

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Representative Fairchild**

A Bill

HOUSE BILL 1760

For An Act To Be Entitled

8 "AN ACT TO ABOLISH THE STATE CRIME LABORATORY BOARD AND
9 THE STATE MEDICAL EXAMINER COMMISSION AND TO TRANSFER
10 THEIR POWERS AND DUTIES TO A NEW BOARD TO BE KNOWN AS THE
11 'STATE CRIME LABORATORY BOARD'; AND FOR OTHER PURPOSES."

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

15 SECTION 1. (a) The State Crime Laboratory Board created under Arkansas
16 Code 12-12-302 and the State Medical Examiner Commission created under
17 Arkansas Code 12-12-306 are abolished and terms of their members shall expire
18 on the effective date of this act. The powers and duties of the State Crime
19 Laboratory Board and the State Medical Examiner Commission are transferred to
20 a new board created under Section 2 of this act to be known as the "State
21 Crime Laboratory Board".

22 (b) Arkansas Codes 12-12-302 and 12-12-306 are repealed.

24 SECTION 2. Arkansas Code Title 12, Chapter 12, Subchapter 3 is amended
25 to add a new section to read as follows:

26 "12-12-302. Board created - Members - Meetings.

27 (a) There is created a State Crime Laboratory Board to be composed of
28 eight (8) members. The Dean of the University of Arkansas for Medical
29 Sciences, College of Medicine shall serve as a member. The remaining seven
30 (7) members of the board shall be appointed by the Governor and confirmed by
31 the Senate. However, a vacancy may be temporarily filled by the Governor
32 until the Senate shall next meet.

33 (b) The members appointed by the Governor shall be composed of:

34 (1) One (1) member of the active judiciary;

35 (2) One (1) practicing member of the legal profession;

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- 1 (3) One (1) active county sheriff;
- 2 (4) One (1) active chief of police;
- 3 (5) One (1) active prosecuting attorney;
- 4 (6) One (1) physician engaged in the active practice of private
- 5 or academic medicine; and
- 6 (7) One (1) member at large from the state.

7 (c) Appointments to the State Crime Laboratory Board shall be for a
 8 term of seven (7) years. All appointments made at any time other than the day
 9 following the expiration of a term shall be made for the unexpired portion of
 10 the term. If, however, the Governor shall not make an appointment by January
 11 15 of the year in which the term expires, that member shall continue to serve
 12 until he is reappointed or a successor is appointed, and the term of that
 13 member shall run for seven (7) years from January 15 in the year the term
 14 expired rather than for seven (7) years from the date of actual appointment.

15 (d) The board shall meet and elect one (1) of its members as chairman
 16 and one (1) as vice-chairman. The chairman shall have the power to call
 17 meetings of the board upon due notice of the meeting to all members thereof.

18 (e) A majority of the members of the board shall constitute a quorum to
 19 transact the business of the board.

20 (f) The board shall meet a minimum of once every three (3) months.
 21 Failure of any appointee to attend three (3) consecutive meetings shall
 22 constitute cause for removal from the board by the Governor.

23 (g) Members of the State Crime Laboratory Board shall be entitled to
 24 twenty-five dollars (\$25.00) per day for each day they are in attendance at a
 25 meeting of the board and mileage from their home to the place of meeting and
 26 return at the rate then in force and effect for state employees while driving
 27 their private vehicles on state business. The sums shall be paid from the
 28 appropriated maintenance and general operations funds of the State Crime
 29 Laboratory."

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31 SECTION 3. Arkansas Code Title 12, Chapter 12, Subchapter 3 is amended
 32 to add a new section to read as follows:

33 "12-12-306. State Medical Examiner.

34 (a) The State Crime Laboratory Director shall hire and employ a State
 35 Medical Examiner who shall serve at his pleasure.

1 (b) *The Director may remove the State Medical Examiner only for cause.*"

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3 SECTION 4. All provisions of this act of a general and permanent nature
4 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
5 Revision Commission shall incorporate the same in the Code.

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7 SECTION 5. If any provision of this act or the application thereof to
8 any person or circumstance is held invalid, such invalidity shall not affect
9 other provisions or applications of the act which can be given effect without
10 the invalid provision or application, and to this end the provisions of this
11 act are declared to be severable.

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13 SECTION 6. All laws and parts of laws in conflict with this act are
14 hereby repealed.

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/s/ Bob Fairchild

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