

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4

As Engrossed: H3/13/17

A Bill

HOUSE BILL 1223

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, 2018; AND FOR OTHER
11 PURPOSES.
12
13

Subtitle

14 AN ACT FOR THE SECRETARY OF STATE
15 APPROPRIATION FOR THE 2017-2018 FISCAL
16 YEAR.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
21

22 *SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established*
23 *for the Secretary of State for the 2017-2018 fiscal year, the following*
24 *maximum number of regular employees.*
25

| | | | <i>Maximum</i> | <i>Annual</i> |
|-------------|--------------|-------------------------------------|--------------------|--------------------|
| | | | <i>No. of</i> | <i>Salary Rate</i> |
| <i>Item</i> | <i>Class</i> | | <i>Fiscal Year</i> | |
| <i>No.</i> | <i>Code</i> | <i>Title</i> | <i>Employees</i> | <i>2017-2018</i> |
| 30 | (1) Q171U | SEC OF STATE CHIEF DEPUTY | 1 | \$125,986 |
| 31 | (2) Q172U | SEC OF STATE DEPUTY | 2 | \$112,900 |
| 32 | (3) Q174U | SEC OF STATE SENIOR INFO TECHNICIAN | 1 | \$103,970 |
| 33 | (4) Q173U | SEC OF STATE GENERAL COUNSEL | 1 | \$101,175 |
| 34 | (5) Q175U | SEC OF STATE INFO TECHNICIAN | 1 | \$93,445 |
| 35 | (6) Q178U | SEC OF STATE CAPITOL POLICE CHIEF | 1 | \$90,670 |
| 36 | (7) Q176U | SEC OF STATE DEPARTMENT DIRECTOR | 7 | \$90,670 |



| | | | | | |
|----|------|-------|---------------------------------------|----|----------|
| 1 | (8) | Q177U | SEC OF STATE ASSOCIATE COUNSEL | 1 | \$81,257 |
| 2 | (9) | Q179U | SEC OF STATE SYSTEMS ANALYST | 1 | \$75,054 |
| 3 | (10) | Q181U | SEC OF STATE POLICE CAPTAIN | 1 | \$72,822 |
| 4 | (11) | Q182U | SEC OF STATE SENIOR SUPERVISOR | 1 | \$72,822 |
| 5 | (12) | Q183U | SEC OF STATE DEPARTMENT MANAGER | 1 | \$72,822 |
| 6 | (13) | Q184U | SEC OF STATE BUDGET ANALYST | 1 | \$72,822 |
| 7 | (14) | Q185U | SEC OF STATE PROGRAMMER ANALYST | 1 | \$67,267 |
| 8 | (15) | Q190U | SEC OF STATE INFO TECH ANALYST | 1 | \$67,267 |
| 9 | (16) | Q186U | SEC OF STATE ASSISTANT DIRECTOR | 3 | \$65,265 |
| 10 | (17) | Q187U | SEC OF STATE POLICE SERGEANT | 3 | \$65,265 |
| 11 | (18) | Q188U | SEC OF STATE TRADE SUPERVISOR | 2 | \$65,265 |
| 12 | (19) | Q192U | SEC OF STATE DEPARTMENT SUPERVISOR | 2 | \$65,265 |
| 13 | (20) | Q197U | SEC OF STATE PROJECT COORDINATOR II | 3 | \$65,265 |
| 14 | (21) | Q195U | SEC OF STATE INFO TECH ADMINISTRATOR | 2 | \$60,288 |
| 15 | (22) | Q191U | SEC OF STATE ELECTION COORDINATOR | 5 | \$58,493 |
| 16 | (23) | Q180U | SEC OF STATE PUBLIC EVENTS COORD | 1 | \$58,493 |
| 17 | (24) | Q193U | SEC OF STATE MASTER TRADESPERSON | 2 | \$58,493 |
| 18 | (25) | Q194U | SEC OF STATE CREATIVE SPECIALIST III | 1 | \$58,493 |
| 19 | (26) | Q198U | SEC OF STATE BUSINESS ACCOUNTANT II | 3 | \$58,493 |
| 20 | (27) | Q201U | SEC OF STATE CORPORAL | 16 | \$58,493 |
| 21 | (28) | Q212U | SEC OF STATE BLDGS & GRND SUPERVISOR | 3 | \$58,493 |
| 22 | (29) | Q231U | SEC OF STATE PROJECT COORDINATOR I | 4 | \$58,493 |
| 23 | (30) | Q199U | SEC OF STATE INFO TECH SPECIALIST | 1 | \$54,035 |
| 24 | (31) | Q200U | SEC OF STATE CUSTOMER SVCS COORD II | 3 | \$52,425 |
| 25 | (32) | Q202U | SEC OF STATE VOTER SVCS ADMINISTRATOR | 2 | \$52,425 |
| 26 | (33) | Q203U | SEC OF STATE CREATIVE SPECIALIST II | 2 | \$52,425 |
| 27 | (34) | Q204U | SEC OF STATE EXECUTIVE ASSISTANT | 4 | \$52,425 |
| 28 | (35) | Q208U | SEC OF STATE MAINTENANCE WORKER II | 4 | \$52,425 |
| 29 | (36) | Q209U | SEC OF STATE TRADESPERSON | 2 | \$52,425 |
| 30 | (37) | Q210U | SEC OF STATE CORPORATIONS REP III | 4 | \$52,425 |
| 31 | (38) | Q206U | SEC OF STATE BLDG SVCS COORDINATOR | 1 | \$46,987 |
| 32 | (38) | Q211U | SEC OF STATE RECORDS SPECIALIST | 2 | \$46,987 |
| 33 | (40) | Q213U | SEC OF STATE CREATIVE SPECIALIST I | 1 | \$46,987 |
| 34 | (41) | Q214U | SEC OF STATE FACILITIES SVC REP II | 1 | \$46,987 |
| 35 | (42) | Q215U | SEC OF STATE ADMINISTRATIVE ASST III | 7 | \$46,987 |
| 36 | (43) | Q216U | SEC OF STATE ADMINISTRATIVE ASST II | 3 | \$42,117 |

