

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

Act 1794 of the Regular Session

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005
4

As Engrossed: S3/2/05

A Bill

SENATE BILL 238

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES AND OPERATING EXPENSES FOR THE STATE
11 CRIME LABORATORY FOR THE BIENNIAL PERIOD ENDING
12 JUNE 30, 2007; AND FOR OTHER PURPOSES.
13
14

Subtitle

15 AN ACT FOR THE STATE CRIME LABORATORY
16 APPROPRIATION FOR THE 2005-2007
17 BIENNIUM.
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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 State
24 Crime Laboratory for the 2005-2007 biennium, the following maximum number of
25 regular employees whose salaries shall be governed by the provisions of the
26 Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et
27 seq.), or its successor, and all laws amendatory thereto. Provided, however,
28 that any position to which a specific maximum annual salary is set out herein
29 in dollars, shall be exempt from the provisions of said Uniform
30 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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Maximum Annual



1				Maximum	Salary Rate	
2	Item	Class		No. of	Fiscal Years	
3	No.	Code	Title	Employees	2005-2006	2006-2007
4	(1)	7148	CRIME LAB DIR MEDICAL EXAM DIV	1	\$179,628	\$183,232
5	(2)	7149	CRIME LAB ASSOC MEDICAL EXAMINER	4	\$161,931	\$165,269
6	(3)	7147	CRIME LAB EXECUTIVE DIRECTOR	1	\$84,213	\$86,363
7	(4)	7182	CRIME LAB ASSISTANT DIRECTOR	1	\$63,497	\$65,253
8	(5)	827Z	DP CENTER MANAGER	1	GRADE	26
9	(6)	033Z	CRIME LAB SCIENTIFIC OPS MGR	1	GRADE	26
10	(7)	R092	CODIS ADMINISTRATOR/DNA SUPERVISOR	1	GRADE	25
11	(8)	N339	CHIEF LATENT PRINTS EXAMINER	1	GRADE	24
12	(9)	T046	CRIME LAB CHIEF FIREARM/TOOL EXAM	1	GRADE	24
13	(10)	B007	CRIME LAB CHIEF ILLICIT LABS	1	GRADE	24
14	(11)	956Z	CRIME LAB QUALITY MANAGER	1	GRADE	24
15	(12)	B044	CHIEF FORENSIC QUESTIONED DOC EXAM	1	GRADE	24
16	(13)	B046	CHIEF FORENSIC TOXICOLOGIST	1	GRADE	24
17	(14)	B048	CHIEF FORENSIC CHEMIST	1	GRADE	24
18	(15)	B050	CHIEF FORENSIC SEROLOGIST	1	GRADE	24
19	(16)	T053	CRIME LAB CHIEF CRIMINALIST	1	GRADE	24
20	(17)	B021	FORENSIC CHEMIST SUPERVISOR	1	GRADE	23
21	(18)	B073	FORENSIC QUESTIONED DOC EXAMINER II	1	GRADE	22
22	(19)	N336	LATENT PRINTS EXAMINER	7	GRADE	22
23	(20)	T052	FORENSIC CRIMINALIST II	7	GRADE	22
24	(21)	B053	FORENSIC BIOLOGIST	17	GRADE	22
25	(22)	B055	FORENSIC TOXICOLOGIST	11	GRADE	22
26	(23)	B057	FORENSIC CHEMIST	29	GRADE	22
27	(24)	T060	CRIME LAB FIREARMS/TOOLMARK EXAM	5	GRADE	22
28	(25)	Y023	CRIME LAB INSTRUMENTATION ENGINEER	1	GRADE	22
29	(26)		DIGITAL EVIDENCE ANALYST	2	GRADE	22
30	(27)	V012	PURCHASING MANAGER	1	GRADE	21
31	(28)	N340	CHIEF FORENSIC PHOTOGRAPHER	1	GRADE	21
32	(29)	D123	APPLICATIONS & SYSTEMS ANALYST	1	GRADE	21
33	(30)	B070	MEDICAL EXAMINER CASE COORDINATOR	1	GRADE	20
34	(31)	R266	MANAGEMENT PROJECT ANALYST II	1	GRADE	20
35	(32)	T044	CHIEF CRIME LAB FIELD INVESTIGATOR	1	GRADE	20
36	(33)	B013	CRIME LAB AUTOPSY TECHNICIAN SUPV	1	GRADE	20

