

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

# A Bill

HOUSE BILL 1083

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, 2020; AND FOR OTHER PURPOSES.  
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## Subtitle

14 AN ACT FOR THE DEPARTMENT OF EDUCATION -  
15 ARKANSAS STATE LIBRARY APPROPRIATION FOR  
16 THE 2019-2020 FISCAL 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. There is hereby established for the  
23 Department of Education - Arkansas State Library for the 2019-2020 fiscal  
24 year, the following maximum number of regular employees.  
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Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2019-2020
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	

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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 2019-2020 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 - Arkansas State Library, to be

26 payable from the State Library Fund Account, for personal services and

27 operating expenses of the Department of Education - Arkansas State Library -

28 State Operations for the fiscal year ending June 30, 2020, the following:

30	ITEM	FISCAL YEAR
31	<u>NO.</u>	<u>2019-2020</u>
32	(01) REGULAR SALARIES	\$1,774,424
33	(02) EXTRA HELP	5,000
34	(03) PERSONAL SERVICES MATCHING	600,757
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>\$3,736,593</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 2019-2020 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.

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

19 appropriated, to the Department of Education - Arkansas State Library, to be

20 payable from the federal funds as designated by the Chief Fiscal Officer of

21 the State, for personal services and operating expenses of the Department of

22 Education - Arkansas State Library - Federal Operations for the fiscal year

23 ending June 30, 2020, the following:

25	ITEM	FISCAL YEAR
26	<u>NO.</u>	<u>2019-2020</u>
27	(01) REGULAR SALARIES	\$451,471
28	(02) EXTRA HELP	14,625
29	(03) PERSONAL SERVICES MATCHING	175,797
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>\$3,187,293</u>

SECTION 6. APPROPRIATION - AID TO PUBLIC LIBRARIES. There is hereby appropriated, to the Department of Education - Arkansas State Library, 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, 2020, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2019-2020</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 - Arkansas State Library, 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, 2020, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2019-2020</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 - Arkansas State Library, to be payable from the State Library Revolving Fund, for operating expenses of the Department of Education - Arkansas State Library - State Library Revolving

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

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3 ITEM	FISCAL YEAR
4 <u>NO.</u>	<u>2019-2020</u>
5 (01) MAINT. & GEN. OPERATION	
6 (A) OPER. EXPENSE	\$6,622
7 (B) CONF. & TRAVEL	0
8 (C) PROF. FEES	0
9 (D) CAP. OUTLAY	0
10 (E) DATA PROC.	<u>0</u>
11 TOTAL AMOUNT APPROPRIATED	<u><u>\$6,622</u></u>

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13 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY  
 15 FORWARD. At the close of the fiscal year ending June 30, ~~2019~~ 2020, any  
 16 unexpended balance of monies provided from the State Library Fund Account for  
 17 Books and Subscriptions, as provided in the State Operations Appropriation of  
 18 this Act, shall be transferred forward and made available for the same  
 19 purpose for the fiscal year ending June 30, ~~2019~~ 2020.

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

22 (1) Prior to June 30, ~~2019~~ 2020 the Agency shall by written statement  
 23 set forth its reason(s) for the need to carry forward said funding to the  
 24 Department of Finance and Administration Office of Budget;

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

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

1 days prior to the time the Agency, Board, Commission or Institution presents  
2 its budget request to the Arkansas Legislative Council/Joint Budget  
3 Committee; and

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

8 The provisions of this section shall be in effect only from July 1, ~~2018~~  
9 2019 through June 30, ~~2019~~ 2020.

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

1 The provisions of this section shall be in effect only from July 1, 2018  
2 2019 through June 30, ~~2019~~ 2020.

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

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

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23 SECTION 13. EMERGENCY CLAUSE. It is found and determined by the  
24 General Assembly, that the Constitution of the State of Arkansas prohibits  
25 the appropriation of funds for more than a one (1) year period; that the  
26 effectiveness of this Act on July 1, 2019 is essential to the operation of  
27 the agency for which the appropriations in this Act are provided, and that in  
28 the event of an extension of the legislative session, the delay in the  
29 effective date of this Act beyond July 1, 2019 could work irreparable harm  
30 upon the proper administration and provision of essential governmental  
31 programs. Therefore, an emergency is hereby declared to exist and this Act  
32 being necessary for the immediate preservation of the public peace, health  
33 and safety shall be in full force and effect from and after July 1, 2019.

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35 **APPROVED: 2/15/19**