

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

A Bill

HOUSE BILL 1152

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
9 SERVICES AND OPERATING EXPENSES FOR THE
10 DEPARTMENT OF INFORMATION SYSTEMS FOR THE FISCAL
11 YEAR ENDING JUNE 30, 2012; AND FOR OTHER
12 PURPOSES.
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Subtitle

15 AN ACT FOR THE DEPARTMENT OF INFORMATION
16 SYSTEMS APPROPRIATION FOR THE 2011-2012
17 FISCAL YEAR.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. REGULAR SALARIES. There is hereby established for the
24 Department of Information Systems for the 2011-2012 fiscal year, the
25 following maximum number of regular employees.
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Item	Class		Maximum	Maximum Annual
No.	Code	Title	No. of	Salary Rate
			Employees	Fiscal Year
				2011-2012
31	(1) U060U	DIS DIRECTOR	1	\$133,866
32	(2) U073U	DIS DEPUTY DIRECTOR	1	\$121,167
33	(3) N013N	DIS CHIEF OPERATING OFFICER	1	GRADE N912
34	(4) N044N	DIS CUST RELATIONS MGMT ADMR	1	GRADE N909
35	(5) D003N	STATE CHIEF SECURITY OFFICER	1	GRADE N909
36	(6) D002N	STATE DATABASE ADMINISTRATOR LEAD	1	GRADE N909



1	(7)	N079N	DIS DIVISION DIRECTOR	5	GRADE N907
2	(8)	N078N	DIS PROJECT & ENTERPRISE PROG MGMT	1	GRADE N907
3	(9)	D006N	STATE SYSTEMS ARCHITECT	4	GRADE N907
4	(10)	D009N	AASIS SYSTEM ADMINISTRATOR	1	GRADE N906
5	(11)	D001C	STATE DATABASE ADMINISTRATOR	3	GRADE C130
6	(12)	D003C	STATE SYSTEMS ADMINISTRATOR LEAD	3	GRADE C129
7	(13)	A010C	AGENCY CONTROLLER II	1	GRADE C128
8	(14)	D010C	DATA WAREHOUSE LEAD	1	GRADE C128
9	(15)	D009C	DIS OPERATIONS CENTER MANAGER	1	GRADE C128
10	(16)	D006C	SOFTWARE ENGINEER LEAD	3	GRADE C128
11	(17)	D005C	STATE IT SECURITY ANALYST	3	GRADE C128
12	(18)	D004C	STATE NETWORK SUPPORT LEAD	3	GRADE C128
13	(19)	A014C	FISCAL DIVISION MANAGER	1	GRADE C127
14	(20)	G019C	GENERAL COUNSEL	1	GRADE C127
15	(21)	D018C	DIS INFORMATION SYSTEMS COORD	1	GRADE C126
16	(22)	R006C	HUMAN RESOURCES ADMINISTRATOR	1	GRADE C126
17	(23)	D015C	STATE NETWORK ENGINEER	4	GRADE C126
18	(24)	D014C	STATE SYSTEMS ADMINISTRATOR	4	GRADE C126
19	(25)	G076C	ADMINISTRATIVE SERVICES MANAGER	1	GRADE C124
20	(26)	D035C	COMPUTER SUPPORT MANAGER	1	GRADE C124
21	(27)	D034C	DATABASE ADMINISTRATOR	6	GRADE C124
22	(28)	A029C	DIS FISCAL MANAGER	1	GRADE C124
23	(29)	D032C	DIS IT ASSET MANAGER	1	GRADE C124
24	(30)	G069C	DIS QUALITY ASSURANCE LEAD	1	GRADE C124
25	(31)	D031C	DISASTER RECOVERY ANALYST	1	GRADE C124
26	(32)	D028C	SENIOR SOFTWARE SUPPORT SPECIALIST	2	GRADE C124
27	(33)	D027C	SOFTWARE ENGINEER	20	GRADE C124
28	(34)	D026C	STATE HELP DESK LEAD	1	GRADE C124
29	(35)	D025C	STATE IT SECURITY SPECIALIST	8	GRADE C124
30	(36)	D024C	STATE NETWORK SPECIALIST	19	GRADE C124
31	(37)	D023C	STATE SYSTEMS SPECIALIST	19	GRADE C124
32	(38)	D042C	DATA WAREHOUSE SPECIALIST	7	GRADE C123
33	(39)	D041C	DIS TECHNICAL ACCOUNTS SPECIALIST	1	GRADE C123
34	(40)	D038C	SENIOR SOFTWARE SUPPORT ANALYST	2	GRADE C123
35	(41)	D049C	DIS PROJECT MANAGER	8	GRADE C122
36	(42)	G098C	DIS QUALITY ASSURANCE COORDINATOR	2	GRADE C122

