

**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 87 of the Regular Session**

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009
4

A Bill

HOUSE BILL 1260

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 FISCAL
12 YEAR ENDING JUNE 30, 2010; AND FOR OTHER
13 PURPOSES.
14

Subtitle

15
16 AN ACT FOR THE DEPARTMENT OF
17 INFORMATION SYSTEMS APPROPRIATION FOR
18 THE 2009-2010 FISCAL YEAR.
19
20
21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23

24 SECTION 1. REGULAR SALARIES. There is hereby established for the
25 Department of Information Systems for the 2009-2010 fiscal year, the
26 following maximum number of regular employees whose salaries shall be
27 governed by the provisions of the Uniform Classification and Compensation Act
28 (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws amendatory
29 thereto. Provided, however, that any position to which a specific maximum
30 annual salary is set out herein in dollars, shall be exempt from the
31 provisions of said Uniform Classification and Compensation Act. All persons
32 occupying positions authorized herein are hereby governed by the provisions
33 of the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-
34 101), or its successor.
35



Item	Class		Maximum	Maximum Annual
No.	Code	Title	No. of	Salary Rate
			Employees	Fiscal Year
				2009-2010
5	(1) U060U	DIS DIRECTOR	1	\$128,468
6	(2) U073U	DIS DEPUTY DIRECTOR	1	\$116,281
7	(3) N013N	DIS CHIEF OPERATING OFFICER	1	GRADE N912
8	(4) N044N	DIS CUST RELATIONS MGMT ADMR	1	GRADE N909
9	(5) D003N	STATE CHIEF SECURITY OFFICER	1	GRADE N909
10	(6) D002N	STATE DATABASE ADMINISTRATOR LEAD	1	GRADE N909
11	(7) N079N	DIS DIVISION DIRECTOR	5	GRADE N907
12	(8) N078N	DIS PROJECT & ENTERPRISE PROG MGMT	1	GRADE N907
13	(9) D006N	STATE SYSTEMS ARCHITECT	4	GRADE N907
14	(10) D009N	AASIS SYSTEM ADMINISTRATOR	1	GRADE N906
15	(11) D001C	STATE DATABASE ADMINISTRATOR	3	GRADE C130
16	(12) D003C	STATE SYSTEMS ADMINISTRATOR LEAD	3	GRADE C129
17	(13) A010C	AGENCY CONTROLLER II	1	GRADE C128
18	(14) D010C	DATA WAREHOUSE LEAD	1	GRADE C128
19	(15) D009C	DIS OPERATIONS CENTER MANAGER	1	GRADE C128
20	(16) D006C	SOFTWARE ENGINEER LEAD	3	GRADE C128
21	(17) D005C	STATE IT SECURITY ANALYST	3	GRADE C128
22	(18) D004C	STATE NETWORK SUPPORT LEAD	3	GRADE C128
23	(19) A014C	FISCAL DIVISION MANAGER	1	GRADE C127
24	(20) G019C	GENERAL COUNSEL	1	GRADE C127
25	(21) D018C	DIS INFORMATION SYSTEMS COORD	1	GRADE C126
26	(22) R006C	HUMAN RESOURCES ADMINISTRATOR	1	GRADE C126
27	(23) D015C	STATE NETWORK ENGINEER	4	GRADE C126
28	(24) D014C	STATE SYSTEMS ADMINISTRATOR	4	GRADE C126
29	(25) G076C	ADMINISTRATIVE SERVICES MANAGER	1	GRADE C124
30	(26) D035C	COMPUTER SUPPORT MANAGER	1	GRADE C124
31	(27) D034C	DATABASE ADMINISTRATOR	6	GRADE C124
32	(28) A029C	DIS FISCAL MANAGER	1	GRADE C124
33	(29) D032C	DIS IT ASSET MANAGER	1	GRADE C124
34	(30) G069C	DIS QUALITY ASSURANCE LEAD	1	GRADE C124
35	(31) D031C	DISASTER RECOVERY ANALYST	1	GRADE C124
36	(32) D028C	SENIOR SOFTWARE SUPPORT SPECIALIST	2	GRADE C124

