

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

Act 794 of the Regular Session

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007
4

As Engrossed: H3/8/07

A Bill

HOUSE BILL 1211

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES AND OPERATING EXPENSES FOR THE
11 DEPARTMENT OF INFORMATION SYSTEMS FOR THE
12 BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR
13 OTHER PURPOSES.
14

Subtitle

15
16 AN ACT FOR THE DEPARTMENT OF
17 INFORMATION SYSTEMS APPROPRIATION FOR
18 THE 2007-2009 BIENNIUM.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. REGULAR SALARIES. There is hereby established for the
25 Department of Information Systems for the 2007-2009 biennium, the following
26 maximum number of regular employees whose salaries shall be governed by the
27 provisions of the Uniform Classification and Compensation Act (Arkansas Code
28 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
29 Provided, however, that any position to which a specific maximum annual
30 salary is set out herein in dollars, shall be exempt from the provisions of
31 said Uniform Classification and Compensation Act. All persons occupying
32 positions authorized herein are hereby governed by the provisions of the
33 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),
34 or its successor.
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1				Maximum Annual		
2				Maximum	Salary Rate	
3	Item	Class		No. of	Fiscal Years	
4	No.	Code	Title	Employees	2007-2008	2008-2009
5	(1)	9805	DIS DIRECTOR	1	\$119,952	\$122,351
6	(2)	9804	DIS MIS DIVISION DIRECTOR	2	\$118,411	\$120,779
7	(3)	9430	DIS DEPUTY DIRECTOR	1	\$108,573	\$110,744
8	(4)	9441	DIS ENTERPRISE SERVICES ADMR	1	\$103,156	\$105,219
9	(5)	9440	DIS ENTERPRISE SYSTEMS MGMT ADMR	1	\$103,156	\$105,219
10	(6)	9414	DIS CHIEF TECHNICAL OFFICER	1	\$102,893	\$104,950
11	(7)	9443	DIS CUST RELATIONS MGMT ADMR	1	\$102,018	\$104,058
12	(8)	9428	DIS ENTERPRISE ARCHITECT ENGINEER	2	\$100,634	\$102,646
13	(9)	9426	DIS DBA LEAD	1	\$98,337	\$100,303
14	(10)	9418	DIS TECHNICAL SUPPORT MANAGER	1	\$96,313	\$98,239
15	(11)	8820	DIS DATA BASE SPECIALIST	3	\$96,313	\$98,239
16	(12)	9612	DIS SYS SFTWR PRGM/ANALYST SPEC	2	\$95,242	\$97,146
17	(13)	9439	DIS PROJECT & ENTERPRISE PROG MGMT	1	\$92,032	\$93,872
18	(14)	9445	DIS CHIEF FINANCIAL OFFICER	1	\$91,132	\$92,954
19	(15)	9424	DIS SENIOR WIRELESS ENGINEER	1	\$90,609	\$92,421
20	(16)	9033	DIS APPL DEV MANAGEMENT SPECIALIST	2	\$89,967	\$91,766
21	(17)	9438	DIS NETWORK COMPUTER OPERATIONS ADM	1	\$88,813	\$90,589
22	(18)	9425	DIS MAINFRAME LEAD	1	\$86,911	\$88,649
23	(19)	9442	DIS ENTERPRISE NETWORK SERVICES ADM	1	\$84,145	\$85,827
24	(20)	9446	DIS HR ADMINISTRATOR	1	\$82,498	\$84,147
25	(21)	9427	DIS SYSTEMS LEAD	4	\$80,566	\$82,177
26	(22)	9433	DIS GENERAL COUNSEL	1	\$80,036	\$81,636
27	(23)	948Z	DIS SENIOR PROJECT MANAGER	5	GRADE 26	
28	(24)	950Z	DIS POLICY LEAD MANAGER	2	GRADE 26	
29	(25)	951Z	DIS OPERATIONS CENTER MANAGER	1	GRADE 26	
30	(26)	960Z	DIS STRATEGIC FUNDING PROG MGR	1	GRADE 26	
31	(27)	D023	DIS APPL DEVELOPMENT SPEC	2	GRADE 26	
32	(28)	D027	DIS TECH PLANNING SPEC I	2	GRADE 26	
33	(29)	D037	DIS SYSTEMS PROGRAMMER/ANALYST III	5	GRADE 26	
34	(30)	D145	DIS SYSTEMS SPECIALIST III	3	GRADE 26	
35	(31)	D147	DIS SYSTEM APPLICATION ARCHITECT	1	GRADE 26	
36	(32)	D148	DIS TEAM LEAD	3	GRADE 26	

