

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 87th General Assembly
3 Regular Session, 2009

A Bill

HOUSE BILL 1260

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 FISCAL
12 YEAR ENDING JUNE 30, 2010; AND FOR OTHER
13 PURPOSES.
14

Subtitle

15
16 AN ACT FOR THE DEPARTMENT OF
17 INFORMATION SYSTEMS APPROPRIATION FOR
18 THE 2009-2010 FISCAL YEAR.
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 2009-2010 fiscal year, the
26 following maximum number of regular employees whose salaries shall be
27 governed by the provisions of the Uniform Classification and Compensation Act
28 (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws amendatory
29 thereto. Provided, however, that any position to which a specific maximum
30 annual salary is set out herein in dollars, shall be exempt from the
31 provisions of said Uniform Classification and Compensation Act. All persons
32 occupying positions authorized herein are hereby governed by the provisions
33 of the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-
34 101), or its successor.
35

36 Maximum Annual



1				Maximum	Salary Rate
2	Item	Class		No. of	Fiscal Year
3	No.	Code	Title	Employees	2009-2010
4	(1)	U060U	DIS DIRECTOR	1	\$128,468
5	(2)	U073U	DIS DEPUTY DIRECTOR	1	\$116,281
6	(3)	N013N	DIS CHIEF OPERATING OFFICER	1	GRADE N912
7	(4)	N044N	DIS CUST RELATIONS MGMT ADMR	1	GRADE N909
8	(5)	D003N	STATE CHIEF SECURITY OFFICER	1	GRADE N909
9	(6)	D002N	STATE DATABASE ADMINISTRATOR LEAD	1	GRADE N909
10	(7)	N079N	DIS DIVISION DIRECTOR	5	GRADE N907
11	(8)	N078N	DIS PROJECT & ENTERPRISE PROG MGMT	1	GRADE N907
12	(9)	D006N	STATE SYSTEMS ARCHITECT	4	GRADE N907
13	(10)	D009N	AASIS SYSTEM ADMINISTRATOR	1	GRADE N906
14	(11)	D001C	STATE DATABASE ADMINISTRATOR	3	GRADE C130
15	(12)	D003C	STATE SYSTEMS ADMINISTRATOR LEAD	3	GRADE C129
16	(13)	A010C	AGENCY CONTROLLER II	1	GRADE C128
17	(14)	D010C	DATA WAREHOUSE LEAD	1	GRADE C128
18	(15)	D009C	DIS OPERATIONS CENTER MANAGER	1	GRADE C128
19	(16)	D006C	SOFTWARE ENGINEER LEAD	3	GRADE C128
20	(17)	D005C	STATE IT SECURITY ANALYST	3	GRADE C128
21	(18)	D004C	STATE NETWORK SUPPORT LEAD	3	GRADE C128
22	(19)	A014C	FISCAL DIVISION MANAGER	1	GRADE C127
23	(20)	G019C	GENERAL COUNSEL	1	GRADE C127
24	(21)	D018C	DIS INFORMATION SYSTEMS COORD	1	GRADE C126
25	(22)	R006C	HUMAN RESOURCES ADMINISTRATOR	1	GRADE C126
26	(23)	D015C	STATE NETWORK ENGINEER	4	GRADE C126
27	(24)	D014C	STATE SYSTEMS ADMINISTRATOR	4	GRADE C126
28	(25)	G076C	ADMINISTRATIVE SERVICES MANAGER	1	GRADE C124
29	(26)	D035C	COMPUTER SUPPORT MANAGER	1	GRADE C124
30	(27)	D034C	DATABASE ADMINISTRATOR	6	GRADE C124
31	(28)	A029C	DIS FISCAL MANAGER	1	GRADE C124
32	(29)	D032C	DIS IT ASSET MANAGER	1	GRADE C124
33	(30)	G069C	DIS QUALITY ASSURANCE LEAD	1	GRADE C124
34	(31)	D031C	DISASTER RECOVERY ANALYST	1	GRADE C124
35	(32)	D028C	SENIOR SOFTWARE SUPPORT SPECIALIST	2	GRADE C124
36	(33)	D027C	SOFTWARE ENGINEER	21	GRADE C124

