

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

A Bill

ACT 1154 OF 1995
SENATE BILL 265

For An Act To Be Entitled

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

Subtitle

14 "AN ACT FOR THE DEPARTMENT OF ARKANSAS
15 STATE POLICE APPROPRIATION FOR THE
16 1995-97 BIENNIUM."

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

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

Item	Class	No. of Employees	Maximum Annual Salary Rate	1995-96	1996-97
(1)	9758 DIRECTOR STATE POLICE	1	\$ 68,019	\$ 69,719	

1	(2)	617Z ASST DIRECTOR STATE POLICE	1	GRADE 26
2	(3)	637Z STATE POLICE MAJOR	3	GRADE 25
3		L124 PSYCHOLOGIST	1	
4	(4)	T007 STATE POLICE CAPTAIN	17	GRADE 23
5		622Z STATE POLICE FISCAL OFFICER	1	
6	(5)	X338 ENGINEER, PE	1	GRADE 22
7		T011 STATE POLICE LIEUTENANT	25	
8	(6)	D036 SR PROGRAMMER/ANALYST	2	GRADE 21
9		T051 STATE POLICE SERGEANT	70	
10		A008 ACCOUNTING SUPERVISOR II	1	
11		T079 MGR DIVERSION INVESTIGATION UNIT	1	
12	(7)	T033 STATE POLICE CORPORAL	468	GRADE 20
13		N333 MEDIA SPECIALIST	2	
14	(8)	D132 SYSTEMS COORDINATION ANALYST I	1	GRADE 19
15	(9)	V040 PURCHASE AGENT II/PURCHASE AGENT	1	GRADE 18
16		C006 COMMUNICATIONS SUPERVISOR	1	
17		E072 TRAINING INSTRUCTOR	1	
18		V034 PLANT WAREHOUSE FOREMAN	1	
19		T069 DRUG DIVERSION INVESTIGATOR	3	
20		Y005 AUTO/DIESEL MECHANIC SUPERVISOR	1	
21	(10)	W028 RECORDS MANAGEMENT ANALYST I	5	GRADE 17
22		Y129 ELECTRONIC TECHNICIAN	10	
23		Y039 HEATING & A/C MECHANIC	2	
24		C017 TELECOMMUNICATIONS SUPERVISOR	14	
25		Y003 AUTO/DIESEL MECHANIC	2	
26		Y053 JOURNEYMAN CARPENTER	1	
27		N355 PHOTOGRAPHER	1	
28	(11)	R009 ADMINISTRATIVE ASSISTANT I	2	GRADE 15
29		A108 ACCOUNTING TECHNICIAN II	5	
30		A063 PAYROLL OFFICER	1	
31		D005 COMPUTER OPERATOR II	1	
32	(12)	W005 FINGERPRINT TECH	25	GRADE 14
33		C015 TELECOMMUNICATIONS OPERATOR	70	
34		X332 DRIVERS LICENSE EXAMINER	42	
35		K041 EXECUTIVE SECY/ADMINISTRATIVE SECY	1	

1	(13) K153 SECRETARY II	39	GRADE 13
2	(14) K039 DOCUMENT EXAMINER II	4	GRADE 12
3	(15) Y001 APPRENTICE TRADESMAN	1	GRADE 11
4	K155 SECRETARY I	6	
5	(16) K037 DOCUMENT EXAMINER I	4	GRADE 10
6	K103 REPROD EQUIPMENT OPERATOR	1	
7	K006 DATA ENTRY SPECIALIST	4	
8	(17) G075 HOUSEKEEPER	<u>1</u>	GRADE 04
9	MAX NO. OF EMPLOYEES	845	

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11 SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the
 12 Department of Arkansas State Police, to be payable from the Department of
 13 Arkansas State Police Fund, for personal services and operating expenses of
 14 the Department of Arkansas State Police for the biennial period ending June
 15 30, 1997, the following:

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17	<u>ITEM</u>	<u>FISCAL YEARS</u>	
18	NO.	1995-96	1996-97
19	(01) REGULAR SALARIES	\$ 25,084,224	\$ 25,160,878
20	(02) PERSONAL SERV MATCHING	10,549,573	10,623,781
21	(03) OVERTIME	100,000	100,000
22	(04) MAINT. & GEN. OPERATION		
23	(A) OPER. EXPENSE	\$ 5,717,750	\$ 5,677,750
24	(B) CONF. & TRVL.	61,000	61,000
25	(C) PROF. FEES	66,000	66,000
26	(D) CAP. OUTLAY	1,743,960	1,225,200
27	(E) DATA PROC.	<u>0</u>	<u>0</u>
28	TOTAL MAINT. & GEN. OPER.	7,588,710	7,029,950
29	(05) UNIFORM ALLOWANCE	1,063,500	1,054,500
30	(06) SPECIAL TRAVEL ALLOWANCE	1,204,000	1,204,000
31	(07) COVERT OPERATIONS	250,000	250,000
32	(08) ANNUAL LEASE/PURCHASE PAYMENTS	<u>736,026</u>	<u>736,026</u>
33	TOTAL AMOUNT APPROPRIATED	<u>\$ 46,576,033</u>	<u>\$ 46,159,135</u>

