

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

As Engrossed: S3/14/97

A Bill

SENATE BILL 197

4
5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND
10 OPERATING EXPENSES FOR THE DEPARTMENT OF COMPUTER SERVICES
11 FOR THE BIENNIAL PERIOD ENDING JUNE 30, 1999; AND FOR
12 OTHER PURPOSES."

Subtitle

13
14
15 "AN ACT FOR THE DEPARTMENT OF COMPUTER
16 SERVICES APPROPRIATION FOR THE 1997-99
17 BIENNIUM."
18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
20

21 SECTION 1. REGULAR SALARIES. There is hereby established for the
22 Department of Computer Services for the 1997-99 biennium, the following
23 maximum number of regular employees whose salaries shall be governed by the
24 provisions of the Uniform Classification and Compensation Act (Arkansas Code
25 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
26 Provided, however, that any position to which a specific maximum annual salary
27 is set out herein in dollars, shall be exempt from the provisions of said
28 Uniform Classification and Compensation Act. All persons occupying positions
29 authorized herein are hereby governed by the provisions of the Regular
30 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its
31 successor.
32

		Maximum Annual	
		Maximum	Salary Rate
Item	Class	No. of	Fiscal Years
No.	Code	Title	Employees 1997-98 1998-99

1	(1)	9805	DCS	DIRECTOR	1	\$ 91,966	\$ 94,541
2	(2)	9802	DCS	TECHNICAL PLANNING ADMR	1	\$ 90,747	\$ 93,287
3	(3)	9804	DCS	MIS DIVISION DIRECTOR	1	\$ 90,747	\$ 93,287
4	(4)	7351	DCS	TELECOM DIVISION DIRECTOR	1	\$ 90,747	\$ 93,287
5	(5)	9615	DCS	SYS SOFTWARE PROG ADMR	2	\$ 82,967	\$ 85,290
6	(6)	9803	DCS	DATA BASE MANAGER	1	\$ 78,683	\$ 80,886
7	(7)	9798	DCS	APPLICATIONS DEV ADMR	1	\$ 78,474	\$ 80,671
8	(8)	9614	DCS	TECH PLANNING SPEC III	3	\$ 78,474	\$ 80,671
9	(9)	7350	DCS	NETWORK ENGINEER	2	\$ 77,782	\$ 79,959
10	(10)	7349	DCS	TELECOM OPERATIONS ADMR	1	\$ 77,782	\$ 79,959
11	(11)	9612	DCS	SYS SOFTWARE PROG/ANAL SPEC	2	\$ 75,188	\$ 77,293
12	(12)	9613	DCS	SYS SOFTWARE PROG/ANAL MGR	1	\$ 75,188	\$ 77,293
13	(13)	8820	DCS	DATA BASE SPECIALIST	3	\$ 73,298	\$ 75,350
14	(14)	9033	DCS	APPL DEV MANAGEMENT SPECIALIST	5	\$ 73,298	\$ 75,350
15	(15)	9806	DCS	TECH PLANNING SPEC II	1	\$ 68,972	\$ 70,903
16	(16)	D043	DCS	NETWORK MANAGER	2		GRADE 26
17		D023	DCS	APPL DEVELOPMENT SPEC	3		
18		D024	DCS	INFORMATION SVCS ADMR	2		
19		D027	DCS	TECH PLANNING SPEC I	3		
20		D025	DCS	OPERATIONS MANAGER	1		
21		D037	DCS	SYSTEMS PROGRAMMER/ANALYST III	2		
22	(17)	D008	DCS	DATA BASE ANALYST II	9		GRADE 25
23		D054	DCS	PROG ANA/STAFF SPECIALIST II	8		
24		D033	DCS	SYSTEMS PROGRAMMER/ANALYST II	4		
25	(18)	D039	DCS	PRODUCTION CONTROL MANAGER	1		GRADE 24
26		804Z	DCS	FISCAL MANAGER	1		
27		D028	DCS	PROGRAMMER ANALYST/STAFF SPEC	20		
28		D021	DCS	DATA COMMUNICATIONS MANAGER	1		
29		D087	DCS	TELECOMMUNICATIONS SVCS MGR	3		
30	(19)	D045	DCS	LEAD PROGRAMMER/ANALYST	21		GRADE 23
31		D127	TELECOMMUNICATIONS	PLANNING SPEC II	1		
32		D031	DCS	SYSTEMS PROGRAMMER/ANALYST I	3		
33		D006	DCS	DATA BASE ANALYST I	1		
34	(20)	D029	DCS	SENIOR PROGRAMMER/ANALYST	38		GRADE 22
35		X338	ENGINEER, PE		1		

