

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 *As Engrossed: H3/15/07 H3/26/07 H3/27/07*

2 86th General Assembly

A Bill

3 Regular Session, 2007

HOUSE BILL 1395

4

5 By: Joint Budget Committee

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For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES AND OPERATING EXPENSES FOR THE
11 DEPARTMENT OF ARKANSAS STATE POLICE FOR THE
12 BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR
13 OTHER PURPOSES.

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Subtitle

17 AN ACT FOR THE DEPARTMENT OF ARKANSAS
18 STATE POLICE APPROPRIATION FOR THE
19 2007-2009 BIENNIUM.

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

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24 *SECTION 1. REGULAR SALARIES. There is hereby established for the*
25 *Department of Arkansas State Police for the 2007-2009 biennium, the following*
26 *maximum number of regular employees whose salaries shall be governed by the*
27 *provisions of the Uniform Classification and Compensation Act (Arkansas Code*
28 *§§21-5-201 et seq.), or its successor, and all laws amendatory thereto.*
29 *Provided, however, that any position to which a specific maximum annual*
30 *salary is set out herein in dollars, shall be exempt from the provisions of*
31 *said Uniform Classification and Compensation Act. All persons occupying*
32 *positions authorized herein are hereby governed by the provisions of the*
33 *Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),*
34 *or its successor.*

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Maximum Annual



				Maximum	Salary Rate	
	Item	Class		No. of	Fiscal Years	
	No.	Code	Title	Employees	2007-2008	2008-2009
4	(1)	9758	DIRECTOR STATE POLICE	1	\$100,919	\$102,937
5	(2)	9515	ASP PROGRAM DIRECTOR	1	\$83,711	\$85,385
6	(3)	7312	PUBLIC INFORMATION OFFICER	1	\$60,008	\$61,200
7	(4)	617Z	STATE POLICE DEP DIR/LT COL	1	GRADE	26
8	(5)	637Z	STATE POLICE MAJOR	4	GRADE	25
9	(6)	645Z	ASP SPECIAL OPERATIONS ADMINISTRATOR	1	GRADE	25
10	(7)	916Z	ASP FISCAL OFFICER	1	GRADE	25
11	(8)	R100	ASP HIGHWAY SAFETY OFFICE ADMIN	1	GRADE	25
12	(9)	R170	ATTORNEY SPECIALIST	2	GRADE	25
13	(10)	R080	STATISTICAL ANALYSIS MANAGER	1	GRADE	24
14	(11)	T007	STATE POLICE CAPTAIN	20	GRADE	24
15	(12)	D130	INFORMATION SYSTEMS ADMINISTRATOR	1	GRADE	24
16	(13)	X363	ASP/CACD CHIEF ADMINISTRATOR	1	GRADE	24
17	(14)	X364	ASP COMPLIANCE ADMINISTRATOR	1	GRADE	23
18	(15)	M049	ASP HUMAN RESOURCES MANAGER	1	GRADE	23
19	(16)	D100	DP SENIOR PROJECT LEADER	3	GRADE	23
20	(17)	A083	AGENCY CONTROLLER - SMALL AGENCY	1	GRADE	23
21	(18)	T011	STATE POLICE LIEUTENANT	30	GRADE	23
22	(19)	T077	FIRE MARSHAL/EXPLOSIVE TEAM COORDIN	1	GRADE	23
23	(20)	T051	STATE POLICE SERGEANT	83	GRADE	22
24	(21)	X327	ASP/CACD INVESTIGATOR ADMINISTRATOR	1	GRADE	22
25	(22)	X344	ASP/CACD HOTLINE ADMINISTRATOR	1	GRADE	22
26	(23)	D066	SYSTEMS COORDINATION ANALYST II	1	GRADE	22
27	(24)	A032	AGENCY FISCAL MANAGER	1	GRADE	22
28	(25)	909Z	PROGRAM SUPPORT MANAGER	5	GRADE	22
29	(26)	D124	LEAD PROGRAMMER/ANALYST	2	GRADE	22
30	(27)	E051	TRAINING PROJECT MANAGER	1	GRADE	22
31	(28)	D036	SR PROGRAMMER/ANALYST	2	GRADE	21
32	(29)	D123	APPLICATIONS & SYSTEMS ANALYST	1	GRADE	21
33	(30)	A008	ACCOUNTING SUPERVISOR II	4	GRADE	21
34	(31)	B027	FORENSIC SPECIALIST	2	GRADE	21
35	(32)	T033	STATE POLICE CORPORAL	494	GRADE	21
36	(33)	R298	AGENCY PROGRAM COORDINATOR	5	GRADE	21

