

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

To: Appropriations

SENATE BILL NO. 3025

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 2007.

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, 2006, and ending June 30, 2007.....
11 \$ 34,119,618.00.

12 **SECTION 2.** Of the funds appropriated under the provisions of
13 Section 1, not more than the amounts set forth below shall be
14 expended for the respective major objects or purposes of
15 expenditure:

16 MAJOR OBJECTS OF EXPENDITURE:

17	Personal Services:	
18	Salaries, Wages and Fringe Benefits..	\$ 9,464,202.00
19	Travel and Subsistence.....	102,000.00
20	Contractual Services.....	22,108,136.00
21	Commodities.....	295,362.00
22	Capital Outlay:	
23	Other Than Equipment.....	0.00
24	Equipment.....	2,099,918.00
25	Subsidies, Loans and Grants.....	<u>50,000.00</u>
26	Total.....	\$ 34,119,618.00

27 AUTHORIZED POSITIONS:

28	Permanent:	Full Time.....	138
29		Part Time.....	0
30	Time-Limited:	Full Time.....	2
31		Part Time.....	0

32 Funds are provided herein to adjust the Variable Compensation
33 Plan to ensure that all full-time employees receive a pay increase
34 equal to the realignment component of the Variable Compensation
35 Plan or Twelve Hundred Dollars (\$1,200.00), whichever is greater,
36 beginning on July 1, 2006.

37 Pursuant to policies established by the State Personnel
38 Board, agency heads may, on a case by case basis and within funds
39 available, recommend equity salary adjustments to Fiscal Year 2006
40 agency appropriation acts where application of limitations result
41 in awarding one employee a salary increase greater than another
42 employee within the same agency, with the same job classification
43 series and greater longevity.

44 With the funds herein appropriated, it is the intention of
45 the Legislature that it shall be the agency's responsibility to
46 make certain that funds required to be appropriated for "Personal
47 Services" for Fiscal Year 2008 do not exceed Fiscal Year 2007
48 funds appropriated for that purpose, unless programs or positions
49 are added to the agency's Fiscal Year 2008 budget by the
50 Mississippi Legislature. Based on data provided by the
51 Legislative Budget Office, the State Personnel Board shall
52 determine and publish the projected annual cost to fully fund all
53 appropriated positions in compliance with the provisions of this
54 act. It shall be the responsibility of the agency head to insure
55 that no single personnel action increases this projected annual
56 cost and/or the Fiscal Year 2007 appropriation for "Personal
57 Services" when annualized, with the exception of escalated funds.
58 If, at the time the agency takes any action to change "Personal
59 Services," the State Personnel Board determines that the agency
60 has taken an action which would cause the agency to exceed this

61 projected annual cost or the Fiscal Year 2007 "Personal Services"
62 appropriated level, when annualized, then only those actions which
63 reduce the projected annual cost and/or the appropriation
64 requirement will be processed by the State Personnel Board until
65 such time as the requirements of this provision are met.

66 Any transfers or escalations shall be made in accordance with
67 the terms, conditions and procedures established by law or
68 allowable under the terms set forth within this act. The State
69 Personnel Board shall not escalate positions without written
70 approval from the Department of Finance and Administration. The
71 Department of Finance and Administration shall not provide written
72 approval to escalate any funds for salaries and/or positions
73 without proof of availability of new or additional funds above the
74 appropriated level.

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

79 **SECTION 3.** In order to offset the cost of publishing the
80 annual Mississippi Official Telephone Directory, the Mississippi
81 Department of Information Technology Services is hereby
82 authorized, empowered and directed, in its discretion, to offer
83 for advertising purposes, pages to be included in said Directory,
84 to accept bids, and to let contracts for said pages. The
85 contracts for said advertising purposes shall be let for definite
86 periods not to exceed two (2) years.

87 It shall be the duty of the Mississippi Department of
88 Information Technology Services, if it is desired that advertising
89 shall be used, to approve all proposed advertising submitted for
90 use within such annual Mississippi Official Telephone Directory.
91 The department is hereby authorized, empowered and directed, in
92 its discretion, to reject any and all bids submitted, and if all
93 bids are rejected, the authority may negotiate a contract within

94 the limitations of the specifications so long as the terms of any
95 such negotiated contract are equal to or better than the
96 comparable terms submitted by the lowest and best bidder. No
97 sectarian, un-American, political, partisan or immoral
98 advertisement, as determined solely by the authority or its
99 successor, shall be accepted.

100 All monies derived from sale of such advertising shall be
101 deposited in the appropriate special fund in the State Treasury to
102 the credit of the Mississippi Department of Information Technology
103 Services.

104 **SECTION 4.** The Mississippi Department of Information
105 Technology Services is hereby authorized to receive additional
106 funds from any state agency or other source, including one hundred
107 percent (100%) general-fund agencies, for the purpose of providing
108 data processing or telecommunications services to any governmental
109 organization contracting with the Mississippi Department of
110 Information Technology Services for such services. The
111 Mississippi Department of Information Technology Services is
112 further authorized to escalate an amount not to exceed One Million
113 Dollars (\$1,000,000.00) and to increase, up to a maximum of twenty
114 (20) additional positions, the number of authorized positions
115 listed in this act in order to provide the required data
116 processing or telecommunications services for such governmental
117 organizations, under the rules and regulations of the Department
118 of Finance and Administration.

119 **SECTION 5.** Of the funds appropriated under the provisions of
120 Section 1, One Hundred Fifty Thousand Dollars (\$150,000.00) is
121 authorized for expenditure and for the established purpose of
122 E-Government Special Fund 3602.

123 **SECTION 6.** None of the funds herein appropriated shall be
124 expended by Information Technology Services unless assessments,
125 fees or rate levels charged to other state agencies for services
126 are at or below the January 1, 2006, fee structure level, except

127 for the establishment of rates for a new or expanded service, and
128 required increases due to costs not within the control of this
129 agency.

130 **SECTION 7.** It is the intention of the Legislature that the
131 Department of Information Technology Services shall maintain
132 complete accounting and personnel records related to the
133 expenditure of all funds appropriated under the provisions of this
134 act and that such records shall be in the same format and level of
135 details as maintained for Fiscal Year 2006. It is further the
136 intention of the Legislature that the budget request for Fiscal
137 Year 2008 shall be submitted to the Joint Legislative Budget
138 Committee in a format and level of detail comparable to the format
139 and level of detail provided during the Fiscal Year 2007 budget
140 request process.

141 **SECTION 8.** It is the intention of the Legislature that the
142 Executive Director of the Mississippi Department of Information
143 Technology may authorize increases in major objects of expenditure
144 in total amounts not to exceed twenty-five percent (25%) of the
145 appropriated amount of each major object of expenditure, provided
146 that other major objects of expenditure are decreased by a
147 corresponding dollar amount. However, no transfers shall be
148 authorized which increase the major object of expenditure
149 "Salaries, Wages and Fringe Benefits."

150 **SECTION 9.** The money herein appropriated shall be paid by
151 the State Treasurer out of any money in the State Treasury to the
152 credit of the proper fund or funds as set forth in this act, upon
153 warrants issued by the State Fiscal Officer; and the State Fiscal
154 Officer shall issue his warrants upon requisitions signed by the
155 proper person, officer or officers, in the manner provided by law.

156 **SECTION 10.** This act shall take effect and be in force from
157 and after July 1, 2006.