1	(34)	D026C	STATE HELP DESK LEAD	1	GRADE C124
2	(35)	D025C	STATE IT SECURITY SPECIALIST	8	GRADE C124
3	(36)	D024C	STATE NETWORK SPECIALIST	19	GRADE C124
4	(37)	D023C	STATE SYSTEMS SPECIALIST	19	GRADE C124
5	(38)	D042C	DATA WAREHOUSE SPECIALIST	7	GRADE C123
6	(39)	D041C	DIS TECHNICAL ACCOUNTS SPECIALIST	1	GRADE C123
7	(40)	D038C	SENIOR SOFTWARE SUPPORT ANALYST	2	GRADE C123
8	(41)	D049C	DIS PROJECT MANAGER	8	GRADE C122
9	(42)	G098C	DIS QUALITY ASSURANCE COORDINATOR	2	GRADE C122
10	(43)	D046C	STATE PRODUCTION CONTROL SUPERVISOR	2	GRADE C122
11	(44)	D045C	STATE SYSTEMS ANALYST	17	GRADE C122
12	(45)	A052C	ACCOUNTING COORDINATOR	2	GRADE C121
13	(46)	D053C	DIS ACCOUNT ANALYST	3	GRADE C121
14	(47)	A048C	DIS RATE ANALYST	1	GRADE C121
15	(48)	D058C	COMPUTER OPERATIONS COORDINATOR	2	GRADE C120
16	(49)	P013C	PUBLIC INFORMATION COORDINATOR	1	GRADE C120
17	(50)	D063C	COMPUTER SUPPORT SPECIALIST	16	GRADE C119
18	(51)	A068C	DIS BILLING SERVICES MANAGER	1	GRADE C119
19	(52)	V007C	PROCUREMENT COORDINATOR	1	GRADE C119
20	(53)	R024C	ASST PERSONNEL MANAGER	1	GRADE C118
21	(54)	D065C	NETWORK SUPPORT ANALYST	8	GRADE C118
22	(55)	D064C	WEBSITE DEVELOPER	2	GRADE C118
23	(56)	D071C	COMPUTER SUPPORT ANALYST	5	GRADE C117
24	(57)	D070C	DIS ACCOUNTS SPECIALIST	2	GRADE C117
25	(58)	D069C	DIS SCHEDULER	2	GRADE C117
26	(59)	A088C	ASSETS COORDINATOR	1	GRADE C116
27	(60)	V014C	BUYER	2	GRADE C116
28	(61)	C037C	ADMINISTRATIVE ANALYST	3	GRADE C115
29	(62)	A091C	FISCAL SUPPORT ANALYST	9	GRADE C115
30	(63)	D077C	HELP DESK SPECIALIST	4	GRADE C115
31	(64)	G204C	PLANNING SPECIALIST	1	GRADE C115
32	(65)	D084C	COMPUTER OPERATOR	10	GRADE C114
33	(66)	C056C	ADMINISTRATIVE SPECIALIST III	2	GRADE C112
34	(67)	R038C	HUMAN RESOURCES ASSISTANT	1	GRADE C110
35	(68)	V025C	WAREHOUSE SPECIALIST	1	GRADE C110
36	(69)	C073C	ADMINISTRATIVE SPECIALIST II	<u>8</u>	GRADE C109

MAX. NO. OF EMPLOYEES

257

SECTION 2. EXTRA HELP. There is hereby authorized, for the Department of Information Systems for the 2009-2010 fiscal year, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: eighteen (18) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, or this act for the appropriate classification.

SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated, to the Department of Information Systems, to be payable from the Department of Information Systems Revolving Fund, for personal services and operating expenses of the Department of Information Systems for the fiscal year ending June 30, 2010, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2009-2010</u>
(01) REGULAR SALARIES	\$ 15,420,783
(02) EXTRA HELP	164,000
(03) PERSONAL SERVICES MATCHING	4,220,024
(04) OVERTIME	66,000
(05) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	9,519,905
(B) CONF. & TRAVEL	214,321
(C) PROF. FEES	631,500
(D) CAP. OUTLAY	4,500,000
(E) DATA PROC.	8,406,866
(06) TELECOMMUNICATIONS/TECHNOLOGY DELIVERY	<u>58,450,929</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 101,594,328</u>

SECTION 4. APPROPRIATION - UNANTICIPATED SERVICES. There is hereby appropriated, to the Department of Information Systems, to be payable from the Department of Information Systems Revolving Fund, for operating expenses incurred in the provision of unanticipated services to state agencies, unusual growth in applications or due to uncontrollable increases in payments

1 to public utilities necessary for the continual provision of services by the
2 Department of Information Systems for the fiscal year ending June 30, 2010,
3 the following:

4		
5	ITEM	FISCAL YEAR
6	<u>NO.</u>	<u>2009-2010</u>
7	(01) UNANTICIPATED SERVICES	<u>\$ 20,000,000</u>

8
9 SECTION 5. APPROPRIATION - EQUIPMENT ACQUISITIONS AND INFORMATION
10 TECHNOLOGY IMPROVEMENTS. There is hereby appropriated, to the Department of
11 Information Systems, to be payable from the Information Technology Reserve
12 Fund, for major equipment acquisitions and information technology
13 improvements, as set out in Arkansas Code 25-4-122 and 25-4-123 by the
14 Department of Information Systems for the fiscal year ending June 30, 2010,
15 the following:

16		
17	ITEM	FISCAL YEAR
18	<u>NO.</u>	<u>2009-2010</u>
19	(01) EQUIPMENT ACQUISITIONS & INFORMATION	
20	TECHNOLOGY IMPROVEMENTS	<u>\$ 3,500,000</u>

21
22 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
23 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REPORTING
24 REQUIREMENTS. The Chief Fiscal Officer of the State shall annually file with
25 the Arkansas Legislative Council and the Joint Committee on Advanced
26 Communications and Information Technology a report summarizing all receipts
27 and expenditures made from the Unanticipated Services appropriation in this
28 Act.

29 The provisions of this section shall be in effect only from July 1, ~~2007~~
30 2009 through June 30, ~~2009~~ 2010.

31
32 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
34 CONTINGENCY RESTRICTIONS. In the event of unforeseen conditions, additional
35 appropriations become necessary that are not authorized or contemplated in
36 Section 3 of this Act and such events make it necessary that the Department

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

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

1 as provided by this section. The requirement of approval by the Legislative
 2 Council or Joint Budget Committee is not a severable part of this section.
 3 If the requirement of approval by the Legislative Council or Joint Budget
 4 Committee is ruled unconstitutional by a court of competent jurisdiction,
 5 this entire section is void.

6 The provisions of this section shall be in effect only from July 1, 2007
 7 2009 through June 30, ~~2009~~ 2010.

8

9 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REPORTING
 11 REQUIREMENTS.

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

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

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

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

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

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

30 (C) The Joint Committee on Advanced Communications and
 31 Information Technology.

32 (2) The report shall:

33 (A) Detail all requests from state agencies, boards, and
 34 commissions for advice regarding information technology planning,
 35 implementation, installation, rates or fees, utilization of products,
 36 services, and integrations or upgrades to be added to all existing technology

1 plans; and

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

5 (3) The report shall include:

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

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

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

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

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

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

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

22

23 SECTION 9. 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, 2007
 19 2009 through June 30, ~~2009~~ 2010.

20
 21 SECTION 10. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
 22 by this act shall be limited to the appropriation for such agency and funds
 23 made available by law for the support of such appropriations; and the
 24 restrictions of the State Procurement Law, the General Accounting and
 25 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
 26 Procedures and Restrictions Act, or their successors, and other fiscal
 27 control laws of this State, where applicable, and regulations promulgated by
 28 the Department of Finance and Administration, as authorized by law, shall be
 29 strictly complied with in disbursement of said funds.

30
 31 SECTION 11. LEGISLATIVE INTENT. It is the intent of the General Assembly
 32 that any funds disbursed under the authority of the appropriations contained
 33 in this act shall be in compliance with the stated reasons for which this act
 34 was adopted, as evidenced by the Agency Requests, Executive Recommendations
 35 and Legislative Recommendations contained in the budget manuals prepared by
 36 the Department of Finance and Administration, letters, or summarized oral

1 testimony in the official minutes of the Arkansas Legislative Council or
2 Joint Budget Committee which relate to its passage and adoption.

3
4 SECTION 12. EMERGENCY CLAUSE. It is found and determined by the General
5 Assembly, that the Constitution of the State of Arkansas prohibits the
6 appropriation of funds for more than a one (1) year period; that the
7 effectiveness of this Act on July 1, 2009 is essential to the operation of
8 the agency for which the appropriations in this Act are provided, and that in
9 the event of an extension of the Regular Session, the delay in the effective
10 date of this Act beyond July 1, 2009 could work irreparable harm upon the
11 proper administration and provision of essential governmental programs.
12 Therefore, an emergency is hereby declared to exist and this Act being
13 necessary for the immediate preservation of the public peace, health and
14 safety shall be in full force and effect from and after July 1, 2009.