

Stricken language will be deleted and underlined language will be added.
Act 223 of the Fiscal Session

1 State of Arkansas
2 91st General Assembly
3 Fiscal Session, 2018
4

As Engrossed: H2/14/18

A Bill

HOUSE BILL 1079

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
9 AND OPERATING EXPENSES FOR THE DEPARTMENT OF
10 CORRECTION FOR THE FISCAL YEAR ENDING JUNE 30, 2019;
11 AND FOR OTHER PURPOSES.
12
13

Subtitle

14 AN ACT FOR THE DEPARTMENT OF CORRECTION
15 APPROPRIATION FOR THE 2018-2019 FISCAL
16 YEAR.
17
18
19

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

22 SECTION 1. REGULAR SALARIES. There is hereby established for the
23 Department of Correction for the 2018-2019 fiscal year, the following maximum
24 number of regular employees.
25

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2018-2019
30	(1)	U035U ADC DIRECTOR	1	GRADE SE04
31	(2)	U062U ADC CHIEF DEPUTY DIRECTOR	1	GRADE SE02
32	(3)	L001C PSYCHOLOGIST SUPERVISOR	3	GRADE MP04
33	(4)	L097C ADC PSYCHOLOGIST	12	GRADE MP03
34	(5)	L003C PSYCHOLOGIST	1	GRADE MP03
35	(6)	L038C REGISTERED NURSE	1	GRADE MP01
36	(7)	D007C INFORMATION SYSTEMS MANAGER	1	GRADE IT08



1	(8)	D030C INFORMATION SYSTEMS COORDINATOR	1	GRADE IT07
2	(9)	D017C INFO SYSTEMS SECURITY SPECIALIST	1	GRADE IT07
3	(10)	D038C SENIOR SOFTWARE SUPPORT ANALYST	2	GRADE IT06
4	(11)	D052C SOFTWARE SUPPORT ANALYST	6	GRADE IT05
5	(12)	D071C COMPUTER SUPPORT ANALYST	4	GRADE IT03
6	(13)	D046C STATE PRODUCTION CONTROL SUPERVISOR	1	GRADE IT03
7	(14)	D079C COMPUTER SUPPORT TECHNICIAN	16	GRADE IT02
8	(15)	N039N ADC DEPUTY DIRECTOR	3	GRADE GS15
9	(16)	N048N ADC ASSISTANT DIRECTOR	3	GRADE GS14
10	(17)	A108C ADC ASST CHIEF FINANCIAL OFFICER (CFO)	1	GRADE GS13
11	(18)	G014N ADC COMPLIANCE ATTORNEY	1	GRADE GS13
12	(19)	G024N ADC GENERAL COUNSEL	1	GRADE GS13
13	(20)	T001N ADC SUPERINTENDENT	7	GRADE GS13
14	(21)	N120N ADC FARM ADMINISTRATOR	1	GRADE GS12
15	(22)	N136N ADC HEALTH SERVICE ADMINISTRATOR	2	GRADE GS12
16	(23)	N119N ADC INDUSTRY ADMINISTRATOR	1	GRADE GS12
17	(24)	P003N ADC PUBLIC INFORMATION OFFICER	1	GRADE GS12
18	(25)	T005C ADC/DCC CORRECTIONAL WARDEN	10	GRADE GS12
19	(26)	A021C AGENCY CONTROLLER I	1	GRADE GS12
20	(27)	G025C ATTORNEY SUPERVISOR	2	GRADE GS12
21	(28)	R006C HUMAN RESOURCES ADMINISTRATOR	1	GRADE GS12
22	(29)	T109C SEX OFFENDER COMM NOTIFCTN ASMT ADMIN	1	GRADE GS12
23	(30)	R013C AGENCY HUMAN RESOURCES MANAGER	1	GRADE GS11
24	(31)	G047C ATTORNEY SPECIALIST	2	GRADE GS11
25	(32)	C112C ADC POLICY & RESEARCH COORDINATOR	1	GRADE GS10
26	(33)	T015C ADC/DCC DEPUTY WARDEN	24	GRADE GS10
27	(34)	T006C ADC HEAD FARM MANAGER II	4	GRADE GS09
28	(35)	G222C ADC/DCC INTERNAL AFFAIRS ADMIN	1	GRADE GS09
29	(36)	T033C ADC/DCC MAJOR	28	GRADE GS09
30	(37)	A050C AGENCY FISCAL MANAGER	1	GRADE GS09
31	(38)	B042C ENGINEER	1	GRADE GS09
32	(39)	A038C FISCAL SUPPORT MANAGER	2	GRADE GS09
33	(40)	M009C LICENSED CERTIFIED SOCIAL WORKER	26	GRADE GS09
34	(41)	L033C PSYCHOLOGICAL EXAMINER	5	GRADE GS09
35	(42)	L041C ADC ASST MEDICAL PROGRAM MANAGER	1	GRADE GS08
36	(43)	S094C ADC CONSTRUCTION/MAINTENANCE COORD	3	GRADE GS08

