

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 *As Engrossed: H3/26/03 H3/28/03 H4/8/03 H4/10/03*

2 84th General Assembly

A Bill

3 Regular Session, 2003

HOUSE BILL 1716

4

5 By: Joint Budget Committee

6

7

8

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

15

16

Subtitle

17 AN ACT FOR THE DEPARTMENT OF
18 INFORMATION SYSTEMS APPROPRIATION FOR
19 THE 2003-2005 BIENNIUM.

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



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	(5)	9803	DIS DATA BASE MGR	1	\$94,219	\$96,388
9	(6)	9798	DIS APPLICATIONS DEV ADMR	1	\$93,971	\$96,137
10	(7)	9614	DIS TECH PLANNING SPEC III	2	\$93,971	\$96,137
11	(8)	7350	DIS NETWORK ENGINEER	3	\$93,151	\$95,305
12	(9)	7349	DIS TELECOM OPERATIONS ADMR	1	\$93,151	\$95,305
13	(10)	9613	DIS SYS SFTWR/PGRM ANALYST MGR	1	\$90,060	\$92,171
14	(11)	9612	DIS SYS SFTWR PRGM/ANALYST SPEC	9	\$90,060	\$92,171
15	(12)	9033	DIS APPL DEV MANAGEMENT SPECIALIST	9	\$87,807	\$89,876
16	(13)	8820	DIS DATA BASE SPECIALIST	5	\$87,807	\$89,876
17	(14)	9806	DIS TECH PLANNING SPEC II	1	\$82,648	\$84,618
18	(15)	827Z	DP CENTER MANAGER	1	GRADE 26	
19	(16)	D023	DIS APPL DEVELOPMENT SPEC	25	GRADE 26	
20	(17)	D024	DIS INFORMATION SVCS ADMR	2	GRADE 26	
21	(18)	D037	DIS SYSTEMS PROGRAMMER/ANALYST III	20	GRADE 26	
22	(19)	D043	DIS NETWORK MANAGER	2	GRADE 26	
23	(20)	D008	DIS DATA BASE ANALYST II	11	GRADE 25	
24	(21)	D033	DIS SYSTEMS PROGRAMMER/ANALYST II	1	GRADE 25	
25	(22)	D054	DIS PROG ANA/STAFF SPECIALIST II	1	GRADE 25	
26	(23)	804Z	DIS FISCAL MANAGER	1	GRADE 24	
27	(24)	D021	DIS DATA COMMUNICATION MANAGER	1	GRADE 24	
28	(25)	D039	DIS PRODUCTION CONTROL MANAGER	1	GRADE 24	
29	(26)	D087	DIS TELECOMMUNICATIONS SVCS MGR	2	GRADE 24	
30	(27)	D045	DIS LEAD PROGRAMMER/ANALYST	57	GRADE 23	
31	(28)	D127	TELECOMMUNICATIONS PLANNING SPEC II	3	GRADE 23	
32	(29)	A032	AGENCY FISCAL MANAGER	1	GRADE 22	
33	(30)	D012	NETWORK PLANNING PROJECT LDR	1	GRADE 22	
34	(31)	D029	DIS SENIOR PROGRAMMER/ANALYST	10	GRADE 22	
35	(32)	D113	DIS TELECOMMUNICATIONS SUPERVISOR	1	GRADE 22	
36	(33)	R118	DIS PERSONNEL MANAGER	1	GRADE 22	

