

1 State of Arkansas  
2 88th General Assembly  
3 Regular Session, 2011  
4

# A Bill

HOUSE BILL 1194

5 By: Joint Budget Committee  
6

## For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL  
9 SERVICES AND OPERATING EXPENSES FOR THE SECRETARY  
10 OF STATE FOR THE FISCAL YEAR ENDING JUNE 30,  
11 2012; AND FOR OTHER PURPOSES.  
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## Subtitle

14 AN ACT FOR THE SECRETARY OF STATE  
15 APPROPRIATION FOR THE 2011-2012 FISCAL  
16 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 - CENTRAL OPERATIONS. There is hereby  
23 established for the Secretary of State – Central Operations for the 2011-2012  
24 fiscal year, the following maximum number of regular employees.  
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26			Maximum Annual
27		Maximum	Salary Rate
28	Item	No. of	Fiscal Year
29	<u>No.</u>	<u>Title</u>	<u>Employees</u>
			<u>2011-2012</u>
30	(1)	SEC OF STATE CHIEF DEPUTY	1 \$107,578
31	(2)	SEC OF STATE DEPUTY FOR ELECTION/COMM	1 \$98,082
32	(3)	SEC OF STATE GENERAL COUNSEL	2 \$88,137
33	(4)	SEC OF STATE ASSISTANT COUNSEL	1 \$84,536
34	(5)	SEC OF STATE INFO TECH DIRECTOR	1 \$84,536
35	(6)	SEC OF STATE DATABASE ENGINEER	1 \$84,128
36	(7)	SEC OF STATE BUSINESS DIRECTOR	1 \$73,977



1	(8)	SEC OF STATE ELECTION DIRECTOR	1	\$73,977
2	(9)	SEC OF STATE COMMUNICATION/ED DIR	1	\$73,977
3	(10)	SEC OF STATE BUS AND COMMERCIAL SVC	1	\$73,977
4	(11)	SEC OF STATE PUBLIC AFFAIRS DIRECTOR	1	\$73,977
5	(12)	SEC OF STATE VOTER SVCS SUPERVISOR	1	\$68,949
6	(13)	SEC OF STATE PUBLIC EVENTS COORD	1	\$67,598
7	(14)	SEC OF STATE EDUCATION COORDINATOR	1	\$65,489
8	(15)	SEC OF STATE PROJECT COORDINATOR	3	\$59,803
9	(16)	SEC OF STATE FINANCE MANAGER	1	\$59,803
10	(17)	SEC OF STATE PROGRAMMER ANALYST II	1	\$59,748
11	(18)	SEC OF STATE ELECTION SERVICES SUPV	1	\$58,923
12	(19)	SEC OF STATE HUMAN RESOURCES MGR	1	\$58,856
13	(20)	SEC OF STATE PROGRAMMER ANALYST	1	\$57,575
14	(21)	SEC OF STATE ELECTION COORDINATOR	6	\$56,075
15	(22)	SEC OF STATE PURCHASING MANAGER	1	\$53,835
16	(23)	SEC OF STATE NETWORK ADMINISTRATOR	1	\$52,786
17	(24)	SEC OF STATE SECURITY ADMINISTRATOR	1	\$52,786
18	(25)	SEC OF STATE ASSISTANT FINANCE MNG	1	\$51,971
19	(26)	SEC OF STATE CAPITOL HISTORIAN	1	\$51,746
20	(27)	SEC OF STATE OUTREACH COORDINATOR	1	\$51,746
21	(28)	SEC OF STATE BUSINESS CONTINUITY AD	1	\$51,580
22	(29)	SEC OF STATE EXECUTIVE ASSISTANT	1	\$51,443
23	(30)	SEC OF STATE ADMIN ASSISTANT	2	\$51,036
24	(31)	SEC OF STATE ACCOUNTANT	4	\$49,028
25	(32)	SEC OF STATE VOTER SERVICES SYS ADM	1	\$48,470
26	(33)	SEC OF STATE VOTER SVCS PROJECT ADM	1	\$48,470
27	(34)	SEC OF STATE PC HARDWARE SPEC	1	\$48,470
28	(35)	SEC OF STATE USER SUPPORT ANALYST	1	\$48,470
29	(36)	SEC OF STATE PRODUCTION SPEC	1	\$48,470
30	(37)	SEC OF STATE LEGAL ASSISTANT	1	\$47,268
31	(38)	SEC OF STATE CUSTOMER SVCS COORD	3	\$45,974
32	(39)	SEC OF STATE COMM/EDUC COORD	1	\$45,974
33	(40)	SEC OF STATE PHOTOGRAPHY MANAGER	1	\$45,178
34	(41)	SEC OF STATE PUBLIC INFO OFFICER	1	\$45,093
35	(42)	SEC OF STATE PHOTOGRAPHER	2	\$41,721
36	(43)	SEC OF STATE BUSINESS ASSISTANT	2	\$41,546

