

REPORT OF CONFERENCE COMMITTEE

MADAM PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3144: Appropriation; Emergency Management Agency.

We, therefore, respectfully submit the following report and recommendation:

- 1. That the House recede from its Amendment No. 1.
- 2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

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, 2007, and ending June 30, 2008..... \$ 6,139,368.00.

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, 2007, and ending June 30, 2008.....
21 \$ 6,070,844.00.

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.. \$ 9,303,952.00

29	Travel and Subsistence.....		30,000.00
30	Contractual Services.....		1,159,200.00
31	Commodities.....		180,310.00
32	Capital Outlay:		
33	Other Than Equipment.....		0.00
34	Equipment.....		66,500.00
35	Vehicles.....		0.00
36	Wireless Communication Devices.....		3,500.00
37	Subsidies, Loans and Grants.....		<u>1,466,750.00</u>
38	Total.....	\$	12,210,212.00
39	FUNDING:		
40	General Funds.....	\$	6,139,368.00
41	Special Funds.....		<u>6,070,844.00</u>
42	Total.....	\$	12,210,212.00

43 AUTHORIZED POSITIONS:

44	Permanent:	Full Time.....	120
45		Part Time.....	0
46	Time-Limited:	Full Time.....	18
47		Part Time.....	0

48 Funds are provided herein to adjust the Variable Compensation
49 Plan to ensure that all full-time employees receive a pay increase
50 equal to the realignment component of the Variable Compensation
51 Plan or One Thousand Five Hundred Dollars (\$1,500.00), whichever
52 is greater, to be awarded on July 1, 2007.

53 With the funds herein appropriated, it is the intention of
54 the Legislature that it shall be the agency's responsibility to
55 make certain that funds required to be appropriated for "Personal
56 Services" for Fiscal Year 2009 do not exceed Fiscal Year 2008
57 funds appropriated for that purpose, unless programs or positions
58 are added to the agency's Fiscal Year 2008 budget by the
59 Mississippi Legislature. Based on data provided by the
60 Legislative Budget Office, the State Personnel Board shall

61 determine and publish the projected annual cost to fully fund all
62 appropriated positions in compliance with the provisions of this
63 act. It shall be the responsibility of the agency head to insure
64 that no single personnel action increases this projected annual
65 cost and/or the Fiscal Year 2008 appropriations for "Personal
66 Services" when annualized, with the exception of escalated funds
67 and educational benchmarks. If, at the time the agency takes any
68 action to change "Personal Services", the State Personnel Board
69 determines that the agency has taken an action which would cause
70 the agency to exceed this projected annual cost or the Fiscal Year
71 2008 "Personal Services" appropriated level, when annualized, then
72 only those actions which reduce the projected annual cost and/or
73 the appropriation requirement will be processed by the State
74 Personnel Board until such time as the requirements of this
75 provision are met. On January 1, 2008, the State Personnel Board
76 will make adjustments to the structure side of the compliance
77 report based on data provided by the Legislative Budget Office in
78 order for agencies to award educational benchmarks.

79 Any transfers or escalations shall be made in accordance with
80 the terms, conditions and procedures established by law or
81 allowable under the terms set forth within this act. The State
82 Personnel Board shall not escalate positions without written
83 approval from the Department of Finance and Administration. The
84 Department of Finance and Administration shall not provide written
85 approval to escalate any funds for salaries and/or positions
86 without proof of availability of new or additional funds above the
87 appropriated level.

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

92 **SECTION 4.** It is the intention of the Legislature that the
93 Director of the Mississippi Emergency Management Agency may, upon
94 the request of a local public emergency management organization in
95 an area which has suffered a natural disaster, supply equipment to
96 rural water associations to enable their continued operation when
97 the local emergency management organization determines that such
98 private entities provide services essential to the welfare of the
99 community.

