

1 State of Arkansas
2 87th General Assembly
3 Fiscal Session, 2010

A Bill

HOUSE BILL 1083

4
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 ARKANSAS
11 CRIME INFORMATION CENTER FOR THE FISCAL YEAR
12 ENDING JUNE 30, 2011; AND FOR OTHER PURPOSES.
13

Subtitle

14
15 AN ACT FOR THE ARKANSAS CRIME
16 INFORMATION CENTER APPROPRIATION FOR THE
17 2010-2011 FISCAL YEAR.
18
19
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

23 SECTION 1. REGULAR SALARIES. There is hereby established for the Arkansas
24 Crime Information Center for the 2010-2011 fiscal year, the following maximum
25 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
29 salary is set out herein in dollars, shall be exempt from the provisions of
30 said Uniform Classification and Compensation Act. All persons occupying
31 positions authorized herein are hereby governed by the provisions of the
32 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),
33 or its successor.
34

35
36
Maximum Annual
Maximum Salary Rate

1	Item	Class	No. of	Fiscal Year	
2	No.	Code	Title	Employees	2010-2011
3	(1)	U069U	ACI C DI RECTOR	1	\$100,394
4	(2)	G052C	ACI C DI VI SI ON MANAGER	3	GRADE C126
5	(3)	G076C	ADMI NI STRATI VE SERVI CES MANAGER	1	GRADE C124
6	(4)	D030C	INFORMATION SYSTEMS COORDINATOR	2	GRADE C124
7	(5)	D052C	SOFTWARE SUPPORT ANALYST	1	GRADE C121
8	(6)	A045C	STATI STI CAL ANALYSI S MANAGER	1	GRADE C121
9	(7)	D051C	SYSTEMS APPLI CATI ON S SUPERVI SOR	1	GRADE C121
10	(8)	G158C	ACI C PROGRAM MANAGER	5	GRADE C119
11	(9)	A074C	FI SCAL SUPPORT SUPERVI SOR	1	GRADE C118
12	(10)	D065C	NETWORK SUPPORT ANALYST	2	GRADE C118
13	(11)	D073C	ACI C FI EL D AGENT	7	GRADE C117
14	(12)	G192C	ACI C PROGRAM ANALYST	6	GRADE C117
15	(13)	D072C	ACI C SYSTEMS SUPERVI SOR	1	GRADE C117
16	(14)	E045C	ACI C TRAI NI NG COORDI NATOR	1	GRADE C117
17	(15)	D067C	IN FO SYSTEMS SECU RI TY ANALYST	1	GRADE C117
18	(16)	E046C	TRAI NI NG IN STRUCTOR	1	GRADE C116
19	(17)	D080C	ACI C SYSTEMS SPECI ALI ST	7	GRADE C115
20	(18)	C037C	ADMI NI STRATI VE ANALYST	1	GRADE C115
21	(19)	D079C	COMPUTER SUPPORT TECHNI CI AN	4	GRADE C115
22	(20)	C056C	ADMI NI STRATI VE SPECI ALI ST III	2	GRADE C112
23	(21)	A098C	FI SCAL SUPPORT SPECI ALI ST	1	GRADE C112
24	(22)	C073C	ADMI NI STRATI VE SPECI ALI ST II	<u>22</u>	GRADE C109
25			MAX. NO. OF EMPLOYEES	72	

26

27 SECTION 2. APPROPRIATION - OPERATIONS. There is hereby appropriated, to
 28 the Arkansas Crime Information Center, to be payable from the Crime
 29 Information System Fund, for personal services and operating expenses of the
 30 Arkansas Crime Information Center - Operations for the fiscal year ending
 31 June 30, 2011, the following:

32

33	ITEM	FISCAL YEAR
34	NO.	2010-2011
35	(01) REGULAR SALARIES	\$ 2,586,385
36	(02) PERSONAL SERVICES MATCHING	837,064

1	(03) MAINT. & GEN. OPERATION	
2	(A) OPER. EXPENSE	770,041
3	(B) CONF. & TRAVEL	40,000
4	(C) PROF. FEES	1,650,692
5	(D) CAP. OUTLAY	77,500
6	(E) DATA PROC.	1,201,035
7	(04) CONTINGENCY	500,000
8	(05) UPDATE/EXPAND/IMPROVE	<u>120,000</u>
9	TOTAL AMOUNT APPROPRIATED	<u>\$ 7,782,717</u>

