

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

A Bill

SENATE BILL 265

4 By: Joint Budget Committee

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For An Act To Be Entitled

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

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Subtitle

14 "AN ACT FOR THE DEPARTMENT OF ARKANSAS
15 STATE POLICE APPROPRIATION FOR THE
16 1995-97 BIENNIUM."

17

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

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

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Item	Class		Maximum Annual	
		No. of	Salary Rate	Fiscal Years
No.	Code	Title	Employees	1995-96 1996-97

1	(1) 9758 DIRECTOR STATE POLICE	1	\$ 68,019	\$
2	69,719			
3	(2) 617Z ASST DIRECTOR STATE POLICE	1	GRADE 26	
4	(3) 637Z STATE POLICE MAJOR	3	GRADE 25	
5	L124 PSYCHOLOGIST	1		
6	(4) T007 STATE POLICE CAPTAIN	17	GRADE 23	
7	622Z STATE POLICE FISCAL OFFICER	1		
8	(5) X338 ENGINEER, PE	1	GRADE 22	
9	T011 STATE POLICE LIEUTENANT	25		
10	(6) D036 SR PROGRAMMER/ANALYST	2	GRADE 21	
11	T051 STATE POLICE SERGEANT	70		
12	A008 ACCOUNTING SUPERVISOR II	1		
13	T079 MGR DIVERSION INVESTIGATION UNIT	1		
14	(7) T033 STATE POLICE CORPORAL	468	GRADE 20	
15	N333 MEDIA SPECIALIST	2		
16	(8) D132 SYSTEMS COORDINATION ANALYST I	1	GRADE 19	
17	(9) V040 PURCHASE AGENT II/PURCHASE AGENT	1	GRADE 18	
18	C006 COMMUNICATIONS SUPERVISOR	1		
19	E072 TRAINING INSTRUCTOR	1		
20	V034 PLANT WAREHOUSE FOREMAN	1		
21	T069 DRUG DIVERSION INVESTIGATOR	3		
22	Y005 AUTO/DIESEL MECHANIC SUPERVISOR	1		
23	(10) W028 RECORDS MANAGEMENT ANALYST I	5	GRADE 17	
24	Y129 ELECTRONIC TECHNICIAN	10		
25	Y039 HEATING & A/C MECHANIC	2		
26	C017 TELECOMMUNICATIONS SUPERVISOR	14		
27	Y003 AUTO/DIESEL MECHANIC	2		
28	Y053 JOURNEYMAN CARPENTER	1		
29	N355 PHOTOGRAPHER	1		
30	(11) R009 ADMINISTRATIVE ASSISTANT I	2	GRADE 15	
31	A108 ACCOUNTING TECHNICIAN II	5		
32	A063 PAYROLL OFFICER	1		
33	D005 COMPUTER OPERATOR II	1		
34	(12) W005 FINGERPRINT TECH	25	GRADE 14	
35	C015 TELECOMMUNICATIONS OPERATOR	70		

1	X332 DRIVERS LICENSE EXAMINER	42	
2	K041 EXECUTIVE SECY/ADMINISTRATIVE SECY	1	
3	(13) K153 SECRETARY II	39	GRADE 13
4	(14) K039 DOCUMENT EXAMINER II	4	GRADE 12
5	(15) Y001 APPRENTICE TRADESMAN	1	GRADE 11
6	K155 SECRETARY I	6	
7	(16) K037 DOCUMENT EXAMINER I	4	GRADE 10
8	K103 REPROD EQUIPMENT OPERATOR	1	
9	K006 DATA ENTRY SPECIALIST	4	
10	(17) G075 HOUSEKEEPER	<u>1</u>	GRADE 04
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SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the Department of Arkansas State Police, to be payable from the Department of Arkansas State Police Fund, for personal services and operating expenses of the Department of Arkansas State Police for the biennial period ending June 30, 1997, the following:

ITEM		FISCAL YEARS	
NO.		1995-96	1996-97
(01)	REGULAR SALARIES	\$ 25,084,224	\$ 25,160,878
(02)	PERSONAL SERV MATCHING	10,549,573	10,623,781
(03)	OVERTIME	100,000	100,000
(04)	MAINT. & GEN. OPERATION		
	(A) OPER. EXPENSE	\$ 5,717,750	\$ 5,677,750
	(B) CONF. & TRVL.	61,000	61,000
	(C) PROF. FEES	66,000	66,000
	(D) CAP. OUTLAY	1,743,960	1,225,200
	(E) DATA PROC.	<u>0</u>	<u>0</u>
	TOTAL MAINT. & GEN. OPER.	7,588,710	7,029,950
(05)	UNIFORM ALLOWANCE	1,063,500	

