

1 State of Arkansas
2 88th General Assembly
3 Fiscal Session, 2012
4

A Bill

HOUSE BILL 1072

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 STATE
10 BOARD OF ELECTION COMMISSIONERS FOR THE FISCAL
11 YEAR ENDING JUNE 30, 2013; AND FOR OTHER
12 PURPOSES.
13
14

Subtitle

15 AN ACT FOR THE STATE BOARD OF ELECTION
16 COMMISSIONERS APPROPRIATION FOR THE 2012-
17 2013 FISCAL YEAR.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established
24 for the State Board of Election Commissioners for the 2012-2013 fiscal year,
25 the following maximum number of regular employees.
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Item	Class		Maximum	Maximum Annual
No.	Code	Title	No. of	Salary Rate
			Employees	Fiscal Year
				2012-2013
31	(1) N131N	SBEC DIRECTOR	1	GRADE N903
32	(2) G047C	ATTORNEY SPECIALIST	1	GRADE C126
33	(3) G097C	SBEC DEPUTY DIRECTOR	1	GRADE C122
34	(4) G119C	SBEC EDUCATIONAL SERVICES MANAGER	1	GRADE C120
35	(5) G162C	SBEC ELECTION COORDINATOR	2	GRADE C118
36	(6) C037C	ADMINISTRATIVE ANALYST	<u>1</u>	GRADE C115



1 MAX. NO. OF EMPLOYEES 7

2

3 SECTION 2. APPROPRIATION - OPERATIONS. There is hereby appropriated,
4 to the State Board of Election Commissioners, to be payable from the
5 Miscellaneous Agencies Fund Account, for personal services and operating
6 expenses of the State Board of Election Commissioners for the fiscal year
7 ending June 30, 2013, the following:

8

9 ITEM	FISCAL YEAR
10 <u>NO.</u>	<u>2012-2013</u>
11 (01) REGULAR SALARIES	\$366,663
12 (02) PERSONAL SERVICES MATCHING	105,786
13 (03) MAINT. & GEN. OPERATION	
14 (A) OPER. EXPENSE	108,060
15 (B) CONF. & TRAVEL	3,000
16 (C) PROF. FEES	5,000
17 (D) CAP. OUTLAY	0
18 (E) DATA PROC.	<u>0</u>
19 TOTAL AMOUNT APPROPRIATED	<u><u>\$588,509</u></u>

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21 SECTION 3. APPROPRIATION - ELECTION EXPENSES. There is hereby
22 appropriated, to the State Board of Election Commissioners, to be payable
23 from the Miscellaneous Agencies Fund Account, for covering the costs of
24 election expenses by the State Board of Election Commissioners for the fiscal
25 year ending June 30, 2013, the sum of.....\$6,340,000.

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27 SECTION 4. APPROPRIATION - NONPARTISAN JUDICIAL GENERAL ELECTIONS.
28 There is hereby appropriated, to the State Board of Election Commissioners,
29 to be payable from the Judicial Filing Fee Fund, for covering the costs of
30 election expenses by the State Board of Election Commissioners for the fiscal
31 year ending June 30, 2013, the sum of.....\$1,600,000.

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33 SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
35 FORWARD - ELECTION EXPENSES. At the close of the fiscal year ending June 30,
36 ~~2010~~ 2013, any unexpended balance of monies provided for Election Expenses,

1 shall be transferred forward and made available for the same purpose for the
2 fiscal year ending June 30, ~~2011~~ 2014.

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

5 (1) Prior to June 30, ~~2010~~ 2013 the Agency shall by written statement set
6 forth its reason(s) for the need to carry forward said funding to the
7 Department of Finance and Administration Office of Budget;

8 (2) The Department of Finance and Administration Office of Budget shall
9 report to the Arkansas Legislative Council all amounts carried forward by the
10 September Arkansas Legislative Council or Joint Budget Committee meeting
11 which report shall include the name of the Agency, Board, Commission or
12 Institution and the amount of the funding carried forward, the program name
13 or line item, the funding source of that appropriation and a copy of the
14 written request set forth in (1) above;

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

23 (4) Thereupon, the Department of Finance and Administration shall include
24 all information obtained in item (3) above in the biennial budget manuals
25 and/or a statement of non-compliance by the Agency, Board, Commission or
26 Institution.

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28 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. USE OF
30 ELECTION EXPENSES APPROPRIATION. The funds appropriated for Election
31 Expenses may be used to cover the expenses of the State Board of Election
32 Commissioners and the county election commissions to conduct preferential
33 primary elections, general primary elections, special primary elections,
34 nonpartisan judicial general elections, and statewide special elections.

35 The provisions of this section shall be in effect only from July 1, ~~2010~~
36 2012 through June 30, ~~2011~~ 2013.

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

19 The provisions of this section shall be in effect from July 1, ~~2010~~ 2012
20 through June 30, ~~2011~~ 2013.

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

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32 SECTION 9. LEGISLATIVE INTENT. It is the intent of the General
33 Assembly that any funds disbursed under the authority of the appropriations
34 contained in this act shall be in compliance with the stated reasons for
35 which this act was adopted, as evidenced by the Agency Requests, Executive
36 Recommendations and Legislative Recommendations contained in the budget

1 manuals prepared by the Department of Finance and Administration, letters, or
2 summarized oral testimony in the official minutes of the Arkansas Legislative
3 Council or Joint Budget Committee which relate to its passage and adoption.
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5 SECTION 10. EMERGENCY CLAUSE. It is found and determined by the
6 General Assembly, that the Constitution of the State of Arkansas prohibits
7 the appropriation of funds for more than a one (1) year period; that the
8 effectiveness of this Act on July 1, 2012 is essential to the operation of
9 the agency for which the appropriations in this Act are provided, and that in
10 the event of an extension of the legislative session, the delay in the
11 effective date of this Act beyond July 1, 2012 could work irreparable harm
12 upon the proper administration and provision of essential governmental
13 programs. Therefore, an emergency is hereby declared to exist and this Act
14 being necessary for the immediate preservation of the public peace, health
15 and safety shall be in full force and effect from and after July 1, 2012.
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