10

11 SECTION 3. APPROPRIATION - CRIMINAL HISTORY IMPROVEMENT PROGRAM - FEDERAL.
 12 There is hereby appropriated, to the Arkansas Crime Information Center, to be
 13 payable from the federal funds as designated by the Chief Fiscal Officer of
 14 the State, for operating expenses of the Arkansas Crime Information Center -
 15 Criminal History Improvement Program for the fiscal year ending June 30,
 16 2011, the following:

17

18	ITEM	FISCAL YEAR
19	<u>NO.</u>	<u>2010-2011</u>
20	(01) REGULAR SALARIES	\$ 125,510
21	(02) PERSONAL SERVICES MATCHING	47,255
22	(03) MAINT. & GEN. OPERATION	
23	(A) OPER. EXPENSE	131,920
24	(B) CONF. & TRAVEL	0
25	(C) PROF. FEES	445,686
26	(D) CAP. OUTLAY	31,000
27	(E) DATA PROC.	<u>0</u>
28	TOTAL AMOUNT APPROPRIATED	<u>\$ 781,371</u>

29

30 SECTION 4. APPROPRIATION - SYSTEMS CONFERENCE. There is hereby
 31 appropriated, to the Arkansas Crime Information Center, to be payable from
 32 the cash fund deposited in the State Treasury as determined by the Chief
 33 Fiscal Officer of the State, for operating expenses of the Arkansas Crime
 34 Information Center - Systems Conference for the fiscal year ending June 30,
 35 2011, the following:

36

1	ITEM	FISCAL YEAR
2	<u>NO.</u>	<u>2010-2011</u>
3	(01) MAINT. & GEN. OPERATION	
4	(A) OPER. EXPENSE	\$ 50,000
5	(B) CONF. & TRAVEL	10,000
6	(C) PROF. FEES	0
7	(D) CAP. OUTLAY	0
8	(E) DATA PROC.	<u>0</u>
9	TOTAL AMOUNT APPROPRIATED	<u>\$ 60,000</u>

10

11 SECTION 5. APPROPRIATION - SEX/CHILD OFFENDER REGISTRATION PROGRAM. There
 12 is hereby appropriated, to the Arkansas Crime Information Center, to be
 13 payable from the Sex and Child Offenders Registration Fund, for operating
 14 expenses of the Arkansas Crime Information Center - Sex/Child Offender
 15 Registration Program for the fiscal year ending June 30, 2011, the following:

16

17	ITEM	FISCAL YEAR
18	<u>NO.</u>	<u>2010-2011</u>
19	(01) MAINT. & GEN. OPERATION	
20	(A) OPER. EXPENSE	\$ 50,000
21	(B) CONF. & TRAVEL	0
22	(C) PROF. FEES	0
23	(D) CAP. OUTLAY	0
24	(E) DATA PROC.	<u>0</u>
25	TOTAL AMOUNT APPROPRIATED	<u>\$ 50,000</u>

26

27 SECTION 6. APPROPRIATION - ARKANSAS REAL-TIME ELECTRONIC LOGBOOK. There is
 28 hereby appropriated, to the Arkansas Crime Information Center, to be payable
 29 from the Crime Information System Fund, for personal services and operating
 30 expenses of the Arkansas Crime Information Center - Arkansas Real-Time
 31 Electronic Logbook for the fiscal year ending June 30, 2011, the following:

32

33	ITEM	FISCAL YEAR
34	<u>NO.</u>	<u>2010-2011</u>
35	(01) REGULAR SALARIES	\$ 32,249
36	(02) PERSONAL SERVICES MATCHING	11,157

1	(03) MAINT. & GEN. OPERATION	
2	(A) OPER. EXPENSE	50,000
3	(B) CONF. & TRAVEL	0
4	(C) PROF. FEES	300,000
5	(D) CAP. OUTLAY	0
6	(E) DATA PROC.	<u>0</u>
7	TOTAL AMOUNT APPROPRIATED	<u>\$ 393,406</u>

8

9 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. USE OF
11 CONTINGENCY APPROPRIATION AND FUNDING. In the event additional appropriation
12 becomes necessary that is not authorized or contemplated in Section 2 of this
13 Act and circumstances make it necessary for the Arkansas Crime Information
14 Center to request additional appropriation to carry out the objectives of the
15 Agency, the Contingency Appropriation authorized herein may be used for
16 regular salaries, personal services matching and maintenance and general
17 operation line item appropriations authorized for such programs in this Act.
18 Funding for the Contingency Appropriation authorized herein may be
19 transferred to the appropriate fund or fund account from such excess funds as
20 the Director of the Arkansas Crime Information Center may determine are
21 available from criminal background check fees deposited on behalf of the
22 Arkansas Crime Information Center. Use of the contingency appropriation and
23 funding authorized in this Act shall be approved by the Chief Fiscal Officer
24 of the State and the Arkansas Legislative Council or Joint Budget Committee.

