

Stricken language will be deleted and underlined language will be added.  
Act 900 of the Regular Session

1 State of Arkansas  
2 91st General Assembly  
3 Regular Session, 2017  
4

As Engrossed: H3/27/17  
**A Bill**

HOUSE BILL 1212

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, 2018; AND FOR OTHER PURPOSES.  
12  
13

14 **Subtitle**

15 AN ACT FOR THE DEPARTMENT OF INFORMATION  
16 SYSTEMS APPROPRIATION FOR THE 2017-2018  
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 2017-2018 fiscal year, the  
24 following maximum number of regular employees.  
25

26				Maximum Annual	
27			Maximum	Salary Rate	
28	Item	Class	No. of	Fiscal Year	
29	No.	Code	Title	Employees	2017-2018
30	(1)	U060U	DIS DIRECTOR	1	\$137,360
31	(2)	U073U	DIS DEPUTY DIRECTOR	1	\$129,074
32	(3)	N206N	Chief Data Officer	1	GRADE IT12
33	(4)	N207N	Chief Privacy Officer	1	GRADE GS15
34	(5)	N013N	DIS CHIEF OPERATING OFFICER	1	GRADE N912
35	(6)	N179N	DIS CHIEF TECHNOLOGY OFFICER	1	GRADE N912
36	(7)	N044N	DIS CUST RELATIONS MGMT ADMR	1	GRADE N909



1	(8)	D003N	STATE CHIEF SECURITY OFFICER	1	GRADE N909
2	(9)	D002N	STATE DATABASE ADMINISTRATOR LEAD	1	GRADE N909
3	(10)	N174N	HEALTH INFORMATION TECH POLICY DIR	1	GRADE N908
4	(11)	N079N	DIS DIVISION DIRECTOR	5	GRADE N907
5	(12)	D014N	DIS EEF DIVISION DIRECTOR	1	GRADE N907
6	(13)	D006N	STATE SYSTEMS ARCHITECT	6	GRADE N907
7	(14)	D009N	AASIS SYSTEM ADMINISTRATOR	1	GRADE N906
8	(15)	P005N	DIS TESTING, EVAL, PLANTS POLICY COORD	2	GRADE N902
9	(16)	D096C	DIS EEF SR SYSTEM ADMINISTRATORS	1	GRADE C130
10	(17)	D001C	STATE DATABASE ADMINISTRATOR	3	GRADE C130
11	(18)	D003C	STATE SYSTEMS ADMINISTRATOR LEAD	3	GRADE C129
12	(19)	A010C	AGENCY CONTROLLER II	1	GRADE C128
13	(20)	D010C	DATA WAREHOUSE LEAD	1	GRADE C128
14	(21)	D098C	DIS EEF SYSTEM ADMINISTRATOR	2	GRADE C128
15	(22)	D009C	DIS OPERATIONS CENTER MANAGER	1	GRADE C128
16	(23)	D007C	INFORMATION SYSTEMS MANAGER	3	GRADE C128
17	(24)	D006C	SOFTWARE ENGINEER LEAD	3	GRADE C128
18	(25)	D005C	STATE IT SECURITY ANALYST	3	GRADE C128
19	(26)	D004C	STATE NETWORK SUPPORT LEAD	3	GRADE C128
20	(27)	A014C	FISCAL DIVISION MANAGER	1	GRADE C127
21	(28)	G019C	GENERAL COUNSEL	1	GRADE C127
22	(29)	D099C	DIS EEF STATE SYSTEM ADMINISTRATOR	1	GRADE C126
23	(30)	D018C	DIS INFORMATION SYSTEMS COORD	1	GRADE C126
24	(31)	D015C	STATE NETWORK ENGINEER	4	GRADE C126
25	(32)	D014C	STATE SYSTEMS ADMINISTRATOR	3	GRADE C126
26	(33)	G076C	ADMINISTRATIVE SERVICES MANAGER	1	GRADE C124
27	(34)	A031C	ASSISTANT CONTROLLER	1	GRADE C124
28	(35)	D035C	COMPUTER SUPPORT MANAGER	1	GRADE C124
29	(36)	D034C	DATABASE ADMINISTRATOR	6	GRADE C124
30	(37)	A029C	DIS FISCAL MANAGER	1	GRADE C124
31	(38)	D032C	DIS IT ASSET MANAGER	1	GRADE C124
32	(39)	G069C	DIS QUALITY ASSURANCE LEAD	1	GRADE C124
33	(40)	D031C	DISASTER RECOVERY ANALYST	1	GRADE C124
34	(41)	D029C	SENIOR GIS ANALYST	1	GRADE C124
35	(42)	D028C	SENIOR SOFTWARE SUPPORT SPECIALIST	1	GRADE C124
36	(43)	D027C	SOFTWARE ENGINEER	19	GRADE C124

