

Stricken language will be deleted and underlined language will be added.  
Act 1201 of the Regular Session

1 State of Arkansas  
2 89th General Assembly  
3 Regular Session, 2013  
4

As Engrossed: H4/6/13  
**A Bill**

HOUSE BILL 1053

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, 2014; AND FOR OTHER PURPOSES.  
12  
13

14 **Subtitle**

15 AN ACT FOR THE DEPARTMENT OF INFORMATION  
16 SYSTEMS APPROPRIATION FOR THE 2013-2014  
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 2013-2014 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	2013-2014
30	(1)	U060U	DIS DIRECTOR	1	\$139,793
31	(2)	U073U	DIS DEPUTY DIRECTOR	1	\$126,531
32	(3)	N013N	DIS CHIEF OPERATING OFFICER	1	GRADE N912
33	(4)	N179N	DIS CHIEF TECHNOLOGY OFFICER	1	GRADE N912
34	(5)	N044N	DIS CUST RELATIONS MGMT ADMR	1	GRADE N909
35	(6)	D003N	STATE CHIEF SECURITY OFFICER	1	GRADE N909
36	(7)	D002N	STATE DATABASE ADMINISTRATOR LEAD	1	GRADE N909



1	(8)	N079N	DIS DIVISION DIRECTOR	5	GRADE N907
2	(9)	N078N	DIS PROJECT & ENTERPRISE PROG MGMT	1	GRADE N907
3	(10)	D006N	STATE SYSTEMS ARCHITECT	4	GRADE N907
4	(11)	D009N	AASIS SYSTEM ADMINISTRATOR	1	GRADE N906
5	(12)	D001C	STATE DATABASE ADMINISTRATOR	3	GRADE C130
6	(13)	D003C	STATE SYSTEMS ADMINISTRATOR LEAD	3	GRADE C129
7	(14)	A010C	AGENCY CONTROLLER II	1	GRADE C128
8	(15)	D010C	DATA WAREHOUSE LEAD	1	GRADE C128
9	(16)	D009C	DIS OPERATIONS CENTER MANAGER	1	GRADE C128
10	(17)	<i>D007C</i>	<i>INFORMATION SYSTEMS MANAGER</i>	<i>2</i>	<i>GRADE C128</i>
11	(18)	D006C	SOFTWARE ENGINEER LEAD	3	GRADE C128
12	(19)	D005C	STATE IT SECURITY ANALYST	3	GRADE C128
13	(20)	D004C	STATE NETWORK SUPPORT LEAD	3	GRADE C128
14	(21)	A014C	FISCAL DIVISION MANAGER	1	GRADE C127
15	(22)	G019C	GENERAL COUNSEL	1	GRADE C127
16	(23)	D018C	DIS INFORMATION SYSTEMS COORDINATOR	1	GRADE C126
17	(24)	D015C	STATE NETWORK ENGINEER	4	GRADE C126
18	(25)	D014C	STATE SYSTEMS ADMINISTRATOR	4	GRADE C126
19	(26)	<i>D029C</i>	<i>SENIOR GIS ANALYST</i>	<i>1</i>	<i>GRADE C124</i>
20	(27)	G076C	ADMINISTRATIVE SERVICES MANAGER	1	GRADE C124
21	(28)	D035C	COMPUTER SUPPORT MANAGER	1	GRADE C124
22	(29)	D034C	DATABASE ADMINISTRATOR	6	GRADE C124
23	(30)	A029C	DIS FISCAL MANAGER	1	GRADE C124
24	(31)	D032C	DIS IT ASSET MANAGER	1	GRADE C124
25	(32)	G069C	DIS QUALITY ASSURANCE LEAD	1	GRADE C124
26	(33)	D031C	DISASTER RECOVERY ANALYST	1	GRADE C124
27	(34)	D028C	SENIOR SOFTWARE SUPPORT SPECIALIST	2	GRADE C124
28	(35)	D027C	SOFTWARE ENGINEER	20	GRADE C124
29	(36)	D026C	STATE HELP DESK LEAD	1	GRADE C124
30	(37)	D025C	STATE IT SECURITY SPECIALIST	8	GRADE C124
31	(38)	D024C	STATE NETWORK SPECIALIST	19	GRADE C124
32	(39)	D023C	STATE SYSTEMS SPECIALIST	19	GRADE C124
33	(40)	D042C	DATA WAREHOUSE SPECIALIST	7	GRADE C123
34	(41)	D041C	DIS TECHNICAL ACCOUNTS SPECIALIST	1	GRADE C123
35	(42)	D038C	SENIOR SOFTWARE SUPPORT ANALYST	2	GRADE C123
36	(43)	D049C	DIS PROJECT MANAGER	7	GRADE C122

