

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.

1 State of Arkansas
2 83rd General Assembly
3 Regular Session, 2001
4

As Engrossed: H3/30/01
A Bill

HOUSE BILL 1727

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
10 AND OPERATING EXPENSES FOR THE DEPARTMENT OF ARKANSAS
11 STATE POLICE FOR THE BIENNIAL PERIOD ENDING JUNE 30,
12 2003; AND FOR OTHER PURPOSES.
13
14

Subtitle

15 AN ACT FOR THE DEPARTMENT OF ARKANSAS
16 STATE POLICE APPROPRIATION FOR THE
17 2001-2003 BIENNIAL PERIOD.
18
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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
24 Department of Arkansas State Police for the 2001-2003 biennium, the following
25 maximum 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 salary
29 is set out herein in dollars, shall be exempt from the provisions of said
30 Uniform Classification and Compensation Act. All persons occupying positions
31 authorized herein are hereby governed by the provisions of the Regular
32 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its
33 successor.
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Maximum Annual
Maximum Salary Rate

1	Item Class			No. of Empl oyees	Fi scal Years	
	2	No. Code	Ti tle		2001-2002	2002-2003
3	(1)	9758	DI RECTOR STATE POLI CE	1	\$83, 871	\$86, 051
4	(2)	617Z	STATE POLI CE DEP DIR/LT COL	2	GRADE 26	
5	(3)	637Z	STATE POLI CE MAJOR	4	GRADE 25	
6	(4)	R170	ATTORNEY SPECI ALI ST	1	GRADE 25	
7	(5)	T007	STATE POLI CE CAPTAIN	21	GRADE 24	
8	(6)	622Z	STATE POLI CE FI SCAL OFFI CER	1	GRADE 24	
9	(7)	D130	I NFORMATI ON SYSTEMS ADMI NI STRATOR	1	GRADE 24	
10	(8)	T011	STATE POLI CE LI EUTENANT	31	GRADE 23	
11	(9)	D100	DP SENI OR PROJECT LEADER	1	GRADE 23	
12	(10)	E051	TRAI NI NG PROJECT MANAGER	1	GRADE 22	
13	(11)	T051	STATE POLI CE SERGEANT	87	GRADE 22	
14	(12)	D066	SYSTEMS COORDI NATI ON ANALYST I I	1	GRADE 22	
15	(13)	X327	ASP/FPU I NVESTI GATOR ADMI NI STRATOR	1	GRADE 22	
16	(14)	X344	ASP/FPU HOTLI NE ADMI NI STRATOR	1	GRADE 22	
17	(15)	D124	LEAD PROGRAMMER/ANALYST	1	GRADE 22	
18	(16)	T033	STATE POLI CE CORPORAL	475	GRADE 21	
19	(17)	X317	ASP DL/CDL COORDI NATOR	1	GRADE 21	
20	(18)	A008	ACCOUNTI NG SUPERVI SOR I I	1	GRADE 21	
21	(19)	T079	MGR DI VERSI ON I NVESTI GATI ON UNI T	1	GRADE 21	
22	(20)	Y004	ASP FLEET MANAGER	1	GRADE 21	
23	(21)	X320	ASP/FPU I NVESTI GATOR SUPERVI SOR	9	GRADE 21	
24	(22)	N333	MEDI A SPECI ALI ST	2	GRADE 20	
25	(23)	G120	PLANT MAI NTENANCE COORDI NATOR	1	GRADE 20	
26	(24)	R266	MANAGEMENT PROJECT ANALYST I I	1	GRADE 20	
27	(25)	X347	ASP/FPU SENI OR I NVESTI GATOR	61	GRADE 20	
28	(26)	R030	ASST PERSONNEL MANAGER	1	GRADE 19	
29	(27)	X321	ASP/FPU I NVESTI GATOR	2	GRADE 19	
30	(28)	X334	ASP/FPU HOTLI NE SUPERVI SOR	3	GRADE 19	
31	(29)	C037	ASP TELECOMMUNI CATI ONS SUPERVI SOR	13	GRADE 18	
32	(30)	C006	COMMUNI CATI ONS SUPERVI SOR	2	GRADE 18	
33	(31)	E072	TRAI NI NG I NSTRUCTOR	1	GRADE 18	
34	(32)	V034	PLANT WAREHOUSE FOREMAN	1	GRADE 18	
35	(33)	T069	DRUG DI VERSI ON I NVESTI GATOR	3	GRADE 18	
36	(34)	W030	RECORDS MANAGEMENT ANALYST I I	5	GRADE 18	

