

1 State of Arkansas
2 90th General Assembly
3 Regular Session, 2015
4

As Engrossed: H3/13/15
A Bill

HOUSE BILL 1131

5 By: Joint Budget Committee
6

7 **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 INFORMATION SYSTEMS FOR THE FISCAL YEAR ENDING JUNE
11 30, 2016; AND FOR OTHER PURPOSES.
12
13

14 **Subtitle**

15 AN ACT FOR THE DEPARTMENT OF INFORMATION
16 SYSTEMS APPROPRIATION FOR THE 2015-2016
17 FISCAL YEAR.
18
19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
21

22 *SECTION 1. REGULAR SALARIES. There is hereby established for the*
23 *Department of Information Systems for the 2015-2016 fiscal year, the*
24 *following maximum number of regular employees.*
25

			<i>Maximum</i>	<i>Maximum Annual</i>
			<i>No. of</i>	<i>Salary Rate</i>
	<i>Item</i>	<i>Class</i>	<i>Fiscal Year</i>	
	<i>No.</i>	<i>Code</i>	<i>Employees</i>	<i>2015-2016</i>
30	(1)	U060U DIS DIRECTOR	1	\$136,000
31	(2)	U073U DIS DEPUTY DIRECTOR	1	\$127,796
32	(3)	N013N DIS CHIEF OPERATING OFFICER	1	GRADE N912
33	(4)	N179N DIS CHIEF TECHNOLOGY OFFICER	1	GRADE N912
34	(5)	D003N STATE CHIEF SECURITY OFFICER	1	GRADE N909
35	(6)	D002N STATE DATABASE ADMINISTRATOR LEAD	1	GRADE N909
36	(7)	N044N DIS CUST RELATIONS MGMT ADMIN	1	GRADE N909



1	(8)	N174N	HEALTH INFORMATION TECH POLICY DIR	1	GRADE N908
2	(9)	N079N	DIS DIVISION DIRECTOR	5	GRADE N907
3	(10)	D014N	DIS EEF DIVISION DIRECTOR	1	GRADE N907
4	(11)	N078N	DIS PROJ & ENTERPRISE PROG MGMT ADMIN	1	GRADE N907
5	(12)	D006N	STATE SYSTEMS ARCHITECT	4	GRADE N907
6	(13)	D009N	AASIS SYSTEM ADMINISTRATOR	1	GRADE N906
7	(14)	P005N	DIS TEPP COORDINATOR	2	GRADE N902
8	(15)	D096C	DIS EEF SR SYSTEM ADMINISTRATOR	1	GRADE C130
9	(16)	D001C	STATE DATABASE ADMINISTRATOR	3	GRADE C130
10	(17)	D003C	STATE SYSTEMS ADMINISTRATOR LEAD	3	GRADE C129
11	(18)	A010C	AGENCY CONTROLLER II	1	GRADE C128
12	(19)	D010C	DATA WAREHOUSE LEAD	1	GRADE C128
13	(20)	D098C	DIS EEF SYSTEM ADMINISTRATOR	2	GRADE C128
14	(21)	D009C	DIS OPERATIONS CENTER MANAGER	1	GRADE C128
15	(22)	D007C	INFORMATION SYSTEMS MANAGER	3	GRADE C128
16	(23)	D006C	SOFTWARE ENGINEER LEAD	3	GRADE C128
17	(24)	D005C	STATE IT SECURITY ANALYST	3	GRADE C128
18	(25)	D004C	STATE NETWORK SUPPORT LEAD	3	GRADE C128
19	(26)	A014C	FISCAL DIVISION MANAGER	1	GRADE C127
20	(27)	G019C	GENERAL COUNSEL	1	GRADE C127
21	(28)	D099C	DIS EEF STATE SYSTEM ADMINISTRATOR	1	GRADE C126
22	(29)	D018C	DIS INFORMATION SYSTEMS COORD	1	GRADE C126
23	(30)	D015C	STATE NETWORK ENGINEER	4	GRADE C126
24	(31)	D014C	STATE SYSTEMS ADMINISTRATOR	3	GRADE C126
25	(32)	G076C	ADMINISTRATIVE SERVICES MANAGER	1	GRADE C124
26	(33)	D035C	COMPUTER SUPPORT MANAGER	1	GRADE C124
27	(34)	D034C	DATABASE ADMINISTRATOR	6	GRADE C124
28	(35)	A029C	DIS FISCAL MANAGER	1	GRADE C124
29	(36)	D032C	DIS IT ASSET MANAGER	1	GRADE C124
30	(37)	G069C	DIS QUALITY ASSURANCE LEAD	1	GRADE C124
31	(38)	D031C	DISASTER RECOVERY ANALYST	1	GRADE C124
32	(39)	D029C	SENIOR GIS ANALYST	1	GRADE C124
33	(40)	D028C	SENIOR SOFTWARE SUPPORT SPECIALIST	2	GRADE C124
34	(41)	D027C	SOFTWARE ENGINEER	20	GRADE C124
35	(42)	D026C	STATE HELP DESK LEAD	1	GRADE C124
36	(43)	D025C	STATE IT SECURITY SPECIALIST	8	GRADE C124

