

By: Senator(s) Gordon, Little, Huggins,
Cuevas, Hyde-Smith, Simmons, Wilemon

To: Appropriations

SENATE BILL NO. 3077

1 AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE
2 MISSISSIPPI EMERGENCY MANAGEMENT AGENCY, AND FOR THE PURPOSE OF
3 ESTABLISHING A DISASTER RELIEF RESERVE FUND AND DEFRAYING THE
4 COSTS RELATED TO CERTAIN DISASTER ASSISTANCE PROGRAMS, FOR FISCAL
5 YEAR 2006.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

7 **SECTION 1.** The following sum, or so much thereof as may be
8 necessary, is hereby appropriated out of any funds in the State
9 General Fund not otherwise appropriated, for the purpose of
10 defraying the expenses of the Mississippi Emergency Management
11 Agency in accordance with the provisions of Section 33-15-1 et
12 seq., Mississippi Code of 1972, for the fiscal year beginning
13 July 1, 2005, and ending June 30, 2006..... \$ 767,690.00.

14 **SECTION 2.** The following sum, or so much thereof as may be
15 necessary, is hereby appropriated out of any money in the special
16 fund in the State Treasury to the credit of the Mississippi
17 Emergency Management Agency which is comprised of special source
18 funds collected by or otherwise available to the agency, for the
19 support and maintenance of the agency for the fiscal year
20 beginning July 1, 2005, and ending June 30, 2006.....
21 \$ 3,429,536.00.

22 **SECTION 3.** Of the funds appropriated under the provisions of
23 Sections 1 and 2, not more than the amounts set forth below shall
24 be expended for the respective major objects or purposes of
25 expenditure:

26 MAJOR OBJECTS OF EXPENDITURE:

27 Personal Services:

28 Salaries, Wages and Fringe Benefits.. \$ 2,311,424.00

29	Travel and Subsistence.....	43,576.00
30	Contractual Services.....	275,287.00
31	Commodities.....	91,310.00
32	Capital Outlay:	
33	Other Than Equipment.....	0.00
34	Equipment.....	11,879.00
35	Subsidies, Loans and Grants.....	<u>1,463,750.00</u>
36	Total.....	\$ 4,197,226.00
37	FUNDING:	
38	General Funds.....	\$ 767,690.00
39	Special Funds.....	<u>3,429,536.00</u>
40	Total.....	\$ 4,197,226.00

41 AUTHORIZED POSITIONS:

42	Permanent: Full Time.....	42
43	Part Time.....	0
44	Time-Limited: Full Time.....	20
45	Part Time.....	0

46 With the funds herein appropriated, it is the intention of
47 the Legislature that it shall be the agency's responsibility to
48 make certain that funds required to be appropriated for "Personal
49 Services" for Fiscal Year 2007 do not exceed Fiscal Year 2006
50 funds appropriated for that purpose, unless programs or positions
51 are added to the agency's Fiscal Year 2007 budget by the
52 Mississippi Legislature. Based on data provided by the
53 Legislative Budget Office, the State Personnel Board shall
54 determine and publish the projected annual cost to fully fund all
55 appropriated positions in compliance with the provisions of this
56 act. It shall be the responsibility of the agency head to insure
57 that no single personnel action increases this projected annual
58 cost and/or the Fiscal Year 2006 appropriation for "Personal
59 Services" when annualized, with the exception of escalated funds.
60 If, at the time the agency takes any action to change "Personal
61 Services," the State Personnel Board determines that the agency

62 has taken an action which would cause the agency to exceed this
63 projected annual cost or the Fiscal Year 2006 "Personal Services"
64 appropriated level, when annualized, then only those actions which
65 reduce the projected annual cost and/or the appropriation
66 requirement will be processed by the State Personnel Board until
67 such time as the requirements of this provision are met.

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

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

81 **SECTION 4.** It is the intention of the Legislature that the
82 Director of the Mississippi Emergency Management Agency may, upon
83 the request of a local public emergency management organization in
84 an area which has suffered a natural disaster, supply equipment to
85 rural water associations to enable their continued operation when
86 the local emergency management organization determines that such
87 private entities provide services essential to the welfare of the
88 community.