1	(35)	V040	PURCHASE AGENT II/PURCHASE AGENT	1	GRADE 18
2	(36)	A111	ACCOUNTANT	2	GRADE 18
3	(37)	Y129	ELECTRONIC TECHNICIAN	15	GRADE 17
4	(38)	R010	ADMINISTRATIVE ASSISTANT II	2	GRADE 17
5	(39)	Y039	HEATING & A/C MECHANIC	1	GRADE 17
6	(40)	Y003	AUTO/DIESEL MECHANIC	3	GRADE 17
7	(41)	Y053	JOURNEYMAN CARPENTER	1	GRADE 17
8	(42)	N355	PHOTOGRAPHER	1	GRADE 17
9	(43)	R430	ADMINISTRATIVE OFFICER	1	GRADE 17
10	(44)	X343	ASP/FPU HOTLINE OPERATOR	26	GRADE 17
11	(45)	C035	ASP TELECOMMUNICATIONS OPERATOR	69	GRADE 16
12	(46)	W001	ASP AFI S TECHNICIAN	18	GRADE 16
13	(47)	A108	ACCOUNTING TECHNICIAN II	6	GRADE 15
14	(48)	A063	PAYROLL OFFICER	2	GRADE 15
15	(49)	D005	COMPUTER OPERATOR II	1	GRADE 15
16	(50)	X382	ASP DRIVERS LICENSE EXAMINER	41	GRADE 15
17	(51)	R009	ADMINISTRATIVE ASSISTANT I	1	GRADE 15
18	(52)	K011	ADMINISTRATIVE OFFICE SUPERVISOR	1	GRADE 15
19	(53)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	1	GRADE 14
20	(54)	W005	FINGERPRINT TECH	7	GRADE 14
21	(55)	K117	MEDICAL OR LEGAL SECRETARY	3	GRADE 14
22	(56)	K153	SECRETARY II	50	GRADE 13
23	(57)	K039	DOCUMENT EXAMINER II	19	GRADE 12
24	(58)	K155	SECRETARY I	5	GRADE 11
25	(59)	Y001	APPRENTICE TRADESMAN	1	GRADE 11
26	(60)	V043	SHIPPING & RECEIVING CLERK	1	GRADE 11
27	(61)	K103	REPROD EQUIPMENT OPERATOR	<u>1</u>	GRADE 10
28			MAX. NO. OF EMPLOYEES	1,019	

29

30 SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for the
 31 Department of Arkansas State Police - Operations for the 2001-2003 biennium,
 32 the following maximum number of part-time or temporary employees, to be known
 33 as "Extra Help", payable from funds appropriated herein for such purposes:
 34 twenty (20) temporary or part-time employees, when needed, at rates of pay not
 35 to exceed those provided in the Uniform Classification and Compensation Act,
 36 or its successor, or this act for the appropriate classification.

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SECTION 3. APPROPRIATION - OPERATIONS. 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 - Operations for the biennial period ending June 30, 2003, the following:

ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
(01) REGULAR SALARIES	\$ 34,207,347	\$ 35,096,709
(02) EXTRA HELP	150,000	150,000
(03) PERSONAL SERV MATCHING	16,171,220	17,319,856
(04) OVERTIME	294,750	294,750
(05) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	6,850,030	6,854,830
(B) CONF. & TRAVEL	388,000	388,000
(C) PROF. FEES	284,900	284,900
(D) CAP. OUTLAY	212,000	212,000
(E) DATA PROC.	75,000	75,000
(06) UNIFORM ALLOWANCE	1,042,000	1,042,000
(07) SPECIAL TRAVEL ALLOWANCE	1,224,000	1,224,000
(08) COVERT OPERATIONS	<u>250,000</u>	<u>250,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 61,149,247</u>	<u>\$ 63,192,045</u>