1	(34)	A087	BUDGET OFFICER	1	GRADE 19
2	(35)	B059	CRIME LAB AUTOPSY TECHNICIAN	4	GRADE 18
3	(36)	N342	FORENSIC PHOTOGRAPHER	3	GRADE 18
4	(37)	T048	CRIME LAB FIELD INVESTIGATOR	5	GRADE 18
5	(38)	B065	CRIME LAB HISTOLOGY TECHNICIAN SUPV	1	GRADE 18
6	(39)	D128	P C SUPPORT SPECIALIST	1	GRADE 18
7	(40)	V027	EVIDENCE SUPERVISOR	1	GRADE 17
8	(41)	V028	CRIME LAB EVIDENCE TECHNICIAN	8	GRADE 16
9	(42)	B061	CRIME LAB HISTOLOGY TECHNICIAN	1	GRADE 16
10	(43)	K011	ADMINISTRATIVE OFFICE SUPERVISOR	2	GRADE 15
11	(44)	R009	ADMIN. ASST. I	2	GRADE 15
12	(45)	K027	SUBPOENA COORDINATOR	4	GRADE 15
13	(46)	K117	MEDICAL OR LEGAL SECRETARY	7	GRADE 14
14	(47)	B049	LABORATORY TECHNICIAN II	1	GRADE 13
15	(48)	K039	DOCUMENT EXAMINER II	<u>1</u>	GRADE 12
16			MAX. NO. OF EMPLOYEES	149	

SECTION 2. APPROPRIATION - STATE OPERATIONS. There is hereby appropriated, to the State Crime Laboratory, to be payable from the Miscellaneous Agencies Fund Account, for personal services and operating expenses of the State Crime Laboratory - State Operations for the biennial period ending June 30, 2007, the following:

ITEM	FISCAL YEARS	
<u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
(01) REGULAR SALARIES	\$ 5,989,062	\$ 6,132,543
(02) PERSONAL SERVICES MATCHING	1,677,826	1,704,340
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	1,666,572	1,689,822
(B) CONF. & TRAVEL	68,100	68,100
(C) PROF. FEES	63,715	63,715
(D) CAP. OUTLAY	1,319,900	1,299,900
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 10,785,175</u>	<u>\$ 10,958,420</u>

SECTION 3. APPROPRIATION - DNA SECTION - SPECIAL. There is hereby

1 appropriated, to the State Crime Laboratory, to be payable from the DNA
 2 Detection fund, for personal services and operating expenses of the State
 3 Crime Laboratory - DNA Section for the biennial period ending June 30, 2007,
 4 the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) REGULAR SALARIES	\$ 32,382	\$ 33,353
(02) PERSONAL SERVICES MATCHING	9,928	10,111
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	78,751	78,751
(B) CONF. & TRAVEL	8,500	8,500
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 129,561</u>	<u>\$ 130,715</u>

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 18 SECTION 4. APPROPRIATION - CRIME LAB EQUIPMENT - SPECIAL. There is hereby
 19 appropriated, to the State Crime Laboratory, to be payable from the Crime Lab
 20 Equipment Fund, for the purchase and replacement of crime lab equipment of
 21 the State Crime Laboratory for the biennial period ending June 30, 2007, the
 22 following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) CRIME LAB EQUIP/PUR/REPLACE	<u>\$ 650,000</u>	<u>\$ 650,000</u>

