

1 State of Arkansas  
2 90th General Assembly  
3 Fiscal Session, 2016  
4

# A Bill

HOUSE BILL 1089

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 SECRETARY OF STATE FOR  
10 THE FISCAL YEAR ENDING JUNE 30, 2017; AND FOR OTHER  
11 PURPOSES.  
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## Subtitle

14 AN ACT FOR THE SECRETARY OF STATE  
15 APPROPRIATION FOR THE 2016-2017 FISCAL  
16 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 - OPERATIONS. There is hereby established  
23 for the Secretary of State for the 2016-2017 fiscal year, the following  
24 maximum number of regular employees.  
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26				Maximum Annual
27				Salary Rate
28	Item	Class	Maximum	Fiscal Year
29	No.	Code	No. of	2016-2017
	No.	Code	Employees	
30	(1)	Q171U	STATE CHIEF DEPUTY	1 \$110,826
31	(2)	Q172U	SEC OF STATE DEPUTY	2 \$101,044
32	(3)	Q173U	SEC OF STATE GENERAL COUNSEL	1 \$93,597
33	(4)	Q174U	SEC OF STATE SENIOR INFO TECHNICIAN	1 \$86,668
34	(5)	Q175U	SEC OF STATE INFO TECHNICIAN	1 \$83,798
35	(6)	Q178U	SEC OF STATE CAPITOL POLICE CHIEF	1 \$81,362
36	(7)	Q177U	SEC OF STATE ASSOCIATE COUNSEL	1 \$81,362



1	(8)	Q176U	SEC OF STATE DEPARTMENT DIRECTOR	7	\$81,362
2	(9)	Q179U	SEC OF STATE SYSTEMS ANALYST	1	\$69,886
3	(10)	Q181U	SEC OF STATE CAPITOL POLICE CAPTAIN	1	\$67,765
4	(11)	Q182U	SEC OF STATE SENIOR SUPERVISOR	1	\$66,963
5	(12)	Q183U	SEC OF STATE DEPARTMENT MANAGER	1	\$65,976
6	(13)	Q184U	SEC OF STATE BUDGET ANALYST	1	\$64,902
7	(14)	Q185U	SEC OF STATE PROGRAMMER ANALYST	1	\$62,831
8	(15)	Q186U	SEC OF STATE ASSISTANT DIRECTOR	3	\$62,310
9	(16)	Q192U	SEC OF STATE DEPARTMENT SUPERVISOR	2	\$60,000
10	(17)	Q187U	SEC OF STATE POLICE SERGEANT	3	\$59,440
11	(18)	Q188U	SEC OF STATE TRADE SUPERVISOR	2	\$59,257
12	(19)	Q190U	SEC OF STATE INFO TECH ANALYST	1	\$58,231
13	(20)	Q197U	SEC OF STATE PROJECT COORDINATOR II	3	\$58,000
14	(21)	Q191U	SEC OF STATE ELECTION COORDINATOR	5	\$56,881
15	(22)	Q193U	SEC OF STATE MASTER TRADESPERSON	2	\$54,453
16	(23)	Q194U	SEC OF STATE CREATIVE SPECIALIST III	1	\$54,418
17	(24)	Q195U	SEC OF STATE INFO TECH ADMINISTRATOR	2	\$54,380
18	(25)	Q231U	SEC OF STATE PROJECT COORDINATOR I	4	\$53,716
19	(26)	Q180U	SEC OF STATE PUBLIC EVENTS COORD	1	\$51,941
20	(27)	Q198U	SEC OF STATE BUSINESS ACCOUNTANT II	3	\$51,710
21	(28)	Q199U	SEC OF STATE INFO TECH SPECIALIST	1	\$50,972
22	(29)	Q200U	SEC OF STATE CUSTOMER SVCS COORD II	3	\$50,404
23	(30)	Q201U	SEC OF STATE CORPORAL	16	\$50,006
24	(31)	Q203U	SEC OF STATE CREATIVE SPECIALIST II	2	\$49,933
25	(32)	Q202U	SEC OF STATE VOTER SVCS ADMINISTRATOR	2	\$49,933
26	(33)	Q204U	SEC OF STATE EXECUTIVE ASSISTANT	4	\$49,375
27	(34)	Q212U	SEC OF STATE BLDGS & GRND SUPERVISOR	3	\$48,727
28	(35)	Q206U	SEC OF STATE BLDG SVCS COORDINATOR	1	\$48,345
29	(36)	Q209U	SEC OF STATE TRADESPERSON	2	\$47,500
30	(37)	Q208U	SEC OF STATE MAINTENANCE WORKER II	4	\$45,579
31	(38)	Q213U	SEC OF STATE CREATIVE SPECIALIST I	1	\$44,936
32	(39)	Q210U	SEC OF STATE CORPORATIONS REP III	4	\$43,690
33	(40)	Q211U	SEC OF STATE RECORDS SPECIALIST	2	\$42,800
34	(41)	Q214U	SEC OF STATE INMATE CREW GUARD II	1	\$42,074
35	(42)	Q215U	SEC OF STATE ADMINISTRATIVE ASST III	7	\$41,553
36	(43)	Q216U	SEC OF STATE ADMINISTRATIVE ASST II	3	\$40,813

