

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4

A Bill

HOUSE BILL 1059

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
9 AND OPERATING EXPENSES FOR THE ARKANSAS CRIME
10 INFORMATION CENTER FOR THE FISCAL YEAR ENDING JUNE
11 30, 2014; AND FOR OTHER PURPOSES.
12
13

Subtitle

14 AN ACT FOR THE ARKANSAS CRIME INFORMATION
15 CENTER APPROPRIATION FOR THE 2013-2014
16 FISCAL YEAR.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. REGULAR SALARIES. There is hereby established for the
23 Arkansas Crime Information Center for the 2013-2014 fiscal year, the
24 following maximum number of regular employees.
25

| Item No. | Class Code | Title | Maximum No. of Employees | Maximum Annual Salary Rate Fiscal Year 2013-2014 |
|----------|------------|---------------------------------|--------------------------|--|
| 30 | (1) U069U | ACIC DIRECTOR | 1 | \$106,788 |
| 31 | (2) G052C | ACIC DIVISION MANAGER | 3 | GRADE C126 |
| 32 | (3) G076C | ADMINISTRATIVE SERVICES MANAGER | 1 | GRADE C124 |
| 33 | (4) D030C | INFORMATION SYSTEMS COORDINATOR | 2 | GRADE C124 |
| 34 | (5) D052C | SOFTWARE SUPPORT ANALYST | 3 | GRADE C121 |
| 35 | (6) G158C | ACIC PROGRAM MANAGER | 5 | GRADE C119 |
| 36 | (7) A074C | FISCAL SUPPORT SUPERVISOR | 1 | GRADE C118 |



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|----|------|-------|-------------------------------|-----------|------------|
| 1 | (8) | D065C | NETWORK SUPPORT ANALYST | 2 | GRADE C118 |
| 2 | (9) | D073C | ACIC FIELD AGENT | 7 | GRADE C117 |
| 3 | (10) | G192C | ACIC PROGRAM ANALYST | 8 | GRADE C117 |
| 4 | (11) | D072C | ACIC SYSTEMS SUPERVISOR | 1 | GRADE C117 |
| 5 | (12) | E045C | ACIC TRAINING COORDINATOR | 1 | GRADE C117 |
| 6 | (13) | D080C | ACIC SYSTEMS SPECIALIST | 7 | GRADE C115 |
| 7 | (14) | C037C | ADMINISTRATIVE ANALYST | 1 | GRADE C115 |
| 8 | (15) | D079C | COMPUTER SUPPORT TECHNICIAN | 3 | GRADE C115 |
| 9 | (16) | C056C | ADMINISTRATIVE SPECIALIST III | 2 | GRADE C112 |
| 10 | (17) | A098C | FISCAL SUPPORT SPECIALIST | 1 | GRADE C112 |
| 11 | (18) | C073C | ADMINISTRATIVE SPECIALIST II | <u>26</u> | GRADE C109 |
| 12 | | | MAX. NO. OF EMPLOYEES | 75 | |

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 14 SECTION 2. APPROPRIATION - OPERATIONS. There is hereby appropriated,
 15 to the Arkansas Crime Information Center, to be payable from the Crime
 16 Information System Fund, for personal services and operating expenses of the
 17 Arkansas Crime Information Center - Operations for the fiscal year ending
 18 June 30, 2014, the following:

| 20 | ITEM | FISCAL YEAR |
|----|---------------------------------|---------------------------|
| 21 | <u>NO.</u> | <u>2013-2014</u> |
| 22 | (01) REGULAR SALARIES | \$2,675,642 |
| 23 | (02) PERSONAL SERVICES MATCHING | 987,185 |
| 24 | (03) MAINT. & GEN. OPERATION | |
| 25 | (A) OPER. EXPENSE | 1,970,041 |
| 26 | (B) CONF. & TRAVEL | 40,000 |
| 27 | (C) PROF. FEES | 450,692 |
| 28 | (D) CAP. OUTLAY | 50,000 |
| 29 | (E) DATA PROC. | 0 |
| 30 | (04) CONTINGENCY | 500,000 |
| 31 | (05) DATA PROCESSING | 1,201,035 |
| 32 | (06) UPDATE/EXPAND | <u>120,000</u> |
| 33 | TOTAL AMOUNT APPROPRIATED | <u><u>\$7,994,595</u></u> |