1	(44)	SEC OF STATE PURCHASING ASST	1	\$41,546
2	(45)	SEC OF STATE PAYROLL OFFICER	1	\$41,546
3	(46)	SEC OF STATE LEAD CORPORATIONS REP	2	\$41,546
4	(47)	SEC OF STATE LEAD UCC REP	2	\$41,546
5	(48)	SEC OF STATE RECORDS SPECIALIST	1	\$41,546
6	(49)	SEC OF STATE ELECTION SVCS REP II	1	\$41,125
7	(50)	SEC OF STATE VOTER SVCS REP	1	\$41,125
8	(51)	SEC OF STATE ELECT SVCS REP	3	\$41,125
9	(52)	SEC OF STATE RECEPTIONIST II	1	\$38,248
10	(53)	SEC OF STATE CORPORATIONS REP	15	\$36,337
11	(54)	SEC OF STATE UCC REP	3	\$36,337
12	(55)	SEC OF STATE HELP DESK REP	2	\$36,065
13	(56)	SEC OF STATE TOUR INFORMATION SPEC	1	\$27,696
14	(57)	SEC OF STATE MAIL CLERK	<u>1</u>	\$27,462
15		MAX. NO. OF EMPLOYEES	94	

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17 SECTION 2. EXTRA HELP - CENTRAL OPERATIONS. There is hereby  
 18 authorized, for the Secretary of State - Central Operations for the 2011-2012  
 19 fiscal year, the following maximum number of part-time or temporary  
 20 employees, to be known as "Extra Help", payable from funds appropriated  
 21 herein for such purposes: twenty-five (25) temporary or part-time employees,  
 22 when needed, at rates of pay not to exceed those provided in the Uniform  
 23 Classification and Compensation Act, or its successor, or this act for the  
 24 appropriate classification.

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26 SECTION 3. APPROPRIATION - CENTRAL OPERATIONS. There is hereby  
 27 appropriated, to the Secretary of State, to be payable from the State Central  
 28 Services Fund, for personal services and operating expenses of the Secretary  
 29 of State - Central Operations for the fiscal year ending June 30, 2012, the  
 30 following:

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32	ITEM	FISCAL YEAR
33	<u>NO.</u>	<u>2011-2012</u>
34	(01) REGULAR SALARIES	\$4,812,964
35	(02) EXTRA HELP	87,606
36	(03) PERSONAL SERVICES MATCHING	1,433,706

1	(04) OVERTIME	10,000
2	(05) MAINT. & GEN. OPERATION	
3	(A) OPER. EXPENSE	1,775,474
4	(B) CONF. & TRAVEL	51,795
5	(C) PROF. FEES	160,456
6	(D) CAP. OUTLAY	201,700
7	(E) DATA PROC.	0
8	(06) MANDATORY PUBLICATIONS	214,038
9	(07) PETITION VERIFICATION	350,000
10	(08) PUBLISH LEGAL NOTICES	450,000
11	(09) RECORDS MANAGEMENT	933,977
12	(10) STATEWIDE VOTER REGISTRATION SYSTEM	1,438,029
13	(11) FLAGS	<u>181,250</u>
14	TOTAL AMOUNT APPROPRIATED	<u>\$12,100,995</u>

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16 SECTION 4. REGULAR SALARIES - SUPPORT OPERATIONS. There is hereby  
 17 established for the Secretary of State – Support Operations for the 2011-2012  
 18 fiscal year, the following maximum number of regular employees.

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20				Maximum Annual
21			Maximum	Salary Rate
22	Item		No. of	Fiscal Year
23	No.	Title	Employees	2011-2012
24	(1)	SEC OF STATE DEPUTY CONSTR/BLDG/GRN	1	\$98,082
25	(2)	SEC OF STATE CAPITOL POLICE CHIEF	1	\$76,350
26	(3)	SEC OF STATE MASTER TRADES DIRECTOR	1	\$73,977
27	(4)	SEC OF STATE BLDG GROUNDS DIRECTOR	1	\$73,977
28	(5)	SEC OF STATE CAPITOL ASST POLICE CHIEF	1	\$65,779
29	(6)	SEC OF STATE GROUNDS MGR	1	\$64,042
30	(7)	SEC OF STATE BLDG OPERATIONS MGR	1	\$64,042
31	(8)	SEC OF STATE PROJECT COORDINATOR	1	\$59,803
32	(9)	SEC OF STATE POLICE SERGEANT	3	\$57,698
33	(10)	SEC OF STATE MASTER PLUMBER	1	\$52,857
34	(11)	SEC OF STATE MASTER ELECTRICIAN	1	\$52,857
35	(12)	SEC OF STATE CORPORAL	16	\$48,541
36	(13)	SEC OF STATE BUILDING & GROUNDS SUPV	4	\$45,956

