

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 87th General Assembly
3 Regular Session, 2009

A Bill

HOUSE BILL 1243

4
5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS
11 CRIME INFORMATION CENTER FOR THE FISCAL YEAR
12 ENDING JUNE 30, 2010; AND FOR OTHER PURPOSES.
13

Subtitle

14
15 AN ACT FOR THE ARKANSAS CRIME
16 INFORMATION CENTER APPROPRIATION FOR THE
17 2009-2010 FISCAL YEAR.
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 Arkansas
24 Crime Information Center for the 2009-2010 fiscal year, the following maximum
25 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
29 salary is set out herein in dollars, shall be exempt from the provisions of
30 said Uniform Classification and Compensation Act. All persons occupying
31 positions authorized herein are hereby governed by the provisions of the
32 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),
33 or its successor.
34

35 Maximum Annual
36 Maximum Salary Rate



1	Item	Class		No. of	Fiscal Year
2	No.	Code	Title	Employees	2009-2010
3	(1)	U069U	ACIC DIRECTOR	1	\$98,137
4	(2)	G052C	ACIC DIVISION MANAGER	3	GRADE C126
5	(3)	G076C	ADMINISTRATIVE SERVICES MANAGER	1	GRADE C124
6	(4)	D030C	INFORMATION SYSTEMS COORDINATOR	2	GRADE C124
7	(5)	D052C	SOFTWARE SUPPORT ANALYST	1	GRADE C121
8	(6)	A045C	STATISTICAL ANALYSIS MANAGER	1	GRADE C121
9	(7)	D051C	SYSTEMS APPLICATIONS SUPERVISOR	1	GRADE C121
10	(8)	G158C	ACIC PROGRAM MANAGER	5	GRADE C119
11	(9)	A074C	FISCAL SUPPORT SUPERVISOR	1	GRADE C118
12	(10)	D065C	NETWORK SUPPORT ANALYST	2	GRADE C118
13	(11)	D073C	ACIC FIELD AGENT	7	GRADE C117
14	(12)	G192C	ACIC PROGRAM ANALYST	6	GRADE C117
15	(13)	D072C	ACIC SYSTEMS SUPERVISOR	1	GRADE C117
16	(14)	E045C	ACIC TRAINING COORDINATOR	1	GRADE C117
17	(15)	D067C	INFO SYSTEMS SECURITY ANALYST	1	GRADE C117
18	(16)	E046C	TRAINING INSTRUCTOR	1	GRADE C116
19	(17)	D080C	ACIC SYSTEMS SPECIALIST	7	GRADE C115
20	(18)	C037C	ADMINISTRATIVE ANALYST	1	GRADE C115
21	(19)	D079C	COMPUTER SUPPORT TECHNICIAN	4	GRADE C115
22	(20)	C056C	ADMINISTRATIVE SPECIALIST III	2	GRADE C112
23	(21)	A098C	FISCAL SUPPORT SPECIALIST	1	GRADE C112
24	(22)	C073C	ADMINISTRATIVE SPECIALIST II	<u>22</u>	GRADE C109
25			MAX. NO. OF EMPLOYEES	72	

26

27 SECTION 2. APPROPRIATION - OPERATIONS. There is hereby appropriated, to
 28 the Arkansas Crime Information Center, to be payable from the Crime
 29 Information System Fund, for personal services and operating expenses of the
 30 Arkansas Crime Information Center - Operations for the fiscal year ending
 31 June 30, 2010, the following:

32

33	ITEM		FISCAL YEAR
34	NO.		2009-2010
35	(01)	REGULAR SALARIES	\$ 2,529,565
36	(02)	PERSONAL SERVICES MATCHING	826,395

1	(03) MAINT. & GEN. OPERATION	
2	(A) OPER. EXPENSE	755,041
3	(B) CONF. & TRAVEL	40,000
4	(C) PROF. FEES	1,840,907
5	(D) CAP. OUTLAY	132,500
6	(E) DATA PROC.	1,085,850
7	(04) CONTINGENCY	500,000
8	(05) UPDATE/EXPAND/IMPROVE	<u>120,000</u>
9	TOTAL AMOUNT APPROPRIATED	<u>\$ 7,830,258</u>

10

11 SECTION 3. APPROPRIATION - CRIMINAL HISTORY IMPROVEMENT PROGRAM - FEDERAL.
 12 There is hereby appropriated, to the Arkansas Crime Information Center, to be
 13 payable from the federal funds as designated by the Chief Fiscal Officer of
 14 the State, for operating expenses of the Arkansas Crime Information Center -
 15 Criminal History Improvement Program for the fiscal year ending June 30,
 16 2010, the following:

