

Stricken language will be deleted and underlined language will be added.

Act 225 of the Fiscal Session

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State of Arkansas  
91st General Assembly  
Fiscal Session, 2018

# A Bill

HOUSE BILL 1085

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, 2019; AND FOR OTHER PURPOSES.

## Subtitle

AN ACT FOR THE DEPARTMENT OF INFORMATION  
SYSTEMS APPROPRIATION FOR THE 2018-2019  
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 2018-2019 fiscal year, the  
following maximum number of regular employees.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2018-2019
(1)	U060U	DIS DIRECTOR	1	GRADE SE04
(2)	U073U	DIS DEPUTY DIRECTOR	1	GRADE SE03
(3)	N013N	DIS CHIEF OPERATING OFFICER	1	GRADE SE02
(4)	D003N	STATE CHIEF SECURITY OFFICER	1	GRADE SE02
(5)	N206N	CHIEF DATA OFFICER	1	GRADE IT12
(6)	D127C	DIS CHIEF OF TECHNOLOGY	1	GRADE IT11
(7)	D128C	DIS DIVISION ADMINISTRATOR	5	GRADE IT11



(8)	D002N STATE DATABASE ADMINISTRATOR LEAD	1	GRADE IT11
(9)	D010C DATA WAREHOUSE LEAD	1	GRADE IT10
(10)	D009C DIS OPERATIONS CENTER MANAGER	1	GRADE IT10
(11)	D006N STATE SYSTEMS ARCHITECT	6	GRADE IT10
(12)	D125C SR. STATE SERVER ADMINISTRATOR	2	GRADE IT09
(13)	D001C STATE DATABASE ADMINISTRATOR	3	GRADE IT09
(14)	D005C STATE IT SECURITY ANALYST	3	GRADE IT09
(15)	D003C STATE SYSTEMS ADMINISTRATOR LEAD	3	GRADE IT09
(16)	D123C DB ADMINISTRATOR	4	GRADE IT08
(17)	D007C INFORMATION SYSTEMS MANAGER	3	GRADE IT08
(18)	D006C SOFTWARE ENGINEER LEAD	3	GRADE IT08
(19)	D004C STATE NETWORK SUPPORT LEAD	3	GRADE IT08
(20)	D014C STATE SYSTEMS ADMINISTRATOR	3	GRADE IT08
(21)	D035C COMPUTER SUPPORT MANAGER	1	GRADE IT07
(22)	D034C DATABASE ADMINISTRATOR	2	GRADE IT07
(23)	D122C IT PROJECT MANAGER	2	GRADE IT07
(24)	D029C SENIOR GIS ANALYST	1	GRADE IT07
(25)	D028C SENIOR SOFTWARE SUPPORT SPECIALIST	1	GRADE IT07
(26)	D015C STATE NETWORK ENGINEER	4	GRADE IT07
(27)	D042C DATA WAREHOUSE SPECIALIST	5	GRADE IT06
(28)	D049C DIS PROJECT MANAGER	6	GRADE IT06
(29)	D038C SENIOR SOFTWARE SUPPORT ANALYST	2	GRADE IT06
(30)	D027C SOFTWARE ENGINEER	19	GRADE IT06
(31)	D026C STATE HELP DESK LEAD	1	GRADE IT06
(32)	D025C STATE IT SECURITY SPECIALIST	8	GRADE IT06
(33)	D024C STATE NETWORK SPECIALIST	19	GRADE IT06
(34)	D023C STATE SYSTEMS SPECIALIST	16	GRADE IT06
(35)	D022C SYSTEMS SPECIALIST	1	GRADE IT06
(36)	D063C COMPUTER SUPPORT SPECIALIST	16	GRADE IT05
(37)	D045C STATE SYSTEMS ANALYST	17	GRADE IT05
(38)	D058C COMPUTER OPERATIONS COORDINATOR	2	GRADE IT04
(39)	D032C DIS IT ASSET MANAGER	1	GRADE IT04
(40)	D065C NETWORK SUPPORT ANALYST	6	GRADE IT04
(41)	D064C WEBSITE DEVELOPER	1	GRADE IT04
(42)	D071C COMPUTER SUPPORT ANALYST	5	GRADE IT03
(43)	D069C DIS SCHEDULER	2	GRADE IT03

