

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 442 of the Regular Session

As Engrossed: H2/6/09 H2/20/09

A Bill

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009

HOUSE BILL 1369

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 SECRETARY
11 OF STATE FOR THE FISCAL YEAR ENDING JUNE 30,
12 2010; AND FOR OTHER PURPOSES.
13

Subtitle

14
15 AN ACT FOR THE SECRETARY OF STATE
16 APPROPRIATION FOR THE 2009-2010 FISCAL
17 YEAR.
18
19

20
21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

23 SECTION 1. REGULAR SALARIES - CENTRAL OPERATIONS. There is hereby
24 established for the Secretary of State - Central Operations for the 2009-2010
25 fiscal year, the following maximum number of regular employees whose salaries
26 shall be governed by the provisions of the Uniform Classification and
27 Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and
28 all laws amendatory thereto. Provided, however, that any position to which a
29 specific maximum annual salary is set out herein in dollars, shall be exempt
30 from the provisions of said Uniform Classification and Compensation Act. All
31 persons occupying positions authorized herein are hereby governed by the
32 provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas
33 Code §21-5-101), or its successor.
34

35
Maximum Annual



1			Maximum	Salary Rate
2	Item		No. of	Fiscal Year
3	No.	Title	Employees	2009-2010
4	(1)	SEC OF STATE CHIEF DEPUTY	1	\$103,239
5	(2)	SEC OF STATE DEP FOR ELECTION/COMM	1	\$94,126
6	(3)	SEC OF STATE GENERAL COUNSEL	2	\$84,583
7	(4)	SEC OF STATE ASSISTANT COUNSEL	1	\$81,127
8	(5)	SEC OF STATE INFO TECH DIRECTOR	1	\$81,127
9	(6)	SEC OF STATE DATABASE ENGINEER	1	\$80,735
10	(7)	SEC OF STATE BUSINESS DIRECTOR	1	\$70,994
11	(8)	SEC OF STATE ELECTION DIRECTOR	1	\$70,994
12	(9)	SEC OF STATE COMMUNICATION/ED DIR	1	\$70,994
13	(10)	SEC OF STATE BUS AND COMMERCIAL SVC	1	\$70,994
14	(11)	SEC OF STATE PUBLIC AFFAIRS DIR	1	\$70,994
15	(12)	SEC OF STATE VOTER SVCS SUPERVISOR	1	\$66,169
16	(13)	SEC OF STATE PUBLIC EVENTS COORD	1	\$64,872
17	(14)	SEC OF STATE EDUCATION COORDINATOR	1	\$62,848
18	(15)	SEC OF STATE PROJECT COORDINATOR	3	\$57,391
19	(16)	SEC OF STATE FINANCE MANAGER	1	\$57,391
20	(17)	SEC OF STATE PROGRAMMER ANALYST II	1	\$57,338
21	(18)	SEC OF STATE ELECTION SERVICES SUPV	1	\$56,547
22	(19)	SEC OF STATE HUMAN RESOURCES MGR	1	\$56,483
23	(20)	SEC OF STATE PROGRAMMER ANALYST	1	\$55,253
24	(21)	SEC OF STATE ELECTION COORDINATOR	6	\$53,814
25	(22)	SEC OF STATE PURCHASING MANAGER	1	\$51,663
26	(23)	SEC OF STATE NETWORK ADMINISTRATOR	1	\$50,657
27	(24)	SEC OF STATE SECURITY ADMINISTRATOR	1	\$50,657
28	(25)	SEC OF STATE ASST FINANCE MANAGER	1	\$49,875
29	(26)	SEC OF STATE CAPITOL HISTORIAN	1	\$49,660
30	(27)	SEC OF STATE OUTREACH COORDINATOR	1	\$49,660
31	(28)	SEC OF STATE BUS CONTINUITY ADMIN	1	\$49,500
32	(29)	SEC OF STATE EXECUTIVE ASSISTANT	1	\$49,369
33	(30)	SEC OF STATE ADMIN ASSISTANT	2	\$48,978
34	(31)	SEC OF STATE ACCOUNTANT	4	\$47,051
35	(32)	SEC OF STATE VOTER SERVICES SYS ADM	1	\$46,515
36	(33)	SEC OF STATE VOTER SVCS PROJECT ADM	1	\$46,515

