

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.

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007
4

As Engrossed: H2/16/07

A Bill

HOUSE BILL 1124

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES AND OPERATING EXPENSES FOR THE STATE
11 BOARD OF ELECTION COMMISSIONERS FOR THE BIENNIAL
12 PERIOD ENDING JUNE 30, 2009; AND FOR OTHER
13 PURPOSES.
14

Subtitle

15
16 AN ACT FOR THE STATE BOARD OF ELECTION
17 COMMISSIONERS APPROPRIATION FOR THE
18 2007-2009 BIENNIUM.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established for
25 the State Board of Election Commissioners for the 2007-2009 biennium, the
26 following maximum number of regular employees whose salaries shall be
27 governed by the provisions of the Uniform Classification and Compensation Act
28 (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws amendatory
29 thereto. Provided, however, that any position to which a specific maximum
30 annual salary is set out herein in dollars, shall be exempt from the
31 provisions of said Uniform Classification and Compensation Act. All persons
32 occupying positions authorized herein are hereby governed by the provisions
33 of the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-
34 101), or its successor.
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Maximum Annual



Item No.	Class Code	Title	Maximum No. of Employees	Salary Rate 2007-2008	Salary Rate 2008-2009
1	(1)	8046 STATE ELECTIONS DIRECTOR	1	\$78,429	\$79,997
2	(2)	9348 DIRECTOR OF EDUCATIONAL SERVICES	1	\$47,409	\$48,357
3	(3)	9065 ELECTION COMM DEPUTY DIRECTOR	1	\$48,776	\$49,752
4	(4)	R298 AGENCY PROGRAM COORDINATOR	2	GRADE 21	
5	(5)	R266 MANAGEMENT PROJECT ANALYST II	1	GRADE 20	
6	MAX. NO. OF EMPLOYEES		6		

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11 SECTION 2. APPROPRIATION - OPERATIONS. There is hereby appropriated, to
 12 the State Board of Election Commissioners, to be payable from the
 13 Miscellaneous Agencies Fund Account, for personal services and operating
 14 expenses of the State Board of Election Commissioners for the biennial period
 15 ending June 30, 2009, the following:

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ITEM NO.		FISCAL YEARS	
		2007-2008	2008-2009
17	(01) REGULAR SALARIES	\$ 285,842	\$ 291,514
18	(02) PERSONAL SERVICES MATCHING	82,818	83,968
19	(03) MAINT. & GEN. OPERATION		
20	(A) OPER. EXPENSE	108,060	108,060
21	(B) CONF. & TRAVEL	3,000	3,000
22	(C) PROF. FEES	5,000	5,000
23	(D) CAP. OUTLAY	0	0
24	(E) DATA PROC.	0	0
25	TOTAL AMOUNT APPROPRIATED	<u>\$ 484,720</u>	<u>\$ 491,542</u>

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27 SECTION 3. APPROPRIATION - ELECTION EXPENSES. There is hereby
 28 appropriated, to the State Board of Election Commissioners, to be payable
 29 from the Miscellaneous Agencies Fund Account, for covering the costs of
 30 election expenses by the State Board of Election Commissioners for the
 31 biennial period ending June 30, 2009, the sum of\$3,787,000.
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36 SECTION 4. APPROPRIATION - NONPARTISAN JUDICIAL GENERAL ELECTIONS. There
 is hereby appropriated, to the State Board of Election Commissioners, to be

1 payable from the Judicial Filing Fee Fund, for covering the costs of election
2 expenses by the of the State Board of Election Commissioners for the biennial
3 period ending June 30, 2009, the sum of\$1,600,000.
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5 SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
7 FORWARD – ELECTION EXPENSES. At the close of the fiscal year ending June 30,
8 ~~2006~~ 2008, any unexpended balance of monies provided for Election Expenses,
9 shall be transferred forward and made available for the same purpose for the
10 fiscal year ending June 30, ~~2007~~ 2009.

11 Any carry forward of unexpended balance of appropriation and/or funding as
12 authorized herein, may be carried forward under the following conditions:

13 (1) Prior to June 30, 2008 the Agency shall by written statement set forth
14 its reason(s) for the need to carry forward said appropriation and/or funding
15 to the Department of Finance and Administration Office of Budget;

16 (2) The Department of Finance and Administration Office of Budget shall
17 report to the Arkansas Legislative Council all amounts carried forward from
18 the first fiscal year of the biennium to the second fiscal year of the
19 biennium by the September Arkansas Legislative Council or Joint Budget
20 Committee meeting in the second fiscal year of the biennial period which
21 report shall include the name of the Agency, Board, Commission or Institution
22 and the amount of the appropriation and/or funding carried forward from the
23 first fiscal year to the second fiscal year, the program name or line item,
24 the funding source of that appropriation and a copy of the written request
25 set forth in (1) above;

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

34 (4) Thereupon, the Department of Finance and Administration shall include
35 all information obtained in item (3) above in the biennial budget manuals
36 and/or a statement of non-compliance by the Agency, Board, Commission or

1 Institution.

2 The provisions of this section shall be in effect only from July 1, ~~2005~~
3 2007 through June 30, ~~2007~~ 2009.

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5 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. USE OF
7 ELECTION EXPENSES APPROPRIATION. The funds appropriated for Election
8 Expenses may be used to cover the expenses of the State Board of Election
9 Commissioners and the county election commissions to conduct presidential
10 preferential primary elections, preferential primary elections, general
11 primary elections, special primary elections, nonpartisan judicial general
12 elections, and statewide special elections. The provisions of this section
13 shall be in effect only from July 1, ~~2005~~ 2007 through June 30, ~~2007~~ 2009.

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15 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND
17 TRANSFER. The Chief Fiscal Officer of the State shall transfer on his books
18 and those of the State Treasurer and Auditor of State the balance remaining
19 on June 30, 2007, in the Computerized Voter Registration Fund to the State
20 Central Services Fund there to be used by the Secretary of State to provide
21 system enhancements for the statewide voter registration system. Upon
22 completion of this transfer, A.C.A. §19-6-476 is hereby repealed.

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

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34 SECTION 9. LEGISLATIVE INTENT. It is the intent of the General Assembly
35 that any funds disbursed under the authority of the appropriations contained
36 in this act shall be in compliance with the stated reasons for which this act

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

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7 SECTION 10. EMERGENCY CLAUSE. It is found and determined by the General
8 Assembly, that the Constitution of the State of Arkansas prohibits the
9 appropriation of funds for more than a two (2) year period; that the
10 effectiveness of this Act on July 1, 2007 is essential to the operation of
11 the agency for which the appropriations in this Act are provided, and that in
12 the event of an extension of the Regular Session, the delay in the effective
13 date of this Act beyond July 1, 2007 could work irreparable harm upon the
14 proper administration and provision of essential governmental programs.
15 Therefore, an emergency is hereby declared to exist and this Act being
16 necessary for the immediate preservation of the public peace, health and
17 safety shall be in full force and effect from and after July 1, 2007.

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19 /s/ Joint Budget Committee
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