

By: Senator(s) Gordon, Little, Kirby,
Cuevas, Flowers, Lee (35th), Turner

To: Appropriations

SENATE BILL NO. 3124

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING
2 THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF INFORMATION
3 TECHNOLOGY SERVICES FOR FISCAL YEAR 2005.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 SECTION 1. The following sum, or so much thereof as may be
6 necessary, is hereby authorized for expenditure out of any special
7 source funds which are collected by or otherwise become available
8 for the purpose of defraying the expenses of the Mississippi
9 Department of Information Technology Services, for the fiscal year
10 beginning July 1, 2004, and ending June 30, 2005.....
11 \$ 31,554,898.00.

12 SECTION 2. With the funds appropriated under the provisions
13 of Section 1, the following positions are authorized:

14 AUTHORIZED POSITIONS:

15	Permanent:	Full Time.....	144
16		Part Time.....	0
17	Time-Limited:	Full Time.....	2
18		Part Time.....	0

19 With the funds herein appropriated, it is the intention of
20 the Legislature that it shall be the agency's responsibility to
21 make certain that funds required to be appropriated for "Personal
22 Services" for Fiscal Year 2006 do not exceed Fiscal Year 2005
23 funds appropriated for that purpose, unless programs or positions
24 are added to the agency's Fiscal Year 2006 budget by the
25 Mississippi Legislature. Based on data provided by the
26 Legislative Budget Office, the State Personnel Board shall
27 determine and publish the projected annual cost to fully fund all

28 appropriated positions in compliance with the provisions of this
29 act. It shall be the responsibility of the agency head to insure
30 that no single personnel action increases this projected annual
31 cost and/or the Fiscal Year 2005 appropriation for "Personal
32 Services" when annualized, with the exception of escalated funds.
33 If, at the time the agency takes any action to change "Personal
34 Services," the State Personnel Board determines that the agency
35 has taken an action which would cause the agency to exceed this
36 projected annual cost or the Fiscal Year 2005 "Personal Services"
37 appropriated level, when annualized, then only those actions which
38 reduce the projected annual cost and/or the appropriation
39 requirement will be processed by the State Personnel Board until
40 such time as the requirements of this provision are met.

41 Any transfers or escalations shall be made in accordance with
42 the terms, conditions and procedures established by law or
43 allowable under the terms set forth within this act. The State
44 Personnel Board shall not escalate positions without written
45 approval from the Department of Finance and Administration. The
46 Department of Finance and Administration shall not provide written
47 approval to escalate any funds for salaries and/or positions
48 without proof of availability of new or additional funds above the
49 appropriated level.

50 No general funds authorized to be expended herein shall be
51 used to replace federal funds and/or other special funds which are
52 being used for salaries authorized under the provisions of this
53 act and which are withdrawn and no longer available.

54 **SECTION 3.** In order to offset the cost of publishing the
55 annual Mississippi Official Telephone Directory, the Mississippi
56 Department of Information Technology Services is hereby
57 authorized, empowered and directed, in its discretion, to offer
58 for advertising purposes, pages to be included in said Directory,
59 to accept bids, and to let contracts for said pages. The

60 contracts for said advertising purposes shall be let for definite
61 periods not to exceed two (2) years.

62 It shall be the duty of the Mississippi Department of
63 Information Technology Services, if it is desired that advertising
64 shall be used, to approve all proposed advertising submitted for
65 use within such annual Mississippi Official Telephone Directory.
66 The department is hereby authorized, empowered and directed, in
67 its discretion, to reject any and all bids submitted, and if all
68 bids are rejected, the authority may negotiate a contract within
69 the limitations of the specifications so long as the terms of any
70 such negotiated contract are equal to or better than the
71 comparable terms submitted by the lowest and best bidder. No
72 sectarian, un-American, political, partisan or immoral
73 advertisement, as determined solely by the authority or its
74 successor, shall be accepted.

75 All monies derived from sale of such advertising shall be
76 deposited in the appropriate special fund in the State Treasury to
77 the credit of the Mississippi Department of Information Technology
78 Services.

79 **SECTION 4.** The Mississippi Department of Information
80 Technology Services is hereby authorized to receive additional
81 funds from any state agency or other source, including one hundred
82 percent (100%) general-fund agencies, for the purpose of providing
83 data processing or telecommunications services to any governmental
84 organization contracting with the Mississippi Department of
85 Information Technology Services for such services. The
86 Mississippi Department of Information Technology Services is
87 further authorized to escalate an amount not to exceed One Million
88 Dollars (\$1,000,000.00) and to increase, up to a maximum of twenty
89 (20) additional positions, the number of authorized positions
90 listed in this act in order to provide the required data
91 processing or telecommunications services for such governmental

92 organizations, under the rules and regulations of the Department
93 of Finance and Administration.

94 **SECTION 5.** It is the intention of the Legislature that the
95 Department of Information Technology Services shall maintain
96 complete accounting and personnel records related to the
97 expenditure of all funds appropriated under the provisions of this
98 act and that such records shall be in the same format and level of
99 details as maintained for Fiscal Year 2004. It is further the
100 intention of the Legislature that the budget request for Fiscal
101 Year 2006 shall be submitted to the Joint Legislative Budget
102 Committee in a format and level of detail comparable to the format
103 and level of detail provided during the Fiscal Year 2005 budget
104 request process.

105 **SECTION 6.** The money herein appropriated shall be paid by
106 the State Treasurer out of any money in the State Treasury to the
107 credit of the proper fund or funds as set forth in this act, upon
108 warrants issued by the State Fiscal Officer; and the State Fiscal
109 Officer shall issue his warrants upon requisitions signed by the
110 proper person, officer or officers, in the manner provided by law.

111 **SECTION 7.** This act shall take effect and be in force from
112 and after July 1, 2004.