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 28 SECTION 5. APPROPRIATION - FEDERAL. There is hereby appropriated, to the
 29 State Crime Laboratory, to be payable from the federal funds as designated by
 30 the Chief Fiscal Officer of the State, for personal services and operating
 31 expenses of the State Crime Laboratory - Federal for the biennial period
 32 ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) REGULAR SALARIES	\$ 173,990	\$ 176,994

1	(02) PERSONAL SERVICES MATCHING	51,356	51,920
2	(03) MAINT. & GEN. OPERATION		
3	(A) OPER. EXPENSE	60,218	60,218
4	(B) CONF. & TRAVEL	36,167	36,167
5	(C) PROF. FEES	309,910	309,910
6	(D) CAP. OUTLAY	477,959	477,959
7	(E) DATA PROC.	<u>0</u>	<u>0</u>
8	TOTAL AMOUNT APPROPRIATED	<u>\$ 1,109,600</u>	<u>\$ 1,113,168</u>

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10 SECTION 6. APPROPRIATION - HOPE DRUG LAB. There is hereby appropriated, to
 11 the State Crime Laboratory, to be payable from the Miscellaneous Agencies
 12 Fund Account, for personal services and operating expenses of the State Crime
 13 Laboratory - Hope Drug Lab for the biennial period ending June 30, 2007, the
 14 following:

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16	ITEM	FISCAL YEARS	
17	<u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
18	(01) REGULAR SALARIES	\$ 109,727	\$ 113,018
19	(02) PERSONAL SERVICES MATCHING	32,471	33,087
20	(03) MAINT. & GEN. OPERATION		
21	(A) OPER. EXPENSE	81,273	81,273
22	(B) CONF. & TRAVEL	2,500	2,500
23	(C) PROF. FEES	0	0
24	(D) CAP. OUTLAY	0	0
25	(E) DATA PROC.	<u>0</u>	<u>0</u>
26	TOTAL AMOUNT APPROPRIATED	<u>\$ 225,971</u>	<u>\$ 229,878</u>

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28 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HOPE DRUG
 30 LABORATORY OPERATIONS - MISCELLANEOUS AGENCIES FUND ACCOUNT ~~STATE CENTRAL~~
 31 ~~SERVICES FUND~~ CARRY FORWARD. Any unexpended balance of funds remaining on
 32 June 30th of any fiscal year resulting from monies transferred to the
 33 Miscellaneous Agencies Fund Account ~~State Central Services Fund~~ for the
 34 personal services and operating expenses of the Hope Drug Laboratory shall be
 35 carried forward and made available solely for the same purpose after having
 36 prior approval by the Arkansas Legislative Council or Joint Budget Committee.

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

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18 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDING
20 TRANSFER. Effective July 1, ~~2003~~ 2005, the Chief Fiscal Officer of the State
21 shall transfer on his books and those of the State Treasurer the sum of five
22 hundred forty thousand six hundred sixty four dollars (\$540,664) ~~one hundred~~
23 ~~three thousand nine hundred sixty four dollars (\$103,964)~~ from the Special
24 State Assets Forfeiture Fund to the Miscellaneous Agencies Fund Account ~~State~~
25 ~~Central Services Fund as a direct revenue~~ to provide funds solely for the
26 appropriations authorized herein for the regular salaries, personal services
27 matching and maintenance and general operation of the Hope Drug Lab for the
28 biennial period ending June 30, ~~2005~~ 2007.

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30 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND
32 BALANCES - DNA DETECTION FUND. (A) For all appropriations as provided in
33 this Act, the agency disbursing officer shall monitor the level of fund
34 balances in relation to expenditures on a monthly basis. If any proposed
35 expenditures would cause the DNA Detection fund to decline below six thousand
36 one hundred twenty seven dollars (\$6,127), the disbursing officer shall

1 immediately notify the executive head of the agency. Prior to any
2 obligations being made under these circumstances, the agency head shall file
3 written documentation with the Chief Fiscal Officer of the State requesting
4 approval of the expenditures. Such documentation shall provide sufficient
5 financial data to justify the expenditures and shall include the following:
6 1) a plan that clearly indicates the specific fiscal impact of such
7 expenditures on the fund balance.
8 2) information clearly indicating and explaining what programs would be cut
9 or any other measures to be taken by the agency to restore the fund balance.
10 3) the extent to which any of the planned expenditures are for one-time costs
11 or one-time purchase of capitalized items.
12 4) a statement certifying that the expenditure of fund balances will not
13 jeopardize the financial health of the agency, nor result in a permanent
14 depletion of the fund balance.

