

1 State of Arkansas
2 80th General Assembly
3 Regular Session, 1995

A Bill

SENATE BILL 129

4 By: Joint Budget Committee

5
6

For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND
9 OPERATING EXPENSES FOR THE STATE CRIME LABORATORY FOR THE
10 BIENNIAL PERIOD ENDING JUNE 30, 1997; AND FOR OTHER
11 PURPOSES."

12
13

Subtitle

14 "AN ACT FOR THE STATE CRIME LABORATORY
15 APPROPRIATION FOR THE 1995-97 BIENNIUM."

16

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

18

19 SECTION 1. REGULAR SALARIES. There is hereby established for the
20 State Crime Laboratory for the 1995-97 biennium, the following maximum number
21 of regular employees whose salaries shall be governed by the provisions of
22 the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et
23 seq.), or its successor, and all laws amendatory thereto. Provided, however,
24 that any position to which a specific maximum annual salary is set out herein
25 in dollars, shall be exempt from the provisions of said Uniform
26 Classification and Compensation Act. All persons occupying positions
27 authorized herein are hereby governed by the provisions of the Regular
28 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its
29 successor.

30

			Maximum Annual	
			Maximum	Salary Rate
Item	Class		No. of	Fiscal Years
No.	Code	Title	Employees	1995-96 1996-97
35	(1)	7148 CRIME LAB DIR MEDICAL EXAM DIV	1	\$134,044

1	\$137,395			
2	(2) 7149 CRIME LAB ASSOC MEDICAL EXAMINER	3	\$120,640	
3	\$123,656			
4	(3) 7147 CRIME LAB EXECUTIVE DIRECTOR	1	\$ 62,068	\$
5	63,620			
6	(4) 7182 CRIME LAB ASSISTANT DIRECTOR	1	\$ 46,413	\$
7	47,573			
8	(5) 033Z CRIME LAB DIVISION CHIEF	1		GRADE 26
9	(6) T053 CRIME LAB CHIEF CRIMINALIST	1		GRADE 24
10	T046 CRIME LAB CHIEF FIREARM/TOOL EXAM	1		
11	B050 CHIEF FORENSIC SEROLOGIST	2		
12	B044 CHIEF FORENSIC QUESTIONED DOC EXAM	1		
13	N339 CHIEF LATENT PRINTS EXAMINER	1		
14	B046 CHIEF FORENSIC TOXICOLOGIST	1		
15	B048 CHIEF FORENSIC CHEMIST	1		
16	(7) T060 CRIME LAB FIREARMS/TOOLMARK EXAM	3		GRADE 22
17	B057 FORENSIC CHEMIST	10		
18	T052 FORENSIC CRIMINALIST II	5		
19	B053 FORENSIC SEROLOGIST	7		
20	N336 LATENT PRINTS EXAMINER	5		
21	Y023 CRIME LAB INSTRUMENTATION ENGINEER	1		
22	B073 FORENSIC QUESTIONED DOC EXAMINER II	1		
23	B055 FORENSIC TOXICOLOGIST	5		
24	(8) N340 CHIEF FORENSIC PHOTOGRAPHER	1		GRADE 21
25	V012 PURCHASING MANAGER	1		
26	(9) R266 MANAGEMENT PROJECT ANALYST II	1		GRADE 20
27	(10) A133 CRIME LAB FISCAL OFFICER	1		GRADE 19
28	(11) N342 FORENSIC PHOTOGRAPHER	2		GRADE 18
29	T044 CHIEF CRIME LAB FIELD INVESTIGATOR	1		
30	B070 MEDICAL EXAMINER CASE COORDINATOR	1		
31	(12) V027 EVIDENCE SUPERVISOR	1		GRADE 17
32	(13) T048 CRIME LAB FIELD INVESTIGATOR	6		GRADE 16
33	B065 CRIME LAB HISTOLOGY TECHNICIAN SUPV	1		
34	(14) K011 ADMINISTRATIVE OFFICE SUPERVISOR	2		GRADE 15
35	R009 ADMINISTRATIVE ASSISTANT I	2		