1	(14)	SEC OF STATE BLDG&GRNDS PROJ COORD	1	\$44,928
2	(15)	SEC OF STATE MAINTENANCE WORKER II	2	\$44,243
3	(16)	SEC OF STATE ELECTRICIAN	1	\$43,587
4	(17)	SEC OF STATE PLUMBER	1	\$43,587
5	(18)	SEC OF STATE INMATE CREW GUARD II	1	\$40,841
6	(19)	SEC OF STATE INMATE CREW GUARD I	4	\$35,562
7	(20)	SEC OF STATE MAINTENANCE WORKER I	5	\$34,729
8	(21)	SEC OF STATE CUSTODIAN II	1	\$34,286
9	(22)	SEC OF STATE DISPATCHER	3	\$30,640
10	(23)	SEC OF STATE CAPITOL HILL CUSTODIAN	1	\$28,418
11	(24)	SEC OF STATE CUSTODIAN I	6	\$27,706
12	(25)	SEC OF STATE GROUNDS ASSISTANT	1	\$26,920
13	(26)	SEC OF STATE PARKING LOT ATTENDANT	1	\$26,920
14	(27)	SEC OF STATE RECEPTIONIST I	1	\$26,920
15	(28)	SEC OF STATE HOUSEKEEPER	<u>6</u>	\$26,920
16		MAX. NO. OF EMPLOYEES	68	

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18 SECTION 5. EXTRA HELP - SUPPORT OPERATIONS. There is hereby  
 19 authorized, for the Secretary of State - Support Operations for the 2011-2012  
 20 fiscal year, the following maximum number of part-time or temporary  
 21 employees, to be known as "Extra Help", payable from funds appropriated  
 22 herein for such purposes: five (5) temporary or part-time employees, when  
 23 needed, at rates of pay not to exceed those provided in the Uniform  
 24 Classification and Compensation Act, or its successor, or this act for the  
 25 appropriate classification.

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27 SECTION 6. APPROPRIATION - SUPPORT OPERATIONS. There is hereby  
 28 appropriated, to the Secretary of State, to be payable from the State Central  
 29 Services Fund, for personal services and operating expenses of the Secretary  
 30 of State - Support Operations for the fiscal year ending June 30, 2012, the  
 31 following:

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33	ITEM	FISCAL YEAR
34	<u>NO.</u>	<u>2011-2012</u>
35	(01) REGULAR SALARIES	\$2,990,802
36	(02) EXTRA HELP	9,000

1	(03) PERSONAL SERVICES MATCHING	935,584
2	(04) OVERTIME	23,000
3	(05) MAINT. & GEN. OPERATION	
4	(A) OPER. EXPENSE	1,356,922
5	(B) CONF. & TRAVEL	13,856
6	(C) PROF. FEES	138,000
7	(D) CAP. OUTLAY	165,000
8	(E) DATA PROC.	0
9	(06) CAPITOL GROUNDS IMPROVEMENT	135,454
10	(07) SPECIAL MAINTENANCE	488,048
11	(08) BUILDING INSURANCE	<u>223,278</u>
12	TOTAL AMOUNT APPROPRIATED	<u><u>\$6,478,944</u></u>

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14 SECTION 7. APPROPRIATION - HELP AMERICA VOTE ACT - TITLE 2 - FEDERAL.  
 15 There is hereby appropriated, to the Secretary of State, to be payable from  
 16 the federal funds as designated by the Chief Fiscal Officer of the State, for  
 17 expenditures requiring state matching for maintenance, operating expenses and  
 18 associated costs for the Help America Vote Act for the fiscal year ending  
 19 June 30, 2012, the following:

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21	ITEM	FISCAL YEAR
22	<u>NO.</u>	<u>2011-2012</u>
23	(01) HELP AMERICA VOTE ACT	<u><u>\$5,490,000</u></u>

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25 SECTION 8. APPROPRIATION - HELP AMERICA VOTE ACT - STATE. There is  
 26 hereby appropriated, to the Secretary of State, to be payable from the cash  
 27 fund deposited in the State Treasury as determined by the Chief Fiscal  
 28 Officer of the State, for state match for maintenance and operating expenses  
 29 and associated costs for the Help America Vote Act for the fiscal year ending  
 30 June 30, 2012, the following:

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32	ITEM	FISCAL YEAR
33	<u>NO.</u>	<u>2011-2012</u>
34	(01) HELP AMERICA VOTE ACT - STATE MATCH	<u><u>\$700,000</u></u>

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36 SECTION 9. APPROPRIATION - ELECTION ASSISTANCE FOR DISABLED - FEDERAL.

