

1 State of Arkansas  
2 92nd General Assembly  
3 Fiscal Session, 2020  
4

# A Bill

HOUSE BILL 1058

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 DEPARTMENT OF  
10 EDUCATION - ARKANSAS STATE LIBRARY FOR THE FISCAL  
11 YEAR ENDING JUNE 30, 2021; AND FOR OTHER PURPOSES.  
12  
13

## Subtitle

14 AN ACT FOR THE DEPARTMENT OF EDUCATION -  
15 ARKANSAS STATE LIBRARY APPROPRIATION FOR  
16 THE 2020-2021 FISCAL YEAR.  
17  
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 2020-2021 fiscal  
24 year, the following maximum number of regular employees.  
25

26				Maximum Annual	
27			Maximum	Salary Rate	
28	Item	Class	No. of	Fiscal Year	
29	No.	Code	Title	Employees	2020-2021
30	(1)	U031U	STATE LIBRARY DIRECTOR	1	GRADE SE01
31	(2)	D030C	INFORMATION SYSTEMS COORDINATOR	1	GRADE IT07
32	(3)	D071C	COMPUTER SUPPORT ANALYST	1	GRADE IT03
33	(4)	N161N	STATE LIBRARY DEPUTY DIRECTOR	1	GRADE GS12
34	(5)	G076C	ADMINISTRATIVE SERVICES MANAGER	1	GRADE GS10
35	(6)	E012C	STATE LIBRARY DIVISION MANAGER	1	GRADE GS10
36	(7)	E021C	STATE LIBRARY MANAGER	9	GRADE GS09



1	(8)	E030C LIBRARY COORDINATOR	5	GRADE GS08
2	(9)	E041C SENIOR LIBRARIAN	8	GRADE GS07
3	(10)	A074C FISCAL SUPPORT SUPERVISOR	1	GRADE GS06
4	(11)	E052C LIBRARIAN	3	GRADE GS06
5	(12)	P027C PUBLIC INFORMATION SPECIALIST	1	GRADE GS06
6	(13)	C056C ADMINISTRATIVE SPECIALIST III	2	GRADE GS04
7	(14)	A098C FISCAL SUPPORT SPECIALIST	2	GRADE GS04
8	(15)	C073C ADMINISTRATIVE SPECIALIST II	2	GRADE GS03
9	(16)	C069C LIBRARY TECHNICIAN	5	GRADE GS03
10	(17)	C085C LIBRARY SUPPORT ASSISTANT	5	GRADE GS02
11	(18)	C088C MAIL SERVICES ASSISTANT	1	GRADE GS02
12	(19)	C089C LIBRARY TECHNICAL ASSISTANT	<u>2</u>	GRADE GS01
13		MAX. NO. OF EMPLOYEES	52	

14  
 15 SECTION 2. EXTRA HELP - STATE OPERATIONS. There is hereby authorized,  
 16 for the Department of Education - Arkansas State Library - State Operations  
 17 for the 2020-2021 fiscal year, the following maximum number of part-time or  
 18 temporary employees, to be known as "Extra Help", payable from funds  
 19 appropriated herein for such purposes: seven (7) temporary or part-time  
 20 employees, when needed, at rates of pay not to exceed those provided in the  
 21 Uniform Classification and Compensation Act, or its successor, or this act  
 22 for the appropriate classification.  
 23

24 SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby  
 25 appropriated, to the Department of Education, to be payable from the State  
 26 Library Fund Account, for personal services and operating expenses of the  
 27 Department of Education - Arkansas State Library - State Operations for the  
 28 fiscal year ending June 30, 2021, the following:  
 29

30	ITEM	FISCAL YEAR
31	<u>NO.</u>	<u>2020-2021</u>
32	(01) REGULAR SALARIES	\$1,775,424
33	(02) EXTRA HELP	5,000
34	(03) PERSONAL SERVICES MATCHING	600,987
35	(04) MAINT. & GEN. OPERATION	
36	(A) OPER. EXPENSE	1,128,409

1	(B) CONF. & TRAVEL	7,760
2	(C) PROF. FEES	0
3	(D) CAP. OUTLAY	0
4	(E) DATA PROC.	0
5	(05) PROMOTIONAL ITEMS	0
6	(06) BOOKS & SUBSCRIPTIONS	<u>220,243</u>
7	TOTAL AMOUNT APPROPRIATED	<u>\$3,737,823</u>

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

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

11 Federal Operations for the 2020-2021 fiscal year, the following maximum

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

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

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

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

16 successor, or this act for the appropriate classification.

