

By: Senator(s) Gordon, Thames, Farris,
Kirby, Chaney, Frazier, Little, Walls,
Williamson

To: Appropriations

SENATE BILL NO. 2934

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING
2 THE EXPENSES OF THE STATE DEPARTMENT OF AUDIT FOR FISCAL YEAR
3 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 appropriated out of any funds in the State
7 General Fund not otherwise appropriated, for the purpose of paying
8 salaries and defraying the expenses of the State Department of
9 Audit in making the audits and investigations of public offices of
10 the state and counties as provided by Section 7-7-201 et seq.,
11 Mississippi Code of 1972, for the fiscal year beginning
12 July 1, 2003, and ending June 30, 2004..... \$ 5,959,024.00.

13 **SECTION 2.** The following sum, or so much thereof as may be
14 necessary, is hereby appropriated out of any special funds in the
15 State Treasury to the credit of the State Department of Audit's
16 special fund account for the purpose of paying salaries and
17 defraying the expenses of the State Department of Audit in making
18 the audits and investigations of public offices of the state and
19 counties as provided by Section 7-7-201 et seq., Mississippi Code
20 of 1972, for the fiscal year beginning July 1, 2003, and ending
21 June 30, 2004..... \$ 4,174,776.00.

22 **SECTION 3.** Of the funds appropriated under the provisions of
23 Sections 1 and 2, not more than the amounts set forth below shall
24 be expended for the respective major objects or purposes of
25 expenditure:

26 MAJOR OBJECTS OF EXPENDITURE:

27 Personal Services:



28	Salaries, Wages and Fringe Benefits..	\$	8,318,363.00
29	Travel and Subsistence.....		801,858.00
30	Contractual Services.....		877,456.00
31	Commodities.....		86,123.00
32	Capital Outlay:		
33	Other Than Equipment.....		0.00
34	Equipment.....		50,000.00
35	Subsidies, Loans and Grants.....		<u>0.00</u>
36	Total.....	\$	10,133,800.00
37	FUNDING:		
38	General Funds.....	\$	5,959,024.00
39	Special Funds.....		<u>4,174,776.00</u>
40	Total.....	\$	10,133,800.00

41 AUTHORIZED POSITIONS:

42	Permanent:	Full Time.....	168
43		Part Time.....	1
44	Time-Limited:	Full Time.....	0
45		Part Time.....	0

46 With the funds herein appropriated, it is the intention of
47 the Legislature that it shall be the agency's responsibility to
48 make certain that funds required to be appropriated for "Personal
49 Services" for Fiscal Year 2005 do not exceed Fiscal Year 2004
50 funds appropriated for that purpose, unless programs or positions
51 are added to the agency's Fiscal Year 2005 budget by the
52 Mississippi Legislature. Based on data provided by the
53 Legislative Budget Office, the State Personnel Board shall
54 determine and publish the projected annual cost to fully fund all
55 appropriated positions in compliance with the provisions of this
56 act. It shall be the responsibility of the agency head to insure
57 that no single personnel action increases this projected annual
58 cost and/or the Fiscal Year 2004 appropriation for "Personal
59 Services" when annualized. If, at the end of any calendar month,
60 the State Personnel Board determines that the agency has taken



61 action(s) which would cause the agency to exceed this projected
62 annual cost or the Fiscal Year 2004 "Personal Services"
63 appropriated level, when annualized, then only those actions which
64 reduce the projected annual cost and/or the appropriation
65 requirement will be processed by the State Personnel Board until
66 such time as the requirements of this provision are met.

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

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

73 **SECTION 4.** In addition to the sums appropriated herein, the
74 Office of the State Auditor is hereby authorized to receive,
75 budget, and expend, with the approval of the Department of Finance
76 and Administration, any special funds made available to comply
77 with the Single Audit Act of 1984. These special funds may be
78 used to employ staff, reallocate existing staff, and pay related
79 expenses, or to engage private accountants, as necessary, to
80 comply with the provisions of the Act.

81 **SECTION 5.** Within the funds provided herein, audits of the
82 Institute for Technology Development (ITD) are to be performed by
83 the State Auditor in accordance with Sections 31-29-3 and
84 31-29-25, Mississippi Code of 1972. In conducting these audits,
85 the State Auditor may rely to the maximum extent possible upon
86 audits of ITD conducted by independent auditors in accordance with
87 the provisions of the "Standards for Audit of Governmental
88 Organizations, Programs, Activities and Functions" published by
89 the Comptroller General of the United States and Circular A-133
90 "Audits of Institutions of Higher Learning and Other Non-Profit
91 Institutions" published by the Office of Management and Budget.
92 ITD shall present the results of any and all such audits to the
93 State Auditor for review and incorporation into his reports to the



94 Legislative Budget Committee. The audits to be provided to the
 95 State Auditor by ITD shall include at least one (1) annual
 96 financial and compliance audit and one (1) audit of its indirect
 97 costs and associated billing rate agreements.

98 **SECTION 6.** In compliance with the "Mississippi Performance
 99 Budget and Strategic Planning Act of 1994," it is the intent of
 100 the Legislature that the funds provided herein shall be utilized
 101 in the most efficient and effective manner possible to achieve the
 102 intended mission of this agency. Based on the funding authorized,
 103 this agency shall make every effort to attain the targeted
 104 performance measures provided below:

	FY2004
<u>Performance Measures</u>	<u>Target</u>
107 Post Audit	
108 Audits Completed (Engagements)	145
109 Billable Audit Hours (Hours)	150,556
110 Technical Assistance	
111 Inquiries (Action)	10,000
112 Cost per Inquiry (\$)	27.93
113 Technicalities (Actions)	2,000
114 Cost per Technicality (\$)	0.66
115 Average Daily Attendance	
116 ADA Examination (Actions)	10,210
117 Cost per Attendance Count (\$)	49.33
118 Cost per School (\$)	572.32

119 A reporting of the degree to which the performance targets
 120 set above have been or are being achieved shall be provided in the
 121 agency's budget request submitted to the Joint Legislative Budget
 122 Committee for Fiscal Year 2005.

123 **SECTION 7.** It is the intention of the Legislature that none
 124 of the funds appropriated by this act shall be expended for
 125 increased charges for State and School Employees' Health Insurance
 126 Plan premium rates assessed by the Department of Finance and



127 Administration in excess of the Fiscal Year 2003 premium rates for
128 the health insurance plan.

129 **SECTION 8.** The money herein appropriated shall be paid by
130 the State Treasurer out of any money in the State Treasury to the
131 credit of the proper fund or funds as set forth in this act, upon
132 warrants issued by the State Fiscal Officer; and the State Fiscal
133 Officer shall issue his warrants upon requisitions signed by the
134 proper person, officer or officers in the manner provided by law.

135 **SECTION 9.** This act shall take effect and be in force from
136 and after July 1, 2003.

