

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 87th General Assembly
3 Regular Session, 2009
4

A Bill

HOUSE BILL 1369

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 SECRETARY
11 OF STATE FOR THE FISCAL YEAR ENDING JUNE 30,
12 2010; AND FOR OTHER PURPOSES.
13

Subtitle

14
15 AN ACT FOR THE SECRETARY OF STATE
16 APPROPRIATION FOR THE 2009-2010 FISCAL
17 YEAR.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

23 SECTION 1. REGULAR SALARIES - CENTRAL OPERATIONS. There is hereby
24 established for the Secretary of State - Central Operations for the 2009-2010
25 fiscal year, the following maximum number of regular employees whose salaries
26 shall be governed by the provisions of the Uniform Classification and
27 Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and
28 all laws amendatory thereto. Provided, however, that any position to which a
29 specific maximum annual salary is set out herein in dollars, shall be exempt
30 from the provisions of said Uniform Classification and Compensation Act. All
31 persons occupying positions authorized herein are hereby governed by the
32 provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas
33 Code §21-5-101), or its successor.
34

35 Maximum Annual
36 Maximum Salary Rate



1	Item		No. of	Fiscal Year
2	No.	Title	Employees	2009-2010
3	(1)	SEC OF STATE CHIEF DEPUTY	1	\$103,239
4	(2)	SEC OF STATE DEP FOR ELECTION/COMM	1	\$94,126
5	(3)	SEC OF STATE GENERAL COUNSEL	2	\$84,583
6	(4)	SEC OF STATE ASSISTANT COUNSEL	1	\$81,127
7	(5)	SEC OF STATE INFO TECH DIRECTOR	1	\$81,127
8	(6)	SEC OF STATE DATABASE ENGINEER	1	\$80,735
9	(7)	SEC OF STATE BUSINESS DIRECTOR	1	\$70,994
10	(8)	SEC OF STATE ELECTION DIRECTOR	1	\$70,994
11	(9)	SEC OF STATE COMMUNICATION/ED DIR	1	\$70,994
12	(10)	SEC OF STATE BUS AND COMMERCIAL SVC	1	\$70,994
13	(11)	SEC OF STATE PUBLIC AFFAIRS DIR	1	\$70,994
14	(12)	SEC OF STATE VOTER SVCS SUPERVISOR	1	\$66,169
15	(13)	SEC OF STATE PUBLIC EVENTS COORD	1	\$64,872
16	(14)	SEC OF STATE EDUCATION COORDINATOR	1	\$62,848
17	(15)	SEC OF STATE PROJECT COORDINATOR	3	\$57,391
18	(16)	SEC OF STATE FINANCE MANAGER	1	\$57,391
19	(17)	SEC OF STATE PROGRAMMER ANALYST II	1	\$57,338
20	(18)	SEC OF STATE ELECTION SERVICES SUPV	1	\$56,547
21	(19)	SEC OF STATE HUMAN RESOURCES MGR	1	\$56,483
22	(20)	SEC OF STATE PROGRAMMER ANALYST	1	\$55,253
23	(21)	SEC OF STATE ELECTION COORDINATOR	6	\$53,814
24	(22)	SEC OF STATE PURCHASING MANAGER	1	\$51,663
25	(23)	SEC OF STATE NETWORK ADMINISTRATOR	1	\$50,657
26	(24)	SEC OF STATE SECURITY ADMINISTRATOR	1	\$50,657
27	(25)	SEC OF STATE ASST FINANCE MANAGER	1	\$49,875
28	(26)	SEC OF STATE CAPITOL HISTORIAN	1	\$49,660
29	(27)	SEC OF STATE OUTREACH COORDINATOR	1	\$49,660
30	(28)	SEC OF STATE BUS CONTINUITY ADMIN	1	\$49,500
31	(29)	SEC OF STATE EXECUTIVE ASSISTANT	1	\$49,369
32	(30)	SEC OF STATE ADMIN ASSISTANT	2	\$48,978
33	(31)	SEC OF STATE ACCOUNTANT	4	\$47,051
34	(32)	SEC OF STATE VOTER SERVICES SYS ADM	1	\$46,515
35	(33)	SEC OF STATE VOTER SVCS PROJECT ADM	1	\$46,515
36	(34)	SEC OF STATE PC HARDWARE SPEC	1	\$46,515

