

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas  
2 81st General Assembly  
3 Regular Session, 1997  
4

As Engrossed: H3/28/97

# A Bill

ACT 1102 OF 1997  
HOUSE BILL 2098

5 *By: Joint Budget Committee*  
6  
7

## For An Act To Be Entitled

9 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND  
10 OPERATING EXPENSES FOR CONDUCTING CRIMINAL BACKGROUND  
11 CHECKS FOR THE DEPARTMENT OF ARKANSAS STATE POLICE FOR THE  
12 BIENNIAL PERIOD ENDING JUNE 30, 1999; AND FOR OTHER  
13 PURPOSES."

## Subtitle

14  
15 "AN ACT FOR THE DEPARTMENT OF ARKANSAS  
16 STATE POLICE - CRIMINAL BACKGROUND  
17 CHECKS APPROPRIATION FOR THE 1997-99  
18 BIENNIUM."  
19

20  
21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. REGULAR SALARIES. There is hereby established for the  
24 Department of Arkansas State Police for the 1997-99 biennium, the following  
25 maximum number of regular employees whose salaries shall be governed by the  
26 provisions of the Uniform Classification and Compensation Act (Arkansas Code  
27 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.  
28 Provided, however, that any position to which a specific maximum annual salary  
29 is set out herein in dollars, shall be exempt from the provisions of said  
30 Uniform Classification and Compensation Act. All persons occupying positions  
31 authorized herein are hereby governed by the provisions of the Regular  
32 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its  
33 successor.  
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36  
Maximum Annual  
Maximum Salary Rate

Item	Class		No. of	Fiscal Years
<del>No.</del>	<del>Code</del>	<del>Title</del>	<del>Employees</del>	<del>1997-98</del> <del>1998-99</del>
3	(1)	K039	DOCUMENT EXAMINER II	<u>11</u> GRADE 12
4			MAX NO. OF EMPLOYEES	11

SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the Department of Arkansas State Police, to be payable from the State Police Equipment Fund, for personal services and operating expenses for conducting criminal background checks for non-criminal justice purposes as required by the Eighty-First General Assembly, the sum of \$200,000 each fiscal year of the biennial period ending June 30, 1999.

SECTION 3. Arkansas Code Annotated §12-12-1012(b)(3) is hereby amended to read as follows:

"(3) Special revenues deposited in the Crime Information System Fund and the State Police Equipment Fund may be used for personal services and operating expenses as provided by law, for conducting criminal background checks for noncriminal justice purposes, and such special revenues unused at the end of any fiscal year shall be carried forward."

SECTION 4. 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 5. 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

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 6. 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 7. 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.

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15 SECTION 8. GENERAL REPEALER. All laws and parts of laws in conflict  
16 with this Act are hereby repealed.

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18 SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the  
19 Eighty-First 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, 1997 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, 1997 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, 1997.

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/s/JBC

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APPROVED:4-03-97

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