

**Senate Amendments to House Bill No. 1606**

**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, 2023, and ending June 30, 2024.....\$           5,324,164.00.

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

12           AUTHORIZED HEADCOUNT:

13           Permanent:                   60

14           Time-Limited:                0

15           With the funds herein appropriated, it shall be the agency's  
16 responsibility to make certain that funds required for Personal  
17 Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds  
18 appropriated for that purpose unless programs or positions are  
19 added to the agency's Fiscal Year 2024 budget by the Mississippi  
20 Legislature. The Legislature shall determine the agency's  
21 personal services appropriation, which shall be published by the

22 State Personnel Board. Additionally, the State Personnel Board  
23 shall determine and publish the projected annualized payroll costs  
24 based on current employees. It shall be the responsibility of the  
25 agency head to ensure that actual personnel expenditures for  
26 Fiscal Year 2024 do not exceed the data provided by the  
27 Legislative Budget Office. If the agency's Fiscal Year 2024  
28 projected cost exceeds the annualized costs, no salary actions  
29 shall be processed by the State Personnel Board with the exception  
30 of new hires that are determined to be essential for the agency.

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

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43 act and which are withdrawn and no longer available.

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

48 Funds have been appropriated herein for the purpose of  
49 funding Project SEC2 minimum salaries for all employees covered  
50 under the Colonel Guy Groff/Neville Kenning Variable Compensation  
51 Plan. It shall be the agency's responsibility to ensure that the  
52 funds are used to increase all employees' salaries up to the  
53 minimum level as determined by the State Personnel Board.

54 **SECTION 3.** In compliance with the "Mississippi Performance  
55 Budget and Strategic Planning Act of 1994," it is the intent of  
56 the Legislature that the funds provided herein shall be utilized  
57 in the most efficient and effective manner possible to achieve the  
58 intended mission of this agency. Based on the funding authorized,  
59 this agency shall make every effort to attain the targeted  
60 performance measures provided below:

	FY2024
<u>Performance Measures</u>	<u>Target</u>
63 Training	
64 Number of Students Trained	15,000
65 Average Cost per Student Trained	440.49

66 A reporting of the degree to which the performance targets  
67 set above have been or are being achieved shall be provided in the  
68 agency's budget request submitted to the Joint Legislative Budget  
69 Committee for Fiscal Year 2025.

70 **SECTION 4.** It is the intention of the Legislature that the  
71 State Fire Academy shall maintain complete accounting and  
72 personnel records related to the expenditure of all funds  
73 appropriated under this act and that such records shall be in the

74 same format and level of detail as maintained for Fiscal Year  
75 2023. It is further the intention of the Legislature that the  
76 agency's budget request for Fiscal Year 2025 shall be submitted to  
77 the Joint Legislative Budget Committee in a format and level of  
78 detail comparable to the format and level of detail provided  
79 during the Fiscal Year 2024 budget request process.

80 **SECTION 5.** It is the intention of the Legislature that  
81 whenever two (2) or more bids are received by this agency for the  
82 purchase of commodities or equipment, and whenever all things  
83 stated in such received bids are equal with respect to price,  
84 quality and service, the Mississippi Industries for the Blind  
85 shall be given preference. A similar preference shall be given to  
86 the Mississippi Industries for the Blind whenever purchases are  
87 made without competitive bids.

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

95 **SECTION 7.** The following sum, or so much thereof as may be  
96 necessary, is reappropriated out of any money in the Capital  
97 Expense Fund not otherwise appropriated, for the State Fire  
98 Academy for the purpose of reauthorizing the expenditure of  
99 Capital Expense Funds for the purpose of a state match to purchase

100 a specialty rescue truck, as authorized in House Bill No. 1594,  
101 2022 Regular Session, for the fiscal year beginning July 1, 2023,  
102 and ending June 30, 2024.....\$ 75,000.00.

103 Notwithstanding the amount reappropriated under this section,  
104 the amount that may be expended under the authority of this  
105 section shall not exceed the unexpended balance of the funds  
106 remaining as of June 30, 2023, from the amount authorized for the  
107 previous fiscal year. In addition, this reappropriation shall not  
108 change the purpose for which the funds were originally authorized.

109 **SECTION 8.** It is the intention of the Legislature that the  
110 State Fire Academy is hereby authorized to pay invoices submitted  
111 by Aramark Uniform for reimbursement for prior fiscal year  
112 commodities in an amount not to exceed Five Thousand Six Hundred  
113 Fourteen Dollars (\$5,614.00).

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

120 **SECTION 10.** This act shall take effect and be in force from  
121 and after July 1, 2023, and shall stand repealed June 29, 2023.

**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 2024.

SS15\HB1606A.J

Eugene S. Clarke  
Secretary of the Senate