1	(33)	D149	DIS SENIOR TECHNICAL ACCOUNT REP	1	GRADE 26
2	(34)	D152	DIS NETWORK ENGINEER	2	GRADE 25
3	(35)	D153	DIS NETWORK SERVICES LEAD	4	GRADE 25
4	(36)	D154	DIS POLICY LEAD	5	GRADE 25
5	(37)	D155	DIS SUPPORT TEAM LEAD	2	GRADE 25
6	(38)	D156	DIS BUSINESS CONTINUITY PROGRAM LEA	1	GRADE 25
7	(39)	D008	DIS DATA BASE ANALYST II	1	GRADE 25
8	(40)	D054	DIS PROG ANA/STAFF SPECIALIST II	10	GRADE 25
9	(41)	955Z	DIS BILLING SERVICES MANAGER	1	GRADE 25
10	(42)	957Z	DIS PROJECT MANAGER	3	GRADE 24
11	(43)	297Z	GENERAL BUSINESS MANAGER	1	GRADE 24
12	(44)	804Z	DIS FISCAL MANAGER	1	GRADE 24
13	(45)	D087	DIS TELECOMMUNICATIONS SVCS MGR	1	GRADE 24
14	(46)	D142	SECURITY ANALYST II	5	GRADE 24
15	(47)	D028	DIS PROGRAMMER ANALYST/STAFF SPEC	3	GRADE 24
16	(48)	D163	DIS BUSINESS CONTINUITY ANALYST	1	GRADE 24
17	(49)	D164	DIS QUALITY ANALYST	2	GRADE 24
18	(50)	D165	DIS PROCUREMENT SPECIALIST	2	GRADE 24
19	(51)	D158	DIS SYSTEMS SPECIALIST II	13	GRADE 24
20	(52)	D159	DIS NETWORK SPECIALIST II	5	GRADE 24
21	(53)	D160	DIS TECHNICAL ACCOUNT REP	3	GRADE 24
22	(54)	D186	DIS SUPPORT SPECIALIST II	3	GRADE 23
23	(55)	D167	DIS RATE RECOVERY ANALYST	1	GRADE 23
24	(56)	D168	DIS COMPUTER OPERATIONS TEAM LDR	1	GRADE 23
25	(57)	D169	DIS PRODUCTION CHANGE SCHEDULER	1	GRADE 23
26	(58)	D045	DIS LEAD PROGRAMMER/ANALYST	23	GRADE 23
27	(59)	C004	DIS COMMUNICATIONS MANAGER	1	GRADE 23
28	(60)	D029	DIS SENIOR PROGRAMMER/ANALYST	2	GRADE 22
29	(61)	D143	SECURITY ANALYST I	4	GRADE 22
30	(62)	D115	INFORMATION SYSTEMS PLANNER	1	GRADE 22
31	(63)	D171	DIS CUSTOMER RELATIONS SPECIALIST	1	GRADE 22
32	(64)	D172	DIS SYSTEMS SPECIALIST I	9	GRADE 22
33	(65)	D173	DIS NETWORK SPECIALIST I	15	GRADE 22
34	(66)	D174	DIS SUPPORT SPECIALIST I	19	GRADE 22
35	(67)	D175	DIS WEB GRAPHICS SPECIALIST	2	GRADE 22
36	(68)	D176	DIS LEAD CALL CENTER AGENT	1	GRADE 21

