

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.

1 State of Arkansas
2 83rd General Assembly
3 Regular Session, 2001
4

As Engrossed: H3/1/01 H4/6/01

A Bill

Act 1843 of 2001
HOUSE BILL 2080

5 By: Joint Budget Committee
6
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For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
10 AND OPERATING EXPENSES FOR THE DEPARTMENT OF FINANCE
11 AND ADMINISTRATION - OFFICE OF ACCOUNTING FOR THE
12 OPERATIONS OF THE ARKANSAS ADMINISTRATIVE STATEWIDE
13 INFORMATION SYSTEM (AASIS) FOR THE BIENNIAL PERIOD
14 ENDING JUNE 30, 2003; AND FOR OTHER PURPOSES.
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Subtitle

17 AN ACT FOR THE DEPARTMENT OF FINANCE AND
18 ADMINISTRATION - OFFICE OF ACCOUNTING
19 AASIS IMPLEMENTATION APPROPRIATION FOR
20 THE 2001-2003 BIENNIUM.
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. APPROPRIATION. There is hereby appropriated, to the Department
27 of Finance and Administration - Office of Accounting, to be payable from the
28 State Central Services Fund, for personal services and operating expenses of
29 the Arkansas Administrative Statewide Information System (AASIS)
30 implementation for the biennial period ending June 30, 2003, the following:
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ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
(01) REGULAR SALARIES	\$ 0	\$ 0
(02) PERSONAL SERV MATCHING	0	0
(03) MAINT. & GEN. OPERATION		

1	(A) OPER. EXPENSE	523,500	499,600
2	(B) CONF. & TRAVEL	232,000	219,500
3	(C) PROF. FEES	0	0
4	(D) CAP. OUTLAY	100,000	0
5	(E) DATA PROC.	0	0
6	(04) TELECOMMUNICATIONS/TECHNOLOGY	<u>2,773,183</u>	<u>1,012,783</u>
7	TOTAL AMOUNT APPROPRIATED	<u>\$ 3,628,683</u>	<u>\$ 1,731,883</u>

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 9 SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
 11 FORWARD. At the close of the fiscal year ending June 30, 2002, any unexpended
 12 appropriation and funds provided for Maintenance and General Operations and
 13 Telecommunications/Technology shall be carried forward and made available for
 14 the same purposes for the fiscal year ending June 30, 2003.

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 16 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 18 CONTINGENCY APPROPRIATION. There is hereby appropriated to the Department of
 19 Finance and Administration – Office of Accounting to be payable from the
 20 State Central Services Fund from such transferred funds as may be designated
 21 by the Chief Fiscal Officer of the State, for transfer to Section 1, herein
 22 for use in responding to the requirements of the Arkansas Administrative
 23 Statewide Information System (AASIS) the following:

24	<u>ITEM</u>	<u>FISCAL YEARS</u>	
25	<u>NO.</u>	<u>2001-2002</u>	<u>2002-2003</u>
26	(01) CONTINGENCY FOR IMPLEMENTATION OF		
27	A BUSINESS INFORMATION WAREHOUSE	<u>\$1,400,000</u>	<u>\$740,000</u>

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 29 SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 31 CONTINGENCY PROVISIONS. If the Chief Fiscal Officer of the State determines
 32 that additional resources are necessary to address the implementation of a
 33 Business Information Warehouse in support of the Arkansas Administrative
 34 Statewide Information System (AASIS), the Chief Fiscal Officer of the State
 35 may, in accordance with A.C.A. § 19-5-106 (4), transfer un-obligated funds
 36 that may be available in state agencies, boards, commissions or institutions

1 to the State Central Services Fund. Such transfers shall only be made after
2 consultation with and agreement by the head of the agency, board, commission
3 or institution and a certification that adequate funds are available from
4 savings which could be utilized by the Arkansas Statewide Administrative
5 Information System (AASIS) without jeopardizing other essential programs and
6 services of the state agency, board, commission or institution. Such
7 transfers must receive the approval of the Legislative Council prior to
8 transfer. The transfers authorized in this chapter shall be made from time to
9 time within the amounts authorized in the procedures set forth in this
10 section. Prior to the implementation of the project, the Director of the
11 Department of Finance and Administration shall comply with the review and
12 approval procedures required by the Executive Chief Information Officer.
13 Determining the amount of funds appropriated to a state agency is the
14 prerogative of the General Assembly and is usually accomplished by
15 delineating specific line items and by identifying the appropriation and
16 funding attached to that line item. The General Assembly has determined that
17 the Department of Finance and Administration could be operated more
18 efficiently if some flexibility is given to that agency. That flexibility is
19 being accomplished by providing transfer authority in this section, and since
20 the General Assembly has granted the agency broad powers under the transfer
21 authority concept, it is both necessary and appropriate that the General
22 Assembly maintain oversight of the utilization of the transfer authority by
23 requiring prior approval of the Legislative Council in the utilization of
24 this transfer authority. Therefore, the requirement of approval by the
25 Legislative Council is not a severable part of this section. If the
26 requirement of approval by the Legislative Council is ruled unconstitutional
27 by a court jurisdiction, this entire section is void.

