

Stricken language will be deleted and underlined language will be added.
Act 1201 of the Regular Session

State of Arkansas
89th General Assembly
Regular Session, 2013

As Engrossed: H4/6/13
A Bill

HOUSE BILL 1053

By: Joint Budget Committee

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
AND OPERATING EXPENSES FOR THE DEPARTMENT OF
INFORMATION SYSTEMS FOR THE FISCAL YEAR ENDING JUNE
30, 2014; AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE DEPARTMENT OF INFORMATION
SYSTEMS APPROPRIATION FOR THE 2013-2014
FISCAL YEAR.

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

SECTION 1. REGULAR SALARIES. There is hereby established for the
Department of Information Systems for the 2013-2014 fiscal year, the
following maximum number of regular employees.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2013-2014
(1)	U060U	DIS DIRECTOR	1	\$139,793
(2)	U073U	DIS DEPUTY DIRECTOR	1	\$126,531
(3)	N013N	DIS CHIEF OPERATING OFFICER	1	GRADE N912
(4)	N179N	DIS CHIEF TECHNOLOGY OFFICER	1	GRADE N912
(5)	N044N	DIS CUST RELATIONS MGMT ADMR	1	GRADE N909
(6)	D003N	STATE CHIEF SECURITY OFFICER	1	GRADE N909
(7)	D002N	STATE DATABASE ADMINISTRATOR LEAD	1	GRADE N909



(8)	N079N	DIS DIVISION DIRECTOR	5	GRADE N907
(9)	N078N	DIS PROJECT & ENTERPRISE PROG MGMT	1	GRADE N907
(10)	D006N	STATE SYSTEMS ARCHITECT	4	GRADE N907
(11)	D009N	AASIS SYSTEM ADMINISTRATOR	1	GRADE N906
(12)	D001C	STATE DATABASE ADMINISTRATOR	3	GRADE C130
(13)	D003C	STATE SYSTEMS ADMINISTRATOR LEAD	3	GRADE C129
(14)	A010C	AGENCY CONTROLLER II	1	GRADE C128
(15)	D010C	DATA WAREHOUSE LEAD	1	GRADE C128
(16)	D009C	DIS OPERATIONS CENTER MANAGER	1	GRADE C128
(17)	<i>D007C</i>	<i>INFORMATION SYSTEMS MANAGER</i>	<i>2</i>	<i>GRADE C128</i>
(18)	D006C	SOFTWARE ENGINEER LEAD	3	GRADE C128
(19)	D005C	STATE IT SECURITY ANALYST	3	GRADE C128
(20)	D004C	STATE NETWORK SUPPORT LEAD	3	GRADE C128
(21)	A014C	FISCAL DIVISION MANAGER	1	GRADE C127
(22)	G019C	GENERAL COUNSEL	1	GRADE C127
(23)	D018C	DIS INFORMATION SYSTEMS COORDINATOR	1	GRADE C126
(24)	D015C	STATE NETWORK ENGINEER	4	GRADE C126
(25)	D014C	STATE SYSTEMS ADMINISTRATOR	4	GRADE C126
(26)	<i>D029C</i>	<i>SENIOR GIS ANALYST</i>	<i>1</i>	<i>GRADE C124</i>
(27)	G076C	ADMINISTRATIVE SERVICES MANAGER	1	GRADE C124
(28)	D035C	COMPUTER SUPPORT MANAGER	1	GRADE C124
(29)	D034C	DATABASE ADMINISTRATOR	6	GRADE C124
(30)	A029C	DIS FISCAL MANAGER	1	GRADE C124
(31)	D032C	DIS IT ASSET MANAGER	1	GRADE C124
(32)	G069C	DIS QUALITY ASSURANCE LEAD	1	GRADE C124
(33)	D031C	DISASTER RECOVERY ANALYST	1	GRADE C124
(34)	D028C	SENIOR SOFTWARE SUPPORT SPECIALIST	2	GRADE C124
(35)	D027C	SOFTWARE ENGINEER	20	GRADE C124
(36)	D026C	STATE HELP DESK LEAD	1	GRADE C124
(37)	D025C	STATE IT SECURITY SPECIALIST	8	GRADE C124
(38)	D024C	STATE NETWORK SPECIALIST	19	GRADE C124
(39)	D023C	STATE SYSTEMS SPECIALIST	19	GRADE C124
(40)	D042C	DATA WAREHOUSE SPECIALIST	7	GRADE C123
(41)	D041C	DIS TECHNICAL ACCOUNTS SPECIALIST	1	GRADE C123
(42)	D038C	SENIOR SOFTWARE SUPPORT ANALYST	2	GRADE C123
(43)	D049C	DIS PROJECT MANAGER	7	GRADE C122