17

18	ITEM	FISCAL YEAR
19	<u>NO.</u>	<u>2009-2010</u>
20	(01) REGULAR SALARIES	\$ 124,097
21	(02) PERSONAL SERVICES MATCHING	46,988
22	(03) MAINT. & GEN. OPERATION	
23	(A) OPER. EXPENSE	131,920
24	(B) CONF. & TRAVEL	0
25	(C) PROF. FEES	445,686
26	(D) CAP. OUTLAY	31,000
27	(E) DATA PROC.	<u>0</u>
28	TOTAL AMOUNT APPROPRIATED	<u>\$ 779,691</u>

29

30 SECTION 4. APPROPRIATION - SYSTEMS CONFERENCE. There is hereby
 31 appropriated, to the Arkansas Crime Information Center, to be payable from
 32 the cash fund deposited in the State Treasury as determined by the Chief
 33 Fiscal Officer of the State, for operating expenses of the Arkansas Crime
 34 Information Center - Systems Conference for the fiscal year ending June 30,
 35 2010, the following:

36

1	ITEM	FISCAL YEAR
2	<u>NO.</u>	<u>2009-2010</u>
3	(01) MAINT. & GEN. OPERATION	
4	(A) OPER. EXPENSE	\$ 50,000
5	(B) CONF. & TRAVEL	10,000
6	(C) PROF. FEES	0
7	(D) CAP. OUTLAY	0
8	(E) DATA PROC.	<u>0</u>
9	TOTAL AMOUNT APPROPRIATED	<u>\$ 60,000</u>

10

11 SECTION 5. APPROPRIATION - SEX/CHILD OFFENDER REGISTRATION PROGRAM. There
 12 is hereby appropriated, to the Arkansas Crime Information Center, to be
 13 payable from the Sex and Child Offenders Registration Fund, for operating
 14 expenses of the Arkansas Crime Information Center - Sex/Child Offender
 15 Registration Program for the fiscal year ending June 30, 2010, the following:

16

17	ITEM	FISCAL YEAR
18	<u>NO.</u>	<u>2009-2010</u>
19	(01) MAINT. & GEN. OPERATION	
20	(A) OPER. EXPENSE	\$ 50,000
21	(B) CONF. & TRAVEL	0
22	(C) PROF. FEES	0
23	(D) CAP. OUTLAY	0
24	(E) DATA PROC.	<u>0</u>
25	TOTAL AMOUNT APPROPRIATED	<u>\$ 50,000</u>

26

27 SECTION 6. APPROPRIATION - ARKANSAS REAL-TIME ELECTRONIC LOGBOOK. There is
 28 hereby appropriated, to the Arkansas Crime Information Center, to be payable
 29 from the Crime Information System Fund, for personal services and operating
 30 expenses of the Arkansas Crime Information Center - Arkansas Real-Time
 31 Electronic Logbook for the fiscal year ending June 30, 2010, the following:

32

33	ITEM	FISCAL YEAR
34	<u>NO.</u>	<u>2009-2010</u>
35	(01) REGULAR SALARIES	\$ 32,249
36	(02) PERSONAL SERVICES MATCHING	11,157

1	(03) MAINT. & GEN. OPERATION	
2	(A) OPER. EXPENSE	50,000
3	(B) CONF. & TRAVEL	0
4	(C) PROF. FEES	300,000
5	(D) CAP. OUTLAY	0
6	(E) DATA PROC.	<u>0</u>
7	TOTAL AMOUNT APPROPRIATED	<u>\$ 393,406</u>

8

9 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. USE OF
11 CONTINGENCY APPROPRIATION AND FUNDING. ~~To the extent federal funding is not~~
12 ~~available to the Arkansas Crime Information Center during the 2007-2009~~
13 ~~biennium for the Computerized Criminal History Program or the JusticeExchange~~
14 ~~Program~~ In the event additional appropriation becomes necessary that is not
15 authorized or contemplated in Section 2 of this Act and circumstances make it
16 necessary for the Arkansas Crime Information Center to request additional
17 appropriation to carry out the objectives of the Agency, the Contingency
18 Appropriation authorized herein may be used for regular salaries, personal
19 services matching and maintenance and general operation line item
20 appropriations authorized for such programs in this Act. Funding for the
21 Contingency Appropriation authorized herein may be transferred to the
22 appropriate fund or fund account from such excess funds as the Director of
23 the Arkansas Crime Information Center may determine are available from
24 criminal background check fees deposited on behalf of the Arkansas Crime
25 Information Center. Use of the contingency appropriation and funding
26 authorized in this Act shall be approved by the Chief Fiscal Officer of the
27 State and the Arkansas Legislative Council or Joint Budget Committee.

