<u>588462</u>	

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

payments to employees who have served in the following classifications:

Class

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(A) ADC expenses incurred through fund transfers;

(B) Retirement costs;

(C) Audit costs;

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

(E) Inmate educational and rehabilitation costs;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. NEW FACILITIES. If it is found that contracting for the operation of new facilities is economically beneficial to the State of Arkansas, the Department of Correction may, after receiving approval of the Chief Fiscal Officer, and seeking prior review and approval by the Arkansas Legislative Council or Joint Budget Committee, transfer from any line item appropriation contained in Section 3 of this Act into the Professional Fees and Services line item contained in Section 3 of this Act to operate new facilities. Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. This is usually accomplished by delineating such maximums in the appropriation act(s) for a state agency and the general revenue allocations authorized for each fund and fund account by

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

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

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

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

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

requirement of approval by the Legislative Council or Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this entire section is void.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

program.

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

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

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

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

APPROVED: 04/12/2013