

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

As Engrossed: H3/26/19

A Bill

HOUSE BILL 1121

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, 2020; AND FOR OTHER
11 PURPOSES.
12
13

Subtitle

14 AN ACT FOR THE SECRETARY OF STATE
15 APPROPRIATION FOR THE 2019-2020 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 2019-2020 fiscal year, the following
24 maximum number of regular employees.
25

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2019-2020
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)	Q184U SEC OF STATE BUDGET ANALYST	1	\$72,822
4	(11)	Q183U SEC OF STATE DEPARTMENT MANAGER	1	\$72,822
5	(12)	Q182U SEC OF STATE SENIOR SUPERVISOR	1	\$72,822
6	(13)	Q181U SEC OF STATE CAPITOL POLICE CAPTAIN	1	\$72,822
7	(14)	Q190U SEC OF STATE INFO TECH ANALYST	1	\$67,267
8	(15)	Q185U SEC OF STATE PROGRAMMER ANALYST	1	\$67,267
9	(16)	Q197U SEC OF STATE PROJECT COORDINATOR II	3	\$65,265
10	(17)	Q192U SEC OF STATE DEPARTMENT SUPERVISOR	2	\$65,265
11	(18)	Q188U SEC OF STATE TRADE SUPERVISOR	2	\$65,265
12	(19)	Q187U SEC OF STATE POLICE SERGEANT	3	\$65,265
13	(20)	Q186U SEC OF STATE ASSISTANT DIRECTOR	3	\$65,265
14	(21)	Q195U SEC OF STATE INFO TECH ADMINISTRATOR	2	\$60,288
15	(22)	Q231U SEC OF STATE PROJECT COORDINATOR I	4	\$58,493
16	(23)	Q212U SEC OF STATE BLDGS & GRND SUPERVISOR I	3	\$58,493
17	(24)	Q201U SEC OF STATE CORPORAL	16	\$58,493
18	(25)	Q198U SEC OF STATE BUSINESS ACCOUNTANT II	3	\$58,493
19	(26)	Q194U SEC OF STATE CREATIVE SPECIALIST III	1	\$58,493
20	(27)	Q193U SEC OF STATE MASTER TRADESPERSON	2	\$58,493
21	(28)	Q191U SEC OF STATE ELECTION COORDINATOR	5	\$58,493
22	(29)	Q180U SEC OF STATE PUBLIC EVENTS COORD	1	\$58,493
23	(30)	Q199U SEC OF STATE INFO TECH SPECIALIST	1	\$54,035
24	(31)	Q210U SEC OF STATE CORPORATIONS REP III	4	\$52,425
25	(32)	Q209U SEC OF STATE TRADESPERSON	2	\$52,425
26	(33)	Q208U SEC OF STATE MAINTENANCE WORKER II	4	\$52,425
27	(34)	Q204U SEC OF STATE EXECUTIVE ASSISTANT	4	\$52,425
28	(35)	Q203U SEC OF STATE CREATIVE SPECIALIST II	2	\$52,425
29	(36)	Q202U SEC OF STATE VOTER SVCS ADMINISTRATOR	2	\$52,425
30	(37)	Q200U SEC OF STATE CUSTOMER SVCS COORD II	3	\$52,425
31	(38)	Q215U SEC OF STATE ADMINISTRATIVE ASST III	7	\$46,987
32	(39)	Q214U SEC OF STATE FACILITIES SVC REP II	1	\$46,987
33	(40)	Q213U SEC OF STATE CREATIVE SPECIALIST I	1	\$46,987
34	(41)	Q211U SEC OF STATE RECORDS SPECIALIST	2	\$46,987
35	(42)	Q206U SEC OF STATE BLDG SVCS COORDINATOR	1	\$46,987
36	(43)	Q222U SEC OF STATE MAINTENANCE WORKER I	4	\$42,117

