

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

Act 57 of the Fiscal Session

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1 State of Arkansas
2 94th General Assembly
3 Fiscal Session, 2024

A Bill

HOUSE BILL 1028

4
5 By: Joint Budget Committee

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
9 AND OPERATING EXPENSES FOR THE DEPARTMENT OF
10 EDUCATION - ARKANSAS STATE LIBRARY FOR THE FISCAL
11 YEAR ENDING JUNE 30, 2025; AND FOR OTHER PURPOSES.

Subtitle

15 AN ACT FOR THE DEPARTMENT OF EDUCATION -
16 ARKANSAS STATE LIBRARY APPROPRIATION FOR
17 THE 2024-2025 FISCAL YEAR.

18
19
20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

21
22 SECTION 1. REGULAR SALARIES. There is hereby established for the
23 Department of Education - Arkansas State Library for the 2024-2025 fiscal
24 year, the following maximum number of regular employees.

25				Maximum Annual
26				Salary Rate
27			Maximum	Fiscal Year
28	Item	Class	No. of	
29	No.	Code	Employees	2024-2025
30	(1)	U031U	STATE LIBRARY DIRECTOR	1 GRADE SE01
31	(2)	N161N	STATE LIBRARY DEPUTY DIRECTOR	1 GRADE GS12
32	(3)	E012C	STATE LIBRARY DIVISION MANAGER	1 GRADE GS10
33	(4)	E021C	STATE LIBRARY MANAGER	9 GRADE GS09
34	(5)	E030C	LIBRARY COORDINATOR	5 GRADE GS08
35	(6)	E041C	SENIOR LIBRARIAN	7 GRADE GS07



1	(7) A074C FISCAL SUPPORT SUPERVISOR	1	GRADE GS06
2	(8) E052C LIBRARIAN	3	GRADE GS06
3	(9) P027C PUBLIC INFORMATION SPECIALIST	1	GRADE GS06
4	(10) V014C BUYER	1	GRADE GS05
5	(11) C056C ADMINISTRATIVE SPECIALIST III	2	GRADE GS04
6	(12) A098C FISCAL SUPPORT SPECIALIST	2	GRADE GS04
7	(13) C073C ADMINISTRATIVE SPECIALIST II	2	GRADE GS03
8	(14) C069C LIBRARY TECHNICIAN	5	GRADE GS03
9	(15) C085C LIBRARY SUPPORT ASSISTANT	5	GRADE GS02
10	(16) C088C MAIL SERVICES ASSISTANT	1	GRADE GS02
11	(17) C089C LIBRARY TECHNICAL ASSISTANT	<u>2</u>	GRADE GS01
12	MAX. NO. OF EMPLOYEES	49	

13

14 SECTION 2. EXTRA HELP - STATE OPERATIONS. There is hereby authorized,
 15 for the Department of Education - Arkansas State Library - State Operations
 16 for the 2024-2025 fiscal year, the following maximum number of part-time or
 17 temporary employees, to be known as "Extra Help", payable from funds
 18 appropriated herein for such purposes: seven (7) temporary or part-time
 19 employees, when needed, at rates of pay not to exceed those provided in the
 20 Uniform Classification and Compensation Act, or its successor, or this act
 21 for the appropriate classification.

22

23 SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby
 24 appropriated, to the Department of Education, to be payable from the State
 25 Library Fund Account, for personal services and operating expenses of the
 26 Department of Education - Arkansas State Library - State Operations for the
 27 fiscal year ending June 30, 2025, the following:

28

29	ITEM	FISCAL YEAR
30	<u>NO.</u>	<u>2024-2025</u>
31	(01) REGULAR SALARIES	\$1,750,087
32	(02) EXTRA HELP	10,000
33	(03) PERSONAL SERVICES MATCHING	668,326
34	(04) MAINT. & GEN. OPERATION	
35	(A) OPER. EXPENSE	1,125,091
36	(B) CONF. & TRAVEL	10,000

1	(C) PROF. FEES	0
2	(D) CAP. OUTLAY	0
3	(E) DATA PROC.	0
4	(05) PROMOTIONAL ITEMS	0
5	(06) BOOKS & SUBSCRIPTIONS	<u>230,000</u>
6	TOTAL AMOUNT APPROPRIATED	<u><u>\$3,793,504</u></u>

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8 SECTION 4. EXTRA HELP - FEDERAL OPERATIONS. There is hereby

9 authorized, for the Department of Education - Arkansas State Library -

10 Federal Operations for the 2024-2025 fiscal year, the following maximum

11 number of part-time or temporary employees, to be known as "Extra Help",

12 payable from funds appropriated herein for such purposes: five (5) temporary

13 or part-time employees, when needed, at rates of pay not to exceed those

14 provided in the Uniform Classification and Compensation Act, or its

15 successor, or this act for the appropriate classification.

