

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 84th General Assembly
3 Regular Session, 2003
4

As Engrossed: H3/26/03 H3/28/03 H4/8/03

A Bill

HOUSE BILL 1716

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, 2005; AND FOR
13 OTHER PURPOSES.
14

Subtitle

15
16 AN ACT FOR THE DEPARTMENT OF
17 INFORMATION SYSTEMS APPROPRIATION FOR
18 THE 2003-2005 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 2003-2005 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



02242003MAH1018.MAH159

1				Maximum	Salary Rate	
2	Item	Class		No. of	Fiscal Years	
3	No.	Code	Title	Employees	2003-2004	2004-2005
4	(1)	9805	DIS DIRECTOR	1	\$109,981	\$112,371
5	(2)	9804	DIS MIS DIVISION DIRECTOR	1	\$108,536	\$110,905
6	(3)	7351	DIS TELECOM DIVISION DIRECTOR	1	\$108,535	\$110,905
7	(4)	9615	DIS SYS SOFTWARE PROG ADMR	3	\$99,303	\$101,543
8	(6)	9798	DIS APPLICATIONS DEV ADMR	1	\$93,971	\$96,137
9	(7)	9614	DIS TECH PLANNING SPEC III	2	\$93,971	\$96,137
10	(8)	7350	DIS NETWORK ENGINEER	2	\$93,151	\$95,305
11	(10)	9613	DIS SYS SFTWR/PGRM ANALYST MGR	1	\$90,060	\$92,171
12	(11)	9612	DIS SYS SFTWR PRGM/ANALYST SPEC	8	\$90,060	\$92,171
13	(12)	9033	DIS APPL DEV MANAGEMENT SPECIALIST	6	\$87,807	\$89,876
14	(13)	8820	DIS DATA BASE SPECIALIST	5	\$87,807	\$89,876
15	(14)	9806	DIS TECH PLANNING SPEC II	1	\$82,648	\$84,618
16	(16)	D023	DIS APPL DEVELOPMENT SPEC	25		GRADE 26
17	(17)	D024	DIS INFORMATION SVCS ADMR	2		GRADE 26
18	(18)	D037	DIS SYSTEMS PROGRAMMER/ANALYST III	17		GRADE 26
19	(19)	D043	DIS NETWORK MANAGER	2		GRADE 26
20	(20)	D008	DIS DATA BASE ANALYST II	11		GRADE 25
21	(21)	D033	DIS SYSTEMS PROGRAMMER/ANALYST II	1		GRADE 25
22	(22)	D054	DIS PROG ANA/STAFF SPECIALIST II	1		GRADE 25
23	(23)	804Z	DIS FISCAL MANAGER	1		GRADE 24
24	(24)	D021	DIS DATA COMMUNICATION MANAGER	1		GRADE 24
25	(26)	D039	DIS PRODUCTION CONTROL MANAGER	1		GRADE 24
26	(27)	D087	DIS TELECOMMUNICATIONS SVCS MGR	2		GRADE 24
27	(28)	D045	DIS LEAD PROGRAMMER/ANALYST	52		GRADE 23
28	(29)	D127	TELECOMMUNICATIONS PLANNING SPEC II	3		GRADE 23
29	(30)	A032	AGENCY FISCAL MANAGER	1		GRADE 22
30	(31)	D012	NETWORK PLANNING PROJECT LDR	1		GRADE 22
31	(32)	D029	DIS SENIOR PROGRAMMER/ANALYST	10		GRADE 22
32	(34)	R118	DIS PERSONNEL MANAGER	1		GRADE 22
33	(36)	A008	ACCOUNTING SUPERVISOR II	1		GRADE 21
34	(37)	A116	RATE ANALYST III	1		GRADE 21
35	(38)	D026	DIS OPERATIONS TECH SPECIALIST	1		GRADE 21
36	(39)	D036	SR PROGRAMMER/ANALYST	1		GRADE 21