1	(44)	T021C ADC HEAD FARM MANAGER I	3	GRADE GS08
2	(45)	S010C ADC INDUSTRY PROGRAM MANAGER	8	GRADE GS08
3	(46)	T048C ADC/DCC CAPTAIN	53	GRADE GS08
4	(47)	T104C ADC/DCC TRAINING ACADEMY SUPERVISOR	1	GRADE GS08
5	(48)	M031C ADMINISTRATOR OF CHAPLAINCY SVCS	1	GRADE GS08
6	(49)	R021C BUDGET ANALYST	1	GRADE GS08
7	(50)	A066C INTERNAL AUDITOR	3	GRADE GS08
8	(51)	M088C LICENSED MASTER SOCIAL WORKER	7	GRADE GS08
9	(52)	M020C LICENSED PROFESSIONAL COUNSELOR	74	GRADE GS08
10	(53)	V007C PROCUREMENT COORDINATOR	2	GRADE GS08
11	(54)	G121C REHAB PROGRAM MANAGER	9	GRADE GS08
12	(55)	A060C SENIOR AUDITOR	1	GRADE GS08
13	(56)	T034C WORK RELEASE CENTER SUPERVISOR	4	GRADE GS08
14	(57)	G142C ADC CLASSIFICATION ADMINISTRATOR	1	GRADE GS07
15	(58)	S096C ADC CONSTRUCTION PROJECT SUPERVISOR	15	GRADE GS07
16	(59)	T054C ADC/DCC LIEUTENANT	158	GRADE GS07
17	(60)	R024C ASSISTANT PERSONNEL MANAGER	2	GRADE GS07
18	(61)	A081C AUDITOR	1	GRADE GS07
19	(62)	G159C DEPARTMENT BUSINESS COORDINATOR	1	GRADE GS07
20	(63)	E048C EDUCATION & INSTRUCTION SPECIALIST	1	GRADE GS07
21	(64)	C010C EXECUTIVE ASSISTANT TO THE DIRECTOR	2	GRADE GS07
22	(65)	M026C LICENSED SOCIAL WORKER	1	GRADE GS07
23	(66)	L052C REHAB FACILITY SUPERVISOR	6	GRADE GS07
24	(67)	M049C SENIOR CHAPLAIN	6	GRADE GS07
25	(68)	E041C SENIOR LIBRARIAN	1	GRADE GS07
26	(69)	M023C SUBSTANCE ABUSE PROGRAM COORD	4	GRADE GS07
27	(70)	B040C ADC AGRICULTURE PRODUCTION SUPERVISOR	2	GRADE GS06
28	(71)	T040C ADC ASSISTANT HEAD FARM MANAGER	5	GRADE GS06
29	(72)	S011C ADC COMMODITY & FOOD SVC ADMR	1	GRADE GS06
30	(73)	S095C ADC CONSTRUCTION PROJECT SPECIALIST	9	GRADE GS06
31	(74)	S027C ADC INDUSTRIAL SUPERVISOR II	23	GRADE GS06
32	(75)	G141C ADC INDUSTRY ASSISTANT ADMR	3	GRADE GS06
33	(76)	T039C ADC INMATE TRANSPORTATION COORD	1	GRADE GS06
34	(77)	X133C ADC/DCC INTERNAL AFFAIRS INVESTIGATOR	9	GRADE GS06
35	(78)	T065C ADC/DCC CORRECTIONAL SERGEANT	886	GRADE GS06
36	(79)	C037C ADMINISTRATIVE ANALYST	14	GRADE GS06

