

By: Representatives Read, Snowden, Banks,
Beckett, Bennett, Boyd, Clarke, Cockerham,
Hines, Watson, Sykes

To: Appropriations

HOUSE BILL NO. 1640
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION FROM GENERAL FUND IN THE STATE
2 TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE
3 FIRE ACADEMY FOR THE FISCAL YEAR 2020.

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 appropriated out of any money in the State General
7 Fund not otherwise appropriated, for the purpose of defraying the
8 expenses of the State Fire Academy for the fiscal year beginning
9 July 1, 2019, and ending June 30, 2020.....
10\$ 5,230,230.00.

11 **SECTION 2.** The following sum, or so much thereof as may be
12 necessary, is hereby authorized for expenditure out of any special
13 source funds which are collected by or otherwise become available,
14 for the support and maintenance of the State Fire Academy for the
15 fiscal year beginning July 1, 2019, and ending June 30, 2020.....
16\$ 100,000.00.

17 **SECTION 3.** Of the funds appropriated under the provisions of
18 Section 1, the following positions are authorized:



AUTHORIZED POSITIONS:

Permanent:	Full Time.....	63
	Part Time.....	0
Time-Limited:	Full Time.....	0
	Part Time.....	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2021 do not exceed Fiscal Year 2020 funds appropriated for that purpose, unless programs or positions are added to the agency's Fiscal Year 2020 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2020 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2020 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation



requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Funds are provided herein for all full-time employees to receive up to a Three Percent (3%) pay increase to the realignment component of the Variable Compensation Plan, excluding head of agencies, board members and commission members.

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

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

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

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



69 the Legislature that the funds provided herein shall be utilized
70 in the most efficient and effective manner possible to achieve the
71 intended mission of this agency. Based on the funding authorized,
72 this agency shall make every effort to attain the targeted
73 performance measures provided below:

74		FY2020
75	<u>Performance Measures</u>	<u>Target</u>
76	Training	
77	Number of Students Trained	14,000
78	Average Cost per Student Trained (\$)	463.12

79 A reporting of the degree to which the performance targets
80 set above have been or are being achieved shall be provided in the
81 agency's budget request submitted to the Joint Legislative Budget
82 Committee for Fiscal Year 2021.

83 **SECTION 5.** It is the intention of the Legislature that the
84 State Fire Academy shall maintain complete accounting and
85 personnel records related to the expenditure of all funds
86 appropriated under this act and that such records shall be in the
87 same format and level of detail as maintained for Fiscal Year
88 2019. It is further the intention of the Legislature that the
89 agency's budget request for Fiscal Year 2021 shall be submitted to
90 the Joint Legislative Budget Committee in a format and level of
91 detail comparable to the format and level of detail provided
92 during the Fiscal Year 2020 budget request process.



93 **SECTION 6.** Of the funds appropriated under the provisions of
94 Section 2, One Hundred Thousand Dollars (\$100,000.00), or so much
95 thereof, shall be derived out of any money in the State Treasury
96 to the credit of the Capital Expense Fund, as created in Section
97 27-103-303, Mississippi Code of 1972, and allocated in a manner as
98 determined by the Treasurer's Office. These funds are provided
99 for matching grant funds for an Airport Firefighter Crash Truck.

100 **SECTION 7.** It is the intention of the Legislature that
101 whenever two (2) or more bids are received by this agency for the
102 purchase of commodities or equipment, and whenever all things
103 stated in such received bids are equal with respect to price,
104 quality and service, the Mississippi Industries for the Blind
105 shall be given preference. A similar preference shall be given to
106 the Mississippi Industries for the Blind whenever purchases are
107 made without competitive bids.

108 **SECTION 8.** It is the intention of the Legislature that the
109 funds herein appropriated shall be expended in compliance with
110 Section 27-104-25, Mississippi Code of 1972, that no state agency
111 shall incur obligations or indebtedness in excess of their
112 appropriation and that the responsible officers, either personally
113 or upon their official bonds, shall be held responsible for
114 actions contrary to this provision.

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



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

121 **SECTION 10.** This act shall take effect and be in force from
122 and after July 1, 2019.

