

1 State of Arkansas
2 89th General Assembly
3 Fiscal Session, 2014
4

A Bill

HOUSE BILL 1038

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
9 AND OPERATING EXPENSES FOR THE SECRETARY OF STATE FOR
10 THE FISCAL YEAR ENDING JUNE 30, 2015; AND FOR OTHER
11 PURPOSES.
12
13

Subtitle

14 AN ACT FOR THE SECRETARY OF STATE
15 APPROPRIATION FOR THE 2014-2015 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 - OPERATIONS. There is hereby established
23 for the Secretary of State for the 2014-2015 fiscal year, the following
24 maximum number of regular employees.
25

26			Maximum Annual
27			Salary Rate
28	Item		Fiscal Year
29	No.	Title	2014-2015
30	(1)	SEC OF STATE CHIEF DEPUTY	1 \$109,730
31	(2)	SEC OF STATE DEPUTY	2 \$100,044
32	(3)	SEC OF STATE GENERAL COUNSEL	1 \$92,671
33	(4)	SEC OF STATE SENIOR INFO TECHNICIAN	1 \$85,811
34	(5)	SEC OF STATE INFO TECHNICIAN	1 \$82,969
35	(6)	SEC OF STATE DEPARTMENT DIRECTOR	7 \$80,557
36	(7)	SEC OF STATE ASSOCIATE COUNSEL	1 \$80,557



1	(8)	SEC OF STATE CAPITOL POLICE CHIEF	1	\$80,557
2	(9)	SEC OF STATE SYSTEMS ANALYST	1	\$69,195
3	(10)	SEC OF STATE PUBLIC EVENTS COORD	1	\$67,691
4	(11)	SEC OF STATE CAPITOL POLICE CAPTAIN	1	\$67,095
5	(12)	SEC OF STATE SENIOR SUPERVISOR	1	\$66,300
6	(13)	SEC OF STATE DEPARTMENT MANAGER	1	\$65,323
7	(14)	SEC OF STATE BUDGET ANALYST	1	\$64,260
8	(15)	SEC OF STATE PROGRAMMER ANALYST	1	\$62,210
9	(16)	SEC OF STATE ASSISTANT DIR ELECTIONS	2	\$61,694
10	(17)	SEC OF STATE POLICE SERGEANT	3	\$58,852
11	(18)	SEC OF STATE TRADE SUPERVISOR	2	\$58,670
12	(19)	SEC OF STATE FINANCE MANAGER	1	\$58,140
13	(20)	SEC OF STATE INFO TECH ANALYST	1	\$57,654
14	(21)	SEC OF STATE ELECTION COORDINATOR	5	\$56,318
15	(22)	SEC OF STATE DEPARTMENT SUPERVISOR	2	\$56,218
16	(23)	SEC OF STATE MASTER TRADESPERSON	2	\$53,914
17	(24)	SEC OF STATE CREATIVE SPECIALIST III	1	\$53,879
18	(25)	SEC OF STATE INFO TECH ADMINISTRATOR	3	\$53,842
19	(26)	SEC OF STATE PROJECT COORDINATOR	2	\$53,185
20	(27)	SEC OF STATE CUSTOMER SVCS COORD III	3	\$51,757
21	(28)	SEC OF STATE BUSINESS ACCOUNTANT II	3	\$51,199
22	(29)	SEC OF STATE INFO TECH SPECIALIST	2	\$50,468
23	(30)	SEC OF STATE CUSTOMER SVCS COORD II	3	\$49,906
24	(31)	SEC OF STATE CORPORAL	16	\$49,512
25	(32)	SEC OF STATE VOTER SVCS ADMINISTRATOR	2	\$49,439
26	(33)	SEC OF STATE CREATIVE SPECIALIST II	2	\$49,439
27	(34)	SEC OF STATE EXECUTIVE ASSISTANT	4	\$48,887
28	(35)	SEC OF STATE CUSTOMER SVCS COORD I	1	\$47,867
29	(36)	SEC OF STATE BLDG SVCS COORDINATOR	1	\$47,867
30	(37)	SEC OF STATE BLDGS & GRND SUPERVISOR II	2	\$47,849
31	(38)	SEC OF STATE MAINTENANCE WORKER II	3	\$45,128
32	(39)	SEC OF STATE TRADESPERSON	2	\$44,459
33	(40)	SEC OF STATE CORPORATIONS REP III	4	\$43,258
34	(41)	SEC OF STATE RECORDS SPECIALIST	2	\$42,377
35	(42)	SEC OF STATE BLDGS & GRND SUPERVISOR I	1	\$42,314
36	(43)	SEC OF STATE CREATIVE SPECIALIST I	2	\$41,779

