

1 State of Arkansas *As Engrossed: H3/26/19 H4/4/19*
2 92nd General Assembly **A Bill**
3 Regular Session, 2019

HOUSE BILL 1121

4
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, 2020; AND FOR OTHER
11 PURPOSES.
12

13
14 **Subtitle**

15 AN ACT FOR THE SECRETARY OF STATE
16 APPROPRIATION FOR THE 2019-2020 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 2019-2020 fiscal year, the following
24 maximum number of regular employees.
25

| 26 | | | | Maximum Annual | |
|----|------|-------|-------------------------------------|----------------|-----------|
| 27 | | | Maximum | Salary Rate | |
| 28 | Item | Class | No. of | Fiscal Year | |
| 29 | No. | Code | Title | Employees | 2019-2020 |
| 30 | (1) | Q171U | SEC OF STATE CHIEF DEPUTY | 1 | \$125,986 |
| 31 | (2) | Q172U | SEC OF STATE DEPUTY | 2 | \$112,900 |
| 32 | (3) | Q174U | SEC OF STATE SENIOR INFO TECHNICIAN | 1 | \$103,970 |
| 33 | (4) | Q173U | SEC OF STATE GENERAL COUNSEL | 1 | \$101,175 |
| 34 | (5) | Q175U | SEC OF STATE INFO TECHNICIAN | 1 | \$93,445 |
| 35 | (6) | Q178U | SEC OF STATE CAPITOL POLICE CHIEF | 1 | \$90,670 |
| 36 | (7) | Q176U | SEC OF STATE DEPARTMENT DIRECTOR | 7 | \$90,670 |



| | | | | |
|----|------|--|----|----------|
| 1 | (8) | Q177U SEC OF STATE ASSOCIATE COUNSEL | 1 | \$81,257 |
| 2 | (9) | Q179U SEC OF STATE SYSTEMS ANALYST | 1 | \$75,054 |
| 3 | (10) | Q184U SEC OF STATE BUDGET ANALYST | 1 | \$72,822 |
| 4 | (11) | Q183U SEC OF STATE DEPARTMENT MANAGER | 1 | \$72,822 |
| 5 | (12) | Q182U SEC OF STATE SENIOR SUPERVISOR | 1 | \$72,822 |
| 6 | (13) | Q181U SEC OF STATE CAPITOL POLICE CAPTAIN | 1 | \$72,822 |
| 7 | (14) | Q190U SEC OF STATE INFO TECH ANALYST | 1 | \$67,267 |
| 8 | (15) | Q185U SEC OF STATE PROGRAMMER ANALYST | 1 | \$67,267 |
| 9 | (16) | Q197U SEC OF STATE PROJECT COORDINATOR II | 3 | \$65,265 |
| 10 | (17) | Q192U SEC OF STATE DEPARTMENT SUPERVISOR | 2 | \$65,265 |
| 11 | (18) | Q188U SEC OF STATE TRADE SUPERVISOR | 2 | \$65,265 |
| 12 | (19) | Q187U SEC OF STATE POLICE SERGEANT | 3 | \$65,265 |
| 13 | (20) | Q186U SEC OF STATE ASSISTANT DIRECTOR | 3 | \$65,265 |
| 14 | (21) | Q195U SEC OF STATE INFO TECH ADMINISTRATOR | 2 | \$60,288 |
| 15 | (22) | Q231U SEC OF STATE PROJECT COORDINATOR I | 4 | \$58,493 |
| 16 | (23) | Q212U SEC OF STATE BLDGS & GRND SUPERVISOR I | 3 | \$58,493 |
| 17 | (24) | Q201U SEC OF STATE CORPORAL | 16 | \$58,493 |
| 18 | (25) | Q198U SEC OF STATE BUSINESS ACCOUNTANT II | 3 | \$58,493 |
| 19 | (26) | Q194U SEC OF STATE CREATIVE SPECIALIST III | 1 | \$58,493 |
| 20 | (27) | Q193U SEC OF STATE MASTER TRADESPERSON | 2 | \$58,493 |
| 21 | (28) | Q191U SEC OF STATE ELECTION COORDINATOR | 5 | \$58,493 |
| 22 | (29) | Q180U SEC OF STATE PUBLIC EVENTS COORD | 1 | \$58,493 |
| 23 | (30) | Q199U SEC OF STATE INFO TECH SPECIALIST | 1 | \$54,035 |
| 24 | (31) | Q210U SEC OF STATE CORPORATIONS REP III | 4 | \$52,425 |
| 25 | (32) | Q209U SEC OF STATE TRADESPERSON | 2 | \$52,425 |
| 26 | (33) | Q208U SEC OF STATE MAINTENANCE WORKER II | 4 | \$52,425 |
| 27 | (34) | Q204U SEC OF STATE EXECUTIVE ASSISTANT | 4 | \$52,425 |
| 28 | (35) | Q203U SEC OF STATE CREATIVE SPECIALIST II | 2 | \$52,425 |
| 29 | (36) | Q202U SEC OF STATE VOTER SVCS ADMINISTRATOR | 2 | \$52,425 |
| 30 | (37) | Q200U SEC OF STATE CUSTOMER SVCS COORD II | 3 | \$52,425 |
| 31 | (38) | Q215U SEC OF STATE ADMINISTRATIVE ASST III | 7 | \$46,987 |
| 32 | (39) | Q214U SEC OF STATE FACILITIES SVC REP II | 1 | \$46,987 |
| 33 | (40) | Q213U SEC OF STATE CREATIVE SPECIALIST I | 1 | \$46,987 |
| 34 | (41) | Q211U SEC OF STATE RECORDS SPECIALIST | 2 | \$46,987 |
| 35 | (42) | Q206U SEC OF STATE BLDG SVCS COORDINATOR | 1 | \$46,987 |
| 36 | (43) | Q222U SEC OF STATE MAINTENANCE WORKER I | 4 | \$42,117 |

