

Stricken language will be deleted and underlined language will be added.

Act 225 of the Fiscal Session

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1 State of Arkansas  
2 91st General Assembly  
3 Fiscal Session, 2018  
4

# A Bill

HOUSE BILL 1085

5 By: Joint Budget Committee  
6

## 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, 2019; AND FOR OTHER PURPOSES.  
12  
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## Subtitle

14 AN ACT FOR THE DEPARTMENT OF INFORMATION  
15 SYSTEMS APPROPRIATION FOR THE 2018-2019  
16 FISCAL YEAR.  
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. REGULAR SALARIES. There is hereby established for the  
23 Department of Information Systems for the 2018-2019 fiscal year, the  
24 following maximum number of regular employees.  
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Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2018-2019
30	(1)	U060U DIS DIRECTOR	1	GRADE SE04
31	(2)	U073U DIS DEPUTY DIRECTOR	1	GRADE SE03
32	(3)	N013N DIS CHIEF OPERATING OFFICER	1	GRADE SE02
33	(4)	D003N STATE CHIEF SECURITY OFFICER	1	GRADE SE02
34	(5)	N206N CHIEF DATA OFFICER	1	GRADE IT12
35	(6)	D127C DIS CHIEF OF TECHNOLOGY	1	GRADE IT11
36	(7)	D128C DIS DIVISION ADMINISTRATOR	5	GRADE IT11



1	(8)	D002N STATE DATABASE ADMINISTRATOR LEAD	1	GRADE IT11
2	(9)	D010C DATA WAREHOUSE LEAD	1	GRADE IT10
3	(10)	D009C DIS OPERATIONS CENTER MANAGER	1	GRADE IT10
4	(11)	D006N STATE SYSTEMS ARCHITECT	6	GRADE IT10
5	(12)	D125C SR. STATE SERVER ADMINISTRATOR	2	GRADE IT09
6	(13)	D001C STATE DATABASE ADMINISTRATOR	3	GRADE IT09
7	(14)	D005C STATE IT SECURITY ANALYST	3	GRADE IT09
8	(15)	D003C STATE SYSTEMS ADMINISTRATOR LEAD	3	GRADE IT09
9	(16)	D123C DB ADMINISTRATOR	4	GRADE IT08
10	(17)	D007C INFORMATION SYSTEMS MANAGER	3	GRADE IT08
11	(18)	D006C SOFTWARE ENGINEER LEAD	3	GRADE IT08
12	(19)	D004C STATE NETWORK SUPPORT LEAD	3	GRADE IT08
13	(20)	D014C STATE SYSTEMS ADMINISTRATOR	3	GRADE IT08
14	(21)	D035C COMPUTER SUPPORT MANAGER	1	GRADE IT07
15	(22)	D034C DATABASE ADMINISTRATOR	2	GRADE IT07
16	(23)	D122C IT PROJECT MANAGER	2	GRADE IT07
17	(24)	D029C SENIOR GIS ANALYST	1	GRADE IT07
18	(25)	D028C SENIOR SOFTWARE SUPPORT SPECIALIST	1	GRADE IT07
19	(26)	D015C STATE NETWORK ENGINEER	4	GRADE IT07
20	(27)	D042C DATA WAREHOUSE SPECIALIST	5	GRADE IT06
21	(28)	D049C DIS PROJECT MANAGER	6	GRADE IT06
22	(29)	D038C SENIOR SOFTWARE SUPPORT ANALYST	2	GRADE IT06
23	(30)	D027C SOFTWARE ENGINEER	19	GRADE IT06
24	(31)	D026C STATE HELP DESK LEAD	1	GRADE IT06
25	(32)	D025C STATE IT SECURITY SPECIALIST	8	GRADE IT06
26	(33)	D024C STATE NETWORK SPECIALIST	19	GRADE IT06
27	(34)	D023C STATE SYSTEMS SPECIALIST	16	GRADE IT06
28	(35)	D022C SYSTEMS SPECIALIST	1	GRADE IT06
29	(36)	D063C COMPUTER SUPPORT SPECIALIST	16	GRADE IT05
30	(37)	D045C STATE SYSTEMS ANALYST	17	GRADE IT05
31	(38)	D058C COMPUTER OPERATIONS COORDINATOR	2	GRADE IT04
32	(39)	D032C DIS IT ASSET MANAGER	1	GRADE IT04
33	(40)	D065C NETWORK SUPPORT ANALYST	6	GRADE IT04
34	(41)	D064C WEBSITE DEVELOPER	1	GRADE IT04
35	(42)	D071C COMPUTER SUPPORT ANALYST	5	GRADE IT03
36	(43)	D069C DIS SCHEDULER	2	GRADE IT03

