

Stricken language will be deleted and underlined language will be added.  
Act 248 of the Fiscal Session

1 State of Arkansas  
2 89th General Assembly  
3 Fiscal Session, 2014  
4

*As Engrossed: H2/19/14*  
**A Bill**

HOUSE BILL 1038

5 By: Joint Budget Committee  
6

7 **For An Act To Be Entitled**

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
9 AND OPERATING EXPENSES FOR THE SECRETARY OF STATE FOR  
10 THE FISCAL YEAR ENDING JUNE 30, 2015; AND FOR OTHER  
11 PURPOSES.  
12  
13

14 **Subtitle**

15 AN ACT FOR THE SECRETARY OF STATE  
16 APPROPRIATION FOR THE 2014-2015 FISCAL  
17 YEAR.  
18  
19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
21

22 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established  
23 for the Secretary of State for the 2014-2015 fiscal year, the following  
24 maximum number of regular employees.  
25

26			Maximum Annual	
27			Salary Rate	
28	Item		Fiscal Year	
29	<u>No.</u>	<u>Title</u>	<u>Employees</u>	<u>2014-2015</u>
30	(1)	SEC OF STATE CHIEF DEPUTY	1	\$109,730
31	(2)	SEC OF STATE DEPUTY	2	\$100,044
32	(3)	SEC OF STATE GENERAL COUNSEL	1	\$92,671
33	(4)	SEC OF STATE SENIOR INFO TECHNICIAN	1	\$85,811
34	(5)	SEC OF STATE INFO TECHNICIAN	1	\$82,969
35	(6)	SEC OF STATE DEPARTMENT DIRECTOR	7	\$80,557
36	(7)	SEC OF STATE ASSOCIATE COUNSEL	1	\$80,557



1	(8)	SEC OF STATE CAPITOL POLICE CHIEF	1	\$80,557
2	(9)	SEC OF STATE SYSTEMS ANALYST	1	\$69,195
3	(10)	SEC OF STATE PUBLIC EVENTS COORD	1	\$67,691
4	(11)	SEC OF STATE CAPITOL POLICE CAPTAIN	1	\$67,095
5	(12)	SEC OF STATE SENIOR SUPERVISOR	1	\$66,300
6	(13)	SEC OF STATE DEPARTMENT MANAGER	1	\$65,323
7	(14)	SEC OF STATE BUDGET ANALYST	1	\$64,260
8	(15)	SEC OF STATE PROGRAMMER ANALYST	1	\$62,210
9	(16)	SEC OF STATE ASSISTANT DIR ELECTIONS	2	\$61,694
10	(17)	SEC OF STATE POLICE SERGEANT	3	\$58,852
11	(18)	SEC OF STATE TRADE SUPERVISOR	2	\$58,670
12	(19)	SEC OF STATE FINANCE MANAGER	1	\$58,140
13	(20)	SEC OF STATE INFO TECH ANALYST	1	\$57,654
14	(21)	SEC OF STATE ELECTION COORDINATOR	5	\$56,318
15	(22)	SEC OF STATE DEPARTMENT SUPERVISOR	2	\$56,218
16	(23)	SEC OF STATE MASTER TRADESPERSON	2	\$53,914
17	(24)	SEC OF STATE CREATIVE SPECIALIST III	1	\$53,879
18	(25)	SEC OF STATE INFO TECH ADMINISTRATOR	3	\$53,842
19	(26)	SEC OF STATE PROJECT COORDINATOR	2	\$53,185
20	(27)	SEC OF STATE CUSTOMER SVCS COORD III	3	\$51,757
21	(28)	SEC OF STATE BUSINESS ACCOUNTANT II	3	\$51,199
22	(29)	SEC OF STATE INFO TECH SPECIALIST	2	\$50,468
23	(30)	SEC OF STATE CUSTOMER SVCS COORD II	3	\$49,906
24	(31)	SEC OF STATE CORPORAL	16	\$49,512
25	(32)	SEC OF STATE VOTER SVCS ADMINISTRATOR	2	\$49,439
26	(33)	SEC OF STATE CREATIVE SPECIALIST II	2	\$49,439
27	(34)	SEC OF STATE EXECUTIVE ASSISTANT	4	\$48,887
28	(35)	SEC OF STATE CUSTOMER SVCS COORD I	1	\$47,867
29	(36)	SEC OF STATE BLDG SVCS COORDINATOR	1	\$47,867
30	(37)	SEC OF STATE BLDGS & GRND SUPERVISOR II	2	\$47,849
31	(38)	SEC OF STATE MAINTENANCE WORKER II	3	\$45,128
32	(39)	SEC OF STATE TRADESPERSON	2	\$44,459
33	(40)	SEC OF STATE CORPORATIONS REP III	4	\$43,258
34	(41)	SEC OF STATE RECORDS SPECIALIST	2	\$42,377
35	(42)	SEC OF STATE BLDGS & GRND SUPERVISOR I	1	\$42,314
36	(43)	SEC OF STATE CREATIVE SPECIALIST I	2	\$41,779