1	(44)	Q218U	SEC OF STATE BUSINESS ASSISTANT I	3	\$38,918
2	(45)	Q219U	SEC OF STATE CORPORATIONS REP II	11	\$37,434
3	(46)	Q220U	SEC OF STATE ADMINISTRATIVE ASST I	5	\$37,054
4	(47)	Q221U	SEC OF STATE INMATE CREW GUARD I	4	\$36,635
5	(48)	Q222U	SEC OF STATE MAINTENANCE WORKER I	4	\$35,777
6	(49)	Q223U	SEC OF STATE CORPORATIONS REP I	4	\$34,377
7	(50)	Q224U	SEC OF STATE CUSTODIAN II	1	\$33,367
8	(51)	Q225U	SEC OF STATE DISPATCHER	2	\$32,222
9	(52)	Q230U	SEC OF STATE RECEPTIONIST I	1	\$29,136
10	(53)	Q229U	SEC OF STATE MAIL CLERK	1	\$29,136
11	(54)	Q227U	SEC OF STATE CUSTODIAN I	14	\$29,136
12	(55)	Q226U	SEC OF STATE BLDG SVCS REP	<u>2</u>	\$29,136
13			MAX. NO. OF EMPLOYEES	161	

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15 SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for  
 16 the Secretary of State - Operations for the 2016-2017 fiscal year, the  
 17 following maximum number of part-time or temporary employees, to be known as  
 18 "Extra Help", payable from funds appropriated herein for such purposes:  
 19 forty-five (45) temporary or part-time employees, when needed, at rates of  
 20 pay not to exceed those provided in the Uniform Classification and  
 21 Compensation Act, or its successor, or this act for the appropriate  
 22 classification.

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24 SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated,  
 25 to the Secretary of State, to be payable from the State Central Services  
 26 Fund, for personal services and operating expenses of the Secretary of State  
 27 - Operations for the fiscal year ending June 30, 2017, the following:

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29	ITEM	FISCAL YEAR
30	<u>NO.</u>	<u>2016-2017</u>
31	(01) REGULAR SALARIES	\$7,916,424
32	(02) EXTRA HELP	144,909
33	(03) PERSONAL SERVICES MATCHING	2,773,965
34	(04) OVERTIME	33,000
35	(05) MAINT. & GEN. OPERATION	
36	(A) OPER. EXPENSE	4,504,939

1	(B) CONF. & TRAVEL	65,651
2	(C) PROF. FEES	205,956
3	(D) CAP. OUTLAY	150,000
4	(E) DATA PROC.	0
5	(06) CAPITOL GROUNDS IMPROVEMENTS	401,264
6	(07) SPECIAL MAINTENANCE	700,048
7	(08) ELECTIONS EXPENSES	<u>2,438,029</u>
8	TOTAL AMOUNT APPROPRIATED	<u><u>\$19,334,185</u></u>

9

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

11 There is hereby appropriated, to the Secretary of State, to be payable from  
 12 the federal funds as designated by the Chief Fiscal Officer of the State, for  
 13 expenditures requiring state matching for maintenance, operating expenses and  
 14 associated costs for the Help America Vote Act for the fiscal year ending  
 15 June 30, 2017, the following:

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17	ITEM	FISCAL YEAR
18	<u>NO.</u>	<u>2016-2017</u>
19	(01) HELP AMERICA VOTE ACT	<u><u>\$2,500,000</u></u>

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21 SECTION 5. APPROPRIATION - HELP AMERICA VOTE ACT - STATE. There is  
 22 hereby appropriated, to the Secretary of State, to be payable from the cash  
 23 fund deposited in the State Treasury as determined by the Chief Fiscal  
 24 Officer of the State, for state match for maintenance and operating expenses  
 25 and associated costs for the Help America Vote Act for the fiscal year ending  
 26 June 30, 2017, the following:

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28	ITEM	FISCAL YEAR
29	<u>NO.</u>	<u>2016-2017</u>
30	(01) HELP AMERICA VOTE ACT STATE MATCH	<u><u>\$515,000</u></u>

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

33 There is hereby appropriated, to the Secretary of State, to be payable from  
 34 the federal funds as designated by the Chief Fiscal Officer of the State, for  
 35 grants, aid and professional fees and services for election assistance for  
 36 the disabled for the fiscal year ending June 30, 2017, the following:

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ITEM	FISCAL YEAR
<u>NO.</u>	<u>2016-2017</u>
(01) ELECTION ASSISTANCE FOR THE DISABLED	<u>\$161,321</u>

SECTION 7. APPROPRIATION - CAPITOL GROUNDS MONUMENT/MEMORIAL PRESERVATION. There is hereby appropriated, to the Secretary of State, to be payable from the Capitol Grounds Monument And Memorial Preservation Fund, for various construction and operating expenses for the preservation of Monuments and Memorials on the State Capitol Grounds by the Secretary of State for the fiscal year ending June 30, 2017, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2016-2017</u>
(01) VARIOUS OPERATING & CONSTRUCTION EXPENSES FOR MONUMENT/MEMORIAL PRESERVATION	<u>\$104,948</u>

SECTION 8. APPROPRIATION - ARKANSAS STATE CAPITOL BUILDING AND GROUNDS RESTORATION - CASH. There is hereby appropriated, to the Secretary of State, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, from contributions and donations for maintenance and restoration projects by the Secretary of State for the fiscal year ending June 30, 2017, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2016-2017</u>
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$180,000
(B) CONF. & TRAVEL	0
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$180,000</u>

SECTION 9. APPROPRIATION - PARKING - CASH. There is hereby

1 appropriated, to the Secretary of State, to be payable from cash funds as  
 2 defined by Arkansas Code 19-4-801 of the Secretary of State, for various  
 3 operating and associated expenses for parking activity, major emergency  
 4 repairs necessary to continue agency operations and security of the premises  
 5 for the fiscal year ending June 30, 2017, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2016-2017</u>
(01) VARIOUS PARKING EXPENSES, MAJOR EMERGENCIES & SECURITY EXPENSES	<u>\$375,000</u>

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 12 SECTION 10. APPROPRIATION - FEE AND TAX REFUNDS. There is hereby  
 13 appropriated, to the Secretary of State, to be payable from the Miscellaneous  
 14 Revolving Fund, for refunds and reimbursements of corporate filing fees and  
 15 franchise taxes, UCC filing fees and certificates of franchise authority for  
 16 the fiscal year ending June 30, 2017, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2016-2017</u>
(01) REFUNDS/REIMBURSEMENTS	<u>\$550,000</u>

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 22 SECTION 11. APPROPRIATION - COUNTY VOTING SYSTEM GRANT FUND. There is  
 23 hereby appropriated, to the Secretary of State, to be payable from the County  
 24 Voting System Grant Fund, for professional fees and services for upgrading or  
 25 purchasing county voting systems and grants and aid for voting system  
 26 equipment, programming, maintenance or equipment and devices used to view  
 27 voter registration records at a polling location, for the fiscal year ending  
 28 June 30, 2017, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2016-2017</u>
(01) COUNTY VOTING SYSTEM GRANTS	<u>\$1,500,000</u>