1	(44)	D046C STATE PRODUCTION CONTROL SUPERVISOR	2	GRADE IT03
2	(45)	D084C COMPUTER OPERATOR	9	GRADE IT02
3	(46)	N207N CHIEF PRIVACY OFFICER	1	GRADE GS15
4	(47)	A132C DIS BUSINESS SERVICES ADMINISTRATOR	1	GRADE GS15
5	(48)	G285C DIS GENERAL COUNSEL	1	GRADE GS15
6	(49)	A010C AGENCY CONTROLLER II	1	GRADE GS13
7	(50)	N079N DIS DIVISION DIRECTOR	1	GRADE GS13
8	(51)	G019C GENERAL COUNSEL	1	GRADE GS13
9	(52)	N174N HEALTH INFORMATION TECH POLICY DIR	1	GRADE GS13
10	(53)	D096C DIS EEF SR SYSTEM ADMINISTRATOR	1	GRADE GS12
11	(54)	A014C FISCAL DIVISION MANAGER	1	GRADE GS12
12	(55)	R013C AGENCY HUMAN RESOURCES MANAGER	2	GRADE GS11
13	(56)	A031C ASSISTANT CONTROLLER	1	GRADE GS11
14	(57)	P005N DIS TESTING, EVAL, PLANTS POLICY COO	2	GRADE GS11
15	(58)	G076C ADMINISTRATIVE SERVICES MANAGER	1	GRADE GS10
16	(59)	D018C DIS INFORMATION SYSTEMS COORD	1	GRADE GS10
17	(60)	G069C DIS QUALITY ASSURANCE LEAD	1	GRADE GS10
18	(61)	D031C DISASTER RECOVERY ANALYST	1	GRADE GS10
19	(62)	A052C ACCOUNTING COORDINATOR	2	GRADE GS09
20	(63)	A029C DIS FISCAL MANAGER	1	GRADE GS09
21	(64)	G098C DIS QUALITY ASSURANCE COORDINATOR	2	GRADE GS09
22	(65)	A038C FISCAL SUPPORT MANAGER	1	GRADE GS09
23	(66)	A068C DIS BILLING SERVICES MANAGER	1	GRADE GS08
24	(67)	D041C DIS TECHNICAL ACCOUNTS SPECIALIST	1	GRADE GS08
25	(68)	V007C PROCUREMENT COORDINATOR	1	GRADE GS08
26	(69)	D053C DIS ACCOUNT ANALYST	3	GRADE GS07
27	(70)	C010C EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE GS07
28	(71)	P013C PUBLIC INFORMATION COORDINATOR	1	GRADE GS07
29	(72)	C037C ADMINISTRATIVE ANALYST	4	GRADE GS06
30	(73)	D070C DIS ACCOUNTS SPECIALIST	1	GRADE GS06
31	(74)	A048C DIS RATE ANALYST	1	GRADE GS06
32	(75)	R025C HUMAN RESOURCES ANALYST	1	GRADE GS06
33	(76)	P031C MEDIA SPECIALIST	2	GRADE GS06
34	(77)	G178C POLICY DEVELOPMENT COORDINATOR	1	GRADE GS06
35	(78)	V014C BUYER	1	GRADE GS05
36	(79)	A091C FISCAL SUPPORT ANALYST	9	GRADE GS05

1	(80) D077C HELP DESK SPECIALIST	5	GRADE GS05
2	(81) C056C ADMINISTRATIVE SPECIALIST III	2	GRADE GS04
3	(82) V025C WAREHOUSE SPECIALIST	2	GRADE GS04
4	(83) C073C ADMINISTRATIVE SPECIALIST II	<u>6</u>	GRADE GS03
5	MAX. NO. OF EMPLOYEES	263	

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7 SECTION 2. EXTRA HELP. There is hereby authorized, for the Department  
 8 of Information Systems for the 2018-2019 fiscal year, the following maximum  
 9 number of part-time or temporary employees, to be known as "Extra Help",  
 10 payable from funds appropriated herein for such purposes: eighteen (18)  
 11 temporary or part-time employees, when needed, at rates of pay not to exceed  
 12 those provided in the Uniform Classification and Compensation Act, or its  
 13 successor, or this act for the appropriate classification.

