

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 86th General Assembly
3 Regular Session, 2007

A Bill

HOUSE BILL 1211

4
5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES AND OPERATING EXPENSES FOR THE
11 DEPARTMENT OF INFORMATION SYSTEMS FOR THE
12 BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR
13 OTHER PURPOSES.
14

Subtitle

15
16 AN ACT FOR THE DEPARTMENT OF
17 INFORMATION SYSTEMS APPROPRIATION FOR
18 THE 2007-2009 BIENNIUM.
19
20
21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23

24 SECTION 1. REGULAR SALARIES. There is hereby established for the
25 Department of Information Systems for the 2007-2009 biennium, the following
26 maximum number of regular employees whose salaries shall be governed by the
27 provisions of the Uniform Classification and Compensation Act (Arkansas Code
28 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
29 Provided, however, that any position to which a specific maximum annual
30 salary is set out herein in dollars, shall be exempt from the provisions of
31 said Uniform Classification and Compensation Act. All persons occupying
32 positions authorized herein are hereby governed by the provisions of the
33 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),
34 or its successor.
35

36 Maximum Annual



1				Maximum	Salary Rate	
2	Item	Class		No. of	Fiscal Years	
3	No.	Code	Title	Employees	2007-2008	2008-2009
4	(1)	9805	DIS DIRECTOR	1	\$119,952	\$122,351
5	(2)	9804	DIS MIS DIVISION DIRECTOR	2	\$118,411	\$120,779
6	(3)	9430	DIS DEPUTY DIRECTOR	1	\$108,573	\$110,744
7	(4)	9441	DIS ENTERPRISE SERVICES ADMR	1	\$103,156	\$105,219
8	(5)	9440	DIS ENTERPRISE SYSTEMS MGMT ADMR	1	\$103,156	\$105,219
9	(6)	9414	DIS CHIEF TECHNICAL OFFICER	1	\$102,893	\$104,950
10	(7)	9443	DIS CUST RELATIONS MGMT ADMR	1	\$102,018	\$104,058
11	(8)	9428	DIS ENTERPRISE ARCHITECT ENGINEER	2	\$100,634	\$102,646
12	(9)	9426	DIS DBA LEAD	1	\$98,337	\$100,303
13	(10)	9418	DIS TECHNICAL SUPPORT MANAGER	1	\$96,313	\$98,239
14	(11)	8820	DIS DATA BASE SPECIALIST	3	\$96,313	\$98,239
15	(12)	9612	DIS SYS SFTWR PRGM/ANALYST SPEC	2	\$95,242	\$97,146
16	(13)	9439	DIS PROJECT & ENTERPRISE PROG MGMT	1	\$92,032	\$93,872
17	(14)	9445	DIS CHIEF FINANCIAL OFFICER	1	\$91,132	\$92,954
18	(15)	9424	DIS SENIOR WIRELESS ENGINEER	1	\$90,609	\$92,421
19	(16)	9033	DIS APPL DEV MANAGEMENT SPECIALIST	2	\$89,967	\$91,766
20	(17)	9438	DIS NETWORK COMPUTER OPERATIONS ADM	1	\$88,813	\$90,589
21	(18)	9425	DIS MAINFRAME LEAD	1	\$86,911	\$88,649
22	(19)	9442	DIS ENTERPRISE NETWORK SERVICES ADM	1	\$84,145	\$85,827
23	(20)	9446	DIS HR ADMINISTRATOR	1	\$82,498	\$84,147
24	(21)	9427	DIS SYSTEMS LEAD	4	\$80,566	\$82,177
25	(22)	9433	DIS GENERAL COUNSEL	1	\$80,036	\$81,636
26	(23)	948Z	DIS SENIOR PROJECT MANAGER	5	GRADE 26	
27	(24)	950Z	DIS POLICY LEAD MANAGER	2	GRADE 26	
28	(25)	951Z	DIS OPERATIONS CENTER MANAGER	1	GRADE 26	
29	(26)	960Z	DIS STRATEGIC FUNDING PROG MGR	1	GRADE 26	
30	(27)	D023	DIS APPL DEVELOPMENT SPEC	2	GRADE 26	
31	(28)	D027	DIS TECH PLANNING SPEC I	2	GRADE 26	
32	(29)	D037	DIS SYSTEMS PROGRAMMER/ANALYST III	5	GRADE 26	
33	(30)	D145	DIS SYSTEMS SPECIALIST III	3	GRADE 26	
34	(31)	D147	DIS SYSTEM APPLICATION ARCHITECT	1	GRADE 26	
35	(32)	D148	DIS TEAM LEAD	3	GRADE 26	
36	(33)	D149	DIS SENIOR TECHNICAL ACCOUNT REP	1	GRADE 26	

