

By: Representatives Frierson, Snowden,
Banks, Barker, Beckett, Bennett, Clarke,
Cockerham, Coleman, Gipson, Shows, Watson,
Kinkade

To: Appropriations

HOUSE BILL NO. 1640

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING
2 THE EXPENSES OF THE STATE FIRE ACADEMY FOR THE FISCAL YEAR 2017.

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 appropriated out of any money in the State Treasury
6 to the credit of the State Fire Academy Fund, for the purpose of
7 defraying the expenses of the academy for the fiscal year
8 beginning July 1, 2016, and ending June 30, 2017.....
9\$ 5,833,349.00.

10 **SECTION 2.** Of the funds appropriated under the provisions of
11 Section 1, the following positions are authorized:

12 AUTHORIZED POSITIONS:

13	Permanent:	Full Time.....	63
14		Part Time.....	0
15	Time-Limited:	Full Time.....	0
16		Part Time.....	0

17 With the funds herein appropriated, it shall be the agency's
18 responsibility to make certain that funds required to be



19 appropriated for "Personal Services" for Fiscal Year 2018 do not
20 exceed Fiscal Year 2017 funds appropriated for that purpose,
21 unless programs or positions are added to the agency's Fiscal Year
22 2017 budget by the Mississippi Legislature. Based on data
23 provided by the Legislative Budget Office, the State Personnel
24 Board shall determine and publish the projected annual cost to
25 fully fund all appropriated positions in compliance with the
26 provisions of this act. It shall be the responsibility of the
27 agency head to ensure that no single personnel action increases
28 this projected annual cost and/or the Fiscal Year 2017
29 appropriations for "Personal Services" when annualized, with the
30 exception of escalated funds and the award of benchmarks. If, at
31 the time the agency takes any action to change "Personal
32 Services," the State Personnel Board determines that the agency
33 has taken an action which would cause the agency to exceed this
34 projected annual cost or the Fiscal Year 2017 "Personal Services"
35 appropriated level, when annualized, then only those actions which
36 reduce the projected annual cost and/or the appropriation
37 requirement will be processed by the State Personnel Board until
38 such time as the requirements of this provision are met.

39 Any transfers or escalations shall be made in accordance with
40 the terms, conditions and procedures established by law or
41 allowable under the terms set forth within this act. The State
42 Personnel Board shall not escalate positions without written
43 approval from the Department of Finance and Administration. The



44 Department of Finance and Administration shall not provide written
45 approval to escalate any funds for salaries and/or positions
46 without proof of availability of new or additional funds above the
47 appropriated level.

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

52 None of the funds herein appropriated shall be used in
53 violation of Internal Revenue Service's Publication 15-A relating
54 to the reporting of income paid to contract employees, as
55 interpreted by the Office of the State Auditor.

56 **SECTION 3.** It is the intention of the Legislature that the
57 State Fire Academy shall maintain complete accounting and
58 personnel records related to the expenditure of all funds
59 appropriated under this act and that such records shall be in the
60 same format and level of detail as maintained for Fiscal Year
61 2018. It is further the intention of the Legislature that the
62 agency's budget request for Fiscal Year 2018 shall be submitted to
63 the Joint Legislative Budget Committee in a format and level of
64 detail comparable to the format and level of detail provided
65 during the Fiscal Year 2017 budget request process.

66 **SECTION 4.** It is the intention of the Legislature that
67 whenever two (2) or more bids are received by this agency for the
68 purchase of commodities or equipment, and whenever all things



69 stated in such received bids are equal with respect to price,
70 quality and service, the Mississippi Industries for the Blind
71 shall be given preference. A similar preference shall be given to
72 the Mississippi Industries for the Blind whenever purchases are
73 made without competitive bids.

74 **SECTION 5.** It is the intention of the Legislature that the
75 funds herein appropriated shall be expended in compliance with
76 Section 27-104-25, Mississippi Code of 1972, that no state agency
77 shall incur obligations or indebtedness in excess of their
78 appropriation and that the responsible officers, either personally
79 or upon their official bonds, shall be held responsible for
80 actions contrary to this provision.

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

87 **SECTION 7.** This act shall take effect and be in force from
88 and after July 1, 2016; and shall stand repealed from and after
89 June 30, 2016.

