

REPORT OF CONFERENCE COMMITTEE

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MADAM PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3064: Appropriation; Information Technology Services.

We, therefore, respectfully submit the following report and recommendation:

- 1. That the House recede from its Amendment No. 1.
- 2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

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, 2005, and ending June 30, 2006.....
11 \$ 35,201,315.00.

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..	\$	9,877,758.00
19 Travel and Subsistence.....		113,031.00
20 Contractual Services.....		22,742,519.00
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.....		72,727.00
26 Total.....	\$	35,201,315.00

27 AUTHORIZED POSITIONS:

28	Permanent:	Full Time.....	150
29		Part Time.....	0
30	Time-Limited:	Full Time.....	2
31		Part Time.....	0

32 With the funds herein appropriated, it is the intention of
33 the Legislature that it shall be the agency's responsibility to
34 make certain that funds required to be appropriated for "Personal
35 Services" for Fiscal Year 2007 do not exceed Fiscal Year 2006
36 funds appropriated for that purpose, unless programs or positions
37 are added to the agency's Fiscal Year 2007 budget by the
38 Mississippi Legislature. Based on data provided by the
39 Legislative Budget Office, the State Personnel Board shall
40 determine and publish the projected annual cost to fully fund all
41 appropriated positions in compliance with the provisions of this
42 act. It shall be the responsibility of the agency head to insure
43 that no single personnel action increases this projected annual
44 cost and/or the Fiscal Year 2006 appropriation for "Personal
45 Services" when annualized, with the exception of escalated funds.
46 If, at the time the agency takes any action to change "Personal
47 Services," the State Personnel Board determines that the agency
48 has taken an action which would cause the agency to exceed this
49 projected annual cost or the Fiscal Year 2006 "Personal Services"
50 appropriated level, when annualized, then only those actions which
51 reduce the projected annual cost and/or the appropriation
52 requirement will be processed by the State Personnel Board until
53 such time as the requirements of this provision are met.

54 Any transfers or escalations shall be made in accordance with
55 the terms, conditions and procedures established by law or
56 allowable under the terms set forth within this act. The State
57 Personnel Board shall not escalate positions without written
58 approval from the Department of Finance and Administration. The

59 Department of Finance and Administration shall not provide written
60 approval to escalate any funds for salaries and/or positions
61 without proof of availability of new or additional funds above the
62 appropriated level.

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

67 The agency shall not take any action to promote or otherwise
68 award salary increases through reallocation, reclassification,
69 realignment, education benchmark, career ladder, or any other
70 means to increase salaries of employees or positions, except for
71 the award of teacher pay increases.

72 **SECTION 3.** In order to offset the cost of publishing the
73 annual Mississippi Official Telephone Directory, the Mississippi
74 Department of Information Technology Services is hereby
75 authorized, empowered and directed, in its discretion, to offer
76 for advertising purposes, pages to be included in said Directory,
77 to accept bids, and to let contracts for said pages. The
78 contracts for said advertising purposes shall be let for definite
79 periods not to exceed two (2) years.

80 It shall be the duty of the Mississippi Department of
81 Information Technology Services, if it is desired that advertising
82 shall be used, to approve all proposed advertising submitted for
83 use within such annual Mississippi Official Telephone Directory.
84 The department is hereby authorized, empowered and directed, in
85 its discretion, to reject any and all bids submitted, and if all
86 bids are rejected, the authority may negotiate a contract within
87 the limitations of the specifications so long as the terms of any
88 such negotiated contract are equal to or better than the
89 comparable terms submitted by the lowest and best bidder. No
90 sectarian, un-American, political, partisan or immoral

91 advertisement, as determined solely by the authority or its
92 successor, shall be accepted.

93 All monies derived from sale of such advertising shall be
94 deposited in the appropriate special fund in the State Treasury to
95 the credit of the Mississippi Department of Information Technology
96 Services.

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

112 **SECTION 5.** Of the funds appropriated under the provisions of
113 Section 1, One Hundred Thousand Dollars (\$100,000.00) is
114 authorized for expenditure and for the established purpose of
115 E-Government Special Fund 3602.

116 **SECTION 6.** None of the funds herein appropriated shall be
117 expended by Information Technology Services unless assessments,
118 fees or rate levels charged to other state agencies for services
119 are at or below the January 1, 2005, fee structure level, except
120 for the establishment of rates for a new or expanded service, and
121 required increases due to costs not within the control of this
122 agency.

123 **SECTION 7.** It is the intention of the Legislature that the
124 Department of Information Technology Services shall maintain
125 complete accounting and personnel records related to the
126 expenditure of all funds appropriated under the provisions of this
127 act and that such records shall be in the same format and level of
128 details as maintained for Fiscal Year 2005. It is further the
129 intention of the Legislature that the budget request for Fiscal
130 Year 2007 shall be submitted to the Joint Legislative Budget
131 Committee in a format and level of detail comparable to the format
132 and level of detail provided during the Fiscal Year 2006 budget
133 request process.

134 **SECTION 8.** Of the funds provided herein, the sum of One
135 Million Five Hundred Thirteen Thousand Three Hundred Thirty-seven
136 Dollars (\$1,513,337.00) is hereby assessed on any non-federal
137 special funds and shall be deposited to the Budget Contingency
138 Fund created in Section 27-103-301, Mississippi Code of 1972, on
139 or before October 1, 2005, for the purpose of reimbursing the
140 State of Mississippi for administrative costs.

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

147 **SECTION 10.** This act shall take effect and be in force from
148 and after July 1, 2005.

CONFEREES FOR THE SENATE

X (SIGNED)
Jack Gordon

X (SIGNED)
Dean Kirby

X (SIGNED)
Perry Lee

CONFEREES FOR THE HOUSE

X (SIGNED)
Johnny W. Stringer

X (SIGNED)
Charlie Capps, Jr.

X (SIGNED)
Tom Weathersby