1	(43)	D046C	STATE PRODUCTION CONTROL SUPERVISOR	2	GRADE C122
2	(44)	D045C	STATE SYSTEMS ANALYST	17	GRADE C122
3	(45)	A052C	ACCOUNTING COORDINATOR	2	GRADE C121
4	(46)	D053C	DIS ACCOUNT ANALYST	3	GRADE C121
5	(47)	A048C	DIS RATE ANALYST	1	GRADE C121
6	(48)	D058C	COMPUTER OPERATIONS COORDINATOR	2	GRADE C120
7	(49)	P013C	PUBLIC INFORMATION COORDINATOR	1	GRADE C120
8	(50)	D063C	COMPUTER SUPPORT SPECIALIST	16	GRADE C119
9	(51)	A068C	DIS BILLING SERVICES MANAGER	1	GRADE C119
10	(52)	V007C	PROCUREMENT COORDINATOR	1	GRADE C119
11	(53)	R024C	ASSISTANT PERSONNEL MANAGER	1	GRADE C118
12	(54)	D065C	NETWORK SUPPORT ANALYST	7	GRADE C118
13	(55)	D064C	WEBSITE DEVELOPER	3	GRADE C118
14	(56)	D071C	COMPUTER SUPPORT ANALYST	5	GRADE C117
15	(57)	D070C	DIS ACCOUNTS SPECIALIST	1	GRADE C117
16	(58)	D069C	DIS SCHEDULER	2	GRADE C117
17	(59)	A088C	ASSETS COORDINATOR	1	GRADE C116
18	(60)	V014C	BUYER	2	GRADE C116
19	(61)	C037C	ADMINISTRATIVE ANALYST	4	GRADE C115
20	(62)	A091C	FISCAL SUPPORT ANALYST	9	GRADE C115
21	(63)	D077C	HELP DESK SPECIALIST	4	GRADE C115
22	(64)	G204C	PLANNING SPECIALIST	1	GRADE C115
23	(65)	D084C	COMPUTER OPERATOR	10	GRADE C114
24	(66)	C056C	ADMINISTRATIVE SPECIALIST III	2	GRADE C112
25	(67)	R038C	HUMAN RESOURCES ASSISTANT	1	GRADE C110
26	(68)	V025C	WAREHOUSE SPECIALIST	2	GRADE C110
27	(69)	C073C	ADMINISTRATIVE SPECIALIST II	<u>8</u>	GRADE C109
28			MAX. NO. OF EMPLOYEES	257	

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30 SECTION 2. EXTRA HELP. There is hereby authorized, for the Department
 31 of Information Systems for the 2011-2012 fiscal year, the following maximum
 32 number of part-time or temporary employees, to be known as "Extra Help",
 33 payable from funds appropriated herein for such purposes: eighteen (18)
 34 temporary or part-time employees, when needed, at rates of pay not to exceed
 35 those provided in the Uniform Classification and Compensation Act, or its
 36 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, 2012, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2011-2012</u>
(01) REGULAR SALARIES	\$16,161,849
(02) EXTRA HELP	164,000
(03) PERSONAL SERVICES MATCHING	4,459,553
(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.	0
(06) DATA PROCESSING SERVICES	8,406,866
(07) TELECOMM/TECHNOLOGY DELIVERY	<u>58,450,929</u>
TOTAL AMOUNT APPROPRIATED	<u>\$102,574,923</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 to public utilities necessary for the continual provisions of services by the Department of Information Systems for the fiscal year ending June 30, 2012, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2011-2012</u>
(01) UNANTICIPATED SERVICES	<u>\$20,000,000</u>

SECTION 5. APPROPRIATION - EQUIPMENT ACQUISITIONS AND INFORMATION TECHNOLOGY IMPROVEMENTS. There is hereby appropriated, to the Department of Information Systems, to be payable from the Information Technology Reserve Fund, for major equipment acquisitions and information technology improvements, as set out in Arkansas Code 25-4-122 and 25-4-123 by the Department of Information Systems for the fiscal year ending June 30, 2012, the following:

ITEM NO.	FISCAL YEAR 2011-2012
(01) EQUIPMENT ACQUISITIONS AND INFORMATION TECHNOLOGY IMPROVEMENTS	<u>\$3,500,000</u>

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

The provisions of this section shall be in effect only from July 1, ~~2010~~ 2011 through June 30, ~~2011~~ 2012.

SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

CONTINGENCY RESTRICTIONS. In the event of unforeseen conditions, additional appropriations become necessary that are not authorized or contemplated in Section 3 of this Act and such events make it necessary that the Department of Information Systems receives additional appropriations to carry out the objectives of the agency, the Director of the Department of Information Systems is hereby authorized to request the approval of the Governor and the Chief Fiscal Officer of the State, as hereinafter provided, for transfer of the additional appropriation provided the Department by Section 4, but in no event shall the transfers exceed the appropriation provided in Section 4 of this Act. Whenever the Director of the Department of Information Systems

1 deems it necessary to establish additional appropriations as authorized
2 herein, a written report shall be filed with the Governor accompanied by
3 necessary supporting documents setting forth the facts, justifications, and
4 circumstances that necessitate such appropriation. Upon receipt of such
5 reports and supporting documents, the Governor, or his designee, shall study
6 the same, and if he shall determine that such additional appropriations are
7 being sought in strict compliance with this Act, the Governor, after seeking
8 prior review by the Joint Committee on Advanced Communications and
9 Information Technology, may approve or modify such request for additional
10 appropriations as in his judgment he deems necessary, and shall forward a
11 copy thereof to the Chief Fiscal Officer of the State. Upon receipt thereof,
12 the Chief Fiscal Officer of the State after receiving prior approval by the
13 Arkansas Legislative Council or Joint Budget Committee shall direct the State
14 Auditor to process said transfer upon his books in accordance with the
15 provisions as set out herein. If the agency requests continuation of
16 appropriation as established herein during the next biennium, the
17 appropriation must be requested as new appropriation in the agency's biennial
18 budget request.

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

35 The provisions of this section shall be in effect only from July 1,
36 ~~2010~~ 2011 through June 30, ~~2011~~ 2012.

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

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

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

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

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

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

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

22 (C) The Joint Committee on Advanced Communications and Information
23 Technology.

24 (2) The report shall:

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

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

32 (3) The report shall include:

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

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

36 (C) The type of advice sought, for example: technical, product or

1 service utilization, planning, implementation, installation, integration, or
2 upgrades;

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

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

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

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

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13 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

15 Compliance with State and Federal Regulations -

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

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

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,
9 ~~2010~~ 2011 through June 30, ~~2011~~ 2012.

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11 SECTION 10. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
12 authorized by this act shall be limited to the appropriation for such agency
13 and funds made available by law for the support of such appropriations; and
14 the restrictions of the State Procurement Law, the General Accounting and
15 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
16 Procedures and Restrictions Act, or their successors, and other fiscal
17 control laws of this State, where applicable, and regulations promulgated by
18 the Department of Finance and Administration, as authorized by law, shall be
19 strictly complied with in disbursement of said funds.

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21 SECTION 11. LEGISLATIVE INTENT. It is the intent of the General
22 Assembly that any funds disbursed under the authority of the appropriations
23 contained in this act shall be in compliance with the stated reasons for
24 which this act was adopted, as evidenced by the Agency Requests, Executive
25 Recommendations and Legislative Recommendations contained in the budget
26 manuals prepared by the Department of Finance and Administration, letters, or
27 summarized oral testimony in the official minutes of the Arkansas Legislative
28 Council or Joint Budget Committee which relate to its passage and adoption.

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30 SECTION 12. EMERGENCY CLAUSE. It is found and determined by the
31 General Assembly, that the Constitution of the State of Arkansas prohibits
32 the appropriation of funds for more than a one (1) year period; that the
33 effectiveness of this Act on July 1, 2011 is essential to the operation of
34 the agency for which the appropriations in this Act are provided, and that in
35 the event of an extension of the legislative session, the delay in the
36 effective date of this Act beyond July 1, 2011 could work irreparable harm

1 upon the proper administration and provision of essential governmental
2 programs. Therefore, an emergency is hereby declared to exist and this Act
3 being necessary for the immediate preservation of the public peace, health
4 and safety shall be in full force and effect from and after July 1, 2011.

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