1	(44)	D024C	STATE NETWORK SPECIALIST	19	GRADE C124
2	(45)	D023C	STATE SYSTEMS SPECIALIST	16	GRADE C124
3	(46)	D022C	SYSTEMS SPECIALIST	1	GRADE C124
4	(47)	D042C	DATA WAREHOUSE SPECIALIST	6	GRADE C123
5	(48)	D041C	DIS TECHNICAL ACCOUNTS SPECIALIST	1	GRADE C123
6	(49)	D038C	SENIOR SOFTWARE SUPPORT ANALYST	2	GRADE C123
7	(50)	R013C	AGENCY HUMAN RESOURCES MANAGER	1	GRADE C123
8	(51)	D049C	DIS PROJECT MANAGER	7	GRADE C122
9	(52)	G098C	DIS QUALITY ASSURANCE COORDINATOR	2	GRADE C122
10	(53)	D046C	STATE PRODUCTION CONTROL SUPERVISOR	2	GRADE C122
11	(54)	D045C	STATE SYSTEMS ANALYST	17	GRADE C122
12	(55)	A052C	ACCOUNTING COORDINATOR	2	GRADE C121
13	(56)	D053C	DIS ACCOUNT ANALYST	3	GRADE C121
14	(57)	A048C	DIS RATE ANALYST	1	GRADE C121
15	(58)	D058C	COMPUTER OPERATIONS COORDINATOR	2	GRADE C120
16	(59)	P013C	PUBLIC INFORMATION COORDINATOR	1	GRADE C120
17	(60)	D063C	COMPUTER SUPPORT SPECIALIST	16	GRADE C119
18	(61)	A068C	DIS BILLING SERVICES MANAGER	1	GRADE C119
19	(62)	V007C	PROCUREMENT COORDINATOR	1	GRADE C119
20	(63)	D065C	NETWORK SUPPORT ANALYST	7	GRADE C118
21	(64)	D064C	WEBSITE DEVELOPER	2	GRADE C118
22	(65)	D071C	COMPUTER SUPPORT ANALYST	5	GRADE C117
23	(66)	D070C	DIS ACCOUNTS SPECIALIST	1	GRADE C117
24	(67)	D069C	DIS SCHEDULER	2	GRADE C117
25	(68)	B076C	RESEARCH PROJECT ANALYST	1	GRADE C117
26	(69)	G178C	POLICY DEVELOPMENT COORDINATOR	1	GRADE C117
27	(70)	V014C	BUYER	1	GRADE C116
28	(71)	P031C	MEDIA SPECIALIST	1	GRADE C116
29	(72)	C037C	ADMINISTRATIVE ANALYST	4	GRADE C115
30	(73)	A091C	FISCAL SUPPORT ANALYST	9	GRADE C115
31	(74)	D077C	HELP DESK SPECIALIST	5	GRADE C115
32	(75)	D084C	COMPUTER OPERATOR	10	GRADE C114
33	(76)	C056C	ADMINISTRATIVE SPECIALIST III	2	GRADE C112
34	(77)	V025C	WAREHOUSE SPECIALIST	2	GRADE C110
35	(78)	C073C	ADMINISTRATIVE SPECIALIST II	<u>7</u>	GRADE C109
36			MAX. NO. OF EMPLOYEES	262	