1	(40)	D138	DIS SR COMPUTER/DATA OPER SUPV	4	GRADE 21
2	(41)	D019	DIS DATA COMMUNICATIONS TECH II	9	GRADE 20
3	(42)	D058	DIS INFO CENTER ANALYST II	2	GRADE 20
4	(43)	D063	DIS PRODUCTION SCHEDULER II	4	GRADE 19
5	(44)	D079	DIS DOCUMENTATION SPECIALIST	4	GRADE 19
6	(45)	D047	DIS LEAD COMPUTER TECHNICIAN	14	GRADE 18
7	(46)	D084	DIS TELECOMMUNICATION TECH III	8	GRADE 18
8	(47)	R264	MANAGEMENT PROJECT ANALYST I	1	GRADE 18
9	(48)	V040	PURCHASE AGENT II/PURCHASE AGENT	1	GRADE 18
10	(50)	R010	ADMINISTRATIVE ASSISTANT II	4	GRADE 17
11	(51)	D048	DIS SENIOR COMPUTER TECHNICIAN	1	GRADE 16
12	(52)	D082	DIS TAPE LIBRARIAN	2	GRADE 16
13	(53)	D101	DIS TELECOMMUNICATIONS TECH II	1	GRADE 16
14	(54)	A063	PAYROLL OFFICER	1	GRADE 15
15	(55)	A108	ACCOUNTING TECHNICIAN II	1	GRADE 15
16	(58)	D107	DIS VOICE INFO OPERATOR SUPV	4	GRADE 13
17	(59)	K153	SECRETARY II	1	GRADE 13
18	(60)	A106	ACCOUNTING TECHNICIAN I	1	GRADE 12
19	(61)	K006	DATA ENTRY SPECIALIST	<u>2</u>	GRADE 10
20			MAX. NO. OF EMPLOYEES	226	

21

22 SECTION 2. EXTRA HELP. There is hereby authorized, for the Department of
 23 Information Systems for the 2003-2005 biennium, the following maximum number
 24 of part-time or temporary employees, to be known as "Extra Help", payable
 25 from funds appropriated herein for such purposes: *twelve (12)* temporary or
 26 part-time employees, when needed, at rates of pay not to exceed those
 27 provided in the Uniform Classification and Compensation Act, or its
 28 successor, or this act for the appropriate classification.

29

30 SECTION 3. APPROPRIATION - ADMINISTRATION AND CUSTOMER SUPPORT SERVICES
 31 PROGRAM. There is hereby appropriated, to be payable from the funds and fund
 32 accounts as set out herein, to the Department of Information Systems for the
 33 biennial period ending June 30, 2005, the following:

34 (a) For the Administration & Customer Support Services Program, the sum of
 35 \$9,691,180 for the 2003-2004 fiscal year and \$9,691,180 for the 2004-2005
 36 fiscal year.

1 (1) Program Description. This program is for the Administrative and
 2 Customer Service portions of our operations. Their role at DIS is to support
 3 our technologists with financial tracking and reporting and to provide
 4 feedback for the customer on products demands.

5 (2) Appropriation payable from:

	FISCAL YEARS	
	<u>2003-2004</u>	<u>2004-2005</u>
6 (A) Other Funds	\$ 16,258,548	\$ 16,228,187

8 (3) Performance Targets:

9 (A) Percent of Agency Performance		
10 targets met.	85	95
11 (B) % of Agency Staff & Budget in		
12 Admin Program compared to total		
13 agency.	11.4	10
14 (C) Number of prior audit findings		
15 repeated in subsequent audits.	0	0
16 (D) Percent of users satisfied with		
17 Information Technology Services	70	80
18 (E) Percentage of staff time		
19 reported in specific project		
20 objectives other than "General		
21 Overhead."	2	2.5
22 (F) Percent of IT expenditures in		
23 dollars spent - DIS/ Statewide	30	35
24 (G) Number of new Public Sector		
25 customer - other than State	20%	20%

26
 27 SECTION 4. APPROPRIATION - PRODUCTION SERVICES PROGRAM. There is hereby
 28 appropriated, to be payable from the funds and fund accounts as set out
 29 herein, to the Department of Information Systems for the biennial period
 30 ending June 30, 2005, the following:

31 (a) For the Production Services Program, the sum of \$18,192,719 for the
 32 2003-2004 fiscal year and \$18,192,719 for the 2004-2005 fiscal year.

33 (1) Program Description. This program provides support for the public
 34 sector products and services utilized for production solutions for Arkansas.