1	(44)	SEC OF STATE INMATE CREW GUARD II	1	\$41,658
2	(45)	SEC OF STATE ADMINISTRATIVE ASST III	6	\$41,142
3	(46)	SEC OF STATE ADMINISTRATIVE ASST II	3	\$39,390
4	(47)	SEC OF STATE ACCOUNTANT I	1	\$39,013
5	(48)	SEC OF STATE BUSINESS ASSISTANT I	3	\$38,534
6	(49)	SEC OF STATE CORPORATIONS REP II	12	\$37,064
7	(50)	SEC OF STATE ADMINISTRATIVE ASST I	2	\$36,687
8	(51)	SEC OF STATE INMATE CREW GUARD I	4	\$36,273
9	(52)	SEC OF STATE MAINTENANCE WORKER I	5	\$35,424
10	(53)	SEC OF STATE CORPORATIONS REP I	4	\$34,037
11	(54)	SEC OF STATE CUSTODIAN II	1	\$33,037
12	(55)	SEC OF STATE DISPATCHER	3	\$31,904
13	(56)	SEC OF STATE BLDG SVCS REPRESENTATIVE	2	\$28,848
14	(57)	SEC OF STATE CUSTODIAN I	8	\$28,848
15	(58)	SEC OF STATE HOUSEKEEPER	6	\$28,030
16	(59)	SEC OF STATE MAIL CLERK	1	\$28,011
17	(60)	SEC OF STATE RECEPTIONIST I	<u>1</u>	\$27,458
18		MAX. NO. OF EMPLOYEES	162	

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20 SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for
 21 the Secretary of State - Operations for the 2014-2015 fiscal year, the
 22 following maximum number of part-time or temporary employees, to be known as
 23 "Extra Help", payable from funds appropriated herein for such purposes:
 24 forty-five (45) temporary or part-time employees, when needed, at rates of
 25 pay not to exceed those provided in the Uniform Classification and
 26 Compensation Act, or its successor, or this act for the appropriate
 27 classification.

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29 SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated,
 30 to the Secretary of State, to be payable from the State Central Services
 31 Fund, for personal services and operating expenses of the Secretary of State
 32 - Operations for the fiscal year ending June 30, 2015, the following:

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34	ITEM	FISCAL YEAR
35	<u>NO.</u>	<u>2014-2015</u>
36	(01) REGULAR SALARIES	\$7,838,000

1	(02)	EXTRA HELP	144,909
2	(03)	PERSONAL SERVICES MATCHING	2,773,965
3	(04)	OVERTIME	33,000
4	(05)	MAINT. & GEN. OPERATION	
5	(A)	OPER. EXPENSE	3,002,396
6	(B)	CONF. & TRAVEL	65,651
7	(C)	PROF. FEES	205,956
8	(D)	CAP. OUTLAY	150,000
9	(E)	DATA PROC.	0
10	(06)	MANDATORY PUBLICATIONS	214,038
11	(07)	PETITION VERIFICATION	350,000
12	(08)	PUBLISH LEGAL NOTICES	650,000
13	(09)	RECORDS MANAGEMENT	933,977
14	(10)	STATEWIDE VOTER REGISTRATION SYSTEM	1,438,029
15	(11)	FLAGS	131,250
16	(12)	CAPITOL GROUNDS IMPROVEMENTS	401,264
17	(13)	SPECIAL MAINTENANCE	700,048
18	(14)	BUILDING INSURANCE	<u>223,278</u>
19		TOTAL AMOUNT APPROPRIATED	<u>\$19,255,761</u>

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21 SECTION 4. APPROPRIATION - HELP AMERICA VOTE ACT - TITLE 2 - FEDERAL.

22 There is hereby appropriated, to the Secretary of State, to be payable from
 23 the federal funds as designated by the Chief Fiscal Officer of the State, for
 24 expenditures requiring state matching for maintenance, operating expenses and
 25 associated costs for the Help America Vote Act for the fiscal year ending
 26 June 30, 2015, the following:

27

28	ITEM	FISCAL YEAR
29	<u>NO.</u>	<u>2014-2015</u>
30	(01) HELP AMERICA VOTE ACT	<u>\$4,683,300</u>

31

32 SECTION 5. APPROPRIATION - HELP AMERICA VOTE ACT - STATE. There is
 33 hereby appropriated, to the Secretary of State, to be payable from the cash
 34 fund deposited in the State Treasury as determined by the Chief Fiscal
 35 Officer of the State, for state match for maintenance and operating expenses
 36 and associated costs for the Help America Vote Act for the fiscal year ending

1 June 30, 2015, the following:

2

3 ITEM	FISCAL YEAR
4 <u>NO.</u>	<u>2014-2015</u>
5 (01) HELP AMERICA VOTE ACT-STATE MATCH	<u>\$619,193</u>

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7 SECTION 6. APPROPRIATION - ELECTION ASSISTANCE FOR DISABLED - FEDERAL.