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30 SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
32 CONTINGENCY POSITIONS. The Department of Finance and Administration-Office of
33 Accounting may utilize the Contingency Positions authorized herein for the
34 purposes of meeting operational needs of the Arkansas Administrative
35 Statewide Information System. There is hereby established for the 2001-2003
36 biennium a pool of sixty-five (65) classified positions not to exceed a

1 maximum grade level of Grade 26 as set out in A.C.A. §21-5-209, to be payable
2 from funds and appropriations as transferred and as authorized herein for
3 such purposes. These positions are to be used for establishing the proper
4 number and level of positions to address the needs of the Arkansas
5 Administrative Statewide Information System and only after approval of the
6 Chief Fiscal Officer of the State. Further, the contingency positions
7 established in this section shall only be used after specific positions have
8 been identified by a state agency, board, commission or institution as being
9 available for the Arkansas Statewide Administrative Information System
10 (AASIS) without jeopardizing other essential programs and services of the
11 state agency, board, commission or institution. The Director of the state
12 agency, board, commission or institution must certify that such positions are
13 available and shall not be filled for the remainder of the 2001-2003
14 biennium. The certification shall also include the amount of funds,
15 appropriation for personal services and the source of funds needed to support
16 the positions for each year for the remainder of the biennial period. The
17 contingency positions established herein shall be established only after the
18 DFA – Office of Accounting has provided justification to the Department of
19 Finance and Administration-Office of Personnel Management (OPM) for the need
20 to allocate classified positions and grades from this contingency pool. No
21 classification shall be assigned from the pool until such time as specific
22 positions are requested by the Office of Accounting and recommended by the
23 Department of Finance and Administration-Office of Personnel Management. All
24 positions established by this section shall be approved by the Legislative
25 Council. After approval has been obtained for the utilization of the
26 positions, the Chief Fiscal Officer of the State shall transfer the funds as
27 certified by the state agency, board, commission or institution as required
28 to support the positions to be utilized and from the sources certified to the
29 State Central Services Fund. The amount certified for Personal Services
30 appropriations shall be transferred to the appropriate subclassifications of
31 Personal Services appropriation provided herein.

32 Determining the amount of funds appropriated to a state agency and
33 establishing the number of positions is the prerogative of the General
34 Assembly and is usually accomplished by delineating specific line items,
35 authorizing the number and titles of positions and by identifying the
36 appropriation and funding attached to each line item. The General Assembly

1 has determined that the Department of Finance and Administration could be
 2 operated more efficiently if some flexibility is given to that agency. That
 3 flexibility is being accomplished by providing transfer authority in this
 4 section, and since the General Assembly has granted the agency broad powers
 5 under the transfer authority concept, it is both necessary and appropriate
 6 that the General Assembly maintain oversight of the utilization of the
 7 transfer authority by requiring prior approval of the Legislative Council in
 8 the utilization of this transfer authority. Therefore, the requirement of
 9 approval by the Legislative Council is not a severable part of this section.
 10 If the requirement of approval by the Legislative Council is ruled
 11 unconstitutional by a court of general jurisdiction, this entire section is
 12 void. The contingency positions provided in this section shall be established
 13 from time to time within the procedures set forth in this section.

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 15 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
 16 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REPORTING
 17 REQUIREMENTS. The Director of the Department of Finance and Administration
 18 shall provide monthly reports on the status of the AASIS project to the AASIS
 19 Project Policy Steering Committee, the members of the General Assembly's
 20 Joint Legislative Committee on Advanced Information Technology and
 21 Communications, the Chairmen of the Legislative Council, and Arkansas' Chief
 22 Information Officer Council. The monthly report shall include a summary of
 23 project status, a summary of significant activities and events during the
 24 previous month, a summary of major issues requiring action during the coming
 25 month, and a summary of the project's budget and expenditures by the
 26 Department of Finance and Administration, the Department of Information
 27 Systems, and all other State agencies on the AASIS project at the end of the
 28 monthly reporting period.

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 30 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 32 CONTINGENCY PLAN. The Department of Finance and Administration shall prepare
 33 a business contingency plan to assure that all critical business services
 34 associated with and affected by the AASIS project implementation will be
 35 provided without interruption to the citizens and employees of the State of
 36 Arkansas. The Department of Finance and Administration shall deliver this

1 business contingency plan to the Legislative Council and the Joint
2 Legislative Committee on Advanced Information Technology and Communications
3 not later than April 15, 2001.