1	(44)	SEC OF STATE INMATE CREW GUARD II	1	\$41,658
2	(45)	SEC OF STATE ADMINISTRATIVE ASST III	6	\$41,142
3	(46)	SEC OF STATE ADMINISTRATIVE ASST II	3	\$39,390
4	(47)	SEC OF STATE ACCOUNTANT I	1	\$39,013
5	(48)	SEC OF STATE BUSINESS ASSISTANT I	3	\$38,534
6	(49)	SEC OF STATE CORPORATIONS REP II	12	\$37,064
7	(50)	SEC OF STATE ADMINISTRATIVE ASST I	2	\$36,687
8	(51)	SEC OF STATE INMATE CREW GUARD I	4	\$36,273
9	(52)	SEC OF STATE MAINTENANCE WORKER I	5	\$35,424
10	(53)	SEC OF STATE CORPORATIONS REP I	4	\$34,037
11	(54)	SEC OF STATE CUSTODIAN II	1	\$33,037
12	(55)	SEC OF STATE DISPATCHER	3	\$31,904
13	(56)	SEC OF STATE BLDG SVCS REPRESENTATIVE	2	\$28,848
14	(57)	SEC OF STATE CUSTODIAN I	8	\$28,848
15	(58)	SEC OF STATE HOUSEKEEPER	6	\$28,030
16	(59)	SEC OF STATE MAIL CLERK	1	\$28,011
17	(60)	SEC OF STATE RECEPTIONIST I	<u>1</u>	\$27,458
18		MAX. NO. OF EMPLOYEES	162	

19

20 SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for  
 21 the Secretary of State - Operations for the 2014-2015 fiscal year, the  
 22 following maximum number of part-time or temporary employees, to be known as  
 23 "Extra Help", payable from funds appropriated herein for such purposes:  
 24 forty-five (45) temporary or part-time employees, when needed, at rates of  
 25 pay not to exceed those provided in the Uniform Classification and  
 26 Compensation Act, or its successor, or this act for the appropriate  
 27 classification.

28

29 SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated,  
 30 to the Secretary of State, to be payable from the State Central Services  
 31 Fund, for personal services and operating expenses of the Secretary of State  
 32 - Operations for the fiscal year ending June 30, 2015, the following:

33

34	ITEM	FISCAL YEAR
35	<u>NO.</u>	<u>2014-2015</u>
36	(01) REGULAR SALARIES	\$7,838,000

1	(02) EXTRA HELP	144,909
2	(03) PERSONAL SERVICES MATCHING	2,773,965
3	(04) OVERTIME	33,000
4	(05) MAINT. & GEN. OPERATION	
5	(A) OPER. EXPENSE	3,002,396
6	(B) CONF. & TRAVEL	65,651
7	(C) PROF. FEES	205,956
8	(D) CAP. OUTLAY	150,000
9	(E) DATA PROC.	0
10	(06) MANDATORY PUBLICATIONS	214,038
11	(07) PETITION VERIFICATION	350,000
12	(08) PUBLISH LEGAL NOTICES	650,000
13	(09) RECORDS MANAGEMENT	933,977
14	(10) STATEWIDE VOTER REGISTRATION SYSTEM	1,438,029
15	(11) FLAGS	131,250
16	(12) CAPITOL GROUNDS IMPROVEMENTS	401,264
17	(13) SPECIAL MAINTENANCE	700,048
18	(14) BUILDING INSURANCE	<u>223,278</u>
19	TOTAL AMOUNT APPROPRIATED	<u>\$19,255,761</u>

20

21 SECTION 4. APPROPRIATION - HELP AMERICA VOTE ACT - TITLE 2 - FEDERAL.

22 There is hereby appropriated, to the Secretary of State, to be payable from  
 23 the federal funds as designated by the Chief Fiscal Officer of the State, for  
 24 expenditures requiring state matching for maintenance, operating expenses and  
 25 associated costs for the Help America Vote Act for the fiscal year ending  
 26 June 30, 2015, the following:

27

28	ITEM	FISCAL YEAR
29	<u>NO.</u>	<u>2014-2015</u>
30	(01) HELP AMERICA VOTE ACT	<u>\$4,683,300</u>

31

32 SECTION 5. APPROPRIATION - HELP AMERICA VOTE ACT - STATE. There is  
 33 hereby appropriated, to the Secretary of State, to be payable from the cash  
 34 fund deposited in the State Treasury as determined by the Chief Fiscal  
 35 Officer of the State, for state match for maintenance and operating expenses  
 36 and associated costs for the Help America Vote Act for the fiscal year ending