1	(44)	D026C	STATE HELP DESK LEAD	1	GRADE C124
2	(45)	D025C	STATE IT SECURITY SPECIALIST	8	GRADE C124
3	(46)	D024C	STATE NETWORK SPECIALIST	19	GRADE C124
4	(47)	D023C	STATE SYSTEMS SPECIALIST	16	GRADE C124
5	(48)	D022C	SYSTEMS SPECIALIST	1	GRADE C124
6	(49)	R013C	AGENCY HUMAN RESOURCES MANAGER	2	GRADE C123
7	(50)	D042C	DATA WAREHOUSE SPECIALIST	5	GRADE C123
8	(51)	D041C	DIS TECHNICAL ACCOUNTS SPECIALIST	1	GRADE C123
9	(52)	A038C	FISCAL SUPPORT MANAGER	1	GRADE C123
10	(53)	D038C	SENIOR SOFTWARE SUPPORT ANALYST	2	GRADE C123
11	(54)	D049C	DIS PROJECT MANAGER	7	GRADE C122
12	(55)	G098C	DIS QUALITY ASSURANCE COORDINATOR	2	GRADE C122
13	(56)	D046C	STATE PRODUCTION CONTROL SUPERVISOR	2	GRADE C122
14	(57)	D045C	STATE SYSTEMS ANALYST	17	GRADE C122
15	(58)	A052C	ACCOUNTING COORDINATOR	2	GRADE C121
16	(59)	D053C	DIS ACCOUNT ANALYST	3	GRADE C121
17	(60)	A048C	DIS RATE ANALYST	1	GRADE C121
18	(61)	D058C	COMPUTER OPERATIONS COORDINATOR	2	GRADE C120
19	(62)	P013C	PUBLIC INFORMATION COORDINATOR	1	GRADE C120
20	(63)	D063C	COMPUTER SUPPORT SPECIALIST	16	GRADE C119
21	(64)	A068C	DIS BILLING SERVICES MANAGER	1	GRADE C119
22	(65)	V007C	PROCUREMENT COORDINATOR	1	GRADE C119
23	(66)	C010C	EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE C118
24	(67)	D065C	NETWORK SUPPORT ANALYST	6	GRADE C118
25	(68)	D064C	WEBSITE DEVELOPER	2	GRADE C118
26	(69)	D071C	COMPUTER SUPPORT ANALYST	5	GRADE C117
27	(70)	D070C	DIS ACCOUNTS SPECIALIST	1	GRADE C117
28	(71)	D069C	DIS SCHEDULER	2	GRADE C117
29	(72)	R025C	HUMAN RESOURCES ANALYST	1	GRADE C117
30	(73)	G178C	POLICY DEVELOPMENT COORDINATOR	1	GRADE C117
31	(74)	V014C	BUYER	1	GRADE C116
32	(75)	P031C	MEDIA SPECIALIST	1	GRADE C116
33	(76)	C037C	ADMINISTRATIVE ANALYST	4	GRADE C115
34	(77)	A091C	FISCAL SUPPORT ANALYST	9	GRADE C115
35	(78)	D077C	HELP DESK SPECIALIST	5	GRADE C115
36	(79)	D084C	COMPUTER OPERATOR	9	GRADE C114

1	(80) C056C ADMINISTRATIVE SPECIALIST III	2	GRADE C112
2	(81) V025C WAREHOUSE SPECIALIST	2	GRADE C110
3	(82) C073C ADMINISTRATIVE SPECIALIST II	<u>6</u>	GRADE C109
4	MAX. NO. OF EMPLOYEES	263	

5

6 SECTION 2. EXTRA HELP. There is hereby authorized, for the Department  
7 of Information Systems for the 2017-2018 fiscal year, the following maximum  
8 number of part-time or temporary employees, to be known as "Extra Help",  
9 payable from funds appropriated herein for such purposes: eighteen (18)  
10 temporary or part-time employees, when needed, at rates of pay not to exceed  
11 those provided in the Uniform Classification and Compensation Act, or its  
12 successor, or this act for the appropriate classification.