1	1,054,500	
2	(06) SPECIAL TRAVEL ALLOWANCE	1,204,000
3	1,204,000	
4	(07) COVERT OPERATIONS	250,000
5	250,000	
6	(08) ANNUAL LEASE/PURCHASE PAYMENTS	<u>736,026</u>
7	<u>736,026</u>	
8	TOTAL AMOUNT APPROPRIATED	<u>\$ 46,576,033 \$</u>
9	<u>46,159,135</u>	

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11 SECTION 3. REGULAR SALARIES - FEDERAL HIGHWAY SAFETY. There is hereby

12 established for the Department of Arkansas State Police - Federal Highway

13 ~~Safety for the 1995-97 biennium, the following maximum number of regular~~

14 employees whose salaries shall be governed by the provisions of the Uniform

15 Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or

16 its successor, and all laws amendatory thereto. Provided, however, that any

17 position to which a specific maximum annual salary is set out herein in

18 dollars, shall be exempt from the provisions of said Uniform Classification

19 and Compensation Act. All persons occupying positions authorized herein are

20 hereby governed by the provisions of the Regular Salaries Procedures and

21 Restrictions Act (Arkansas Code §21-5-101), or its successor.

22				
23				Maximum Annual
24			Maximum	Salary Rate
25	Item	Class	No. of	Fiscal Years
26	No.	Code	Title	Employees 1995-96 1996-97
27	(1)	T033	STATE POLICE CORPORAL	<u>8</u> GRADE 20
28			MAX NO. OF EMPLOYEES	8

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30 SECTION 4. APPROPRIATIONS - FEDERAL HIGHWAY SAFETY. There is hereby

31 appropriated, to the Department of Arkansas State Police - Federal Highway

32 Safety, to be payable from the federal funds as designated by the Chief

33 Fiscal Officer of the State, for personal services and operating expenses of

34 the Department of Arkansas State Police - Federal Highway Safety for the

35 biennial period ending June 30, 1997, the following:

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ITEM		FISCAL YEARS	
NO.		1995-96	1996-97
(01)	REGULAR SALARIES	\$ 211,317	\$ 213,589
(02)	PERSONAL SERV MATCHING	100,647	102,747
(03)	UNIFORM ALLOWANCE	12,000	12,000
(04)	SPECIAL TRAVEL ALLOWANCE	<u>16,000</u>	
	16,000 TOTAL AMOUNT APPROPRIATED	<u>\$ 339,964</u>	<u>\$ 344,336</u>

SECTION 5. APPROPRIATIONS - STING OPERATION. There is hereby appropriated, to the Department of Arkansas State Police, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for operating expenses of the Department of Arkansas State Police - Sting Operations for the biennial period ending June 30, 1997, the following:

ITEM		FISCAL YEARS	
NO.		1995-96	1996-97
(01)	MAINT. & GEN. OPERATION		
(A)	OPER. EXPENSE \$	60,000	\$ 60,000
(B)	CONF. & TRVL.	50,000	50,000
(C)	PROF. FEES	25,000	25,000
(D)	CAP. OUTLAY	150,000	150,000
(E)	DATA PROC.	<u>0</u>	<u>0</u>
	TOTAL MAINT. & GEN. OPER.	285,000	285,000
(02)	COVERT OPERATIONS	<u>\$ 50,000</u>	<u>\$ 50,000</u>
	50,000 TOTAL AMOUNT APPROPRIATED	<u>\$ 335,000</u>	<u>\$ 335,000</u>

SECTION 6. APPROPRIATIONS - CONFISCATED FUNDS TRANSFER. There is

1 hereby appropriated, to the Department of Arkansas State Police, to be
2 payable from the Court Awards Fund, for transfer to the various line items
3 authorized in Section 2 of this Act for the operations of the Department of
4 Arkansas State Police for the biennial period ending June 30, 1997, the
5 following:

7 ITEM	FISCAL YEARS	
8 NO.	1995-96	1996-97
9 (01) FUND TRANS/REFUND/INVESTMENT	<u>\$ 3,000,000</u>	<u>\$</u>
10 <u>3,000,000</u>		

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12 SECTION 7. APPROPRIATIONS - FEDERAL TASK FORCE OVERTIME. There is
13 hereby appropriated, to the Department of Arkansas State Police, to be
14 payable from the federal funds as designated by the Chief Fiscal Officer of
15 the State, for personal services of the Department of Arkansas State Police -
16 Federal Task Force Overtime for the biennial period ending June 30, 1997, the
17 following:

19 ITEM	FISCAL YEARS	
20 NO.	1995 96	1996 97
21 (01) PERSONAL SERV MATCHING	\$ 30,575	\$
22 30,575		
23 (02) OVERTIME	<u>100,000</u>	
24 <u>100,000</u>		
25 TOTAL AMOUNT APPROPRIATED	<u>\$ 130,575</u>	<u>\$</u>
26 <u>130,575</u>		

