

By: Senator(s) Clarke, Hopson, Michel,  
Jackson (32nd), McDaniel, Simmons (13th)

To: Appropriations

SENATE BILL NO. 2956  
(As Sent to Governor)

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 2019.

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, 2018, and ending June 30, 2019.....\$ 3,706,053.00.

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, 2018, and ending June 30, 2019.....  
21 .....\$ 26,475,452.00.

22 **SECTION 3.** Of the funds appropriated in Sections 1 and 2,  
23 the following positions are authorized:

24 AUTHORIZED POSITIONS:

25	Permanent:	Full Time.....	123
26		Part Time.....	0
27	Time-Limited:	Full Time.....	32
28		Part Time.....	0

29 With the funds herein appropriated, it shall be the agency's  
30 responsibility to make certain that funds required to be  
31 appropriated for "Personal Services" for Fiscal Year 2020 do not  
32 exceed Fiscal Year 2019 funds appropriated for that purpose,  
33 unless programs or positions are added to the agency's Fiscal Year  
34 2019 budget by the Mississippi Legislature. Based on data  
35 provided by the Legislative Budget Office, the State Personnel  
36 Board shall determine and publish the projected annual cost to  
37 fully fund all appropriated positions in compliance with the  
38 provisions of this act. It shall be the responsibility of the  
39 agency head to ensure that no single personnel action increases  
40 this projected annual cost and/or the Fiscal Year 2019  
41 appropriations for "Personal Services" when annualized, with the  
42 exception of escalated funds and the award of benchmarks. If, at  
43 the time the agency takes any action to change "Personal



44 Services," the State Personnel Board determines that the agency  
45 has taken an action which would cause the agency to exceed this  
46 projected annual cost or the Fiscal Year 2019 "Personal Services"  
47 appropriated level, when annualized, then only those actions which  
48 reduce the projected annual cost and/or the appropriation  
49 requirement will be processed by the State Personnel Board until  
50 such time as the requirements of this provision are met.

51 Any transfers or escalations shall be made in accordance with  
52 the terms, conditions and procedures established by law or  
53 allowable under the terms set forth within this act. The State  
54 Personnel Board shall not escalate positions without written  
55 approval from the Department of Finance and Administration. The  
56 Department of Finance and Administration shall not provide written  
57 approval to escalate any funds for salaries and/or positions  
58 without proof of availability of new or additional funds above the  
59 appropriated level.

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

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



68           **SECTION 4.** It is the intention of the Legislature that the  
69 Director of the Mississippi Emergency Management Agency may, upon  
70 the request of a local public emergency management organization in  
71 an area which has suffered a natural disaster, supply equipment to  
72 rural water associations to enable their continued operation when  
73 the local emergency management organization determines that such  
74 private entities provide services essential to the welfare of the  
75 community.

76           **SECTION 5.** It is the intention of the Legislature that the  
77 Director of the Mississippi Emergency Management Agency shall  
78 provide enhanced training to local governments, supervisors,  
79 mayors, civil defense groups and municipal associations in  
80 disaster management.

81           **SECTION 6.** The following sum, or so much thereof as may be  
82 necessary, is hereby appropriated out of any money in the State  
83 General Fund not otherwise appropriated, to the Mississippi  
84 Emergency Management Agency for the purpose of defraying certain  
85 administrative expenses and the state share of the cost of  
86 disaster assistance programs, including, but not being limited to,  
87 public assistance programs, individual and family grant programs,  
88 and mitigation programs, for the fiscal year beginning  
89 July 1, 2018, and ending June 30, 2019.....\$       585,056.00.

90           **SECTION 7.** The following sum, or so much thereof as may be  
91 necessary, is hereby appropriated out of any money in the State  
92 Treasury to the credit of the Mississippi Emergency Management



93 Agency Fund Nos. 3725, 3728, 372U, 3729, 37BC, 372K, and 37AH for  
94 the purpose of defraying certain administrative expenses and the  
95 state and federal share of the cost of disaster assistance  
96 programs, including, but not being limited to, public assistance  
97 programs, individual and family grant programs, and mitigation  
98 programs, for the fiscal year beginning July 1, 2018, and  
99 ending June 30, 2019.....\$ 452,094,439.00.

100       **SECTION 8.** The funds appropriated under the provisions of  
101 Sections 6 and 7 of this act are provided to defray certain  
102 administrative expenses and the state and federal share of the  
103 cost of disaster assistance programs, including public assistance  
104 programs, individual and family grant programs, and mitigation  
105 programs resulting from, but not being limited to, the following:

- 106           1550       Hurricane Ivan
- 107           1604       Hurricane Katrina
- 108           1764       Severe Storms, Tornadoes - Hinds County & City of  
109                           Jackson
- 110           3291       Hurricane Gustav (Emergency Declaration)
- 111           1794       Hurricane Gustav
- 112           1837       Severe Storms, Tornadoes, Flooding - Simpson County  
113                           & City of Magee
- 114           1906       Severe Storms, Tornadoes - Yazoo County & Yazoo  
115                           City
- 116           1916       Severe Storms, Tornadoes, Flooding - Alcorn County  
117                           & City of Corinth