1 There is hereby appropriated, to the Secretary of State, to be payable from  
 2 the federal funds as designated by the Chief Fiscal Officer of the State, for  
 3 grants, aid and professional fees and services for election assistance for  
 4 the disabled for the fiscal year ending June 30, 2012, the following:

6 ITEM	FISCAL YEAR
7 <u>NO.</u>	<u>2011-2012</u>
8 (01) ELECTION ASSISTANCE FOR THE DISABLED	<u>\$196,398</u>

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 10 SECTION 10. APPROPRIATION - CAPITOL GROUNDS MONUMENT/MEMORIAL  
 11 PRESERVATION. There is hereby appropriated, to the Secretary of State, to be  
 12 payable from the Capitol Grounds Monument And Memorial Preservation Fund, for  
 13 various construction and operating expenses for the preservation of Monuments  
 14 and Memorials on the State Capitol Grounds by the Secretary of State for the  
 15 fiscal year ending June 30, 2012, the following:

17 ITEM	FISCAL YEAR
18 <u>NO.</u>	<u>2011-2012</u>
19 (01) VARIOUS OPERATING & CONSTRUCTION	
20 EXPENSES FOR MONUMENT/MEMORIAL	
21 PRESERVATION	<u>\$50,000</u>

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 23 SECTION 11. APPROPRIATION - ARKANSAS STATE CAPITOL BUILDING AND GROUNDS  
 24 RESTORATION - CASH. There is hereby appropriated, to the Secretary of State,  
 25 to be payable from the cash fund deposited in the State Treasury as  
 26 determined by the Chief Fiscal Officer of the State, from contributions and  
 27 donations for maintenance and restoration projects by the Secretary of State  
 28 for the fiscal year ending June 30, 2012, the following:

30 ITEM	FISCAL YEAR
31 <u>NO.</u>	<u>2011-2012</u>
32 (01) MAINT. & GEN. OPERATION	
33 (A) OPER. EXPENSE	\$25,000
34 (B) CONF. & TRAVEL	0
35 (C) PROF. FEES	0
36 (D) CAP. OUTLAY	0

1	(E) DATA PROC.	<u>0</u>
2	TOTAL AMOUNT APPROPRIATED	<u><u>\$25,000</u></u>

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 4 SECTION 12. APPROPRIATION - PARKING - CASH. There is hereby  
 5 appropriated, to the Secretary of State, to be payable from cash funds as  
 6 defined by Arkansas Code 19-4-801 of the Secretary of State, for various  
 7 operating and associated expenses for parking activity of the Secretary of  
 8 State for the fiscal year ending June 30, 2012, the following:

10	ITEM	FISCAL YEAR
11	<u>NO.</u>	<u>2011-2012</u>
12	(01) VARIOUS PARKING EXPENSES	<u><u>\$300,000</u></u>

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 14 SECTION 13. APPROPRIATION - FEE AND TAX REFUNDS. There is hereby  
 15 appropriated, to the Secretary of State, to be payable from the Miscellaneous  
 16 Revolving Fund, for refunds and reimbursements of corporate filing fees and  
 17 franchise taxes for the fiscal year ending June 30, 2012, the following:

19	ITEM	FISCAL YEAR
20	<u>NO.</u>	<u>2011-2012</u>
21	(01) REFUNDS/REIMBURSEMENTS	<u><u>\$450,000</u></u>

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 23 SECTION 14. APPROPRIATION - FIREFIGHTERS' MEMORIAL MONUMENT. There is  
 24 hereby appropriated, to the Secretary of State, to be payable from the Fallen  
 25 Firefighters' Memorial Fund, for various operating and construction expenses  
 26 for the Fallen Firefighters' Memorial Monument for the fiscal year ending  
 27 June 30, 2012, the following:

29	ITEM	FISCAL YEAR
30	<u>NO.</u>	<u>2011-2012</u>
31	(01) VARIOUS OPERATING & CONSTRUCTION	
32	EXPENSES FOR THE FALLEN	
33	FIREFIGHTERS' MEMORIAL	<u><u>\$37,360</u></u>

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 35 SECTION 15. REGULAR SALARIES - REAPPORTIONMENT. There is hereby  
 36 established for the Secretary of State for the 2011-2012 fiscal year, the

1 following maximum number of regular employees.

