

1 State of Arkansas  
2 80th General Assembly  
3 Regular Session, 1995

# A Bill

SENATE BILL 258

4 By: Joint Budget Committee

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## For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND  
9 OPERATING EXPENSES FOR THE DEPARTMENT OF COMPUTER SERVICES  
10 FOR THE BIENNIAL PERIOD ENDING JUNE 30, 1997; AND FOR  
11 OTHER PURPOSES."

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## Subtitle

14 "AN ACT FOR THE DEPARTMENT OF COMPUTER  
15 SERVICES APPROPRIATION FOR THE 1995-97  
16 BIENNIUM."

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

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SECTION 1. REGULAR SALARIES. There is hereby established for the  
21 Department of Computer Services for the 1995-97 biennium, the following  
22 maximum number of regular employees whose salaries shall be governed by the  
23 provisions of the Uniform Classification and Compensation Act (Arkansas Code  
24 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.  
25 Provided, however, that any position to which a specific maximum annual  
26 salary is set out herein in dollars, shall be exempt from the provisions of  
27 said Uniform Classification and Compensation Act. All persons occupying  
28 positions authorized herein are hereby governed by the provisions of the  
29 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),  
30 or its successor.

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		Maximum Annual			
		Maximum	Salary Rate		
Item	Class	No. of	Fiscal Years		
No.	Code	Title	Employees	1995-96	1996-97

1	(1) 9805 DCS DIRECTOR	1	\$ 85,071	\$
2	87,197			
3	(2) 9802 DCS TECHNICAL PLANNING ADMR	1	\$ 83,943	\$
4	86,041			
5	(3) 9804 DCS MIS DIVISION DIRECTOR	1	\$ 83,943	\$
6	86,041			
7	(4) 7351 DCS TELECOM DIVISION DIRECTOR	1	\$ 83,943	\$
8	86,041			
9	(5) 9615 DCS SYS SOFTWARE PROG ADMR	2	\$ 76,746	\$
10	78,664			
11	(6) 9803 DCS DATA BASE MANAGER	1	\$ 72,784	\$
12	74,603			
13	(7) 9798 DCS APPLICATIONS DEV ADMR	1	\$ 72,590	\$
14	74,404			
15	(8) 9614 DCS TECH PLANNING SPEC III	3	\$ 72,590	\$
16	74,404			
17	(9) 7350 DCS NETWORK ENGINEER	1	\$ 71,950	\$
18	73,748			
19	(10) 7349 DCS TELECOM OPERATIONS ADMR	1	\$ 71,950	\$
20	73,748			
21	(11) 9612 DCS SYS SOFTWARE PROG/ANAL SPEC	1	\$ 69,551	\$
22	71,289			
23	(12) 9613 DCS SYS SOFTWARE PROG/ANAL MGR	1	\$ 69,551	\$
24	71,289			
25	(13) 8820 DCS DATA BASE SPECIALIST	2	\$ 68,000	\$
26	69,700			
27	(14) 9806 DCS TECH PLANNING SPEC II	1	\$ 63,802	\$
28	65,397			
29	(15) D027 DCS TECH PLANNING SPEC I	3		GRADE 26
30	D043 DCS NETWORK MANAGER	1		
31	D023 DCS APPL DEVELOPMENT SPEC	2		
32	D024 DCS INFORMATION SVCS ADMR	1		
33	D022 DCS APPL DEVELOPMENT MANAGER	5		
34	D025 DCS OPERATIONS MANAGER	1		
35	D037 DCS SYSTEMS PROGRAMMER/ANALYST III	2		

