

Senate Amendments to House Bill No. 1705

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:

4 **SECTION 1.** The following sum, or so much thereof as may be
5 necessary, is hereby appropriated out of any money in the State
6 Treasury to the credit of the State Fire Academy Fund, for the
7 purpose of defraying the expenses of the academy for the fiscal
8 year beginning July 1, 2007, and ending June 30, 2008.....
9 \$ 6,495,654.00.

10 **SECTION 2.** Of the funds appropriated under the provisions of
11 Section 1, not more than the amounts set forth below shall be
12 expended for the respective major objects or purposes of
13 expenditure:

14 **MAJOR OBJECTS OF EXPENDITURE:**

15 Personal Services:

16 Salaries, Wages and Fringe Benefits..	\$	3,756,927.00
17 Travel and Subsistence.....		50,725.00
18 Contractual Services.....		584,148.00
19 Commodities.....		556,250.00
20 Capital Outlay:		
21 Other Than Equipment.....		54,000.00
22 Equipment.....		350,504.00
23 Vehicles.....		0.00
24 Wireless Communication Devices.....		0.00
25 Subsidies, Loans and Grants.....		<u>1,143,100.00</u>
26 Total.....	\$	6,495,654.00

27 **AUTHORIZED POSITIONS:**

28 Permanent:	Full Time.....	62
29	Part Time.....	0

30 Time-Limited: Full Time..... 0
31 Part Time..... 0

32 Funds are provided herein to adjust the Variable Compensation
33 Plan to ensure that all full-time employees receive a pay increase
34 equal to the realignment component of the Variable Compensation
35 Plan or One Thousand Dollars (\$1,000.00), or Three Percent (3%)
36 whichever is greater, to be awarded on July 1, 2007.

37 With the funds herein appropriated, it is the intention of
38 the Legislature that it shall be the agency's responsibility to
39 make certain that funds required to be appropriated for "Personal
40 Services" for Fiscal Year 2009 do not exceed Fiscal Year 2008
41 funds appropriated for that purpose, unless programs or positions
42 are added to the agency's Fiscal Year 2009 budget by the
43 Mississippi Legislature. Based on data provided by the
44 Legislative Budget Office, the State Personnel Board shall
45 determine and publish the projected annual cost to fully fund all
46 appropriated positions in compliance with the provisions of this
47 act. It shall be the responsibility of the agency head to insure
48 that no single personnel action increases this projected annual
49 cost and/or the Fiscal Year 2008 appropriation for "Personal
50 Services" when annualized, with the exception of escalated funds.
51 If, at the time the agency takes any action to change "Personal
52 Services," the State Personnel Board determines that the agency
53 has taken an action which would cause the agency to exceed this
54 projected annual cost or the Fiscal Year 2008 "Personal Services"
55 appropriated level, when annualized, then only those actions which
56 reduce the projected annual cost and/or the appropriation
57 requirement will be processed by the State Personnel Board until
58 such time as the requirements of this provision are met.

59 Any transfers or escalations shall be made in accordance with
60 the terms, conditions and procedures established by law or
61 allowable under the terms set forth within this act. The State
62 Personnel Board shall not escalate positions without written
63 approval from the Department of Finance and Administration. The
64 Department of Finance and Administration shall not provide written

65 approval to escalate any funds for salaries and/or positions
66 without proof of availability of new or additional funds above the
67 appropriated level.

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

72 The agency shall not take any action to promote or otherwise
73 award salary increases through reallocation, reclassification,
74 realignment, education benchmark, career ladder, or any other
75 means to increase salaries of employees or positions unless
76 specifically exempted by the following conditions: the award of
77 teacher pay increases, the advancement of a trainee/cadet to the
78 next level of a bona fide career ladder, the award of an
79 educational benchmark for the attainment of Certified Public
80 Accountant License or higher level professional certification as
81 determined by the State Personnel Board, the immediate replacement
82 of a departing employee with an individual from within state
83 service or a new hire at a salary level equivalent to that of the
84 departing employee, and the emergency appointment of nurses,
85 pharmacists or other health care professionals at a salary to be
86 determined by the State Personnel Board, unless otherwise
87 authorized in this act.

88 **SECTION 3.** It is the intention of the Legislature that the
89 State Fire Academy shall maintain complete accounting and
90 personnel records related to the expenditure of all funds
91 appropriated under this act and that such records shall be in the
92 same format and level of detail as maintained for Fiscal Year
93 2007. It is further the intention of the Legislature that the
94 agency's budget request for Fiscal Year 2009 shall be submitted to
95 the Joint Legislative Budget Committee in a format and level of
96 detail comparable to the format and level of detail provided
97 during the Fiscal Year 2008 budget request process.

98 **SECTION 4.** It is the intention of the Legislature that the
99 State Fire Academy shall have the authority to escalate and expend

100 funds, not to exceed One Hundred Fifty Thousand Dollars
101 (\$150,000.00), from any source that may become available to the
102 agency in accordance with the rules and regulations of the
103 Department of Finance and Administration in a manner consistent
104 with the escalation of federal funds.

105 **SECTION 5.** Of the funds provided under the provisions of
106 this act, Fifty-one Thousand One Hundred Ninety-six Dollars
107 (\$51,196.00) is provided to reclassify nine (9) positions and
108 Three Thousand One Hundred One Dollar (\$3,101.00) is provided to
109 reallocate one (1) position.

110 **SECTION 6.** It is the intention of the Legislature that
111 whenever two (2) or more bids are received by this agency for the
112 purchase of commodities or equipment, and whenever all things
113 stated in such received bids are equal with respect to price,
114 quality and service, the Mississippi Industries for the Blind
115 shall be given preference. A similar preference shall be given to
116 the Mississippi Industries for the Blind whenever purchases are
117 made without competitive bids.

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

124 **SECTION 8.** This act shall take effect and be in force from
125 and after July 1, 2007.

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John O. Gilbert
Secretary of the Senate