1	(34)	X317	ASP DL/CDL COORDINATOR	2	GRADE 21
2	(35)	X320	ASP/CACD INVESTIGATOR SUPERVISOR	9	GRADE 21
3	(36)	T079	MGR DIVERSION INVESTIGATION UNIT	1	GRADE 21
4	(37)	V012	PURCHASING MANAGER	1	GRADE 21
5	(38)	R266	MANAGEMENT PROJECT ANALYST II	1	GRADE 20
6	(39)	X347	ASP/CACD SENIOR INVESTIGATOR	63	GRADE 20
7	(40)	N333	MEDIA SPECIALIST	1	GRADE 20
8	(41)	G120	PLANT MAINTENANCE COORDINATOR	1	GRADE 20
9	(42)	D132	SYSTEMS COORDINATION ANALYST I	3	GRADE 19
10	(43)	959Z	AFIS ANALYST MANAGER	1	GRADE 19
11	(44)	R168	GRANTS COORDINATOR II	4	GRADE 19
12	(45)	R030	ASST PERSONNEL MANAGER	1	GRADE 19
13	(46)	X334	ASP/CACD HOTLINE SUPERVISOR	4	GRADE 19
14	(47)	Y015	AVIATION TECHNICIAN	1	GRADE 19
15	(48)	X401	ASP USED MOTOR VEHICLE INSPECTOR	10	GRADE 18
16	(49)	W030	RECORDS MANAGEMENT ANALYST II	5	GRADE 18
17	(50)	X296	INVESTIGATIVE/ANALYST	2	GRADE 18
18	(51)	T069	DRUG DIVERSION INVESTIGATOR	2	GRADE 18
19	(52)	V034	PLANT WAREHOUSE FOREMAN	1	GRADE 18
20	(53)	R264	MANAGEMENT PROJECT ANALYST I	2	GRADE 18
21	(54)	A111	ACCOUNTANT	2	GRADE 18
22	(55)	E072	TRAINING INSTRUCTOR	1	GRADE 18
23	(56)	C037	TELECOMMUNICATIONS SUPERVISOR	12	GRADE 18
24	(57)	G161	GENERAL MAINTENANCE REPAIRMAN	1	GRADE 17
25	(58)	R430	ADMINISTRATIVE OFFICER	2	GRADE 17
26	(59)	R190	PERSONNEL OFFICER II	1	GRADE 17
27	(60)	N355	PHOTOGRAPHER	2	GRADE 17
28	(61)	R010	ADMINISTRATIVE ASSISTANT II	5	GRADE 17
29	(62)	W028	RECORDS MANAGEMENT ANALYST I	1	GRADE 17
30	(63)	X343	ASP/CACD HOTLINE OPERATOR	28	GRADE 17
31	(64)	Y003	AUTO/DIESEL MECHANIC	1	GRADE 17
32	(65)	Y039	HEATING & A/C MECHANIC	1	GRADE 17
33	(66)	Y049	INSTRUMENTATION TECHNICIAN II	1	GRADE 17
34	(67)	Y053	JOURNEYMAN CARPENTER	1	GRADE 17
35	(68)	W001	ASP AFIS TECHNICIAN	20	GRADE 16
36	(69)	C008	COMMUNICATION TECH II	1	GRADE 16