1	(80)	T053C AGRICULTURE UNIT SUPERVISOR II	31	GRADE GS06
2	(81)	M044C ASSOCIATE PROFESSIONAL COUNSELOR	14	GRADE GS06
3	(82)	M057C CHAPLAIN	17	GRADE GS06
4	(83)	S019C DIRECTOR OF MAINTENANCE	10	GRADE GS06
5	(84)	L058C DISEASE INTERVENTION SPECIALIST	4	GRADE GS06
6	(85)	R030C EEO/GRIEVANCE OFFICER	1	GRADE GS06
7	(86)	A074C FISCAL SUPPORT SUPERVISOR	5	GRADE GS06
8	(87)	R029C HUMAN RESOURCES RECRUITER	1	GRADE GS06
9	(88)	T103C LAW ENFORCEMENT TRAINING INSTRUCTOR	7	GRADE GS06
10	(89)	G178C POLICY DEVELOPMENT COORDINATOR	1	GRADE GS06
11	(90)	C026C RECORDS/INTAKE SUPERVISOR	1	GRADE GS06
12	(91)	T061C SENIOR INTELLIGENCE ANALYST	1	GRADE GS06
13	(92)	S016C SKILLED TRADES FOREMAN	1	GRADE GS06
14	(93)	M048C SUBSTANCE ABUSE PROGRAM LEADER	42	GRADE GS06
15	(94)	E046C TRAINING INSTRUCTOR	1	GRADE GS06
16	(95)	T041C WORK RELEASE PROGRAM SUPERVISOR	4	GRADE GS06
17	(96)	G216C ADC INMATE GRIEVANCE COORDINATOR	22	GRADE GS05
18	(97)	P044C ADC SALES REPRESENTATIVE	3	GRADE GS05
19	(98)	T071C ADC UNIT TRAINING SUPERVISOR	17	GRADE GS05
20	(99)	T076C ADC/DCC ADMIN REVIEW OFFICER	6	GRADE GS05
21	(100)	M059C ADC/DCC ADVISOR	14	GRADE GS05
22	(101)	S026C ADC/DCC ASST MAINTENANCE SUPERVISOR	14	GRADE GS05
23	(102)	T075C ADC/DCC CORPORAL	2,387	GRADE GS05
24	(103)	T059C ADC/DCC FOOD PREPARATION MANAGER	21	GRADE GS05
25	(104)	M058C ADC/DCC PROGRAM SPECIALIST	11	GRADE GS05
26	(105)	C024C ADC/DCC RECORDS SUPERVISOR	26	GRADE GS05
27	(106)	T058C AGRICULTURE UNIT SUPERVISOR I	3	GRADE GS05
28	(107)	C022C BUSINESS OPERATIONS SPECIALIST	18	GRADE GS05
29	(108)	V014C BUYER	2	GRADE GS05
30	(109)	G215C CAREER PLANNING & PLACEMENT SPECIALIST	1	GRADE GS05
31	(110)	G200C CLASSIFICATION & ASSIGNMENT OFFICER	20	GRADE GS05
32	(111)	X128C CORRECTIONAL UNIT ACCREDITATION SPEC	14	GRADE GS05
33	(112)	X127C DISCIPLINARY HEARING OFFICER	7	GRADE GS05
34	(113)	A091C FISCAL SUPPORT ANALYST	12	GRADE GS05
35	(114)	R032C HUMAN RESOURCES PROG REPRESENTATIVE	1	GRADE GS05
36	(115)	R031C INSTITUTION HUMAN RESOURCES COORD	16	GRADE GS05

1	(116)	A090C PAYROLL SERVICES SPECIALIST	1	GRADE GS05
2	(117)	V015C PURCHASING SPECIALIST	6	GRADE GS05
3	(118)	M065C RECREATIONAL ACTIVITY SUPERVISOR	20	GRADE GS05
4	(119)	X151C SAFETY SUPERVISOR	1	GRADE GS05
5	(120)	S022C SKILLED TRADES SUPERVISOR	1	GRADE GS05
6	(121)	S043C ADC INDUSTRIAL SUPERVISOR I	7	GRADE GS04
7	(122)	T077C ADC MAILROOM SERVICES COORDINATOR	15	GRADE GS04
8	(123)	T083C ADC/DCC CORRECTIONAL OFFICER I	2	GRADE GS04
9	(124)	T070C ADC/DCC FOOD PREPARATION SUPERVISOR	86	GRADE GS04
10	(125)	C056C ADMINISTRATIVE SPECIALIST III	35	GRADE GS04
11	(126)	R037C BENEFITS TECHNICIAN	1	GRADE GS04
12	(127)	A098C FISCAL SUPPORT SPECIALIST	32	GRADE GS04
13	(128)	R038C HUMAN RESOURCES ASSISTANT	21	GRADE GS04
14	(129)	R036C HUMAN RESOURCES SPECIALIST	5	GRADE GS04
15	(130)	S051C INSTRUMENTATION TECHNICIAN	1	GRADE GS04
16	(131)	V020C INVENTORY CONTROL MANAGER	3	GRADE GS04
17	(132)	C046C LEGAL SUPPORT SPECIALIST	2	GRADE GS04
18	(133)	S046C MAINTENANCE TECHNICIAN	26	GRADE GS04
19	(134)	A097C PAYROLL TECHNICIAN	2	GRADE GS04
20	(135)	V024C ADC PROPERTY OFFICER	2	GRADE GS03
21	(136)	C073C ADMINISTRATIVE SPECIALIST II	78	GRADE GS03
22	(137)	T081C COMMISSARY MANAGER	29	GRADE GS03
23	(138)	P045C PUBLIC INFORMATION TECHNICIAN	1	GRADE GS03
24	(139)	C087C ADMINISTRATIVE SPECIALIST I	100	GRADE GS02
25	(140)	V030C SHIPPING & RECEIVING CLERK	<u>1</u>	GRADE GS02
26		MAX. NO. OF EMPLOYEES	4,740	

27

28 SECTION 2. EXTRA HELP. There is hereby authorized, for the Department
 29 of Correction for the 2018-2019 fiscal year, the following maximum number of
 30 part-time or temporary employees, to be known as "Extra Help", payable from
 31 funds appropriated herein for such purposes: one hundred seventy (170)
 32 temporary or part-time employees, when needed, at rates of pay not to exceed
 33 those provided in the Uniform Classification and Compensation Act, or its
 34 successor, or this act for the appropriate classification.

