

Stricken language will be deleted and underlined language will be added.
Act 1376 of the Regular Session

State of Arkansas
89th General Assembly
Regular Session, 2013

As Engrossed: H4/1/13
A Bill

HOUSE BILL 1159

By: Joint Budget Committee

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
AND OPERATING EXPENSES FOR THE SECRETARY OF STATE FOR
THE FISCAL YEAR ENDING JUNE 30, 2014; AND FOR OTHER
PURPOSES.

Subtitle

AN ACT FOR THE SECRETARY OF STATE
APPROPRIATION FOR THE 2013-2014 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 Secretary of State for the 2013-2014 fiscal year, the following
maximum number of regular employees.

Item No.	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2013-2014
(1)	SEC OF STATE CHIEF DEPUTY	1	\$109,730
(2)	SEC OF STATE DEPUTY	2	\$100,044
(3)	SEC OF STATE GENERAL COUNSEL	1	\$92,671
(4)	SEC OF STATE SENIOR INFO TECHNICIAN	1	\$85,811
(5)	SEC OF STATE INFO TECHNICIAN	1	\$82,969
(6)	SEC OF STATE DEPARTMENT DIRECTOR	7	\$80,557
(7)	SEC OF STATE ASSOCIATE COUNSEL	1	\$80,557



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

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

SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for the Secretary of State - Operations for the 2013-2014 fiscal year, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: forty-five (45) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, or this act for the appropriate classification.

SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated, to the Secretary of State, to be payable from the State Central Services Fund, for personal services and operating expenses of the Secretary of State - Operations for the fiscal year ending June 30, 2014, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2013-2014</u>
(01) REGULAR SALARIES	\$7,838,000

(02) EXTRA HELP	144,909
(03) PERSONAL SERVICES MATCHING	2,773,965
(04) OVERTIME	33,000
(05) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	3,002,396
(B) CONF. & TRAVEL	65,651
(C) PROF. FEES	265,012
(D) CAP. OUTLAY	194,425
(E) DATA PROC.	0
(06) MANDATORY PUBLICATIONS	214,038
(07) PETITION VERIFICATION	350,000
(08) PUBLISH LEGAL NOTICES	650,000
(09) RECORDS MANAGEMENT	933,977
(10) STATEWIDE VOTER REGISTRATION SYSTEM	1,438,029
(11) FLAGS	131,250
(12) CAPITOL GROUNDS IMPROVEMENTS	161,184
(13) SPECIAL MAINTENANCE	700,048
(14) BUILDING INSURANCE	<u>223,278</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$19,119,162</u></u>

SECTION 4. APPROPRIATION - HELP AMERICA VOTE ACT - TITLE 2 - FEDERAL. There is hereby appropriated, to the Secretary of State, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for expenditures requiring state matching for maintenance, operating expenses and associated costs for the Help America Vote Act for the fiscal year ending June 30, 2014, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2013-2014</u>
(01) HELP AMERICA VOTE ACT	<u><u>\$4,683,300</u></u>

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

June 30, 2014, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2013-2014</u>
(01) HELP AMERICA VOTE ACT-STATE MATCH	<u>\$619,193</u>

SECTION 6. APPROPRIATION - ELECTION ASSISTANCE FOR DISABLED - FEDERAL. There is hereby appropriated, to the Secretary of State, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for grants, aid and professional fees and services for election assistance for the disabled for the fiscal year ending June 30, 2014, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2013-2014</u>
(01) ELECTION ASSISTANCE FOR THE DISABLED	<u>\$161,321</u>

SECTION 7. APPROPRIATION - CAPITOL GROUNDS MONUMENT/MEMORIAL PRESERVATION. There is hereby appropriated, to the Secretary of State, to be payable from the Capitol Grounds Monument And Memorial Preservation Fund, for various construction and operating expenses for the preservation of Monuments and Memorials on the State Capitol Grounds by the Secretary of State for the fiscal year ending June 30, 2014, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2013-2014</u>
(01) VARIOUS OPERATING & CONSTRUCTION EXPENSES FOR MONUMENT/MEMORIAL PRESERVATION	<u>\$50,000</u>