(44)	D046C STATE PRODUCTION CONTROL SUPERVISOR	2	GRADE IT03
(45)	D084C COMPUTER OPERATOR	9	GRADE IT02
(46)	N207N CHIEF PRIVACY OFFICER	1	GRADE GS15
(47)	A132C DIS BUSINESS SERVICES ADMINISTRATOR	1	GRADE GS15
(48)	G285C DIS GENERAL COUNSEL	1	GRADE GS15
(49)	A010C AGENCY CONTROLLER II	1	GRADE GS13
(50)	N079N DIS DIVISION DIRECTOR	1	GRADE GS13
(51)	G019C GENERAL COUNSEL	1	GRADE GS13
(52)	N174N HEALTH INFORMATION TECH POLICY DIR	1	GRADE GS13
(53)	D096C DIS EEF SR SYSTEM ADMINISTRATOR	1	GRADE GS12
(54)	A014C FISCAL DIVISION MANAGER	1	GRADE GS12
(55)	R013C AGENCY HUMAN RESOURCES MANAGER	2	GRADE GS11
(56)	A031C ASSISTANT CONTROLLER	1	GRADE GS11
(57)	P005N DIS TESTING, EVAL, PLANTS POLICY COO	2	GRADE GS11
(58)	G076C ADMINISTRATIVE SERVICES MANAGER	1	GRADE GS10
(59)	D018C DIS INFORMATION SYSTEMS COORD	1	GRADE GS10
(60)	G069C DIS QUALITY ASSURANCE LEAD	1	GRADE GS10
(61)	D031C DISASTER RECOVERY ANALYST	1	GRADE GS10
(62)	A052C ACCOUNTING COORDINATOR	2	GRADE GS09
(63)	A029C DIS FISCAL MANAGER	1	GRADE GS09
(64)	G098C DIS QUALITY ASSURANCE COORDINATOR	2	GRADE GS09
(65)	A038C FISCAL SUPPORT MANAGER	1	GRADE GS09
(66)	A068C DIS BILLING SERVICES MANAGER	1	GRADE GS08
(67)	D041C DIS TECHNICAL ACCOUNTS SPECIALIST	1	GRADE GS08
(68)	V007C PROCUREMENT COORDINATOR	1	GRADE GS08
(69)	D053C DIS ACCOUNT ANALYST	3	GRADE GS07
(70)	C010C EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE GS07
(71)	P013C PUBLIC INFORMATION COORDINATOR	1	GRADE GS07
(72)	C037C ADMINISTRATIVE ANALYST	4	GRADE GS06
(73)	D070C DIS ACCOUNTS SPECIALIST	1	GRADE GS06
(74)	A048C DIS RATE ANALYST	1	GRADE GS06
(75)	R025C HUMAN RESOURCES ANALYST	1	GRADE GS06
(76)	P031C MEDIA SPECIALIST	2	GRADE GS06
(77)	G178C POLICY DEVELOPMENT COORDINATOR	1	GRADE GS06
(78)	V014C BUYER	1	GRADE GS05
(79)	A091C FISCAL SUPPORT ANALYST	9	GRADE GS05

(80)	D077C HELP DESK SPECIALIST	5	GRADE GS05
(81)	C056C ADMINISTRATIVE SPECIALIST III	2	GRADE GS04
(82)	V025C WAREHOUSE SPECIALIST	2	GRADE GS04
(83)	C073C ADMINISTRATIVE SPECIALIST II	<u>6</u>	GRADE GS03
	MAX. NO. OF EMPLOYEES	263	

SECTION 2. EXTRA HELP. There is hereby authorized, for the Department of Information Systems for the 2018-2019 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, 2019, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2018-2019</u>
(01) REGULAR SALARIES	\$15,374,053
(02) EXTRA HELP	215,000
(03) PERSONAL SERVICES MATCHING	4,851,020
(04) OVERTIME	66,000
(05) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	9,545,591
(B) CONF. & TRAVEL	107,160
(C) PROF. FEES	631,500
(D) CAP. OUTLAY	6,145,000
(E) DATA PROC.	0
(06) DATA PROCESSING SERVICES	8,406,866
(07) TELECOMM/TECHNOLOGY DELIVERY	<u>58,450,929</u>
TOTAL AMOUNT APPROPRIATED	<u>\$103,793,119</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, 2019, the following:

ITEM NO.	FISCAL YEAR 2018-2019
(01) CONTINGENCY - TELECOMMUNICATIONS/TECH	<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, 2019, the following:

ITEM NO.	FISCAL YEAR 2018-2019
(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, ~~2017~~ 2018 through June 30, ~~2018~~ 2019.

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 the Operations appropriation section 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 the Unanticipated Services appropriation section, but in no event shall the transfers exceed the appropriation provided in the Unanticipated Services appropriation section 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, ~~2017~~ 2018 through June 30, ~~2018~~ 2019.

SECTION 8. 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.

The provisions of this section shall be in effect only from July 1, ~~2017~~ 2018 through June 30, ~~2018~~ 2019.

SECTION 9. 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 or Joint Budget Committee.

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, ~~2017~~ 2018 through June 30, ~~2018~~ 2019.

SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. GIFTS, GRANTS AND DONATIONS. (i) The Director may accept on behalf of the Department of Information Systems, from any source, funds including but not limited to special or general revenue, gifts, grants, cash, bequeaths, devices, donations, real or personal property and equipment. (ii) The Department shall quarterly file with the Arkansas Legislative Council or Joint Budget Committee a report summarizing all funds, gifts, grants, cash, bequeaths, devices, donations, real or personal property and equipment received. (iii)

The provisions of this section shall be in effect only from July 1, ~~2017~~ 2018 through June 30, ~~2018~~ 2019.

SECTION 11. 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 12. 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 13. EFFECTIVE DATE. This act is effective on and after July 1, 2018.

**APPROVED: 3/6/18**

**APPROVED: 3/6/18**