

Senate Amendments to House Bill No. 1798

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, 2024, and ending June 30, 2025.....\$ 6,354,428.00.

10 **SECTION 2.** The following sum, or so much thereof as may be
11 necessary, is appropriated out of any money in the special fund in
12 the State Treasury to the credit of the State Fire Academy which
13 is comprised of special source funds collected by or otherwise
14 available to the department, for the purpose of defraying the
15 expenses of the department for the fiscal year beginning
16 July 1, 2024, and ending June 30, 2025.....\$ 0.00.

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

19 AUTHORIZED HEADCOUNT:
20 Permanent: 60
21 Time-Limited: 0

22 With the funds herein appropriated, it shall be the agency's
23 responsibility to make certain that funds required for Personal
24 Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds
25 appropriated for that purpose unless programs or positions are
26 added to the agency's Fiscal Year 2025 budget by the Mississippi
27 Legislature. The Legislature shall determine the agency's personal
28 services appropriation, which the State Personnel Board shall
29 publish. In accordance with applicable laws, if an agency
30 determines that its personal services amount is insufficient, the
31 agency must contact the State Personnel Board. Any adjustment to
32 the personal services amount must be approved by the State
33 Personnel Director and the State Fiscal Officer after consultation
34 with the Legislative Budget Office. Any adjustment shall be
35 reported to the Legislative Budget Office and the House and Senate
36 Appropriations Chairmen. The agency's personal services
37 appropriation may consist of restricted funds for approved
38 vacancies for Fiscal Year 2025 that may not be utilized for active
39 Fiscal Year 2024 headcount. It shall be the agency's
40 responsibility to ensure that the funds provided for vacancies are
41 used to increase headcount and not for promotions, title changes,
42 in-range salary adjustments, or any other mechanism for increasing
43 salaries for current employees. If the State Personnel Board
44 determines that an agency has used provided vacancy funds for any
45 of the mechanisms previously listed, the State Personnel Board
46 shall not process any additional salary actions for the agency in
47 the current fiscal year, except for new hires determined by the

48 State Personnel Board to be essential for the agency. It is the
49 Legislature's intention that no employee salary falls below the
50 minimum salary established by the Mississippi State Personnel
51 Board.

52 Additionally, the State Personnel Board shall determine and
53 publish the projected annualized payroll costs based on current
54 employees. It shall be the responsibility of the agency head to
55 ensure that actual personnel expenditures for Fiscal Year 2025 do
56 not exceed the data provided by the Legislative Budget Office. If
57 the agency's projected cost for Fiscal Year 2025 exceeds the
58 annualized costs, no salary actions shall be processed by the
59 State Personnel Board except for new hires determined to be
60 essential for the agency.

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

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

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

78 **SECTION 4.** In compliance with the "Mississippi Performance
79 Budget and Strategic Planning Act of 1994," it is the intent of
80 the Legislature that the funds provided herein shall be utilized
81 in the most efficient and effective manner possible to achieve the
82 intended mission of this agency. Based on the funding authorized,
83 this agency shall make every effort to attain the targeted
84 performance measures provided below:

	FY2025
<u>Performance Measures</u>	<u>Target</u>
87 Training	
88 Number of Students Trained	12,000
89 Average Cost per Student Trained	781.07

90 A reporting of the degree to which the performance targets
91 set above have been or are being achieved shall be provided in the
92 agency's budget request submitted to the Joint Legislative Budget
93 Committee for Fiscal Year 2026.

94 **SECTION 5.** It is the intention of the Legislature that the
95 State Fire Academy shall maintain complete accounting and
96 personnel records related to the expenditure of all funds
97 appropriated under this act and that such records shall be in the
98 same format and level of detail as maintained for Fiscal Year
99 2024. It is further the intention of the Legislature that the

100 agency's budget request for Fiscal Year 2026 shall be submitted to
101 the Joint Legislative Budget Committee in a format and level of
102 detail comparable to the format and level of detail provided
103 during the Fiscal Year 2025 budget request process.

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

112 **SECTION 7.** It is the intention of the Legislature that the
113 funds herein appropriated shall be expended in compliance with
114 Section 27-104-25, Mississippi Code of 1972, that no state agency
115 shall incur obligations or indebtedness in excess of their
116 appropriation and that the responsible officers, either personally
117 or upon their official bonds, shall be held responsible for
118 actions contrary to this provision.

119 **SECTION 8.** The following sum, or so much thereof as may be
120 necessary, is reappropriated out of any money in the Capital
121 Expense Fund not otherwise appropriated, for the State Fire
122 Academy for the purpose of reauthorizing the expenditure of
123 Capital Expense Funds for the purpose of a state match to purchase
124 a specialty rescue truck, as authorized in House Bill No. 1606,

125 2023 Regular Session, for the fiscal year beginning July 1, 2024,
126 and ending June 30, 2025.....\$ 75,000.00.

127 Notwithstanding the amount reappropriated under this section,
128 the amount that may be expended under the authority of this
129 section shall not exceed the unexpended balance of the funds
130 remaining as of June 30, 2024, from the amount authorized for the
131 previous fiscal year. In addition, this reappropriation shall not
132 change the purpose for which the funds were originally authorized.

133 **SECTION 9.** The following sum, or so much thereof as may be
134 necessary, is reappropriated out of any money in the Capital
135 Expense Fund not otherwise appropriated, for the State Fire
136 Academy for the purpose of reauthorizing the expenditure of
137 Capital Expense Funds for the purpose of the completion of dorm
138 rooms at the State Fire Academy, as authorized in HB 1606, 2023
139 Regular Session, for the fiscal year beginning July 1, 2024, and
140 ending June 30, 2025.....\$ 160,000.00.

141 Notwithstanding the amount reappropriated under this section,
142 the amount that may be expended under the authority of this
143 section shall not exceed the unexpended balance of the funds
144 remaining as of June 30, 2024, from the amount authorized for the
145 previous fiscal year. In addition, this reappropriation shall not
146 change the purpose for which the funds were originally authorized.

147 **SECTION 10.** The money herein appropriated shall be paid by
148 the State Treasurer out of any money in the State Treasury to the
149 credit of the proper fund or funds as set forth in this act, upon
150 warrants issued by the State Fiscal Officer; and the State Fiscal

151 Officer shall issue his warrants upon requisitions signed by the
152 proper person, officer or officers, in the manner provided by law.

153 **SECTION 11.** This act shall take effect and be in force from
154 and after July 1, 2024, and shall stand repealed June 29, 2024.

**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 2025.

SS15\HB1798A.J

Amanda White
Secretary of the Senate