1	(69)	D177	DIS LEAD COMPUTER OPERATOR	3	GRADE 21
2	(70)	D178	DIS SCHEDULER II	2	GRADE 21
3	(71)	V012	PURCHASING MANAGER	1	GRADE 21
4	(72)	R266	MANAGEMENT PROJECT ANALYST II	3	GRADE 20
5	(73)	D179	DIS ACCOUNTS SPECIALIST	2	GRADE 20
6	(74)	D019	DIS DATA COMMUNICATIONS TECH II	1	GRADE 20
7	(75)	D180	DIS CALL CENTER AGENT	3	GRADE 19
8	(76)	D181	DIS SCHEDULER I	1	GRADE 19
9	(77)	A110	ACCOUNTANT II	2	GRADE 19
10	(78)	A111	ACCOUNTANT	2	GRADE 18
11	(79)	D182	DIS SENIOR COMPUTER OPERATOR	9	GRADE 18
12	(80)	D183	DIS IT BILLING SPECIALIST	1	GRADE 18
13	(81)	D084	DIS TELECOMMUNICATION TECH III	1	GRADE 18
14	(82)	R264	MANAGEMENT PROJECT ANALYST I	2	GRADE 18
15	(83)	R010	ADMINISTRATIVE ASSISTANT II	2	GRADE 17
16	(84)	D161	DIS SYSTEM TECHNICIAN	2	GRADE 16
17	(85)	D101	DIS TELECOMMUNICATIONS TECH II	2	GRADE 16
18	(86)	D184	DIS COMPUTER OPERATOR	3	GRADE 16
19	(87)	D089	DIS TELECOMMUNICATIONS TECH I	1	GRADE 14
20	(88)	D185	DIS CALL CENTER OPERATOR	2	GRADE 13
21	(89)	K153	SECRETARY II	<u>2</u>	GRADE 13
22			MAX. NO. OF EMPLOYEES	254	

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24 SECTION 2. EXTRA HELP. There is hereby authorized, for the Department of
 25 Information Systems for the 2007-2009 biennium, the following maximum number
 26 of part-time or temporary employees, to be known as "Extra Help", payable
 27 from funds appropriated herein for such purposes: eighteen (18) temporary or
 28 part-time employees, when needed, at rates of pay not to exceed those
 29 provided in the Uniform Classification and Compensation Act, or its
 30 successor, or this act for the appropriate classification.

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32 SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated, to
 33 the Department of Information Systems, to be payable from the Department of
 34 Information Systems Revolving Fund, for personal services and operating
 35 expenses of the Department of Information Systems for the biennial period
 36 ending June 30, 2009, the following:

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ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) REGULAR SALARIES	\$ 14,290,608	\$ 14,576,300
(02) EXTRA HELP	164,000	164,000
(03) PERSONAL SERVICES MATCHING	4,027,251	4,086,780
(04) OVERTIME	66,000	66,000
(05) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	10,519,905	10,519,905
(B) CONF. & TRAVEL	214,321	214,321
(C) PROF. FEES	631,500	631,500
(D) CAP. OUTLAY	3,500,000	3,500,000
(E) DATA PROC.	8,406,866	8,406,866
(06) TELECOMMUNICATIONS/TECHNOLOGY DELIVERY	<u>35,950,929</u>	<u>35,950,929</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 77,771,380</u>	<u>\$ 78,116,601</u>

17 SECTION 4. APPROPRIATION - UNANTICIPATED SERVICES. There is hereby
18 appropriated, to the Department of Information Systems, to be payable from
19 the Department of Information Systems Revolving Fund, for operating expenses
20 incurred in the provision of unanticipated services to state agencies,
21 unusual growth in applications or due to uncontrollable increases in payments
22 to public utilities necessary for the continual provision of services by the
23 Department of Information Systems for the biennial period ending June 30,
24 2009, the following:

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ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) UNANTICIPATED SERV-CONTINGNCY	<u>\$ 20,000,000</u>	<u>\$ 20,000,000</u>

30 SECTION 5. APPROPRIATION - EQUIPMENT ACQUISITIONS AND INFORMATION
31 TECHNOLOGY IMPROVEMENTS. There is hereby appropriated, to the Department of
32 Information Systems, to be payable from the Information Technology Reserve
33 Fund, for major equipment acquisitions and information technology
34 improvements, as set out in Arkansas Code 25-4-122 and 25-4-123, by the
35 Department of Information Systems for the biennial period ending June 30,
36 2009, the following:

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ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) EQUIPMENT ACQUISITIONS AND INFORMATION TECHNOLOGY IMPROVEMENTS	\$ 3,500,000	\$ 3,500,000