1	B059 CRIME LAB AUTOPSY TECHNICIAN	7	
2	(15) V028 CRIME LAB EVIDENCE TECHNICIAN	2	GRADE 14
3	B061 CRIME LAB HISTOLOGY TECHNICIAN	1	
4	K117 MEDICAL OR LEGAL SECRETARY	3	
5	(16) K153 SECRETARY II	6	GRADE 13
6	B049 LABORATORY TECHNICIAN II	1	
7	(17) V026 EVIDENCE CLERK	<u>2</u>	GRADE 11
8	MAX NO. OF EMPLOYEES	94	

10 SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the State
 11 Crime Laboratory, to be payable from the State General Services Fund Account,
 12 for personal services and operating expenses of the State Crime Laboratory
 13 for the biennial period ending June 30, 1997, the following:

15 ITEM	FISCAL YEARS	
16 NO.	1995-96	1996-97
17 (01) REGULAR SALARIES	\$ 2,896,110	\$
18 3,007,573		
19 (02) PERSONAL SERV MATCHING	709,877	
20 733,752		
21 (03) MAINT. & GEN. OPERATION		
22 (A) OPER. EXPENSE \$	861,966	\$ 896,766
23 (B) CONF. & TRVL.	10,000	11,500
24 (C) PROF. FEES	10,000	10,000
25 (D) CAP. OUTLAY	50,000	50,000
26 (E) DATA PROC.	<u>19,995</u>	<u>0</u>
27 TOTAL MAINT. & GEN. OPER.		<u>951,961</u>
28 <u>968,266</u>		
29 TOTAL AMOUNT APPROPRIATED	\$	<u><u>4,557,948</u></u> \$
30 <u>4,709,591</u>		

32 SECTION 3. SPECIAL RATES OF PAY. Due to the highly competitive job
 33 market conditions for Crime Laboratory professionals and the necessity of
 34 recruiting and retaining qualified personnel, the Arkansas State Crime Lab is
 35 authorized special rates of pay for current and new employees in the

1 classification listed under subsection (b) below subject to the following
2 restrictions:

3 (a) That applications for special rates of pay shall have been reviewed
4 and approved by the Chief Fiscal Officer of the State.

5 (b) Special rates may be authorized up to the maximum authorized for
6 the grade assigned the classification of a position for the following
7 specific classifications only:

8 CLASS

9	<u>CODE</u>	<u>TITLE</u>	<u>GRADE</u>
10	033Z	Crime Lab Div. Chief	26
11	B046	Chief Forensic Toxicologist	24
12	B048	Chief Forensic Chemist	24
13	B050	Chief Forensic Serologist	24
14	T053	Crime Lab Chief Criminalist	24
15	N339	Chief Latent Prints Exam	24
16	B044	Chief Forensic Questioned Doc Exam	24
17	T046	Crime Lab Chief Firearm/Tool Exam	24
18	B053	Forensic Serologist	22
19	B055	Forensic Toxicologist	22
20	B057	Forensic Chemist	22
21	T052	Forensic Criminalist II	22
22	Y023	Crime Lab Instrumentation Engineer	22
23	B073	Forensic Questioned Document Exam II	22
24	T060	Crime Lab Firearms/Toolmark Exam	22
25	N336	Latent Prints Examiner	22

26 (c) A monthly report shall be made to the Arkansas Legislative Council
27 describing all personnel transactions involving applications of any of the
28 provisions of this section.

29 (d) This special provision shall be in full force and effect for the
30 biennium beginning July 1, 1995, and ending June 30, 1997.