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 Arkansas Crime Information Center may operate more
32 efficiently if some flexibility is provided to the Arkansas Crime Information
33 Center authorizing broad powers under this Section. Therefore, it is both
34 necessary and appropriate that the General Assembly maintain oversight by
35 requiring prior approval of the Legislative Council or Joint Budget Committee
36 as provided by this section. The requirement of approval by the Legislative

1 Council or Joint Budget Committee is not a severable part of this section.
2 If the requirement of approval by the Legislative Council or Joint Budget
3 Committee is ruled unconstitutional by a court of competent jurisdiction,
4 this entire section is void.

5

6 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
8 FORWARD. At the close of each fiscal year, the Director of the Arkansas
9 Crime Information Center shall certify to the Chief Fiscal Officer of the
10 State the amount, if any, of unexpended monies in the Crime Information
11 System Fund, or its successor, resulting from the reimbursement to the
12 Arkansas Crime Information Center by municipal, county, state or federal
13 governments for teleprocessing services. Any balance of such monies shall be
14 carried forward and made available for the maintenance, operation,
15 improvement and other necessary expenditures in providing teleprocessing
16 services to such municipal, county, state, and federal agencies served by the
17 Arkansas Crime Information Center. The total amount which is carried forward
18 under the provisions of this section shall be reported in the Budget Manuals
19 which are presented to the Arkansas Legislative Council/Joint Budget
20 Committee.

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

23 (1) Prior to June 30, ~~2008~~ 2010 the Agency shall by written statement set
24 forth its reason(s) for the need to carry forward said funding to the
25 Department of Finance and Administration Office of Budget;

26 (2) The Department of Finance and Administration Office of Budget shall
27 report to the Arkansas Legislative Council all amounts carried forward from
28 the first fiscal year to the second fiscal year by the September Arkansas
29 Legislative Council or Joint Budget Committee meeting in the second fiscal
30 year which report shall include the name of the Agency, Board, Commission or
31 Institution and the amount of funding carried forward from the first fiscal
32 year to the second fiscal year, the program name or line item, the funding
33 source and a copy of the written request set forth in (1) above;

34 (3) Each Agency, Board, Commission or Institution shall provide a written
35 report to the Arkansas Legislative Council or Joint Budget Committee
36 containing all information set forth in item (2) above, along with a written

1 statement as to the current status of the project, contract, purpose etc. for
2 which the carry forward was originally requested no later than thirty (30)
3 days prior to the time the Agency, Board, Commission or Institution presents
4 its budget request to the Arkansas Legislative Council /Joint Budget
5 Committee; and

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

9 The provisions of this section shall be in effect only from July 1, ~~2007~~
10 2010 through June 30, ~~2009~~ 2011.

11
12 SECTION 9. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
13 by this act shall be limited to the appropriation for such agency and funds
14 made available by law for the support of such appropriations; and the
15 restrictions of the State Procurement Law, the General Accounting and
16 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
17 Procedures and Restrictions Act, or their successors, and other fiscal
18 control laws of this State, where applicable, and regulations promulgated by
19 the Department of Finance and Administration, as authorized by law, shall be
20 strictly complied with in disbursement of said funds.

21
22 SECTION 10. LEGISLATIVE INTENT. It is the intent of the General Assembly
23 that any funds disbursed under the authority of the appropriations contained
24 in this act shall be in compliance with the stated reasons for which this act
25 was adopted, as evidenced by the Agency Requests, Executive Recommendations
26 and Legislative Recommendations contained in the budget manuals prepared by
27 the Department of Finance and Administration, letters, or summarized oral
28 testimony in the official minutes of the Arkansas Legislative Council or
29 Joint Budget Committee which relate to its passage and adoption.

30
31 SECTION 11. EMERGENCY CLAUSE. It is found and determined by the General
32 Assembly, that the Constitution of the State of Arkansas prohibits the
33 appropriation of funds for more than a one (1) year period; that the
34 effectiveness of this Act on July 1, 2010 is essential to the operation of
35 the agency for which the appropriations in this Act are provided, and that in
36 the event of an extension of the legislative session, the delay in the

1 effective date of this Act beyond July 1, 2010 could work irreparable harm
2 upon the proper administration and provision of essential governmental
3 programs. Therefore, an emergency is hereby declared to exist and this Act
4 being necessary for the immediate preservation of the public peace, health
5 and safety shall be in full force and effect from and after July 1, 2010.

6
7
8 **APPROVED: 2/24/2010**
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35