1	(34)	A008	ACCOUNTING SUPERVISOR II	1	GRADE 21
2	(35)	A116	RATE ANALYST III	1	GRADE 21
3	(36)	D026	DIS OPERATIONS TECH SPECIALIST	1	GRADE 21
4	(37)	D036	SR PROGRAMMER/ANALYST	1	GRADE 21
5	(38)	D138	DIS SR COMPUTER/DATA OPER SUPV	4	GRADE 21
6	(39)	D019	DIS DATA COMMUNICATIONS TECH II	10	GRADE 20
7	(40)	D058	DIS INFO CENTER ANALYST II	3	GRADE 20
8	(41)	D063	DIS PRODUCTION SCHEDULER II	6	GRADE 19
9	(42)	D079	DIS DOCUMENTATION SPECIALIST	3	GRADE 19
10	(43)	D047	DIS LEAD COMPUTER TECHNICIAN	14	GRADE 18
11	(44)	D084	DIS TELECOMMUNICATION TECH III	8	GRADE 18
12	(45)	R264	MANAGEMENT PROJECT ANALYST I	1	GRADE 18
13	(46)	V040	PURCHASE AGENT II/PURCHASE AGENT	1	GRADE 18
14	(47)	R010	ADMINISTRATIVE ASSISTANT II	4	GRADE 17
15	(48)	D048	DIS SENIOR COMPUTER TECHNICIAN	1	GRADE 16
16	(49)	D082	DIS TAPE LIBRARIAN	2	GRADE 16
17	(50)	D101	DIS TELECOMMUNICATIONS TECH II	1	GRADE 16
18	(51)	A063	PAYROLL OFFICER	1	GRADE 15
19	(52)	A108	ACCOUNTING TECHNICIAN II	1	GRADE 15
20	(53)	D107	DIS VOICE INFO OPERATOR SUPV	3	GRADE 13
21	(54)	K153	SECRETARY II	1	GRADE 13
22	(55)	A106	ACCOUNTING TECHNICIAN I	1	GRADE 12
23	(56)	K006	DATA ENTRY SPECIALIST	<u>1</u>	GRADE 10
24			MAX. NO. OF EMPLOYEES	251	

25

26 SECTION 2. EXTRA HELP. There is hereby authorized, for the Department of
 27 Information Systems for the 2003-2005 biennium, the following maximum number
 28 of part-time or temporary employees, to be known as "Extra Help", payable
 29 from funds appropriated herein for such purposes: *eighteen (18)* temporary or
 30 part-time employees, when needed, at rates of pay not to exceed those
 31 provided in the Uniform Classification and Compensation Act, or its
 32 successor, or this act for the appropriate classification.

33

34 SECTION 3. APPROPRIATION - ADMINISTRATION AND CUSTOMER SUPPORT SERVICES
 35 PROGRAM. There is hereby appropriated, to be payable from the funds and fund
 36 accounts as set out herein, to the Department of Information Systems for the

1 biennial period ending June 30, 2005, the following:

2 (a) For the Administration & Customer Support Services Program, the sum of
 3 \$9,691,180 for the 2003-2004 fiscal year and \$9,691,180 for the 2004-2005
 4 fiscal year.

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

9 (2) Appropriation payable from:

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

12 (3) Performance Targets:

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

30

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

35 (a) For the Production Services Program, the sum of \$18,192,719 for the
 36 2003-2004 fiscal year and \$18,192,719 for the 2004-2005 fiscal year.

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

3 (2) Appropriation payable from: FISCAL YEARS

	<u>2003-2004</u>	<u>2004-2005</u>
4 (A) Other Funds	\$ 22,096,087	\$ 22,035,364

6 (3) Performance Targets:

7 (A) Number of agencies served.	222	238
8 (B) AASIS Support Center costs	11,000,000	11,000,000
9 (C) Training costs per employee 10 compared to outsourced costs - 11 percentage	24	22
12 (D) Maintenance costs as a percent 13 of net assets	23	22
14 (E) Overhead, not including labor, 15 as a percentage of Revenue	9	8
16 (F) Total labor costs as a 17 percentage of Revenue	16	16
18 (G) Overhead labor as a percentage 19 of total labor	5.5	5.5
20 (H) Net Income/(Loss) from 21 Production Services.	0	0

22
 23 SECTION 5. APPROPRIATION - CONSULTING SERVICES PROGRAM. There is hereby
 24 appropriated, to be payable from the funds and fund accounts as set out
 25 herein, to the Department of Information Systems for the biennial period
 26 ending June 30, 2005, the following:

27 (a) For the Consulting Services Program, the sum of \$12,969,467 for the
 28 2003-2004 fiscal year and \$12,969,467 for the 2004-2005 fiscal year.

29 (1) Program Description. This program is designed for the benefit of
 30 customer innovation and technology development.

