

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005
4

As Engrossed: H2/18/05
A Bill

HOUSE BILL 1271

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES AND OPERATING EXPENSES FOR THE SECRETARY
11 OF STATE FOR THE BIENNIAL PERIOD ENDING JUNE 30,
12 2007; AND FOR OTHER PURPOSES.
13

Subtitle

14
15 AN ACT FOR THE SECRETARY OF STATE
16 APPROPRIATION FOR THE 2005-2007
17 BIENNIUM.
18
19
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

23 SECTION 1. REGULAR SALARIES - CENTRAL OPERATIONS. There is hereby
24 established for the Secretary of State - Central Operations for the 2005-2007
25 biennium, the following maximum number of regular employees whose salaries
26 shall be governed by the provisions of the Uniform Classification and
27 Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and
28 all laws amendatory thereto. Provided, however, that any position to which a
29 specific maximum annual salary is set out herein in dollars, shall be exempt
30 from the provisions of said Uniform Classification and Compensation Act. All
31 persons occupying positions authorized herein are hereby governed by the
32 provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas
33 Code §21-5-101), or its successor.
34

35 Maximum Annual
36 Maximum Salary Rate



Item	No. of	Fiscal Years
No.	Employees	2005-2006 2006-2007
(1)	1	\$87,410 \$89,620
(2)	1	\$79,038 \$81,089
(3)	1	\$75,084 \$77,060
(4)	1	\$71,996 \$73,913
(5)	1	\$71,996 \$73,913
(6)	1	\$62,936 \$64,681
(7)	1	\$62,936 \$64,681
(8)	1	\$62,936 \$64,681
(9)	1	\$62,936 \$64,681
(10)	1	\$60,589 \$62,290
(11)	1	\$58,622 \$60,285
(12)	1	\$57,462 \$59,103
(13)	1	\$55,652 \$57,259
(14)	3	\$50,774 \$52,288
(15)	1	\$50,774 \$52,288
(16)	1	\$50,019 \$51,519
(17)	1	\$49,962 \$51,460
(18)	1	\$48,779 \$50,242
(19)	4	\$47,601 \$49,029
(20)	1	\$45,699 \$47,069
(21)	1	\$43,669 \$44,979
(22)	2	\$43,324 \$44,623
(23)	4	\$41,619 \$42,867
(24)	1	\$41,145 \$42,379
(25)	1	\$41,145 \$42,379
(26)	1	\$41,145 \$42,379
(27)	1	\$41,145 \$42,379
(28)	1	\$41,145 \$42,379
(29)	1	\$40,784 \$42,007
(30)	1	\$40,732 \$41,953
(31)	1	\$40,125 \$41,328
(32)	1	\$40,000 \$41,200
(33)	1	\$40,000 \$41,200
(34)	3	\$39,027 \$40,197

1	(35)	SEC OF STATE COMM/EDUC COORD	1	\$39,027	\$40,197
2	(36)	SEC OF STATE PUBLIC INFO OFFCR	1	\$38,279	\$39,427
3	(37)	SEC OF STATE PHOTOGRAPHY MANAGER	1	\$35,667	\$36,737
4	(38)	SEC OF STATE HUMAN RESOURCES ASST	1	\$35,267	\$36,325
5	(39)	SEC OF STATE LEAD CORPORATIONS REP	2	\$35,267	\$36,325
6	(40)	SEC OF STATE LEAD UCC REP	2	\$35,267	\$36,325
7	(41)	SEC OF STATE RECORDS SPECIALIST	1	\$35,267	\$36,325
8	(42)	SEC OF STATE VOTER SVCS REP	1	\$34,911	\$35,958
9	(43)	SEC OF STATE ELECT SVCS REP	3	\$34,911	\$35,958
10	(44)	SEC OF STATE BUSINESS ASSISTANT	1	\$33,437	\$34,440
11	(45)	SEC OF STATE RECEPTIONIST II	1	\$32,468	\$33,442
12	(46)	SEC OF STATE PHOTOGRAPHER	2	\$31,713	\$32,664
13	(47)	SEC OF STATE ELECTION SVCS REP II	1	\$31,209	\$32,145
14	(48)	SEC OF STATE CORPORATIONS REP	15	\$30,846	\$31,771
15	(49)	SEC OF STATE UCC REP	3	\$30,846	\$31,771
16	(50)	SEC OF STATE HELP DESK REP	2	\$30,616	\$31,534
17	(51)	SEC OF STATE ACCOUNTING TECHNICIAN	1	\$25,863	\$26,638
18	(52)	SEC OF STATE PURCHASING ASST	2	\$25,426	\$26,188
19	(53)	SEC OF STATE TOUR INFORMATION SPEC	1	\$23,511	\$24,216
20	(54)	SEC OF STATE MAIL CLERK	<u>1</u>	\$23,313	\$24,012
21		MAX. NO. OF EMPLOYEES	88		

