

House Amendments to Senate Bill No. 3008

TO THE SECRETARY OF THE SENATE:

THIS IS TO INFORM YOU THAT THE HOUSE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

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 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..... \$ 5,379,616.00.

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..... \$ 3,935,908.00.

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..	\$	7,509,094.00
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.....	\$ 9,315,524.00

37 FUNDING:

38	General Funds.....	\$ 5,379,616.00
39	Special Funds.....	<u>3,935,908.00</u>
40	Total.....	\$ 9,315,524.00

41 AUTHORIZED POSITIONS:

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

46 For the fiscal year beginning on July 1, 2006, funds are
47 provided herein to adjust the annual compensation of each employee
48 who has been employed for twelve (12) months or longer by an
49 amount equal to One Thousand Dollars (\$1,000.00), effective on
50 July 1, 2006.

51 With the funds herein appropriated, it is the intention of
52 the Legislature that it shall be the agency's responsibility to
53 make certain that funds required to be appropriated for "Personal
54 Services" for Fiscal Year 2008 do not exceed Fiscal Year 2007
55 funds appropriated for that purpose, unless programs or positions
56 are added to the agency's Fiscal Year 2008 budget by the
57 Mississippi Legislature. Based on data provided by the
58 Legislative Budget Office, the State Personnel Board shall
59 determine and publish the projected annual cost to fully fund all
60 appropriated positions in compliance with the provisions of this
61 act. It shall be the responsibility of the agency head to insure
62 that no single personnel action increases this projected annual
63 cost and/or the Fiscal Year 2007 appropriation for "Personal
64 Services" when annualized, with the exception of escalated funds.
65 If, at the time the agency takes any action to change "Personal

66 Services," the State Personnel Board determines that the agency
 67 has taken an action which would cause the agency to exceed this
 68 projected annual cost or the Fiscal Year 2007 "Personal Services"
 69 appropriated level, when annualized, then only those actions which
 70 reduce the projected annual cost and/or the appropriation
 71 requirement will be processed by the State Personnel Board until
 72 such time as the requirements of this provision are met.

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

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

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

	FY07
<u>Performance Measures</u>	<u>Target</u>
93	
94	
95 Post Audit	
96 Audits Completed (Engagements)	90
97 Billable Audit Hours (Hours)	121,561
98 Technical Assistance	
99 Inquiries (Action)	8,500
100 Cost per Inquiry (\$)	31.00

101	Technicalities (Actions)	60,000
102	Cost per Technicality (\$)	35.50
103	Average Daily Attendance	
104	Cost per School (\$)	617.60

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

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

117 **SECTION 6.** Of the funds appropriated under the provisions of
118 Section 2, One Hundred Ninety thousand One Hundred Seventy-three
119 Dollars (\$190,173.00) shall be derived from the Budget Contingency
120 Fund, as created in Section 27-103-301, Mississippi Code of 1972.

121 **SECTION 7.** It is the intention of the Legislature that
122 whenever two (2) or more bids are received by this agency for the
123 purchase of commodities or equipment, and whenever all things
124 stated in such received bids are equal with respect to price,
125 quality and service, the Mississippi Industries for the Blind
126 shall be given preference. A similar preference shall be given to
127 the Mississippi Industries for the Blind whenever purchases are
128 made without competitive bids.

129 **SECTION 8.** All expenditures of funds appropriated by this
130 act for the purposes of advertising through the media shall comply
131 with the provisions of this section. All notices, advertisements,
132 or announcements designed to accomplish distribution of vital
133 information paid for wholly or in part through funds appropriated
134 by this act and distributed through the media shall be placed
135 according to a formula based upon the following criteria:

136 (a) Outlets of the Mississippi Public Broadcasting
137 System shall receive twenty percent (20%) of all expenditures
138 allotted for any advertising campaign undertaken by the agency to
139 which funds are appropriated by this act. All distribution of
140 information undertaken by the Mississippi Broadcasting System
141 under these requirements shall conform to the accepted standards
142 of information distribution common to public media.

143 (b) Media outlets, other than outlets of the
144 Mississippi Public Broadcasting System, shall receive placement of
145 such notices through the following method of distribution and
146 based upon commonly accepted boundaries of distribution:

147 (i) Newspapers. Newspapers demonstrating
148 established market reach through verifiable and auditable
149 circulation numbers shall receive twenty-five percent (25%) of all
150 expenditures allotted for distribution of vital information, and
151 such expenditures to the individual newspapers shall be determined
152 and prorated based upon the verifiable and auditable share of
153 total circulation within the individual counties. This
154 requirement does not replace the requirements and systems
155 currently in place regarding legal notices in the newspapers.

156 (ii) Radio. Radio stations demonstrating
157 established market reach through verifiable and auditable market
158 share information as recorded through reputable and established
159 rating services shall receive twenty percent (20%) of all
160 expenditures allotted for such distribution of vital information,
161 and such expenditures to the individual stations shall be
162 determined and prorated based upon the verifiable and auditable
163 share of total market reach within the individual counties.

164 (iii) Television. Television stations and
165 television cable outlets demonstrating established market reach
166 through verifiable and auditable market share information as
167 recorded through reputable and established rating services shall
168 receive twenty percent (20%) of all expenditures allotted for such
169 distribution of vital information, and such expenditures to the
170 individual stations shall be determined and prorated based upon

171 the verifiable and auditable share of total market reach within
172 the individual demonstrated market reach area of the station or
173 cable outlet.

174 (iv) Magazines. Magazines demonstrating
175 established market reach through verifiable and auditable
176 circulation numbers shall receive ten percent (10%) of all
177 expenditures allotted for such distribution of vital information,
178 and such expenditures to the individual magazines shall be
179 determined and prorated based upon the verifiable and auditable
180 circulation numbers within the counties. If no magazine exists
181 which meets the criteria stated above, the portion of those funds
182 so allotted shall be distributed among the other media outlets
183 equally.

184 (v) Electronic media. Electronic media
185 demonstrating established market reach through verifiable and
186 auditable circulation numbers shall receive five percent (5%) of
187 all expenditures allotted for such distribution of vital
188 information, and such expenditures to the individual electronic
189 media outlets shall be determined and prorated based upon the
190 verifiable and auditable circulation numbers within the counties.
191 If no electronic media exists which meets the criteria stated
192 above, the portion of those funds so allotted shall be distributed
193 equally among the other media outlets.

194 Provisions of this section do not apply to the placement of
195 advertisements in national media outlets to recruit economic
196 development or to promote tourism in the state.

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

203 **SECTION 10.** This act shall take effect and be in force from
204 and after July 1, 2006.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

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.

HR40\SB3008PH.J

Don Richardson
Clerk of the House of Representatives