

Stricken language will be deleted and underlined language will be added.

1 State of Arkansas As Engrossed: H1/27/21 H3/15/21

2 93rd General Assembly

# A Bill

3 Regular Session, 2021

HOUSE BILL 1187

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, 2022; AND FOR OTHER

11

PURPOSES.

12

13

14

## Subtitle

15

AN ACT FOR THE SECRETARY OF STATE

16

APPROPRIATION FOR THE 2021-2022 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 2021-2022 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

2021-2022

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	5	\$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	24	\$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	162	

15 SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for  
 16 the Secretary of State - Operations for the 2021-2022 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.

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, 2022, the following:

29	ITEM	FISCAL YEAR
30	<u>NO.</u>	<u>2021-2022</u>
31	(01) REGULAR SALARIES	\$9,103,837
32	(02) EXTRA HELP	144,909
33	(03) PERSONAL SERVICES MATCHING	3,019,886
34	(04) OVERTIME	33,000
35	(05) MAINT. & GEN. OPERATION	
36	(A) OPER. EXPENSE	4,258,525

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) BUILDING & GROUNDS MAINTENANCE	372,678
6	(07) SPECIAL MAINTENANCE	675,048
7	(08) ELECTION EXPENSES	<u>3,088,029</u>
8	TOTAL AMOUNT APPROPRIATED	<u><u>\$21,177,519</u></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, 2022, the following:

16

17	ITEM	FISCAL YEAR
18	<u>NO.</u>	<u>2021-2022</u>
19	(01) VARIOUS OPERATING & CONSTRUCTION	
20	EXPENSES FOR MONUMENT/MEMORIAL	
21	PRESERVATION	<u><u>\$77,456</u></u>

22

23 SECTION 5. APPROPRIATION - ARKANSAS STATE CAPITOL BUILDINGS & 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, 2022, the following:

29

30	ITEM	FISCAL YEAR
31	<u>NO.</u>	<u>2021-2022</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.	<u>0</u>
2	TOTAL AMOUNT APPROPRIATED	<u><u>\$25,000</u></u>

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, for various operating and  
7 associated expenses for administrative and maintenance expenses for the State  
8 Capitol grounds for the fiscal year ending June 30, 2022, the following:

9

10	ITEM	FISCAL YEAR
11	<u>NO.</u>	<u>2021-2022</u>
12	(01) VARIOUS ADMINISTRATIVE & MAINTENANCE	
13	EXPENSES	<u><u>\$375,000</u></u>

14

15 SECTION 7. APPROPRIATION - FEE AND TAX REFUNDS. There is hereby  
16 appropriated, to the Secretary of State, to be payable from the Miscellaneous  
17 Revolving Fund, for refunds and reimbursements of corporate filings fees and  
18 franchise taxes for the fiscal year ending June 30, 2022, the following:

19

20	ITEM	FISCAL YEAR
21	<u>NO.</u>	<u>2021-2022</u>
22	(01) REFUNDS/REIMBURSEMENTS	<u><u>\$550,000</u></u>

23

24 SECTION 8. APPROPRIATION - COUNTY VOTING SYSTEM GRANT FUND. There is  
25 hereby appropriated, to the Secretary of State, to be payable from the County  
26 Voting System Grant Fund, for professional fees and services for upgrading or  
27 purchasing county voting systems, grants and aid for voting system equipment,  
28 programming, maintenance or equipment and devices used to view voter  
29 registration records at a polling location and refunds/reimbursements of fees  
30 for the fiscal year ending June 30, 2022, the following:

31

32	ITEM	FISCAL YEAR
33	<u>NO.</u>	<u>2021-2022</u>
34	(01) COUNTY VOTING SYSTEMS GRANT	<u><u>\$10,000,000</u></u>

35

36 SECTION 9. APPROPRIATION - ARKANSAS VIDEO SERVICE ACT. There is hereby

1 appropriated, to the Secretary of State, to be payable from the Arkansas  
2 Video Service Fund, for the review and issue of certificates of franchise  
3 authority and refunds/reimbursements of fees of the Arkansas Video Service  
4 Act for the fiscal year ending June 30, 2022, the following:

6 ITEM	FISCAL YEAR
7 <u>NO.</u>	<u>2021-2022</u>
8 (01) ARKANSAS VIDEO SERVICE ACT	<u>\$25,000</u>

9  
10 SECTION 10. APPROPRIATION - NATIONAL STATUARY HALL COLLECTION. There is  
11 hereby appropriated, to the Secretary of State, to be payable from the  
12 National Statuary Hall Collection Trust Fund, for placement and replacement  
13 of Arkansas statues in the National Statuary Hall Collection in the United  
14 States Capitol as provided under § 1-4-134 for the fiscal year ending June  
15 30, 2022, the sum of.....\$750,000.

16  
17 SECTION 11. APPROPRIATION - HELP AMERICA VOTE ACT - FEDERAL. There is  
18 hereby appropriated, to the Secretary of State, to be payable from the  
19 federal funds as designated by the Chief Fiscal Officer of the State, for  
20 expenditures requiring state matching for maintenance, operating expenses and  
21 associated costs for the Help America Vote Act for the fiscal year ending  
22 June 30, 2022, the sum of.....\$5,500,000.