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 35 SECTION 3. APPROPRIATION - CRIMINAL HISTORY IMPROVEMENT PROGRAM -
 36 FEDERAL. There is hereby appropriated, to the Arkansas Crime Information

Center, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Arkansas Crime Information Center - Criminal History Improvement Program for the fiscal year ending June 30, 2014, the following:

| ITEM | FISCAL YEAR |
|---------------------------------|-------------------------|
| <u>NO.</u> | <u>2013-2014</u> |
| (01) REGULAR SALARIES | \$65,481 |
| (02) PERSONAL SERVICES MATCHING | 30,389 |
| (03) MAINT. & GEN. OPERATION | |
| (A) OPER. EXPENSE | 10,984 |
| (B) CONF. & TRAVEL | 0 |
| (C) PROF. FEES | 69,846 |
| (D) CAP. OUTLAY | 0 |
| (E) DATA PROC. | <u>0</u> |
| TOTAL AMOUNT APPROPRIATED | <u><u>\$176,700</u></u> |

SECTION 4. APPROPRIATION - SYSTEMS CONFERENCE. There is hereby appropriated, to the Arkansas Crime Information Center, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for operating expenses of the Arkansas Crime Information Center - Systems Conference for the fiscal year ending June 30, 2014, the following:

| ITEM | FISCAL YEAR |
|------------------------------|------------------------|
| <u>NO.</u> | <u>2013-2014</u> |
| (01) MAINT. & GEN. OPERATION | |
| (A) OPER. EXPENSE | \$50,000 |
| (B) CONF. & TRAVEL | 10,000 |
| (C) PROF. FEES | 0 |
| (D) CAP. OUTLAY | 0 |
| (E) DATA PROC. | <u>0</u> |
| TOTAL AMOUNT APPROPRIATED | <u><u>\$60,000</u></u> |

SECTION 5. APPROPRIATION - SEX/CHILD OFFENDER REGISTRATION PROGRAM. There is hereby appropriated, to the Arkansas Crime Information Center, to be

1 payable from the Sex and Child Offender Registration Fund, for operating
 2 expenses of the Arkansas Crime Information Center - Sex/Child Offender
 3 Registration Program for the fiscal year ending June 30, 2014, the following:
 4

| 5 ITEM | FISCAL YEAR |
|--------------------------------|-------------------------|
| 6 <u>NO.</u> | <u>2013-2014</u> |
| 7 (01) MAINT. & GEN. OPERATION | |
| 8 (A) OPER. EXPENSE | \$150,000 |
| 9 (B) CONF. & TRAVEL | 0 |
| 10 (C) PROF. FEES | 0 |
| 11 (D) CAP. OUTLAY | 0 |
| 12 (E) DATA PROC. | <u>0</u> |
| 13 TOTAL AMOUNT APPROPRIATED | <u><u>\$150,000</u></u> |

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 15 SECTION 6. APPROPRIATION - ARKANSAS REAL-TIME ELECTRONIC LOGBOOK.

16 There is hereby appropriated, to the Arkansas Crime Information Center, to be
 17 payable from the Crime Information System Fund, for personal services and
 18 operating expenses of the Arkansas Crime Information Center - Arkansas Real-
 19 Time Electronic Logbook for the fiscal year ending June 30, 2014, the
 20 following:
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| 22 ITEM | FISCAL YEAR |
|------------------------------------|-------------------------|
| 23 <u>NO.</u> | <u>2013-2014</u> |
| 24 (01) REGULAR SALARIES | \$32,249 |
| 25 (02) PERSONAL SERVICES MATCHING | 12,618 |
| 26 (03) MAINT. & GEN. OPERATION | |
| 27 (A) OPER. EXPENSE | 350,000 |
| 28 (B) CONF. & TRAVEL | 0 |
| 29 (D) CAP. OUTLAY | 0 |
| 30 (E) DATA PROC. | <u>0</u> |
| 31 TOTAL AMOUNT APPROPRIATED | <u><u>\$394,867</u></u> |

