

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0519 DOE - Arkansas State Library

ACT#: 119

SECTION#: 9

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

CARRY FORWARD. At the close of the fiscal year ending June 30, ~~2022~~ 2023, any unexpended balance of monies provided from the State Library Fund Account for Books and Subscriptions, as provided in the State Operations Appropriation of this Act, shall be transferred forward and made available for the same purpose for the fiscal year ending June 30, ~~2023~~ 2024.

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

(1) Prior to June 30, ~~2023~~ 2024 the Agency shall by written statement set forth its reason(s) for the need to carry forward said funding to the Department of Finance and Administration Office of Budget;

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

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

AGENCY REQUEST

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Council/Joint Budget Committee; and

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

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

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EXECUTIVE RECOMMENDATION

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

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