118           1972           Severe Storms, Tornadoes, Flooding - City of  
119                           Clinton & Town of Smithville  
120           1983           Flooding - MS and Yazoo Rivers  
121           4081           Hurricane Isaac  
122           4101           Severe Storms, Tornadoes, Flooding - City of  
123                           Hattiesburg & Pinebelt Area  
124           4175           Severe Storms, Tornadoes, Flooding - Cities of  
125                           Louisville & Tupelo  
126           4205           Severe Storms, Tornadoes, Marion County & City of  
127                           Columbia  
128                           Hazard Mitigation  
129                           Other Needs Assistance  
130                           Mississippi Temporary Housing Program  
131                           Pre-Disaster Response  
132                           Emergency Preparedness Programs  
133           4248           Severe Storms, Tornadoes, Flooding - North  
134                           Mississippi/Holly Springs  
135           4268           Delta Flooding  
136           4295           Pine Belt Tornado/Flooding

137           **SECTION 9.** None of the funds appropriated in Section 6 shall  
138 be used to establish a special reserve fund in the State Treasury  
139 for disaster relief except as provided for in Sections 43-41-1 et  
140 seq. and 43-41-301 et seq., Mississippi Code of 1972.

141           **SECTION 10.** It is the intention of the Legislature that the  
142 agency's budget request for Fiscal Year 2020 shall be submitted to



143 the Joint Legislative Budget Committee in a format and level of  
 144 detail comparable to the format and level of detail provided  
 145 during the Fiscal Year 2019 budget request process.

146 **SECTION 11.** In compliance with the "Mississippi Performance  
 147 Budget and Strategic Planning Act of 1994," it is the intent of  
 148 the Legislature that the funds provided herein shall be utilized  
 149 in the most efficient and effective manner possible to achieve the  
 150 intended mission of this agency. Based on the funding authorized,  
 151 this agency shall make every effort to attain the targeted  
 152 performance measures provided below:

	FY2019
<u>Performance Measures</u>	<u>Target</u>
Emergency Mgmt Preparedness	
Affected Population Informed (%)	95.00
Average time to Deliver Goods and	
Services (Hours)	3.50
Recovery	
Number of Ongoing Projects	1,800
Number of Meetings Conducted	245
Average Cost Per Project	175,000.00
Percentage of Recovery Objectives Complete	90.00
Mitigation	
Number of Workshops Conducted	13
Number of Ongoing Projects	45
Average Cost Per Project	4,300.00



168 Percentage Reduction in Damage Due to  
169 Natural and Man-Made Incidents 9.00

170 A reporting of the degree to which the performance targets  
171 set above have been or are being achieved shall be provided in the  
172 agency's budget request submitted to the Joint Legislative Budget  
173 Committee for Fiscal Year 2020.

174 **SECTION 12.** It is the intention of the Legislature that the  
175 Executive Director of the Mississippi Emergency Management Agency  
176 shall have authority to transfer not more than Five Hundred  
177 Thousand Dollars (\$500,000.00) from any general or special fund  
178 treasury fund and major object budget category to another special  
179 or general fund treasury fund and major object budget category  
180 accordingly under the control of the Mississippi Emergency  
181 Management Agency. The purpose of this authority is to more  
182 efficiently use available cash reserves. It is further the  
183 intention of the Legislature that the Executive Director of the  
184 Mississippi Emergency Management Agency shall submit written  
185 justification for the transfer to the Legislative Budget Office  
186 and the Department of Finance and Administration on or before the  
187 fifteenth of the month prior to the effective date of the  
188 transfer.

189 **SECTION 13.** It is the intention of the Legislature that the  
190 Mississippi Emergency Management Agency shall submit a  
191 notification and summary of all state support funding on all





192 disasters that require general funds or state support special  
193 funds to the Legislative Budget Office.

194       **SECTION 14.** It is the intention of the Legislature that from  
195 any funds appropriated in this act, the agency shall maintain a  
196 minimum of nine (9) Area Coordinators to provide daily assistance  
197 to local jurisdictions with emergency management activities as  
198 well as to provide quicker response to incidents and/or disasters.  
199 In addition, it is the intent of the Legislature that these Area  
200 Coordinators shall reside in or within fifty (50) miles of their  
201 assigned districts.

202       **SECTION 15.** It is the intention of the Legislature that  
203 whenever two (2) or more bids are received by this agency for the  
204 purchase of commodities or equipment, and whenever all things  
205 stated in such received bids are equal with respect to price,  
206 quality and service, the Mississippi Industries for the Blind  
207 shall be given preference. A similar preference shall be given to  
208 the Mississippi Industries for the Blind whenever purchases are  
209 made without competitive bids.

210       **SECTION 16.** The expenditure of the funds appropriated by  
211 this act shall be under the direction of the Governor and shall be  
212 paid by the State Treasurer out of any money in the proper fund or  
213 funds as set forth in this act, upon warrants issued by the State  
214 Fiscal Officer; and the State Fiscal Officer shall issue his  
215 warrants upon requisitions signed by the proper person, officer or  
216 officers in the manner provided by law.



217           **SECTION 17.** This act shall take effect and be in force from  
218 and after July 1, 2018.