17

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

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

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

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

22 State Library - Federal Operations for the fiscal year ending June 30, 2021,

23 the following:

25	ITEM	FISCAL YEAR
26	<u>NO.</u>	<u>2020-2021</u>
27	(01) REGULAR SALARIES	\$451,571
28	(02) EXTRA HELP	14,625
29	(03) PERSONAL SERVICES MATCHING	175,820
30	(04) MAINT. & GEN. OPERATION	
31	(A) OPER. EXPENSE	2,453,239
32	(B) CONF. & TRAVEL	42,161
33	(C) PROF. FEES	10,000
34	(D) CAP. OUTLAY	40,000
35	(E) DATA PROC.	<u>0</u>
36	TOTAL AMOUNT APPROPRIATED	<u>\$3,187,416</u>

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, 2021, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2020-2021</u>
(01) AID TO PUBLIC LIBRARIES	<u>\$5,700,000</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, 2021, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2020-2021</u>
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$373,000
(B) CONF. & TRAVEL	0
(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, 2021, the following:

1		
2	ITEM	FISCAL YEAR
3	<u>NO.</u>	<u>2020-2021</u>
4	(01) MAINT. & GEN. OPERATION	
5	(A) OPER. EXPENSE	\$6,622
6	(B) CONF. & TRAVEL	0
7	(C) PROF. FEES	0
8	(D) CAP. OUTLAY	0
9	(E) DATA PROC.	<u>0</u>
10	TOTAL AMOUNT APPROPRIATED	<u><u>\$6,622</u></u>

11

12 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY  
 14 FORWARD. At the close of the fiscal year ending June 30, ~~2020~~ 2021, any  
 15 unexpended balance of monies provided from the State Library Fund Account for  
 16 Books and Subscriptions, as provided in the State Operations Appropriation of  
 17 this Act, shall be transferred forward and made available for the same  
 18 purpose for the fiscal year ending June 30, ~~2020~~ 2021.

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

21 (1) Prior to June 30, ~~2020~~ 2021 the Agency shall by written statement  
 22 set forth its reason(s) for the need to carry forward said funding to the  
 23 Department of Finance and Administration Office of Budget;

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

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

1 its budget request to the Arkansas Legislative Council/Joint Budget  
2 Committee; and

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

7 The provisions of this section shall be in effect only from July 1, ~~2019~~  
8 2020 through June 30, ~~2020~~ 2021.

9

10 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
12 OF FUNDS - PROMOTIONAL ITEMS. The Chief Fiscal Officer of the State shall  
13 establish upon request from the Arkansas Department of Education - Arkansas  
14 State Library a special appropriation line item to be used in the acquisition  
15 of promotional items. When the Department of Education - Arkansas State  
16 Library wishes to transfer monies from its operating expenses to promotional  
17 items, the request shall be forwarded to the Chief Fiscal Officer of the  
18 State for processing after prior approval by the Arkansas Legislative Council  
19 or Joint Budget Committee. Determining the maximum number of employees and  
20 the maximum amount of appropriation and general revenue funding for a state  
21 agency each fiscal year is the prerogative of the General Assembly. This is  
22 usually accomplished by delineating such maximums in the appropriation act(s)  
23 for a state agency and the general revenue allocations authorized for each  
24 fund and fund account by amendment to the Revenue Stabilization Law.  
25 Further, the General Assembly has determined that the Department of Education  
26 - Arkansas State Library may operate more efficiently if some flexibility is  
27 provided to the Department of Education - Arkansas State Library authorizing  
28 broad powers under this Section. Therefore, it is both necessary and  
29 appropriate that the General Assembly maintain oversight by requiring prior  
30 approval of the Legislative Council or Joint Budget Committee as provided by  
31 this Section. The requirement of approval by the Legislative Council or  
32 Joint Budget Committee is not a severable part of this Section. If the  
33 requirement of approval by the Legislative Council or Joint Budget Committee  
34 is ruled unconstitutional by a court of competent jurisdiction, this entire  
35 section is void.

36 The provisions of this section shall be in effect only from July 1, ~~2019~~

1 2020 through June 30, ~~2020~~ 2021.

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3 SECTION 11. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
4 authorized by this act shall be limited to the appropriation for such agency  
5 and funds made available by law for the support of such appropriations; and  
6 the restrictions of the State Procurement Law, the General Accounting and  
7 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
8 Procedures and Restrictions Act, or their successors, and other fiscal  
9 control laws of this State, where applicable, and regulations promulgated by  
10 the Department of Finance and Administration, as authorized by law, shall be  
11 strictly complied with in disbursement of said funds.  
12

13 SECTION 12. LEGISLATIVE INTENT. It is the intent of the General  
14 Assembly that any funds disbursed under the authority of the appropriations  
15 contained in this act shall be in compliance with the stated reasons for  
16 which this act was adopted, as evidenced by the Agency Requests, Executive  
17 Recommendations and Legislative Recommendations contained in the budget  
18 manuals prepared by the Department of Finance and Administration, letters, or  
19 summarized oral testimony in the official minutes of the Arkansas Legislative  
20 Council or Joint Budget Committee which relate to its passage and adoption.  
21

22 SECTION 13. EMERGENCY CLAUSE. It is found and determined by the  
23 General Assembly, that the Constitution of the State of Arkansas prohibits  
24 the appropriation of funds for more than a one (1) year period; that the  
25 effectiveness of this Act on July 1, 2020 is essential to the operation of  
26 the agency for which the appropriations in this Act are provided, and that in  
27 the event of an extension of the legislative session, the delay in the  
28 effective date of this Act beyond July 1, 2020 could work irreparable harm  
29 upon the proper administration and provision of essential governmental  
30 programs. Therefore, an emergency is hereby declared to exist and this Act  
31 being necessary for the immediate preservation of the public peace, health  
32 and safety shall be in full force and effect from and after July 1, 2020.  
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35 APPROVED: 4/17/20  
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