1	(44)	G098C	DIS QUALITY ASSURANCE COORDINATOR	2	GRADE C122
2	(45)	D046C	STATE PRODUCTION CONTROL SUPERVISOR	2	GRADE C122
3	(46)	D045C	STATE SYSTEMS ANALYST	17	GRADE C122
4	(47)	A052C	ACCOUNTING COORDINATOR	2	GRADE C121
5	(48)	D053C	DIS ACCOUNT ANALYST	3	GRADE C121
6	(49)	A048C	DIS RATE ANALYST	1	GRADE C121
7	(50)	D058C	COMPUTER OPERATIONS COORDINATOR	2	GRADE C120
8	(51)	P013C	PUBLIC INFORMATION COORDINATOR	1	GRADE C120
9	(52)	D063C	COMPUTER SUPPORT SPECIALIST	16	GRADE C119
10	(53)	A068C	DIS BILLING SERVICES MANAGER	1	GRADE C119
11	(54)	A065C	PAYROLL SERVICES COORDINATOR	1	GRADE C119
12	(55)	V007C	PROCUREMENT COORDINATOR	1	GRADE C119
13	(56)	D065C	NETWORK SUPPORT ANALYST	7	GRADE C118
14	(57)	D064C	WEBSITE DEVELOPER	2	GRADE C118
15	(58)	D071C	COMPUTER SUPPORT ANALYST	5	GRADE C117
16	(59)	D070C	DIS ACCOUNTS SPECIALIST	1	GRADE C117
17	(60)	D069C	DIS SCHEDULER	2	GRADE C117
18	(61)	B076C	RESEARCH PROJECT ANALYST	1	GRADE C117
19	(62)	V014C	BUYER	2	GRADE C116
20	(63)	P031C	MEDIA SPECIALIST	1	GRADE C116
21	(64)	E046C	TRAINING INSTRUCTOR	1	GRADE C116
22	(65)	C037C	ADMINISTRATIVE ANALYST	4	GRADE C115
23	(66)	A091C	FISCAL SUPPORT ANALYST	9	GRADE C115
24	(67)	D077C	HELP DESK SPECIALIST	5	GRADE C115
25	(68)	D084C	COMPUTER OPERATOR	10	GRADE C114
26	(69)	C056C	ADMINISTRATIVE SPECIALIST III	2	GRADE C112
27	(70)	V025C	WAREHOUSE SPECIALIST	2	GRADE C110
28	(71)	C073C	ADMINISTRATIVE SPECIALIST II	<u>8</u>	GRADE C109
29			MAX. NO. OF EMPLOYEES	259	

30

31 SECTION 2. EXTRA HELP. There is hereby authorized, for the Department  
 32 of Information Systems for the 2013-2014 fiscal year, the following maximum  
 33 number of part-time or temporary employees, to be known as "Extra Help",  
 34 payable from funds appropriated herein for such purposes: eighteen (18)  
 35 temporary or part-time employees, when needed, at rates of pay not to exceed  
 36 those provided in the Uniform Classification and Compensation Act, or its

1 successor, or this act for the appropriate classification.