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|----|------|-------|------------------------------------|----------|----------|
| 1 | (44) | Q218U | SEC OF STATE BUSINESS ASSISTANT I | 3 | \$42,117 |
| 2 | (45) | Q219U | SEC OF STATE CORPORATIONS REP II | 11 | \$42,117 |
| 3 | (46) | Q221U | SEC OF STATE FACILITIES SVC REP I | 4 | \$42,117 |
| 4 | (47) | Q222U | SEC OF STATE MAINTENANCE WORKER I | 4 | \$42,117 |
| 5 | (48) | Q220U | SEC OF STATE ADMINISTRATIVE ASST I | 5 | \$37,749 |
| 6 | (49) | Q223U | SEC OF STATE CORPORATIONS REP I | 4 | \$37,749 |
| 7 | (50) | Q224U | SEC OF STATE CUSTODIAN II | 1 | \$37,749 |
| 8 | (51) | Q225U | SEC OF STATE DISPATCHER | 2 | \$37,749 |
| 9 | (52) | Q229U | SEC OF STATE MAIL CLERK | 1 | \$37,749 |
| 10 | (53) | Q226U | SEC OF STATE BLDG SVCS REP | 2 | \$33,836 |
| 11 | (54) | Q227U | SEC OF STATE CUSTODIAN I | 14 | \$33,836 |
| 12 | (55) | Q230U | SEC OF STATE RECEPTIONIST I | <u>1</u> | \$31,900 |
| 13 | | | MAX. NO. OF EMPLOYEES | 161 | |

15 SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for
 16 the Secretary of State - Operations for the 2017-2018 fiscal year, the
 17 following maximum number of part-time or temporary employees, to be known as
 18 "Extra Help", payable from funds appropriated herein for such purposes:
 19 forty-five (45) temporary or part-time employees, when needed, at rates of
 20 pay not to exceed those provided in the Uniform Classification and
 21 Compensation Act, or its successor, or this act for the appropriate
 22 classification.

24 SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated,
 25 to the Secretary of State, to be payable from the State Central Services
 26 Fund, for personal services and operating expenses of the Secretary of State
 27 - Operations for the fiscal year ending June 30, 2018, the following:

| 29 | ITEM | FISCAL YEAR |
|----|---------------------------------|------------------|
| 30 | <u>NO.</u> | <u>2017-2018</u> |
| 31 | (01) REGULAR SALARIES | \$8,156,258 |
| 32 | (02) EXTRA HELP | 144,909 |
| 33 | (03) PERSONAL SERVICES MATCHING | 2,728,177 |
| 34 | (04) OVERTIME | 33,000 |
| 35 | (05) MAINT. & GEN. OPERATION | |
| 36 | (A) OPER. EXPENSE | 4,504,939 |

| | | |
|---|-----------------------------------|----------------------------|
| 1 | (B) CONF. & TRAVEL | 65,651 |
| 2 | (C) PROF. FEES | 205,956 |
| 3 | (D) CAP. OUTLAY | 210,000 |
| 4 | (E) DATA PROC. | 0 |
| 5 | (06) CAPITOL GROUNDS IMPROVEMENTS | 301,264 |
| 6 | (07) SPECIAL MAINTENANCE | 500,048 |
| 7 | (08) ELECTION EXPENSES | <u>2,738,029</u> |
| 8 | TOTAL AMOUNT APPROPRIATED | <u><u>\$19,588,231</u></u> |

