

1 State of Arkansas
2 87th General Assembly
3 Fiscal Session, 2010

A Bill

HOUSE BILL 1114

4
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 FISCAL
12 YEAR ENDING JUNE 30, 2011; AND FOR OTHER
13 PURPOSES.
14

Subtitle

15
16 AN ACT FOR THE STATE BOARD OF ELECTION
17 COMMISSIONERS APPROPRIATION FOR THE
18 2010-2011 FISCAL YEAR.
19
20
21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23

24 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established for
25 the State Board of Election Commissioners for the 2010-2011 fiscal year, 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.
35

36 Maximum Annual



Item Class	Maximum No. of Employees	Salary Rate Fiscal Year 2010-2011
(1) N131N SBEC DIRECTOR	1	GRADE N903
(2) G047C ATTORNEY SPECIALIST	1	GRADE C126
(3) G097C SBEC DEPUTY DIRECTOR	1	GRADE C122
(4) G119C SBEC EDUCATIONAL SERVICES MANAGER	1	GRADE C120
(5) G162C SBEC ELECTION COORDINATOR	2	GRADE C118
(6) C037C ADMINISTRATIVE ANALYST	<u>1</u>	GRADE C115
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, 2011, the following:

ITEM NO.	FISCAL YEAR 2010-2011
(01) REGULAR SALARIES	\$ 372,763
(02) PERSONAL SERVICES MATCHING	105,248
(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>\$ 594,071</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, 2011, the sum of.....\$4,987,000.

SECTION 4. APPROPRIATION - NONPARTISAN JUDICIAL GENERAL ELECTIONS. There

1 is hereby appropriated, to the State Board of Election Commissioners, to be
2 payable from the Judicial Filing Fee Fund, for covering the costs of election
3 expenses by the State Board of Election Commissioners for the fiscal year
4 ending June 30, 2011, the sum of.....\$1,600,000.
5

6 SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
8 FORWARD – ELECTION EXPENSES. At the close of the fiscal year ending June 30,
9 2010, any unexpended balance of monies provided for Election Expenses, shall
10 be transferred forward and made available for the same purpose for the fiscal
11 year ending June 30, 2011.

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

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

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

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

32 (4) Thereupon, the Department of Finance and Administration shall include
33 all information obtained in item (3) above in the biennial budget manuals
34 and/or a statement of non-compliance by the Agency, Board, Commission or
35 Institution.
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1 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. USE OF
 3 ELECTION EXPENSES APPROPRIATION. The funds appropriated for Election
 4 Expenses may be used to cover the expenses of the State Board of Election
 5 Commissioners and the county election commissions to conduct presidential
 6 preferential primary elections, preferential primary elections, general
 7 primary elections, special primary elections, nonpartisan judicial general
 8 elections, and statewide special elections.

9 The provisions of this section shall be in effect only from July 1,
 10 ~~2007~~ 2010 through June 30, ~~2009~~ 2011.

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

27 The provisions of this section shall be in effect from July 1, ~~2009~~ 2010
 28 through June 30, ~~2010~~ 2011.

29
 30 SECTION 8. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
 31 by this act shall be limited to the appropriation for such agency and funds
 32 made available by law for the support of such appropriations; and the
 33 restrictions of the State Procurement Law, the General Accounting and
 34 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
 35 Procedures and Restrictions Act, or their successors, and other fiscal
 36 control laws of this State, where applicable, and regulations promulgated by

1 the Department of Finance and Administration, as authorized by law, shall be
 2 strictly complied with in disbursement of said funds.

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 4 SECTION 9. LEGISLATIVE INTENT. It is the intent of the General Assembly
 5 that any funds disbursed under the authority of the appropriations contained
 6 in this act shall be in compliance with the stated reasons for which this act
 7 was adopted, as evidenced by the Agency Requests, Executive Recommendations
 8 and Legislative Recommendations contained in the budget manuals prepared by
 9 the Department of Finance and Administration, letters, or summarized oral
 10 testimony in the official minutes of the Arkansas Legislative Council or
 11 Joint Budget Committee which relate to its passage and adoption.

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 13 SECTION 10. EMERGENCY CLAUSE. It is found and determined by the General
 14 Assembly, that the Constitution of the State of Arkansas prohibits the
 15 appropriation of funds for more than a one (1) year period; that the
 16 effectiveness of this Act on July 1, 2010 is essential to the operation of
 17 the agency for which the appropriations in this Act are provided, and that in
 18 the event of an extension of the legislative session, the delay in the
 19 effective date of this Act beyond July 1, 2010 could work irreparable harm
 20 upon the proper administration and provision of essential governmental
 21 programs. Therefore, an emergency is hereby declared to exist and this Act
 22 being necessary for the immediate preservation of the public peace, health
 23 and safety shall be in full force and effect from and after July 1, 2010.