

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.

**Act 320 of the Regular Session**

1 State of Arkansas  
2 86th General Assembly  
3 Regular Session, 2007  
4

*As Engrossed: H2/16/07*

**A Bill**

HOUSE BILL 1124

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 STATE  
11 BOARD OF ELECTION COMMISSIONERS FOR THE BIENNIAL  
12 PERIOD ENDING JUNE 30, 2009; AND FOR OTHER  
13 PURPOSES.  
14

**Subtitle**

15  
16 AN ACT FOR THE STATE BOARD OF ELECTION  
17 COMMISSIONERS APPROPRIATION FOR THE  
18 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 - OPERATIONS. There is hereby established for  
25 the State Board of Election Commissioners for the 2007-2009 biennium, the  
26 following maximum number of regular employees whose salaries shall be  
27 governed by the provisions of the Uniform Classification and Compensation Act  
28 (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws amendatory  
29 thereto. Provided, however, that any position to which a specific maximum  
30 annual salary is set out herein in dollars, shall be exempt from the  
31 provisions of said Uniform Classification and Compensation Act. All persons  
32 occupying positions authorized herein are hereby governed by the provisions  
33 of the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-  
34 101), or its successor.  
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Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate	
				2007-2008	2008-2009
1	(1)	8046 STATE ELECTIONS DIRECTOR	1	\$78,429	\$79,997
2	(2)	9348 DIRECTOR OF EDUCATIONAL SERVICES	1	\$47,409	\$48,357
3	(3)	9065 ELECTION COMM DEPUTY DIRECTOR	1	\$48,776	\$49,752
4	(4)	R298 AGENCY PROGRAM COORDINATOR	2	GRADE 21	
5	(5)	R266 MANAGEMENT PROJECT ANALYST II	1	GRADE 20	
6	MAX. NO. OF EMPLOYEES		6		

SECTION 2. APPROPRIATION - OPERATIONS. There is hereby appropriated, to the State Board of Election Commissioners, to be payable from the Miscellaneous Agencies Fund Account, for personal services and operating expenses of the State Board of Election Commissioners for the biennial period ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) REGULAR SALARIES	\$ 285,842	\$ 291,514
(02) PERSONAL SERVICES MATCHING	82,818	83,968
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	108,060	108,060
(B) CONF. & TRAVEL	3,000	3,000
(C) PROF. FEES	5,000	5,000
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	0	0
TOTAL AMOUNT APPROPRIATED	<u>\$ 484,720</u>	<u>\$ 491,542</u>

SECTION 3. APPROPRIATION - ELECTION EXPENSES. There is hereby appropriated, to the State Board of Election Commissioners, to be payable from the Miscellaneous Agencies Fund Account, for covering the costs of election expenses by the State Board of Election Commissioners for the biennial period ending June 30, 2009, the sum of .....\$3,787,000.

SECTION 4. APPROPRIATION - NONPARTISAN JUDICIAL GENERAL ELECTIONS. There

1 is hereby appropriated, to the State Board of Election Commissioners, to be  
2 payable from the Judicial Filing Fee Fund, for covering the costs of election  
3 expenses by the of the State Board of Election Commissioners for the biennial  
4 period ending June 30, 2009, the sum of .....\$1,600,000.  
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6 SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY  
8 FORWARD – ELECTION EXPENSES. At the close of the fiscal year ending June 30,  
9 ~~2006~~ 2008, any unexpended balance of monies provided for Election Expenses,  
10 shall be transferred forward and made available for the same purpose for the  
11 fiscal year ending June 30, ~~2007~~ 2009.

12 Any carry forward of unexpended balance of appropriation and/or funding as  
13 authorized herein, may be carried forward under the following conditions:

14 (1) Prior to June 30, 2008 the Agency shall by written statement set forth  
15 its reason(s) for the need to carry forward said appropriation and/or funding  
16 to the Department of Finance and Administration Office of Budget;

17 (2) The Department of Finance and Administration Office of Budget shall  
18 report to the Arkansas Legislative Council all amounts carried forward from  
19 the first fiscal year of the biennium to the second fiscal year of the  
20 biennium by the September Arkansas Legislative Council or Joint Budget  
21 Committee meeting in the second fiscal year of the biennial period which  
22 report shall include the name of the Agency, Board, Commission or Institution  
23 and the amount of the appropriation and/or funding carried forward from the  
24 first fiscal year to the second fiscal year, the program name or line item,  
25 the funding source of that appropriation and a copy of the written request  
26 set forth in (1) above;

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

35 (4) Thereupon, the Department of Finance and Administration shall include  
36 all information obtained in item (3) above in the biennial budget manuals

1 and/or a statement of non-compliance by the Agency, Board, Commission or  
2 Institution.

3 The provisions of this section shall be in effect only from July 1, ~~2005~~  
4 2007 through June 30, ~~2007~~ 2009.

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6 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. USE OF  
8 ELECTION EXPENSES APPROPRIATION. The funds appropriated for Election  
9 Expenses may be used to cover the expenses of the State Board of Election  
10 Commissioners and the county election commissions to conduct presidential  
11 preferential primary elections, preferential primary elections, general  
12 primary elections, special primary elections, nonpartisan judicial general  
13 elections, and statewide special elections. The provisions of this section  
14 shall be in effect only from July 1, ~~2005~~ 2007 through June 30, ~~2007~~ 2009.

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16 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND  
18 TRANSFER. The Chief Fiscal Officer of the State shall transfer on his books  
19 and those of the State Treasurer and Auditor of State the balance remaining  
20 on June 30, 2007, in the Computerized Voter Registration Fund to the State  
21 Central Services Fund there to be used by the Secretary of State to provide  
22 system enhancements for the statewide voter registration system. Upon  
23 completion of this transfer, A.C.A. §19-6-476 is hereby repealed.

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25 SECTION 8. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
26 by this act shall be limited to the appropriation for such agency and funds  
27 made available by law for the support of such appropriations; and the  
28 restrictions of the State Procurement Law, the General Accounting and  
29 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
30 Procedures and Restrictions Act, or their successors, and other fiscal  
31 control laws of this State, where applicable, and regulations promulgated by  
32 the Department of Finance and Administration, as authorized by law, shall be  
33 strictly complied with in disbursement of said funds.

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35 SECTION 9. LEGISLATIVE INTENT. It is the intent of the General Assembly  
36 that any funds disbursed under the authority of the appropriations contained

1 in this act shall be in compliance with the stated reasons for which this act  
2 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
3 and Legislative Recommendations contained in the budget manuals prepared by  
4 the Department of Finance and Administration, letters, or summarized oral  
5 testimony in the official minutes of the Arkansas Legislative Council or  
6 Joint Budget Committee which relate to its passage and adoption.

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

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20 /s/ Joint Budget Committee

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22 APPROVED: 3/19/2007  
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