1	(34)	D152	DIS NETWORK ENGINEER	2	GRADE 25
2	(35)	D153	DIS NETWORK SERVICES LEAD	4	GRADE 25
3	(36)	D154	DIS POLICY LEAD	5	GRADE 25
4	(37)	D155	DIS SUPPORT TEAM LEAD	2	GRADE 25
5	(38)	D156	DIS BUSINESS CONTINUITY PROGRAM LEA	1	GRADE 25
6	(39)	D008	DIS DATA BASE ANALYST II	1	GRADE 25
7	(40)	D054	DIS PROG ANA/STAFF SPECIALIST II	10	GRADE 25
8	(41)	955Z	DIS BILLING SERVICES MANAGER	1	GRADE 25
9	(42)	957Z	DIS PROJECT MANAGER	3	GRADE 24
10	(43)	297Z	GENERAL BUSINESS MANAGER	1	GRADE 24
11	(44)	804Z	DIS FISCAL MANAGER	1	GRADE 24
12	(45)	D087	DIS TELECOMMUNICATIONS SVCS MGR	1	GRADE 24
13	(46)	D142	SECURITY ANALYST II	5	GRADE 24
14	(47)	D028	DIS PROGRAMMER ANALYST/STAFF SPEC	3	GRADE 24
15	(48)	D163	DIS BUSINESS CONTINUITY ANALYST	1	GRADE 24
16	(49)	D164	DIS QUALITY ANALYST	2	GRADE 24
17	(50)	D165	DIS PROCUREMENT SPECIALIST	2	GRADE 24
18	(51)	D158	DIS SYSTEMS SPECIALIST II	13	GRADE 24
19	(52)	D159	DIS NETWORK SPECIALIST II	5	GRADE 24
20	(53)	D160	DIS TECHNICAL ACCOUNT REP	3	GRADE 24
21	(54)	D186	DIS SUPPORT SPECIALIST II	3	GRADE 23
22	(55)	D167	DIS RATE RECOVERY ANALYST	1	GRADE 23
23	(56)	D168	DIS COMPUTER OPERATIONS TEAM LDR	1	GRADE 23
24	(57)	D169	DIS PRODUCTION CHANGE SCHEDULER	1	GRADE 23
25	(58)	D045	DIS LEAD PROGRAMMER/ANALYST	23	GRADE 23
26	(59)	C004	DIS COMMUNICATIONS MANAGER	1	GRADE 23
27	(60)	D029	DIS SENIOR PROGRAMMER/ANALYST	2	GRADE 22
28	(61)	D143	SECURITY ANALYST I	4	GRADE 22
29	(62)	D115	INFORMATION SYSTEMS PLANNER	1	GRADE 22
30	(63)	D171	DIS CUSTOMER RELATIONS SPECIALIST	1	GRADE 22
31	(64)	D172	DIS SYSTEMS SPECIALIST I	9	GRADE 22
32	(65)	D173	DIS NETWORK SPECIALIST I	15	GRADE 22
33	(66)	D174	DIS SUPPORT SPECIALIST I	19	GRADE 22
34	(67)	D175	DIS WEB GRAPHICS SPECIALIST	2	GRADE 22
35	(68)	D176	DIS LEAD CALL CENTER AGENT	1	GRADE 21
36	(69)	D177	DIS LEAD COMPUTER OPERATOR	3	GRADE 21