1	(44)	Q221U SEC OF STATE FACILITIES SVC REP I	4	\$42,117
2	(45)	Q219U SEC OF STATE CORPORATIONS REP II	11	\$42,117
3	(46)	Q218U SEC OF STATE BUSINESS ASSISTANT I	3	\$42,117
4	(47)	Q216U SEC OF STATE ADMINISTRATIVE ASST II	3	\$42,117
5	(48)	Q229U SEC OF STATE MAIL CLERK	1	\$37,749
6	(49)	Q225U SEC OF STATE DISPATCHER	2	\$37,749
7	(50)	Q224U SEC OF STATE CUSTODIAN II	1	\$37,749
8	(51)	Q223U SEC OF STATE CORPORATIONS REP I	4	\$37,749
9	(52)	Q220U SEC OF STATE ADMINISTRATIVE ASST I	5	\$37,749
10	(53)	Q227U SEC OF STATE CUSTODIAN I	5	\$33,836
11	(54)	Q226U SEC OF STATE BLDG SVCS REP	2	\$33,836
12	(55)	Q230U SEC OF STATE RECEPTIONIST I	<u>1</u>	\$31,900
13		MAX. NO. OF EMPLOYEES	152	

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15 SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for
 16 the Secretary of State - Operations for the 2019-2020 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.

23

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 for the fiscal year ending June 30, 2020, the following:

28

29	ITEM	FISCAL YEAR
30	<u>NO.</u>	<u>2019-2020</u>
31	(01) REGULAR SALARIES	\$8,505,363
32	(02) EXTRA HELP	144,909
33	(03) PERSONAL SERVICES MATCHING	2,746,200
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>\$19,955,359</u>

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10 SECTION 4. APPROPRIATION - CAPITOL GROUNDS MONUMENT/MEMORIAL

11 PRESERVATION. There is hereby appropriated, to the Secretary of State, to be
 12 payable from the Capitol Grounds Monument And Memorial Preservation Fund, for
 13 various construction and operating expenses for the preservation of Monuments
 14 and Memorials on the State Capitol Grounds by the Secretary of State for the
 15 fiscal year ending June 30, 2020, the following:

16

17	ITEM	FISCAL YEAR
18	<u>NO.</u>	<u>2019-2020</u>
19	(01) VARIOUS OPERATING & CONSTRUCTION	
20	EXPENSES FOR MONUMENT/MEMORIAL	
21	PRESERVATION	<u>\$34,948</u>

22

23 SECTION 5. APPROPRIATION - ARKANSAS STATE CAPITOL BUILDING & GROUNDS

24 RESTORATION - CASH. There is hereby appropriated, to the Secretary of State,
 25 to be payable from the cash fund deposited in the State Treasury as
 26 determined by the Chief Fiscal Officer of the State, from contributions and
 27 donations for maintenance and restoration projects by the Secretary of State
 28 for the fiscal year ending June 30, 2020, the following:

29

30	ITEM	FISCAL YEAR
31	<u>NO.</u>	<u>2019-2020</u>
32	(01) MAINT. & GEN. OPERATION	
33	(A) OPER. EXPENSE	\$25,000
34	(B) CONF. & TRAVEL	0
35	(C) PROF. FEES	0
36	(D) CAP. OUTLAY	0

1	(E) DATA PROC.	<u>0</u>
2	TOTAL AMOUNT APPROPRIATED	<u><u>\$25,000</u></u>

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4 SECTION 6. APPROPRIATION - ADMINISTRATIVE & MAINTENANCE - CASH. There

5 is hereby appropriated, to the Secretary of State, to be payable from cash

6 funds as defined by Arkansas Code 19-4-801 of the Secretary of State, for

7 various operating and associated expenses for administrative and maintenance

8 expenses for the State Capitol grounds for the fiscal year ending June 30,

9 2020, the following:

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11	ITEM	FISCAL YEAR
12	<u>NO.</u>	<u>2019-2020</u>
13	(01) VARIOUS ADMINISTRATIVE & MAINTENANCE	
14	EXPENSES	<u><u>\$375,000</u></u>

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16 SECTION 7. APPROPRIATION - FEE AND TAX REFUNDS. There is hereby

17 appropriated, to the Secretary of State, to be payable from the Miscellaneous

18 Revolving Fund, for refunds and reimbursements of corporate filings fees and

19 franchise taxes for the fiscal year ending June 30, 2020, the following:

20

21	ITEM	FISCAL YEAR
22	<u>NO.</u>	<u>2019-2020</u>
23	(01) REFUNDS/REIMBURSEMENTS	<u><u>\$550,000</u></u>

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25 SECTION 8. APPROPRIATION - COUNTY VOTING SYSTEM GRANT FUND. There is

26 hereby appropriated, to the Secretary of State, to be payable from the County

27 Voting System Grant Fund, for professional fees and services for upgrading or

28 purchasing county voting systems, grants and aid for voting system equipment,

29 programming, maintenance or equipment and devices used to view voter

30 registration records at a polling location and refunds/reimbursements of fees

31 for the fiscal year ending June 30, 2020, the following:

32

33	ITEM	FISCAL YEAR
34	<u>NO.</u>	<u>2019-2020</u>
35	(01) COUNTY VOTING SYSTEM GRANTS	<u><u>\$12,000,000</u></u>

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SECTION 9. 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 and refunds/reimbursements of fees of the Arkansas Video Service Act for the fiscal year ending June 30, 2020, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2019-2020</u>
(01) ARKANSAS VIDEO SERVICE ACT	<u>\$25,000</u>

SECTION 10. 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 or Joint Budget Committee, the Agency is authorized to transfer appropriation from any line item authorized in Operations appropriation to any other line item authorized in Operations appropriation.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

SECTION 11. 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

- 1 IV. Senior Certificate - \$1,200 annually
2 Payment of such funds may be made monthly, quarterly, semiannually or
3 annually depending upon the availability of revenues and shall be restricted
4 to the following classifications:
5 1. Sec. of State Capitol Police Chief
6 2. Sec. of State Police Sergeant
7 3. Sec. of State Corporal
8 4. Sec. of State Capitol Police Captain

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

14 The provisions of this section shall be in effect only from July 1, ~~2018~~
15 2019 through June 30, ~~2019~~ 2020.

16

17 *SECTION 12. Arkansas Code § 7-9-113(a)(2)(C), concerning the*
18 *publication of notice by the Secretary of State, is amended to read as*
19 *follows:*

20 *(C)(i) The reimbursement shall be placed by the Secretary*
21 *of State into the Mandatory Publication Reimbursement Fund.*

22 *(ii) Funds shall be transferred from time to time from*
23 *the Mandatory Publication Reimbursement Fund to the State Central Services*
24 *Fund as refunds for costs associated with mandatory publications.*

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26 *SECTION 13. COMPLIANCE WITH OTHER LAWS. Disbursement of funds*
27 *authorized by this act shall be limited to the appropriation for such agency*
28 *and funds made available by law for the support of such appropriations; and*
29 *the restrictions of the State Procurement Law, the General Accounting and*
30 *Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary*
31 *Procedures and Restrictions Act, or their successors, and other fiscal*
32 *control laws of this State, where applicable, and regulations promulgated by*
33 *the Department of Finance and Administration, as authorized by law, shall be*
34 *strictly complied with in disbursement of said funds.*

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36 *SECTION 14. LEGISLATIVE INTENT. It is the intent of the General*

1 Assembly that any funds disbursed under the authority of the appropriations
2 contained in this act shall be in compliance with the stated reasons for
3 which this act was adopted, as evidenced by the Agency Requests, Executive
4 Recommendations and Legislative Recommendations contained in the budget
5 manuals prepared by the Department of Finance and Administration, letters, or
6 summarized oral testimony in the official minutes of the Arkansas Legislative
7 Council or Joint Budget Committee which relate to its passage and adoption.
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9 SECTION 15. EMERGENCY CLAUSE. It is found and determined by the
10 General Assembly, that the Constitution of the State of Arkansas prohibits
11 the appropriation of funds for more than a one (1) year period; that the
12 effectiveness of this Act on July 1, 2019 is essential to the operation of
13 the agency for which the appropriations in this Act are provided, and that in
14 the event of an extension of the legislative session, the delay in the
15 effective date of this Act beyond July 1, 2019 could work irreparable harm
16 upon the proper administration and provision of essential governmental
17 programs. Therefore, an emergency is hereby declared to exist and this Act
18 being necessary for the immediate preservation of the public peace, health
19 and safety shall be in full force and effect from and after July 1, 2019.
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21 /s/Joint Budget Committee
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