1 SECTION 2. EXTRA HELP. There is hereby authorized, for the Department
 2 of Information Systems for the 2015-2016 fiscal year, the following maximum
 3 number of part-time or temporary employees, to be known as "Extra Help",
 4 payable from funds appropriated herein for such purposes: nine (9) temporary
 5 or part-time employees, when needed, at rates of pay not to exceed those
 6 provided in the Uniform Classification and Compensation Act, or its
 7 successor, or this act for the appropriate classification.

8

9 SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated,
 10 to the Department of Information Systems, to be payable from the Department
 11 of Information Systems Revolving Fund, for personal services and operating
 12 expenses of the Department of Information Systems for the fiscal year ending
 13 June 30, 2016, the following:

14

15 ITEM	FISCAL YEAR
16 <u>NO.</u>	<u>2015-2016</u>
17 (01) REGULAR SALARIES	\$16,926,683
18 (02) EXTRA HELP	107,500
19 (03) PERSONAL SERVICES MATCHING	5,614,087
20 (04) OVERTIME	66,000
21 (05) MAINT. & GEN. OPERATION	
22 (A) OPER. EXPENSE	9,545,591
23 (B) CONF. & TRAVEL	107,160
24 (C) PROF. FEES	631,500
25 (D) CAP. OUTLAY	5,728,000
26 (E) DATA PROC.	0
27 (06) DATA PROCESSING SERVICES	8,406,866
28 (07) TELECOMM/TECHNOLOGY DELIVERY	<u>58,450,929</u>
29 TOTAL AMOUNT APPROPRIATED	<u>\$105,584,316</u>

30

31 SECTION 4. APPROPRIATION - UNANTICIPATED SERVICES. There is hereby
 32 appropriated, to the Department of Information Systems, to be payable from
 33 the Department of Information Systems Revolving Fund, for operating expenses
 34 incurred in the provision of unanticipated services to state agencies,
 35 unusual growth in applications or due to uncontrollable increases in payments
 36 to public utilities necessary for the continual provisions of services by the

1 Department of Information Systems for the fiscal year ending June 30, 2016,
2 the following:

3	4 ITEM	FISCAL YEAR
5	<u>NO.</u>	<u>2015-2016</u>
6	(01) CONTINGENCY - TELECOMMUNICATIONS/TECH	<u>\$20,000,000</u>

7

8 SECTION 5. APPROPRIATION - EQUIPMENT ACQUISITIONS AND INFORMATION
9 TECHNOLOGY IMPROVEMENTS. There is hereby appropriated, to the Department of
10 Information Systems, to be payable from the Information Technology Reserve
11 Fund, for major equipment acquisitions and information technology
12 improvements, as set out in Arkansas Code 25-4-122 and 25-4-123 by the
13 Department of Information Systems for the fiscal year ending June 30, 2016,
14 the following:

15	16 ITEM	FISCAL YEAR
17	<u>NO.</u>	<u>2015-2016</u>
18	(01) EQUIPMENT ACQUISITIONS AND	
19	INFORMATION TECHNOLOGY	
20	IMPROVEMENTS	<u>\$3,500,000</u>

21

22 SECTION 6. APPROPRIATION - BROADBAND SERVICES AND ENHANCEMENTS - CASH
23 FUNDS. There is hereby appropriated, to the Department of Information
24 Systems, to be payable from the cash fund deposited in the State Treasury as
25 determined by the Chief Fiscal Officer of the State, the following:

26 (A) for operating expenses, services enhancements, and grants, in a sum
27 not to exceed.....\$10,000,000.

28

29 SECTION 7. 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, ~~2014~~

1 2015 through June 30, ~~2015~~ 2016.

