

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

A Bill

HOUSE BILL 1145

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, 2022; 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 2021-2022 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 2021-2022 fiscal
24 year, the following maximum number of regular employees.
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26				Maximum Annual	
27			Maximum	Salary Rate	
28	Item	Class	No. of	Fiscal Year	
29	No.	Code	Title	Employees	2021-2022
30	(1)	U031U	STATE LIBRARY DIRECTOR	1	GRADE SE01
31	(2)	D071C	COMPUTER SUPPORT ANALYST	1	GRADE IT03
32	(3)	N161N	STATE LIBRARY DEPUTY DIRECTOR	1	GRADE GS12
33	(4)	E012C	STATE LIBRARY DIVISION MANAGER	1	GRADE GS10
34	(5)	E021C	STATE LIBRARY MANAGER	9	GRADE GS09
35	(6)	E030C	LIBRARY COORDINATOR	5	GRADE GS08
36	(7)	E041C	SENIOR LIBRARIAN	7	GRADE GS07



1	(8)	A074C FISCAL SUPPORT SUPERVISOR	1	GRADE GS06
2	(9)	E052C LIBRARIAN	3	GRADE GS06
3	(10)	P027C PUBLIC INFORMATION SPECIALIST	1	GRADE GS06
4	(11)	V014C BUYER	1	GRADE GS05
5	(12)	C056C ADMINISTRATIVE SPECIALIST III	2	GRADE GS04
6	(13)	A098C FISCAL SUPPORT SPECIALIST	2	GRADE GS04
7	(14)	C073C ADMINISTRATIVE SPECIALIST II	2	GRADE GS03
8	(15)	C069C LIBRARY TECHNICIAN	5	GRADE GS03
9	(16)	C085C LIBRARY SUPPORT ASSISTANT	5	GRADE GS02
10	(17)	C088C MAIL SERVICES ASSISTANT	1	GRADE GS02
11	(18)	C089C LIBRARY TECHNICAL ASSISTANT	<u>2</u>	GRADE GS01
12		MAX. NO. OF EMPLOYEES	50	

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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 2021-2022 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.

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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, 2022, the following:

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29	ITEM	FISCAL YEAR
30	<u>NO.</u>	<u>2021-2022</u>
31	(01) REGULAR SALARIES	\$1,667,441
32	(02) EXTRA HELP	5,000
33	(03) PERSONAL SERVICES MATCHING	583,046
34	(04) MAINT. & GEN. OPERATION	
35	(A) OPER. EXPENSE	1,125,091
36	(B) CONF. & TRAVEL	7,428

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>220,243</u>
6	TOTAL AMOUNT APPROPRIATED	<u><u>\$3,608,249</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 2021-2022 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.

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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, 2022,
 22 the following:

24	ITEM	FISCAL YEAR
25	<u>NO.</u>	<u>2021-2022</u>
26	(01) REGULAR SALARIES	\$457,758
27	(02) EXTRA HELP	14,625
28	(03) PERSONAL SERVICES MATCHING	183,424
29	(04) MAINT. & GEN. OPERATION	
30	(A) OPER. EXPENSE	2,357,700
31	(B) CONF. & TRAVEL	137,700
32	(C) PROF. FEES	10,000
33	(D) CAP. OUTLAY	40,000
34	(E) DATA PROC.	<u>0</u>
35	TOTAL AMOUNT APPROPRIATED	<u><u>\$3,201,207</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, 2022, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2021-2022</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, 2022, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2021-2022</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, 2022, the following:

1 ITEM	FISCAL YEAR
2 <u>NO.</u>	<u>2021-2022</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. CARRY
 13 FORWARD. At the close of the fiscal year ending June 30, ~~2020~~ 2021, any
 14 unexpended balance of monies provided from the State Library Fund Account for
 15 Books and Subscriptions, as provided in the State Operations Appropriation of
 16 this Act, shall be transferred forward and made available for the same
 17 purpose for the fiscal year ending June 30, ~~2021~~ 2022.

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, ~~2021~~ 2022 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, ~~2020~~
7 2021 through June 30, ~~2021~~ 2022.

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

35 The provisions of this section shall be in effect only from July 1, ~~2020~~
36 2021 through June 30, ~~2021~~ 2022.

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

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

SECTION 13. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year period; that the effectiveness of this Act on July 1, 2021 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the legislative session, the delay in the effective date of this Act beyond July 1, 2021 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2021.

APPROVED: 2/2/21