1	(70)	C035	ASP TELECOMMUNICATIONS OPERATOR	72	GRADE 16
2	(71)	A063	PAYROLL OFFICER	2	GRADE 15
3	(72)	A108	ACCOUNTING TECHNICIAN II	6	GRADE 15
4	(73)	R009	ADMINISTRATIVE ASSISTANT I	1	GRADE 15
5	(74)	T047	SECURITY OFFICER III	5	GRADE 15
6	(75)	X382	ASP DRIVERS LICENSE EXAMINER	53	GRADE 15
7	(76)	W005	FINGERPRINT TECH	7	GRADE 14
8	(77)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	1	GRADE 14
9	(78)	K042	ASP ADMINISTRATIVE SPECIALIST	25	GRADE 14
10	(79)	K117	MEDICAL OR LEGAL SECRETARY	2	GRADE 14
11	(80)	K153	SECRETARY II	21	GRADE 13
12	(81)	K002	CASHIER III	3	GRADE 13
13	(82)	K039	DOCUMENT EXAMINER II	20	GRADE 12
14	(83)	K155	SECRETARY I	2	GRADE 11
15	(84)	K103	REPROD EQUIPMENT OPERATOR	<u>1</u>	GRADE 10
16			MAX. NO. OF EMPLOYEES	1,092	

18 SECTION 2. EXTRA HELP. There is hereby authorized, for the Department of
 19 Arkansas State Police for the 2007-2009 biennium, the following maximum
 20 number of part-time or temporary employees, to be known as "Extra Help",
 21 payable from funds appropriated herein for such purposes: twenty (20)
 22 temporary or part-time employees, when needed, at rates of pay not to exceed
 23 those provided in the Uniform Classification and Compensation Act, or its
 24 successor, or this act for the appropriate classification.

26 SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated, to
 27 the Department of Arkansas State Police, to be payable from the Department of
 28 Arkansas State Police Fund, for personal services and operating expenses of
 29 the Department of Arkansas State Police - Operations for the biennial period
 30 ending June 30, 2009, the following:

32	ITEM	FISCAL YEARS	
33	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
34	(01) REGULAR SALARIES	\$ 40,424,891	\$ 42,799,755
35	(02) EXTRA HELP	116,560	116,560
36	(03) PERSONAL SERVICES MATCHING	21,866,700	23,715,828

1	(04) OVERTIME	250,000	250,000
2	(05) MAINT. & GEN. OPERATION		
3	(A) OPER. EXPENSE	11,948,610	12,605,323
4	(B) CONF. & TRAVEL	230,000	230,000
5	(C) PROF. FEES	273,500	273,500
6	(D) CAP. OUTLAY	313,750	100,000
7	(E) DATA PROC.	20,000	20,000
8	(06) COVERT OPERATIONS	<u>125,000</u>	<u>125,000</u>
9	TOTAL AMOUNT APPROPRIATED	<u>\$ 75,569,011</u>	<u>\$ 80,235,966</u>

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11 SECTION 4. APPROPRIATION - VARIOUS FEDERAL PROGRAMS. There is hereby
 12 appropriated, to the Department of Arkansas State Police, to be payable from
 13 the federal funds as designated by the Chief Fiscal Officer of the State, for
 14 personal services and operating expenses of the Department of Arkansas State
 15 Police - Federal Programs for the biennial period ending June 30, 2009, the
 16 following:

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18	ITEM	FISCAL YEARS	
19	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
20	(01) PERSONAL SERVICES MATCHING	\$ 68,028	\$ 68,028
21	(02) OVERTIME	222,602	222,602
22	(03) MAINT. & GEN. OPERATION		
23	(A) OPER. EXPENSE	961,546	961,546
24	(B) CONF. & TRAVEL	54,926	54,926
25	(C) PROF. FEES	3,000	3,000
26	(D) CAP. OUTLAY	1,805,842	1,805,842
27	(E) DATA PROC.	0	0
28	(04) LOCAL LAW ENFORCEMENT AGENCY GRANTS	<u>63,000</u>	<u>63,000</u>
29	TOTAL AMOUNT APPROPRIATED	<u>\$ 3,178,944</u>	<u>\$ 3,178,944</u>