35

36 SECTION 3. APPROPRIATION - INMATE CARE & CUSTODY. There is hereby

1 appropriated, to the Department of Correction, to be payable from the
 2 Department of Correction Inmate Care and Custody Fund Account, for personal
 3 services and operating expenses of the Department of Correction - Inmate Care
 4 & Custody for the fiscal year ending June 30, 2019, the following:

5	6	ITEM	FISCAL YEAR
7	NO.		2018-2019
8	(01)	REGULAR SALARIES	\$161,858,328
9	(02)	EXTRA HELP	100,000
10	(03)	PERSONAL SERVICES MATCHING	62,581,710
11	(04)	OVERTIME	1,550,000
12	(05)	MAINT. & GEN. OPERATION	
13	(A)	OPER. EXPENSE	57,921,242
14	(B)	CONF. & TRAVEL	155,398
15	(C)	PROF. FEES	70,675,828
16	(D)	CAP. OUTLAY	1,433,486
17	(E)	DATA PROC.	0
18	(06)	JAIL CONTRACTS	1,533,000
19	(07)	OUT-OF-STATE BEDS	<u>4,427,136</u>
20		TOTAL AMOUNT APPROPRIATED	<u>\$362,236,128</u>

21
 22 SECTION 4. APPROPRIATION - INMATE WELFARE PROGRAM. There is hereby
 23 appropriated, to the Department of Correction, to be payable from the cash
 24 fund deposited in the State Treasury as determined by the Chief Fiscal
 25 Officer of the State, for personal services and operating expenses of the
 26 Department of Correction - Inmate Welfare Program for the fiscal year ending
 27 June 30, 2019, the following:

28	29	ITEM	FISCAL YEAR
30	NO.		2018-2019
31	(01)	REGULAR SALARIES	\$810,727
32	(02)	PERSONAL SERVICES MATCHING	342,113
33	(03)	MAINT. & GEN. OPERATION	
34	(A)	OPER. EXPENSE	13,028,960
35	(B)	CONF. & TRAVEL	0
36	(C)	PROF. FEES	0

1	(D) CAP. OUTLAY	500,000
2	(E) DATA PROC.	<u>0</u>
3	TOTAL AMOUNT APPROPRIATED	<u>\$14,681,800</u>

4

5 SECTION 5. APPROPRIATION - WORK RELEASE PROGRAM. There is hereby
6 appropriated, to the Department of Correction, to be payable from the cash
7 fund deposited in the State Treasury as determined by the Chief Fiscal
8 Officer of the State, for operating expenses and debt service of the
9 Department of Correction - Work Release Program for the fiscal year ending
10 June 30, 2019, the following:

11

12	ITEM	FISCAL YEAR
13	<u>NO.</u>	<u>2018-2019</u>
14	(01) MAINT. & GEN. OPERATION	
15	(A) OPER. EXPENSE	\$5,394,120
16	(B) CONF. & TRAVEL	104,150
17	(C) PROF. FEES	1,000,000
18	(D) CAP. OUTLAY	1,527,590
19	(E) DATA PROC.	0
20	(02) DEBT SERVICE	<u>0</u>
21	TOTAL AMOUNT APPROPRIATED	<u>\$8,025,860</u>

22

23 SECTION 6. APPROPRIATION - PRISON INDUSTRY PROGRAM. There is hereby
24 appropriated, to the Department of Correction, to be payable from the
25 Department of Correction Prison Industry Fund, for personal services and
26 operating expenses of the Department of Correction - Prison Industry Program
27 for the fiscal year ending June 30, 2019, the following:

28

29	ITEM	FISCAL YEAR
30	<u>NO.</u>	<u>2018-2019</u>
31	(01) REGULAR SALARIES	\$2,026,219
32	(02) EXTRA HELP	10,000
33	(03) PERSONAL SERVICES MATCHING	784,905
34	(04) OVERTIME	8,000
35	(05) MAINT. & GEN. OPERATION	
36	(A) OPER. EXPENSE	7,005,213

1	(B) CONF. & TRAVEL	41,280
2	(C) PROF. FEES	0
3	(D) CAP. OUTLAY	123,903
4	(E) DATA PROC.	<u>0</u>
5	TOTAL AMOUNT APPROPRIATED	<u><u>\$9,999,520</u></u>

6

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

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

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

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

11 fiscal year ending June 30, 2019, the following:

13	ITEM	FISCAL YEAR
14	<u>NO.</u>	<u>2018-2019</u>
15	(01) REGULAR SALARIES	\$2,594,007
16	(02) EXTRA HELP	10,000
17	(03) PERSONAL SERVICES MATCHING	945,411
18	(04) MAINT. & GEN. OPERATION	
19	(A) OPER. EXPENSE	14,495,257
20	(B) CONF. & TRAVEL	53,010
21	(C) PROF. FEES	128,354
22	(D) CAP. OUTLAY	525,000
23	(E) DATA PROC.	0
24	(05) PURCHASE CATTLE/MEAT	<u>650,000</u>
25	TOTAL AMOUNT APPROPRIATED	<u><u>\$19,401,039</u></u>

