

By: Senator(s) Clarke, Hopson, Michel,
Jackson (32nd), McDaniel, Simmons (13th),
Jackson (11th), Jordan

To: Appropriations

SENATE BILL NO. 3017
(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 2020.

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, 2019, and ending June 30, 2020.....\$ 3,813,870.00.

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, 2019, and ending
21 June 30, 2020.....\$ 27,649,271.00.

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 2021 do not
32 exceed Fiscal Year 2020 funds appropriated for that purpose,
33 unless programs or positions are added to the agency's Fiscal Year
34 2020 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 2020
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 2020 "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 Funds are provided herein for all full-time employees to
52 receive up to a Three Percent (3%) pay increase to the realignment
53 component of the Variable Compensation Plan, excluding head of
54 agencies, board members and commission members.

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

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67 act and which are withdrawn and no longer available.



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

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

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

85 **SECTION 6.** The following sum, or so much thereof as may be
86 necessary, is hereby appropriated out of any money in the State
87 General Fund not otherwise appropriated, to the Mississippi
88 Emergency Management Agency for the purpose of defraying certain
89 administrative expenses and the state share of the cost of
90 disaster assistance programs, including, but not being limited to,
91 public assistance programs, individual and family grant programs,



92 and mitigation programs, for the fiscal year beginning
93 July 1, 2019, and ending June 30, 2020.....\$ 585,056.00.

94 **SECTION 7.** The following sum, or so much thereof as may be
95 necessary, is hereby appropriated out of any money in the State
96 Treasury to the credit of the Mississippi Emergency Management
97 Agency Fund Nos. 3725, 3728, 372U, 3729, and 37AH for the purpose
98 of defraying certain administrative expenses and the state and
99 federal share of the cost of disaster assistance programs,
100 including, but not being limited to, public assistance programs,
101 individual and family grant programs, and mitigation programs, for
102 the fiscal year beginning July 1, 2019, and ending
103 June 30, 2020.....\$ 469,446,217.00.

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

- 110 1604 Hurricane Katrina
- 111 4081 Hurricane Isaac
- 112 4101 Severe Storms, Tornadoes, Flooding - City of
113 Hattiesburg & Pinebelt Area
- 114 4175 Severe Storms, Tornadoes, Flooding - Cities of
115 Louisville & Tupelo
- 116 4205 Severe Storms, Tornadoes, Marion County & City of



117 Columbia
118 Hazard Mitigation
119 Other Needs Assistance
120 Mississippi Temporary Housing Program
121 Pre-Disaster Response
122 Emergency Preparedness Programs
123 4248 Severe Storms, Tornadoes, Flooding - North
124 Mississippi/Holly Springs
125 4268 Delta Flooding
126 4295 Pine Belt Tornado/Flooding
127 4314 Severe Storms, Flooding in Adams, Calhoun, Carroll,
128 Claiborne, Holmes, Jefferson, Montgomery, Webster &
129 Yazoo Counties
130 4350 Hurricane Nate
131 4415 Severe Storms, Flooding & Tornado in Clarke,
132 Covington, Forrest, Greene, Jasper, Jones, Marion,
133 Newton, Perry & Wayne Counties

134 **SECTION 9.** None of the funds appropriated in Section 6 shall
135 be used to establish a special reserve fund in the State Treasury
136 for disaster relief except as provided for in Section 33-15-307,
137 Mississippi Code of 1972.

138 **SECTION 10.** Of the funds appropriated in Section 2, Two
139 Hundred Forty Thousand Dollars (\$240,000.00), or so much thereof,
140 shall be derived out of any money in the State Treasury to the
141 credit of the Capital Expense Fund, as created in Section



142 27-103-303, Mississippi Code of 1972, and allocated in a manner as
143 determined by the Treasurer's Office, for matching grant funds for
144 Next Generation (NG) 911.

145 **SECTION 11.** It is the intention of the Legislature that the
146 agency's budget request for Fiscal Year 2021 shall be submitted to
147 the Joint Legislative Budget Committee in a format and level of
148 detail comparable to the format and level of detail provided
149 during the Fiscal Year 2020 budget request process.

150 **SECTION 12.** In compliance with the "Mississippi Performance
151 Budget and Strategic Planning Act of 1994," it is the intent of
152 the Legislature that the funds provided herein shall be utilized
153 in the most efficient and effective manner possible to achieve the
154 intended mission of this agency. Based on the funding authorized,
155 this agency shall make every effort to attain the targeted
156 performance measures provided below:

	FY2020
<u>Performance Measures</u>	<u>Target</u>
Emergency Mgmt Preparedness	
Percentage of the Affected Population	
Informed	80.00
Average Time to Deliver Goods and	
Services (Hrs)	1
Recovery	
Number of Ongoing Projects	784
Number of Meetings Conducted	240



167	Average Cost Per Project	410,000.00
168	Percentage of Recovery Objectives Complete	100.00
169	Mitigation	
170	Number of Workshops Conducted	12
171	Number of Ongoing Projects	100
172	Average Cost Per Project	4,300.00
173	Reduction in Damage Due to Natural and	
174	Man-Made Incidents (%)	7.00

175 A reporting of the degree to which the performance targets
176 set above have been or are being achieved shall be provided in the
177 agency's budget request submitted to the Joint Legislative Budget
178 Committee for Fiscal Year 2021.

179 **SECTION 13.** It is the intention of the Legislature that the
180 Executive Director of the Mississippi Emergency Management Agency
181 shall have authority to transfer not more than Five Hundred
182 Thousand Dollars (\$500,000.00) from any general or special fund
183 treasury fund and major object budget category to another special
184 or general fund treasury fund and major object budget category
185 accordingly under the control of the Mississippi Emergency
186 Management Agency. The purpose of this authority is to more
187 efficiently use available cash reserves. It is further the
188 intention of the Legislature that the Executive Director of the
189 Mississippi Emergency Management Agency shall submit written
190 justification for the transfer to the Legislative Budget Office
191 and the Department of Finance and Administration on or before the



192 fifteenth of the month prior to the effective date of the
193 transfer.

194 **SECTION 14.** It is the intention of the Legislature that the
195 Mississippi Emergency Management Agency shall submit a
196 notification and summary of all state support funding on all
197 disasters that require general funds or state support special
198 funds to the Legislative Budget Office.

199 **SECTION 15.** It is the intention of the Legislature that from
200 any funds appropriated in this act, the agency shall maintain a
201 minimum of nine (9) Area Coordinators to provide daily assistance
202 to local jurisdictions with emergency management activities as
203 well as to provide quicker response to incidents and/or disasters.
204 In addition, it is the intent of the Legislature that these Area
205 Coordinators shall reside in or within fifty (50) miles of their
206 assigned districts.

207 **SECTION 16.** It is the intention of the Legislature that
208 whenever two (2) or more bids are received by this agency for the
209 purchase of commodities or equipment, and whenever all things
210 stated in such received bids are equal with respect to price,
211 quality and service, the Mississippi Industries for the Blind
212 shall be given preference. A similar preference shall be given to
213 the Mississippi Industries for the Blind whenever purchases are
214 made without competitive bids.

215 **SECTION 17.** The expenditure of the funds appropriated by
216 this act shall be under the direction of the Governor and shall be



217 paid by the State Treasurer out of any money in the proper fund or
218 funds as set forth in this act, upon warrants issued by the State
219 Fiscal Officer; and the State Fiscal Officer shall issue his
220 warrants upon requisitions signed by the proper person, officer or
221 officers in the manner provided by law.

222 **SECTION 18.** This act shall take effect and be in force from
223 and after July 1, 2019.