1	(34)	SEC OF STATE PC HARDWARE SPEC	1	\$46,515
2	(35)	SEC OF STATE USER SUPPORT ANALYST	1	\$46,515
3	(36)	SEC OF STATE PRODUCTION SPEC	1	\$46,515
4	(37)	SEC OF STATE LEGAL ASSISTANT	1	\$45,362
5	(38)	SEC OF STATE CUSTOMER SVCS COORD	3	\$44,120
6	(39)	SEC OF STATE COMM/EDUC COORD	1	\$44,120
7	(40)	SEC OF STATE PHOTOGRAPHY MANAGER	1	\$43,356
8	(41)	SEC OF STATE PUBLIC INFO OFFCR	1	\$43,275
9	(42)	SEC OF STATE PHOTOGRAPHER	2	\$40,039
10	(43)	SEC OF STATE BUSINESS ASSISTANT	2	\$39,871
11	(44)	SEC OF STATE PURCHASING ASST	1	\$39,871
12	(45)	SEC OF STATE PAYROLL OFFICER	1	\$39,871
13	(46)	SEC OF STATE LEAD CORPORATIONS REP	2	\$39,871
14	(47)	SEC OF STATE LEAD UCC REP	2	\$39,871
15	(48)	SEC OF STATE RECORDS SPECIALIST	1	\$39,871
16	(49)	SEC OF STATE ELECTION SVCS REP II	1	\$39,468
17	(50)	SEC OF STATE VOTER SVCS REP	1	\$39,468
18	(51)	SEC OF STATE ELECT SVCS REP	3	\$39,468
19	(52)	SEC OF STATE RECEPTIONIST II	1	\$36,706
20	(53)	SEC OF STATE CORPORATIONS REP	15	\$34,872
21	(54)	SEC OF STATE UCC REP	3	\$34,872
22	(55)	SEC OF STATE HELP DESK REP	2	\$34,611
23	(56)	SEC OF STATE TOUR INFORMATION SPEC	1	\$26,580
24	(57)	SEC OF STATE MAIL CLERK	<u>1</u>	\$26,355
25		MAX. NO. OF EMPLOYEES	94	

26

27 SECTION 2. EXTRA HELP - CENTRAL OPERATIONS. There is hereby authorized,
 28 for the Secretary of State - Central Operations for the 2009-2010 fiscal
 29 year, the following maximum number of part-time or temporary employees, to be
 30 known as "Extra Help", payable from funds appropriated herein for such
 31 purposes: twenty-five (25) temporary or part-time employees, when needed, at
 32 rates of pay not to exceed those provided in the Uniform Classification and
 33 Compensation Act, or its successor, or this act for the appropriate
 34 classification.

35

36 SECTION 3. APPROPRIATION - CENTRAL OPERATIONS. There is hereby

1 appropriated, to the Secretary of State, to be payable from the State Central
 2 Services Fund, for personal services and operating expenses of the Secretary
 3 of State - Central Operations for the fiscal year ending June 30, 2010, the
 4 following:

6	ITEM	FISCAL YEAR
7	<u>NO.</u>	<u>2009-2010</u>
8	(01) REGULAR SALARIES	\$ 4,617,313
9	(02) EXTRA HELP	88,707
10	(03) PERSONAL SERVICES MATCHING	1,352,475
11	(04) OVERTIME	10,000
12	(05) MAINT. & GEN. OPERATION	
13	(A) OPER. EXPENSE	1,543,614
14	(B) CONF. & TRAVEL	52,446
15	(C) PROF. FEES	63,748
16	(D) CAP. OUTLAY	170,908
17	(E) DATA PROC.	109,935
18	(06) MANDATORY PUBLICATIONS	144,486
19	(07) PETITION VERIFICATION	200,000
20	(08) PUBLISH LEGAL NOTICES	400,000
21	(09) RECORDS MANAGEMENT	933,977
22	(10) STATEWIDE VOTER REGISTRATION SYSTEM	1,456,109
23	(11) FLAGS	<u>181,250</u>
24	TOTAL AMOUNT APPROPRIATED	<u>\$ 11,324,968</u>

25
 26 SECTION 4. REGULAR SALARIES - SUPPORT OPERATIONS. There is hereby
 27 established for the Secretary of State - Support Operations for the 2009-2010
 28 fiscal year, the following maximum number of regular employees whose salaries
 29 shall be governed by the provisions of the Uniform Classification and
 30 Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and
 31 all laws amendatory thereto. Provided, however, that any position to which a
 32 specific maximum annual salary is set out herein in dollars, shall be exempt
 33 from the provisions of said Uniform Classification and Compensation Act. All
 34 persons occupying positions authorized herein are hereby governed by the
 35 provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas
 36 Code §21-5-101), or its successor.