26

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

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

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

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

31 - Non-Tax Revenue Receipts for the fiscal year ending June 30, 2019, the

32 following:

34	ITEM	FISCAL YEAR
35	<u>NO.</u>	<u>2018-2019</u>
36	(01) MAINT. & GEN. OPERATION	

1	(A) OPER. EXPENSE	\$601,000
2	(B) CONF. & TRAVEL	0
3	(C) PROF. FEES	30,000
4	(D) CAP. OUTLAY	0
5	(E) DATA PROC.	0
6	(02) CONSTRUCTION	<u>1,870,200</u>
7	TOTAL AMOUNT APPROPRIATED	<u><u>\$2,501,200</u></u>

8

9 SECTION 9. APPROPRIATION - COUNTY JAIL REIMBURSEMENT. There is hereby
 10 appropriated, to the Department of Correction, to be payable from the County
 11 Jail Reimbursement Fund, for reimbursement to counties housing state inmates
 12 of the Department of Correction - County Jail Reimbursement for the fiscal
 13 year ending June 30, 2019, the following:

14

15	ITEM	FISCAL YEAR
16	<u>NO.</u>	<u>2018-2019</u>

17 (01) REIMBURSEMENTS TO COUNTIES HOUSING

18 STATE INMATES \$17,453,607

19

20 SECTION 10. APPROPRIATION - ADC SEX OFFENDER ASSESSMENT. There is
 21 hereby appropriated, to the Department of Correction, to be payable from the
 22 Sex and Child Offenders Registration Fund, for operating expenses of the
 23 Department of Correction - ADC Sex Offender Assessment for the fiscal year
 24 ending June 30, 2019, the following:

25

26	ITEM	FISCAL YEAR
27	<u>NO.</u>	<u>2018-2019</u>

28 (01) MAINT. & GEN. OPERATION

29 (A) OPER. EXPENSE \$25,000

30 (B) CONF. & TRAVEL 0

31 (C) PROF. FEES 0

32 (D) CAP. OUTLAY 0

33 (E) DATA PROC. 034 TOTAL AMOUNT APPROPRIATED \$25,000

35

36 SECTION 11. APPROPRIATION - FIRE STATION - PROTECTION. There is hereby

1 appropriated, to the Department of Correction, to be payable from the cash
 2 fund deposited in the State Treasury as determined by the Chief Fiscal
 3 Officer of the State, for operations of the Department of Correction - Fire
 4 Station - Protection for the fiscal year ending June 30, 2019, the following:

6 ITEM	FISCAL YEAR
7 <u>NO.</u>	<u>2018-2019</u>
8 (01) MAINT. & GEN. OPERATION	
9 (A) OPER. EXPENSE	\$25,000
10 (B) CONF. & TRAVEL	0
11 (C) PROF. FEES	0
12 (D) CAP. OUTLAY	0
13 (E) DATA PROC.	<u>0</u>
14 TOTAL AMOUNT APPROPRIATED	<u><u>\$25,000</u></u>

15

16 SECTION 12. APPROPRIATION - PAWS IN PRISON. There is hereby
 17 appropriated, to the Department of Correction, to be payable from the cash
 18 fund deposited in the State Treasury as determined by the Chief Fiscal
 19 Officer of the State, for operating expenses of the Department of Correction
 20 - Paws in Prison for the fiscal year ending June 30, 2019, the following:

21

22 ITEM	FISCAL YEAR
23 <u>NO.</u>	<u>2018-2019</u>
24 (01) PAWS IN PRISON	<u><u>\$150,000</u></u>

25

26 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REGULAR
 28 SALARIES - CONTINGENT POSITIONS. There is hereby established for the
 29 Department of Correction - Contingent Positions for the ~~2017-2018~~2018-2019
 30 fiscal year, the following maximum number of regular employees.

31

32 CONTINGENT POSITIONS - MEDICAL SERVICES

33	34	35	36	MAXIMUM ANNUAL
ITEM	CLASS	NO. OF	TITLE	SALARY RATE
<u>NO.</u>	<u>CODE</u>	<u>EMPLOYEES</u>	<u>FISCAL YEAR</u>	<u>2017-2018</u> <u>2018-2019</u>

