

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 85th General Assembly
3 Regular Session, 2005

A Bill

SENATE BILL 238

4
5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

8
9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES AND OPERATING EXPENSES FOR THE STATE
11 CRIME LABORATORY FOR THE BIENNIAL PERIOD ENDING
12 JUNE 30, 2007; AND FOR OTHER PURPOSES.
13

Subtitle

14
15 AN ACT FOR THE STATE CRIME LABORATORY
16 APPROPRIATION FOR THE 2005-2007
17 BIENNIUM.
18
19
20

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 State
24 Crime Laboratory for the 2005-2007 biennium, the following maximum number of
25 regular employees whose salaries shall be governed by the provisions of the
26 Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et
27 seq.), or its successor, and all laws amendatory thereto. Provided, however,
28 that any position to which a specific maximum annual salary is set out herein
29 in dollars, shall be exempt from the provisions of said Uniform
30 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.
34

35 Maximum Annual
36 Maximum Salary Rate



1	Item	Class		No. of	Fiscal Years	
2	No.	Code	Title	Employees	2005-2006	2006-2007
3	(1)	7148	CRIME LAB DIR MEDICAL EXAM DIV	1	\$179,628	\$183,232
4	(2)	7149	CRIME LAB ASSOC MEDICAL EXAMINER	4	\$161,931	\$165,269
5	(3)	7147	CRIME LAB EXECUTIVE DIRECTOR	1	\$84,213	\$86,363
6	(4)	7182	CRIME LAB ASSISTANT DIRECTOR	1	\$63,497	\$65,253
7	(5)	827Z	DP CENTER MANAGER	1		GRADE 26
8	(6)	033Z	CRIME LAB SCIENTIFIC OPS MGR	1		GRADE 26
9	(7)	R092	CODIS ADMINISTRATOR/DNA SUPERVISOR	1		GRADE 25
10	(8)	N339	CHIEF LATENT PRINTS EXAMINER	1		GRADE 24
11	(9)	T046	CRIME LAB CHIEF FIREARM/TOOL EXAM	1		GRADE 24
12	(10)	B007	CRIME LAB CHIEF ILLICIT LABS	1		GRADE 24
13	(11)	956Z	CRIME LAB QUALITY MANAGER	1		GRADE 24
14	(12)	B044	CHIEF FORENSIC QUESTIONED DOC EXAM	1		GRADE 24
15	(13)	B046	CHIEF FORENSIC TOXICOLOGIST	1		GRADE 24
16	(14)	B048	CHIEF FORENSIC CHEMIST	1		GRADE 24
17	(15)	B050	CHIEF FORENSIC SEROLOGIST	1		GRADE 24
18	(16)	T053	CRIME LAB CHIEF CRIMINALIST	1		GRADE 24
19	(17)	B021	FORENSIC CHEMIST SUPERVISOR	1		GRADE 23
20	(18)	B073	FORENSIC QUESTIONED DOC EXAMINER II	1		GRADE 22
21	(19)	N336	LATENT PRINTS EXAMINER	5		GRADE 22
22	(20)	T052	FORENSIC CRIMINALIST II	5		GRADE 22
23	(21)	B053	FORENSIC BIOLOGIST	12		GRADE 22
24	(22)	B055	FORENSIC TOXICOLOGIST	8		GRADE 22
25	(23)	B057	FORENSIC CHEMIST	23		GRADE 22
26	(24)	T060	CRIME LAB FIREARMS/TOOLMARK EXAM	4		GRADE 22
27	(25)	Y023	CRIME LAB INSTRUMENTATION ENGINEER	1		GRADE 22
28	(26)	V012	PURCHASING MANAGER	1		GRADE 21
29	(27)	N340	CHIEF FORENSIC PHOTOGRAPHER	1		GRADE 21
30	(28)	D123	APPLICATIONS & SYSTEMS ANALYST	1		GRADE 21
31	(29)	B070	MEDICAL EXAMINER CASE COORDINATOR	1		GRADE 20
32	(30)	R266	MANAGEMENT PROJECT ANALYST II	1		GRADE 20
33	(31)	T044	CHIEF CRIME LAB FIELD INVESTIGATOR	1		GRADE 20
34	(32)	B013	CRIME LAB AUTOPSY TECHNICIAN SUPV	1		GRADE 20
35	(33)	A087	BUDGET OFFICER	1		GRADE 19
36	(34)	B059	CRIME LAB AUTOPSY TECHNICIAN	4		GRADE 18