100 **SECTION 5.** It is the intention of the Legislature that the
101 Director of the Mississippi Emergency Management Agency shall
102 provide enhanced training to local governments, supervisors,
103 mayors, civil defense groups and municipal associations in
104 disaster management.

105 **SECTION 6.** The following sum, or so much thereof as may be
106 necessary, is hereby appropriated out of any money in the State
107 General Fund not otherwise appropriated, to the Mississippi
108 Emergency Management Agency for the purpose of defraying certain
109 administrative expenses and the state share of the cost of
110 disaster assistance programs, including, but not being limited to,
111 public assistance programs, individual and family grant programs,
112 and mitigation programs, for the fiscal year beginning
113 July 1, 2007, and ending June 30, 2008.....\$ 1,622,953.00.

114 **SECTION 7.** The following sum, or so much thereof as may be
115 necessary, is hereby appropriated out of any money in the State
116 Treasury to the credit of the Mississippi Emergency Management
117 Agency Fund Nos. 3724, 3725, 3728, 372U, 372C, 3729, 372B and 372K
118 for the purpose of defraying certain administrative expenses and
119 the state and federal share of the cost of disaster assistance
120 programs, including, but not being limited to, public assistance
121 programs, individual and family grant programs, and mitigation
122 programs, for the fiscal year beginning July 1, 2007, and ending
123 June 30, 2008.....\$ 86,195,111.00.

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

128 **MAJOR OBJECTS OF EXPENDITURE:**

129 Personal Services:

130	Salaries, Wages and Fringe Benefits.. \$	0.00
131	Travel and Subsistence.....	37,000.00
132	Contractual Services.....	503,075.00
133	Commodities.....	97,189.00
134	Capital Outlay:	
135	Other Than Equipment.....	0.00
136	Equipment.....	170,800.00
137	Vehicles.....	0.00
138	Wireless Communication Devices.....	10,000.00
139	Subsidies, Loans and Grants.....	<u>87,000,000.00</u>
140	Total..... \$	87,818,064.00

141 **FUNDING:**

142	General Funds..... \$	1,622,953.00
143	Special Funds.....	<u>86,195,111.00</u>
144	Total..... \$	87,818,064.00

145 **SECTION 9.** The funds appropriated under the provisions of
 146 Sections 6 and 7 are provided to defray certain administrative
 147 expenses and the state and federal share of the cost of disaster
 148 assistance programs, including public assistance programs,
 149 individual and family grant programs, and mitigation programs
 150 resulting from, but not being limited to, the following:

- 151 #1251 Hurricane Georges
- 152 #1360 2001 Tornados
- 153 #1398 2002 Tornados

154 #1436 October 2002 Tropical Storm Isadore
 155 #1443 November 2002 Tornado (Columbus/MUW)
 156 #1459 April 2003 Severe Storms
 157 #1550 Hurricane Ivan
 158 #1594 Hurricane Dennis
 159 #1604 Hurricane Katrina
 160 #1382 Hurricane Allison
 161 Hazard Mitigation
 162 Other Needs Assistance
 163 State Housing
 164 Pre-Disaster Response
 165 Emergency Preparedness Programs

166 **SECTION 10.** None of the funds appropriated in Section 6
 167 shall be used to establish a special reserve fund in the State
 168 Treasury for disaster relief except as provided for in Sections
 169 43-41-1 et seq. and 43-41-301 et seq., Mississippi Code of 1972.

170 **SECTION 11.** It is the intention of the Legislature that the
 171 agency's budget request for Fiscal Year 2009 shall be submitted to
 172 the Joint Legislative Budget Committee in a format and level of
 173 detail comparable to the format and level of detail provided
 174 during the Fiscal Year 2008 budget request process.

175 **SECTION 12.** It is the intention of the Legislature that the
 176 Executive Director of the Mississippi Emergency Management Agency
 177 may authorize increases in any major objects of expenditures in
 178 total amounts not to exceed twenty-five percent (25%) of the
 179 appropriated amount of each major object of expenditure, provided
 180 that other major objects of expenditure are decreased by a
 181 corresponding dollar amount. However, no transfers shall be
 182 authorized which increase the major object of expenditure
 183 "Salaries, Wages and Fringe Benefits."