SECTION 6. APPROPRIATION - SPYWARE MONITORING. There is hereby appropriated, to the Department of Information Systems, to be payable from the Spyware Monitoring Fund, for administrative expenses incurred in providing Spyware monitoring by the Department of Information Systems for the biennial period ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) ADMINISTRATIVE EXPENSES - SPYWARE MONITORING	\$ 100,000	\$ 100,000

SECTION 7. REGULAR SALARIES - GEOGRAPHIC INFORMATION SYSTEM. There is hereby established for the Department of Information Systems - Geographic Information System for the 2007-2009 biennium, the following maximum number of regular employees whose salaries shall be governed by the provisions of the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws amendatory thereto. Provided, however, that any position to which a specific maximum annual salary is set out herein in dollars, shall be exempt from the provisions of said Uniform Classification and Compensation Act. All persons occupying positions authorized herein are hereby governed by the provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its successor.

Maximum Annual			Maximum No. of Employees	Salary Rate	
Item	Class	Title		2007-2008	2008-2009
(1)	9434	DIS GIS INFORMATION COORDINATOR	1	\$ 90,752	\$ 92,567
(2)	D150	SENIOR TECHNOLOGY ANALYST	1	GRADE 25	

1	(3) D157 SENIOR GIS ANALYST	2	GRADE 24
2	(4) D170 GIS ANALYST	<u>1</u>	GRADE 22
3	MAX. NO. OF EMPLOYEES	5	

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5 SECTION 8. EXTRA HELP. There is hereby authorized, for the Department of
 6 Information Systems - Geographic Information System for the 2007-2009
 7 biennium, the following maximum number of part-time or temporary employees,
 8 to be known as "Extra Help", payable from funds appropriated herein for such
 9 purposes: two (2) temporary or part-time employees, when needed, at rates of
 10 pay not to exceed those provided in the Uniform Classification and
 11 Compensation Act, or its successor, or this act for the appropriate
 12 classification.

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14 SECTION 9. APPROPRIATION - GEOGRAPHIC INFORMATION SYSTEM. There is hereby
 15 appropriated, to the Department of Information Systems, to be payable from
 16 the Miscellaneous Agencies Fund Account, for personal services and operating
 17 expenses of the Department of Information Systems - Geographic Information
 18 System for the biennial period ending June 30, 2009, the following:

20	ITEM	FISCAL YEARS	
21	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
22	(01) REGULAR SALARIES	\$ 326,772	\$ 333,306
23	(02) EXTRA HELP	6,000	6,000
24	(03) PERSONAL SERVICES MATCHING	89,098	90,451
25	(04) MAINT. & GEN. OPERATION		
26	(A) OPER. EXPENSE	21,491	21,491
27	(B) CONF. & TRAVEL	10,000	10,000
28	(C) PROF. FEES	0	0
29	(D) CAP. OUTLAY	120,000	120,000
30	(E) DATA PROC.	<u>115,000</u>	<u>115,000</u>
31	TOTAL AMOUNT APPROPRIATED	<u>\$ 688,361</u>	<u>\$ 696,248</u>

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33 SECTION 10. APPROPRIATION - FLOOD MAP - FEDERAL. There is hereby
 34 appropriated, to the Department of Information Systems, to be payable from
 35 federal funds as designated by the Chief Fiscal Officer of the State, for
 36 operating expenses of the Department of Information Systems for the biennial

1 period ending June 30, 2009, the following:

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3 ITEM	FISCAL YEARS	
4 NO.	2007-2008	2008-2009
5 (01) MAINT. & GEN. OPERATION		
6 (A) OPER. EXPENSE	\$ 4,300	\$ 4,300
7 (B) CONF. & TRAVEL	10,200	10,200
8 (C) PROF. FEES	0	0
9 (D) CAP. OUTLAY	6,000	6,000
10 (E) DATA PROC.	<u>102,000</u>	<u>102,000</u>
11 TOTAL AMOUNT APPROPRIATED	<u>\$ 122,500</u>	<u>\$ 122,500</u>

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13 SECTION 11. APPROPRIATION – GEOSTOR AND FRAMEWORK. There is hereby
 14 appropriated, to the Department of Information Systems, to be payable from
 15 the Geographic Information Systems Fund, to carry out the duties,
 16 responsibilities and authority of the Arkansas State Land Information Board
 17 as described by Arkansas Code §15-21-504; to create, operate, and maintain
 18 Geostor, the Arkansas Spatial Data Infrastructure and to create, update,
 19 maintain and disseminate framework spatial data as defined by Arkansas Code
 20 §15-21-502 for the biennial period ending June 30, 2009, the following:

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22 ITEM	FISCAL YEARS	
23 NO.	2007-2008	2008-2009
24 (01) GEOSTOR & FRAMEWORK	<u>\$ 250,000</u>	<u>\$ 250,000</u>

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26 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
 28 FORWARD – Arkansas Geographic Information Office – Operations. At the close
 29 of the fiscal year ending June 30, 2008, the Arkansas Geographic Information
 30 Office may certify to the Chief Fiscal Officer of the State an unexpended
 31 amount of appropriation which shall then be transferred forward for the
 32 fiscal year ending June 30, 2009, for the sole purpose of providing payments
 33 for geographic information technology.

34 Any carry forward of unexpended balance of appropriation and/or funding as
 35 authorized herein, may be carried forward under the following conditions: (1)
 36 Prior to June 30, 2008 the Agency shall by written statement set forth its

1 reason(s) for the need to carry forward said appropriation and/or funding to
2 the Department of Finance and Administration Office of Budget;

3 (2) The Department of Finance and Administration Office of Budget shall
4 report to the Arkansas Legislative Council all amounts carried forward from
5 the first year of the biennium to the second fiscal year of the biennium by
6 the September Arkansas Legislative Council or Joint Budget Committee meeting
7 in the second fiscal year of the biennial period which report shall include
8 the name of the Agency, Board, Commission or Institution and the amount of
9 appropriation and/or funding carried forward from the first fiscal year to
10 the second fiscal year, the program name or line item, the funding source of
11 that appropriation and a copy of the written request set forth in (1) above;

12 (3) Each Agency, Board, Commission or Institution shall provide a written
13 report to the Arkansas Legislative Council or Joint Budget Committee
14 containing all information set forth in item (2) above, along with a written
15 statement as to the current status of the project, contract, purpose, etc.

16 for which the carry forward was originally requested no later than thirty

17 (30) days prior to the time the Agency, Board, Commission or Institution

18 presents its budget request to the Legislative Council/Joint Budget

19 Committee; and

20 (4) Thereupon, the Department of Finance and Administration shall include all

21 information obtained in item (3) above in the biennial budget manuals and/or

22 a statement of non-compliance by the Agency, Board, Commission or

23 Institution.

24 The provisions of this section shall be in effect only from July 1, 2007

25 through June 30, 2009.

26
27 SECTION 13. REGULAR SALARIES – SECURITY AND COMPLIANCE MONITORING. There
28 is hereby established for the Department of Information Systems – Security
29 and Compliance Monitoring for the 2007-2009 biennium, the following maximum
30 number of regular employees whose salaries shall be governed by the
31 provisions of the Uniform Classification and Compensation Act (Arkansas Code
32 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
33 Provided, however, that any position to which a specific maximum annual
34 salary is set out herein in dollars, shall be exempt from the provisions of
35 said Uniform Classification and Compensation Act. All persons occupying
36 positions authorized herein are hereby governed by the provisions of the

1 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),
 2 or its successor.

3

4 *Maximum Annual*

5			<i>Maximum</i>	<i>Salary Rate</i>	
6	<i>Item</i>	<i>Class</i>	<i>No. of</i>	<i>Fiscal Years</i>	
7	<i>No.</i>	<i>Code Title</i>	<i>Employees</i>	<i>2007-2008</i>	<i>2008-2009</i>
8	(1)	9322 DIS SECURITY DIRECTOR	1	\$ 103,989	\$ 106,068
9	(2)	D150 SENIOR TECHNOLOGY ANALYST	1	GRADE 25	
10	(3)	A032 AGENCY FISCAL MANAGER	1	GRADE 22	
11	(4)	909Z PROGRAM SUPPORT MANAGER	<u>1</u>	GRADE 22	
12	MAX. NO. OF EMPLOYEES		4		

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14 SECTION 14. APPROPRIATION – SECURITY AND COMPLIANCE MONITORING – GENERAL
 15 REVENUE. There is hereby appropriated, to the Department of Information
 16 Systems, to be payable from the Miscellaneous Agencies Fund Account, for
 17 operating expenses of the Department of Information Systems – Security and
 18 Compliance Monitoring for the biennial period ending June 30, 2009, the
 19 following:

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21	<i>ITEM</i>	<i>FISCAL YEARS</i>	
22	<i>NO.</i>	<i>2007-2008</i>	<i>2008-2009</i>
23	(01) REGULAR SALARIES	\$ 305,955	\$ 312,072
24	(02) PERSONAL SERVICES MATCHING	<u>79,981</u>	<u>81,368</u>
25	TOTAL AMOUNT APPROPRIATED	<u>\$ 385,936</u>	<u>\$ 393,440</u>

26

27 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
 29 FORWARD. At the close of the fiscal year ending June 30, ~~2006~~ 2008, the
 30 Department of Information Systems may certify to the Chief Fiscal Officer of
 31 the State an unexpended amount of appropriation, as provided for in
 32 Telecommunications/Technology Delivery in Section 3 of this Act, which may be
 33 transferred forward for the fiscal year ending June 30, ~~2007~~ 2009, for the
 34 sole purpose of providing payments for the telecommunications system.
 35 Any carry forward of unexpended balance of appropriation and/or funding as
 36 authorized herein, may be carried forward under the following conditions:

1 (1) Prior to June 30, 2008 the Agency shall by written statement set forth
2 its reason(s) for the need to carry forward said appropriation and/or funding
3 to the Department of Finance and Administration Office of Budget;

4 (2) The Department of Finance and Administration Office of Budget shall
5 report to the Arkansas Legislative Council all amounts carried forward from
6 the first fiscal year of the biennium to the second fiscal year of the
7 biennium by the September Arkansas Legislative Council or Joint Budget
8 Committee meeting in the second fiscal year of the biennial period which
9 report shall include the name of the Agency, Board, Commission or Institution
10 and the amount of the appropriation and/or funding carried forward from the
11 first fiscal year to the second fiscal year, the program name or line item,
12 the funding source of that appropriation and a copy of the written request
13 set forth in (1) above;

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

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

26 The provisions of this section shall be in effect only from July 1, 2005
27 2007 through June 30, ~~2007~~ 2009.

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29 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
31 FORWARD PROVISION. The balance of the appropriation made in Section 4 and
32 Section 5 herein which remains at the close of the fiscal year ending June
33 30, ~~2006~~ 2008, may be carried forward and used for the same purpose in the
34 fiscal year ending June 30, ~~2007~~ 2009.

35 Any carry forward of unexpended balance of appropriation and/or funding as
36 authorized herein, may be carried forward under the following conditions:

1 (1) Prior to June 30, 2008 the Agency shall by written statement set forth
2 its reason(s) for the need to carry forward said appropriation and/or funding
3 to the Department of Finance and Administration Office of Budget;

4 (2) The Department of Finance and Administration Office of Budget shall
5 report to the Arkansas Legislative Council all amounts carried forward from
6 the first fiscal year of the biennium to the second fiscal year of the
7 biennium by the September Arkansas Legislative Council or Joint Budget
8 Committee meeting in the second fiscal year of the biennial period which
9 report shall include the name of the Agency, Board, Commission or Institution
10 and the amount of the appropriation and/or funding carried forward from the
11 first fiscal year to the second fiscal year, the program name or line item,
12 the funding source of that appropriation and a copy of the written request
13 set forth in (1) above;

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

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

26 The provisions of this section shall be in effect only from July 1, 2005
27 2007 through June 30, ~~2007~~ 2009.

28
29 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REPORTING
31 REQUIREMENTS. The Chief Fiscal Officer of the State shall annually file with
32 the Arkansas Legislative Council and the Joint Committee on Advanced
33 Communications and Information Technology a report summarizing all receipts
34 and expenditures made from the Unanticipated Services appropriation in this
35 Act.

36 The provisions of this section shall be in effect only from July 1, 2005

1 2007 through June 30, ~~2007~~ 2009.