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28 SECTION 8. The Department of Arkansas State Police is hereby
29 authorized, after seeking the approval of the Chief Fiscal Officer of the
30 State and prior review by the Arkansas Legislative Council, to request
31 ~~transfer from the appropriation made herein for "Confiscated Funds Transfer"~~
32 to the various line items contained in the operations appropriation of the
33 Department of Arkansas State Police; and to request fund transfers from the
34 Court Awards Fund to the Department of Arkansas State Police Fund in the same
35 amount as the appropriation transfer requested under the provisions of this

1 section. Further provided, the Department of Arkansas State Police is hereby
2 authorized to request a fund transfer from the Court Awards Fund to the Motor
3 Vehicle Acquisition Revolving Fund. Fund transfers to the Motor Vehicle
4 Acquisition Revolving Fund shall be reported to the Arkansas Legislative
5 Council, but do not require prior review.

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7 SECTION 9. The Department of Arkansas State Police is hereby
8 authorized to make overtime payments from such funds and appropriations
9 provided for overtime payments to those officers or other employees that are
10 currently assigned or may be assigned by the Director of the Department of
11 Arkansas State Police to Special Law Enforcement Task Forces. All such
12 overtime payments shall be processed through the State Accounting System and
13 shall be in addition to the Regular Salaries and benefits accruing to the
14 employee.

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16 SECTION 10. The Department of Arkansas State Police is hereby
17 authorized to purchase motor vehicles from the appropriations authorized for
18 capital outlay in Section 2 of this Act.

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20 SECTION 11. The Department of Arkansas State Police may, at its
21 discretion, replace any of its motor vehicles that indicate an odometer
22 reading of less than seventy-five thousand (75,000) miles.

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24 SECTION 12. *TRANSFER OF FUNDS. The director of the Department of*
25 *Arkansas State Police may, after receiving the approval of the Chief Fiscal*
26 *Officer of the State and after prior review by the Arkansas Legislative*
27 *Council, request a transfer of unobligated funds as may be available from the*
28 *Department of Arkansas State Police Fund to the Arkansas Teacher Retirement*
29 *System for additional payments on the principal amounts as established in the*
30 *lease/purchase agreement. Such transfers shall in no event exceed \$1,000,000*
31 *during each fiscal year.*

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33 SECTION 13. *The Chief Fiscal Officer of the State is hereby directed*
34 *to withhold spending authority of those additional general revenues necessary*
35 *to fund any new or additional positions authorized for the Arkansas State*

1 *Police by the Eightieth General Assembly.*

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3 *Upon final adjudication or settlement of the Delbert D. Moad, et al v.*
4 *Arkansas State Police, et al. case and after seeking prior review by the*
5 *Office of Personnel Management and the Arkansas Legislative Council, the*
6 *Chief Fiscal Officer of the State shall release any spending authority held*
7 *pursuant to this section so it may be utilized by the Arkansas State Police*
8 *to fund any new or additional positions authorized by the Eightieth General*
9 *Assembly.*

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

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21 SECTION 15. LEGISLATIVE INTENT. It is the intent of the General
22 Assembly that any funds disbursed under the authority of the appropriations
23 contained in this Act shall be in compliance with the stated reasons for
24 which this Act was adopted, as evidenced by the Agency Requests, Executive
25 Recommendations and Legislative Recommendations contained in the budget
26 manuals prepared by the Department of Finance and Administration, letters, or
27 summarized oral testimony in the official minutes of the Arkansas Legislative
28 Council or Joint Budget Committee which relate to its passage and adoption.

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

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34 SECTION 17. SEVERABILITY. If any provision of this Act or the
35 application thereof to any person or circumstance is held invalid, such

1 invalidity shall not affect other provisions or applications of the Act which
2 can be given effect without the invalid provision or application, and to this
3 end the provisions of this Act are declared to be severable.

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5 SECTION 18. GENERAL REPEALER. All laws and parts of laws in conflict
6 with this Act are hereby repealed.

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8 SECTION 19. EMERGENCY CLAUSE. It is hereby found and determined by
9 the Eightieth General Assembly, that the Constitution of the State of
10 Arkansas prohibits the appropriation of funds for more than a two (2) year
11 period; that the effectiveness of this Act on July 1, 1995 is essential to
12 the operation of the agency for which the appropriations in this Act are
13 provided, and that in the event of an extension of the Regular Session, the
14 delay in the effective date of this Act beyond July 1, 1995 could work
15 irreparable harm upon the proper administration and provision of essential
16 governmental programs. Therefore, an emergency is hereby declared to exist
17 and this Act being necessary for the immediate preservation of the public
18 peace, health and safety shall be in full force and effect from and after
19 July 1, 1995.

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/s/Russ

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