89 **SECTION 5.** It is the intention of the Legislature that the
90 Director of the Mississippi Emergency Management Agency shall
91 provide enhanced training to local governments, supervisors,
92 mayors, civil defense groups and municipal associations in
93 disaster management.

94 **SECTION 6.** The following sum, or so much thereof as may be
 95 necessary, is hereby appropriated out of any money in the State
 96 General Fund not otherwise appropriated, to the Mississippi
 97 Emergency Management Agency for the purpose of defraying certain
 98 administrative expenses and the state share of the cost of
 99 disaster assistance programs, including, but not being limited to,
 100 public assistance programs, individual and family grant programs,
 101 and mitigation programs, for the fiscal year beginning
 102 July 1, 2005, and ending June 30, 2006.....\$ 1,604,720.00.

103 **SECTION 7.** The following sum, or so much thereof as may be
 104 necessary, is hereby appropriated out of any money in the State
 105 Treasury to the credit of the Mississippi Emergency Management
 106 Agency Fund Nos. 3724, 3725, 3728, 372U and 372C for the
 107 purpose of defraying certain administrative expenses and the state
 108 and federal share of the cost of disaster assistance programs,
 109 including, but not being limited to, public assistance programs,
 110 individual and family grant programs, and mitigation programs, for
 111 the fiscal year beginning July 1, 2005, and ending
 112 June 30, 2006.....\$ 86,439,289.00.

113 **SECTION 8.** Of the funds appropriated under the provisions of
 114 Sections 6 and 7, not more than the amounts set forth below shall
 115 be expended for the respective major objects or purposes of
 116 expenditure:

117 MAJOR OBJECTS OF EXPENDITURE:

118 Personal Services:

119	Salaries, Wages and Fringe Benefits.. \$	0.00
120	Travel and Subsistence.....	36,436.00
121	Contractual Services.....	348,784.00
122	Commodities.....	117,300.00
123	Capital Outlay:	
124	Other Than Equipment.....	0.00
125	Equipment.....	155,633.00
126	Subsidies, Loans and Grants.....	<u>87,385,856.00</u>

127 Total..... \$ 88,044,009.00
128 FUNDING:
129 General Funds..... \$ 1,604,720.00
130 Special Funds..... 86,439,289.00
131 Total..... \$ 88,044,009.00

132 **SECTION 9.** The funds appropriated under the provisions of
133 Sections 6 and 7 are provided to defray certain administrative
134 expenses and the state and federal share of the cost of disaster
135 assistance programs, including public assistance programs,
136 individual and family grant programs, and mitigation programs
137 resulting from, but not being limited to, the following:

- 138 September 1998 Hurricane Georges #1251
- 139 December 1998 Ice Storm #1265
- 140 February and March 2001 Tornado Disasters #1360
- 141 April 2001 Floods #1365
- 142 June 2001 Tropical Storm Allison #1382
- 143 November 2001 Tornado/Flood #1398
- 144 October 2002 Tropical Storm Isidore #1436
- 145 November 2002 Tornado (Columbus/MUW) #1443
- 146 April 2003 Severe Storms #1459
- 147 May 2003 Severe Storms #1470
- 148 Hazard Mitigation Programs
- 149 Emergency Preparedness Programs

150 **SECTION 10.** None of the funds appropriated in Section 6
151 shall be used to establish a special reserve fund in the State
152 Treasury for disaster relief except as provided for in Sections
153 43-41-1 et seq. and 43-41-301 et seq., Mississippi Code of 1972.

154 **SECTION 11.** It is the intention of the Legislature that the
155 agency's budget request for Fiscal Year 2007 shall be submitted to
156 the Joint Legislative Budget Committee in a format and level of
157 detail comparable to the format and level of detail provided
158 during the Fiscal Year 2006 budget request process.

159 **SECTION 12.** The expenditure of the funds appropriated by
160 this act shall be under the direction of the Governor and shall be
161 paid by the State Treasurer out of any money in the proper fund or
162 funds as set forth in this act, upon warrants issued by the State
163 Fiscal Officer; and the State Fiscal Officer shall issue his
164 warrants upon requisitions signed by the proper person, officer or
165 officers in the manner provided by law.

166 **SECTION 13.** This act shall take effect and be in force from
167 and after July 1, 2005.