1	(70)	D178	DIS SCHEDULER II	2	GRADE 21
2	(71)	V012	PURCHASING MANAGER	1	GRADE 21
3	(72)	R266	MANAGEMENT PROJECT ANALYST II	3	GRADE 20
4	(73)	D179	DIS ACCOUNTS SPECIALIST	2	GRADE 20
5	(74)	D019	DIS DATA COMMUNICATIONS TECH II	1	GRADE 20
6	(75)	D180	DIS CALL CENTER AGENT	3	GRADE 19
7	(76)	D181	DIS SCHEDULER I	1	GRADE 19
8	(77)	A110	ACCOUNTANT II	2	GRADE 19
9	(78)	A111	ACCOUNTANT	2	GRADE 18
10	(79)	D182	DIS SENIOR COMPUTER OPERATOR	9	GRADE 18
11	(80)	D183	DIS IT BILLING SPECIALIST	1	GRADE 18
12	(81)	D084	DIS TELECOMMUNICATION TECH III	1	GRADE 18
13	(82)	R264	MANAGEMENT PROJECT ANALYST I	2	GRADE 18
14	(83)	R010	ADMINISTRATIVE ASSISTANT II	2	GRADE 17
15	(84)	D161	DIS SYSTEM TECHNICIAN	2	GRADE 16
16	(85)	D101	DIS TELECOMMUNICATIONS TECH II	2	GRADE 16
17	(86)	D184	DIS COMPUTER OPERATOR	3	GRADE 16
18	(87)	D089	DIS TELECOMMUNICATIONS TECH I	1	GRADE 14
19	(88)	D185	DIS CALL CENTER OPERATOR	2	GRADE 13
20	(89)	K153	SECRETARY II	<u>2</u>	GRADE 13
21			MAX. NO. OF EMPLOYEES	254	

22

23 SECTION 2. EXTRA HELP. There is hereby authorized, for the Department of
 24 Information Systems for the 2007-2009 biennium, the following maximum number
 25 of part-time or temporary employees, to be known as "Extra Help", payable
 26 from funds appropriated herein for such purposes: eighteen (18) temporary or
 27 part-time employees, when needed, at rates of pay not to exceed those
 28 provided in the Uniform Classification and Compensation Act, or its
 29 successor, or this act for the appropriate classification.

30

31 SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated, to
 32 the Department of Information Systems, to be payable from the Department of
 33 Information Systems Revolving Fund, for personal services and operating
 34 expenses of the Department of Information Systems for the biennial period
 35 ending June 30, 2009, the following:

36

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) REGULAR SALARIES	\$ 14,290,608	\$ 14,576,300
(02) EXTRA HELP	164,000	164,000
(03) PERSONAL SERVICES MATCHING	4,027,251	4,086,780
(04) OVERTIME	66,000	66,000
(05) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	10,519,905	10,519,905
(B) CONF. & TRAVEL	214,321	214,321
(C) PROF. FEES	631,500	631,500
(D) CAP. OUTLAY	3,500,000	3,500,000
(E) DATA PROC.	8,406,866	8,406,866
(06) TELECOMMUNICATIONS/TECHNOLOGY DELIVERY	<u>35,950,929</u>	<u>35,950,929</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 77,771,380</u>	<u>\$ 78,116,601</u>

15

16 SECTION 4. APPROPRIATION - UNANTICIPATED SERVICES. There is hereby
 17 appropriated, to the Department of Information Systems, to be payable from
 18 the Department of Information Systems 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 by the
 22 Department of Information Systems for the biennial period ending June 30,
 23 2009, the following:

24

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) UNANTICIPATED SERV-CONTINGNCY	<u>\$ 20,000,000</u>	<u>\$ 20,000,000</u>

28

29 SECTION 5. APPROPRIATION - EQUIPMENT ACQUISITIONS AND INFORMATION
 30 TECHNOLOGY IMPROVEMENTS. There is hereby appropriated, to the Department of
 31 Information Systems, to be payable from the Information Technology Reserve
 32 Fund, for major equipment acquisitions and information technology
 33 improvements, as set out in Arkansas Code 25-4-122 and 25-4-123, by the
 34 Department of Information Systems for the biennial period ending June 30,
 35 2009, the following:

36

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) EQUIPMENT ACQUISITIONS AND INFORMATION		
TECHNOLOGY IMPROVEMENTS	\$ 3,500,000	\$ 3,500,000

SECTION 6. APPROPRIATION - SPYWARE MONITORING. There is hereby appropriated, to the Department of Information Systems, to be payable from the Spyware Monitoring Fund, for administrative expenses incurred in providing Spyware monitoring by the Department of Information Systems for the biennial period ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) ADMINISTRATIVE EXPENSES -		
SPYWARE MONITORING	\$ 100,000	\$ 100,000

SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY FORWARD. At the close of the fiscal year ending June 30, ~~2006~~ 2008, the Department of Information Systems may certify to the Chief Fiscal Officer of the State an unexpended amount of appropriation, as provided for in Telecommunications/Technology Delivery in Section 3 of this Act, which may be transferred forward for the fiscal year ending June 30, ~~2007~~ 2009, for the sole purpose of providing payments for the telecommunications system.

Any carry forward of unexpended balance of appropriation and/or funding as authorized herein, may be carried forward under the following conditions:

(1) Prior to June 30, 2008 the Agency shall by written statement set forth its reason(s) for the need to carry forward said appropriation and/or funding to the Department of Finance and Administration Office of Budget;

(2) The Department of Finance and Administration Office of Budget shall report to the Arkansas Legislative Council all amounts carried forward from the first fiscal year of the biennium to the second fiscal year of the biennium by the September Arkansas Legislative Council or Joint Budget Committee meeting in the second fiscal year of the biennial period which report shall include the name of the Agency, Board, Commission or Institution and the amount of the appropriation and/or funding carried forward from the

1 first fiscal year to the second fiscal year, the program name or line item,
 2 the funding source of that appropriation and a copy of the written request
 3 set forth in (1) above;

4 (3) Each Agency, Board, Commission or Institution shall provide a written
 5 report to the Arkansas Legislative Council or Joint Budget Committee
 6 containing all information set forth in item (2) above, along with a written
 7 statement as to the current status of the project, contract, purpose etc. for
 8 which the carry forward was originally requested no later than thirty (30)
 9 days prior to the time the Agency, Board, Commission or Institution presents
 10 its budget request to the Arkansas Legislative Council/Joint Budget
 11 Committee; and

12 (4) Thereupon, the Department of Finance and Administration shall include
 13 all information obtained in item (3) above in the biennial budget manuals
 14 and/or a statement of non-compliance by the Agency, Board, Commission or
 15 Institution.

16 The provisions of this section shall be in effect only from July 1, 2005
 17 2007 through June 30, 2007 2009.

18
 19 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
 21 FORWARD PROVISION. The balance of the appropriation made in Section 4 and
 22 Section 5 herein which remains at the close of the fiscal year ending June
 23 30, 2006 2008, may be carried forward and used for the same purpose in the
 24 fiscal year ending June 30, 2007 2009.

25 Any carry forward of unexpended balance of appropriation and/or funding as
 26 authorized herein, may be carried forward under the following conditions:

27 (1) Prior to June 30, 2008 the Agency shall by written statement set forth
 28 its reason(s) for the need to carry forward said appropriation and/or funding
 29 to the Department of Finance and Administration Office of Budget;

30 (2) The Department of Finance and Administration Office of Budget shall
 31 report to the Arkansas Legislative Council all amounts carried forward from
 32 the first fiscal year of the biennium to the second fiscal year of the
 33 biennium by the September Arkansas Legislative Council or Joint Budget
 34 Committee meeting in the second fiscal year of the biennial period which
 35 report shall include the name of the Agency, Board, Commission or Institution
 36 and the amount of the appropriation and/or funding carried forward from the