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10 SECTION 4. APPROPRIATION - HELP AMERICA VOTE ACT - STATE. There is
 11 hereby appropriated, to the Secretary of State, to be payable from the cash
 12 fund deposited in the State Treasury as determined by the Chief Fiscal
 13 Officer of the State, for state match for maintenance and operating expenses
 14 and associated costs for the Help America Vote Act for the fiscal year ending
 15 June 30, 2018, the following:

16

| 17 | ITEM | FISCAL YEAR |
|----|--|-------------------------|
| 18 | <u>NO.</u> | <u>2017-2018</u> |
| 19 | (01) HELP AMERICA VOTE ACT STATE MATCH | <u><u>\$415,000</u></u> |

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21 SECTION 5. APPROPRIATION - CAPITOL GROUNDS MONUMENT/MEMORIAL
 22 PRESERVATION. There is hereby appropriated, to the Secretary of State, to be
 23 payable from the Capitol Grounds Monument And Memorial Preservation Fund, for
 24 various construction and operating expenses for the preservation of Monuments
 25 and Memorials on the State Capitol Grounds by the Secretary of State for the
 26 fiscal year ending June 30, 2018, the following:

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| 28 | ITEM | FISCAL YEAR |
|----|---------------------------------------|------------------------|
| 29 | <u>NO.</u> | <u>2017-2018</u> |
| 30 | (01) VARIOUS OPERATING & CONSTRUCTION | |
| 31 | EXPENSES FOR MONUMENT/MEMORIAL | |
| 32 | PRESERVATION | <u><u>\$34,948</u></u> |

33

34 SECTION 6. APPROPRIATION - ARKANSAS STATE CAPITOL BUILDING & GROUNDS
 35 RESTORATION - CASH. There is hereby appropriated, to the Secretary of State,
 36 to be payable from the cash fund deposited in the State Treasury as

1 determined by the Chief Fiscal Officer of the State, from contributions and
 2 donations for maintenance and restoration projects by the Secretary of State
 3 for the fiscal year ending June 30, 2018, the following:

| ITEM | FISCAL YEAR |
|------------------------------|------------------------|
| <u>NO.</u> | <u>2017-2018</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> |

14
 15 SECTION 7. APPROPRIATION - *ADMINISTRATIVE & MAINTENANCE* - CASH. There
 16 is hereby appropriated, to the Secretary of State, to be payable from cash
 17 funds as defined by Arkansas Code 19-4-801 of the Secretary of State, for
 18 various operating and associated expenses for *administrative and maintenance*
 19 *expenses for the State Capitol grounds* for the fiscal year ending June 30,
 20 2018, the following:

| ITEM | FISCAL YEAR |
|--|-------------------------|
| <u>NO.</u> | <u>2017-2018</u> |
| (01) VARIOUS <i>ADMINISTRATIVE & MAINTENANCE</i> | |
| EXPENSES | <u><u>\$375,000</u></u> |

26
 27 SECTION 8. APPROPRIATION - FEE AND TAX REFUNDS. There is hereby
 28 appropriated, to the Secretary of State, to be payable from the Miscellaneous
 29 Revolving Fund, for refunds and reimbursements of corporate filings fees and
 30 franchise taxes for the fiscal year ending June 30, 2018, the following:

| ITEM | FISCAL YEAR |
|-----------------------------|-------------------------|
| <u>NO.</u> | <u>2017-2018</u> |
| (01) REFUNDS/REIMBURSEMENTS | <u><u>\$550,000</u></u> |

35
 36 SECTION 9. APPROPRIATION - COUNTY VOTING SYSTEM GRANT FUND. There is

1 hereby appropriated, to the Secretary of State, to be payable from the County
 2 Voting System Grant Fund, for professional fees and services for upgrading or
 3 purchasing county voting systems, grants and aid for voting system equipment,
 4 programming, maintenance or equipment and devices used to view voter
 5 registration records at a polling location and refunds/reimbursements of fees
 6 for the fiscal year ending June 30, 2018, the following:

7

| 8 ITEM | FISCAL YEAR |
|-------------------------------------|---------------------|
| 9 <u>NO.</u> | <u>2017-2018</u> |
| 10 (01) COUNTY VOTING SYSTEM GRANTS | <u>\$34,500,000</u> |