2

3 SECTION 8. 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. Upon receipt of such
19 reports and supporting documents, the Governor, or his designee, shall study
20 the same, and if he shall determine that such additional appropriations are
21 being sought in strict compliance with this Act, the Governor, after seeking
22 prior review by the Joint Committee on Advanced Communications and
23 Information Technology, may approve or modify such request for additional
24 appropriations as in his judgment he deems necessary, and shall forward a
25 copy thereof to the Chief Fiscal Officer of the State. Upon receipt thereof,
26 the Chief Fiscal Officer of the State after receiving prior approval by the
27 Arkansas Legislative Council or Joint Budget Committee shall direct the State
28 Auditor to process said transfer upon his books in accordance with the
29 provisions as set out herein. If the agency requests continuation of
30 appropriation as established herein during the next biennium, the
31 appropriation must be requested as new appropriation in the agency's biennial
32 budget request.

33 Determining the maximum number of employees and the maximum amount of
34 appropriation and general revenue funding for a state agency each fiscal year
35 is the prerogative of the General Assembly. This is usually accomplished by
36 delineating such maximums in the appropriation act(s) for a state agency and

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

13 The provisions of this section shall be in effect only from July 1, ~~2014~~
14 2015 through June 30, ~~2015~~ 2016.

15

16 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REPORTING
18 REQUIREMENTS.

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

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

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

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

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

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

1 (C) The Joint Committee on Advanced Communications and Information
2 Technology.

3 (2) The report shall:

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

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

11 (3) The report shall include:

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

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

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

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

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

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

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

27 The provisions of this section shall be in effect only from July 1,
28 2015 through June 30, 2016.

29

30 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

32 COMPLIANCE WITH STATE AND FEDERAL REGULATIONS.

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

1 compliance shall be provided the Department from General Revenues, Special
2 Revenues or such other fund sources as may become available. These actions
3 shall be subject to the approval of the Chief Fiscal Officer of the State and
4 approval by the Arkansas 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, ~~2014~~
26 2015 through June 30, ~~2015~~ 2016.

27

28 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. GIFTS,
30 GRANTS AND DONATIONS. The Director may accept on behalf of the Department of
31 *Information Systems, from any source, funds including but not limited to*
32 *special or general revenue, ~~the donation of gifts, grants, cash, bequeaths,~~*
33 *devices, donations, real or personal property and equipment, ~~for the~~*
34 *~~establishment, maintenance, operations, or improvement of broadband services,~~*
35 *~~enhancements and grants.~~*

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

1 2015 through June 30, 2016.

2
3 SECTION 12. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
4 authorized by this act shall be limited to the appropriation for such agency
5 and funds made available by law for the support of such appropriations; and
6 the restrictions of the State Procurement Law, the General Accounting and
7 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
8 Procedures and Restrictions Act, or their successors, and other fiscal
9 control laws of this State, where applicable, and regulations promulgated by
10 the Department of Finance and Administration, as authorized by law, shall be
11 strictly complied with in disbursement of said funds.

12
13 SECTION 13. LEGISLATIVE INTENT. It is the intent of the General
14 Assembly that any funds disbursed under the authority of the appropriations
15 contained in this act shall be in compliance with the stated reasons for
16 which this act was adopted, as evidenced by the Agency Requests, Executive
17 Recommendations and Legislative Recommendations contained in the budget
18 manuals prepared by the Department of Finance and Administration, letters, or
19 summarized oral testimony in the official minutes of the Arkansas Legislative
20 Council or Joint Budget Committee which relate to its passage and adoption.

21
22 SECTION 14. EMERGENCY CLAUSE. It is found and determined by the
23 General Assembly, that the Constitution of the State of Arkansas prohibits
24 the appropriation of funds for more than a one (1) year period; that the
25 effectiveness of this Act on July 1, 2015 is essential to the operation of
26 the agency for which the appropriations in this Act are provided, and that in
27 the event of an extension of the legislative session, the delay in the
28 effective date of this Act beyond July 1, 2015 could work irreparable harm
29 upon the proper administration and provision of essential governmental
30 programs. Therefore, an emergency is hereby declared to exist and this Act
31 being necessary for the immediate preservation of the public peace, health
32 and safety shall be in full force and effect from and after July 1, 2015.

33
34 */s/Joint Budget Committee*

35 **APPROVED: 03/27/2015**