

Stricken language will be deleted and underlined language will be added.

State of Arkansas
90th General Assembly
Fiscal Session, 2016

A Bill

HOUSE BILL 1089

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, 2017; AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE SECRETARY OF STATE
APPROPRIATION FOR THE 2016-2017 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 2016-2017 fiscal year, the following maximum number of regular employees.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2016-2017
(1)	Q171U	STATE CHIEF DEPUTY	1	\$110,826
(2)	Q172U	SEC OF STATE DEPUTY	2	\$101,044
(3)	Q173U	SEC OF STATE GENERAL COUNSEL	1	\$93,597
(4)	Q174U	SEC OF STATE SENIOR INFO TECHNICIAN	1	\$86,668
(5)	Q175U	SEC OF STATE INFO TECHNICIAN	1	\$83,798
(6)	Q178U	SEC OF STATE CAPITOL POLICE CHIEF	1	\$81,362
(7)	Q177U	SEC OF STATE ASSOCIATE COUNSEL	1	\$81,362



(8)	Q176U	SEC OF STATE DEPARTMENT DIRECTOR	7	\$81,362
(9)	Q179U	SEC OF STATE SYSTEMS ANALYST	1	\$69,886
(10)	Q181U	SEC OF STATE CAPITOL POLICE CAPTAIN	1	\$67,765
(11)	Q182U	SEC OF STATE SENIOR SUPERVISOR	1	\$66,963
(12)	Q183U	SEC OF STATE DEPARTMENT MANAGER	1	\$65,976
(13)	Q184U	SEC OF STATE BUDGET ANALYST	1	\$64,902
(14)	Q185U	SEC OF STATE PROGRAMMER ANALYST	1	\$62,831
(15)	Q186U	SEC OF STATE ASSISTANT DIRECTOR	3	\$62,310
(16)	Q192U	SEC OF STATE DEPARTMENT SUPERVISOR	2	\$60,000
(17)	Q187U	SEC OF STATE POLICE SERGEANT	3	\$59,440
(18)	Q188U	SEC OF STATE TRADE SUPERVISOR	2	\$59,257
(19)	Q190U	SEC OF STATE INFO TECH ANALYST	1	\$58,231
(20)	Q197U	SEC OF STATE PROJECT COORDINATOR II	3	\$58,000
(21)	Q191U	SEC OF STATE ELECTION COORDINATOR	5	\$56,881
(22)	Q193U	SEC OF STATE MASTER TRADESPERSON	2	\$54,453
(23)	Q194U	SEC OF STATE CREATIVE SPECIALIST III	1	\$54,418
(24)	Q195U	SEC OF STATE INFO TECH ADMINISTRATOR	2	\$54,380
(25)	Q231U	SEC OF STATE PROJECT COORDINATOR I	4	\$53,716
(26)	Q180U	SEC OF STATE PUBLIC EVENTS COORD	1	\$51,941
(27)	Q198U	SEC OF STATE BUSINESS ACCOUNTANT II	3	\$51,710
(28)	Q199U	SEC OF STATE INFO TECH SPECIALIST	1	\$50,972
(29)	Q200U	SEC OF STATE CUSTOMER SVCS COORD II	3	\$50,404
(30)	Q201U	SEC OF STATE CORPORAL	16	\$50,006
(31)	Q203U	SEC OF STATE CREATIVE SPECIALIST II	2	\$49,933
(32)	Q202U	SEC OF STATE VOTER SVCS ADMINISTRATOR	2	\$49,933
(33)	Q204U	SEC OF STATE EXECUTIVE ASSISTANT	4	\$49,375
(34)	Q212U	SEC OF STATE BLDGS & GRND SUPERVISOR	3	\$48,727
(35)	Q206U	SEC OF STATE BLDG SVCS COORDINATOR	1	\$48,345
(36)	Q209U	SEC OF STATE TRADESPERSON	2	\$47,500
(37)	Q208U	SEC OF STATE MAINTENANCE WORKER II	4	\$45,579
(38)	Q213U	SEC OF STATE CREATIVE SPECIALIST I	1	\$44,936
(39)	Q210U	SEC OF STATE CORPORATIONS REP III	4	\$43,690
(40)	Q211U	SEC OF STATE RECORDS SPECIALIST	2	\$42,800
(41)	Q214U	SEC OF STATE INMATE CREW GUARD II	1	\$42,074
(42)	Q215U	SEC OF STATE ADMINISTRATIVE ASST III	7	\$41,553
(43)	Q216U	SEC OF STATE ADMINISTRATIVE ASST II	3	\$40,813