13

14 SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated,  
15 to the Department of Information Systems, to be payable from the Department  
16 of Information Systems Revolving Fund, for personal services and operating  
17 expenses of the Department of Information Systems for the fiscal year ending  
18 June 30, 2018, the following:

19

20	ITEM	FISCAL YEAR
21	<u>NO.</u>	<u>2017-2018</u>
22	(01) REGULAR SALARIES	\$15,370,053
23	(02) EXTRA HELP	215,000
24	(03) PERSONAL SERVICES MATCHING	4,849,470
25	(04) OVERTIME	66,000
26	(05) MAINT. & GEN. OPERATION	
27	(A) OPER. EXPENSE	9,545,591
28	(B) CONF. & TRAVEL	107,160
29	(C) PROF. FEES	631,500
30	(D) CAP. OUTLAY	2,945,000
31	(E) DATA PROC.	0
32	(06) DATA PROCESSING SERVICES	8,406,866
33	(07) TELECOMM/TECHNOLOGY DELIVERY	<u>58,450,929</u>
34	TOTAL AMOUNT APPROPRIATED	<u>\$100,587,569</u>

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36 SECTION 4. APPROPRIATION - UNANTICIPATED SERVICES. There is hereby

1 appropriated, to the Department of Information Systems, to be payable from  
 2 the Department of Information Systems Revolving Fund, for operating expenses  
 3 incurred in the provision of unanticipated services to state agencies,  
 4 unusual growth in applications or due to uncontrollable increases in payments  
 5 to public utilities necessary for the continual provisions of services by the  
 6 Department of Information Systems for the fiscal year ending June 30, 2018,  
 7 the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2017-2018</u>
(01) CONTINGENCY - TELECOMMUNICATIONS/TECH	<u>\$20,000,000</u>

13 SECTION 5. APPROPRIATION - EQUIPMENT ACQUISITIONS AND INFORMATION  
 14 TECHNOLOGY IMPROVEMENTS. There is hereby appropriated, to the Department of  
 15 Information Systems, to be payable from the Information Technology Reserve  
 16 Fund, for major equipment acquisitions and information technology  
 17 improvements, as set out in Arkansas Code 25-4-122 and 25-4-123 by the  
 18 Department of Information Systems for the fiscal year ending June 30, 2018,  
 19 the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2017-2018</u>
(01) EQUIPMENT ACQUISITIONS AND INFORMATION TECHNOLOGY IMPROVEMENTS	<u>\$3,500,000</u>

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

34 The provisions of this section shall be in effect only from July 1, ~~2016~~  
 35 2017 through June 30, ~~2017~~ 2018.

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

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

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

12 The provisions of this section shall be in effect only from July 1, ~~2016~~  
13 2017 through June 30, ~~2017~~ 2018.

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15 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REPORTING  
17 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 changes  
24 that the department may recommend sufficiently in advance of the convening of  
25 the session of the General Assembly.

26 (3) The director may report any factors that are outside the scope of the  
27 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 the  
35 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 commissions for  
4 advice regarding information technology planning, implementation,  
5 installation, rates or fees, utilization of products, services, and  
6 integrations or upgrades to be added to all existing technology plans; and

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

10 (3) The report shall include:

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

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

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

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

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

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

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

26 The provisions of this section shall be in effect only from July 1, ~~2016~~  
27 2017 through June 30, ~~2017~~ 2018.

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29 SECTION 9. 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 state and federal  
33 statutory and regulatory provisions, the Director shall adjust billing rates  
34 or issue billing adjustments to be federally compliant, notwithstanding the  
35 provisions of ACA §25-4-105 and §25-4-119 or funds sufficient to effect  
36 compliance shall be provided the Department from General Revenues, Special

1 Revenues or such other fund sources as may become available. These actions  
2 shall be subject to the approval of the Chief Fiscal Officer of the State and  
3 approval by the Arkansas Legislative Council or Joint Budget Committee.

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

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

24 The provisions of this section shall be in effect only from July 1, ~~2016~~  
25 2017 through June 30, ~~2017~~ 2018.

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27 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. GIFTS,  
29 GRANTS AND DONATIONS. (i) The Director may accept on behalf of the Department  
30 of Information Systems, from any source, funds including but not limited to  
31 special or general revenue, gifts, grants, cash, bequeaths, devices,  
32 donations, real or personal property and equipment. (ii) The Department shall  
33 quarterly file with the Arkansas Legislative Council or Joint Budget  
34 Committee a report summarizing all funds, gifts, grants, cash, bequeaths,  
35 devices, donations, real or personal property and equipment received. (iii)  
36 The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017

1 through June 30, ~~2017~~ 2018.

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

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

22  
23 SECTION 13. EMERGENCY CLAUSE. It is found and determined by the  
24 General Assembly, that the Constitution of the State of Arkansas prohibits  
25 the appropriation of funds for more than a one (1) year period; that the  
26 effectiveness of this Act on July 1, 2017 is essential to the operation of  
27 the agency for which the appropriations in this Act are provided, and that in  
28 the event of an extension of the legislative session, the delay in the  
29 effective date of this Act beyond July 1, 2017 could work irreparable harm  
30 upon the proper administration and provision of essential governmental  
31 programs. Therefore, an emergency is hereby declared to exist and this Act  
32 being necessary for the immediate preservation of the public peace, health  
33 and safety shall be in full force and effect from and after July 1, 2017.

34  
35 */s/ Joint Budget Committee*

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*APPROVED: 04/05/2017*