1	(35)	N342	FORENSIC PHOTOGRAPHER	3	GRADE 18
2	(36)	T048	CRIME LAB FIELD INVESTIGATOR	5	GRADE 18
3	(37)	B065	CRIME LAB HISTOLOGY TECHNICIAN SUPV	1	GRADE 18
4	(38)	D128	P C SUPPORT SPECIALIST	1	GRADE 18
5	(39)	V027	EVIDENCE SUPERVISOR	1	GRADE 17
6	(40)	V028	CRIME LAB EVIDENCE TECHNICIAN	8	GRADE 16
7	(41)	B061	CRIME LAB HISTOLOGY TECHNICIAN	1	GRADE 16
8	(42)	K011	ADMINISTRATIVE OFFICE SUPERVISOR	2	GRADE 15
9	(43)	K027	SUBPOENA COORDINATOR	2	GRADE 15
10	(44)	K117	MEDICAL OR LEGAL SECRETARY	7	GRADE 14
11	(45)	B049	LABORATORY TECHNICIAN II	1	GRADE 13
12	(46)	K039	DOCUMENT EXAMINER II	<u>1</u>	GRADE 12
13			MAX. NO. OF EMPLOYEES	124	

15 SECTION 2. APPROPRIATION - STATE OPERATIONS. There is hereby appropriated,
 16 to the State Crime Laboratory, to be payable from the Miscellaneous Agencies
 17 Fund Account, for personal services and operating expenses of the State Crime
 18 Laboratory - State Operations for the biennial period ending June 30, 2007,
 19 the following:

21	ITEM	FISCAL YEARS	
22	<u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
23	(01) REGULAR SALARIES	\$ 5,121,666	\$ 5,265,147
24	(02) PERSONAL SERVICES MATCHING	1,388,695	1,415,208
25	(03) MAINT. & GEN. OPERATION		
26	(A) OPER. EXPENSE	1,651,172	1,674,422
27	(B) CONF. & TRAVEL	20,100	20,100
28	(C) PROF. FEES	63,715	63,715
29	(D) CAP. OUTLAY	839,900	819,900
30	(E) DATA PROC.	<u>0</u>	<u>0</u>
31	TOTAL AMOUNT APPROPRIATED	<u>\$ 9,085,248</u>	<u>\$ 9,258,492</u>

33 SECTION 3. APPROPRIATION - DNA SECTION - SPECIAL. There is hereby
 34 appropriated, to the State Crime Laboratory, to be payable from the DNA
 35 Detection fund, for personal services and operating expenses of the State
 36 Crime Laboratory - DNA Section for the biennial period ending June 30, 2007,

1 the following:

2

3 ITEM	4 FISCAL YEARS	
	5 NO.	6
7 (01) REGULAR SALARIES	\$ 32,382	\$ 33,353
8 (02) PERSONAL SERVICES MATCHING	9,928	10,111
9 (03) MAINT. & GEN. OPERATION		
10 (A) OPER. EXPENSE	78,751	78,751
11 (B) CONF. & TRAVEL	8,500	8,500
12 (C) PROF. FEES	0	0
13 (D) CAP. OUTLAY	0	0
14 (E) DATA PROC.	<u>0</u>	<u>0</u>
15 TOTAL AMOUNT APPROPRIATED	<u>\$ 129,561</u>	<u>\$ 130,715</u>

14

15 SECTION 4. APPROPRIATION - CRIME LAB EQUIPMENT - SPECIAL. There is hereby
 16 appropriated, to the State Crime Laboratory, to be payable from the Crime Lab
 17 Equipment Fund, for the purchase and replacement of crime lab equipment of
 18 the State Crime Laboratory for the biennial period ending June 30, 2007, the
 19 following:

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21 ITEM	22 FISCAL YEARS	
	23 NO.	24
25 (01) CRIME LAB EQUIP/PUR/REPLACE	<u>\$ 650,000</u>	<u>\$ 650,000</u>

24

25 SECTION 5. APPROPRIATION - FEDERAL. There is hereby appropriated, to the
 26 State Crime Laboratory, to be payable from the federal funds as designated by
 27 the Chief Fiscal Officer of the State, for personal services and operating
 28 expenses of the State Crime Laboratory – Federal for the biennial period
 29 ending June 30, 2007, the following:

30

31 ITEM	32 FISCAL YEARS	
	33 NO.	34
35 (01) REGULAR SALARIES	\$ 173,990	\$ 176,994
36 (02) PERSONAL SERVICES MATCHING	51,356	51,920
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	60,218	60,218

1	(B) CONF. & TRAVEL	36,167	36,167
2	(C) PROF. FEES	309,910	309,910
3	(D) CAP. OUTLAY	477,959	477,959
4	(E) DATA PROC.	<u>0</u>	<u>0</u>
5	TOTAL AMOUNT APPROPRIATED	<u>\$ 1,109,600</u>	<u>\$ 1,113,168</u>

6
 7 SECTION 6. APPROPRIATION - HOPE DRUG LAB. There is hereby appropriated, to
 8 the State Crime Laboratory, to be payable from the Miscellaneous Agencies
 9 Fund Account, for personal services and operating expenses of the State Crime
 10 Laboratory - Hope Drug Lab for the biennial period ending June 30, 2007, the
 11 following:

13	ITEM	FISCAL YEARS	
14	<u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
15	(01) REGULAR SALARIES	\$ 109,727	\$ 113,018
16	(02) PERSONAL SERVICES MATCHING	32,471	33,087
17	(03) MAINT. & GEN. OPERATION		
18	(A) OPER. EXPENSE	81,273	81,273
19	(B) CONF. & TRAVEL	2,500	2,500
20	(C) PROF. FEES	0	0
21	(D) CAP. OUTLAY	0	0
22	(E) DATA PROC.	<u>0</u>	<u>0</u>
23	TOTAL AMOUNT APPROPRIATED	<u>\$ 225,971</u>	<u>\$ 229,878</u>

24
 25 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HOPE DRUG
 27 LABORATORY OPERATIONS - MISCELLANEOUS AGENCIES FUND ACCOUNT ~~STATE CENTRAL~~
 28 ~~SERVICES FUND~~ CARRY FORWARD. Any unexpended balance of funds remaining on
 29 June 30th of any fiscal year resulting from monies transferred to the
 30 Miscellaneous Agencies Fund Account ~~State Central Services Fund~~ for the
 31 personal services and operating expenses of the Hope Drug Laboratory shall be
 32 carried forward and made available solely for the same purpose after having
 33 prior approval by the Arkansas Legislative Council or Joint Budget Committee.
 34 Determining the maximum number of employees and the maximum amount of
 35 appropriation and general revenue funding for a state agency each fiscal year
 36 is the prerogative of the General Assembly. This is usually accomplished by

1 delineating such maximums in the appropriation act(s) for a state agency and
 2 the general revenue allocations authorized for each fund and fund account by
 3 amendment to the Revenue Stabilization law. Further, the General Assembly
 4 has determined that the State Crime Laboratory may operate more efficiently
 5 if some flexibility is provided to the State Crime Laboratory authorizing
 6 broad powers under this Section. Therefore, it is both necessary and
 7 appropriate that the General Assembly maintain oversight by requiring prior
 8 approval of the Legislative Council or Joint Budget Committee as provided by
 9 this section. The requirement of approval by the Legislative Council or
 10 Joint Budget Committee is not a severable part of this section. If the
 11 requirement of approval by the Legislative Council or Joint Budget Committee
 12 is ruled unconstitutional by a court of competent jurisdiction, this entire
 13 section is void.

14
 15 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDING
 17 TRANSFER. Effective July 1, ~~2003~~ 2005, the Chief Fiscal Officer of the State
 18 shall transfer on his books and those of the State Treasurer the sum of five
 19 hundred forty thousand six hundred sixty four dollars (\$540,664) ~~one hundred~~
 20 ~~three thousand nine hundred sixty four dollars (\$103,964)~~ from the Special
 21 State Assets Forfeiture Fund to the Miscellaneous Agencies Fund Account ~~State~~
 22 ~~Central Services Fund as a direct revenue~~ to provide funds solely for the
 23 appropriations authorized herein for the regular salaries, personal services
 24 matching and maintenance and general operation of the Hope Drug Lab for the
 25 biennial period ending June 30, ~~2005~~ 2007.