11

12 SECTION 10. APPROPRIATION - ARKANSAS VIDEO SERVICE ACT. There is
 13 hereby appropriated, to the Secretary of State, to be payable from the
 14 Arkansas Video Service Fund, for the review and issue of certificates of
 15 franchise authority and refunds/reimbursements of fees of the Arkansas Video
 16 Service Act for the fiscal year ending June 30, 2018, the following:

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| 18 ITEM | FISCAL YEAR |
|------------------------------------|------------------|
| 19 <u>NO.</u> | <u>2017-2018</u> |
| 20 (01) ARKANSAS VIDEO SERVICE ACT | <u>\$25,000</u> |

21

22 SECTION 11. APPROPRIATION - ON-LINE CAMPAIGN FINANCE REPORTING SYSTEM.
 23 There is hereby appropriated, to the Secretary of State, to be payable from
 24 the State Central Services Fund, for operating expenses and professional fees
 25 and services for computer upgrades and development for the On-Line Campaign
 26 Finance Reporting System for the fiscal year ending June 30, 2018, the
 27 following:

28

| 29 ITEM | FISCAL YEAR |
|---------------------------------|------------------|
| 30 <u>NO.</u> | <u>2017-2018</u> |
| 31 (01) ONLINE REPORTING SYSTEM | <u>\$750,000</u> |

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33 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 35 REIMBURSEMENT. The Miscellaneous Revolving Fund shall be reimbursed in the
 36 manner provided by law.

1 The provisions of this section shall be in effect only from July 1, ~~2016~~
2 2017 through June 30, ~~2017~~ 2018.

3
4 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
6 PROVISION. After receiving approval from the Chief Fiscal Officer of the
7 State, and prior review by the Arkansas Legislative Council or Joint Budget
8 Committee, the Agency is authorized to transfer appropriation from any line
9 item authorized in Operations appropriation to any other line item authorized
10 in Operations appropriation.

11 The provisions of this section shall be in effect only from July 1, ~~2016~~
12 2017 through June 30, ~~2017~~ 2018.

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

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

- | | | |
|----|------------------------------|--------------------|
| 27 | I. General Certificate | - \$ 300 annually |
| 28 | II. Intermediate Certificate | - \$ 600 annually |
| 29 | III. Advanced Certificate | - \$ 900 annually |
| 30 | IV. Senior Certificate | - \$1,200 annually |

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

- 34 1. Sec. of State Capitol Police Chief
- 35 2. Sec. of State Police Sergeant
- 36 3. Sec. of State Corporal

1 4. Sec. of State Capitol Police Captain

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

7 The provisions of this section shall be in effect only from July 1, ~~2016~~
8 2017 through June 30, ~~2017~~ 2018.

9
10 SECTION 15. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
11 authorized by this act shall be limited to the appropriation for such agency
12 and funds made available by law for the support of such appropriations; and
13 the restrictions of the State Procurement Law, the General Accounting and
14 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
15 Procedures and Restrictions Act, or their successors, and other fiscal
16 control laws of this State, where applicable, and regulations promulgated by
17 the Department of Finance and Administration, as authorized by law, shall be
18 strictly complied with in disbursement of said funds.

19
20 SECTION 16. LEGISLATIVE INTENT. It is the intent of the General
21 Assembly that any funds disbursed under the authority of the appropriations
22 contained in this act shall be in compliance with the stated reasons for
23 which this act was adopted, as evidenced by the Agency Requests, Executive
24 Recommendations and Legislative Recommendations contained in the budget
25 manuals prepared by the Department of Finance and Administration, letters, or
26 summarized oral testimony in the official minutes of the Arkansas Legislative
27 Council or Joint Budget Committee which relate to its passage and adoption.

28
29 SECTION 17. EMERGENCY CLAUSE. It is found and determined by the
30 General Assembly, that the Constitution of the State of Arkansas prohibits
31 the appropriation of funds for more than a one (1) year period; that the
32 effectiveness of this Act on July 1, 2017 is essential to the operation of
33 the agency for which the appropriations in this Act are provided, and that in
34 the event of an extension of the legislative session, the delay in the
35 effective date of this Act beyond July 1, 2017 could work irreparable harm
36 upon the proper administration and provision of essential governmental

1 programs. Therefore, an emergency is hereby declared to exist and this Act
2 being necessary for the immediate preservation of the public peace, health
3 and safety shall be in full force and effect from and after July 1, 2017.

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5 */s/Joint Budget Committee*
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