

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

To: Appropriations

SENATE BILL NO. 3008
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING
2 THE EXPENSES OF THE STATE DEPARTMENT OF AUDIT FOR FISCAL YEARS
3 2006 AND 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..... \$ 6,036,065.00.

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..... \$ 3,913,382.00.

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..	\$	8,143,017.00
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.....	\$	9,949,447.00

37 FUNDING:

38	General Funds.....	\$	6,036,065.00
39	Special Funds.....		<u>3,913,382.00</u>
40	Total.....	\$	9,949,447.00

41 AUTHORIZED POSITIONS:

42	Permanent:	Full Time.....	171
43		Part Time.....	1
44	Time-Limited:	Full Time.....	0
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 Fifteen Hundred Dollars (\$1,500.00), whichever is greater,
50 with not more than one-half (1/2) to be awarded on July 1, 2006,
51 with the remainder to be awarded on January 1, 2007.

52 With the funds herein appropriated, it is the intention of
53 the Legislature that it shall be the agency's responsibility to
54 make certain that funds required to be appropriated for "Personal
55 Services" for Fiscal Year 2008 do not exceed Fiscal Year 2007
56 funds appropriated for that purpose, unless programs or positions
57 are added to the agency's Fiscal Year 2008 budget by the
58 Mississippi Legislature. Based on data provided by the
59 Legislative Budget Office, the State Personnel Board shall
60 determine and publish the projected annual cost to fully fund all

61 appropriated positions in compliance with the provisions of this
62 act. It shall be the responsibility of the agency head to insure
63 that no single personnel action increases this projected annual
64 cost and/or the Fiscal Year 2007 appropriation for "Personal
65 Services" when annualized, with the exception of escalated funds.
66 If, at the time the agency takes any action to change "Personal
67 Services," the State Personnel Board determines that the agency
68 has taken an action which would cause the agency to exceed this
69 projected annual cost or the Fiscal Year 2007 "Personal Services"
70 appropriated level, when annualized, then only those actions which
71 reduce the projected annual cost and/or the appropriation
72 requirement will be processed by the State Personnel Board until
73 such time as the requirements of this provision are met.

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

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

87 **SECTION 4.** In compliance with the "Mississippi Performance
88 Budget and Strategic Planning Act of 1994," it is the intent of
89 the Legislature that the funds provided herein shall be utilized
90 in the most efficient and effective manner possible to achieve the
91 intended mission of this agency. Based on the funding authorized,
92 this agency shall make every effort to attain the targeted
93 performance measures provided below:

94		FY07
95	<u>Performance Measures</u>	<u>Target</u>
96	Post Audit	
97	Audits Completed (Engagements)	90
98	Billable Audit Hours (Hours)	121,561
99	Technical Assistance	
100	Inquiries (Action)	8,500
101	Cost per Inquiry (\$)	31.00
102	Technicalities (Actions)	60,000
103	Cost per Technicality (\$)	35.50
104	Average Daily Attendance	
105	Cost per School (\$)	617.60

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

110 **SECTION 5.** In addition to the sums appropriated herein, the
111 Office of the State Auditor is hereby authorized to receive,
112 budget and expend, with the approval of the Department of Finance
113 and Administration, any special funds made available to comply
114 with the Single Audit Act of 1984. These special funds may be
115 used to employ staff, and pay related expenses, or to engage
116 private accountants, as necessary, to comply with the provisions
117 of the act.

118 **SECTION 6.** It is the intention of the Legislature that
119 whenever two (2) or more bids are received by this agency for the
120 purchase of commodities or equipment, and whenever all things
121 stated in such received bids are equal with respect to price,
122 quality and service, the Mississippi Industries for the Blind
123 shall be given preference. A similar preference shall be given to
124 the Mississippi Industries for the Blind whenever purchases are
125 made without competitive bids.

126 **SECTION 7.** It is legislative intent to ensure beneficial
127 information reaches as many Mississippians as possible. Further,
128 it is legislative intent that the expenditure of public funds for
129 this purpose be accomplished in an efficient and effective manner.

130 Therefore, state agencies as standard procedure, will observe
131 the following criteria:

132 (1) Develop goals and desired result for a campaign.

133 (2) Evaluate effectiveness through respected advertising
134 standards, including market reach and cost effectiveness.

135 (3) Seek public service announcements, which would be aired
136 by media without cost.

137 (4) Itemize and justify professional assistance and related
138 expenses for creative and production costs outside of the actual
139 media expenditures.

140 (5) Utilize Mississippi owned media companies when feasible.

141 **SECTION 8.** It is the intention of the Legislature that the
142 State Department of Audit is hereby authorized to escalate
143 positions not to exceed ten (10), to escalate budget and expend
144 funds from any special source, for the purpose of auditing
145 emergency United States Housing and Urban Development grants
146 related to Hurricane Katrina, not to exceed One Million Dollars
147 (\$1,000,000.00) in accordance with rules and regulations of the
148 Department of Finance and Administration in a manner consistent
149 with the escalation of federal funds.

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

156 **SECTION 10.** This act shall take effect and be in force from
157 and after July 1, 2006, except for Section 8 which shall take
158 effect and be in force from and after its passage.