1	(01)	CHIEF OF MEDICAL SERVICES	1	\$225,000
2	(02)	CHIEF OF DENTAL SERVICES	1	175,000
3	(03)	PHYSICIANS SPECIALIST	15	170,000
4	(04)	CHIEF OF PHARMACY	1	125,000
5	(05)	CHIEF OF NURSING SERVICES	1	90,000
6	(06)	UNIT/FACILITY MEDICAL MGR	15	90,000
7	(07)	RNP/PA	13	85,000
8	(08)	DIR OF MEDICAL RECORDS	1	75,000
9	PATIENT CARE -			
10	(09) L011N	DENTIST	15	GRADE MP06
11	(10) L016N	REGISTERED PHARMACIST	3	GRADE MP05
12	(11) L019C	REGISTERED NURSE COORD	13	GRADE MP02
13	(12) L027C	REGISTERED NURSE SUPV	45	GRADE MP02
14	(13) L064C	RADIOLOGY TECHNICIAN	8	GRADE GS07
15	(14) L069C	LICENSED PRACTICAL NURSE	180	GRADE GS06
16	(15) B111C	LABORATORY TECHNICIAN	3	GRADE GS04
17	PATIENT CARE - CLASSIFIED POSITIONS			
18	(16) L071C	DENTAL HYGIENIST	8	GRADE GS05
19	(17) C056C	ADMINISTRATIVE SPEC III	11	GRADE GS04
20	(18) C053C	MEDICAL RECORDS TECH	26	GRADE GS03
21	(19) C073C	ADMINISTRATIVE SPEC II	9	GRADE GS03
22	(20) L081C	DENTAL ASSISTANT	14	GRADE GS04
23	CLASSIFIED - NON-PATIENT CARE			
24	(21)	CHIEF PSYCHIATRIC SERV.	1	\$400,000
25	(22)	VP OPERATIONS	1	\$200,000
26	(23)	REGIONAL MANAGER	3	\$120,000
27	(24)	PSYCHIATRIC SPECIALIST	6	GRADE MP08
28	(25) A014C	FISCAL DIVISION MANAGER	1	GRADE GS12
29	(26) D030C	INFO SYSTEMS COORDINATOR	1	GRADE IT07
30	(27) G178C	POLICY DEVELOP. COORDINATOR	1	GRADE GS06
31	(28) A089C	ACCOUNTANT I	1	GRADE GS07
32	(29) V014C	BUYER	2	GRADE GS05
33	(30) D079C	COMPUTER SUPPORT TECH	1	GRADE IT02
34	(31)	INSTITUTIONAL HR COORDINATOR	1	GRADE C115
35	(32)	HR SPECIALIST	1	GRADE C113
36	(33) A098C	FISCAL SUPPORT SPECIALIST	1	GRADE GS04

1	(34)	NURSING ASSISTANT	53	GRADE C110
2	(35)	A101C ACCOUNTING TECH	4	GRADE GS04
3	(36)	V029C PURCHASING ASSISTANT	<u>1</u>	GRADE GS01
4	GRAND TOTAL CONTINGENT EMPLOYEES		462	

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

8 The provisions of this section shall be in effect only from July 1, ~~2017~~
 9 2018 through June 30, ~~2018~~ 2019.

10

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

27 The provisions of this section shall be in effect only from July 1, ~~2017~~
 28 2018 through June 30, ~~2018~~ 2019.

29

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

1 the Governor and the Chief Fiscal Officer of the State.

2 The provisions of this section shall be in effect only from July 1, 2017
3 2018 through June 30, ~~2018~~ 2019.

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

17 The provisions of this section shall be in effect only from July 1, 2017
18 2018 through June 30, ~~2018~~ 2019.

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

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

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

11 The provisions of this section shall be in effect only from July 1, ~~2017~~
12 2018 through June 30, ~~2018~~ 2019.

13
14 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
15 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
16 REALLOCATION OF RESOURCES. Upon determination by the Board of Corrections
17 that a reallocation of resources within the Department of Community
18 Correction and Department of Correction is necessary for the efficient and
19 effective operation of the departments, the Board, with approval of the
20 Governor and approval by the Arkansas Legislative Council or Joint Budget
21 Committee, shall have the authority to instruct the department directors, to
22 request from the Chief Fiscal Officer of the State, a transfer of positions,
23 programs, funds, appropriations, and line-item appropriations within or
24 between existing and newly created divisions, offices, sections, or units of
25 the departments. If it is determined that the requested transfer should be
26 made, the Chief Fiscal Officer of the State shall then initiate the necessary
27 transfer documents to reflect the transfers upon the fiscal records of the
28 State Treasurer, the State Auditor, the Chief Fiscal Officer of the State,
29 and the Departments of Correction and Community Correction. Provided,
30 however, that the Board shall be limited to submitting no more than two
31 requests, encompassing a single purpose listed in this section, during any
32 fiscal year per department. Transfer authority shall further be limited to
33 no more than five percent (5%) of the total General Revenue and Special
34 Revenue appropriation, funding, and positions specific to each agency.
35 However, there shall be no fund transfers to or from the County Jail
36 Reimbursement Fund. A Reallocation of Resources Transfer shall be limited to

1 the following specific purposes:

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

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

28 The provisions of this section shall be in effect only from July 1, ~~2017~~
29 2018 through June 30, ~~2018~~ 2019.

30

31 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HOLIDAY
33 COMPENSATION. The Department of Correction is authorized to pay employees for
34 hours of unused holidays in the employee's holiday account following the end
35 of the calendar year. Payments of unused Holiday hours must be processed on
36 or before June 1st in each fiscal year. Employees terminating employment from

