

Senate Amendments to House Bill No. 1640

TO THE CLERK OF THE HOUSE:

THIS IS TO INFORM YOU THAT THE SENATE 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 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\$ 5,133,796.00.

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,
16 2020.....\$ 100,000.00.

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

19 AUTHORIZED POSITIONS:

20	Permanent:	Full Time.....	63
21		Part Time.....	0

22 Time-Limited: Full Time..... 0
23 Part Time..... 0

24 With the funds herein appropriated, it shall be the agency's
25 responsibility to make certain that funds required to be
26 appropriated for "Personal Services" for Fiscal Year 2021 do not
27 exceed Fiscal Year 2020 funds appropriated for that purpose,
28 unless programs or positions are added to the agency's Fiscal Year
29 2020 budget by the Mississippi Legislature. Based on data
30 provided by the Legislative Budget Office, the State Personnel
31 Board shall determine and publish the projected annual cost to
32 fully fund all appropriated positions in compliance with the
33 provisions of this act. It shall be the responsibility of the
34 agency head to ensure that no single personnel action increases
35 this projected annual cost and/or the Fiscal Year 2020
36 appropriations for "Personal Services" when annualized, with the
37 exception of escalated funds and the award of benchmarks. If, at
38 the time the agency takes any action to change "Personal
39 Services," the State Personnel Board determines that the agency
40 has taken an action which would cause the agency to exceed this
41 projected annual cost or the Fiscal Year 2020 "Personal Services"
42 appropriated level, when annualized, then only those actions which
43 reduce the projected annual cost and/or the appropriation
44 requirement will be processed by the State Personnel Board until
45 such time as the requirements of this provision are met.

46 Any transfers or escalations shall be made in accordance with
47 the terms, conditions and procedures established by law or

48 allowable under the terms set forth within this act. The State
49 Personnel Board shall not escalate positions without written
50 approval from the Department of Finance and Administration. The
51 Department of Finance and Administration shall not provide written
52 approval to escalate any funds for salaries and/or positions
53 without proof of availability of new or additional funds above the
54 appropriated level.

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

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

63 **SECTION 4.** In compliance with the "Mississippi Performance
64 Budget and Strategic Planning Act of 1994," it is the intent of
65 the Legislature that the funds provided herein shall be utilized
66 in the most efficient and effective manner possible to achieve the
67 intended mission of this agency. Based on the funding authorized,
68 this agency shall make every effort to attain the targeted
69 performance measures provided below:

	FY2020
<u>Performance Measures</u>	<u>Target</u>
72 Training	
73 Number of Students Trained	14,000

74 Average Cost per Student Trained 463.12

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

79 **SECTION 5.** Of the funds appropriated under the provisions of
80 Section 2, One Hundred Thousand Dollars (\$100,000.00), or so much
81 thereof, shall be derived out of any money in the State Treasury
82 to the credit of the Capital Expense Fund, as created in Section
83 27-103-303, Mississippi Code of 1972, and allocated in a manner as
84 determined by the Treasurer's Office. These funds are provided
85 for matching grant funds for an Airport Firefighter Crash Truck.

86 **SECTION 6.** It is the intention of the Legislature that the
87 State Fire Academy shall maintain complete accounting and
88 personnel records related to the expenditure of all funds
89 appropriated under this act and that such records shall be in the
90 same format and level of detail as maintained for Fiscal Year
91 2019. It is further the intention of the Legislature that the
92 agency's budget request for Fiscal Year 2021 shall be submitted to
93 the Joint Legislative Budget Committee in a format and level of
94 detail comparable to the format and level of detail provided
95 during the Fiscal Year 2020 budget request process.

96 **SECTION 7.** It is the intention of the Legislature that
97 whenever two (2) or more bids are received by this agency for the
98 purchase of commodities or equipment, and whenever all things
99 stated in such received bids are equal with respect to price,

100 quality and service, the Mississippi Industries for the Blind
101 shall be given preference. A similar preference shall be given to
102 the Mississippi Industries for the Blind whenever purchases are
103 made without competitive bids.

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

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

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

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Liz Welch
Secretary of the Senate