15 (B) The Chief Fiscal Officer of the State shall review the request and
16 approve or disapprove all or any part of the request, after having sought
17 prior review by the Legislative Council.

18 The provisions of this section shall be in effect only from July 1, 2003
19 2005 through June 30, ~~2005~~ 2007.

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21 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
23 PROVISION. Upon seeking and receiving approval from the Chief Fiscal Officer
24 of the State and review and approval by the Arkansas Legislative Council or
25 Joint Budget Committee, the Director of the State Crime Laboratory is
26 authorized to transfer appropriation from any line item authorized in the
27 State Operations Section of this Act to any line item authorized in the Hope
28 Drug Lab Operations Section of this Act.

29 Determining the maximum number of employees and the maximum amount of
30 appropriation and general revenue funding for a state agency each fiscal year
31 is the prerogative of the General Assembly. This is usually accomplished by
32 delineating such maximums in the appropriation act(s) for a state agency and
33 the general revenue allocations authorized for each fund and fund account by
34 amendment to the Revenue Stabilization law. Further, the General Assembly
35 has determined that the State Crime Laboratory may operate more efficiently
36 if some flexibility is provided to the State Crime Laboratory authorizing

1 broad powers under this Section. Therefore, it is both necessary and
2 appropriate that the General Assembly maintain oversight by requiring prior
3 approval of the Legislative Council or Joint Budget Committee as provided by
4 this section. The requirement of approval by the Legislative Council or
5 Joint Budget Committee is not a severable part of this section. If the
6 requirement of approval by the Legislative Council or Joint Budget Committee
7 is ruled unconstitutional by a court of competent jurisdiction, this entire
8 section is void.

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10 SECTION 11. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
11 by this act shall be limited to the appropriation for such agency and funds
12 made available by law for the support of such appropriations; and the
13 restrictions of the State Procurement Law, the General Accounting and
14 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
15 Procedures and Restrictions Act, or their successors, and other fiscal
16 control laws of this State, where applicable, and regulations promulgated by
17 the Department of Finance and Administration, as authorized by law, shall be
18 strictly complied with in disbursement of said funds.

19
20 SECTION 12. LEGISLATIVE INTENT. It is the intent of the General Assembly
21 that any funds disbursed under the authority of the appropriations contained
22 in this act shall be in compliance with the stated reasons for which this act
23 was adopted, as evidenced by the Agency Requests, Executive Recommendations
24 and Legislative Recommendations contained in the budget manuals prepared by
25 the Department of Finance and Administration, letters, or summarized oral
26 testimony in the official minutes of the Arkansas Legislative Council or
27 Joint Budget Committee which relate to its passage and adoption.

28
29 SECTION 13. EMERGENCY CLAUSE. It is found and determined by the General
30 Assembly, that the Constitution of the State of Arkansas prohibits the
31 appropriation of funds for more than a two (2) year period; that the
32 effectiveness of this Act on July 1, 2005 is essential to the operation of
33 the agency for which the appropriations in this Act are provided, and that in
34 the event of an extension of the Regular Session, the delay in the effective
35 date of this Act beyond July 1, 2005 could work irreparable harm upon the
36 proper administration and provision of essential governmental programs.

1 Therefore, an emergency is hereby declared to exist and this Act being
2 necessary for the immediate preservation of the public peace, health and
3 safety shall be in full force and effect from and after July 1, 2005.

4 */s/ Joint Budget Committee*

7 **APPROVED: 4/06/2005**

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