

By: Senator(s) Gordon, Little, Thames,
Chaney, Davis, Kirby, Williamson

To: Appropriations

SENATE BILL NO. 3008

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING
2 THE EXPENSES OF THE STATE DEPARTMENT OF AUDIT FOR FISCAL YEAR
3 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 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, 2006, and ending June 30, 2007..... \$ 5,863,661.00.

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, 2006, and ending
21 June 30, 2007..... \$ 3,942,039.00.

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.. | \$ | 7,999,270.00 |
| 29 | Travel and Subsistence..... | | 722,591.00 |
| 30 | Contractual Services..... | | 959,715.00 |
| 31 | Commodities..... | | 80,599.00 |
| 32 | Capital Outlay: | | |
| 33 | Other Than Equipment..... | | 0.00 |
| 34 | Equipment..... | | 42,468.00 |
| 35 | Subsidies, Loans and Grants..... | | <u>1,057.00</u> |
| 36 | Total..... | \$ | 9,805,700.00 |

37 FUNDING:

| | | | |
|----|--------------------|----|---------------------|
| 38 | General Funds..... | \$ | 5,863,661.00 |
| 39 | Special Funds..... | | <u>3,942,039.00</u> |
| 40 | Total..... | \$ | 9,805,700.00 |

41 AUTHORIZED POSITIONS:

| | | | |
|----|---------------|----------------|-----|
| 42 | Permanent: | Full Time..... | 146 |
| 43 | | Part Time..... | 1 |
| 44 | Time-Limited: | Full Time..... | 4 |
| 45 | | Part Time..... | 0 |

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

51 Pursuant to policies established by the State Personnel
52 Board, agency heads may, on a case by case basis and within funds
53 available, recommend equity salary adjustments to Fiscal Year 2006
54 agency appropriation acts where application of limitations result
55 in awarding one employee a salary increase greater than another
56 employee within the same agency, with the same job classification
57 series and greater longevity.

58 With the funds herein appropriated, it is the intention of
59 the Legislature that it shall be the agency's responsibility to
60 make certain that funds required to be appropriated for "Personal

61 Services" for Fiscal Year 2008 do not exceed Fiscal Year 2007
62 funds appropriated for that purpose, unless programs or positions
63 are added to the agency's Fiscal Year 2008 budget by the
64 Mississippi Legislature. Based on data provided by the
65 Legislative Budget Office, the State Personnel Board shall
66 determine and publish the projected annual cost to fully fund all
67 appropriated positions in compliance with the provisions of this
68 act. It shall be the responsibility of the agency head to insure
69 that no single personnel action increases this projected annual
70 cost and/or the Fiscal Year 2007 appropriation for "Personal
71 Services" when annualized, with the exception of escalated funds.
72 If, at the time the agency takes any action to change "Personal
73 Services," the State Personnel Board determines that the agency
74 has taken an action which would cause the agency to exceed this
75 projected annual cost or the Fiscal Year 2007 "Personal Services"
76 appropriated level, when annualized, then only those actions which
77 reduce the projected annual cost and/or the appropriation
78 requirement will be processed by the State Personnel Board until
79 such time as the requirements of this provision are met.

80 Any transfers or escalations shall be made in accordance with
81 the terms, conditions and procedures established by law or
82 allowable under the terms set forth within this act. The State
83 Personnel Board shall not escalate positions without written
84 approval from the Department of Finance and Administration. The
85 Department of Finance and Administration shall not provide written
86 approval to escalate any funds for salaries and/or positions
87 without proof of availability of new or additional funds above the
88 appropriated level.

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

93 The agency shall not take any action to promote or otherwise
 94 award salary increases through reallocation, reclassification,
 95 realignment, education benchmark, career ladder, or any other
 96 means to increase salaries of employees or positions unless
 97 specifically exempted by the following conditions: the award of
 98 teacher pay increases, the advancement of a trainee/cadet to the
 99 next level of a bona fide career ladder, the award of an
 100 educational benchmark for the attainment of Certified Public
 101 Accountant License or higher level professional certification as
 102 determined by the State Personnel Board, the immediate replacement
 103 of a departing employee with an individual from within state
 104 service or a new hire at a salary level equivalent to that of the
 105 departing employee, and the emergency appointment of nurses,
 106 pharmacists or other health care professionals at a salary to be
 107 determined by the State Personnel Board, unless otherwise
 108 authorized in this act.

109 **SECTION 4.** In compliance with the "Mississippi Performance
 110 Budget and Strategic Planning Act of 1994," it is the intent of
 111 the Legislature that the funds provided herein shall be utilized
 112 in the most efficient and effective manner possible to achieve the
 113 intended mission of this agency. Based on the funding authorized,
 114 this agency shall make every effort to attain the targeted
 115 performance measures provided below:

| | FY07 |
|--|---------------|
| <u>Performance Measures</u> | <u>Target</u> |
| 118 Post Audit | |
| 119 Audits Completed (Engagements) | 90 |
| 120 Billable Audit Hours (Hours) | 121,561 |
| 121 Technical Assistance | |
| 122 Inquiries (Action) | 8,500 |
| 123 Cost per Inquiry (\$) | 31.00 |
| 124 Technicalities (Actions) | 60,000 |
| 125 Cost per Technicality (\$) | 35.50 |

126 Average Daily Attendance

127 Cost per School (\$) 617.60

128 A reporting of the degree to which the performance targets
129 set above have been or are being achieved shall be provided in the
130 agency's budget request submitted to the Joint Legislative Budget
131 Committee for Fiscal Year 2008.

132 **SECTION 5.** In addition to the sums appropriated herein, the
133 Office of the State Auditor is hereby authorized to receive,
134 budget and expend, with the approval of the Department of Finance
135 and Administration, any special funds made available to comply
136 with the Single Audit Act of 1984. These special funds may be
137 used to employ staff, and pay related expenses, or to engage
138 private accountants, as necessary, to comply with the provisions
139 of the act.

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

146 **SECTION 7.** This act shall take effect and be in force from
147 and after July 1, 2006.