184 **SECTION 13.** It is the intention of the Legislature that the
 185 Executive Director of the Mississippi Emergency Management Agency

186 shall have authority to transfer not more than Five Hundred
187 Thousand Dollars (\$500,000.00) from any general or special fund
188 treasury fund and major object budget category to another special
189 or general fund treasury fund and major object budget category
190 accordingly under the control of the Mississippi Emergency
191 Management Agency. The purpose of this authority is to more
192 efficiently use available cash reserves. It is further the
193 intention of the Legislature that the Executive Director of the
194 Mississippi Emergency Management Agency shall submit written
195 justification for the transfer to the Legislative Budget Office
196 and the Department of Finance and Administration on or before the
197 fifteenth (15th) of the month prior to the effective date of the
198 transfer.

199 **SECTION 14.** It is the intention of the Legislature that
200 whenever two (2) or more bids are received by this agency for the
201 purchase of commodities or equipment, and whenever all things
202 stated in such received bids are equal with respect to price,
203 quality and service, the Mississippi Industries for the Blind
204 shall be given preference. A similar preference shall be given to
205 the Mississippi Industries for the Blind whenever purchases are
206 made without competitive bids.

207 **SECTION 15.** It is legislative intent to ensure beneficial
208 information reaches as many Mississippians as possible. Further,
209 it is legislative intent that the expenditure of public funds for
210 this purpose be accomplished in an efficient and effective manner.

211 Therefore, state agencies as standard procedure, will observe
212 the following criteria:

- 213 (1) Develop goals and desired result for a campaign.
- 214 (2) Evaluate effectiveness through respected advertising
215 standards, including market reach and cost effectiveness.
- 216 (3) Seek public service announcements, which would be aired
217 by media without cost.

218 (4) Itemize and justify professional assistance and related
219 expenses for creative and production costs outside of the actual
220 media expenditures.

221 (5) Utilize Mississippi owned media companies when feasible.

222 **SECTION 16.** In addition to all other funds heretofore
223 appropriated, the following sum, or so much thereof as may be
224 necessary, is hereby appropriated out of any funds in the
225 Hurricane Disaster Reserve Fund within the State Treasury to be
226 utilized by the Mississippi Emergency Management Agency to defray
227 the state share of any nonfederal matching requirements for
228 Federal Emergency Management Agency grants associated with
229 Hurricane Katrina and other disasters for the fiscal year
230 beginning July 1, 2007 and ending June 30, 2008.....
231\$ 268,000,000.00.

232 Any utilization of or repayment made from the funds
233 appropriated under the provisions of this section shall be
234 reported in writing to the Lieutenant Governor, Speaker of the
235 House of Representatives, Chairman of the Senate Appropriations
236 Committee, Chairman of the House Appropriations Committee and the
237 Legislative Budget Office within five working days of each such
238 utilization or repayment.

239 **SECTION 17.** The expenditure of the funds appropriated by
240 this act shall be under the direction of the Governor and shall be
241 paid by the State Treasurer out of any money in the proper fund or
242 funds as set forth in this act, upon warrants issued by the State
243 Fiscal Officer; and the State Fiscal Officer shall issue his
244 warrants upon requisitions signed by the proper person, officer or
245 officers in the manner provided by law.

246 **SECTION 18.** This act shall take effect and be in force from
247 and after July 1, 2007.

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

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 2008.

CONFEREES FOR THE SENATE

X (SIGNED)
Gordon

X (SIGNED)
Chassaniol

X (SIGNED)
Wilemon

CONFEREES FOR THE HOUSE

X (SIGNED)
Stringer

X (SIGNED)
Weathersby

(NOT SIGNED)
Dickson