

1 State of Arkansas  
2 88th General Assembly  
3 Regular Session, 2011  
4

# A Bill

HOUSE BILL 1192

5 By: Joint Budget Committee  
6

## For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL  
9 SERVICES AND OPERATING EXPENSES FOR THE STATE  
10 BOARD OF ELECTION COMMISSIONERS FOR THE FISCAL  
11 YEAR ENDING JUNE 30, 2012; AND FOR OTHER  
12 PURPOSES.  
13  
14

## Subtitle

15 AN ACT FOR THE STATE BOARD OF ELECTION  
16 COMMISSIONERS APPROPRIATION FOR THE 2011-  
17 2012 FISCAL YEAR.  
18  
19  
20

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

23 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established  
24 for the State Board of Election Commissioners for the 2011-2012 fiscal year,  
25 the following maximum number of regular employees.  
26

Item	Class		Maximum	Maximum Annual
No.	Code	Title	No. of	Salary Rate
			Employees	Fiscal Year
				2011-2012
31	(1)	N131N SBEC DIRECTOR	1	GRADE N903
32	(2)	G047C ATTORNEY SPECIALIST	1	GRADE C126
33	(3)	G097C SBEC DEPUTY DIRECTOR	1	GRADE C122
34	(4)	G119C SBEC EDUCATIONAL SERVICES MANAGER	1	GRADE C120
35	(5)	G162C SBEC ELECTION COORDINATOR	2	GRADE C118
36	(6)	C037C ADMINISTRATIVE ANALYST	<u>1</u>	GRADE C115



1 MAX. NO. OF EMPLOYEES 7

2

3 SECTION 2. APPROPRIATION - OPERATIONS. There is hereby appropriated,  
4 to the State Board of Election Commissioners, to be payable from the  
5 Miscellaneous Agencies Fund Account, for personal services and operating  
6 expenses of the State Board of Election Commissioners for the fiscal year  
7 ending June 30, 2012, the following:

8

9 ITEM	FISCAL YEAR
10 <u>NO.</u>	<u>2011-2012</u>
11 (01) REGULAR SALARIES	\$358,166
12 (02) PERSONAL SERVICES MATCHING	104,094
13 (03) MAINT. & GEN. OPERATION	
14 (A) OPER. EXPENSE	108,060
15 (B) CONF. & TRAVEL	3,000
16 (C) PROF. FEES	5,000
17 (D) CAP. OUTLAY	0
18 (E) DATA PROC.	<u>0</u>
19 TOTAL AMOUNT APPROPRIATED	<u><u>\$578,320</u></u>

20

21 SECTION 3. APPROPRIATION - ELECTION EXPENSES. There is hereby  
22 appropriated, to the State Board of Election Commissioners, to be payable  
23 from the Miscellaneous Agencies Fund Account, for covering the costs of  
24 election expenses by the State Board of Election Commissioners for the fiscal  
25 year ending June 30, 2012, the sum of.....\$6,340,000.

26

27 SECTION 4. APPROPRIATION - NONPARTISAN JUDICIAL GENERAL ELECTIONS.  
28 There is hereby appropriated, to the State Board of Election Commissioners,  
29 to be payable from the Judicial Filing Fee Fund, for covering the costs of  
30 election expenses by the State Board of Election Commissioners for the fiscal  
31 year ending June 30, 2012, the sum of.....\$1,600,000.

32

33 SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY  
35 FORWARD - ELECTION EXPENSES. At the close of the fiscal year ending June 30,  
36 ~~2010~~ 2012, any unexpended balance of monies provided for Election Expenses,

1 shall be transferred forward and made available for the same purpose for the  
2 fiscal year ending June 30, ~~2011~~ 2013.

3 Any carry forward of unexpended balance of funding as authorized herein, may  
4 be carried forward under the following conditions:

5 (1) Prior to June 30, ~~2010~~ 2012 the Agency shall by written statement set  
6 forth its reason(s) for the need to carry forward said funding to the  
7 Department of Finance and Administration Office of Budget;

8 (2) The Department of Finance and Administration Office of Budget shall  
9 report to the Arkansas Legislative Council all amounts carried forward by the  
10 September Arkansas Legislative Council or Joint Budget Committee meeting  
11 which report shall include the name of the Agency, Board, Commission or  
12 Institution and the amount of the funding carried forward, the program name  
13 or line item, the funding source of that appropriation and a copy of the  
14 written request set forth in (1) above;

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

23 (4) Thereupon, the Department of Finance and Administration shall include  
24 all information obtained in item (3) above in the biennial budget manuals  
25 and/or a statement of non-compliance by the Agency, Board, Commission or  
26 Institution.