1	(33)	D027C	SOFTWARE ENGINEER	21	GRADE C124
2	(34)	D026C	STATE HELP DESK LEAD	1	GRADE C124
3	(35)	D025C	STATE IT SECURITY SPECIALIST	8	GRADE C124
4	(36)	D024C	STATE NETWORK SPECIALIST	19	GRADE C124
5	(37)	D023C	STATE SYSTEMS SPECIALIST	19	GRADE C124
6	(38)	D042C	DATA WAREHOUSE SPECIALIST	7	GRADE C123
7	(39)	D041C	DIS TECHNICAL ACCOUNTS SPECIALIST	1	GRADE C123
8	(40)	D038C	SENIOR SOFTWARE SUPPORT ANALYST	2	GRADE C123
9	(41)	D049C	DIS PROJECT MANAGER	8	GRADE C122
10	(42)	G098C	DIS QUALITY ASSURANCE COORDINATOR	2	GRADE C122
11	(43)	D046C	STATE PRODUCTION CONTROL SUPERVISOR	2	GRADE C122
12	(44)	D045C	STATE SYSTEMS ANALYST	17	GRADE C122
13	(45)	A052C	ACCOUNTING COORDINATOR	2	GRADE C121
14	(46)	D053C	DIS ACCOUNT ANALYST	3	GRADE C121
15	(47)	A048C	DIS RATE ANALYST	1	GRADE C121
16	(48)	D058C	COMPUTER OPERATIONS COORDINATOR	2	GRADE C120
17	(49)	P013C	PUBLIC INFORMATION COORDINATOR	1	GRADE C120
18	(50)	D063C	COMPUTER SUPPORT SPECIALIST	16	GRADE C119
19	(51)	A068C	DIS BILLING SERVICES MANAGER	1	GRADE C119
20	(52)	V007C	PROCUREMENT COORDINATOR	1	GRADE C119
21	(53)	R024C	ASST PERSONNEL MANAGER	1	GRADE C118
22	(54)	D065C	NETWORK SUPPORT ANALYST	8	GRADE C118
23	(55)	D064C	WEBSITE DEVELOPER	2	GRADE C118
24	(56)	D071C	COMPUTER SUPPORT ANALYST	5	GRADE C117
25	(57)	D070C	DIS ACCOUNTS SPECIALIST	2	GRADE C117
26	(58)	D069C	DIS SCHEDULER	2	GRADE C117
27	(59)	A088C	ASSETS COORDINATOR	1	GRADE C116
28	(60)	V014C	BUYER	2	GRADE C116
29	(61)	C037C	ADMINISTRATIVE ANALYST	3	GRADE C115
30	(62)	A091C	FISCAL SUPPORT ANALYST	9	GRADE C115
31	(63)	D077C	HELP DESK SPECIALIST	4	GRADE C115
32	(64)	G204C	PLANNING SPECIALIST	1	GRADE C115
33	(65)	D084C	COMPUTER OPERATOR	10	GRADE C114
34	(66)	C056C	ADMINISTRATIVE SPECIALIST III	2	GRADE C112
35	(67)	R038C	HUMAN RESOURCES ASSISTANT	1	GRADE C110
36	(68)	V025C	WAREHOUSE SPECIALIST	1	GRADE C110

1 (69) C073C ADMINISTRATIVE SPECIALIST II 8 GRADE C109
 2 MAX. NO. OF EMPLOYEES 257
 3

4 SECTION 2. EXTRA HELP. There is hereby authorized, for the Department of
 5 Information Systems for the 2009-2010 fiscal year, the following maximum
 6 number of part-time or temporary employees, to be known as "Extra Help",
 7 payable from funds appropriated herein for such purposes: eighteen (18)
 8 temporary or part-time employees, when needed, at rates of pay not to exceed
 9 those provided in the Uniform Classification and Compensation Act, or its
 10 successor, or this act for the appropriate classification.
 11

12 SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated, to
 13 the Department of Information Systems, to be payable from the Department of
 14 Information Systems Revolving Fund, for personal services and operating
 15 expenses of the Department of Information Systems for the fiscal year ending
 16 June 30, 2010, the following:
 17

18 ITEM	FISCAL YEAR
19 <u>NO.</u>	<u>2009-2010</u>
20 (01) REGULAR SALARIES	\$ 15,420,783
21 (02) EXTRA HELP	164,000
22 (03) PERSONAL SERVICES MATCHING	4,220,024
23 (04) OVERTIME	66,000
24 (05) MAINT. & GEN. OPERATION	
25 (A) OPER. EXPENSE	9,519,905
26 (B) CONF. & TRAVEL	214,321
27 (C) PROF. FEES	631,500
28 (D) CAP. OUTLAY	4,500,000
29 (E) DATA PROC.	8,406,866
30 (06) TELECOMMUNICATIONS/TECHNOLOGY DELIVERY	<u>58,450,929</u>
31 TOTAL AMOUNT APPROPRIATED	<u>\$ 101,594,328</u>