| | | | | |
|----|------|---|----------|----------|
| 1 | (44) | Q221U SEC OF STATE FACILITIES SVC REP I | 4 | \$42,117 |
| 2 | (45) | Q219U SEC OF STATE CORPORATIONS REP II | 11 | \$42,117 |
| 3 | (46) | Q218U SEC OF STATE BUSINESS ASSISTANT I | 3 | \$42,117 |
| 4 | (47) | Q216U SEC OF STATE ADMINISTRATIVE ASST II | 3 | \$42,117 |
| 5 | (48) | Q229U SEC OF STATE MAIL CLERK | 1 | \$37,749 |
| 6 | (49) | Q225U SEC OF STATE DISPATCHER | 2 | \$37,749 |
| 7 | (50) | Q224U SEC OF STATE CUSTODIAN II | 1 | \$37,749 |
| 8 | (51) | Q223U SEC OF STATE CORPORATIONS REP I | 4 | \$37,749 |
| 9 | (52) | Q220U SEC OF STATE ADMINISTRATIVE ASST I | 5 | \$37,749 |
| 10 | (53) | Q227U SEC OF STATE CUSTODIAN I | 5 | \$33,836 |
| 11 | (54) | Q226U SEC OF STATE BLDG SVCS REP | 2 | \$33,836 |
| 12 | (55) | Q230U SEC OF STATE RECEPTIONIST I | <u>1</u> | \$31,900 |
| 13 | | MAX. NO. OF EMPLOYEES | 152 | |

14

15 SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for
 16 the Secretary of State - Operations for the 2019-2020 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.

23

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 for the fiscal year ending June 30, 2020, the following:

28

| 29 | ITEM | FISCAL YEAR |
|----|---------------------------------|------------------|
| 30 | <u>NO.</u> | <u>2019-2020</u> |
| 31 | (01) REGULAR SALARIES | \$8,505,363 |
| 32 | (02) EXTRA HELP | 144,909 |
| 33 | (03) PERSONAL SERVICES MATCHING | 2,746,200 |
| 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 | 210,000 |
| 4 | (E) DATA PROC. | 0 |
| 5 | (06) CAPITOL GROUNDS IMPROVEMENTS | 301,264 |
| 6 | (07) SPECIAL MAINTENANCE | 500,048 |
| 7 | (08) ELECTION EXPENSES | <u>2,738,029</u> |
| 8 | TOTAL AMOUNT APPROPRIATED | <u>\$19,955,359</u> |