1 first fiscal year to the second fiscal year, the program name or line item,
 2 the funding source of that appropriation and a copy of the written request
 3 set forth in (1) above;

4 (3) Each Agency, Board, Commission or Institution shall provide a written
 5 report to the Arkansas Legislative Council or Joint Budget Committee
 6 containing all information set forth in item (2) above, along with a written
 7 statement as to the current status of the project, contract, purpose etc. for
 8 which the carry forward was originally requested no later than thirty (30)
 9 days prior to the time the Agency, Board, Commission or Institution presents
 10 its budget request to the Arkansas Legislative Council/Joint Budget
 11 Committee; and

12 (4) Thereupon, the Department of Finance and Administration shall include
 13 all information obtained in item (3) above in the biennial budget manuals
 14 and/or a statement of non-compliance by the Agency, Board, Commission or
 15 Institution.

16 The provisions of this section shall be in effect only from July 1, 2005
 17 2007 through June 30, ~~2007~~ 2009.

18
 19 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REPORTING
 21 REQUIREMENTS. The Chief Fiscal Officer of the State shall annually file with
 22 the Arkansas Legislative Council and the Joint Committee on Advanced
 23 Communications and Information Technology a report summarizing all receipts
 24 and expenditures made from the Unanticipated Services appropriation in this
 25 Act.

26 The provisions of this section shall be in effect only from July 1, 2005
 27 2007 through June 30, ~~2007~~ 2009.

28
 29 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 31 CONTINGENCY RESTRICTIONS. In the event of unforeseen conditions, additional
 32 appropriations become necessary that are not authorized or contemplated in
 33 Section 3 of this Act and such events make it necessary that the Department
 34 of Information Systems receives additional appropriations to carry out the
 35 objectives of the agency, the Director of the Department of Information
 36 Systems is hereby authorized to request the approval of the Governor and the

1 Chief Fiscal Officer of the State, as hereinafter provided, for transfer of
 2 the additional appropriation provided the Department by Section 4, but in no
 3 event shall the transfers exceed the appropriation provided in Section 4 of
 4 this Act. Whenever the Director of the Department of Information Systems
 5 deems it necessary to establish additional appropriations as authorized
 6 herein, a written report shall be filed with the Governor accompanied by
 7 necessary supporting documents setting forth the facts, justifications, and
 8 circumstances that necessitate such appropriation ~~and in which performance-~~
 9 ~~based programs the additional appropriation will be utilized.~~ Upon receipt
 10 of such reports and supporting documents, the Governor, or his designee,
 11 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 Joint Committee on Advanced
 14 Communications and Information Technology, may approve or modify such request
 15 for additional appropriations as in his judgment he deems necessary, and
 16 shall forward a copy thereof to the Chief Fiscal Officer of the State. Upon
 17 receipt thereof, the Chief Fiscal Officer of the State after receiving prior
 18 approval by the Arkansas Legislative Council or Joint Budget Committee shall
 19 direct the State Auditor to process said transfer upon his books in
 20 accordance with the provisions as set out herein. If the agency requests
 21 continuation of appropriation as established herein during the next biennium,
 22 the appropriation must be requested as new appropriation in the agency's
 23 biennial budget request.

24 Determining the maximum number of employees and the maximum amount of
 25 appropriation and general revenue funding for a state agency each fiscal year
 26 is the prerogative of the General Assembly. This is usually accomplished by
 27 delineating such maximums in the appropriation act(s) for a state agency and
 28 the general revenue allocations authorized for each fund and fund account by
 29 amendment to the Revenue Stabilization law. Further, the General Assembly
 30 has determined that the Department of Information Systems may operate more
 31 efficiently if some flexibility is provided to the Department of Information
 32 Systems authorizing broad powers under this section. Therefore, it is both
 33 necessary and appropriate that the General Assembly maintain oversight by
 34 requiring prior approval of the Legislative Council or Joint Budget Committee
 35 as provided by this section. The requirement of approval by the Legislative
 36 Council or Joint Budget Committee is not a severable part of this section.

