

State of Arkansas
92nd General Assembly
Fiscal Session, 2020

A Bill

HOUSE BILL 1021

By: Joint Budget Committee

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
AND OPERATING EXPENSES FOR THE STATE BOARD OF
ELECTION COMMISSIONERS FOR THE FISCAL YEAR ENDING
JUNE 30, 2021; AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE STATE BOARD OF ELECTION
COMMISSIONERS APPROPRIATION FOR THE 2020-
2021 FISCAL YEAR.

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

SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established
for the State Board of Election Commissioners for the 2020-2021 fiscal year,
the following maximum number of regular employees.

			Maximum Annual
			Salary Rate
Item	Class	Maximum	Fiscal Year
No.	Code Title	No. of	2020-2021
		Employees	
(1)	N131N SBEC DIRECTOR	1	GRADE GS12
(2)	G047C ATTORNEY SPECIALIST	1	GRADE GS11
(3)	G097C SBEC DEPUTY DIRECTOR	1	GRADE GS10
(4)	G119C SBEC EDUCATIONAL SERVICES MANAGER	1	GRADE GS08
(5)	C037C ADMINISTRATIVE ANALYST	1	GRADE GS06
(6)	G162C SBEC ELECTION COORDINATOR	<u>2</u>	GRADE GS06
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, 2021, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2020-2021</u>
(01) REGULAR SALARIES	\$380,694
(02) PERSONAL SERVICES MATCHING	122,623
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	109,810
(B) CONF. & TRAVEL	3,000
(C) PROF. FEES	5,000
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$621,127</u></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, 2021, the sum of.....\$6,340,000.

SECTION 4. APPROPRIATION - NONPARTISAN GENERAL ELECTION. There is hereby appropriated, to the State Board of Election Commissioners, to be payable from the Nonpartisan Filing Fee Fund, for covering the costs of election expenses by the State Board of Election Commissioners for the fiscal year ending June 30, 2021, the sum of.....\$1,600,000.

SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY FORWARD - ELECTION EXPENSES. At the close of the fiscal year ending June 30, ~~2020~~ 2021, any unexpended balance of monies provided for Election Expenses, shall be transferred forward and made available for the same purpose for the

1 fiscal year ending June 30, ~~2020~~ 2022.

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

4 (1) Prior to June 30, ~~2020~~ 2021 the Agency shall by written statement set
5 forth its reason(s) for the need to carry forward said funding to the
6 Department of Finance and Administration Office of Budget;

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

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

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

26 The provisions of this section shall be in effect only from July 1, ~~2019~~
27 2020 through June 30, ~~2020~~ 2021.

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

36 The provisions of this section shall be in effect only from July 1, ~~2019~~

1 2020 through June 30, ~~2020~~ 2021.

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

20 The provisions of this section shall be in effect from July 1, ~~2019~~ 2020
21 through June 30, ~~2020~~ 2021.

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

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

1 Recommendations and Legislative Recommendations contained in the budget
2 manuals prepared by the Department of Finance and Administration, letters, or
3 summarized oral testimony in the official minutes of the Arkansas Legislative
4 Council or Joint Budget Committee which relate to its passage and adoption.
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6 SECTION 10. EMERGENCY CLAUSE. It is found and determined by the
7 General Assembly, that the Constitution of the State of Arkansas prohibits
8 the appropriation of funds for more than a one (1) year period; that the
9 effectiveness of this Act on July 1, 2020 is essential to the operation of
10 the agency for which the appropriations in this Act are provided, and that in
11 the event of an extension of the legislative session, the delay in the
12 effective date of this Act beyond July 1, 2020 could work irreparable harm
13 upon the proper administration and provision of essential governmental
14 programs. Therefore, an emergency is hereby declared to exist and this Act
15 being necessary for the immediate preservation of the public peace, health
16 and safety shall be in full force and effect from and after July 1, 2020.
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