1 the Department of Correction will be eligible for all holiday pay accrued.
 2 This request is contingent on approval by the Chief Fiscal Officer of the
 3 State after the Director of the Department of Correction has verified that
 4 sufficient revenues are available to make such payments to employees who have
 5 served in the following classifications, with the exception that those
 6 employees wishing to accrue banked hours be allowed the option to bank unused
 7 holiday hours in the employee's holiday account, not to exceed one-hundred
 8 fifty (150) hours:

9

10 Class

11	<u>Code</u>	<u>Title</u>	<u>Grade</u>
12	T033C	ADC/DCC MAJOR	GRADE GS09
13	T048C	ADC/DCC CAPTAIN	GRADE GS08
14	T054C	ADC/DCC LIEUTENANT	GRADE GS07
15	T065C	ADC/DCC CORRECTIONAL SERGEANT	GRADE GS06
16	S044C	FOOD PREPARATION MANAGER	GRADE GS04
17	<u>T059C</u>	<u>ADC/DCC FOOD PREPARATION MANAGER</u>	<u>GRADE GS05</u>
18	T075C	ADC/DCC CORPORAL	GRADE GS05
19	T083C	ADC/DCC CORRECTIONAL OFFICER I	GRADE GS04
20	S056C	FOOD PREPARATION SUPERVISOR	GRADE GS03
21	<u>T070C</u>	<u>ADC/DCC FOOD PREPARATION SUPERVISOR</u>	<u>GRADE GS04</u>

22 The provisions of this section shall be in effect only from July 1, ~~2017~~ 2018
 23 through June 30, ~~2018~~ 2019.

24

25 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EMPLOYEE
 27 COMPENSATION REPORT. The Department of Finance and Administration Office of
 28 Budget shall prepare and submit to the Arkansas Legislative Council or Joint
 29 Budget Committee a report reflecting the amount of appropriation and funding
 30 necessary for the Department of Correction to sufficiently budget for the
 31 expenditure of payments to employees for all Holiday Liability, Straight Time
 32 Liability, Overtime, and Hazardous Duty Compensation incurred, including the
 33 current balances of said liabilities. This report shall be included in the
 34 summary budget information manual submitted during the biennial budget
 35 process.

36 The provisions of this section shall be in effect only from July 1, ~~2017~~

1 2018 through June 30, ~~2018~~ 2019.

2

3 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ADC SEX
5 OFFENDER ASSESSMENT. The Arkansas Department of Correction is authorized to
6 enter into a cooperative agreement with a qualified state treatment and
7 assessment agency to conduct assessments of juvenile sex or child offenders
8 as required by provisions of ACA 12-12-901 et. seq. and pay for services upon
9 receipt of invoice.

10 The provisions of this section shall be in effect only from July 1, ~~2017~~
11 2018 through June 30, ~~2018~~ 2019.

12

13 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. INMATE
15 COST REPORTING – STATE FACILITIES.

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

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

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

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

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

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

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

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

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

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

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

14 (A) ADC expenses incurred through fund transfers;

15 (B) Retirement costs;

16 (C) Audit costs;

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

19 (E) Inmate educational and rehabilitation costs;

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

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

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

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

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

34 The provisions of this section shall be in effect only from July 1, ~~2017~~
35 2018 through June 30, ~~2018~~ 2019.

36

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

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

11 (1) Prior to June 30, ~~2017~~2018 the Agency shall by written statement set
12 forth its reason(s) for the need to carry forward said funding to the
13 Department of Finance and Administration Office of Budget;

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

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

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

33 The provisions of this section shall be in effect only from July 1, ~~2017~~
34 2018 through June 30, ~~2018~~ 2019.

35
36 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REFUND TO
2 EXPENDITURE. The proceeds from the sale of feeder cattle by the Department
3 of Correction shall be deposited into the State Treasury as a refund to
4 expenditure to the credit of the appropriation available to the Department of
5 Correction for the "Purchase Cattle/Meat" line item.

6 The provisions of this section shall be in effect only from July 1, 2017
7 2018 through June 30, ~~2018~~ 2019.

8

9 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. USE OF
11 MAINTENANCE AND OPERATION APPROPRIATION AND SALVAGED MATERIALS CONSTRUCTION.
12 The Department of Correction is hereby authorized to utilize Maintenance and
13 General Operation Appropriation in conjunction with surplus and/or
14 salvageable materials for the purpose of implementing construction projects
15 to benefit the Department and its various programs. Before such projects may
16 be undertaken, a Method of Finance must be submitted for prior review and
17 approval by the Arkansas Legislative Council or Joint Budget Committee, and
18 review and approval by the Department of Finance and Administration and the
19 Building Authority Division of the Department of Finance and Administration.
20 Determining the maximum number of employees and the maximum amount of
21 appropriation and general revenue funding for a state agency each fiscal year
22 is the prerogative of the General Assembly. This is usually accomplished by
23 delineating such maximums in the appropriation act(s) for a state agency and
24 the general revenue allocations authorized for each fund and fund account by
25 amendment to the Revenue Stabilization law. Further, the General Assembly
26 has determined that the Department of Correction may operate more efficiently
27 if some flexibility is provided to the Department of Correction authorizing
28 broad powers under this Section. Therefore, it is both necessary and
29 appropriate that the General Assembly maintain oversight by requiring prior
30 approval of the Legislative Council or Joint Budget Committee as provided by
31 this section. The requirement of approval by the Legislative Council or
32 Joint Budget Committee is not a severable part of this section. If the
33 requirement of approval by the Legislative Council or Joint Budget Committee
34 is ruled unconstitutional by a court of competent jurisdiction, this entire
35 section is void.

