

As Engrossed: 2/21/95 4/6/95

1 **State of Arkansas**
2 **80th General Assembly**
3 **Regular Session, 1995**
4 **By: Joint Budget Committee**

A Bill

ACT 1151 OF 1995
SENATE BILL 129

For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND
9 OPERATING EXPENSES FOR THE STATE CRIME LABORATORY FOR THE
10 BIENNIAL PERIOD ENDING JUNE 30, 1997; AND FOR OTHER
11 PURPOSES."

Subtitle

14 "AN ACT FOR THE STATE CRIME LABORATORY
15 APPROPRIATION FOR THE 1995-97 BIENNIUM."

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

19 SECTION 1. REGULAR SALARIES. There is hereby established for the State
20 Crime Laboratory for the 1995-97 biennium, the following maximum number of
21 regular employees whose salaries shall be governed by the provisions of the
22 Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et
23 seq.), or its successor, and all laws amendatory thereto. Provided, however,
24 that any position to which a specific maximum annual salary is set out herein
25 in dollars, shall be exempt from the provisions of said Uniform Classification
26 and Compensation Act. All persons occupying positions authorized herein are
27 hereby governed by the provisions of the Regular Salaries Procedures and
28 Restrictions Act (Arkansas Code §21-5-101), or its successor.

Item	Class		Maximum	Maximum Annual
			No. of	Salary Rate
			Employees	Fiscal Years
No.	Code	Title		1995-96 1996-97
34	(1) 7148	CRIME LAB DIR MEDICAL EXAM DIV	1	\$134,044 \$137,395
35	(2) 7149	CRIME LAB ASSOC MEDICAL EXAMINER	3	\$120,640 \$123,656
36	(3) 7147	CRIME LAB EXECUTIVE DIRECTOR	1	\$ 62,068 \$ 63,620

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1	(4)	7182	CRIME LAB ASSISTANT DIRECTOR	1	\$ 46,413	\$ 47,573
2	(5)	033Z	CRIME LAB DIVISION CHIEF	1	GRADE	26
3	(6)	T053	CRIME LAB CHIEF CRIMINALIST	1	GRADE	24
4		T046	CRIME LAB CHIEF FIREARM/TOOL EXAM	1		
5		B050	CHIEF FORENSIC SEROLOGIST	2		
6		B044	CHIEF FORENSIC QUESTIONED DOC EXAM	1		
7		N339	CHIEF LATENT PRINTS EXAMINER	1		
8		B046	CHIEF FORENSIC TOXICOLOGIST	1		
9		B048	CHIEF FORENSIC CHEMIST	1		
10	(7)	T060	CRIME LAB FIREARMS/TOOLMARK EXAM	3	GRADE	22
11		B057	FORENSIC CHEMIST	10		
12		T052	FORENSIC CRIMINALIST II	5		
13		B053	FORENSIC SEROLOGIST	7		
14		N336	LATENT PRINTS EXAMINER	5		
15		Y023	CRIME LAB INSTRUMENTATION ENGINEER	1		
16		B073	FORENSIC QUESTIONED DOC EXAMINER II	1		
17		B055	FORENSIC TOXICOLOGIST	5		
18	(8)	N340	CHIEF FORENSIC PHOTOGRAPHER	1	GRADE	21
19		V012	PURCHASING MANAGER	1		
20	(9)	R266	MANAGEMENT PROJECT ANALYST II	1	GRADE	20
21	(10)	A133	CRIME LAB FISCAL OFFICER	1	GRADE	19
22	(11)	N342	FORENSIC PHOTOGRAPHER	2	GRADE	18
23		T044	CHIEF CRIME LAB FIELD INVESTIGATOR	1		
24		B070	MEDICAL EXAMINER CASE COORDINATOR	1		
25	(12)	V027	EVIDENCE SUPERVISOR	1	GRADE	17
26	(13)	T048	CRIME LAB FIELD INVESTIGATOR	6	GRADE	16
27		B065	CRIME LAB HISTOLOGY TECHNICIAN SUPV	1		
28	(14)	K011	ADMINISTRATIVE OFFICE SUPERVISOR	2	GRADE	15
29		R009	ADMINISTRATIVE ASSISTANT I	2		
30		B059	CRIME LAB AUTOPSY TECHNICIAN	7		
31	(15)	V028	CRIME LAB EVIDENCE TECHNICIAN	2	GRADE	14
32		B061	CRIME LAB HISTOLOGY TECHNICIAN	1		
33		K117	MEDICAL OR LEGAL SECRETARY	3		
34	(16)	K153	SECRETARY II	6	GRADE	13
35		B049	LABORATORY TECHNICIAN II	1		