(44)	G098C	DIS QUALITY ASSURANCE COORDINATOR	2	GRADE C122
(45)	D046C	STATE PRODUCTION CONTROL SUPERVISOR	2	GRADE C122
(46)	D045C	STATE SYSTEMS ANALYST	17	GRADE C122
(47)	A052C	ACCOUNTING COORDINATOR	2	GRADE C121
(48)	D053C	DIS ACCOUNT ANALYST	3	GRADE C121
(49)	A048C	DIS RATE ANALYST	1	GRADE C121
(50)	D058C	COMPUTER OPERATIONS COORDINATOR	2	GRADE C120
(51)	P013C	PUBLIC INFORMATION COORDINATOR	1	GRADE C120
(52)	D063C	COMPUTER SUPPORT SPECIALIST	16	GRADE C119
(53)	A068C	DIS BILLING SERVICES MANAGER	1	GRADE C119
(54)	A065C	PAYROLL SERVICES COORDINATOR	1	GRADE C119
(55)	V007C	PROCUREMENT COORDINATOR	1	GRADE C119
(56)	D065C	NETWORK SUPPORT ANALYST	7	GRADE C118
(57)	D064C	WEBSITE DEVELOPER	2	GRADE C118
(58)	D071C	COMPUTER SUPPORT ANALYST	5	GRADE C117
(59)	D070C	DIS ACCOUNTS SPECIALIST	1	GRADE C117
(60)	D069C	DIS SCHEDULER	2	GRADE C117
(61)	B076C	RESEARCH PROJECT ANALYST	1	GRADE C117
(62)	V014C	BUYER	2	GRADE C116
(63)	P031C	MEDIA SPECIALIST	1	GRADE C116
(64)	E046C	TRAINING INSTRUCTOR	1	GRADE C116
(65)	C037C	ADMINISTRATIVE ANALYST	4	GRADE C115
(66)	A091C	FISCAL SUPPORT ANALYST	9	GRADE C115
(67)	D077C	HELP DESK SPECIALIST	5	GRADE C115
(68)	D084C	COMPUTER OPERATOR	10	GRADE C114
(69)	C056C	ADMINISTRATIVE SPECIALIST III	2	GRADE C112
(70)	V025C	WAREHOUSE SPECIALIST	2	GRADE C110
(71)	C073C	ADMINISTRATIVE SPECIALIST II	<u>8</u>	GRADE C109
		MAX. NO. OF EMPLOYEES	259	

SECTION 2. EXTRA HELP. There is hereby authorized, for the Department of Information Systems for the 2013-2014 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, 2014, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2013-2014</u>
(01) REGULAR SALARIES	<i>\$15,931,416</i>
(02) EXTRA HELP	164,000
(03) PERSONAL SERVICES MATCHING	<i>4,800,471</i>
(04) OVERTIME	66,000
(05) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	<i>9,545,591</i>
(B) CONF. & TRAVEL	214,321
(C) PROF. FEES	631,500
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(06) DATA PROCESSING SERVICES	8,406,866
(07) TELECOMM/TECHNOLOGY DELIVERY	<u>58,450,929</u>
TOTAL AMOUNT APPROPRIATED	<u><u><i>\$98,211,094</i></u></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, 2014, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2013-2014</u>
(01) CONTINGENCY -	

TELECOMMUNICATIONS/TECHNOLOGY \$20,000,000

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, 2014, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2013-2014</u>
(01) EQUIPMENT ACQUISITIONS AND INFORMATION TECHNOLOGY IMPROVEMENTS	<u>\$3,500,000</u>

SECTION 6. APPROPRIATION - BROADBAND SERVICES AND ENHANCEMENTS - CASH FUNDS. There is hereby appropriated to the Department of Information Systems, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, the following:

(A) for operating expenses, services enhancements, and grants, in a sum not to exceed.....\$10,000,000.

SECTION 7. 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, ~~2012~~ 2013 through June 30, ~~2013~~ 2014.

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

Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. This is usually accomplished by delineating such maximums in the appropriation act(s) for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization law. Further, the General Assembly has determined that the Department of Information Systems may operate more efficiently if some flexibility is provided to the Department of Information Systems authorizing broad powers under this section. Therefore, it is both

necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative Council or Joint Budget Committee as provided by this section. The requirement of approval by the Legislative Council or Joint Budget Committee is not a severable part of this section. If the requirement of approval by the Legislative Council or Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this entire section is void.

The provisions of this section shall be in effect only from July 1,—~~2012~~ 2013 through June 30,—~~2013~~ 2014.

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

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

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

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

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

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

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

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

(2) The report shall:

(A) Detail all requests from state agencies, boards, and commissions for advice regarding information technology planning, implementation,

installation, rates or fees, utilization of products, services, and integrations or upgrades to be added to all existing technology plans; and

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

(3) The report shall include:

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

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

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

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

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

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

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

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

Compliance with State and Federal Regulations -

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

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

for cash management purposes.

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

The provisions of this section shall be in effect only from July 1, ~~2012~~ 2013 through June 30, ~~2013~~ 2014.

SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. GIFTS, GRANTS AND DONATIONS. The Director may accept on behalf of the Department of Information Systems, from any source, the donation of gifts, grants, cash, bequeaths, devices, donations, real or personal property and equipment for the establishment, maintenance, operations, or improvement of broadband services, enhancements and grants.

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

strictly complied with in disbursement of said funds.

SECTION 13. LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds disbursed under the authority of the appropriations contained in this act shall be in compliance with the stated reasons for which this act was adopted, as evidenced by the Agency Requests, Executive Recommendations and Legislative Recommendations contained in the budget manuals prepared by the Department of Finance and Administration, letters, or summarized oral testimony in the official minutes of the Arkansas Legislative Council or Joint Budget Committee which relate to its passage and adoption.

SECTION 14. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year period; that the effectiveness of this Act on July 1, 2013 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the legislative session, the delay in the effective date of this Act beyond July 1, 2013 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2013.

/s/ Joint Budget Committee

APPROVED: 04/12/2013