35 (2) Appropriation payable from:

	FISCAL YEARS	
	<u>2003-2004</u>	<u>2004-2005</u>
36		

1	(A) Other Funds	\$ 22,096,087	\$ 22,035,364
2	(3) Performance Targets:		
3	(A) Number of agencies served.	222	238
4	(B) AASIS Support Center costs	11,000,000	11,000,000
5	(C) Training costs per employee		
6	compared to outsourced costs -		
7	percentage	24	22
8	(D) Maintenance costs as a percent		
9	of net assets	23	22
10	(E) Overhead, not including labor,		
11	as a percentage of Revenue	9	8
12	(F) Total labor costs as a		
13	percentage of Revenue	16	16
14	(G) Overhead labor as a percentage		
15	of total labor	5.5	5.5
16	(H) Net Income/(Loss) from		
17	Production Services.	0	0

18

19 SECTION 5. APPROPRIATION - CONSULTING SERVICES PROGRAM. There is hereby

20 appropriated, to be payable from the funds and fund accounts as set out

21 herein, to the Department of Information Systems for the biennial period

22 ending June 30, 2005, the following:

23 (a) For the Consulting Services Program, the sum of \$12,969,467 for the

24 2003-2004 fiscal year and \$12,969,467 for the 2004-2005 fiscal year.

25 (1) Program Description. This program is designed for the benefit of

26 customer innovation and technology development.

27 (2) Appropriation payable from: FISCAL YEARS

28		<u>2003-2004</u>	<u>2004-2005</u>
29	(A) Other Funds	\$ 16,287,331	\$ 16,235,717

30	(3) Performance Targets:		
31	(A) Percent of DIS managed projects		
32	successfully completed on		
33	schedule and within budget	75	90
34	(B) Billable and accountable time as		
35	a percentage of total Department		
36	time each month	60	60

1	(C) Outsource costs as a percent of		
2	total labor costs.	25	25
3	(D) Internal training costs per		
4	employee compared to		
5	external/outsourced costs per		
6	employee	5%	5%
7	(E) Average length of work in		
8	process in days	270	270
9	(F) Overhead not including labor as		
10	a percentage of billings.	9	9
11	(G) Total labor costs as a		
12	percentage of total billed	250	250
13	(H) Overhead labor as a percent of		
14	total labor	14	15
15	(I) Percent of PEPMO staff time		
16	spent on projects/programs.	60	60
17	(J) Percent of PEPMO Project Team		
18	who hold certifications.	100	100
19	(K) Net Income/ (Loss) from		
20	Consulting Services.	0	0

21

SECTION 6. APPROPRIATION - CONNECTIVITY AND COMMUNICATIONS SERVICES

22 PROGRAM. There is hereby appropriated, to be payable from the funds and fund
 23 accounts as set out herein, to the Department of Information Systems for the
 24 biennial period ending June 30, 2005, the following:
 25

26 (a) For the Connectivity & Communications Services Program, the sum of
 27 \$31,636,863 for the 2003-2004 fiscal year and \$31,636,863 for the 2004-2005
 28 fiscal year.

29 (1) Program Description. This program is for the connectivity portion of
 30 our services. We connect the customer to DIS and DIS to our vendors.
 31 Connectivity is wire, wireless, data, voice, and video.

32	(2) Appropriation payable from:	FISCAL YEARS	
33		<u>2003-2004</u>	<u>2004-2005</u>
34	(A) Other Funds	\$ 32,222,366	\$ 32,213,256

35 (3) Performance Targets:

36 (A) Percentage of time network

1	connectivity is functional and		
2	available per 24 hour day using		
3	scheduled downtime	99	99.5
4	(B) Number of agency master		
5	agreements for telecommunication		
6	services per year	199	219
7	(C) Average cost per minute to		
8	customers for long distance.	\$.075	\$.07
9	(D) Average cost of bandwidth to		
10	customers for network services	\$ 273.77	\$ 260.73
11	(E) Net Income/ (Loss) from wire,		
12	wireless, data, voice, and video.	0	0

13
 14 SECTION 7. APPROPRIATION - GEOGRAPHIC INFORMATION SYSTEM. There is hereby
 15 appropriated, to the Department of Information Systems, to be payable from
 16 the Geographic Information Systems Fund, for personal services and operating
 17 expenses of the Department of Information Systems for the biennial period
 18 ending June 30, 2005, the following:

20	ITEM	FISCAL YEARS	
21	<u>NO.</u>	<u>2003-2004</u>	<u>2004-2005</u>
22	(01) EXTRA HELP	\$ 10,280	\$ 10,280
23	(02) PERSONAL SERV MATCH	813	813
24	(03) MAINT. & GEN. OPERATION		
25	(A) OPER. EXPENSE	98,150	98,150
26	(B) CONF. & TRAVEL	45,000	45,000
27	(C) PROF. FEES	125,000	125,000
28	(D) CAP. OUTLAY	0	0
29	(E) DATA PROC.	<u>180,000</u>	<u>180,000</u>
30	TOTAL AMOUNT APPROPRIATED	<u>\$ 459,243</u>	<u>\$ 459,243</u>

