

By: Representatives Read, White, Banks,
Beckett, Bennett, Bounds, Busby, Cockerham,
Hines, Hopkins, Watson, Young

To: Appropriations

HOUSE BILL NO. 1380
(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 2022.

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, 2021, and ending June 30, 2022.....
10 \$ 5,098,824.00.

11 **SECTION 2.** The following sum, or so much thereof as may be
12 necessary, is appropriated out of any money in the special fund in
13 the State Treasury to the credit of the State Fire Academy which
14 is comprised of special source funds collected by or otherwise
15 available to the department, for the purpose of defraying the
16 expenses of the department for the fiscal year beginning July 1,
17 2021, and ending June 30, 2022\$ 538,350.00.



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

20 AUTHORIZED POSITIONS:

21	Permanent:	Full Time	63
22		Part Time	0
23	Time-Limited:	Full Time	0
24		Part Time	0

25 With the funds herein appropriated, it shall be the agency's
26 responsibility to make certain that funds required to be
27 appropriated for "Personal Services" for Fiscal Year 2023 do not
28 exceed Fiscal Year 2022 funds appropriated for that purpose unless
29 programs or positions are added to the agency's Fiscal Year 2022
30 budget by the Mississippi Legislature. Based on data provided by
31 the Legislative Budget Office, the State Personnel Board shall
32 determine and publish the projected annual cost to fully fund all
33 appropriated positions in compliance with the provisions of this
34 act. Absent a special situation or circumstance approved by the
35 State Personnel Board, or unless otherwise authorized by this act,
36 no state agency shall take any action to promote or otherwise
37 award salary increases through reallocation or realignment. If
38 the State Personnel Board determines a special situation or
39 circumstance exists and approves an action, then the agency and
40 the State Personnel Board shall provide a monthly report of each
41 action approved by the State Personnel Board to the chairmen of
42 the Accountability, Efficiency and Transparency Committees of the



43 Senate and House of Representatives and the chairmen of the
44 Appropriations Committees of the Senate and House of
45 Representatives. It shall be the responsibility of the agency
46 head to ensure that no single personnel action increases this
47 projected annual cost and/or the Fiscal Year 2022 appropriations
48 for "Personal Services" when annualized, with the exception of
49 escalated funds and the award of benchmarks. If, at the time the
50 agency takes any action to change "Personal Services," the State
51 Personnel Board determines that the agency has taken an action
52 which would cause the agency to exceed this projected annual cost
53 or the Fiscal Year 2022 "Personal Services" appropriated level,
54 when annualized, then only those actions which reduce the
55 projected annual cost and/or the appropriation requirement will be
56 processed by the State Personnel Board until such time as the
57 requirements of this provision are met.

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



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

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

75 Funds have been appropriated herein for the purpose of
76 implementation and funding Project SEC2 of the Colonel Guy Groff
77 State Variable Compensation Plan beginning January 1, 2022, and
78 ending June 30, 2022. It shall be the agency's responsibility to
79 make certain that each person, excluding executive directors,
80 agency heads, and elected judges, shall receive no more than a 3%
81 annual increase in salary which shall not exceed the market rate
82 established by the State Personnel Board pursuant to the Colonel
83 Guy Groff State Variable Compensation Plan for each
84 classification.

85 **SECTION 4.** In compliance with the "Mississippi Performance
86 Budget and Strategic Planning Act of 1994," it is the intent of
87 the Legislature that the funds provided herein shall be utilized
88 in the most efficient and effective manner possible to achieve the
89 intended mission of this agency. Based on the funding authorized,
90 this agency shall make every effort to attain the targeted
91 performance measures provided below:



92		FY2022
93	<u>Performance Measures</u>	<u>Target</u>
94	Training	
95	Number of Students Trained	16,000
96	Average Cost per Student Trained (\$)	346.22

97 A reporting of the degree to which the performance targets
98 set above have been or are being achieved shall be provided in the
99 agency's budget request submitted to the Joint Legislative Budget
100 Committee for Fiscal Year 2023.

101 **SECTION 5.** It is the intention of the Legislature that the
102 State Fire Academy shall maintain complete accounting and
103 personnel records related to the expenditure of all funds
104 appropriated under this act and that such records shall be in the
105 same format and level of detail as maintained for Fiscal Year
106 2021. It is further the intention of the Legislature that the
107 agency's budget request for Fiscal Year 2023 shall be submitted to
108 the Joint Legislative Budget Committee in a format and level of
109 detail comparable to the format and level of detail provided
110 during the Fiscal Year 2022 budget request process.

111 **SECTION 6.** It is the intention of the Legislature that
112 whenever two (2) or more bids are received by this agency for the
113 purchase of commodities or equipment, and whenever all things
114 stated in such received bids are equal with respect to price,
115 quality and service, the Mississippi Industries for the Blind
116 shall be given preference. A similar preference shall be given to



117 the Mississippi Industries for the Blind whenever purchases are
118 made without competitive bids.

119 **SECTION 7.** It is the intention of the Legislature that the
120 funds herein appropriated shall be expended in compliance with
121 Section 27-104-25, Mississippi Code of 1972, that no state agency
122 shall incur obligations or indebtedness in excess of their
123 appropriation and that the responsible officers, either personally
124 or upon their official bonds, shall be held responsible for
125 actions contrary to this provision.

126 **SECTION 8.** The money herein appropriated shall be paid by
127 the State Treasurer out of any money in the State Treasury to the
128 credit of the proper fund or funds as set forth in this act, upon
129 warrants issued by the State Fiscal Officer; and the State Fiscal
130 Officer shall issue his warrants upon requisitions signed by the
131 proper person, officer or officers, in the manner provided by law.

132 **SECTION 9.** The following sum, or so much thereof as may be
133 necessary, is reappropriated out of any money in the Capital
134 Expense Fund not otherwise appropriated for the State Fire Academy
135 for the purpose of reauthorizing the expenditure of Capital
136 Expense Funds, as authorized in HB 1699, 2020 Regular Session to
137 provide for Airport Rescue Crash Truck for the fiscal year
138 beginning July 1, 2021, and ending June 30, 2022....\$ 84,500.00.

139 Notwithstanding the amount reappropriated under the
140 provisions of this section, in no event shall the amount expended
141 exceed the unexpended balance as of June 30, 2021.



142 **SECTION 10.** Of the funds in Section 2, the following sum, or
143 so much thereof as may be necessary, is appropriated out of any
144 money in the State Treasury to the credit of the Capital Expense
145 Fund, for the purpose of defraying the expenses of the State Fire
146 Academy for the fiscal year beginning July 1, 2021, and ending
147 June 30, 2022\$ 220,000.00.

148 **SECTION 11.** This act shall take effect and be in force from
149 and after July 1, 2021.