SECTION 8. APPROPRIATION - ARKANSAS STATE CAPITOL BUILDING AND GROUNDS RESTORATION - CASH. There is hereby appropriated, to the Secretary of State, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, from contributions and donations for maintenance and restoration projects by the Secretary of State for the fiscal year ending June 30, 2014, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2013-2014</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>

SECTION 9. APPROPRIATION - PARKING - CASH. There is hereby appropriated, to the Secretary of State, to be payable from cash funds as defined by Arkansas Code 19-4-801 of the Secretary of State, for various operating and associated expenses for parking activity, major emergency repairs necessary to continue agency operations and security of the premises of the Secretary of State for the fiscal year ending June 30, 2014, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2013-2014</u>
(01) VARIOUS PARKING, MAJOR EMERGENCIES & SECURITY EXPENSES	<u><u>\$375,000</u></u>

SECTION 10. APPROPRIATION - FEE AND TAX REFUNDS. There is hereby appropriated, to the Secretary of State, to be payable from the Miscellaneous Revolving Fund, for refunds and reimbursements of corporate filing fees and franchise taxes for the fiscal year ending June 30, 2014, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2013-2014</u>
(01) REFUNDS/REIMBURSEMENTS	<u><u>\$550,000</u></u>

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

June 30, 2014, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2013-2014</u>
(01) COUNTY VOTING SYSTEM GRANTS	<u>\$1,500,000</u>

SECTION 12. APPROPRIATION - FEDERAL VOTING ASSISTANCE PROGRAM. There is hereby appropriated, to the Secretary of State, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for research and development on providing ballot access to Arkansas voters stationed overseas for the fiscal year ending June 30, 2014, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2013-2014</u>
(01) RESEARCH & DEVELOPMENT	<u>\$94,000</u>

SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REIMBURSEMENT. The Miscellaneous Revolving Fund shall be reimbursed in the manner provided by law.

The provisions of this section shall be in effect only from July 1, ~~2012~~ 2013 through June 30, ~~2013~~ 2014.

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

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

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

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

- 1. Sec. of State Capitol Police Chief
- 2. Sec. of State Police Sergeant
- 3. Sec. of State Corporal
- 4. Sec. of State Capitol Police Captain

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

The provisions of this section shall be in effect only from July 1, ~~2012~~ 2013 through June 30, ~~2013~~ 2014.

SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER PROVISION. After receiving approval from the Chief Fiscal Officer of the State, and prior review by the Arkansas Legislative Council, the Agency is authorized to transfer appropriation from any line item authorized in Section 3 Operations to any other line item authorized in Section 3.

The provisions of this section shall be in effect only from July 1, ~~2012~~ 2013 through June 30, ~~2013~~ 2014.

SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. VOTER ID RULES AND REGULATIONS AND REPORTING. The Secretary of State shall promulgate rules and regulations regarding the issuance of a voter identification card that may be requested by an individual to be used as proof of identity when appearing to vote in person upon prior review by the Administrative Rules and Regulations Subcommittee of the Arkansas Legislative Council or Joint Budget Committee. In addition, the Secretary of State shall also report for review

by the Arkansas Legislative Council or Joint Budget Committee a report outlining in detail the total amount of monies expended by the Secretary of State to implement the voter identification program. Further, the Secretary of State shall also report to the Arkansas Legislative Council or Joint Budget Committee within 60 days after the next General Election, the number of persons who obtained a Voter ID.

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

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

SECTION 18. LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds disbursed under the authority of the appropriations contained in this act shall be in compliance with the stated reasons for which this act was adopted, as evidenced by the Agency Requests, Executive Recommendations and Legislative Recommendations contained in the budget manuals prepared by the Department of Finance and Administration, letters, or summarized oral testimony in the official minutes of the Arkansas Legislative Council or Joint Budget Committee which relate to its passage and adoption.

SECTION 19. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year period; that the effectiveness of this Act on July 1, 2013 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the legislative session, the delay in the effective date of this Act beyond July 1, 2013 could work irreparable harm upon the proper administration and provision of essential governmental

programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2013.

/s/Joint Budget Committee

APPROVED: 04/19/2013