1 June 30, 2015, the following:

2

3 ITEM	FISCAL YEAR
4 <u>NO.</u>	<u>2014-2015</u>
5 (01) HELP AMERICA VOTE ACT-STATE MATCH	<u>\$619,193</u>

6

7 SECTION 6. APPROPRIATION - ELECTION ASSISTANCE FOR DISABLED - FEDERAL.

8 There is hereby appropriated, to the Secretary of State, to be payable from  
9 the federal funds as designated by the Chief Fiscal Officer of the State, for  
10 grants, aid and professional fees and services for election assistance for  
11 the disabled for the fiscal year ending June 30, 2015, the following:

12

13 ITEM	FISCAL YEAR
14 <u>NO.</u>	<u>2014-2015</u>
15 (01) ELECTION ASSISTANCE FOR THE DISABLED	<u>\$161,321</u>

16

17 SECTION 7. APPROPRIATION - CAPITOL GROUNDS MONUMENT/MEMORIAL

18 PRESERVATION. There is hereby appropriated, to the Secretary of State, to be  
19 payable from the Capitol Grounds Monument And Memorial Preservation Fund, for  
20 various construction and operating expenses for the preservation of Monuments  
21 and Memorials on the State Capitol Grounds by the Secretary of State for the  
22 fiscal year ending June 30, 2015, the following:

23

24 ITEM	FISCAL YEAR
25 <u>NO.</u>	<u>2014-2015</u>
26 (01) VARIOUS OPERATING & CONSTRUCTION 27 EXPENSES FOR MONUMENT/MEMORIAL 28 PRESERVATION	<u>\$50,000</u>

29

30 SECTION 8. APPROPRIATION - ARKANSAS STATE CAPITOL BUILDING AND GROUNDS

31 RESTORATION - CASH. There is hereby appropriated, to the Secretary of State,  
32 to be payable from the cash fund deposited in the State Treasury as  
33 determined by the Chief Fiscal Officer of the State, from contributions and  
34 donations for maintenance and restoration projects by the Secretary of State  
35 for the fiscal year ending June 30, 2015, the following:

36

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2014-2015</u>
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$25,000
(B) CONF. & TRAVEL	0
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$25,000</u></u>

10

11           SECTION 9. APPROPRIATION - PARKING - CASH. There is hereby  
 12 appropriated, to the Secretary of State, to be payable from cash funds as  
 13 defined by Arkansas Code 19-4-801 of the Secretary of State, for various  
 14 operating and associated expenses for parking activity, major emergency  
 15 repairs necessary to continue agency operations and security of the premises  
 16 of the Secretary of State for the fiscal year ending June 30, 2015, the  
 17 following:

18

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2014-2015</u>
(01) VARIOUS PARKING, MAJOR EMERGENCIES & SECURITY EXPENSES	<u><u>\$375,000</u></u>

23

24           SECTION 10. APPROPRIATION - FEE AND TAX REFUNDS. There is hereby  
 25 appropriated, to the Secretary of State, to be payable from the Miscellaneous  
 26 Revolving Fund, for refunds and reimbursements of corporate filing fees and  
 27 franchise taxes for the fiscal year ending June 30, 2015, the following:

28

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2014-2015</u>
(01) REFUNDS/REIMBURSEMENTS	<u><u>\$550,000</u></u>

32

33           SECTION 11. APPROPRIATION - COUNTY VOTING SYSTEM GRANT FUND. There is  
 34 hereby appropriated, to the Secretary of State, to be payable from the County  
 35 Voting System Grant Fund, for professional fees and services for upgrading or  
 36 purchasing county voting *systems and grants and aid for voting system*

1 *equipment, programming, maintenance or equipment and devices used to view*  
2 *voter registration records at a polling location, for the fiscal year ending*  
3 June 30, 2015, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2014-2015</u>
(01) COUNTY VOTING SYSTEM GRANTS	<u>\$1,500,000</u>

9 SECTION 12. APPROPRIATION - FEDERAL VOTING ASSISTANCE PROGRAM. There  
10 is hereby appropriated, to the Secretary of State, to be payable from the  
11 federal funds as designated by the Chief Fiscal Officer of the State, for  
12 research and development on providing ballot access to Arkansas voters  
13 stationed overseas for the fiscal year ending June 30, 2015, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2014-2015</u>
(01) RESEARCH & DEVELOPMENT	<u>\$94,000</u>

19 SECTION 13. APPROPRIATION - ARKANSAS VIDEO SERVICE ACT. There is hereby  
20 appropriated, to the Secretary of State, to be payable from the Arkansas  
21 Video Service Fund, for the review and issue of certificates of franchise  
22 authority of the Arkansas Video Service Act for the fiscal year ending June  
23 30, 2015, the sum of.....\$50,000.

