

Senate Amendments to House Bill No. 1380

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, 2021, and ending June 30, 2022.....\$ 4,829,708.00.

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.....	61
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 2023 do not
20 exceed Fiscal Year 2022 funds appropriated for that purpose unless
21 programs or positions are added to the agency's Fiscal Year 2022

22 budget by the Mississippi Legislature. Based on data provided by
23 the Legislative Budget Office, the State Personnel Board shall
24 determine and publish the projected annual cost to fully fund all
25 appropriated positions in compliance with the provisions of this
26 act. Absent a special situation or circumstance approved by the
27 State Personnel Board, or unless otherwise authorized by this act,
28 no state agency shall take any action to promote or otherwise
29 award salary increases through reallocation or realignment. If
30 the State Personnel Board determines a special situation or
31 circumstance exists and approves an action, then the agency and
32 the State Personnel Board shall provide a monthly report of each
33 action approved by the State Personnel Board to the chairmen of
34 the Accountability, Efficiency and Transparency Committees of the
35 Senate and House of Representatives and the chairmen of the
36 Appropriations Committees of the Senate and House of
37 Representatives. It shall be the responsibility of the agency
38 head to ensure that no single personnel action increases this
39 projected annual cost and/or the Fiscal Year 2022 appropriations
40 for "Personal Services" when annualized, with the exception of
41 escalated funds and the award of benchmarks. If, at the time the
42 agency takes any action to change "Personal Services," the State
43 Personnel Board determines that the agency has taken an action
44 which would cause the agency to exceed this projected annual cost
45 or the Fiscal Year 2022 "Personal Services" appropriated level,
46 when annualized, then only those actions which reduce the
47 projected annual cost and/or the appropriation requirement will be

48 processed by the State Personnel Board until such time as the
49 requirements of this provision are met.

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

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

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

67 **SECTION 3.** In compliance with the "Mississippi Performance
68 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		FY2022
75	<u>Performance Measures</u>	<u>Target</u>
76	Training	
77	Number of Students Trained	16,000
78	Average Cost per Student Trained (\$)	346.22

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 2023.

83 **SECTION 4.** 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 2021. It is further the intention of the Legislature that the
89 agency's budget request for Fiscal Year 2023 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 2022 budget request process.

93 **SECTION 5.** It is the intention of the Legislature that
94 whenever two (2) or more bids are received by this agency for the
95 purchase of commodities or equipment, and whenever all things
96 stated in such received bids are equal with respect to price,
97 quality and service, the Mississippi Industries for the Blind
98 shall be given preference. A similar preference shall be given to

99 the Mississippi Industries for the Blind whenever purchases are
100 made without competitive bids.

101 **SECTION 6.** It is the intention of the Legislature that the
102 funds herein appropriated shall be expended in compliance with
103 Section 27-104-25, Mississippi Code of 1972, that no state agency
104 shall incur obligations or indebtedness in excess of their
105 appropriation and that the responsible officers, either personally
106 or upon their official bonds, shall be held responsible for
107 actions contrary to this provision.

108 **SECTION 7.** The money herein appropriated shall be paid by
109 the State Treasurer out of any money in the State Treasury to the
110 credit of the proper fund or funds as set forth in this act, upon
111 warrants issued by the State Fiscal Officer; and the State Fiscal
112 Officer shall issue his warrants upon requisitions signed by the
113 proper person, officer or officers, in the manner provided by law.

114 **SECTION 8.** This act shall take effect and be in force from
115 and after July 1, 2021, and shall stand repealed June 29, 2021.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

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.

SS15\HB1380A.J

Eugene S. Clarke
Secretary of the Senate