26
 27 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND
 29 BALANCES - DNA DETECTION FUND. (A) For all appropriations as provided in
 30 this Act, the agency disbursing officer shall monitor the level of fund
 31 balances in relation to expenditures on a monthly basis. If any proposed
 32 expenditures would cause the DNA Detection fund to decline below six thousand
 33 one hundred twenty seven dollars (\$6,127), the disbursing officer shall
 34 immediately notify the executive head of the agency. Prior to any
 35 obligations being made under these circumstances, the agency head shall file
 36 written documentation with the Chief Fiscal Officer of the State requesting

1 approval of the expenditures. Such documentation shall provide sufficient
2 financial data to justify the expenditures and shall include the following:

- 3 1) a plan that clearly indicates the specific fiscal impact of such
4 expenditures on the fund balance.
- 5 2) information clearly indicating and explaining what programs would be cut
6 or any other measures to be taken by the agency to restore the fund balance.
- 7 3) the extent to which any of the planned expenditures are for one-time costs
8 or one-time purchase of capitalized items.
- 9 4) a statement certifying that the expenditure of fund balances will not
10 jeopardize the financial health of the agency, nor result in a permanent
11 depletion of the fund balance.

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

15 The provisions of this section shall be in effect only from July 1, 2003
16 2005 through June 30, ~~2005~~ 2007.

17
18 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
20 PROVISION. Upon seeking and receiving approval from the Chief Fiscal Officer
21 of the State and review and approval by the Arkansas Legislative Council or
22 Joint Budget Committee, the Director of the State Crime Laboratory is
23 authorized to transfer appropriation from any line item authorized in the
24 State Operations Section of this Act to any line item authorized in the Hope
25 Drug Lab Operations Section of this Act.

26 Determining the maximum number of employees and the maximum amount of
27 appropriation and general revenue funding for a state agency each fiscal year
28 is the prerogative of the General Assembly. This is usually accomplished by
29 delineating such maximums in the appropriation act(s) for a state agency and
30 the general revenue allocations authorized for each fund and fund account by
31 amendment to the Revenue Stabilization law. Further, the General Assembly
32 has determined that the State Crime Laboratory may operate more efficiently
33 if some flexibility is provided to the State Crime Laboratory authorizing
34 broad powers under this Section. Therefore, it is both necessary and
35 appropriate that the General Assembly maintain oversight by requiring prior
36 approval of the Legislative Council or Joint Budget Committee as provided by

1 this section. The requirement of approval by the Legislative Council or
2 Joint Budget Committee is not a severable part of this section. If the
3 requirement of approval by the Legislative Council or Joint Budget Committee
4 is ruled unconstitutional by a court of competent jurisdiction, this entire
5 section is void.

6
7 SECTION 11. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
8 by this act shall be limited to the appropriation for such agency and funds
9 made available by law for the support of such appropriations; and the
10 restrictions of the State Procurement Law, the General Accounting and
11 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
12 Procedures and Restrictions Act, or their successors, and other fiscal
13 control laws of this State, where applicable, and regulations promulgated by
14 the Department of Finance and Administration, as authorized by law, shall be
15 strictly complied with in disbursement of said funds.

16
17 SECTION 12. LEGISLATIVE INTENT. It is the intent of the General Assembly
18 that any funds disbursed under the authority of the appropriations contained
19 in this act shall be in compliance with the stated reasons for which this act
20 was adopted, as evidenced by the Agency Requests, Executive Recommendations
21 and Legislative Recommendations contained in the budget manuals prepared by
22 the Department of Finance and Administration, letters, or summarized oral
23 testimony in the official minutes of the Arkansas Legislative Council or
24 Joint Budget Committee which relate to its passage and adoption.

25
26 SECTION 13. EMERGENCY CLAUSE. It is found and determined by the General
27 Assembly, that the Constitution of the State of Arkansas prohibits the
28 appropriation of funds for more than a two (2) year period; that the
29 effectiveness of this Act on July 1, 2005 is essential to the operation of
30 the agency for which the appropriations in this Act are provided, and that in
31 the event of an extension of the Regular Session, the delay in the effective
32 date of this Act beyond July 1, 2005 could work irreparable harm upon the
33 proper administration and provision of essential governmental programs.
34 Therefore, an emergency is hereby declared to exist and this Act being
35 necessary for the immediate preservation of the public peace, health and
36 safety shall be in full force and effect from and after July 1, 2005.