

By: Senator(s) Gordon, Thames, Dearing,
Gollott, Little, Walden

To: Appropriations

SENATE BILL NO. 2931
(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 2004.

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, 2003, and ending June 30, 2004.....
11 \$ 33,094,962.00.

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.....	152
16		Part Time.....	0
17	Time-Limited:	Full Time.....	0
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 2005 do not exceed Fiscal Year 2004
23 funds appropriated for that purpose, unless programs or positions
24 are added to the agency's Fiscal Year 2005 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 2004 appropriation for "Personal
32 Services" when annualized. If, at the end of any calendar month,
33 the State Personnel Board determines that the agency has taken
34 action(s) which would cause the agency to exceed this projected
35 annual cost or the Fiscal Year 2004 "Personal Services"
36 appropriated level, when annualized, then only those actions which
37 reduce the projected annual cost and/or the appropriation
38 requirement will be processed by the State Personnel Board until
39 such time as the requirements of this provision are met.

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

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45 act and which are withdrawn and no longer available.

46 **SECTION 3.** In order to offset the cost of publishing the
47 annual Mississippi Official Telephone Directory, the Mississippi
48 Department of Information Technology Services is hereby
49 authorized, empowered and directed, in its discretion, to offer
50 for advertising purposes, pages to be included in said Directory,
51 to accept bids, and to let contracts for said pages. The
52 contracts for said advertising purposes shall be let for definite
53 periods not to exceed two (2) years.

54 It shall be the duty of the Mississippi Department of
55 Information Technology Services, if it is desired that advertising
56 shall be used, to approve all proposed advertising submitted for
57 use within such annual Mississippi Official Telephone Directory.
58 The department is hereby authorized, empowered and directed, in
59 its discretion, to reject any and all bids submitted, and if all
60 bids are rejected, the authority may negotiate a contract within



61 the limitations of the specifications so long as the terms of any
62 such negotiated contract are equal to or better than the
63 comparable terms submitted by the lowest and best bidder. No
64 sectarian, un-American, political, partisan or immoral
65 advertisement, as determined solely by the authority or its
66 successor, shall be accepted.

67 All monies derived from sale of such advertising shall be
68 deposited in the appropriate special fund in the State Treasury to
69 the credit of the Mississippi Department of Information Technology
70 Services.

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

86 **SECTION 5.** It is the intention of the Legislature that the
87 Department of Information Technology Services shall maintain
88 complete accounting and personnel records related to the
89 expenditure of all funds appropriated under the provisions of this
90 act and that such records shall be in the same format and level of
91 details as maintained for Fiscal Year 2003. It is further the
92 intention of the Legislature that the budget request for Fiscal
93 Year 2005 shall be submitted to the Joint Legislative Budget



94 Committee in a format and level of detail comparable to the format
95 and level of detail provided during the Fiscal Year 2004 budget
96 request process.

97 **SECTION 6.** Of the funds appropriated under the provisions of
98 this act to the Institute for Technology Services, Two Hundred
99 Thousand Dollars (\$200,000.00) shall be derived from the Budget
100 Contingency Fund created in Section 27-103-301, Mississippi Code
101 of 1972. It is the intention of the Legislature that these funds
102 shall be provided to Mississippi ITFS Educational Television
103 (EDNET Institute) for the purposes provided in Section 37-63-9(2),
104 Mississippi Code of 1972.

105 **SECTION 7.** 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 8.** This act shall take effect and be in force from
112 and after July 1, 2003.