31

32 SECTION 4. HAZARDOUS DUTY PAY. The Arkansas Crime Laboratory is
33 hereby authorized to provide special compensation to certain employees for
34 each full pay period (80 hours) worked in a job which requires contact at
35 crime scenes, emergency sites or other sites where exposure to potentially

1 hazardous substances is possible. It is recognized that many substances
2 which may be encountered may create harmful health effects from either
3 short-term or long-term exposure. This special pay is to compensate the
4 employees for the increased risk of personal injury. Rate of pay will be
5 five and one half percent (5-1/2%) above regular authorized pay or rate of
6 pay. Payment will be controlled by the Arkansas Crime Laboratory Director.
7 Rate of pay for individuals who work less than a full pay period (80 hours)
8 and/or transfer to other work areas not defined above will not receive any
9 enhanced rate of pay for that or subsequent pay periods. This covers
10 employees who respond to clandestine laboratory sites for the purpose of
11 assisting and dismantling of such laboratory sites. A monthly report shall
12 be made to the Arkansas Legislative Council describing all payments made to
13 employees under the provisions of this section.

14

15 *SECTION 5. The Director of the State Crime Laboratory shall have the*
16 *final authority on any ruling of manner of death which may become a matter of*
17 *dispute between those persons authorized by Arkansas Code Annotated 12-12-318*
18 *to request a post mortem examination as described in Arkansas Code Annotated*
19 *12-12-315 and the State Medical Examiner or his Associates. The Director of*
20 *the State Crime Laboratory shall use any and all material accumulated by the*
21 *Crime Laboratory, interview all parties necessary and consult with any*
22 *medical authority necessary for him/her to make his/her decision as to the*
23 *manner of death and his/her ruling shall be final and binding as that ruling*
24 *affects any documents generated and signed by any employee of the Crime*
25 *Laboratory relating to manner of death.*

26

27 *This language and the Director's decision in no way effects or*
28 *prohibits any person or agency to seek any other relief that may be available*
29 *through legal channels.*

30

31 **SECTION 6. COMPLIANCE WITH OTHER LAWS.** Disbursement of funds
32 authorized by this Act shall be limited to the appropriation for such agency
33 and funds made available by law for the support of such appropriations; and
34 the restrictions of the State Purchasing Law, the General Accounting and
35 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary

1 Procedures and Restrictions Act, or their successors, and other fiscal
2 control laws of this State, where applicable, and regulations promulgated by
3 the Department of Finance and Administration, as authorized by law, shall be
4 strictly complied with in disbursement of said funds.

5
6 SECTION 7. LEGISLATIVE INTENT. It is the intent of the General
7 Assembly that any funds disbursed under the authority of the appropriations
8 contained in this Act shall be in compliance with the stated reasons for
9 which this Act was adopted, as evidenced by the Agency Requests, Executive
10 Recommendations and Legislative Recommendations contained in the budget
11 manuals prepared by the Department of Finance and Administration, letters, or
12 summarized oral testimony in the official minutes of the Arkansas Legislative
13 Council or Joint Budget Committee which relate to its passage and adoption.

14
15 SECTION 8. CODE. All provisions of this Act of a general and
16 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and
17 the Arkansas Code Revision Commission shall incorporate the same in the Code.

18
19 SECTION 9. SEVERABILITY. If any provision of this Act or the
20 application thereof to any person or circumstance is held invalid, such
21 invalidity shall not affect other provisions or applications of the Act which
22 can be given effect without the invalid provision or application, and to this
23 end the provisions of this Act are declared to be severable.

24
25 SECTION 10. GENERAL REPEALER. All laws and parts of laws in conflict
26 with this Act are hereby repealed.

27
28 SECTION 11. EMERGENCY CLAUSE. It is hereby found and determined by
29 the Eightieth General Assembly, that the Constitution of the State of
30 Arkansas prohibits the appropriation of funds for more than a two (2) year
31 period; that the effectiveness of this Act on July 1, 1995 is essential to
32 the operation of the agency for which the appropriations in this Act are
33 provided, and that in the event of an extension of the Regular Session, the
34 delay in the effective date of this Act beyond July 1, 1995 could work
35 irreparable harm upon the proper administration and provision of essential

1 governmental programs. Therefore, an emergency is hereby declared to exist
2 and this Act being necessary for the immediate preservation of the public
3 peace, health and safety shall be in full force and effect from and after
4 July 1, 1995.

5 */s/Russ*
6
7
8
9
10
11
12
13
14
15
16