16

17 SECTION 5. APPROPRIATION - FEDERAL OPERATIONS. There is hereby

18 appropriated, to the Department of Education, to be payable from the federal

19 funds as designated by the Chief Fiscal Officer of the State, for personal

20 services and operating expenses of the Department of Education - Arkansas

21 State Library - Federal Operations for the fiscal year ending June 30, 2025,

22 the following:

24	ITEM	FISCAL YEAR
25	<u>NO.</u>	<u>2024-2025</u>
26	(01) REGULAR SALARIES	\$502,646
27	(02) EXTRA HELP	22,000
28	(03) PERSONAL SERVICES MATCHING	224,084
29	(04) MAINT. & GEN. OPERATION	
30	(A) OPER. EXPENSE	2,357,700
31	(B) CONF. & TRAVEL	145,000
32	(C) PROF. FEES	0
33	(D) CAP. OUTLAY	40,000
34	(E) DATA PROC.	<u>0</u>
35	TOTAL AMOUNT APPROPRIATED	<u><u>\$3,291,430</u></u>

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SECTION 6. APPROPRIATION - AID TO PUBLIC LIBRARIES. There is hereby appropriated, to the Department of Education, to be payable from the State Library Public School Fund Account, to provide aid to public libraries by the Department of Education - Arkansas State Library - Aid to Public Libraries for the fiscal year ending June 30, 2025, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2024-2025</u>
(01) AID TO PUBLIC LIBRARIES	<u>\$10,000,000</u>

SECTION 7. APPROPRIATION - GRANTS ADMINISTRATION - CASH. There is hereby appropriated, to the Department of Education, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for operating expenses, grants to libraries, and promotional items by the Department of Education - Arkansas State Library - Grants Administration - Cash for the fiscal year ending June 30, 2025, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2024-2025</u>
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$223,000
(B) CONF. & TRAVEL	150,000
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(02) GRANTS TO LIBRARIES	0
(03) PROMOTIONAL ITEMS	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$373,000</u>

SECTION 8. APPROPRIATION - STATE LIBRARY REVOLVING. There is hereby appropriated, to the Department of Education, to be payable from the State Library Revolving Fund, for operating expenses of the Department of Education - Arkansas State Library - State Library Revolving for the fiscal year ending June 30, 2025, the following:

1 ITEM	FISCAL YEAR
2 <u>NO.</u>	<u>2024-2025</u>
3 (01) MAINT. & GEN. OPERATION	
4 (A) OPER. EXPENSE	\$6,622
5 (B) CONF. & TRAVEL	0
6 (C) PROF. FEES	0
7 (D) CAP. OUTLAY	0
8 (E) DATA PROC.	<u>0</u>
9 TOTAL AMOUNT APPROPRIATED	<u><u>\$6,622</u></u>

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11 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

13 CARRY FORWARD. At the close of the fiscal year ending June 30, ~~2023~~ 2024,
 14 any unexpended balance of monies provided from the State Library Fund Account
 15 for Books and Subscriptions, as provided in the State Operations
 16 Appropriation of this Act, shall be transferred forward and made available
 17 for the same purpose for the fiscal year ending June 30, ~~2024~~ 2025.

18 Any carry forward of unexpended balance of funding as authorized herein,
 19 may be carried forward under the following conditions:

20 (1) Prior to June 30, ~~2024~~ 2025 the Agency shall by written statement
 21 set forth its reason(s) for the need to carry forward said funding to the
 22 Department of Finance and Administration Office of Budget;

23 (2) The Department of Finance and Administration Office of Budget shall
 24 report to the Arkansas Legislative Council all amounts carried forward by the
 25 September Arkansas Legislative Council or Joint Budget Committee meeting
 26 which report shall include the name of the Agency, Board, Commission or
 27 Institution and the amount of the funding carried forward, the program name
 28 or line item, the funding source of that appropriation and a copy of the
 29 written request set forth in (1) above;

30 (3) Each Agency, Board, Commission or Institution shall provide a
 31 written report to the Arkansas Legislative Council or Joint Budget Committee
 32 containing all information set forth in item (2) above, along with a written
 33 statement as to the current status of the project, contract, purpose etc. for
 34 which the carry forward was originally requested no later than thirty (30)
 35 days prior to the time the Agency, Board, Commission or Institution presents
 36 its budget request to the Arkansas Legislative Council/Joint Budget

1 Committee; and

2 (4) Thereupon, the Department of Finance and Administration shall
3 include all information obtained in item (3) above in the budget manuals
4 and/or a statement of non-compliance by the Agency, Board, Commission or
5 Institution.

