

1 State of Arkansas  
2 88th General Assembly  
3 Fiscal Session, 2012  
4

# A Bill

HOUSE BILL 1072

5 By: Joint Budget Committee  
6

## For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
9 AND OPERATING EXPENSES FOR THE STATE BOARD OF  
10 ELECTION COMMISSIONERS FOR THE FISCAL YEAR ENDING  
11 JUNE 30, 2013; AND FOR OTHER PURPOSES.  
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## Subtitle

14 AN ACT FOR THE STATE BOARD OF ELECTION  
15 COMMISSIONERS APPROPRIATION FOR THE 2012-  
16 2013 FISCAL YEAR.  
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established  
23 for the State Board of Election Commissioners for the 2012-2013 fiscal year,  
24 the following maximum number of regular employees.  
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Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2012-2013
30	(1) N131N	SBEC DIRECTOR	1	GRADE N903
31	(2) G047C	ATTORNEY SPECIALIST	1	GRADE C126
32	(3) G097C	SBEC DEPUTY DIRECTOR	1	GRADE C122
33	(4) G119C	SBEC EDUCATIONAL SERVICES MANAGER	1	GRADE C120
34	(5) G162C	SBEC ELECTION COORDINATOR	2	GRADE C118
35	(6) C037C	ADMINISTRATIVE ANALYST	<u>1</u>	GRADE C115
36		MAX. NO. OF EMPLOYEES	7	



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 fiscal year ending June 30, 2013, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2012-2013</u>
(01) REGULAR SALARIES	\$366,663
(02) PERSONAL SERVICES MATCHING	105,786
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	108,060
(B) CONF. & TRAVEL	3,000
(C) PROF. FEES	5,000
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$588,509</u></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 fiscal year ending June 30, 2013, the sum of.....\$6,340,000.

SECTION 4. APPROPRIATION - NONPARTISAN JUDICIAL GENERAL ELECTIONS. There is hereby appropriated, to the State Board of Election Commissioners, to be payable from the Judicial Filing Fee Fund, for covering the costs of election expenses by the State Board of Election Commissioners for the fiscal year ending June 30, 2013, the sum of.....\$1,600,000.

SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY FORWARD - ELECTION EXPENSES. At the close of the fiscal year ending June 30, ~~2010~~ 2013, any unexpended balance of monies provided for Election Expenses, shall be transferred forward and made available for the same purpose for the

1 fiscal year ending June 30, ~~2011~~ 2014.

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

4 (1) Prior to June 30, ~~2010~~ 2013 the Agency shall by written statement set  
5 forth its reason(s) for the need to carry forward said funding to the  
6 Department of Finance and Administration Office of Budget;

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

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

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

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

34 The provisions of this section shall be in effect only from July 1, ~~2010~~  
35 2012 through June 30, ~~2011~~ 2013.

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

18 The provisions of this section shall be in effect from July 1, ~~2010~~ 2012  
19 through June 30, ~~2011~~ 2013.

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

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31 SECTION 9. LEGISLATIVE INTENT. It is the intent of the General  
32 Assembly that any funds disbursed under the authority of the appropriations  
33 contained in this act shall be in compliance with the stated reasons for  
34 which this act was adopted, as evidenced by the Agency Requests, Executive  
35 Recommendations and Legislative Recommendations contained in the budget  
36 manuals prepared by the Department of Finance and Administration, letters, or

1 summarized oral testimony in the official minutes of the Arkansas Legislative  
2 Council or Joint Budget Committee which relate to its passage and adoption.

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4 SECTION 10. EMERGENCY CLAUSE. It is found and determined by the  
5 General Assembly, that the Constitution of the State of Arkansas prohibits  
6 the appropriation of funds for more than a one (1) year period; that the  
7 effectiveness of this Act on July 1, 2012 is essential to the operation of  
8 the agency for which the appropriations in this Act are provided, and that in  
9 the event of an extension of the legislative session, the delay in the  
10 effective date of this Act beyond July 1, 2012 could work irreparable harm  
11 upon the proper administration and provision of essential governmental  
12 programs. Therefore, an emergency is hereby declared to exist and this Act  
13 being necessary for the immediate preservation of the public peace, health  
14 and safety shall be in full force and effect from and after July 1, 2012.

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17 **APPROVED: 02/21/2012**  
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