22

23 SECTION 2. EXTRA HELP - CENTRAL OPERATIONS. There is hereby authorized,
 24 for the Secretary of State - Central Operations for the 2005-2007 biennium,
 25 the following maximum number of part-time or temporary employees, to be known
 26 as "Extra Help", payable from funds appropriated herein for such purposes:
 27 twenty-five (25) temporary or part-time employees, when needed, at rates of
 28 pay not to exceed those provided in the Uniform Classification and
 29 Compensation Act, or its successor, or this act for the appropriate
 30 classification.

31

32 SECTION 3. APPROPRIATION - CENTRAL OPERATIONS. There is hereby
 33 appropriated, to the Secretary of State, to be payable from the State Central
 34 Services Fund, for personal services and operating expenses of the Secretary
 35 of State - Central Operations for the biennial period ending June 30, 2007,
 36 the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) REGULAR SALARIES	\$ 3,643,550	\$ 3,750,367
(02) EXTRA HELP	84,725	84,725
(03) PERSONAL SERVICES MATCHING	1,054,886	1,075,642
(04) OVERTIME	10,000	10,000
(05) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	925,085	925,085
(B) CONF. & TRAVEL	36,292	36,292
(C) PROF. FEES	44,136	44,136
(D) CAP. OUTLAY	165,908	165,908
(E) DATA PROC.	93,866	99,866
(06) MANDATORY PUBLICATIONS	345,000	0
(07) PETITION VERIFICATION	475,000	0
(08) PUBLISH LEGAL NOTICES	950,000	0
(09) RECORDS MANAGEMENT	1,325,528	0
(10) MOTOR VOTER SYSTEM OPERATIONS/ MAINTENANCE/ENHANCEMENT	1,006,703	1,006,703
(11) FLAGS	<u>181,250</u>	<u>181,250</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 10,341,929</u>	<u>\$ 7,379,974</u>

SECTION 4. REGULAR SALARIES - SUPPORT OPERATIONS. There is hereby established for the Secretary of State - Support Operations for the 2005-2007 biennium, the following maximum number of regular employees whose salaries shall be governed by the provisions of the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws amendatory thereto. Provided, however, that any position to which a specific maximum annual salary is set out herein in dollars, shall be exempt from the provisions of said Uniform Classification and Compensation Act. All persons occupying positions authorized herein are hereby governed by the provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its successor.

