

**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 227 of the Regular Session**

1 State of Arkansas  
2 87th General Assembly  
3 Regular Session, 2009  
4

# A Bill

HOUSE BILL 1243

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, 2010; AND FOR OTHER PURPOSES.  
13  
14

## Subtitle

15 AN ACT FOR THE ARKANSAS CRIME  
16 INFORMATION CENTER APPROPRIATION FOR THE  
17 2009-2010 FISCAL YEAR.  
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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 Arkansas  
24 Crime Information Center for the 2009-2010 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.  
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Maximum Annual



1				Maximum	Salary Rate
2	Item	Class		No. of	Fiscal Year
3	No.	Code	Title	Employees	2009-2010
4	(1)	U069U	ACIC DIRECTOR	1	\$98,137
5	(2)	G052C	ACIC DIVISION MANAGER	3	GRADE C126
6	(3)	G076C	ADMINISTRATIVE SERVICES MANAGER	1	GRADE C124
7	(4)	D030C	INFORMATION SYSTEMS COORDINATOR	2	GRADE C124
8	(5)	D052C	SOFTWARE SUPPORT ANALYST	1	GRADE C121
9	(6)	A045C	STATISTICAL ANALYSIS MANAGER	1	GRADE C121
10	(7)	D051C	SYSTEMS APPLICATIONS SUPERVISOR	1	GRADE C121
11	(8)	G158C	ACIC PROGRAM MANAGER	5	GRADE C119
12	(9)	A074C	FISCAL SUPPORT SUPERVISOR	1	GRADE C118
13	(10)	D065C	NETWORK SUPPORT ANALYST	2	GRADE C118
14	(11)	D073C	ACIC FIELD AGENT	7	GRADE C117
15	(12)	G192C	ACIC PROGRAM ANALYST	6	GRADE C117
16	(13)	D072C	ACIC SYSTEMS SUPERVISOR	1	GRADE C117
17	(14)	E045C	ACIC TRAINING COORDINATOR	1	GRADE C117
18	(15)	D067C	INFO SYSTEMS SECURITY ANALYST	1	GRADE C117
19	(16)	E046C	TRAINING INSTRUCTOR	1	GRADE C116
20	(17)	D080C	ACIC SYSTEMS SPECIALIST	7	GRADE C115
21	(18)	C037C	ADMINISTRATIVE ANALYST	1	GRADE C115
22	(19)	D079C	COMPUTER SUPPORT TECHNICIAN	4	GRADE C115
23	(20)	C056C	ADMINISTRATIVE SPECIALIST III	2	GRADE C112
24	(21)	A098C	FISCAL SUPPORT SPECIALIST	1	GRADE C112
25	(22)	C073C	ADMINISTRATIVE SPECIALIST II	<u>22</u>	GRADE C109
26	MAX. NO. OF EMPLOYEES			72	

27

28 SECTION 2. APPROPRIATION - OPERATIONS. There is hereby appropriated, to

29 the Arkansas Crime Information Center, to be payable from the Crime

30 Information System Fund, for personal services and operating expenses of the

31 Arkansas Crime Information Center - Operations for the fiscal year ending

32 June 30, 2010, the following:

34	ITEM	FISCAL YEAR
35	NO.	2009-2010
36	(01) REGULAR SALARIES	\$ 2,529,565

1	(02) PERSONAL SERVICES MATCHING	826,395
2	(03) MAINT. & GEN. OPERATION	
3	(A) OPER. EXPENSE	755,041
4	(B) CONF. & TRAVEL	40,000
5	(C) PROF. FEES	1,840,907
6	(D) CAP. OUTLAY	132,500
7	(E) DATA PROC.	1,085,850
8	(04) CONTINGENCY	500,000
9	(05) UPDATE/EXPAND/IMPROVE	<u>120,000</u>
10	TOTAL AMOUNT APPROPRIATED	<u>\$ 7,830,258</u>

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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 2010, the following:

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19	ITEM	FISCAL YEAR
20	<u>NO.</u>	<u>2009-2010</u>
21	(01) REGULAR SALARIES	\$ 124,097
22	(02) PERSONAL SERVICES MATCHING	46,988
23	(03) MAINT. & GEN. OPERATION	
24	(A) OPER. EXPENSE	131,920
25	(B) CONF. & TRAVEL	0
26	(C) PROF. FEES	445,686
27	(D) CAP. OUTLAY	31,000
28	(E) DATA PROC.	<u>0</u>
29	TOTAL AMOUNT APPROPRIATED	<u>\$ 779,691</u>

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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 2010, the following:

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1		
2	ITEM	FISCAL YEAR
3	<u>NO.</u>	<u>2009-2010</u>
4	(01) MAINT. & GEN. OPERATION	
5	(A) OPER. EXPENSE	\$ 50,000
6	(B) CONF. & TRAVEL	10,000
7	(C) PROF. FEES	0
8	(D) CAP. OUTLAY	0
9	(E) DATA PROC.	<u>0</u>
10	TOTAL AMOUNT APPROPRIATED	<u>\$ 60,000</u>

11

12 SECTION 5. APPROPRIATION - SEX/CHILD OFFENDER REGISTRATION PROGRAM. There  
 13 is hereby appropriated, to the Arkansas Crime Information Center, to be  
 14 payable from the Sex and Child Offenders Registration Fund, for operating  
 15 expenses of the Arkansas Crime Information Center - Sex/Child Offender  
 16 Registration Program for the fiscal year ending June 30, 2010, the following:

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18	ITEM	FISCAL YEAR
19	<u>NO.</u>	<u>2009-2010</u>
20	(01) MAINT. & GEN. OPERATION	
21	(A) OPER. EXPENSE	\$ 50,000
22	(B) CONF. & TRAVEL	0
23	(C) PROF. FEES	0
24	(D) CAP. OUTLAY	0
25	(E) DATA PROC.	<u>0</u>
26	TOTAL AMOUNT APPROPRIATED	<u>\$ 50,000</u>

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28 SECTION 6. APPROPRIATION - ARKANSAS REAL-TIME ELECTRONIC LOGBOOK. There is  
 29 hereby appropriated, to the Arkansas Crime Information Center, to be payable  
 30 from the Crime Information System Fund, for personal services and operating  
 31 expenses of the Arkansas Crime Information Center - Arkansas Real-Time  
 32 Electronic Logbook for the fiscal year ending June 30, 2010, the following:

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34	ITEM	FISCAL YEAR
35	<u>NO.</u>	<u>2009-2010</u>
36	(01) REGULAR SALARIES	\$ 32,249

1	(02) PERSONAL SERVICES MATCHING	11,157
2	(03) MAINT. & GEN. OPERATION	
3	(A) OPER. EXPENSE	50,000
4	(B) CONF. & TRAVEL	0
5	(C) PROF. FEES	300,000
6	(D) CAP. OUTLAY	0
7	(E) DATA PROC.	<u>0</u>
8	TOTAL AMOUNT APPROPRIATED	<u>\$ 393,406</u>

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10 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. USE OF  
 12 CONTINGENCY APPROPRIATION AND FUNDING. ~~To the extent federal funding is not~~  
 13 ~~available to the Arkansas Crime Information Center during the 2007-2009~~  
 14 ~~biennium for the Computerized Criminal History Program or the JusticeExchange~~  
 15 ~~Program~~ In the event additional appropriation becomes necessary that is not  
 16 authorized or contemplated in Section 2 of this Act and circumstances make it  
 17 necessary for the Arkansas Crime Information Center to request additional  
 18 appropriation to carry out the objectives of the Agency, the Contingency  
 19 Appropriation authorized herein may be used for regular salaries, personal  
 20 services matching and maintenance and general operation line item  
 21 appropriations authorized for such programs in this Act. Funding for the  
 22 Contingency Appropriation authorized herein may be transferred to the  
 23 appropriate fund or fund account from such excess funds as the Director of  
 24 the Arkansas Crime Information Center may determine are available from  
 25 criminal background check fees deposited on behalf of the Arkansas Crime  
 26 Information Center. Use of the contingency appropriation and funding  
 27 authorized in this Act shall be approved by the Chief Fiscal Officer of the  
 28 State and the Arkansas Legislative Council or Joint Budget Committee.