1	(16)	D008	DCS DATA BASE ANALYST II	4	GRADE 25
2		D033	DCS SYSTEMS PROGRAMMER/ANALYST II	3	
3	(17)	D028	DCS PROGRAMMER ANALYST/STAFF SPEC	10	GRADE 24
4		D039	DCS PRODUCTION CONTROL MANAGER	1	
5		804Z	DCS FISCAL MANAGER	1	
6		D021	DCS DATA COMMUNICATIONS MANAGER	1	
7		D087	DCS TELECOMMUNICATIONS SVCS MGR	3	
8	(18)	D045	DCS LEAD PROGRAMMER/ANALYST	19	GRADE 23
9		D127	TELECOMMUNICATIONS PLANNING SPEC II	1	
10		D031	DCS SYSTEMS PROGRAMMER/ANALYST I	3	
11		D006	DCS DATA BASE ANALYST I	1	
12	(19)	D029	DCS SENIOR PROGRAMMER/ANALYST	35	GRADE 22
13		D113	DCS TELECOMMUNICATIONS SUPERVISOR	2	
14		X338	ENGINEER, PE	1	
15		D012	NETWORK PLANNING PROJECT LDR	1	
16		R118	DCS PERSONNEL MANAGER	1	
17		D139	DCS TELECOMM APPLICATIONS SPEC	1	
18	(20)	A116	RATE ANALYST III	2	GRADE 21
19		D026	DCS OPERATIONS TECH SPECIALIST	1	
20		D138	DCS SR COMPUTER/DATA OPER SUPV	5	
21	(21)	D019	DCS DATA COMMUNICATIONS TECH II	2	GRADE 20
22		A006	ACCOUNTING SUPERVISOR I	1	
23		D058	DCS INFO CENTER ANALYST II	3	
24	(22)	D063	DCS PRODUCTION SCHEDULER II	4	GRADE 19
25		D076	DCS PROGRAMMER/ANALYST	4	
26		D079	DCS DOCUMENTATION SPECIALIST	2	
27	(23)	A111	ACCOUNTANT	1	GRADE 18
28		D016	DCS DATA COMMUNICATIONS TECH I	4	
29		D047	DCS LEAD COMPUTER TECHNICIAN	5	
30		D084	DCS TELECOMMUNICATION TECH III	4	
31		R264	MANAGEMENT PROJECT ANALYST I	1	
32		V040	PURCHASE AGENT II/PURCHASE AGENT	1	
33	(24)	D077	DCS PRODUCTION SCHEDULER	8	GRADE 17
34		D081	DCS LIBRARY SUPERVISOR	1	
35		R010	ADMINISTRATIVE ASSISTANT II	3	

1	(25) D048 DCS SENIOR COMPUTER TECHNICIAN	10	GRADE 16
2	D082 DCS TAPE LIBRARIAN	2	
3	D083 DCS PROGRAM LIBRARIAN	1	
4	D101 DCS TELECOMMUNICATIONS TECH II	2	
5	(26) A108 ACCOUNTING TECHNICIAN II	1	GRADE 15
6	R009 ADMINISTRATIVE ASSISTANT I	2	
7	A063 PAYROLL OFFICER	1	
8	(27) D089 DCS TELECOMMUNICATIONS TECH I	3	GRADE 14
9	(28) D107 DCS VOICE INFO OPERATOR SUPV	1	GRADE 13
10	K153 SECRETARY II	2	
11	(29) D104 DCS VOICE INFO OPERATOR	4	GRADE 12
12	A106 ACCOUNTING TECHNICIAN I	1	
13	(30) K006 DATA ENTRY SPECIALIST	<u>3</u>	GRADE 10
14	<hr/> <del>MAX NO. OF EMPLOYEES</del>	<hr/> <u>206</u>	

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16 SECTION 2. EXTRA HELP. There is hereby authorized, for the  
 17 Department of Computer Services for the 1995-97 biennium, the following  
 18 maximum number of part-time or temporary employees, to be known as "Extra  
 19 Help", payable from funds appropriated herein for such purposes: nine (9)  
 20 temporary or part-time employees, when needed, at rates of pay not to exceed  
 21 those provided in the Uniform Classification and Compensation Act, or its  
 22 successor, or this act for the appropriate classification.

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24 SECTION 3. APPROPRIATIONS. There is hereby appropriated, to the  
 25 Department of Computer Services, to be payable from the Department of  
 26 Computer Services Revolving Fund, for personal services and operating  
 27 expenses of the Department of Computer Services for the biennial period  
 28 ending June 30, 1997, the following:

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30 ITEM	FISCAL YEARS	
31 NO.	1995-96	1996-97
32 (01) REGULAR SALARIES	\$ 7,794,544	\$
33 7,801,746		
34 (02) EXTRA HELP		88,356
35 88,356		

