

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

To: Appropriations

SENATE BILL NO. 3116
(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 YEAR
3 2008.

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, 2007, and ending June 30, 2008..... \$ 6,994,185.00.

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, 2007, and ending
21 June 30, 2008..... \$ 5,568,306.00.

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..	\$	10,233,919.00
29	Travel and Subsistence.....		861,361.00
30	Contractual Services.....		1,190,862.00
31	Commodities.....		99,745.00
32	Capital Outlay:		
33	Other Than Equipment.....		0.00
34	Equipment.....		99,692.00
35	Vehicles.....		76,452.00
36	Wireless Communication Devices.....		0.00
37	Subsidies, Loans and Grants.....		<u>460.00</u>
38	Total.....	\$	12,562,491.00

39 FUNDING:

40	General Funds.....	\$	6,994,185.00
41	Special Funds.....		<u>5,568,306.00</u>
42	Total.....	\$	12,562,491.00

43 AUTHORIZED POSITIONS:

44	Permanent:	Full Time.....	169
45		Part Time.....	1
46	Time-Limited:	Full Time.....	10
47		Part Time.....	0

48 Funds are provided herein to adjust the Variable Compensation
49 Plan to ensure that all full-time employees receive a pay increase
50 equal to the realignment component of the Variable Compensation
51 Plan or One Thousand Five Hundred Dollars (\$1,500.00), whichever
52 is greater, to be awarded on July 1, 2007.

53 With the funds herein appropriated, it is the intention of
54 the Legislature that it shall be the agency's responsibility to
55 make certain that funds required to be appropriated for "Personal
56 Services" for Fiscal Year 2009 do not exceed Fiscal Year 2008
57 funds appropriated for that purpose, unless programs or positions
58 are added to the agency's Fiscal Year 2008 budget by the
59 Mississippi Legislature. Based on data provided by the
60 Legislative Budget Office, the State Personnel Board shall

61 determine and publish the projected annual cost to fully fund all
62 appropriated positions in compliance with the provisions of this
63 act. It shall be the responsibility of the agency head to insure
64 that no single personnel action increases this projected annual
65 cost and/or the Fiscal Year 2008 appropriations for "Personal
66 Services" when annualized, with the exception of escalated funds
67 and educational benchmarks. If, at the time the agency takes any
68 action to change "Personal Services," the State Personnel Board
69 determines that the agency has taken an action which would cause
70 the agency to exceed this projected annual cost or the Fiscal Year
71 2008 "Personal Services" appropriated level, when annualized, then
72 only those actions which reduce the projected annual cost and/or
73 the appropriation requirement will be processed by the State
74 Personnel Board until such time as the requirements of this
75 provision are met. On January 1, 2008, the State Personnel Board
76 will make adjustments to the structure side of the compliance
77 report based on data provided by the Legislative Budget Office in
78 order for agencies to award educational benchmarks.

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

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

92 **SECTION 4.** In compliance with the "Mississippi Performance
93 Budget and Strategic Planning Act of 1994," it is the intent of

94 the Legislature that the funds provided herein shall be utilized
 95 in the most efficient and effective manner possible to achieve the
 96 intended mission of this agency. Based on the funding authorized,
 97 this agency shall make every effort to attain the targeted
 98 performance measures provided below:

	FY08
<u>Performance Measures</u>	<u>Target</u>
Post Audit	
Audits Completed (Engagements)	91
Billable Audit Hours (Hours)	134,043
Technical Assistance	
Inquiries (Action)	8,100
Cost per Inquiry (\$)	36.70
Technicalities (Actions)	48,000
Cost per Technicality (cents per issue)	41.51
Average Daily Attendance	
Cost per School (\$)	617.71

111 A reporting of the degree to which the performance targets
 112 set above have been or are being achieved shall be provided in the
 113 agency's budget request submitted to the Joint Legislative Budget
 114 Committee for Fiscal Year 2009.

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

123 **SECTION 6.** It is the intention of the Legislature that
 124 whenever two (2) or more bids are received by this agency for the
 125 purchase of commodities or equipment, and whenever all things
 126 stated in such received bids are equal with respect to price,

127 quality and service, the Mississippi Industries for the Blind
128 shall be given preference. A similar preference shall be given to
129 the Mississippi Industries for the Blind whenever purchases are
130 made without competitive bids.

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

135 Therefore, state agencies as standard procedure, will observe
136 the following criteria:

137 (a) Develop goals and desired result for a campaign.

138 (b) Evaluate effectiveness through respected
139 advertising standards, including market reach and cost
140 effectiveness.

141 (c) Seek public service announcements, which would be
142 aired by media without cost.

143 (d) Itemize and justify professional assistance and
144 related expenses for creative and production costs outside of the
145 actual media expenditures.

146 (e) Utilize Mississippi-owned media companies when
147 feasible.

148 **SECTION 8.** It is the intention of the Legislature that the
149 State Department of Audit is hereby authorized to escalate
150 positions not to exceed ten (10), to escalate budget and expend
151 funds from any special source, for the purpose of auditing
152 emergency United States Housing and Urban Development grants
153 related to Hurricane Katrina, not to exceed One Million Dollars
154 (\$1,000,000.00) in accordance with rules and regulations of the
155 Department of Finance and Administration in a manner consistent
156 with the escalation of federal funds.

157 **SECTION 9.** The money herein appropriated shall be paid by
158 the State Treasurer out of any money in the State Treasury to the
159 credit of the proper fund or funds as set forth in this act, upon

160 warrants issued by the State Fiscal Officer; and the State Fiscal
161 Officer shall issue his warrants upon requisitions signed by the
162 proper person, officer or officers in the manner provided by law.

163 **SECTION 10.** This act shall take effect and be in force from
164 and after July 1, 2007.