1	D012 NETWORK PLANNING PROJECT LDR	1	
2	R118 DCS PERSONNEL MANAGER	1	
3	D139 DCS TELECOMM APPLICATIONS SPEC	3	
4	D113 DCS TELECOMMUNICATIONS SUPERVISOR	1	
5	(21) A116 RATE ANALYST III	2	GRADE 21
6	D026 DCS OPERATIONS TECH SPECIALIST	1	
7	D138 DCS SR COMPUTER/DATA OPER SUPV	5	
8	(22) D019 DCS DATA COMMUNICATIONS TECH II	5	GRADE 20
9	A006 ACCOUNTING SUPERVISOR I	1	
10	D058 DCS INFO CENTER ANALYST II	4	
11	(23) D063 DCS PRODUCTION SCHEDULER II	4	GRADE 19
12	D076 DCS PROGRAMMER/ANALYST	4	
13	D079 DCS DOCUMENTATION SPECIALIST	2	
14	(24) D016 DCS DATA COMMUNICATIONS TECH I	4	GRADE 18
15	D047 DCS LEAD COMPUTER TECHNICIAN	5	
16	D084 DCS TELECOMMUNICATION TECH III	6	
17	R264 MANAGEMENT PROJECT ANALYST I	1	
18	V040 PURCHASE AGENT II/PURCHASE AGENT	1	
19	A111 ACCOUNTANT	1	
20	(25) D077 DCS PRODUCTION SCHEDULER	8	GRADE 17
21	D081 DCS LIBRARY SUPERVISOR	1	
22	R010 ADMINISTRATIVE ASSISTANT II	3	
23	(26) D048 DCS SENIOR COMPUTER TECHNICIAN	10	GRADE 16
24	D082 DCS TAPE LIBRARIAN	2	
25	D083 DCS PROGRAM LIBRARIAN	1	
26	D101 DCS TELECOMMUNICATIONS TECH II	2	
27	(27) A108 ACCOUNTING TECHNICIAN II	1	GRADE 15
28	R009 ADMINISTRATIVE ASSISTANT I	2	
29	A063 PAYROLL OFFICER	1	
30	(28) D089 DCS TELECOMMUNICATIONS TECH I	3	GRADE 14
31	(29) D107 DCS VOICE INFO OPERATOR SUPV	1	GRADE 13
32	K153 SECRETARY II	2	
33	(30) D104 DCS VOICE INFO OPERATOR	4	GRADE 12
34	A106 ACCOUNTING TECHNICIAN I	1	
35	(31) K006 DATA ENTRY SPECIALIST	<u>3</u>	GRADE 10

1 MAX NO. OF EMPLOYEES 248

2

3 SECTION 2. EXTRA HELP. There is hereby authorized, for the
 4 Department of Computer Services for the 1997-99 biennium, the following
 5 maximum number of part-time or temporary employees, to be known as "Extra
 6 Help", payable from funds appropriated herein for such purposes: fourteen
 7 (14) temporary or part-time employees, when needed, at rates of pay not to
 8 exceed those provided in the Uniform Classification and Compensation Act, or
 9 its successor, or this act for the appropriate classification.