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31 SECTION 5. APPROPRIATION - AUTOMATED FINGERPRINT IDENTIFICATION SYSTEM
 32 (AFIS). There is hereby appropriated, to the Department of Arkansas State
 33 Police, to be payable from the State Police Equipment Fund, for operating
 34 expenses of the Department of Arkansas State Police - Automated Fingerprint
 35 Identification System for the biennial period ending June 30, 2009, the
 36 following:

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ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	\$ 886,000	\$ 886,000
(B) CONF. & TRAVEL	19,000	19,000
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	450,000	450,000
(E) DATA PROC.	<u>32,000</u>	<u>32,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 1,387,000</u>	<u>\$ 1,387,000</u>

SECTION 6. APPROPRIATION - CONFISCATED FUNDS TRANSFER. There is hereby appropriated, to the Department of Arkansas State Police, to be payable from the Court Awards Fund, for fund transfers, refunds and investments of the Department of Arkansas State Police - Confiscated Funds Transfer for the biennial period ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) REFUNDS-INVEST-TRANSFER	<u>\$ 3,000,000</u>	<u>\$ 3,000,000</u>

SECTION 7. APPROPRIATION - CRIMINAL BACKGROUND CHECKS. There is hereby appropriated, to the Department of Arkansas State Police, to be payable from the State Police Equipment Fund, for personal services and operating expenses of the Department of Arkansas State Police - Criminal Background Checks for the biennial period ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) REGULAR SALARIES	\$ 304,984	\$ 311,076
(02) PERSONAL SERVICES MATCHING	179,218	191,496
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	1,750,000	1,750,000
(B) CONF. & TRAVEL	20,000	20,000
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	10,000	10,000

1	(E) DATA PROC.	<u>0</u>	<u>0</u>
2	TOTAL AMOUNT APPROPRIATED	<u>\$ 2,264,202</u>	<u>\$ 2,282,572</u>

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 4 SECTION 8. APPROPRIATION - METHAMPHETAMINE INVESTIGATION - FEDERAL. There
 5 is hereby appropriated, to the Department of Arkansas State Police, to be
 6 payable from the federal funds as designated by the Chief Fiscal Officer of
 7 the State, for personal services and operating expenses of the Department of
 8 Arkansas State Police - Methamphetamine Investigation for the biennial period
 9 ending June 30, 2009, the following:

11	ITEM	FISCAL YEARS	
12	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
13	(01) PERSONAL SERVICES MATCHING	\$ 38,199	\$ 38,199
14	(02) OVERTIME	125,000	125,000
15	(03) MAINT. & GEN. OPERATION		
16	(A) OPER. EXPENSE	250,000	250,000
17	(B) CONF. & TRAVEL	20,537	20,537
18	(C) PROF. FEES	35,000	35,000
19	(D) CAP. OUTLAY	130,000	130,000
20	(E) DATA PROC.	<u>0</u>	<u>0</u>
21	TOTAL AMOUNT APPROPRIATED	<u>\$ 598,736</u>	<u>\$ 598,736</u>

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 23 SECTION 9. APPROPRIATION - HIGHWAY SAFETY PROGRAM - FEDERAL. There is
 24 hereby appropriated, to the Department of Arkansas State Police, to be
 25 payable from the Department of Arkansas State Police Fund, for personal
 26 services, operating expenses and grants of the Department of Arkansas State
 27 Police - Highway Safety Program - Federal for the biennial period ending June
 28 30, 2009, the following:

30	ITEM	FISCAL YEARS	
31	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
32	(01) REGULAR SALARIES	\$ 540,758	\$ 551,566
33	(02) EXTRA HELP	90,370	90,370
34	(03) PERSONAL SERVICES MATCHING	480,833	494,864
35	(04) OVERTIME	717,500	717,500
36	(05) MAINT. & GEN. OPERATION		

1	(A) OPER. EXPENSE	3,988,182	3,988,182
2	(B) CONF. & TRAVEL	72,106	72,106
3	(C) PROF. FEES	5,570,250	5,570,250
4	(D) CAP. OUTLAY	370,000	370,000
5	(E) DATA PROC.	0	0
6	(06) HIGHWAY SAFETY GRANTS	<u>36,337,969</u>	<u>36,337,969</u>
7	TOTAL AMOUNT APPROPRIATED	<u>\$ 48,167,968</u>	<u>\$ 48,192,807</u>

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9 SECTION 10. APPROPRIATION - HIGHWAY SAFETY PROGRAM - STATE. There is
 10 hereby appropriated, to the Department of Arkansas State Police, to be
 11 payable from the Child Passenger Protection Fund, for personal services,
 12 operating expenses, and Highway Safety Program Grants of the Department of
 13 Arkansas State Police - Highway Safety Program - State for the biennial
 14 period ending June 30, 2009, the following:

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16	ITEM	FISCAL YEARS	
17	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
18	(01) REGULAR SALARIES	\$ 33,760	\$ 34,435
19	(02) PERSONAL SERVICES MATCHING	13,905	14,545
20	(03) MAINT. & GEN. OPERATION		
21	(A) OPER. EXPENSE	10,000	10,000
22	(B) CONF. & TRAVEL	0	0
23	(C) PROF. FEES	0	0
24	(D) CAP. OUTLAY	0	0
25	(E) DATA PROC.	0	0
26	(04) HIGHWAY SAFETY PROGRAM GRANTS	<u>210,987</u>	<u>210,987</u>
27	TOTAL AMOUNT APPROPRIATED	<u>\$ 268,652</u>	<u>\$ 269,967</u>

28

29 SECTION 11. APPROPRIATION - ARKANSAS WIRELESS INFORMATION NETWORK -
 30 FEDERAL. There is hereby appropriated, to the Department of Arkansas State
 31 Police, to be payable from the federal funds as designated by the Chief
 32 Fiscal Officer of the State, for operating expenses of the Department of
 33 Arkansas State Police - Arkansas Wireless Information Network for the
 34 biennial period ending June 30, 2009, the following:

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36	ITEM	FISCAL YEARS	
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NO.	2007-2008	2008-2009
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	\$ 2,550,000	\$ 2,550,000
(B) CONF. & TRAVEL	0	0
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	12,651,441	12,651,441
(E) DATA PROC.	0	0
(02) CONSTRUCTION	<u>1,500,000</u>	<u>1,500,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 16,701,441</u>	<u>\$ 16,701,441</u>

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11 SECTION 12. APPROPRIATION - ARKANSAS WIRELESS INFORMATION NETWORK -
 12 GENERAL REVENUE. There is hereby appropriated, to the Department of Arkansas
 13 State Police, to be payable from the Department of Arkansas State Police
 14 Fund, for operations, maintenance, equipment and various system requirements
 15 and expenses of the Department of Arkansas State Police - Arkansas Wireless
 16 Information Network for the biennial period ending June 30, 2009, the
 17 following:

18

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	\$ 7,314,000	\$ 7,139,500
(B) CONF. & TRAVEL	80,000	60,000
(C) PROF. FEES	138,235	138,235
(D) CAP. OUTLAY	1,344,000	1,150,000
(E) DATA PROC.	<u>140,000</u>	<u>124,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 9,016,235</u>	<u>\$ 8,611,735</u>

28

29 SECTION 13. APPROPRIATION. There is hereby appropriated, to the
 30 Department of Arkansas State Police, to be payable from the General
 31 Improvement Fund or its successor fund or fund accounts, for the Child Abuse
 32 Hotline and/or other programs to protect abused and neglected children, the
 33 sum of\$1,000,000.

