

ENROLLED HOUSE
BILL NO. 1044

By: Bengé and Newport of the
House

and

Morgan and Crutchfield of
the Senate

An Act relating to the State Election Board; making appropriations; stating purposes; requiring budgeting in certain categories and amounts; providing for duties and compensation of employees; limiting the salary of the Secretary; amending 26 O.S. 2001, Section 2-118, as last amended by Section 1, Chapter 154, O.S.L. 2003 (26 O.S. Supp. 2004, Section 2-118), which relates to county election board salaries; modifying salary schedules; amending 26 O.S. 2001, Section 2-129, which relates to precinct official compensation; modifying compensation; making appropriations nonfiscal; providing an effective date; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. There is hereby appropriated to the State Election Board from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 2006, the sum of Four Million Nine Hundred Ninety-one Thousand Eight Hundred Thirty-nine Dollars (\$4,991,839.00) or so much thereof as may be necessary to perform the duties imposed upon the State Election Board by law.

SECTION 2. There is hereby appropriated to the State Election Board from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 2006, the sum of One Million Six Hundred Thirty Thousand Dollars (\$1,630,000.00) or so much thereof as may be necessary to pay the necessary expenses of holding elections.

SECTION 3. For the fiscal year ending June 30, 2006, the State Election Board shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Administration	\$4,880,839.00	\$10,750,293.00
Voter Registration	111,000.00	115,000.00
Voter Outreach	0.00	353,121.00

Elections Management	1,630,000.00	2,224,000.00
HAVA Title III	<u>0.00</u>	<u>29,659,637.00</u>
TOTAL	\$6,621,839.00	\$43,102,051.00

SECTION 4. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the State Election Board by law shall be set by the Secretary of the State Election Board. The salary of the Secretary of the State Election Board shall not exceed Seventy-six Thousand Fifty-seven dollars (\$76,057.00) per annum, payable monthly for the fiscal year ending June 30, 2006.

SECTION 5. AMENDATORY 26 O.S. 2001, Section 2-118, as last amended by Section 1, Chapter 154, O.S.L. 2003 (26 O.S. Supp. 2004, Section 2-118), is amended to read as follows:

Section 2-118. A. The secretary of each county election board shall be paid an annual salary to be determined by the following schedule. However, the salary of a county election board secretary shall not fall below the level of the April 30, 2003, salary, and the salary of any person who is reappointed to the position of county election board secretary shall not fall below the salary received in the immediately preceding term, regardless of the number of active registered voters, ~~excluding inactive,~~ in the county. ~~No salary shall be increased to the secretary of any county election board while that county is under the administrative supervision of the Secretary of the State Election Board:~~ A county election board secretary serving on April 30, 2004, shall not receive a salary increase if said secretary is paid an amount greater than the salary indicated in this section according to the number of registered voters in said county. A county election board secretary shall not receive a salary increase while the county is under the administrative supervision of the State Election Board.

Beginning May 1, 2003, the annual salary, payable monthly shall be:

Registered Voters	Salary
0 to 10,000	\$20,188.28 <u>\$21,588.28</u>
10,001 to 15,000	\$20,988.28 <u>\$22,388.28</u>
15,001 to 17,500	\$24,152.45 <u>\$26,252.45</u>
17,501 to 25,000	\$27,328.93 <u>\$29,429.93</u>
25,001 to 50,000	\$33,046.94 <u>\$35,846.94</u>
50,001 to 75,000	\$42,374.66 <u>\$45,174.66</u>
75,001 to 150,000	\$47,811.26 <u>\$50,611.26</u>
150,001 or more	\$53,243.00 <u>\$56,043.00</u>

B. The salary and fringe benefits paid to each secretary shall be paid from county funds on a monthly basis and shall be reimbursed

from funds appropriated by the Legislature for that purpose at a rate of not to exceed one hundred thirty-five percent (135%) of the above-specified salaries. Claims for said reimbursement shall be filed according to procedures prescribed by the Secretary of the State Election Board and approved by the Director of State Finance. Said claims for reimbursement shall only be paid for actual expenditures made by the county. The number of registered voters, for the purposes of this section, shall be determined by the number of registered voters, excluding inactive voters, in the county on January 1, 1979, and every two (2) years thereafter.

SECTION 6. AMENDATORY 26 O.S. 2001, Section 2-129, is amended to read as follows:

The inspector shall be paid ~~Seventy-five Dollars (\$75.00)~~ Ninety-five Dollars (\$95.00) for each election and shall be allowed mileage reimbursement at the rate provided by the State Travel Reimbursement Act for mileage incurred to receive or return ballots and materials for the election. Judges, clerks and counters shall be paid ~~Sixty-five Dollars (\$65.00)~~ Eighty-five Dollars (\$85.00) for each election. Precinct officials assigned to work a polling place ten (10) miles or more from their home, shall be allowed mileage reimbursement at the rate provided by the State Travel Reimbursement Act for mileage incurred from their home to and from their assigned polling place. An additional Two Dollars (\$2.00) per election shall be paid to each inspector, judge, clerk and counter of a precinct from the funds of the county. Compensation provided herein shall be paid for any state, county, municipal or school district election; provided, however, that compensation for elections conducted concurrently shall not exceed in total the amount herein prescribed. Said compensation shall be paid by the State Election Board for all regular Primary, Runoff Primary and General Elections, all statewide special elections and all special elections for United States Representatives or United States Senators and State Senators or State Representatives.

SECTION 7. The appropriations made by this act shall not be subject to fiscal year limitations and shall be available for encumbrance and expenditure purposes for a period of thirty (30) months from the date this act is approved.

SECTION 8. This act shall become effective July 1, 2005.

SECTION 9. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the House of Representatives the 20th day of May, 2005.

Presiding Officer of the House of
Representatives

Passed the Senate the 24th day of May, 2005.

Presiding Officer of the Senate