9

10 SECTION 4. APPROPRIATION - CAPITOL GROUNDS MONUMENT/MEMORIAL
 11 PRESERVATION. There is hereby appropriated, to the Secretary of State, to be
 12 payable from the Capitol Grounds Monument And Memorial Preservation Fund, for
 13 various construction and operating expenses for the preservation of Monuments
 14 and Memorials on the State Capitol Grounds by the Secretary of State for the
 15 fiscal year ending June 30, 2020, the following:

16

| 17 | ITEM | FISCAL YEAR |
|----|---------------------------------------|------------------|
| 18 | <u>NO.</u> | <u>2019-2020</u> |
| 19 | (01) VARIOUS OPERATING & CONSTRUCTION | |
| 20 | EXPENSES FOR MONUMENT/MEMORIAL | |
| 21 | PRESERVATION | <u>\$34,948</u> |

22

23 SECTION 5. APPROPRIATION - ARKANSAS STATE CAPITOL BUILDING & GROUNDS
 24 RESTORATION - CASH. There is hereby appropriated, to the Secretary of State,
 25 to be payable from the cash fund deposited in the State Treasury as
 26 determined by the Chief Fiscal Officer of the State, from contributions and
 27 donations for maintenance and restoration projects by the Secretary of State
 28 for the fiscal year ending June 30, 2020, the following:

29

| 30 | ITEM | FISCAL YEAR |
|----|------------------------------|------------------|
| 31 | <u>NO.</u> | <u>2019-2020</u> |
| 32 | (01) MAINT. & GEN. OPERATION | |
| 33 | (A) OPER. EXPENSE | \$25,000 |
| 34 | (B) CONF. & TRAVEL | 0 |
| 35 | (C) PROF. FEES | 0 |
| 36 | (D) CAP. OUTLAY | 0 |

1 (E) DATA PROC. 0
 2 TOTAL AMOUNT APPROPRIATED \$25,000

3
 4 SECTION 6. APPROPRIATION - ADMINISTRATIVE & MAINTENANCE - CASH. There
 5 is hereby appropriated, to the Secretary of State, to be payable from cash
 6 funds as defined by Arkansas Code 19-4-801 of the Secretary of State, for
 7 various operating and associated expenses for administrative and maintenance
 8 expenses for the State Capitol grounds for the fiscal year ending June 30,
 9 2020, the following:

10

| 11 ITEM | FISCAL YEAR |
|--|------------------|
| 12 <u>NO.</u> | <u>2019-2020</u> |
| 13 (01) VARIOUS ADMINISTRATIVE & MAINTENANCE | |
| 14 EXPENSES | <u>\$375,000</u> |

15
 16 SECTION 7. APPROPRIATION - FEE AND TAX REFUNDS. There is hereby
 17 appropriated, to the Secretary of State, to be payable from the Miscellaneous
 18 Revolving Fund, for refunds and reimbursements of corporate filings fees and
 19 franchise taxes for the fiscal year ending June 30, 2020, the following:

20

| 21 ITEM | FISCAL YEAR |
|--------------------------------|------------------|
| 22 <u>NO.</u> | <u>2019-2020</u> |
| 23 (01) REFUNDS/REIMBURSEMENTS | <u>\$550,000</u> |

24
 25 SECTION 8. APPROPRIATION - COUNTY VOTING SYSTEM GRANT FUND. There is
 26 hereby appropriated, to the Secretary of State, to be payable from the County
 27 Voting System Grant Fund, for professional fees and services for upgrading or
 28 purchasing county voting systems, grants and aid for voting system equipment,
 29 programming, maintenance or equipment and devices used to view voter
 30 registration records at a polling location and refunds/reimbursements of fees
 31 for the fiscal year ending June 30, 2020, the following:

32

| 33 ITEM | FISCAL YEAR |
|-------------------------------------|---------------------|
| 34 <u>NO.</u> | <u>2019-2020</u> |
| 35 (01) COUNTY VOTING SYSTEM GRANTS | <u>\$12,000,000</u> |