31
 32 SECTION 8. APPROPRIATION - UNANTICIPATED SERVICES. There is hereby
 33 appropriated to the Department of Information Systems, to be payable from the
 34 Department of Information Systems Revolving Fund, for operating expenses
 35 incurred in the provision of unanticipated services to state agencies,
 36 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 biennial period ending June 30,
 3 2005, the following:

ITEM	FISCAL YEARS	
<u>NO.</u>	<u>2003-2004</u>	<u>2004-2005</u>
(01) CONTINGENCY	<u>\$ 25,000,000</u>	<u>\$ 25,000,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 25,000,000</u>	<u>\$ 25,000,000</u>

9
 10 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
 11 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY FORWARD.
 12 At the close of the fiscal year ending June 30, 2004, the Department of
 13 Information Systems may certify to the Chief Fiscal Officer of the State an
 14 unexpended amount of appropriation, as provided for Telecommunications/
 15 Technology Delivery (not to exceed \$27,950,929) as a part of the Connectivity
 16 and Communications Services Program in Section 3 of in this Act, which may be
 17 transferred forward for the fiscal year ending June 30, 2005, for the sole
 18 purpose of providing payments for the telecommunications system.

19 The provisions of this section shall be in effect only from July 1, 2003
 20 through June 30, 2005.

21
 22 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 23 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
 24 FORWARD PROVISION. The balance of the appropriation made for Unanticipated
 25 Services in Section 4 and Section 5 herein which remains at the close of the
 26 fiscal year ending ~~June 30, 2002~~ June 30, 2004, may be carried forward and
 27 used for the same purpose in the fiscal year ending ~~June 30, 2003~~ June 30,
 28 2005.

29 The provisions of this section shall be in effect only from ~~July 1, 2001~~
 30 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

31
 32 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REPORTING
 34 REQUIREMENTS. The Chief Fiscal Officer of the State shall annually file with
 35 the Arkansas Legislative Council and the Joint Committee on Advanced
 36 Communications and Information Technology a report summarizing all

1 ~~expenditures made under the provisions of Section 4 of this Act, from the~~
2 Unanticipated Services appropriation in this Act.

3 The provisions of this section shall be in effect only from ~~July 1, 2001~~
4 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

5
6 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
8 CONTINGENCY RESTRICTIONS. In the event of unforeseen conditions, additional
9 appropriations become necessary that are not authorized or contemplated in
10 ~~Section 3 the performance-based appropriations of in~~ this Act and such events
11 make it necessary that the Department of Information Systems receives
12 additional appropriations to carry out the objectives of the agency, the
13 Director of the Department of Information Systems is hereby authorized to
14 request the approval of the Governor and the Chief Fiscal Officer of the
15 State, as hereinafter provided, for transfer of an amount not to exceed
16 twenty five million dollars (\$25,000,000) per year ~~the additional~~
17 ~~appropriations~~ provided the Department by ~~Section 4~~ the "Unanticipated
18 Services" appropriation, but in no event shall the transfers exceed the
19 appropriations provided in ~~Section 4~~ the "Unanticipated Services"
20 appropriation of this Act. Whenever the Director of the Department of
21 Information Systems deems it necessary to establish additional appropriations
22 as authorized herein, he shall file with the Governor a written report
23 accompanied by necessary supporting documents setting forth the facts,
24 justifications, and circumstances that necessitate such appropriation and in
25 which performance-based programs the additional appropriation will be
26 utilized. Upon receipt of such reports and supporting documents, the
27 Governor, or his designee, shall study the same, and if he shall determine
28 that such additional appropriations are being sought in strict compliance
29 with this Act, the Governor, after seeking prior review by the Joint
30 Committee on Advanced Communications and Information Technology, may approve
31 or modify such request for additional appropriations as in his judgment he
32 deems necessary, and shall forward a copy thereof to the Chief Fiscal Officer
33 of the State. Upon receipt thereof, the Chief Fiscal Officer of the State
34 after receiving prior approval by the Arkansas Legislative Council or Joint
35 Budget Committee shall direct the State Auditor to process said transfer upon
36 his books in accordance with the provisions as set out herein. If the agency

1 requests continuation of appropriation as established herein during the next
2 biennium, the appropriation must be requested as new appropriation in the
3 agencies biennial budget request.

