

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.

State of Arkansas
83rd General Assembly
Regular Session, 2001

A Bill

HOUSE BILL 1307

By: Joint Budget Committee

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
AND OPERATING EXPENSES FOR THE STATE BOARD OF ELECTION
COMMISSIONERS FOR THE BIENNIAL PERIOD ENDING JUNE 30,
2003; AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE STATE BOARD OF ELECTION
COMMISSIONERS APPROPRIATION FOR THE
2001-2003 BIENNIUM.

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

SECTION 1. REGULAR SALARIES. There is hereby established for the State Board of Election Commissioners for the 2001-2003 biennium, the following maximum number of regular employees whose salaries shall be governed by the provisions of the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws amendatory thereto. Provided, however, that any position to which a specific maximum annual salary is set out herein in dollars, shall be exempt from the provisions of said Uniform Classification and Compensation Act. All persons occupying positions authorized herein are hereby governed by the provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its successor.

	Maximum Annual
Maximum	Salary Rate

Item	Class	No. of	Fiscal Years
No.	Code Title	Employees	2001-2002 2002-2003
(1)	8046 STATE ELECTIONS DIRECTOR	1	\$49,179 \$50,457
(2)	9065 ELECTION COMM DIR OF COMPLIANCE	1	\$39,340 \$40,362
(3)	R298 AGENCY PROGRAM COORDINATOR	1	GRADE 21
(4)	R266 MANAGEMENT PROJECT ANALYST II	1	GRADE 20
	MAX. NO. OF EMPLOYEES	4	

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9 SECTION 2. APPROPRIATION - STATE OPERATIONS. There is hereby appropriated,
10 to the State Board of Election Commissioners, to be payable from the State
11 General Services Fund Account, for personal services and operating expenses of
12 the State Board of Election Commissioners for the biennial period ending June
13 30, 2003, the following:

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ITEM	FISCAL YEARS
NO.	2001-2002 2002-2003
(01) REGULAR SALARIES	\$ 148,639 \$ 152,502
(02) PERSONAL SERV MATCHING	38,182 38,866
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	79,960 59,960
(B) CONF. & TRAVEL	5,000 5,000
(C) PROF. FEES	20,000 5,000
(D) CAP. OUTLAY	2,300 0
(E) DATA PROC.	0 0
TOTAL AMOUNT APPROPRIATED	\$ 294,081 \$ 261,328

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27 SECTION 3. APPROPRIATION - ELECTION EXPENSES. There is hereby appropriated,
28 to the State Board of Election Commissioners, to be payable from the State
29 General Services Fund Account, for covering the costs of election expenses of
30 the State Board of Election Commissioners for the biennial period ending June
31 30, 2003, the sum of \$2,620,000.

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34 SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
35 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. USE OF ELECTION
36 EXPENSES APPROPRIATION. The funds appropriated for Election Expenses may be

used to cover the expenses of the State Board of Election Commissioners and the county election commissions to conduct preferential primary elections, general primary elections, special primary elections, and statewide special elections.

The provisions of this section shall be in effect only from July 1, 2001 through June 30, 2003.

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, ~~2000~~ 2002, any unexpended balance of monies provided for Election Expenses, shall be transferred forward and made available for the same purpose for the fiscal year ending June 30, ~~2001~~ 2003.

The provisions of this section shall be in effect only from July 1, 2001 through June 30, 2003.

SECTION 6. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES. (A) For all appropriations as provided in this Act, the agency disbursing officer shall monitor the level of fund balances in relation to expenditures on a monthly basis. If any proposed expenditures would cause a fund balance to decline to less than fifty percent (50%) of the balance available on July 1, 2001, the disbursing officer shall immediately notify the executive head of the agency. Prior to any obligations being made under these circumstances, the agency head shall file written documentation with the Chief Fiscal Officer of the State requesting approval of the expenditures. Such documentation shall provide sufficient financial data to justify the expenditures and shall include the following:

- 1) a plan that clearly indicates the specific fiscal impact of such expenditures on the fund balance.
- 2) information clearly indicating and explaining what programs would be cut or any other measures to be taken by the agency to restore the fund balance.
- 3) the extent to which any of the planned expenditures are for one-time costs or one-time purchase of capitalized items.
- 4) a statement certifying that the expenditure of fund balances will not jeopardize the financial health of the agency, nor result in a permanent

1 depletion of the fund balance.

2 (B) The Chief Fiscal Officer of the State shall review the request and
3 approve or disapprove all or any part of the request , after having sought
4 prior review by the Legislative Council.

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6 SECTION 7. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by
7 this act shall be limited to the appropriation for such agency and funds made
8 available by law for the support of such appropriations; and the restrictions
9 of the State Purchasing Law, the General Accounting and Budgetary Procedures
10 Law, the Revenue Stabilization Law, the Regular Salary Procedures and
11 Restrictions Act, or their successors, and other fiscal control laws of this
12 State, where applicable, and regulations promulgated by the Department of
13 Finance and Administration, as authorized by law, shall be strictly complied
14 with in disbursement of said funds.

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

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25 SECTION 9. EMERGENCY CLAUSE. It is found and determined by the General
26 Assembly, that the Constitution of the State of Arkansas prohibits the
27 appropriation of funds for more than a two (2) year period; that the
28 effectiveness of this Act on July 1, 2001 is essential to the operation of the
29 agency for which the appropriations in this Act are provided, and that in the
30 event of an extension of the Regular Session, the delay in the effective date
31 of this Act beyond July 1, 2001 could work irreparable harm upon the proper
32 administration and provision of essential governmental programs. Therefore, an
33 emergency is hereby declared to exist and this Act being necessary for the
34 immediate preservation of the public peace, health and safety shall be in full
35 force and effect from and after July 1, 2001.