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 33 SECTION 7. APPROPRIATION - SAVIN PROGRAM - FEDERAL. There is hereby
 34 appropriated, to the Arkansas Crime Information Center, to be payable from
 35 the federal funds as designated by the Chief Fiscal Officer of the State, for
 36 operating expenses of the Arkansas Crime Information Center - SAVIN Program

1 for the fiscal year ending June 30, 2014, the following:

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| 3 ITEM | FISCAL YEAR |
|--------------------------------|------------------------|
| 4 <u>NO.</u> | <u>2013-2014</u> |
| 5 (01) MAINT. & GEN. OPERATION | |
| 6 (A) OPER. EXPENSE | \$10,749 |
| 7 (B) CONF. & TRAVEL | 0 |
| 8 (C) PROF. FEES | 81,400 |
| 9 (D) CAP. OUTLAY | 0 |
| 10 (E) DATA PROC. | <u>0</u> |
| 11 TOTAL AMOUNT APPROPRIATED | <u><u>\$92,149</u></u> |

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13 SECTION 8. APPROPRIATION - SMART - ADAM WALSH ACT GRANT - FEDERAL.

14 There is hereby appropriated, to the Arkansas Crime Information Center, to be
 15 payable from the federal funds as designated by the Chief Fiscal Officer of
 16 the State, for operating expenses of the Arkansas Crime Information Center -
 17 SMART - Adam Walsh Act Grant for the fiscal year ending June 30, 2014, the
 18 following:

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| 20 ITEM | FISCAL YEAR |
|---------------------------------|------------------------|
| 21 <u>NO.</u> | <u>2013-2014</u> |
| 22 (01) MAINT. & GEN. OPERATION | |
| 23 (A) OPER. EXPENSE | \$0 |
| 24 (B) CONF. & TRAVEL | 0 |
| 25 (C) PROF. FEES | 62,834 |
| 26 (D) CAP. OUTLAY | 0 |
| 27 (E) DATA PROC. | <u>0</u> |
| 28 TOTAL AMOUNT APPROPRIATED | <u><u>\$62,834</u></u> |

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30 SECTION 9. APPROPRIATION - ARKANSAS REAL-TIME SCRAP METAL LOGBOOK.

31 There is hereby appropriated, to the Arkansas Crime Information Center, to be
 32 payable from the Crime Information System Fund, for maintenance and operating
 33 expenses of the Arkansas Real-Time Scrap Metal Logbook of the Arkansas Crime
 34 Information Center for the fiscal year ending June 30, 2014, the following:

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| 36 ITEM | FISCAL YEAR |
|---------|-------------|
|---------|-------------|

| 1 | NO. | 2013-2014 |
|---|--------------------------|------------------|
| 2 | (01) SCRAP METAL LOGBOOK | <u>\$125,000</u> |

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

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

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

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

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20 SECTION 13. EMERGENCY CLAUSE. It is found and determined by the
21 General Assembly, that the Constitution of the State of Arkansas prohibits
22 the appropriation of funds for more than a one (1) year period; that the
23 effectiveness of this Act on July 1, 2013 is essential to the operation of
24 the agency for which the appropriations in this Act are provided, and that in
25 the event of an extension of the legislative session, the delay in the
26 effective date of this Act beyond July 1, 2013 could work irreparable harm
27 upon the proper administration and provision of essential governmental
28 programs. Therefore, an emergency is hereby declared to exist and this Act
29 being necessary for the immediate preservation of the public peace, health
30 and safety shall be in full force and effect from and after July 1, 2013.

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