34

35 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL

1 RATES OF PAY. Due to the necessity of maintaining public safety and the
 2 highly competitive job market conditions for law enforcement personnel, the
 3 Arkansas State Police is authorized special rates of pay up to Pay Level IV
 4 of the respective grade for all current and new Commissioned employees
 5 holding the rank of:

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 7 617Z State Police Deputy Director/Lieutenant Colonel Grade 26
 8 637Z State Police Major Grade 25
 9 T007 State Police Captain Grade 24
 10 T011 State Police Lieutenant Grade 23
 11 T051 State Police Sergeant Grade 22
 12 T033 State Police Corporal Grade 21
 13 T054 Trooper First Class Grade 20
 14 T039 State Police Trooper Grade 19

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 16 Current commissioned uniformed employees whose salaries are awarded a one
 17 time adjustment and whose salaries exceed Pay Level IV, shall not be
 18 considered as exceeding the line item maximum of the employee's assigned
 19 grade.

20 Additionally, the following positions shall be authorized special rates of
 21 pay up to Pay Level IV of the respective grade for all current and new
 22 employees holding the positions below:

23
 24 T079 Manager Diversion Investigation Unit Grade 21
 25 T069 Drug Diversion Investigator Grade 18
 26 C037 Telecommunications Supervisor Grade 18
 27 C035 ASP Telecommunications Operator Grade 16
 28 X382 ASP Driver's License Examiner Grade 15
 29 X317 ASP DL/CDL Coordinator Grade 21
 30 X363 ASP/CACD Chief Administrator Grade 24
 31 X327 ASP/CACD Investigator Administrator Grade 22
 32 X344 ASP/CACD Hotline Administrator Grade 22
 33 X343 ASP/CACD Hotline Operator Grade 17
 34 X334 ASP/CACD Hotline Supervisor Grade 19
 35 X321 ASP/CACD Investigator Grade 19
 36 X320 ASP/CACD Investigator Supervisor Grade 21

1 X347 ASP/CACD Senior Investigator Grade 20

2
3 Current employees whose salaries are awarded a one time adjustment and whose
4 salaries exceed Pay Level IV, shall be eligible to receive such adjustment,
5 not to exceed six percent, in a lump sum payment and such payment shall not
6 be construed as exceeding the maximum salary for the grade.

7 As a pre-requisite to implementation of the rates of pay authorized in this
8 section, the Arkansas State Police shall submit a salary structure and
9 administration plan that addresses the recruiting and retention needs of the
10 Department for approval by the Chief Fiscal Officer of the State and approval
11 by the Arkansas Legislative Council or Joint Budget Committee.

12
13 Determining the maximum number of employees and the maximum amount of
14 appropriation and general revenue funding for a state agency each fiscal year
15 is the prerogative of the General Assembly. This is usually accomplished by
16 delineating such maximums in the appropriation act(s) for a state agency and
17 the general revenue allocations authorized for each fund and fund account by
18 amendment to the Revenue Stabilization law. Further, the General Assembly
19 has determined that the Department of Arkansas State Police may operate more
20 efficiently if some flexibility is provided to the Department of Arkansas
21 State Police authorizing broad powers under this Section. Therefore, it is
22 both necessary and appropriate that the General Assembly maintain oversight
23 by requiring prior approval of the Legislative Council or Joint Budget
24 Committee as provided by this section. The requirement of approval by the
25 Legislative Council or Joint Budget Committee is not a severable part of this
26 section. If the requirement of approval by the Legislative Council or Joint
27 Budget Committee is ruled unconstitutional by a court of competent
28 jurisdiction, this entire section is void.

29 The provisions of this section shall be in full force and effect for the
30 biennium beginning July 1, 2007 and ending June 30, 2009.