(44)	Q218U	SEC OF STATE BUSINESS ASSISTANT I	3	\$38,918
(45)	Q219U	SEC OF STATE CORPORATIONS REP II	11	\$37,434
(46)	Q220U	SEC OF STATE ADMINISTRATIVE ASST I	5	\$37,054
(47)	Q221U	SEC OF STATE INMATE CREW GUARD I	4	\$36,635
(48)	Q222U	SEC OF STATE MAINTENANCE WORKER I	4	\$35,777
(49)	Q223U	SEC OF STATE CORPORATIONS REP I	4	\$34,377
(50)	Q224U	SEC OF STATE CUSTODIAN II	1	\$33,367
(51)	Q225U	SEC OF STATE DISPATCHER	2	\$32,222
(52)	Q230U	SEC OF STATE RECEPTIONIST I	1	\$29,136
(53)	Q229U	SEC OF STATE MAIL CLERK	1	\$29,136
(54)	Q227U	SEC OF STATE CUSTODIAN I	14	\$29,136
(55)	Q226U	SEC OF STATE BLDG SVCS REP	<u>2</u>	\$29,136
		MAX. NO. OF EMPLOYEES	161	

SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for the Secretary of State - Operations for the 2016-2017 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, 2017, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2016-2017</u>
(01) REGULAR SALARIES	\$7,916,424
(02) EXTRA HELP	144,909
(03) PERSONAL SERVICES MATCHING	2,773,965
(04) OVERTIME	33,000
(05) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	4,504,939

(B) CONF. & TRAVEL	65,651
(C) PROF. FEES	205,956
(D) CAP. OUTLAY	150,000
(E) DATA PROC.	0
(06) CAPITOL GROUNDS IMPROVEMENTS	401,264
(07) SPECIAL MAINTENANCE	700,048
(08) ELECTIONS EXPENSES	<u>2,438,029</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$19,334,185</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, 2017, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2016-2017</u>
(01) HELP AMERICA VOTE ACT	<u><u>\$2,500,000</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, 2017, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2016-2017</u>
(01) HELP AMERICA VOTE ACT STATE MATCH	<u><u>\$515,000</u></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, 2017, the following:

ITEM NO.	FISCAL YEAR 2016-2017
(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, 2017, the following:

ITEM NO.	FISCAL YEAR 2016-2017
(01) VARIOUS OPERATING & CONSTRUCTION EXPENSES FOR MONUMENT/MEMORIAL PRESERVATION	<u>\$104,948</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, 2017, the following:

ITEM NO.	FISCAL YEAR 2016-2017
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$180,000
(B) CONF. & TRAVEL	0
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$180,000</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 for the fiscal year ending June 30, 2017, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2016-2017</u>
(01) VARIOUS PARKING EXPENSES, MAJOR EMERGENCIES & SECURITY EXPENSES	<u>\$375,000</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, UCC filing fees and certificates of franchise authority for the fiscal year ending June 30, 2017, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2016-2017</u>
(01) REFUNDS/REIMBURSEMENTS	<u>\$550,000</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 professional fees and services for upgrading or purchasing county voting systems and grants and aid for voting system equipment, programming, maintenance or equipment and devices used to view voter registration records at a polling location, for the fiscal year ending June 30, 2017, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2016-2017</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, 2017, the following:

ITEM NO.	FISCAL YEAR 2016-2017
(01) RESEARCH & DEVELOPMENT	<u>\$94,000</u>

SECTION 13. APPROPRIATION - ARKANSAS VIDEO SERVICE ACT. There is hereby appropriated, to the Secretary of State, to be payable from the Arkansas Video Service Fund, for the review and issue of certificates of franchise authority of the Arkansas Video Service Act for the fiscal year ending June 30, 2017, the following:

ITEM NO.	FISCAL YEAR 2016-2017
(01) ARKANSAS VIDEO SERVICE ACT	<u>\$50,000</u>

SECTION 14. 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, ~~2015~~ 2016 through June 30, ~~2016~~ 2017.

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, ~~2015~~ 2016 through June 30, ~~2016~~ 2017.

SECTION 16. 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, ~~2015~~ 2016 through June 30, ~~2016~~ 2017.

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, 2016 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, 2016 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, 2016.