1	(17) V026 EVIDENCE CLERK	<u>2</u>	GRADE 11
2	MAX NO. OF EMPLOYEES	94	

3

4 SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the State
 5 Crime Laboratory, to be payable from the State General Services Fund Account,
 6 for personal services and operating expenses of the State Crime Laboratory for
 7 the biennial period ending June 30, 1997, the following:

8

9 <u>ITEM</u>	<u>FISCAL YEARS</u>	
10 NO.	1995-96	1996-97
11 (01) REGULAR SALARIES	\$ 2,896,110	\$ 3,007,573
12 (02) PERSONAL SERV MATCHING	709,877	733,752
13 (03) MAINT. & GEN. OPERATION		
14 (A) OPER. EXPENSE \$ 861,966	\$ 896,766	
15 (B) CONF. & TRVL. 10,000	11,500	
16 (C) PROF. FEES 10,000	10,000	
17 (D) CAP. OUTLAY 50,000	50,000	
18 (E) DATA PROC. <u>19,995</u>	<u>0</u>	
19 TOTAL MAINT. & GEN. OPER.	<u>951,961</u>	<u>968,266</u>
20 TOTAL AMOUNT APPROPRIATED	<u>\$ 4,557,948</u>	<u>\$ 4,709,591</u>

21

22 SECTION 3. SPECIAL RATES OF PAY. Due to the highly competitive job
 23 market conditions for Crime Laboratory professionals and the necessity of
 24 recruiting and retaining qualified personnel, the Arkansas State Crime Lab is
 25 authorized special rates of pay for current and new employees in the
 26 classification listed under subsection (b) below subject to the following
 27 restrictions:

28 (a) That applications for special rates of pay shall have been reviewed
 29 and approved by the Chief Fiscal Officer of the State.

30 (b) Special rates may be authorized up to the maximum authorized for the
 31 grade assigned the classification of a position for the following specific
 32 classifications only:

33 CLASS

34 <u>CODE</u>	<u>TITLE</u>	<u>GRADE</u>
35 033Z	Crime Lab Div. Chief	26

1	B046	Chief Forensic Toxicologist	24
2	B048	Chief Forensic Chemist	24
3	B050	Chief Forensic Serologist	24
4	T053	Crime Lab Chief Criminalist	24
5	N339	Chief Latent Prints Exam	24
6	B044	Chief Forensic Questioned Doc Exam	24
7	T046	Crime Lab Chief Firearm/Tool Exam	24
8	B053	Forensic Serologist	22
9	B055	Forensic Toxicologist	22
10	B057	Forensic Chemist	22
11	T052	Forensic Criminalist II	22
12	Y023	Crime Lab Instrumentation Engineer	22
13	B073	Forensic Questioned Document Exam II	22
14	T060	Crime Lab Firearms/Toolmark Exam	22
15	N336	Latent Prints Examiner	22

16 (c) A monthly report shall be made to the Arkansas Legislative Council
17 describing all personnel transactions involving applications of any of the
18 provisions of this section.

19 (d) This special provision shall be in full force and effect for the
20 biennium beginning July 1, 1995, and ending June 30, 1997.