10

11 SECTION 3. APPROPRIATIONS. There is hereby appropriated, to the
 12 Department of Computer Services, to be payable from the Department of Computer
 13 Services Revolving Fund, for personal services and operating expenses of the
 14 Department of Computer Services for the biennial period ending June 30, 1999,
 15 the following:

16

17 ITEM	FISCAL YEARS	
18 NO.	1997-98	1998-99
19 (01) REGULAR SALARIES	\$ 10,856,059	\$ 11,155,694
20 (02) EXTRA HELP	90,938	90,938
21 (03) PERSONAL SERV MATCHING	2,658,154	2,713,769
22 (04) OVERTIME	39,795	39,795
23 (05) MAINT. & GEN. OPERATION		
24 (A) OPER. EXPENSE	19,131,866	19,166,866
25 (B) CONF. & TRVL.	153,304	152,304
26 (C) PROF. FEES	73,878	73,878
27 (D) CAP. OUTLAY	37,498	63,498
28 (E) DATA PROC.	<u>13,181,086</u>	<u>9,451,086</u>
29 TOTAL AMOUNT APPROPRIATED	<u>\$ 46,222,578</u>	<u>\$ 42,907,828</u>

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31 SECTION 4. APPROPRIATIONS - UNANTICIPATED SERVICES. There is hereby
 32 appropriated, to the Department of Computer Services, to be payable from the
 33 Department of Computer Services Revolving Fund, for operating expenses
 34 incurred in the provision of unanticipated services to state agencies, unusual
 35 growth in applications or due to uncontrollable increases in payments to

1 public utilities necessary for the continual provision of services of the
 2 Department of Computer Services for the biennial period ending June 30, 1999,
 3 ~~the following:~~

6 ITEM	FISCAL YEARS	
7 NO.	1997-98	1998-99
8 (01) MAINT. & GEN. OPERATION		
9 (A) OPER. EXPENSE	2,500,000	2,500,000
10 (B) CONF. & TRVL.	0	0
11 (C) PROF. FEES	0	0
12 (D) CAP. OUTLAY	0	0
13 (E) DATA PROC.	0	0
14 (02) CONTINGENCY APPROPRIATION	<u>\$ 3,700,000</u>	<u>\$ 3,700,000</u>
15 TOTAL AMOUNT APPROPRIATED	<u>\$ 6,200,000</u>	<u>\$ 6,200,000</u>

16
 17 SECTION 5. APPROPRIATIONS - EQUIPMENT ACQUISITIONS. There is hereby
 18 appropriated, to the Department of Computer Services, to be payable from the
 19 Computer Services Reserve Fund, for moving expenses and equipment
 20 acquisitions, as defined by Arkansas Code §§25-4-118 and 25-4-120 of the
 21 ~~Department of Computer Services for the biennial period ending June 30, 1999,~~
 22 the following:

24 ITEM	FISCAL YEARS	
25 NO.	1997-98	1998-99
26 (01) MOVING EXP/EQUIP ACQUISITIONS	<u>\$ 2,500,000</u>	<u>\$ 2,500,000</u>

27
 28 SECTION 6. SPECIAL LANGUAGE - CARRY FORWARD PROVISION. The balance of
 29 the appropriation made in Section 4 and Section 5 herein which remains at the
 30 close of the fiscal year ending June 30, 1998, may be carried forward and used
 31 for the same purpose in the fiscal year ending June 30, 1999.

32
 33 SECTION 7. SPECIAL LANGUAGE - LEGISLATIVE INTENT. It is the intent of
 34 the General Assembly that any funds disbursed for data processing under the
 35 authority of the appropriations contained in this Act be made from the Data

1 Processing line item, and any funds disbursed for telecommunications under the
2 authority of the appropriations contained in this Act be made from the
3 Operating Expenses line item.

4
5 SECTION 8. SPECIAL LANGUAGE - REPORTING REQUIREMENTS. The Chief Fiscal
6 Officer of the State shall annually file with the Arkansas Legislative Council
7 and the Arkansas Communications Study Committee a report summarizing all
8 expenditures made under the provisions of Section 4 of this Act.

9
10 SECTION 9. SPECIAL LANGUAGE - CARRY FORWARD. At the close of the fiscal
11 year ending June 30, 1998, the Department of Computer Services may certify to
12 the Chief Fiscal Officer of the State an unexpended amount of appropriation,
13 as provided for in Maint. & Gen. Oper. - Oper. Expenses in Section 3 of this
14 Act, which may be transferred forward for the fiscal year ending June 30,
15 1999, for the sole purpose of providing payments for the telecommunication
16 system.

