

By: Representatives Capps, Weathersby,
Barnett, Dickson, Hamilton (109th), Jennings,
Warren

To: Appropriations

HOUSE BILL NO. 1746
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING
2 THE EXPENSES OF THE STATE FIRE ACADEMY FOR THE FISCAL YEAR 2005.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

4 SECTION 1. The following sum, or so much thereof as may be
5 necessary, is hereby appropriated out of any money in the State
6 Treasury to the credit of the State Fire Academy Fund, for the
7 purpose of defraying the expenses of the academy for the fiscal
8 year beginning July 1, 2004, and ending June 30, 2005.....
9 \$ 4,074,045.00.

10 SECTION 2. Of the funds appropriated under the provisions of
11 Section 1, not more than the amounts set forth below shall be
12 expended for the respective major objects or purposes of
13 expenditure:

14 MAJOR OBJECTS OF EXPENDITURE:

15	Personal Services:		
16	Salaries, Wages and Fringe Benefits..	\$	2,848,773.00
17	Travel and Subsistence.....		50,725.00
18	Contractual Services.....		433,595.00
19	Commodities.....		447,415.00
20	Capital Outlay:		
21	Other Than Equipment.....		19,000.00
22	Equipment.....		231,437.00
23	Subsidies, Loans and Grants.....		<u>43,100.00</u>
24	Total.....	\$	4,074,045.00

25 AUTHORIZED POSITIONS:

26	Permanent:	Full Time.....	58
27		Part Time.....	0

28 Time-Limited: Full Time..... 0
29 Part Time..... 0

30 With the funds herein appropriated, it is the intention of
31 the Legislature that it shall be the agency's responsibility to
32 make certain that funds required to be appropriated for "Personal
33 Services" for Fiscal Year 2006 do not exceed Fiscal Year 2005
34 funds appropriated for that purpose, unless programs or positions
35 are added to the agency's Fiscal Year 2006 budget by the
36 Mississippi Legislature. Based on data provided by the
37 Legislative Budget Office, the State Personnel Board shall
38 determine and publish the projected annual cost to fully fund all
39 appropriated positions in compliance with the provisions of this
40 act. It shall be the responsibility of the agency head to insure
41 that no single personnel action increases this projected annual
42 cost and/or the Fiscal Year 2005 appropriation for "Personal
43 Services" when annualized, with the exception of escalated funds.
44 If, at the time the agency takes any action to change "Personal
45 Services," the State Personnel Board determines that the agency
46 has taken an action which would cause the agency to exceed this
47 projected annual cost or the Fiscal Year 2005 "Personal Services"
48 appropriated level, when annualized, then only those actions which
49 reduce the projected annual cost and/or the appropriation
50 requirement will be processed by the State Personnel Board until
51 such time as the requirements of this provision are met.

52 Any transfers or escalations shall be made in accordance with
53 the terms, conditions and procedures established by law or
54 allowable under the terms set forth within this act. The State
55 Personnel Board shall not escalate positions without written
56 approval from the Department of Finance and Administration. The
57 Department of Finance and Administration shall not provide written
58 approval to escalate any funds for salaries and/or positions
59 without proof of availability of new or additional funds above the
60 appropriated level.

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

65 **SECTION 3.** It is the intention of the Legislature that the
66 State Fire Academy shall maintain complete accounting and
67 personnel records related to the expenditure of all funds
68 appropriated under this act and that such records shall be in the
69 same format and level of detail as maintained for Fiscal Year
70 2004. It is further the intention of the Legislature that the
71 agency's budget request for Fiscal Year 2006 shall be submitted to
72 the Joint Legislative Budget Committee in a format and level of
73 detail comparable to the format and level of detail provided
74 during the Fiscal Year 2005 budget request process.

75 **SECTION 4.** It is the intention of the Legislature that the
76 State Fire Academy shall have the authority to escalate and expend
77 funds, not to exceed One Hundred Fifty Thousand Dollars
78 (\$150,000.00), from any source that may become available to the
79 agency in accordance with the rules and regulations of the
80 Department of Finance and Administration in a manner consistent
81 with the escalation of federal funds.

82 **SECTION 5.** The money herein appropriated shall be paid by
83 the State Treasurer out of any money in the State Treasury to the
84 credit of the proper fund or funds as set forth in this act, upon
85 warrants issued by the State Fiscal Officer; and the State Fiscal
86 Officer shall issue his warrants upon requisitions signed by the
87 proper person, officer or officers, in the manner provided by law.

88 **SECTION 6.** This act shall take effect and be in force from
89 and after July 1, 2004.