31 (2) Appropriation payable from: FISCAL YEARS

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

34 (3) Performance Targets:
 35 (A) Percent of DIS managed projects
 36 successfully completed on

1	schedule and within budget	75	90
2	(B) Billable and accountable time as		
3	a percentage of total Department		
4	time each month	60	60
5	(C) Outsource costs as a percent of		
6	total labor costs.	25	25
7	(D) Internal training costs per		
8	employee compared to		
9	external/outsourced costs per		
10	employee	5%	5%
11	(E) Average length of work in		
12	process in days	270	270
13	(F) Overhead not including labor as		
14	a percentage of billings.	9	9
15	(G) Total labor costs as a		
16	percentage of total billed	250	250
17	(H) Overhead labor as a percent of		
18	total labor	14	15
19	(I) Percent of PEPMO staff time		
20	spent on projects/programs.	60	60
21	(J) Percent of PEPMO Project Team		
22	who hold certifications.	100	100
23	(K) Net Income/ (Loss) from		
24	Consulting Services.	0	0

25
 26 SECTION 6. APPROPRIATION - CONNECTIVITY AND COMMUNICATIONS SERVICES
 27 PROGRAM. There is hereby appropriated, to be payable from the funds and fund
 28 accounts as set out herein, to the Department of Information Systems for the
 29 biennial period ending June 30, 2005, the following:

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

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

36 (2) Appropriation payable from: FISCAL YEARS

1		<u>2003-2004</u>	<u>2004-2005</u>
2	(A) Other Funds	\$ 32,222,366	\$ 32,213,256
3	(3) Performance Targets:		
4	(A) Percentage of time network		
5	connectivity is functional and		
6	available per 24 hour day using		
7	scheduled downtime	99	99.5
8	(B) Number of agency master		
9	agreements for telecommunication		
10	services per year	199	219
11	(C) Average cost per minute to		
12	customers for long distance.	\$.075	\$.07
13	(D) Average cost of bandwidth to		
14	customers for network services	\$ 273.77	\$ 260.73
15	(E) Net Income/ (Loss) from wire,		
16	wireless, data, voice, and video.	0	0

17

18 *SECTION 7. APPROPRIATION - UNANTICIPATED SERVICES. There is hereby*
 19 *appropriated to the Department of Information Systems, to be payable from the*
 20 *Department of Information Systems Revolving Fund, for operating expenses*
 21 *incurred in the provision of unanticipated services to state agencies,*
 22 *unusual growth in applications or due to uncontrollable increases in payments*
 23 *to public utilities necessary for the continual provision of services by the*
 24 *Department of Information Systems for the biennial period ending June 30,*
 25 *2005, the following:*

26			
27	<i>ITEM</i>	<i>FISCAL YEARS</i>	
28	<u><i>NO.</i></u>	<u><i>2003-2004</i></u>	<u><i>2004-2005</i></u>
29	<i>(01) CONTINGENCY</i>	<u><i>\$ 25,000,000</i></u>	<u><i>\$ 25,000,000</i></u>
30	<i>TOTAL AMOUNT APPROPRIATED</i>	<u><i>\$ 25,000,000</i></u>	<u><i>\$ 25,000,000</i></u>

31

32 *SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE*
 33 *NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY FORWARD.*
 34 *At the close of the fiscal year ending June 30, 2004, the Department of*
 35 *Information Systems may certify to the Chief Fiscal Officer of the State an*
 36 *unexpended amount of appropriation, as provided for Telecommunications/*

1 *Technology Delivery (not to exceed \$27,950,929) as a part of the Connectivity*
2 *and Communications Services Program ~~in Section 3 of~~ in this Act, which may be*
3 *transferred forward for the fiscal year ending June 30, 2005, for the sole*
4 *purpose of providing payments for the telecommunications system.*

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

7
8 *SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS*
9 *CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY*
10 *FORWARD PROVISION. The balance of the appropriation made for Unanticipated*
11 *Services ~~in Section 4 and Section 5~~ herein which remains at the close of the*
12 *fiscal year ending ~~June 30, 2002~~ June 30, 2004, may be carried forward and*
13 *used for the same purpose in the fiscal year ending ~~June 30, 2003~~ June 30,*
14 *2005.*

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

17
18 *SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS*
19 *CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REPORTING*
20 *REQUIREMENTS. The Chief Fiscal Officer of the State shall annually file with*
21 *the Arkansas Legislative Council and the Joint Committee on Advanced*
22 *Communications and Information Technology a report summarizing all*
23 *expenditures made ~~under the provisions of Section 4 of this Act,~~ from the*
24 *Unanticipated Services appropriation in this Act.*