2

3 SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated,  
4 to the Department of Information Systems, to be payable from the Department  
5 of Information Systems Revolving Fund, for personal services and operating  
6 expenses of the Department of Information Systems for the fiscal year ending  
7 June 30, 2014, the following:

8

9 ITEM	FISCAL YEAR
10 <u>NO.</u>	<u>2013-2014</u>
11 (01) REGULAR SALARIES	\$15,931,416
12 (02) EXTRA HELP	164,000
13 (03) PERSONAL SERVICES MATCHING	4,800,471
14 (04) OVERTIME	66,000
15 (05) MAINT. & GEN. OPERATION	
16 (A) OPER. EXPENSE	9,545,591
17 (B) CONF. & TRAVEL	214,321
18 (C) PROF. FEES	631,500
19 (D) CAP. OUTLAY	0
20 (E) DATA PROC.	0
21 (06) DATA PROCESSING SERVICES	8,406,866
22 (07) TELECOMM/TECHNOLOGY DELIVERY	<u>58,450,929</u>
23 TOTAL AMOUNT APPROPRIATED	<u><u>\$98,211,094</u></u>

24

25 SECTION 4. APPROPRIATION - UNANTICIPATED SERVICES. There is hereby  
26 appropriated, to the Department of Information Systems, to be payable from  
27 the Department of Information Systems Revolving Fund, for operating expenses  
28 incurred in the provision of unanticipated services to state agencies,  
29 unusual growth in applications or due to uncontrollable increases in payments  
30 to public utilities necessary for the continual provisions of services by the  
31 Department of Information Systems for the fiscal year ending June 30, 2014,  
32 the following:

33

34 ITEM	FISCAL YEAR
35 <u>NO.</u>	<u>2013-2014</u>
36 (01) CONTINGENCY -	

1 TELECOMMUNICATIONS/TECHNOLOGY \$20,000,000

2

3 SECTION 5. APPROPRIATION - EQUIPMENT ACQUISITIONS AND INFORMATION

4 TECHNOLOGY IMPROVEMENTS. There is hereby appropriated, to the Department of  
5 Information Systems, to be payable from the Information Technology Reserve  
6 Fund, for major equipment acquisitions and information technology  
7 improvements, as set out in Arkansas Code 25-4-122 and 25-4-123 by the  
8 Department of Information Systems for the fiscal year ending June 30, 2014,  
9 the following:

10

11	ITEM	FISCAL YEAR
12	<u>NO.</u>	<u>2013-2014</u>

13 (01) EQUIPMENT ACQUISITIONS AND  
14 INFORMATION TECHNOLOGY  
15 IMPROVEMENTS

\$3,500,000

16

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

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

23

24 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REPORTING  
26 REQUIREMENTS. The Chief Fiscal Officer of the State shall annually file with  
27 the Arkansas Legislative Council and the Joint Committee on Advanced  
28 Communications and Information Technology a report summarizing all receipts  
29 and expenditures made from the Unanticipated Services appropriation in this  
30 Act.

31 The provisions of this section shall be in effect only from July 1, ~~2012~~  
32 2013 through June 30, ~~2013~~ 2014.

33

34 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
36 CONTINGENCY RESTRICTIONS. In the event of unforeseen conditions, additional

1 appropriations become necessary that are not authorized or contemplated in  
2 Section 3 of this Act and such events make it necessary that the Department  
3 of Information Systems receives additional appropriations to carry out the  
4 objectives of the agency, the Director of the Department of Information  
5 Systems is hereby authorized to request the approval of the Governor and the  
6 Chief Fiscal Officer of the State, as hereinafter provided, for transfer of  
7 the additional appropriation provided the Department by Section 4, but in no  
8 event shall the transfers exceed the appropriation provided in Section 4 of  
9 this Act. Whenever the Director of the Department of Information Systems  
10 deems it necessary to establish additional appropriations as authorized  
11 herein, a written report shall be filed with the Governor accompanied by  
12 necessary supporting documents setting forth the facts, justifications, and  
13 circumstances that necessitate such appropriation. Upon receipt of such  
14 reports and supporting documents, the Governor, or his designee, shall study  
15 the same, and if he shall determine that such additional appropriations are  
16 being sought in strict compliance with this Act, the Governor, after seeking  
17 prior review by the Joint Committee on Advanced Communications and  
18 Information Technology, may approve or modify such request for additional  
19 appropriations as in his judgment he deems necessary, and shall forward a  
20 copy thereof to the Chief Fiscal Officer of the State. Upon receipt thereof,  
21 the Chief Fiscal Officer of the State after receiving prior approval by the  
22 Arkansas Legislative Council or Joint Budget Committee shall direct the State  
23 Auditor to process said transfer upon his books in accordance with the  
24 provisions as set out herein. If the agency requests continuation of  
25 appropriation as established herein during the next biennium, the  
26 appropriation must be requested as new appropriation in the agency's biennial  
27 budget request.