28 Determining the maximum number of employees and the maximum amount of
29 appropriation and general revenue funding for a state agency each fiscal year
30 is the prerogative of the General Assembly. This is usually accomplished by
31 delineating such maximums in the appropriation act(s) for a state agency and
32 the general revenue allocations authorized for each fund and fund account by
33 amendment to the Revenue Stabilization law. Further, the General Assembly
34 has determined that the Arkansas Crime Information Center may operate more
35 efficiently if some flexibility is provided to the Arkansas Crime Information
36 Center authorizing broad powers under this Section. Therefore, it is both

1 necessary and appropriate that the General Assembly maintain oversight by
 2 requiring prior approval of the Legislative Council or Joint Budget Committee
 3 as provided by this section. The requirement of approval by the Legislative
 4 Council or Joint Budget Committee is not a severable part of this section.
 5 If the requirement of approval by the Legislative Council or Joint Budget
 6 Committee is ruled unconstitutional by a court of competent jurisdiction,
 7 this entire section is void.

8
 9 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
 11 FORWARD. At the close of each fiscal year, the Director of the Arkansas
 12 Crime Information Center shall certify to the Chief Fiscal Officer of the
 13 State the amount, if any, of unexpended monies ~~and appropriation~~ in the Crime
 14 Information Center System Fund, or its successor, resulting from the
 15 reimbursement to the Arkansas Crime Information Center by municipal, county,
 16 state or federal governments for teleprocessing services. Any balance of
 17 such monies ~~and appropriation~~ shall be carried forward and made available for
 18 the maintenance, operation, improvement and other necessary expenditures in
 19 providing teleprocessing services to such municipal, county, state, and
 20 federal agencies served by the Arkansas Crime Information Center. The total
 21 amount which is carried forward under the provisions of this section shall be
 22 reported in the Budget Manuals which are presented to the Arkansas
 23 Legislative Council/Joint Budget Committee ~~during the pre-session budget~~
 24 ~~hearings which are held in the fall of each even numbered year.~~
 25 Any carry forward of unexpended balance of ~~appropriation and/or~~ funding as
 26 authorized herein, may be carried forward under the following conditions:
 27 (1) Prior to June 30, ~~2008~~ 2010 the Agency shall by written statement set
 28 forth its reason(s) for the need to carry forward said ~~appropriation and/or~~
 29 funding to the Department of Finance and Administration Office of Budget;
 30 (2) The Department of Finance and Administration Office of Budget shall
 31 report to the Arkansas Legislative Council all amounts carried forward from
 32 the first fiscal year of the biennium to the second fiscal year of the
 33 biennium by the September Arkansas Legislative Council or Joint Budget
 34 Committee meeting in the second fiscal year of the biennial period which
 35 report shall include the name of the Agency, Board, Commission or Institution
 36 and the amount of ~~the appropriation and/or~~ funding carried forward from the

1 first fiscal year to the second fiscal year, the program name or line item,
 2 the funding source ~~of that appropriation~~ and a copy of the written request
 3 set forth in (1) above;

4 (3) Each Agency, Board, Commission or Institution shall provide a written
 5 report to the Arkansas Legislative Council or Joint Budget Committee
 6 containing all information set forth in item (2) above, along with a written
 7 statement as to the current status of the project, contract, purpose etc. for
 8 which the carry forward was originally requested no later than thirty (30)
 9 days prior to the time the Agency, Board, Commission or Institution presents
 10 its budget request to the Arkansas Legislative Council/Joint Budget
 11 Committee; and

12 (4) Thereupon, the Department of Finance and Administration shall include
 13 all information obtained in item (3) above in the ~~biennial~~ budget manuals
 14 and/or a statement of non-compliance by the Agency, Board, Commission or
 15 Institution.

16 The provisions of this section shall be in effect only from July 1, ~~2007~~
 17 2009 through June 30, ~~2009~~ 2010.

18
 19 SECTION 9. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
 20 by this act shall be limited to the appropriation for such agency and funds
 21 made available by law for the support of such appropriations; and the
 22 restrictions of the State Procurement Law, the General Accounting and
 23 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
 24 Procedures and Restrictions Act, or their successors, and other fiscal
 25 control laws of this State, where applicable, and regulations promulgated by
 26 the Department of Finance and Administration, as authorized by law, shall be
 27 strictly complied with in disbursement of said funds.

28
 29 SECTION 10. LEGISLATIVE INTENT. It is the intent of the General Assembly
 30 that any funds disbursed under the authority of the appropriations contained
 31 in this act shall be in compliance with the stated reasons for which this act
 32 was adopted, as evidenced by the Agency Requests, Executive Recommendations
 33 and Legislative Recommendations contained in the budget manuals prepared by
 34 the Department of Finance and Administration, letters, or summarized oral
 35 testimony in the official minutes of the Arkansas Legislative Council or
 36 Joint Budget Committee which relate to its passage and adoption.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

SECTION 11. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year period; that the effectiveness of this Act on July 1, 2009 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 2009 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2009.