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35 SECTION 3. REGULAR SALARIES - FEDERAL HIGHWAY SAFETY. There is hereby

1 established for the Department of Arkansas State Police - Federal Highway
 2 Safety for the 1995-97 biennium, the following maximum number of regular
 3 employees whose salaries shall be governed by the provisions of the Uniform
 4 Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or its
 5 successor, and all laws amendatory thereto. Provided, however, that any
 6 position to which a specific maximum annual salary is set out herein in
 7 dollars, shall be exempt from the provisions of said Uniform Classification
 8 and Compensation Act. All persons occupying positions authorized herein are
 9 hereby governed by the provisions of the Regular Salaries Procedures and
 10 Restrictions Act (Arkansas Code §21-5-101), or its successor.

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			Maximum Annual	
			Maximum	Salary Rate
Item	Class		No. of	Fiscal Years
No.	Code	Title	Employees	1995-96 1996-97
(1)	T033	STATE POLICE CORPORAL	<u>8</u>	GRADE 20
		MAX NO. OF EMPLOYEES	8	

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19 SECTION 4. APPROPRIATIONS - FEDERAL HIGHWAY SAFETY. There is hereby
 20 appropriated, to the Department of Arkansas State Police - Federal Highway
 21 Safety, to be payable from the federal funds as designated by the Chief Fiscal
 22 Officer of the State, for personal services and operating expenses of the
 23 Department of Arkansas State Police - Federal Highway Safety for the biennial
 24 period ending June 30, 1997, the following:

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ITEM		FISCAL YEARS	
NO.		1995-96	1996-97
(01)	REGULAR SALARIES	\$ 211,317	\$ 213,589
(02)	PERSONAL SERV MATCHING	100,647	102,747
(03)	UNIFORM ALLOWANCE	12,000	12,000
(04)	SPECIAL TRAVEL ALLOWANCE	<u>16,000</u>	<u>16,000</u>
	TOTAL AMOUNT APPROPRIATED	<u>\$ 339,964</u>	<u>\$</u>

33 344,336

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35 SECTION 5. APPROPRIATIONS - STING OPERATION. There is hereby

1 appropriated, to the Department of Arkansas State Police, to be payable from
2 ~~the federal funds as designated by the Chief Fiscal Officer of the State, for~~
3 operating expenses of the Department of Arkansas State Police - Sting
4 Operations for the biennial period ending June 30, 1997, the following:

5		FISCAL YEARS	
6 ITEM		1995-96	1996-97
7 NO.			
8 (01)	MAINT. & GEN. OPERATION		
9	(A) OPER. EXPENSE \$	60,000 \$	60,000
10	(B) CONF. & TRVL.	50,000	50,000
11	(C) PROF. FEES	25,000	25,000
12	(D) CAP. OUTLAY	150,000	150,000
13	(E) DATA PROC.	<u>0</u>	<u>0</u>
14	TOTAL MAINT. & GEN. OPER.	285,000	285,000
15	(02) COVERT OPERATIONS	<u>\$ 50,000</u>	<u>\$ 50,000</u>
16	TOTAL AMOUNT APPROPRIATED	<u>\$ 335,000</u>	<u>\$ 335,000</u>

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18 SECTION 6. APPROPRIATIONS - CONFISCATED FUNDS TRANSFER. There is hereby
19 appropriated, to the Department of Arkansas State Police, to be payable from
20 ~~the Court Awards Fund, for transfer to the various line items authorized in~~
21 Section 2 of this Act for the operations of the Department of Arkansas State
22 Police for the biennial period ending June 30, 1997, the following:

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24 ITEM		FISCAL YEARS	
25 NO.		1995-96	1996-97
26 (01)	FUND TRANS/REFUND/INVESTMENT	<u>\$ 3,000,000</u>	<u>\$ 3,000,000</u>

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28 SECTION 7. APPROPRIATIONS - FEDERAL TASK FORCE OVERTIME. There is
29 hereby appropriated, to the Department of Arkansas State Police, to be payable
30 from the federal funds as designated by the Chief Fiscal Officer of the State,
31 for personal services of the Department of Arkansas State Police - Federal
32 Task Force Overtime for the biennial period ending June 30, 1997, the
33 following:

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35 ITEM	FISCAL YEARS
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1 NO.	1995-96	1996-97
2 (01) PERSONAL SERV MATCHING	\$ 30,575	\$ 30,575
3 (02) OVERTIME	<u>100,000</u>	<u>100,000</u>
4 TOTAL AMOUNT APPROPRIATED	<u>\$ 130,575</u>	<u>\$ 130,575</u>

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6 SECTION 8. The Department of Arkansas State Police is hereby
7 authorized, after seeking the approval of the Chief Fiscal Officer of the
8 State and prior review by the Arkansas Legislative Council, to request
9 transfer from the appropriation made herein for "Confiscated Funds Transfer"
10 to the various line items contained in the operations appropriation of the
11 Department of Arkansas State Police; and to request fund transfers from the
12 Court Awards Fund to the Department of Arkansas State Police Fund in the same
13 amount as the appropriation transfer requested under the provisions of this
14 section. Further provided, the Department of Arkansas State Police is hereby
15 authorized to request a fund transfer from the Court Awards Fund to the Motor
16 Vehicle Acquisition Revolving Fund. Fund transfers to the Motor Vehicle
17 Acquisition Revolving Fund shall be reported to the Arkansas Legislative
18 Council, but do not require prior review.

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20 SECTION 9. The Department of Arkansas State Police is hereby
21 authorized to make overtime payments from such funds and appropriations
22 provided for overtime payments to those officers or other employees that are
23 currently assigned or may be assigned by the Director of the Department of
24 Arkansas State Police to Special Law Enforcement Task Forces. All such
25 overtime payments shall be processed through the State Accounting System and
26 shall be in addition to the Regular Salaries and benefits accruing to the
27 employee.

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29 SECTION 10. The Department of Arkansas State Police is hereby
30 authorized to purchase motor vehicles from the appropriations authorized for
31 ~~capital outlay in Section 2 of this Act.~~

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33 SECTION 11. The Department of Arkansas State Police may, at its
34 discretion, replace any of its motor vehicles that indicate an odometer
35 reading of less than seventy-five thousand (75,000) miles.

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SECTION 12. TRANSFER OF FUNDS. The director of the Department of Arkansas State Police may, after receiving the approval of the Chief Fiscal Officer of the State and after prior review by the Arkansas Legislative Council, request a transfer of unobligated funds as may be available from the Department of Arkansas State Police Fund to the Arkansas Teacher Retirement System for additional payments on the principal amounts as established in the lease/purchase agreement. Such transfers shall in no event exceed \$1,000,000 during each fiscal year.

SECTION 13. The Chief Fiscal Officer of the State is hereby directed to withhold spending authority of those additional general revenues necessary to fund any new or additional positions authorized for the Arkansas State Police by the Eightieth General Assembly.

Upon final adjudication or settlement of the Delbert D. Moad, et al v. Arkansas State Police, et al. case and after seeking prior review by the Office of Personnel Management and the Arkansas Legislative Council, the Chief Fiscal Officer of the State shall release any spending authority held pursuant to this section so it may be utilized by the Arkansas State Police to fund any new or additional positions authorized by the Eightieth General Assembly.

SECTION 14. 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 Purchasing 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 15. 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

1 this Act was adopted, as evidenced by the Agency Requests, Executive
2 Recommendations and Legislative Recommendations contained in the budget
3 manuals prepared by the Department of Finance and Administration, letters, or
4 summarized oral testimony in the official minutes of the Arkansas Legislative
5 Council or Joint Budget Committee which relate to its passage and adoption.

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7 SECTION 16. CODE. All provisions of this Act of a general and
8 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the
9 Arkansas Code Revision Commission shall incorporate the same in the Code.

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11 SECTION 17. SEVERABILITY. If any provision of this Act or the
12 application thereof to any person or circumstance is held invalid, such
13 invalidity shall not affect other provisions or applications of the Act which
14 can be given effect without the invalid provision or application, and to this
15 end the provisions of this Act are declared to be severable.

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17 SECTION 18. GENERAL REPEALER. All laws and parts of laws in conflict
18 with this Act are hereby repealed.

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20 SECTION 19. EMERGENCY CLAUSE. It is hereby found and determined by the
21 Eightieth General Assembly, that the Constitution of the State of Arkansas
22 prohibits the appropriation of funds for more than a two (2) year period; that
23 the effectiveness of this Act on July 1, 1995 is essential to the operation of
24 the agency for which the appropriations in this Act are provided, and that in
25 the event of an extension of the Regular Session, the delay in the effective
26 date of this Act beyond July 1, 1995 could work irreparable harm upon the
27 proper administration and provision of essential governmental programs.
28 Therefore, an emergency is hereby declared to exist and this Act being
29 necessary for the immediate preservation of the public peace, health and
30 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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.As Engrossed: 3/7/95 4/5/95

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