17
18 SECTION 10. SPECIAL LANGUAGE - ESTABLISHMENT OF A "GROWTH POOL". The
19 Department of Computer Services shall establish and maintain for each year of
20 the 1997-99 biennium a pool of 50 positions not to exceed rates of pay
21 authorized in Section 1 of this Act or in the Uniform Classification and
22 Compensation Act. These positions are to be used to provide new or expanded
23 data processing and telecommunication services in the event the personnel
24 services needs of the Department of Computer Services exceed the number of
25 positions allocated for the 1997-99 biennium. No classification, grade, or
26 salary level will be assigned to the pool positions until such time as
27 specific positions are requested by the Department of Computer Services and
28 approved by the Chief Fiscal Officer after receiving prior review by the
29 Legislative Council.

30
31 SECTION 11. SPECIAL LANGUAGE - CONTINGENCY RESTRICTIONS. In the event
32 of unforeseen conditions, additional appropriations become necessary that are
33 not authorized or contemplated in Section 3 of this Act and such events make
34 it necessary that the Department of Computer Services receives additional
35 appropriations to carry out the objectives of the agency, the Director of the

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

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21 SECTION 12. SPECIAL LANGUAGE - SPECIAL RATES OF PAY. Due to the highly
 22 competitive job market conditions and the necessity for recruiting and
 23 retaining qualified personnel, the Department of Computer Services is
 24 authorized special rates of pay for current and new employees in the
 25 classifications listed under subsection (a) below.

26

27 (a) Special rates may be authorized up to the maximum authorized for the
 28 grade assigned the classification of a position for the following
 29 classifications only:

30

31 Class

<u>Code</u>	<u>Title</u>	<u>Grade</u>
D022	<u>DCS Application Development Manager</u>	<u>26</u>
D037	<u>DCS Systems Programmer/Analyst III</u>	<u>26</u>
D008	<u>DCS Data Base Analyst II</u>	<u>25</u>

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1 D033 DCS Systems Programmer/Analyst II 25
2 D054 DCS Programmer Analyst/Staff Specialist II 25
3 D028 DCS Programmer Analyst/Staff Specialist 24
4 D045 DCS Lead Programmer/Analyst 23
5 D031 DCS Systems Programmer/Analyst 23
6 D006 DCS Data Base Analyst I 23
7 D029 DCS Sr Programmer/Analyst 22

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9 (b)Special Rates up to the maximum rate of the authorized grade may be
10 approved upon request by the Chief Fiscal Officer of the State.

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12 (c)A monthly report shall be made to the Arkansas Legislative Council
13 describing all personnel transactions involving applications of any of the
14 provisions of this Section.

15

16 (d)This provision shall be in full force and effect beginning July 1,
17 1997 and ending June 30, 1999.

18

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

28

29 SECTION 14. LEGISLATIVE INTENT. It is the intent of the General
30 Assembly that any funds disbursed under the authority of the appropriations
31 contained in this Act shall be in compliance with the stated reasons for which
32 this Act was adopted, as evidenced by the Agency Requests, Executive
33 Recommendations and Legislative Recommendations contained in the budget
34 manuals prepared by the Department of Finance and Administration, letters, or
35 summarized oral testimony in the official minutes of the Arkansas Legislative

1 Council or Joint Budget Committee which relate to its passage and adoption.

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

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

12

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

15

16 SECTION 18. EMERGENCY CLAUSE. It is hereby found and determined by the
17 Eighty-First General Assembly, that the Constitution of the State of Arkansas
18 prohibits the appropriation of funds for more than a two (2) year period; that
19 the effectiveness of this Act on July 1, 1997 is essential to the operation of
20 the agency for which the appropriations in this Act are provided, and that in
21 the event of an extension of the Regular Session, the delay in the effective
22 date of this Act beyond July 1, 1997 could work irreparable harm upon the
23 proper administration and provision of essential governmental programs.
24 Therefore, an emergency is hereby declared to exist and this Act being
25 necessary for the immediate preservation of the public peace, health and
26 safety shall be in full force and effect from and after July 1, 1997.

27

/s/Russ et al

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