36 The provisions of this section shall be in effect only from July 1, 2017

1 2018 through June 30, ~~2018~~ 2019.

2

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

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

29 The provisions of this section shall be in effect only from July 1, ~~2017~~
30 2018 through June 30, ~~2018~~ 2019.

31

32 SECTION 27. 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, ~~2017~~
22 2018 through June 30, ~~2018~~ 2019.

23
24 SECTION 28. 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, ~~2017~~
13 2018 through June 30, ~~2018~~ 2019.

14

15 SECTION 29. 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 the Inmate Care & Custody appropriation of this Act into the
23 Professional Fees and Services line item contained in the Inmate Care &
24 Custody appropriation of this Act to operate new facilities.
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, ~~2017~~
6 2018 through June 30, ~~2018~~ 2019.

7
8 SECTION 30. 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, ~~2017~~
34 2018 through June 30, ~~2018~~ 2019.

35
36 SECTION 31. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY
2 JAIL INVOICE SUMMARY. The Departments of Correction and Community
3 Correction, shall at a minimum and on a fiscal year basis, prepare and post
4 on the applicable agency web site, a monthly summary of county jail
5 reimbursement invoices prepared and forwarded to each county sheriff for
6 verification by the Departments and for payment from the County Jail
7 Reimbursement Fund. In addition, the report shall include a summary of
8 invoices returned by each county for payment for previous months within the
9 fiscal year, the amounts paid, and any balances owed. Each fiscal year-end
10 report shall be maintained on the web sites for a period of no less than
11 three (3) years.

12 The provisions of this section shall be in effect only from July 1, ~~2017~~
13 2018 through June 30, ~~2018~~ 2019.

14

15 SECTION 32. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
17 OF APPROPRIATION TO THE COUNTY JAIL REIMBURSEMENT FUND. If any savings of
18 general revenue appropriation and funds accrue during the ~~2017-2018~~2018-2019
19 fiscal year in the operations of the Department of Correction, the Director
20 of the Department of Correction may request a transfer of appropriation from
21 any line item appropriation in the Inmate Care and Custody Fund Account to
22 the County Jail Reimbursement Fund in order to meet obligations to counties
23 for housing state inmates. Such transfer request shall be made upon the
24 approval of the Chief Fiscal Officer of the State and prior review and
25 approval by the Arkansas Legislative Council or Joint Budget Committee.

26 The provisions of this section shall be in effect only from July 1, ~~2017~~
27 2018 through June 30, ~~2018~~ 2019.

28

29 SECTION 33. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LOCAL
31 GOVERNMENT INMATE COST REPORT. Each calendar year, the Association of
32 Arkansas Counties shall compile and submit a report to the Arkansas
33 Legislative Council, of all costs incurred, excluding construction costs, by
34 local government units housing inmates sentenced to the Department of
35 Correction and Department of Community Correction. The cost report shall be
36 a representative sample of all counties housing and caring for state inmates.

1 The report shall be submitted no later than July 1 of the calendar year
2 immediately following the reporting year.

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

12 The provisions of this section shall be in effect only from July 1, ~~2017~~
13 2018 through June 30, ~~2018~~ 2019.

14

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

22 The provisions of this section shall be in effect only from July 1, ~~2017~~
23 2018 through June 30, ~~2018~~ 2019.

24

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

32 The provisions of this section shall be in effect only from July 1, ~~2017~~
33 2018 through June 30, ~~2018~~ 2019.

34

35 SECTION 36. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
36 authorized by this act shall be limited to the appropriation for such agency

1 and funds made available by law for the support of such appropriations; and
2 the restrictions of the State Procurement Law, the General Accounting and
3 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
4 Procedures and Restrictions Act, or their successors, and other fiscal
5 control laws of this State, where applicable, and regulations promulgated by
6 the Department of Finance and Administration, as authorized by law, shall be
7 strictly complied with in disbursement of said funds.

8
9 SECTION 37. LEGISLATIVE INTENT. It is the intent of the General
10 Assembly that any funds disbursed under the authority of the appropriations
11 contained in this act shall be in compliance with the stated reasons for
12 which this act was adopted, as evidenced by the Agency Requests, Executive
13 Recommendations and Legislative Recommendations contained in the budget
14 manuals prepared by the Department of Finance and Administration, letters, or
15 summarized oral testimony in the official minutes of the Arkansas Legislative
16 Council or Joint Budget Committee which relate to its passage and adoption.

17
18 SECTION 38. EFFECTIVE DATE. This act is effective on and after July 1,
19 2018.

20
21 */s/ Joint Budget Committee*

22
23
24 **APPROVED: 3/6/18**