31
32 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
34 PROMOTIONAL ITEMS. The Department of Arkansas State Police is hereby
35 authorized to purchase from Maintenance & General Operations Classifications
36 in the Operations Appropriation provided by this Act, up to an amount not to

1 exceed \$2,500 each fiscal year, promotional items, authorized by the Director
2 of the Department to meet requirements of the Arkansas State Police Strategic
3 Recruitment Plan.

4 The provisions of this section shall be in effect only from July 1, 2007
5 through June 30, 2009.

6
7 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
8 CODE NOR PUBLISHED SEPARATELY, LOCAL AND TEMPORARY LAW. COURT AWARDS FUND
9 TRANSFER PROVISION. Monies deposited in the Court Awards Fund each fiscal
10 year may be used for motor vehicle purchases and associated taxes and/or
11 motor vehicle equipping and renovation costs, agency operational needs and
12 capital improvements for the Department of Arkansas State Police. Provided
13 however, funds received from the Special State Assets Forfeiture Fund shall
14 be deposited into the Court Awards Fund to be used by the Department of
15 Arkansas State Police for law enforcement purposes consistent with governing
16 federal law. The Department of Arkansas State Police may also request a fund
17 transfer from the Court Awards Fund or the Arkansas State Police Fund to the
18 Motor Vehicle Acquisition Revolving Fund. The provisions of this section
19 shall be subject to prior review and approval of the Arkansas Legislative
20 Council or Joint Budget Committee.

21 Determining the maximum number of employees and the maximum amount of
22 appropriation and general revenue funding for a state agency each fiscal year
23 is the prerogative of the General Assembly. This is usually accomplished by
24 delineating such maximums in the appropriation act(s) for a state agency and
25 the general revenue allocations authorized for each fund and fund account by
26 amendment to the Revenue Stabilization law. Further, the General Assembly
27 has determined that the Department of Arkansas State Police may operate more
28 efficiently if some flexibility is provided to the Department of Arkansas
29 State Police authorizing broad powers under this Section. Therefore, it is
30 both necessary and appropriate that the General Assembly maintain oversight
31 by requiring prior approval of the Legislative Council or Joint Budget
32 Committee as provided by this section. The requirement of approval by the
33 Legislative Council or Joint Budget Committee is not a severable part of this
34 section. If the requirement of approval by the Legislative Council or Joint
35 Budget Committee is ruled unconstitutional by a court of competent
36 jurisdiction, this entire section is void.

1 The provisions of this section shall be in effect only from July 1, 2007
2 through June 30, 2009.

3
4 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
5 CODE NOR PUBLISHED SEPARATELY, LOCAL AND TEMPORARY LAW. TRANSFER PROVISION.
6 The Department of Arkansas State Police is hereby authorized, after seeking
7 the approval of the Chief Fiscal Officer of the State, to request transfer
8 from the appropriation made herein for "Confiscated Funds Transfer" to the
9 Maintenance and General Operations classifications established in the
10 operations appropriation of the Department of Arkansas State Police, and may
11 be used for motor vehicle purchases and associated taxes and/or motor vehicle
12 equipping/renovation costs, agency operational needs and capital improvements
13 for the Department of Arkansas State Police. Fund transfers may be requested
14 from the Court Awards Fund to the Department of Arkansas State Police Fund in
15 the same amount and for the same purposes as the appropriation transfer
16 requested under the provisions of this section. The provisions of this
17 section shall be subject to prior review and approval of the Arkansas
18 Legislative Council or Joint Budget Committee.

19 Determining the maximum number of employees and the maximum amount of
20 appropriation and general revenue funding for a state agency each fiscal year
21 is the prerogative of the General Assembly. This is usually accomplished by
22 delineating such maximums in the appropriation act(s) for a state agency and
23 the general revenue allocations authorized for each fund and fund account by
24 amendment to the Revenue Stabilization law. Further, the General Assembly
25 has determined that the Department of Arkansas State Police may operate more
26 efficiently if some flexibility is provided to the Department of Arkansas
27 State Police authorizing broad powers under this Section. Therefore, it is
28 both necessary and appropriate that the General Assembly maintain oversight
29 by requiring prior approval of the Legislative Council or Joint Budget
30 Committee as provided by this section. The requirement of approval by the
31 Legislative Council or Joint Budget Committee is not a severable part of this
32 section. If the requirement of approval by the Legislative Council or Joint
33 Budget Committee is ruled unconstitutional by a court of competent
34 jurisdiction, this entire section is void.