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5 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. STEERING
7 COMMITTEE. There is hereby created for the biennial period ending June 30,
8 2003, an AASIS Project Policy Steering Committee ("Steering Committee") with
9 the authority and responsibility for establishing the governing policies of
10 the Arkansas Administrative Statewide Information System (AASIS) Project. The
11 members of the AASIS Project Policy Steering Committee shall serve in a
12 voluntary capacity without financial compensation from the State other than
13 that which they might receive as regular salary from employment with the
14 State.

15 The Members of the Steering Committee, except for the Executive Chief
16 Information Officer, shall be appointed for two-year terms in the following
17 manner:

18 (1) The Governor shall appoint seven members from Arkansas'
19 Constitutional Officers and directors of State agencies.

20 (2) The Senate President Pro Tem shall appoint two members from
21 Arkansas' Constitutional Officers and directors of State agencies.

22 (3) The Senate President Pro Tem shall appoint one member from a
23 private sector or not-for-profit organization in Arkansas.

24 (4) The Speaker of the House of Representatives shall appoint two
25 members from Arkansas' Constitutional Officers and directors of State
26 agencies.

27 (5) The Speaker of the House of Representatives shall appoint one
28 member from a private sector or not-for-profit organization in Arkansas.

29 (6) The Legislative Council Co-Chairmen shall appoint two legislative
30 staff members to attend and participate in the Steering Committee meetings in
31 a non-voting capacity.

32 (7) The Executive Chief Information Officer.

33 The Director of the Department of Finance and Administration shall serve
34 as the staff director for the Steering Committee and assign AASIS staff
35 members and consultants to assist the Steering Committee as needed.

36 The Steering Committee shall meet as needed but not less than monthly in

1 facilities provided by the Department of Finance and Administration. The
2 Steering Committee shall receive reports from the AASIS Project Managers and
3 staff about the status, budget, and operations of the AASIS project. The
4 Steering Committee shall adopt by majority vote the governing policies of the
5 AASIS Project, its major implementation plans, and its budget and expenditure
6 plans.

7 The Staff of the Steering Committee shall record minutes of all meetings
8 and forward them to the members of the General Assembly's Joint Legislative
9 Committee on Advanced Information Technology and Communications, the Chairmen
10 of the Legislative Council, and Arkansas' Chief Information Officer Council.

11 The AASIS Project Policy Steering Committee shall begin its operations
12 on July 15, 2001 and shall not in any way take actions or require any
13 resources that in any way interfere with the implementation and deployment of
14 the AASIS project on or before July 1, 2001.

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16 SECTION 9. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
17 by this act shall be limited to the appropriation for such agency and funds
18 made available by law for the support of such appropriations; and the
19 restrictions of the State Purchasing Law, the General Accounting and
20 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
21 Procedures and Restrictions Act, or their successors, and other fiscal
22 control laws of this State, where applicable, and regulations promulgated by
23 the Department of Finance and Administration, as authorized by law, shall be
24 strictly complied with in disbursement of said funds.

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26 SECTION 10. LEGISLATIVE INTENT. It is the intent of the General Assembly
27 that any funds disbursed under the authority of the appropriations contained
28 in this act shall be in compliance with the stated reasons for which this act
29 was adopted, as evidenced by the Agency Requests, Executive Recommendations
30 and Legislative Recommendations contained in the budget manuals prepared by
31 the Department of Finance and Administration, letters, or summarized oral
32 testimony in the official minutes of the Arkansas Legislative Council or
33 Joint Budget Committee which relate to its passage and adoption.

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35 SECTION 11. EMERGENCY CLAUSE. It is found and determined by the General
36 Assembly, that the Constitution of the State of Arkansas prohibits the

1 appropriation of funds for more than a two (2) year period; that the
 2 effectiveness of this Act on July 1, 2001 is essential to the operation of
 3 the agency for which the appropriations in this Act are provided, and that in
 4 the event of an extension of the Regular Session, the delay in the effective
 5 date of this Act beyond July 1, 2001 could work irreparable harm upon the
 6 proper administration and provision of essential governmental programs.
 7 Therefore, an emergency is hereby declared to exist and this Act being
 8 necessary for the immediate preservation of the public peace, health and
 9 safety shall be in full force and effect from and after July 1, 2001, except
 10 for Section 7 which shall be in full force and effect from and after the date
 11 of passage and approval of this Act.

12
 13 */s/ Joint Budget Committee*
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16 **APPROVED: BECAME LAW ON 4/17/2001, BY GOVERNOR'S SIGNATURE, EXCEPTING THOSE**
 17 **SECTIONS DISAPPROVED. [Indicated with gray shading]**
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