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15 SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated,  
 16 to the Department of Information Systems, to be payable from the Department  
 17 of Information Systems Revolving Fund, for personal services and operating  
 18 expenses of the Department of Information Systems for the fiscal year ending  
 19 June 30, 2019, the following:

21	ITEM	FISCAL YEAR
22	<u>NO.</u>	<u>2018-2019</u>
23	(01) REGULAR SALARIES	\$15,374,053
24	(02) EXTRA HELP	215,000
25	(03) PERSONAL SERVICES MATCHING	4,851,020
26	(04) OVERTIME	66,000
27	(05) MAINT. & GEN. OPERATION	
28	(A) OPER. EXPENSE	9,545,591
29	(B) CONF. & TRAVEL	107,160
30	(C) PROF. FEES	631,500
31	(D) CAP. OUTLAY	6,145,000
32	(E) DATA PROC.	0
33	(06) DATA PROCESSING SERVICES	8,406,866
34	(07) TELECOMM/TECHNOLOGY DELIVERY	<u>58,450,929</u>
35	TOTAL AMOUNT APPROPRIATED	<u>\$103,793,119</u>

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SECTION 4. APPROPRIATION - UNANTICIPATED SERVICES. There is hereby appropriated, to the Department of Information Systems, to be payable from the Department of Information Systems Revolving Fund, for operating expenses incurred in the provision of unanticipated services to state agencies, unusual growth in applications or due to uncontrollable increases in payments to public utilities necessary for the continual provisions of services by the Department of Information Systems for the fiscal year ending June 30, 2019, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2018-2019</u>
(01) CONTINGENCY - TELECOMMUNICATIONS/TECH	<u>\$20,000,000</u>

SECTION 5. APPROPRIATION - EQUIPMENT ACQUISITIONS AND INFORMATION TECHNOLOGY IMPROVEMENTS. There is hereby appropriated, to the Department of Information Systems, to be payable from the Information Technology Reserve Fund, for major equipment acquisitions and information technology improvements, as set out in Arkansas Code 25-4-122 and 25-4-123 by the Department of Information Systems for the fiscal year ending June 30, 2019, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2018-2019</u>
(01) EQUIPMENT ACQUISITIONS AND INFORMATION TECHNOLOGY IMPROVEMENTS	<u>\$3,500,000</u>

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

The provisions of this section shall be in effect only from July 1, ~~2017~~ 2018 through June 30, ~~2018~~ 2019.

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

13 The provisions of this section shall be in effect only from July 1, ~~2017~~  
14 2018 through June 30, ~~2018~~ 2019.

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16 SECTION 8. 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, ~~2017~~  
28 2018 through June 30, ~~2018~~ 2019.

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30 SECTION 9. 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 or Joint Budget Committee.

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, ~~2017~~  
26 2018 through June 30, ~~2018~~ 2019.

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28 SECTION 10. 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. (i) The Director may accept on behalf of the Department  
31 of Information Systems, from any source, funds including but not limited to  
32 special or general revenue, gifts, grants, cash, bequeaths, devices,  
33 donations, real or personal property and equipment. (ii) The Department shall  
34 quarterly file with the Arkansas Legislative Council or Joint Budget  
35 Committee a report summarizing all funds, gifts, grants, cash, bequeaths,  
36 devices, donations, real or personal property and equipment received. (iii)

1 The provisions of this section shall be in effect only from July 1, ~~2017~~ 2018  
2 through June 30, ~~2018~~ 2019.

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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.

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23 SECTION 13. EFFECTIVE DATE. This act is effective on and after July 1,  
24 2018.

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27 **APPROVED: 3/6/18**

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30 **APPROVED: 3/6/18**