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

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

8 The provisions of this section shall be in effect only from July 1,—~~2012~~  
9 2013 through June 30,—~~2013~~ 2014.

10  
11 *SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS*  
12 *CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REPORTING*  
13 *REQUIREMENTS.*

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

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

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

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

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

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

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

34 (2) The report shall:

35 (A) Detail all requests from state agencies, boards, and commissions for  
36 advice regarding information technology planning, implementation,

1 installation, rates or fees, utilization of products, services, and  
2 integrations or upgrades to be added to all existing technology plans; and

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

6 (3) The report shall include:

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

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

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

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

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

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

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

22  
23 *SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS*  
24 *CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.*

25 Compliance with State and Federal Regulations -

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

34 2. The Director shall have authority to transfer funds between the  
35 Information Technology Reserve Fund established by ACA §25-4-123 and the  
36 Department of Information Systems Revolving Fund established by ACA §25-4-121



1 for cash management purposes.

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

18 The provisions of this section shall be in effect only from July 1, ~~2012~~  
19 2013 through June 30, ~~2013~~ 2014.

20

21 *SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS*  
22 *CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. GIFTS,*  
23 *GRANTS AND DONATIONS. The Director may accept on behalf of the Department of*  
24 *Information Systems, from any source, the donation of gifts, grants, cash,*  
25 *bequeaths, devices, donations, real or personal property and equipment for*  
26 *the establishment, maintenance, operations, or improvement of broadband*  
27 *services, enhancements and grants.*

28

29 *SECTION 12. COMPLIANCE WITH OTHER LAWS.* Disbursement of funds  
30 authorized by this act shall be limited to the appropriation for such agency  
31 and funds made available by law for the support of such appropriations; and  
32 the restrictions of the State Procurement Law, the General Accounting and  
33 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
34 Procedures and Restrictions Act, or their successors, and other fiscal  
35 control laws of this State, where applicable, and regulations promulgated by  
36 the Department of Finance and Administration, as authorized by law, shall be

1 strictly complied with in disbursement of said funds.

2  
3        *SECTION 13. LEGISLATIVE INTENT.* It is the intent of the General  
4 Assembly that any funds disbursed under the authority of the appropriations  
5 contained in this act shall be in compliance with the stated reasons for  
6 which this act was adopted, as evidenced by the Agency Requests, Executive  
7 Recommendations and Legislative Recommendations contained in the budget  
8 manuals prepared by the Department of Finance and Administration, letters, or  
9 summarized oral testimony in the official minutes of the Arkansas Legislative  
10 Council or Joint Budget Committee which relate to its passage and adoption.

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12        *SECTION 14. EMERGENCY CLAUSE.* It is found and determined by the  
13 General Assembly, that the Constitution of the State of Arkansas prohibits  
14 the appropriation of funds for more than a one (1) year period; that the  
15 effectiveness of this Act on July 1, 2013 is essential to the operation of  
16 the agency for which the appropriations in this Act are provided, and that in  
17 the event of an extension of the legislative session, the delay in the  
18 effective date of this Act beyond July 1, 2013 could work irreparable harm  
19 upon the proper administration and provision of essential governmental  
20 programs. Therefore, an emergency is hereby declared to exist and this Act  
21 being necessary for the immediate preservation of the public peace, health  
22 and safety shall be in full force and effect from and after July 1, 2013.

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24                                    */s/Joint Budget Committee*

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27                                    ***APPROVED: 04/12/2013***