	Maximum Annual
Maximum	Salary Rate

Item	No. of	Fiscal Years		
No.	Title	Employees	2005-2006	2006-2007
(1)	SEC OF STATE DEPUTY CONSTR/BLDG/GRN	1	\$79,038	\$81,089
(2)	SEC OF STATE CAPITOL POLICE CHIEF	1	\$65,000	\$66,755
(3)	SEC OF STATE MASTER TRADES DIRECTOR	1	\$62,059	\$63,788
(4)	SEC OF STATE BLDG GROUNDS DIRECTOR	1	\$62,936	\$64,681
(5)	CAPITOL ASST POLICE CHIEF	1	\$56,000	\$57,512
(6)	SEC OF STATE GROUNDS MGR	1	\$54,411	\$55,994
(7)	SEC OF STATE BLDG OPERATIONS MGR	1	\$54,411	\$55,994
(8)	SEC OF STATE PROJECT COORDINATOR	1	\$50,774	\$52,288
(9)	SEC OF STATE POLICE SERGEANT	3	\$49,122	\$50,448
(10)	SEC OF STATE MASTER PLUMBER	1	\$45,000	\$46,215
(11)	SEC OF STATE MASTER ELECTRICIAN	1	\$45,000	\$46,215
(12)	SEC OF STATE CORPORAL	16	\$41,326	\$42,442
(13)	SOS BUILDING AND GROUNDS SUPV	4	\$39,011	\$40,181
(14)	SEC OF STATE BLDG&GRNDS PROJ COORD	1	\$38,139	\$39,283
(15)	SEC OF STATE MAINTENANCE WORKER II	2	\$37,558	\$38,684
(16)	SEC OF STATE ELECTRICIAN	1	\$37,000	\$38,110
(17)	SEC OF STATE PLUMBER	1	\$37,000	\$38,110
(18)	SEC OF STATE INMATE CREW GUARD II	1	\$34,669	\$35,709
(19)	SEC OF STATE INMATE CREW GUARD I	4	\$30,188	\$31,094
(20)	SEC OF STATE MAINTENANCE WORKER I	5	\$29,481	\$30,365
(21)	SEC OF STATE CUSTODIAN II	1	\$29,105	\$29,978
(22)	SEC OF STATE DISPATCHER	3	\$26,011	\$26,791
(23)	SEC OF STATE CAPITOL HILL CUSTODIAN	1	\$24,126	\$24,849
(24)	SEC OF STATE CUSTODIAN I	6	\$23,519	\$24,225
(25)	SEC OF STATE GROUNDS ASSISTANT	1	\$22,853	\$23,538
(26)	SEC OF STATE PARKING LOT ATTENDANT	1	\$22,853	\$23,538
(27)	SEC OF STATE RECEPTIONIST I	1	\$22,853	\$23,538
(28)	SEC OF STATE HOUSEKEEPER	<u>6</u>	\$22,852	\$23,538
	MAX. NO. OF EMPLOYEES	68		

SECTION 5. EXTRA HELP - SUPPORT OPERATIONS. There is hereby authorized, for the Secretary of State - Support Operations for the 2005-2007 biennium, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes:

1 five (5) temporary or part-time employees, when needed, at rates of pay not
 2 to exceed those provided in the Uniform Classification and Compensation Act,
 3 or its successor, or this act for the appropriate classification.

4
 5 SECTION 6. APPROPRIATION - SUPPORT OPERATIONS. There is hereby
 6 appropriated, to the Secretary of State, to be payable from the State Central
 7 Services Fund, for personal services and operating expenses of the Secretary
 8 of State - Support Operations for the biennial period ending June 30, 2007,
 9 the following:

11	ITEM	FISCAL YEARS	
12	<u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
13	(01) REGULAR SALARIES	\$ 2,507,385	\$ 2,578,844
14	(02) EXTRA HELP	9,000	9,000
15	(03) PERSONAL SERVICES MATCHING	\$ 753,478	\$ 767,360
16	(04) OVERTIME	23,000	23,000
17	(05) MAINT. & GEN. OPERATION		
18	(A) OPER. EXPENSE	958,100	958,100
19	(B) CONF. & TRAVEL	13,400	13,400
20	(C) PROF. FEES	320,000	0
21	(D) CAP. OUTLAY	260,850	201,979
22	(E) DATA PROC.	0	0
23	(06) CAPITOL GROUNDS IMPROVEMENT	135,000	75,000
24	(07) SPECIAL MAINTENANCE	390,000	355,000
25	(08) BUILDING INSURANCE	<u>151,214</u>	<u>151,214</u>
26	TOTAL AMOUNT APPROPRIATED	<u>\$ 5,521,427</u>	<u>\$ 5,132,897</u>

27
 28 SECTION 7. REGULAR SALARIES - HELP AMERICA VOTE ACT - FEDERAL. There is
 29 hereby established for the Secretary of State - Help America Vote Act for the
 30 2005-2007 biennium, the following maximum number of regular employees whose
 31 salaries shall be governed by the provisions of the Uniform Classification
 32 and Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor,
 33 and all laws amendatory thereto. Provided, however, that any position to
 34 which a specific maximum annual salary is set out herein in dollars, shall be
 35 exempt from the provisions of said Uniform Classification and Compensation
 36 Act. All persons occupying positions authorized herein are hereby governed

1 by the provisions of the Regular Salaries Procedures and Restrictions Act
 2 (Arkansas Code §21-5-101), or its successor.