1	(35)	SEC OF STATE USER SUPPORT ANALYST	1	\$46,515
2	(36)	SEC OF STATE PRODUCTION SPEC	1	\$46,515
3	(37)	SEC OF STATE LEGAL ASSISTANT	1	\$45,362
4	(38)	SEC OF STATE CUSTOMER SVCS COORD	3	\$44,120
5	(39)	SEC OF STATE COMM/EDUC COORD	1	\$44,120
6	(40)	SEC OF STATE PHOTOGRAPHY MANAGER	1	\$43,356
7	(41)	SEC OF STATE PUBLIC INFO OFFCR	1	\$43,275
8	(42)	SEC OF STATE PHOTOGRAPHER	2	\$40,039
9	(43)	SEC OF STATE BUSINESS ASSISTANT	2	\$39,871
10	(44)	SEC OF STATE PURCHASING ASST	1	\$39,871
11	(45)	SEC OF STATE PAYROLL OFFICER	1	\$39,871
12	(46)	SEC OF STATE LEAD CORPORATIONS REP	2	\$39,871
13	(47)	SEC OF STATE LEAD UCC REP	2	\$39,871
14	(48)	SEC OF STATE RECORDS SPECIALIST	1	\$39,871
15	(49)	SEC OF STATE ELECTION SVCS REP II	1	\$39,468
16	(50)	SEC OF STATE VOTER SVCS REP	1	\$39,468
17	(51)	SEC OF STATE ELECT SVCS REP	3	\$39,468
18	(52)	SEC OF STATE RECEPTIONIST II	1	\$36,706
19	(53)	SEC OF STATE CORPORATIONS REP	15	\$34,872
20	(54)	SEC OF STATE UCC REP	3	\$34,872
21	(55)	SEC OF STATE HELP DESK REP	2	\$34,611
22	(56)	SEC OF STATE TOUR INFORMATION SPEC	1	\$26,580
23	(57)	SEC OF STATE MAIL CLERK	<u>1</u>	\$26,355
24		MAX. NO. OF EMPLOYEES	94	

25

26 SECTION 2. EXTRA HELP - CENTRAL OPERATIONS. There is hereby authorized,
 27 for the Secretary of State - Central Operations for the 2009-2010 fiscal
 28 year, the following maximum number of part-time or temporary employees, to be
 29 known as "Extra Help", payable from funds appropriated herein for such
 30 purposes: twenty-five (25) temporary or part-time employees, when needed, at
 31 rates of pay not to exceed those provided in the Uniform Classification and
 32 Compensation Act, or its successor, or this act for the appropriate
 33 classification.

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35 SECTION 3. APPROPRIATION - CENTRAL OPERATIONS. There is hereby
 36 appropriated, to the Secretary of State, to be payable from the State Central

1 Services Fund, for personal services and operating expenses of the Secretary
 2 of State - Central Operations for the fiscal year ending June 30, 2010, the
 3 following:

5 ITEM	FISCAL YEAR
6 <u>NO.</u>	<u>2009-2010</u>
7 (01) REGULAR SALARIES	\$ 4,617,313
8 (02) EXTRA HELP	88,707
9 (03) PERSONAL SERVICES MATCHING	1,352,475
10 (04) OVERTIME	10,000
11 (05) MAINT. & GEN. OPERATION	
12 (A) OPER. EXPENSE	1,543,614
13 (B) CONF. & TRAVEL	52,446
14 (C) PROF. FEES	63,748
15 (D) CAP. OUTLAY	170,908
16 (E) DATA PROC.	109,935
17 (06) MANDATORY PUBLICATIONS	144,486
18 (07) PETITION VERIFICATION	200,000
19 (08) PUBLISH LEGAL NOTICES	400,000
20 (09) RECORDS MANAGEMENT	732,900
21 (10) STATEWIDE VOTER REGISTRATION SYSTEM	1,456,109
22 (11) FLAGS	<u>181,250</u>
23 TOTAL AMOUNT APPROPRIATED	<u>\$ 11,123,891</u>