SECTION 4. APPROPRIATION - VARIOUS FEDERAL PROGRAMS. 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 and covert operations of the Department of Arkansas State Police - Various Federal Programs for the biennial period ending June 30, 2003, the following:

ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	425,000	425,000
(B) CONF. & TRAVEL	50,000	50,000
(C) PROF. FEES	100,000	100,000

1	(D) CAP. OUTLAY	750,000	750,000
2	(E) DATA PROC.	10,000	10,000
3	(02) COVERT OPERATIONS	<u>75,000</u>	<u>75,000</u>
4	TOTAL AMOUNT APPROPRIATED	<u>\$ 1,410,000</u>	<u>\$ 1,410,000</u>

5
 6 SECTION 5. APPROPRIATION - AUTOMATED FINGERPRINT IDENTIFICATION SYSTEM
 7 (AFIS). There is hereby appropriated, to the Department of Arkansas State
 8 Police, to be payable from the State Police Equipment Fund, for operating
 9 expenses of the Department of Arkansas State Police - Automated Fingerprint
 10 Identification System for the biennial period ending June 30, 2003, the
 11 following:

12	ITEM	FISCAL YEARS	
13	<u>NO.</u>	<u>2001-2002</u>	<u>2002-2003</u>
14	(01) MAINT. & GEN. OPERATION		
15	(A) OPER. EXPENSE	756,000	756,000
16	(B) CONF. & TRAVEL	38,000	38,000
17	(C) PROF. FEES	60,000	60,000
18	(D) CAP. OUTLAY	996,000	1,039,200
19	(E) DATA PROC.	<u>60,000</u>	<u>60,000</u>
20	TOTAL AMOUNT APPROPRIATED	<u>\$ 1,910,000</u>	<u>\$ 1,953,200</u>

21
 22 SECTION 6. APPROPRIATION - CONFISCATED FUNDS TRANSFER. There is hereby
 23 appropriated, to the Department of Arkansas State Police, to be payable from
 24 the Court Awards Fund, for fund transfers, refunds and investments of the
 25 Department of Arkansas State Police - Confiscated Funds Transfer for the
 26 biennial period ending June 30, 2003, the following:

27	ITEM	FISCAL YEARS	
28	<u>NO.</u>	<u>2001-2002</u>	<u>2002-2003</u>
29	(01) FUND TRANSFERS/REFUNDS/INVESTMENTS	<u>\$ 3,000,000</u>	<u>\$ 3,000,000</u>

30
 31 SECTION 7. APPROPRIATION - CRIMINAL BACKGROUND CHECKS. There is hereby
 32 appropriated, to the Department of Arkansas State Police, to be payable from
 33 the State Police Equipment Fund, for personal services of the Department of
 34 Arkansas State Police - Criminal Background Checks for the biennial period
 35 ending June 30, 2003, the following:

36	ITEM	FISCAL YEARS	
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NO.	2001-2002	2002-2003
(01) REGULAR SALARIES	\$ 201,979	\$ 207,229
(02) PERSONAL SERV MATCHING	<u>124,221</u>	<u>135,422</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 326,200</u>	<u>\$ 342,651</u>

SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COURT AWARDS FUND – MOTOR VEHICLE PURCHASES/RENOVATION. A sum equal to fifty percent (50%) of the first three million dollars (\$3,000,000) or so much thereof as is available in the Court Awards Fund each fiscal year shall be used exclusively for motor vehicle purchases and associated taxes and/or motor vehicle renovation costs for the Department of Arkansas State Police.

The provisions of this section shall be in effect only from July 1, 2001 through June 30, 2003.

SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MOTOR VEHICLE ACQUISITION REVOLVING FUND - MOTOR VEHICLE PURCHASES/RENOVATION. At least fifty percent (50%) of the general revenues deposited each fiscal year into the Motor Vehicle Acquisition Revolving Fund shall be used for motor vehicle purchases and or motor vehicle renovation costs for the Department of Arkansas State Police.

The provisions of this section shall be in effect only from July 1, 2001 through June 30, 2003.

SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER PROVISION. The Department of Arkansas State Police is hereby authorized, after seeking the approval of the Chief Fiscal Officer of the State and prior review by the Arkansas Legislative Council or Joint Budget Committee, to request transfer from the appropriation made herein for "Confiscated Funds Transfer" to the various line items contained in the operations appropriation of the Department of Arkansas State Police; and to request fund transfers from the Court Awards Fund to the Department of Arkansas State Police Fund in the same

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

7
8 The provisions of this section shall be in effect only from July 1, 2001
9 through June 30, 2003.

10
11 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. OVERTIME.
13 The Department of Arkansas State Police is hereby authorized to make overtime
14 payments from such funds and appropriations provided for overtime payments to
15 those officers or other employees that are currently assigned or may be
16 assigned by the Director of the Department of Arkansas State Police to Special
17 Law Enforcement Task Forces. All such overtime payments shall be processed
18 through the State Accounting System and shall be in addition to the Regular
19 Salaries and benefits accruing to the employee.

20
21 The provisions of this section shall be in effect only from July 1, 2001
22 through June 30, 2003.

23
24 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MOTOR
26 VEHICLE PURCHASE. The Department of Arkansas State Police is hereby authorized
27 to purchase motor vehicles from the appropriations authorized for Capital
28 Outlay in the State Police Operations appropriation in this Act.

29
30 The provisions of this section shall be in effect only from July 1, 2001
31 through June 30, 2003.

32
33 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MOTOR
35 VEHICLE REPLACEMENT. The Department of Arkansas State Police may, at its
36 discretion, replace any of its motor vehicles that indicate an odometer

1 reading of ~~less than seventy five~~ fifty thousand ~~(75,000)~~ (50,000) miles or
2 more.

3
4 The provisions of this section shall be in effect only from July 1, 2001
5 through June 30, 2003.

6
7 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. UNIFORM
9 ALLOWANCE. Each telecommunications supervisor, telecommunications operator,
10 driver's license examiner, and driver's license/commercial driver's license
11 coordinator may receive up to, but shall not exceed, one thousand dollars
12 (\$1,000) per annum for uniform allowance.

13
14 The provisions of this section shall be in effect only from July 1, 2001
15 through June 30, 2003.

16
17 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FIREARMS
19 INVESTIGATIVE UNIT/FIREARMS TRACING AND IDENTIFICATION. The Department of
20 Arkansas State Police and the Arkansas State Crime Laboratory shall enter into
21 an interagency agreement for the implementation and operation of each agencies
22 respective component and functions involving a joint program regarding
23 Firearms Investigation and Firearms Tracing and Identification. The Department
24 of Arkansas State police shall be responsible for the operations of the
25 Firearms Investigative component and the Arkansas State Crime Laboratory shall
26 be responsible for the operations of the Firearms Tracing and Identification
27 component of the program.

28
29 ~~Of the total number of positions authorized in Section 15 and of the total~~
30 ~~amount appropriated by Section 16 herein, the Department of Arkansas State~~
31 ~~Police shall act only as the Disbursing Officer for the Arkansas State Crime~~
32 ~~Laboratory for the appropriation and funds to support two (2) Regular Salary~~
33 ~~positions consisting of the "Management Project Analyst I" and "Document~~
34 ~~Examiner", and appropriation and funds totaling \$87,115 in fiscal year 1999-00~~
35 ~~and \$55,718 in fiscal year 2000-01 that is provided for the salaries and~~
36 ~~operational support of the Firearms Tracing and Investigation portion of the~~

1 ~~total. Further, the Arkansas State Crime Laboratory shall have full authority~~
2 ~~and discretion regarding the employment and termination of the Management~~
3 ~~Project Analyst I and the Document Examiner position's authorized in Section~~
4 ~~15, and full authority and discretion regarding the budgeting and expenditure~~
5 ~~of that portion of the total appropriation and funds provided in Section 16~~
6 ~~herein for the operations of the Firearms Tracing and Identification component~~
7 ~~of the program.~~

8
9 The provisions of this section shall be in effect only from July 1, 2001
10 through June 30, 2003.