1	(03) PERSONAL SERV MATCHING	1,909,714
2	<del>1,911,014</del>	
3	(04) OVERTIME	36,100
4	36,100	
5	(05) MAINT. & GEN. OPERATION	
6	(A) OPER. EXPENSE \$ 11,381,655 \$ 11,363,495	
7	(B) CONF. & TRVL. 96,504 96,504	
8	(C) PROF. FEES 58,878 58,878	
9	(D) CAP. OUTLAY 9,960 9,960	
10	(E) DATA PROC. <u>6,242,933</u> <u>6,576,933</u>	
11	TOTAL MAINT. & GEN. OPER.	<u>17,789,930</u>
12	<u>18,105,770</u>	
13	TOTAL AMOUNT APPROPRIATED	<u>\$ 27,618,644 \$</u>
14	<u>27,942,986</u>	

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16 SECTION 4. APPROPRIATIONS - UNANTICIPATED SERVICES. There is hereby

17 appropriated, to the Department of Computer Services, to be payable from the

18 Department of Computer Services Revolving Fund, for operating expenses

19 incurred in the provision of unanticipated services to state agencies,

20 unusual growth in applications or due to uncontrollable increases in payments

21 to public utilities necessary for the continual provision of services of the

22 Department of Computer Services for the biennial period ending June 30, 1997,

23 the following:

25	ITEM	FISCAL YEARS	
26	NO.	1995-96	1996-97
27	(01) MAINT. & GEN. OPERATION		
28	(A) OPER. EXPENSE \$ 2,500,000 \$ 2,500,000		
29	(B) CONF. & TRVL. 0 0		
30	(C) PROF. FEES 0 0		
31	(D) CAP. OUTLAY 0 0		
32	(E) DATA PROC. <u>0</u> <u>0</u>		
33	TOTAL MAINT. & GEN. OPER.	2,500,000	
34	2,500,000		
35	(02) CONTINGENCY APPROPRIATION	<u>\$ 3,700,000 \$</u>	

1 3,700,000

2 TOTAL AMOUNT APPROPRIATED \$ 6,200,000 \$

3 6,200,000

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5 SECTION 5. APPROPRIATIONS - EQUIPMENT ACQUISITIONS. There is hereby  
6 appropriated, to the Department of Computer Services, to be payable from the  
7 Computer Services Reserve Fund, for moving expenses and equipment  
8 acquisitions, as defined by Arkansas Code §§ 25-4-118 and 25-4-120 of the  
9 Department of Computer Services for the biennial period ending June 30, 1997,  
10 the following:

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12 ITEM	FISCAL YEARS	
13 NO.	1995-96	1996-97
14 (01) MOVING EXP/EQUIP ACQUIS	\$ <u>2,500,000</u> \$	

15 2,500,000

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17 SECTION 6. RESTRICTIONS. The appropriation made in *item 01* of Section  
18 4 herein shall be expended only after the Chief Fiscal Officer of the State  
19 has determined that such expenditure is required to provide unanticipated  
20 services to State agencies or to make payments for services to public  
21 ~~utilities due to unforeseen rate increases, and only after the Director has~~  
22 sought prior review by the Arkansas Legislative Council and the Arkansas  
23 Communications Study Committee. Whenever the Director of the Department of  
24 Computer Services deems it necessary to expend such additional appropriation,  
25 he shall provide the Chief Fiscal Officer necessary justification for such  
26 expenditures including a statement that the service requested by the State  
27 agency cannot be provided within other appropriations made to the Department  
28 without jeopardizing continued operations, or that the need for growth to  
29 meet expanded needs by State agencies or increase in public utility rates was  
30 unanticipated at the time of passage of this Act.

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32 SECTION 7. CARRY FORWARD PROVISION. The balance of the appropriation  
33 made in Section 4 and Section 5 herein which remains at the close of the  
34 fiscal year ending June 30, 1996, may be carried forward and used for the  
35 same purpose in the fiscal year ending June 30, 1997.

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SECTION 8. LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds disbursed for data processing under the authority of the appropriations contained in this Act be made from the Data Processing line item, and any funds disbursed for telecommunications under the authority of the appropriations contained in this Act be made from the Operating Expenses line item.

SECTION 9. REPORTING REQUIREMENTS. The Chief Fiscal Officer of the State shall annually file with the Arkansas Legislative Council and the Arkansas Communications Study Committee a report summarizing all expenditures made under the provisions of Section 4 of this Act.