8 There is hereby appropriated, to the Secretary of State, to be payable from
 9 the federal funds as designated by the Chief Fiscal Officer of the State, for
 10 grants, aid and professional fees and services for election assistance for
 11 the disabled for the fiscal year ending June 30, 2015, the following:

12

13 ITEM	FISCAL YEAR
14 <u>NO.</u>	<u>2014-2015</u>
15 (01) ELECTION ASSISTANCE FOR THE DISABLED	<u>\$161,321</u>

16

17 SECTION 7. APPROPRIATION - CAPITOL GROUNDS MONUMENT/MEMORIAL

18 PRESERVATION. There is hereby appropriated, to the Secretary of State, to be
 19 payable from the Capitol Grounds Monument And Memorial Preservation Fund, for
 20 various construction and operating expenses for the preservation of Monuments
 21 and Memorials on the State Capitol Grounds by the Secretary of State for the
 22 fiscal year ending June 30, 2015, the following:

23

24 ITEM	FISCAL YEAR
25 <u>NO.</u>	<u>2014-2015</u>
26 (01) VARIOUS OPERATING & CONSTRUCTION	
27 EXPENSES FOR MONUMENT/MEMORIAL	
28 PRESERVATION	<u>\$50,000</u>

29

30 SECTION 8. APPROPRIATION - ARKANSAS STATE CAPITOL BUILDING AND GROUNDS

31 RESTORATION - CASH. There is hereby appropriated, to the Secretary of State,
 32 to be payable from the cash fund deposited in the State Treasury as
 33 determined by the Chief Fiscal Officer of the State, from contributions and
 34 donations for maintenance and restoration projects by the Secretary of State
 35 for the fiscal year ending June 30, 2015, the following:

36

ITEM	FISCAL YEAR
NO.	<u>2014-2015</u>
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$25,000
(B) CONF. & TRAVEL	0
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$25,000</u></u>

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11 SECTION 9. APPROPRIATION - PARKING - CASH. There is hereby
 12 appropriated, to the Secretary of State, to be payable from cash funds as
 13 defined by Arkansas Code 19-4-801 of the Secretary of State, for various
 14 operating and associated expenses for parking activity, major emergency
 15 repairs necessary to continue agency operations and security of the premises
 16 of the Secretary of State for the fiscal year ending June 30, 2015, the
 17 following:

18

ITEM	FISCAL YEAR
NO.	<u>2014-2015</u>
(01) VARIOUS PARKING, MAJOR EMERGENCIES & SECURITY EXPENSES	<u><u>\$375,000</u></u>

23

24 SECTION 10. APPROPRIATION - FEE AND TAX REFUNDS. There is hereby
 25 appropriated, to the Secretary of State, to be payable from the Miscellaneous
 26 Revolving Fund, for refunds and reimbursements of corporate filing fees and
 27 franchise taxes for the fiscal year ending June 30, 2015, the following:

28

ITEM	FISCAL YEAR
NO.	<u>2014-2015</u>
(01) REFUNDS/REIMBURSEMENTS	<u><u>\$550,000</u></u>

32

33 SECTION 11. APPROPRIATION - COUNTY VOTING SYSTEM GRANT FUND. There is
 34 hereby appropriated, to the Secretary of State, to be payable from the County
 35 Voting System Grant Fund, for grants, aid and professional fees and services
 36 for upgrading or purchasing county voting systems for the fiscal year ending

1 June 30, 2015, the following:

2

3 ITEM	FISCAL YEAR
4 <u>NO.</u>	<u>2014-2015</u>
5 (01) COUNTY VOTING SYSTEM GRANTS	<u>\$1,500,000</u>

6

7 SECTION 12. APPROPRIATION - FEDERAL VOTING ASSISTANCE PROGRAM. There
8 is hereby appropriated, to the Secretary of State, to be payable from the
9 federal funds as designated by the Chief Fiscal Officer of the State, for
10 research and development on providing ballot access to Arkansas voters
11 stationed overseas for the fiscal year ending June 30, 2015, the following:

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13 ITEM	FISCAL YEAR
14 <u>NO.</u>	<u>2014-2015</u>
15 (01) RESEARCH & DEVELOPMENT	<u>\$94,000</u>

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17 SECTION 13. APPROPRIATION - ARKANSAS VIDEO SERVICE ACT. There is hereby
18 appropriated, to the Secretary of State, to be payable from the Arkansas
19 Video Service Fund, for the review and issue of certificates of franchise
20 authority of the Arkansas Video Service Act for the fiscal year ending June
21 30, 2015, the sum of.....\$50,000.