11
12 SECTION 16. SPECIAL LANGUAGE. Arkansas Code 12-8-124 is hereby repealed.
13 ~~The Department of Arkansas State Police may, at its discretion, replace any~~
14 ~~of its motor vehicles that indicate an odometer reading of less than seventy-~~
15 ~~five thousand (75,000) miles.~~

16
17 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. UNI FORM
19 EMPLOYEE HEALTH INSURANCE PROGRAM REPORTING. The Department of Arkansas State
20 Police shall report monthly to the Governor, the Chief Fiscal Officer of the
21 State and to the Arkansas Legislative Council or Joint Budget Committee
22 regarding the activity and condition for the uniformed employee health
23 insurance plan. The report shall include, but not limited to, the beginning
24 reserve fund balance, contributions made during the month, claims paid, and
25 the ending fund balance of the month. In the event it is determined that the
26 cost to adequately maintain the uniform employee health insurance plan is not
27 feasible within the existing resources available to the department, the 84th
28 General Assembly shall study the feasibility and desirability of discontinuing
29 the self-insurance program and instead provide medical and hospital insurance
30 to uniform employees through the public employees insurance program.

31
32 SECTION 18. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED
33 SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES. (A) For all
34 appropriations as provided in this Act, the agency disbursing officer shall
35 monitor the level of fund balances in relation to expenditures on a monthly
36 basis. If any proposed expenditures would cause a fund balance to decline to

1 less than fifty percent (50%) of the balance available on July 1, 2001, the
2 disbursing officer shall immediately notify the executive head of the agency.

3 Prior to any obligations being made under these circumstances, the agency
4 head shall file written documentation with the Chief Fiscal Officer of the
5 State requesting approval of the expenditures. Such documentation shall
6 provide sufficient financial data to justify the expenditures and shall
7 include the following:

8 1) a plan that clearly indicates the specific fiscal impact of such
9 expenditures on the fund balance.

10 2) information clearly indicating and explaining what programs would be cut or
11 any other measures to be taken by the agency to restore the fund balance.

12 3) the extent to which any of the planned expenditures are for one-time costs
13 or one-time purchase of capitalized items.

14 4) a statement certifying that the expenditure of fund balances will not
15 jeopardize the financial health of the agency, nor result in a permanent
16 depletion of the fund balance.

17 (B) The Chief Fiscal Officer of the State shall review the request and
18 approve or disapprove all or any part of the request, after having sought
19 prior review by the Legislative Council.

20
21 SECTION 19. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
22 by this act shall be limited to the appropriation for such agency and funds
23 made available by law for the support of such appropriations; and the
24 restrictions of the State Purchasing Law, the General Accounting and Budgetary
25 Procedures Law, the Revenue Stabilization Law, the Regular Salary Procedures
26 and Restrictions Act, or their successors, and other fiscal control laws of
27 this State, where applicable, and regulations promulgated by the Department of
28 Finance and Administration, as authorized by law, shall be strictly complied
29 with in disbursement of said funds.

30
31 SECTION 20. LEGISLATIVE INTENT. It is the intent of the General Assembly
32 that any funds disbursed under the authority of the appropriations contained
33 in this act shall be in compliance with the stated reasons for which this act
34 was adopted, as evidenced by the Agency Requests, Executive Recommendations
35 and Legislative Recommendations contained in the budget manuals prepared by
36 the Department of Finance and Administration, letters, or summarized oral

1 testimony in the official minutes of the Arkansas Legislative Council or Joint
2 Budget Committee which relate to its passage and adoption.

3
4 SECTION 27. EMERGENCY CLAUSE. It is found and determined by the General
5 Assembly, that the Constitution of the State of Arkansas prohibits the
6 appropriation of funds for more than a two (2) year period; that the
7 effectiveness of this Act on July 1, 2001 is essential to the operation of the
8 agency for which the appropriations in this Act are provided, and that in the
9 event of an extension of the Regular Session, the delay in the effective date
10 of this Act beyond July 1, 2001 could work irreparable harm upon the proper
11 administration and provision of essential governmental programs. Therefore, an
12 emergency is hereby declared to exist and this Act being necessary for the
13 immediate preservation of the public peace, health and safety shall be in full
14 force and effect from and after July 1, 2001.

15 */s/ Joint Budget Committee*