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25 SECTION 4. REGULAR SALARIES - SUPPORT OPERATIONS. There is hereby
 26 established for the Secretary of State - Support Operations for the 2009-2010
 27 fiscal year, the following maximum number of regular employees whose salaries
 28 shall be governed by the provisions of the Uniform Classification and
 29 Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and
 30 all laws amendatory thereto. Provided, however, that any position to which a
 31 specific maximum annual salary is set out herein in dollars, shall be exempt
 32 from the provisions of said Uniform Classification and Compensation Act. All
 33 persons occupying positions authorized herein are hereby governed by the
 34 provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas
 35 Code §21-5-101), or its successor.

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Item	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2009-2010
(1)	SEC OF STATE DEPUTY CONSTR/BLDG/GRN	1	\$94,126
(2)	SEC OF STATE CAPITOL POLICE CHIEF	1	\$73,271
(3)	SEC OF STATE MASTER TRADES DIRECTOR	1	\$70,994
(4)	SEC OF STATE BLDG GROUNDS DIRECTOR	1	\$70,994
(5)	SEC OF STATE CAPITOL ASST POLICE CHF	1	\$63,126
(6)	SEC OF STATE GROUNDS MGR	1	\$61,459
(7)	SEC OF STATE BLDG OPERATIONS MGR	1	\$61,459
(8)	SEC OF STATE PROJECT COORDINATOR	1	\$57,391
(9)	SEC OF STATE POLICE SERGEANT	3	\$55,372
(10)	SEC OF STATE MASTER PLUMBER	1	\$50,725
(11)	SEC OF STATE MASTER ELECTRICIAN	1	\$50,725
(12)	SEC OF STATE CORPORAL	16	\$46,584
(13)	SEC OF STATE BLDG & GROUNDS SUPV	4	\$44,102
(14)	SEC OF STATE BLDG&GRNDS PROJ COORD	1	\$43,117
(15)	SEC OF STATE MAINTENANCE WORKER II	2	\$42,460
(16)	SEC OF STATE ELECTRICIAN	1	\$41,830
(17)	SEC OF STATE PLUMBER	1	\$41,830
(18)	SEC OF STATE INMATE CREW GUARD II	1	\$39,194
(19)	SEC OF STATE INMATE CREW GUARD I	4	\$34,128
(20)	SEC OF STATE MAINTENANCE WORKER I	5	\$33,329
(21)	SEC OF STATE CUSTODIAN II	1	\$32,903
(22)	SEC OF STATE DISPATCHER	3	\$29,405
(23)	SEC OF STATE CAPITOL HILL CUSTODIAN	1	\$27,273
(24)	SEC OF STATE CUSTODIAN I	6	\$26,589
(25)	SEC OF STATE GROUNDS ASSISTANT	1	\$25,835
(26)	SEC OF STATE PARKING LOT ATTENDANT	1	\$25,835
(27)	SEC OF STATE RECEPTIONIST I	1	\$25,835
(28)	SEC OF STATE HOUSEKEEPER	<u>6</u>	\$25,835
MAX. NO. OF EMPLOYEES		68	

SECTION 5. EXTRA HELP - SUPPORT OPERATIONS. There is hereby authorized, for the Secretary of State - Support Operations for the 2009-2010 fiscal

1 year, the following maximum number of part-time or temporary employees, to be
2 known as "Extra Help", payable from funds appropriated herein for such
3 purposes: five (5) temporary or part-time employees, when needed, at rates
4 of pay not to exceed those provided in the Uniform Classification and
5 Compensation Act, or its successor, or this act for the appropriate
6 classification.