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 34 SECTION 12. APPROPRIATION - FEDERAL VOTING ASSISTANCE PROGRAM. There  
 35 is hereby appropriated, to the Secretary of State, to be payable from the  
 36 federal funds as designated by the Chief Fiscal Officer of the State, for

1 research and development on providing ballot access to Arkansas voters  
 2 stationed overseas for the fiscal year ending June 30, 2017, the following:

4 ITEM	FISCAL YEAR
5 <u>NO.</u>	<u>2016-2017</u>
6 (01) RESEARCH & DEVELOPMENT	<u>\$94,000</u>

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 8 SECTION 13. APPROPRIATION - ARKANSAS VIDEO SERVICE ACT. There is  
 9 hereby appropriated, to the Secretary of State, to be payable from the  
 10 Arkansas Video Service Fund, for the review and issue of certificates of  
 11 franchise authority of the Arkansas Video Service Act for the fiscal year  
 12 ending June 30, 2017, the following:

14 ITEM	FISCAL YEAR
15 <u>NO.</u>	<u>2016-2017</u>
16 (01) ARKANSAS VIDEO SERVICE ACT	<u>\$50,000</u>

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

22 The provisions of this section shall be in effect only from July 1, ~~2015~~  
 23 2016 through June 30, ~~2016~~ 2017.

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 25 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
 27 PROVISION. After receiving approval from the Chief Fiscal Officer of the  
 28 State, and prior review by the Arkansas Legislative Council, the Agency is  
 29 authorized to transfer appropriation from any line item authorized in Section  
 30 3 Operations to any other line item authorized in Section 3.

31 The provisions of this section shall be in effect only from July 1, ~~2015~~  
 32 2016 through June 30, ~~2016~~ 2017.

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 34 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. STATE  
 36 CAPITOL POLICE. In the event that sufficient revenues, in the judgment of

1 the Secretary of State exist, the Secretary is hereby authorized to make  
 2 additional salary payments from such funds to those employees who have  
 3 attained law enforcement certification above the basic certificate level, as  
 4 defined by the Arkansas Commission on Law Enforcement Standards. It is the  
 5 intent of this Section that such payment shall be optional, at the discretion  
 6 of the Secretary, dependent on sufficient revenues and shall not be  
 7 implemented using funds specifically set aside for other programs within the  
 8 Department.

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

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

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

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

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

27 The provisions of this section shall be in effect only from July 1, ~~2015~~  
 28 2016 through June 30, ~~2016~~ 2017.

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 30 SECTION 17. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
 31 authorized by this act shall be limited to the appropriation for such agency  
 32 and funds made available by law for the support of such appropriations; and  
 33 the restrictions of the State Procurement Law, the General Accounting and  
 34 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
 35 Procedures and Restrictions Act, or their successors, and other fiscal  
 36 control laws of this State, where applicable, and regulations promulgated by



1 the Department of Finance and Administration, as authorized by law, shall be  
 2 strictly complied with in disbursement of said funds.

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 4 SECTION 18. LEGISLATIVE INTENT. It is the intent of the General  
 5 Assembly that any funds disbursed under the authority of the appropriations  
 6 contained in this act shall be in compliance with the stated reasons for  
 7 which this act was adopted, as evidenced by the Agency Requests, Executive  
 8 Recommendations and Legislative Recommendations contained in the budget  
 9 manuals prepared by the Department of Finance and Administration, letters, or  
 10 summarized oral testimony in the official minutes of the Arkansas Legislative  
 11 Council or Joint Budget Committee which relate to its passage and adoption.  
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13 SECTION 19. EMERGENCY CLAUSE. It is found and determined by the  
 14 General Assembly, that the Constitution of the State of Arkansas prohibits  
 15 the appropriation of funds for more than a one (1) year period; that the  
 16 effectiveness of this Act on July 1, 2016 is essential to the operation of  
 17 the agency for which the appropriations in this Act are provided, and that in  
 18 the event of an extension of the legislative session, the delay in the  
 19 effective date of this Act beyond July 1, 2016 could work irreparable harm  
 20 upon the proper administration and provision of essential governmental  
 21 programs. Therefore, an emergency is hereby declared to exist and this Act  
 22 being necessary for the immediate preservation of the public peace, health  
 23 and safety shall be in full force and effect from and after July 1, 2016.  
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