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Item		Maximum	Maximum Annual
No.	Title	No. of	Salary Rate
		Employees	Fiscal Year
			2011-2012
(1)	SEC OF STATE PROGRAM COORDINATOR	<u>1</u>	\$63,000
	MAX. NO. OF EMPLOYEES	1	

10 SECTION 16. EXTRA HELP - REAPPORTIONMENT. There is hereby authorized,  
11 for the Secretary of State for the 2011-2012 fiscal year, the following  
12 maximum number of part-time or temporary employees, to be known as "Extra  
13 Help", payable from funds appropriated herein for such purposes: one (1)  
14 temporary or part-time employees, when needed, at rates of pay not to exceed  
15 those provided in the Uniform Classification and Compensation Act, or its  
16 successor, or this act for the appropriate classification.

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SECTION 17. APPROPRIATION - REAPPORTIONMENT. There is hereby  
appropriated, to the Secretary of State, to be payable from the State Central  
Services Fund, for personal services and operating expenses associated with  
reapportionment for the fiscal year ending June 30, 2012, the following:

ITEM		FISCAL YEAR
NO.		2011-2012
(01)	REGULAR SALARIES	\$63,000
(02)	EXTRA HELP	7,500
(03)	PERSONAL SERVICES MATCHING	18,170
(04)	MAINT. & GEN. OPERATION	
(A)	OPER. EXPENSE	317,873
(B)	CONF. & TRAVEL	0
(C)	PROF. FEES	177,000
(D)	CAP. OUTLAY	0
(E)	DATA PROC.	<u>0</u>
	TOTAL AMOUNT APPROPRIATED	<u>\$583,543</u>

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SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
 2 REIMBURSEMENT. The Miscellaneous Revolving Fund shall be reimbursed in the  
 3 manner provided by law.

4 The provisions of this section shall be in effect only from July 1, ~~2010~~  
 5 2011 through June 30, ~~2011~~ 2012.

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 7 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. STATE  
 9 CAPITOL POLICE. In the event that sufficient revenues, in the judgment of  
 10 the Secretary of State exist, the Secretary is hereby authorized to make  
 11 additional salary payments from such funds to those employees who have  
 12 attained law enforcement certification above the basic certificate level, as  
 13 defined by the Arkansas Commission on Law Enforcement Standards. It is the  
 14 intent of this Section that such payment shall be optional, at the discretion  
 15 of the Secretary, dependent on sufficient revenues and shall not be  
 16 implemented using funds specifically set aside for other programs within the  
 17 Department.

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

- 20 I. General Certificate - \$ 300 annually
- 21 II. Intermediate Certificate - \$ 600 annually
- 22 III. Advanced Certificate - \$ 900 annually
- 23 IV. Senior Certificate - \$1,200 annually

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

- 27 1. Sec. of State Capitol Police Chief
- 28 2. Sec. of State Police Sergeant
- 29 3. Sec. of State Corporal
- 30 4. Sec. of State Assistant Chief

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

36 The provisions of this section shall be in effect only from July 1, ~~2010~~

1 2011 through June 30, ~~2011~~ 2012.

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3 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
5 PROVISION. After receiving approval from the Chief Fiscal Officer of the  
6 State, and prior review by the Arkansas Legislative Council, the Agency is  
7 authorized to transfer appropriation from any line item authorized in Section  
8 3 Central Operations to any other line item authorized in Section 3 and the  
9 Agency is authorized to transfer appropriation from any line item authorized  
10 in Section 6 Support Operations to any other line item authorized in Section  
11 6.

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

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

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

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34 SECTION 23. EMERGENCY CLAUSE. It is found and determined by the  
35 General Assembly, that the Constitution of the State of Arkansas prohibits  
36 the appropriation of funds for more than a one (1) year period; that the

1 effectiveness of this Act on July 1, 2011 is essential to the operation of  
2 the agency for which the appropriations in this Act are provided, and that in  
3 the event of an extension of the legislative session, the delay in the  
4 effective date of this Act beyond July 1, 2011 could work irreparable harm  
5 upon the proper administration and provision of essential governmental  
6 programs. Therefore, an emergency is hereby declared to exist and this Act  
7 being necessary for the immediate preservation of the public peace, health  
8 and safety shall be in full force and effect from and after July 1, 2011.

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