27  
28 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. USE OF  
30 ELECTION EXPENSES APPROPRIATION. The funds appropriated for Election  
31 Expenses may be used to cover the expenses of the State Board of Election  
32 Commissioners and the county election commissions to conduct ~~presidential~~  
33 ~~preferential primary elections~~, preferential primary elections, general  
34 primary elections, special primary elections, nonpartisan judicial general  
35 elections, and statewide special elections.

36 The provisions of this section shall be in effect only from July 1, ~~2010~~

1 2011 through June 30, ~~2011~~ 2012.

2  
3 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
5 OF FUNDS. If the State Board of Election Commissioners is required to pay the  
6 expenses for any state supported preferential primary election, general  
7 primary election, nonpartisan judicial general election, statewide special  
8 election or special primary election and funds are not available to pay for  
9 such elections, the Director of the State Board of Election Commissioners  
10 shall certify to the Chief Fiscal Officer of the State the amount needed to  
11 pay the expenses of the election(s). Upon the approval of the Chief Fiscal  
12 Officer of the State, the amount certified shall be transferred from the  
13 Budget Stabilization Trust Fund to the Miscellaneous Agencies Fund Account of  
14 the State Board of Election Commissioners. All unused funds transferred under  
15 this provision shall be transferred back to the Budget Stabilization Trust  
16 Fund at the end of each fiscal year. The Chief Fiscal Officer of the State  
17 shall initiate the necessary transfer documents to reflect all such transfers  
18 upon the fiscal records of the State Auditor, the State Treasurer and the  
19 Chief Fiscal Officer of the State.

20 The provisions of this section shall be in effect from July 1, ~~2010~~ 2011  
21 through June 30, ~~2011~~ 2012.

22  
23 SECTION 8. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
24 authorized by this act shall be limited to the appropriation for such agency  
25 and funds made available by law for the support of such appropriations; and  
26 the restrictions of the State Procurement Law, the General Accounting and  
27 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
28 Procedures and Restrictions Act, or their successors, and other fiscal  
29 control laws of this State, where applicable, and regulations promulgated by  
30 the Department of Finance and Administration, as authorized by law, shall be  
31 strictly complied with in disbursement of said funds.

32  
33 SECTION 9. LEGISLATIVE INTENT. It is the intent of the General  
34 Assembly that any funds disbursed under the authority of the appropriations  
35 contained in this act shall be in compliance with the stated reasons for  
36 which this act was adopted, as evidenced by the Agency Requests, Executive

1 Recommendations and Legislative Recommendations contained in the budget  
 2 manuals prepared by the Department of Finance and Administration, letters, or  
 3 summarized oral testimony in the official minutes of the Arkansas Legislative  
 4 Council or Joint Budget Committee which relate to its passage and adoption.

5  
 6 SECTION 10. EMERGENCY CLAUSE. It is found and determined by the  
 7 General Assembly, that the Constitution of the State of Arkansas prohibits  
 8 the appropriation of funds for more than a one (1) year period; that the  
 9 effectiveness of this Act on July 1, 2011 is essential to the operation of  
 10 the agency for which the appropriations in this Act are provided, and that in  
 11 the event of an extension of the legislative session, the delay in the  
 12 effective date of this Act beyond July 1, 2011 could work irreparable harm  
 13 upon the proper administration and provision of essential governmental  
 14 programs. Therefore, an emergency is hereby declared to exist and this Act  
 15 being necessary for the immediate preservation of the public peace, health  
 16 and safety shall be in full force and effect from and after July 1, 2011.

17  
 18  
 19 **APPROVED: 03/23/2011**  
 20  
 21  
 22  
 23  
 24  
 25  
 26  
 27  
 28  
 29  
 30  
 31  
 32  
 33  
 34  
 35  
 36