Item No.	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2009-2010
6	(1) SEC OF STATE DEPUTY CONSTR/BLDG/GRN	1	\$94,126
7	(2) SEC OF STATE CAPITOL POLICE CHIEF	1	\$73,271
8	(3) SEC OF STATE MASTER TRADES DIRECTOR	1	\$70,994
9	(4) SEC OF STATE BLDG GROUNDS DIRECTOR	1	\$70,994
10	(5) SEC OF STATE CAPITOL ASST POLICE CHF	1	\$63,126
11	(6) SEC OF STATE GROUNDS MGR	1	\$61,459
12	(7) SEC OF STATE BLDG OPERATIONS MGR	1	\$61,459
13	(8) SEC OF STATE PROJECT COORDINATOR	1	\$57,391
14	(9) SEC OF STATE POLICE SERGEANT	3	\$55,372
15	(10) SEC OF STATE MASTER PLUMBER	1	\$50,725
16	(11) SEC OF STATE MASTER ELECTRICIAN	1	\$50,725
17	(12) SEC OF STATE CORPORAL	16	\$46,584
18	(13) SEC OF STATE BLDG & GROUNDS SUPV	4	\$44,102
19	(14) SEC OF STATE BLDG&GRNDS PROJ COORD	1	\$43,117
20	(15) SEC OF STATE MAINTENANCE WORKER II	2	\$42,460
21	(16) SEC OF STATE ELECTRICIAN	1	\$41,830
22	(17) SEC OF STATE PLUMBER	1	\$41,830
23	(18) SEC OF STATE INMATE CREW GUARD II	1	\$39,194
24	(19) SEC OF STATE INMATE CREW GUARD I	4	\$34,128
25	(20) SEC OF STATE MAINTENANCE WORKER I	5	\$33,329
26	(21) SEC OF STATE CUSTODIAN II	1	\$32,903
27	(22) SEC OF STATE DISPATCHER	3	\$29,405
28	(23) SEC OF STATE CAPITOL HILL CUSTODIAN	1	\$27,273
29	(24) SEC OF STATE CUSTODIAN I	6	\$26,589
30	(25) SEC OF STATE GROUNDS ASSISTANT	1	\$25,835
31	(26) SEC OF STATE PARKING LOT ATTENDANT	1	\$25,835
32	(27) SEC OF STATE RECEPTIONIST I	1	\$25,835
33	(28) SEC OF STATE HOUSEKEEPER	<u>6</u>	\$25,835
34	MAX. NO. OF EMPLOYEES	68	

SECTION 5. EXTRA HELP - SUPPORT OPERATIONS. There is hereby authorized,

1 for the Secretary of State - Support Operations for the 2009-2010 fiscal
 2 year, the following maximum number of part-time or temporary employees, to be
 3 known as "Extra Help", payable from funds appropriated herein for such
 4 purposes: five (5) temporary or part-time employees, when needed, at rates
 5 of pay not to exceed those provided in the Uniform Classification and
 6 Compensation Act, or its successor, or this act for the appropriate
 7 classification.

8

9 SECTION 6. APPROPRIATION - SUPPORT OPERATIONS. There is hereby
 10 appropriated, to the Secretary of State, to be payable from the State Central
 11 Services Fund, for personal services and operating expenses of the Secretary
 12 of State - Support Operations for the fiscal year ending June 30, 2010, the
 13 following:

14

15 ITEM	FISCAL YEAR
16 <u>NO.</u>	<u>2009-2010</u>
17 (01) REGULAR SALARIES	\$ 2,870,026
18 (02) EXTRA HELP	9,000
19 (03) PERSONAL SERVICES MATCHING	889,066
20 (04) OVERTIME	23,000
21 (05) MAINT. & GEN. OPERATION	
22 (A) OPER. EXPENSE	1,356,922
23 (B) CONF. & TRAVEL	14,030
24 (C) PROF. FEES	182,000
25 (D) CAP. OUTLAY	258,940
26 (E) DATA PROC.	0
27 (06) CAPITOL GROUNDS IMPROVEMENT	137,157
28 (07) SPECIAL MAINTENANCE	494,184
29 (08) BUILDING INSURANCE	<u>223,278</u>
30 TOTAL AMOUNT APPROPRIATED	<u>\$ 6,457,603</u>

31

32 SECTION 7. APPROPRIATION - HELP AMERICA VOTE ACT - TITLE 2 - 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 expenditures requiring state matching for maintenance, operating expenses and
 36 associated costs for the Help America Vote Act for the fiscal year ending

1 June 30, 2010, the following:

2

3 ITEM	FISCAL YEAR
4 <u>NO.</u>	<u>2009-2010</u>
5 (01) HELP AMERICA VOTE ACT	\$ <u>4,780,000</u>

6

7 SECTION 8. 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, 2010, the following:

12

13 ITEM	FISCAL YEAR
14 <u>NO.</u>	<u>2009-2010</u>
15 (01) ELECTION ASSISTANCE FOR THE DISABLED	\$ <u>135,225</u>

16

17 SECTION 9. APPROPRIATION - CAPITOL GROUNDS MONUMENT/MEMORIAL PRESERVATION.

18 There is hereby appropriated, to the Secretary of State, to be payable from
19 the Capitol Grounds Monument And Memorial Preservation Fund, for various
20 construction and operating expenses for the preservation of Monuments and
21 Memorials on the State Capitol Grounds by the Secretary of State for the
22 fiscal year ending June 30, 2010, the following:

23

24 ITEM	FISCAL YEAR
25 <u>NO.</u>	<u>2009-2010</u>
26 (01) VARIOUS OPERATING & CONSTRUCTION 27 EXPENSES FOR MONUMENT/MEMORIAL 28 PRESERVATION	\$ <u>50,000</u>

29

30 SECTION 10. 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, 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	\$ 25,000
5	(B) CONF. & TRAVEL	0
6	(C) PROF. FEES	0
7	(D) CAP. OUTLAY	0
8	(E) DATA PROC.	<u>0</u>
9	TOTAL AMOUNT APPROPRIATED	<u>\$ 25,000</u>

10

11 SECTION 11. APPROPRIATION - PARKING - CASH. There is hereby appropriated,
 12 to the Secretary of State, to be payable from cash funds as defined by
 13 Arkansas Code 19-4-801 of the Secretary of State, for various operating and
 14 associated expenses for parking activity of the Secretary of State for the
 15 fiscal year ending June 30, 2010, the following:

16

17	ITEM	FISCAL YEAR
18	<u>NO.</u>	<u>2009-2010</u>
19	(01) VARIOUS PARKING EXPENSES	<u>\$ 280,000</u>

20

21 SECTION 12. APPROPRIATION - FEE AND TAX REFUNDS. There is hereby
 22 appropriated, to the Secretary of State, to be payable from the Miscellaneous
 23 Revolving Fund, for refunds and reimbursements of corporate filing fees and
 24 franchise taxes for the fiscal year ending June 30, 2010, the following:

25

26	ITEM	FISCAL YEAR
27	<u>NO.</u>	<u>2009-2010</u>
28	(01) REFUNDS/REIMBURSEMENTS	<u>\$ 450,000</u>

29

30 SECTION 13. APPROPRIATION - FIREFIGHTERS' MEMORIAL MONUMENT. There is
 31 hereby appropriated, to the Secretary of State, to be payable from the Fallen
 32 Firefighters' Memorial Fund, for various operating and construction expenses
 33 for the Fallen Firefighters' Memorial Monument for the fiscal year ending
 34 June 30, 2010, the following:

35

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

1	NO.		2009-2010
2	(01) VARIOUS OPERATING & CONSTRUCTION		
3	EXPENSES FOR THE FALLEN FIREFIGHTERS'		
4	MEMORIAL	\$	<u>22,050</u>

5

6 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY

8 FORWARD. At the close of the fiscal year ending June 30, ~~2008~~ 2010, any

9 unexpended ~~appropriation and~~ funds provided for in Professional Fees, Capital

10 Outlay, Mandatory Publications, Petition Verification, Publish Legal Notices,

11 Records Management, Elections and Motor Voter System

12 Operations/Maintenance/Enhancement Statewide Voter Registration System in

13 Section 3 and for Professional Fees, Capital Outlay, and Capitol Grounds

14 Improvement and Special Maintenance in Section 6 of this Act, shall be

15 carried forward and made available for the same purposes for the fiscal year

16 ending June 30, ~~2009~~ 2011.