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

20 The provisions of this section shall be in effect only from ~~July 1, 2001~~ July
21 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

22
23
24 *SECTION 13. SPECIAL LANGUAGE.* Arkansas Code 25-4-106 is amended to read as
25 follows:

26 25-4-106. Reporting requirements.

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

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

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

1 responsibilities.

2 ~~(b) The director may appoint committees as necessary to provide the~~
3 ~~department with expertise and advice concerning information technology or the~~
4 ~~services provided by the department.~~

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

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

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

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

14 (2) The report shall:

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

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

23 (3) The report shall include:

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

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

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

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

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

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

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

4
5 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. POOL
7 POSITIONS. (a)The Department of Information Systems shall establish and
8 maintain for the 2003-2005 biennium a pool of 25 positions, payable from
9 funds appropriated herein for such purposes and not to exceed the rates of
10 pay authorized in section 1 of this Act or in the Uniform Classification and
11 Compensation Act. These positions are to be used to provide new or expanded
12 data processing and telecommunications services in the event the personnel
13 services of the Department of Information Systems exceed the number of
14 positions allocated for the 2003-2005 biennium. No classification, grade or
15 salary level will be assigned to the pool positions until such time as
16 specific positions are requested by the Department of Information Systems,
17 recommended by the Office of Personnel Management and after receiving prior
18 review by the Legislative Council or Joint Budget Committee.

19 (b) Determining the number of personnel to be employed by a state agency
20 is the prerogative of the General Assembly and is usually accomplished by
21 delineating the maximum number of personnel by identifying job titles and the
22 Maximum grade or salary attached to those titles. The General Assembly has
23 determined that the Department of Information Systems could be operated more
24 efficiently if some flexibility is given to that agency. That flexibility is
25 being accomplished by providing pool positions in subsection (a) of this
26 section and since the General Assembly has granted the agency broad powers
27 under the pool position concept, it is both necessary and appropriate that
28 the General Assembly maintain oversight of the utilization of the pool
29 positions by requiring prior approval of the Legislative Council in the
30 utilization of the growth pool. Therefore, the requirement of approval by the
31 Legislative Council or Joint Budget Committee is not a severable part of this
32 section. If the requirement of approval by the Legislative Council or Joint
33 Budget Committee is ruled unconstitutional by a court of competent
34 jurisdiction, the entire section is void. If the agency requests continuation
35 of this pool of positions as established herein during the next biennium, the
36 positions must be requested as new positions in the agency's biennial budget

1 request.

2 The provisions of this section shall be in effect only from July 1, 2003
3 through June 30, 2005.

4
5 SECTION 14. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
6 by this act shall be limited to the appropriation for such agency and funds
7 made available by law for the support of such appropriations; and the
8 restrictions of the State Purchasing Law, the General Accounting and
9 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
10 Procedures and Restrictions Act, or their successors, and other fiscal
11 control laws of this State, where applicable, and regulations promulgated by
12 the Department of Finance and Administration, as authorized by law, shall be
13 strictly complied with in disbursement of said funds.

14
15 SECTION 15. LEGISLATIVE INTENT. It is the intent of the General Assembly
16 that any funds disbursed under the authority of the appropriations contained
17 in this act shall be in compliance with the stated reasons for which this act
18 was adopted, as evidenced by the Agency Requests, Executive Recommendations
19 and Legislative Recommendations contained in the budget manuals prepared by
20 the Department of Finance and Administration, letters, or summarized oral
21 testimony in the official minutes of the Arkansas Legislative Council or
22 Joint Budget Committee which relate to its passage and adoption.

23
24 SECTION 16. EMERGENCY CLAUSE. It is found and determined by the General
25 Assembly, that the Constitution of the State of Arkansas prohibits the
26 appropriation of funds for more than a two (2) year period; that the
27 effectiveness of this Act on July 1, 2003 is essential to the operation of
28 the agency for which the appropriations in this Act are provided, and that in
29 the event of an extension of the Regular Session, the delay in the effective
30 date of this Act beyond July 1, 2003 could work irreparable harm upon the
31 proper administration and provision of essential governmental programs.
32 Therefore, an emergency is hereby declared to exist and this Act being
33 necessary for the immediate preservation of the public peace, health and
34 safety shall be in full force and effect from and after July 1, 2003.

35
36 /s/ Joint Budget Committee