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3 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
5 CONTINGENCY RESTRICTIONS. In the event of unforeseen conditions, additional
6 appropriations become necessary that are not authorized or contemplated in
7 Section 3 of this Act and such events make it necessary that the Department
8 of Information Systems receives additional appropriations to carry out the
9 objectives of the agency, the Director of the Department of Information
10 Systems is hereby authorized to request the approval of the Governor and the
11 Chief Fiscal Officer of the State, as hereinafter provided, for transfer of
12 the additional appropriation provided the Department by Section 4, but in no
13 event shall the transfers exceed the appropriation provided in Section 4 of
14 this Act. Whenever the Director of the Department of Information Systems
15 deems it necessary to establish additional appropriations as authorized
16 herein, a written report shall be filed with the Governor accompanied by
17 necessary supporting documents setting forth the facts, justifications, and
18 circumstances that necessitate such appropriation ~~and in which performance-~~
19 ~~based programs the additional appropriation will be utilized.~~ Upon receipt
20 of such reports and supporting documents, the Governor, or his designee,
21 shall study the same, and if he shall determine that such additional
22 appropriations are being sought in strict compliance with this Act, the
23 Governor, after seeking prior review by the Joint Committee on Advanced
24 Communications and Information Technology, may approve or modify such request
25 for additional appropriations as in his judgment he deems necessary, and
26 shall forward a copy thereof to the Chief Fiscal Officer of the State. Upon
27 receipt thereof, the Chief Fiscal Officer of the State after receiving prior
28 approval by the Arkansas Legislative Council or Joint Budget Committee shall
29 direct the State Auditor to process said transfer upon his books in
30 accordance with the provisions as set out herein. If the agency requests
31 continuation of appropriation as established herein during the next biennium,
32 the appropriation must be requested as new appropriation in the agency's
33 biennial budget request.
34 Determining the maximum number of employees and the maximum amount of
35 appropriation and general revenue funding for a state agency each fiscal year
36 is the prerogative of the General Assembly. This is usually accomplished by

1 delineating such maximums in the appropriation act(s) for a state agency and
2 the general revenue allocations authorized for each fund and fund account by
3 amendment to the Revenue Stabilization law. Further, the General Assembly
4 has determined that the Department of Information Systems may operate more
5 efficiently if some flexibility is provided to the Department of Information
6 Systems authorizing broad powers under this section. Therefore, it is both
7 necessary and appropriate that the General Assembly maintain oversight by
8 requiring prior approval of the Legislative Council or Joint Budget Committee
9 as provided by this section. The requirement of approval by the Legislative
10 Council or Joint Budget Committee is not a severable part of this section.
11 If the requirement of approval by the Legislative Council or Joint Budget
12 Committee is ruled unconstitutional by a court of competent jurisdiction,
13 this entire section is void.

14 The provisions of this section shall be in effect only from July 1, ~~2005~~
15 2007 through June 30, ~~2007~~ 2009.

16

17 SECTION 19. REPORTING REQUIREMENTS.

18 (a)(1) The Director of the Department of Information Systems will report
19 periodically to the Joint Committee on Advanced Communications and
20 Information Technology and the Executive Chief Information Officer regarding
21 the status of the Department of Information Systems' information technology
22 responsibilities in state government.

23 (2) The director will forward to the joint committee any statutory
24 changes that the department may recommend sufficiently in advance of the
25 convening of the session of the General Assembly.

26 (3) The director may report any factors that are outside the scope of
27 the department but are deemed to inhibit or to promote the department's
28 responsibilities.

29 (b) (1) By October 31, January 31, April 30, and July 31 of each fiscal
30 year, the Director of the Department Information Systems shall compile and
31 submit a report to:

32 (A) The Arkansas Legislative Council, if submitted between regular
33 sessions of the General Assembly;

34 (B) The Joint Budget Committee, if submitted during a session of
35 the General Assembly; and

36 (C) The Joint Committee on Advanced Communications and Information

1 Technology.

2 (2) The report shall:

3 (A) Detail all requests from state agencies, boards, and
4 commissions for advice regarding information technology planning,
5 implementation, installation, rates or fees, utilization of products,
6 services, and integrations or upgrades to be added to all existing technology
7 plans; and

8 (B) Provide a full report of all corresponding recommendations made
9 by the Department of Information Systems to the requesting state agencies,
10 boards, and commissions.