SECTION 10. CARRY FORWARD. At the close of the fiscal year ending June 30, 1996, the Department of Computer Services may certify to the Chief Fiscal Officer of the State an unexpended amount of appropriation, as provided for in Maint. & Gen. Oper. - Oper. Expenses in Section 3 of this Act, which may be transferred forward for the fiscal year ending June 30, 1997, for the sole purpose of providing payments for the telecommunication system.

*SECTION 11. ESTABLISHMENT OF A "GROWTH POOL". The Department of Computer Services shall establish and maintain for the 1995-97 biennium a pool of 45 classified positions and 5 non-classified positions not to exceed rates of pay authorized in Section 1 of this Act. These positions are to be used to provide new or expanded data processing and telecommunication services in the event the personnel services needs of the Department of Computer Services exceed the number of positions allocated for the 1995-97 biennium. No classification, grade, or salary level will be assigned to the pool positions until such time as specific positions are requested by the Department of Computer Services and approved by the Chief Fiscal Officer after receiving prior review by the Legislative Council.*

SECTION 12. CONTINGENCY RESTRICTIONS. In the event of unforeseen conditions, additional appropriations become necessary that are not

1 authorized or contemplated in Section 3 of this Act and such events make it  
2 necessary that the Department of Computer Services receives additional  
3 appropriations to carry out the objectives of the agency, the Director of the  
4 Department of Computer Services is hereby authorized to request the approval  
5 of the  
6 Governor and the Chief Fiscal Officer of the State, as hereinafter provided,  
7 for transfer of the additional appropriations provided the Department by  
8 Section 4, but in no event shall the transfers exceed the appropriations  
9 provided in Section 4, Item 2 of this Act. Whenever the Director of the  
10 Department of Computer Services deems it necessary to establish additional  
11 appropriations as authorized herein, he shall file with the Governor a  
12 written report accompanied by necessary supporting documents setting forth  
13 the facts, justifications, and circumstances that necessitate such  
14 appropriation. Upon receipt of such reports and supporting documents, the  
15 Governor, or his designee, shall study the same, and if he shall determine  
16 that such additional appropriations are being sought in strict compliance  
17 with this Act, the Governor, after seeking prior review by the Arkansas  
18 Legislative Council, may approve or modify such request for additional  
19 appropriations as in his judgement 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 shall direct the State Auditor to  
22 process said transfer upon his books in accordance with the provisions as set  
23 out herein.

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25       SECTION 13. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
26 authorized by this Act shall be limited to the appropriation for such agency  
27 and funds made available by law for the support of such appropriations; and  
28 the restrictions of the State Purchasing Law, the General Accounting and  
29 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
30 Procedures and Restrictions Act, or their successors, and other fiscal  
31 control laws of this State, where applicable, and regulations promulgated by  
32 the Department of Finance and Administration, as authorized by law, shall be  
33 strictly complied with in disbursement of said funds.

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35       SECTION 14. LEGISLATIVE INTENT. It is the intent of the General



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

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9 SECTION 15. CODE. All provisions of this Act of a general and  
10 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and  
11 the Arkansas Code Revision Commission shall incorporate the same in the Code.

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13 SECTION 16. SEVERABILITY. If any provision of this Act or the  
14 application thereof to any person or circumstance is held invalid, such  
15 invalidity shall not affect other provisions or applications of the Act which  
16 can be given effect without the invalid provision or application, and to this  
17 end the provisions of this Act are declared to be severable.

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19 SECTION 17. GENERAL REPEALER. All laws and parts of laws in conflict  
20 with this Act are hereby repealed.

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22 SECTION 18. EMERGENCY CLAUSE. It is hereby found and determined by  
23 the Eightieth General Assembly, that the Constitution of the State of  
24 Arkansas prohibits the appropriation of funds for more than a two (2) year  
25 period; that the effectiveness of this Act on July 1, 1995 is essential to  
26 the operation of the agency for which the appropriations in this Act are  
27 provided, and that in the event of an extension of the Regular Session, the  
28 delay in the effective date of this Act beyond July 1, 1995 could work  
29 irreparable harm upon the proper administration and provision of essential  
30 governmental programs. Therefore, an emergency is hereby declared to exist  
31 and this Act being necessary for the immediate preservation of the public  
32 peace, health and safety shall be in full force and effect from and after  
33 July 1, 1995.

34 /s/Russ  
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