32
 33 SECTION 4. APPROPRIATION - UNANTICIPATED SERVICES. There is hereby
 34 appropriated, to the Department of Information Systems, to be payable from
 35 the Department of Information Systems Revolving Fund, for operating expenses
 36 incurred in the provision of unanticipated services to state agencies,

1 unusual growth in applications or due to uncontrollable increases in payments
2 to public utilities necessary for the continual provision of services by the
3 Department of Information Systems for the fiscal year ending June 30, 2010,
4 the following:

6 ITEM	FISCAL YEAR
7 <u>NO.</u>	<u>2009-2010</u>
8 (01) UNANTICIPATED SERVICES	<u>\$ 20,000,000</u>

9
10 SECTION 5. APPROPRIATION - EQUIPMENT ACQUISITIONS AND INFORMATION
11 TECHNOLOGY IMPROVEMENTS. There is hereby appropriated, to the Department of
12 Information Systems, to be payable from the Information Technology Reserve
13 Fund, for major equipment acquisitions and information technology
14 improvements, as set out in Arkansas Code 25-4-122 and 25-4-123 by the
15 Department of Information Systems for the fiscal year ending June 30, 2010,
16 the following:

18 ITEM	FISCAL YEAR
19 <u>NO.</u>	<u>2009-2010</u>
20 (01) EQUIPMENT ACQUISITIONS & INFORMATION	
21 TECHNOLOGY IMPROVEMENTS	<u>\$ 3,500,000</u>

22
23 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REPORTING
25 REQUIREMENTS. The Chief Fiscal Officer of the State shall annually file with
26 the Arkansas Legislative Council and the Joint Committee on Advanced
27 Communications and Information Technology a report summarizing all receipts
28 and expenditures made from the Unanticipated Services appropriation in this
29 Act.

30 The provisions of this section shall be in effect only from July 1, ~~2007~~
31 2009 through June 30, ~~2009~~ 2010.

32
33 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
35 CONTINGENCY RESTRICTIONS. In the event of unforeseen conditions, additional
36 appropriations become necessary that are not authorized or contemplated in

1 Section 3 of this Act and such events make it necessary that the Department
 2 of Information Systems receives additional appropriations to carry out the
 3 objectives of the agency, the Director of the Department of Information
 4 Systems is hereby authorized to request the approval of the Governor and the
 5 Chief Fiscal Officer of the State, as hereinafter provided, for transfer of
 6 the additional appropriation provided the Department by Section 4, but in no
 7 event shall the transfers exceed the appropriation provided in Section 4 of
 8 this Act. Whenever the Director of the Department of Information Systems
 9 deems it necessary to establish additional appropriations as authorized
 10 herein, a written report shall be filed with the Governor accompanied by
 11 necessary supporting documents setting forth the facts, justifications, and
 12 circumstances that necessitate such appropriation. Upon receipt of such
 13 reports and supporting documents, the Governor, or his designee, shall study
 14 the same, and if he shall determine that such additional appropriations are
 15 being sought in strict compliance with this Act, the Governor, after seeking
 16 prior review by the Joint Committee on Advanced Communications and
 17 Information Technology, may approve or modify such request for additional
 18 appropriations as in his judgment he deems necessary, and shall forward a
 19 copy thereof to the Chief Fiscal Officer of the State. Upon receipt thereof,
 20 the Chief Fiscal Officer of the State after receiving prior approval by the
 21 Arkansas Legislative Council or Joint Budget Committee shall direct the State
 22 Auditor to process said transfer upon his books in accordance with the
 23 provisions as set out herein. If the agency requests continuation of
 24 appropriation as established herein during the next biennium, the
 25 appropriation must be requested as new appropriation in the agency's biennial
 26 budget request.