Item No.	Title	Maximum No. of Employees	Maximum Salary Rate 2005-2006	Maximum Salary Rate 2006-2007
8 (1)	DATABASE ENGINEER	1	\$71,643	\$73,554
9 (2)	PROGRAMMER ANALYST II	1	\$50,725	\$52,238
10 (3)	SEC OF STATE ELECTION COORDINATOR	<u>2</u>	\$47,601	\$49,029
11	MAX. NO. OF EMPLOYEES	4		

13 SECTION 8. APPROPRIATION - HELP AMERICA VOTE ACT - FEDERAL. There is
 14 hereby appropriated, to the Secretary of State, to be payable from the
 15 federal funds as designated by the Chief Fiscal Officer of the State, for
 16 personal services of the Secretary of State - Help America Vote Act for the
 17 biennial period ending June 30, 2007, the following:

ITEM NO.		FISCAL YEARS	
		2005-2006	2006-2007
21 (01)	REGULAR SALARIES	\$ 217,570	\$ 223,850
22 (02)	PERSONAL SERVICES MATCHING	<u>57,634</u>	<u>58,854</u>
23	TOTAL AMOUNT APPROPRIATED	<u>\$ 275,204</u>	<u>\$ 282,704</u>

25 SECTION 9. APPROPRIATIONS - HELP AMERICA VOTE ACT - TITLE 1 AND TITLE 2 -
 26 FEDERAL. There is hereby appropriated, to the Secretary of State, to be
 27 payable from the federal funds as designated by the Chief Fiscal Officer of
 28 the State, the following:

29 (A) For maintenance, operating expenses and associated cost for the Help
 30 America Vote Act (HAVA Title 1), the sum of\$5,218,692.

31 (B) For expenditures requiring state matching for maintenance, operating
 32 expenses and associated costs for the Help America Vote Act (HAVA Title 2),
 33 the sum of\$21,598,570.

35 SECTION 10. APPROPRIATION - ELECTION ASSISTANCE FOR DISABLED - FEDERAL.
 36 There is hereby appropriated, to the Secretary of State, to be payable from

1 the federal funds as designated by the Chief Fiscal Officer of the State, for
 2 grants, aid and professional fees and services for election assistance for
 3 the disabled for the biennial period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) ELECTION ASSISTANCE FOR THE DISABLED	\$ 300,000	\$ 300,000

9 SECTION 11. APPROPRIATION - CAPITOL GROUNDS MONUMENT/MEMORIAL
 10 PRESERVATION. There is hereby appropriated, to the Secretary of State, to be
 11 payable from the Capitol Grounds Monument And Memorial Preservation Fund, for
 12 various construction and operating expenses for the preservation of Monuments
 13 and Memorials on the State Capitol Grounds by the Secretary of State for the
 14 biennial period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) VARIOUS OPERATING AND CONSTRUCTION EXPENSES FOR MONUMENT/MEMORIAL PRESERVATION	\$ 25,000	\$ 25,000

22 SECTION 12. APPROPRIATION - ARKANSAS STATE CAPITOL BUILDING AND GROUNDS
 23 RESTORATION - CASH. There is hereby appropriated, to the Secretary of State,
 24 to be payable from the cash fund deposited in the State Treasury as
 25 determined by the Chief Fiscal Officer of the State, from contributions and
 26 donations for maintenance and restoration projects by the Secretary of State
 27 for the biennial period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	\$ 1,300,000	\$ 1,300,000
(B) CONF. & TRAVEL	0	0
(C) PROF. FEES	500,000	500,000
(D) CAP. OUTLAY	3,500,000	3,500,000
(E) DATA PROC.	<u>0</u>	<u>0</u>

1 TOTAL AMOUNT APPROPRIATED \$ 5,300,000 \$ 5,300,000

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3 SECTION 13. APPROPRIATIONS - PARKING - CASH. There is hereby
 4 appropriated, to the Secretary of State, to be payable from cash funds as
 5 defined by Arkansas Code 19-4-801 of the Secretary of State, for various
 6 operating and associated expenses for parking activity of the Secretary of
 7 State for the biennial period ending June 30, 2007, the following:

8

9 ITEM	FISCAL YEARS	
10 <u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
11 (01) VARIOUS PARKING EXPENSES	\$ <u>200,000</u>	\$ <u>200,000</u>