36

SECTION 9. APPROPRIATION - ARKANSAS VIDEO SERVICE ACT. There is hereby appropriated, to the Secretary of State, to be payable from the Arkansas Video Service Fund, for the review and issue of certificates of franchise authority and refunds/reimbursements of fees of the Arkansas Video Service Act for the fiscal year ending June 30, 2020, the following:

| ITEM | FISCAL YEAR |
|---------------------------------|------------------|
| <u>NO.</u> | <u>2019-2020</u> |
| (01) ARKANSAS VIDEO SERVICE ACT | <u>\$25,000</u> |

SECTION 10. APPROPRIATION - NATIONAL STATUARY HALL COLLECTION. There is hereby appropriated, to the Arkansas Secretary of State, to be payable from the National Statuary Hall Collection Trust Fund, for placement and replacement of Arkansas statues in the National Statuary Hall Collection in the United States Capitol as provided under § 1-4-134 for the fiscal year ending June 30, 2020, the sum of.....\$750,000.

SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER PROVISION. After receiving approval from the Chief Fiscal Officer of the State, and prior review by the Arkansas Legislative Council or Joint Budget Committee, the Agency is authorized to transfer appropriation from any line item authorized in Operations appropriation to any other line item authorized in Operations appropriation.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. STATE CAPITOL POLICE. In the event that sufficient revenues, in the judgment of the Secretary of State exist, the Secretary is hereby authorized to make additional salary payments from such funds to those employees who have attained law enforcement certification above the basic certificate level, as defined by the Arkansas Commission on Law Enforcement Standards. It is the intent of this Section that such payment shall be optional, at the discretion of the Secretary, dependent on sufficient revenues and shall not be

1 implemented using funds specifically set aside for other programs within the
2 Department.

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

- 5 I. General Certificate - \$ 300 annually
- 6 II. Intermediate Certificate - \$ 600 annually
- 7 III. Advanced Certificate - \$ 900 annually
- 8 IV. Senior Certificate - \$1,200 annually

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

- 12 1. Sec. of State Capitol Police Chief
- 13 2. Sec. of State Police Sergeant
- 14 3. Sec. of State Corporal
- 15 4. Sec. of State Capitol Police Captain

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

21 The provisions of this section shall be in effect only from July 1, ~~2018~~
22 2019 through June 30, ~~2019~~ 2020.

23
24 *SECTION 13. Arkansas Code § 7-9-113(a)(2)(C), concerning the*
25 *publication of notice by the Secretary of State, is amended to read as*
26 *follows:*

27 *(C)(i) The reimbursement shall be placed by the Secretary*
28 *of State into the Mandatory Publication Reimbursement Fund.*

29 *(ii) Funds shall be transferred from time to time from*
30 *the Mandatory Publication Reimbursement Fund to the State Central Services*
31 *Fund as refunds for costs associated with mandatory publications.*

32
33 *SECTION 14. COMPLIANCE WITH OTHER LAWS.* Disbursement of funds
34 authorized by this act shall be limited to the appropriation for such agency
35 and funds made available by law for the support of such appropriations; and
36 the 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 15. LEGISLATIVE INTENT.* It is the intent of the General
8 Assembly that any funds disbursed under the authority of the appropriations
9 contained in this act shall be in compliance with the stated reasons for
10 which this act was adopted, as evidenced by the Agency Requests, Executive
11 Recommendations and Legislative Recommendations contained in the budget
12 manuals prepared by the Department of Finance and Administration, letters, or
13 summarized oral testimony in the official minutes of the Arkansas Legislative
14 Council or Joint Budget Committee which relate to its passage and adoption.

15
16 *SECTION 16. EMERGENCY CLAUSE.* It is found and determined by the
17 General Assembly, that the Constitution of the State of Arkansas prohibits
18 the appropriation of funds for more than a one (1) year period; that the
19 effectiveness of this Act on July 1, 2019 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 legislative session, the delay in the
22 effective date of this Act beyond July 1, 2019 could work irreparable harm
23 upon the proper administration and provision of essential governmental
24 programs. Therefore, an emergency is hereby declared to exist and this Act
25 being necessary for the immediate preservation of the public peace, health
26 and safety shall be in full force and effect from and after July 1, 2019.

27
28 */s/ Joint Budget Committee*

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30
31 **APPROVED: 4/11/19**