11 (3) The report shall include:

12 (A) The name of the state agency, board, or commission requesting
13 the advice;

14 (B) The name and scope of the project for which advice is being
15 sought;

16 (C) The type of advice sought, for example: technical, product or
17 service utilization, planning, implementation, installation, integration, or
18 upgrades;

19 (D) A detailed explanation of all recommendations provided by the
20 Department of Information Systems;

21 (E) How the recommendation fits into the information technology
22 plan of the agency, board, or commission;

23 (F) How the recommendation fits into the state's information
24 technology plan and shared technical architecture; and

25 (G) Other information as may be useful for policy making decisions
26 by the Legislative Council or Joint Committee on Advanced Communications and
27 Information Technology.

28

29 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

31 Compliance with State and Federal Regulations -

32 1. In order to effect compliance with the requirements of ~~Federal OMB~~
33 ~~Circular A-87, state and federal statutory and regulatory provisions~~, the
34 Director shall adjust billing rates or issue billing adjustments to be
35 federally compliant, notwithstanding the provisions of ACA §25-4-105 and §25-
36 4-119 or funds sufficient to effect compliance shall be provided the

1 Department from General Revenues, Special Revenues or such other fund sources
2 as may become available. These actions shall be subject to the approval of
3 the Chief Fiscal Officer of the State and ~~review~~ approval by the Arkansas
4 Legislative Council.

5 2. The Director shall have authority to transfer funds between the
6 Information Technology Reserve Fund established by ACA §25-4-123 and the
7 Department of Information Systems Revolving Fund established by ACA §25-4-121
8 for cash management purposes.

9 Determining the maximum number of employees and the maximum amount of
10 appropriation and general revenue funding for a state agency each fiscal year
11 is the prerogative of the General Assembly. This is usually accomplished by
12 delineating such maximums in the appropriation act(s) for a state agency and
13 the general revenue allocations authorized for each fund and fund account by
14 amendment to the Revenue Stabilization law. Further, the General Assembly
15 has determined that the Department of Information Systems may operate more
16 efficiently if some flexibility is provided to the Department of Information
17 Systems authorizing broad powers under this Section. Therefore, it is both
18 necessary and appropriate that the General Assembly maintain oversight by
19 requiring prior approval of the Legislative Council or Joint Budget Committee
20 as provided by this section. The requirement of approval by the Legislative
21 Council or Joint Budget Committee is not a severable part of this section.
22 If the requirement of approval by the Legislative Council or Joint Budget
23 Committee is ruled unconstitutional by a court of competent jurisdiction,
24 this entire section is void.

25 The provisions of this section shall be in effect only from July 1, 2005
26 2007 through June 30, ~~2007~~ 2009.

27
28 SECTION 21. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
29 by this act shall be limited to the appropriation for such agency and funds
30 made available by law for the support of such appropriations; and the
31 restrictions of the State Procurement Law, the General Accounting and
32 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
33 Procedures and Restrictions Act, or their successors, and other fiscal
34 control laws of this State, where applicable, and regulations promulgated by
35 the Department of Finance and Administration, as authorized by law, shall be
36 strictly complied with in disbursement of said funds.

1
2 SECTION 22. LEGISLATIVE INTENT. It is the intent of the General Assembly
3 that any funds disbursed under the authority of the appropriations contained
4 in this act shall be in compliance with the stated reasons for which this act
5 was adopted, as evidenced by the Agency Requests, Executive Recommendations
6 and Legislative Recommendations contained in the budget manuals prepared by
7 the Department of Finance and Administration, letters, or summarized oral
8 testimony in the official minutes of the Arkansas Legislative Council or
9 Joint Budget Committee which relate to its passage and adoption.

10
11 SECTION 23. EMERGENCY CLAUSE. It is found and determined by the General
12 Assembly, that the Constitution of the State of Arkansas prohibits the
13 appropriation of funds for more than a two (2) year period; that the
14 effectiveness of this Act on July 1, 2007 is essential to the operation of
15 the agency for which the appropriations in this Act are provided, and that in
16 the event of an extension of the Regular Session, the delay in the effective
17 date of this Act beyond July 1, 2007 could work irreparable harm upon the
18 proper administration and provision of essential governmental programs.
19 Therefore, an emergency is hereby declared to exist and this Act being
20 necessary for the immediate preservation of the public peace, health and
21 safety shall be in full force and effect from and after July 1, 2007.

22
23 /s/ Joint Budget Committee

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25 APPROVED: 4/2/2007
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