6 The provisions of this section shall be in effect only from July 1, ~~2023~~
7 2024 through June 30, ~~2024~~ 2025.

8

9 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

11 TRANSFER OF FUNDS - PROMOTIONAL ITEMS. The Chief Fiscal Officer of the State
12 shall establish upon request from the Arkansas Department of Education -
13 Arkansas State Library a special appropriation line item to be used in the
14 acquisition of promotional items. When the Department of Education -
15 Arkansas State Library wishes to transfer monies from its operating expenses
16 to promotional items, the request shall be forwarded to the Chief Fiscal
17 Officer of the State for processing after prior approval by the Arkansas
18 Legislative Council or Joint Budget Committee. Determining the maximum
19 number of employees and the maximum amount of appropriation and general
20 revenue funding for a state agency each fiscal year is the prerogative of the
21 General Assembly. This is usually accomplished by delineating such maximums
22 in the appropriation act(s) for a state agency and the general revenue
23 allocations authorized for each fund and fund account by amendment to the
24 Revenue Stabilization Law. Further, the General Assembly has determined that
25 the Department of Education - Arkansas State Library may operate more
26 efficiently if some flexibility is provided to the Department of Education -
27 Arkansas State Library authorizing broad powers under this Section.
28 Therefore, it is both necessary and appropriate that the General Assembly
29 maintain oversight by requiring prior approval of the Legislative Council or
30 Joint Budget Committee as provided by this Section. The requirement of
31 approval by the Legislative Council or Joint Budget Committee is not a
32 severable part of this Section. If the requirement of approval by the
33 Legislative Council or Joint Budget Committee is ruled unconstitutional by a
34 court of competent jurisdiction, this entire section is void.

35 The provisions of this section shall be in effect only from July 1, ~~2023~~
36 2024 through June 30, ~~2024~~ 2025.

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2 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
3 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. STATE
4 FUNDING FOR LIBRARIES PROVISIONS.

5 (i) The Department of Education – Arkansas State Library provides
6 grants and aid to Libraries across the state. The Arkansas State Library
7 has developed the Standards for State Aid to public libraries which creates
8 standards public libraries must meet to be eligible for state aid.

9 (ii) The Standards for State Aid to Public Libraries contains the
10 requirement that a public library shall maintain a one-mill county or city
11 property tax, and the requirement that the library have a qualified
12 librarian.

13 (iii) Less populated areas in the State may not have the ability to
14 pass and maintain a one-mill county or city property tax.

15 (iv) Due to the importance that the public library represents to rural
16 communities, the Arkansas State Library shall review and modify the
17 requirements that prevent rural public libraries from receiving state grant
18 and aid that is authorized by the General Assembly, as set out in subsection
19 (v).

20 (v) Therefore, the Arkansas State Library shall promulgate rules that
21 allow a public library to adequately demonstrate a source of revenue in lieu
22 of the requirement to maintain a one-mill county or city property tax.

23 (vi) One month prior to the distribution of state aid to public
24 libraries for the 2025 Fiscal Year, the Arkansas State Library shall report
25 to the Arkansas Legislative Council or Joint Budget Committee, if meeting in
26 legislative session, the revised Standards for State Aid to Public Libraries
27 which shall address in writing the actions taken to address the issues as set
28 out in this section. The report shall include all criteria, including but
29 not limited to how a local public library may become certified to receive
30 funding from the Arkansas State Library.

31 (vii) The provisions of this section shall be in effect only from July
32 1, ~~2023~~ 2024 through June 30, ~~2024~~ 2025.

33
34 SECTION 12. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
35 authorized by this act shall be limited to the appropriation for such agency
36 and funds made available by law for the support of such appropriations; and

1 the restrictions of the State Procurement Law, the General Accounting and
 2 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
 3 Procedures and Restrictions Act, or their successors, and other fiscal
 4 control laws of this State, where applicable, and regulations promulgated by
 5 the Department of Finance and Administration, as authorized by law, shall be
 6 strictly complied with in disbursement of said funds.

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

16
 17 SECTION 14. EMERGENCY CLAUSE. It is found and determined by the
 18 General Assembly, that the Constitution of the State of Arkansas prohibits
 19 the appropriation of funds for more than a one (1) year period; that the
 20 effectiveness of this Act on July 1, 2024 is essential to the operation of
 21 the agency for which the appropriations in this Act are provided, and that in
 22 the event of an extension of the legislative session, the delay in the
 23 effective date of this Act beyond July 1, 2024 could work irreparable harm
 24 upon the proper administration and provision of essential governmental
 25 programs. Therefore, an emergency is hereby declared to exist and this Act
 26 being necessary for the immediate preservation of the public peace, health
 27 and safety shall be in full force and effect from and after July 1, 2024.

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 30 **APPROVED: 4/25/24**
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