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22 SECTION 4. HAZARDOUS DUTY PAY. The Arkansas Crime Laboratory is hereby
23 authorized to provide special compensation to certain employees for each full
24 pay period (80 hours) worked in a job which requires contact at crime scenes,
25 emergency sites or other sites where exposure to potentially hazardous
26 substances is possible. It is recognized that many substances which may be
27 encountered may create harmful health effects from either short-term or
28 long-term exposure. This special pay is to compensate the employees for the
29 increased risk of personal injury. Rate of pay will be five and one half
30 percent (5-1/2%) above regular authorized pay or rate of pay. Payment will be
31 controlled by the Arkansas Crime Laboratory Director. Rate of pay for
32 individuals who work less than a full pay period (80 hours) and/or transfer to
33 other work areas not defined above will not receive any enhanced rate of pay
34 for that or subsequent pay periods. This covers employees who respond to
35 clandestine laboratory sites for the purpose of assisting and dismantling of

1 such laboratory sites. A monthly report shall be made to the Arkansas
2 Legislative Council describing all payments made to employees under the
3 provisions of this section.

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5 *SECTION 5. The Director of the State Crime Laboratory shall have the*
6 *final authority on any ruling of manner of death which may become a matter of*
7 *dispute between those persons authorized by Arkansas Code Annotated 12-12-318*
8 *to request a post mortem examination as described in Arkansas Code Annotated*
9 *12-12-315 and the State Medical Examiner or his Associates. The Director of*
10 *the State Crime Laboratory shall use any and all material accumulated by the*
11 *Crime Laboratory, interview all parties necessary and consult with any medical*
12 *authority necessary for him/her to make his/her decision as to the manner of*
13 *death and his/her ruling shall be final and binding as that ruling affects any*
14 *documents generated and signed by any employee of the Crime Laboratory*
15 *relating to manner of death.*

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17 *This language and the Director's decision in no way effects or prohibits*
18 *any person or agency to seek any other relief that may be available through*
19 *legal channels.*

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21 SECTION 6. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
22 authorized by this Act shall be limited to the appropriation for such agency
23 and funds made available by law for the support of such appropriations; and
24 the restrictions of the State Purchasing Law, the General Accounting and
25 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
26 Procedures and Restrictions Act, or their successors, and other fiscal control
27 laws of this State, where applicable, and regulations promulgated by the
28 Department of Finance and Administration, as authorized by law, shall be
29 strictly complied with in disbursement of said funds.

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31 SECTION 7. LEGISLATIVE INTENT. It is the intent of the General
32 Assembly that any funds disbursed under the authority of the appropriations
33 contained in this Act shall be in compliance with the stated reasons for which
34 this Act was adopted, as evidenced by the Agency Requests, Executive
35 Recommendations and Legislative Recommendations contained in the budget

1 manuals prepared by the Department of Finance and Administration, letters, or
2 summarized oral testimony in the official minutes of the Arkansas Legislative
3 Council or Joint Budget Committee which relate to its passage and adoption.

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5 SECTION 8. CODE. All provisions of this Act of a general and permanent
6 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
7 Code Revision Commission shall incorporate the same in the Code.

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9 SECTION 9. SEVERABILITY. If any provision of this Act or the
10 application thereof to any person or circumstance is held invalid, such
11 invalidity shall not affect other provisions or applications of the Act which
12 can be given effect without the invalid provision or application, and to this
13 end the provisions of this Act are declared to be severable.

14

15 SECTION 10. GENERAL REPEALER. All laws and parts of laws in conflict
16 with this Act are hereby repealed.

17

18 SECTION 11. EMERGENCY CLAUSE. It is hereby found and determined by the
19 Eightieth General Assembly, that the Constitution of the State of Arkansas
20 prohibits the appropriation of funds for more than a two (2) year period; that
21 the effectiveness of this Act on July 1, 1995 is essential to the operation of
22 the agency for which the appropriations in this Act are provided, and that in
23 the event of an extension of the Regular Session, the delay in the effective
24 date of this Act beyond July 1, 1995 could work irreparable harm upon the
25 proper administration and provision of essential governmental programs.
26 Therefore, an emergency is hereby declared to exist and this Act being
27 necessary for the immediate preservation of the public peace, health and
28 safety shall be in full force and effect from and after July 1, 1995.

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/s/Russ

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APPROVED: 4-11-95

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