35 The provisions of this section shall be in effect only from July 1, 2007
36 through June 30, 2009.

1
2 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
3 CODE NOR PUBLISHED SEPARATELY, LOCAL AND TEMPORARY LAW. MOTOR VEHICLE
4 ACQUISITION REVOLVING FUND – MOTOR VEHICLE PURCHASES/RENOVATION. At least
5 fifty percent (50%) of the general revenues and/or general improvement funds
6 deposited into the Motor Vehicle Acquisition Revolving Fund shall be used for
7 motor vehicle purchases and/or motor vehicle renovation costs for the
8 Department of Arkansas State Police. The provisions of this section shall be
9 in effect only from July 1, 2007 through June 30, 2009.

10
11 SECTION 19. 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
17 Special Law Enforcement Task Forces and other special programs reimbursable
18 to Arkansas State Police by federal or local authorities as approved by the
19 Director of the Department of Arkansas State Police. All such overtime
20 payments shall be processed through the State Accounting System and shall be
21 in addition to the Regular Salaries and benefits accruing to the employee.

22 The provisions of this section shall be in effect only from July 1, ~~2005~~
23 2007 through June 30, ~~2007~~ 2009.

24
25 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MOTOR
27 VEHICLE PURCHASE. The Department of Arkansas State Police is hereby
28 authorized to purchase motor vehicles from the appropriations authorized for
29 Capital Outlay in the State Police Operations appropriation in this Act.

30 Motor vehicles donated to Arkansas State Police and confiscated vehicles
31 used for Arkansas State Police operations shall not be included in the
32 maximum number of authorized passenger vehicles.

33 The provisions of this section shall be in effect only from July 1, ~~2005~~
34 2007 through June 30, ~~2007~~ 2009.

35
36 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. UNIFORM
2 EMPLOYEE HEALTH INSURANCE PROGRAM REPORTING. The Department of Arkansas
3 State Police shall report monthly to the Governor, the Chief Fiscal Officer
4 of the State and to the Arkansas Legislative Council or Joint Budget
5 Committee regarding the activity and condition for the uniformed employee
6 health insurance plan. The report shall include, but not limited to, the
7 beginning reserve fund balance, contributions made during the month, claims
8 paid, and the ending fund balance of the month. In the event it is determined
9 that the cost to adequately maintain the uniform employee health insurance
10 plan is not feasible within the existing resources available to the
11 department, the ~~85th~~ 86th General Assembly shall study the feasibility and
12 desirability of discontinuing the self-insurance program and instead provide
13 medical and hospital insurance to uniform employees through the public
14 employees insurance program.

15 The provisions of this section shall be in effect only from July 1, ~~2005~~
16 2007 through June 30, ~~2007~~ 2009.

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

27

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

36

1 SECTION 24. EMERGENCY CLAUSE. It is found and determined by the General
2 Assembly, that the Constitution of the State of Arkansas prohibits the
3 appropriation of funds for more than a two (2) year period; that the
4 effectiveness of this Act on July 1, 2007 is essential to the operation of
5 the agency for which the appropriations in this Act are provided, and that in
6 the event of an extension of the Regular Session, the delay in the effective
7 date of this Act beyond July 1, 2007 could work irreparable harm upon the
8 proper administration and provision of essential governmental programs.
9 Therefore, an emergency is hereby declared to exist and this Act being
10 necessary for the immediate preservation of the public peace, health and
11 safety shall be in full force and effect from and after July 1, 2007.

12
13 */s/ Joint Budget Committee*
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