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

27
28 *SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS*
29 *CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.*
30 *CONTINGENCY RESTRICTIONS. In the event of unforeseen conditions, additional*
31 *appropriations become necessary that are not authorized or contemplated in*
32 *~~Section 3~~ the performance based appropriations of in this Act and such events*
33 *make it necessary that the Department of Information Systems receives*
34 *additional appropriations to carry out the objectives of the agency, the*
35 *Director of the Department of Information Systems is hereby authorized to*
36 *request the approval of the Governor and the Chief Fiscal Officer of the*

1 State, as hereinafter provided, for transfer of an amount not to exceed
2 twenty five million dollars (\$25,000,000) per year ~~the additional~~
3 ~~appropriations~~ provided the Department by ~~Section 4~~ the "Unanticipated
4 Services" appropriation, but in no event shall the transfers exceed the
5 appropriations provided in ~~Section 4~~ the "Unanticipated Services"
6 appropriation of this Act. Whenever the Director of the Department of
7 Information Systems deems it necessary to establish additional appropriations
8 as authorized herein, he shall file with the Governor a written report
9 accompanied by necessary supporting documents setting forth the facts,
10 justifications, and circumstances that necessitate such appropriation and in
11 which performance-based programs the additional appropriation will be
12 utilized. Upon receipt of such reports and supporting documents, the
13 Governor, or his designee, shall study the same, and if he shall determine
14 that such additional appropriations are being sought in strict compliance
15 with this Act, the Governor, after seeking prior review by the Joint
16 Committee on Advanced Communications and Information Technology, may approve
17 or modify such request for additional appropriations as in his judgment he
18 deems necessary, and shall forward a copy thereof to the Chief Fiscal Officer
19 of the State. Upon receipt thereof, the Chief Fiscal Officer of the State
20 after receiving prior approval by the Arkansas Legislative Council or Joint
21 Budget Committee shall direct the State Auditor to process said transfer upon
22 his books in accordance with the provisions as set out herein. If the agency
23 requests continuation of appropriation as established herein during the next
24 biennium, the appropriation must be requested as new appropriation in the
25 agencies biennial 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, 2001~~ July
7 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

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9

10 *SECTION 12. SPECIAL LANGUAGE.* Arkansas Code 25-4-106 is amended to read as
11 follows:

12 25-4-106. Reporting requirements.

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

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

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

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

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

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

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

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

36 (2) The report shall:

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

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

9 (3) The report shall include:

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

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

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

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

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

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

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

26
27 SECTION 13. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
28 by this act shall be limited to the appropriation for such agency and funds
29 made available by law for the support of such appropriations; and the
30 restrictions of the State Purchasing Law, the General Accounting and
31 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
32 Procedures and Restrictions Act, or their successors, and other fiscal
33 control laws of this State, where applicable, and regulations promulgated by
34 the Department of Finance and Administration, as authorized by law, shall be
35 strictly complied with in disbursement of said funds.

36

1 SECTION 14. LEGISLATIVE INTENT. It is the intent of the General Assembly
2 that any funds disbursed under the authority of the appropriations contained
3 in this act shall be in compliance with the stated reasons for which this act
4 was adopted, as evidenced by the Agency Requests, Executive Recommendations
5 and Legislative Recommendations contained in the budget manuals prepared by
6 the Department of Finance and Administration, letters, or summarized oral
7 testimony in the official minutes of the Arkansas Legislative Council or
8 Joint Budget Committee which relate to its passage and adoption.
9

10 SECTION 15. EMERGENCY CLAUSE. It is found and determined by the General
11 Assembly, that the Constitution of the State of Arkansas prohibits the
12 appropriation of funds for more than a two (2) year period; that the
13 effectiveness of this Act on July 1, 2003 is essential to the operation of
14 the agency for which the appropriations in this Act are provided, and that in
15 the event of an extension of the Regular Session, the delay in the effective
16 date of this Act beyond July 1, 2003 could work irreparable harm upon the
17 proper administration and provision of essential governmental programs.
18 Therefore, an emergency is hereby declared to exist and this Act being
19 necessary for the immediate preservation of the public peace, health and
20 safety shall be in full force and effect from and after July 1, 2003.
21

22 /s/ Joint Budget Committee
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