17

18 SECTION 15. 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,

23 ~~2007~~ 2009 through June 30, ~~2009~~ 2010.

24

25 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. STATE

27 CAPITOL POLICE. In the event that sufficient revenues, in the judgment of

28 the Secretary of State exist, the Secretary is hereby authorized to make

29 additional salary payments from such funds to those employees who have

30 attained law enforcement certification above the basic certificate level, as

31 defined by the Arkansas Commission on Law Enforcement Standards. It is the

32 intent of this Section that such payment shall be optional, at the discretion

33 of the Secretary, dependent on sufficient revenues and shall not be

34 implemented using funds specifically set aside for other programs within the

35 Department.

36 Employees shall be eligible for all or a portion of additional salary

1 payments scheduled as follows:

- 2 I. General Certificate - \$ 300 annually
3 II. Intermediate Certificate - \$ 600 annually
4 III. Advanced Certificate - \$ 900 annually
5 IV. Senior Certificate - \$ 1,200 annually

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

- 9 1. Sec. of State Capitol Police Chief
10 2. Sec. of State Police Sergeant
11 3. Sec. of State Corporal
12 4. Sec. of State Assistant Chief

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

18 The provisions of this section shall be in effect only from July 1,
19 ~~2007~~ 2009 through June 30, ~~2009~~ 2010.

20

21 *SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS*
22 *CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER*
23 *PROVISION. After receiving approval from the Chief Fiscal Officer*
24 *of the State, and prior review by the Arkansas Legislative Council, the*
25 *Agency is authorized to transfer appropriation from any line item authorized*
26 *in Section 3 Central Operations to any other line item authorized in Section*
27 *3 and the Agency is authorized to transfer appropriation from any line item*
28 *authorized in Section 6 Support Operations to any other line item authorized*
29 *in Section 6.*

30 *The provisions of this section shall be in effect only from July 1, 2009*
31 *through June 30, 2010.*

32

33 *SECTION 18. COMPLIANCE WITH OTHER LAWS.* Disbursement of funds authorized
34 by this act shall be limited to the appropriation for such agency and funds
35 made available by law for the support of such appropriations; and the
36 restrictions of the State Procurement Law, the General Accounting and

1 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
2 Procedures and Restrictions Act, or their successors, and other fiscal
3 control laws of this State, where applicable, and regulations promulgated by
4 the Department of Finance and Administration, as authorized by law, shall be
5 strictly complied with in disbursement of said funds.

6
7 SECTION 19. LEGISLATIVE INTENT. It is the intent of the General Assembly
8 that any funds disbursed under the authority of the appropriations contained
9 in this act shall be in compliance with the stated reasons for which this act
10 was adopted, as evidenced by the Agency Requests, Executive Recommendations
11 and Legislative Recommendations contained in the budget manuals prepared by
12 the Department of Finance and Administration, letters, or summarized oral
13 testimony in the official minutes of the Arkansas Legislative Council or
14 Joint Budget Committee which relate to its passage and adoption.

15
16 SECTION 20. EMERGENCY CLAUSE. It is found and determined by the General
17 Assembly, that the Constitution of the State of Arkansas prohibits the
18 appropriation of funds for more than a one (1) year period; that the
19 effectiveness of this Act on July 1, 2009 is essential to the operation of
20 the agency for which the appropriations in this Act are provided, and that in
21 the event of an extension of the Regular Session, the delay in the effective
22 date of this Act beyond July 1, 2009 could work irreparable harm upon the
23 proper administration and provision of essential governmental programs.
24 Therefore, an emergency is hereby declared to exist and this Act being
25 necessary for the immediate preservation of the public peace, health and
26 safety shall be in full force and effect from and after July 1, 2009.

27
28 /s/ Joint Budget Committee

29
30 APPROVED: 3/18/2009