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13 SECTION 14. APPROPRIATION - FEE AND TAX REFUND. There is hereby
 14 appropriated, to the Secretary of State, to be payable from the Miscellaneous
 15 Revolving Fund, for refunds and reimbursements of corporate filing fees and
 16 franchise taxes for the biennial period ending June 30, 2007, the following:

17

18 ITEM	FISCAL YEARS	
19 <u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
20 (01) REFUND/REIMBURSEMENTS	\$ <u>450,000</u>	\$ <u>450,000</u>

21

22 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 23 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
 24 FORWARD. At the close of the fiscal year ending June 30, ~~2004~~ 2006, any
 25 unexpended appropriation and funds provided for in Professional Fees, Capital
 26 Outlay, Mandatory Publications, Petition Verification, Publish Legal Notices,
 27 Records Management, and Motor Voter System Operations/Maintenance/
 28 Enhancement in Section 3 and for Professional Fees and Capital Outlay in
 29 Section 6 of this Act, shall be carried forward and made available for the
 30 same purposes for the fiscal year ending June 30, ~~2005~~ 2007. The provisions
 31 of this section shall be in effect only from July 1, ~~2003~~ 2005 through June
 32 30, ~~2005~~ 2007.

33

34 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 36 REIMBURSEMENT. The Miscellaneous Revolving Fund shall be reimbursed in the

1 manner provided by law. The provisions of this section shall be in effect
2 only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

3
4 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. STATE
6 CAPITOL POLICE. In the event that sufficient revenues, in the judgment of
7 the Secretary of State exist, the Secretary is hereby authorized to make
8 additional salary payments from such funds to those employees who have
9 attained law enforcement certification above the basic certificate level, as
10 defined by the Arkansas Commission on Law Enforcement Standards.

11 It is the intent of this Section that such payment shall be optional, at the
12 discretion of the Secretary, dependent on sufficient revenues and shall not
13 be implemented using funds specifically set aside for other programs within
14 the Department.

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

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

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

- 24 1. Sec. of State Capitol Police Chief
25 2. Sec. of State Police Sergeant
26 3. Sec. of State Corporal
27 4. Sec. of State Assistant Chief

28 Payments made under this Section which are awarded as partial or lump sum
29 payments shall not be considered as salary for purposes of retirement
30 benefits but shall be subject to withholding of all applicable federal and
31 state taxes. Payments made under this Section shall not be construed as
32 exceeding the maximum annual salary of the employee. The provisions of this
33 section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~
34 2007.

35
36 SECTION 18. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized

1 by this act shall be limited to the appropriation for such agency and funds
2 made available by law for the support of such appropriations; and the
3 restrictions of the State Procurement Law, the General Accounting and
4 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
5 Procedures and Restrictions Act, or their successors, and other fiscal
6 control laws of this State, where applicable, and regulations promulgated by
7 the Department of Finance and Administration, as authorized by law, shall be
8 strictly complied with in disbursement of said funds.

9
10 SECTION 19. LEGISLATIVE INTENT. It is the intent of the General Assembly
11 that any funds disbursed under the authority of the appropriations contained
12 in this act shall be in compliance with the stated reasons for which this act
13 was adopted, as evidenced by the Agency Requests, Executive Recommendations
14 and Legislative Recommendations contained in the budget manuals prepared by
15 the Department of Finance and Administration, letters, or summarized oral
16 testimony in the official minutes of the Arkansas Legislative Council or
17 Joint Budget Committee which relate to its passage and adoption.

18
19 SECTION 20. EMERGENCY CLAUSE. It is found and determined by the General
20 Assembly, that the Constitution of the State of Arkansas prohibits the
21 appropriation of funds for more than a two (2) year period; that the
22 effectiveness of this Act on July 1, 2005 is essential to the operation of
23 the agency for which the appropriations in this Act are provided, and that in
24 the event of an extension of the Regular Session, the delay in the effective
25 date of this Act beyond July 1, 2005 could work irreparable harm upon the
26 proper administration and provision of essential governmental programs.
27 Therefore, an emergency is hereby declared to exist and this Act being
28 necessary for the immediate preservation of the public peace, health and
29 safety shall be in full force and effect from and after July 1, 2005.

30
31 /s/ Joint Budget Committee
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