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8 SECTION 6. APPROPRIATION - SUPPORT OPERATIONS. There is hereby
9 appropriated, to the Secretary of State, to be payable from the State Central
10 Services Fund, for personal services and operating expenses of the Secretary
11 of State - Support Operations for the fiscal year ending June 30, 2010, the
12 following:

14 ITEM	FISCAL YEAR
15 <u>NO.</u>	<u>2009-2010</u>
16 (01) REGULAR SALARIES	\$ 2,870,026
17 (02) EXTRA HELP	9,000
18 (03) PERSONAL SERVICES MATCHING	889,066
19 (04) OVERTIME	23,000
20 (05) MAINT. & GEN. OPERATION	
21 (A) OPER. EXPENSE	1,216,719
22 (B) CONF. & TRAVEL	14,030
23 (C) PROF. FEES	182,000
24 (D) CAP. OUTLAY	258,940
25 (E) DATA PROC.	0
26 (06) CAPITOL GROUNDS IMPROVEMENT	137,157
27 (07) SPECIAL MAINTENANCE	494,184
28 (08) BUILDING INSURANCE	<u>167,953</u>
29 TOTAL AMOUNT APPROPRIATED	<u>\$ 6,262,075</u>

30
31 SECTION 7. APPROPRIATION - HELP AMERICA VOTE ACT - TITLE 2 - FEDERAL.
32 There is hereby appropriated, to the Secretary of State, to be payable from
33 the federal funds as designated by the Chief Fiscal Officer of the State, for
34 expenditures requiring state matching for maintenance, operating expenses and
35 associated costs for the Help America Vote Act for the fiscal year ending
36 June 30, 2010, the following:

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ITEM	FISCAL YEAR
<u>NO.</u>	<u>2009-2010</u>
(01) HELP AMERICA VOTE ACT	<u>\$ 4,780,000</u>

SECTION 8. APPROPRIATION - ELECTION ASSISTANCE FOR DISABLED - FEDERAL.
 There is hereby appropriated, to the Secretary of State, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for grants, aid and professional fees and services for election assistance for the disabled for the fiscal year ending June 30, 2010, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2009-2010</u>
(01) ELECTION ASSISTANCE FOR THE DISABLED	<u>\$ 135,225</u>

SECTION 9. APPROPRIATION - CAPITOL GROUNDS MONUMENT/MEMORIAL PRESERVATION.
 There is hereby appropriated, to the Secretary of State, to be payable from the Capitol Grounds Monument And Memorial Preservation Fund, for various construction and operating expenses for the preservation of Monuments and Memorials on the State Capitol Grounds by the Secretary of State for the fiscal year ending June 30, 2010, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2009-2010</u>
(01) VARIOUS OPERATING & CONSTRUCTION EXPENSES FOR MONUMENT/MEMORIAL PRESERVATION	<u>\$ 50,000</u>

SECTION 10. APPROPRIATION - ARKANSAS STATE CAPITOL BUILDING AND GROUNDS RESTORATION - CASH. There is hereby appropriated, to the Secretary of State, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, from contributions and donations for maintenance and restoration projects by the Secretary of State for the fiscal year ending June 30, 2010, the following:

ITEM	FISCAL YEAR
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1	<u>NO.</u>	<u>2009-2010</u>
2	(01) MAINT. & GEN. OPERATION	
3	(A) OPER. EXPENSE	\$ 25,000
4	(B) CONF. & TRAVEL	0
5	(C) PROF. FEES	0
6	(D) CAP. OUTLAY	0
7	(E) DATA PROC.	<u>0</u>
8	TOTAL AMOUNT APPROPRIATED	<u>\$ 25,000</u>

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10 SECTION 11. APPROPRIATION - PARKING - CASH. There is hereby appropriated,
 11 to the Secretary of State, to be payable from cash funds as defined by
 12 Arkansas Code 19-4-801 of the Secretary of State, for various operating and
 13 associated expenses for parking activity of the Secretary of State for the
 14 fiscal year ending June 30, 2010, the following:

16	ITEM	FISCAL YEAR
17	<u>NO.</u>	<u>2009-2010</u>
18	(01) VARIOUS PARKING EXPENSES	<u>\$ 280,000</u>

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20 SECTION 12. APPROPRIATION - FEE AND TAX REFUNDS. There is hereby
 21 appropriated, to the Secretary of State, to be payable from the Miscellaneous
 22 Revolving Fund, for refunds and reimbursements of corporate filing fees and
 23 franchise taxes for the fiscal year ending June 30, 2010, the following:

25	ITEM	FISCAL YEAR
26	<u>NO.</u>	<u>2009-2010</u>
27	(01) REFUNDS/REIMBURSEMENTS	<u>\$ 450,000</u>

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29 SECTION 13. APPROPRIATION - FIREFIGHTERS' MEMORIAL MONUMENT. There is
 30 hereby appropriated, to the Secretary of State, to be payable from the Fallen
 31 Firefighters' Memorial Fund, for various operating and construction expenses
 32 for the Fallen Firefighters' Memorial Monument for the fiscal year ending
 33 June 30, 2010, the following:

35	ITEM	FISCAL YEAR
36	<u>NO.</u>	<u>2009-2010</u>

1 (01) VARIOUS OPERATING & CONSTRUCTION
2 EXPENSES FOR THE FALLEN FIREFIGHTERS'
3 MEMORIAL

\$ 22,050

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5 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
7 FORWARD. At the close of the fiscal year ending June 30, ~~2008~~ 2010, any
8 unexpended ~~appropriation and~~ funds provided for in Professional Fees, Capital
9 Outlay, Mandatory Publications, Petition Verification, Publish Legal Notices,
10 Records Management, Elections and Motor Voter System
11 ~~Operations/Maintenance/Enhancement-Statewide Voter Registration System~~ in
12 Section 3 and for Professional Fees, Capital Outlay, and Capitol Grounds
13 Improvement and Special Maintenance in Section 6 of this Act, shall be
14 carried forward and made available for the same purposes for the fiscal year
15 ending June 30, ~~2009~~ 2011.

16
17 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
19 REIMBURSEMENT. The Miscellaneous Revolving Fund shall be reimbursed in the
20 manner provided by law.

21 The provisions of this section shall be in effect only from July 1,
22 ~~2007~~ 2009 through June 30, ~~2009~~ 2010.

23
24 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. STATE
26 CAPITOL POLICE. In the event that sufficient revenues, in the judgment of
27 the Secretary of State exist, the Secretary is hereby authorized to make
28 additional salary payments from such funds to those employees who have
29 attained law enforcement certification above the basic certificate level, as
30 defined by the Arkansas Commission on Law Enforcement Standards. It is the
31 intent of this Section that such payment shall be optional, at the discretion
32 of the Secretary, dependent on sufficient revenues and shall not be
33 implemented using funds specifically set aside for other programs within the
34 Department.

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

- 1 I. General Certificate - \$ 300 annually
- 2 II. Intermediate Certificate - \$ 600 annually
- 3 III. Advanced Certificate - \$ 900 annually
- 4 IV. Senior Certificate - \$ 1,200 annually

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

- 8 1. Sec. of State Capitol Police Chief
- 9 2. Sec. of State Police Sergeant
- 10 3. Sec. of State Corporal
- 11 4. Sec. of State Assistant Chief

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

17 The provisions of this section shall be in effect only from July 1,
 18 ~~2007~~ 2009 through June 30, ~~2009~~ 2010.

19
 20 SECTION 17. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
 21 by this act shall be limited to the appropriation for such agency and funds
 22 made available by law for the support of such appropriations; and the
 23 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 Assembly
 31 that any funds disbursed under the authority of the appropriations contained
 32 in this act shall be in compliance with the stated reasons for which this act
 33 was adopted, as evidenced by the Agency Requests, Executive Recommendations
 34 and Legislative Recommendations contained in the budget manuals prepared by
 35 the Department of Finance and Administration, letters, or summarized oral
 36 testimony in the official minutes of the Arkansas Legislative Council or

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

2
3 SECTION 19. EMERGENCY CLAUSE. It is found and determined by the General
4 Assembly, that the Constitution of the State of Arkansas prohibits the
5 appropriation of funds for more than a one (1) year period; that the
6 effectiveness of this Act on July 1, 2009 is essential to the operation of
7 the agency for which the appropriations in this Act are provided, and that in
8 the event of an extension of the Regular Session, the delay in the effective
9 date of this Act beyond July 1, 2009 could work irreparable harm upon the
10 proper administration and provision of essential governmental programs.
11 Therefore, an emergency is hereby declared to exist and this Act being
12 necessary for the immediate preservation of the public peace, health and
13 safety shall be in full force and effect from and after July 1, 2009.