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 Arkansas Crime Information Center may operate more  
 36 efficiently if some flexibility is provided to the Arkansas Crime Information

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

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

26 Any carry forward of unexpended balance of ~~appropriation and/or~~ funding as  
 27 authorized herein, may be carried forward under the following conditions:  
 28 (1) Prior to June 30, ~~2008~~ 2010 the Agency shall by written statement set  
 29 forth its reason(s) for the need to carry forward said ~~appropriation and/or~~  
 30 funding to the Department of Finance and Administration Office of Budget;  
 31 (2) The Department of Finance and Administration Office of Budget shall  
 32 report to the Arkansas Legislative Council all amounts carried forward from  
 33 the first fiscal year of the biennium to the second fiscal year of the  
 34 biennium by the September Arkansas Legislative Council or Joint Budget  
 35 Committee meeting in the second fiscal year of the biennial period which  
 36 report shall include the name of the Agency, Board, Commission or Institution

1 and the amount of ~~the appropriation and/or~~ funding carried forward from the  
 2 first fiscal year to the second fiscal year, the program name or line item,  
 3 the funding source ~~of that appropriation~~ and a copy of the written request  
 4 set forth in (1) above;

5 (3) Each Agency, Board, Commission or Institution shall provide a written  
 6 report to the Arkansas Legislative Council or Joint Budget Committee  
 7 containing all information set forth in item (2) above, along with a written  
 8 statement as to the current status of the project, contract, purpose etc. for  
 9 which the carry forward was originally requested no later than thirty (30)  
 10 days prior to the time the Agency, Board, Commission or Institution presents  
 11 its budget request to the Arkansas Legislative Council/Joint Budget  
 12 Committee; and

13 (4) Thereupon, the Department of Finance and Administration shall include  
 14 all information obtained in item (3) above in the ~~biennial~~ budget manuals  
 15 and/or a statement of non-compliance by the Agency, Board, Commission or  
 16 Institution.

17 The provisions of this section shall be in effect only from July 1, ~~2007~~  
 18 2009 through June 30, ~~2009~~ 2010.

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 20 SECTION 9. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
 21 by this act shall be limited to the appropriation for such agency and funds  
 22 made available by law for the support of such appropriations; and the  
 23 restrictions of the State Procurement Law, the General Accounting and  
 24 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
 25 Procedures and Restrictions Act, or their successors, and other fiscal  
 26 control laws of this State, where applicable, and regulations promulgated by  
 27 the Department of Finance and Administration, as authorized by law, shall be  
 28 strictly complied with in disbursement of said funds.

29  
 30 SECTION 10. LEGISLATIVE INTENT. It is the intent of the General Assembly  
 31 that any funds disbursed under the authority of the appropriations contained  
 32 in this act shall be in compliance with the stated reasons for which this act  
 33 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
 34 and Legislative Recommendations contained in the budget manuals prepared by  
 35 the Department of Finance and Administration, letters, or summarized oral  
 36 testimony in the official minutes of the Arkansas Legislative Council or

1 Joint Budget Committee which relate to its passage and adoption.

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3 SECTION 11. EMERGENCY CLAUSE. It is found and determined by the General  
4 Assembly, that the Constitution of the State of Arkansas prohibits the  
5 appropriation of funds for more than a one (1) year period; that the  
6 effectiveness of this Act on July 1, 2009 is essential to the operation of  
7 the agency for which the appropriations in this Act are provided, and that in  
8 the event of an extension of the Regular Session, the delay in the effective  
9 date of this Act beyond July 1, 2009 could work irreparable harm upon the  
10 proper administration and provision of essential governmental programs.  
11 Therefore, an emergency is hereby declared to exist and this Act being  
12 necessary for the immediate preservation of the public peace, health and  
13 safety shall be in full force and effect from and after July 1, 2009.

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16 **APPROVED: 2/25/2009**  
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