

By: Senator(s) Gordon, Thames, Dearing,
Gollott, Little, White (5th)

To: Appropriations

SENATE BILL NO. 3128
(As Sent to Governor)

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 2003.

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, 2002, and ending June 30, 2003.....
11 \$ 35,429,545.00.

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.....	145
16		Part Time.....	0
17	Time-Limited:	Full Time.....	0
18		Part Time.....	0

19 Funds are provided herein to adjust the Variable Compensation
20 Plan to ensure that all full-time employees receive a pay increase
21 equal to fifty percent (50%) of the realignment component of the
22 Variable Compensation Plan or Six Hundred Dollars (\$600.00),
23 whichever is greater, beginning on January 1, 2003.

24 With the funds herein appropriated, it is the intention of
25 the Legislature that it shall be the agency's responsibility to
26 make certain that funds required to be appropriated for "Personal
27 Services" for Fiscal Year 2004 do not exceed Fiscal Year 2003



28 funds appropriated for that purpose, unless programs, positions or
29 pay increases are added to the agency's budget by the Mississippi
30 Legislature. Based on data provided by the Legislative Budget
31 Office, the State Personnel Board shall, on July 1, 2002, publish
32 separate annual projection reports, based on July 1, 2002 data,
33 for the period of July 1, 2002, through December 31, 2002, and
34 January 1, 2003, through June 30, 2003, that project the annual
35 cost to fully fund all appropriated positions in compliance with
36 the provisions of this act. It shall be the responsibility of the
37 agency head to ensure that no single personnel action increases
38 this projected cost and/or the Fiscal Year 2003 appropriation for
39 "Personal Services," as annualized on a semiannual basis in
40 accordance with the provisions of this act. If, at the end of any
41 calendar month, the State Personnel Board determines that the
42 agency has taken action(s) which would cause the agency to exceed
43 this projected annual cost or the Fiscal Year 2003 "Personal
44 Services" appropriated level, when annualized in compliance with
45 the provisions of this act, then only those actions which reduce
46 the projected annual cost and/or the appropriation requirement
47 will be processed by the State Personnel Board until such time as
48 the requirements of this provision are met.

49 Any transfers or escalations shall be made in accordance with
50 the terms, conditions and procedures established by law.

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

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



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

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

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

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



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

95 **SECTION 5.** Of the funds appropriated under the provisions of
96 Section 1, One Million Dollars (\$1,000,000.00) shall be derived
97 from the Budget Contingency Fund created in Section 27-103-301,
98 Mississippi Code of 1972.

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

105 **SECTION 7.** This act shall take effect and be in force from
106 and after July 1, 2002.