23  
24 SECTION 12. APPROPRIATION - CASH FUNDS - GIFT SHOP AND 500 GRILL.  
25 *There is hereby appropriated to the Secretary of State, to be payable from*  
26 *the cash funds as defined by Arkansas Code 19-4-801, for personal services*  
27 *and miscellaneous operating expenses of the Gift Shop and 500 Grill of the*  
28 *Secretary of State for the fiscal year ending June 30, 2022, the sum*  
29 *of.....\$490,000.*

30  
31 SECTION 13. APPROPRIATION - CASH FUNDS - GIFT SHOP AND 500 GRILL.  
32 *There is hereby appropriated to the Secretary of State, to be payable from*  
33 *the cash funds as defined by Arkansas Code 19-4-801, for personal services*  
34 *and miscellaneous operating expenses of the Gift Shop and 500 Grill of the*  
35 *Secretary of State for the fiscal year ending June 30, 2021, the sum*  
36 *of.....\$490,000.*

1 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
3 PROVISION. After receiving approval from the Chief Fiscal Officer of the  
4 State, and prior review by the Arkansas Legislative Council or Joint Budget  
5 Committee, the Agency is authorized to transfer appropriation from any line  
6 item authorized in Operations appropriation to any other line item authorized  
7 in Operations appropriation.

8 The provisions of this section shall be in effect only from July 1, ~~2020~~  
9 2021 through June 30, ~~2021~~ 2022.

10  
11 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. STATE  
13 CAPITOL POLICE. In the event that sufficient revenues, in the judgment of  
14 the Secretary of State exist, the Secretary is hereby authorized to make  
15 additional salary payments from such funds to those employees who have  
16 attained law enforcement certification above the basic certificate level, as  
17 defined by the Arkansas Commission on Law Enforcement Standards. It is the  
18 intent of this Section that such payment shall be optional, at the discretion  
19 of the Secretary, dependent on sufficient revenues and shall not be  
20 implemented using funds specifically set aside for other programs within the  
21 Department.

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

- |    |                              |                    |
|----|------------------------------|--------------------|
| 24 | I. General Certificate       | - \$ 300 annually  |
| 25 | II. Intermediate Certificate | - \$ 600 annually  |
| 26 | III. Advanced Certificate    | - \$ 900 annually  |
| 27 | IV. Senior Certificate       | - \$1,200 annually |

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

- 31 1. Sec. of State Capitol Police Chief
- 32 2. Sec. of State Police Sergeant
- 33 3. Sec. of State Corporal
- 34 4. Sec. of State Capitol Police Captain

35 Payments made under this Section which are awarded as partial or lump sum  
36 payments shall not be considered as salary for purposes of retirement

1 benefits but shall be subject to withholding of all applicable federal and  
2 state taxes. Payments made under this Section shall not be construed as  
3 exceeding the maximum annual salary of the employee.

4 The provisions of this section shall be in effect only from July 1, ~~2020~~  
5 2021 through June 30, ~~2021~~ 2022.

6  
7 *SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE*  
8 *ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.*  
9 *PERMANENT GIFT SHOP. The Arkansas Secretary of State shall operate a gift*  
10 *shop to be permanently located in a space on the first floor of the State*  
11 *Capitol Building. It shall be the duty of the Secretary of State to maintain*  
12 *a space on the first floor of the State Capitol Building for the use of a*  
13 *gift shop. The Arkansas Secretary of State is prohibited from removing a*  
14 *gift shop from the first floor of the State Capitol Building or to nullify or*  
15 *void the provisions of this section. A space on the first floor of the State*  
16 *Capitol Building shall be the only location for the Arkansas Secretary of*  
17 *State gift shop operations and shall be the only location items of the*  
18 *Arkansas Secretary of State gift shop are sold to the public.*

19  
20 *SECTION 17. COMPLIANCE WITH OTHER LAWS. Disbursement of funds*  
21 *authorized by this act shall be limited to the appropriation for such agency*  
22 *and funds made available by law for the support of such appropriations; and*  
23 *the restrictions of the State Procurement Law, the General Accounting and*  
24 *Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary*  
25 *Procedures and Restrictions Act, or their successors, and other fiscal*  
26 *control laws of this State, where applicable, and regulations promulgated by*  
27 *the Department of Finance and Administration, as authorized by law, shall be*  
28 *strictly complied with in disbursement of said funds.*

29  
30 *SECTION 18. LEGISLATIVE INTENT. It is the intent of the General*  
31 *Assembly that any funds disbursed under the authority of the appropriations*  
32 *contained in this act shall be in compliance with the stated reasons for*  
33 *which this act was adopted, as evidenced by the Agency Requests, Executive*  
34 *Recommendations and Legislative Recommendations contained in the budget*  
35 *manuals prepared by the Department of Finance and Administration, letters, or*  
36 *summarized oral testimony in the official minutes of the Arkansas Legislative*



1 Council or Joint Budget Committee which relate to its passage and adoption.

2  
3 SECTION 19. EMERGENCY CLAUSE. It is found and determined by the  
4 General Assembly, that the Constitution of the State of Arkansas prohibits  
5 the appropriation of funds for more than a one (1) year period; that the  
6 effectiveness of this Act on July 1, 2021 is essential to the operation of  
7 the agency for which the appropriations in this Act are provided; with the  
8 exception that Section 13 in this Act shall be in full force and effect from  
9 and after the date of its passage and approval; and that in the event of an  
10 extension of the Session, the delay in the effective date of this Act beyond  
11 July 1, 2021, with the exception that Section 13 in this Act shall be in full  
12 force and effect from and after the date of its passage and approval, could  
13 work irreparable harm upon the proper administration and provision of  
14 essential governmental programs. Therefore, an emergency is hereby declared  
15 to exist and this Act being necessary for the immediate preservation of the  
16 public peace, health and safety shall be in full force and effect from and  
17 after July 1, 2021; with the exception that Section 13 in this Act shall be  
18 in full force and effect from and after the date of its passage and approval.

19  
20 /s/Joint Budget Committee  
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