25 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
27 REIMBURSEMENT. The Miscellaneous Revolving Fund shall be reimbursed in the  
28 manner provided by law.

29 The provisions of this section shall be in effect only from July 1, ~~2013~~  
30 2014 through June 30, ~~2014~~ 2015.

32 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. STATE  
34 CAPITOL POLICE. In the event that sufficient revenues, in the judgment of  
35 the Secretary of State exist, the Secretary is hereby authorized to make  
36 additional salary payments from such funds to those employees who have

1 attained law enforcement certification above the basic certificate level, as  
2 defined by the Arkansas Commission on Law Enforcement Standards. It is the  
3 intent of this Section that such payment shall be optional, at the discretion  
4 of the Secretary, dependent on sufficient revenues and shall not be  
5 implemented using funds specifically set aside for other programs within the  
6 Department.

7 Employees shall be eligible for all or a portion of additional salary  
8 payments scheduled as follows:

- |    |                              |                    |
|----|------------------------------|--------------------|
| 9  | I. General Certificate       | - \$ 300 annually  |
| 10 | II. Intermediate Certificate | - \$ 600 annually  |
| 11 | III. Advanced Certificate    | - \$ 900 annually  |
| 12 | IV. Senior Certificate       | - \$1,200 annually |

13 Payment of such funds may be made monthly, quarterly, semiannually or  
14 annually depending upon the availability of revenues and shall be restricted  
15 to the following classifications:

- 16 1. Sec. of State Capitol Police Chief
- 17 2. Sec. of State Police Sergeant
- 18 3. Sec. of State Corporal
- 19 4. Sec. of State Capitol Police Captain

20 Payments made under this Section which are awarded as partial or lump sum  
21 payments shall not be considered as salary for purposes of retirement  
22 benefits but shall be subject to withholding of all applicable federal and  
23 state taxes. Payments made under this Section shall not be construed as  
24 exceeding the maximum annual salary of the employee.

25 The provisions of this section shall be in effect only from July 1, ~~2013~~  
26 2014 through June 30, ~~2014~~ 2015.

27

28 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
30 PROVISION. After receiving approval from the Chief Fiscal Officer of the  
31 State, and prior review by the Arkansas Legislative Council, the Agency is  
32 authorized to transfer appropriation from any line item authorized in Section  
33 3 Operations to any other line item authorized in Section 3.

34 The provisions of this section shall be in effect only from July 1, ~~2013~~  
35 2014 through June 30, ~~2014~~ 2015.

36



1 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. VOTER ID  
3 RULES AND REGULATIONS AND REPORTING. The Secretary of State shall promulgate  
4 rules and regulations regarding the issuance of a voter identification card  
5 that may be requested by an individual to be used as proof of identity when  
6 appearing to vote in person upon prior review by the Administrative Rules and  
7 Regulations Subcommittee of the Arkansas Legislative Council or Joint Budget  
8 Committee. In addition, the Secretary of State shall also report for review  
9 by the Arkansas Legislative Council or Joint Budget Committee a report  
10 outlining in detail the total amount of monies expended by the Secretary of  
11 State to implement the voter identification program. Further, the Secretary  
12 of State shall also report to the Arkansas Legislative Council or Joint  
13 Budget Committee within 60 days after the next General Election, the number  
14 of persons who obtained a Voter ID.

15 The provisions of this section shall be in effect only from July 1, ~~2013~~  
16 2014 through June 30, ~~2014~~ 2015.

17  
18 SECTION 18. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
19 authorized by this act shall be limited to the appropriation for such agency  
20 and funds made available by law for the support of such appropriations; and  
21 the 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 19. LEGISLATIVE INTENT. It is the intent of the General  
29 Assembly that any funds disbursed under the authority of the appropriations  
30 contained in this act shall be in compliance with the stated reasons for  
31 which this act was adopted, as evidenced by the Agency Requests, Executive  
32 Recommendations and Legislative Recommendations contained in the budget  
33 manuals prepared by the Department of Finance and Administration, letters, or  
34 summarized oral testimony in the official minutes of the Arkansas Legislative  
35 Council or Joint Budget Committee which relate to its passage and adoption.

36

1       SECTION 20. EMERGENCY CLAUSE. It is found and determined by the  
2 General Assembly, that the Constitution of the State of Arkansas prohibits  
3 the appropriation of funds for more than a one (1) year period; that the  
4 effectiveness of this Act on July 1, 2014 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 legislative session, the delay in the  
7 effective date of this Act beyond July 1, 2014 could work irreparable harm  
8 upon the proper administration and provision of essential governmental  
9 programs. Therefore, an emergency is hereby declared to exist and this Act  
10 being necessary for the immediate preservation of the public peace, health  
11 and safety shall be in full force and effect from and after July 1, 2014.

12  
13                                     */s/ Joint Budget Committee*

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15                                               **APPROVED: 03/06/2014**  
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