1 If the requirement of approval by the Legislative Council or Joint Budget
 2 Committee is ruled unconstitutional by a court of competent jurisdiction,
 3 this entire section is void.

4 The provisions of this section shall be in effect only from July 1, 2005
 5 2007 through June 30, ~~2007~~ 2009.

6

7 SECTION 11. REPORTING REQUIREMENTS.

8 (a)(1) The Director of the Department of Information Systems will report
 9 periodically to the Joint Committee on Advanced Communications and
 10 Information Technology and the Executive Chief Information Officer regarding
 11 the status of the Department of Information Systems' information technology
 12 responsibilities in state government.

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

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

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

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

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

26 (C) The Joint Committee on Advanced Communications and Information
 27 Technology.

28 (2) The report shall:

29 (A) Detail all requests from state agencies, boards, and
 30 commissions for advice regarding information technology planning,
 31 implementation, installation, rates or fees, utilization of products,
 32 services, and integrations or upgrades to be added to all existing technology
 33 plans; and

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

1 (3) The report shall include:

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

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

6 (C) The type of advice sought, for example: technical, product or
7 service utilization, planning, implementation, installation, integration, or
8 upgrades;

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

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

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

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

18

19 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

21 Compliance with State and Federal Regulations -

22 1. In order to effect compliance with the requirements of ~~Federal OMB~~
23 ~~Circular A-87~~, state and federal statutory and regulatory provisions, the
24 Director shall adjust billing rates or issue billing adjustments to be
25 federally compliant, notwithstanding the provisions of ACA §25-4-105 and §25-
26 4-119 or funds sufficient to effect compliance shall be provided the
27 Department from General Revenues, Special Revenues or such other fund sources
28 as may become available. These actions shall be subject to the approval of
29 the Chief Fiscal Officer of the State and ~~review~~ approval by the Arkansas
30 Legislative Council.

31 2. The Director shall have authority to transfer funds between the
32 Information Technology Reserve Fund established by ACA §25-4-123 and the
33 Department of Information Systems Revolving Fund established by ACA §25-4-121
34 for cash management purposes.

35 Determining the maximum number of employees and the maximum amount of
36 appropriation and general revenue funding for a state agency each fiscal year

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

15 The provisions of this section shall be in effect only from July 1, 2005
 16 2007 through June 30, 2007 2009.

17
 18 SECTION 13. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
 19 by this act shall be limited to the appropriation for such agency and funds
 20 made available by law for the support of such appropriations; and the
 21 restrictions of the State Procurement Law, the General Accounting and
 22 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
 23 Procedures and Restrictions Act, or their successors, and other fiscal
 24 control laws of this State, where applicable, and regulations promulgated by
 25 the Department of Finance and Administration, as authorized by law, shall be
 26 strictly complied with in disbursement of said funds.

27
 28 SECTION 14. LEGISLATIVE INTENT. It is the intent of the General Assembly
 29 that any funds disbursed under the authority of the appropriations contained
 30 in this act shall be in compliance with the stated reasons for which this act
 31 was adopted, as evidenced by the Agency Requests, Executive Recommendations
 32 and Legislative Recommendations contained in the budget manuals prepared by
 33 the Department of Finance and Administration, letters, or summarized oral
 34 testimony in the official minutes of the Arkansas Legislative Council or
 35 Joint Budget Committee which relate to its passage and adoption.

36

1 SECTION 15. EMERGENCY CLAUSE. It is found and determined by the General
2 Assembly, that the Constitution of the State of Arkansas prohibits the
3 appropriation of funds for more than a two (2) year period; that the
4 effectiveness of this Act on July 1, 2007 is essential to the operation of
5 the agency for which the appropriations in this Act are provided, and that in
6 the event of an extension of the Regular Session, the delay in the effective
7 date of this Act beyond July 1, 2007 could work irreparable harm upon the
8 proper administration and provision of essential governmental programs.
9 Therefore, an emergency is hereby declared to exist and this Act being
10 necessary for the immediate preservation of the public peace, health and
11 safety shall be in full force and effect from and after July 1, 2007.

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