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23 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

25 REIMBURSEMENT. The Miscellaneous Revolving Fund shall be reimbursed in the
26 manner provided by law.

27 The provisions of this section shall be in effect only from July 1, ~~2013~~
28 2014 through June 30, ~~2014~~ 2015.

29

30 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. STATE

32 CAPITOL POLICE. In the event that sufficient revenues, in the judgment of
33 the Secretary of State exist, the Secretary is hereby authorized to make
34 additional salary payments from such funds to those employees who have
35 attained law enforcement certification above the basic certificate level, as
36 defined by the Arkansas Commission on Law Enforcement Standards. It is the

1 intent of this Section that such payment shall be optional, at the discretion
 2 of the Secretary, dependent on sufficient revenues and shall not be
 3 implemented using funds specifically set aside for other programs within the
 4 Department.

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

- 7 I. General Certificate - \$ 300 annually
- 8 II. Intermediate Certificate - \$ 600 annually
- 9 III. Advanced Certificate - \$ 900 annually
- 10 IV. Senior Certificate - \$1,200 annually

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

- 14 1. Sec. of State Capitol Police Chief
- 15 2. Sec. of State Police Sergeant
- 16 3. Sec. of State Corporal
- 17 4. Sec. of State Capitol Police Captain

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

23 The provisions of this section shall be in effect only from July 1, ~~2013~~
 24 2014 through June 30, ~~2014~~ 2015.

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 26 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
 28 PROVISION. After receiving approval from the Chief Fiscal Officer of the
 29 State, and prior review by the Arkansas Legislative Council, the Agency is
 30 authorized to transfer appropriation from any line item authorized in Section
 31 3 Operations to any other line item authorized in Section 3.

32 The provisions of this section shall be in effect only from July 1, ~~2013~~
 33 2014 through June 30, ~~2014~~ 2015.

34
 35 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. VOTER ID

1 RULES AND REGULATIONS AND REPORTING. The Secretary of State shall promulgate
2 rules and regulations regarding the issuance of a voter identification card
3 that may be requested by an individual to be used as proof of identity when
4 appearing to vote in person upon prior review by the Administrative Rules and
5 Regulations Subcommittee of the Arkansas Legislative Council or Joint Budget
6 Committee. In addition, the Secretary of State shall also report for review
7 by the Arkansas Legislative Council or Joint Budget Committee a report
8 outlining in detail the total amount of monies expended by the Secretary of
9 State to implement the voter identification program. Further, the Secretary
10 of State shall also report to the Arkansas Legislative Council or Joint
11 Budget Committee within 60 days after the next General Election, the number
12 of persons who obtained a Voter ID.

13 The provisions of this section shall be in effect only from July 1, ~~2013~~
14 2014 through June 30, ~~2014~~ 2015.

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

25
26 SECTION 19. LEGISLATIVE INTENT. It is the intent of the General
27 Assembly that any funds disbursed under the authority of the appropriations
28 contained in this act shall be in compliance with the stated reasons for
29 which this act was adopted, as evidenced by the Agency Requests, Executive
30 Recommendations and Legislative Recommendations contained in the budget
31 manuals prepared by the Department of Finance and Administration, letters, or
32 summarized oral testimony in the official minutes of the Arkansas Legislative
33 Council or Joint Budget Committee which relate to its passage and adoption.

34
35 SECTION 20. EMERGENCY CLAUSE. It is found and determined by the
36 General Assembly, that the Constitution of the State of Arkansas prohibits

1 the appropriation of funds for more than a one (1) year period; that the
2 effectiveness of this Act on July 1, 2014 is essential to the operation of
3 the agency for which the appropriations in this Act are provided, and that in
4 the event of an extension of the legislative session, the delay in the
5 effective date of this Act beyond July 1, 2014 could work irreparable harm
6 upon the proper administration and provision of essential governmental
7 programs. Therefore, an emergency is hereby declared to exist and this Act
8 being necessary for the immediate preservation of the public peace, health
9 and safety shall be in full force and effect from and after July 1, 2014.

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