27 Determining the maximum number of employees and the maximum amount of
 28 appropriation and general revenue funding for a state agency each fiscal year
 29 is the prerogative of the General Assembly. This is usually accomplished by
 30 delineating such maximums in the appropriation act(s) for a state agency and
 31 the general revenue allocations authorized for each fund and fund account by
 32 amendment to the Revenue Stabilization law. Further, the General Assembly
 33 has determined that the Department of Information Systems may operate more
 34 efficiently if some flexibility is provided to the Department of Information
 35 Systems authorizing broad powers under this section. Therefore, it is both
 36 necessary and appropriate that the General Assembly maintain oversight by

1 requiring prior approval of the Legislative Council or Joint Budget Committee
 2 as provided by this section. The requirement of approval by the Legislative
 3 Council or Joint Budget Committee is not a severable part of this section.
 4 If the requirement of approval by the Legislative Council or Joint Budget
 5 Committee is ruled unconstitutional by a court of competent jurisdiction,
 6 this entire section is void.

7 The provisions of this section shall be in effect only from July 1, ~~2007~~
 8 2009 through June 30, ~~2009~~ 2010.

9

10 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REPORTING
 12 REQUIREMENTS.

13 (a)(1) The Director of the Department of Information Systems will
 14 report periodically to the Joint Committee on Advanced Communications and
 15 Information Technology and the Executive Chief Information Officer regarding
 16 the status of the Department of Information Systems' information technology
 17 responsibilities in state government.

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

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

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

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

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

31 (C) The Joint Committee on Advanced Communications and
 32 Information Technology.

33 (2) The report shall:

34 (A) Detail all requests from state agencies, boards, and
 35 commissions for advice regarding information technology planning,
 36 implementation, installation, rates or fees, utilization of products,

1 services, and integrations or upgrades to be added to all existing technology
2 plans; and

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

6 (3) The report shall include:

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

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

11 (C) The type of advice sought, for example: technical, product
12 or service utilization, planning, implementation, installation, integration,
13 or upgrades;

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

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

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

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

23

24 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

26 Compliance with State and Federal Regulations -

27 1. In order to effect compliance with the requirements of state and federal
28 statutory and regulatory provisions, the Director shall adjust billing rates
29 or issue billing adjustments to be federally compliant, notwithstanding the
30 provisions of ACA §25-4-105 and §25-4-119 or funds sufficient to effect
31 compliance shall be provided the Department from General Revenues, Special
32 Revenues or such other fund sources as may become available. These actions
33 shall be subject to the approval of the Chief Fiscal Officer of the State and
34 approval by the Arkansas Legislative Council.

35 2. The Director shall have authority to transfer funds between the
36 Information Technology Reserve Fund established by ACA §25-4-123 and the

1 Department of Information Systems Revolving Fund established by ACA §25-4-121
 2 for cash management purposes.

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

19 The provisions of this section shall be in effect only from July 1, ~~2007~~
 20 2009 through June 30, ~~2009~~ 2010.

21

22 SECTION 10. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
 23 by this act shall be limited to the appropriation for such agency and funds
 24 made available by law for the support of such appropriations; and the
 25 restrictions of the State Procurement Law, the General Accounting and
 26 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
 27 Procedures and Restrictions Act, or their successors, and other fiscal
 28 control laws of this State, where applicable, and regulations promulgated by
 29 the Department of Finance and Administration, as authorized by law, shall be
 30 strictly complied with in disbursement of said funds.

31

32 SECTION 11. LEGISLATIVE INTENT. It is the intent of the General Assembly
 33 that any funds disbursed under the authority of the appropriations contained
 34 in this act shall be in compliance with the stated reasons for which this act
 35 was adopted, as evidenced by the Agency Requests, Executive Recommendations
 36 and Legislative Recommendations contained in the budget manuals prepared by

1 the Department of Finance and Administration, letters, or summarized oral
2 testimony in the official minutes of the Arkansas Legislative Council or
3 Joint Budget Committee which relate to its passage and adoption.

4
5 SECTION 12. EMERGENCY CLAUSE. It is found and determined by the General
6 Assembly, that the Constitution of the State of Arkansas prohibits the
7 appropriation of funds for more than a one (1) year period; that the
8 effectiveness of this Act on July 1, 2009 is essential to the operation of
9 the agency for which the appropriations in this Act are provided, and that in
10 the event of an extension of the Regular Session, the delay in the effective
11 date of this Act beyond July 1, 2009 could work irreparable harm upon the
12 proper administration and provision of essential governmental programs.
13 Therefore, an emergency is hereby declared to exist and this Act being
14 necessary for the immediate preservation of the public peace, health and
15 safety shall be in full force and effect from and after July 1, 2009.

16
17 **APPROVED: 2/09/2009**
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36